

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: A36-07460B
Date Received: 10/24/1990
Receipt No: X777777
Received By: lu

RECEIVED

NOV 5 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIKE BRANCHFLOWER
Address: P.O. BOX 392
WENDELL, ID 83355

208-536-2594

2. Date of Priority: MAR 25, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	14E	3	NE	NE	SW		GOODING

5. Description of diverting works:
WELL, PUMP, PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.040		264.00

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

8. Total consumptive use is 198.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	14E	3	NE	SW		IRR	33.0
			SE	SW		IRR	33.0

Section Acres 66.0

A36-07460B

Page 1

Date: 10/24/90

MICROFILMED

FEB 04 1993

10. Place of Use: Continued

Total Acres 66.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

PORTION OF SPLIT RIGHT: TRANSFER #3684
JANSS--13.16, A36-07460A
BRANCHFLOWER--1.04, A36-07460B

15. Basis of Claim: LICENSE

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):

[Signature]
Kathy Branchflower

Date: Oct 31, 1990

Date: 10-31-90

State of Idaho)

County of _____)

) SS.
)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

February 21, 1990

For sufficient consideration, I, Peter Janss, hereby transfer to Mike Branchflower two hundred and twenty-seven inches of water previously used by me under license number 36-7460.

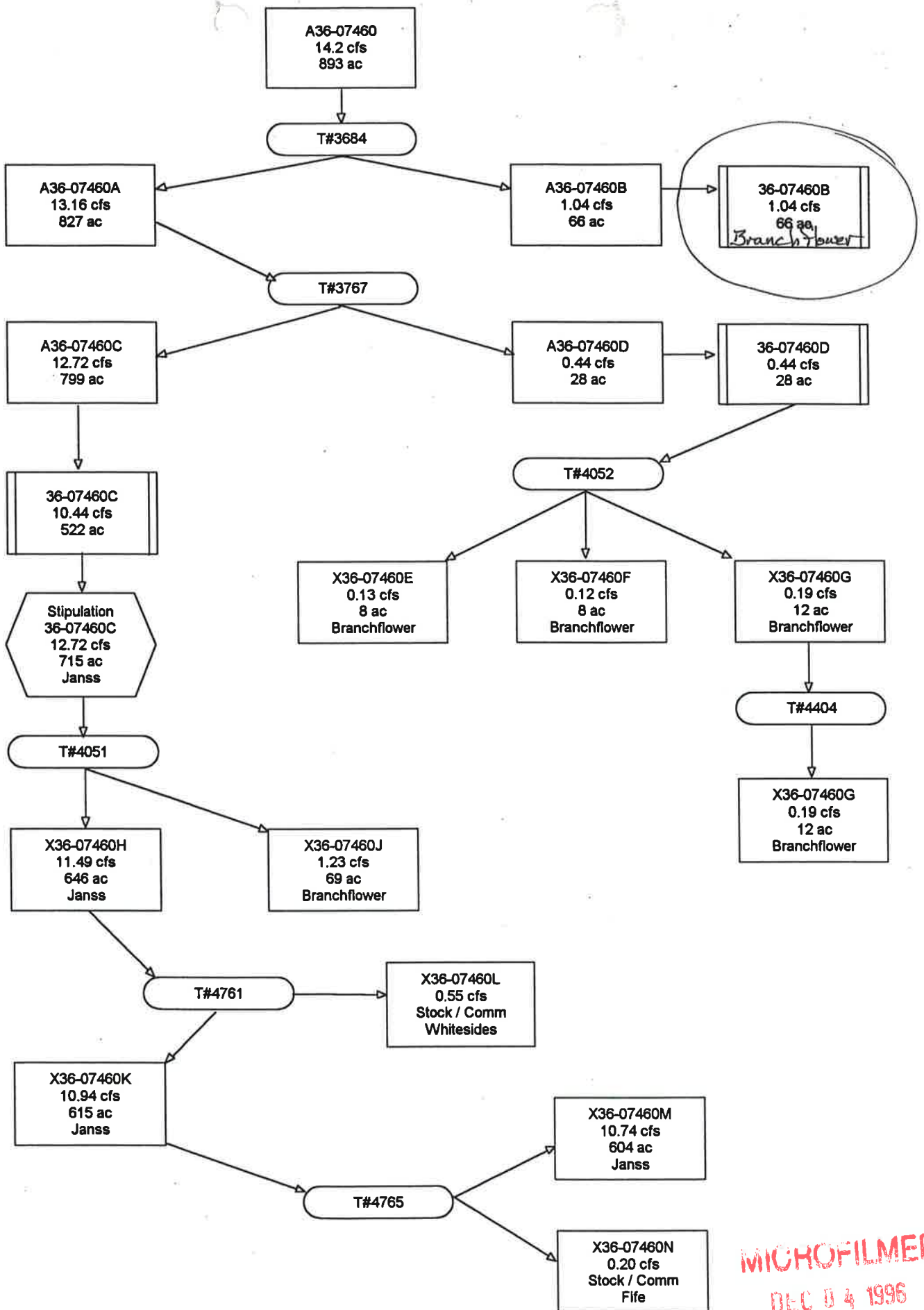
4.54 ⁶⁵
- .66 T3684
3.88



Peter Janss
Managing Partner
Janss Farms

Attachment A

MICROFILMED
FEB 04 1993



MICROFILMED
DEC 04 1996

5/15/96 DJ

RECEIVED

JAN 23 1995

Department of Water Resources
Southern 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

Case No. 36-07460B

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to
part I of the director's report pursuant to I.C. section 42-1412(2).

MICROFILMED
DEC 04 1996

2. Person who filed objection:

Name: MICHAEL & KATHERINE BRANCHFLOWER
Address: PO BOX 392
WENDELL ID 83355

3. If this response is filed by an attorney:

Attorney Name: NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection as to:

☒ the total quantity of water used in cubic feet per second

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: IDWR recommended that amount of water the claimant is entitled to based on the portion of the original license on which the claim was filed, and in accordance with transfer #3684 approved by IDWR in 1990.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☐ ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

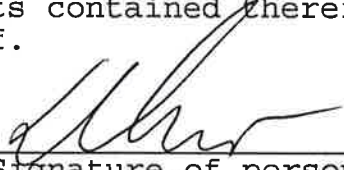
The notice of claim is attached to IDWR's Response to Objection No. 36-07460A.

VERIFICATION (Must be Completed)

State of IDAHO
County of ADA

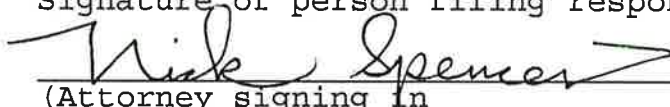
David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. § 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



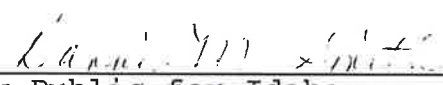
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 18th day of
January, 1995.



Notary Public for Idaho

Residing at:

Danni M. Smith, Notary Public

My Commission expires:

Residing at Boise, Idaho

My Commission Expires December 5, 2000

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of JANUARY, 1995, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: KEVIN F TRAINOR
Address: STEPHAN KVANVIG GREENWOOD
STONE & TRAINOR
PO BOX 83
TWIN FALLS ID 83303-0083

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of person filing response
or attorney mailing on Respondent's
behalf

OBJECTION _____

RESPONSE _____

SETTLEMENT _____

RESPONSE _____

file on to ss
if dupe.

RECEIVED

MAR 18 1994

Department of Water Resources
Adjudication Bureau

Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 15 1994

By

Clerk

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
MAY 24 1994 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Southern Region Office

In Re SRBA

Case No. 39576

) SUBCASE 36-07460B

) ORDER GRANTING MOTION TO
) FILE LATE OBJECTION

A hearing on the *Motion to File Late Objection* filed in the above subcase by Kevin Trainor on behalf of Michael & Katherine Branchflower was held on March 15, 1994. There was no opposition to the motion.

IT IS ORDERED the *Motion to File Late Objection* is GRANTED. The Objection shall be deemed to be filed as of March 15, 1994. Responses to the Objections are due on or before 5 p.m. on May 16, 1994.

DATED March 15, 1994.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

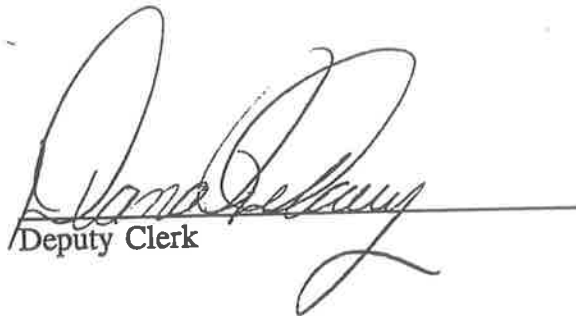
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE OBJECTION** was mailed on March 16, 1994, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Kevin Trainor
P.O. Box 33
Twin Falls, ID 83303-0083


Deputy Clerk

APPROVED FOR FILING
DEPUTY CLERK OF COURT

MAR 18 1994

RECEIVED

MAY 04 1993

Department of Water Resources
Adjudication Bureau

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

Case No. 36-07460B
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

MICROFILMED

OCT 19 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Michael G. Branchflower
Katherine L. Branchflower
Address: P.O. Box 392
Wendell, Idaho 83355

Briefly describe your interest in this water right:

I own the water right.

2. Owner of the water right:

Name: Michael G. Branchflower
Katherine L. Branchflower
Address: P.O. Box 392
Wendell, Idaho 83355

3. If this objection is filed by an attorney:

Attorney Name: KEVIN F. TRAINOR
Stephan Kvanvig Greenwood Stone & Trainor
Attorney Address: P.O. Box 83
Twin Falls ID 83303-0083
Attorney Phone No.: (208) 733-2721

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: The Director's Report, General Provision No. 4 insofar as it attempts to restrict our right to maintain historic pumping levels for this water right.
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

8. This is a license with a priority date of 1974 which was issued with a period of use from March 15 through November 15.
11. This right is not combined with water from the North Side Canal Company.
- _____

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of IDAHO

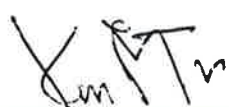
County of JEROME

MICHAEL G. BRANCHFLOWER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By:


(Attorney signing in
representative capacity)

1993 Subscribed and sworn to before me this 30th day of April.


Notary Public for IDAHO
Residing at: TWIN FALLS
My Commission expires: 2/9/98

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of April 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: MICHAEL G. & KATHERINE L. BRANCHFLOWER

Owner's address: P.O. BOX 392

WENDELL ID 83355

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf.

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

October 29, 1993

RECEIVED

NOV 01 1993

Department of Water Resources
Adjudication Bureau

Kevin F. Trainor
Stephan, Kvanvig, Greenwood
Stone & Trainor
PO Box 83
Twin Falls, ID 83303

RE: Standard Form 1, Objection -- Water Right No. 36-07460B

Dear Mr. Trainor:

Enclosed is the objection to water right number 36-07460B your office submitted on behalf of Michael Branchflower.

The deadline for filing objections in basin 36 expired May 3, 1993. The court is unable to accept a late objection without an appropriate motion for the court's consideration.

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

DRD
Enclosure

cc: Michael Branchflower
Chief, Natural Resources Division ✓
U.S. Department of Justice

MICROFILMED
OCT 19 1994

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-07460B -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED
OCT 19 1994

2. Person who filed objection:

Name: MICHAEL & KATHERINE BRANCHFLOWER
Address: PO BOX 392
WENDELL ID 83355

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
14. ☒ Other: I respond to the objection concerning:
GENERAL PROVISION 4

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with

different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

In response to Statement of the Objection item 11, and all allegations of the objection regarding this item, IDWR responds as follows: IDWR is informed and therefore believes that North Side Canal Company water shares are appurtenant to the land upon which this water right is used, that the North Side water represented by those shares is available for use thereon, and, irrespective of whether the claimant presently is using the North Side water, that the claimant may demand delivery of water pursuant to the shares at any time. Because of this, the remark objected to is appropriate to indicate the existence of another water right that may be available for all or part of the use made pursuant to this right, and that may be used in combination with this right.

In response to Statement of the Objection 14, and all allegations of the objection regarding this item, IDWR responds as follows: It denies this portion of the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

(Over)

No. of
Pages

The notice of claim is attached to IDWR's response to
Objection No. 36-07460A-0001.

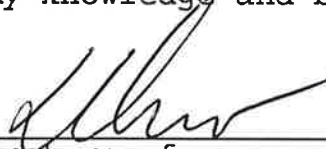
VERIFICATION (Must be Completed)

State of IDAHO

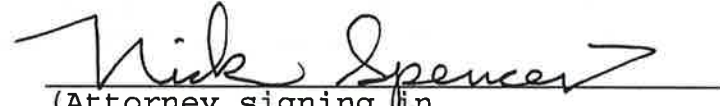
County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

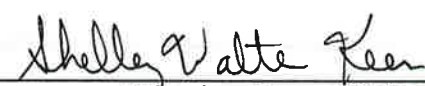
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing response

By:


(Attorney signing in representative capacity)

Subscribed and sworn to before me this 9th day of September, 1993.


Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997



(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of SEPTEMBER, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: KEVIN F TRAINOR
Address: STEPHAN KVANVIG GREENWOOD
STONE & TRAINOR
PO BOX 83
TWIN FALLS ID 83303-0083

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

RECEIVED

MAY 04 1993

Department of Water Resources
Adjudication Bureau

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

Case No. 36-07460B

(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

OBJECTION

36-07460B -0001/
93-04-0324

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

OCT 19 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Michael G. Branchflower
Katherine L. Branchflower
Address: P.O. Box 392
Wendell, Idaho 83355

Briefly describe your interest in this water right:

I own the water right.

2. Owner of the water right:

Name: Michael G. Branchflower
Katherine L. Branchflower
Address: P.O. Box 392
Wendell, Idaho 83355

3. If this objection is filed by an attorney:

Attorney Name: KEVIN F. TRAINOR
Attorney Address: Stephan Kvanvig Greenwood Stone & Trainor
P.O. Box 83
Twin Falls ID 83303-0083
Attorney Phone No.: (208) 733-2721

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: The Director's Report, General Provision No. 4 insofar as it attempts to restrict our right to maintain historic pumping levels for this water right.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

8. This is a license with a priority date of 1974 which was issued with a period of use from March 15 through November 15.
11. This right is not combined with water from the North Side Cana Company.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of IDAHO

County of JEROME

MICHAEL G. BRANCHFLOWER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

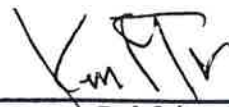
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By:


(Attorney signing in
representative capacity)

199 3 Subscribed and sworn to before me this 30th day of April,


Notary Public for IDAHO
Residing at: TWIN FALLS
My Commission expires: 2/9/96

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of April 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: MICHAEL G. & KATHERINE L. BRANCHFLOWER
Owner's address: P.O. BOX 392
WENDELL ID 83355

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 4051

RECEIVED

FEB 01 1993

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Southern Region Office

Name of applicant Mike Branchflower Phone 536-2594Post Office address P.O. Box 392; Wendell, Id. 83358

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split c/tim
2. Describe the reason for the proposed changes Water has been purchased. and will be moved to property owned by applicant

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number R 36-7460J Priority 3-25-1974 Amount (cfs/ac-ft) 1.38 Nature of Use Irrigation Period of Use 4-1 to 10-31
2. Total amount of water being transferred 1.38 cubic feet per second and/or 276 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	11	8S	14E	Gooding	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	11							36	33									69

MICROFILMED

OCT 19 1994

Total acres 69

PART 1

6. General Information:

- a. Description of diversion system Well, pump, mainline to center pivot and
handlines in corner.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will be dued up.
- d. Remarks:
See transfer #3684 for proof of ownership.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. 36-7460G issued by the Idaho Department of Water Resources.

c. Claim No. A36-7460C on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority 3-25-1974

5. Water is used for the following purpose:

amount 10.44 cfs for Irrigation purposes from 4-1 to 10-31
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 10.44 cubic feet per second and/or 2088 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SE	21	75	14E	Gooding	
	SW	NW	NE	28	75	14E	"	
	NW	SW	SE	28	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
75	14E	20																33	33
		21											33		33	33	33	33	165
		28						33	35	13	35	38	26	26		7	9		222
		29	33			33									33				102

MICROFILMEDTotal acres 588

OCT 19 1994

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No.

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.38 cfs for Irrigation purposes from 4-1 to 10-31.
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7S</u>	<u>14E</u>	<u>29</u>				<u>33</u>									<u>36</u>				<u>69</u>

Total acres 69

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

1. amount 9.06 for Irrigation purposes from 4-1 to 10-31.
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SW</u>	<u>NW</u>	<u>SE</u>	<u>21</u>	<u>7S</u>	<u>14E</u>	<u>Gooding</u>	
	<u>SW</u>	<u>NW</u>	<u>NE</u>	<u>28</u>	<u>"</u>	<u>"</u>	<u>"</u>	
	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7S</u>	<u>14E</u>	<u>20</u>																<u>33</u>	<u>33</u>
		<u>21</u>											<u>33</u>		<u>33</u>	<u>33</u>	<u>33</u>	<u>33</u>	<u>165</u>
		<u>28</u>						<u>33</u>	<u>35</u>	<u>13</u>	<u>35</u>	<u>38</u>	<u>26</u>	<u>26</u>		<u>7</u>	<u>9</u>		<u>222</u>
		<u>29</u>	<u>33</u>																<u>33</u>

Total acres 453

POOR ORIGINAL

Branch Flower
Transfer Application
Transfer to acres

2.7 HEL 1123

OCT 19 1994
T#

T# 4051

R36-7460J

Branchflower
Transfer Application
Transfer to acres

IRRIGATION

BM 3213

T# 4051
R36-7460J

DT.&ID. C. 1975

8-1-88

FIELD EXAM: 11-25-91
SC

11-21-91
SW

ACRE
REVISED
522

11-26-91 SEC

~~NOT
REGISTERED
OR
REISTRATION~~

MICROCELLAMER

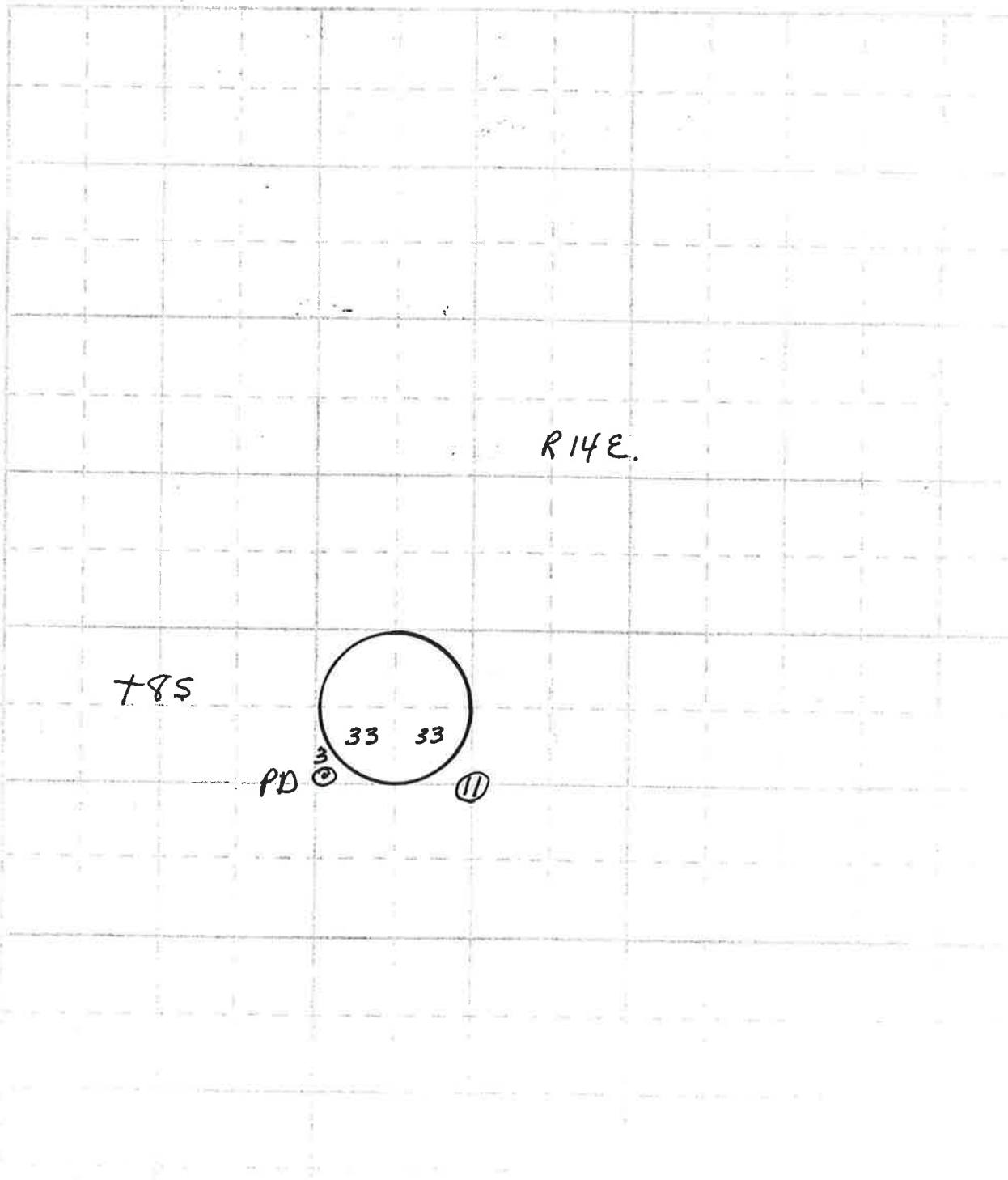
OCT 19 1954

T # 4051
R 36 - 7460J

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

POOR ORIGINAL

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



MICROFILMED
OCT 19 1994

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this 1st day of February, 1993.

(Notary Public)

My commission expires 7/18/1995**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by MTS Date 2-1-93 Protest filed by _____Prelim. check by J.F. Clinton Fee \$50 - 5015336Receipted by MTS Date 2-1-93Published in Healdsburg Co. Leader Copies of protest forwarded by _____Pub. dates 2/10 & 2/17/93 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial_____ rec'd. _____ by JA

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4052APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Mike Branchflower Phone 536-2594
Post Office address P.O. Box 392, Wendell, ID 83355

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other split right
2. Describe the reason for the proposed changes Move portion of right to new land. Also to record an unrecorded partial change in diversion point.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|------------------|-----------------------|------------------|----------------------------|
| <u>R36-07460F</u> | <u>3-25-1974</u> | <u>0.12</u> | <u>Irrig.</u> | <u>4-1</u> to <u>10-31</u> |
| <u>R36-07460G</u> | <u>"</u> | <u>0.19</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.31 cubic feet per second and/or 80 acre-feet per annum.
3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>1</u>	<u>NE</u>	<u>NE</u>	<u>NE</u>	<u>2</u>	<u>8S</u>	<u>14E</u>	<u>Gooding</u>	<u>R36-07460F Well</u>
	<u>NE</u>	<u>SW</u>	<u>SE</u>	<u>30</u>	<u>7S</u>	<u>15E</u>	<u>Gooding</u>	<u>R36-07460G Well</u>

5. Lands irrigated or place of use: * Not to exceed 12 acres per year (PPU with R36-02517C)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8S</u>	<u>14E</u>	<u>2</u>		<u>8</u>															<u>8</u>
				<u>172</u>															
<u>7S</u>	<u>15E</u>	<u>30</u>								<u>23</u>		<u>7</u>		<u>2</u>					<u>32 *</u>

MICROFILMED
OCT 19 1994

Total acres

PART 1

6. General Information:

a. Description of diversion system a separate well, pump, gravity or sprinkler system for each right

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

PIU in NW1/4E, 8S, 14E, S2 will be irrigated from PIR in NENE1/4E, 8S, 14E, S2. Transferred PIU in 8S, 14E, S2 will be dried up but irrigated ^{from} ~~at~~ transferred to PIR in N1/4SE, 7S, 15E, S30

d. Remarks:

See attached PPU Analysis

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. R36-07460D on file with the Idaho Department of Water Resources.

d. Transfer No. 3767 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 3-25-1974

5. Water is used for the following purpose:

amount 0.44 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.44 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>2</u>		<u>NE</u>	<u>NW</u>	<u>2</u>	<u>8S</u>	<u>14E</u>	<u>Gooding</u>	

8. Lands irrigated or place of use: * Not to exceed 39 acres per annum in this tract when combined with

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8S</u>	<u>14E</u>	<u>2</u>		<u>9</u>			<u>19</u>												<u>28</u>
				<u>1+2</u>			<u>1+3</u>												
							<u>*</u>												

MICROFILMED

Total acres 28

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

R36-02577 19 1994

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.33 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	2		9			112												202
				112			113												

Total acres 20

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) R36-07460E

1. amount 0.13 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: * Not to exceed 28 acres per year when combined with R36-02517

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	2					8												* 8
							113												
							*												

Total acres * 8

Branch Flower
Transfer Application
Transfer to acres

MICROFILM EDITION
OCT 19 1984

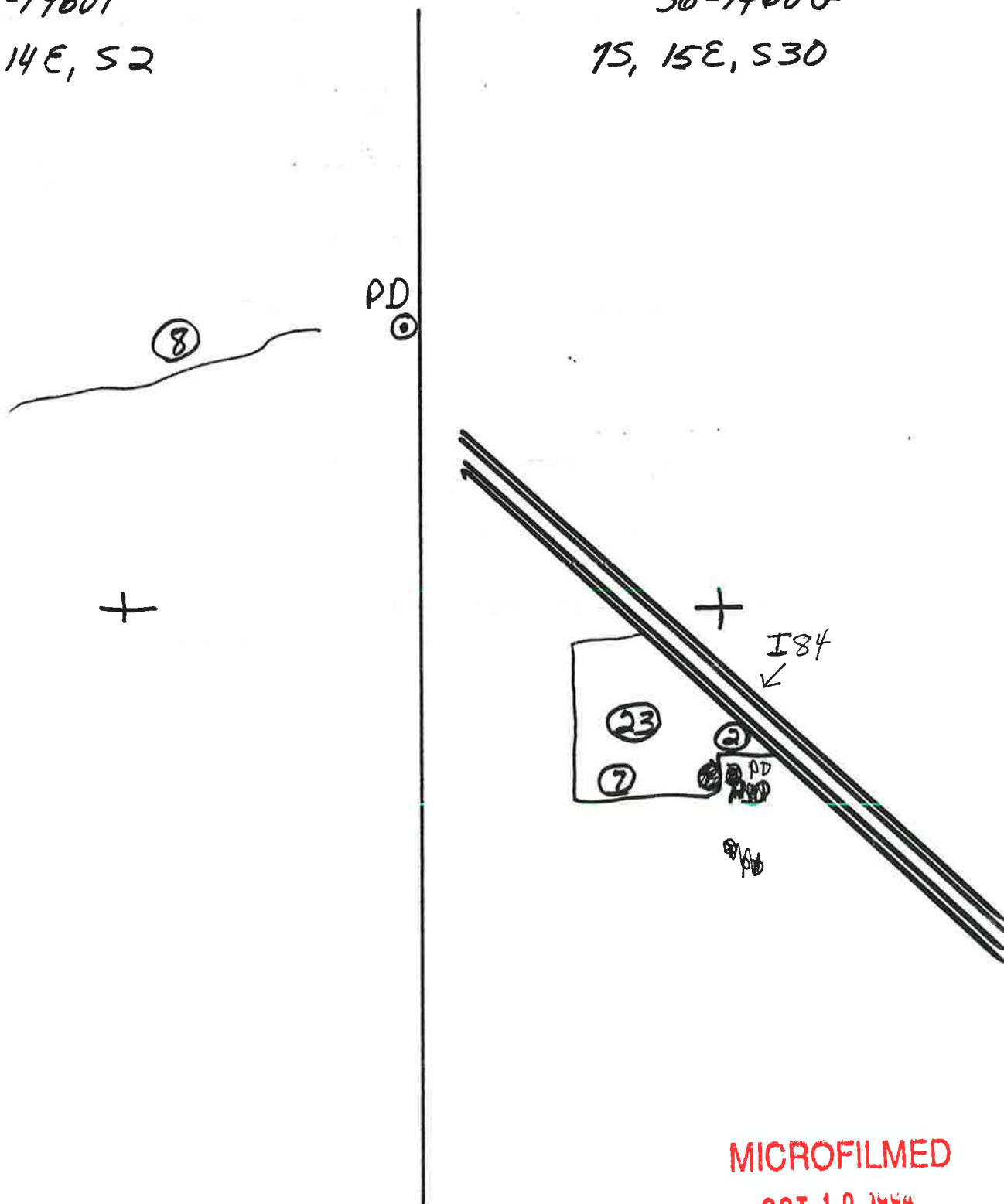
T # 40.52

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

36-7460F
8S, 14E, S2

36-7460G
7S, 15E, S30



MICROFILMED
OCT 19 1994

PART 3**B. CHANGES IN NATURE OF USE**

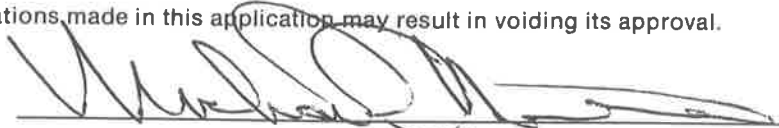
1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

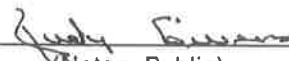
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this 29th day of January, 19 93.


(Notary Public)

My commission expires 7/18/1995

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by MTS Date 1-29-93 Protest filed by _____

Prelim. check by _____ Fee 50 5015131

Receipted by JS - MTS Date 10-30-92 *

Published in Gooding Co. Leader Copies of protest forwarded by _____

Pub. dates 2/10 & 2/17/93 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by YH

Copy of transfer sent to lien holder _____

* See attached memo for explanation

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3684
APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Mike Branchflower Phone 536-2594
Post Office address P. O. Box 392, Wendell, ID 83355

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes East part of the original farm is too rocky to farm successfully. Part of the water right is being sold (purchased by me) for use on better-quality land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-07460 Part</u>	<u>3-25-1974</u>	<u>1.04 cfs</u>	<u>Irrig.</u>	<u>Mar 15</u> to <u>Nov 15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.04 cubic feet per second and/or 264 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	3	8S	14E	Gooding	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	3									33			33					66

RECEIVED

SEP 06 1990

Department of Water Resources
Southern Region Office

MICROFILMED
OCT 19 1991

36-7460

PART 1

6. General Information:

- a. Description of diversion system Well & pump, sprinklers (pivot)
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated.
- d. Remarks:
I bought 4.54 cfs that was appurtenant to 288 acres. The rest of this water will be transferred later this year for use on lands unrelated to this transfer.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-7460

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

2. A transfer application shall be filed with the Department before the water can revert back to the original place of use and point of diversion and a new water right approved before use can continue at the new point of diversion and place use.

Witness my hand this

31st day ofAugust, 1990A. Glen Saxton
Chief, Water Alloc. Bureau**MICROFILMED****OCT 19 1994**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07460 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Sale Agreement

3. Source of water Groundwater tributary to _____

4. Date or priority 3-25-1974

5. Water is used for the following purpose:

amount 14.2 cfs for Irrig. purposes from Mar 15 to Nov 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 14.2 cubic feet per second and/or 3600 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	21	7S	14E	Gooding	
		NW	NE	28	"	"	"	
		SW	SE	28	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	14E	20																33	33
		21											40	40	33	33	40	33	219
		28	33	40	38	39	40	40	40	40	40	38	35	39	40	35	39	39	615
		29	33																33

Total acres 900

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OCT 19 1994

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.04 cfs for Irrig. purposes from Mar 15 to Nov 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	14E	28	33	33															66

Total acres 66

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

1. amount 13.16 cfs for Irrig. purposes from Mar 15 to Nov 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	14E	20																	
		21											40	40	33	33	33	33	33
		28		7	38	39	40	40	40	40	40	38	35	39	40	35	39	39	549
		29	33																33

Total acres 834

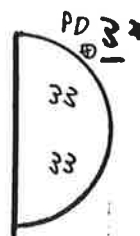
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

POOR ORIGINAL

R. 14E

T. 8S



**MICROFILMED
OCT 19 1994**

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this 21st day of February, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by JF Stanton Date 2-16-1990

Prelim. check by DRJ Fee \$50. \$50/1225

Receipted by JF Stanton Date 2-16-90

Published in Gooding Co. Leader

Pub. dates 5/16 & 5/23/90

Watermaster recommendation requested on N/A

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
OCT 19 1994

MICROFILMED

OCT 19 1994

↙ 0.01 - 615/acre
3B-7460 Janss 14.2

┌ 7460 B Branch Flower 1.04
└ T3689

└ 7460 A Janss 13.16

Siled 9/7/90 ┌ 7460 D Branch Flower .44
└ 7460 C Janss 12.72

*

Janss sold
4.54 cft to Branch Flower
after 211 Trusters
Janss should have
9.66 left on
612 200y.

MICROFILMED
 OCT 19 1984
 1983
 Idaho Department of Water Resources
 District Office

State of Idaho
 Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7460 Priority March 25, 1974 Amount 14.2 cfs

THIS IS TO CERTIFY, that Janss Investment Corp.
 of Thousand Oaks, California, has complied with the terms and conditions of Permit
 No. 36-7460 issued pursuant to Application for Permit dated March 25, 1974
 and has submitted proof to the Department of Water Resources on February 2, 1979
 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
 capacity for the diversion of 14.2 of water from a groundwater source
 tributary to _____, and that the permit holder has applied to a beneficial use and
 established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>14.2</u> cfs and	<u>3600.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 14.2 cfs of water be diverted at any one time, and
 that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
 aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3600.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; NW $\frac{1}{4}$ NE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; Twp. 7S, Rge. 14E in the County of Gooding

Description and location of place of use:

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 $\frac{1}{4}$	
7S	14E	20																	33
		21											40	40	33	33	40	33	219
		28	33	40	38	39	40	40	40	40	40	38	35	39	40	35	39	39	615
		29	33																33

Total number of acres irrigated 900

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
January, 19 83.

Director

7460

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

FEB 04 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 25 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number:

36-074608

2. Name:

Michael G Branch & family

Address:

Box 392 Wendell Idaho
83355

Weekday Telephone Number:

208 530 2597

MICROFILMED

FEB 04 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked in the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Amount of water & land

4. Describe the changes you wish to have made in the proposed recommendation:

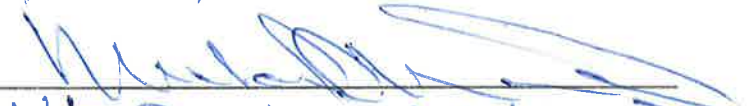
Increase

5. Describe why you disagree with the proposed recommendation:

We have more land than
stated

6. Date: Sept 27, 1982

SIGNATURE


we didn't receive Notices for All
Irrigation Wells



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Oct-1992 08:24

Michael G. Branchflower
Box 392
Wendell, ID 83355

RE: Snake River Basin Adjudication (SRBA)
Notice of Error - A36-07460B, A36-15219

Dear Mr. Branchflower:

We are in receipt of Notices of Error on the above referenced Notices. We are not changing the recommendations at this time.

Regarding A36-07460B, the recommendation is based on the actual acres found to be irrigated. You may provide evidence that additional acres have been irrigated within the 5-year period prior to November 19, 1987. The diversion rate recommended is based on the diversion rate shown on Transfer 3684.

Regarding A36-15219, the recommendation is based on the actual acres found to be irrigated. As above, you may provide evidence that additional acres have been irrigated within the 5-year period prior to November 19, 1987. The diversion rate recommended is the proportional share of the total licensed diversion rate and acres to the actual irrigated acres.

If no further evidence is provided or the evidence is not supportive, this claim will remain as proposed in the Director's Report. Please submit evidence by October 14, 1992, in order to allow time for review prior to submission of the Director's Report.

If you still do not agree with the proposed IDWR recommendations to the court, you may file an objection with the court after you receive the final recommendation of your water right. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,

Helen Harrington-Thornton
Water Resource Agent

MICROFILMED
FEB 04 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/06/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MIKE BRANCHFLOWER PO BOX 392 WENDELL ID 83355 (208) 536-2594	03/25/1974	IRRIGATION	04-01 10-31	1.04 CFS	264.0 AFA
					TOTAL DIVERSION:	1.04 CFS
					CONSUMPTIVE USE:	264.0 AFA 198.0 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T08S R14E S03 NENESW GOODING 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	:	SUM
08S	14E	3	:																	:	66.0
																				TOTAL ACRES	66.0

POU County: GOODING

Other Rights: SEE CONDITIONS

Conditions of Approval:
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

Dates: Exam Made Date: 11/26/1991 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/26/1991 User-ID: CLELLAND Subject: TRANSFER INFO
THIS TRANSFER WAS BASED ON FORFEITED/ABANDONED PORTIONS OF A
WATER RIGHT. SINCE IDWR HAS APPROVED THE TRANSFER IT HAS BEEN
ALLOWED TO STAND. THE OTHER PORTION OF THIS RIGHT WILL BE
REDUCED ACCORDINGLY.

Date: 11/26/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
PORTION OF SPLIT RIGHT: TRANSFER #3684
JANSS--13.16, A36-07460A
BRANCHFLOWER--1.04, A36-07460B

Date: 09/25/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/25/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 11/26/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/06/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
SENT LETTER ASKING FOR EVIDENCE IF ADDITIONAL ACRES ARE IRRIGATED

MICROFILMED
FEB 04 1993

AJ0749NP
No. R36-07460B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

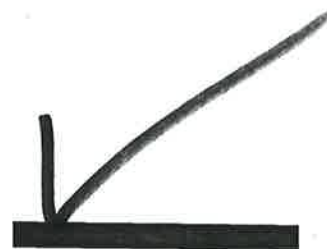
DATE: 10/06/92
PAGE: 2

=====

Audit: 10/06/92 THORNTON

MICROFILMED
FEB 04 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



VERIFIED BY

See

Water Right Number - R36-07460B

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BRANCHFLOWER

MIKE

1 - PO BOX 392

2 -

3 -

City- WENDELL

Phone - 208-536-2594

State- ID Zip- 83355

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/25/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 14E 3 NE NE SW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 1.040 264.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.040 264.00 198.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County08S 14E 3 NE SW 33.0 01 IRRIGATION (47) GOODING
08S 14E 3 SE SW 33.0 01 IRRIGATION (47) GOODING

Total Acres: 66.0

+ - - Diversion Means - WELL, PUMP, PIVOT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

+ - - - - Remarks - - - - - +
No Remarks found.

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

3607460
3607460B

MICROFILMED

FEB 04 1993

Prefix Translation: RESEARCH

Civil Case Number	-	39576
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S
Presumption Flag	-	
Notice of Error Flag	-	

RECEIVED
FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:51:11
11/19/91

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07460B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			11-26-91 su	N		su 11-26-91		
POINT OF DIV	Y			N				
SOURCE				N	1			
PLACE OF USE	Y			N	1,2,4,5,6			
DIV. AMOUNT CFS/VOLUME	Y			N	6.			
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N	6. Transfer			
REMARKS	Y			N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:02:26
11/19/91

PAGE: 12
PROFILE REPORT

CLAIM NUMBER: A36-07460B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MIKE BRANCHFLOWER P.O. BOX 392 WENDELL ID 83355 (208) 536-2594	03/25/1974	IRRIGATION	03-15 11-15	1.04 CFS	264.0 AFA
					TOTAL DIVERSION:	1.04 CFS
					CONSUMPTIVE USE:	264.0 AFA 198.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R14E S03

NENESW

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
08S	14E	3	:					:					:					:					:	66.0
																							TOTAL ACRES	66.0

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of use:

A01-00212Z1 A36-04021 A36-10916 R36-04021 R36-07377 R36-07547 R36-10916

Remarks: PORTION OF SPLIT RIGHT: TRANSFER #3684
JANSS--13.16, A36-07460A
BRANCHFLOWER--1.04, A36-07460B

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

MICROFILMED

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:51:11
11/19/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07460B

LAST: BRANCHFLOWER
ADDRESS: P.O. BOX 392
CITY: WENDELL
PHONE NUMBER: 208-536-2594

FIRST: MIKE
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: PORTION OF SPLIT RIGHT: TRANSFER #3684
JANSS--13.16, A36-07460A
BRANCHFLOWER--1.04, A36-07460B

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 04 1993

A. AJ CLAIM: # A36-07460B PRIORITY DATE: 03-25-1974 STAGE: L

B. WR RECORD: # 36-07460 PRIORITY DATE: 03-25-1974 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
03-25-1974

REVIEWED BY Scw

DATE 11-26-91

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07460B	08S	14E	3	NE	NE	SW		GOODING
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX				
NONE				NONE				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07460	07S	14E	21		NW	SE		GOODING
36-07460	07S	14E	28		NW	NE		GOODING
36-07460	07S	14E	28		SW	SE		GOODING
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
				A PREFIX		R PREFIX		
NONE				A36-07460A		NONE		

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	N	<u>N</u>

REMARKS:

Δ by transfer

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
==	==	==	==	==	==	==	==

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

SW

DATE:

11-26-91

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A. ROOT WATER RIGHT NUMBERS: A36-07460A
A36-07460B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	14E	3	NE	SW		BRANCHFLOWER, MIKE	A36-07460B /33.0	- /	36.0	33	33
			NE	SW		LARGE CLAIM	A01-0021221/40.0	- /			
08S	14E	3	SE	SW		BRANCHFLOWER, MIKE	A36-07460B /33.0	- /	41.0		
			SE	SW		BRANCHFLOWER, MICHAEL G.	A36-10382 /	- /		33	33
			SE	SW		BRANCHFLOWER, MICHAEL G.	R36-10382 /	- /			
			SE	SW		LARGE CLAIM	A01-0021221/40.0	- /			
			SE	SW		BRANCHFLOWER, MICHAEL G.	A36-04021 / 3.0	36-04021 / 3.0			
			SE	SW		COMBINED CLAIM	A36-10916 / 3.0	- /			
			SE	SW		BRANCHFLOWER, MICHAEL G.	R36-10916 / 2.0	- /			
			SE	SW		BRANCHFLOWER, KATHERINE L.	R36-04021 / 2.0	- /			
			SE	SW		BRANCHFLOWER, MICHAEL G.	R36-07377 / 2.0	- /			
			SE	SW		BRANCHFLOWER, MICHAEL G.	R36-07547 / 2.0	- /			
TOTAL ACRES						A36-07460B	66.00		77.00	66	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

Combined or Replaces Canal Water
Approved Transfer on abandoned right
allowed as claimed & transferred.

RECOMMENDATIONS:

TOTAL ACRES: 66.0

REVIEWED BY: see

DATE: 11-26-91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
A36-07460B IRRIGATION	FROM 03-15 TO 11-15	1.040 CFS	264.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.040 CFS	264.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
36-07460 IRRIGATION	FROM 03-15 TO 11-15	14.200 CFS	3600.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		14.200 CFS	3600.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(____) N(____) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.040 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 14.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

See Conds

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07460B	GROUNDWATER	BRANCHFLOWER , MIKE	1.040	0.015	264.00	4.00
A01-0021221	LARGE CLAIM	LARGE CLAIM	9999999.000	415.354		
R36-04021	WASTE WATER	BRANCHFLOWER , KATHERINE L.	1.250	0.004		
A36-04021	WASTE WATER	BRANCHFLOWER , MICHAEL G.	3.000	0.009		
R36-07377	GROUNDWATER	BRANCHFLOWER , MICHAEL G.	2.230	0.007		
R36-07547	GROUNDWATER	BRANCHFLOWER , MICHAEL G.	3.200	0.010		
A36-10916	WASTE WATER	COMBINED CLAIM	3.000	0.015	760.00	4.00
R36-10916	WASTE WATER	BRANCHFLOWER , MICHAEL G.	0.760	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-10382	DOMESTIC	BRANCHFLOWER , MICHAEL G.	FROM 01-01 TO 12-31	.040 CFS	
A36-10382	STOCKWATER	BRANCHFLOWER , MICHAEL G.	FROM 01-01 TO 12-31	.030 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 66 x 0.02 CFS/ACRE = 1.32 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 198.0 AF/A

ACRES 66 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 198 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 264.00 AF/A

ACRES 66 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 264 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

limited by transfer:

1.04 cfs

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	03-15 11-15	1.040 <u> </u>	264.00 <u> </u>	198.0 <u> </u>
TOTAL FOR THIS RIGHT		1.040	264.00	198.0

REVIEWED BY: Scu

DATE: 11-26-91

S17

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	(X)

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07460

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
14.200

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-07460	A36-07460A	13.160	-		36-07460	14.200
A36-07460	A36-07460B	1.040	-		36-07460	14.200
TOTAL CFS		14.200				14.200

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 sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

This transfer was made on a right that has gone for over 5 years of non-use. This right is allowed as approved since we ~~also~~ approved it. The other portion will be reduced by forfeiture or abandonment.

AUTHENTICATION:

SIGNATURE: _____

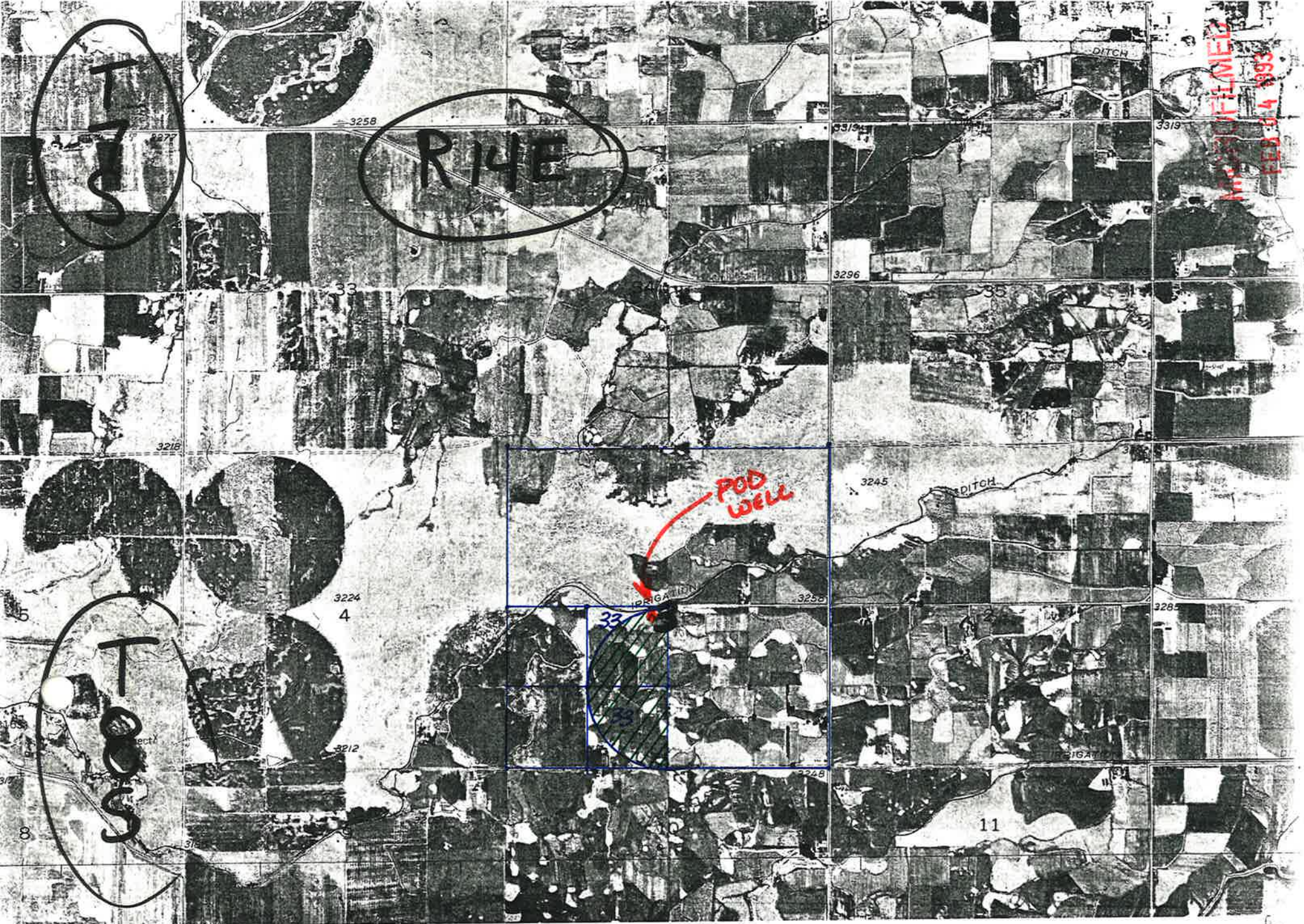
DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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AA 70
C. 1974

FIELD EXAM: 11-26-91
SCALE 1:24,000
su



A36-07460B
BRANCH FLOWER

36-7460 Jones 14.2

— 7460 B Branch Flower 1.04

$$1 \quad 2 \quad 3 \quad 4 \quad 5 \quad 6 \quad 7 \quad 8 \quad 9 \quad 10 \quad 11 \quad 12 \quad 13 \quad 14 \quad 15 \quad 16 \quad 17 \quad 18 \quad 19$$

* Trans sold
4.54 cts to Branch plane
after 211 Transfers
Trans should have
9.66 left on
612 way.

PROVED

14

cky to farm
use on better-

Nov 15

to _____

to _____

to _____

2. Total amount of water being transferred 1.04 cubic feet per second and/or 264 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	14E	3									33			33					66

Total acres 66

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 3684
APPROVED

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant Mike Branchflower Phone 536-2594
Post Office address P. O. Box 392, Wendell, ID 83355

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes East part of the original farm is too rocky to farm successfully. Part of the water right is being sold (purchased by me) for use on better-quality land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|----------------------|------------------|-----------------------|------------------|--------------------------------|
| <u>36-07460 Part</u> | <u>3-25-1974</u> | <u>1.04 cfs</u> | <u>Irrig.</u> | <u>Mar 15</u> to <u>Nov 15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.04 cubic feet per second and/or 264 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	3	8S	14E	Gooding	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	3									33			33					66

RECEIVED

SEP 06 1990

Department of Water Resources
Southern Region Office

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PART 1

6. General Information:

- a. Description of diversion system Well & pump, sprinklers (pivot)
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated.
- d. Remarks:
I bought 4.54 cfs that was appurtenant to 288 acres. The rest of this water will be transferred later this year for use on lands unrelated to this transfer.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

36-7460

This is to certify that I have examined Application for Transfer of Water Rights No.

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

2. A transfer application shall be filed with the Department before the water can revert back to the original place of use and point of diversion and a new water right approved before use can continue at the new point of diversion and place use.

Witness my hand this

31st

day of

August

, 1990

J. Glen Saxton
Chief, Water Alloc. Bureau

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FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07460 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Sale Agreement

3. Source of water Groundwater tributary to _____

4. Date or priority 3-25-1974

5. Water is used for the following purpose:

amount 14.2 cfs for Irrig. purposes from Mar 15 to Nov 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 14.2 cubic feet per second and/or 3600 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	21	7S	14E	Gooding	
		NW	NE	28	"	"	"	
		SW	SE	28	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	14E	20																33	33
		21											40	40	33	33	40	33	219
		28	33	40	38	39	40	40	40	40	40	38	35	39	40	35	39	39	615
		29	33																33

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Total acres 900

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.04 cfs for Irrig. purposes from Mar 15 to Nov 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	14E	28	33	33															66

Total acres 66**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 13.16 cfs for Irrig. purposes from Mar 15 to Nov 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

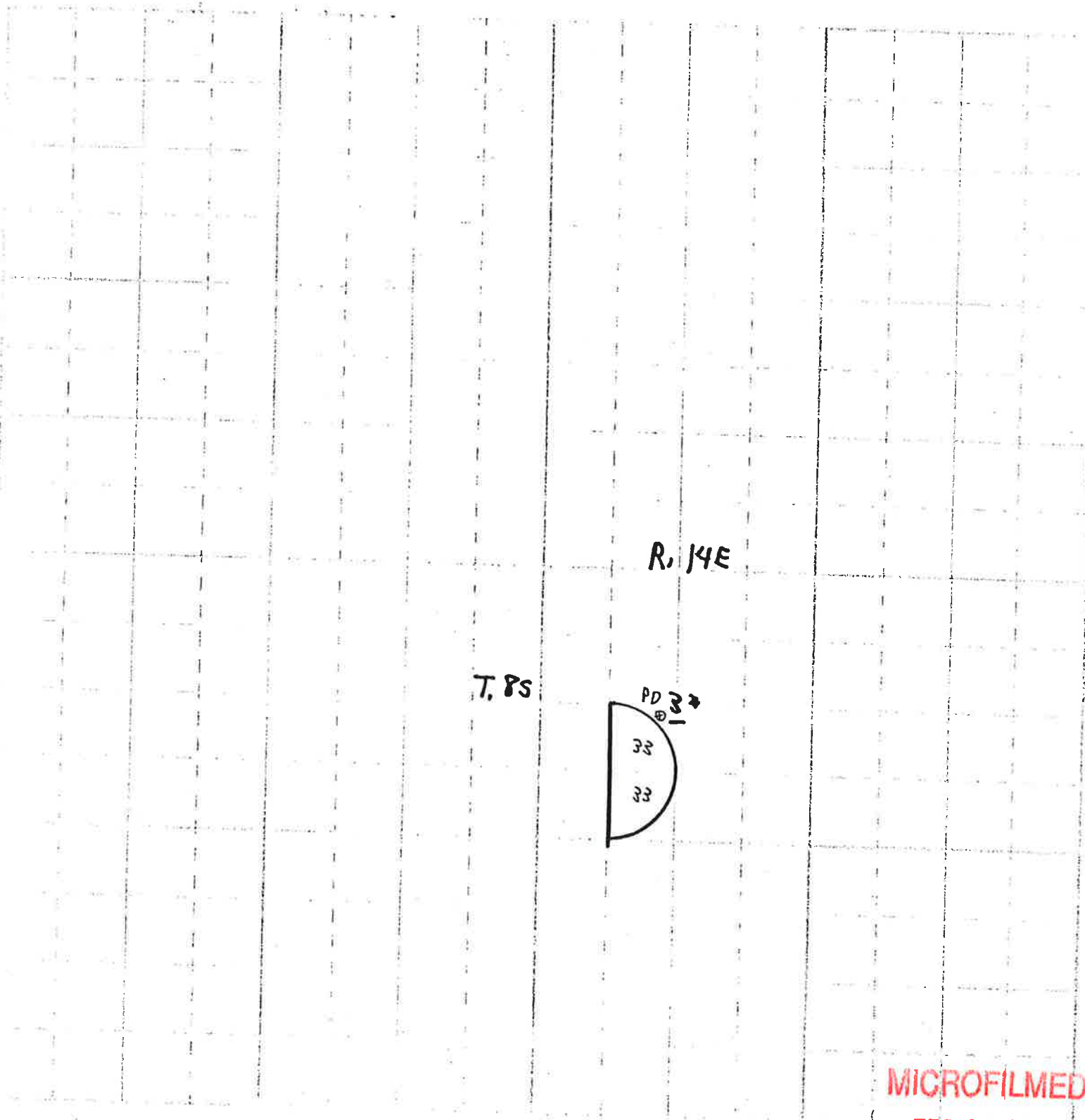
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	14E	20																	33
		21											40	40	33	33	40	33	219
		28		7	38	39	40	40	40	40	40	38	35	39	40	35	39	39	549
		29	33																33

Total acres 834

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

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PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this 21st day of February, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by JF Stanton Date 2-16-1990 Protest filed by

Prelim. check by DRS Fee \$50. #5011225

Receipted by JF Stanton Date 2-16-90

Published in Gooding Co. Reader Copies of protest forwarded by

Pub. dates 5/16 & 5/23/90 Hearing held by Date

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

 rec'd. by

Copy of transfer sent to lien holder

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