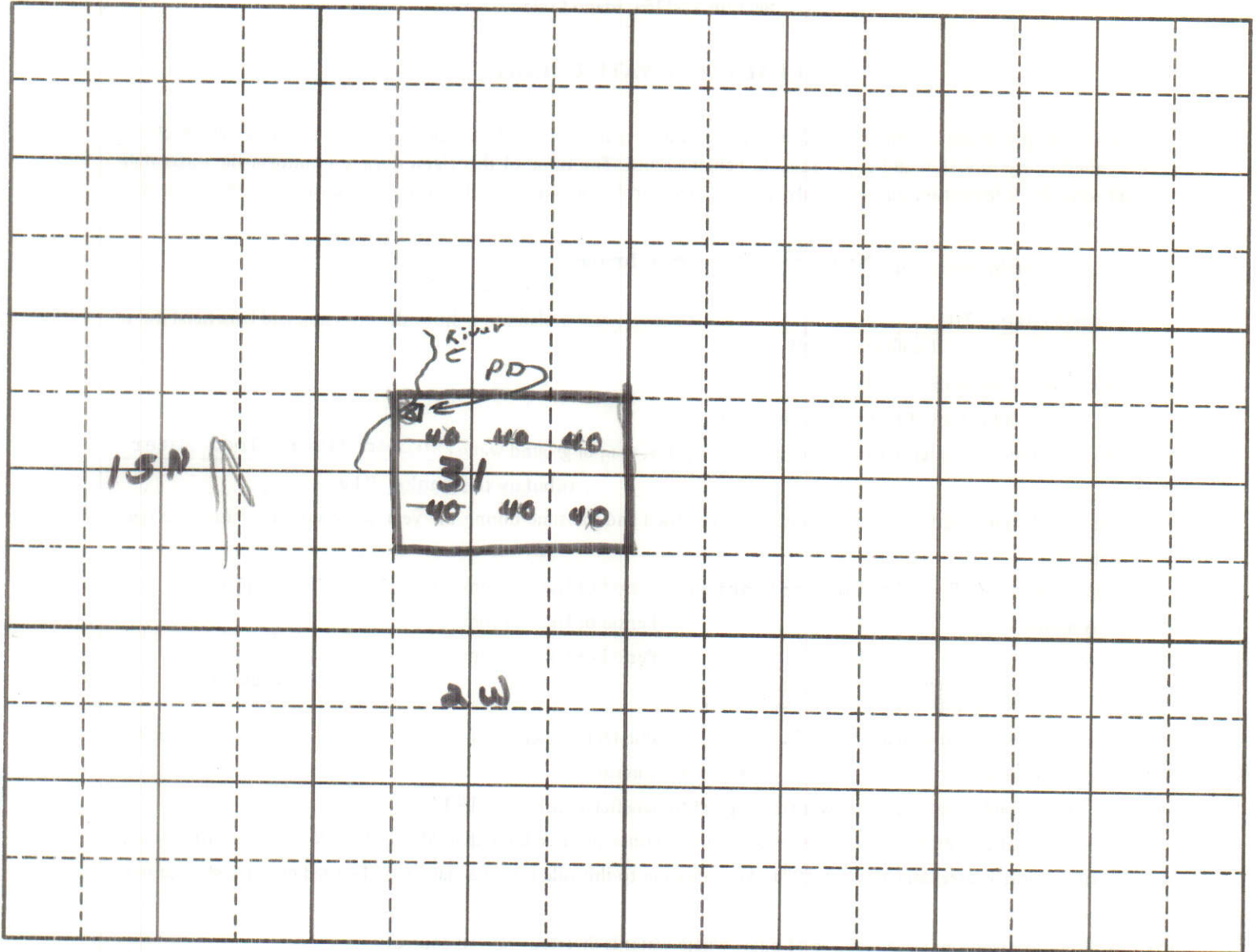


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 25 day of May, 19 76

X Theodore Bram
(Claimant)

Rita Bendish
Notary Public
Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>CCB</u>	Date <u>27 May 76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CCB</u>	Date <u>27 May 76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>#5002</u>			
Approved for publication by <u>RB</u>	<u>7-9-76</u>			
Published in <u>Upper Country News Reporter</u>				
Dates <u>May June 3 & 10</u>				

RECEIVED

JUL 7 1976

Department of Water Resources

Public Notices

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4159

Notice is hereby given that THEODORE &/or ERNA BRAUN, Cambridge, ID has filed a claim to a water right established by diversion and application to beneficial use of 4.8 cubic feet per second from flood water from the Weiser River trib. to the Snake River with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31 T15N-R2W B.M., Washington County.

The water is claimed to be used from Apr 1 to July 1 for irrigation of 240 acres with a priority of 1914; the place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 31 T15N-R2W B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director

Published in the Upper Country News-Reporter, Cambridge, ID on June 3, 1976 and June 10, 1976.

OK
7-9-76
RB

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Alan Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of June 3, 1976, and ended with the issue of June 10, 1976

Alan C. Dopf

Subscribed and sworn to before me this 6th day of July, 1976.
Robert D. Wood

Notary Public for Idaho, residing at
Cambridge, Idaho

MICROFILMED

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 67-4159

Notice is hereby given that
**THEODORE &/or ERNA
BRAUN**, Cambridge, ID has
filed a claim to a water right
established by diversion and
application to beneficial use of
4.8 cubic feet per second from
flood water from the Weiser
River trib. to the Snake River
with the point of diversion in
the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31 T15N-
R2W B.M., Washington County.

The water is claimed to be
used from Apr 1 to July 1 for
irrigation of 240 acres with a
priority of 1914; the place of
use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE-
 $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 31 T15N-R2W B. M.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Resources, Statehouse,
Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director

Published in the Upper Coun-
try News-Reporter, Cam-
bridge, ID on June 3, 1976 and
June 10, 1976.

MICROFILMED

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
NOV 15 1988

I, ERNA BRAUN, ROY G. BRAUN, hereby assign to PETER H. BRAUN of Department of Water Resources, Enter-
prise, an Idaho corporation.

of _____
Address _____

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 67-4159, 67-0658, 67-0037
to appropriate the public waters of the State of Idaho. 67-2031
License No. 22615

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 1st day of XXXXXXX November, 19 88.

Erna Braun
Erna Braun

Roy G. Braun
Permit Holder Roy G. Braun

Harvey Braun
Harvey Braun

Ann Braun
Spouse of Permit Holder Ann Braun

Herman Braun
Herman Braun

Ruby Braun
Ruby Braun

State of Idaho)
County of Washington) ss.

On this 1st day of November, 19 88, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal

Jenna L. Edwards
Notary Public residing at Weiser, Idaho

My commission expires:

3/26/91

MICROFILMED

FEB 15 1989

00-88-2237

WARRANTY DEED

For Value Received ERNA BRAUN, a single woman, ROY G. BRAUN and RUBY BRAUN, husband and wife, HERMAN BRAUN and DEANN BRAUN, husband and wife, HARVEY BRAUN and ANN BRAUN, husband and wife

The grantors, do hereby grant, bargain, sell and convey unto

C.H.E. ENTERPRISE, an Idaho Corporation

the grantee, whose current address is Rt. 1, Box 152, Cambridge, Idaho 83610

the following described premises, in Washington County Idaho, to-wit:
Township 15 North, Range 2 West of the Boise Meridian:

Section 6: That part of the S1/2SE1/4 lying South and West of Cow Creek;
Section 7: That part of the NE1/4NE1/4 lying South and West of Cow Creek;
S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SW1/4SE1/4, and NE1/4SE1/4;
Section 8: That part of the SW1/4NW1/4, SW1/4, and S1/2SE1/4 lying South and West of Cow Creek;
Section 17: S1/2NW1/4, SW1/4, and that part of the E1/2 lying South and West of Cow Creek;
Section 18: E1/2NW1/4, W1/2NE1/4;
Section 20: E1/2E1/2NE1/4NW1/4, SE1/4NW1/4, and that part of the E1/2 lying in Washington County;
Section 31: SE1/4NW1/4, S1/2NE1/4, N1/2SE1/4, NE1/4SW1/4, and a strip of land 30 feet wide off the West side of SW1/4SE1/4;
Section 32: SW1/4NE1/4, S1/2NW1/4, NW1/4SE1/4, SW1/4;
together with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining; and together with all water rights, ditch rights and mineral rights; including Water Right Number 67-4159, and 67-2243 (license Number 22615)
together with grazing permit ID-014-1034, through the Department of the Interior, Bureau of Land Management;
together with grazing permit for 340 head months on the Johnson Creek Allotment through the United States Department of Agriculture, Forest Service, Payette National Forest;
together with State of Idaho, Department of Land, State Land Lease, Number G-5650

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 1, 1988

Erna Braun
Erna Braun

Roy G. Braun
Roy G. Braun

Ruby Braun
Ruby Braun

Harvey Braun
Harvey Braun

Herman Braun
Herman Braun

DeAnn Braun
DeAnn Braun

Ann Braun
Ann Braun

STATE OF IDAHO, COUNTY OF Washington
On this 1st day of November, 1988,
before me, a notary public in and for the said State, personally
appeared Erna Braun, Roy G. Braun,
Ruby Braun, Herman Braun and DeAnn
Braun, Harvey Braun and Ann Braun

known or identified to me to be the persons whose names
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Erna D. Edwards
Notary Public

Residing Weiser
Comm. Expires 3/26/91

STATE OF IDAHO, COUNTY OF Washington
I hereby certify that this instrument was filed for record at the
request of Weiser Valley Title Co.

at 20 minutes past 2:00 o'clock P.M.,
this 4th day of November
1988, in my office, and duly recorded in Book
of Deeds at Page Deed # 1260

MICROFILMED

FEB 15 1989

Mary Kautz
Ex-Officio Recorder

By Carol Tyburnt
Fees \$ 3.00
Mail to: WEiser Valley Title Co.

Deputy.
Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Theodore &/or Erna Braun (name of claimant)
of Cambridge, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weiser River Flood Water, tributary to, Snake River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|-------------------|-----|----------------------------|---------------------|-------|----|------------------------|
| Amount | 4.8 cfs | Use | irrigation | Period of Use: From | Apr 1 | To | July 1 |
| Amount | | Use | | Period of Use: From | | To | |
| Amount | | Use | | Period of Use: From | | To | |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 4.80 cubic feet per second, or acre feet per annum, and/or gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1914

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 31 Twp. 15N Rge. 2W B. M. County of Washington
Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. pump from river

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

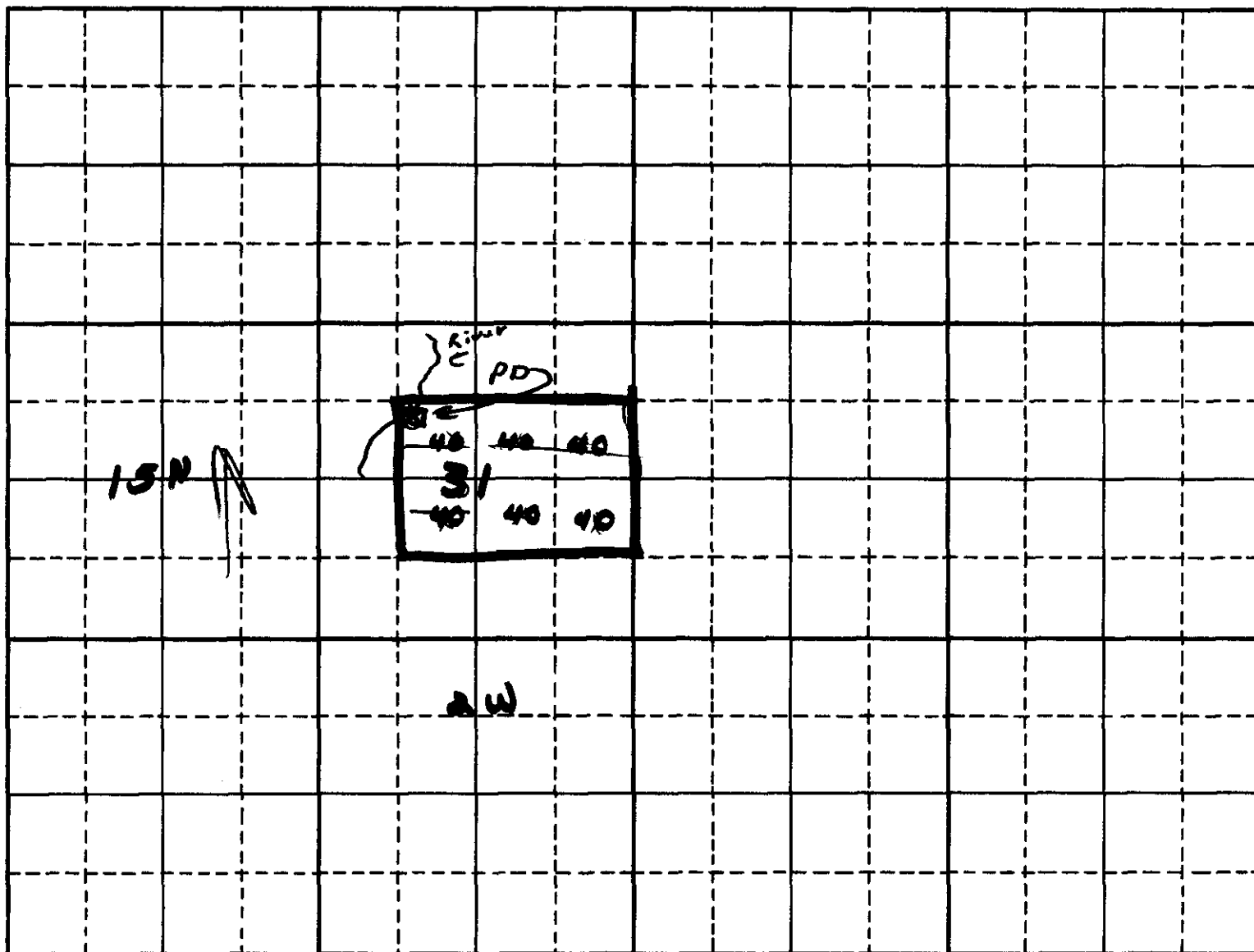
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15N	2W	31			40	40				40	40				40	40			240

Total No. of acres 240

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Adm) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Theodore Bram
(Claimant)

Sworn to before me this 25 day of May, 19 76

Rita Bendish
Notary Public
Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>CCB</u>	Date <u>27 May 76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CCB</u>	Date <u>27 May 76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>#5002</u>			
Approved for publication by <u>RB</u>	<u>7-9-76</u>			
Published in <u>Upper Country News Reporter</u>				
Dates <u>May June 3 & 10</u>				

OFFICE OF THE CLERK OF DISTRICT COURT
OF THE DISTRICT OF IDAHO

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

~~Stacy~~ Alan Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of June 3, 1976, and ended with the issue of June 10, 1976.

Alan C Dopf

Subscribed and sworn to before me this

6th day of July, 1976.

Robert A. Ward

Notary Public for Idaho, residing at
Cambridge, Idaho

OK
7-9-76
RB



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 13, 1989

RE: Water Right Nos. 67-0037/0658/2031/4159

CHE Enterprise
Attn: Peter H. Ertel
Rt. 1, Box 152
Cambridge, ID 83610

Dear Mr. Ertel:

We acknowledge receipt of the assignment of the above referenced water rights to CHE Enterprise. We have changed our computer records to show CHE Enterprise as the present owner of these rights.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

RECEIVED
FILED

FEB 15 1989

RECEIVED

NOV 15 1988

November 14, 1988

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Water rights-Braun/Ertel

Gentlemen:

We enclose an Assignment of Permit and a copy of a Warranty Deed in the names of Erna Braun, Roy G. Braun and Peter H. Ertel. (CHE Enterprise)

Do we need to do anything else to transfer water rights and is there a fee for the transfer?

Please let us know as soon as possible. Thank you for your assistance in this matter.

Sincerely,

Billie J. Marks

Billie J. Marks
Assistant Secretary

RECEIVED
FEB 15 1989

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

CLAIM

Application No. 101-4159

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

- (1) CEB 22 May 76 In form to receipt
- (2) _____ Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (3) _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
- (4) CEB 27 May 76 In form for advertising
- (5) _____ Platted on Map No. _____
- (6) _____ Located within Water District No. _____
- (7) _____ Critical groundwater area: yes _____ no _____
- (8) _____ Groundwater levels:
_____ Declining, _____ Stable, _____ Increasing
(comment) _____
- (9) _____ Other rights on the same place of use
- (10) _____ Comments: _____
- (11) RRB OK Affidavit of Publication received (date) 7-9-76
- (12) _____ Final date for protests N/A
Protests received: yes _____ no ☒
- (13) _____ All requested information received from agencies or applicant: yes _____ no _____
- (14) _____ Action recommended:
_____ Approve _____ Deny
_____ Proposed Priority
_____ Reason for Reduction _____
_____ Measuring device required
_____ See attached sheet for other conditions of approval
_____ No special conditions for approval
- (15) District W By JHJ Date 7-12-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 13, 1976

Re: Claim to a Water Right NO. 67-4159

Theodore &/or Erna Braun
Cambridge,
Idaho 83610

Dear Mr. & Mrs. Braun:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS: rb

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

May 27, 1976

Re: Notice of Claim to a Water Right No. 67-4159 - Theodore & Erna Braun

Upper Country News Reporter
Box 98
Cambridge, ID 83610

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 publication dates allowing ample time for you to submit us a galley proof for review before publication.

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

Bill submitted
7-9-76
RB

NOTICE IS HEREBY GIVEN THAT
the undersigned, J. H. BARNES, JR., has
been appointed by the State of
Alabama to receive and take care of
the estate of J. H. BARNES, JR., deceased.
All persons having claims against
the estate of J. H. BARNES, JR., deceased,
are hereby notified to present them
to the undersigned, J. H. BARNES, JR.,
at his residence, in the City of
Montgomery, Alabama, on or before
the 1st day of July, 1934.

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4159

Notice is hereby given that THEODORE &/or ERMA BRAUN
Cambridge, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 4.8 cubic feet per second ~~XXXXXX~~
from flood water from the Weiser River trib to the Snake River
with the point of diversion in the SE1/4 Sec 31 T15N-R2W B.M.,
Washington County

The water is claimed to be used from Apr 1 to July 1
for irrigation of 240 acres

with a priority of 1914;
the place of use is within the S1/4, S1/4NW1/4, NE1/4SW1/4, NE1/4 Sec 31
T15N-R2W B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Upper Country News Reporter, Cambridge, ID
on June 3, 1976 and June 10, 1976