

01/03/2007

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

RIGHT NUMBER: 78-2027B
NAME AND ADDRESS: MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

ALICE L BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

SOURCE: FOURMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.090 CFS
156.00 AFY

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to a total combined diversion rate of 1.94 cfs and to a total combined annual diversion volume of 291 AF.

Right Nos. 78-2027B, 78-2028B and 78-10233 are limited to a total combined diversion rate of 2.14 cfs. *delete*

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>
IRRIGATION	4/1 10/31	1.090 CFS 156.00 AFY

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S05	NWSE	18.00	T19N R02E S05	SWSE	38.00
T19N R02E S08	NENE	2.00	T19N R02E S08	NWNE	39.00

97 ACRES TOTAL

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to the irrigation of a combined total of 97 acres in a single irrigation season.

This right is limited to the irrigation of 52 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 123 acres in a single irrigation season.
Combined Right Nos.: 78-2027B, 78-2028B, 78-10233 and 78-10237 *delete*

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 - License

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.

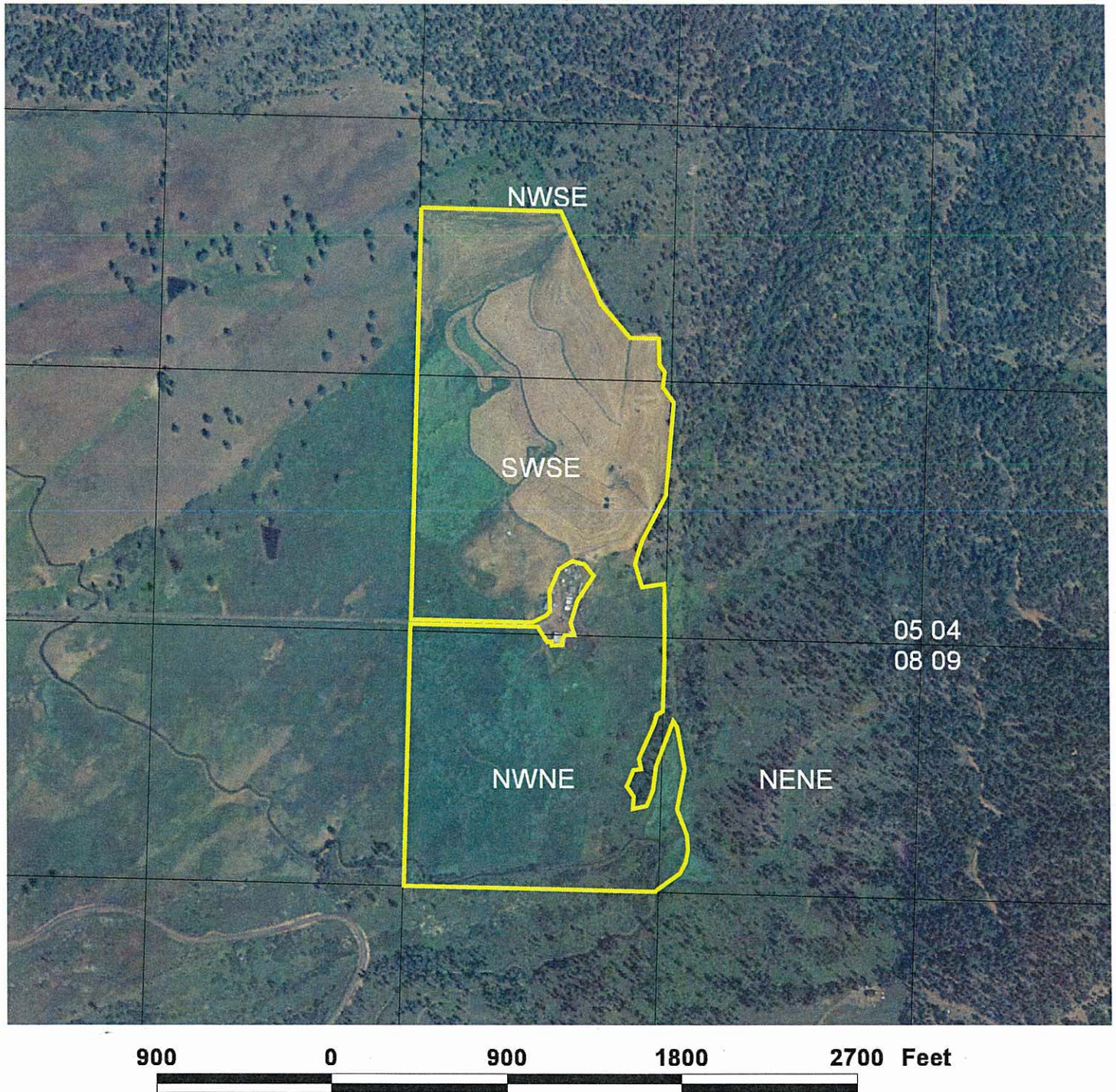
The right holder shall accomplish the change authorized by Transfer No. 4330 by June 20, 1996.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

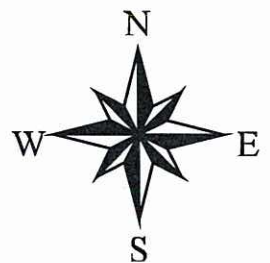
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

78-2027B 78-2028B & 78-10237

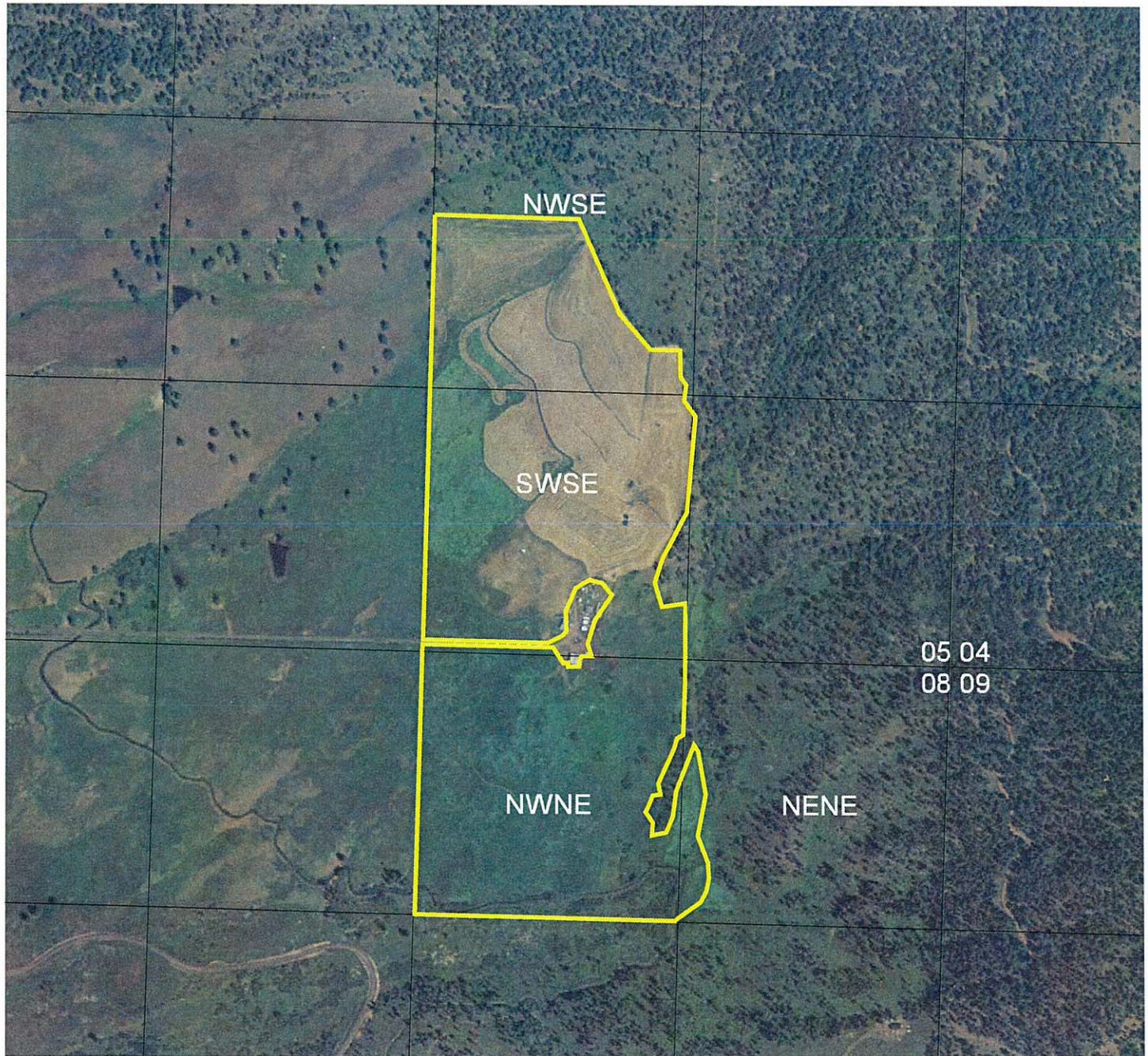


T19N R02E S05 & S08

Map prepared by: Carter Fritschle
Date prepared: 07/25/05
2004 NAIP - updated 11/24/06
Idaho Department of Water Resources



78-2027B 78-2028B & 78-10237



900 0 900 1800 2700 Feet

T19N R02E S05 & S08

Map prepared by: Carter Fritschle
Date prepared: 07/25/05
2004 NAIP - updated 11/24/06
Idaho Department of Water Resources



12/18/2006

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

RIGHT NUMBER: 78-2027B

NAME AND ADDRESS: MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

ALICE L BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

SOURCE: FOURMILE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.090 CFS
156.000 AFY

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to a total combined diversion rate of 1.94 cfs and to a total combined annual diversion volume of 291 AF.

Right Nos. 78-2027B, 78-2028B and 78-10233 are limited to a total combined diversion rate of 2.14 cfs.

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>
IRRIGATION	4/1 10/31	1.090 CFS 156.00 AFY

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S05	NWSE	18.00	T19N R02E S05	SWSE	38.00
T19N R02E S08	NENE	2.00	T19N R02E S08	NWNE	39.00

97 ACRES TOTAL

Right Nos. 78-2027B, 78-2028B and 78-10237 are limited to the irrigation of a combined total of 97 acres in a single irrigation season.

This right is limited to the irrigation of 52 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 123 acres in a single irrigation season.

Combined Right Nos.: 78-2027B, 78-2028B, 78-10233 and 78-10237

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 - License

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.

The right holder shall accomplish the change authorized by Transfer No. 4330 by June 20, 1996.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 irrigation of the lands above.

Page 1 of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4330

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Melvin &/or Alice Branstetter Phone 347 2266Post Office address PO Box 245 New Meadows ID 83654

A. PURPOSE OF TRANSFER

- 1.
- ☐
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes
- Transfer right from land being sold to lands retained, to cover additional lands irrigated.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>78-2027B</u>	<u>3/12/1920</u>	<u>1.193 cfs</u>	<u>IRR</u>	<u>5/1</u> to <u>10/1</u>
				to
<u>78-4315B</u>	<u>3/12/1920</u>	<u>2.22 cfs</u>	<u>IRR</u>	<u>4/1</u> to <u>7/1</u>
				to

2. Total amount of water being transferred
- 3.413
- cubic feet per second and/or
-
- acre-feet per annum.

3. Source of water
- Four Mile Creek
- tributary to
- Salmon River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	4	19N	2E	ADAMS	four mile ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
19N	2E	5	*													5	21		26
		8	7	24												*			31
																			(57) *
19N	2E	5	*													18	37		55
		8	8	34															42
																			(97)

*see attached
memo, modified
acres
cgtMICROFILMED
OCT 22 1996

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 78-02027

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/01	1.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
FOUR MILE CREEK	SALMON RIVER

Priority: 03/12/1920

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	SESW 28	SWSE 13		41
		8	NWNE 16	NENW 26	NWNW 3	45
Total number of acres irrigated:						86

CONDITIONS/REMARKS:

1. The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.
2. TRANS. 3392.

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OCT 22 1996

(If the entire right is to be changed by the applicant, omit part B and C.)

[illegible]

TOTAL REVENUE _____

34

WRO749NP
No. 78-04315

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/08/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRANSTETTER RANCH	03/12/1920	IRRIGATION	04-01 07-01	3.00 CFS	
TOTAL DIVERSION:					3.00 CFS	

Water Source: FOUR MILE CREEK

Tributary to: SALMON RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T19N R02E S04

NWNW

ADAMS County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
19N	02E 5	:																
19N	02E 8	:		25	:		30	04	:			32	:		12	28	:	72.0
																	59.0	
																	TOTAL ACRES	131.0

Pou County: ADAMS

Dates:	App. Received:	Priority Date:	03/12/1920
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 05/01/87 05/01/88 CONVERT 03/29/89 CURTIS

A. RIGHT AS RECORDED:

PAGE 2

PART 3**B. CHANGES IN NATURE OF USE**N/A

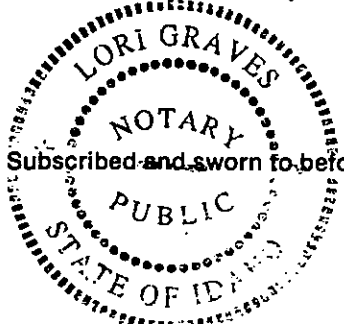
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

Alise L. Branstetter

(Signature of Applicant)

30th

day of

March, 19 94.Lori Graves

(Notary Public)

My commission expires

6/18/98**FOR DEPARTMENT USE ONLY**Transfer contains 11 pages and attachmentsReceived by CYH Date 3/30/94Protest filed by Prelim. check by Ly Fee 50-Receipted by CYH W017316 Date 3/30/94Published in Adams County LeaderCopies of protest forwarded by Pub. dates 5-4 & 11, 1994Hearing held by Date Watermaster recommendation requested on Recommended for ☒ approval ☐ denial rec'd. by DktCopy of transfer sent to lien holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

[illegible]

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OCT 22 1996

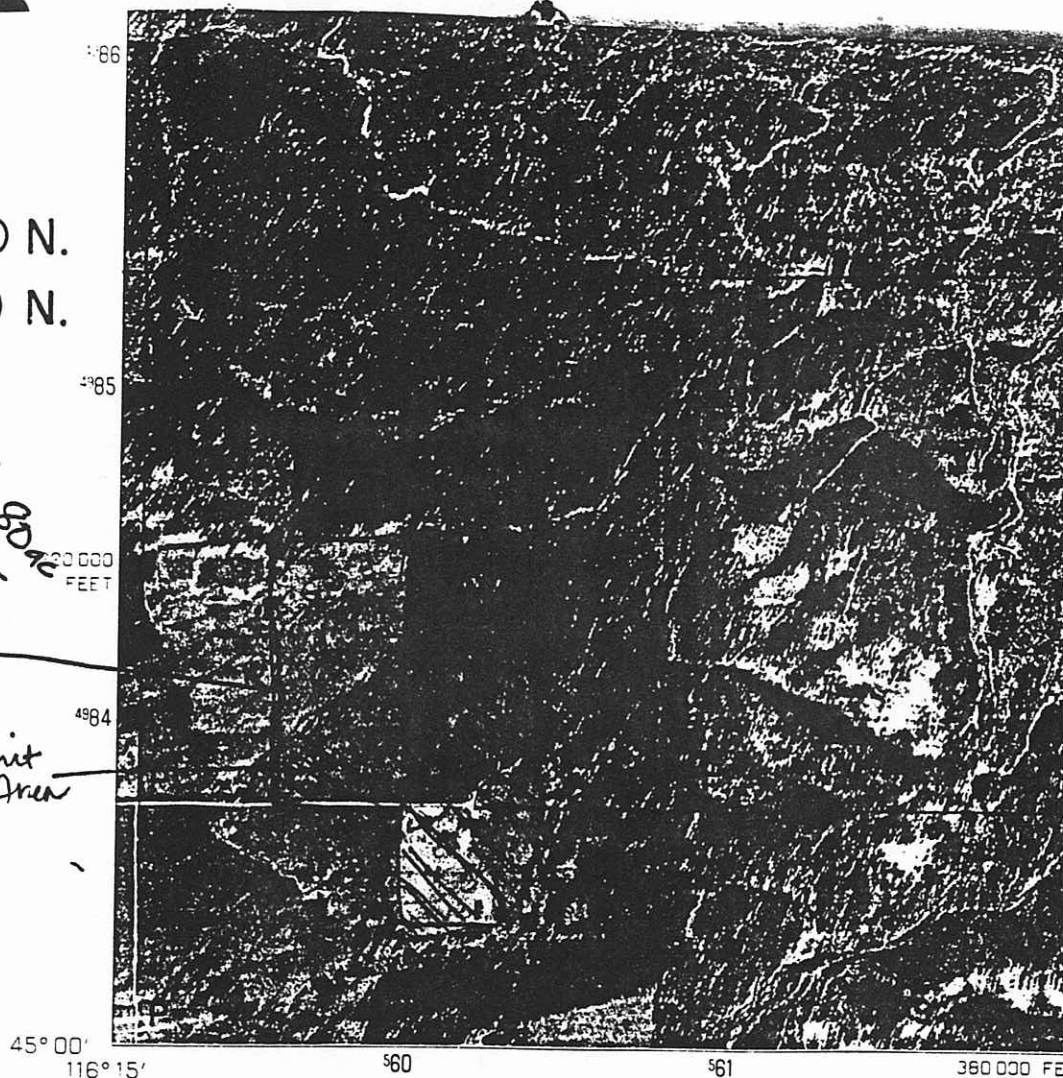
SCALE: 2 inches equal 1 mile. Draw plan in ink.

T. 20 N.
T. 19 N.

This 8046
Sold To
ADLAR

X4330
78-2027B

Permit
Area



Produced by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken September 4, 1975

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west zone (Transverse Mercator)
1000-metre Universal Transverse Mercator grid,
zone 11. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point

- ☒ currently irrigated
- ☒ new area to be irrigated?
- currently timbered?

MICROFILMED

OCT 22 1996

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.

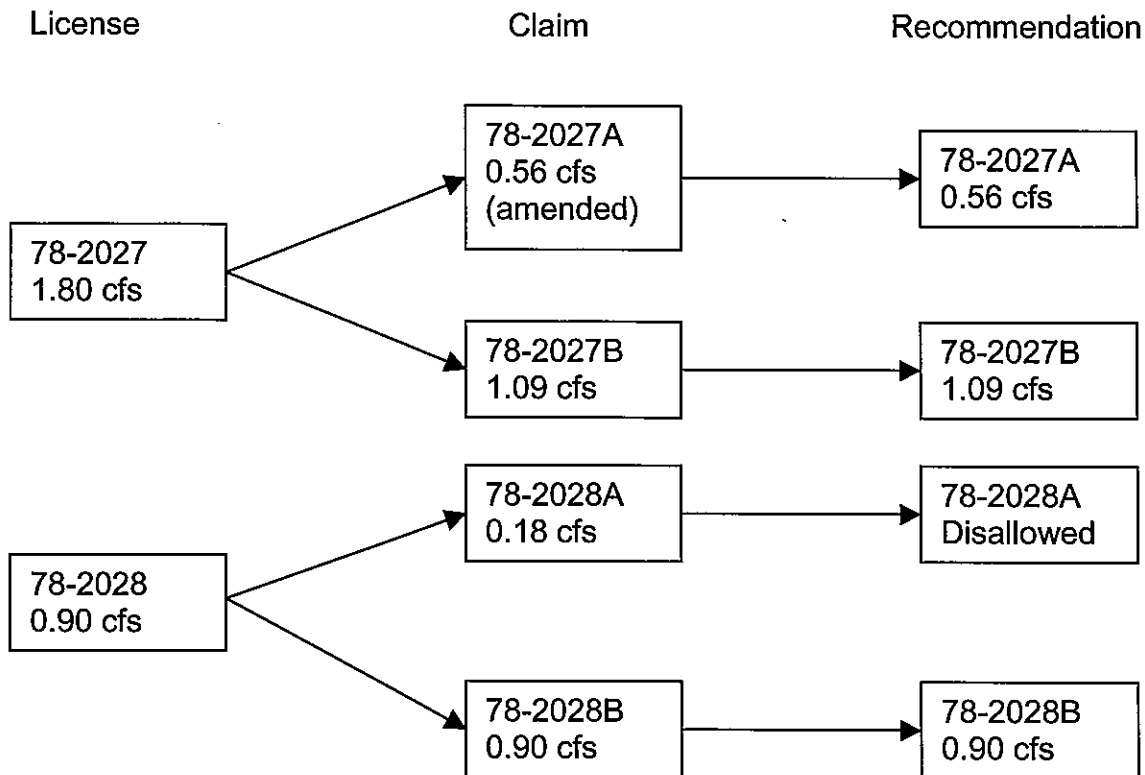
Dated this 20 TH day of June, 19 95


Chief, Water Alloc. Bureau

RECORDED

JUN 30 1995

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

State of Idaho

License and Certificate of Water Right

Water License No. 14602

Amount 1.6 sec. ft.

Water District No. 75-A

Priority 3-12-1920

THIS IS TO CERTIFY that George McMahan 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 26th day of November, 1921; and that on the 1st day of March, 1924,

George McMahan

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 Use Permit 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 6 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 $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Tp. 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:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N.	2 E.	6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	8
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	5
					Total 90 acres

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

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

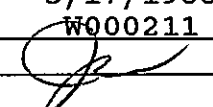
W. G. SWENDSEN
Commissioner of Reclamation.

(Seal)

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: **A78-02027B**
Date Received: 5/17/1988
Receipt No: W000211
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALICE L BRANSTETTER 208-347-2266
Address: PO BOX 245
NEW MEADOWS ID 83654
AND/OR
Name: MELVIN C BRANSTETTER 208-347-2266
Address: PO BOX 245
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	Lot	County
19N	02E	4	NW	NW	NW	4	ADAMS

5. Description of diverting works:
DITCH FROM FOUR MILE CREEK TO IRRIGATED PORTION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.090		156.00

7. Total Quantity Appropriated is:
1.090 C.F.S. (and/or) 156.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	5	NW	SE		IRR	18.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	5	SW	SE		IRR	38.0
						Section Acres	56.0
		8	NE	NE		IRR	2.0
			NW	NE		IRR	39.0
						Section Acres	41.0
						Total Acres	97.0

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:

78-02028B, 02037, 04006, 04275, 04288, 10233, 10237.

14. Remarks:

THIS CLAIM ALONG WITH CLAIM NO.'S A78-02028B AND A78-10233 ARE LIMITED TO 2.14 CFS. DURING LOW WATER PERIODS THE CLAIMANTS WATER RIGHTS FROM FOUR-MILE CREEK ARE CUT DOWN & 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.

CLAIM AMENDED PER TRANSFER NO. 4330 APPROVED 6-20-95. FOLLOWING ARE THE CONDITIONS OF APPROVAL PERTINENT TO THIS CLAIM:

1. APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS THE RIGHT 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 DEPT 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

14. Remarks: Continued

APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

7. COMBINED RIGHT NOS. 78-02027B, 78-02028 & THIS RIGHT SHALL NOT EXCEED THE TOTAL COMBINED DIVERSION RATE OF 1.94 CFS, TOTAL COMBINED DIVERSION VOLUME OF 291 AFA, NOR IRRIGATION OF A COMBINED TOTAL OF 97 ACRES IN A SINGLE IRRIGATION SEASON.

8. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 52 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

9. THE PORTION OF RIGHT NO. 78-02027B DESCRIBED AS .10 CFS AND 5 ACRES, AND OF THIS RIGHT DESCRIBED AS .20 CFS AND 9 ACRES HAS BEEN RELINQUISHED THROUGH APPROVAL OF TRANSFER NO. 4330.

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 _____

RECEIVED

JUN 27 1995

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4330

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

FILED UNDER
A78-10237

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

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OCT 22 1996

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 20 day of June, 1995


Chief, Water Alloc. Bureau

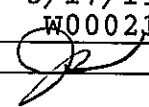
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OCT 22 1996

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: A78-02027B
Date Received: 5/17/1988
Receipt No: W000211
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALICE L. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
NEW MEADOWS, ID 83654
AND/OR
Name: MELVIN C. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
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	Lot	County
19N	02E	4	NW		NW		NW	4	ADAMS
5. Description of diverting works:
DITCH FROM FOUR MILE CREEK TO IRRIGATED PORTION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.420		
STOCKWATER	01/01	12/31	0.030		
7. Total Quantity Appropriated is:
1.420 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 204.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/250 HEAD

A78-02027B

Page 1

Date: 03/01/89

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	5	SE	SW		IRR	27.0
			SE	SW		STOCK	
			NW	SE		IRR	15.0
			NW	SE		STOCK	
			SW	SE		IRR	30.0
			SW	SE		STOCK	
					Section Acres		72.0
		8	NW	NE		IRR	30.0
			NW	NE		STOCK	
					Section Acres		30.0
					Total Acres		102.0

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:
78-02028B, 02037, 04006, 04275, 04288, 10233, 10237.

14. Remarks:

THIS CLAIM ALONG WITH CLAIM NO.'S A78-02028B AND A78-10233 ARE LIMITED TO 2.14 CFS. DURING LOW WATER PERIODS THE CLAIMANTS WATER RIGHTS FROM FOUR-MILE CREEK ARE CUT DOWN & 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): Alice L. Branstetter Date: Mar 24, 1989

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of March 19 89
Jan White
Notary Public

Seal

Residing at 3/24/89
My Commission Expires 9-14-94

*Visited court
Jan. Sept 22, 1988
New claims
in correction*

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: A78-02027B
Date Received: 5/17/1988
Receipt No: W000211
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALICE L. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
NEW MEADOWS, ID 83654
AND/OR
Name: MELVIN C. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
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 IRRIGATED PORTION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.420		
STOCKWATER	01/01	12/31	0.030		
7. Total Quantity Appropriated is:
1.420 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 204.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/250 HEAD

A78-02027B

Page 1

Date: 09/27/88

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Rang	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	5	SE	SW		IRR	27.0
			SE	SW		STOCK	
			NW	SE		IRR	15.0
			NW	SE		STOCK	
			SW	SE		IRR	30.0
			SW	SE		STOCK	
					Section Acres		72.0
		8	NW	NE		IRR	30.0
			NW	NE		STOCK	
					Section Acres		30.0
					Total Acres		102.0

11. Place of use i. ounties: ADAMS

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

13. Other Water Ri s Used:
78-2028B, 78-6, 78-4275, 78-4288, 78-10237, & 78-02037.

14. Remarks:

FLOOD WATER
FLOOD SEASON
& A78-10237-
WATER DIMINI
NO. A78-0202
LAKE WATER,
CAMPBELLS AN
MILE CREEK.
HAVE TO PUMP
WHEREAS THE
SYSTEM THROU

M FOUR MILE CREEK IS USED UNTIL THE END OF THE
ND IS LIMITED TO THE 2.46 CFS SHOWN FOR A78-10233
ILE CREEK. AFTER THE FLOOD SEASON THE AMOUNT OF
S, AND IS LIMITED TO THE 2.14 CFS SHOWN ON CLAIM
AND A78-02028B. AT THAT POINT GOOSE LAKE AND TWIN
REFERENCED IN ITEM NO. 13, IS EXCHANGED WITH THE
ARRIES FOR PRIOR WATER RIGHTS THEY HAVE FROM FOUR
IS EXCHANGE IS MADE SINCE THE CLAIMANTS WOULD
EIR GOOSE LAKE AND TWIN LAKE WATER IF IT WERE USED
ILE CREEK WATER IS SET UP ON A GRAVITY IRRIGATION
UT THE IRRIGATION SEASON.

15. Basis of Claim ICENSE

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): Alice L. Benstetter Date: Sept 27, 1988

Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 22th day

of Sept. 19 88

Jan J. Hunt
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

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: A78-02027B
Date Received: 5/17/1988
Receipt No: 50 W000211
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALICE L. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
NEW MEADOWS, ID 83654

AND/OR

Name: MELVIN C. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
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 IRRIGATED PORTION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.420		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
~~1.450~~ C.F.S. (and/or) A.F.A.
1.42 cfs

8. Total consumptive use is 204.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/250 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	5	SE	SW		IRR	27.0
			SE	SW		STOCK	
			NW	SE		IRR	15.0
			NW	SE		STOCK	
			SW	SE		IRR	30.0
			SW	SE		STOCK	
						Section Acres	72.0
		8	NW	NE		IRR	30.0
			NW	NE		STOCK	
						Section Acres	30.0
						Total Acres	102.0

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:
78-2028B, 78-4006, 78-4275, 78-4288, 78-10237, & 78-02037.

14. Remarks:

4 IS LIMITED TO 2.14 CFS AS SHOWN IN 78-2027B 78-2028B

FLOOD WATER FROM FOUR MILE CREEK IS USED UNTIL THE END OF THE FLOOD SEASON, AND IS LIMITED TO THE ~~2.92~~ ^(123 inches) 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.

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: 39356

Ident. Number

B-78-2027 B

Date Received

5/17/88

Receipt Number

W000211

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MELVIN C. & ALICE L. BRANSTETTER Phone (208) 347-2266Mailing Address P.O. Box 245 New Meadows Idaho Zip 836542. Date of Priority (Only one (1) per claim) MARCH 12, 19203. Source of water supply (a) Four mile Creek
which is tributary to (b) Little Salmon 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,

_____ 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 Cr. to irrigable portion

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Copies: White-State, Yellow-Claimant

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from April 1 to November 1 amount 1.42 or _____

For Stockwater purposes from January 1 to December 31 amount .03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.42 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 204 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 250 HD.

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	5																	73
		8																	30

Total number of acres irrigated 102

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 X 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.
B 78-2028B B 78-4006*, 78-4275*, 78-4288* or None ()
78-02031, 78-10237* SEE ATTACHED REMARKS

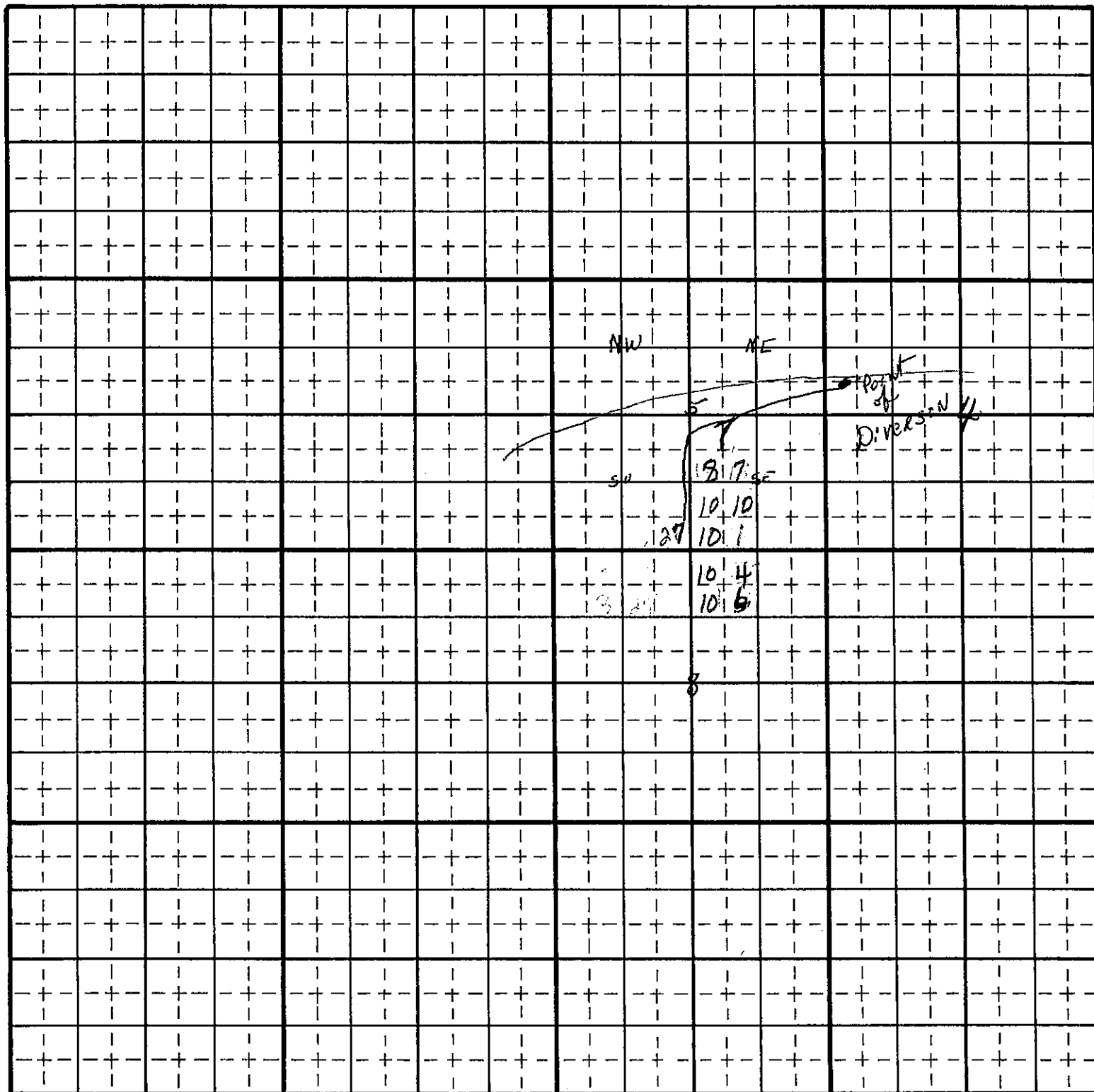
14. Remarks:
SEE ATTACHED REMARKS.

Last Name BRANSTETER Ident No. B-78-2027B

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Copies: White-State, Yellow-Claimant
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 BRANSTETTER

Ident No. B-28-2027 B

Copies: White-State, Yellow-Claimant

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OCT 05 1992

15: Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number B-78-2027B

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 X 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) Alice 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 B-78-2027B

MICROFILMED
Copies White-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 2.92 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.

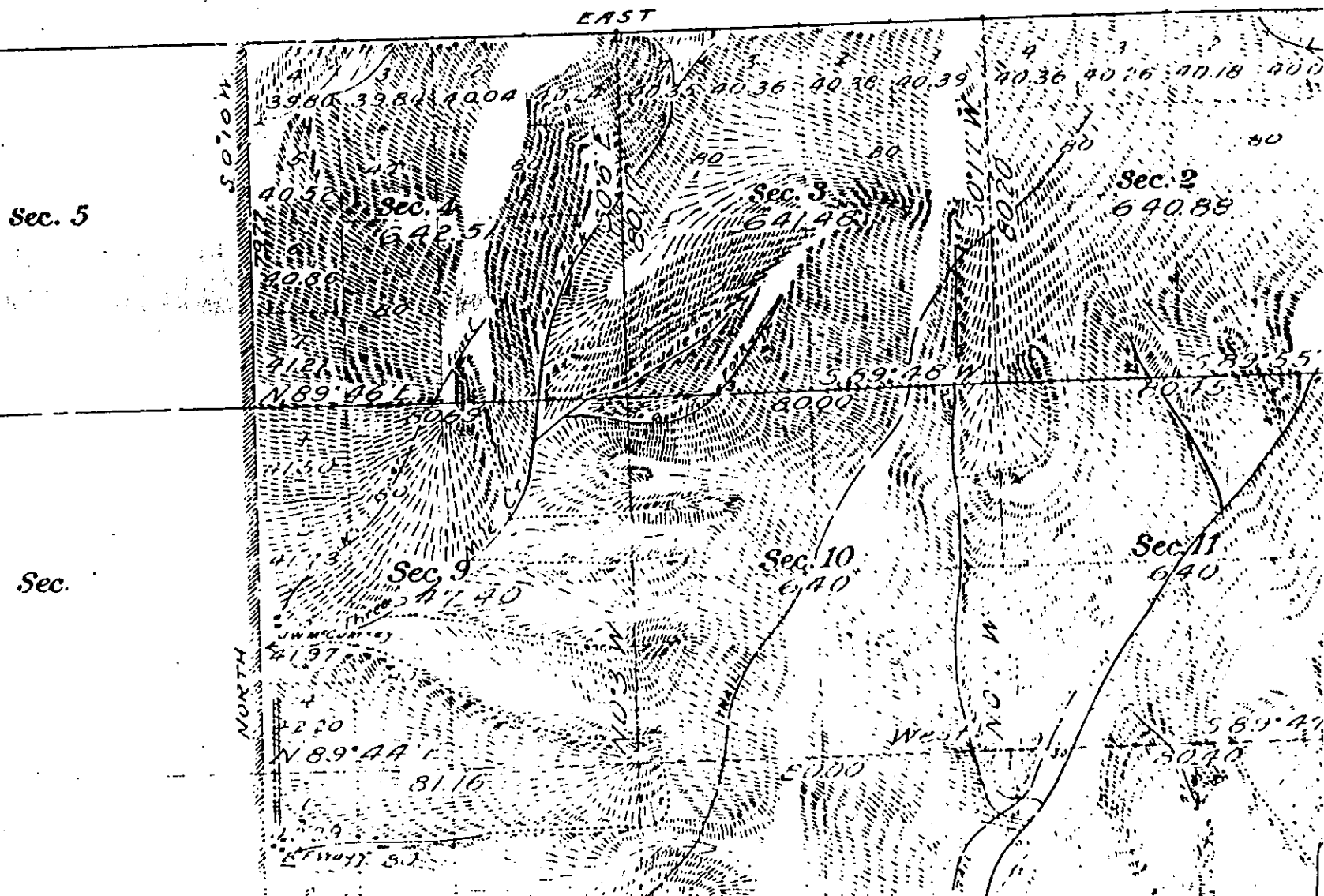
MICROFILMED

OCT 05 1982

(4-675u)

Nº 19 North Range Nº 2 East of the Boise Me

F *e* *E* *d* *D* *c* *C* *b*



6281

in wood

MICROFILMED

OCT 5 1962

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 Pam Thagg's memo dated
6-14-95.*

MICROFILMED
OCT 22 1996

MEMORANDUM

TO: FILE NOS. 78-02027, 78-02028 & 78-04315

FROM: PAM SKAGGS/^{CS}STATE OFFICE

SUBJECT: TRANSFER NO. 4330

DATE: June 14, 1995

=====

Transfer No. 4330 was originally filed because the applicants sold their property in the SESW, Section 5, T19N, R02E without natural flow rights from Four Mile Creek, Right Nos. 78-02027 and 78-04315, and wanted to transfer these acres to cover existing irrigation on the remainder of their adjacent land parcel.

Investigation into development of overlapping rights in the transferred quarter-quarter has been thoroughly discussed in the 10-24-94 memo from region staff and I agree with their conclusion. The final resolution recommended was that 23 irrigated acres were available to transfer under the two affected rights, leaving 7 acres to be irrigated under Permit No. 78-07288 (5 previously irrigated and 2 new development) developed from a separate source. The 23 acres available is less than the recorded number of acres under both the license and statutory claim. This lost portion of these rights is specifically identified as relinquished through this transfer approval; 5 acres and 0.10 cfs under Right No. 78-02027B, and 9 acres and 0.20 cfs under Right No. 78-04315B.

The transferred acres will fill in and cover existing irrigation located in the remaining four QQs of the applicant's property. These two rights, 78-02027 and 78-04315 are also split into parts A and B to separate the use on separate owners property and systems. Adams County Assessor confirms that Melvin and Alice Branstetter own the 4 QQs described as the proposed new place of use described under Part B, and that Charles and Nita Branstetter own the N1/2NE, Section 8, T19N, R02E or all the unchanged portion of these rights described under Part A.

Although the original application did not include Right No. 78-02028, this right was required as part of the transfer in order to complete the correct representation of water rights on the 97 acre proposed new place of use. This license represents the balance of the 97 acres irrigated when combined with 78-02027B; 78-02028 is for 45 acres described within the 97 acre permissible place of use and Right No. 78-02027B after the transfer fills the remaining 52 acres. Statutory Claim No. 78-04315B originally overlapped all the licensed acres with what is considered locally to be "flood water" in excess of the licensed rights, but with the reduction of acres available for transfer, it overlaps only 88 of the 97 acres.

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OCT 22 1996

The application was amended to include Right No. 78-02028, but did not require readvertising since no physical change is being made to the use of this right. All acres before and after the transfer are owned by the applicant and the right continues to be diverted with the original application rights, 78-02027B and 78-04315B, from the same point of diversion and ditch to the 97 acre irrigated parcel. The inclusion on the transfer approval provides a complete description of the combined rights use within a permissible place of use and allows complete combined limits.

Season of use and diversion volume was adjusted to current standards. Permissible place of use is described as a 97 acre land base with individual limits under each right. Each right is subject to final recommendations in the Snake River Basin Adjudication.

Other recommended conditions include combined right limits, non-confirmation of claim, future measuring and reporting condition, irrigation overlap and standard transfer conditions.

MICROFILMED

OCT 22 1986

INTER-DEPARTMENT MEMO — 1

DATE 3/3/88

FROM Jan Thurtell
TO file for 78-3027

SUBJECT Amended Transfer App.

Attached is the first of the new app. for transfer that was filed on 4/9/87. After much correspondence, phone calls, etc. (see file) the final OK came in on Feb. 24th. This OK was to change the new location's acreage & numbers, but no change in 1/4's. Therefore, no re-advertising is needed at this point. Also needed were the proof of ownerships from each of the three family owners which were sent in with each OK on the number of acres in ea. 1/4's. Changed.

MICROFILMED

OCT 22 1996

CONVERSATION MEMORANDUM

DATE 10/14/87FILE 78-3027NAME OF PARTY Alice BranstetterEMPLOYEE Jan ThurtRE: Concerning changing transfer ^(see cont. memo of 7/10/87 + 8/11/87)

Alice Branstetter stated they are still having problems getting all of the family involved in the transfer to home. One of the members will be gone for 5 weeks + they cannot take any action prior to that. I told her I would send a letter ^{ON NOV. 15th} requesting the info with a time period to return it to us or we forget the whole thing. She said OK.

MICROFILMED
OCT 22 1996

CONVERSATION MEMORANDUM

DATE 7/10/87 & 9/1/87FILE 78-2027NAME OF PARTY Alice & Ben BranstetterEMPLOYEE Jan ThurtelRE: App. for Transfer No. 78-2027

We had advertised this transfer & then the Branstetter's decided that it had been completed improperly due to family lack of communication. Then when we changed it, there was a requirement that the family members who owned the 3 quarters (quarters) (the land has now been divided) have to sign the transfer. So, when I called to tell them, the three family members wives (2 wives) Ben & Alice, wives of Melvin & Don (Don doesn't own any of the 3 1/4's) came in to see just what had been changed because they hadn't been in previously. ~~They~~ They came in the 1st time on 7/10/87. Then they were going to discuss it with the other two owners because Melvin's wife Alice didn't agree with the changes. When Ben & Alice came in on 9/1/87 they requested more time to talk with the other two owners, Charlie & Bill & try to agree on when they want the water to be shown. They will get back to me later.

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OCT 22 1996

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3392APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Branstetter RanchPhone 347-2374Post Office address Box 175, New Meadows, ID 83654

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes This transfer is to correct the place of use previously changed in Transfer No. 3229. The location of the change in place of use was shown incorrectly due to a mix-up in communication among the family. This land is now owned individually by each family member. Three families own the land being transferred.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|-------------------|-------------------------------|
| <u>78-2027</u> | <u>3/12/1920</u> | <u>1.8 cfs</u> | <u>Irrigation</u> | <u>May 1</u> to <u>Oct. 1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.8 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Four-mile Creek tributary to Salmon River
4. Point(s) of Diversion: NO CHANGE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
19N	2E	5												28*			13*		41
		8			16*				26*	3*									45

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OCT 22 1996

PART 1**6. General Information:**a. Description of diversion system Ditch from Four-mile Creek to irrigated portions.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

This transfer is to correct the previously filed transfer and show the lands where the
water, from the land transferred previously, is actually being used. See approved transfer
dated 1/6/86, Item No. 3b.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 78-2027And said application is hereby APPROVED, subject to the following limitations and conditions:

The use of water on the lands to which the above referenced water right was appurtenant
is hereby abandoned and failure to put the water to beneficial use within five (5)
years of the date of the approval of this transfer on the new land identified under
item B.5 shall constitute loss or forfeiture of the water right.

Witness my hand this 15th day of September, 19 88

J. Glen Saxton
Chief, Operations Bureau

RECORDED
OCT 22 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 14602/78-2027 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Four-Mile Creek tributary to Salmon River

4. Date or priority 3/12/1920

5. Water is used for the following purpose:

amount 1.8 cfs for Irrigation purposes from May 1 to Oct. 1

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.8 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	4	19N	2E	Adams	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
19N	2E	5									10	10	10	11			10		51
		8		10			20	5											35

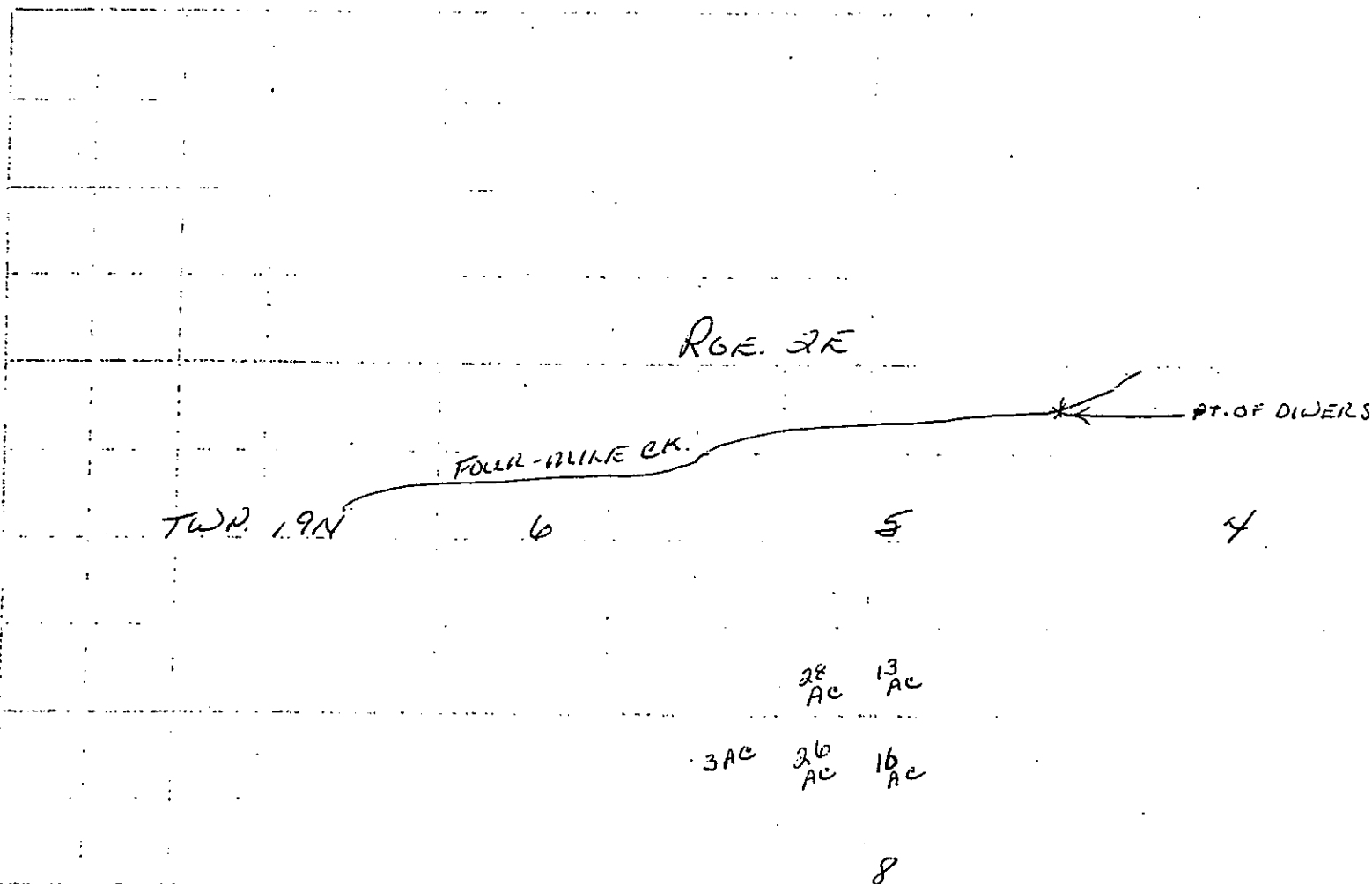
Total acres 86

9. Describe any other water rights used for the same purpose as described above _____

License No. 78-2028 for 45 acres and 0.9 cfs.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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OCT 22 1996

PART 3

B. CHANGES IN NATURE OF USE NO CHANGE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

NOTE! SEE ATTACHED SIGNATURE PAGES FROM OWNERS (DIVISION FAMILLY LN)

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

William H. Brunstetter
(Signature of Applicant) Partner

Subscribed and sworn to before me this 9th day of April, 19 87.

Nancy M. Lindgren
(Notary Public)

My commission expires 1-7-1988

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by [Signature] Date 4/9/87 Protest filed by _____

Prelim. check by [Signature] Fee \$30 RECEIPT GIVEN TO APPLICANT #42313 + \$30 # 44997

Received by [Signature] Date 4/9/87 for total transfer fee of \$

Published in Adams County Leader Copies of protest forwarded by _____

Pub. dates 5/6 & 5/13/87 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by S.M.

Copy of transfer sent to lien holder _____

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OCT 22 1986

CONVERSATION MEMORANDUM

DATE October 24, 1985

FILE 78-2027 (Application for
transfer)

NAME OF PARTY Mrs. Branstetter

EMPLOYEE Jan Shurte

RE: Application for Transfer of Water Right No. 78-7027

There has been a question concerning the number of acres irrigated by Four Mile Creek water and the number of acres irrigated on the same land by storage water out of Goose Lake reservoir after it was installed. The concern was that the Four Mile Creek water could be a secondary right rather than a primary right.

However, Doris Thompson (alias Branstetter) stated that ^{4m.C.}the water was transferred after the ditch was built from the reservoir to their land. It took awhile for ^{Campbell}the ditch to reach them, but as far as anyone can remember, the Four Mile Creek water was transferred at that time to the lands indicated on the transfer. ^{the reason was}also because Four Mile Creek runs above the lands it is now used on and gravity irrigation worked well. ^{where the Campbell}ditch ^{from storage}is below these lands and could not be used. When the ditch came to the lands previously being used by Four Mile Creek water, it was above the lands and also used via gravity irrigation. It appears, as far back as anyone now alive can remember, that the Four Mile Creek water was not used ~~at the same time as the storage water~~ after the Campbell ditch was built. The reason that the transfer was not made earlier is because the Branstetter's were not aware it was necessary until they came into our office to check on other matters.

MICROFILMED
OCT 22 1986

CONVERSATION MEMORANDUM

DATE

8/1/85

FILE

78-2027

NAME OF PARTY

Branstetter's

EMPLOYEE

Jim Fowler

RE: App for Transfer of U.P. # 78-2027

The Branstetter's came in today to discuss the question raised on their recently received App. for Transfer of Water Right No. 78-2027. The question is whether or not the right they are transferring (4-Mile Ck) was used in conjunction with rights from Goose Lake Res. and if it is an expansion to transfer the 4-Mile Ck water and continue irrigating with Goose Lake Res. water.

In discussing this it was stated by the Branstetter's that 4-Mile Ck water was the first water used on the land covered by License No. 78-2027 and that they did start using Goose Lake water on the same ground, but only after the reservoir was enlarged and in 1942. The enlarging took place a couple of times prior to 1942 and the increase in water in the reservoir allowed them extra water enough to begin using it on the 80 acres originally irrigated by 4-Mile Ck. In the meantime,

EX-100-10-100

6.1.1.

they transferred the Four Mile Creek water to the 90 acres shown in the transfer because the ditch w/4-mile Creek water runs above the property and allowed much better irrigation (still in 1943).

There was also a question concerning the chain of title. All the legal papers showing the right going from Mc Mahan to Swanstetter (Ward) and on down to ~~his~~ his children from his wife Hazel, but none from him to his wife after his death. The Swanstetter is brought in the paper and a copy is attached.

It appears this transfer can now be processed

Jan. Brown

filed 6/85 approved 1/86

Transfer No. 3229Water Right No. 78-2027

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant BRANSTETTER RANCH Phone 347-2374
 Post Office address Box 175, NEW MEADOWS, ID 83454

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
 in case of _____ vs _____
 dated in _____ in _____ county of _____
 (Name of court)
- b. License No. 14602/78-2027 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired SEE ATTACHED WARRANTY DEED FROM McMAHON TO BRANSTETTER & ALSO DEEDS OF GIFT EACH DEEDING A PORTION OF THE LAND TO ABOVE APPLICANTS UNTIL ALL WAS DEEDED (AS SHOWN ON DEEDS)

3. Source of water FOUR-MILE CK. tributary to SALMON RIVER

4. Date of priority MAR. 12, 1920

5. Water is used for the following purposes:

amount 1.8 CFS for IRRIGATION purposes from MAY 1 to OCT. 1
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. 1.8 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location or original point of diversion is NE % of NE % of Section 5
 Township 19N Range 2E B.M., in ADAMS County
 Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
<u>19N</u>	<u>2E</u>	<u>6</u>									<u>40</u>	<u>36</u>			<u>5</u>	<u>5</u>			<u>86</u>

Total number of acres to be irrigated 86

9. Describe any other water rights used for the same purpose as described above GOOSE CREEK WATER RT. # 78-2037 & GOOSE LAKE 78-40016 & TWIN LAKES 78-4375
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

OCT 2 1986

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				SE 1/4				SW 1/4				NW 1/4				TOTALS
			NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.8 c.f.s. &/or _____ acre feet
- b. Description of diverting works DITCH FROM FOUR MILE CREEK TO IRRIGABLE PORTION.
- c. Describe the reasons for the proposed changes WATER TO BE USED TO BETTER ADVANTAGE.

2. Change in point of diversion

Point of diversion NW 1/4 NW 1/4, Section 4 Township 19N
Range 2E, B.M., ADAMS County
Additional points WILL USE SAME PT. OF DIVERSION AS THAT COVERED UNDER RT. # 78-2028

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer WILL USE PRIVATE GOOSE LAKE RES. WATER IN LIEU OF THIS RT.

MICROFILMED

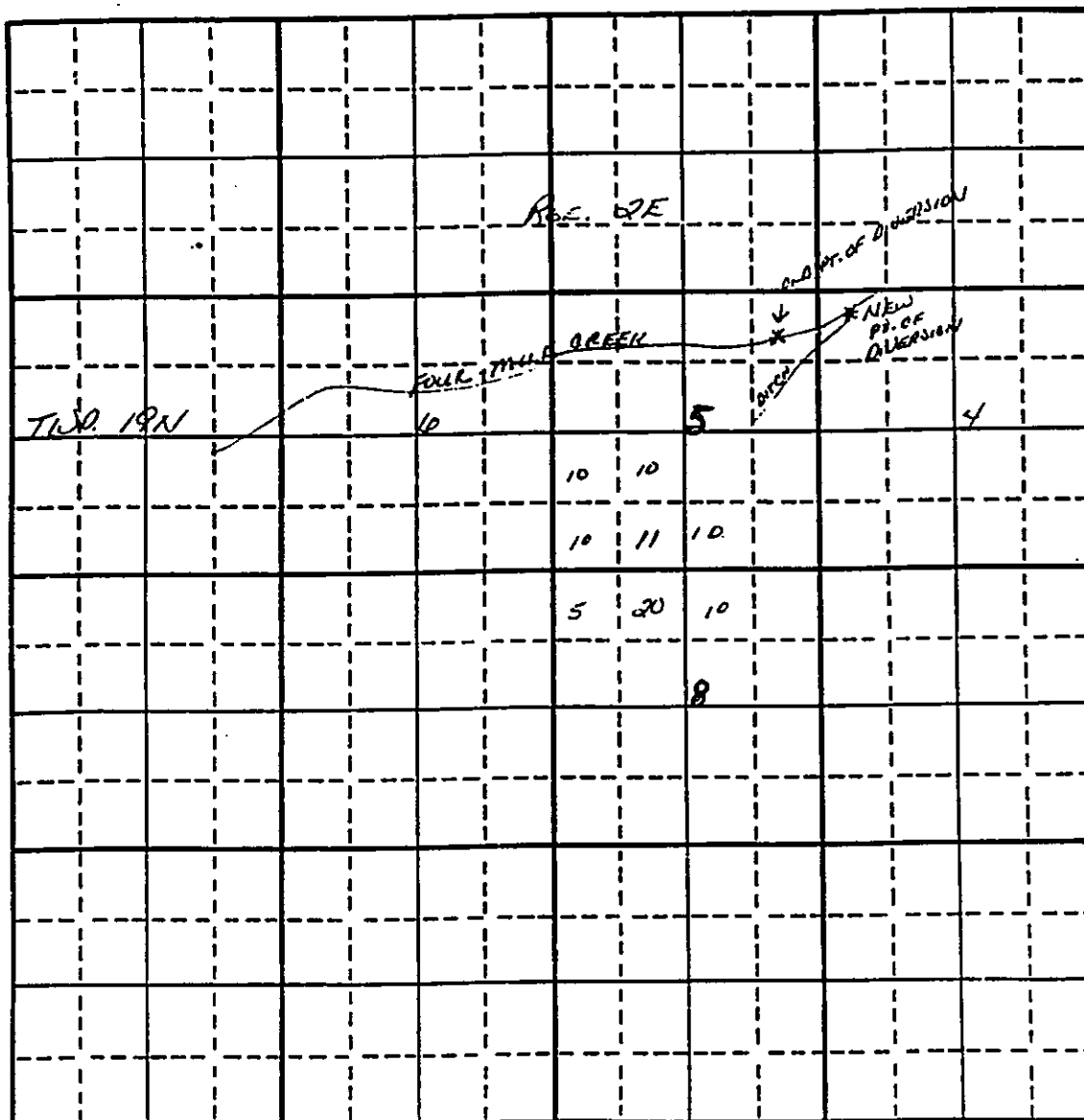
001-2-2-000

c. Describe the land in place of use to which the right will be transferred:

TWP.	RANGE	SEC.	19N				20N				21N				22N				TOTALS
			10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
19N	3E	5									10	10	10	11			10	51	
		8		10			20	5										35	

Total number of acres to be irrigated 86

- Describe any other water rights used for the same purpose as described above. LICENSE No. 14804/78-2028 FOR 45 AC. & 0.9 CFS
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equals 1 mile. Draw plan in ink.

MICROFILMED

OCT 22 1996

D REMARKS

BRANSTETTER RANCH CONSISTS OF WILLIAM, OSCAR,
(THOMPSON) DORN, CLAUDE, CHARLES, HELEN & DONALD BRANSTETTER.
(HEATH)

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

William H. Branstetter
(Signature of Applicant)

Subscribed and sworn to before me this 3 day of June, 19 85.

Nancy M. Mathway
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 78-2027

and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 6th day of January, 19 86

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>JG</u>	Date <u>6-3-85</u>	Protest filed by _____
Prelim. check by _____	Fee <u>50.00</u>	_____
Receipted by <u>JG</u>	Date <u>6-3-85 #34073</u>	_____
Published in <u>Adams County Leader</u>	Copies of protest forwarded by _____	
Pub. dates <u>6/13 & 6/20/85</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd.	by <u>DRT</u>	

OCT 22 1985



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.

MICROFILMED

MICROFILMED 1982

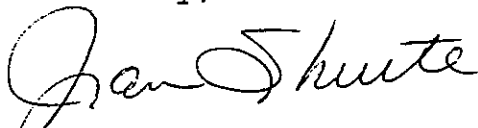
Claim No's. A78-02027B, A78-02028B, A78-10233 and A78-10237 - Changed Remarks on A78-02027B, A78-02028B and A78-10233 by taking out the portion on flood water since none of these three rights are for flood water. Then I listed the restriction on the quantity to 2.14 cfs for all three rights per the agreement 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

MICROFILMED

OCT 05 1992

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

MICROFILMED
OCT 05 1982

08/17/88
08:58:15

ALICE L. BRANSTETTER

ADJUDICATION CLAIM FEES
APPLICATION FOR PERMIT (SPRINGS)0410162 9337 6490
0620199 1238 6390\$296.00
\$30.00

\$326.00

CHECK 1197

WR/NO: A78-02027B A78-02028B
\$50 \$50

Idaho Department of Water Resources

Region: Western

Signature: _____

Please add A78-10233 for the \$171 fee and
A78-10211 for the \$25 fee. The \$30 fee was
for a new water right app. & either can
be left on or taken off of the bottom
part of the receipt.

Thanks,
Jan
8/19/88

MICROFILMED

OCT 05 1992