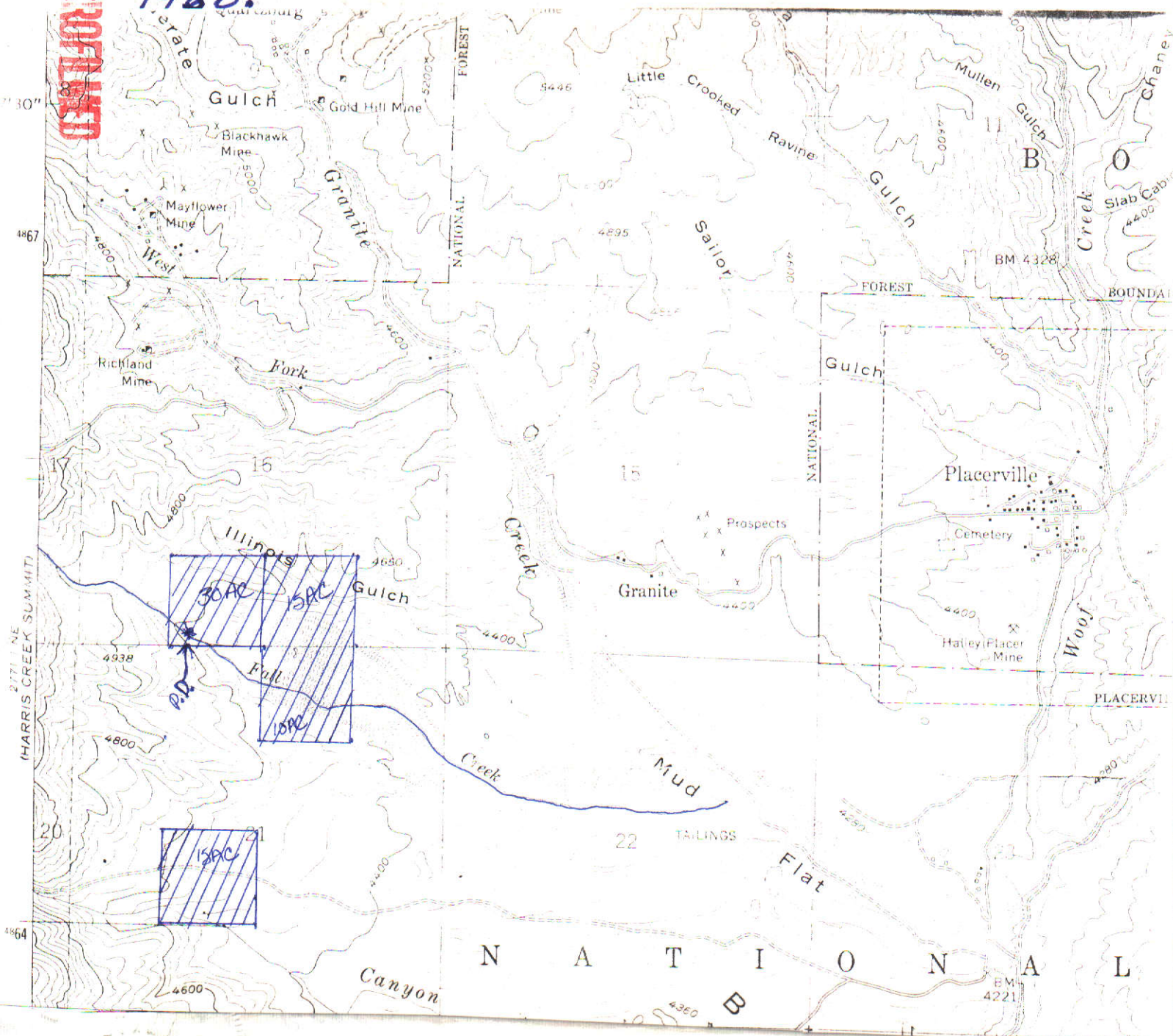


(8) Remarks John Stanton Bought Land and Ditch from Dennis Dasey 4th of June 1908 Recorded June 5 1908 Record No 9063 W.C. Brassey purchased same 21 May 1920 We purchased 26 August 1950.



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 affiant's knowledge.

Vernon K. Brassey Isabel J. Brassey
(Claimant)

Sworn to before me this 30th day of JUNE, 19 83.

John Smiley
Notary Public
Residing at Boise ID

My commission expires 8-10-86

Received by <u>JG</u>	Date <u>1-30-84</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>7-5-83</u>		claimant by:	
\$30.00 fee received by <u>de</u>	Date <u>6/30/83</u>			
Published in <u>Idaho World</u>	Date <u>1-30-84</u>			
Dates <u>2/22 & 2/23/84</u>	Date <u>7/5/83</u>			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

JUL 5 1987

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

Vernon K. & Isabel J. Brasseley
(Name of Claimant)

3200 Treasure Boise Ida. 83703
(Mailing Address) (Zip Code)

Telephone No. 342-0242

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1908

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Fall Creek tributary to GRANITE CK. Boise River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>3 CFS.</u>		Use <u>Mining</u>		Period of Use From <u>2-20</u>	To <u>7-15</u>
Quantity <u>1.4</u>		Use <u>Irrigation</u>		Period of Use From <u>5-15</u>	To <u>9-1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 4.4 TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

V.K.B SE 1/4 SW 1/4, Sec. 16 Twp. 7N Rge. NE B.M., County of Boise

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. Describe any changes in the system and give the date of the change. DITCHES & GRAVITY

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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>7N</u>	<u>4E</u>	<u>16</u>												X					<u>30</u>
<u>7N</u>	<u>4E</u>	<u>16</u>														X			<u>15</u>
<u>7N</u>	<u>4E</u>	<u>21</u>		X															<u>10</u>
<u>7N</u>	<u>4E</u>	<u>21</u>								X									<u>15</u>

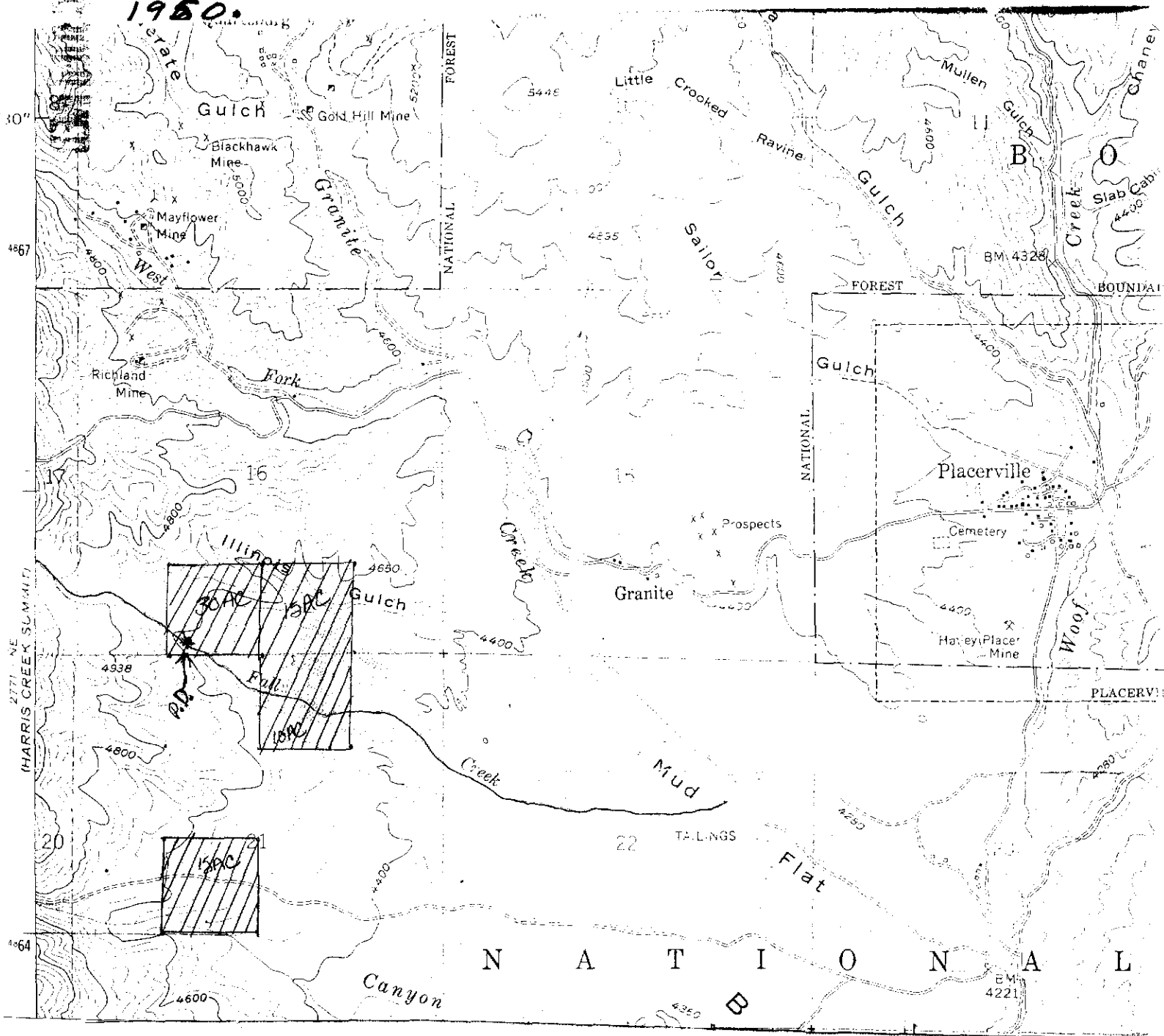
No. of acres 70

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Placer Gravel Section A on map 955 887 yards to be washed land reclaimed will be irrigated for pasture as we have done in the past.

NOTE: Include here the type and number of stock watered: none

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

(8) Remarks John Stanton Bought Land and Ditch from
Dennis Dasey 4th of June 1908 Recorded June 5
1908 Record No 9063 W.C. Brassey purchased
some 21 may 1920 We purchased 26 August
1950.



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 affiant's knowledge.

Dennis K. Brassey Isabel J. Brassey
 (Claimant)

Sworn to before me this 30th day of June, 19 53.

[Signature]
 Notary Public
 Residing at Boise ID

My commission expires 8-10-86

FOR DEPARTMENT USE ONLY			
Received by <u>JG</u>	Date <u>1-30-84</u>	Exception filed by:	Date
Prelim. check by <u>JG</u>	Date <u>1-30-84</u>	Forwarded to claimant by:	Date
\$30.00 fee received by <u>JE</u>	Date <u>1/5/83</u>		
Published in <u>Idaho World</u>			
Dates <u>2/22/84 2/23/84</u>			

STATE OF IDAHO,
County of Boise }

..*Candace Jennings* being
duly sworn, deposes and says:
that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ..*2/22*..... consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with

..*2/22*....., 19 *84*. and ending with the issue of *2/28*.....

19 *84*.

Subscribed and sworn to before

me this *5* day of *March* *84* at *Idaho City* of

Western Re

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

63-5293

BRASSEY, VERNON K. &/or ISABEL J.
3200 TREASURE DR., BOISE, ID 83703
Source: SPRING trib. to CANYON CREEK
Priority Date: 61/01/1947
Diversion Pt: SWNW NWSW Sec 28 T 07N R 04E

Use: DOMESTIC (0.08 CFS)
In: SENW NESW Sec 28 T 07N R 04E
63-5294

BRASSEY, VERNON K. &/or ISABEL J.
3200 TREASURE DR., BOISE, ID 83703
Source: BRASSEY SPRING trib. to CANYON CREEK
Priority Date: 06/01/1922
Diversion Pt: NWNW Sec 28 T 07N R 04E
Use: IRRIGATION (0.24 CFS)
In: NENW Sec 28 T 07N R 04E
for 10 ACRES

63-5295

BRASSEY, VERNON K. &/or ISABEL J.
3200 TREASURE DR., BOISE, ID 83703
Source: CANYON CREEK trib. to CLEAR CREEK
Priority Date: 02/20/1940
Diversion Pt: NWSW Sec 21 T 07N R 04E
Use: IRRIGATION (2.40 CFS)
MINING (6.00 CFS)
In: NENE NWNE SWNE SENE NENW SWNW
SESW NESW NESE NWSE Sec 21 T 07N R 04E
for 155 ACRES

63-5304

BRASSEY, VERNON K. &/or ISABEL J.
3200 TREASURE DR., BOISE, ID 83703
Source: FALL CREEK trib. to GRANITE CREEK
Priority Date: 06/01/1908
Diversion Pt: SESW Sec 16 T 07N R 04E
Use: IRRIGATION (1.40 CFS)
MINING (3.00 CFS)
In: SESW SWSE Sec 16 T 07N R 04E NWNE
NESW Sec 21 T 07N R 04E FOR 70 ACRES

63-5309

GARDNER, CLINTON M.
P.O. BOX 23, IDAHO CITY, ID 83631
Source: SPRING trib. to CLEAR CREEK
Priority Date: 12/28/1907
Diversion Pt: NWNE Sec 32 T 05N R 04E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.02 CFS)
In: NENW Sec 32 T 05N R 04E FOR 2 ACRES

63-5312

JOPLIN, STEVE R. &/or BETTY J.
C/O IDAHO CITY STAGE, BOISE, ID 83707
Source: SPRINGS trib. to THORN CREEK
Priority Date: 04/01/1940
Diversion Pt: SWSE Sec 19 T 05N R 05E
Use: DOMESTIC (0.04 CFS)
In: SESW SWSE Sec 19 T 05N R 05E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720. (68)

KEN DUNN, Dir.
Published in the Idaho World in Idaho City, Idaho on February 22 and 29, 1984.

WRR100
63-5304

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5304

02 OLD (O) NUMBER -

03001 - BRASSEY ✓ LAST NAME
03002 - BRASSEY ✓

04001 - VERNON K. ✓ FIRST NAME
04002 - ISABEL J. ✓

05001 - C ORIG. OWNER
05002 - C

06 ADD LINE 1 - 3200 TREASURE DR. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE ✓

10 STATE - ID ✓

11 ZIP - 83703 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - FALL CREEK

TRIBUTARY OF
15001 - GRANITE CREEK

16 DIVERSION MEANS - DITCHES & GRAVITY ✓

17 COUNTY - 15 BOISE ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 4.400 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----									
TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS	
22001 - SESW	23001 - 16	24001 - 07N	25001 - 04E	26001 -	27001 -				
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----									
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT			
30001 - 01 IRRIGATION	31001 - 07N	32001 - 04E	33001 - 16	34001 - SESW	35001 - 30	36001 -			
30002 - 01 IRRIGATION	31002 - 07N	32002 - 04E	33002 - 16	34002 - SWSE	35002 - 15	36002 -			
30003 - 01 IRRIGATION	31003 - 07N	32003 - 04E	33003 - 21	34003 - NWNE	35003 - 10	36003 -			
30004 - 01 IRRIGATION	31004 - 07N	32004 - 04E	33004 - 21	34004 - NESW	35004 - 15	36004 -			
							TOTAL ACRES: 70		

----- WATER USE -----					
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME	
37001 - 0515	38001 - 0901	39001 - 01 IRRIGATION	40001 - 1.400	41001 - 0.00	
37002 - 0220	38002 - 0715	39002 - 13 MINING	40002 - 3.000	41002 - 0.00	

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----			----- D A T E S -----			----- F L A G S -----		
47 PRIORITY	-	1-JUN-1908 ✓	55 LICENSE	-		63 TRANSFER/AMENDED	-	
48 PROOF DUE	-		56 APPL RECEIVED	-		64 DLE/CAREY ACT	-	
49 PROOF MADE	-		57 FIELD EXAM MADE	-		65 FLAG_1	-	

WRR100
63-5304

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

- - - - - D A T E S - - - - - D A T E S - - - - - F L A G S - - - - -

50 APPROVE/DENIED-
51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 27-FEB-1984

58 DECREE -
59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

66 FLAG_2 -
67 FLAG_3 -

08/11/82
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Jan Finner

Right Number

63-5304

Applicant

Brassey

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 3/9/84
- ☒ Claim published correctly. Idaho World
- ☒ Exceptions processed. 2/22 + 2/29 11:26 AM

By

DBS

Date

4/9/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

AC

Date

4/17/84

RECEIVED

RECEIVED
APR 17 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 14, 1984

VERNON K. BRASSEY
ISABEL J. BRASSEY
3200 TREASURE DR.
BOISE

ID 83703

RE: Claim No. 63-5304

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

63-5304

BRASSEY, VERNON K. &/or ISABEL J.

3200 TREASURE DR., BOISE, ID 83703

Source: FALL CREEK trib. to GRANITE CREEK

Priority Date: 06/01/1908

Diversion Pt: SESW Sec 16 T 07N R 04E

Use: IRRIGATION (1.40 CFS)
MINING (3.00 CFS)

In: SESW SWSE Sec 16 T 07N R 04E NWNE NESW Sec 21 T 07N R 04E
FOR 70 ACRES

RECORDED

January 19, 1984

Vernon K. and Isabel J. Brassey
3200 Treasure
Boise, ID 83703

Dear Mr. & Mrs. Brassey:

We are now processing the claims received during our mandatory claims filing program and have come across some problems with seven of your claims.

I have numbered each claim and need the following information on the claims before processing can begin:

#1 - The point of diversion under Item No. 5(A) needs to be completed showing the point at which the water is diverted from Fall Creek by quarter-quarter. The places of use as listed under Item No. 6(A) do not coincide with the area drawn on the map. I have drawn in the quarter-quarters on one of your maps for your convenience. The number of acres in each quarter-quarter that have been irrigated must be shown on Item No. 6(A). Item No. 5(B) also needs to be completed describing your water system.

#2 - The point of diversion listed under Item #5(A) shows the SW1/4NW1/4, Sec. 28 and the map shows it as lying in the NW1/4NE1/4, Sec. 28. The place of use needs to be listed with an "X" in the correct quarter-quarter under Item No. 6(A).

#3 - The point of diversion and the map on the claim do not match. However, the attached map shows the spring in the NW1/4NW1/4, Sec. 28. The map on the claim needs to be changed showing the correct point. The place of use does not correspond with the map on the claim and the number of acres being irrigated in each quarter-quarter needs to be shown.

#4 - The point of diversion needs to be designated on one of the maps and the place of use outlined. If the outline marked B thru F is the place of use, then it does not correspond with that indicated on Item No. 6(A). The number of acres being irrigated need to be shown in each quarter-quarter as you show a total of 120 acres irrigated under Item No. 6(A).

MICROFILMED

Vernon K. & Isabel J. Brassey
January 19, 1984
Page 2

#5 - The sources listed are Wolf Creek and Ophir Creek with the point of diversion listed in the SE1/4NW1/4, Sec. 23. Wolf Creek appears to flow through the SE1/4NW1/4, Sec. 23, however, Ophir Creek does not. If you are not diverting any water from Ophir Creek, then your source would be Wolf Creek only. If water is being taken from Ophir Creek, please list the point of diversion by quarter-quarter under Item No. 5(A). Under Item No. 3 irrigation is listed as a use, but no acres were designated under Item No. 6(A). These need to be listed with the number of acres irrigated in each quarter-quarter designated.

#6 - Please note the use has been changed to cooling due to the air conditioning use stated in Item No. 6(B). You may want to check the legal description on this location. The area around West Boise Avenue is all located in Twp. 3N, Rge. 2E rather than Twp. 3N, Rge. 4E. The place of use also needs to be marked with an "X" in the correct quarter-quarter under Item No. 6(A).

#7 - On this claim you list the source as Ada County Drainage Dist. No. 3. It is not necessary for you to file when you receive your water through a drainage district, canal company, ditch company, or irrigation district. These companies have filed on their water rights previously. Therefore, we are returning this claim to you and will refund your \$30.00 filing fee as soon as paperwork allows.

The proper completion of these claim forms is essential to insure against problems arising in the future in the case of water right disputes. On one of your claims you have stated that the ground which has been used for placer mining will be re-claimed for pasture. If an old mining water right is converted to irrigation it is considered an expansion due to the fact that mining is looked upon by the Department as non-consumptive and irrigation is considered consumptive. This situation, if disputed by another water user, could prove unsatisfactory for you.

Please correct the above items in each claim and return them to us within 60-days for processing. The 60-day period insures that the June 30, 1983 deadline filing fee of \$30.00 per claim is preserved. If you have any questions, please do not hesitate to contact this office.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG:cjk
Enclosures

MICROFILMED

WATER RIGHT
DATA ENTRY LOG[illegible]