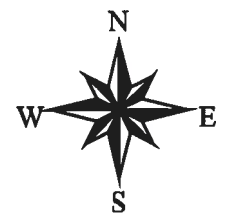
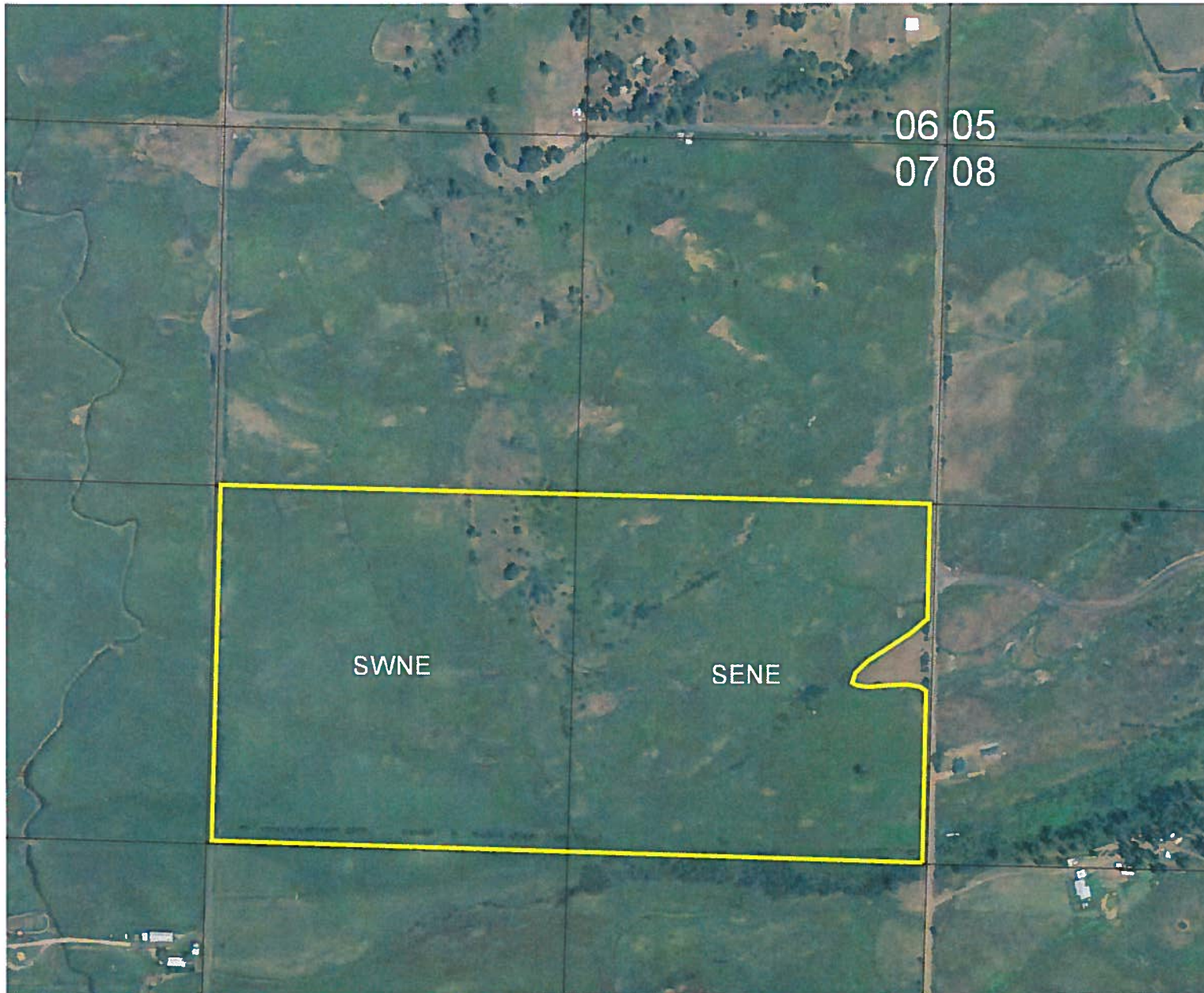


78-4072A

**T19N R02E
S07**



1000 0 1000 2000 Feet

A scale bar with four segments. The first segment is labeled '1000', the second '0', the third '1000', and the fourth '2000 Feet'.

Map prepared by: Carter Fritschle
Date prepared: 11/25/05
2004 NAIP Photography
Idaho Department of Water Resources

12/13/2006

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

RIGHT NUMBER: 78-4072A

NAME AND ADDRESS: HELEN L HEATH
920 RUTH LN
NAMPA ID 83686

GEORGE A HEATH
920 RUTH LN
NAMPA ID 83686

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.760 CFS

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

The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

PRIORITY DATE: 09/26/1922

Pursuant to a call in times of scarcity, this right is junior to Water Right Nos. 78-2036, 78-2037, 78-2039, 78-2040A, 78-2040B, 78-2042 and 78-2056.

POINT OF DIVERSION:

T19N R02E S27 NWNW Lot 1 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.760 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S07	SWNE	39.00	T19N R02E S07	SENE	38.00
---------------	------	-------	---------------	------	-------

STOCKWATER in ADAMS County

T19N R02E S07	SWNE	T19N R02E S07	SENE
---------------	------	---------------	------

77 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 507.8 acres in a single irrigation season.
Combined Right Nos.: 78-2037, 78-4072A, 78-4072B, 78-4072D, 78-4072E, 78-10235, 78-11181, 78-12175 and 78-12176.

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 - Beneficial Use

Use of this right is combined with water from Granite Twin Lakes Water Users.

Use of this right is combined with water from Goose Lake Reservoir Company.

Water is delivered through the Campbell Ditch.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

December 7, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

GEORGE A &/OR HELEN L HEATH
920 RUTH LN
NAMPA ID 83651

RE: Notice of Claim to a Water Right No. 78-4072A

Dear Claimants:

In May of 1988, you submitted the above referenced claim in the Snake River Basin Adjudication (SRBA). Enclosed is a computer generated print-out of the claim for your convenience. When this claim was filed it was based on a "Statutory Claim" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right, if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible.

The required evidence supporting the priority date must be submitted by **December 14, 2006**, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,


KAY WALKER

Sr. Water Resource Agent

Enclosures

(466-3929)
12/12) per Mrs. Heath:
part of Blanstetter
property - says she
has worked w/Carter
and he has all
documents needed
for their rights.
KW

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a. Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Hazel Branstetter (name of claimant)
of Box 282, New Meadows, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Goose Creek
, tributary to, Little Salmon River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>5.0 cfs</u>	Use	<u>Irrig</u>	Period of Use:	From	<u>4-15</u>	To	<u>7-1</u>
Amount	<u>0.20 cfs</u>	Use	<u>Stockwater</u>	Period of Use:	From	<u>4-15</u>	To	<u>10-1</u>
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri, stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 5.0 cfs cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1922

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 27 Twp. 19N Rge. 2E B. M. County of Adams
 Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. _____

The Campbell ditch conveys the water approximately 3 miles to claimant's property

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

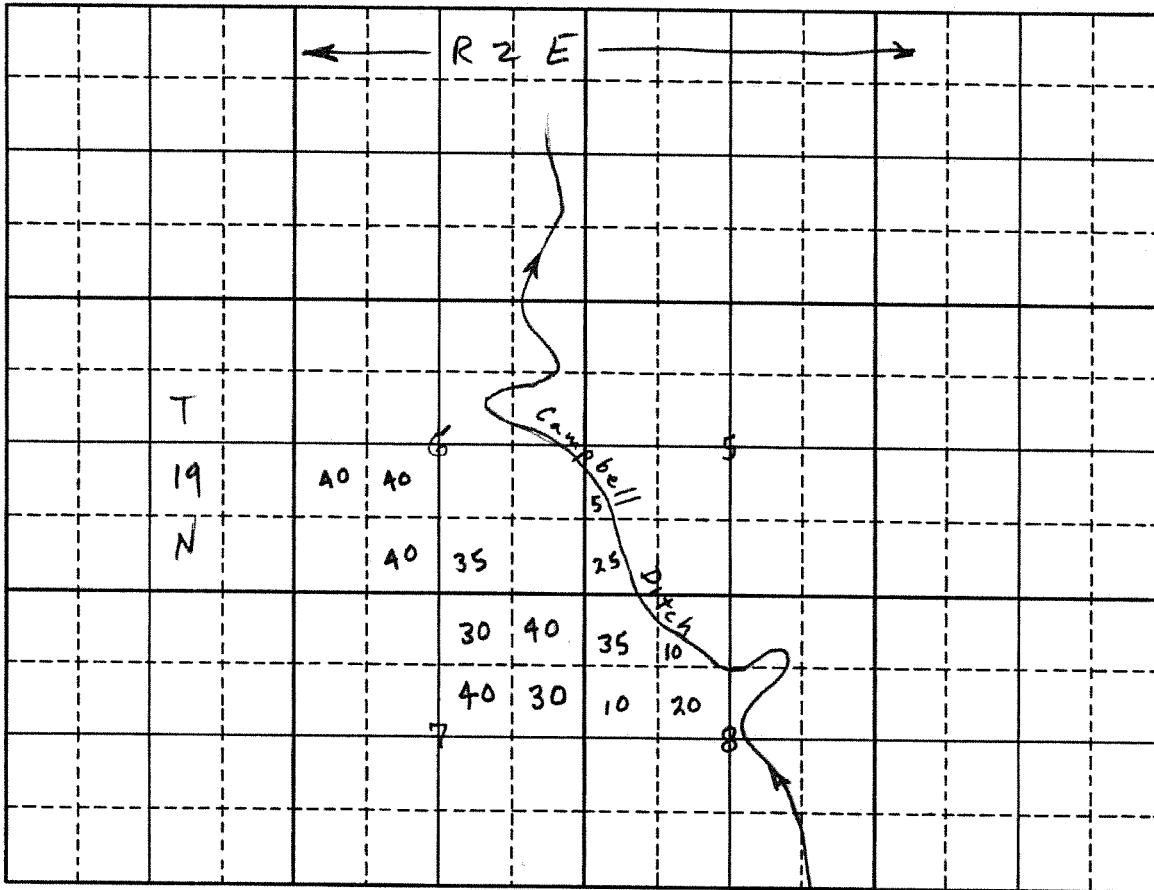
[illegible]

Total No. of acres 400

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
Approximately a maximum of 350 head of stock are watered

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

P.d. in NW 1/4 Sec 27
 T19N, R2E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 11th day of May, 1976

X Hazel Branstetter
 (Claimant)

Life Glen Saxton
 Notary Public
 Residing at Boise, Idaho

My commission expires Life

For Department Use Only

Received by <u>HS</u>	Date <u>5-11-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HS</u>	Date <u>5-11-76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>5-11-76</u>	# <u>3777</u>		
Approved for publication by <u>RB</u>	Date <u>5-11-76</u>			
Published in <u>Adams County Leader</u>				
Dates <u>May 20 1977</u>				

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 06 1992

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: A78-04072A
Date Received: 5/17/1988
Receipt No: 8127 W000209
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE A. HEATH 208-466-3929
Address: 920 RUTH LN
NAMPA, ID 93651
AND/OR
Name: HELEN L. HEATH 208-466-3929
Address: 920 RUTH LN
NAMPA, ID 93651
2. Date of Priority: SEP 26, 1922
3. Source: GOOSE 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	27	SW	NW	NW	1	ADAMS
5. Description of diverting works:
GOOSE CREEK CANAL CONVEYS H2O APPROX. 3 MI. TO CLAIM. PROPERTY.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/01	0.760		
STOCKWATER	04/15	10/01	0.030		
7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 154.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/100 LIVESTOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	7	SW		NE		IRR	39.0
			SW		NE		STOCK	
			SE		NE		IRR	38.0
			SE		NE		STOCK	
							Section Acres	77.0
							Total Acres	77.0

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:

78-2037, 78-4006, 78-4288, 78-4275 & 78-10235.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For 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 A78-04072ADate Received 5/17/88Receipt Number W000209 \$127

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) GEORGE A. AND/OR HELEN L. HEATH Phone (208) 466-3929Mailing Address 920 RUTH LANE, NAMPA, IDAHO Zip 836512. Date of Priority (Only one (1) per claim) SEPTEMBER 26, 19223. Source of water supply (a) GOOSE CREEK
which is tributary to (b) LITTLE SALMON RIVER4. a. Location of existing point of diversion is: Township 19N Range 2E Section 27,
SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, 1 B.M., County of ADAMSAdditional points of diversion if any: NONEb. If instream flow, beginning point of claimed instream flow is: N/A

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.GOOSE CREEK CANAL CONVEYS THE WATER APPROXIMATELY
3 MILES TO CLAIMANTS PROPERTY

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OCT 6 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 7/1 amount .76 or _____

For STOCK WATER purposes from 4/15 to 10/1 amount .03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .76 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 154 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 100 LIVESTOCK

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	
<u>19N</u>	<u>2E</u>	<u>7</u>			<u>39</u>	<u>38</u>													<u>77</u>
					<u>5</u>	<u>5</u>													

Total number of acres irrigated 77

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.
78-2037 78-4006 78-4288 78-4275 & 78-10235. or None ()

14. Remarks:

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OCT 06 1992

Last Name HEATH Ident No. A78-04072

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

5

OCT 06 1992

HEATH

A78-04072

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 78-4072
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not 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) Helen L. Heath Date May 17, 1988
George A. Heath Date May 17, 1988

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 _____

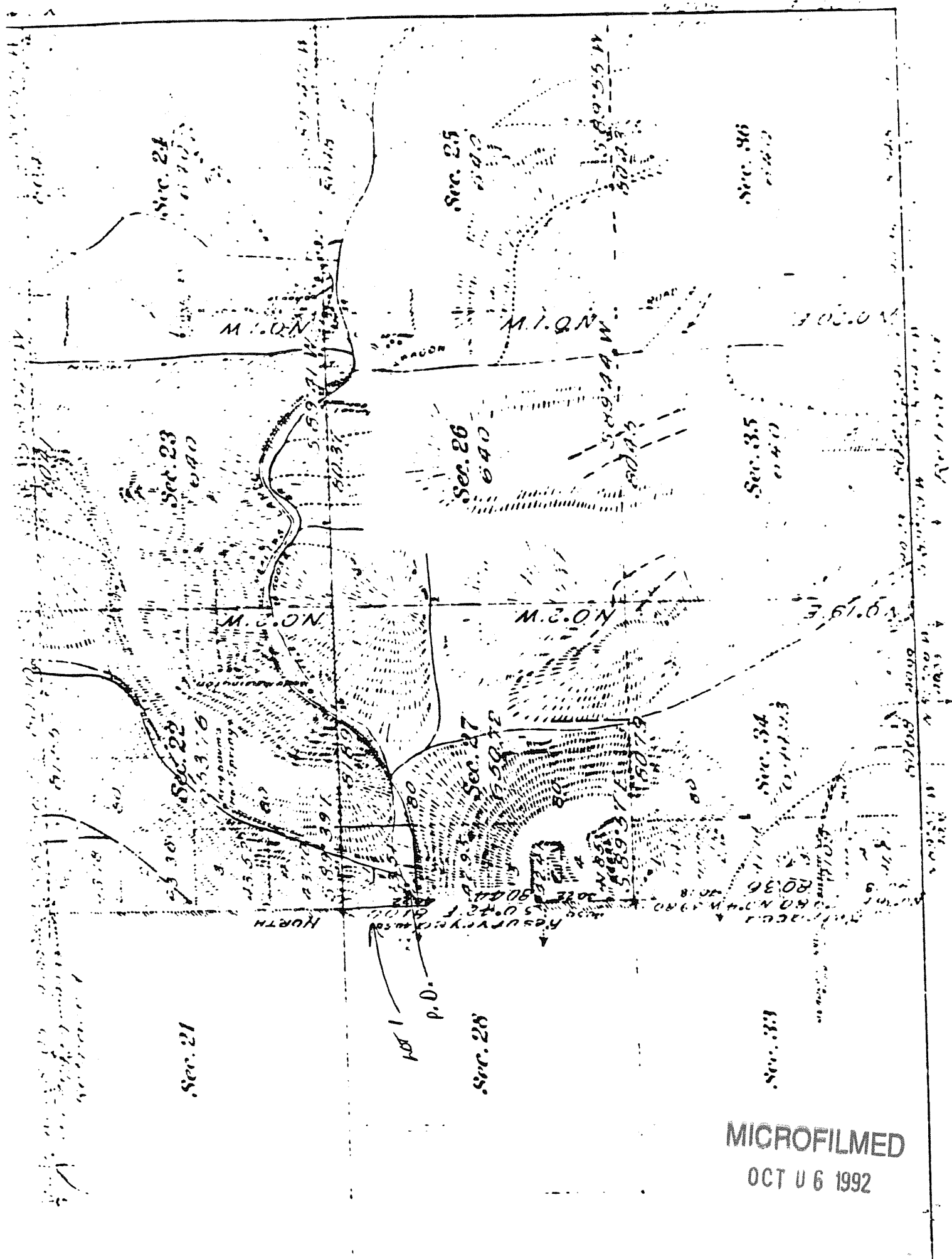
Address _____

Date _____

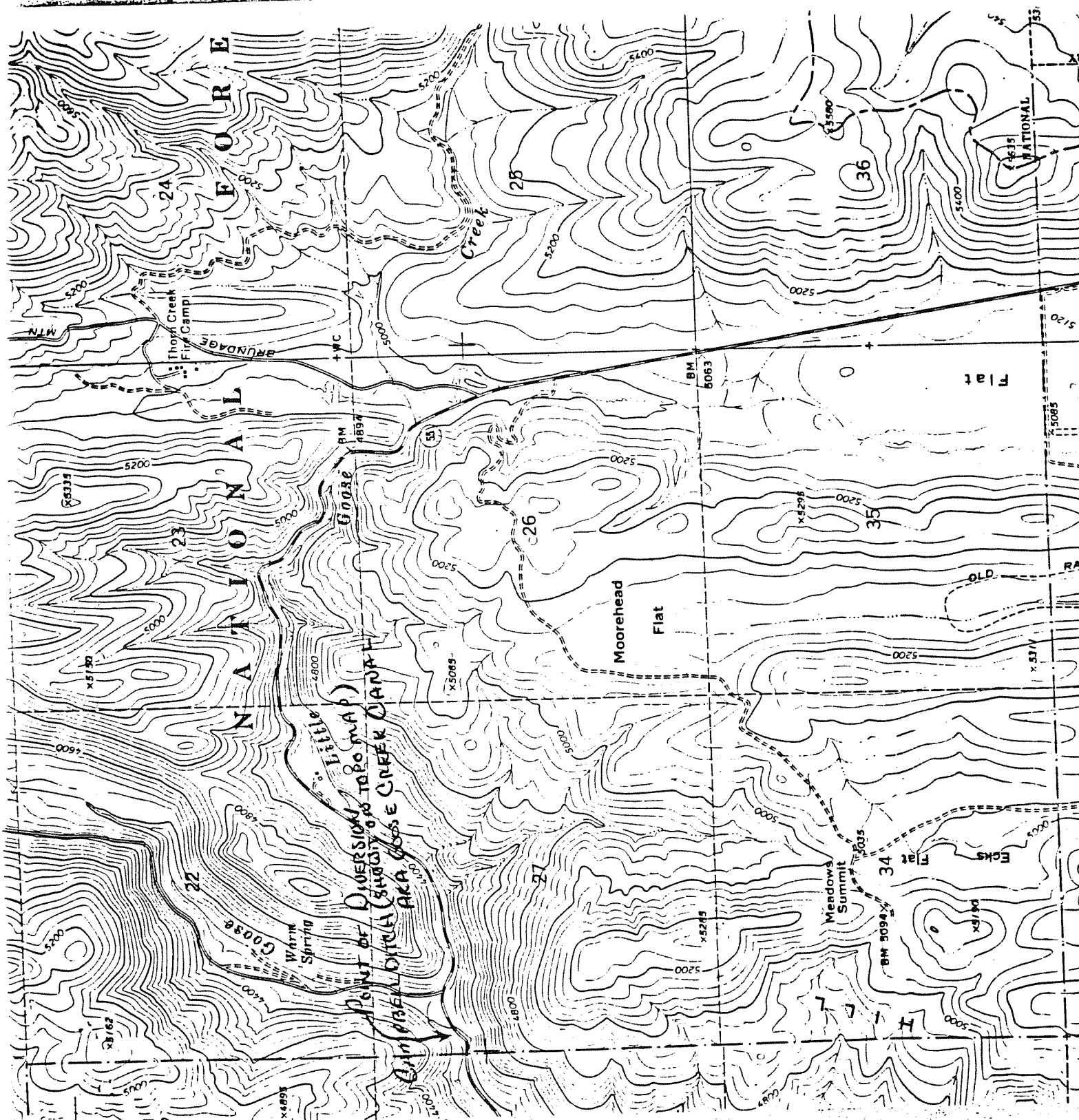
MICROFILMED
OCT 06 1992

Last Name HEATH Ident. Number A78-04072

Copies White-State, Yellow-Claimant



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OCT 06 1992



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