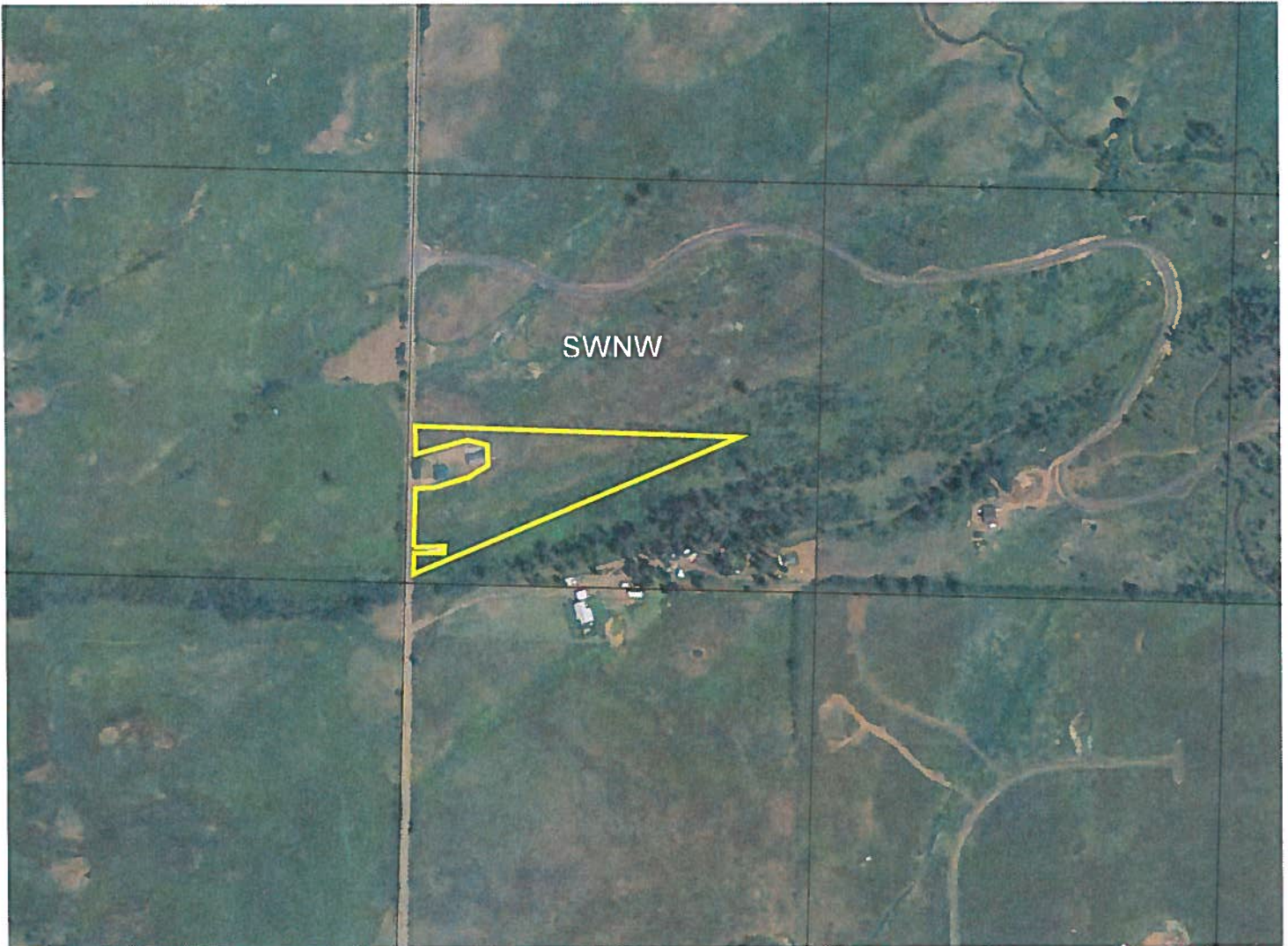


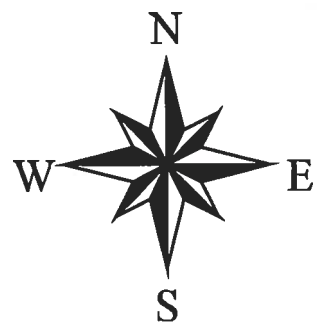
78-12175



1000 0 1000 2000 Feet

T19N R02E S08

Map prepared by: Carter Fritschle
Date prepared: 12/14/06
2004 NAIP Photography
Idaho Department of Water Resources



12/14/2006

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

RIGHT NUMBER: 78-12175

NAME AND ADDRESS: SOTERA E BRANSTETTER
PO BOX 322
NEW MEADOWS ID 83654

DONALD L BRANSTETTER
PO BOX 322
NEW MEADOWS ID 83654

SOURCE: GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.040 CFS

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

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

PRIORITY DATE: 09/26/1922

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

POINT OF DIVERSION:

T19N R02E S27 NWNW Lot 1 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 10/31	0.020 CFS
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S08 SWNW 5.00

STOCKWATER in ADAMS County

T19N R02E S08 SWNW

5 ACRES TOTAL

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

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 78-4072C.

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

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

Water is delivered through the Campbell Ditch.

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 78-12175
Date Received: 5/17/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOTERA E BRANSTETTER
PO BOX 322
NEW MEADOWS ID USA 83654

Phone: (208)347-2353

DONALD L BRANSTETTER
PO BOX 322
NEW MEADOWS ID USA 83654

Phone: (208)347-2353

2. Date of Priority: 06/26/1922

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	02E	27	SW NW NW 1	ADAMS	

5. Description of diverting works:

DIV. DITCH FROM GOOSE CR. & REDIVERSION FROM CANAL TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	07/01	0.04	
STOCKWATER	04/10	10/01	0.02	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	02E	8	NW	SW	STOCKWATER	
			SW	NW	STOCKWATER	
			SW	NW	IRRIGATION	4
			NW	SW	IRRIGATION	1
					Section Acres	5
					Total Acres	5

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:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 78-4072C. DH 9/17/2002

15. Basis of Claim: Statutory Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 28 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A78-4072C		no			
A78-2037		no			
A78-4006		no			
A78-4288		no			
A78-4275		no			
A78-10235		no			

See maps
in 78-12175

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

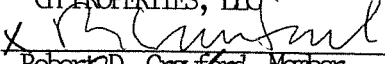
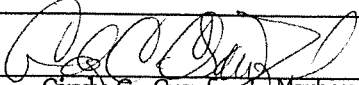
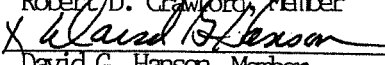
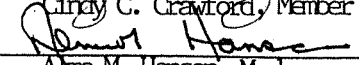
3. Name and Address of Former Owner/Claimant(s) Donald L. or Sotera Branstetter
P.O. Box 322, New Meadows, ID 83654
4. New Owner/Claimant(s) CH Properties, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 2036
- City, State and ZIP Code McCall, ID 83638
- New Telephone Number (208) 634-4614
5. Date you acquired the property January 18, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

CH PROPERTIES, LLC

7. Signature of New Owner(s) or Claimant(s) (include title if applicable)
- | | |
|--|---|
|  |  |
| Robert D. Crawford, Member | Cindy C. Crawford, Member |
|  |  |
| David G. Hanson, Member | Anna M. Hanson, Member |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

78-04072C

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	02E	8	SW NE		IRR	2.0 All
			SW NE		STOCK	
			SW NW		IRR	29.0 -25
			SW NW		STOCK	
			SE NW		IRR	27.0 -All
			SE NW		STOCK	
			NW SW		IRR	1.0
			NW SW		STOCK	
Section Acres						59.0
Total Acres						59.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-2037, 78-4006, 78-4288, 78-4275 & 78-10235.

14. Remarks:
78-2037(GOOSE CR.), 78-4006(GOOSE LAKE), 78-4288(GOOSE LAKE),
78-4275(TWIN LAKE)

15. Basis of Claim: STATUTORY CLAIM

Split - as follows:

78-12174
C.H. Properties: sec 8

SWNE 2	} Irr + stock
SWNW 25	
SE NW 27	

0.46 cfs 0.02 = Total = 0.46

78-12175
Branstetter: sec 8

SWNW 4	} Irr + stock
NWSW 1	

0.04 cfs 0.02 = Total = 0.04

2 splits = Parent claim

INSTRUMENT NO. 101027

WARRANTY DEED

PAGE 1 OF 2

For Value Received, DONALD LEROY BRANSTETTER and SOTERA BRANSTETTER, husband and wife the grantors, do hereby grant, bargain, sell and convey unto CH PROPERTIES, L.L.C., an Idaho limited liability company

the grantee, whose current address is P.O. Box 2036, McCall, ID 83638

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TOGETHER WITH 50 shares in Goose Lake Reservoir Company; adjudicated water as appurtenant to said land; total of 28.5" available water from Goose Lake Reservoir (21"), Twin Lake Reservoir (4.5") and Goose Creek (3"); and any interest in the hydropower plant, whether existing or yet to be constructed.

SUBJECT TO water ditches and waterways as they now exist.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: January 18, 2002

Donald Leroy Branstetter
DONALD LEROY BRANSTETTER

Sotera Branstetter
SOTERA BRANSTETTER

Instrument # 101027

COUNCIL, ADAMS, IDAHO

2002-01-22 02:19:30 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 18 day of January, in the year of 2002, before me, a Notary Public in and for said State, personally appeared

DONALD LEORY BRANSTETTER & SOTERA BRANSTETTER

known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Christy A. Ward
Notary Public
Residing at: Indian Valley
Commission expires: 9-17-04

EXHIBIT 'A'

INSTRUMENT NO. 101027PAGE 2 OF 2

A parcel of land situate in the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 8, T. 19 N., R. 2 E., B.M., Adams County, Idaho, more particularly described as follows:

Commencing at the southwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, T. 19 N., R. 2 E., B.M., Adams County, Idaho; thence, N. 00° 12' 33" E., 495.00 feet along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the REAL POINT OF BEGINNING:

Thence, continuing N. 00° 12' 33" E., 833.48 feet to the north west corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Thence, S. 89° 12' 02" E., 2,626.84 feet to the north east corner of said S $\frac{1}{2}$ NW $\frac{1}{4}$,
Thence, S. 89° 12' 00" E., 1,371.43 feet along the north boundary of said S $\frac{1}{2}$ NE $\frac{1}{4}$ to the boundary of Timber Ridge Subdivision as shown on the official plat thereof on file in the office of the Recorder of Adams County, Idaho,
Thence, S. 26° 25' 51" W., 78.98 feet along said Timber Ridge Subdivision boundary,
Thence, S. 04° 56' 37" W., 297.35 feet along said Timber Ridge Subdivision boundary,
Thence, S. 01° 03' 41" W., 973.50 feet along said Timber Ridge Subdivision boundary,
Thence, N. 88° 40' 54" W., 1,100.00 feet along said Timber Ridge Subdivision boundary,
Thence, N. 89° 23' 54" W., 1,039.20 feet along said Timber Ridge Subdivision boundary,
Thence, N. 00° 17' 39" E., 504.80 feet,
Thence, N. 89° 16' 55" W., 474.07 feet,
Thence, N. 89° 18' 56" W., 1,311.91 feet to the Point of Beginning, containing 100.062 acres, more or less.

Bearings are based on surveys of record.

19N 2E

NWNW

NENW

NWNE

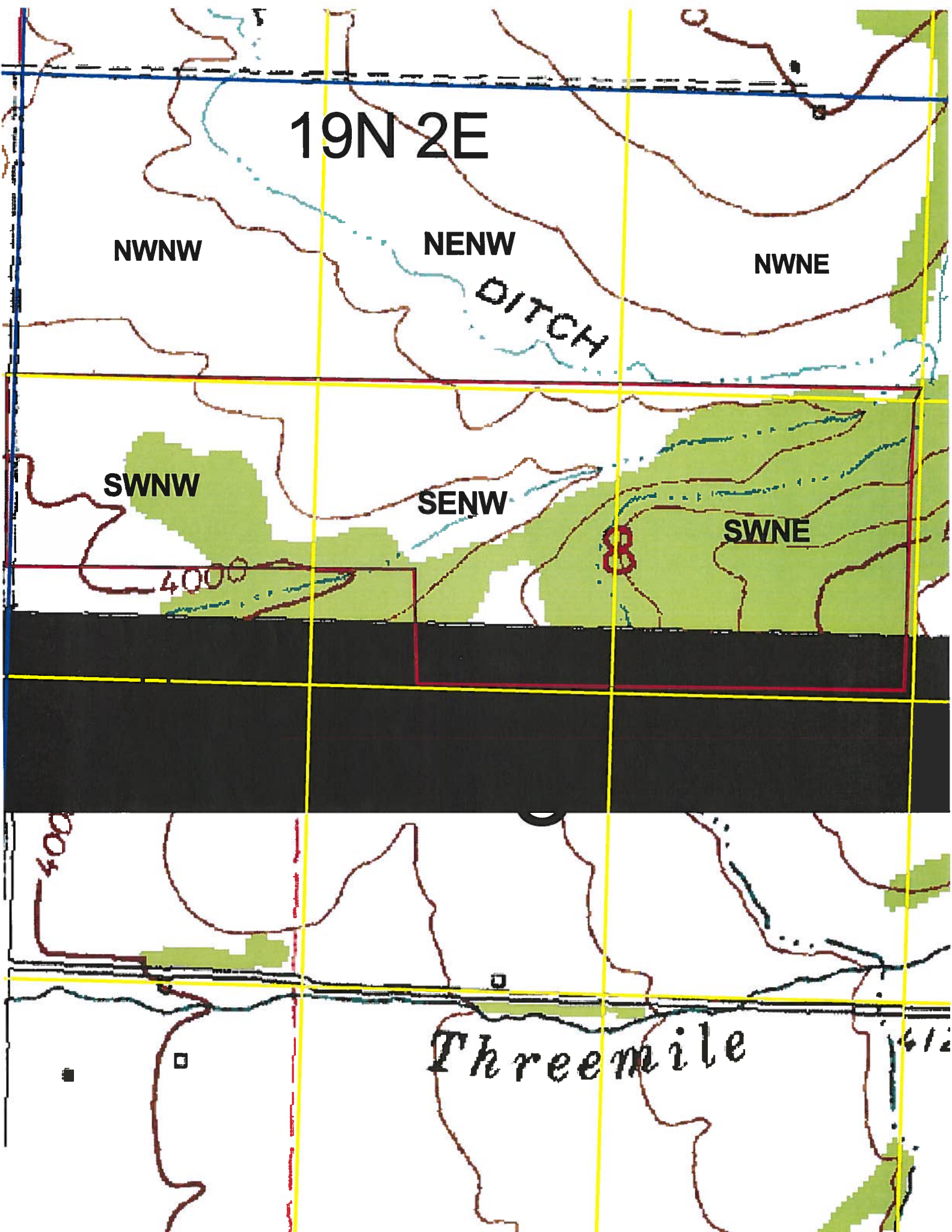
SWNW

SENW

SWNE

**Approx.
100 ac**

8



19N 2E

NWNW

NENW

NWNE

DITCH

SWNW

SENW

SWNE

4000

8

Threemile

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

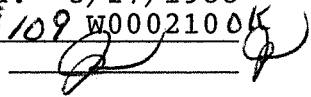
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A78-04072C

Date Received: 5/17/1988

Receipt No: 4109 W0002100K

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD L. BRANSTETTER 208-347-2353
Address: PO BOX 322
NEW MEADOWS, ID 83654

AND/OR
Name: SOTERA BRANSTETTER 208-347-2353
Address: PO BOX 322
NEW MEADOWS, ID 83654

2. Date of Priority: JUN 26, 1922

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	02E	27	SW	NW	NW	1	ADAMS

5. Description of diverting works:
DIV. DITCH FROM GOOSE CR. & REDIVERSION FROM CANAL TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/01	0.500		
STOCKWATER	04/10	10/01	0.020		

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

8. Total consumptive use is 118.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 HEAD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	8	SW		NE		IRR	2.0
			SW		NE		STOCK	
			SW		NW		IRR	29.0
			SW		NW		STOCK	
			SE		NW		IRR	27.0
			SE		NW		STOCK	
			NW		SW		IRR	1.0
			NW		SW		STOCK	
							Section Acres	59.0
							Total Acres	59.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-2037, 78-4006, 78-4288, 78-4275 & 78-10235.

14. Remarks:
78-2037(GOOSE CR.), 78-4006(GOOSE LAKE), 78-4288(GOOSE LAKE),
78-4275(TWIN LAKE)

15. Basis of Claim: STATUTORY CLAIM

MEMEORANDUM

Date: March 13, 2002

From: Craig L. Saxton

Subject: Request for C/O for 78-02037, 78-04006A, 78-04006B, 78-04072C, 78-04288, 78-04275, and 78-10235

Action taken regarding C/O for the above referenced rights:

78-02037, 78-04288, 78-10235

Instead of splitting right – Just add C.H. Properties LLC to the current owner list. Leave Donald or Sotera Branstetter as claimants.

78-04006A and 78-04006B:

Cannot change ownership on right – No chain of title. However, notes made to show that portion of this right delivered previously to Donald or Sotera Branstetter is now owned by C.H. Properties LLC.

*Letter needs to be sent to C.H. Properties LLC indicating that the change of ownership is recorded in the file.

✓ 78-04072C: Parent

Split right giving C.H. Properties LLC: 54 acres, 0.46 cfs, 0.02 for stock totaling 0.46 cfs.
Donald or Sotera Branstetter: 5 acres, 0.04 cfs, 0.02 cfs for stock totaling 0.04 cfs.

* Needs split.

✓ 78-04275:

Supplied deed indicates that C.H. Properties LLC retained 4.5 inches from Donald or Sotera Branstetter's original 1.6%. I don't know what the original 1.6% amounted to in inches.

Memo goes in file to indicate partial ownership of the right, but cannot change the name on the SRBA claim since there is no chain of title from Granite Twin Lake Water Users to C.H. Properties LLC.

*No further action needs taken at this time.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2002

SOTERA E BRANSTETTER
DONALD L BRANSTETTER
PO BOX 322
NEW MEADOWS ID 83654

Re: Original Notice of Claim to a Water Right No. 78-4072C

Renumbered to Notice of Claim to a Water Right No. 78-12175

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure