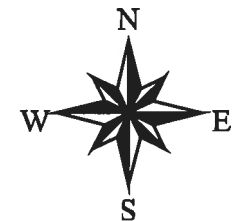
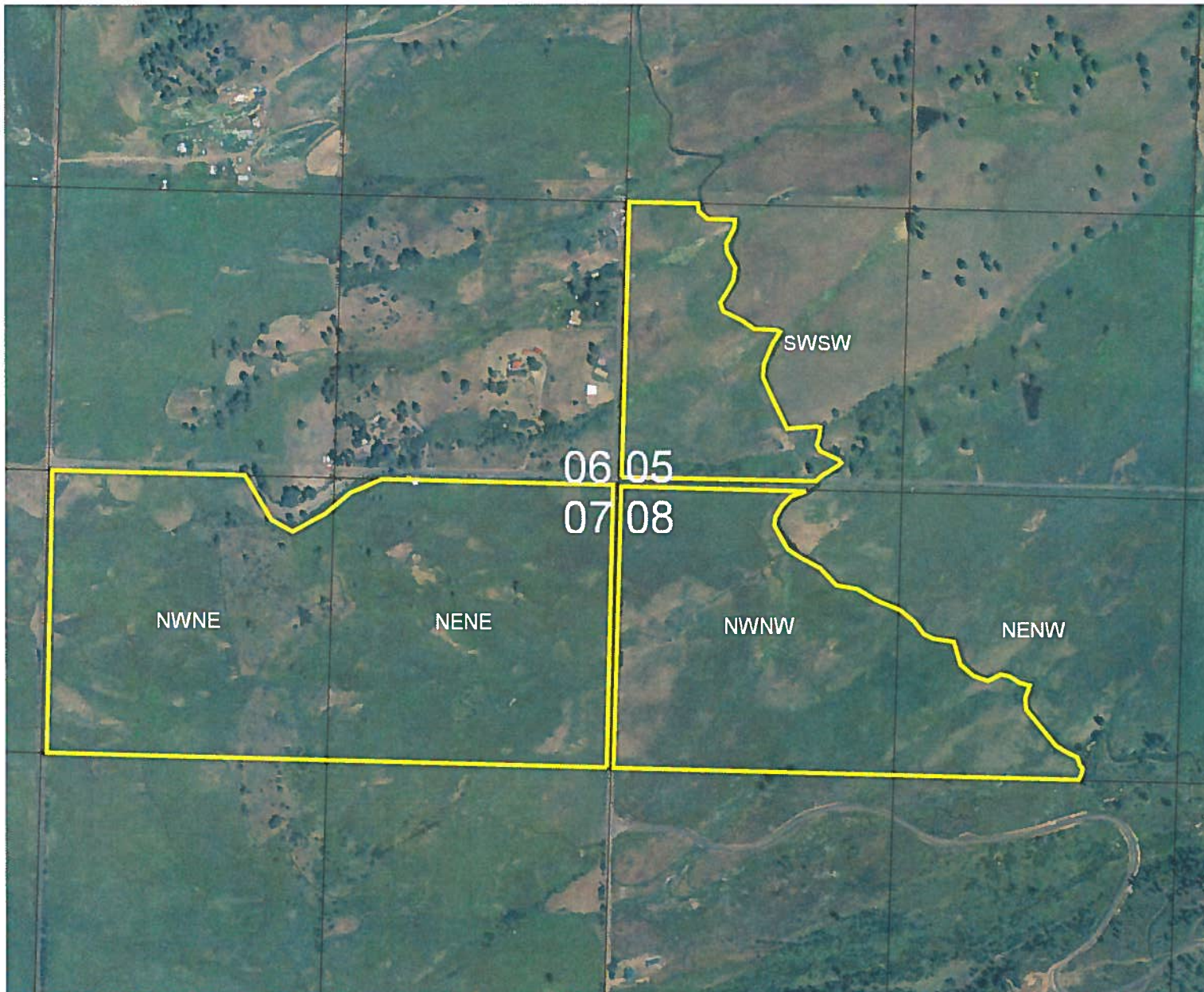


78-4072B

**T19N R02E
S05 S07 & S08**



1000 0 1000 2000 3000 Feet

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

12/14/2006

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

RIGHT NUMBER: 78-4072B

NAME AND ADDRESS: CHARLES V BRANSTETTER
PO BOX 175
NEW MEADOWS ID 83654

NITA L BRANSTETTER
PO BOX 175
NEW MEADOWS ID 83654

SOURCE: GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.240 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	1.240 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S05	SWSW	19.00	T19N R02E S07	NENE	39.00
T19N R02E S07	NWNE	37.00	T19N R02E S08	NENW	9.00
T19N R02E S08	NWNW	34.00			

STOCKWATER in ADAMS County

T19N R02E S05	SWSW	T19N R02E S07	NENE
T19N R02E S07	NWNE	T19N R02E S08	NENW
T19N R02E S08	NWNW		

138 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.

Right Nos. 78-4072B and 78-11181 are limited to the irrigation of a combined total of 138 acres in a single irrigation season.

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

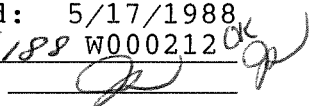
Use of this right is combined with water from Granite Twin Lakes Water Users.

Water is delivered through the Campbell Ditch.

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: A78-04072B
Date Received: 5/17/1988
Receipt No: #188 W00021206
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES BRANSTETTER 208-347-2374
Address: PO BOX 175
NEW MEADOWS, ID 83654

AND/OR

Name: NITA BRANSTETTER 208-347-2374
Address: PO BOX 175
NEW MEADOWS, ID 83654

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 CR. 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	1.240		
STOCKWATER	04/15	10/01	0.060		

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

8. Total consumptive use is 276.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/250 LIVESTOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	5	SW	SW		IRR	18.0
			SW	SW		STOCK	
			Section Acres				18.0
		7	NE	NE		IRR	38.0
			NE	NE		STOCK	
			NW	NE		IRR	39.0
			NW	NE		STOCK	
			Section Acres				77.0
		8	NE	NW		IRR	10.0
			NE	NW		STOCK	
			NW	NW		IRR	33.0
			NW	NW		STOCK	
			Section Acres				43.0
			Total Acres				138.0

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, 78-4275, 78-4006, 78-4288 & 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 A 78-04072BDate Received 5/17/88Receipt Number W 000212

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Charles and/or Nora Branstetter Phone (208) 347-2374Mailing Address P.O. Box 175 Zip 836542. 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 Adams

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The Goose Creek Canalconveys the water approximately 3 miles to
claimant's property

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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 1.24 or _____

For stockwater purposes from 4-15 to 10-1 amount .06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.24 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 276 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 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	
19N	2E	7	5 38	5 39			5 10	5 33											77
19N	2E	8																	43
19N	2E	5											5 18						18

Total number of acres irrigated 138

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 , 78-4275 , 78-4006 , 78-4288 & 78-10235 or None ()

14. Remarks:

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OCT 06 1992

Last Name Branstetter Ident No. A78-04072B

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

~~MICROFILMED~~

OCT 06 1992

Last Name

Dransetter

Ident No.

A78-04072B

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 78-40721
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) Nita L. Branstetter Date May 17, 1988

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 Bosse

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 _____

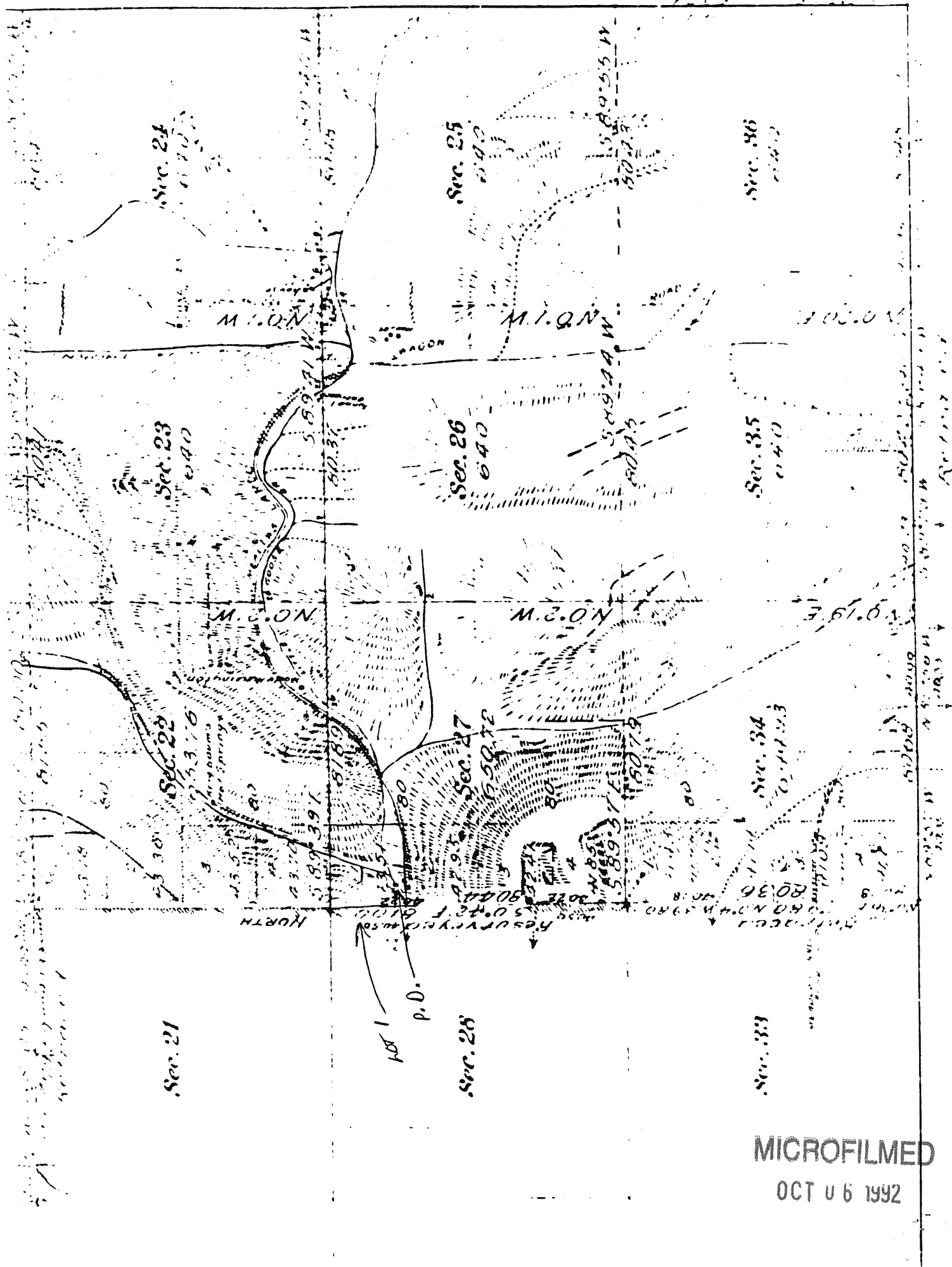
Date _____

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OCT 06 1992

Last Name _____ Ident. Number A78-04072B

Copies White-State, Yellow-Claimant



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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

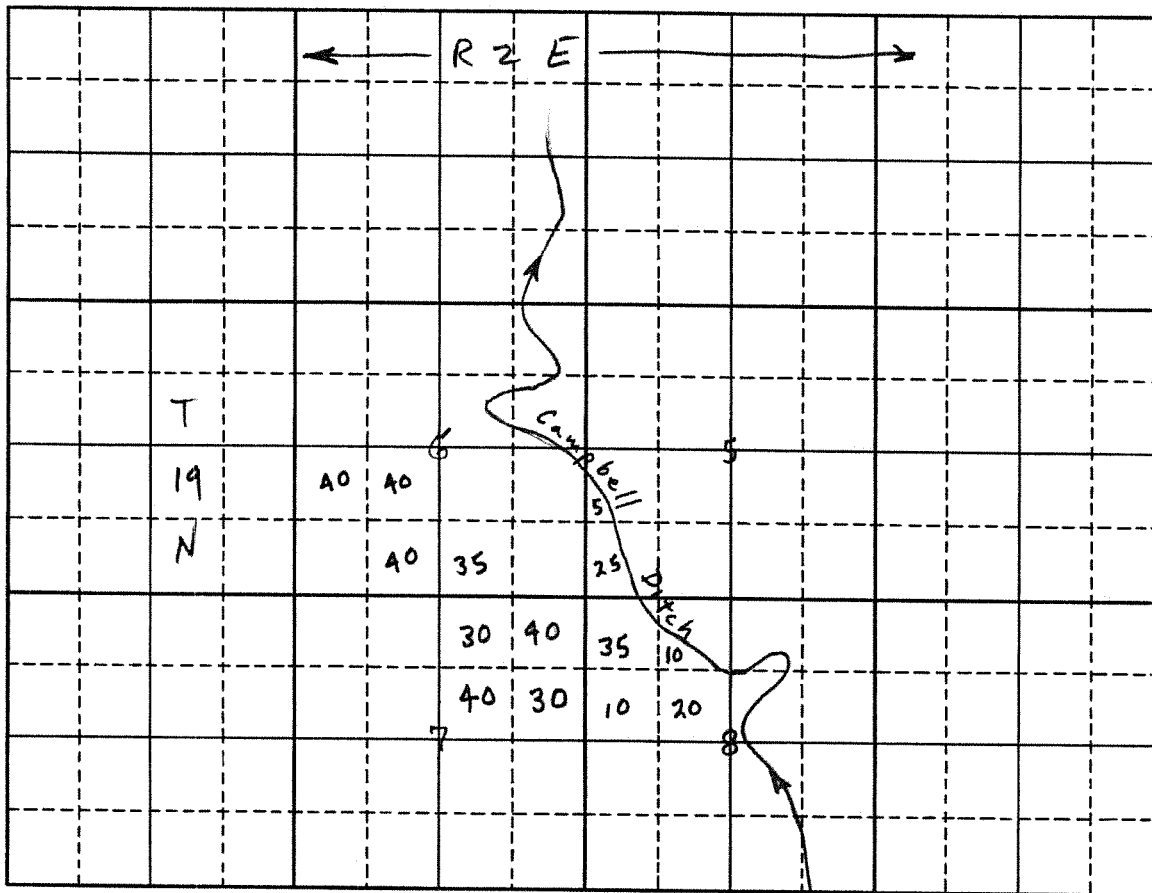
[illegible]

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 Dranstetter
 (Claimant)

Life Glen Saxton
 Notary Public
 Residing at Boise, Idaho

My commission expires Life

For Department Use Only

Received by <u>FF</u>	Date <u>5-11-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>FF</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>6-3-76</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

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