

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: A71-00033E

Date Received: 8/18/1997

Receipt No: 5020481

Received By: DJL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARET L BRANIFF 805-682-3018
Address: 1510 CANTERA AVE
SANTA BARBARA CA 93110

2. Date of Priority: MAY 21, 1918

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	14E	12	SW	NE	NE		CUSTER

5. Description of diverting works:
DITCH FROM FOURTH OF JULY CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.240		
STOCKWATER	05/01	09/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 3 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08N	14E	9	SE	NE		IRR	8.0
			SE	NE		STK IS	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.0
					Total Acres	8.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A71-00034G

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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

Signature of Claimant(s): _____ Date: _____
_____ 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 A71-00033E
Date Received 8/18/1997
Receipt Number 5020481

RECEIVED

AUG 18 1997

**Department of Water Resources
Southern Region**

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

RECEIVED
JUL 14 1997
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Margaret L. Braniff Phone (805) 682-3018

Mailing Address 1510 Cantera Avenue, Santa Barbara, CA Zip 93110

2. Date of Priority (Only one (1) per claim) 5/21/1918 (71-00033)

3. Source of water supply (a) Fourth of July Creek
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 08N Range 14E Section 12,
SW ~~NE~~ 1/4 of NE 1/4 of ~~SW~~ 1/4, Govt. Lot, _____ B.M., County of Custer

Additional points of diversion if any:

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Ditch from Fourth of July Creek
diversion 4.4 miles from highway 75

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from May 1 to Sept. 30 amount .24 or 16 MLB 8/8/97

For Stockwater purposes from May 1 to Sept. 30 amount .02 or 1 MLB 8/8/97

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .26 (cfs) and/or (b) 17 MLB 8/8/97 (acre feet)

8. Total consumptive use claimed is 17 MLB 8/8/97 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stockwater 3 horses

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	
08N	14E	9				8													8
						D													

Total number of acres irrigated 8

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

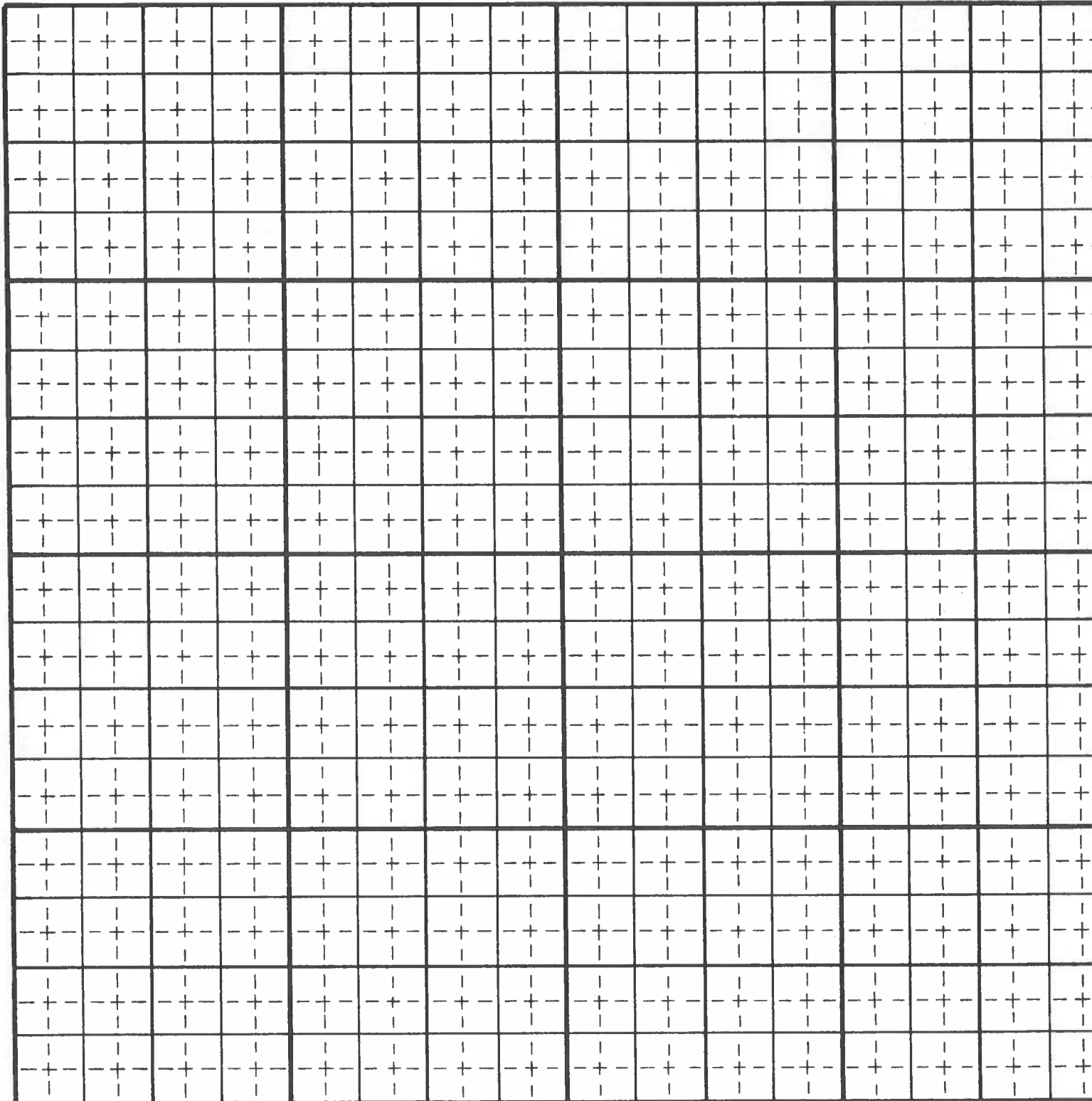
Last Name BRANIFF Ident No. 39576

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See Attached Maps



Last Name BRANIFF Ident No. 39576

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ MB 8/8/97
Decree ☒ X
If applicable provide IDWR Water Right Number 71-00033
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) Elbaganet J. Braniff Date 7/8/97

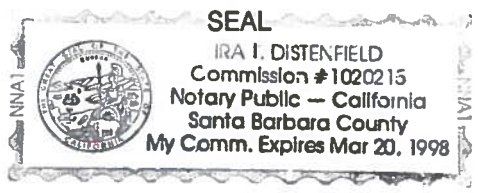
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or California)
County of Santa Barbara) SS.

Subscribed and sworn (or affirmed) before me this 8 day of August 1997



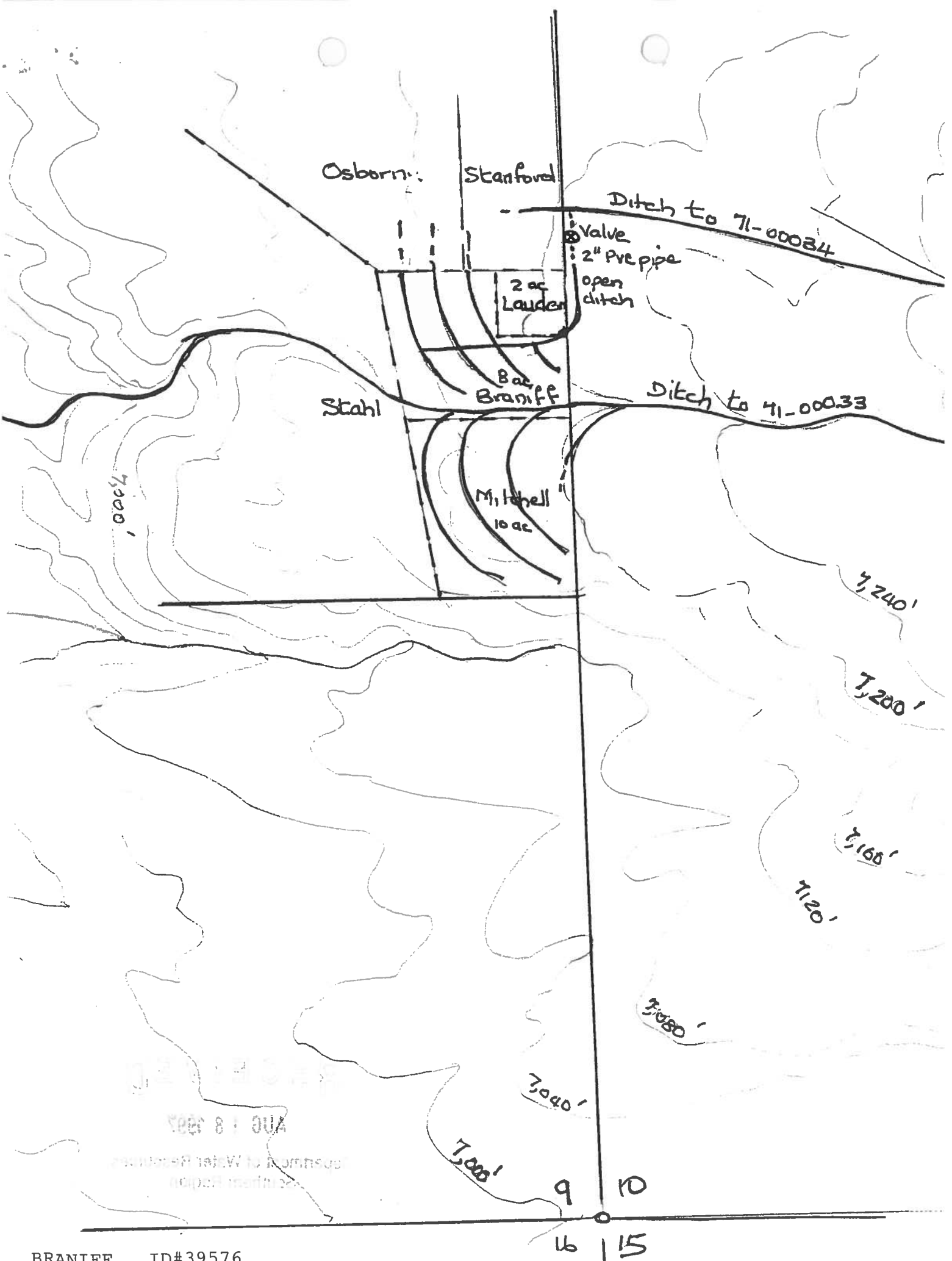
Notary Public [Signature]
Residing at 3030 State St., Santa Barbara, CA
My Commission Expires 3-20-98

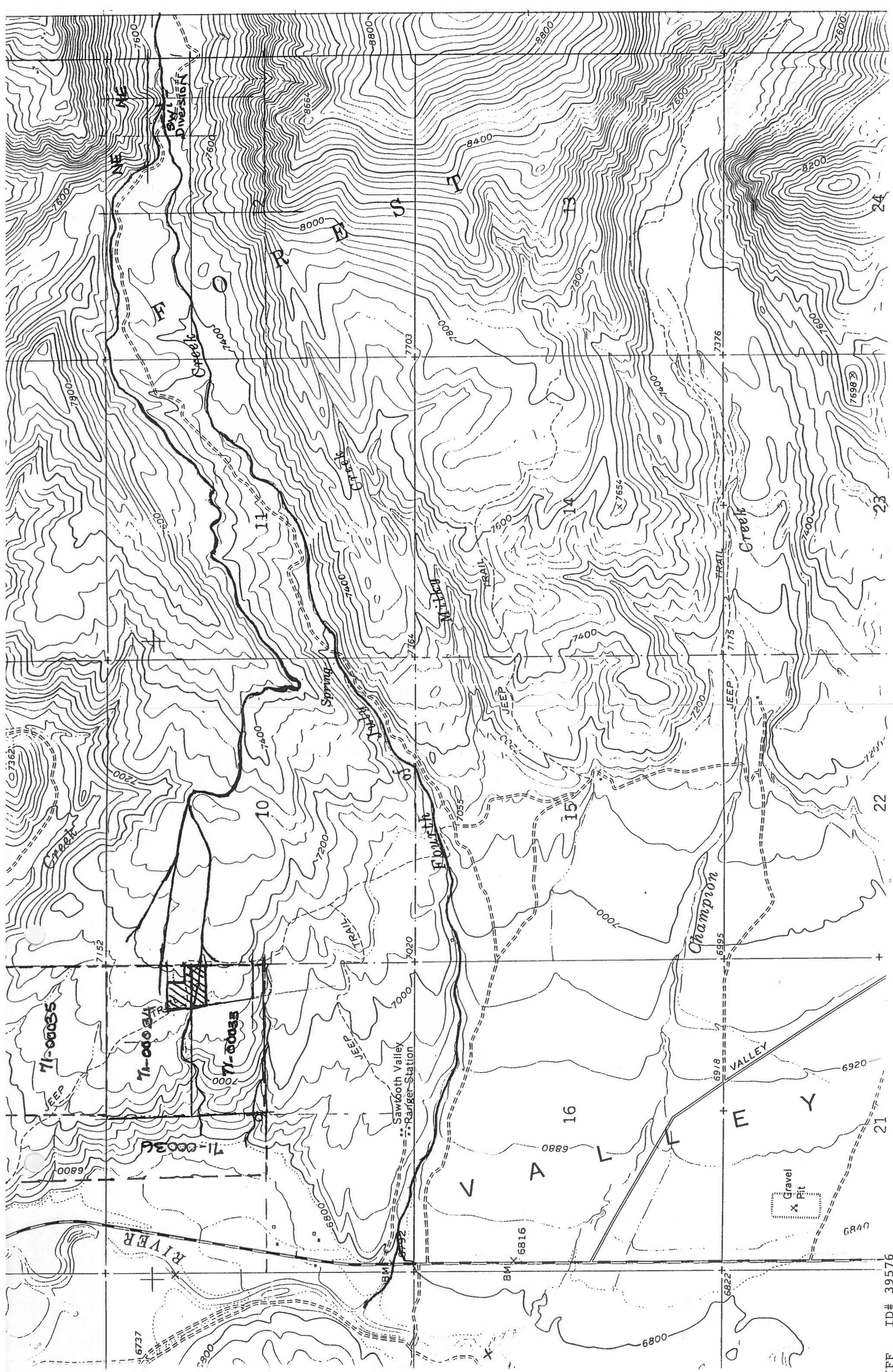
Please Print Name

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 BRANIFF Ident. Number 39576





Date Received _____

RECEIVED

State of Idaho
Department of Water Resources

JUL 25 1997

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

JUL 14 1997

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Margaret L. Braniff (805) 682-3018
Name of Claimant Phone Number
1510 Cantera Avenue Santa Barbara, CA 93110
Mailing Address City State Zip
Custer 1-12-1990
County(s) where place of use is located Date claim originally due
71-00033

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:
As an out-of-State property owner I was not aware of the need to file a claim for water rights. During the recent process of applying for a "Ditch Bill" easement for my water diversion and transport facilities from Fourth of July Creek, Paul Reis of the SNRA made me aware of this oversight. I immediately contacted James Stanton of the IDWR who sent me all the proper forms. Since that time I have travelled to Idaho, met with the Forest Service in Stanley, talked with my neighbors and walked the ditches from the Fourth of July Creek to my property in order to gather the necessary information.

Claimant requests an extension to August 1, 1997
July 8, 1997
Signature Date of request

Margaret L. Braniff
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to October 1, 1997

Signed this 25th day of July, 1997

David R. Tuttle
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 4, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARGARET L BRANIFF
1510 CANTERA AVENUE
SANTA BARBARA CA 93110

RE: SRBA Claims for 71-00033(Part) & 71-00034(Part)

Dear Ms Braniff:

I am writing to acknowledge receipt of your Requests for Extension of Time to File Adjudication Claims, two partially completed claim forms (one each for 71-00033 & -00034), and the Ditch Bill Easement Location Maps. Your Requests were forwarded to IDWR's main office for action, they have been granted and your copies are enclosed.

The claim forms are being returned to you for your consideration of the following:

- 1) @Item 4 - The map you enclosed indicates the point of diversion is located in the SWNE of Sec 12 (not NENESW)
- 2) @Items 6,7,8 - You are not required to identify the acre-feet amount for surface water rights. Since the SRBA commenced there has been a court decision and change in laws which deletes consumptive use volume from claims and decrees. You may wish to strike out the "16", "1", "17" & "17".
- 3) @Item 15 - The basis of your claim apparently is DECREE, according to IDWR records. That is, there was an old court case which dealt with the use of water from Fourth of July Creek.

If you choose to make edits please put a line through the incorrect entry and initial and date each item with the same pen.

Another issue which must be addressed, regardless of whether you change anything as discussed above, is that your signature MUST be notarized. It is perfectly ok to sign the form a second time, if the notary requires it. I would ask that you make any edits before the notarization is made. The appropriate area for the notary public to use is marked in yellow.

COPY

August 4, 1997
page 2

Finally, please enclose claim filing fees when you return the notices of claim. The appropriate amount is as follows:

	71-00033	71-00034	
flat fee	\$50	\$50	
variable fee (\$1/ac)	8	0 (paid under 71-00033)	
late fee	50	50	
	---	---	
	\$108	\$100	Tot= \$208

Once the claims are received IDWR will then need to investigate the water right elements and develop a recommendation to the court. Please advise us who we may contact to arrange a field visit (someone knowledgeable with the property and water use). If you have any questions please contact us.

Sincerely,



Douglas Jones, P.E.
Water Rights Supervisor

enc.

COPY

PENNY BRANIFF
1510 Cantera Avenue
Santa Barbara, CA 93110
(805) 682-3018

FILED
JUL 28 1997
Department of Water Resources

July 22, 1997

James E. Stanton
Senior Water Resource Agent
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Notice of Claim to a Water Right
Claim #71-00033 and 34
Civil Case # 39576

Dear Mr. Stanton:

Enclosed please find two copies of a Ditch Bill Easement Location Map prepared by Sawtooth Engineering for the Shaw Mesa Property Owners Association to add to my file in the above-referenced claim.

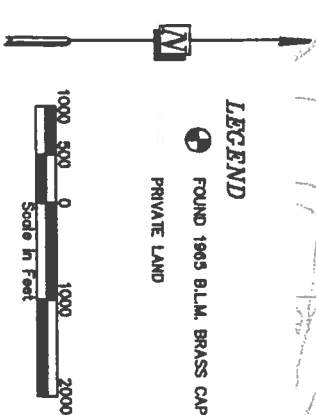
If you have any questions, please don't hesitate to call.

Sincerely



Margaret L. (Penny) Braniff

Enclosures (2)



NOTES

1. The BASIS OF BEARING for this survey is the west boundary of the NW 1/4 of Section 10.
2. This survey was done using Trimble 4000SSI GPS receivers.
3. The survey lies depicting the location of the ditch are for supportive information. The primary controlling element for location of the easement is the physical monument of the water conveyance system.

DITCH LENGTH

- | | |
|-----------|----------|
| Ⓐ 16,727' | Ⓒ 1,283' |
| Ⓑ 905' | Ⓓ 467' |
| Ⓔ 1,735' | Ⓔ 467' |
| Ⓕ 1,942' | |

		SAWTOOTH ENGINEERING Civil Engineers and Land Surveyors	
		SCALE 1"=2000' DATE 1997 DWG. NO. 97073SM SHEET 1 OF 1	(208) 786-9060 IDAHO

DITCH BILL EASEMENT LOCATION MAP

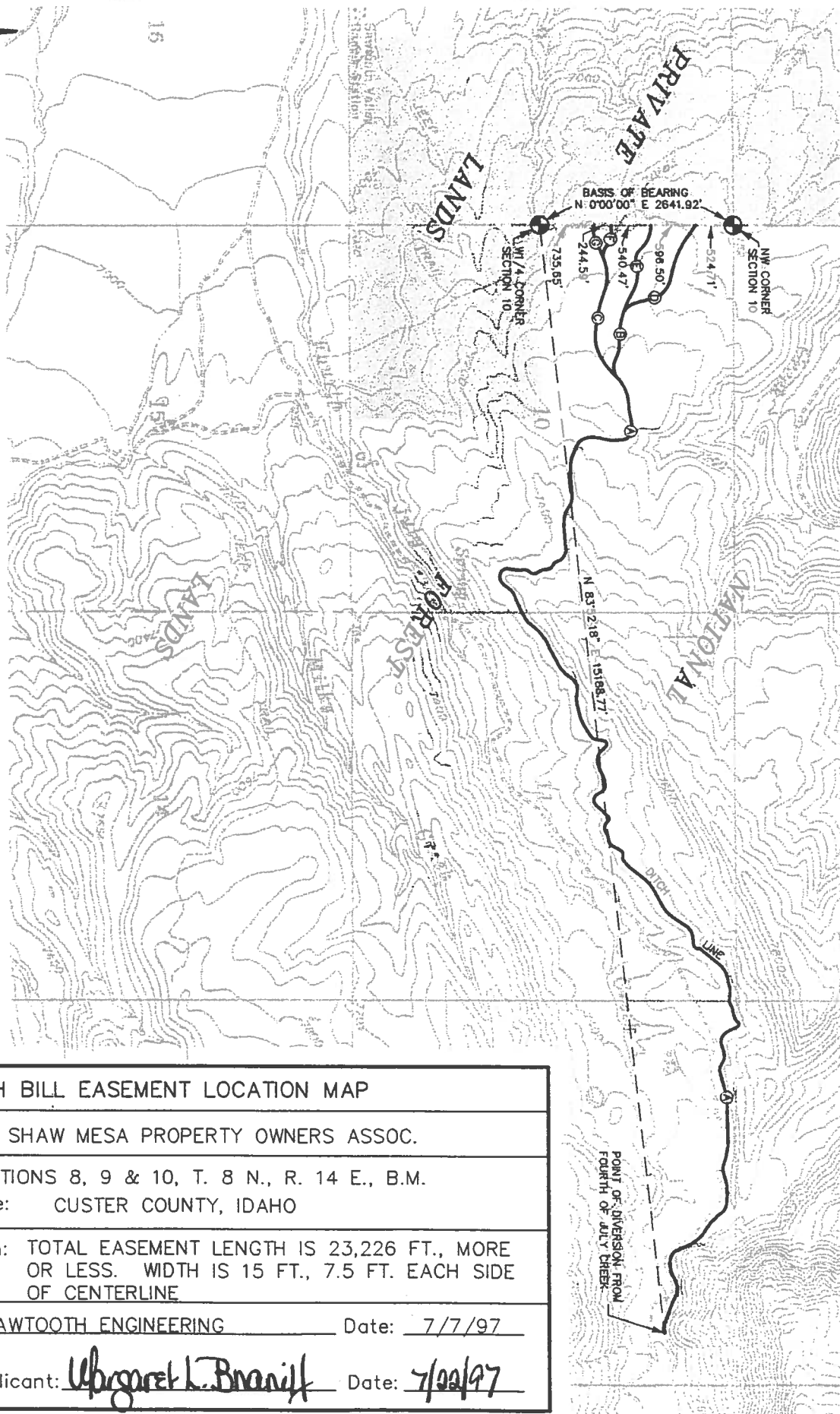
Applicant: SHAW MESA PROPERTY OWNERS ASSOC.

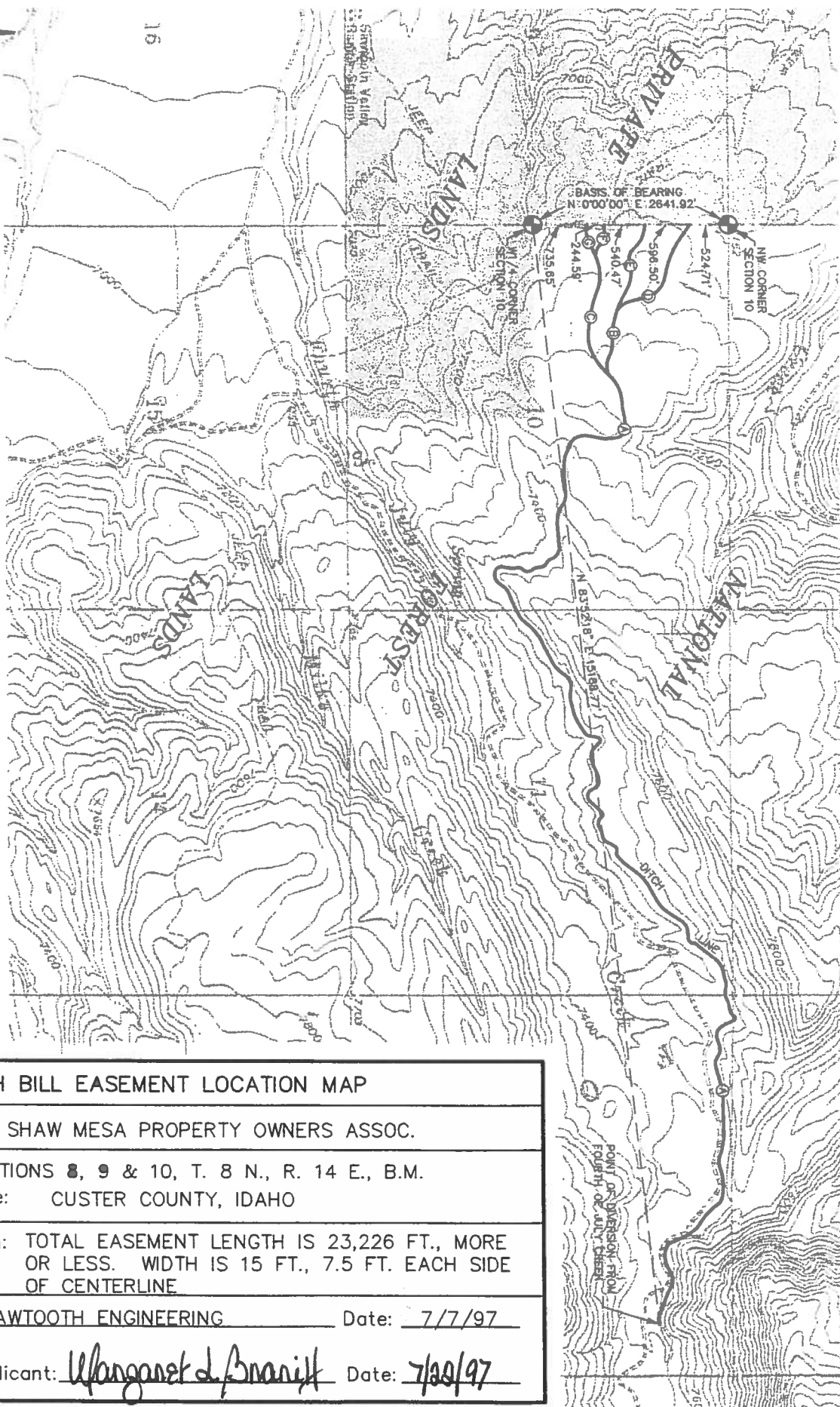
Location: SECTIONS 8, 9 & 10, T. 8 N., R. 14 E., B.M.
 County and State: CUSTER COUNTY, IDAHO

Length and Width: TOTAL EASEMENT LENGTH IS 23,226 FT., MORE OR LESS. WIDTH IS 15 FT., 7.5 FT. EACH SIDE OF CENTERLINE

Located by: SAWTOOTH ENGINEERING Date: 7/7/97

Signature of Applicant: Ulgaret L. Braniff Date: 7/22/97





LEGEND

⊕ FOUND 1965 B.L.M. BRASS CAP

PRIVATE LAND



- NOTES**
1. The BASIS OF BEARING for this survey is the west boundary of the NW 1/4 of Section 10.
 2. This survey was done using Trimble 4000SSI GPS receivers.
 3. The survey lies depicting the location of the ditch are for supportive information. The primary conflicting element for location of the easement is the physical monument of the water conveyance system.

DITCH LENGTH

Ⓐ 16.727'	Ⓔ 1.283'
Ⓑ 905'	Ⓕ 467'
Ⓒ 1.735'	Ⓖ 467'
Ⓓ 1.842'	

SAWTOOTH ENGINEERING

Civil Engineers and Land Surveyors

SCALE: 1"=2000'	DATE: 1997	DWG. NO. 970725M	SHT. 1 OF 1
By: <u>Bodley</u>		(208) 788-8660 Idaho	

DITCH BILL EASEMENT LOCATION MAP	
Applicant:	SHAW MESA PROPERTY OWNERS ASSOC.
Location:	SECTIONS 8, 9 & 10, T. 8 N., R. 14 E., B.M.
County and State:	CUSTER COUNTY, IDAHO
Length and Width:	TOTAL EASEMENT LENGTH IS 23,226 FT., MORE OR LESS. WIDTH IS 15 FT., 7.5 FT. EACH SIDE OF CENTERLINE
Located by:	SAWTOOTH ENGINEERING
Date:	7/7/97
Signature of Applicant:	<u>W. Margaret L. Branniff</u>
Date:	7/28/97

Penny Braniff
1510 Cantera Avenue
Santa Barbara, CA 93110
(805) 682-3018

RECEIVED
JUL 14 1997
Department of Water Resources
Southern Region

James E. Stanton
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls ID 83301-2280

Re: Filing "Notice of Claim to a Water Right" and "Request for Extension of Time to file Adjudication Claim(s)"

Dear Mr. Stanton:

Thank you for the research you did regarding Water Rights for my property near Stanley. The information you provided was most helpful. Since then I have been up there, have talked with my neighbors and the Forest Service and walked the property and Fourth of July Creek locating the ditches.

As per your instruction, I am returning the completed forms to you without fees at this time. I have passed the information about the additional claim along to Patrick Brady who is the new President of the "Shaw Mesa Property Owners" currently overseeing the Ditch Bill easement for the water diversion from Fourth of July Creek. That information, too, was useful.

Please call if you have any further questions, and thanks again for your help.

Sincerely



Margaret L. (Penny) Braniff

July 9, 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 1997

Sandy Braniff
1510 Cantera Ave
Santa Barbara, CA
93110

RECEIVED
JUL 14 1997
Department of Water Resources
Southern Region

Dear Ms. Braniff;

Per your request, enclosed are 3 forms and instructions for filing claim in the Snake River Basin Adjudication. Also enclosed is a request to file a late claim. The completed forms should be returned to this office without fees. Once permission to file late claims is granted, you will be notified as to what the filing fee will be.

Based on investigative work that has already been done on Fourth of July Creek, it appears that you may own portions of two water rights. The portion of your land that is west of the Lauder property is covered by a portion of Water Right 71-00034. The portion of your land that is south of the Lauder property and north of the Mitchell property is covered by a portion of Water Right 71-00033. A separate claim form should be used for each right that you claim. I do not know how much water you own, but I noticed that the Lauder and Mitchell claims are for 0.03 cfs per irrigated acre. This is about the average diversion rate for the users of these two rights, so you may wish to use this rate in filing your claims.

There is another claim that you may also wish to consider, and I have included a third claim form for this purpose. I am told that the diversion ditch from Fourth of July Creek can carry a lot more water than is used for irrigation of the various lands served by the ditch. The extra water is needed due to the high rate of water loss in the long ditch. In order to legally cover this extra water, all the users of the ditch may wish to file a joint claim to cover this. Of the 4.8 cfs diverted into the ditch on 6-30-1993, 1.8 cfs of conveyance loss occurred between the head of the ditch and the irrigated lands. With 1.4 cfs being dumped into Fisher Creek, 1.6 cfs reached the place of use. So the conveyance loss for rights 71-00033 through 00036 was more than what was actually available for irrigation. No additional investigative work on the Fourth of July Creek claims is scheduled for some time, so I am

just including this for your consideration at this time. As you have stated that James Mitchell is the lead person for the water users on this stream, you may wish to contact him on this matter. Allen Merritt of this office has been the investigator on these claims, and can answer any further questions you or Mr. Mitchell might have.

Regards,

James E. Stanton
Sr. Water Resource Agent

SD-0607-2 Prefix: A Basin: 71 Starting Water Right: 00033 STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code	Desc
A71-00033	SPLIT RIGHT,	C	05/21/1918	/Z	FOURTH OF JULY C	01	IRR
7 A71-00033A	MITCHELL, MARY J	C	05/21/1918	D/	FOURTH OF JULY C	01	IRR
9 A71-00033B	MITCHELL, JAMES B	C					
A71-00033B	HUMPHREYS, FRED	C	05/21/1918	D/	FOURTH OF JULY C	01	IRR
51 A71-00033C	DAY, ERNEST	C					
A71-00033C	STAHL TRUST, SHARLENE	C	05/21/1918	D/	FOURTH OF JULY C	01	IRR
2 A71-00033D	RENUMBERED A71-00034F,	C	05/21/1918	/Z	FOURTH OF JULY C	04	STOCK
					RENUMBERED A71-0	43	DOMEST
A71-00034	SPLIT RIGHT,	C	02/27/1919	/Z	FOURTH OF JULY C	01	IRR
12 A71-00034A	OSBORN, ALMA MARIE	C	02/27/1919	D/	FOURTH OF JULY C	01	IRR
26 A71-00034B	STANFORD, CHARLOTTE	C	02/27/1919	D/	FOURTH OF JULY C	01	IRR
50 A71-00034C	HUMPHREYS, FRED	C	02/27/1919	D/	FOURTH OF JULY C	01	IRR
	DAY, ERNEST	C					
50 A71-00034D	BRADY, J ROBB	C	02/27/1919	D/	FOURTH OF JULY C	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0607-2 Prefix: A Basin: 71 Starting Water Right: 00033 STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code	Desc
31 A71-00034E	STAHL TRUST, SHARLENE	C	02/27/1919	D/	FOURTH OF JULY C	01	IRR
54 A71-00034F	LAUDER, WINSTON	C	02/27/1919	D/	FOURTH OF JULY C	04	STOCK
	LAUDER, JOANNE	C				01	IRR
	LAUDER, WINSTON	C					
A71-00035	SPLIT RIGHT,	C	04/19/1919	/Z	FOURTH OF JULY C	01	IRR
					SPLIT RIGHT		
					RENUMBERED CLAIM		
A71-00035A	BRADY, J ROBB	C	04/19/1919	D/	FOURTH OF JULY C	01	IRR
A71-00035B	WITHDRAWN,	C	04/19/1919	/W	FOURTH OF JULY C	01	IRR
A71-00035C	HUMPHREYS, FRED	C	04/19/1919	D/	FOURTH OF JULY C	01	IRR
	DAY, ERNEST	C					
A71-00036	SPLIT RIGHT,	C	07/11/1922	/Z	FOURTH OF JULY C	01	IRR
					SPLIT RIGHT		
A71-00036A	FUREY, JACK B	C	07/11/1922	D/	FOURTH OF JULY C	01	IRR
	RECINE JR, LOUIS F	C					
A71-00036B	HUMPHREYS, FRED	C	07/11/1922	D/	FOURTH OF JULY C	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0607-2 Basin: 71 Starting Water Right: 00033 STATE

S	Water	Name	O	Priority	STG/		Use
L	Right No.	Last, First	N	Date	STS	Source	Code Desc
0.90	71-00033	MC VEY, GEYER M.	C	05/21/1918	D/	FOURTH OF JULY	C 01 IRR
-		MC VEY, MRS. GEYER M	C				
-		MCVEY, MERTON O.	C				
-		MCVEY, EMMA	C				
0.50	71-00034	MC VEY, MRS. GEYER M	C	02/27/1919	D/	FOURTH OF JULY	C 01 IRR
-		MCVEY, MERTON O.	C				
-		MCVEY, EMMA	C				
-		MC VEY, GEYER M.	C				
-	71-00035	MC VEY, GEYER M.	C	04/19/1919	D/	FOURTH OF JULY	C 01 IRR
-		MC VEY, MRS. GEYER M	C				
-		MCVEY, MERTON O.	C				
-		MCVEY, EMMA	C				
-	71-00036	MC VEY, GEYER M.	C	07/11/1922	D/	FOURTH OF JULY	C 01 IRR
-		MC VEY, MRS. GEYER M	C				
-		MCVEY, MERTON O.	C				
-		MCVEY, EMMA	C				

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 19, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARGARET L BRANIFF
1510 CANTERA AVE
SANTA BARBARA CA 93110

RE: Claims A71-00033E, A71-00034G

Dear Ms Braniff:

IDWR has received and has data entered the claims recently submitted. Please find the enclosed copies of the computer record for these claims. I recommend that you carefully review the information as a double check against clerical error. Please be informed that the code for stockwater use during the irrigation season is STK IS (this has generated questions in the past). These copies are for your records only, we do not need them back. Also enclosed is a receipt for your fee check.

Thank you for your prompt correspondences in regards to these filings. If you have any questions or need information please contact us.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

enc

cc: file(s)

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No:

SO20481

Date:

Time: 8/18/1997

16:42:58

Received

From: BRANIFF, MARGARET L

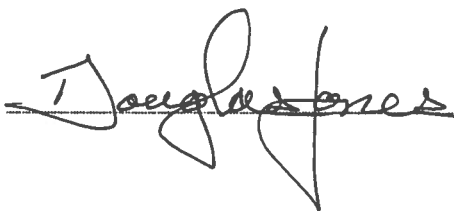
Type of Payment		Program A cct		Amount
A CLAIM	41503	337	1155	108.00
A CLAIM LATE FEE	41503	337	1155	100.00

Total \$ 208.00

CHECK 58

Water Right Numbers
A71-00033E A71-00034G - -

Region: SOUTHERN

Signature: 



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

9/9/98

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARGARET L. BRANIFF
1510 CANTERA AVE
SANTA BARBARA CA 93110

RE: Notice of Error Reply for 71-00033E

Dear Ms Braniff:

I am writing to acknowledge receiving your notice of error reply and to respond to your concerns. I have reviewed yours and others' claims to parts of 71-00033 & 71-00034. My review indicates that although you made a claim for 0.24 cfs (24/100's of a cubic foot per second) for irrigation in each claim it was found that the amount appurtenant to your land is 0.11 and 0.12 cfs, respectively. The original decreed flow rate is divided proportionately between all claimants with valid claims to the original right.

In combination, the total flow rate that can be diverted out of Fourth of July Creek for your property is 0.23 cfs for use on 7.4 acres. In a practical sense the water is "comingled" and the water can be uniformly distributed over the land in times of plentiful water. However, if there is a shortage of flow and priority dates after 1918 are cut, then the senior right (71-00033E) is limited to use on 4.5 acres.

You indicated that you had a concern with season of use. IDWR applied a standard season based on specific weather data. In your case the season was extended over what was claimed.

Hopefully I have answered some of your questions/concerns. At this time we do not anticipate changing our preliminary recommendation. If you have information which would cause us to reconsider our flow rate recommendations please provide it to us ASAP – so we can adjust things before the final recommendation targeted for the 23rd of September (not much time, sorry). You still have an opportunity to object after the final recommendation comes out if you are dissatisfied. IDWR will consider all information at any time and have pledged to settle disputes without litigation if possible. Please contact me if you have other questions or need further assistance.

Sincerely,

Douglas Jones, P. E.
Water Rights Supervisor
Southern Adjudication Unit

July 22, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

AUG 17 1998

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: August 14, 1998

Water right number: 71-00033E

MARGARET L BRANIFF
1510 CANTERA AVE
SANTA BARBARA CA 93110

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

Daytime Telephone Number: (805) 967-2376
Evening Telephone Number: (805) 682-3018

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Period of Use, Irrigation, Quantity = 0.11 CFS

2. Describe the changes you wish to make in the proposed recommendation:

Quantity - 0.12 CFS

3. Give a brief explanation as to why you disagree with these portions:

My original request for irrigation was 24 CFS. Right #71-00034G entitles me to 0.12 CFS. Should this also be 12 CFS to equal 24?

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 8/11/98

SIGNATURE: Margaret L. Braniff

Please print your name: Margaret L. Braniff

Water Right Number - R71-00033E

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BRANIFF

MARGARET L

1 - 1510 CANTERA AVE

2 -

3 -

City- SANTA BARBARA

State- CA Zip- 93110

Phone - 805-682-3018

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/21/1918 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
FOURTH OF JULY CREEK SALMON RIVER+ - - - - Point of Diversion - - - - -
TwN Rng Sec Tract Lot RFlg County Diversion Name
08N 14E 12 SW NE NE (37) CUSTER+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/31 0.110
04 - STOCKWATER 05/01 09/30 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage -
0.110 0.0+ - - - - Place of Use - - - - -
TwN Rng Sec Tract Lot Acres Code Description County
08N 14E 9 NE NE 2.9 01 IRRIGATION (37) CUSTER
08N 14E 9 SE NE 4.5 01 IRRIGATION (37) CUSTER
08N 14E 9 NE NE 04 STOCKWATER (37) CUSTER
08N 14E 9 SE NE 04 STOCKWATER (37) CUSTER

Total Acres: 7.4

+ - - Diversion Means - WOODEN & CONCRETE HEADGATE TO GRAVITY DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 71-00034G

+ - - - - Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 7.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00033E & 71-00034G.THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION

Water right number - R71-00033E

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

ON FOURTH OF JULY CREEK DESCRIBED ABOVE: 71-00033A, 71-00033B,
71-00033C, 71-00033E, 71-00034A, 71-00034B, 71-00034C, 71-00034D,
71-00034E, 71-00034F, 71-00034G, 71-00035A, 71-00036C, 71-00037B,
71-00037C & 71-10763.
STOCKWATER FOR 3 HORSES.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
C13 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 71:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date -

00/00/0000

+ - - Audit Fields - 05/27/98 AMERRITT 05/28/98 AMERRITT 07/21/98 CWU-DSHA 07/21/98 AJU10-DS

+ - - - - - Comments - - - - - +

Date: 07/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C13 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/18/1997	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S020481	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	-

Water Right Number - R71-00033E

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BRANIFF

MARGARET L

1 - 1510 CANTERA AVE
2 -
3 -
City- SANTA BARBARA
Phone - 805-682-3018

State- CA Zip- 93110

+ - - Priority Date - - +
05/21/1918

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
FOURTH OF JULY CREEK

+ - - - - Tributary - - - - - +
SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08N 14E 12 SW NE NE (37) CUSTER

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	08/31	10/31	0.110	
04 - STOCKWATER		05/01	09/30	08/30	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.110 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	14E	9	NE NE		2.9	01	IRRIGATION	(37) CUSTER
08N	14E	9	SE NE		4.5	01	IRRIGATION	(37) CUSTER
08N	14E	9	NE NE			04	STOCKWATER	(37) CUSTER
08N	14E	9	SE NE			04	STOCKWATER	(37) CUSTER

Total Acres: 7.4

+ - - Diversion Means - WOODEN & CONCRETE HEADGATE TO GRAVITY DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 71-00034G

+ - - - - Remarks - - - - - +

POU1
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 7.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00033E & 71-00034G.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Water right number - R71-00033E

Prefix Translation: RESEARCH

Remarks

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
ON FOURTH OF JULY CREEK DESCRIBED ABOVE: 71-00033A, 71-00033B,
71-00033C, 71-00033E, 71-00034A, 71-00034B, 71-00034C, 71-00034D,
71-00034E, 71-00034F, 71-00034G, 71-00035A, 71-00036C, 71-00037B,
71-00037C & 71-10763.
STOCKWATER FOR 3 HORSES.

No Old Water Right Numbers Found

Conditions of Approval
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

Decree Plaintiff Decree Defendant Decree Date
00/00/0000

Comments
No Comments Found

Audit Fields
05/28/98 AMERRITT

Adjudication Rights Dates and Flags Area

Court Report Filing	Field Inspection Made	Civil Case Number
Objection Filed Date - 00/00/0000	Field Inspection Flag - 00/00/0000	Old Case Number - 39576
Response Filed Date - 00/00/0000	Last Amended Date - 00/00/0000	Old Judicial District -
Claim Received Date - 08/18/1997	Receipt Number - S020481	Temporary Right - P
	POU Ownership Flag - Y	Water District -
	Name Connector -	Federal/State Indicator - S
		Presumption Flag - C
		Notice of Error Flag -

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A71-00033E
18

LAST: BRANIFF
ADDRESS: 1510 CANTERA AVE
CITY: SANTA BARBARA
PHONE NUMBER: 805-682-3018

FIRST: MARGARET L
STATE: CA ZIP: 93110

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

FIELD EXAMINER
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Margaret Bruff
DATE OF FIELD EXAM: 6/30/92
ACCOMPANIED BY: None
RELATIONSHIP TO CLAIMANT:
DIRECTIONS TO PROPERTY / NOTES:

PHONE NUMBER: () - -
TIME: : A() P()
PHONE NUMBER: () - -

Field review completed prior to filing claims.
This claim is for southern portion of Bruff
property.

A. AJ CLAIM: # A71-00033E PRIORITY DATE: 05-21-1918 STAGE: D

B. WR RECORD: # 71-00033 PRIORITY DATE: 05-21-1918 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

Y() N()
Y() N()

Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

Y() N()

RECOMMENDED PRIORITY DATE:

05-21-1918

REVIEWED BY

DATE

5/28/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A71-00033E	08N	14E	12	SW	NE	NE			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
* **

MR RECORDS IN SAME 40 ACRE TRACT

71-00034
71-00035
71-00036
71-00037

* 22 A PREFIX CLAIMS WITH THIS POD
** 15 R PREFIX CLAIMS WITH THIS POD

SOURCE: FOURTH OF JULY CREEK

TRIB: SALMON RIVER

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
71-00033	08N	14E	12	NE	NE	NE			CUSTER		

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

71-00034
71-00035
71-00036
71-00037
***** 22 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 15 R PREFIX CLAIMS WITH THIS POD

SOURCE: FOURTH OF JULY CREEK

TRIB: SALMON RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N()

A. ROOT WATER RIGHT NUMBERS:

A71-00033A
A71-00033B
A71-00033C
R71-00033A
R71-00033B
R71-00033C
A71-00033E

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	14E	9	SE	NE		BRANIFF, MARGARET L	A71-00033E / 8.0	-			23.0
			SE	NE		STAHL TRUST, SHARLENE K	R71-00033C / 12.7	-			
			SE	NE		STAHL TRUST, SHARLENE K	R71-00034E / 12.7	-			
			SE	NE		MITCHELL, MARY J	A71-00033A / 10.5	-			
			SE	NE		MITCHELL, MARY J	A71-10090 /	-			
			SE	NE		STAHL TRUST, SHARLENE K	A71-00033C / 13.0	-			
			SE	NE		MITCHELL, MARY J	71-10090 /	-			
			SE	NE		BRANIFF, MARGARET L	R71-00033A / 10.5	-			
			SE	NE		BRANIFF, MARGARET L	A71-00034G / 8.0	-			
			SE	NE		MC VEY, GEYER M.		71-00033			

See GIS
Sheet

08N	14E	9	SE	NE		BRANIFF, MARGARET L	A71-00033E /	-			23.0
			SE	NE		STAHL TRUST, SHARLENE K	R71-00033C / 12.7	-			
			SE	NE		STAHL TRUST, SHARLENE K	R71-00034E / 12.7	-			
			SE	NE		MITCHELL, MARY J	A71-00033A / 10.5	-			
			SE	NE		MITCHELL, MARY J	A71-10090 /	-			
			SE	NE		STAHL TRUST, SHARLENE K	A71-00033C / 13.0	-			
			SE	NE		MITCHELL, MARY J	71-10090 /	-			
			SE	NE		BRANIFF, MARGARET L	R71-00033A / 10.5	-			
			SE	NE		BRANIFF, MARGARET L	A71-00034G / 8.0	-			
			SE	NE		MC VEY, GEYER M.		71-00033			

ADDITIONAL POU FOUND

TOTAL ACRES	A71-00033E	8.00	46.00
-------------	------------	------	-------

4.5 acres
in 7.4 POU

POU COUNTY: CUSTER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV.	
				RATE/ACRE	DIV. VOL. VOL./ACRE
A71-00033E	FOURTH OF JULY CREEK	BRANIFF, MARGARET L	0.260	0.032	
R71-00033A	FOURTH OF JULY CREEK	MITCHELL, MARY J	0.270	0.025	
A71-00033A	FOURTH OF JULY CREEK	MITCHELL, MARY J	0.270	0.025	
R71-00033C	FOURTH OF JULY CREEK	STAHL TRUST, SHARLENE K	0.510	0.021	
A71-00033C	FOURTH OF JULY CREEK	STAHL TRUST, SHARLENE K	0.510	0.031	
R71-00034E	FOURTH OF JULY CREEK	STAHL TRUST, SHARLENE K	0.310	0.012	
A71-00034G	FOURTH OF JULY CREEK	BRANIFF, MARGARET L	0.260	0.032	

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-00033E	STOCKWATER	BRANIFF, MARGARET L	FROM 05-01 TO 09-30	0.020 CFS	
A71-10090	DOMESTIC	MITCHELL, MARY J	FROM 01-01 TO 12-31	0.080 CFS	
71-10090	DOMESTIC	MITCHELL, MARY J	FROM 01-01 TO 12-31	0.080 CFS	
A71-00034G	STOCKWATER	BRANIFF, MARGARET L	FROM 05-01 TO 09-30	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A71-00034G

71-00034G

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

DIV. VOL. FOR EACH USE

CFS

0.260 CFS

DIV. VOL. FOR EACH USE

0.900 CFS

0.900 CFS

$$Y(\underline{\quad}) \quad N(\underline{\quad})$$

N/A() Y() N()

Stock
2110
denim

$$Y(\underline{\quad}) \sim N(\underline{\quad})$$
$$Y(\frac{1}{2})N(\frac{1}{2})$$
$$Y(\quad)N(\quad)$$

N/A () Y () NC ✓

ED.

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

NOTES:

Stock use allowed since deer in use
and used during winter season.

AJ CLAIM TOTAL DIVERSION RATE: 0.260 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.900 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y() N()
N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N()

E. MEASUREMENT METHOD At A rate FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	05-01 09-30	0.240 0.11		0.0
STOCKWATER	05-01 09-30	0.020		0.0
TOTAL FOR THIS RIGHT		0.11		

NON-IRRIGATION USES CLAIMED: STOCKWATER FOR 3 HORSES

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: Alm

DATE: 5/28/98

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

~~05~~
POU1 considered lin. 7 4.5 in 7.9 POU

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

POU considered vts.
Stock = 4 horses

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00033
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.900

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
71-00033	A71-00033A	0.270	R71-00033A	0.270	71-00033	0.900
-	A71-00033B	0.900	R71-00033B	0.050	-	-
-	A71-00033C	0.510	R71-00033C	0.510	-	-
-	A71-00033E	0.260	-	-	-	-
TOTAL CFS		1.940	0.830		0.900	

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N FIELD EXAMINER Y() N()

NOTES:

See attached split sheet

AUTHENTICATION:

SIGNATURE:

[Handwritten Signature]

DATE:

5/28/98

NAME OF FIELD EXAMINER:

TITLE:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO.	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
☒ MAP	DATE OF PHOTO	IDWR ID NO.	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
☒ SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
☒ SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

=====

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	PAGES	NO. OF	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM			
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED			
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED			
☐ SYSTEM DESCRIPTION	DATE DRAIN			
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN			
☒ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED			
☒ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED			
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED			
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED			
☐ OTHER	DATE			
☐ OTHER	DATE			

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

BARCODE UPDATED
WHOM/DATE

AB
5/28/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:37:24
05/27/98
34

CLAIM NUMBER: A71-00033E

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET L BRANIFF	05/21/1918	IRRIGATION STOCKWATER	05-01 09-30 05-01 09-30	0.24 CFS 0.02 CFS	

TOTAL DIVERSION: 0.26 CFS

Water Source: FOURTH OF JULY CREEK Tributary to: SALMON RIVER Stage: DECREED
Point(s) of Diversion: T08N R14E S12 SWNE CUSTER County

Place of use Legal Description for: IRRIGATION											
NE			NW			SW			SE		
T	R	S	: Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac
08N	14E	9	:	:	:	:	:	:	:	:	:
TOTAL ACRES										:	8.0

Place of use Legal Description for: STOCKWATER											
NE			NW			SW			SE		
T	R	S	: Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac
08N	14E	9	:	:	:	:	:	:	:	:	:
TOTAL ACRES										:	8.0

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER FOR 3 HORSES

Other Rights: A71-00034G

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES
EXEL PROGRAM

FOR RIGHT NO: 71-00034

BY: ADM

DATE: #####

CREATED ON 2-1-94
BY ADM & KKC
MODIFIED DATE
5/5/98 BY ADM

BASE RATE: 1.50 CFS

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF	FIRST CUT	2ND ACRE	2ND SHARE	POTENTIAL SHARE OF	SECOND CUT	PRELIM RATE	RATE PER ACRE
A71-00034A OSBORN	0.42	14.5	33.0%	0.494	0.420					0.420	0.029
A71-00034B STANFORD	0.26	9.2	20.9%	0.314	0.260					0.260	0.028
A71-00034C HUMPHREYS	1.50	2.6	5.9%	0.089		2.6	12.8%	0.105	0.105	0.105	0.040
A71-00034D BRADY	1.50	5.1	11.6%	0.174		5.1	25.1%	0.206	0.206	0.206	0.040
A71-00034E STAHL	0.31	8.2	18.6%	0.280		8.2	40.4%	0.331	0.310	0.310	0.038
A71-00034F LAUDER	0.06	1.5	3.4%	0.051		1.5	7.4%	0.061	0.060	0.060	0.040
A71-00034G BRANIFF	0.26	2.9	6.6%	0.099		2.9	14.3%	0.117	0.117	0.117	0.040
SUMS	4.31	44	100.0%	1.500	0.680	20.3	100.0%	0.820	0.798	1.478	
FIRST ITERATION BALANCE											
NOT ALLOCATED ==>					0.820	CFS					

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==>
BALANCE NOT
ALLOCATED ==>

0.42
0.26
0.11
0.21
0.31
0.06
0.12
1.49
1.50

DT.&ID.

71-00028
71-00029

75

BM
6742

000301

11-000031

AK 0-03

71-00038

71-0
94
14

Pass



00033

20

**Sawtooth Valley
Work Center**

71-0201A

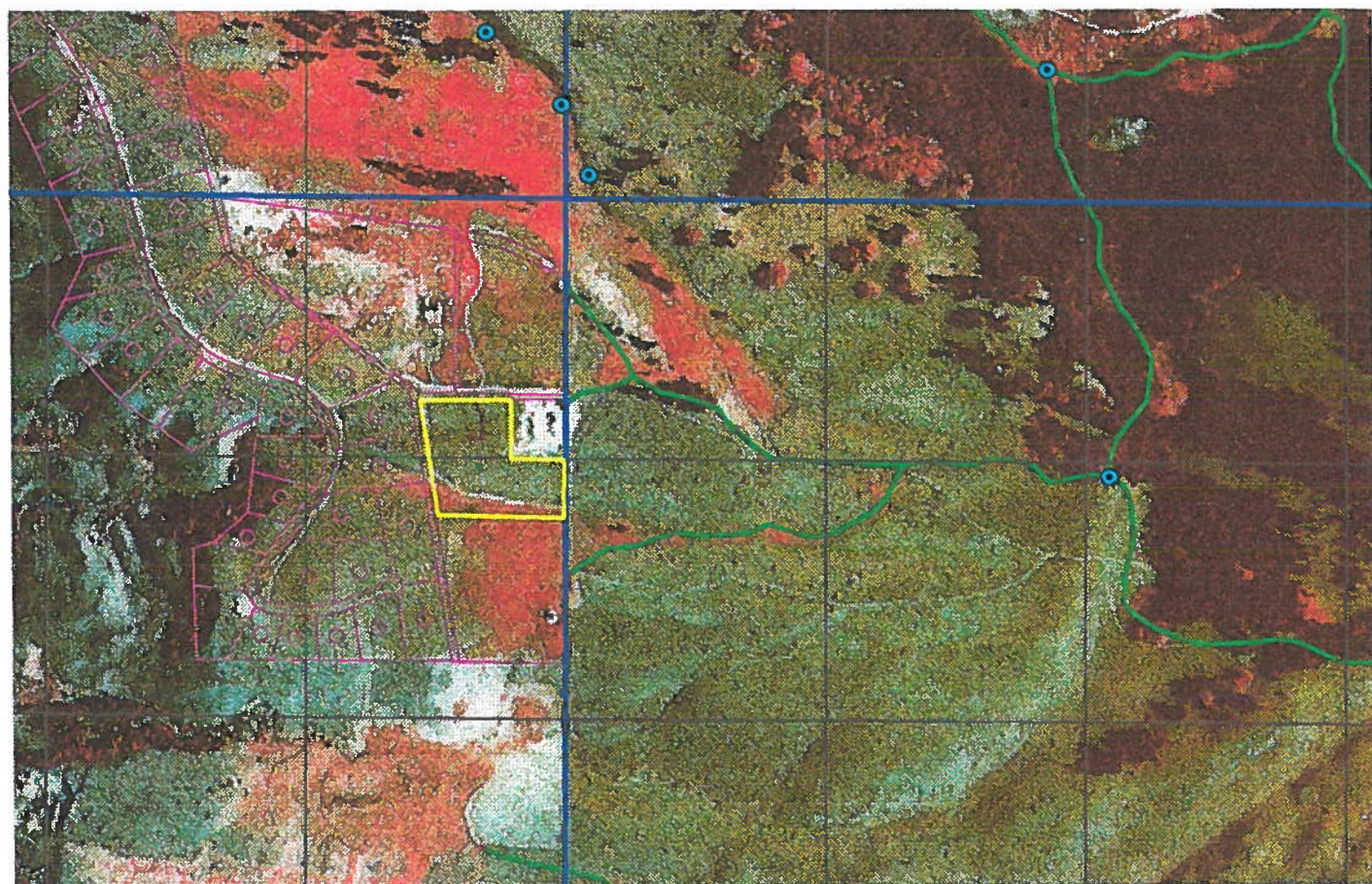
Fourth

Spring

July

IDAHO DEPARTMENT OF WATER RESOURCES

71-00033E& 71-00034G



1320 0 1320 2640 Feet

POU:

TWP 08N, RGE 14E,

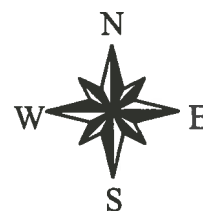
SEC 9

POD:

FOURTH OF JULY CREEK

TWP 08N, RGE 14E,

SWNE, SEC 12

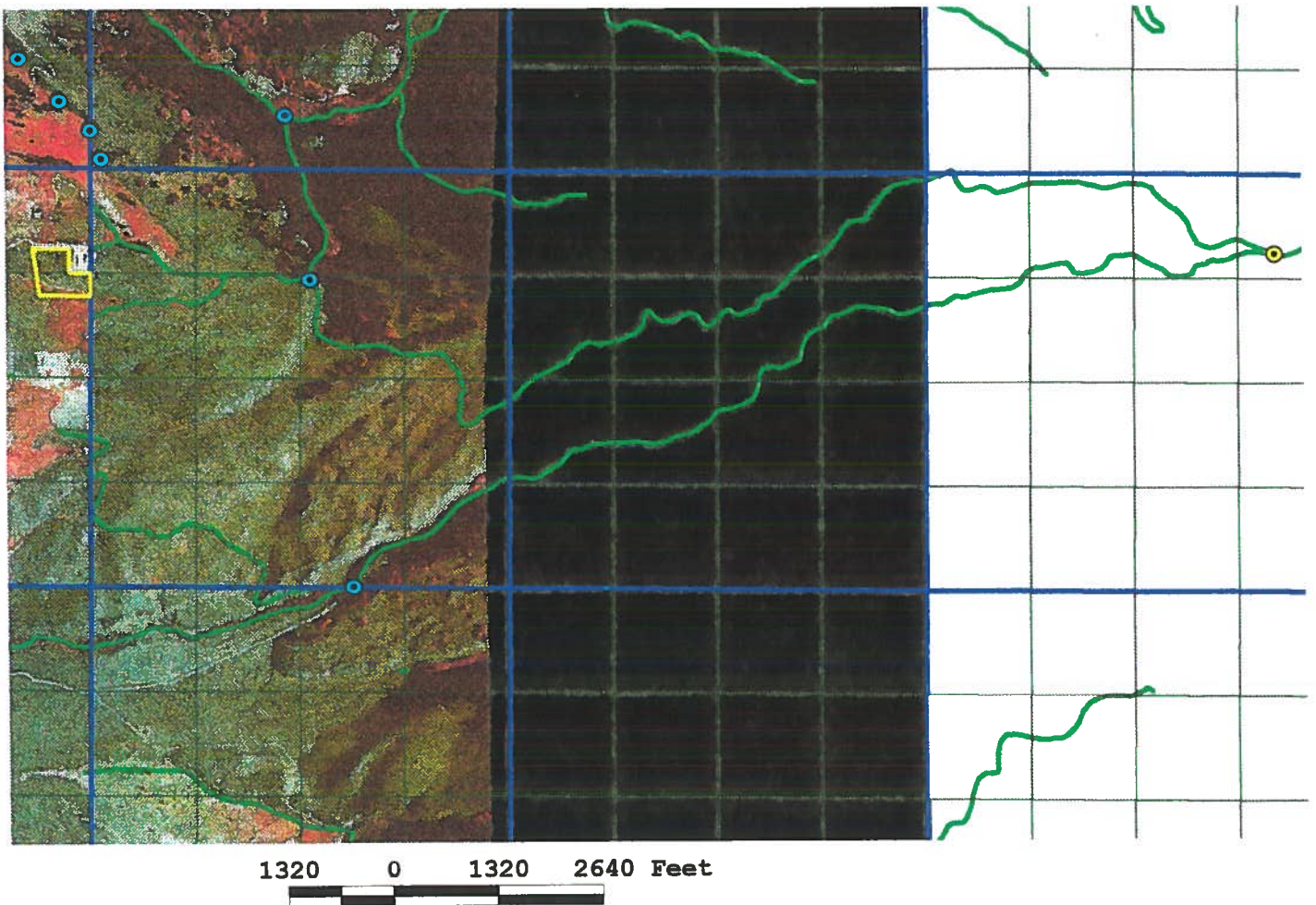


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

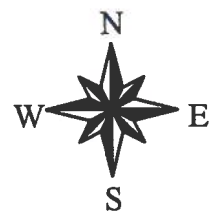
GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY MARCH 1998
BY ALLEN MERRITT

IDAHO DEPARTMENT OF WATER RESOURCES

71-00033E& 71-00034G



POU:
TWP 08N, RGE 14E,
SEC 9
POD:
FOURTH OF JULY CREEK
TWP 08N, RGE 14E,
SWNE, SEC 12



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY MARCH 1998
BY ALLEN MERRITT

71-00033 E
71-00034 G

TRANSFER NUMBER _____

AIM NUMBERS _____

DATE 3/28/98

HOMESTEAD ENTRY NO. _____

AGENT AD

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES _____

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS	8N	14E	9	2.9			4.5												7.4
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

50 SW NEM
Sec 12

B71-DBPOU.SHP

SHAPE NOS

105 7.4 acres

DBF TABLES UPDATED

B71-DBPOD.DBF

B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES
EXCEL PROGRAM

FOR RIGHT NO: 71-00033

BY: ADM
DATE: #####

CREATED ON 2-1-94
BY ADM & KKC
MODIFIED DATE
5/5/98 BY ADM

BASE RATE: 0.90 CFS

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF BASE RATE	FIRST CUT	2ND ACRE	2ND SHARE	POTENTIAL SHARE OF REMAINING	SECOND CUT	PRELIM RATE	RATE PER ACRE
A71-00033A MITCHELL	0.27	9.5	24.9%	0.224		9.5	59.0%	0.230	0.230	0.230	0.024
A71-00033B HUMPHREYS	0.90	2.1	5.5%	0.050		2.1	13.0%	0.051	0.051	0.051	0.024
A71-00033C STAHL	0.51	22	57.7%	0.520	0.510					0.510	0.023
A71-00033E BRANIFF	0.26	4.5	11.8%	0.106		4.5	28.0%	0.109	0.109	0.109	0.024

0.23
0.05
0.51
0.11
0.90

SUMS	1.94	38.1	100.0%	0.900	0.510	16.1	100.0%	0.390	0.390	0.900
FIRST ITERATION BALANCE										
NOT ALLOCATED ==> 0.390 CFS										

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 0.900 CFS

BALANCE NOT
ALLOCATED ==> 0.000 CFS

Reduced to
16 by will
29,000,000
Buddy

CLAIM _____ INIT _____
 T. F S. Q/Q
 P/D _____
 PHOTO V-70 _____
 DT.&ID. _____



4th of July Bench Area

**REEVALUATION OF IRRIGATION RATES
BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES**

CLAIM NUMBERS _____

DATE: May 8, 1998

REVIEWED BY _____

STANLEY BASIN SOIL REVIEW								
SOIL TYPE	OPTIMUM ROTATION	BORDER EFF	BORDER CFS/AC	FURROW EFF	FURROW CFS/AC	MAD	PF	BORDER / FURROW
AM1	4.00	3.5	0.30	22.3	0.05	1.00	1.14	6.09
BG1	5.00	5.8	0.19	34.3	0.03	1.32	1.13	5.99
CNB	7.00	7.8	0.14	47.3	0.02	1.82	1.11	6.20
GO1	14.66	25.5	0.04	24.6	0.04	3.65	1.07	0.96
LA4	4.00	3.7	0.30	23.6	0.05	1.06	1.14	6.46
PY1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RD1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RP1	4.33	6.9	0.16	35.2	0.03	1.13	1.13	5.18
SN1	2.66	2.47	0.45	15.4	0.07	0.69	1.14	6.30
ST1	3.33	3.2	0.36	20.3	0.05	0.91	1.14	6.65
TN1	4.66	4.2	0.26	26.9	0.04	1.21	1.13	6.44
TP4	9.33	9.5	0.11	60.0	0.02	2.31	1.10	6.24
WG1	2.66	2.4	0.45	14.9	0.07	0.67	1.14	6.12
WV1	13.00	17.4	0.06	50.3	0.02	3.24	1.08	2.91

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	*	ACRES PER SOIL TYPE (field)	*	RATE PER ACRE (chart)	=	TOTAL DIVERSION RATE
TP4	9.33	14	*		*	0.11	=	0.07 CFS
			*		*		=	CFS
			*		*		=	CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

ORIGINAL HUBBLE RATE = _____

MEASURED DIVERSION RATE = _____



6/30/93
AD~

P/D on
4th of July CK



Split of c2u2/

↓ To white cloud
Area



Ditches on
Brady Property

[illegible]

NAME OF STREAM OR DITCH FOURTH OF JULY CREEK
LOCATION ----- ABOVE SPLIT
PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS
IF YOU ARE USING A PYGMY METER ENTER -----

WATER RIGHT NUMBER IF APPLICABLE	----	BRADY & OTHERS
AGENT CONDUCTING MEASUREMENT	-----	ADM
ACCOMPANIED BY	-----	BRADY
PREMEASUREMENT SPIN TEST (MIN/SEC)	---	
POST MEASUREMENT SPIN TEST (MIN/SEC)	-	

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

[illegible]

[illegible]

```

NAME OF STREAM OR DITCH      FOURTH OF JULY CREEK
LOCATION -----              CORNER OF BRADY PROP
PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS
IF YOU ARE USING A PYGMY METER ENTER -----

```

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

[illegible]

*Penny Braniff
1510 Cantera Avenue
Santa Barbara, CA 93110
(805) 682-3018*

RECEIVED

AUG 18 1997

Department of Water Resources
Southern Region

Douglas Jones, P.E.
Idaho Department of Water Resources
1341 Fillmore Street, Ste. 200
Twin Falls, ID 83301-3380

RE: SRBA Claims for 71-00033(Part) & 71-00034(Part)

Dear Mr. Jones:

Thank you for your letter of August 4, 1997. As per your instructions I am enclosing the Notarized modified claim forms along with a check for \$208.00 for claim filing fees.

You requested the name of a contact to arrange a field visit. Here are several. I'm not sure who is the most knowledgeable or available.

Patrick Brady
1585 Richards Avenue
Idaho Falls, ID 83404
(208) 524-4038

(Pat is the President of the Shaw Mesa Property Owners and as such is coordinating the Ditch Easement work us. He lives part-time in Stanley)

Jim Mitchell
10502 Jay Road
Boise, ID 83703
(208) 939-0707 or
774-3385

(Jim is the past President and is familiar with the process. His property adjoins mine and is served by 71-00033. He also is also a part-time resident in Stanley)

Sharlene Stahl
P.O. Box 307
Stanley, ID 83278
(208) 774-2211

(Sharlene is a newer resident, but a full-time one)

If you have any questions, please call and thanks for your help!

Sincerely

Penny Braniff

Enclosures

August 12, 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 19, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARGARET L BRANIFF
1510 CANTERA AVE
SANTA BARBARA CA 93110

RE: Claims A71-00033E, A71-00034G

Dear Ms Braniff:

IDWR has received and has data entered the claims recently submitted. Please find the enclosed copies of the computer record for these claims. I recommend that you carefully review the information as a double check against clerical error. Please be informed that the code for stockwater use during the irrigation season is STK IS (this has generated questions in the past). These copies are for your records only, we do not need them back. Also enclosed is a receipt for your fee check.

Thank you for your prompt correspondences in regards to these filings. If you have any questions or need information please contact us.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

enc

cc: file(s)

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No:

5020481

Date:

Time: 8/18/1997

16:42:58

Received

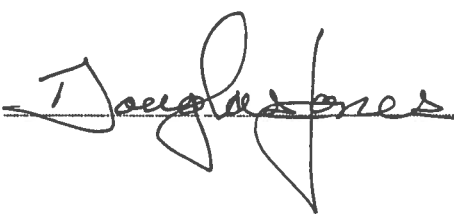
From: BRANIFF, MARGARET L

Type of Payment		Program A cct		Amount
A CLAIM	41503	337	1155	108.00
A CLAIM LATE FEE	41503	337	1155	100.00
Total \$				208.00
CHECK	58			

Water Right Numbers

A71-00033E A71-00034G

Region: SOUTHERN

Signature: 

State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 4, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARGARET L BRANIFF
1510 CANTERA AVENUE
SANTA BARBARA CA 93110

RE: SRBA Claims for 71-00033(Part) & 71-00034(Part)

Dear Ms Braniff:

I am writing to acknowledge receipt of your Requests for Extension of Time to File Adjudication Claims, two partially completed claim forms (one each for 71-00033 & -00034), and the Ditch Bill Easement Location Maps. Your Requests were forwarded to IDWR's main office for action, they have been granted and your copies are enclosed.

The claim forms are being returned to you for your consideration of the following:

- 1) @Item 4 - The map you enclosed indicates the point of diversion is located in the SWNE of Sec 12 (not NENESW)
- 2) @Items 6,7,8 - You are not required to identify the acre-feet amount for surface water rights. Since the SRBA commenced there has been a court decision and change in laws which deletes consumptive use volume from claims and decrees. You may wish to strike out the "16", "1", "17" & "17".
- 3) @Item 15 - The basis of your claim apparently is DECREE, according to IDWR records. That is, there was an old court case which dealt with the use of water from Fourth of July Creek.

If you choose to make edits please put a line through the incorrect entry and initial and date each item with the same pen.

Another issue which must be addressed, regardless of whether you change anything as discussed above, is that your signature MUST be notarized. It is perfectly ok to sign the form a second time, if the notary requires it. I would ask that you make any edits before the notarization is made. The appropriate area for the notary public to use is marked in yellow.

COPY

PENNY BRANIFF
1510 Cantera Avenue
Santa Barbara, CA 93110
(805) 682-3018

JUL 28 1997

July 22, 1997

James E. Stanton
Senior Water Resource Agent
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Notice of Claim to a Water Right
Claim #71-00033 and 34
Civil Case # 39576

Dear Mr. Stanton:

Enclosed please find two copies of a Ditch Bill Easement Location Map prepared by Sawtooth Engineering for the Shaw Mesa Property Owners Association to add to my file in the above-referenced claim.

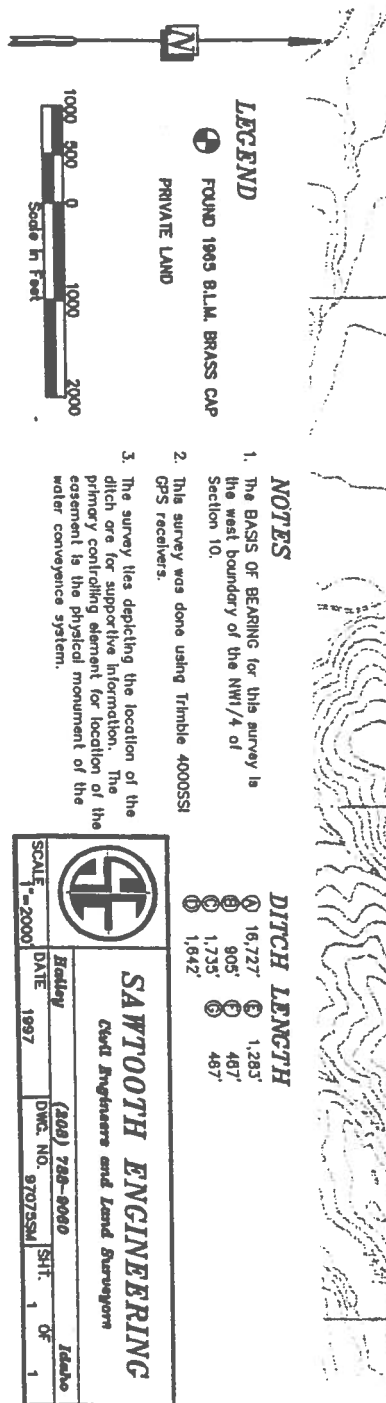
If you have any questions, please don't hesitate to call.

Sincerely



Margaret L. (Penny) Braniff

Enclosures (2)



LEGEND

- FOUND 1965 B.L.M. BRASS CAP
- PRIVATE LAND

NOTES

- The BASIS OF BEARING for this survey is the west boundary of the NW1/4 of Section 10.
- This survey was done using Trimble 4000SS1 GPS receivers.
- The survey lies depicting the location of the ditch are for supportive information. The primary controlling element for location of the easement is the physical monument of the water conveyance system.

DITCH LENGTH

- 16,727' 1,283'
- 805' 467'
- 1,735'
- 1,942'

SAWTOOTH ENGINEERING
Civil Engineers and Land Surveyors

SCALE: 1"=2000'	DATE: 1997	DWG. NO. 970735A	SHT. 1 OF 1
-----------------	------------	------------------	-------------

DITCH BILL EASEMENT LOCATION MAP

Applicant:	SHAW MESA PROPERTY OWNERS ASSOC.		
Location:	SECTIONS 8, 9 & 10, T. 8 N., R. 14 E., B.M.		
County and State:	CUSTER COUNTY, IDAHO		
Length and Width:	TOTAL EASEMENT LENGTH IS 23,226 FT., MORE OR LESS. WIDTH IS 15 FT., 7.5 FT. EACH SIDE OF CENTERLINE		
Located by:	SAWTOOTH ENGINEERING	Date:	7/7/97
Signature of Applicant:	<i>Ulgoret L. Braniff</i>	Date:	7/22/97



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 1997

Sandy Braniff
1510 Cantera Ave
Santa Barbara, CA
93110

Dear Ms. Braniff;

Per your request, enclosed are 3 forms and instructions for filing claim in the Snake River Basin Adjudication. Also enclosed is a request to file a late claim. The completed forms should be returned to this office without fees. Once permission to file late claims is granted, you will be notified as to what the filing fee will be.

Based on investigative work that has already been done on Fourth of July Creek, it appears that you may own portions of two water rights. The portion of your land that is west of the Lauder property is covered by a portion of Water Right 71-00034. The portion of your land that is south of the Lauder property and north of the Mitchell property is covered by a portion of Water Right 71-00033. A separate claim form should be used for each right that you claim. I do not know how much water you own, but I noticed that the Lauder and Mitchell claims are for 0.03 cfs per irrigated acre. This is about the average diversion rate for the users of these two rights, so you may wish to use this rate in filing your claims.

There is another claim that you may also wish to consider, and I have included a third claim form for this purpose. I am told that the diversion ditch from Fourth of July Creek can carry a lot more water than is used for irrigation of the various lands served by the ditch. The extra water is needed due to the high rate of water loss in the long ditch. In order to legally cover this extra water, all the users of the ditch may wish to file a joint claim to cover this. Of the 4.8 cfs diverted into the ditch on 6-30-1993, 1.8 cfs of conveyance loss occurred between the head of the ditch and the irrigated lands. With 1.4 cfs being dumped into Fisher Creek, 1.6 cfs reached the place of use. So the conveyance loss for rights 71-00033 through 00036 was more than what was actually available for irrigation. No additional investigative work on the Fourth of July Creek claims is scheduled for some time, so I am

just including this for your consideration at this time. As you have stated that James Mitchell is the lead person for the water users on this stream, you may wish to contact him on this matter. Allen Merritt of this office has been the investigator on these claims, and can answer any further questions you or Mr. Mitchell might have.

Regards,

James E. Stanton
Sr. Water Resource Agent