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AUG 29 1994

WATER RESOURCES
WESTERN REGION

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AUG 25 1994

WATER RESOURCES
WESTERN REGION

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: A63-20640

Date Received: 2/15/1990

Receipt No: W008953

Received By: Few
Additional fee on W017984

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DON BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH
NAMPA ID 83651

AND/OR

Name: MARILYN BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH
NAMPA ID 83651

AND/OR

Name: JOAN BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH
NAMPA ID 83651

2. Date of Priority: DEC 31, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	1	SW	NW			CANYON

5. Description of diverting works:

8" ARTESIAN WELL PIPED TO 2/HOMES & IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	03/15	11/15	0.780		

7. Total Quantity Appropriated is:

0.840 C.F.S. (and/or) A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC FOR 2/HOMES W/ LAWN.

A63-20640

Page

1

Date: 08/22/94

MICROFILMED
08/09/1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	1	SW	NW		DOMEST	
			SW	NW		IRR	39.0
					Section Acres		39.0
					Total Acres		39.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
DITCH WATER

14. Remarks:
WELL HAS ARTESIAN FLOW.

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): Don Brandt Date: 8-23-94

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of August 19 94

[Signature]
Notary Public

Residing at ampa, Idaho

My Commission Expires 6-22-99

Seal



Lipton

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: A63-20640
Date Received: ~~2/06/1990~~ 2-13-90
Receipt No: W008953
Received By: _____

RECEIVED
FEB 13 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: DON BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH 83651
NAMPA, ID
AND/OR
Name: JOAN BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH 83651
NAMPA, ID
AND/OR
Name: MARILYN BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH 83651
NAMPA, ID

2. Date of Priority: DEC 31, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	1	SW	NW			CANYON

5. Description of diverting works:
8" ARTESIAN WELL PIPED TO 2/HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 2/HOMES W/ LAWN.

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SEP 03 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	1	SW	NW		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
DITCH WATER

14. Remarks:
WELL HAS ARTESIAN FLOW.

15. Basis of Claim: BENEFICIAL USE

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SEP 03 1992

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): Don Brundt Date: 2-7-90

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of February 1990 Arnetta Anderson
Notary Public

Seal

Residing at Unaga Idaho
My Commission Expires 7/2/91

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SEP 03 1992

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME Brandt

CLAIM IDENT. NO. AL63-20640

DATE RECEIVED 2-13-90

RECEIPT # _____

AMOUNT \$ _____

- | | YES | NO | Required Info? |
|---|---|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | N/A ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | N/A ☒ | ☐ | |
| Is the consumptive use correct? | N/A ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 | N/A ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? | N/A ☒ | ☐ | * |
| (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | | | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? | N/A ☒ | ☐ | |
| (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | | | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) | N/A ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | ☒ | ☐ | * |

MICROFILMED

Receipt Details for ID W008953

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/15/1990 12:00:48 PM	2/15/1990	Western	\$891.00	Check
Payer		BRANDT FAMILY FARMS		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1212			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$891.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
51	12812		\$691.00	Claim
63	21610		\$25.00	Claim
63	20324		\$25.00	Claim
63	9417		\$25.00	Claim
63	20642		\$25.00	Claim
63	20633		\$25.00	Claim
63	20640		\$25.00	Claim
63	20652		\$25.00	Claim
63	26248		\$25.00	Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

April 22, 2009

Don Brandt
203 11th Avenue S
Nampa, ID 83651

Re: 63-20640

Dear Mr. Brandt:

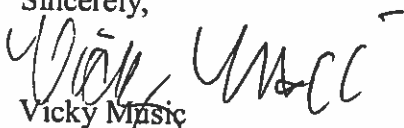
Your letter dated April 7, 2009, was forwarded to me to answer your inquiry regarding the quantity of 0.32 cfs decreed for the right referenced above. You enclosed the Partial Decree from the SRBA Court for this right, issued April 3, 2009. You asked that the quantity be changed to the original amount. Please keep this response with your water right information.

First, you never had a right for the 0.78 cfs from the artesian well. This is the quantity you claimed when you filed the SRBA Notice of Claim for this use. A licensed water right from this well and for the same acres claimed as those for 63-20640 was secured, I believe by your father, in 1946. That water right was no. 63-2638 and was developed to supplement the Pioneer Irrigation District shares used on the place of use. Right 63-2638 was not claimed in the SRBA and so it no longer exists.

When an IDWR field engineer conducted a field exam for 63-2638, the flow of the well was measured to be 0.33 cfs. That measurement was taken July 8, 1948, and was not disputed by your father. Hence, that right was licensed for 0.33 cfs for 39 acres of irrigation. Because IDWR had this evidence in its records of the quantity actually put to a beneficial use from that well, we used the 0.33 cfs when IDWR recommended claim no. 63-20640 to the SRBA Court. IDWR decreased the acres and quantity to account for the 2 acres of the original place of use that was sold and recommended to the SRBA Court that this claim be recognized as a right for .32 cfs on 37 acres.

IDWR cannot change a right that has been decreed by the Court. You can ask the Court to set aside the Partial Decree, but you will have to overcome the historical evidence IDWR has regarding the quantity of water developed from this well in 1946. IDWR water right information, including the scanned file for 63-2638, is available on the Internet at www.idwr.idaho.gov.

Sincerely,


Vicky Music
Senior Water Resource Agent



BRANDT AGENCY

REAL ESTATE - FARM MANAGEMENT

PHONE (208) 466-7821

FAX (208) 467-5565

203 - 11TH AVENUE SOUTH

NAMPA, IDAHO 83651

RECEIVED

APR 09 2009

WATER RESOURCES
WESTERN REGION

April 7, 2009

State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

In reviewing our paperwork, we discovered that the water for irrigation was cut from .78 cfs to .32 cfs. We are unaware of any reason for this and would request that this be changed to the original amount.

If you have any questions, please let me know.

Sincerely,

Don Brandt

Ti₂ tion

$$\begin{array}{r} 32 \\ \times 06 \\ \hline 192 \\ 1920 \\ \hline 1936 \end{array}$$

PAGE 1
Jan-21-2009

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20640

WATER RIGHT NUMBER: 63-20640

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN M BRANDT 203 11TH AVE S NAMPA, ID 83651 (208)466-7821
Current Owner	MARILYN I BRANDT 203 11TH AVE S NAMPA, ID 83651
Current Owner	DONALD K BRANDT 203 11TH AVE S NAMPA, ID 83651 (208)466-7821

Priority Date: 12/31/1942

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.060 CFS	
IRRIGATION	3/15 to 11/15	0.780 CFS	
	<u>Total Diversion:</u>	0.840 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 1, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

DOMESTIC Within CANYON County

T03N R02W S01 SWNW

IRRIGATION Within CANYON County

T03N R02W S01 SWNW 39.0

Total Acres: 39

Conditions of Approval:

1. WELL HAS ARTESIAN FLOW.

Remarks:

09/29/2006

NOTICE OF ERROR
REPLY

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: October 31, 2006

Water right number: 63-20640

JOAN M BRANDT
203 11TH AVE S
NAMPA ID 83651
Telephone Number: (208)466-7821

MARILYN I BRANDT
203 11TH AVE S
NAMPA ID 83651

DONALD K BRANDT
203 11TH AVE S
NAMPA ID 83651
Telephone Number: (208)466-7821

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

10-16-06

SIGNATURE:

Don Brandt

Please print your name:

Don Brandt

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

04/18/2006

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

RIGHT NUMBER: 63-20640

NAME AND ADDRESS: JOAN M BRANDT
203 11TH AVE S
NAMPA ID 83651

MARILYN I BRANDT
203 11TH AVE S
NAMPA ID 83651

DONALD K BRANDT
203 11TH AVE S
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
165.000 AFY

PRIORITY DATE: 07/09/1946

POINT OF DIVERSION:

T03N R02W S1 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS
IRRIGATION	03/01 11/15	0.320 CFS 165.00 AFY
Domestic use is for 2 homes.		

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S01 SWNW 37.00

DOMESTIC Within CANYON County

T03N R02W S01 SWNW

37 ACRES TOTAL

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 domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Pioneer Irrigation District.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 1

Water Right (s): 63-20640



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 37



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: April 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20640 V1

WATER RIGHT NUMBER: 63-20640 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN M BRANDT 203 11TH AVE S NAMPA, ID 83651 (208)466-7821
Current Owner	MARILYN I BRANDT 203 11TH AVE S NAMPA, ID 83651
Current Owner	DONALD K BRANDT 203 11TH AVE S NAMPA, ID 83651 (208)466-7821

Priority Date: 07/09/1946

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.060 CFS	
IRRIGATION	03/01 to 11/15	0.320 CFS	165.00 AF
	<u>Total Diversion:</u>	0.320 CFS	165.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 1, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

DOMESTIC Within CANYON County

T03N R02W S01 SWNW

IRRIGATION Within CANYON County

T03N R02W S01 SWNW 37.0

Total Acres: 37

Conditions of Approval:

1. C18 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.
2. W40 Use of this right is combined with water from Pioneer Irrigation District.
3. X01 Domestic use is for 2 homes.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20640 V1

4. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

Remarks:

Comments:

1. vmusic 4/18/2006 CLAIM AND LICENSE

Comment: THIS BENEFICIAL USE CLAIM IS AN OVERLAP OF LICENSE 63-2638 WHICH WAS NOT CLAIMED IN THE SRBA. HOWEVER, DURING THE LICENSING EXAM, THE WELL CAPACITY WAS DETERMINED TO BE .33 CFS AND SO WAS LICENSED FOR THIS Q. THE CLAIM IS FOR THE 1 INCH PER ACRE PLUS Q FOR 2 HOUSES FOR A TOTAL OF .84 CFS FOR THE 39 ACRES AND 2 HOUSES. WATER HAS ALWAYS BEEN SUPPLEMENTAL TO PIONEER IRRIGATION DISTRICT SHARES.

2. vmusic 4/18/2006 EVIDENCE OF PRIORITY

Comment: THE EVIDENCE OF PRIORITY SUBMITTED BY THE CLAIMANT IS HIS STATEMENT AND A STATEMENT FROM SOMEONE WHO FARMED THE PROPERTY FROM 1952. NEITHER STATEMENT SUPPORT THE CLAIMED PRIORITY DATE OF 1942 BUT BOTH SUPPORT THE LICENSED PRIORITY DATE OF 1946.

3. vmusic 4/18/2006 RECOMMENDATION

Comment: RECOMMENDED THE ELEMENTS AS LICENSED IN 63-2638 EXCEPT DECREASED ACRES BY 2 THAT HAD BEEN SOLD PRIOR TO THE FIELD EXAM IN 2003.

4. vmusic 4/18/2006 POU AND POD

Comment: NO MAP WAS PROVIDED WITH CLAIM. USED LICENSED POD AND POU.

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	2/13/2006 11:30:27 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
POU	4/18/2006 3:52:50 PM	vmusic	Updated shape for Active POU
Contacts	4/18/2006 3:36:19 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20640 V1

General	4/18/2006 3:36:46 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 13. Has additional evidence of priority date been submitted? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/18/2006 3:37:33 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	4/18/2006 3:43:48 PM	vmusic	Updated shape
Source	4/18/2006 3:44:39 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - LICENSE FILE FOR OVERLAP AND FIELD EXAM IN 2003
POU	4/18/2006 3:45:00 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	4/18/2006 3:49:57 PM	vmusic	Updated shape for Active POU
POU	4/18/2006 3:52:32 PM	vmusic	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20640 V1

Use	4/18/2006 3:53:33 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - LICENSE EXAM FOR OVERLAP AND 2003 FIELD EXAM
Season	4/18/2006 3:54:26 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	4/18/2006 3:50:20 PM	vmusic	Updated shape for Active POU
Quantity	4/18/2006 3:56:19 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - MEASUREMENT MADE WHEN OVERLAP WAS LICENSED . 2003 FIELD EXAM A MEAS WAS NOT MADE. Description for Question 10 - .32 X 1.9835 X 260 = 165 AFA

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20640 V1

Summary 4/18/2006 3:58:35 PM vmusic

(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
(Yes) 4. Is any portion of the claim be recommended?
(No) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(No) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date?

Water Supply Bank:



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

February 22, 2006

JOAN, MARILYN AND DONALD BRANDT
203 11TH AVE S
NAMPA, ID 83651

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-20640

Dear Claimant(s),

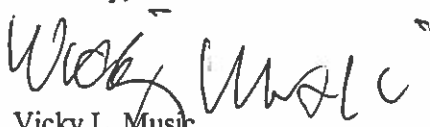
In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a printout of the claim(s) for your reference. You indicated, when this claim was filed, that the water right(s) was based on a "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Please submit the required evidence supporting the priority date(s) by March 15, 2006.

Please let me know if have questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,


Vicky L. Music
Senior Water Resource Agent

Enclosures: Notice of claim report for A63-20640 and "Evidence of Priority" brochure

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



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 3, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Water Works, Inc., to assist us with this task.

The purpose of this letter is to advise you that Water Works, Inc. might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Water Works, Inc. with access to your water diversion system so that their personnel can conduct this field examination. Water Works, Inc. will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. ~~Experience has shown that water users who~~ work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Water Works, Inc. to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

December 16, 1998

KARL J. DREHER
DIRECTOR

DON BRANDT
BRANDT FARM MANAGEMENT SERVICE
203 11TH AVE S
NAMPA ID 83651

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #A63-02789 & A63-02640

20640

Dear Mr. Brandt:

Your December 10, 1998, letter to Karl Dreher was forwarded to my section for response.

The reason you have not received a listing on the two water rights referenced above is because they both have uses in addition to domestic:

#A63-02789 has uses of domestic, irrigation and fire protection.

#A63-02640 has uses of domestic and irrigation.

Irrigation and other rights will be reported at a future date. At this point in time, our goal is to report them in May, 2002.

Please be sure to notify us if your address changes, and call me if you have any further questions.

Sincerely,



Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
cc: K. Dreher

BRANDT FARM MANAGEMENT SERVICE

EXPERIENCED :: SUCCESSFUL :: COMPLETE

RECEIVED

203 ELEVENTH AVENUE SOUTH
NAMPA, IDAHO 83651

DEC 15 1998

Department of Water Resources

12/10/98

Karl Dreher
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720

Karl,

We have received numerous listings on our domestic water rights but failed to receive them on 2 farms.

We would appreciate your checking on them.

They are as follows, in the name of:

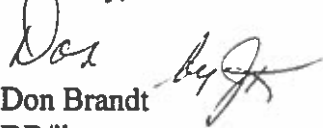
John H. Brandt (Home Place) Sec.10-T.3N.,R2W. NE NE

Don, Joan & Marilyn Brandt (Tipton property)

Sec. 1-T.3N.,R2W. SW NW

Thank you for you help.

Sincerely,


Don Brandt

DB/jk

AG 3-02799
20640
AG 3-~~22640~~
Don + II

MEMORANDUM

TO: CINDY HODGES

FROM: STEVE LESTER *SL*

DATE: JANUARY 17, 1995

RE: CLAIM NO. A63-20640, USE OF WELL FOR IRRIGATION

I received an undated note sometime after the claim was amended (8-22-94) that this well use should be checked out to see if valid irrigation use was involved. Due to an extremely busy late summer period in 1994, no field check was made.

Please put this matter on your calendar for a spot check sometime in the early part of the 1995 irrigation season. Perhaps the best time might be just prior to initial deliveries to the local canals, especially if that time is somewhat dry and irrigation from wells could be expected.

We can discuss this in more detail sometime in late winter or early spring. A copy of the amended claim is included.

MICROFILMED
OCT 09 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 25, 1994

RE: Notice of Claim to a Water Right No. A63-20640

Don Brandt
203 11th Ave. South
Nampa, ID 83651

Dear Mr. Brandt:

We received the amended claim in our mail this afternoon. However, we cannot accept this claim form until the notary public attaches a seal to the notarization. Enclosed you will find Departmental Receipt No. W017984 in the amount of \$25.00 for the additional filing fee submitted for this amended claim.

Please return the claim form to this office as soon as the notary attaches a seal. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

REFILED
109 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 22, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of Claim to a Water Right No. A63-20640

Don Brandt
203 11th Ave. South
Nampa, ID 83651

Dear Mr. Brandt:

Pursuant to our telephone conversation this morning, enclosed you will find an "Amended Notice of Claim to Water Right No. A63-20640". Please note that I have included, under item 6, an irrigation use from March 15 to November 15 for 0.78 cfs which would be an inch of water for each of the 39 acres irrigated. Also, on item 10, you will see that the 39 acres have been inserted to show the irrigation occurring within the SWNW, Sec. 1, Twp. 3N, Rge. 2W.

The fee for amendment of this claim is \$25.00. A \$25.00 filing fee was submitted under Receipt No. W008953 on February 13, 1990. The flat fee for an irrigation claim is \$50.00, plus \$1.00 per acre for number of acres claimed. However, in this case Pioneer Irrigation District had also claimed these acres as irrigated so the \$1.00 per acre fee has been submitted.

Please sign this form in the presence of a notary public and return it to this office along with the additional \$25.00 fee. If you have any questions in regard to this amended claim, please do not hesitate to contact our office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

MICROFILMED
OCT 09 1996

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 08/22/94

Time: 11:56:44

Rec/No - W008953 AR/No -
From: - BRANDT FAMILY FARMS

Receipt Type - CK Doc/No - 1212
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 02/15/1990

Type Of Payment
ADJUDICATION CLAIM FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		891.00

Total Due - 891.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6110683	691.00	A6321610	25.00	A6320324	25.00
A6309417	25.00	A6320642	25.00	A6320633	25.00
A6320640	25.00	A6320652	25.00	A6326248	25.00

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

Claim fee 50.
acres 39.
89.
- 25. paid
\$64. due
- 39. (Pioneer pd)
25. due

MICROFILMED
OCT 09 1996

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: A63-20640
Date Received: 2/15/1990
Receipt No: W008953
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DON BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH
NAMPA ID 83651
AND/OR
Name: MARILYN BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH
NAMPA ID 83651
AND/OR
Name: JOAN BRANDT 208-466-7821
Address: 203 11TH AVE. SOUTH
NAMPA ID 83651

2. Date of Priority: DEC 31, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	1	SW	NW			CANYON

5. Description of diverting works:
8" ARTESIAN WELL PIPED TO 2/HOMES & IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	03/15	11/15	0.780		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 2/HOMES W/ LAWN.

A63-20640

Page

1

Date: 08/22/94

DO NOT FILM

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	1	SW	NW		DOMEST	
			SW	NW		IRR	39.0
					Section Acres		39.0
					Total Acres		39.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
DITCH WATER

14. Remarks:
WELL HAS ARTESIAN FLOW.

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: _____

WATER RIGHT NUMBER - A63-20640

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (CD) NUMBER -

LAST NAME - FIRST NAME - ADDRESS -

*** C - CURRENT OWNER ***
BRANDT

DDN

1 - 203 11TH AVE. SOUTH
2 -
3 -

STATE- ID ZIP- 83651

BRANDT

JOAN

CITY- NAMPA
PHONE - 208-466-7821
1 - 203 11TH AVE. SOUTH
2 -
3 -

STATE- ID ZIP- 83651

BRANDT

MARILYN

CITY- NAMPA
PHONE - 208-466-7821
1 - 203 11TH AVE. SOUTH
2 -
3 -

STATE- ID ZIP- 83651

PRIORITY DATE - 12/31/1942
REGION - 14 WESTERN

STAGE -
J - BENEFICIAL USE

STATUS -

SOURCE -
GROUNDWATER

TRIBUTARY -

TWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION
STREAM INDEX (BLANK IF NO INDEX CODE)

03N 02W 1 SW NW (27) CANYON

CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE
DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31

0.060

TOTAL DIV. RATE - TOTAL DIV. VOLUME - TOTAL DIV. CAPACITY - TOTAL CONSUMPTIVE USE - KW USAGE -
0.060 0.0

TWN RNG SEC TRACT LOT ACRES PLACE OF USE
DESCRIPTION COUNTY

03N 02W 1 SW NW 43 DOMESTIC (27) CANYON

DIVERSION MEANS - 8" ARTESIAN WELL PIPED TO 2/HOMES
NON-IRRIGATION USE - DOMESTIC FOR 2/HOMES W/ LAWN.
OTHER RIGHTS FOR SAME USE - DITCH WATER

REMARKS
WELL HAS ARTESIAN WELL PIPED TO 2/HOMES

JUL 27 1994

WATER RIGHT NUMBER - A63-20640

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD WATER RIGHT NUMBERS
OLD WATER RIGHT NUMBERS
NO OLD WATER RIGHT NUMBERS FOUND.
CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF
DEGREE DEFENDANT
DEGREE DATE

AUDIT FIELDS - 09/25/91 HARRIS

COMMENTS
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA
COURT REPORT FILING
OBJECTION FILED DATE
RESPONSE FILED DATE
CLAIM RECEIVED DATE
PROOF DUE DATE
LICENSED DATE
CLAIMS TAPE ERROR FLAG
FEE EXEMPT FLAG
FIELD INSPECTION MADE
FIELD INSPECTION FLAG
VERIFIED DATE
LAST AMENDED DATE
PROOF MADE DATE
RECEIPT NUMBER
POU OWNERSHIP FLAG
NAME CONNECTOR
CIVIL CASE NUMBER
OLD CASE NUMBER
OLD JUDICIAL DISTRICT
TEMPORARY RIGHT
WATER DISTRICT
FEDERAL/STATE INDICATOR
PRESUMPTION FLAG
NOTICE OF ERROR FLAG

IR 20763-000-0

DATA ENTRY
ENTERED
CHECKED

Verified By
Topo Map/Ortho-PO
ASCS Map
Watermaster Records
MAPP Plots
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
ITVIR Records

VERIFIED
DEC 7 1992

CERTIFIED
JUL 28 1993
WATER EXAMINER

MICROFILMED
JUL 27 1994

RECEIVED

MAR 01 2006

WATER RESOURCES
WESTERN REGION

AFFADAVIT

I, Don Brandt, hereby give my recollections of the artesian well located in the SW1/4 NW1/4 of Sec 1, T.3N, R.2W, BM.

I cannot state exactly when the well was drilled, but my dad John H. Brandt, was alive when we filled out the claim for the adjudication and he said it was drilled in 1942.

I have enclosed a letter from L.V. Gray backing up that contention. I remember the well in the late 40's.

It was used to serve the homes and irrigation part of the farm at first and later was used as a backup on the entire farm in drought years.

The well is artesian flow, except that the houses have a pressure system to boost the pressure.


Don Brandt

2-27-06
Date

Western Region Water Resource
2735 Airport way
Boise ID. 83705

RECEIVED

MAR 01 2006

WATER RESOURCES
WESTERN REGION

SUBJECT; Well rights;

Dear Sir;

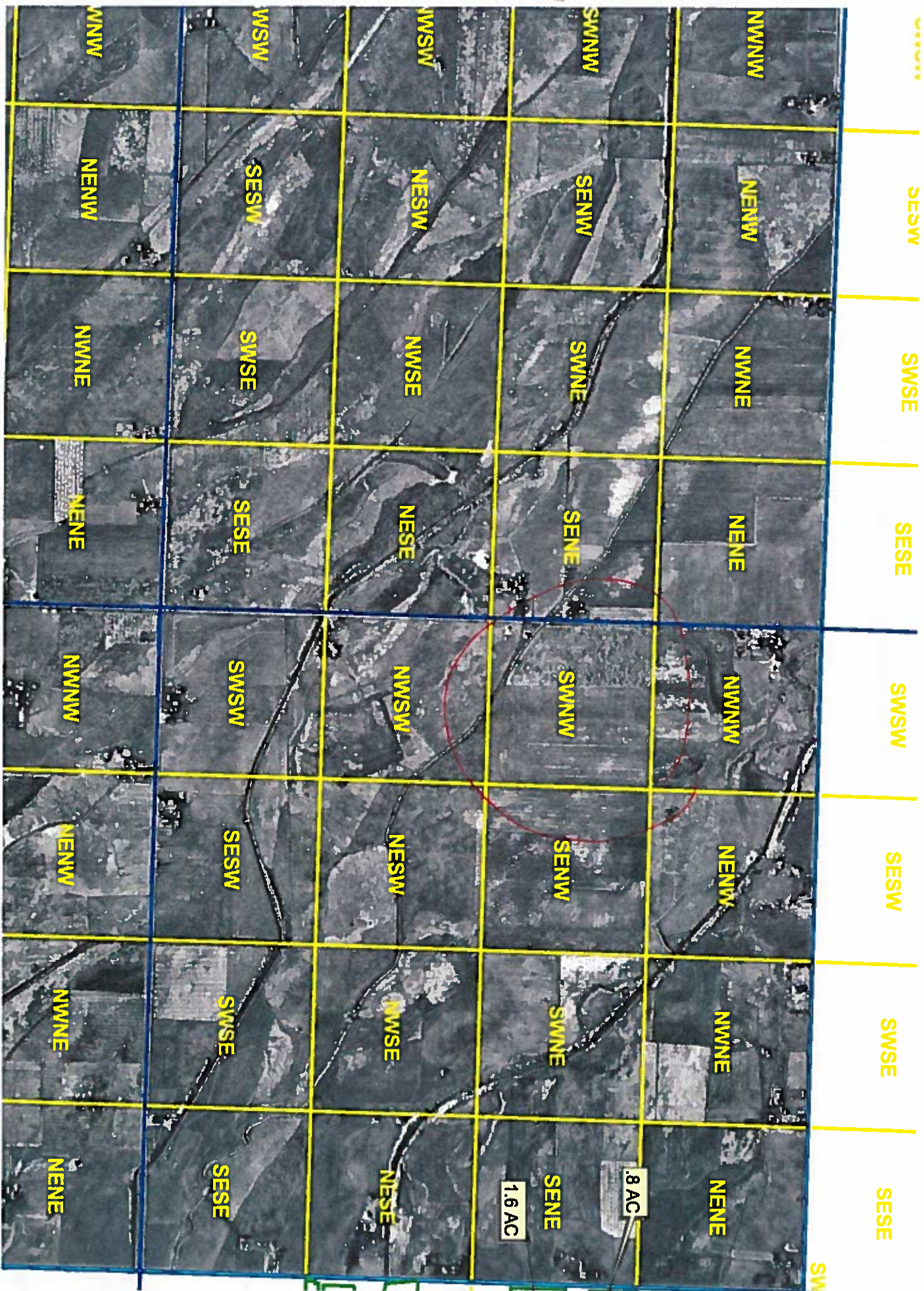
Don Brandt has asked ,If I had any memory of the Artesian well that is located in Sec 1,3
N -2W-SW1/4-NW1/4;

I farmed that property for John Brandt from 1957 until 1985, The well was present at
that time, As I have farmed in this area since 1952, I remember as that corner was at one
time a Tent city Labor camp, The well was drilled to supply that camp and irrigate some
high ground next to the canal.

Sincerely



L. V. Gray
19459 Franklin Rd.
Nampa, ID. 83687



REAL PROPERTY INQUIRY

```

+++++
01 6R30763-000- -0 061-00 N SCH139+ 01 26,900 34.49
+++++
10 33,800 1.00
BRANDT, JOAN M + 19 2.02
& BRANDT, DONALD KEITH + 31 35,600
& BRANDT, MARILYN I + 32 1,600
+
+
203 11TH AVE S +
NAMPA ID 83651 +
+++++
01-3N-2W NW + TOTAL 97,900 37.51
SW NW LS TX 6 & TX 00139 ++++++
+ SURVEY INST 200008169
+ DRAIN DR VALUE APPR DYW
+ CLASS R1 REAP 00 MAN 01 UNIT 1
+ PARCEL 6R03N02W013600 H/O N C/B N
+ PRIOR ACCOUNT 5R30763-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

```

ACCOUNT NUMBER R30763000 0 UNIT 001 TOTAL UNITS 1

SITE 17540 11TH AVE N EXT NA SEC/TWN/RNG 01-3N-2W
ASSESSED VALUE 97,900 ACREAGE 37.51
SUB/PARK NAME YEAR/MAKE
CLASS R1 RENTAL HOUSE CLASS '1' SPACE LOT BLOCK
+++++
YR BUILT 1947 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING GAS FA CARPORT SQ FT
FIRST SQ FT 1074 EXTERIOR WOOD SIDING DECK/PATIO? N
SECOND SQ FT ROOF WOOD SHINGLES POOL? N
BEDS 2 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D1 NEIGHBORHOOD 0
GARAGE SQ FT 220

```

```

+++++
COMMENTS WALL FURN MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

01 ACCOUNT: 6R30763-000- -0 AREA 061-00 DRAIN VALUE CLASS R1 H/O N
SEC 01 TWN 3N RNG 2W QTR NW CITY/SUB 0 BLK LOT 3600
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
BRANDT, JOAN M SLEIGHT, VANESSA D
& BRANT, DONALD KEITH & SLEIGHT, FRED M W/H
& BRANDT, MARILYN I

```

MAILING ADDRESS

LEGALS

203 11TH AVE S
NAMPA ID 83651

01-3N-2W NW
SW NW LESS TX 6 & TX 00139

SITE ADDRESS

17540 11TH AVE N NA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R30763000 0
PARCEL 03N02W013600 SRVY
INSTR 200008169 ACRES 37.51
SPLIT YR DOCUMENT DD

733803,742443,737602,9922638
200008169
SPLIT 2.01AC TO R30763-010- -0

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-20640

02/13/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
20640	Claim	03N	02W	1	SW	NW		IRRIGATION	39/39	JOAN M BRANDT
2638	Water Right	03N	02W	1	SW	NW		IRRIGATION	39/39	JOHN H BRANDT
20640	Claim	03N	02W	1	SW	NW		DOMESTIC		JOAN M BRANDT

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-20640

04/18/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-5200	Claim	03N	02W	1	SW	NW		GROUND WATER	PIONEER IRRIGATION DISTRICT
63-20640	Claim	03N	02W	1	SW	NW		GROUND WATER	JOAN M BRANDT
63-2638	Water Right	03N	02W	1	SW	NW		GROUND WATER	JOHN H BRANDT
63-5200	Water Right	03N	02W	1	SW	NW		GROUND WATER	PIONEER IRRIGATION DISTRICT

Desk-top review/vlm

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-20640

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address not same - Canyon CO may have renumbered.
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 12/31/1942*

(If priority date, based on your exam, seems questionable, explain below.)

licensed as 63-2638 w/ 7-9-46 p-date.Source: GW Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

see dam, field exam of 2003

OVERLAP REVIEW

Other water rights with the same point of diversion: *none*

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

$$* (.0085)(36) = .31$$

WATER USES

☒ No change

☐ Different Uses

Use *Dom* From *1-1* To *12/31* Amount *.06* CFS AFA

Use *SW* From *1-1* To *12/31* Amount CFS AFA

Use *IRR* From *3/1* To *11/15* Amount *.32* CFS *154.87* AFA *165*

$$(30)(14.5) = 435 \text{ AFA} \text{ or } (.32)(1.0035)(260) = 82.8 \text{ AFA}$$

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount *.32* CFS *154.87* AFA *165*

☐ Changes found, the new total is, Amount CFS AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

* since 63-263B was not claimed in the adj. but was issued for this POU. system capacity determined to be .33 cfs for 30 ac. or .0085 cfs/ac.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-2638 was licensed but not claimed

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: NO SEE claim, field exam in 2003 and licensing exam for 63-2638

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Desm use is for 2 homes and includes 1/2 ac.
Q for dam not a det of his bldg
Q for dam not to 13k gpd
rt. is supplemental to Pioneer Irr District water
meter # 2307630000.

- (1) app not sufficient to ~~establish~~. to establish b/a in 1942
- (2) license 63-2638 for same well & pou. well capacity established to be .33 cfs.
- (3) recommend as licensed minus the 2 acres sold.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

4-18-06

Vicki Chaff

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20640

WATER RIGHT NUMBER: 63-20640

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN M BRANDT 203 11TH AVE S NAMPA, ID 83651 (208)466-7821
Current Owner	MARILYN I BRANDT 203 11TH AVE S NAMPA, ID 83651
Current Owner	DONALD K BRANDT 203 11TH AVE S NAMPA, ID 83651 (208)466-7821

* same POD & POD were
licensed as 63-2638.. not
claimed in SRBA. i.e. exam found
well capacity to be .33 cfs.
claimed 1" / ac. supp to Pioneer

Priority Date: 12/31/1942
Basis: Beneficial Use
Status: Active

7/9/1946

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.060 CFS	
IRRIGATION	3/15 to 11/15	0.780 CFS	165 ac/a
	3/1	<u>Total Diversion:</u> 0.840 CFS	.32

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4 Sec. 1, Twp 03N, Rge 02W, B.M.
CANYON County

$.33/39 = .0085 \text{ cfs/ac licensed. } (.0085)(37) = .3145 = .32 \text{ cfs}$

Place of Use

DOMESTIC Within CANYON County

T03N R02W S01 SWNW

IRRIGATION Within CANYON County

T03N R02W S01 SWNW 38.0

Total Acres: 39

37

$(37)(4.5) = 166.5 \text{ ac}$ or $(.32)(1.4935)(260) = 165 \text{ ac/a}$

Conditions of Approval:

1. WELL HAS ARTESIAN FLOW.

Remarks:

* Dam use is for 2 homes, no irrigation
no Q for Dam not acct of his blu
w/ Pioneer in Dis.
Parcel # 230-1630000

State of Idaho
License and Certificate of Water Right

Water License No. 19875

Amount 33 Second foot

Water District No. _____

Priority July 9, 1946

THIS IS TO CERTIFY that

JOHN H. BRANDT

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 9, 1946; that Permit No. 19875 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.50 second feet, was issued thereunder on June 14, 1947, showing that said works were completed on the 22nd day of May, 1947; and that on the 21st day of July, 1947,

JOHN H. BRANDT

of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well ~~located on the~~ _____, for the purpose of irrigation and domestic use, under Use Permit No. 19875 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4468, on the 14th day of March, 1949; The right hereby confirmed dates from July 9, 1946;

The Point of Diversion is located

in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, Tp. 3 N., R. 2 W., B. M. Canyon 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 0.33 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	2 W.	1	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	39

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 State Reclamation Engineer, affixed at Boise, Idaho, this 14th day of March, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Canyon

SS.

John H. Brandt, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 19875, and that his postoffice address is NampaState of IdahoSecond: That the name of the stream from which said water is to be directed is artesian well from underground flowThird: That the point of diversion of said water is SW NW Sec 1, T34 R14B4Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 12, 1947Fifth: That the use for which said water is intended is domestic irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: field ditch and flume pipe for irrigating
(Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work: 600 ft ditch 24 ft flume(a) Height of dam X feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir X acre feet.(c) Size of headgate: Width X feet, height _____ feet.(d) Conduit ditch width at bottom 1 feet, width at water line 2 feet, depth of water 1 feet; diameter of pipe 8 inches, average grade per mile is _____ feet. Length of conduit is 4.5 miles.

(State whether ditch, flume or pipe)

Seventh: That said works are capable of conducting to the place of intended use 30 to 50 inches second-foot of waterEighth: That water appropriated under said permit is available for 40 acres of land described as follows: SW NW Section 1, T34, R24B4

Ninth: Remarks: That _____

John H. Brandt
(Sign here)Subscribed and sworn to before me this 22 day of May, 1947My commission expires Feb 16, 1949Dillon W. Lister
Boise, Idaho

Notary Public.

19875

DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19875

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant John H. Brandt, R.R. 5, Nampa, Idaho
2. Source of water supply: Underground flow (artesian well)
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1
T. 3 N. R. 2 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same:
A valve-controlled artesian well discharging through a four inch horizontal pipe into a small ditch, and thence by flume across a canal for use upon the northern portion of the irrigated area
5. Water is used for Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres

Under cultivation in each forty-acre tract (Describe manner and place of use if other than irrigation)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 3 North, Range 2 West, B. M.

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

8. What large stream would the water here appropriated finally reach?
- Remarks: Depth of well unobtainable at time of examination. Discharge pipe was flowing 62.5 per cent full, estimated flow 0.2 second foot.

Note:- An actual measurement later demonstrated a rate of flow of 0.33 second feet (Meas't. taken July 8th 1948)

This examination was made on the 4th day of September, 19 47

(Signed)

H. H. Holman
Examiner.

19875

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

JOHN H. BRANDT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 4:45 P. M. July 9, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19875

Recorded in Book 71 Page 19875 Approved July 12, 1946

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before September 12, 1946

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 12, 1947

The whole of said work to be completed on or before July 12, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before July 12, 1947

Witness my hand this 12th day of July, 1946

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS

Governor of the State of Idaho,

and IRA H. MASTERS

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th

day of July, 1946

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

By ARNOLD WILLIAMS

Governor.

Secretary of State.

Remarks: Depth of well-576 feet-Size of casing 4"

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N.	2 W.	1							40										40

14-A: Existing water rights and/or valid permits appurtenant to the lands to be irrigated are.. 25 inches Pioneer Irrigation water, plus supplemental Arrowrock storage right.

PERMIT NO. 19875

Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that JOHN H. BRANDT, of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 19875, issued upon Application No. 27421, bearing date of priority of July 9, 1946, authorizing the diversion of 0.50 second foot of the waters of an artesian well (subterranean), County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to place of intended use 0.50 second foot of the waters of said artesian well; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 3 North, Range 2 West, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, Township 3 North, Range 2 West, B.M.

Witness my hand this 14th day of June, A. D. 1947.

Proof of completion of works made May 22, 1947

Certificate of completion of works issued June 14, 1947

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 0-32-22-113

7.4462

TOWNSHIP 3-NORTH

RANGE 2-WEST

FLOWING WELL.
2
POINT OF DIVERSION

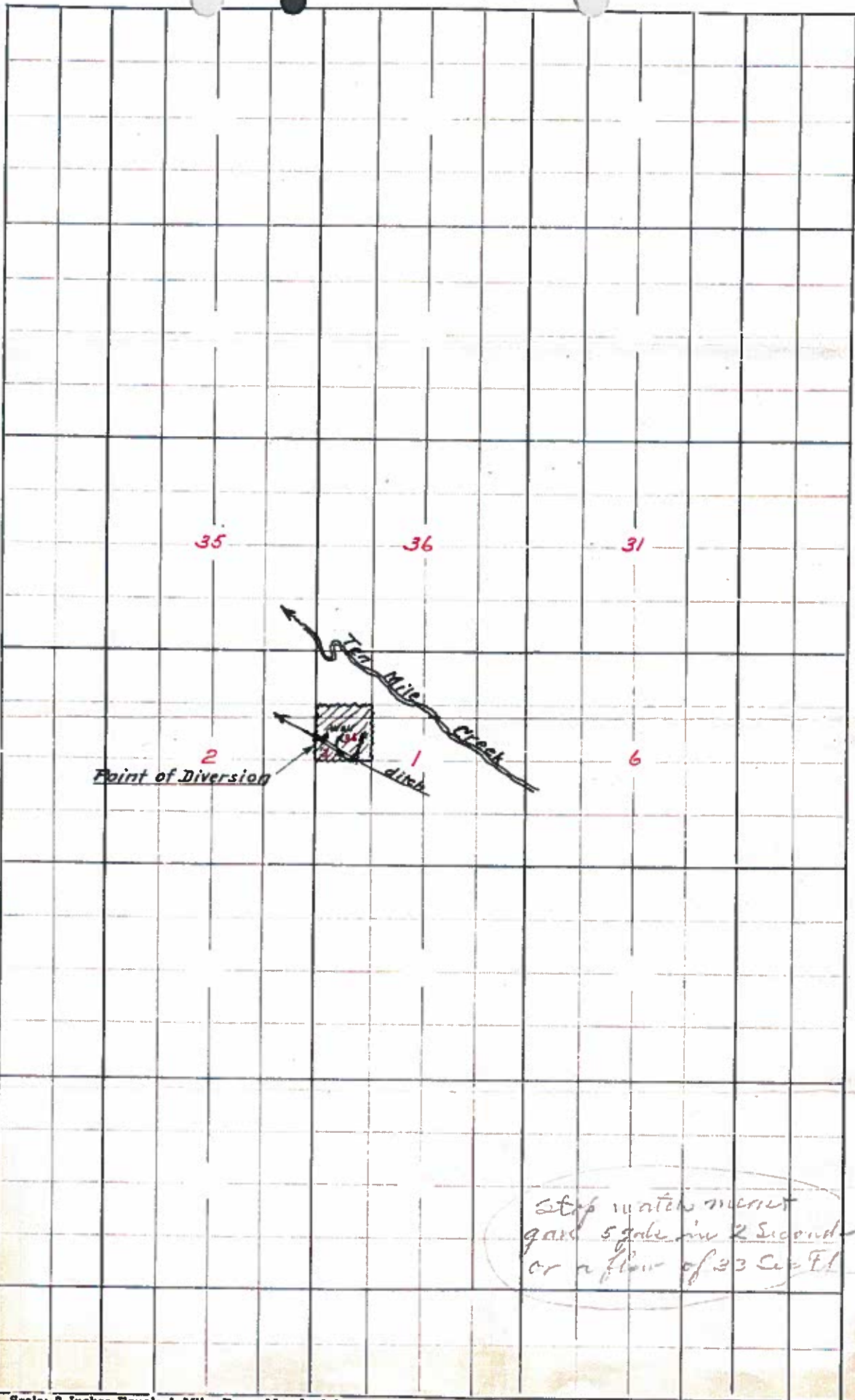


Permit Map No. 49875

As Approved

JUL 12 1946
MARK R. KULP

State Reclamation Engineer



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

19875



BRANDT AGENCY

Insurance - Loans - Real Estate

JOHN H. BRANDT, MANAGER

PHONE 23-R

204 TWELFTH AVENUE SOUTH

NAMPA, IDAHO

9 March 1948

Dept. of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson

Re: Permit No. 19875

Gentlemen:

We are in receipt of your letter of March 5, stating that your Field Engineer has made an examination of the use of the artesian well which I have on the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 3 North, Range 2 West, of the Boise Meridian. It is stated that license will be issued on 3 inches as 3 acres has been irrigated.

It is true that only 3 acres have been irrigated exclusively from the well, but all surplus water above what is required for the 3 acres is piped across the canal and dumped into my regular water as a supplement. We do not feel that it would be proper to allow only the 3 inches, since the well actually flows many times this amount and since the water will all be used on this 40 acres. The entire 40 lies in such a way that the well water may be used on any part of it.

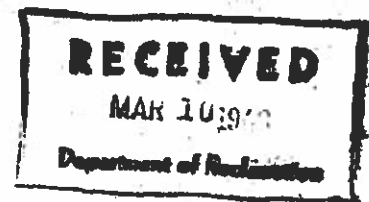
Please let me hear from you.

Very truly yours,

Brandt Agency

John H. Brandt
John H. Brandt

JHB:ar



14875.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-20640

Date: 2-01-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	2W	01							39										39
-GIS-										39										39
Claim																				
-GIS-																				
Claim																				
-GIS-																				
Claim																				
-GIS-																				
Claim																				
-GIS-																				

Number of POD's 1

Total Claimed Acres: 39

Overlapping POU Claim #'s:

Total GIS Acres: 39

COMMENTS:

poa per county data

Field Investigation Report

Completed by **Karan Waters**

Claim Number **63-20640**

Contact:

Contact Date: **6/6/03**

DON **BRANDT**

203 11TH AVE SOUTH

NAMPA **ID** **83651**

(208)466-7821

Source of Information

Don Brandt

Contact Comments

☒ **Verified**

☐ **New owner**

Appointment Date: **6/9/03**

Appointment Time: **1:30 PM**

POD id **235972**

Legal Description **03N 02W 1 SW NW**

Desc of Diversion W **8" artesian well piped to 2/homes & irrigation system**

Site Tag # **a0002038**

GPS File Name **256**

Motor Make

Pump Make

Horsepower

Pressure gage

pump bowl or static

Depth level

dyn. pump level

POD Remarks:

artesian well is also piped underground to provide supplemental water for irrigation of approx. 37 acres. 2 acres has been sold since claim was filed and water is not provided there from this well.

Pressure gage at sprinkler

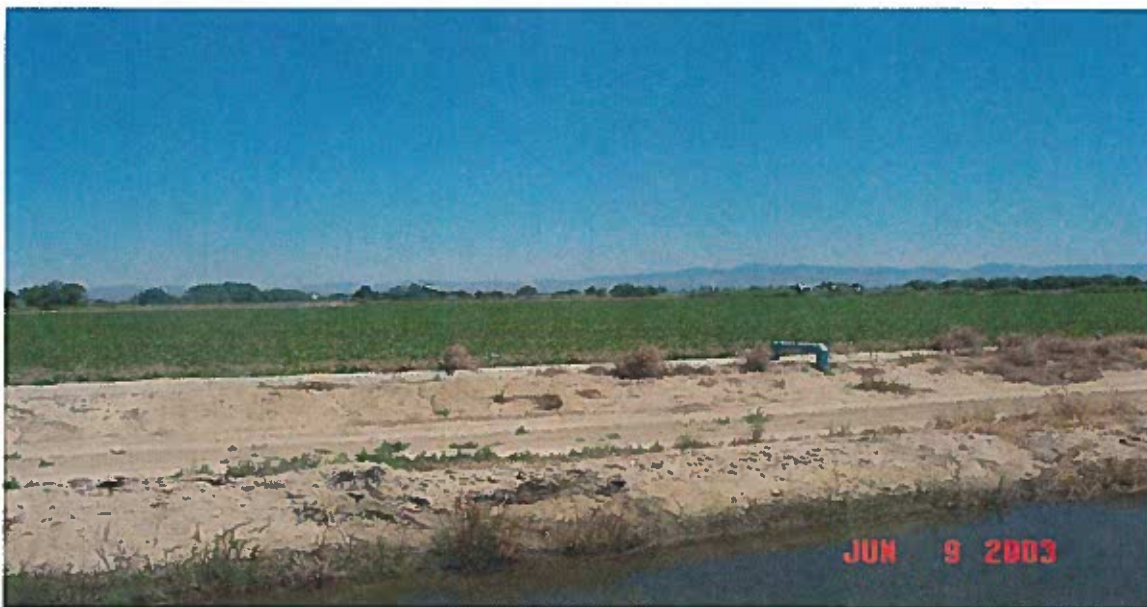
Bucket Measurement (gps)

Calc Method:

Flow (cfs)

Photos

dsc00456	delivery pipe for field irrigation facing north from back driveway
dsc00457	pou 1 home facing S
dsc00458	pou 2nd home facing N from driveway
dsc00459	Both homes front yards from street facing E
dsc00460	pod artesian well system
dsc00461	pou from street facing E



DSC 00456 TOP, DSC 00457 MIDDLE, DSC 00458 BOTTOM





DSC 00459 TOP, DSC 00460 MIDDLE, DSC 00461 BOTTOM

