

RECEIVED

SEP 27 2017

DEPARTMENT OF  
WATER RESOURCES

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank?    | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|---------------------------------|-----------------------|------------------------------|------------------------------|
| 78-12474 ← 78-40720   | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/>    |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| → 78-2037             | Yes <input checked="" type="checkbox"/> | no Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| → 78-4288             | Yes <input checked="" type="checkbox"/> | no Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| → 78-10235            | Yes <input checked="" type="checkbox"/> | no Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/>    |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name:

WILLIAM H. BRANSTETTER

William H. Branstetter

3. New Owner(s)/Claimant(s):

Name of current water right holder/claimant

JOHN C. BRANSTETTER JR.

New Owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

27308 W THORPE RD

MEDICAL LAKE

WA

99027

Mailing address

City

State

ZIP

509-270-9160

jcbRANSTETTER1@GMAIL.COM

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: \_\_\_\_\_

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following
- REQUIRED**
- items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☐ Filing fee (see instructions for further explanation):  
     o \$25 per *undivided* water right.  
     o \$100 per *split* water right.  
     o No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 78-2037

8. Signature: \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

Signature: \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

## For IDWR Office Use Only:

Received by SBSDate 9/27/17 & 10/17/17Receipt No. C104171 / C104228Receipt Amt. 325 / 75Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9 \_\_\_\_\_

Approved by \_\_\_\_\_

Processed by JohnDate 10-18-17

Instrument # 131445

COUNCIL, ADAMS, IDAHO

09-22-2017 12:07:51 PM No. of Pages: 2

Recorded for: STEWART TITLE - EMERALD OFFICE

SHERRY WARD Fee: \$15.00

Ex-Officio Recorder Deputy Clerk: *Richard H. Gray*

Indexed to: DEED

# stewart title

## WARRANTY DEED

For Value Received **William H. Branstetter and Neva M. Branstetter, Trustees of the Branstetter Family Trust**, the Grantor, hereby grants, bargains, sells, conveys and warrants unto **John C. Branstetter Jr. and Vanessa R. Branstetter, husband and wife**, the Grantee, whose current address is 27308 W Thorpe Rd, Medical Lake, WA 88022, the following described premises, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

Parcel Number: RP19N02E066601A

**SUBJECT TO:** Current General Taxes, a lien in the process of assessments, not yet due or payable. Easements, restrictions, reservations, provisions of record and assessments, if any.

**TO HAVE AND TO HOLD**, the said premises, together with the appurtenances, unto the said Grantee and to their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises, that said premises are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated this 21st day of September, 2017

The Branstetter Family Trust

*William H. Branstetter*  
William H. Branstetter, Trustee

*Neva M. Branstetter*  
Neva M. Branstetter, Trustee

State of Idaho

) ss.

County of Ada

On this 21st day of September, 2017, before me the undersigned, a Notary Public, in and for said State, personally appeared William H. Branstetter and Neva M. Branstetter, known to me, to be the Trustees of the Branstetter Family Trust, and the Trustee(s) who subscribed the said Trust name to the foregoing instrument, acknowledged to me that he/she/they executed the same in said Trust name, and that said Trust executed the same.

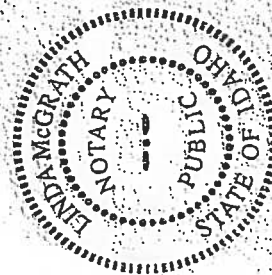
WITNESS MY HAND AND OFFICIAL SEAL

*Linda McGrath*

Notary Public: Linda McGrath

Residing at: Meridian, ID

My commission expires May 28, 2023



File Number: 01096-16946  
Warranty Deed ID

Page 1 of 2

Recorded Electronically  
1314415  
9/22

Of course, the county stamped first  
and then the power of attorney was  
recorded.

**stewart title**

## WARRANTY DEED

For Value Received **William H. Branstetter and Neva M. Branstetter, Trustees of the Branstetter Family Trust**, the Grantor, hereby grants, bargains, sells, conveys and warrants unto **John C. Branstetter Jr. and Vanessa R. Branstetter, husband and wife**, the Grantee, whose current address is 27308 W Thorpe Rd, Medical Lake, WA 88022, the following described premises, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

Parcel Number: RP19N02E066601A

**SUBJECT TO:** Current General Taxes, a lien in the process of assessments, not yet due or payable. Easements, restrictions, reservations, provisions of record and assessments, if any.

**TO HAVE AND TO HOLD**, the said premises, together with the appurtenances, unto the said Grantee and to their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises, that said premises are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated this 21st day of September, 2017

The Branstetter Family Trust

William H. Branstetter  
William H. Branstetter, Trustee

Neva M. Branstetter  
Neva M. Branstetter, Trustee

State of Idaho

) ss.

County of Ada

On this 21st day of September, 2017, before me the undersigned, a Notary Public, in and for said State, personally appeared William H. Branstetter and Neva M. Branstetter, known to me, to be the Trustees of the Branstetter Family Trust, and the Trustee(s) who subscribed the said Trust name to the foregoing instrument, acknowledged to me that he/she/they executed the same in said Trust name, and that said Trust executed the same.

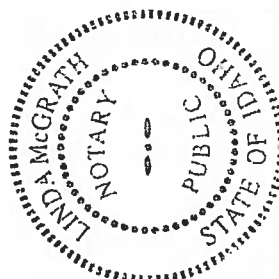
WITNESS MY HAND AND OFFICIAL SEAL.

Linda McGrath

Notary Public: Linda McGrath

Residing at: Meridian, ID

My commission expires May 28, 2023



## EXHIBIT A

Order Number: 01096-16946

### LEGAL DESCRIPTION

Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho:  
Section 6: SE1/4SW1/4, SW1/4SE1/4, and S1/2NE1/4SE1/4  
EXCEPTING THEREFROM the following:

A parcel of land being a portion of the SW1/4SE1/4 of Section 6 and a portion of the N1/2NE1/4 of Section 7, Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch rebar marking the corner common to Sections 5, 6, 7 and 8 Township 19 north, Range 2 East, Boise Meridian, Adams County, Idaho; thence, S. 89°54'23" W., a distance of 1,115.94 feet along the line common to said Sections 6 and 7 to a 5/8 inch rebar the REAL POINT OF BEGINNING;

Thence leaving said Section line, S. 64°54'04" W., a distance of 137.88 feet;

Thence S. 52°56'43" W., a distance of 211.57 feet;

Thence S. 67°32'17" W., a distance of 121.81 feet;

Thence N. 63°36'56" W., a distance of 109.76 feet;

Thence N. 31°35'05" W., a distance of 214.50 feet to a 5/8 inch rebar on a line common to said Sections 6 and 7;

Thence leaving said Section line N. 00°20'20" E., a distance of 528.16 feet to a 5/8 inch rebar with plastic cap; Thence N. 89°54'23" E., a distance of 412.39 feet to a 5/8 inch rebar with a plastic cap on the East boundary of the SW1/4SE1/4 of said Section 6;

Thence S. 00°20'20" W., a distance of 528.16 feet to an aluminum cap marking the Southeast corner of said SW1/4SE1/4;

Thence N. 89°54'23" E., a distance of 204.56 feet to the POINT OF BEGINNING.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

October 18, 2017

JOHN C BRANSTETTER JR  
VANESSA R BRANSTETTER  
27308 W THORPE RD  
MEDICAL LAKE WA 99022

Re: Change in Water Right Ownership: 78-4072D (Split into 78-4072D and **78-12474**), 78-2037, 78-4288 and 78-10235

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

**Your portion of these water rights has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required.** Please contact this office for further information on the Application for Transfer form or you can find the forms at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note, after further review, water rights 78-2037, 78-4288 and 78-10235 were not split. These water rights were decreed with multiple current owners. The Department doesn't know if there is any kind of agreement stating the amount of water each owner has or if multiple parcels are owned. You were added as a current owner along with the other owners as a water right. Since those rights were not split, a refund of \$225 has been requested and will be sent to you in the name of Coleman Enterprises, Inc. (the original fee was received from Coleman Enterprises, Inc.) from the Idaho State Controller's Office.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley  
Technical Records Specialist II

Enclosure



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

October 18, 2017

WILLIAM H BRANSTETTER  
NEVA M BRANSTETTER  
406 S ROBINSON BLVD  
NAMPA ID 83651

Re: Change in Water Right Ownership: 78-4072D (Split into **78-4072D** and 78-12474)

Dear Water Right Holder(s):

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

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

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

If you have any questions concerning this ownership change, or the enclosed information, please contact me at 208-287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist II

Enclosure

## ***MEMORANDUM***

TO: Sascha Marston  
FROM: Jean Hersley   
DATE: October 18, 2017  
RE: **Refund: ownership change, 3 rights not split**

Please refund \$225.

NAME: COLEMAN ENTERPRISES INC.  
C/O JOHN C BRANSTETTER, JR  
27308 W THORPE RD  
MEDICAL LAKE WA 99022

RECEIPT #: C104171

Thank you.

Jean

10/10/2017

TO WHOM IT MAY CONCERN,

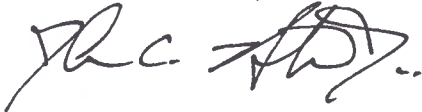
THIS \$75<sup>00</sup> CHECK IS PROVIDED TO THE STATE OF IDAHO TO COVER ADDITIONAL FEES NEEDED TO UPDATE THE OWNERSHIP OF WATER RIGHT 78-4072D. IF YOU HAVE ANY QUESTIONS PLEASE CALL.

RECEIVED

OCT 17 2017

DEPARTMENT OF  
WATER RESOURCES

THANK YOU,



JOHN C. BRANSTETTER JR.

(509) 270-4160



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

October 5, 2017

JOHN C BRANSTETTER JR  
VANESSA R BRANSTETTER  
27308 W THORPE RD  
MEDICAL LAKE WA 99022

RE: Ownership Change Water Right: 78-4072D

Dear Property Owner:

The Department of Water Resources acknowledges receipt of your request for a Notice of Change of Water Right Ownership of water rights 78-4072D, 78-2037, 78-4288 and 78-10235. After reviewing your request, it was determined additional fees will be needed to update the ownership of water right 78-4072D.

It appears water right 78-4072D will need to be split. The deeds you provided did not include all the land appurtenant to water right 78-4072D. The deeds do not include 4 acres of irrigation located in Township 19N, range 02E, Section 5, NWSW. I have attached a map for your benefit.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. The Department has determined that the additional filing fee for your notice will be **\$75**.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days the Department will return your request unprocessed. Thank you.

Please contact me at 208-287-4942 if you have any questions.

Sincerely,

Jean Hersley  
Technical Records Specialist II