

Transfer No. 77075

Receipt No. 5031937

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

**RECEIVED****MAR 22 2011**DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**1. Applicant Information** 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

Will this transfer result in an ownership change? \_\_\_\_\_ Yes \_\_\_x\_\_\_ No

**2. Current Water Right****Part 2 Attached for Each Right**

|          | Origin/Basis      | Rate | Volume | Acre<br>Limit | Total<br>Acres | Source       |
|----------|-------------------|------|--------|---------------|----------------|--------------|
| 43-293A  | WR/Decreed        | 1.40 |        | 69.0          | 145.0          | CASSIA CREEK |
| 43-296A  | WR/Decreed        | 1.07 |        | 140.0         | 220.0          | CASSIA CREEK |
| 43-302   | WR/Decreed        | 1.20 |        | 71.0          | 150.0          | CASSIA CREEK |
| 43-2361  | WR/License        | 3.00 |        | 150.0         | 213.0          | GROUND WATER |
| 43-12995 | WR/Beneficial Use | 0.88 |        | 63.0          | 213.0          | GROUND WATER |
| 43-12994 | WR/Beneficial Use | 0.96 |        | 73.0          | 213.0          | CASSIA CREEK |

**3. Purpose of Transfer (Change Proposed)****Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

| Right    | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------|-------|-----|-----|---------|---------------|---------------|
| 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            |

**Describe the reason for the proposed changes**

Applicant proposes adding a point of diversion on Cassia Creek closer to his existing property.  
 Applicant also proposes to add an additional ground water point of diversion. The place of use for the stockwater component of groundwater right 43-2361 will be moved back to the applicants' property.

**4. FOR CHANGES IN NATURE OF USE ONLY**

**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

**B. Describe the effects on other water uses resulting from the proposed change**

N/A

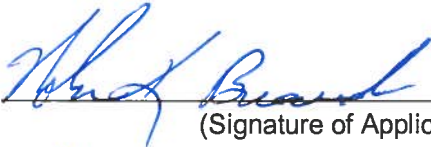
**5. Total Amounts Transferred**

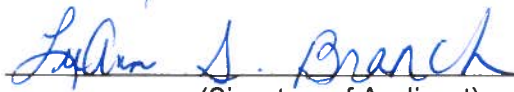
|          | Rate     | Acre Limit | Total Acres | Volume   |
|----------|----------|------------|-------------|----------|
| 43-293A  | 1.40 cfs | 69.0       | 213.0       |          |
| 43-296A  | 1.07 cfs | 140.0      | 213.0       |          |
| 43-302   | 1.20 cfs | 71.0       | 150.0       |          |
| 43-2361  | 3.00 cfs | 150.0      | 213.0       |          |
| 43-12995 | 0.88 cfs | 63.0       | 213.0       |          |
| 43-12994 | 0.96 cfs | 73.0       | 213.0       |          |
| TOTAL    | 7.82 cfs |            | 213.0       | 600.0 af |

Transfer No. 77075  
Receipt No. \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

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)

  
\_\_\_\_\_  
(Signature of Applicant)

Transfer No. 77075

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 43-293A

Priority Date: April 30, 1880

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15           | 1.40 CFS              |               |                    |
|                       | Total Diversion       | 1.40 CFS              |               |                    |

Source and Point(s) of Diversion:

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: 145

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.
- RIGHT NO. 43-12994 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Page 5

5. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 77075

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 43-296A

Priority Date: April 01, 1894

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15           | 1.07 CFS              |               |                    |
|                       | Total Diversion       | 1.07 CFS              |               |                    |

Source and Point(s) of Diversion:

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: 220

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.
3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.

Page 7

5. RIGHT NO. 43-12994 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 77075

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 43-302

Priority Date: April 30, 1885

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 3/15 11/15      | 1.20 CFS              |               |                    |
|                       | Total Diversion | 1.20 CFS              |               |                    |

Source and Point(s) of Diversion:

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: 150

Conditions/Remarks:

- RIGHT NO. 43-12994 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
- WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.

Page 9

5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 71 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 77075

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 43-2361

Priority Date: February 24, 1951

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15           | 3.00 CFS              | 600.0 AFA     |                    |
| STOCKWATER            | 03/15 11/15           | 0.09 CFS              |               |                    |
| Total Diversion       |                       | 3.00 CFS              |               |                    |

Source and Point(s) of Diversion:

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  | X  |    |    | X  |    |    |    |    |    |    |        |

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.00 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 600 AF. COMBINED RIGHT NOS.: 43-2361 AND 43-12995.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.
6. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
7. RIGHT NO. 43-12995 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.
8. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 77075

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 43-12995

Priority Date: June 30, 1985

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15     | 0.88 CFS              |               |                    |
|                       | Total Diversion | 0.88 CFS              |               |                    |

Source and Point(s) of Diversion:

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

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.00 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 600 AF. COMBINED RIGHT NOS.: 43-2361 AND 43-12995.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 63 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.

Page 13

5. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-2361 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 77075

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 43-12994

Priority Date: November 15, 1973

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15    | 0.96 CFS              |               |                    |
| Total Diversion       |                | 0.96 CFS              |               |                    |

Source and Point(s) of Diversion:

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

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 43-293A, 43-296A, AND 43-302    PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON.    COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 73 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Page 15

5. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-293A, 43-296A, 43-302, 43-2361, 43-12994, AND 43-12995.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 77075

Receipt No. \_\_\_\_\_

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

**Proposed Water Right No.** 43-293A

Priority Date: April 30, 1880

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15     | 1.40 CFS              |               |                    |
|                       | Total Diversion | 1.40 CFS              |               |                    |

Source and 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

Describe the proposed diversion system**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

Transfer No. 77075  
 Receipt No. \_\_\_\_\_

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

**Proposed Water Right No.** 43-296A

Priority Date: April 01, 1894

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK

**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15     | 1.07 CFS              |               |                    |
|                       | Total Diversion | 1.07 CFS              |               |                    |

Source and 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

Describe the proposed diversion system

**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

Transfer No. 77075  
 Receipt No. \_\_\_\_\_

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

**Proposed Water Right No.** 43-302

Priority Date: April 30, 1885

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK

**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15     | 1.20 CFS              |               |                    |
|                       | Total Diversion | 1.20 CFS              |               |                    |

Source and 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

Describe the proposed diversion system

**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  |    |    |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 73.0   |

Total Acres: 150

Transfer No. 77075

Receipt No. \_\_\_\_\_

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

**Proposed Water Right No.** 43-2361

Priority Date: February 24, 1951

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15           | 3.00 CFS              | 600.0 AFA     |                    |
| STOCKWATER            | 03/15 11/15           | 0.09 CFS              |               |                    |
|                       | Total Diversion       | 3.00 CFS              |               |                    |

Source and 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

Describe the proposed diversion system**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  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 77075  
 Receipt No. \_\_\_\_\_

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

**Proposed Water Right No.** 43-12995

Priority Date: June 30, 1985

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15     | 0.88 CFS              |               |                    |
|                       | Total Diversion | 0.88 CFS              |               |                    |

Source and 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

Describe the proposed diversion system

**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  |    |    |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 73.0   |

Total Acres: 213

Transfer No. 77075  
 Receipt No. \_\_\_\_\_

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

**Proposed Water Right No.** 43-12994

Priority Date: November 15, 1973

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** CASSIA CREEK  
 CASSIA CREEK

**Tributary:** RAFT RIVER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15     | 0.96 CFS              |               |                    |
|                       | Total Diversion | 0.96 CFS              |               |                    |

Source and 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

Describe the proposed diversion system

**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

# QUITCLAIM DEED

47541

For Value Received

**RONALD HARPER and JAYLIN HARPER, husband and wife**

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

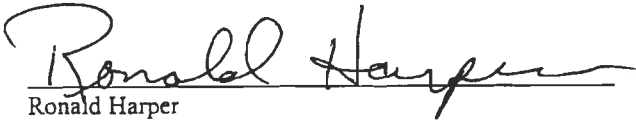
**NOLAN K. BRANCH and LUANN S. BRANCH, husband and wife**  
**ADDRESS: 2304 East 1850 South Malta, ID 83342**

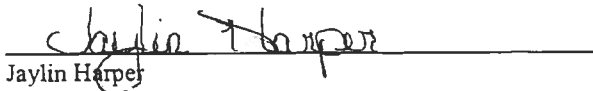
Hereinafter called the grantee, the following described water rights to-wit:

**Idaho Department of Water Resources Water Right No's 43-10288, 43-293A, 43-296A, 43-302, 43-12994, 43-12995, and 43-2361**

TO HAVE AND TO HOLD the said water rights, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

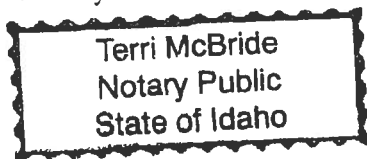
Dated: June 11, 2010

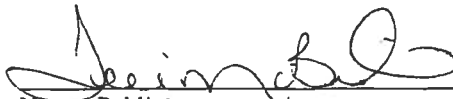
  
\_\_\_\_\_  
Ronald Harper

  
\_\_\_\_\_  
Jaylin Harper

STATE OF IDAHO                     )  
                                              ) ss.  
COUNTY OF CASSIA             )

On this 11<sup>th</sup> day of June, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald Harper and Jaylin Harper, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



  
\_\_\_\_\_  
Notary Public  
Residing at: Rupert  
My Commission expires: 2-5-14

**CASSIA COUNTY**  
RECORDED FOR:  
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COUNTY CLERK  
DEPUTY: VIKI

