

09/25/2007

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

RIGHT NUMBER: 78-2027A

NAME AND ADDRESS: NITA L BRANSTETTER
PO BOX 175
NEW MEADOWS ID 83654

CHARLES V BRANSTETTER
PO BOX 175
NEW MEADOWS ID 83654

SOURCE: FOURMILE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.680 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/12/1920

POINT OF DIVERSION:

T19N R02E S4 NWNW Lot 4 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.070 CFS
IRRIGATION	04/01 10/31	0.680 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S08	NENW	29.00	T19N R02E S08	NWNW	5.00
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STOCKWATER in ADAMS County

T19N R02E S08	NENW	T19N R02E S08	NWNW
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34 ACRES TOTAL

Right Nos. 78-2027A and 78-10236 are limited to the irrigation of a combined total of 34 acres in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - License

NCAPS
completed!

11-29-07

Sally

The Nita Braustetter
change of ownership turned
out to be rather complicated.

Please prepare a NCAP cover
sheet for 78-4288. I see
that Scott Campbell is listed
as the attorney for this
right and I assume he
got there as a result of
his representation of Osborn
Ranch for right no. 78-4133.

The NCAP is for the substitution
of two of the parties. Nita &
Charles Braustetter are now Nita Braustetter
Trust. Thanks, Carter

2 RECEIVED

NOV 15 2007

DEPARTMENT OF
WATER RESOURCES

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

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
78-2027A ✓			78-4072B		
78-10236 ✓			78-4288		
78-11181			78-10234		
78-10618			78-2028A		
78-2037			78-4315A		
78-10235					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Charles (deceased) or Nita Branstetter
4. New Owner/Claimant(s) Nita Branstetter Trust, Nita Branstetter TFE
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or her successors in trust
- New Mailing Address P.O. Box 175
- City, State and ZIP Code New Meadows, ID 83654
- New Telephone Number (208) 347-2374 Email: nbranst@frontier.net

SCANNED

NOV 28 2007

QUIT CLAIM DEED

For no consideration, NITA L. BRANSTETTER, a single person, as the Grantor does hereby convey, release, remise and forever quit claim unto

"NITA BRANSTETTER, Trustee, or her successors in trust, of the NITA BRANSTETTER TRUST, U/T/A dated the 19th day of August, 1997, and any amendments thereto" as the Grantee,

whose current address is P.O. Box 175, New Meadows, Idaho 83654, the following described premises, in **ADAMS County**, Idaho, to-wit:

Parcel One:

Lots 1, 2, 3, and 4 of Block 4 of the Townsite of New Meadows, Idaho, according to the official plat thereof, on file in the office of the Recorder of Adams County, Idaho; Block 4 being vacated according to Book 1 of Miscellaneous, page 230-231, records of Adams County, Idaho.

Parcel Two:

N 1/2 NW 1/4, Section 8, and NE 1/4 NE 1/4 and NW 1/4 NE 1/4, Section 7, excepting therefrom that part of the E 1/2 NW 1/4 and W 1/2 NE 1/4 NE 1/4 lying north of the county road; all in Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho.

Parcel Three:

Townsite of Helena, Adams County, Idaho, as shown on the official Plat thereof on file in the office of the County Recorder of Adams County, Idaho EXCEPTING THEREFROM Lot 3 of Block 6.

Parcel Four:

Legal description attached hereto as Exhibit "A" and incorporated by reference herein.

Parcel Five:

Legal description attached hereto as Exhibit "B" and incorporated by reference herein.

together with their appurtenances.

Quit Claim Deed - Page 36

DATED this 19th day of August, 1997.

Nita L. Branstetter
NITA L. BRANSTETTER

STATE OF IDAHO)
 : ss.
County of Ada)

On this 19th day of August, 1997, before me, a notary public in and for said State, personally appeared NITA L. BRANSTETTER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Susan Graham
Notary Public in and for Idaho
Residing at Boise, Idaho.
My commission expires: 4/22/2003.

Client No: 97-05-26

INSTRUMENT NO. 92509
State of Idaho)
County of Adams) ss.

Filed for record at the request of
Susan Graham

33 min. past 1 o'clock P.M.
this 22 day of Aug, 19 97

MICHAEL FISK, RECORDER

by Peggy Linde
Deputy

Fee \$ 12.00

Return to: Susan Graham

Quit Claim Deed - Page 37

INSTRUMENT NO. 96541

QUIT CLAIM DEED

For Value Received NITA BRANSTETTER aka NITA L.
BRANSTETTER, a single person

does hereby convey, release, remise and forever quit claim
unto NITA BRANSTETTER, Trustee, or her successors in trust,
of the NITA BRANSTETTER TRUST, U/T/A dated the 19th day of
August, 1997, and any amendments thereto

whose address is: P.O.Box 175, New Meadows, ID 83654

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

Date: 7/28/99

Nita Branstetter

STATE OF IDAHO)
) ss
County of ADAMS)

On this 28 day of July in the year of 1999,
before me, a Notary Public in and for the said
State, personally appeared

NITA BRANSTETTER

known or identified to me to be the person whose
name is subscribed to the within instrument, and
acknowledged to me that she executed the same.



Patricia Holden
Notary Public for Idaho
Residing at: New Meadows
Commission expires: 10-23-99

INSTRUMENT NO. 96541
State of Idaho)
County of Adams) ss.
Filed for record at the request of
Timberline Title & Escrow
56 min. past 10 o'clock A.M.
this 29 day of July, 19 99
by Michael Fisk Deputy
MICHAEL FISK, RECORDER

SCANNED

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho, Section 24: a parcel of land situated within the city of New Meadows and formerly described as Lots 1, 2, 3 and 4 of Block 4 of the Townsite of New Meadows as set forth on the official plat, Book 1, page 12, on file in the office of the Adams County Recorder Now vacated along with streets and alleys adjacent thereto and is now being described as follows:

Beginning at the NE corner of Lot 6, Block 3 of said New Meadows Townsite, thence North parallel to lot 6, Block 3 a distance of 10 feet;

Thence East a distance of 210 feet to the REAL POINT OF BEGINNING;

Thence continuing East a distance of 120 feet;

Thence South 145 feet;

Thence West 120 feet;

Thence North 145 feet to the REAL POINT OF BEGINNING.

EXHIBIT "A"

This parcel is the SW1/4SW1/4 of Section 5, Township 19 North, Range 2 East of the Boise Meridian and is more particularly described as follows:

BEGINNING at the southwest corner of said SW1/4SW1/4;

Thence North 0°19'46" East along the westerly boundary of said SW1/4SW1/4 a distance of 1313.37 feet to the northwest corner of said SW1/4SW1/4;

Thence South 89°14'54" East along the northerly boundary of said SW1/4SW1/4 a distance of 1318.71 feet to the northeast corner of said SW1/4SW1/4;

Thence South 0°27'50" West along the easterly boundary of said SW1/4SW1/4 a distance of 1316.89 feet to the southeast corner of said SW1/4SW1/4;

Thence North 89°05'38" West along the southerly boundary of said SW1/4SW1/4 a distance of 1315.65 feet to the POINT OF BEGINNING.

EXHIBIT "B"

This parcel contains the E1/2SW1/4 and portions of the SE1/4NW1/4 and of the SW1/4NE1/4 of Section 32, Township 20 North, Range 2 East of the Boise Meridian, Adams County, Idaho, and is more particularly described as follows:

BEGINNING at the southeast corner of said E1/2SW1/4; thence South 89°39'52" West along the southerly boundary of said E1/2SW1/4 a distance of 1328.09 feet to the southwest corner of said E1/2SW1/4; thence North 0°07'45" East along the westerly boundary of said E1/2SW1/4 a distance of 2629.68 feet to the northwest corner of said E1/2SW1/4; thence South 89°43'25" East along the northerly boundary of said E1/2SW1/4 a distance of 730.68 feet; thence North 0°07'15" East parallel with the easterly boundary of said SE1/4NW1/4 a distance of 1321.16 feet to a point on the northerly boundary of said SE1/4NW1/4; thence South 89°42'08" East along said northerly boundary a distance of 597.00 feet to the northwest corner of said SW1/4NE1/4; thence South 89°59'32" East along the northerly boundary of said SW1/4NE1/4 a distance of 1129.71 feet; thence South 0°17'33" West parallel with the easterly boundary of said SW1/4NE1/4 a distance of 1326.23 feet to a point on the southerly boundary of said SW1/4NE1/4; thence North 89°43'25" West along said southerly boundary a distance of 1125.74 feet to the southwest corner of said SW1/4NE1/4 (also the northeast corner of the E1/2SW1/4); thence South 0°07'15" West along the easterly boundary of said E1/2SW1/4 a distance of 2615.50 feet to the POINT OF BEGINNING, together with access thereto on existing roadways across the lands of the other Grantees as herein described. This parcel contains 132.32 acres.

SCANNED

NOV 28 2007

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 78-2027A
Date Received: 5/17/1988
Receipt No: W000212
Received By:

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

1. Name of Claimant(s)

NITA L BRANSTETTER Phone: (208)347-2374
PO BOX 175
NEW MEADOWS ID USA 83654

OR

CHARLES V BRANSTETTER Phone: (208)347-2374
PO BOX 175
NEW MEADOWS ID USA 83654

2. Date of Priority: 03/12/1920

3. Source: FOURMILE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	02E	4	NW NW NW 4	ADAMS	

5. Description of diverting works:

DITCH FROM FOUR MILE CREEK TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.68	
STOCKWATER	01/01	12/31	0.07	

7. Total Quantity Appropriated is:
0.68 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
19N	02E	8	NE	NW	STOCKWATER	
			NW	NW	STOCKWATER	
			NE	NW	IRRIGATION	29
			NW	NW	IRRIGATION	5
Section Acres						34
Total Acres						34.

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used: 78-10234 and 78-10236

14. Remarks:

15. Basis of Claim: License

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): Steve L. Branstetter Date: 8/27/07
 _____ Date: _____

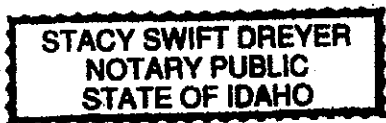
State of Idaho)
 County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 30th day
 of August 2007

Stacy Swift Dreyer

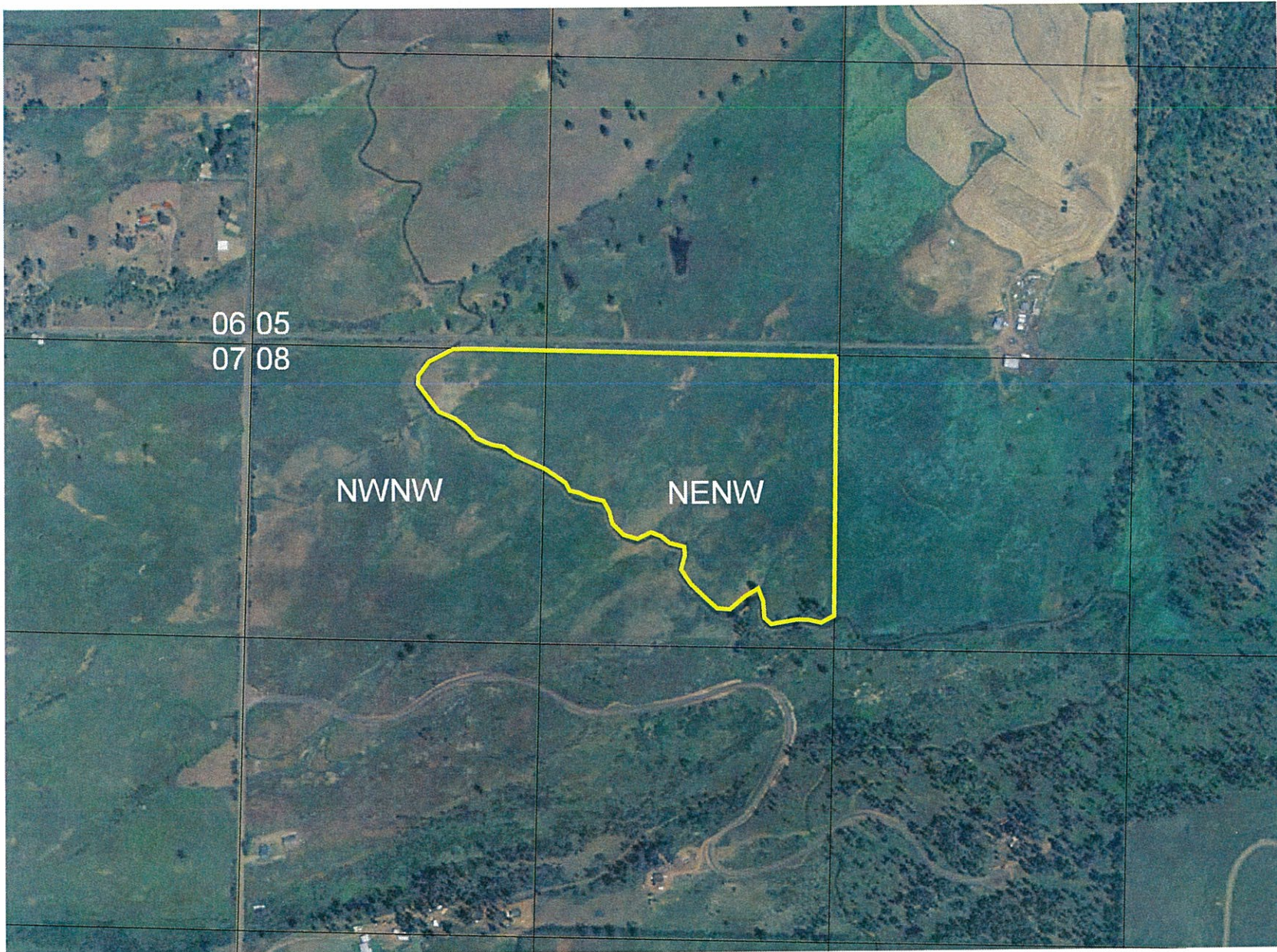
Notary Public

Residing at New Meadows
 My commission Expires 3-17-2011



78-2027A 78-10234 & 78-10236

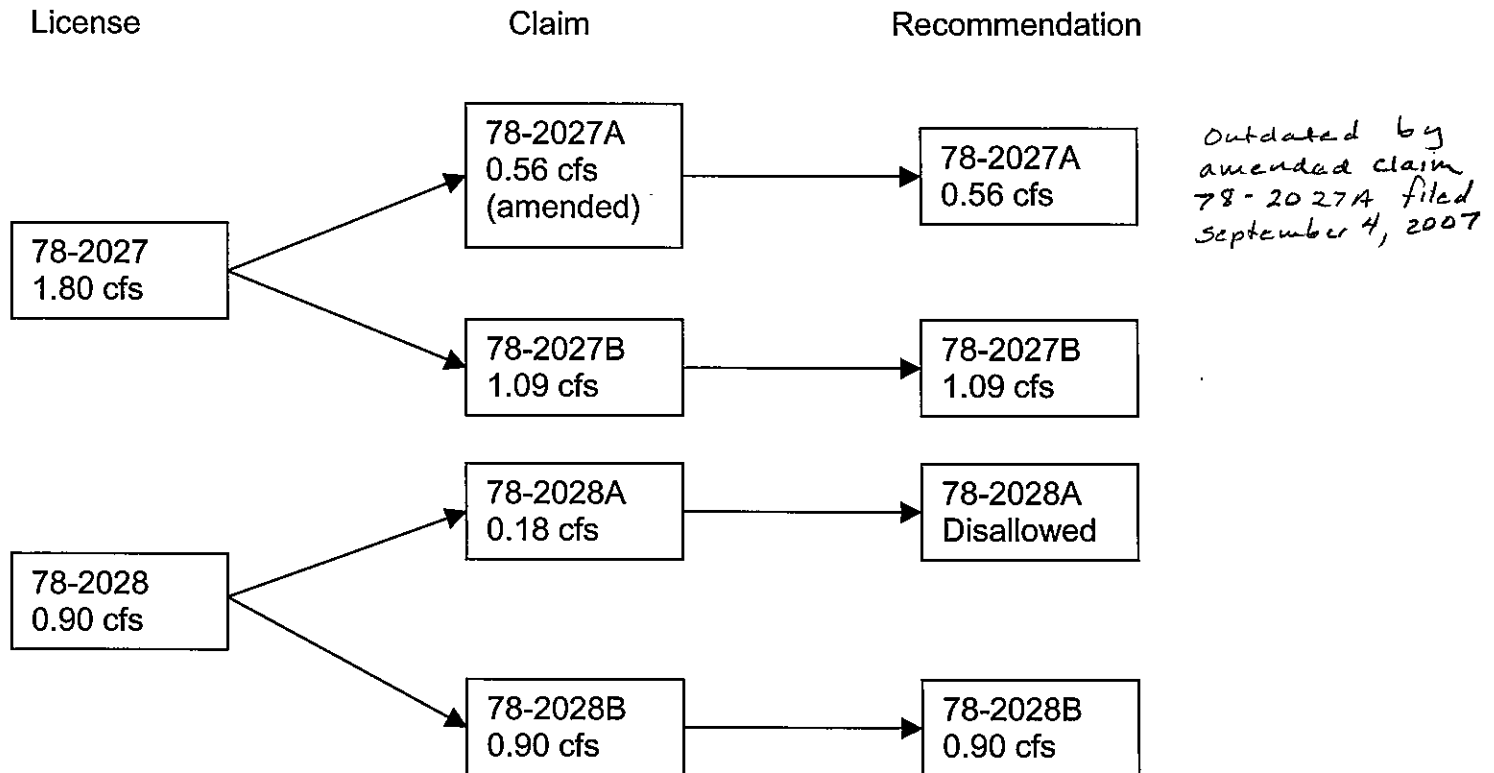
T19N R02E
S08



700 0 700 1400 2100 Feet

Map prepared by: Carter Fritschle
Date prepared: 12/02/05
2004 NAIP Photography
Idaho Department of Water Resources

Splits of 78-2027 and 78-2028 – Revised 12/16/06



License 78-2027 was issued for 1.80 cfs on 90 acres in Section 6. Transfer No. 3229 moved 1.80 cfs and 86 acres of license 78-2027 to Sections 5 and 8 in 1986. Transfer No. 3392 was filed to correct the place of use of the 86 acres in Sections 5 and 8. Transfer No. 3392 was approved in 1988. Transfer No. 4330 was filed to further modify the place of use in Section 8 and resulted in splitting 78-2027 into A and B portions. Transfer No. 4330 was approved in 1995. Transfer No. 4330 also limited the total combined diversion rate of all the rights transferred to 0.02 cfs per acre.

The SRBA claims were filed prior to filing Transfer No. 4330; therefore the transfer amends the claims. One unexplained issue created by the transfers and the claims is that a portion of License 78-2027 is unaccounted for. As transferred and claimed, 0.15 cfs of 78-2027 is not represented on any of the claims filed. Note: The 0.05 cfs of 78-2027 included in Transfer No. 4330 but then taken away with the combined diversion rate limits could be added to the 0.15 cfs to arrive at an unaccounted for amount of 0.20 cfs for the diversion rate of 78-2027. However, claim 78-10240 was decreed for stockwater use from Fourmile Creek with a diversion rate of 0.23 cfs and a priority date of 3-12-1920. This appears to represent the unaccounted for portion of license 78-2027, plus an additional 0.03 cfs.

The claimants of 78-2027A also claimed 0.18 cfs from license 78-2028 as 78-2028A. But, Transfer No. 4330 allocated all of license 78-2028 to the land also covered by 78-2027B. That is why claim 78-2027A was amended to "recover" the 0.18 cfs lost to Transfer No. 4330. The recommendation of 78-2027A will reflect the amended claimed diversion rate, and 78-2028A will be disallowed. Additionally, the stated purpose of statutory claim 78-4315 was floodwater. And, claim 78-10234 appears to be for the A portion of 78-4315 that remained after Transfer No. 4330 was approved.

A total of 33 acres were found to be irrigated from Fourmile Creek in the NE ¼ of Section 5. Therefore, claim 78-2027A will be recommended as part of the 33-acre permissible place of use. Because the diversion rate per acre for the licensed rights was 0.02 cfs, claim 78-2027A is recommended as limited to 28 acres within the 33 acre permissible POU. The additional 5 acres will be recommended as 78-10236 at 0.10 cfs and a priority date of July 9, 1924. That is the date of the field exam for 78-2027 and the map shows that the Luce Ditch was in place on that date. CLF

RECEIVED

DEC 21 2005

DEPARTMENT OF
WATER RESOURCES

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 78-2027A
Date Received: 5/17/1988
Receipt No: W000212
Received By:

RECEIVED

DEC 23 2005

WATER RESOURCES
WESTERN REGION

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

1. Name of Claimant(s)

NITA L BRANSTETTER Phone: (208)347-2374
PO BOX 175
NEW MEADOWS ID 83654

CHARLES V BRANSTETTER Phone: (208)347-2374
PO BOX 175
NEW MEADOWS ID 83654

RECEIVED

DEC 28 2005

DEPARTMENT OF
WATER RESOURCES

2. Date of Priority: 03/12/1920

3. Source: FOURMILE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	02E	4	NW NW NW 4	ADAMS	

5. Description of diverting works:

DITCH FROM FOUR MILE CREEK TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.56	
STOCKWATER	1/01	12/31	0.07	

7. Total Quantity Appropriated is:
0.56 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
19N	02E	8	NE	NW	STOCKWATER	
			NW	NW	STOCKWATER	
			NE	NW	IRRIGATION	28
			NW	NW	IRRIGATION	5
Section Acres						33
Total Acres						33

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

DURING LOW WATER PERIODS THE CLAIMANTS WATER RIGHTS FROM FOUR-MILE CREEK ARE CUT DOWN AND AT THAT POINT AN EXCHANGE IS MADE WITH THE CAMPBELLS AND CARRIES FOR THEIR FOUR MILE CREEK WATER, WHICH HAS AN EARLIER PRIORITY DATE, WITH THE CLAIMANT'S GOOSE LAKE AND TWIN LAKE WATER. THIS EXCHANGE IS MADE SINCE THE CLAIMANTS WOULD HAVE TO PUMP THEIR GOOSE LAKE AND TWIN LAKE WATER, IF IT WERE USED, AND THE FOUR-MILE CREEK WATER SYSTEM IS SET UP FOR GRAVITY IRRIGATION THROUGHOUT THE IRRIGATION SEASON.

15. Basis of Claim: License

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

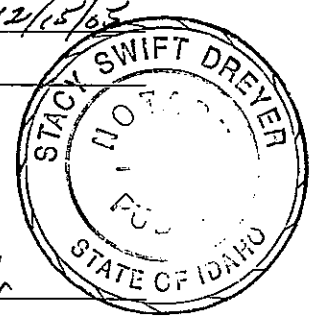
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Nita Bernatette Date: 12/15/05
 _____ Date: _____

State of Idaho)
 County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 19th day
 of December 2005

Stack Swift Dreyer
 Notary Public



Residing at New Meadows, ID
 My commission Expires 3/17/2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4330
WATER RIGHT NO(S). 78-02027B/78-02028/78-04315B

This is to certify that: **MELVIN BRANSTETTER**
ALICE BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 78-02027B :			
IRRIGATION	04/15 to 10/15	1.09 CFS	156.0 AF
Right No. 78-02028 :			
IRRIGATION	04/15 to 10/15	0.90 CFS	135.0 AF
Right No. 78-04315B :			
IRRIGATION	04/15 to 10/15	2.02 CFS	264.0 AF
	TOTAL:	* 1.94 CFS	* 291.0 AF

DATE OF PRIORITY:

Right No. 78-02027B : 03/12/1920
Right No. 78-02028 : 06/15/1920
Right No. 78-04315B : 03/12/1920

SOURCE

FOUR MILE CREEK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 4, Township 19N, Range 02E
ADAMS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19N	02E	5	NWSE 18	SWSE 38		56
		8	NENE 2	NWNE 39		41
Total number of acres irrigated:						** 97

RECORDED

JUN 30 1995

TRANSFER NO. 4330
WATER RIGHT NO(S). 78-02027B/78-02028/78-04315B

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) claimed.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- *7. Combined Right Nos. 78-02027B, 78-02028 and 78-04315B shall not exceed the total combined diversion rate of 1.94 cfs, total combined diversion volume of 291.0 afa, nor irrigation of a combined total of 97.0 acres in a single irrigation season.
- **8. Right No. 78-02027B is limited to the irrigation of 52 acres in the place of use described above in a single irrigation season.
- **9. Right No. 78-02028 is limited to the irrigation of 45 acres in the place of use described above in a single irrigation season.
- **10. Right No. 78-04315B is limited to the irrigation of 88 acres in the place of use described above in a single irrigation season.
11. The portion of Right No. 78-02027B described as 0.10 cfs and 5 acres, and of Right No. 78-04315B described as 0.20 cfs and 9 acres, has been relinquished through approval of Transfer No. 4330.

Dated this 20th day of June, 1995


Chief, Water Alloc. Bureau

UNRECORDED

JUN 30 1995

State of Idaho License and Certificate of Water Right

Water License No. 14602

Amount 1.6 sec. ft.

Water District No. 15-A

Priority 8-12-1920

THIS IS TO CERTIFY that George McMahon of New Meadows, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 12, 1920; that Permit No. 14602 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.0 second feet, was issued thereunder on December 19, 1921, showing that said works were completed on the 28th day of November, 1921; and that on the 1st day of March, 1924,

George McMahon

of New Meadows, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho of the right to use the waters of Four Mile Creek, a tributary of Salmon River, for the purpose of irrigation and domestic use, under License No. 14602 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 5 of Licenses at page 3234, on the 28th day of January, 1925;

The right hereby confirmed dates from March 12, 1920;

The Point of Diversion is located in the NE 1/4, Sec. 5, T. 19 N., R. 2 E., B. M., Adams County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.6 cubic feet per second.

Description and location of use:

Dist.	Range	Sec.	Tract	Acres Designated in Permit	No. Acres Actually Irrigated
15-A	50N	5	NE 1/4	40	40
			NE 1/4	40	40
			SE 1/4	40	40
			SE 1/4	40	40
					Total 80 acres

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of diversion described, as provided by the laws of Idaho.

Witness the seal and signature of the Commissioner of Reclamation, at Boise, Idaho, this 28th day of January, 1925.

W. G. BRIDGES

Commissioner of Reclamation

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

78-2027

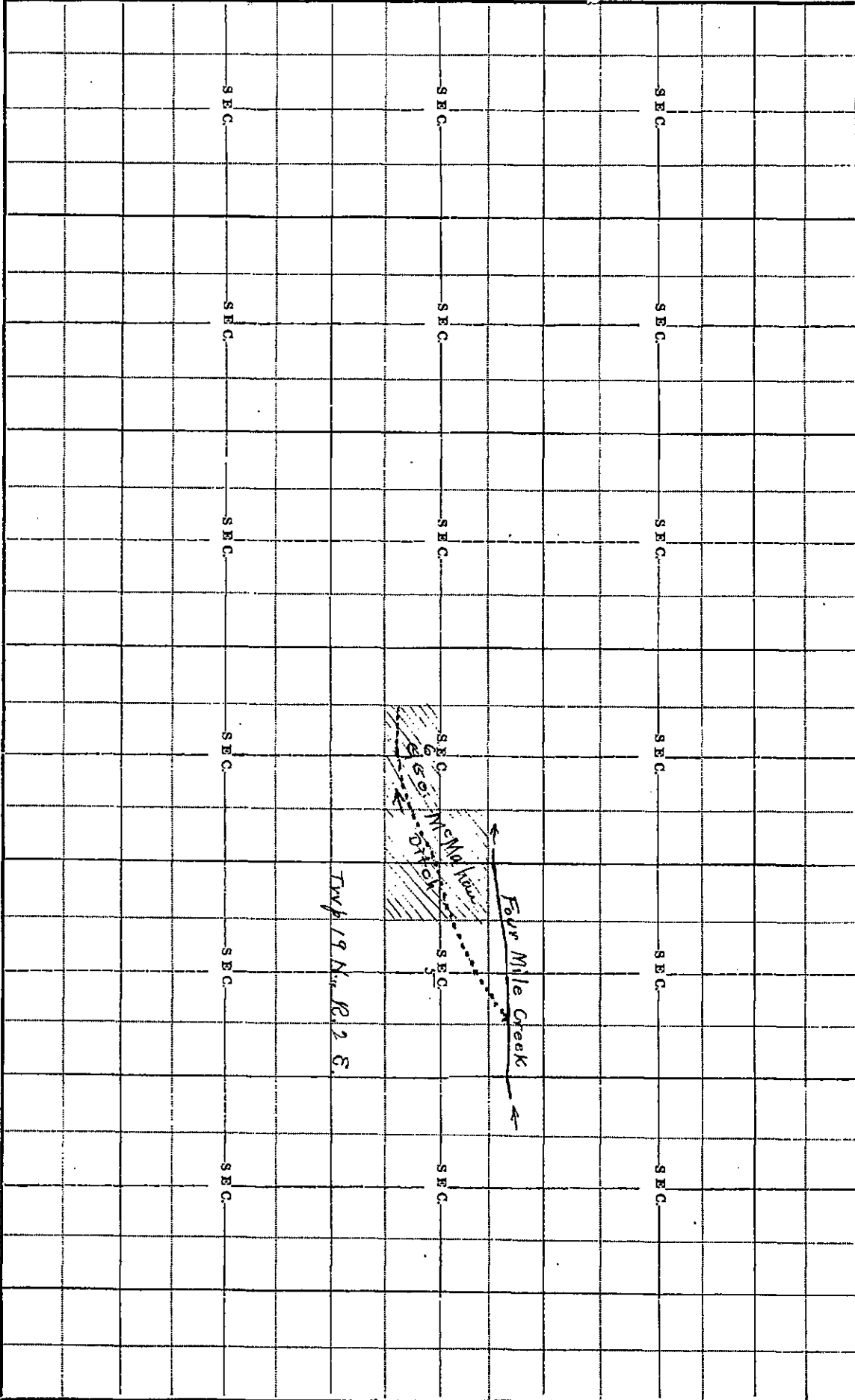
Application No. 20766
 Permit No. 14602
 District No. 75-A

1. Name of Applicant: George McMahon.
 Postoffice address: New Meadows County: Adams State: Idaho.
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: two (2) cubic feet per second.
3. Source of water supply: Four Mile Creek which is a tributary of Little Salmon River
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
 of Section 5 , T. 19 N. , R. 2 E. , B. M., County of Adams.
5. Water is to be used for: irrigation and domestic purposes.
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 (b) Amount of power generated: H. P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 200
8. Kind of works: ditch,
9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam
10. Size of headgate: Width 3 feet; height 2 feet.
11. Ditch: Width at bottom 2 feet; width at water line 5.5 feet; depth of water 1.5
 feet; dimensions of flume
 Diameter of pipe inches; length of conduit 1.5 miles.
 Average grade per mile 26 feet.
12. The time required for the completion of such work is 2 years.
13. The time required for the complete application of the water to the proposed use is 2 additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19 N.	2 E.	5	40				40				40				40 40				80 160
Total number of acres to be irrigated.....																		240	
Some ten years ago a small ditch was taken out on this location. It is now proposed to enlarge the smaller ditch (on which no filing was made) and make the capacity two cubic feet per second.																			
Proof of Completion of Works made November 23, 1921. Certificate issued December 19, 1921.																			
Permit No. 14602.																			
Certificate of Completion of Works.																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that George McMahan of New Meadows, County of Adams, and State of Idaho, the holder of Permit No. 14602, issued upon Application No. 20755 bearing date of priority of March 12, 1920, authorizing the diversion of two second feet of the waters of Four Mile Creek, County of Adams, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use two second feet of the waters of Four Mile Creek; that the point of diversion of said waters is in the NW¼ NE¼ of Section 5, T. 19 N., R. 2 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW¼ NW¼, NW¼ SW¼, Sec. 5, SE¼ NE¼, NE¼ SW¼, NE¼ SE¼, NW¼ SE¼, Section 6, T. 19 N., R. 2 E., B. M.																			
Witness my hand this 19th day of December, A. D. 1921.																			
W. G. SWENDSEN, Commissioner of Reclamation																			
By Geo. B. Archibald, Assistant.																			
License 1921-1922 1.8 second feet																			

NAME OF APPLICANT

Geo. W. McMahon



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

14602



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 2, 2005

NITA L BRANSTETTER
PO BOX 175
NEW MEADOWS ID 83654

RE: Snake River Basin Adjudication (SRBA) Claim No. 78-2027A

Dear Nita:

Enclosed is a printout for amending the quantity of water claimed on SRBA Claim No. 78-2027A to 0.56 cfs. This is necessary because all of Water Right No. 78-2028 is now appurtenant to other lands as a result of Transfer No. 4330, which was approved in 1995. The approval of that transfer means I will not be able to recommend any water for your Claim No. 78-2028A.

If you agree with the elements of the water right as described on the amended claim, please sign the claim, have your signature notarized and return it to my attention. If you wish to change any of the elements on the amended claim, please place your initials next to those changes. I have enclosed a map showing the place of use I am intending to recommend for this claim. If you wish to make any corrections to the area outlined on the map, please do so and return the corrected map along with the amended claim.

I have also enclosed a change of ownership form that you may use if you would like to place the ownership of your water rights into the trust. A postage paid envelope is included for your convenience in returning these documents. If you have any questions concerning your claims, you may contact me by using our toll free number, (800) 451-4129, or the direct line to my desk, (208) 287-4917, or you may email me at Carter.Fritschle@idwr.idaho.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carter Fritschle', is written over a horizontal line.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures:

Amended Claim No. 78-2027A
GIS map of place of use
Change of ownership form

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-2027A**

07/26/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-2027A	Claim	19N	02E	8	NE	NW		IRRIGATION	27/29	NITA L BRANSTETTER
78-2028A	Claim	19N	02E	8	NE	NW		IRRIGATION	27/29	CHARLES V BRANSTETTER
78-2037	Claim	19N	02E	8	NE	NW		IRRIGATION	10/508	CHARLES V BRANSTETTER
78-4072B	Claim	19N	02E	8	NE	NW		IRRIGATION	10/138	CHARLES V BRANSTETTER
78-10234	Claim	19N	02E	8	NE	NW		IRRIGATION	30/34	CHARLES V BRANSTETTER
78-10235	Claim	19N	02E	8	NE	NW		IRRIGATION	10/500	OSCAR W BRANSTETTER
78-10236	Claim	19N	02E	8	NE	NW		IRRIGATION	30/34	CHARLES V BRANSTETTER
78-2027A	Water Right	19N	02E	8	NE	NW		IRRIGATION	26/29	BRANSTETTER RANCH
78-4072	Water Right	19N	02E	8	NE	NW		IRRIGATION	10/400	HAZEL BRANSTETTER
78-4315A	Water Right	19N	02E	8	NE	NW		IRRIGATION	30/34	BRANSTETTER RANCH
78-4006A	Claim	19N	02E	8	NE	NW		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	8	NE	NW		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4275	Claim	19N	02E	8	NE	NW		IRRIGATION FROM STORAGE	40/3414	GRANITE TWIN LAKES WATER USERS
78-4288	Claim	19N	02E	8	NE	NW		IRRIGATION FROM STORAGE	40/2824	CAMPBELL RANCH
78-2027A	Claim	19N	02E	8	NW	NW		IRRIGATION	2/29	NITA L BRANSTETTER
78-2028A	Claim	19N	02E	8	NW	NW		IRRIGATION	2/29	CHARLES V BRANSTETTER
78-2037	Claim	19N	02E	8	NW	NW		IRRIGATION	33/508	CHARLES V BRANSTETTER
78-4072B	Claim	19N	02E	8	NW	NW		IRRIGATION	33/138	CHARLES V BRANSTETTER
78-10234	Claim	19N	02E	8	NW	NW		IRRIGATION	4/34	CHARLES V BRANSTETTER
78-10235	Claim	19N	02E	8	NW	NW		IRRIGATION	33/500	OSCAR W BRANSTETTER
78-2027A	Water Right	19N	02E	8	NW	NW		IRRIGATION	3/29	BRANSTETTER RANCH
78-4072	Water Right	19N	02E	8	NW	NW		IRRIGATION	35/400	HAZEL BRANSTETTER

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 78-2027A

07/26/2005

2

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-4315A	Water Right	19N	02E	8	NW	NW		IRRIGATION	4/34	BRANSTETTER RANCH
78-4006A	Claim	19N	02E	8	NW	NW		IRRIGATION FROM STORAGE	37/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	8	NW	NW		IRRIGATION FROM STORAGE	37/5290.5	GOOSE LAKE RESERVOIR CO
78-4275	Claim	19N	02E	8	NW	NW		IRRIGATION FROM STORAGE	37/3414	GRANITE TWIN LAKES WATER USERS
78-4288	Claim	19N	02E	8	NW	NW		IRRIGATION FROM STORAGE	37/2824	CAMPBELL RANCH
78-10236	Claim	19N	02E	8	NW	NW	4	IRRIGATION	4/34	CHARLES V BRANSTETTER

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: A78-02027A

Date Received: 5/17/1988

Receipt No: 450 W000212 OK

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES BRANSTETTER 208-347-2374

Address: BOX 175
NEW MEADOWS, ID 83654

AND/OR

Name: NITA BRANSTETTER 208-347-2374

Address: BOX 175
NEW MEADOWS, ID 83654

2. Date of Priority: MAR 12, 1920

3. Source: FOUR MILE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	4	NW	NW	NW	4	ADAMS

5. Description of diverting works:
DITCH FROM FOUR MILE CREEK TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.380		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 HEAD OF STOCK. ~~SEE REMARK SECTION~~

A78-02027A

Page 1

Date: 08/17/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	8	NE	NW		IRR	27.0
			NE	NW		STOCK	
			NW	NW		IRR	2.0
			NW	NW		STOCK	
						Section Acres	29.0
						Total Acres	29.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-2028A, 78-4006, 78-4275, 78-4288, 78-10236. SEE REMARKS

14. Remarks:

FLOOD WATER FROM 4-MILE CREEK IS USED UNTIL THE END OF THE FLOOD SEASON AND IS LIMITED TO THE 0.78 CFS SHOWN FOR ALL FOUR RIGHTS FROM 4-MILE CREEK. AFTER THE FLOOD SEASON THE AMOUNT OF WATER DIMINISHES, AND AT THAT POINT GOOSE LAKE AND TWIN LAKE WATER, AS REFERENCED IN ITEM NO. 13, IS EXCHANGED WITH THE CAMPBELLS AND CARRIES FOR PRIOR WATER RIGHTS THEY HAVE FROM 4-MILE CREEK. THIS EXCHANGE IS MADE SINCE THE CLAIMANTS WOULD HAVE TO PUMP THEIR GOOSE LAKE AND TWIN LAKE WATER IF IT WERE USED, WHEREAS THE 4-MILE CREEK WATER IS SET UP ON A GRAVITY IRRIGATION SYSTEM. THE SAME POINT OF DIVERSION IS USED FROM 4-MILE CREEK THROUGHOUT THE IRRIGATION SEASON. ~~#9 CONT'D. TYPE OF STOCK NOT LISTED.~~

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A78-02027A
Date Received: 5/17/1988
Receipt No: W000212
Received By: [Signature]

Department of Water Resources
Western **AMENDED**

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

AMENDED

1. Name: CHARLES BRANSTETTER 208-347-2374
Address: BOX 175
NEW MEADOWS, ID 83654
AND/OR
Name: NITA BRANSTETTER 208-347-2374
Address: BOX 175
NEW MEADOWS, ID 83654
2. Date of Priority: MAR 12, 1920
3. Source: FOUR MILE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	4	NW	NW	NW	4	ADAMS
5. Description of diverting works:
DITCH FROM FOUR MILE CREEK TO PLACE OF USE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.380		
STOCKWATER	01/01	12/31	0.070		
7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 60.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/300 HEAD OF STOCK. SEE REMARK SECTION

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	8	NE		NW		IRR	27.0
			NE		NW		STOCK	
			NW		NW		IRR	2.0
			NW		NW		STOCK	
							Section Acres	29.0
							Total Acres	29.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-02028A/02037/04006/04275/04288/10234/10236.

14. Remarks:

THIS CLAIM ALONG WITH CLAIM NO.'S A78-02028A AND A78-10234 ARE LIMITED TO .56 CFS. DURING LOW WATER PERIODS THE CLAIMANTS WATER RIGHTS FROM FOUR-MILE CREEK ARE CUT DOWN AND AT THAT POINT AN EXCHANGE IS MADE WITH THE CAMPBELLS AND CARRIES FOR THEIR FOUR MILE CREEK WATER, WHICH HAS AN EARLIER PRIORITY DATE, WITH THE CLAIMANT'S GOOSE LAKE AND TWIN LAKE WATER. THIS EXCHANGE IS MADE SINCE THE CLAIMANTS WOULD HAVE TO PUMP THEIR GOOSE LAKE AND TWIN LAKE WATER, IF IT WERE USED, AND THE FOUR-MILE CREEK WATER SYSTEM IS SET UP FOR GRAVITY IRRIGATION THROUGHOUT THE IRRIGATION SEASON.

15. Basis of Claim: LICENSE

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): Nita Branstetter Date: 3-10-89

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of March 19 89

Sandrea L. Moats
Notary Public

Seal.

Residing at New Meadows
My Commission Expires 8-7-91

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: 39356

Ident. Number A78-2027ADate Received 5/17/88Receipt Number W000212

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CHARLES &/or NITA BRANSTETTER Phone (208) 347-2374Mailing Address Box 175, New Meadows, ID Zip 836542. Date of Priority (Only one (1) per claim) 3-12-19203. Source of water supply (a) FOUR-MILE CREEK
which is tributary to (b) LITTLE JAMON RIVER4. a. Location of existing point of diversion is: Township 19N Range 2E Section 4,NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, 4 B.M., County of ADAMS

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. DITCH FROM FOUR-MILE CREEKTO PLACE OF USE.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount .38 or _____

For STOCKWATER purposes from 1-1 to 12-31 amount .07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .38 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 60 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 300 HD. STOCK.

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	
19N	2E	8					5	5											29

Total number of acres irrigated 29

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

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.
A78-2028A, 78-4006*, 78-4275*, 78-4288* (SEE REMARKS) or None ()
78-10236*

14. Remarks: SEE ATTACHED REMARKS.

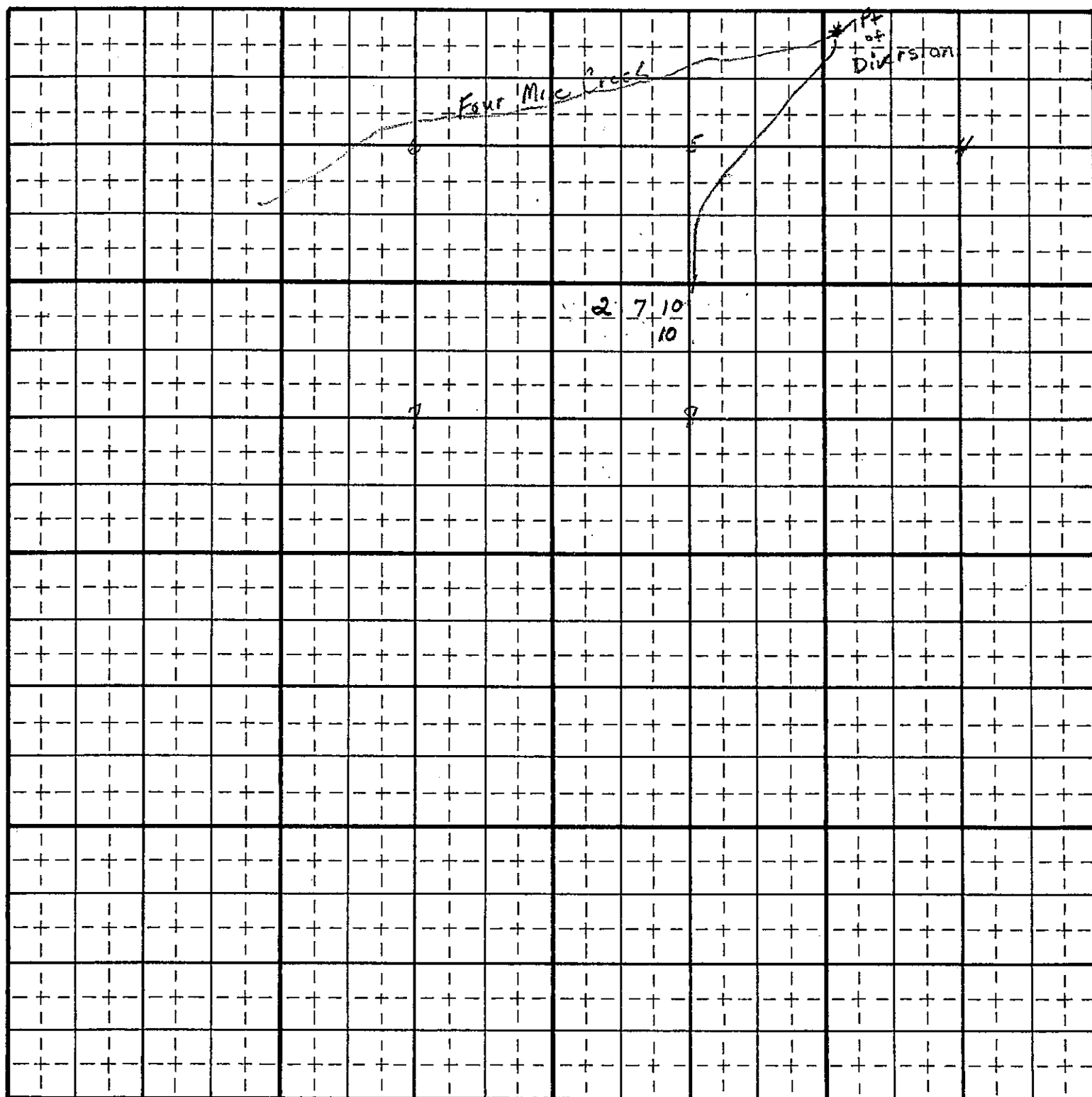
Last Name Brenstetter Ident No. A78-2027A

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Copies Made: State, Field, and National

OCT 05 1992

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

Scale: 2 inches equals 1 mile



Last Name

Dranstetter

Ident No.

A78-2027A

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Copies: White-State, Yellow-Claimant

OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number A78-2027A
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 ~~not~~ do not X 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) Nita L. Branstetter Date 5-17-88

Date _____

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 _____ of _____
Title 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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day of May 19 88

SEAL

Notary Public Nancy M. Lindgren

Residing at Boise

My Commission Expires 1-19-1994

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 BRANSTETTER Ident. Number A78-2027A

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Copies With State, Yellow Claimant
OCT 05 1992

ITEM NO. 14 - REMARKS

FLOOD WATER FROM 4-MILE CREEK IS USED UNTIL THE END OF THE FLOOD SEASON, AND IS LIMITED TO THE .78 CFS SHOWN FOR ALL FOUR RIGHTS FROM 4-MILE CREEK. AFTER THE FLOOD SEASON THE AMOUNT OF WATER DIMINISHES, AND AT THAT POINT GOOSE LAKE AND TWIN LAKE WATER, AS REFERENCED IN ITEM NO. 13*, IS EXCHANGED WITH THE CAMPBELLS AND CARRIES FOR PRIOR WATER RIGHTS THEY HAVE FROM 4-MILE CREEK. THIS EXCHANGE IS MADE SINCE THE CLAIMANTS WOULD HAVE TO PUMP THEIR GOOSE LAKE AND TWIN LAKE WATER IF IT WERE USED, WHEREAS THE 4-MILE CREEK WATER IS SET UP ON A GRAVITY IRRIGATION SYSTEM. THE SAME POINT OF DIVERSION IS USED FROM 4-MILE CREEK THROUGHOUT THE IRRIGATION SEASON.

MICROFILMED

OCT 05 1992

MEMORANDUM

February 23, 1996

TO: FILES FOR CLAIM NOS. A78-02027A, A78-02028A & A78-10236

FROM: JAN SHURTE

RE: APPROVED TRANSFER ON CLAIM NOS. A78-02027B, A78-02028B &
A78-10237

Transfer No. 4330 was approved for Claim Nos. A78-02027B, A78-02028B & A78-10237 for Melvin & Alice Branstetter. These claims are directly related to Claim Nos. A78-02027A, A78-02028A & A78-10237 for Charles & Nita Branstetter.

Since the transfer can only be filed on existing water rights, rather than on the way they were claimed, this transfer did not take into consideration the contract between these two parties. Claim Nos. A78-02027A & B and A78-10236 & A78-10237 should be ok, however, Claim Nos. A78-02028A & A78-02028B will need to be reviewed carefully. The transfer did not recognize that an additional filing was made on 78-02028. In the transfer this right is given entirely to Melvin & Alice Branstetter because the land under the original right is owned by them. However, during claims taking the right had an accomplished transfer and a portion was claimed by one party and a portion by the other. The limitation imposed by the contract at the time of claims taking will need to be looked at to see if it is still being used. If so, these rights may need to be conditioned, however, legal staff should take a look at it too. Charles & Nita Branstetter's claims have not been modified per the transfer since they were not involved in it.

*See approved transfer & memo
in Claim #'s. A78-02027B, 02028B
& 10237.*



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 3, 1989

Nita Branstetter
P.O. Box 175
New Meadows, ID 83654

Dear Nita:

Enclosed are copies of all the claims to be changed per our phone conversation yesterday. Also enclosed are copies of Claim No's. A78-04006A, A78-04006B, A78-04275 and A78-04288 per your request. Following is a list of the enclosed claims showing the changes made to each:

Claim No. A78-02037 - Changed addresses to correspond with each claimant's own address.

Claim No. A78-10235 - Changed addresses to correspond with each claimant's own addresses and changed the total quantity diverted to 1.6 cfs.

Claim No. A78-04072D - Changed Basis of Claim from Beneficial Use to Statutory Claim.

Claim No. A78-10240 - Added in NW 1/4 NW 1/4 NW 1/4 and Government Lot 4. It had previously shown only the NW 1/4 NW 1/4.

Claim No's. A78-02027A, A78-02028A, A78-10234 and A78-10236 - Changed Remarks on A78-02027A, A78-02028A, and A78-10234 by taking out the portion on flood water since none of these three rights are for flood water. Then listed the restriction on the quantity to .56 cfs for all three rights per the agreement among yourself and Melvin and Alice Branstetter. Mentioned the exchange agreement you have with the Campbells and Carries. Then on A78-10234 I put in that this claim was filed for the additional 5 acres developed after the licenses were issued for A78-02027A and A78-02028A. Then, on Claim No. A78-10236 I changed the Remarks to reflect that this was a flood right only and that the .56 cfs limitation is not on this right since 1" per acre can be diverted during the flood season. The amount of water was changed to reflect the 1" per acre for 34 acres and .68 cfs. On the other three claims I changed the total cfs to equal that listed for irrigation and listed all the water rights from Four-Mile, Goose Creek and Twin Lake on each one under Item No. 13, Other Rights Used.

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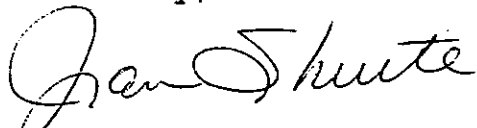
Claim No's. A78-02027B, A78-02028B, A78-10233 and A78-10237 - Changed Remarks on A78-02027B, A78-02028B and A78-10233 by taking out the portion on flood water since none of these three rights are for flood water. Then I listed the restriction on the quantity to 2.14 cfs for all three rights per the agreement among yourself and Melvin and Alice Branstetter. Mentioned the exchange agreement you have with the Campbells and Carries. For Claim No. A78-10233 I changed the quantity back to 2.14 cfs per your agreement and put in Remarks that this claim covered the additional 21 acres developed after the licenses were issued for A78-02027B and A78-02028B. Alice and Melvin will have to sign the amended claim for this right, before it is official. On Claim No. A78-10237 I changed the Remarks to reflect that this was a flood right only and that the 2.14 cfs limitation is not on this right since 1" per acre can be diverted during the flood season. On all of the rights I listed all water rights from Four-Mile, Goose Creek, and Twin Lake under Item No. 13, Other Rights Used.

Please sign and notarize Claim No's. A78-02027A, A78-02028A, A78-10234 and A78-10236 and return the signed claims to me. I have enclosed two copies of these claims, one copy for your records and one copy to be signed and returned.

I will be sending a copy of Claim No's. A78-02037 and A78-10235 to all claimants listed so they can have a current copy. Those changes do not require signatures. Alice and Melvin Branstetter's claims will be sent to them for signatures with a letter specifying why the changes were made.

If you have any problems with these changes, please let me know.

Sincerely,



Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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August 19, 1988

Bill, Neva, Charlie, Nita,
Oscar, Doris, Donald, Sotera,
Melvin & Alice Branstetter &
Helen & George Heath

Dear Branstetter's and Heath's:

Enclosed are the computer generated copy of the claims you each filed during the Adams County filings.

These are to let you know how your water rights look on our records. Please note that I have added the same places of use for the stockwater uses as was listed for irrigation. If you have any other places of use for stockwater after reviewing each right, please let me know and I can add them on. I also added some other right numbers to Item No. 13, Other Water Rights Used, per a phone conversation with Nita.

If you have any questions or additions to these claims, please don't hesitate to let me know.

Sincerely,

JAN SHURTE
Water Rights Supervisor
Adjudication Section

JS:j

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