

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
OCT 22 2015
WATER RESOURCES
WESTERN REGION

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?
78-07118	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: John F. Weeks (now deceased, as is his widow)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Ronald O. Branstetter and/or Linda S. Branstetter
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- Mailing address: PO Box 32 City: New Meadows State: ID ZIP: 83654
Telephone: (208) 347-2355 Email: branstetter-linda.ron@hotmail.com
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: November 25, 1985
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.

8. Signature: Ronald O. Branstetter Title, if applicable: _____ Date: 10/19/2015
 Signature: Linda S. Branstetter Title, if applicable: _____ Date: 10/19/2015

For IDWR Office Use Only:

Received by [Signature] Date 10/20/15 Receipt No. W043606 Receipt Amt. \$25⁰⁰
 Active 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 X Approved by X Processed by X Date X

WARRANTY DEED

For value received MARCHETA WEEKS, a widow, the Grantor, does hereby grant, bargain, sell and convey unto RONALD O. BRANSTETTER and LINDA S. BRANSTETTER, husband and wife, the Grantees, the following described premises, in Adams County, Idaho, to-wit:

Lot 2, Rubicon Subdivision, as shown on the amended plat thereof on file and of record in the office of the Adams County Recorder.

Reserving to the Grantor all mineral, oil and gas rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever, and the said Grantor does hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 25th day of November, 1985.


MARCHETA WEEKS

STATE OF NEVADA

)
) ss.
)

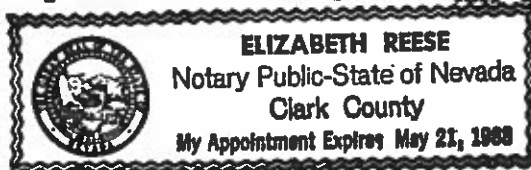
County of CLARK

On this 25th day of November, 1985, before me, a Notary Public in and for the said state, personally appeared MARCHETA WEEKS, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

Notary Public for NEVADA
Residing at: LAS VEGAS
My Commission Expires: MAY 21, 1988



WARRANTY DEED
Marcheta Weeks
to
Ronald O. & Linda S.

Branstetter

Dated: 11-25-85

71473

INSTRUMENT NO. _____

State of Idaho }
County of Adams } ss.

Filed for record at the request of

Adams County Abstract

20 min. past 1 o'clock P.M.

this 10th day of December, 1985

Bk 39M of Deeds PG. 068

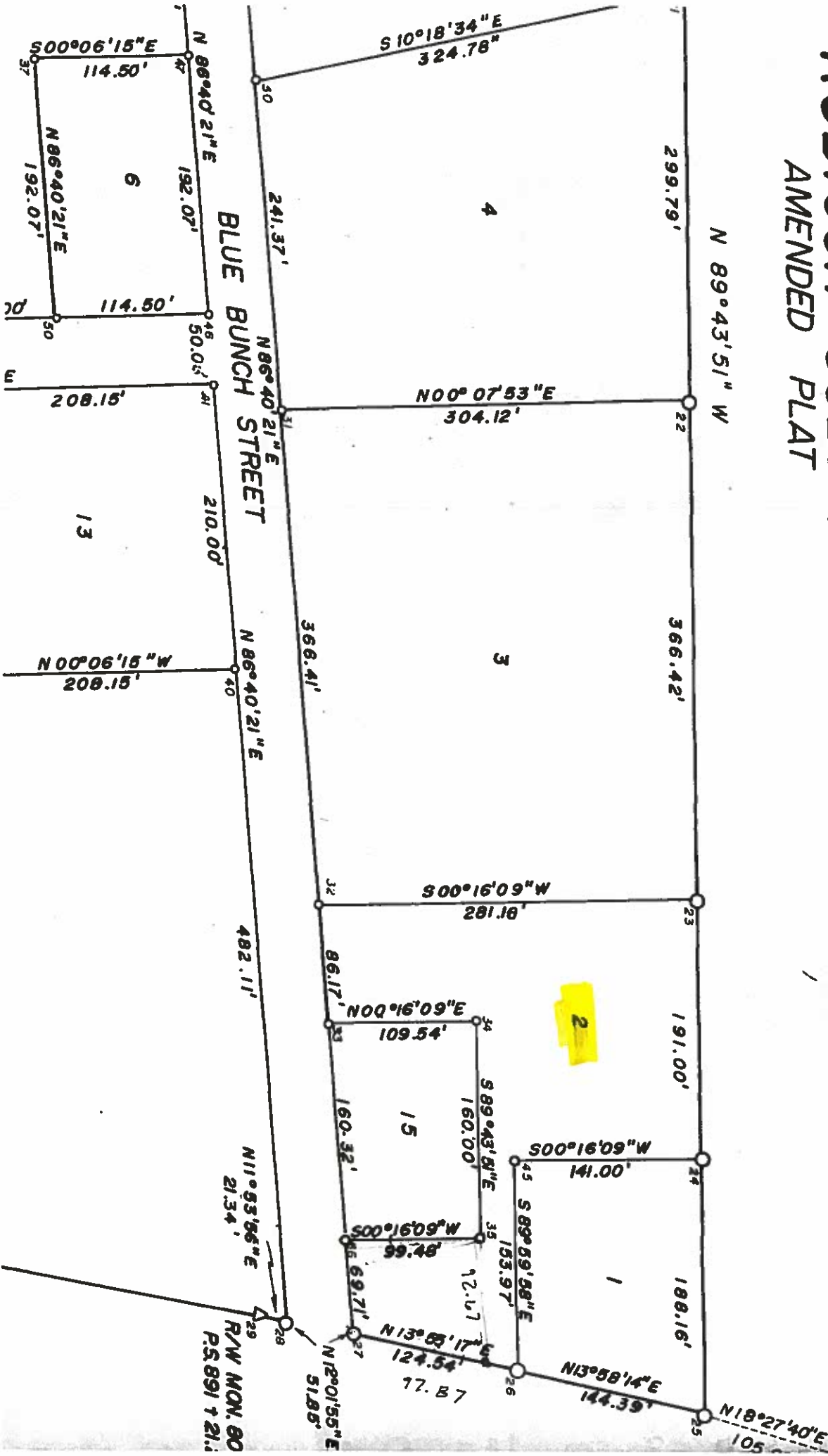
by *[Signature]* MICHAEL FISK, RECORDER

Fee \$ 4.00

Deputy

[Stamp]
Indexed

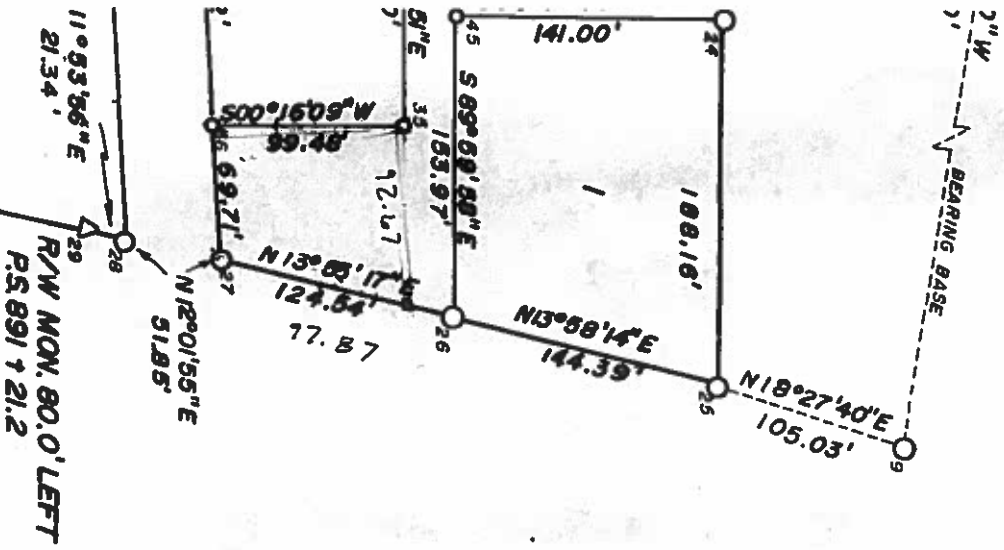
RUBICON SUBDIVISION AMENDED PLAT



TOWNSHIP 19 NORTH
RANGE 1 EAST
 BOISE MERIDIAN
 ADAMS COUNTY, IDAHO

SECTION 17

PORTION OF THE NW 1/4



LEGEND

- 1/4 CORNER
- 1/16 CORNER
- 5/8"x30" STEEL PINS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07118

Priority: March 23, 1979

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JOHN F WEEKS
BOX 124

NEW MEADOWS ID 83654 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 23, 1979; and has submitted Proof of Beneficial Use on February 14, 1984. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 17, Township 19N, Range 01E
ADAMS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

19N 01E 17

NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22ND day of April, 1994.

Acting for 
R. Keith Higginson, Director



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

April 22, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RON BRANSTETTER
LINDA BRANSTETTER
PO BOX 32
NEW MEADOWS ID 83654

RE: WATER RIGHT NO. 78-07118

Dear Mr. and Mrs. Branstetter:

Enclosed is a copy of the license on the above referenced water right. In October 1993, the Department attempted to conduct a field examination on the property associated with the right. According to the Adams County Assessor's Office, you are the present owners of the property.

When a water right is in the permit stage it is classified as personal property; therefore, when a change of ownership occurs it must be assigned to the new owner. Since we have no record of an assignment having been submitted, the license was issued in the original owner's name.

In Idaho, a licensed water right is appurtenant to the land and is therefore considered real property. Proof of owning the land is proof of owning the water right, unless it was specifically excluded in the sale.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

October 19, 2015

RECEIVED

OCT 22 2015

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

WATER RESOURCES
WESTERN REGION

To Whom It May Concern:

Enclosed please find the completed Notice of Change in Water Right Ownership form, along with the \$25 fee, a copy of the Warranty Deed for our purchase of the property, a copy of the plat map showing the property, and copies of the Water Right License and the letter that we received from the Dept. of Water Resources dated April 22, 1994 with regard to the water right.

I apologize for the delay in filing this change of ownership, but I did call after we received the letter and license and was told that there was nothing else that we needed to do because the water right was considered real property and went with the parcel. We are only now looking into this as we are trying to make sure that all of our paperwork is in order and because there is some drilling going on at a neighboring property and we want to make sure that our water rights are in our name and protected. Previous owners John and Marcheta Weeks are now both deceased and we want to make sure that the water rights are in our name for any future sale or transfer of ownership and to avoid any issues for our heirs should something happen to us.

We hope that this is everything that you need to get the water rights changed over to our names. Should you have any questions please let us know. Thank you in advance for your attention to this request.

Sincerely,

Ron Branstetter
Linda Branstetter

Ron Branstetter
Linda Branstetter
P O Box 32
New Meadows, ID 83654-0032
(208) 347-2355



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 10, 2015

RONALD O & LINDA S BRANSTETTER
PO BOX 32
NEW MEADOWS ID 83654

RE: Ownership Change for Water Right No. 78-7118

Dear Applicants,

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined the form was not completed and additional documentation is needed to complete this request.

Please complete and submit the requested documentation listed below:

- Water Right No. 78-7118 cannot be modified without further documentation. The location of this water right is Township 19N, Range 01E, Section 17, and NWSW. The deed that you have provided only specifies to Township 19N, Range 01E, Section 17, and SWNW.

I have included a copy of the proof report for 78-7118, two maps showing the location of the property in relation to the water right's place of use and a copy of the well log drilled for John Weeks showing the location listed for the well. If you feel the information the Department has is incorrect in relation to the water right's location, please contact us and ask to speak with a Water Right Agent.

Because the Department cannot process this request at this time, we will hold any action on your notice pending receipt of the necessary documentation. If we do not receive the required documentation within 30 days, the notice will be returned and will not be processed.

Thank you for your cooperation. If you have any questions please, contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures

Jones, Chad

From: Linda Branstetter [branstetter_lindaron@hotmail.com]
Sent: Wednesday, January 06, 2016 6:35 PM
To: Jones, Chad
Subject: Re: Transfer Application

Hi, Chad-

I guess that we will just leave things as they are as long as we are safe from any future hassles. I will appreciate the information to include in our records, just in case. Thanks again for your help and we will watch for the return of the application and transfer fee, along with the requested information. You have been very helpful.

From: Jones, Chad <Chad.Jones@idwr.idaho.gov>
Sent: Wednesday, January 6, 2016 3:57 PM
To: Linda Branstetter
Subject: RE: Transfer Application

No problem at all, glad I could help. If you choose not to pursue it further I will add that information to the letter accompanying the returned application and refund.

From: Linda Branstetter [mailto:branstetter_lindaron@hotmail.com]
Sent: Wednesday, January 06, 2016 3:57 PM
To: Jones, Chad
Subject: Re: Transfer Application

Thanks, Chad. I will go over this with Ron and let you know what he wants to do. I am thinking that we will probably just let it ride the way it is if it's not necessary to go through the whole process anyway. Meanwhile, I was wondering if there could be something put in our file to show that we did investigate this and were told that we technically didn't need to do anything since it's a domestic well and that the legal description for the water right filed by John Weeks was incorrect. If you could just send me something to that effect for our records it would be appreciated and would give us some peace of mind. This would just be for future reference if we should sell and the buyers question it for some reason. I do appreciate your help in all this and commend you for your promptness and knowledge in this matter. Thanks again.

From: Jones, Chad <Chad.Jones@idwr.idaho.gov>
Sent: Wednesday, January 6, 2016 2:56 PM
To: branstetter_lindaron@hotmail.com
Subject: Transfer Application

Linda,

Here is the Transfer application and instructions.

Chad Jones
Office Specialist II

Jones, Chad

From: Jones, Chad
Sent: Thursday, January 07, 2016 11:27 AM
To: Marston, Sascha
Subject: Refund - RON & LINDA BRANSTETTER

TO: Sascha Marston

FROM: Chad Jones

DATE: January 7, 2016

RE: Refund: Ownership Change 78-7118

Please refund \$25. RON & LINDA BRANSTETTER filed an ownership change 10/22/15 for 1 water right. WR# 78-7118 was listed with an incorrect legal description in the adjudication by the original owner. Since it is a domestic well and does not need to be registered as a water right, they are declining further action to correct the error (Transfer or new App for Permit).

Please issue a refund of \$25.00 to:

RON & LINDA BRANSTETTER
PO BOX 32
NEW MEADOWS ID 83654

RECEIPT #

W043606



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 7, 2016

RONALD O & LINDA S BRANSTETTER
PO BOX 32
NEW MEADOWS ID 83654

RE: Notice of Change in Water Right Ownership: 78-7118

Dear Applicants,

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. However, the application has not been processed.

On January 6, 2016, I spoke with Linda regarding what would be required in order to change the ownership for the above referenced water rights. As previously stated in the letter sent December 10, 2015, we also discussed how the water right's original owner had labeled the legal description of the water right incorrectly. I confirmed that since water right 78-7118 is for domestic use only, no further action would be required on the applicants unless they choose to submit either a Transfer application to correct the POU of the right or an Application of Permit to create a new right for the domestic well. At this time, Linda confirmed to me that she and Ron have decided to pursue no further action and are aware that their domestic well will not be negatively affected by this decision.

Because the Department cannot process this request at this time, we are returning the application and all attachments. A refund has been requested that will be sent to the payer under separate cover. You may submit the forms with the required documentation and fees at any time if you choose to.

Should you have questions, please call this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones'.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures