

PART 1

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Pump System Below All Existing
DIVERSION OR USE EXISTING LAST DITCH DIVERSION
(LATERAL) AND Pump OUT OF IT TO PRESSURIZED SYSTEM

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
PLACE OF USE DOES NOT CHANGE WITH THIS APPLICATION
BUT THE AFFECT ON THE LAND WITH A CHANGE IN
POINT OF DIVERSION WILL BE POSITIVE - MORE PRODUCTIVE -
LESS DITCH LOSS OF WATER.

d. Remarks:
ADDING THIS POINT OF DIVERSION WILL NOT EFFECT ANY
OTHER RIGHTS ON REYNOLDS CREEK AS IT IS BELOW ALL EXISTING
DIVERSIONS - CHANGES IN PROPERTY OWNERSHIP & SUB DIVISIONS
MAKES IT NEARLY IMPOSSIBLE TO DELIVER THROUGH THE OTHER PTS OF DIVERSION

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

RECEIVED

APR 26 2007

WATER RESOURCES
WESTERN REGION**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 57-10847 Decreed to BETTY / HENRY BRANDAU
 in case of SRBA vs. _____
 dated 12/05/2002 in IDAHO county of OWYHEE
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice POD ☒ Warranty Deed ☐ Other _____

3. Source of water REYNOLDS CREEK tributary to SNAKE RIVER4. Date or priority 02-15-1916

5. Water is used for the following purpose:

amount .20 for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	11	1S	3W	OWYHEE	RDD LATERAL
		NW	NE	11	1S	3W	OWYHEE	BRANDAU V DIVERSION
		NW	SE	15	1S	3W		

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	3W	2															SW		6 AC
1S	3W	11				SE													4 AC

Total acres 10 AC9. Describe any other water rights used for the same purpose as described above NONE -

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

See attachments

PART 3

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

②

SP. SP.

Attachment B

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>NO CHANGE</u>			_____ to _____
				_____ to _____

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

SHOULD BE NO RETURN FLOW DUE TO PRESSURIZE
SYSTEM

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

THERE SHOULD BE NO EFFECTS ON OTHER WATER USERS SINCE
THE DIVERSION POINT FOR THIS APPLICATION WILL BE BELOW
ALL OTHER POINTS OF DIVERSION ON REYNOLDS CREEK AND
THE "JUNIOR" STATUS OF THIS RIGHT PRECLUDED MAKING
A "CALL" FOR WATER DURING LOW FLOWS.

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.

Subscribed and sworn to before me this _____

18th

(Signature of Applicant)
LYNDA FRIED
day of April
STATE OF IDAHO

2007

Lynnda Fried
Notary Public

(Notary Public)

Idaho 12/15/2010

My commission expires 12/15/2010

FOR DEPARTMENT USE ONLY

Transfer contains 1 pages and 2 attachments

Received by DB Date 4-26-07 Protest filed by _____

Prelim. check by VLM Fee \$100- _____

Receipted by DB / W035317 Date 4-26-07 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

PART 3

B. CHANGES IN NATURE OF USE

1.

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

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

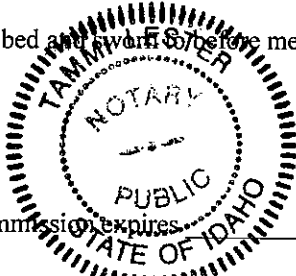
3. Describe effects on other water uses resulting from the proposed change:

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

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

Richard H Brandau _____ RICHARD H BRANDAU _____
 (Signature of Applicant) Print Name (and title, if applicable)

Subscribed and sworn to before me this 22 day of April, 2008.


Tamara L Ester _____
 (Notary Public) resides Nampa, ID

My commission expires 8-8-2011

FOR DEPARTMENT USE ONLY

Transfer contains 1 pages and 2 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by VLM Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

PO 3273

ATTACHMENT A

WARRANTY DEED

HENRY BRANDAU and BETTY B. BRANDAU, husband and wife, GRANTORS, of HC 79 Box 66 Melba, Owyhee County, Idaho, hereby convey, grant and warrant to RICHARD H. BRANDAU and CONNIE M. BRANDAU, husband and wife, GRANTEES, whose current address is HC 79 Box 61 Melba, Owyhee County, Idaho, for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, the following described tracts of land in Owyhee County, Idaho:

The South 1/2 of the Southeast 1/4
Section 2, Township 1 South, Range 3 West of the Boise
Meridian

The North 1/2 of the Northwest 1/4, the Northeast 1/4,
the Northeast 1/4 of the Southwest 1/4, and the Northwest
1/4 of the Southeast 1/4
Section 11, Township 1 South, Range 3 West of the Boise
Meridian.

LESS the following described property:

Tax #9. This parcel is a portion of SW1/4 SE1/4 of Section 2, Township 1 South, Range 3 West of the Boise Meridian, Owyhee County and is more particularly described as follows:

COMMENCING at the Southwest corner of said SW1/4 SE1/4; thence North 0 degrees 14 minutes 12 seconds West along the West boundary of said SW1/4 SE1/4, a distance of 870.99 feet to the TRUE POINT OF BEGINNING; thence continuing North 0 degrees 14 minutes 12 seconds West, a distance of 444.33 feet to the Northwest corner of said SW1/4 SE1/4; thence North 89 degrees 54 minutes 42 seconds East along the North boundary of said SW1/4 SE1/4, a distance of 1052.47 feet; thence South 54 degrees 09 minutes 32 seconds West, a distance of 760.46 feet; thence South 89 degrees 54 minutes 42 seconds West along a line parallel with and 444.33 feet Southerly of said North boundary, a distance of 434.17 feet to the TRUE POINT OF BEGINNING, subject to all easements and rights-of-way existing or of record, containing 7.58 acres.

Tax #10. This parcel is a portion of the SE1/4 SE1/4 of Section 2, Township 1 South, Range 3 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the Southeast corner of said SE1/4 SE1/4; thence North 0 degrees 13 minutes 33 seconds West along the East boundary of said SE1/4 SE1/4 a distance of 1316.40 feet

Attachment A (p 1 of 4)

to the Northeast corner of said SE1/4 SE1/4; thence South 89 degrees 55 minutes 07 seconds West along the North boundary of said SE1/4 SE1/4 a distance of 490.42 feet to the TRUE POINT OF BEGINNING; thence South 0 degrees 13 minutes 33 seconds East parallel with said East boundary a distance of 130.00 feet; thence South 89 degrees 55 minutes 07 seconds West parallel with said North boundary a distance of 130.00 feet; thence North 0 degrees 13 minutes 33 seconds West parallel with said East boundary a distance of 130.00 feet to a point on said North boundary; thence North 89 degrees 55 minutes 07 seconds East along said North boundary a distance of 130.00 feet to the TRUE POINT OF BEGINNING, subject to all easements, rights-of-way and reversions, containing 0.388 acres.

RB
CB

Tax #12. This parcel is a portion of the SE1/4 SE1/4 of Section 2, Township 1 South, Range 3 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the southeast corner of said SE1/4 SE1/4; thence North 89 degrees 12 minutes 11 seconds West along the south boundary of said SE1/4 SE1/4 a distance of 532.89 feet to a point on the easterly right-of-way for Idaho State Highway 78, said right-of-way being 33.00 feet easterly from and parallel with the centerline of said Highway 78; thence North 7 degrees 35 minutes 49 seconds West along said right-of-way a distance of 188.10 feet to the TRUE POINT OF BEGINNING; thence continuing North 7 degrees 35 minutes 49 seconds West along said right-of-way a distance of 180.00 feet; thence leaving said right-of-way and bearing North 77 degrees 01 minutes 01 seconds East a distance of 128.50 feet; thence South 7 degrees 35 minutes 49 seconds East parallel with said right-of-way a distance of 180.00 feet; thence South 77 degrees 01 minutes 01 seconds West a distance 128.50 feet to the TRUE POINT OF BEGINNING, subject to all easements and rights-of-way of record or implied, containing 0.53 acres.

Tax #10. A portion of the NE1/4 of Section 11, Township 1 South, Range 3 West of the Boise Meridian, Owyhee County, Idaho, lying easterly of State Hiway 78, more particularly described as follows:

COMMENCING at the Southeast corner of the NE1/4 of said Section 11; thence North 1044 feet, more or less, along the Easterly boundary of the SE1/4 NE1/4 to a point on the North side of existing driveway; thence West along said driveway and parallel to the North boundary of the SE1/4 NE1/4, 255 feet (more or less) to the Easterly right of way of State Hiway 78; thence Southeasterly along the Right(s) of Way of State Highway No. 78 as described in Book 33 of Deeds, page 620, and in Book 44 of Deeds, page 419, to a point on the South boundary of the NE1/4 of Section 11; thence East 18

Attachment A (p 2 of 4)

feet along the South boundary to the POINT OF BEGINNING,
subject to exceptions and reservations of record and use.

CONVEYING with the above described land all
appurtenances thereto, especially including but not limited
to all existing easements and rights-of-way of record, any
and all water rights and grazing rights as follows: Taylor
Grazing Rights including but not limited to 704 total AUM's,
of which 479 AUM's are active and 225 AUM's are suspended,
in Allotment 0516 of the Hardtrigger Unit; Water Rights
including but not limited to 57-00279 for 2.00 CFS, 57-10847
for 0.20 CFS, 57-10401 for 0.12 CFS, 57-01015 for 0.07 CFS,
57-109198 for 0.02 CFS, 57-10914 for 0.02 CFS, 57-10919A for
0.02 CFS.

WITNESS the hand of said Grantors this 17 day
of April, 2000.

Henry Brandau
HENRY BRANDAU

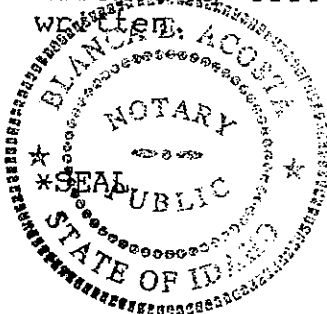
Betty B. Brandau
BETTY B. BRANDAU

STATE OF IDAHO)

County of Canyon

On this 17 day of April, 2000, before me, the
undersigned, a Notary of Public in and for said State,
personally appeared HENRY BRANDAU and BETTY B. BRANDAU,
known to me to be the persons whose names are subscribed to
the within and foregoing instrument and acknowledged to me
that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above



Blanca Acosta
NOTARY PUBLIC FOR IDAHO

Residence: Greenleaf

My Commission Expires: 9-6-05

WARRANTY DEED

RECORDED
BY
ST-1516
OFFICE

Blanca Acosta
NOTARY PUBLIC

00 APR 18 PM 4:38

232061

FILED - RECORDED

ATTACHMENT A (p 3 of 4)

MAKE CHECK PAYABLE TO:				PARCEL NUMBER	
BRENDA RICHARDS TAX COLLECTR				RP01S03W02900	
P.O. BOX 128				L	14.72
MURPHY, ID 83650				I	24.47
208-425-1159 OR 337-5522					
1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT NV	39.19	
TAX 212.70	TAX 212.70	TAX 425.40			
LATE	LATE	LATE			
INT	INT	INT			
COST	COST	COST			
TOT	TOT	TOT	TOT ACS	71.51	

2006 TAX BILL/RECEIPT

BRANDAU RICHARD H & CONNIE M
9902 WILSON CEMETERY RD
MELBA ID 83641

S2SE LESS TAX 9,10812
2 15 3W

13797 STATE HWY 78 83641

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.003278621	132.4
SCHOOL 136	.001599550	61.1
SCHOOL 136 BOND	.003850895	150.9
COUNTY RD	.000344812	13.5
GRV/PICK CSM	.000010192	.7
WATER FIRE	.000678648	26.8
DISTRICT TOTAL	.009832718	385.4
SOLID WASTE FEE		40.0
AMOUNT DUE		425.4

Attachment A (p 4 of 4)

DAD'S

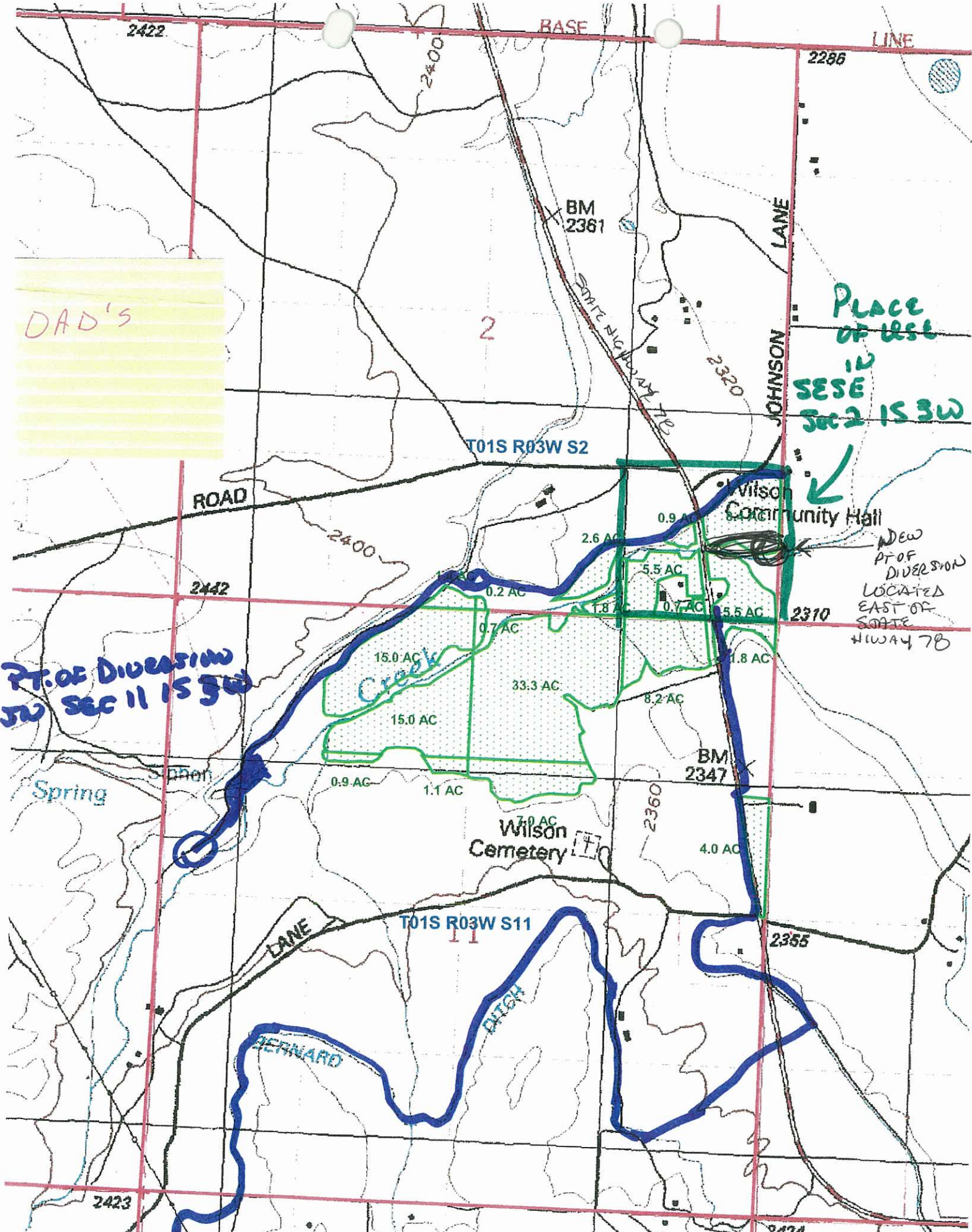
2

PLACE OF USE
IN
SESE
SEC 2 IS SW

PT. OF DIVERSION
IN SEC 11 IS SW

NEW
PT OF
DIVERSION
LOCATED
EAST OF
STATE
HIWAY 78

PT OF DIVERSION IN SEC 15 IS SW ATTACHMENT B C101:



area from 0.552 should
been less. 0.552
tracts actual irrigation
is 0.0 acres decreased.

THIS ROW \$2

T01S R03W S11