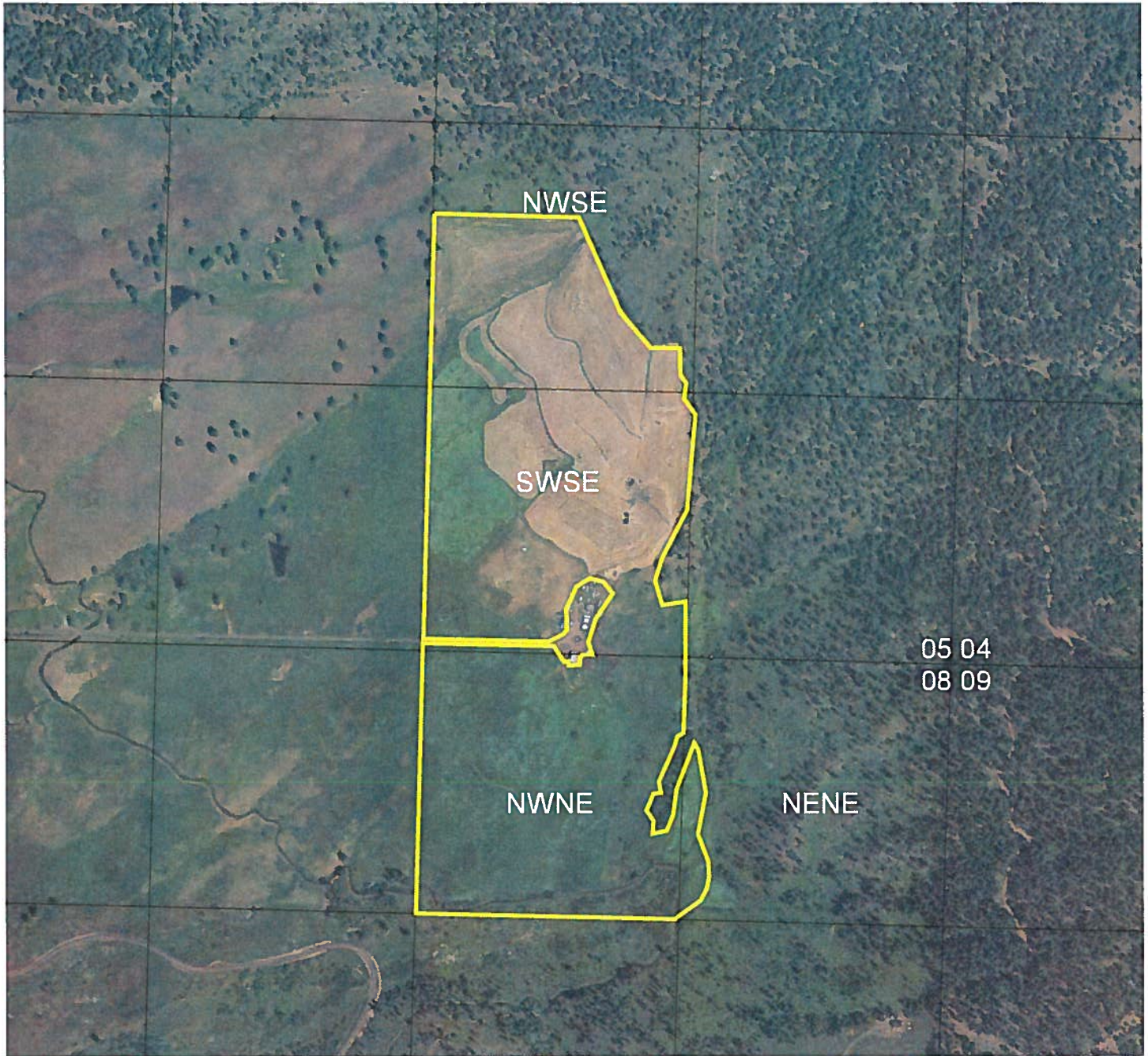


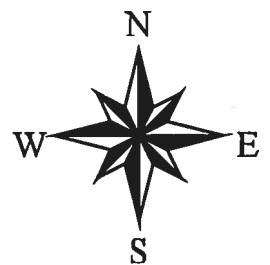
78-2027B 78-2028B & 78-10237



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



01/03/2007

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

RIGHT NUMBER: 78-10237
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: 2.020 CFS
264.00 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.

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	2.020 CFS 264.00 AFY

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S05	NWSE	19.00	T19N R02E S05	SWSE	37.00
T19N R02E S08	NENE	2.00	T19N R02E S08	NWNE	39.00

97 ACRES TOTAL

delete — 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

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 88 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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.

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

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.

This right was renumbered from former right 78-4315B.

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.

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

August 15, 2007

To whom this may concern:

I, on this day, do verify that I have knowledge that Melvin Bronstetter (my brother) did work on 4 mile ditch in the year of 1948. This work was done with 1948, International Crawler (+D6) diesel Crawler. I remember Melvin did all the Caterpillar work on the ranch at the time.

Donald L. Bronstetter

12/18/2006

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

RIGHT NUMBER: 78-10237

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: 2.020 CFS
264.000 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.

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	2.020 CFS 264.00 AFY

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S05	NWSE	19.00	T19N R02E S05	SWSE	37.00
T19N R02E S08	NENE	2.00	T19N R02E S08	NWNE	39.00

97 ACRES TOTAL

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

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 88 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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.

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

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.

This right was renumbered from former right 78-4315B.

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.

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

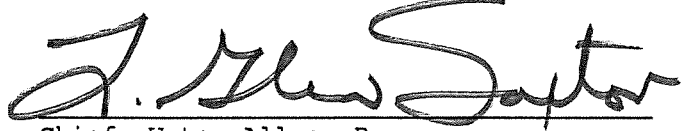
RECORDED
JUN 30 1995

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 20th day of June, 1995


Chief, Water Alloc. Bureau

RECEIVED

JUN 30 1995

Department of Water Resources
Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Sept. 8, 2005

CARTER
F
RECEIVED
SEP 12 2005
Department of Water Resources

Documents enclosed

Homestead for William J. Luce
Carl Ratzat
Ward Branstetter
Water Right License No. 14602/78-2027 also known as 78-10233
Water Right License No. 14804/78-02028

Documentation for priority dates for flood water beneficial use 78-10237 priority date 3-12-1920 and 78-10233 priority date 7-6-1942 on 4 Mile Creek for flood water for irrigation.

Ward Branstetter brought this place from George McMahan on April 28, 1926 which is known as the McMahan place with water right 78-10237 priority date 3-12-1920 also as license No. 14602/78-2027. Ward Branstetter used 4 Mile Creek flood water on the McMahan place for irrigation during spring run off from April 1 until July 1 and then went on to his water right licence. Ward had a siphon under what was known then as the Campbell Ditch and that is how he put 4 Mile Cr. flood water to use for irrigation on the McMahan place. Melvin Branstetter and his older brother Bill Branstetter used to have to keep the siphon open for the 4 Mile Cr. water to get thru to the ground below the ditch for irrigation. The water was transferred to the Ratzat place which Melvin and Alice Branstetter now own, in 1985 by the Branstetter Ranch and approved by the Department of Water Resource. And when the water transfer happen no one check into if 4 Mile Cr. flood water had a license or not even though Ward Branstetter had been using flood water from 4 Mile Cr. for years for irrigation and stock water. All the family members know about this use for years.

Ward Branstetter brought the Ratzat place from Carl Ratzat on July 6, 1942 with all water rights and ditches. With the Ratzat place water right License No. 14804. Carl Ratzat like the other owner William J. Luce used 4 Mile Cr. Flood water for irrigation and stock water from April 1 to July 1 and then went to water right license. The water was used in what was known as the Luce ditch at that time. Ward Branstetter used July 6, 1942 date for priority date for 78-10233, because that when he brought the Ratzat place which Melvin and Alice Branstetter have own since 1986. Ward Branstetter added 21 acres that were developed by Melvin Branstetter in 1948 to enlarge the ditch and moving the irrigation ditch to new place for the extra flood water that Ward put to use as irrigation and stock water for the McMahan place. The Luce ditch was later was no longer used. We use what is known as the McMahan ditch since we moved here in 1986. And again when the water rights were transfer this water right from 4 Mile Cr flood water was over looked by the Branstetter Ranch in 1985. All the family members have known about the use of 4 Mile Cr. flood water for years.

We hope this will show beneficial use of 4 Mile Cr. flood water for both of these water rights 78-10233 and 78-10237. If we need something else please let us know. You can call us at 208-347-2266.

Sincerely

Melvin C. Branstetter
Melvin C. Branstetter

Alice L Branstetter

Alice L Branstetter

P.O. Box 245

New Meadows, Id.

83654

STATE OF IDAHO

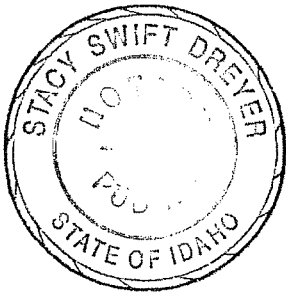
)

: ss

COUNTY OF ADAMS

)

On This 8th day of September, in the year 2005, before me, a Notary Public in and for said State, personally appeared Melvin C + Alice L. Blanstetter, known or identified to me to be the person(s) whose names(s) _____ subscribed to the within Instrument, and acknowledged to me that they executed the same.



Stacy Swift Dreyer
Notary Public of Idaho
Residing at New Meadows, Idaho
Commission Expires: 3/7.2011

The United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Homestead Certificate No. 2126 }
Application 4327

WHEREAS, there has been deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of William J Luce has been established and duly consummated, in conformity to law, for

The West half of the south east quarter of section five and the North half of the North east quarter of Section eight in Township nineteen North of Range Two East, of Boise Meridian in Idaho, containing one hundred and sixty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said

William J Luce the tract of Land above described;

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said William J Luce and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the twenty sixth day of May, in the year of our Lord one thousand nine hundred and five and of the Independence of the United States the one hundred and twenty ninth

By the President: T. Roosevelt

By F. M. McKean Secretary.

C. H. Brush Recorder of the General Land Office.

Recorded Idaho Vol 59 page 129



Filed for record at request of M E Keizur at 9 o'clock A M September 12 1906

Frank E Smith, Ex-Officio Recorder

Fees \$1.05
(Deeds 18-328)

By Harriet Smith, Deputy

State of Idaho

License and Certificate of Water Right

Water License No. 14856
Water District No. 73

Amount 2.5 ccs. 1st.
Priority 1-15-1922

THIS IS TO CERTIFY that J. J. Luce of New London, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 15, 1920; that Permit No. 16804 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.5 second feet, was issued thereunder on June 8, 1922, showing that said works were completed on the 7th day of May, 1922; and that on the 15th day of June, 1924.

J. J. Luce of New London, Idaho, made petition 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 the Permit No. 16804 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 9 of Records of page 3243, on the 10th day of February, 1925.

The right hereby confirmed dates from June 15, 1920.

The Point of diversion is located on the N. 1/4 Sec. 6, T. 13 N., R. 2 E., N. M., Adams County.

That the amount of water to which each 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 3.5 ccs. per second.

Description and location of tract:

Tract	Block	Sec.	Family or Trust	No. Acres Authorized in Permit	No. Acres Actually Diverted
19 N.	10 E.	1	1/4 1/4	40	10
			1/4 1/4	40	10
			1/4 1/4	40	10
					Total 45 acres

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

Witness the said signature of the Commissioner of Reclamation, at Boise, Idaho, on the 10th day of February, 1925.

Commissioner of Reclamation

THIS INDENTURE, Made this Twelfth day of December in the year of our Lord one thousand nine hundred and Twenty Eight between William J. Luce and Hollie Luce his wife of New Meadows County of Adams State of Idaho, the parties of the first part, and Carl Ratzat, and Hattie Ratzat, his wife of New Meadows County of Adams State of Idaho the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Six Thousand DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part and to their heirs and assigns forever, all the following described real estate situated in Meadows Valley County of Adams State of Idaho, to-wit:

North 1/2 of the NE 1/4 of Section 8 Town ship 19 North Range 2 East BK. West 1/2 of the SE 1/4 Section 5 Town ship 19 North Range 2 East BK, and containing one hundred and sixty acres less the amount of land granted to the Meadows valley water co for ditch right of way, and comonly spoken of as the Campbell ditch.

TOGETHER, With all and singular the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second parties heirs and assigns, against the said parties of the first part and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in
Presence of -----

William J. Luce (Seal)
Hollie Luce (Seal)

STATE OF IDAHO,)
County of -----) ss.

On this Twelfth day of December in the year 1928, before me, George S Mitchell, a Notary Public in and for said State, personally appeared William J Luce and Hollie Luce, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Geo. S. Mitchell

(NOTARIAL SEAL)

Notary Public, residing at
New Meadows, Idaho.

Recorded at the request of Wm. J. Luce at 12:10 o'clock P. M. this 25 day of October, 1933.

Fee \$1.20

Matilda Moser, Recorder
By Jean C. Lewis, Deputy.

924-722

THIS INDENTURE, Made this Sixth day of July in the year of our Lord one thousand nine hundred and Forty Two between CARL RATZAT and HATTIE RATZAT, husband and wife of New Meadows County of Adams State of Idaho, the parties of the first part, and WARD BRANSTETTER of New Meadows County of Adams State of Idaho the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in the County of Adams State of Idaho, to-wit:

The West Half of the Southeast Quarter of Section Five (5) and the North Half of the Northeast Quarter of Section Eight (8) in Township Nineteen (19) North, Range Two (2) East, Boise Meridian, and together with all water and water rights, ditch and ditch rights and irrigating works of whatever nature, used upon, connected with or in anywise appurtenant to said premises.

TOGETHER, With all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF _____

Carl Ratzat (Seal)
Hattie Ratzat (Seal)

STATE OF IDAHO, }
County of Adams } ss.

On this Sixth day of July in the year 1942, before me, Carl H. Swanstrom, a Notary Public in and for said State, personally appeared CARL RATZAT and HATTIE RATZAT, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(NOTARIAL SEAL)

Carl H Swanstrom
Notary Public for the State of
Idaho, Residing at Council, Idaho.

I. R. \$3.85 attached and cancelled.

Recorded at request of Ward Branstetter at 5 o'clock P. M., July 6, 1942.

Fee \$1.20

Matilda Moser Recorder

DMC-74

Notice of Water Right.

State of Idaho

County of Washington) ss

To All Concerned, Notice is Hereby Given:

1st. That I, John McMahen of Meadows, Ida, hereby claim the use of the waters of Four Mile Creek to the extent of 250 cubic inches.

2nd. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: at or about the NE corner of the SE qr of the NE qr of Sec 6 Township 19 North of Range Two East of Boise Meridian or near wagon road.

3d. The said water to be used is irrigation. The place of intended use is the farm of the above subscribed land.

4th. It is intended to divert said water by means of a ditch. The general course of ditch is West. It is intended to use said water for irrigating the following described land Lots No 3 & 5 and the SEqr of the NE qr of Sec 6 in Twp 19 N of Range 2 East and the SE qr of the NEqr of Sec One in Twp 19 North of Range One East of Boise Meridian in Idaho.

WITNESS my hand at Meadows, Washington Co Idaho, this 5th day of May 1900

Jonathan W McMahan

Claimant.

State of Idaho

County of Washington) ss

John McMahan being first duly sworn deposes and says that he is a citizen of lawful age, and a lawful claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in the said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 5th day of May 1900

Jonathan W McMahan

Subscribed and sworn to before me this 5th day of May 1900

Thos. E Snyder

Justice of the Peace.

Filed for record at the request of Jonathan McMahan this 7th day of May A D 1900 at 9 o'clock A M

I F Smith

Fees \$1.00 Paid

Ex-Officio Recorder

(Water Rights-2-12-)

247

* * * * *

STATE OF IDAHO

License and Certificate of Water Right.

Water License No. 14602

Amount 1.8 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 a right to the use of 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 1.8 cubic feet per second.

Description and location of use:

Twp.	Range	Section	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 $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	5
			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.

(OFFICIAL SEAL)

ENDORSEMENTS:
 State of Idaho
 License and Certificate of Water Right
 Water License No. 14602
 Water District No. 75-A
 To George McMahan, New Meadows, Idaho
 Source of Supply Four Mile Creek
 Adams County
 Amount 1.8 Sec. Feet
 Point of Diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Tp. 19 N.
 R. 2 E., B. M.
 Place of Use NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6. T. 19 N., R. 2 E.
 Purpose, Irrigation and domestic use
 Date of Priority 3-12-1920
 Recorded January 28, 1925
 in Book 6 of Licenses Page 3234
 Flatted ----
 Recorded in Dist. Book -----

Recorded at the request of
 Adams County Abstract &
 Title Co., at 2 o'clock
 P. M. this 9th day of
 April, 1926

Matilda Moser
 Recorder
 Fees \$0.80

mmgcl

State of Idaho
License and Certificate of Water Right

Water License No. 14804
 Water District No. 75

Amount 0.9 sec. ft.
 Priority 6-15-1920

THIS IS TO CERTIFY that **W. J. Luce**
 of **New Meadows, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **June 15**, 19 **20**; that Permit No. **14804**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.9 second feet, was issued thereunder on **June 8**, 1922, showing that said works
 were completed on the **30th** day of **May**, 1922; and that on the **21st**
 day of **June**, 1924,

W. J. Luce

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. **14804** 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 **3242**, on the **10th** day of **February**, 1925;

The right hereby confirmed dates from **June 15**, 19 **20**;

The Point of Diversion is located
 in the **NW ¼ NW ¼**, Sec. **4**, Twp. **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 **0.9** 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.	5	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	12	
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	18	
		8	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	15	
					Total 45 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 **10th** day of **February**, 19 **25**

 Commissioner of Reclamation.

(SEAL)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

78-10233
MELVIN C BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

August 2, 2005

Re: Field Examination and Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights.

The elements of beneficial use rights need to be verified by an examiner for the Idaho Department of Water Resources (IDWR) before the claim can be recommended to the SRBA Court. The examination of claims in your area will take place during the summer and fall of 2005. An examiner will be contacting you to schedule a time to visit your property to verify your use of the water right claimed.

Also, even though most of the elements of your claim can be verified by the field exam, the date of first use, or priority date can only be verified by documentation of the historic use. If you have not supplied documentation for the priority date and historical beneficial use of the water, please submit your evidence by September 30, 2005. Enclosed you will find a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if the priority date and the historic use cannot be documented. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

If you have questions not covered by this letter or the enclosed pamphlet, please contact me by phone at (208) 287-4917 or send an email to Carter.Fritschle@idwr.idaho.gov.

Sincerely,


Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosure:
Evidence of Priority Date pamphlet

Additional claimant(s) and/or claim(s):

78-10237
ALICE L BRANSTETTER
PO BOX 245
NEW MEADOWS ID 83654

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

DATE OF PRIORITY:

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

SOURCE

FOUR MILE CREEK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19N	02E	5	NWSE 18	SWSE 38		56
		8	NENE 2	NWNE 39		41

Total number of acres irrigated: ** 97

RECORDED
JUN 30 1995

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

CONDITIONS/REMARKS:

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

Dated this 20th day of June, 1995


Chief, Water Alloc. Bureau

MICROFILMED

JUN 30 1995

Contacts Data Entry Form

Claim Number: 78-10237

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	MELVIN C BRANSTETTER	PO BOX 245	NEW MEADOWS	ID	83654	(208)347-2266
Current Owner	ALICE L BRANSTETTER	PO BOX 245	NEW MEADOWS	ID	83654	(208)347-2266

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 78-10237

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 78-10237

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

_____	_____
_____	_____
_____	_____

Tw	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 78-10237

Claimed Place Of Use

T19N R02E S05	NWSE	18.0	T19N R02E S05	SWSE	38.0
T19N R02E S08	NENE	2.0	T19N R02E S08	NWNE	39.0

Total Acres 97

☐ 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 78-10237

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			88

☐ 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
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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 78-10237

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	7/01	2.02	

Overall Diversion Rate 2.02 Overall Diversion Volume 264

☐ 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:

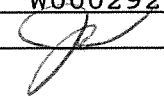
Reviewer: _____

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: **A78-10237**
Date Received: 6/ 2/1988
Receipt No: W000292
Received By: 

AMENDED

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

AMENDED

1. Name: MELVIN C BRANSTETTER 208-347-2266
Address: PO BOX 245
NEW MEADOWS ID 83654
AND/OR
Name: ALICE L 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 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	2.020		

7. Total Quantity Appropriated is:
2.020 C.F.S. (and/or) 264.00 A.F.A.

8. Total consumptive use is 176.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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

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:

A78-02027B, 02028B, 02037, 04006, 04275, 04288, 10233.

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 2.14 CFS UNDER CLAIM NO.'S A78-02027B, A78-02028B, AND A78-10233. 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. A78-10236 TO REPLACE STATUTORY CLAIM NO. 78-04315.

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

14. Remarks: Continued

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 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 88 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: 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)
) SS.
County of _____)

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 REGION

STATE 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

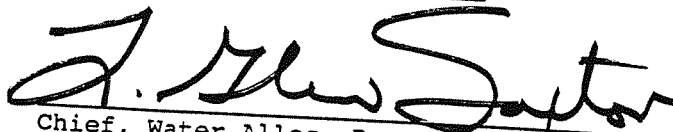
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19N	02E	5	NWSE 18	SWSE 38		56
		8	NENE 2	NWNE 39		41
Total number of acres irrigated:						** 97

MICROFILMED

OCT 24 1996

TRANSFER NO. 4330
WATER RIGHT NO(S). 78-02027B/78-02028/78-04315BCONDITIONS/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 ofJune, 19 95
Chief, Water Alloc. Bureau

MICROFILMED

OCT 24 1996

9661 4 2 100
OCT 24 1996

POOR ORIGINAL

Page

of

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No.

4330

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Melvin &/or Alice Branstetter Phone 347 2246
 Post 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
78-2027B 3/12/1920 1.193cfs IRR 5/1 to 10/1
 to _____
78-4315B 3/12/1920 2.22cfs IRR 4/1 to 7/1
 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	1/4	1/4	1/4	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 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	*													5	21		26
		8	7	24												*			31
																			(57) *
19N	2E	5	*													18	37		55
		8	8	34															42
																			(97)

* 45 acres irrigated under 78-2028 for total of 102 acres

Total acres _____

PART 2

TRANS NO. 4330

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.

T 4330

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 2.14 CFS UNDER CLAIM NO.'S A78-02027B, A78-02028B, AND A78-10233. 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. A78-10236 TO REPLACE STATUTORY CLAIM NO. 78-04315.

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED *Part B*

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

1. amount 2.22 for IRR purposes from 4/1 to 7/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion: Above

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres 97

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) Part A

1. amount .78 for IRR purposes from 4/1 to 7/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion: Above

[illegible]

3. 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	8					30	4											34

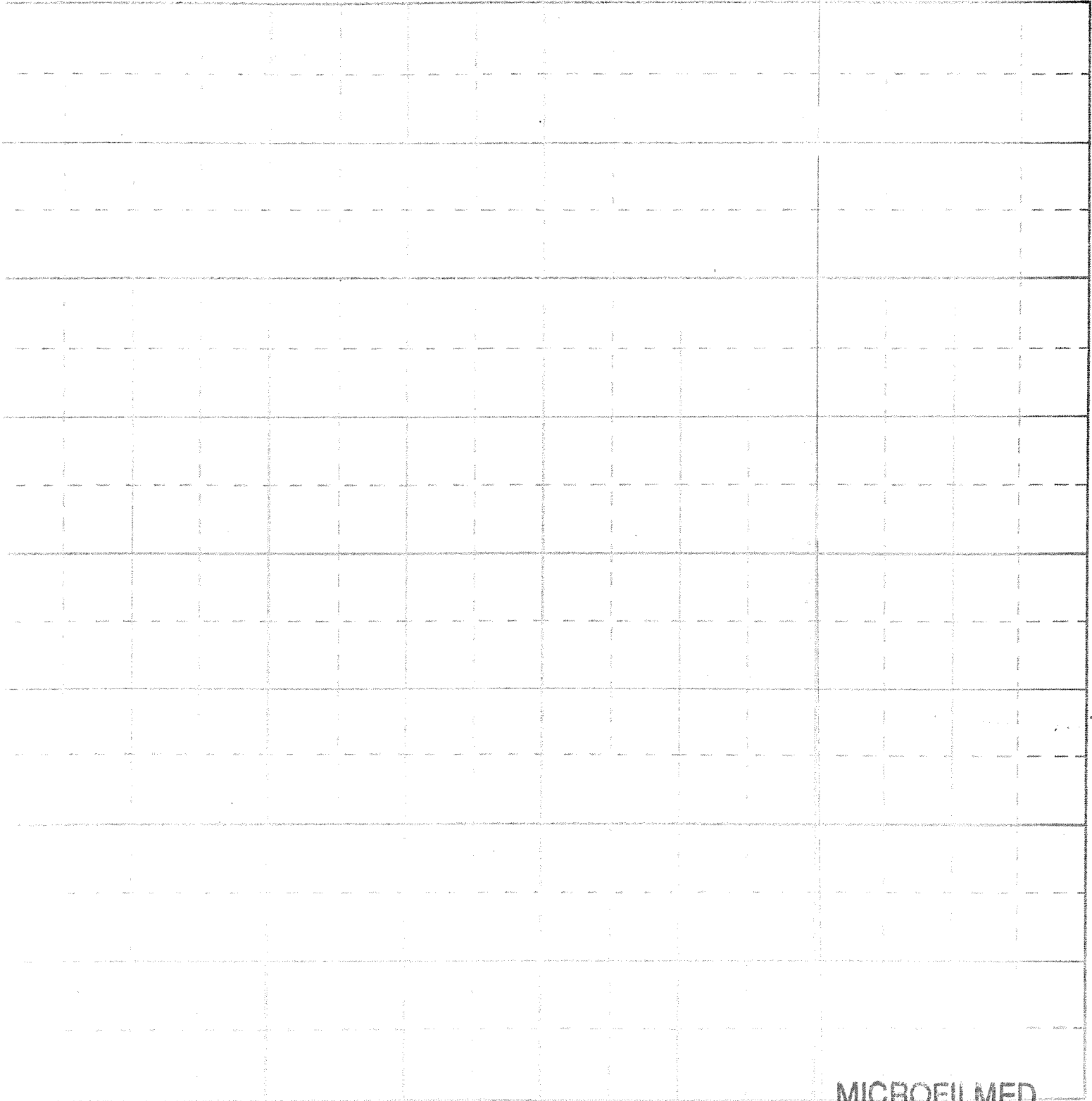
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 271

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Total acres

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.



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

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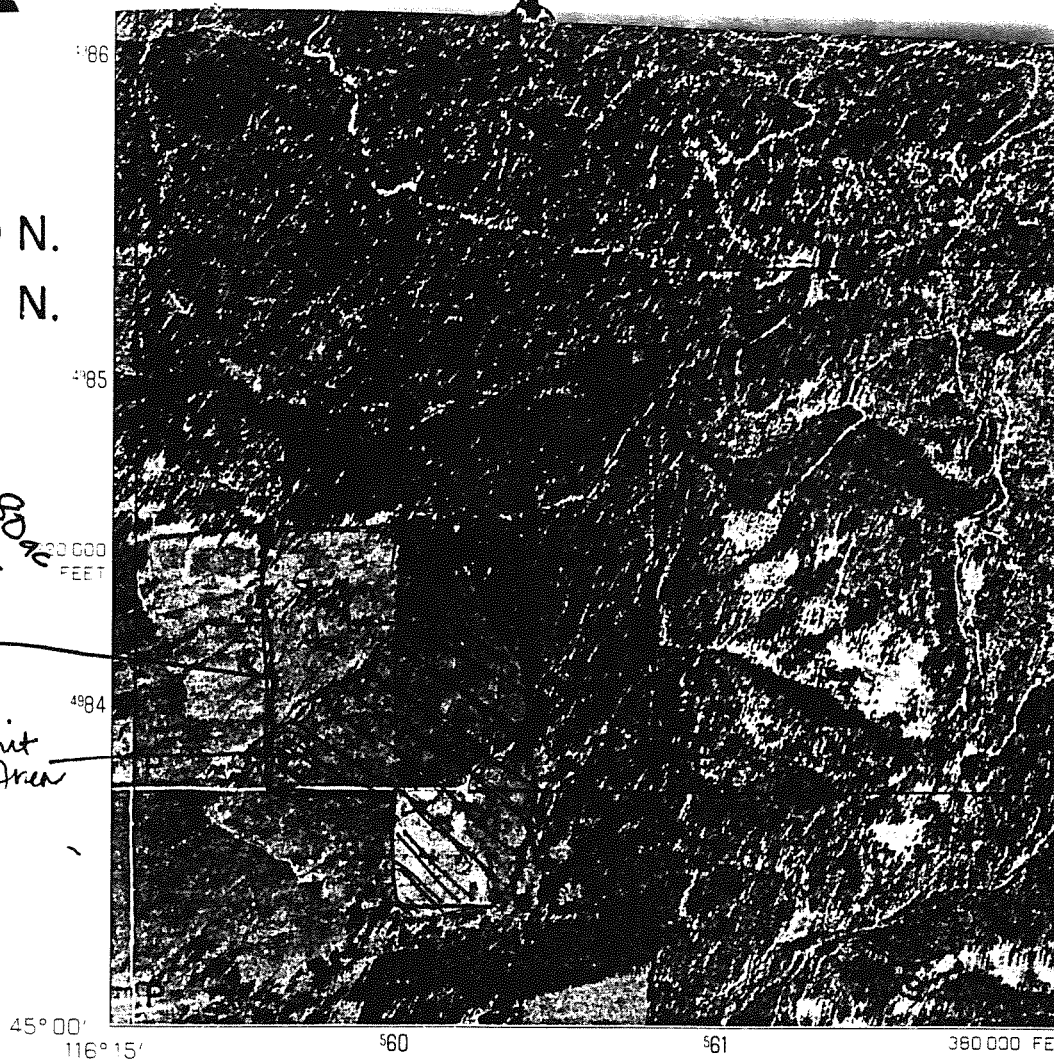
POOR ORIGINAL

T. 20 N.
T. 19 N.

This 80ac
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?

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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: A78-10237
Date Received: 6/02/1988
Receipt No: W000292
Received By: [Signature]

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

AND/OR

Name: ALICE L. 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		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	2.460		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 246.0 Acre Feet Per Annum.

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

A78-10237

Page 1

Date: 03/02/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	5	NE		SW		IRR	2.0
			NE		SW		STOCK	
			SE		SW		STOCK	
			SE		SW		IRR	32.0
			NW		SE		STOCK	
			NW		SE		IRR	17.0
			SW		SE		STOCK	
			SW		SE		IRR	36.0
			Section Acres					87.0
		8	NW		NE		STOCK	
			NW		NE		IRR	36.0
			Section Acres					36.0
			Total Acres					123.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-02027B, 02028B, 02037, 04006, 04275, 04288, 10233.

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 2.14 CFS UNDER CLAIM NO.'S A78-02027B, A78-02028B, AND A78-10233. 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. A78-10236 TO REPLACE STATUTORY CLAIM NO. 78-04315.

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): 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 O. Hunt
Notary Public

Seal

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

*Visited with
Jen on
Sept 27, 1988
new claim
papers
on 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: A78-10237
Date Received: 6/02/1988
Receipt No: W000292
Received By: *[Signature]*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MELVIN C. BRANSTETTER 208-347-2266
Address: P.O. BOX 245
NEW MEADOWS, ID 83654
AND/OR
Name: ALICE L. 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		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	2.460		
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
2.460 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 246.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/300 HEAD CATTLE

A78-10237

Page 1

Date: 09/27/88

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	5	NE		SW		IRR	2.0
			NE		SW		STOCK	
			SE		SW		IRR	32.0
			SE		SW		STOCK	
			NW		SE		IRR	17.0
			NW		SE		STOCK	
			SW		SE		IRR	36.0
			SW		SE		STOCK	
			Section Acres					87.0
		8	NW		NE		IRR	36.0
			NW		NE		STOCK	
			Section Acres					36.0
			Total Acres					123.0

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:

78-2027~~B~~ 78-2028~~B~~ 78-04288; 78-2037; 78-4006; 78-4275.

14. Remarks:

FLOOD WATER FROM 4-MILE CREEK IS USED UNTIL THE END OF THE FLOOD SEASON AND IS LIMITED TO 2.46 CFS (123") AS SHOWN ON CLAIM NO.'S A78-10233 AND A78-10237 FROM 4-MILE CK. AFTER THE FLOOD SEASON THE AMOUNT OF WATER DIMINISHES, AND IS LIMITED TO THE 2.14 CFS AS SHOWN ON CLAIM NO'S A78-02027B AND A78-02028B. AT THAT POINT GOOSE LAKE AND TWIN LAKES WATER, AS REFERENCED IN ITEM NO. 13, IS EXCHANGED WITH THE CAMPBELLS AND CARRIES FOR PRIOR WATER RIGHTS THEY HAVE FROM FOUR 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 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): Glenn L. Branstetter Date: Sept 27, 1988

Date: _____

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of Sept. 19 88
Jan Thunte
Notary Public

Seal

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

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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: A78-10237

Date Received: 6/02/1988

Receipt No: 1852 W0002920kP

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND/OR

Name: ALICE L. 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		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	~~2.920~~	2.46 cfs	
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
~~2.940~~ C.F.S. (and/or) A.F.A.

8. Total consumptive use is ^{2.46} 246.0 Acre Feet Per Annum.

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

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
19N	02E	5	NE	SW		IRR	2.0
			NE	SW		STOCK	
			SE	SW		IRR	32.0
			SE	SW		STOCK	
			NW	SE		IRR	17.0
			NW	SE		STOCK	
			SW	SE		IRR	36.0
			SW	SE		STOCK	
			Section Acres				87.0
		8	NW	NE		IRR	36.0
			NW	NE		STOCK	
			Section Acres				36.0
			Total Acres				123.0

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:
78-2027; 78-2028; 78-04288; 78-2037; 78-4006; 78-4275.

14. Remarks:
TRANSFERED #3229.
CLAIM FOR FOUR MILE CRK. FLOOD WATER. FLOOD WATER USED TILL END
OF FLOOD SEASON & IS LIMITED TO 2.32 CFS FOR ALL LISTED RIGHTS,
AFTER WHICH GOOSE LK. & TWIN LK. WATER IS EXCHANGED W/CAMBELLS
& CARRIES PRIOR RIGHTS THAT THEY HAVE ON FOUR MILE CREEK.
EXCHANGE MADE TO ALLOW FOR GRAVITY IRRIG. FROM FOUR MILE CRK.
INSTEAD OF PUMPING FROM GOOSE & TWIN LKS.. POINT OF DIVERSION
REMAINS SAME FOR FOUR MILE CREEK.

15. Basis of Claim: BENEFICIAL USE

WATER IS LIMITED
TO 2.14 CFS

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 _____

Receipt Number W000292

Copies: White-State, Yellow-Claimant

0015 0016 0017 0018 0019

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 2.92 or 1

For Stock water purposes from 1-1 to 12-31 amount 1.02 or 1

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.92 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 242 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	5									5			5		5	5		85
19	2E	8		5							2			32		17	36		36

Total number of acres irrigated 123

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.
78-2027, 78-2028, 78-04288, 78-2037, 78-4006, 78-4275 or None (✓)

14. Remarks: transfer no 3229

Last Name BRANSTETTER Ident No. 78-10237

Copies: White State, Yellow Claimant

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Scale: 2 inches equals 1 mile

[illegible]

BRANSTETTER

78-10237

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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) Melvin C. Branstetter Date June 2 - 1988

Alice L. Branstetter Date June 2, 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 2nd day of June 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 78-10237

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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.

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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 Pam Skaggs memo dated
6-14-95.*

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OCT 24 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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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 24 1996

POOR ORIGINAL

INTER-DEPARTMENT MEMO — 1

DATE 3/3/88

FROM Jan Thuite

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 the 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. Changed.

MICROFILMED

OCT 24 1996

CONVERSATION MEMORANDUM

DATE 10/14/87FILE 78-27027NAME OF PARTY Alice BranstetterEMPLOYEE Jan ThurtelRE: Concerning changing transfer ^(see conv. 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 2 weeks + they cannot take any action prior to that. I told her I would send a letter ^{on 11.20.1.87} requesting the info with a time period to return it to us or we forget the whole thing. She said OK.

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OCT 24 1996

CONVERSATION MEMORANDUM

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

We had advertised this transfer & then the Binstatters 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 quarter-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 where they want the water to be shown. They will get back to me later.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3392

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Branstetter Ranch Phone 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 in- correctly 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

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												28*			13*		41
		8			16*				26*	3*									45

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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 88J. Glen Saxton
Chief, Operations Bureau

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OCT 24 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)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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 **MICROFILMED**

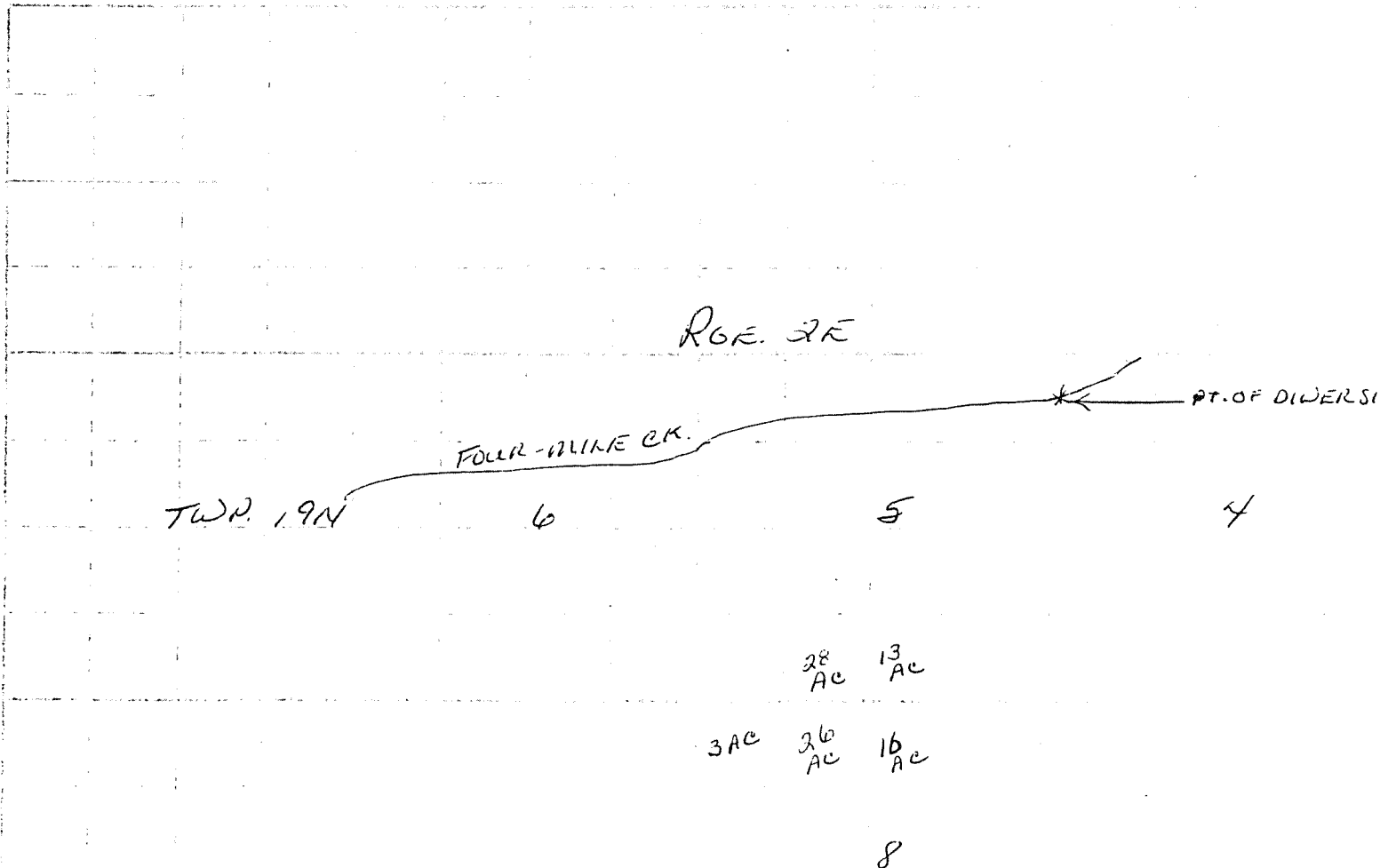
9. Describe any other water rights used for the same purpose as described above _____

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

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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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POOR ORIGINAL

Transfer No. _____

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 C FAMILY LHA)

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. Bronstetter
(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 attachmentsReceived by [Signature] Date 4/9/87Prelim. check by [Signature] Fee \$30

Protest filed by _____

Received by [Signature] Date 4/9/87

RECEIPT GIVEN TO APPLICANT BY
#42313 + \$30 #44997
~~(DEPARTMENT FEE)~~

Published in Adams County Leader

for total transfer fee of \$52

Pub. dates 5/6 & 5/13/87

Copies of protest forwarded by _____

Watermaster recommendation requested on _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial_____ rec'd. _____ by Sm

Copy of transfer sent to lien holder _____

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CONVERSATION MEMORANDUM

DATE 8/1/85FILE 78-2027NAME OF PARTY Branstetter'sEMPLOYEE Jim FowlerRE: App for Transfer of W.R. # 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 Cr.) was used in conjunction with rights from Goose Lake Res. and if it is an expansion to transfer the 4-Mile Cr. water and continue irrigating with Goose Lake Res. water.

In discussing this it was stated by the Branstetter's that 4-Mile Cr. 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 acres originally irrigated by 4-Mile Cr. In the meantime,

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OCT 24 1996

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 Bramstetter (Ward) and on down to ~~his~~ his children from his wife Hazel, but none from him to his wife after his death. The Bramstetter's brought in the paper and a copy is attached.

It appears this transfer can now be processed

Jan Grove

POOR ORIGINAL

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 the ^{4 m. Cr} water was transferred after the ditch was built from the reservoir to their land. It took awhile for the ditch to reach them, but as far as anyone can remember, the ^{Campbell} Four Mile Creek water was transferred at that time to the lands indicated on the transfer. ^{4 m. Cr} 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.

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filed 6/85 approved 1/86

Transfer No. 3229
Water Right No. 78-2027STATE 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 83654

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 WARRANT DEED FROM McMAHAN TO BRANSTETTER & ALSO DEEDS OF GIFT EACH (AS SHOWN ON DEEDS) DEEDING A PORTION OF THE LAND TO ABOVE APPLICANTS UNTIL ALL WAS DEEDED

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>4.6</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.

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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 _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

[illegible]

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 ¼ NW ¼, 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.

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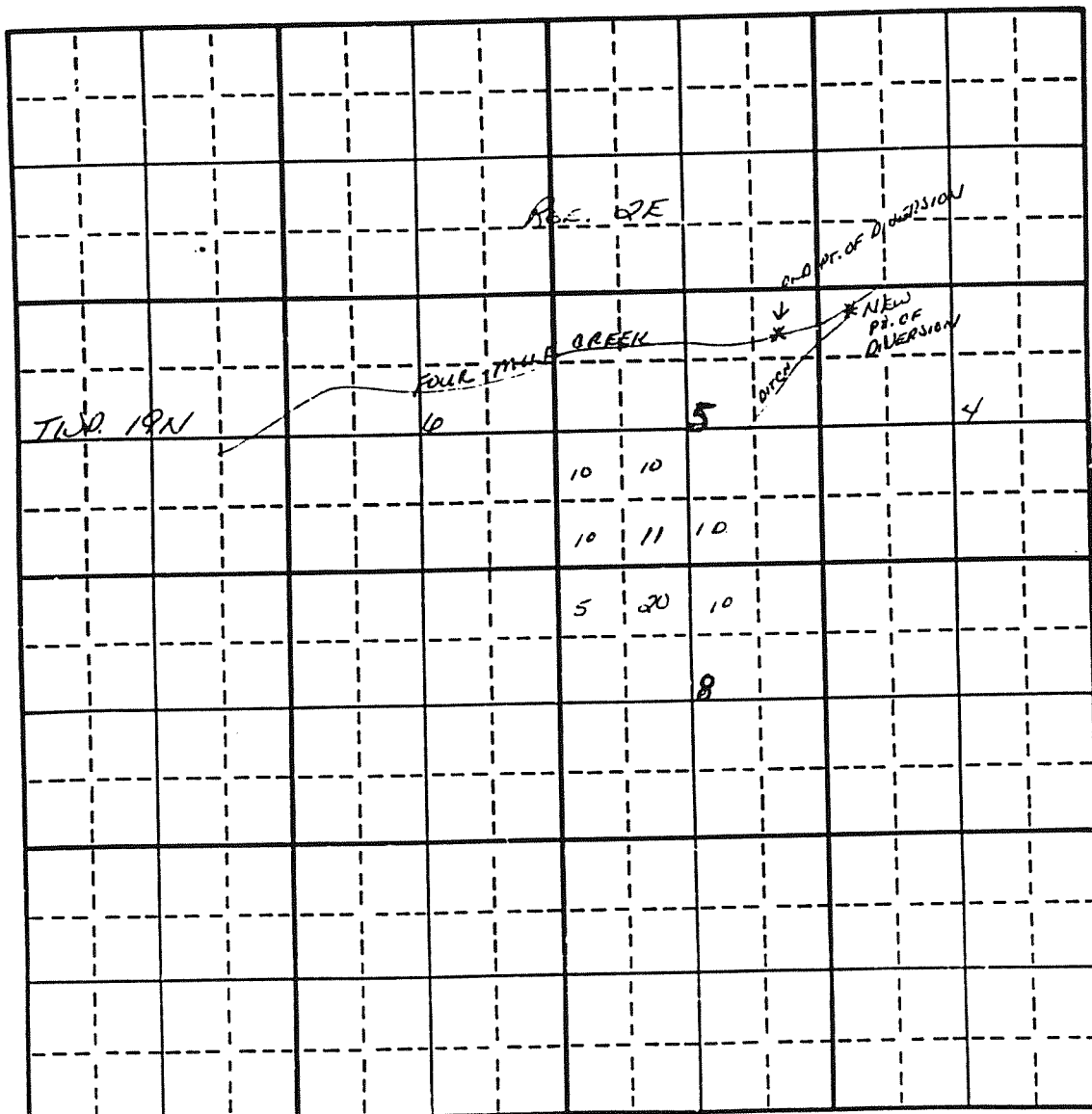
c. Describe the land and place of use to which the right will be transferred:

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

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POOR ORIGINAL

D REMARKS

BRANSTETTER RANCH CONSISTS OF WILLIAM, OSCAR,
DORIS, CLAUDE, CHARLES, HELEN & DONALD BRANSTETTER.
(THOMPSON) (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. Anthony
(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 JG Date 6-3-85 Protest filed by _____
Prelim. check by _____ Fee 50.00 _____
Received by JG Date 6-3-85 # 30073 _____
Published in Adams County Leader Copies of protest forwarded by _____
6/13 & 6/20/85 Hearing held by _____ Date _____
Pub. dates _____ Recommended for approval denial
Watermaster recommendation requested on _____
_____ rec'd. _____ by DET

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OCT 24 1996



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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OCT 05 1992

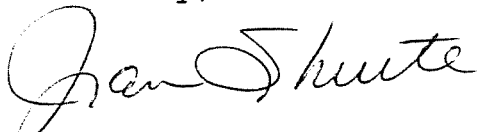
Claim No's. A78-02027B, A78-02028B, A78-10233 and A78-10237 -
Changed Remarks on A78-02027B, A78-02028B and A78-10233 by
taking out the portion on flood water since none of these
three rights are for flood water. Then I listed the
restriction on the quantity to 2.14 cfs for all three rights
per the agreement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