

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77075**

This is to certify that: NOLAN K BRANCH

2304 E 1850 S
MALTA ID 83342
(208) 260-1020

And

LUANN S BRANCH

2304 E 1850 S
MALTA ID 83342
(208) 260-1020

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-293A	WR/Decreed	04/30/1880	1.4 cfs	N/A	69.0	145.0	CASSIA CREEK
43-296A	WR/Decreed	04/01/1894	1.07 cfs	N/A	140.0	220.0	CASSIA CREEK
43-302	WR/Decreed	04/30/1885	1.2 cfs	N/A	71.0	150.0	CASSIA CREEK
43-2361	WR/Decreed	02/24/1951	3 cfs	600 AFA	150.0	213.0	GROUND WATER
43-12995	WR/Decreed	06/30/1985	0.88 cfs	N/A	63.0	213.0	GROUND WATER
43-12994	WR/Decreed	11/15/1973	0.96 cfs	N/A	73.0	213.0	CASSIA CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-293A	NO	NO	NO	YES	NO	NO
43-296A	NO	NO	NO	YES	NO	NO
43-302	NO	NO	NO	YES	NO	NO
43-2361	NO	NO	YES	YES	NO	NO
43-12995	NO	NO	NO	YES	NO	NO
43-12994	NO	NO	NO	YES	NO	NO

SUPPORT DATA

IN FILE # 43-293A

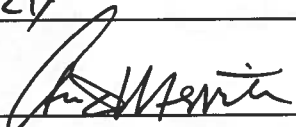
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77075

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-293A	43-293A	1.4 cfs	N/A	69.0	213.0	N/A	N/A	N/A	N/A	N/A
43-296A	43-296A	1.07 cfs	N/A	140.0	213.0	N/A	N/A	N/A	N/A	N/A
43-302	43-302	1.2 cfs	N/A	71.0	213.0	N/A	N/A	N/A	N/A	N/A
43-2361	43-2361	3 cfs	600 afa	150.0	213.0	N/A	N/A	N/A	N/A	N/A
43-12995	43-12995	0.88 cfs	N/A	63.0	213.0	N/A	N/A	N/A	N/A	N/A
43-12994	43-12994	0.96 cfs	N/A	73.0	213.0	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		7.82 cfs		213	213	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of May, 2012


 Southern Region Manager

WATER RIGHT NO. 43-293A
As Modified by Transfer No. 77075

In accordance with the approval of Transfer No. 77075, Water Right No. 43-293A is now described as follows.

Right Holder: LUANN S BRANCH
 2304 E 1850 S
 MALTA ID 83342

And

NOLAN K BRANCH
 2304 E 1850 S
 MALTA ID 83342

Priority Date: April 30, 1880

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.40 CFS
			1.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NESE Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK NENENE Sec. 14 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36							39.0	34.0									73.0

Total Acres: 213

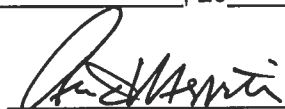
WATER RIGHT NO. 43-293A
As Modified by Transfer No. 77075

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 12



Southern Region Manager

WATER RIGHT NO. 43-12994
As Modified by Transfer No. 77075

In accordance with the approval of Transfer No. 77075, Water Right No. 43-12994 is now described as follows.

Right Holder: NOLAN K BRANCH
 2304 E 1850 S
 MALTA ID 83342

And

LUANN S BRANCH
 2304 E 1850 S
 MALTA ID 83342

Priority Date: November 15, 1973

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.96 CFS
			0.96 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NESE Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK NENENE Sec. 14 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36							39.0	34.0									73.0

Total Acres: 213

WATER RIGHT NO. 43-12994
As Modified by Transfer No. 77075

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 73 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
4. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. This right is based upon an enlargement of Rights 43-293A, 43-296A, and 43-302 pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 12



Southern Region Manager

WATER RIGHT NO. 43-296A
As Modified by Transfer No. 77075

In accordance with the approval of Transfer No. 77075, Water Right No. 43-296A is now described as follows.

Right Holder: LUANN S BRANCH
 2304 E 1850 S
 MALTA ID 83342

And

NOLAN K BRANCH
 2304 E 1850 S
 MALTA ID 83342

Priority Date: April 01, 1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.07 CFS
			1.07 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NESE Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK NENENE Sec. 14 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36							39.0	34.0									73.0

Total Acres: 213

WATER RIGHT NO. 43-296A
As Modified by Transfer No. 77075

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 12



Southern Region Manager

WATER RIGHT NO. 43-302
As Modified by Transfer No. 77075

In accordance with the approval of Transfer No. 77075, Water Right No. 43-302 is now described as follows.

Right Holder: LUANN S BRANCH
 2304 E 1850 S
 MALTA ID 83342

And

NOLAN K BRANCH
 2304 E 1850 S
 MALTA ID 83342

Priority Date: April 30, 1885

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.20 CFS
			1.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NESE Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK NENENE Sec. 14 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36							39.0	34.0									73.0

Total Acres: 213

WATER RIGHT NO. 43-302
As Modified by Transfer No. 77075

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43C.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 12



Southern Region Manager

WATER RIGHT NO. 43-12995

As Modified by Transfer No. 77075

In accordance with the approval of Transfer No. 77075, Water Right No. 43-12995 is now described as follows.

Right Holder: NOLAN K BRANCH
2304 E 1850 S
MALTA ID 83342

And

LUANN S BRANCH
2304 E 1850 S
MALTA ID 83342

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.88 CFS
			0.88 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 25 Twp 12S Rge 26E CASSIA County

GROUND WATER SWSWSE Sec. 25 Twp 12S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36							39.0	34.0									73.0

Total Acres: 213

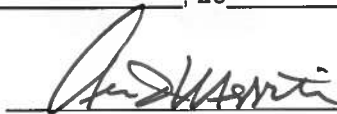
WATER RIGHT NO. 43-12995
As Modified by Transfer No. 77075

CONDITIONS OF APPROVAL

1. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed a the irrigation of 213 acres.
2. Rights 43-2361 and 43-12995 when combined shall not exceed a total diversion rate of 3.00 cfs and a total annual maximum diversion volume of 600 af at the field headgate.
3. This right is limited to the irrigation of 63 acres within the authorized place of use in a single irrigation season.
4. This right is an expansion of Right No. 43-2361 pursuant to Section 42-1416B, Idaho Code.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 12


Southern Region Manager

WATER RIGHT NO. 43-2361
As Modified by Transfer No. 77075

In accordance with the approval of Transfer No. 77075, Water Right No. 43-2361 is now described as follows.

Right Holder: LUANN S BRANCH
 2304 E 1850 S
 MALTA ID 83342

And

NOLAN K BRANCH
 2304 E 1850 S
 MALTA ID 83342

Priority Date: February 24, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.00 CFS	600 AFA
STOCKWATER	03/15	to 11/15	0.09 CFS	
			3.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 25 Twp 12S Rge 26E CASSIA County

GROUND WATER SWSWSE Sec. 25 Twp 12S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36							39.0	34.0									73.0

Total Acres: 213

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													X	X	X	X	
12S	26E	36							X	X									

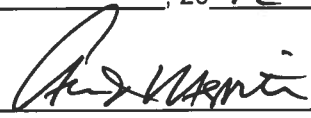
WATER RIGHT NO. 43-2361
As Modified by Transfer No. 77075

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 150 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed a the irrigation of 213 acres.
3. Rights 43-2361 and 43-12995 when combined shall not exceed a total diversion rate of 3.00 cfs and a total annual maximum diversion volume of 600 af at the field headgate.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Right No. 43-12995 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 12



Southern Region Manager

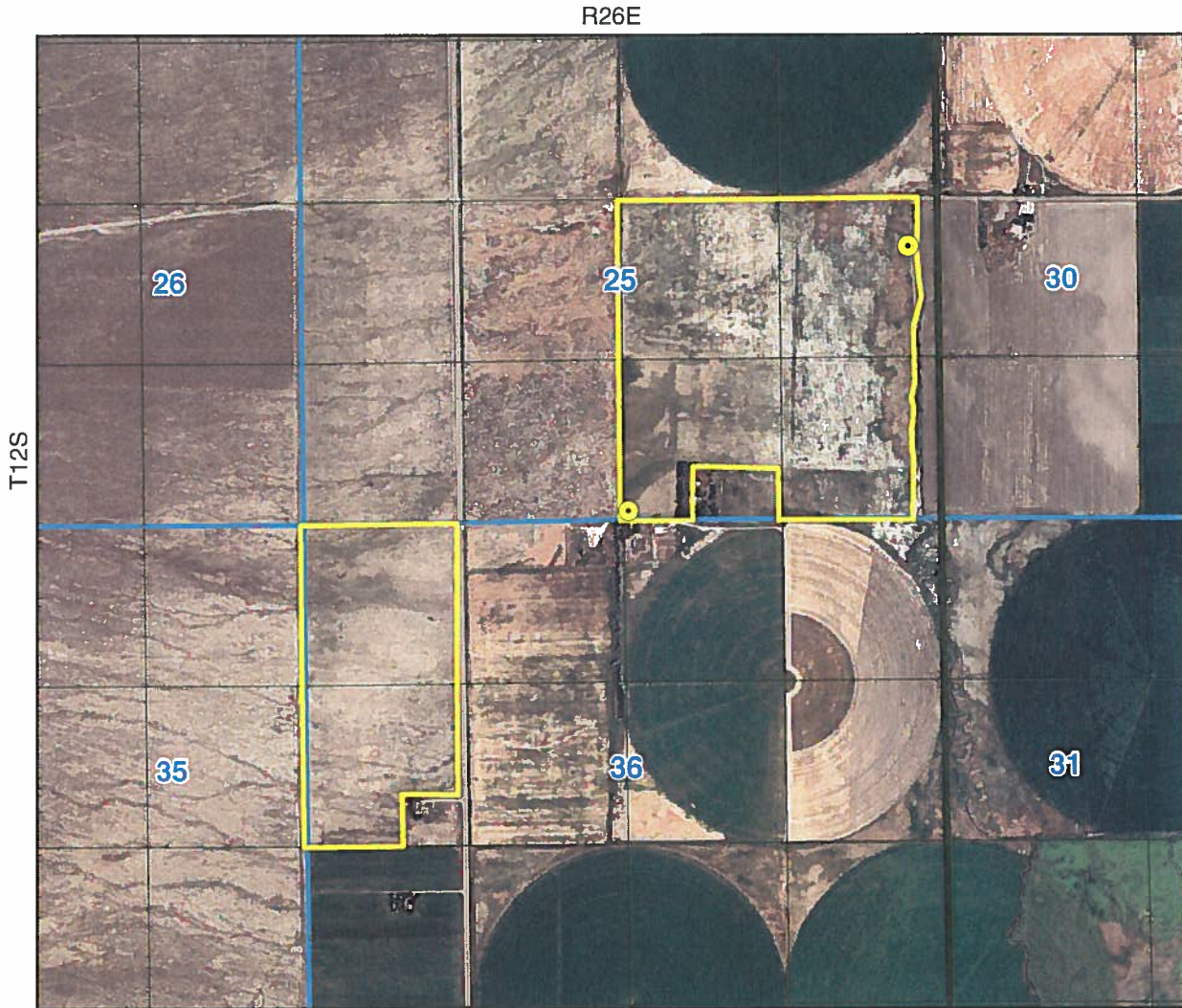
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77075

Rights: 43-2361, 43-12995

This map depicts the IRRIGATION and STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.175 0.35 0.7 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



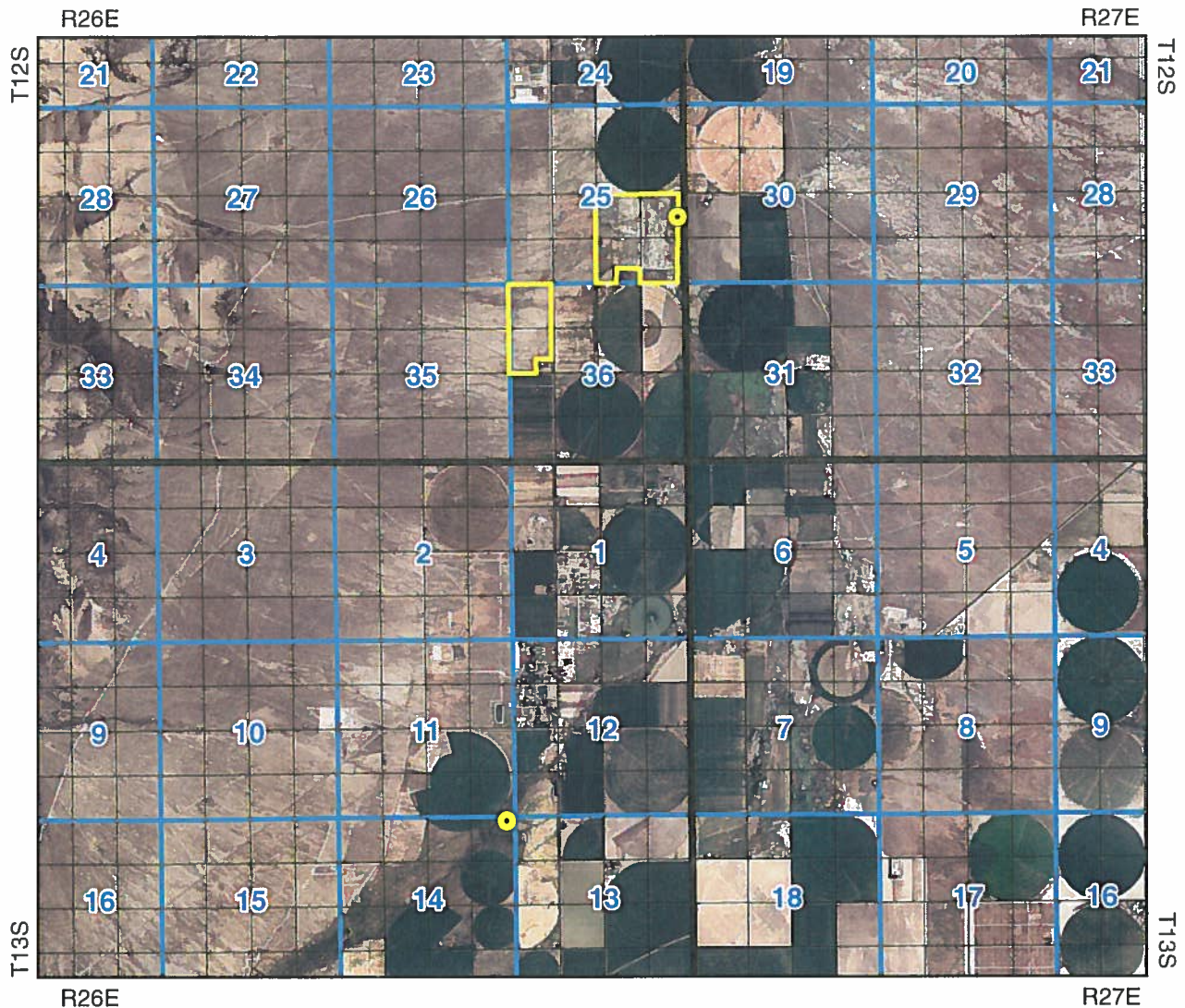
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77075

Rights: 43-293A, 43-296A, 43-302, 43-12994

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.5 1 2 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

