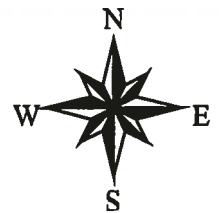
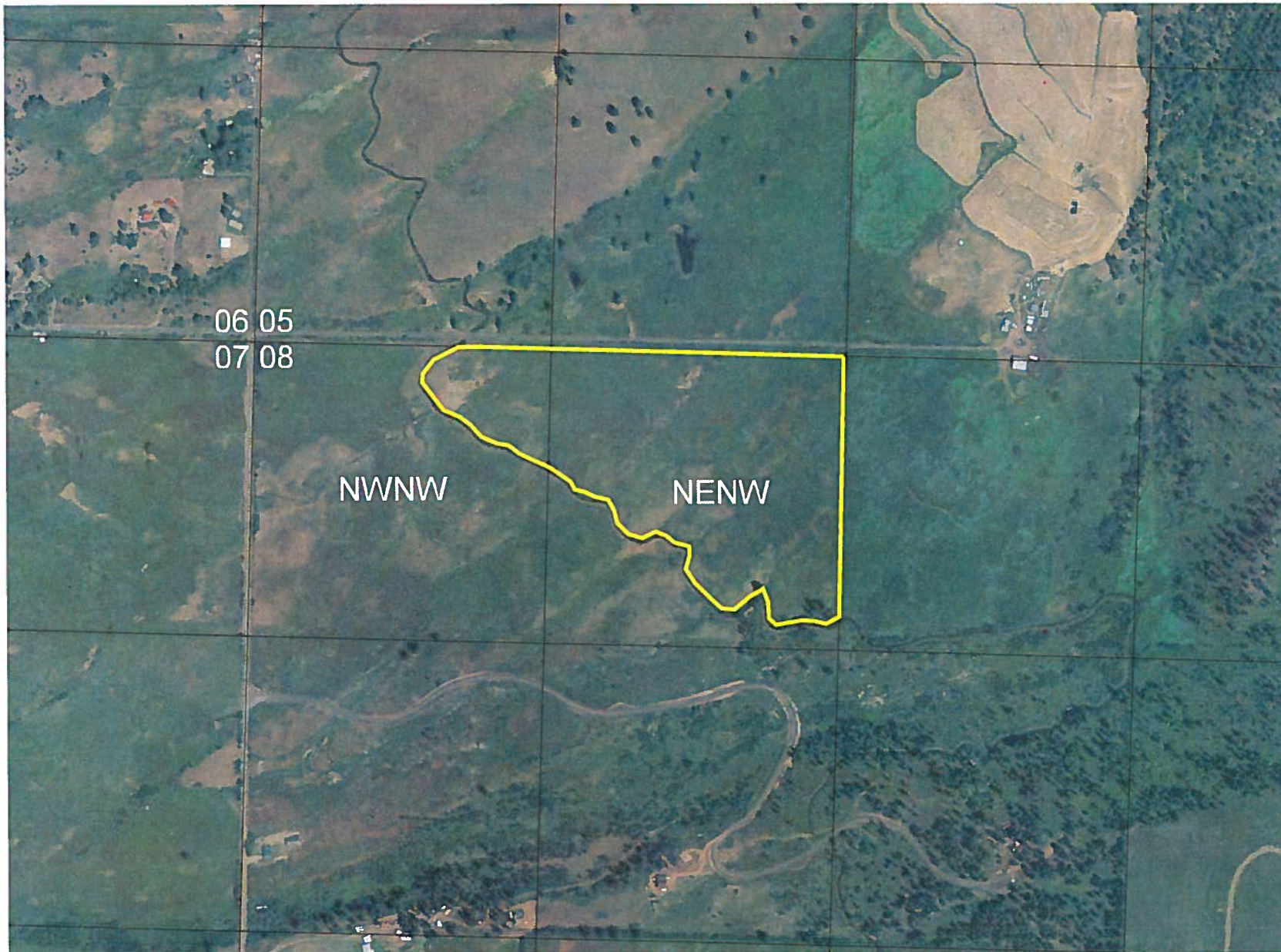


78-2027A 78-10234 & 78-10236

T19N R02E
S08



700 0 700 1400 2100 Feet

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

09/25/2007

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

RIGHT NUMBER: 78-10236

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

NITA L BRANSTETTER
PO BOX 175
NEW MEADOWS ID 83654

SOURCE: FOURMILE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.680 CFS

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

PRIORITY DATE: 04/01/1948

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	04/01 10/31	0.680 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S08 NENW 29.00 T19N R02E S08 NWNW 5.00

STOCKWATER in ADAMS County

T19N R02E S08 NENW T19N R02E S08 NWNW

34 ACRES TOTAL

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

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

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.

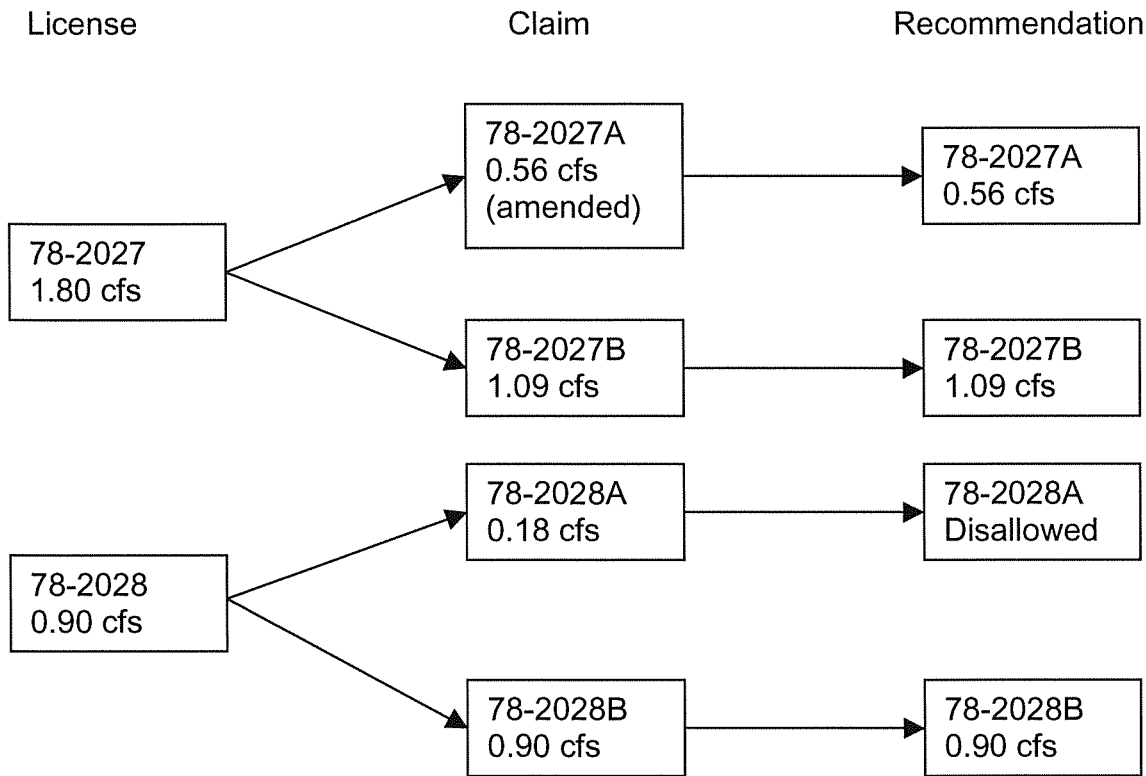
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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
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

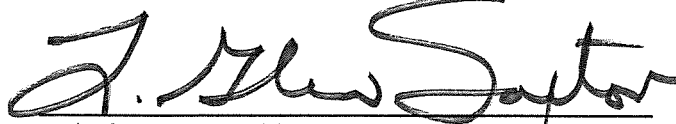
CONDITIONS/REMARKS:

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

RECEIVED

JUN 30 1995

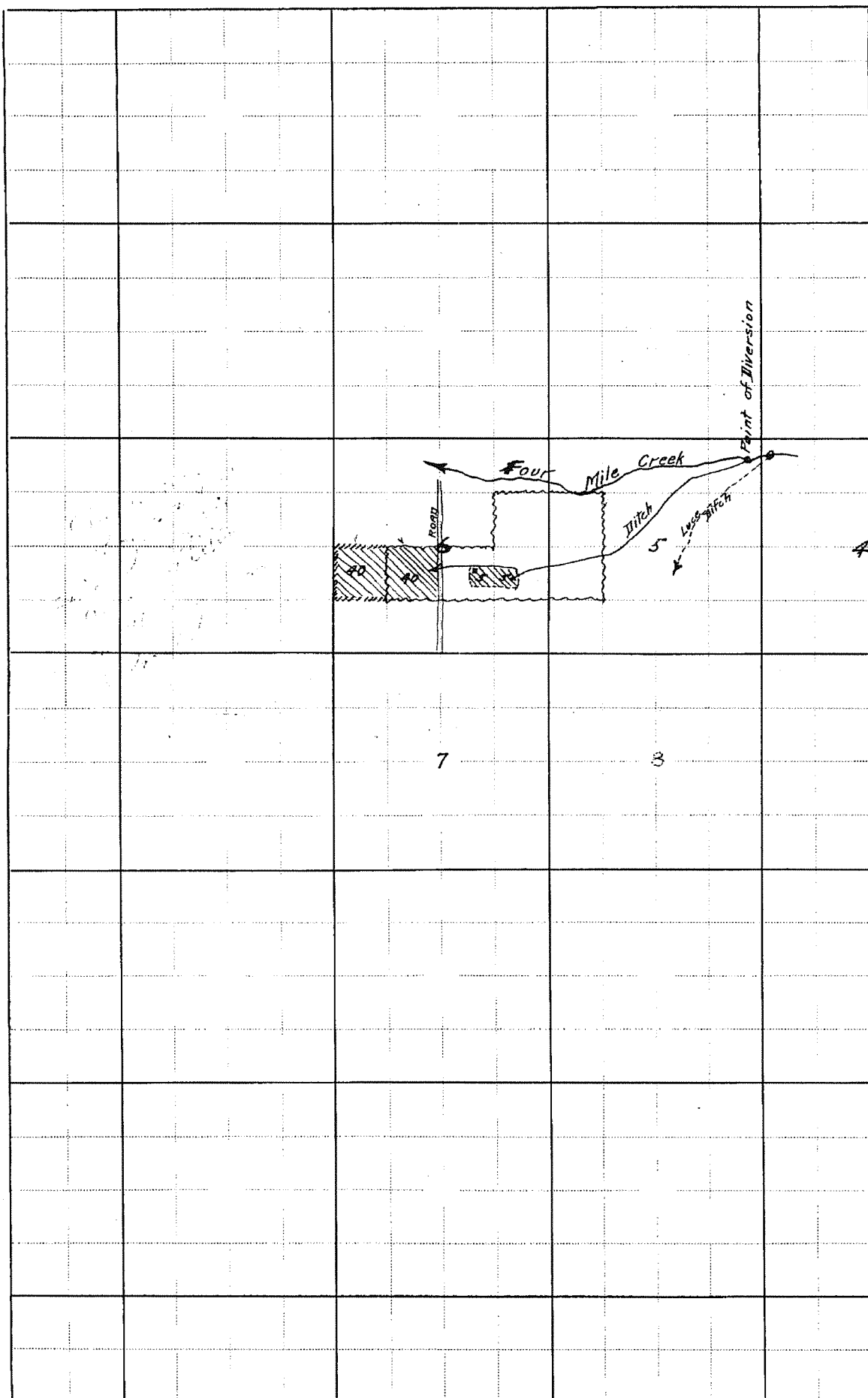
78-2027
Date of Exam
7-9-1924

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 14602

REPORT ON PROOF OF BENEFICIAL USE



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

14602

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 14602This proof is for Beneficial UseIn Water District No. 75-A

1. Name of applicant: George McMahon,
2. Source of water supply: Four Mile Creek
3. Location of point of diversion: Is in the N¹/₄ NE¹/₄ of Section 5
T. 19 N., R. 2 E.B.M. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: diversion of rocks,
Head Gate of flume construction 4 1/2 ft. high, 3 ft. wide x 10 ft. long
Ditch mostly in natural draw but where artificial is
3 ft. wide & 1 ft. deep

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW¹/₄ & NW¹/₄ Sec. 5; SE¹/₄, NE¹/₄, NW¹/₄ & SW¹/₄ Sec. 6.
Twp. 19 N., R. 2 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Salmon River

Remarks: NW¹/₄ SW¹/₄ Sec. 6 not included in above list is part
of ranch all in cultivation and is said to have been
irrigated from this water supply for the last 22 years

This examination was made on the 9th day of July, 1927(Signed) Arthur D. Johnson

Examiner.

14602

Contacts Data Entry Form

Claim Number: 78-10236

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	CHARLES V BRANSTETTER	PO BOX 175	NEW MEADOWS	ID	83654	(208)347-2374
Current Owner	NITA L BRANSTETTER	PO BOX 175	NEW MEADOWS	ID	83654	(208)347-2374

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Talked Nita on 8-5-05 schedule for September

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 78-10236

Claimed Priority Date: 3/12/1920

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date

Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number 78-10236

Claimed Point of Diversion and Source

T19N R02E S4 NWNWNW Within ADAMS County Source: FOURMILE CREEK LITTLE SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 78-10236

Claimed Place Of Use

T19N R02E S08	NENW	30.0	T19N R02E S08 Lot 4 NWNW	4.0
T19N R02E S08	NENW		T19N R02E S08 Lot 4 NWNW	
Total Acres 34				

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 78-10236

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 78-10236

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	7/01	0.68	
STOCKWATER	1/01	12/31	0.04	

Overall Diversion Rate 0.68

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
-----------	-------	-----	------	--------

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

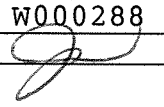
Reviewer: _____

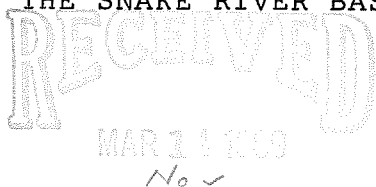
Date: _____

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: A78-10236
Date Received: 6/02/1988
Receipt No: W000288
Received By: 



Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES BRANSTETTER 208-347-2374
Address: P.O. BOX 175
NEW MEADOWS, ID 83654
AND/OR
Name: NITA L. BRANSTETTER 208-347-2374
Address: P.O. BOX 175
NEW MEADOWS, ID 83654

2. Date of Priority: MAR 12, 1920

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

4. Point of Diversion:

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

5. Description of diverting works:
DITCH FROM FOUR MILE CRK. TO P.O.U..

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	0.680		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is 68.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 HEAD CATTLE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	8	NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW	4	IRR	4.0
			NW	NW	4	STOCK	
						Section Acres	34.0
						Total Acres	34.0

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:

78-02027A, 02028A, 02037, 04006, 04275, 04288, 10234.

14. Remarks:

FLOOD WATER FROM 4-MILE CREEK IS USED UNTIL THE END OF THE FLOOD SEASON. AFTER THE FLOOD SEASON THE AMOUNT OF WATER FILED ON IS .56 CFS UNDER CLAIM NO.'S A78-02027A, A78-02028A AND A78-10234. DURING THE LOW WATER PERIODS THE CLAIMANTS WATER RIGHTS FROM FOUR-MILE CREEK ARE CUT DOWN AND AT THAT POINT AN EXCHANGE IS MADE WITH THE CAMPBELLS AND CARRIES FOR THEIR FOUR-MILE CREEK WATER, WHICH HAS AN EARLIER PRIORITY DATE, WITH THE CLAIMANT'S GOOSE LAKE AND TWIN LAKE WATER. THIS EXCHANGE IS MADE SINCE THE CLAIMANTS WOULD HAVE TO PUMP THEIR GOOSE LAKE AND TWIN LAKE WATER IF IT WERE USED, AND THE FOUR-MILE CREEK WATER SYSTEM IS SET UP FOR GRAVITY IRRIGATION THROUGHOUT THE IRRIGATION SEASON. THIS CLAIM COVERS FLOOD WATER ONLY AND WAS FILED ALONG WITH CLAIM NO. A78-10237 TO REPLACE STATUTORY CLAIM NO. 78-04315.

15. Basis of Claim: BENEFICIAL USE

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16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Nita Branstetter Date: 3-10-89

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of March 19 89 Sandeeana L. Moats
Notary Public

Seal

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A78-10236

Date Received: 6/02/1988

Receipt No: 50 W000288 *OK*

Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND/OR

Name: NITA L. BRANSTETTER 208-347-2374
Address: P.O. BOX 175
NEW MEADOWS, ID 83654

2. Date of Priority: MAR 12, 1920

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

4. Point of Diversion:

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

5. Description of diverting works:
DITCH FROM FOUR MILE CRK. TO P.O.U..

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	0.780		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is 68.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 HEAD CATTLE

A78-10236

Page 1

Date: 08/17/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	8	NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW	4	IRR	4.0
			NW	NW	4	STOCK	
						Section Acres	34.0
						Total Acres	34.0

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:
78-2027A; 78-2028A; 78-10234.

14. Remarks:

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

15. Basis of Claim: BENEFICIAL USE

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 - 10236

Date Received

6/2/88

Receipt Number

W000288 (50)

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Charles and/or Nita L. Dranstetter Phone (208) 347-2374

Mailing Address

P.O. Box 175

Zip

836542. Date of Priority (Only one (1) per claim) 3-12-19203. Source of water supply (a) Four Mile Creek
which is tributary to (b) Little 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, _____ B.M., County of Adams

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditch from Four-mile Creekto 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 4-1 to 7-1 amount .78 or _____

For Stockwater purposes from 4-1 to 12-31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .78 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .68 acre feet per annum.

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

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	
19	2E	8					5 30	5 4											34

Total number of acres irrigated 34

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
78-2027A, 2028A & 78-10234 (SEE REMARKS) or None ()

14. Remarks: This claim is for Four Mile Flood Water.

Last Name Branstetter Ident No. 78-10236

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 05 1999

ITEM NO. 14 - REMARKS

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

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Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. The grid is divided into four 10x10 quadrants by a vertical line at column 10 and a horizontal line at row 10. In the center, there is a 4x4 grid of larger squares, each containing a smaller 4x4 grid of squares. The numbers 4, 5, 6, 7, and 8 are written in the center of the grid. The number 4 is in the center of the 4x4 grid of larger squares. The number 5 is in the center of the 4x4 grid of larger squares. The number 6 is in the center of the 4x4 grid of larger squares. The number 7 is in the center of the 4x4 grid of larger squares. The number 8 is in the center of the 4x4 grid of larger squares. A small diagram of a 2x2 grid of squares is drawn in the center of the grid, with the numbers 10, 10, 10, and 10 written in the center of each square.

Drasfetter

28-10236

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Copies: White- State, Yellow- Claimant

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

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

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

Signature of Claimant (s) Nita Branstetter Date 6-2-88

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 2nd day of June 19 88

SEAL

Notary Public Nancy M. Liddgen
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 78-10236

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Copies White State, Yellow Claimant

OCT 05 1992

MEMORANDUM

February 23, 1996

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

FROM: JAN SHURTE

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

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

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

*See approved transfer & memos
in A78-02027B, 02028B & 10237.*

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 3, 1989

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

Dear Nita:

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

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

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

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

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

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

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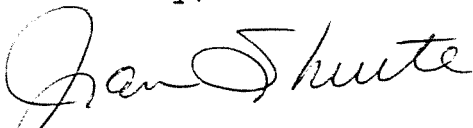
Claim No's. A78-02027B, A78-02028B, A78-10233 and A78-10237 - Changed Remarks on A78-02027B, A78-02028B and A78-10233 by taking out the portion on flood water since none of these three rights are for flood water. Then I listed the restriction on the quantity to 2.14 cfs for all three rights per the agreement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

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

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

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

Sincerely,



Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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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

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OCT 05 1992

INTER-DEPARTMENT MEMO — 1

FROM *Steve Lester*
TO *Gary Sparkman Gary*

DATE *3/9/89*

SUBJECT

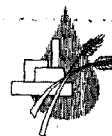
Attached is the original info received at Western on 3/6/89 to amend claim 78-04315. The claimant requested flow from 13 to 3 cfs based on USDA Forest Service info provided to claimant. Apparently, the ditch holds 3 cfs and pld is on FS land. I didn't conclude that advertising was necessary in this case. A copy of the amended claim was sent to Randy Junge, Hydrologist with Payette Natl Forest Supp. Office in McCall. A copy was kept at Western.

[Signature]
JUN 30 1989
NATURE

STATE OF IDAHO
Department of Water DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT AMENDED



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights in the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Branstetter Ranch

(Name of Claimant)

Box 175, New Meadows, ID 83654

(Mailing Address)

Telephone No. 347-2374

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 12, 1920

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Four-Mile Creek

tributary to

Salmon River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>3.0 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>04/01</u>	To <u>07/01</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 3.0 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 NW 1/4, Sec. 4 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. Describe any changes in the system and give the date of the change. Ditch from Four-Mile Creek to place of use.

- (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.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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												32		12	28		72
		8		25			30	4											59

No. of acres 131

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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MAR 31 1989

NOTE: Include here the type and number of stock watered:

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

(8) Remarks This filing is to claim flood waters from Four-Mile Creek.

See map or original filing of 4/4/87.
P/L & P/L descriptions have not changed.

82
3/9/89

Scale: 2 inches equal 1 mile.

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)
County of Adams) ss.

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 affiant's knowledge.

Sworn to before me this 3rd day of March, 1989 (Claimant's Signature)

Branstetter Ranch
Nita Branstetter
(Claimant)

Sandeeva L. Meath
Notary Public
Residing at New Meadows

My commission expires 8-7-91

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~~MAR 31 1989~~

FOR DEPARTMENT USE ONLY

Received by nl Date 3-6-89 Exception filed by:
Prelim. check by sc Date 3-9-89
\$30.00 fee received by NO FEE Date AMENDED CLAIM

Forwarded to _____ Date _____
claimant by: _____

*Published in
Dates _____

* No advertising required The claimant is simply reducing the flow from 13 cfs to 3 cfs based on information provided by the claimant by 'early' transfer of Payette Nat'l Forest (per information conveyed to me through IS, 3/9/89, etc.). Thus, claim was inductively fitted originally.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Box 175, New Meadows, ID 83654 Telephone No. 347-2374

(1) Date of priority: (When was the water first applied to a beneficial use) MARCH 12, 1920

FOUR-MILE CREEK tributary to SALMON RIVER

(cfs, af)		Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>13 cfs</u>	Use	<u>IRRIGATION</u>	Period of Use From <u>4-1</u>	To <u>7-1</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

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. Describe any changes in the system and give the date of the change. DITCH FROM FOUR-MILE CREEK TO PLACE OF USE.

[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

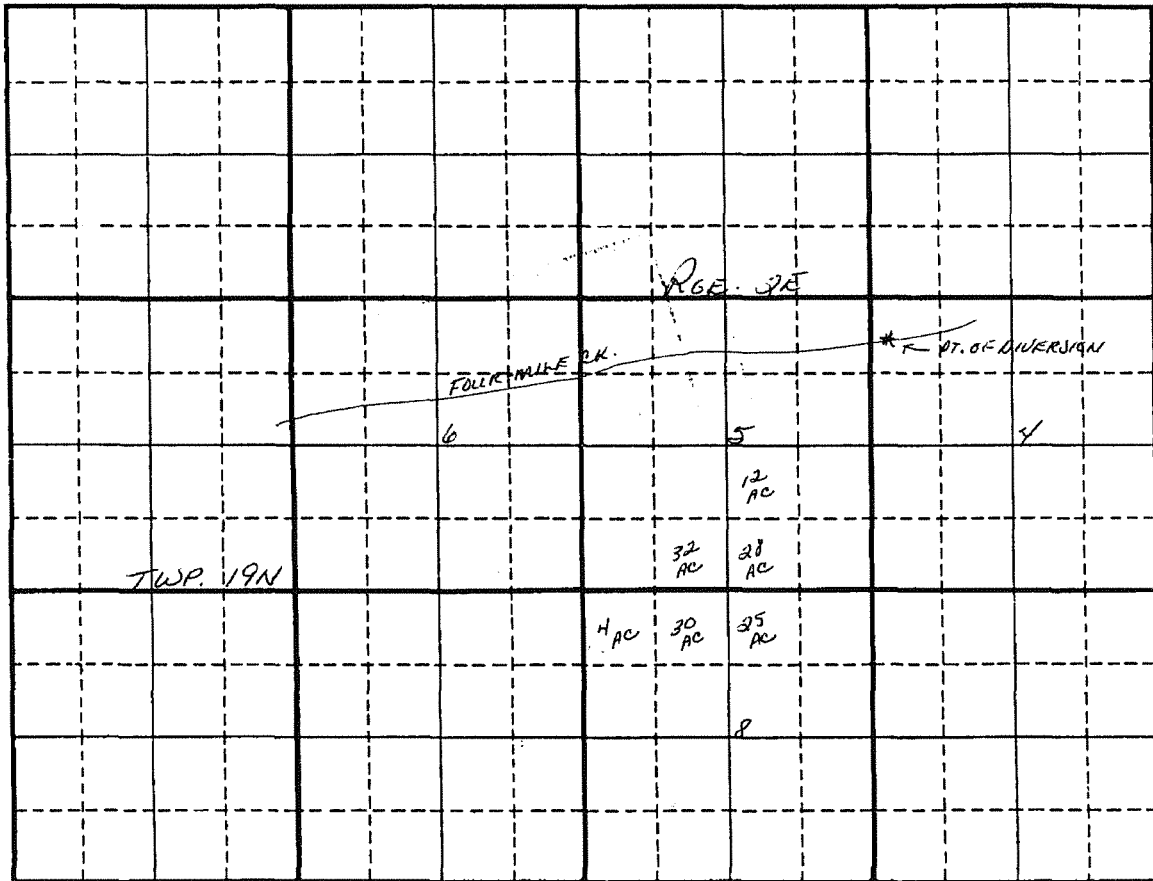
(7) If you are claiming water as a member of an organization, list name of organization: _____

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SEP 9 2 1407

Christa - ply pull
file 78-4315 E
return w/ this
to me.
Thanks. SC

(B) Remarks THIS FILING IS TO CLAIM FLOOD WATERS FROM FOUR-MILE CREEK.



Scale: 2 inches equal 1 mile.

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)
County of Ada) ss.

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 affiant's knowledge.

Sworn to before me this 9th day of April, 19 87.

William H. Banister
(Claimant) Partner

Nancy M. Lindgren
Notary Public
Residing at B

My commission expires 1-7-1988

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SEP 28 1987

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 4/9/87 Exception filed by: J. S. Tixier Forwarded to Date
Prelim. check by [Signature] Date 4/15/87 Reg. Forester
Published in ADAMS COUNTY LEADER U.S. Dept. of Agri.
Dates 5/7 + 5/14, 1987 Forest Service