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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
NOV 30 1998
WATER RESOURCES
WESTERN REGION
RECEIVED
DEC 01 1998

Department of Water Resources

Water Right No(s): 57-10402

Adjudication Claim No(s): AJ 5809 NP

The following REQUIRED information must be submitted with this form:

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant BRUCE MALMBERG / MERLE MALMBERG

RT. 1 MARSING, IDAHO 83639

4. New Owner/Claimant(s) RICHARD AND/OR CONNIE BRANDAN

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address SAME: HC 79 BOX 61

City, State and ZIP Code MELBA, IDAHO 83641

New Telephone Number SAME: (208) 495-2529

Date you acquired the property MARCH 6, 1995 & SEPT 4, 1990

5. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate NONE Number and type of stock 450 RANGE CATTLE
Diversion rate in CFS 0.12 Number of homes NONE Other uses CABIN AT GOW CAMP +
LINE CAMP + SHACK

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner or Claimant(s) Richard Brandan 11-25-98

Connie Brandan 11/25/98

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

3. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED
JAN 19 2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	RICHARD H BRANDAU	07/01/1968	STOCKWATER	01-01	12-31	0.12 CFS	
C	MERLE MALMBERG						
C	CONNIE M BRANDAU						
C	BRUCE MALMBERG						
	HC 79 BOX 61						
	MELBA ID 83641						
	(208) 495-2529						
TOTAL DIVERSION:						0.12 CFS	

Water Source: SPRINGS

Tributary to: COTTONWOOD CREEK

Stage: DECREED

Point(s) of Diversion:

T02S R04W S18

S19

R05W S24

NESWSW

NESENW

NWNE

OWYHEE County

OWYHEE County

OWYHEE County

Place of use Legal Description for: STOCKWATER															
NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
02S	04W	18	:				:			S		:			
02S	04W	19	:				:			S		:			
02S	05W	24	:	S			:					:			

POU County: OWYHEE

Other Rights: NONE

- Conditions of Approval:
- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 - N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 450 RANGE CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

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MAY 19 2000

WARRANTY DEED

FOR VALUE RECEIVED,

BRUCE MALMBERG and MERLE MALMBERG, husband and wife,

the Grantors, do hereby grant, bargain, sell and convey unto
RICHARD BRANDAU and CONNIE BRANDAU, husband and wife,

the Grantees, whose current address is HC 79 Box 61,
Melba, ID 83641

the following described real property, located in Owyhee
County, Idaho, to-wit:

IN TOWNSHIP 2 SOUTH RANGE 4 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 18: SW $\frac{1}{4}$

Section 19: NW $\frac{1}{4}$

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantors do 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 except: None.

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

Taxes and assessments of all taxing units not yet due and
payable.

215039

FILED - RECORDED

SEP 6 PM 1 41

RECORDED

INDEXED

TRANSFER OF
Connie Brandau
FM 6.00

INDEXED

RECORDED

MICROFILMED
SEP 19 2000

WARRANTY DEED

FOR VALUE RECEIVED, Bruce Malmberg and Merle Malmberg, husband and wife,

the Grantors, do hereby grant, bargain, sell and convey unto Richard Brandau and Connie Brandau, husband and wife,

the Grantee s, whose address is HC-79, Box 61, Melba, ID 83641

the following described premises, to-wit:

TOWNSHIP 2 SOUTH, RANGE 5, WEST OF THE BOISE MERIDIAN,
OWYHEE COUNTY, IDAHO:
Section 13: SE $\frac{1}{4}$
Section 24: NE $\frac{1}{4}$

203353

FILED-RECORDED

SEP 4 1 09 PM '90

BRANDAU
OWYHEE COUNTY
BY *C. Malmberg*
DEPUTY

REQUEST OF
Richard J. Brandau
P.E. 3-00

INDEXED
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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s .
their heirs and assigns forever. And the said Grantor s do hereby covenant to
and with the said Grantee s , 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: August 27, 1990

x *Bruce M. Malmberg*

x *Merle Malmberg*

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STATE OF IDAHO, COUNTY OF Canyon

19 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1996 DEC -3 AM 9:04

DISTRICT COURT - SRE
TWIN FALLS CO., IDAHO

FILED _____

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10402

NAME & ADDRESS: RICHARD H BRANDAU
MERLE MALMBERG
CONNIE M BRANDAU
BRUCE MALMBERG
HC 79 BOX 61
MELBA ID 83641

SOURCE: SPRINGS TRIBUTARY: COTTONWOOD CREEK

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1968

POINT OF DIVERSION: T02S R04W S18 NESWSW Within Owyhee County
S19 NESENW
R05W S24 NWNENE

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.12 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T02S R04W S18 SWSW
S19 SENW
R05W S24 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: DEC 3 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

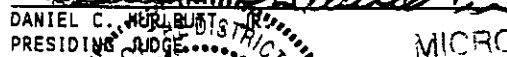
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: DEC 3 1996

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10402

State of Idaho
County of Twin Falls ss
I hereby certify the foregoing to be a full true and correct copy of the original on file in the above entitled action
ROBERT S FORT
CLERK OF THE DISTRICT COURT
DEPUTY CLERK


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication
FIFTH JUDICIAL DISTRICT
TWIN FALLS COUNTY IDAHO

MICROFILMED

JUN 26 1997
JUN 18 1996

JUN 19 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD H BRANDAU
CONNIE M BRANDAU
HC 79 BOX 61
MELBA ID 83641

RE: Water Right 57-10402

Dear Mr. & Mrs. Brandau:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

L. Glen Saxton
for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

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JUN 13 2000