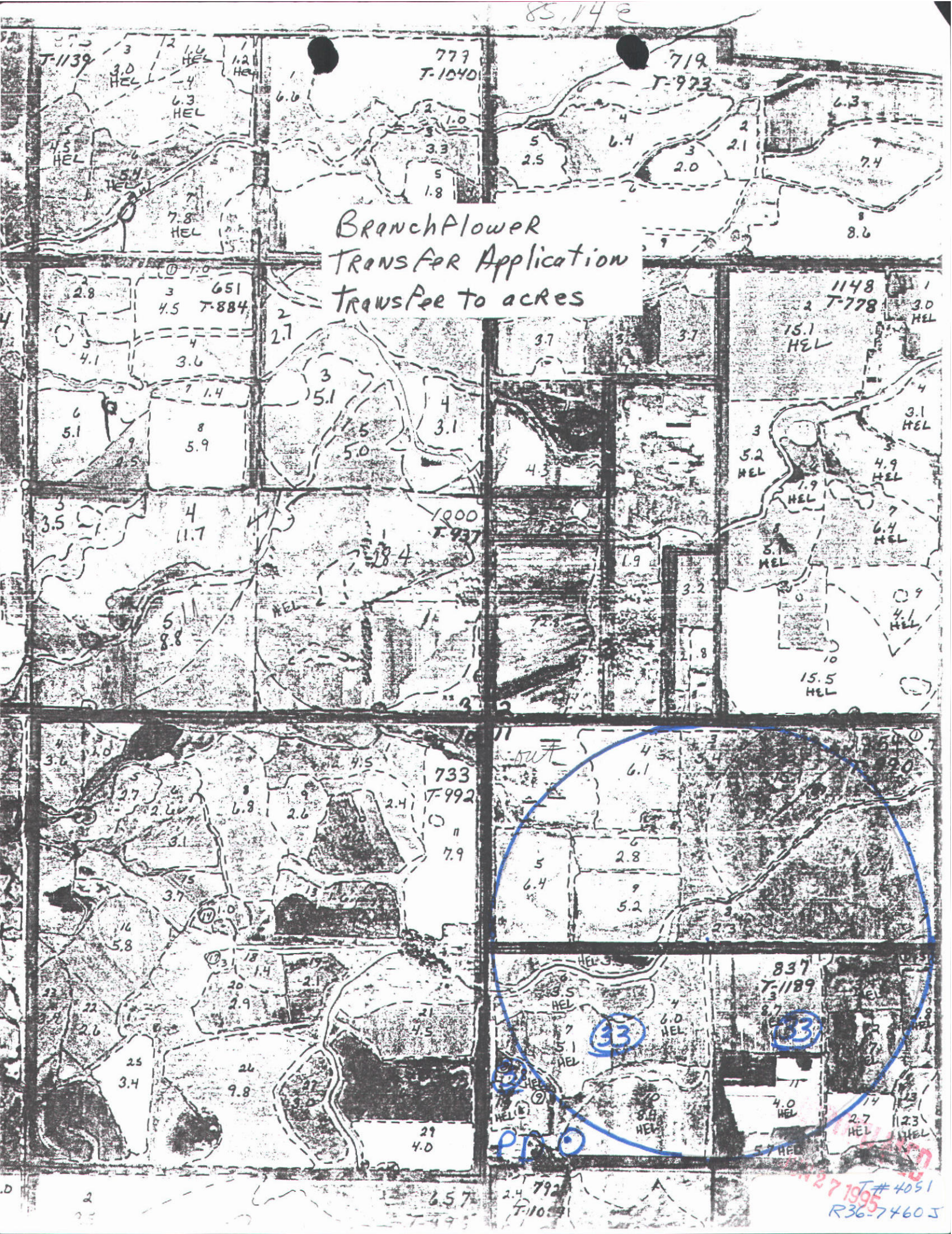


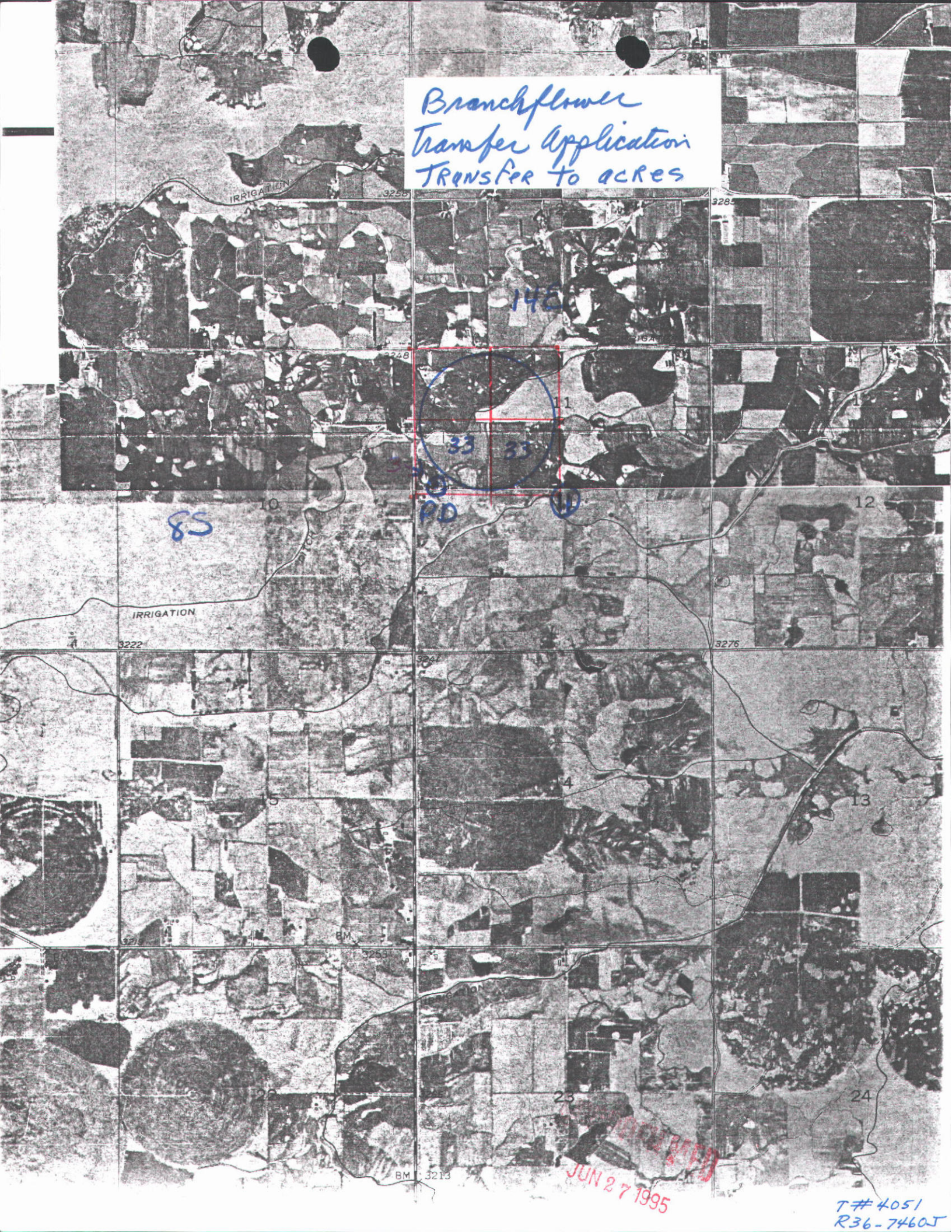
85.14 e



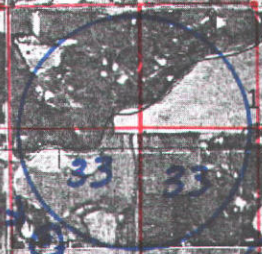
Branch Flower
Transfer Application
Transfee to acres

T# 4051
R36-74605

Branchflower
Transfer Application
Transfer to acres



145



33

33

85

PD

10

IRRIGATION

3222

3276

12

13

24

23

BM 3213

JUN 27 1995

T# 4051
R36-7460J

CLAIM A36-07460 INIT
T. R. S. Q/Q
P/D
PHOTO AA70 (SW)
DT. & ID. C. 1974

NAPP

439-43

8-1-88

Acres dis allowed in SRBA = Green cross hatch

FIELD EXAM: 11-26-91

SCC

TOTAL ACRES

Found

11-21-91

SW

= 525

ACRES

REVISED

522

11-26-91 SCC

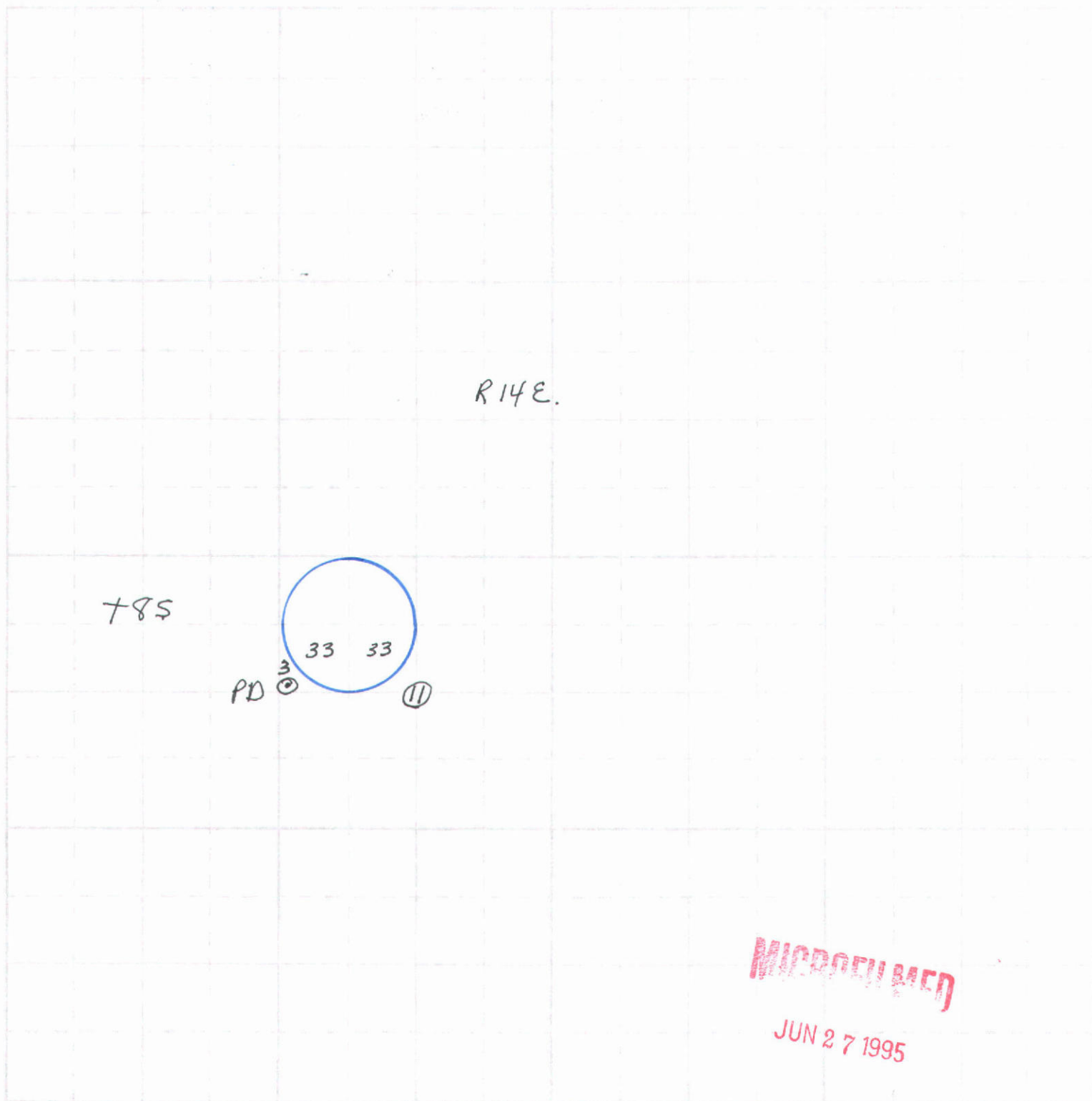


27 1995

T #4051
R36-7460J

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
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.



AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Gooding }

RECEIVED

FEB 18 1993

Patty Rance

Department of Water Resources
Southern Region Office

, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 10 day of February, 1993, and the date of the last publication was on the 17 day of February, 1993.

Subscribed and sworn to before me this 17th day of February, 1993
(SEAL)

Norma De Voe
NOTARY PUBLIC

#18401

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 3X's **RECEIVED**

JUN 27 1995

1298 Lines tabular at 6¢/Pica

Lines straight at \$64.90 5¢/Pica

Subsequent lines at 52.00 4¢/Pica

TOTAL COST \$116.90

COPY OF NOTICE

(Paste Here)

*Notice of Proposed Chg of
Water Right
Mike Branch Flower 6064*

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4051. The right to be changed authorizes diversion of water from three (3) wells located in Sections 21 & 28, T07S, R14E within Gooding County. The right is recorded in part as follows:

Number: R36-07460C
Priority: 03/25/1974
Amount: 10.44 cfs
Acres: 522

TO BE CHANGED AS FOLLOWS

A portion of this water right (R36-07460J) will be diverted from one (1) well located in S11, T08S, R14E and will be used to irrigate 69 acres within Gooding County using a total diversion rate of 1.38 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use, and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4052. The right to be changed authorizes diversion of water from a well located in S2, T08S, R14E within Gooding County. The right is recorded in part as follows:

Number: R36-07460D
Priority: 03/25/1974
Amount: 0.44 cfs
Acres: 28

TO BE CHANGED AS FOLLOWS

Portions of this water right (R36-07640F & R36-07460G) will be diverted from wells located in S2, T08S, R14E and S30, T07S, R15E for irrigation of 40 acres within Gooding County using a total diversion rate of 0.31 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4053. The right to be changed authorizes diversion of water from one (1) well located in Lot 1 (S2, T08S, R14E) within Gooding County. The right is recorded in part as follows:

Number: R36-02517
Priority: 09/11/1961
Amount: 1.44 cfs
Acres: 169

TO BE CHANGED AS FOLLOWS

Portions of this water right (R36-02517B & R36-02517C) will

the above proposal must be
filed with the DEPARTMENT OF
WATER RESOURCES, 222 SHOSHONE
ST. E., TWIN FALLS ID 83301 on
or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that
MIKE BRANCHFLOWER of Wendell,
ID has applied to the
Department of Water Resources
for changes to points of
diversion, places of use and
split Snake River Basin
Adjudication claim from
groundwater sources and further
classified as Transfer # 4053.
The right to be changed
authorizes diversion of water
from one (1) well located in
Lot 1 (S2, T08S, R14E) within
Gooding County. The right is
recorded in part as follows:

Number: R36-02517
Priority: 09/11/1961
Amount: 1.44 cfs
Acres: 169

TO BE CHANGED AS FOLLOWS
Portions of this water right
(R36-02517B & R36-02517C) will
be diverted from two (2)
separate wells located in Lot 3
(S2, T08S, R14E) and S30, T07S,
R15E to be used for irrigation
of not more than 48 acres
within Gooding County using a
total diversion rate of 0.38
cfs.

Any protest against approval of
the above proposal must be
filed with the DEPARTMENT OF
WATER RESOURCES, 222 SHOSHONE
ST. E., TWIN FALLS ID 83301 on
or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that
MIKE BRANCHFLOWER of Wendell,
ID has applied to the
Department of Water Resources
for changes to points of
diversion, places of use and
split Snake River Basin
Adjudication claim from
groundwater sources and further
classified as Transfer # 4054.
The right to be changed
authorizes diversion of water
from a well located in S3,
T08S, R14E within Gooding
County. The right is recorded
in part as follows:

Number: R36-15219
Priority: 03/22/1956
Amount: 0.82 cfs
Acres: 41

TO BE CHANGED AS FOLLOWS
Portions of this water right
(R36-15219B & R36-15219C) will
be diverted from a well located
in S3, T08S, R14E and will be
used for irrigation of 13 acres
within Gooding County using a
total diversion rate of 0.26
cfs.

Any protest against approval of
the above proposal must be
filed with the DEPARTMENT OF
WATER RESOURCES, 222 SHOSHONE
ST. E., TWIN FALLS ID 83301 on
or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF AMENDMENT TO A WATER
PERMIT

NO. 36-08582
Notice is hereby given that
MIKE BRANCHFLOWER of Wendell,
ID is the holder of Approved
Permit No. 36-08582 with a
priority date of 02/20/1991
authorizing the diversion of
0.52 cubic feet per second of
water from groundwater in the

SE1/4SE1/4NW1/4, S2, T08S, R14E
County of Gooding, to be used
for irrigation of 26 acres
within SE1/4NW1/4, S2, T08S,
R14E.

This Application for Amendment
proposes to change point of
diversion and change place of
use.

The permit holder has applied
to the Department of Water
Resources for an Amendment to
the Permit, to be changed as
follows:

Amount: 0.52 cfs
Period of Use: 4/1 to 10/31
Point of Diversion:
SW1/4SE1/4, S30, T07S, R15E;
Gooding County.
Place of Use: W1/2SE1/4, S30,
T07S, R15E.

Any protest against approval of
the amending of Permit No.
36-08582 as set forth above
must be filed with the Idaho
Department of Water Resources,
222 Shoshone Street East, Twin
Falls, ID 83301 on or before
March 1, 1993.
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUN 26 2002

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
~~36-2247A~~		~~A~~	~~36-7377B~~		~~B~~
~~36-2247B~~		~~B~~	~~36-7547D~~		~~D~~
~~36-5047A~~		~~A~~	~~36-7460G~~		~~G~~
~~36-8047B~~		~~B~~	~~36-2517C~~		~~C~~
~~36-10449~~			~~36-7460J~~		~~J~~

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Irene Vanderveest

4. New Owner/Claimant(s)

Irene Vanderveest

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

New Mailing Address

1587 E 3100 S

City, State and ZIP Code

Wendell ID 83355

New Telephone Number

(208) 536-6537

5. Date you acquired the property

MICROFILMED

JAN 09 2003

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Ray Vanden Vegt
(include title if applicable) _____

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

For Office Use Only

Received by [Signature] Date 6/26/02 Fee 250.00
 Received by [Signature] Date 6/26/02 Receipt No. 5025025
 Processed by [Signature] AJ Date _____ WR _____ Date _____

MICROFILMED
JAN 9 2003

QUITCLAIM DEED

#G-30119

For Value Received

Irene VanderVegt, a married woman as her sole and separate property

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

DOUBLE V, L.L.C.

Whose address is: 76 East 400 South, Jerome, Idaho 83338

Hereinafter called the grantee, the following described premises, in Gooding County, Idaho to-wit:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes by Right of Way Deed recorded January 7, 1944 in Book 35 Page 240 as Instrument Number 89051, Gooding County records.

ALSO EXCEPTING THEREFROM that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

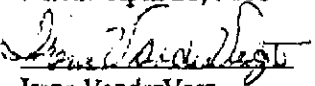
Beginning at the West Quarter corner of said Section 11, said Section 11, said point being THE TRUE POINT OF BEGINNING;

Thence North along the West boundary of said Section 11, 488.00 feet;

Thence Southeasterly, 725.50 feet, more or less, to a point on the South boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;Thence West along the South boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, 540.00 feet, more or less, to THE TRUE POINT OF BEGINNING.

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

Dated: April 20, 2001


Irene VanderVegt

Instrument # 190271

GOODING, GOODING, IDAHO

2001-04-25

04:31:14 No. of Pages: 1

Recorded for: LAND TITLE

HELEN EDWARDS

Fee: 3.00

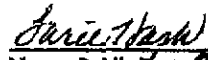
Ex-Office Recorder Deputy
Helen Edwards

STATE OF IDAHO)

COUNTY OF TWIN FALLS) ss.

On this 20th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Irene VanderVegt, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.




Notary Public for State of Idaho
Residing at: Idaho
My Commission expires: 11-13-06

Name: 00190271.001
Dimensions: 2528 x 3282 pixels

MICROFILMED

JAN 09 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4051
WATER RIGHT NO. 36-07460J

This is to certify that: **MIKE BRANCHFLOWER**
PO BOX 392
WENDELL ID 83355

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.38 CFS	276.0 AF

SOURCE

GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 11, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	11	SWNW 36	SENW 33		69
Total number of acres irrigated:						69

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. 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 determine the amount of water diverted from power records and shall annually report the information to the department.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

RECORDED
JUN 27 1995

TRANSFER NO. 4051
WATER RIGHT NO. 36-07460J

CONDITIONS/REMARKS:

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 20th day of June, 1995

J. Glen Saylor
Chief, Water Alloc. Bureau

JUN 27 1995

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4051

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Southern Region Office

Name of applicant Mike Branchflower Phone 536-2594

Post Office address P.O. Box 392; Wendell, Id. 83358

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☒ Change place of use
☐ Change nature of use
 ☐ Change period of use
 ☒ Other Split claim
- Describe the reason for the proposed changes Water has been purchased, and will be moved to property owned by applicant

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|-------------------|---------------------|
| <u>36-7460 U</u> | <u>3-25-1974</u> | <u>1.38</u> | <u>Irrigation</u> | <u>4-1 to 10-31</u> |
| | | | | |
| | | | | |
| | | | | |
- Total amount of water being transferred 1.38 cubic feet per second and/or 276 acre-feet per annum.
- Source of water groundwater tributary to _____
- Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	11	8S	14E	Gooding	

5. 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	
8S	14E	11							36	33									69

Total acres 69

PART 1

6. General Information:

a. Description of diversion system Well, pump, mainline to center pivot and
landlines in corner.

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. 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:

Land will be dued up.

d. Remarks:

See transfer #3684 for proof of ownership.

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 _____

JUN 27 1995

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. 36-07460C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	10.44 CFS	2088.0 AF

SOURCE

GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION:

SWNWSE , Sec. 21, Township 07S, Range 14E
 SWNWNE , Sec. 28, Township 07S, Range 14E
 NWSWSE , Sec. 28, Township 07S, Range 14E
 GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	14E	20	SESE 33			33
		21	SWSW 33	NESE 33	NWSE 33	
			SWSE 33	SESE 33		165
		28	NWNW 33	SWNW 35	SENW 13	
			NESW 35	NWSW 38	SWSW 26	
			SESW 26	NWSE 7	SWSE 9	222
		29	NENE 33	SENE 33	NESE 36	102
Total number of acres irrigated:						522

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.

RECORDED
 JUN 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-7460G issued by the Idaho Department of Water Resources.
- c. Claim No. 36-7460C 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 ☐ Warranty Deed ☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority 3-25-1974

5. Water is used for the following purpose:

amount 10.44 cfs for Irrigation purposes from 4-1 to 10-31
(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 10.44 cubic feet per second and/or 2088 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SE	21	7S	14E	Gooding	
	SW	NW	NE	28	7S	14E	"	
	NW	SW	SE	28	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	14E	20																33	33
		21											33		33	33	33	33	165
		28						33	35	13	35	38	26	26		7	9		222
		29	33			33									33				102

Total acres 522

9. Describe any other water rights used for the same purpose as described above _____

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** Part J

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

1. amount 1.38 cfs for Irrigation purposes from 4-1 to 10-31.
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same.

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	
<u>7S</u>	<u>14E</u>	<u>29</u>				<u>33</u>									<u>36</u>				<u>69</u>

Total acres 69**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) PART H

1. amount 9.06 for Irrigation purposes from 4-1 to 10-31.
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

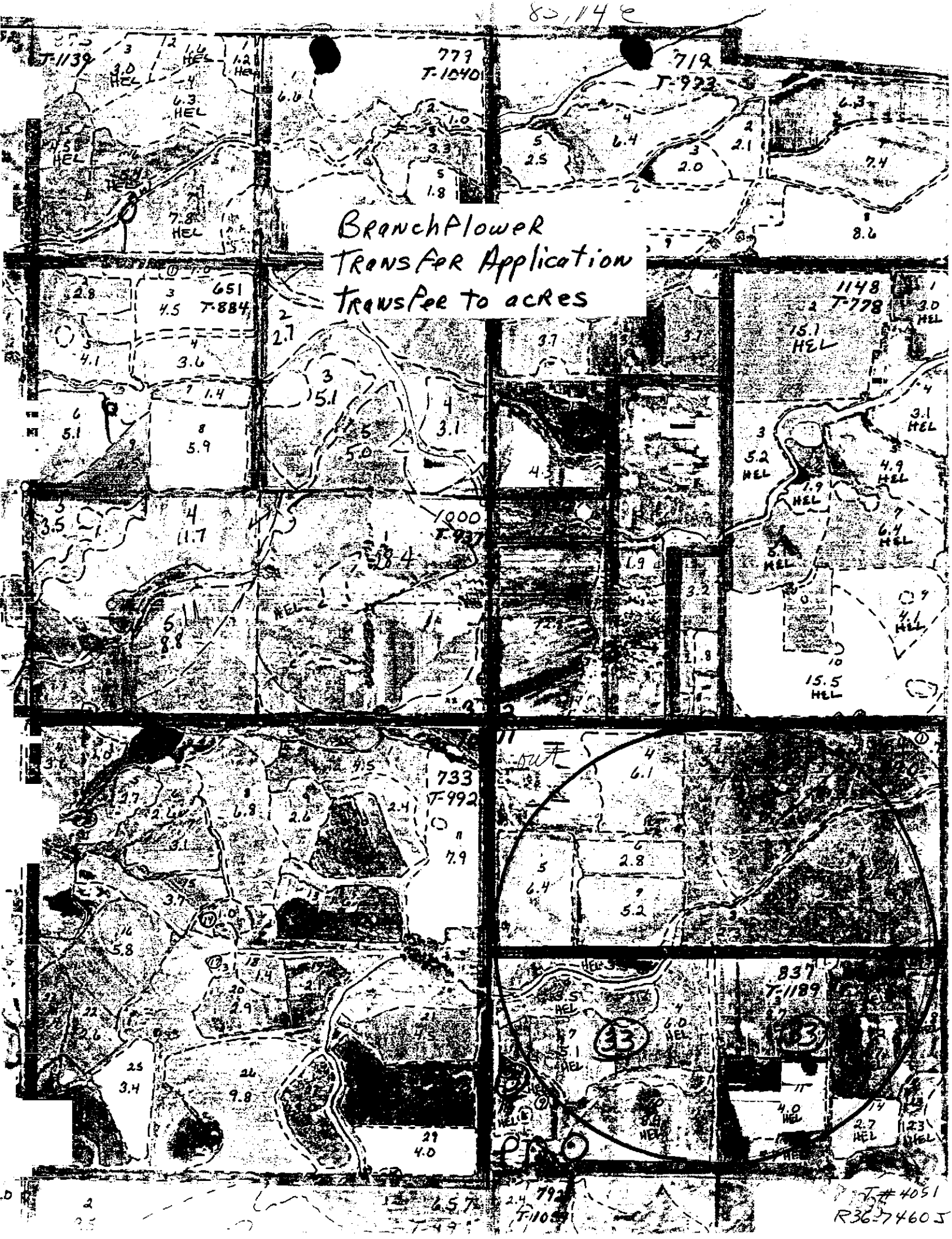
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SW</u>	<u>NW</u>	<u>SE</u>	<u>21</u>	<u>7S</u>	<u>14E</u>	<u>Gooding</u>	
	<u>SW</u>	<u>NW</u>	<u>NE</u>	<u>28</u>	<u>"</u>	<u>"</u>	<u>"</u>	
	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	

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	
<u>7S</u>	<u>14E</u>	<u>20</u>																<u>33</u>	<u>33</u>
		<u>21</u>											<u>33</u>		<u>33</u>	<u>33</u>	<u>33</u>	<u>33</u>	<u>165</u>
		<u>28</u>					<u>33</u>	<u>35</u>	<u>13</u>	<u>35</u>	<u>38</u>	<u>26</u>	<u>26</u>		<u>7</u>	<u>9</u>			<u>222</u>
		<u>29</u>	<u>33</u>																<u>33</u>

Total acres 453

85,142



Branchflower
Transfer Application
Transfer to acres

IRRIGATION

6M 3213

JUN 27 1995

T# 4051
R31 7460J

CLAIM A36-07460 INIT
T. R. S. Q/Q
P/D
PHOTO AA70 (SW)
DT. & ID. C. 1974

NAPP

439-43

8-1-88

Acres disallowed in SRBA = ||||| Green Grass Patch

FIELD EXAM: 11-25-91

SC

TOTAL ACRES

FOUND

11-21-91
SW

ACRES
REVISED
522

11-26-91 SC

33

36

35

38

33

35

26

26

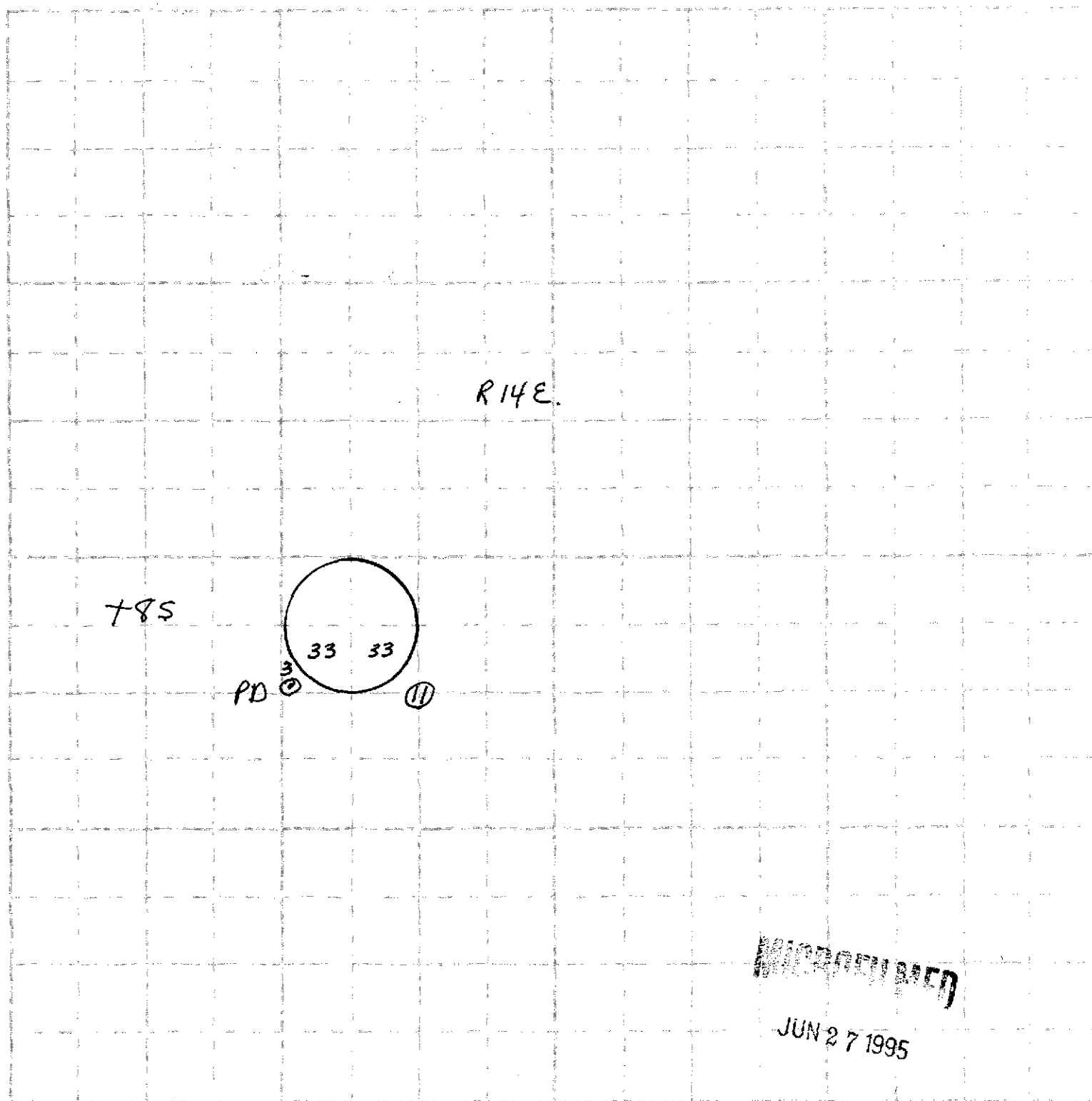
NOT
NOT
EXPLANATION

T
7
S

T #4051
R31 74C-T

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
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.



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of February, 1993.

[Signature]
(Notary Public)

My commission expires 7/18/1995

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by MTS Date 2-1-93 Protest filed by _____

Prelim. check by JF Stanton Fee \$50 - 5015336

Receipted by MTS Date 2-1-93

Published in Gooding Co. Leader Copies of protest forwarded by _____

Pub. dates 2/10 & 2/17/93 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by SEA

Copy of transfer sent to lien holder _____

RECEIVED

JUN 27 1995

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

FEB 18 1993

Patty Nance

Department of Water Resources
Southern Region Office

being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 10 day of February, 1993.

and the date of the last publication was on the 17 day of February, 1993.

Subscribed and sworn to before me this 17th day of February, 1993

(SEAL)

Norma De Voe
NOTARY PUBLIC

#18401

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X's

JUN 27 1995

1298 Lines tabular at 6¢/Pica

1298 Lines straight at \$64.90 5¢/Pica

Subsequent lines at 52.00 4¢/Pica

TOTAL COST \$116.90

COPY OF NOTICE

(Paste Here)

Notice of Proposed Chg of
Water Rights
Mike Branch Flower 6064

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4051. The right to be changed authorizes diversion of water from three (3) wells located in Sections 21 & 28, T07S, R14E within Gooding County. The right is recorded in part as follows:
Number: R36-07460C
Priority: 03/25/1974
Amount: 10.44 cfs
Acres: 500

TO BE CHANGED AS FOLLOWS

A portion of this water right (R36-07460C) will be diverted from one (1) well located in S11, T08S, R14E and will be used to irrigate 69 acres within Gooding County using a total diversion rate of 1.38 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use, and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4052. The right to be changed authorizes diversion of water from a well located in S2, T08S, R14E within Gooding County. The right is recorded in part as follows:
Number: R36-07460D
Priority: 03/25/1974
Amount: 0.44 cfs
Acres: 28

TO BE CHANGED AS FOLLOWS

Portions of this water right (R36-07640F & R36-07460G) will be diverted from wells located in S2, T08S, R14E and S30, T07S, R15E for irrigation of 40 acres within Gooding County using a total diversion rate of 0.31 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.
R. Keith Higginson, Director

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the

Gooding County. The right is recorded in part as follows:
Number: R36-02517
Priority: 09/11/1961
Amount: 1.44 cfs
Acres: 169

TO BE CHANGED AS FOLLOWS
Portions of this water right (R36-02517B & R36-02517C) will be diverted from two (2) separate wells located in Lot 3 (S2, T08S, R14E) and S30, T07S, R15E to be used for irrigation of not more than 48 acres within Gooding County using a total diversion rate of 0.38 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.

R. Keith Higginson, Director
NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4854. The right is to be changed authorized diversion of water from a well located in S3, T08S, R14E, Gooding County.

Number: R36-15219
Priority: 03/22/1956
Amount: 0.82 cfs
Acres: 41

TO BE CHANGED AS FOLLOWS
Portions of this water right (R36-15219B & R36-15219C) will be diverted from a well located in S3, T08S, R14E and will be used for irrigation of 13 acres within Gooding County using a total diversion rate of 0.26 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.

R. Keith Higginson, Director
NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 36-08582
Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID is the holder of Approved Permit No. 36-08582 with a priority date of 02/20/1891 authorizing the diversion of 0.52 cubic feet per second of water from a well located in the

SE1/4SE1/4, S2, T08S, R14E, Gooding County, to be used for irrigation of 13 acres within SE1/4NW1/4, S2, T08S, R14E.

This Application for Amendment proposes to change point of diversion and change place of use.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 0.52 cfs
Period of Use: 4/1 to 10/31
Point of Diversion: SW1/4SE1/4, S30, T07S, R15E; Gooding County.
Place of Use: W1/2SE1/4, S30, T07S, R15E.

Any protest against approval of the amending of Permit No. 36-08582 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before March 1, 1993.

R. Keith Higginson, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2002

RAY VANDER VEGT
1587 E 3100 S
WENDELL ID 83355

RE: Change of Ownership for Water Right 36-7460J

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced 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 this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
JAN 09 2003



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 30, 1996

Michael & Katherine Branchflower
PO Box 392
Wendell, ID 83355

Dear Mr. & Mrs. Branchflower:

This letter documents a variety of water measurement and distribution problems and concerns regarding your ground water diversions located in the Wendell area. It appears that some of your diversions exceed authorized water right limits. Other diversions are in violation of specific conditions requiring that groundwater be used only when appurtenant surface water rights are not available. Finally, you may be irrigating lands not authorized by water rights. The department may issue notices of violation for illegal diversion of water at these sites. One transferred right lists an incorrect description of the diversion location, and you must apply for a transfer to change the point of diversion to match the well actually used. Finally, diversions from two dairy wells must also be measured and reported to the department.

Please read this letter carefully. If you disagree with any part of it, please contact me as soon as possible.

Four water rights are used to irrigate the NW quarter of section 11, Township 8 South, Range 14E. Department records show that you own three of the four water rights, and that Irene Vander Vegt is owner of 36-07460J.

<u>Water Right</u>	<u>Flow Rate (cfs)</u>	<u>Acres</u>	
36-08313B	0.32	16	(NWNW)
36-02517C	0.17	20	(NENW)
36-07460G	0.19	12	(NENW)
36-07460J	1.23	69	(SWNW-36, SENW-33)

The map you submitted in 1995 indicates that a pivot is centered in the NW quarter, and operates full circle, irrigating approximately 33 acres per 40 acre quarter-quarter. You do not have adequate water rights to cover the full use of this pivot as only 16 acres are authorized in the NW of the NW quarter of section 11, but it appears you are irrigating about 33 acres.

Transferred water rights 36-02517C and 36-07460G were approved with conditions stating that:

C:\tr-bran.wpd

MICROFILMED

OCT 22 1997

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

And

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Water right 36-08313B was approved with the following condition:

The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

Water right 36-07460I does not contain specific conditions requiring surface water use. The North Side Canal Company has confirmed that the 160 surface water shares appurtenant to this land have been recently sold and are no longer used at this location. According to the above conditions, you can no longer use these rights for irrigation of this ground if the appurtenant surface water rights are sold or otherwise not used when available. If this analysis is incorrect, please notify me as soon as possible. Otherwise, the department will issue a notice of violation for illegally diverting water.

Water right 36-08313A authorizes the use of two wells to irrigate 60 acres with a diversion rate of 1.20 cfs. Gary Spackman measured a total of 1.73 cfs from the two wells, which exceeds the authorized amount by 0.53 cfs. You also reported irrigation of 64 acres during 1995; four acres were not authorized for irrigation. The licence stipulates that "The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right." The North Side Canal Company has confirmed that the surface water shares appurtenant to this land have been recently sold and are no longer used at this location. According to the above condition, you can no longer use this right for irrigation of this ground if the appurtenant surface water rights are sold or otherwise not used when available. As above, if this analysis is incorrect, please notify me as soon as possible. Otherwise, the department will issue a notice of violation for illegal diversion of water.

It appears that transferred rights 36-02517B & 36-07460E are used together and list the same diversion (well) located in lot 3 (NWNENW quarter of) section 2, Township 8 South, Range 14 East, and authorize a total diversion rate of 0.34 cfs for irrigation of 33 acres. Gary Spackman measured a flow rate of 1.28 cfs, which exceeds the authorized amount by 0.94 cfs. You have also reported irrigation of 38 acres, which exceeds the authorized amount by 5 acres.

Gary Spackman measured a total flow rate of 4.61 cfs from the two wells used for transferred right 36-07377A. This right authorizes only 4.36, and you are exceeding this amount by 0.25 cfs.

36-07377A

OCT 22 1995

Water rights 36-08582 and 36-08560B together authorize diversion of 0.58 cfs to irrigate 29 acres. Gary Spackman measured 0.68 cfs, which exceeds the authorized amount by 0.10 cfs. You also reported irrigating 35 acres, which exceeds the authorized amount by 6 acres.

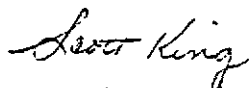
In your 1995 ground water measurement report, you imply that the well located in the NESESW quarter of section 3, Township 8 South, Range 14 East is used to divert groundwater for water right numbers 36-15219B, 36-08252E, 36-08063C, and 36-07460B. However, 36-07460B does not include this location as a point of diversion, but instead lists a well in the NENESW quarter of section 3. **To legitimately use the well in the NESESW quarter for water right no. 36-07460B, a transfer must be approved changing the point of diversion of this right.** Currently, only 36-15219B, 36-08252E, and 36-08063C can legitimately be diverted from the well in the NESESW quarter to irrigate a total of 33 acres.

A comparison of water right limits to actual measured diversions for the above well shows that the measured flow rate is 0.34 cfs higher than the water rights authorize. Gary Spackman measured 914 gpm (2.04 cfs), but the authorized flow is only 1.70 cfs, including the 36-07460B right.

Recently transferred rights 36-07377B and 36-07547B, co-owned by yourself and DeVries, authorize a total of 0.20 cfs and 59.6 acre-feet annually for stockwater and commercial uses (a dairy). Conditions of this transfer require that diversions under these rights must be measured and reported. If flowmeters have not yet been installed on the wells used for this dairy, they should be installed as soon as can reasonably be expected. Enclosed are reporting forms for these wells.

If you have any questions about these matters, please let me know. I can be reached by mail at the above address or by phone at (208) 327-7897.

Sincerely,



Scott King

Enclosure: Reporting forms for dairy wells

cc: portions to Vander Vegt and DeVries

Michael G. Branchflower
P.O. Box 392
Wendell, ID 83355

RECEIVED

MAR 20 1996

March 20, 1996

Department of Water Resources
Southern Region

Douglas Jones, P.E.
Water Rights Supervisor
Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

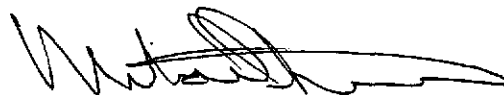
RE: Janss/Branchflower Transfer
Branchflower/Whitesides Transfer

Dear Mr. Jones:

This will acknowledge receipt of your correspondence to me and my attorney dated January 24, 1996. It will also acknowledge my concurrence with your calculations set out in that letter for Water Right No. 36-07460 Part J. Specifically, I acknowledge that my proportional share under Transfer No. 4051 as 1.23 cubic feet per second rather than 1.38 cubic feet per second on that 69 acres.

My agreement with Mr. Brent Whitesides for the transfer of water to him will reflect that change.

Sincerely yours,



MICHAEL G. BRANCHFLOWER

APR 18 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

March 12, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

KEVIN TRAINOR, ATTORNEY
STEPHAN, KVANVIG, ET AL
PO BOX 83
T.F. ID 83303-0083

Faxed 3/12/96 DJ

RE: JANSS/BANCHFLOWER TRANSFER; BANCHFLOWER/WHITESIDES TRANSFER

Dear Mr Trainor:

I call your attention to correspondences dated 1/24/1996 and forwarded to your office in which I requested certain steps be taken by Branchflower with regards to the above transfers. To reiterate: 1) IDWR must receive acknowledgement from Branchflower that his proportional share under transfer #4051 is reduced from that approved. 2) Mr Branchflower also must amend his agreement with Whitesides to provide the proportional rate appurtenant to the acres specified to be dried up in the initial agreement predicated on the incorrect stipulation.

IDWR must receive the above material as soon as possible, if not sooner, in order to move the Whitesides transfer through the approval process so they can finalize financing, county approval and begin work. I have spoken to you, Branchflower and Whitesides in the last day. Branchflower said that you need to write the letters for him to sign, which will take time, so hence this letter requesting prompt action.

If you have any questions or need to see the file(s) please feel free to come to the office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

APR 18 1996

Michael G. Branchflower
P.O. Box 392
Wendell, ID 83355

RECEIVED

MAR 20 1996

March 20, 1996

Department of Water Resources
Southern Region

Douglas Jones, P.E.
Water Rights Supervisor
Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

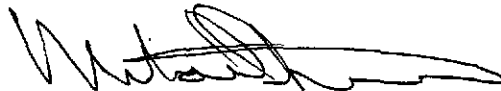
RE: Janss/Branchflower Transfer
Branchflower/Whitesides Transfer

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My agreement with Mr. Brent Whitesides for the transfer of water to him will reflect that change.

Sincerely yours,



MICHAEL G. BRANCHFLOWER

RECORDED
M

APR 1 1996

WRO749NP
No. T36-07460J

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/18/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MIKE BRANCHFLOWER PO BOX 392 WENDELL ID 83355 (208) 536-2594	03/25/1974	IRRIGATION	04-01 10-31	1.38 CFS	276.00 AFA
TOTAL DIVERSION:					1.38 CFS	276.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S11

SWNW

GOODING County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
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	Lt	Ac	: SUM	
08S	14E	11	:								:			36		33	:							:						69.0		
TOTAL ACRES																													69.0			

Pou County: GOODING

Other Rights: NONE

Conditions of Approval:

- 01M R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- ~~T16~~ - The change approved by this transfer is subject to the terms of ~~T09~~ the court's final decree of this right in the ongoing Snake River Basin Adjudication.

Dates:	App. Received:	Priority Date:	03/25/1974
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc:	Water District Number:	Field Exam Fee:
-------	------------------------	-----------------

=====

Comments: Date: 11/26/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
ACREAGE DISTRIBUTION ON LICENSE APPEARS TO BE INCORRECT, AS WE
HAVE NOT CHANGED THE IRRIGATION SYSTEM SINCE WE BOUGHT THE FARM
IN 1979.
LAND IN SESW SEC. 21 & NENW SEC. 28 WAS DRIED UP IN 1982 SO SENE
& NESE SEC. 29 COULD BE IRRIGATED. APPLICATION FOR PERMIT WAS
MADE IN 1985 TO COVER THESE LANDS.
WATER RIGHT SPLIT: TRANSFER #3684
JANSS-- 13.16 CFS, A36-07460A
BRANCHFLOWER--1.04 CFS, A36-07460B

Date: 12/23/1991 User-ID: CLELLAND Subject: TRANSFER 3767 INFO
THE RECOMMENDATIONS LISTED HERE ARE THE SAME AS IN R36-07460A.
HOWEVER, TRANSFER 3767 HAS BEEN ALLOWED SINCE THE PERIOD OF
FIVE YEAR NON-USE OF PORTIONS OF THIS RIGHT RANGED FROM 1987 TO
1991 AND THE TRANSFER WAS FILED IN 1990. IT APPEARS THAT IS THE
LAST PENDING TRANSFER AGAINST THE FORFEITED/ABANDONED PORTION OF
THIS RIGHT. ANY FURTHER TRANSFERS ON THE NON-IRRIGATED PORTION OF
THIS RIGHT SHOULD NOT BE ALLOWED.

Date: 03/18/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4051
Transfer No. 4051 was filed to change the point of diversion and
the place of use under a portion of Right No. 36-07460C,
splitting the right into parts H and J. The transfer was
processed using the SRBA Claim as recommended to the court and
will be stored under an X prefix on the water right database
pending conclusion of the adjudication.

Audit: 03/18/94 SKAGGS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
T07S R14E S29																			
0100005	SNAKE RIVE :																		
0100016	SNAKE RIVE :																		
0100212	SNAKE RIVE :																		
A010021220	SNAKE RIVE :			40				12	12		40	40				20		164	
0100213	SNAKE RIVE :																		
0100215	SNAKE RIVE :																		
0100220	SNAKE RIVE :																		
3602429	GROUNDWATE :											40	40			40	40	160	
*3602429	GROUNDWATE :											38	39			39	39	155	
A3602429	GROUNDWATE :											38	39			39	39	155	
3602588	GROUNDWATE :			38			15	29	06									88	
*3602588	GROUNDWATE :			40				16	34									90	
A3602588	GROUNDWATE :			40				16	34									90	
3607303	GROUNDWATE :								40	40								80	
*3607303	GROUNDWATE :								30	40								70	
A3607303	GROUNDWATE :								30	40								70	
A3607460A	GROUNDWATE :	40				~~40~~	Not Recommended - See C								~~33~~		113		
3607460C	GROUNDWATE :	33																33	
*3607460C	GROUNDWATE :	33				33	Transferred Acres/ Old P/O								36		102		
T3607460H	GROUNDWATE :	33																33	
C47Q-AA 70	:	38	39	40	37		39	38	39	39		40	37	38	39	37	38	39	614

T08S R14E S11

0100005	SNAKE RIVE :																	
0100016	SNAKE RIVE :																	
0100212	SNAKE RIVE :																	
0100212Z1	LARGE CLAI : North Side Canal					40	40	40	40	40				40				280
0100213	SNAKE RIVE :																	
0100215	SNAKE RIVE :																	
0100220	SNAKE RIVE :																	
3602232	GROUNDWATE :															40		40
*3602232	GROUNDWATE :															40		40
A3602232	GROUNDWATE :															40		40
3602247	GROUNDWATE :	35	20	25	40													120
*3602247	GROUNDWATE :	30	21	23	38													112
A3602247	GROUNDWATE :	35	20	25	40													120
3604050	GROUNDWATE :											40						40
*3604050	GROUNDWATE :											17	37					54
A3604050	GROUNDWATE :											40						40
3607023	GROUNDWATE :															40	20	60
*3607023	GROUNDWATE :															36	20	56
A3607023	GROUNDWATE :															40	20	60
T3607460J	GROUNDWATE :																	69
3608047	GROUNDWATE :	40	40	40	40			36	33									160

No Overlaps

WR0725NP
(OD-725)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 03/18/94
PAGE: 2

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		
		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	Lt	Ac	Lt	Ac			
*3608047	GROUNDWATE :	40		40		40		40		:								:														160		
A3608047	GROUNDWATE :	40		40		40		40		:								:														160		
3608305	GROUNDWATE :									:						40							40									120		
B3608313B	GROUNDWATE :									:			16						:													16		
3608701	GROUNDWATE :									:	33		33						:													66		
*3615181	GROUNDWATE :									:									:			17		37								54		
A3615181	GROUNDWATE :									:									:			17										17		
C47Q-AA 70 :		34		29		37		35		36		38		29	38		38		34		39		39		36		38		37		20	557		
C83Q-AA 70 :		37		33		39		37		37		39		32	39		39		37		39		39		35		39		38		33	592		

Drilling Permit No.

36-93-S-0049-000

Water Right Permit No.

36-07460 ET, T #4051

Injection Permit No.

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

Applicant (please print) Mike BranchflowerMailing Address P.O. Box 392, Wendell, ID 83855Telephone 536-2594

(X) Well Owner () Well Operator () Other, specify _____

Proposed well location SW 1/4 NW 1/4, or Gov't Lot No. _____Sec. 11, Twp. 85, Rge. 14E, County Gooding

Street Address of Well Site _____

Lot, block and subdivision _____

Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- (X) Non-Domestic: Any beneficial use not included within the definition of domestic.

- () Injection

- () Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: _____

Well construction information:

- A. (X) New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 14" Proposed Maximum Depth 100'

C. Anticipated bottom hole temperature:

- () 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

Construction Start Date ASAPAnticipated Well Driller Eaton Drilling

NOTE: The actual well driller must be identified prior to drilling.

Applicant's signature _____

MICROFILMED

JUN 27 1995

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

Amended

Date

3/3/93

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY:

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

MICROFILMED
JUN 27 1995

Loren O'Halloran
Signature of Authorized Department Representative

Asst. Southeast Region
Title

Permit No. S015440 Received by OK Fee \$200.00 Date 3-2-93

EXTENSION OF DRILLING PERMIT

Now approved by _____ Approval Date _____

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that
MIKE BRANCHFLOWER of Wendell,
ID has applied to the
Department of Water Resources
for changes to points of
diversion, places of use and
split Snake River Basin
Adjudication claim from
groundwater sources and further
classified as Transfer # 4051.
The right to be changed
authorizes diversion of water
from three (3) wells located in
Sections 21 & 28, T07S, R14E
within Gooding County. The
right is recorded in part as
follows:

Number: R36-07460C
Priority: 03/25/1974
Amount: 10.44 cfs
Acres: 522

TO BE CHANGED AS FOLLOWS

A portion of this water right
(R36-07460J) will be diverted
from one (1) well located in
S11, T08S, R14E and will be
used to irrigate 69 acres
within Gooding County using a
total diversion rate of 1.38
cfs.

Any protest against approval of
the above proposal must be
filed with the DEPARTMENT OF
WATER RESOURCES, 222 SHOSHONE
ST. E., TWIN FALLS ID 83301 on
or before March 1, 1993.

R. Keith Higginson, Director

Published in Gooding County
Leader on 2/10 & 2/17/93.

Minneapolis

JUN 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

04-Feb-1993

R. KEITH HIGGINSON
Director

GOODING COUNTY LEADER
200 N MAIN
GOODING ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

JUN 27 1995

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that MIKE BRANCHFLOWER of Wendell, ID has applied to the Department of Water Resources for changes to points of diversion, places of use and split Snake River Basin Adjudication claim from groundwater sources and further classified as Transfer # 4051.

The right to be changed authorizes diversion of water from three (3) wells located in Sections 21 & 28, T07S, R14E within Gooding County. The right is recorded in part as follows:

Number	Priority	Amount	Acres
R36-07460C	03/25/1974	10.44 cfs	522

TO BE CHANGED AS FOLLOWS

A portion of this water right (R36-07460J) will be diverted from one (1) well located in S11, T08S, R14E and will be used to irrigate 69 acres within Gooding County using a total diversion rate of 1.38 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 1, 1993.

R. Keith Higginson, Director

Published in Gooding County Leader on 2/10 & 2/17/93.

JUN 27 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

03-Feb-1993

R. KEITH HIGGINSON
Director

MIKE BRANCHFLOWER
PO BOX 392
WENDELL ID 83355

Re: Application for Transfer No. 4051 (R36-07460J)

Dear Mr. Branchflower:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Gooding County Leader on 2/10 and 2/17/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED
JUN 27 1995

RECEIVED
FEB 17 1983
Department of Water Resources
District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7460 Priority March 25, 1974 Amount 14.2 cfs

THIS IS TO CERTIFY, that Janss Investment Corp.
of Thousand Oaks, California, has complied with the terms and conditions of Permit
No. 36-7460 issued pursuant to Application for Permit dated March 25, 1974
and has submitted proof to the Department of Water Resources on February 2, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 14.2 of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>14.2</u> cfs and	<u>3600.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 14.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3600.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; NW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; Twp. 7S, Rge. 14E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	14E	20																	33
		21											40	40	33	33	40	33	219
		28	33	40	38	39	40	40	40	40	40	38	35	39	40	35	39	39	615
		29	33																33

Total number of acres irrigated 900

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of January 1983.


Director

36-7460

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEXDATE: 08/08/95
PAGE: 1WATER RIGHT
NUMBER

NAME

CFS

36-07460

Split into 36-07460A & B.

36-07460A

Split into 36-07460C & D by Trans. #3767.

36-07460B

BRANCHFLOWER , MIKE

1.04

36-07460C

JANSS INVESTMENT CORP.

12.72

36-07460D

BRANCHFLOWER , MIKE

0.44

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 08/08/95

PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

T36-07460G2 BRANCHFLOWER , MIKE

0.19

pending xfer

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 08/08/95

PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
X36-07460E	BRANCHFLOWER , MIKE	0.13
X36-07460F	BRANCHFLOWER , MIKE	0.12
X36-07460G	BRANCHFLOWER , MIKE	0.19
X36-07460H	JANSS FARMS	9.06
X36-07460J	BRANCHFLOWER , MIKE	1.38

water right database (not adj.) reflection
of transfers approved since Director's report
was prepared.

Post-It® Fax Note	7671	Date 8/8	# of pages 4
To Mary		From [Signature]	
Co/Dept.		Cc.	
Phone #		Phone #	
Fax #		Fax #	