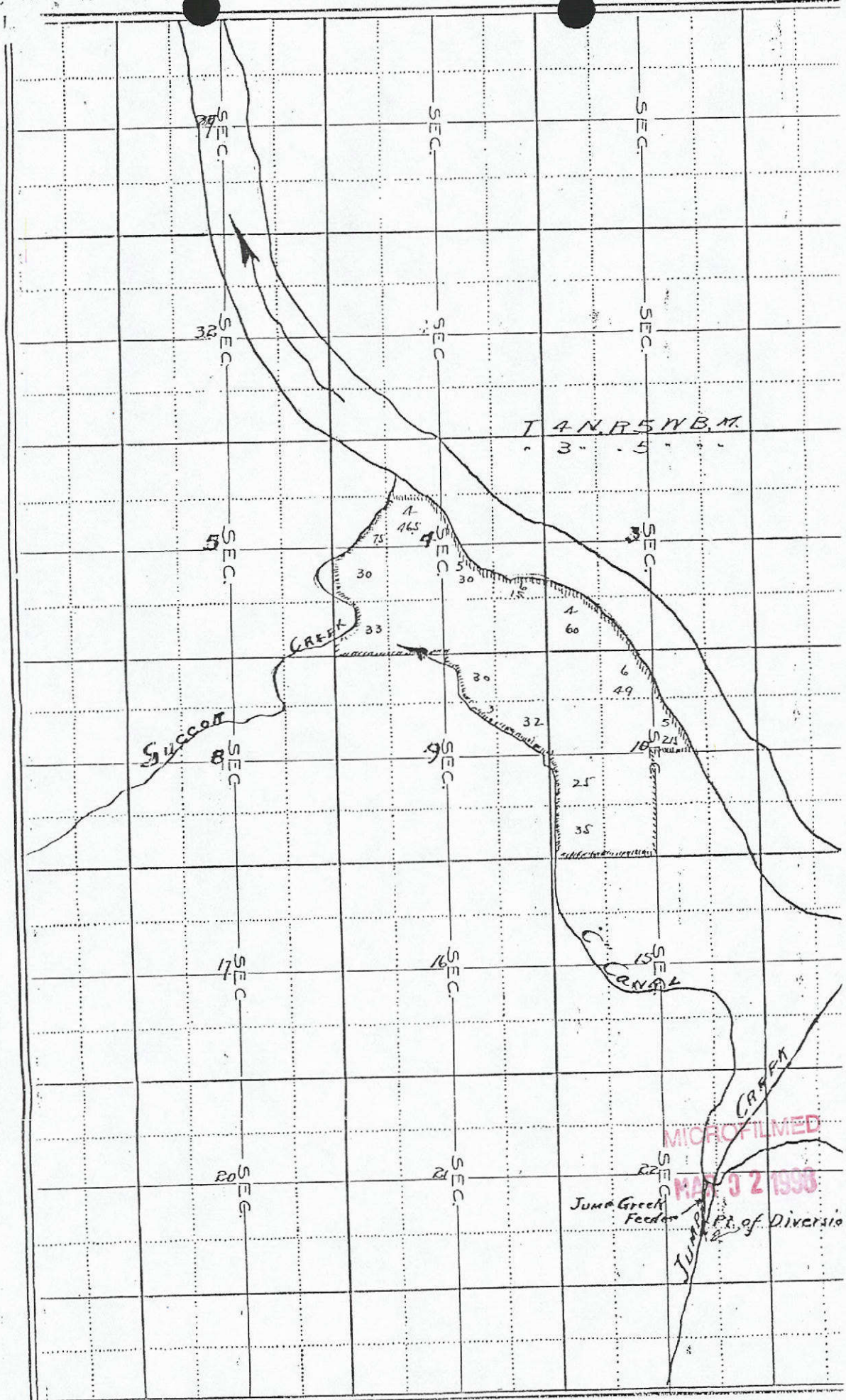




NEW LANDS SUBMITTED BY ~~BLA~~ ^{GEM} AS A PART
OF THE NOTICE OF ERROR PROCEDURE.

GEM IRRIGATION DISTRICT

Twn	Rge	Sec	Quarter	Total	57- 10854 Succor Creek	57- 10912 Succor Creek	57- 10913 Sage Creek	57- 04104 Sage Creek	57- 02118 Jump Creek	57- 02177 Jump Creek
3N	5W	3	SW SW	30.0					30.0	30.0
3N	5W	4	NE NW	10.0						
			NW NW	26.0	26.0			26.0		
			SW NW	24.0	16.0			16.0	8.0	8.0
			SE NW	46.0					46.0	46.0
			NE SW	41.2					25.0	25.0
			NW SW	29.0	11.9	16.6	16.6	11.9	29.0	29.0
			SW SW	35.6	33.8	1.8	1.8	33.8	35.0	35.0
			SE SW	41.0					25.0	25.0
			NE SE	15.0					15.0	15.0
			NW SE	36.8					28.0	28.0
			SW SE	38.2					22.0	22.0
			SE SE	38.5					22.0	22.0
3N	5W	5	NE NE	8.7	8.7			8.7		
			NW NE	32.5	32.5			32.5		
			SW NE	13.5	13.5			13.5		
			SE NE	29.2	29.2			29.2		
			NE NW	8.1	8.1	0.9	0.9	8.1		
			NW NW							
			SW NW							
			SE NW							
			NW SW							
			NW SW							
			SW SW							
			SE SW							
			NE SE	28.1	27.1	1.0	1.0	27.1		
			NW SE	1.8	1.8			1.8		
			SW SE	2.6	2.6			2.6		
			SE SE	24.6	24.7			24.7		
3N	5W	7	NE NE							
			NW NE							
			SW NE							
			SE NE							
			NE NW							
			NW NW							
			SW NW							
			SE NW							
			NE SW							
			NW SW							
			SW SW							
			SE SW							
			NE SE	26.7	3.7	23.0	23.0	3.7		
			NW SE	20.9		20.9	20.9			
			SW SE	31.9		31.9	31.9			
			SE SE	36.4	8.2	28.2	28.2			

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUL-20-1992

PAGE: A-698

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: JUMP CREEK		TRIBUTARY: SNAKE RIVER				
57-02118	GEM IRRIGATION DISTRICT PO BOX 67 HOMEDALE ID 83628	04/25/1919	IRRIGATION	03-15 11-15	8.00 CFS	LICENSE
TOTAL QUANTITY:					8.00 CFS	
POINT OF DIVERSION: T03N R05W S22 NESWSE						
PLACE OF USE: IRRIGATION						
T03N R05W S03 Lot 8 (SWSW)30.0						
S04 SWNW 8.0 Lot 4 (SESW)46.0 NESW 25.0 NWSW 29.0						
SWSW 35.0 SESW 25.0 Lot 6 (NESE)15.0 Lot 5 (NWSE)28.0						
SWSE 22.0 SESE 22.0						
S09 NENE 24.0 NENE 26.0 SWNE 8.0 SENE 32.0						
S10 Lot 5 (SWNE)22.0 Lot 6 (NENW)27.0 NWNW 35.0 SWNW 40.0						
SENW 40.0 NESW 40.0 NWSW 25.0 SWSW 35.0						
SESW 40.0						

679.0 ACRES TOTAL

REMARKS: RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

USE OF THIS RIGHT WITH RIGHT NO.'S 57-04104, 57-10854, 57-10912, & 57-10913 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 12882.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 3680.8 ACRES IN A SINGLE IRRIGATION SEASON.

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Copy of Claim as recommended in
 Proposed Report - Amended landlist
 submitted by Gem during Notice of Error
 procedure changed this recommendation.
 see later profile report.

State of Idaho

Water License No. 14102
Water District No. 51

Priority... 4-25-29

THIS IS TO CERTIFY that Gem Irrigation District
of Homedale, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 25, 1919; that Permit No. 14102
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
8.0 second feet, was issued thereunder on October 3, 1922, showing that said works
were completed on the 5th day of July, 1922; and that on the 16th
day of June, 1926,

Gen Irrigation District
of Homedale State of Idaho, made proof to the satisfaction of the
of Idaho, of the right to use the waters of Jump Creek
, a tributary of Snake River, for the purpose of irrigation and
domestic use, under Use Permit No. 14102 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 8
of Licenses, page 3365, on the 9th day of July, 1926;
The right hereby confirmed dates from April 25, 1919;

The Point of Diversion is located
in the SW ¼ SE ¼ Sec. 22, Tp. 3 N., R. 5 W., B.M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 8.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Approximately all land embraced in the Gem Irrigation District.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 9th day of July, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

(SEAL)

57-2118

By

Geo. H. Carter
Assistant

OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 14102

This proof is for GEN. USE WATER

In Water District No. 51

1. Name of applicant: Gen Irrigation District

2. Source of water supply: Jump Creek

3. Location of point of diversion: Is in the SW 1/4 of Section 22

T. 3 N., R. 5 W.B.M. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by earth dam 2 ft high x 20 ft long, ditch from jump Cr. is 4 ft wide x 1.5 ft deep & discharges into C canal from which it is diverted by new ditch to place of use

5. Water is used for: Irrigation and domestic use

6. State whether or not water has been turned into works of diversion: yes

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Lot 8 Sec. 3; Lots 4, 5 and 6; SW 1/4; SE 1/4; S 1/2 Sec. 4; NE 1/4 Sec. 9; Lots 5 and 6; NW 1/4; S 1/2 Sec. 10; Twp. 3 N., R. 5 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This water is is principally seepage and leakage from two explorers crossing Jump Creek higher up, and during the irrigation season is diverted entirely from these sources. (Jump Creek was formerly dry above the explorers on the 114 ft lift canal at time of inspection) and amounted to about 2 cu. ft. at this date.

This examination was made on the 30th day of April

(Signed)

Frank Dolman

Examiner.

14102

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OCT 07 1992

REPORT OF ENGINEER

This proof is for Completion Works

In Water District No. 51

1. State name of applicant and number of permit: Gen Irr. Dist - Permit 14102
2. State source of water supply: Jump creek
3. Location of point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 3 N., R. 5 W., B.M.

4. Describe works as they exist, giving dimensions and capacities of same: *Water is diverted from Jump Creek by means of a small earth dam into canal on west bank. Headgate is wood lift-gate 4' wide, 2' high. Canal is 4' wide, 2' deep and about 1250' long to where it empties into the C Canal in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 22. The water is then conveyed to the land thru the main C canal as shown on map.*

5. State whether or not water has been turned into works of diversion: yes
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Lot 8, Sec. 3; Lots 4,5,6; the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 4; NE $\frac{1}{4}$ Sec.9; Lots 5,6, the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, the SW $\frac{1}{4}$ Sec.10; all in T. 3 N., R. 5 W., B.M.

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One
9. Give names and amount of each right: Gen Irrigation District, Permit 14102 for 8 sec. ft.
10. What large stream would the water here appropriated finally reach? Spine River
11. Describe the various tributaries en route from point of diversion to the principal drainage stream.

Remarks: *This water is a state water, mostly pumped from Snake River by the Gen Irr. Dist.*

This examination was made on the 26 day of August

(Signed) F. J. Safley

1922
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14102

OVER



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A. ROOT WATER RIGHT NUMBERS: A57-02118

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03N	05W	10	SW	NE	5	GEM IRRIGATION DISTRICT	A57-02118 /22.0	57-02118 /22.0	14.0	22	22 ✓
						GEM IRRIGATION DISTRICT	A02-00065 / 9.0	- /			
						GEM IRRIGATION DISTRICT	A02-00064 / 9.0	- /			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NE	NW	6	GEM IRRIGATION DISTRICT	A57-02118 /49.0	57-02118 /49.0	21.0	27	27 ✓
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NW	NW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	37.0	~~35~~ 35	~~35~~ 35 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /40.6	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /40.6	- /			
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	SW	NW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	37.0	40	40 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /32.0	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /32.0	- /			
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DISTRICT		02-02276 /28.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	SE	NW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	37.0	40	40 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /21.4	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /21.4	- /			
						GEM IRRIGATION DISTRICT		02-02276 /21.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NE	SW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	25.0	40	40 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /36.4	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /36.4	- /			
						GEM IRRIGATION DISTRICT		02-02276 /23.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NW	SW		GEM IRRIGATION DISTRICT	A57-02118 /25.0	57-02118 /25.0	38.0	32.5 (8.5 under other dist)	25 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /30.9	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /30.9	- /			
						GEM IRRIGATION DISTRICT		02-02014 /20.0			
						GEM IRRIGATION DISTRICT		02-02276 /23.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	SW	SW		GEM IRRIGATION DISTRICT	A57-02118 /35.0	57-02118 /35.0	37.0	35	35 ✓

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				GEM IRRIGATION DISTRICT	A02-00065	/28.7	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/28.7	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/29.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 10	SE	SW		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	19.0	40	40 ✓
				GEM IRRIGATION DISTRICT	A02-00065	/38.7	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/38.7	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/39.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 9	NE	NE		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	12.0	24	24 ✓
				GEM IRRIGATION DISTRICT	A02-00065	/41.2	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/41.2	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
03N 05W 9	NW	NE		GEM IRRIGATION DISTRICT	A57-02118	/30.0	57-02118	/30.0	23.0	26	26 ✓
				GEM IRRIGATION DISTRICT	A02-00065	/40.6	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/40.6	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 9	SW	NE		GEM IRRIGATION DISTRICT	A57-02118	/ 3.0	57-02118	/ 3.0	37.0	39.8	8 ✓
				GEM IRRIGATION DISTRICT	A02-00065	/38.3	-	/		(31.8 under other st)	
				GEM IRRIGATION DISTRICT	A02-00064	/38.3	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/38.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 9	SE	NE		GEM IRRIGATION DISTRICT	A57-02118	/32.0	57-02118	/32.0	36.0	32	32 ✓
				GEM IRRIGATION DISTRICT	A02-00065	/40.6	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/40.6	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				MYLER , FRANK J.			57-02020	/25.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 3	SW	SW	48	GEM IRRIGATION DISTRICT	A57-02118	/60.0	57-02118	/60.0	36.0	30	30 ✓
03N 05W 4	SW	NW		GEM IRRIGATION DISTRICT	A57-02118	/ 8.0	57-02118	/ 8.0	29.0	24	8 Flourder
				GEM IRRIGATION DISTRICT	A02-00065	/16.0	-	/		TOTAL	Succor/SAGE
				GEM IRRIGATION DISTRICT	A02-00064	/16.0	-	/			Ch. RTS)
				GEM IRRIGATION DISTRICT			02-02276	/16.0			
03N 05W 4	SE	NW	4 ✓	GEM IRRIGATION DISTRICT	A57-02118	/46.0	57-02118	/46.0	36.0	40	40 ✓
				GEM IRRIGATION DISTRICT	A02-00064	/25.4	-	/			
				GEM IRRIGATION DISTRICT	A02-00065	/25.4	-	/			
03N 05W 4	NE	SW		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	33.0	25	25 ✓
				GEM IRRIGATION DISTRICT	A02-00065	/41.2	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/41.2	-	/			
03N 05W 4	NW	SW		GEM IRRIGATION DISTRICT	A57-02118	/30.0	57-02118	/30.0	26.0	29	29 ✓

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					GEM IRRIGATION DISTRICT	A57-04104	/28.5	-	/			
					GEM IRRIGATION DISTRICT	A02-00064	/28.5	-	/			
					GEM IRRIGATION DISTRICT	A57-04103	/28.5	-	/			
					GEM IRRIGATION DISTRICT	A02-00065	/28.5	-	/			
					GEM IRRIGATION DISTRICT			02-02276	/18.0			
03N 05W	4	SW	SW		GEM IRRIGATION DISTRICT	A57-02118	/33.0	57-02118	/33.0	38.0	35	35 ✓
					GEM IRRIGATION DISTRICT	A57-04104	/35.4	-	/			
					GEM IRRIGATION DISTRICT	A02-00064	/35.4	-	/			
					GEM IRRIGATION DISTRICT	A57-04103	/35.4	-	/			
					GEM IRRIGATION DISTRICT	A02-00065	/35.4	-	/			
					GEM IRRIGATION DISTRICT			02-02014	/40.0			
					GEM IRRIGATION DISTRICT			02-02276	/35.0			
					CHURCH OF JESUS CHRIST LATTER			57-07519	/ 2.0			
03N 05W	4	SE	SW		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	26.0	25	25 ✓
					GEM IRRIGATION DISTRICT	A02-00064	/41.0	-	/			
					GEM IRRIGATION DISTRICT	A02-00065	/41.0	-	/			
					GEM IRRIGATION DISTRICT			02-02014	/40.0			
					GEM IRRIGATION DIST. , THE			A02-00064	/			
					GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W	4	NE	SE	6	GEM IRRIGATION DISTRICT	A57-02118	/15.0	57-02118	/15.0	16.0	15	15 ✓
					BLOCK 57 IRRIGATION CO.	A02-02076	/ 2.0	02-02076	/ 2.0			
					BLOCK 57 IRRIGATION COMPANY			A02-02076	/ 2.0			
03N 05W	4	NW	SE	5	GEM IRRIGATION DISTRICT	A57-02118	/30.0	57-02118	/30.0	32.0	28	28 ✓
					WADE , JACK			57-07494	/ 1.0			
					SEIBOLD , RICHARD F.			A02-00042	/ 1.0			
					GEM IRRIGATION DIST. , THE			A02-00064	/			
					GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W	4	SW	SE		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	24.0	22	22 ✓
					GEM IRRIGATION DISTRICT	A02-00065	/38.2	-	/			
					GEM IRRIGATION DISTRICT	A02-00064	/38.2	-	/			
					GEM IRRIGATION DISTRICT			02-02014	/40.0			
					GEM IRRIGATION DIST. , THE			A02-00064	/			
					GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W	4	SE	SE		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	19.0	22	22 ✓
					THOMAS , CECIL A.	A57-10815	/ 0.8	-	/			
					GEM IRRIGATION DISTRICT	A02-00065	/38.5	-	/			
					GEM IRRIGATION DISTRICT	A02-00064	/38.5	-	/			
					GEM IRRIGATION DISTRICT			02-02014	/40.0			
TOTAL ACRES					A57-02118	818.00	818.00	688.00		679		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
[Signature]

APPROVED
3N SW 10 SWSE
3N SW 10 SESE (LOT 3)

TOTAL

17.6
16
712.6

PRESUMPTION FLAG:

REMARKS:

E01 & F07 - see below

RECOMMENDATIONS:

TOTAL ACRES:

212.6

REVIEWED BY:

J

DATE:

2-3-92

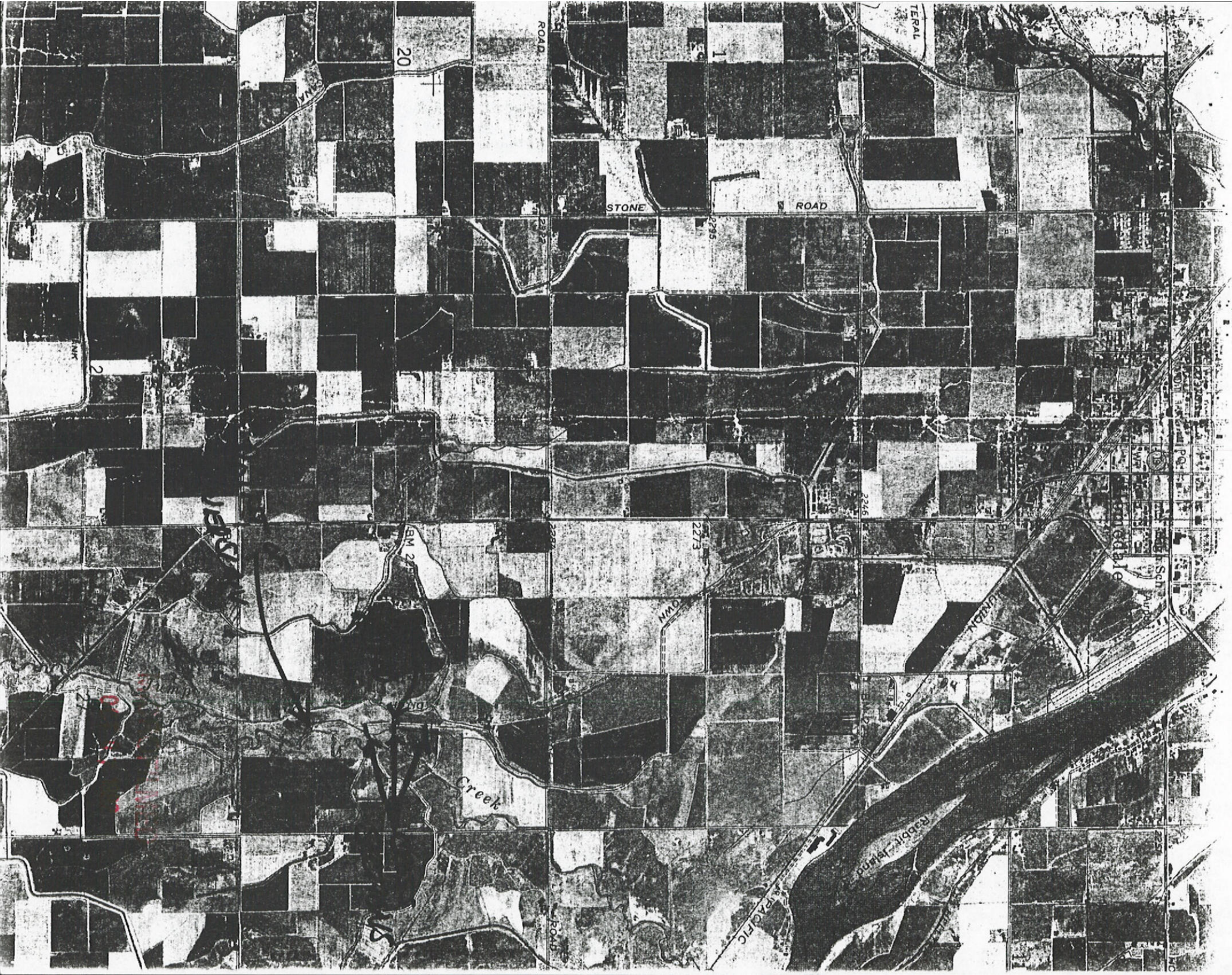
E01 - Use of this rt. with rt. no's ^{→ 57-02177,} 57-04104, 57-10854, 57-10912
& 57-10913 is limited to a total combined annual
cons. use vol. of **13,166.3** af and to the irrigation
of a comb. total of **3,761.8** acres in a single
irrig. season.

F07 - Basin 02. Snake R. rights.

diversion rate limited because total cfs of all
rights = **643 cfs** or **3,212.5** and then are **3,761.8** acres.

See overlap analysis of this right with 57-02177,
57-04104, 57-10854, 57-10912 & 57-10913 - next page.

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
(X)	()
(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-02118

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
8.000

EXAMINER
[Signature]

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-02118	8.000	-		57-02118	8.000
TOTAL CFS		8.000				8.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
[Signature]

REMARKS:

*See map of acres irrigated in 57-10854.
Photos & system desc. attached with map
of P.D. only.*

AUTHENTICATION:

SIGNATURE:

[Signature: Jan Thunte]

DATE:

2-6-92

NAME OF FIELD EXAMINER:

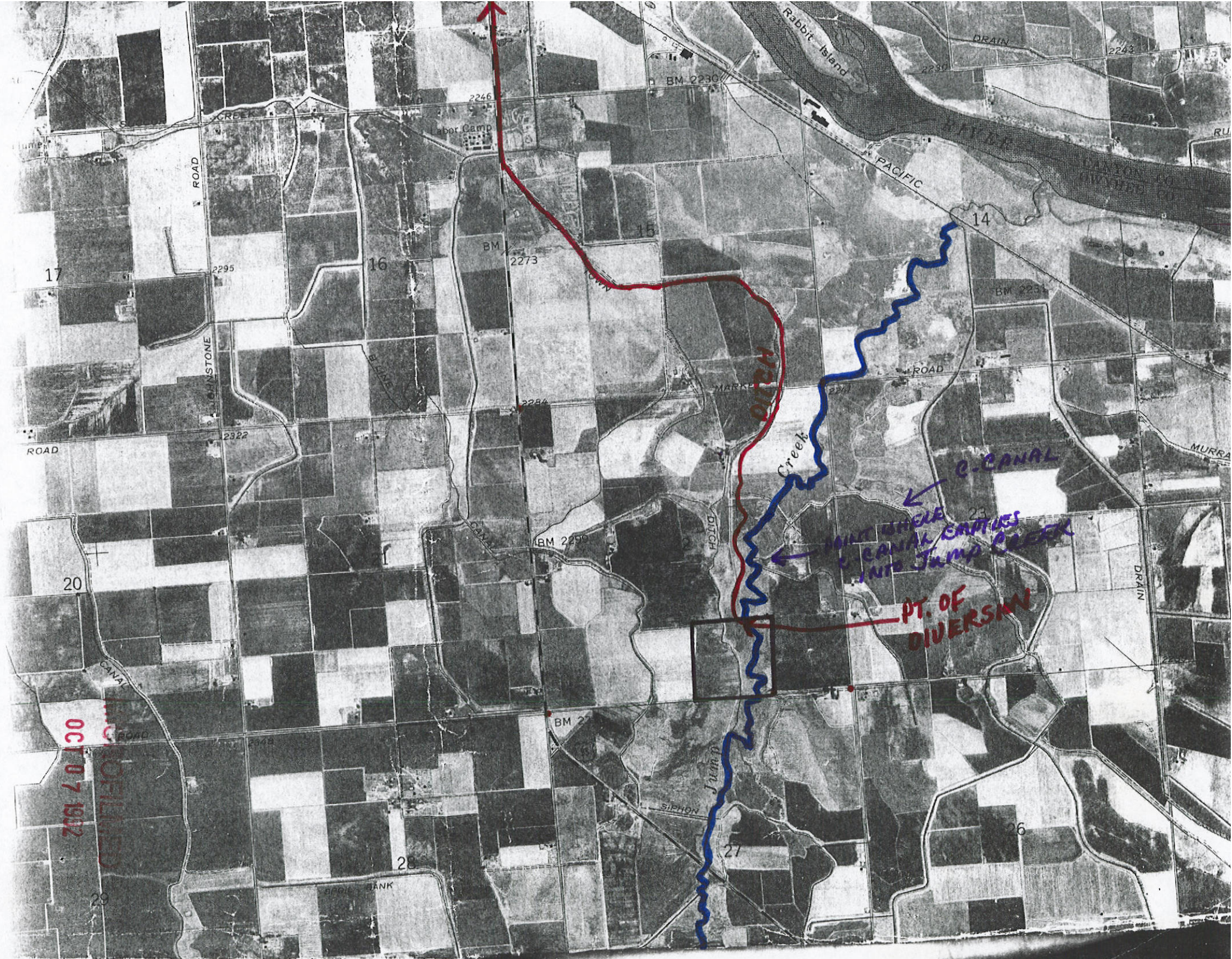
JAN THUNTE

TITLE:

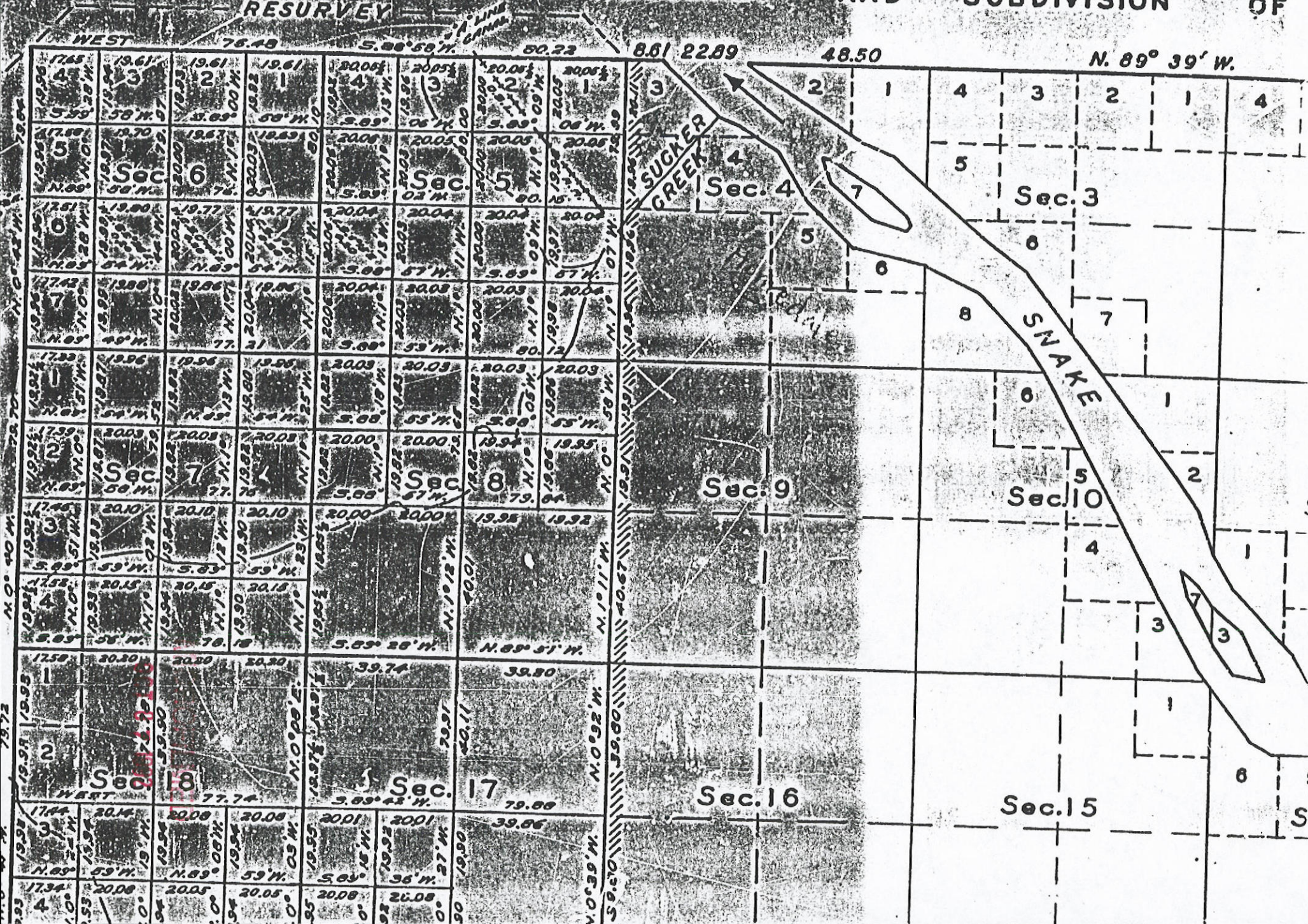
WATER RIGHTS SUPERVISOR

001 07 9997

NOT REFILED



3. RANGE NO. 5 WEST OF THE
DEPENDENT RESURVEY AND SUBDIVISION OF



CLAIM NO. A57-02118



JUMP CK. DIVER-
SION LOOKING DOWN-
STREAM ^{FACING} (NORTH) WITH
HEADGATE ON LEFT
SIDE OF PHOTO.



HEADGATE SHOWN
ABOVE TAKEN AT
A FURTHER LEFT
VIEWPOINT.

PHOTOS TAKEN BY KAY WALKER ON
ACCOMPANIED BY JAN SHURTE & CLYDE
HUTTON.

MICROFILMED
OCT 07 1992

THIS IS A COPY OF YOUR WATER RIGHT AS IDWR PROPOSES TO RECOMMEND IT TO THE DISTRICT COURT*

RECEIVED
AUG 20 1992

*THIS IS NOT A FINAL DETERMINATION OF YOUR CLAIM. YOU MUST FILE A NOTICE OF ERROR WITH IDWR IF YOU DISAGREE WITH THE PROPOSED RECOMMENDATION.

Department of Water Resources
Western Regional Office

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
57-02118	GEM IRRIGATION DISTRICT PO BOX 27 P424 BOX 27 HOMEDALE ID 83623	24/25/1913 28/28/1928	IRRIGATION	02-15 11-15	3.00 CFS	LICENSE

TOTAL QUANTITY: 3.00 CFS
CONSUMPTIVE USE: 288248 AXY

SOURCE: JUMP CREEK

TRIBUTARY: SNAKE RIVER

POINT OF DIVERSION:

TOWN RO3W 52E

NESWSE

PLACE OF USE: IRRIGATION

TOWN RO3W 50S

LOT 1 (N40E)22.0
227 27 (N40E)22.0

504 SWNW 30.0

LOT 4 (SENW)46.0

NESW 22.0
N40E 22.0

N40E 22.0
N40E 22.0

SESW 22.0
SESW 22.0

30

143

LOT 5 (NESE)15.0

LOT 5 (NESE)22.0
227 27 (N40E)22.0

SESE 22.0
SESE 22.0

SESE 22.0
SESE 22.0

112

509

SESE 22.0
N40E 22.0

NNNE 24.0
NNNE 24.0

SWNE 32.0
SWNE 32.0

SENE 32.0
SENE 32.0

10

510

LOT 5 (SENE)22.0
227 27 (N40E)22.0

LOT 5 (SENE)22.0
227 27 (N40E)22.0

SWNW 22.0
SWNW 22.0

SWNW 40.0
SWNW 40.0

SENE 40.0
SENE 40.0

160

712

NESW 40.0

NWSW 25.0

SWSW 35.0

SESW 40.0

SESE-16.0 SWSW-17.0

173

712

712
TOTAL ACRES TOTAL
1122248 2222 2222

REMARKS: RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS. USE OF THIS RIGHT WITH RIGHT NO.'S 57-04104, 57-10654, 57-10912, & 57-10913 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 12882.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 2880.3 ACRES IN A SINGLE IRRIGATION SEASON.

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OCT 07 1992

Sec 3 T.3N R.5W

Sec 4 3N 5W

Sec 9 3N 5W

Sec 10 3N 5W

Sec 10 3N 5W

SWNW 9
SE SW 25
SE NW 46
NE SE 15
NE SW 25
NW SE 28
NW SW 29
SW SE 22
SW SW 35
SE SE 22
255

NE NE 24
NW NE 26
SW NE 8
SE NE 32
90

SW NE 22
NE SW 40
NE NW 27
NW SW 25
NW NW 35
SW SW 35
SW NW 40
SE SW 40
SE NW 40
304
SE SE 16
SW SE 17
337

Check on these acres
(NW SE 17
SW SE 17
SE SE 16
Water right claim shows no acres)

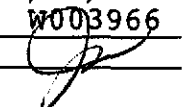
Total 712 acres

Submitted as Notice of Error on 8-20-92 for additional acre only Change

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-02118
Date Received: 8/02/1989
Receipt No: W003966
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEM IRRIGATION DISTRICT 208-337-3760
Address: P.O. BOX 67
HOMEDALE, ID 83628

2. Date of Priority: JUN 16, 1926

3. Source: JUMP CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	22	NE	SW	SE		OWYHEE

5. Description of diverting works:
CONCRETE DIVERSION DAM - CANAL & GRAVITY DITCHES AT PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.000		

7. Total Quantity Appropriated is:
8.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2863.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	3	SW	SW	4	IRR	60.0
						Section Acres	60.0
		4	SW	NW		IRR	8.0

A57-02118

Page 1

Date: 06/19/90

MICROFILMED
OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	4	SE	NW	4	IRR	46.0
			NE	SW		IRR	40.0
			NW	SW		IRR	30.0
			SW	SW		IRR	33.0
			SE	SW		IRR	40.0
			NE	SE	6	IRR	15.0
			NW	SE	5	IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	322.0
		9	NE	NE		IRR	40.0
			NW	NE		IRR	30.0
			SW	NE		IRR	3.0
			SE	NE		IRR	32.0
						Section Acres	105.0
		10	SW	NE	5	IRR	22.0
			NE	NW	6	IRR	49.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	25.0
			SW	SW		IRR	35.0
			SE	SW		IRR	40.0
						Section Acres	331.0
						Total Acres	818.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

57-02177, 57-04103, 57-04104, 02-00065, 02-00064

14. Remarks:

LAND IS WITHIN THE SERVICE AREA OF THE GEM IRRIGATION DISTRICT.
INCLUDES LANDS IRRIGATED IN THE BOUNDARY OF THE CITY OF HOMEDALE
AND ADJOINING LANDS FROM POINT OF DIVERSION.

15. Basis of Claim: LICENSE

Water Right Number: 14102

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 07 1992

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-02118

DISTRICT COURT SEVENTH
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS

DEC 12 1996

NAME & ADDRESS: GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE ID 83628

SOURCE: JUMP CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 8.00 CFS

PRIORITY DATE: 04/25/1919

POINT OF DIVERSION: T03N R05W S22 NESWSE

Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
8.00 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T03N R05W S03	Lot 8	(SWSW) 30.0							
S04		S1NW 8.0	Lot 4	(SENE) 46.0		NESW 25.0		NWSW 29.0	
		SWSW 35.0		SESE 25.0	Lot 6	(NESE) 15.0	Lot 5	(NWE) 28.0	
		SWSE 22.0		SESE 22.0					
S09		NENE 24.0		NWNE 26.0		SWNE 8.0		SENE 32.0	
S10	Lot 5	(SWNE) 22.0	Lot 6	(NENW) 27.0		NWNW 35.0		S1NW 40.0	
		SENE 40.0		NESW 40.0		NWSW 25.0		SWSW 35.0	
		SESE 40.0		SWSE 17.6	Lot 3	(SESE) 16.0			

712.6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104,
57-10854, 57-10912 & 57-10913 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 3761.8 ACRES IN A SINGLE IRRIGATION SEASON.

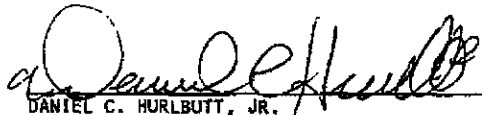
CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104,
57-10854, 57-10912 & 57-10913 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 13166.3 AF.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

DATED: Dec 12 1996


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

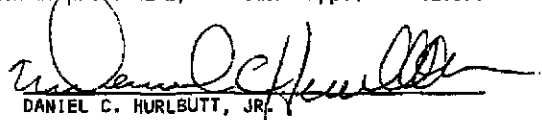
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-02118

PAGE 1
DEC-2-1996

RULE 54(b) CERTIFICATE

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

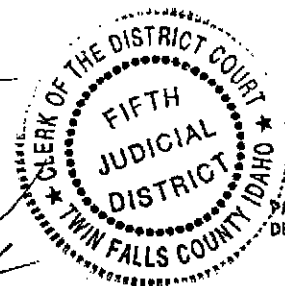
DATED: DEC 12 1996


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-02118

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 2
DEC-2-1996

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

January 3, 2003

RECEIVED

Gem Irrigation District
PO Box 67
Homedale, ID 83650

JAN 8 2003

Department of Water Resources

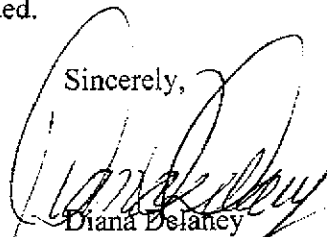
Dear Water Right Claimant(s):

This letter accompanies copies of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right numbers 57-2118, 57-2177, 57-4104, 57-10912 and 57-10913. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of these water rights. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for each of these water rights. As stated in the face of each **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The **Order** also incorporates into the **Partial Decrees** an express statement that each **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). These **Orders**, in combination with the **Partial Decrees** that were issued for these water rights on December 12, 1996, set forth all of the elements of your water rights. The Snake River Basin Adjudication (SRBA) Court suggests that you keep these documents in a safe location together with a copy of each **Partial Decree** to show evidence of these water rights. The original of these **Orders** and the original of each **Partial Decree** for these water rights are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Orders** are entered **Nunc Pro Tunc**, meaning that the **Orders** will be treated as if they were issued on the same date that the **Partial Decrees** were originally issued.

Sincerely,



Diana Delaney
Case Administrator

2003 JAN 3 PM 4 42

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

In Re SRBA	)	Water Right 57-2118
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 12, 1996. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-01 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

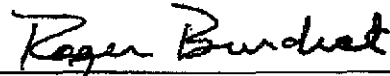
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

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

Dated January 3, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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DEC 17 1996

Department of Water Resources

DISTRICT COURT SRBA	
FIFTH JUDICIAL DISTRICT	
COUNTY OF TWIN FALLS	STATE OF IDAHO
DEC 12 1996	
BY _____	CLERK

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

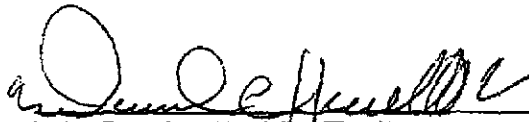
) For Water Right 57-02118

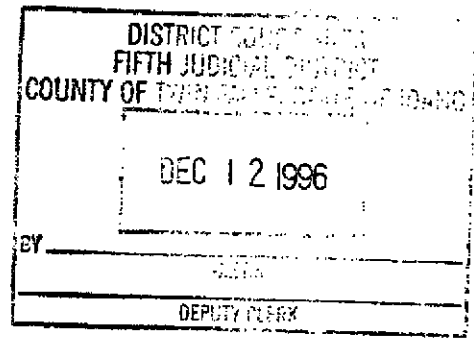
On October 16, 1996, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-02118 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 12, 1996.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication



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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

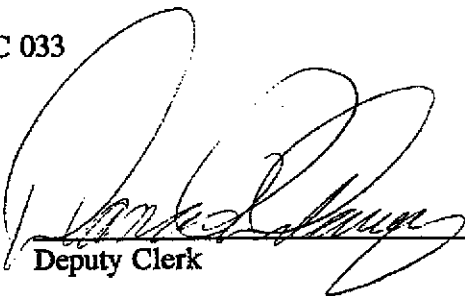
For Water Right 57-02118

I certify that a true and correct copy of the *Order of Partial Decree for Water Right 57-02118* and *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 57-02118* was mailed on December ¹⁵~~12~~, 1996 with sufficient first-class postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Brad Flinders
PO Box 1565
Nyssa, OR 97913

U.S. Department of Justice
Environment &
Natural Resources Div
550 West Fort Street, MSC 033
Boise, ID 83724


Deputy Clerk

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

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-02118
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

MAR 0 1 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

MICROFILMED

(Over)

OBJECTION - 1

57-02118

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Reclamation
U.S. Department of Interior
Address: 1150 North Curtis
Boise, Idaho 83706-1234

Briefly describe your interest in this water right:

The claim of the irrigation district may encompass the 30 cfs (more or less) of Reclamation Project water originating from the Owyhee Reservoir, Oregon, which was claimed in the name of the United States in claim number 57-10807. U.S. claim number 57-10807 was not recommended by the Director. That failure to recommend claim number 57-10807 was, we believe, an error by the Director.

2. Owner of the water right:

Name: Claimant: Gem Irrigation District
Address: PO Box 57
Homedale, Idaho 83628

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, Idaho 83724
Attorney Phone No.: 202-272-4134
202-272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

1985

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Box 1: The United States may be the appropriate holder of title of all or a portion of this "right" recommended to the irrigation district.

Box 2: The source of a portion of this "right" may be the Owyhee River.

Box 11, 12(a): The United States of America, acting through the Regional Director, PN Region, USBR, objects to this water right recommendation because it may involve some or all of water associated with U.S. claim 57-10807 which was erroneously not recommended. That claim is based upon storage of water pursuant to Oregon law in the Owyhee Reservoir, which water is released and transported via canal over the Idaho state line for discharge into Succor Creek, from which it is subsequently rediverted for district use pursuant to federal contract. The United States should be recognized as retaining title to the waters originating from the Owyhee Reservoir through their rediversion from Succor Creek to the district. The United States requires recognition of its rights to be assured that Owyhee Reservoir water transported through Succor Creek is not decreed or administered as if it were natural flow subject to any sort of adverse appropriation in Idaho. The United States must be recognized as title holder of record to U.S. claim 57-10807 in order to be assured of notice of state activities concerning Owyhee Reservoir waters and to participate in their protection for project purposes. This claim must be reconciled with U.S. claim 57-10807.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The report should explicitly recognize the United States' interest in certain waters imported to Idaho from the Owyhee River and the Owyhee Reservoir.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

1. Copies of USBR claim 57-10807 on Succor Creek, Owyhee Creek.

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

22

Phillip E. Graf, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

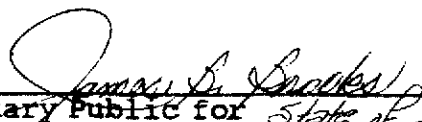


Signature of person filing objection

By:

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 25th day of February,
1993.



Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission expires: 9/8/93

RECORDED

1993 FEB 25

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1993, I ~~mailed~~ ^{filed} the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Gem Irrigation District

Owner's address: PO Box 67

Homedale, Idaho 83628

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724


Signature of Objector or attorney
mailing on Objector's behalf

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-10807
Date Received: 6/01/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
Address: REGIONAL DIRECTOR, P.N. REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE, ID 83724

2. Date of Priority: APR 11, 1935

3. Source: SUCCOR CREEK Trib. to: SNAKE RIVER
(OWYHEE RESERVOIR-OREGON)

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	7	NE	SW			OWYHEE

5. Description of diverting works:
CHECK STRUCTURE AND HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	30.000		

7. Total Quantity Appropriated is:
30.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 3916.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
GEM IRRIGATION DISTRICT

14. Remarks:

OWYHEE RESERVOIR STORAGE WATER IS RELEASED INTO SUCCOR CREEK AT T23S, R46E, SEC 7, SENE, IN MALHEUR CO., OR., FOR REDIVERSION IN IDAHO FOR IRRIGATION OF 1305.3 IRRIGABLE ACRES W/I THE BOUNDARIES OF THE GEM IRRIGATION DISTRICT.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

JAN 25 1996

BASIN 57
OBJECTION FILE
AGENT NOTES

Department of Water Resources

CLAIM NO.: 57-02118 - GEM INR16. DIST.

PARTIES:

[] Individual vs Individual [] BLM vs Individual
[X] Individual vs Department [] BLM vs Department
[] Individual vs BLM [] General Provisions

SUMMARY OF OBJECTION:

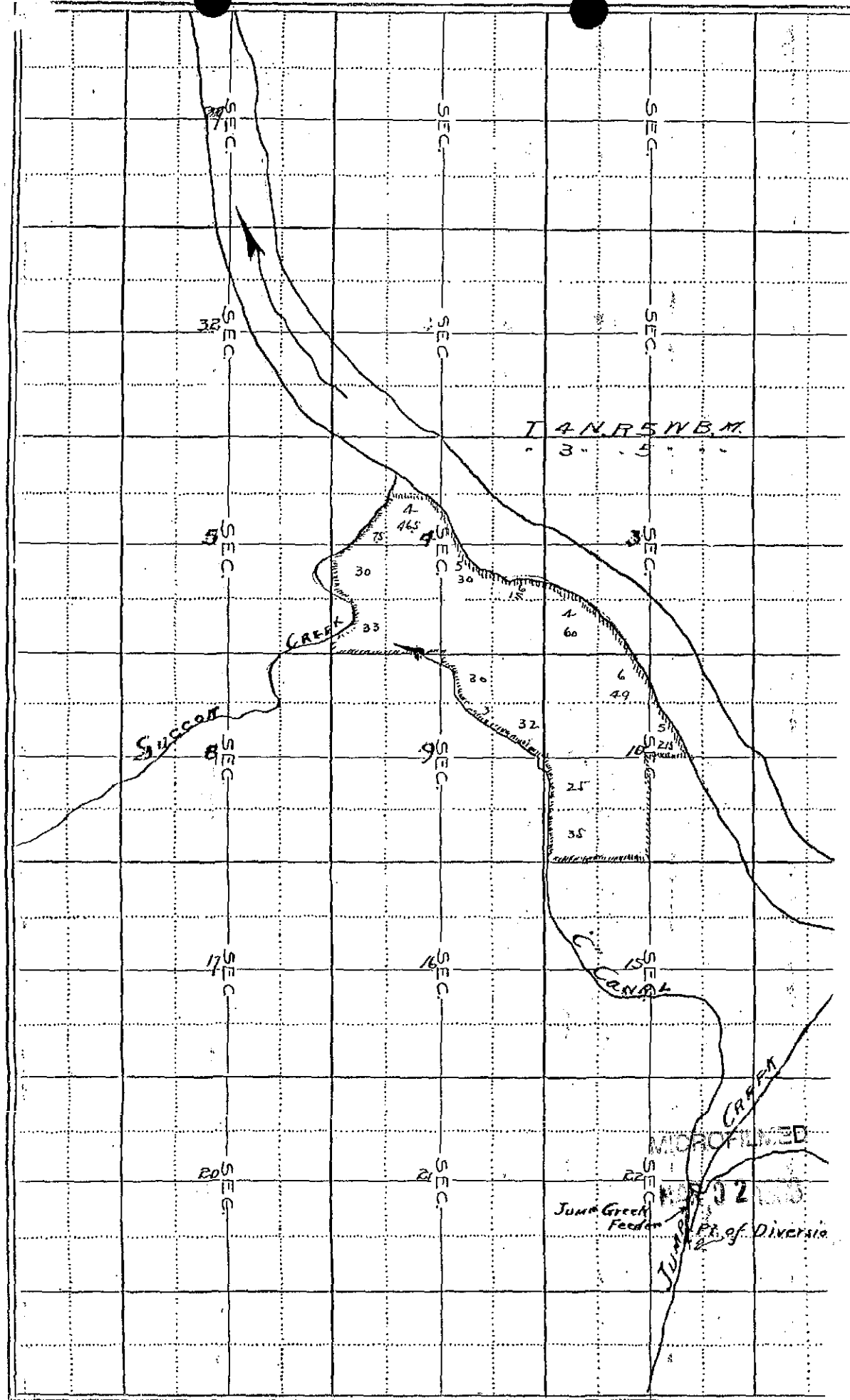
Objecting to issuance of this right when
57-10807 (BOR's Owyhee Res.) right was not
recommended. BOR states any ~~to~~ diversions
from Tuccor Ch. relate back to 57-10807.

AGENTS RESPONSE:

[] NO RESPONSE

Objection particularly states right with
diversions from Tuccor Creek - the source
of this right is Jump Creek? Owyhee
Reservoir water does not dump into
Jump Creek - it is all natural flow.
It used to be that the C-canal was piped
over Jump Creek & dumped into the Jump
Ch. diversion ditch. Now, it dumps into Jump
Creek below the diversion from Jump Creek, therefore,
the C canal ^(INCLUDES OUYHEE RES. H2O) (SNAKE RIVER H2O) does not Co-mingle
with Jump Creek H2O diverted at this P.O. No Owyhee
AGENT: J DATE: 3/15/93

Reservoir water is, therefore, getting to these lands
under this right. Map check appears to show
all canals south of diversion either ripon across
Jump Creek or end elsewhere.



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)

FILED
Case No. 57-02118 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

MICROFILMED

(Over)

MAR 9 2 1978

2. Person who filed objection:

Name: US BUREAU OF RECLAMATION
Address: 1150 N CURTIS
BOISE ID 83706-1234

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 11, 12, and 12a., and all allegations of the objections regarding these items, IDWR responds as follows: IDWR is informed and therefore believes that the United States holds an Oregon water right for the storage of water pursuant to Oregon law in the Owyhee Reservoir. IDWR further recognizes that this water is diverted and stored in Oregon, transported by canal into Idaho, injected into and rediverted from Succor Creek and then put to beneficial use in Idaho. The director's report acknowledges the

use of natural channels in Idaho for the conveyance of stored water diverted in other states in general provision 7. The source of the contested right is Jump Creek. Water stored in Owyhee Reservoir is not conveyed in the natural channel of Jump Creek. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A57-02118

5

(Over)

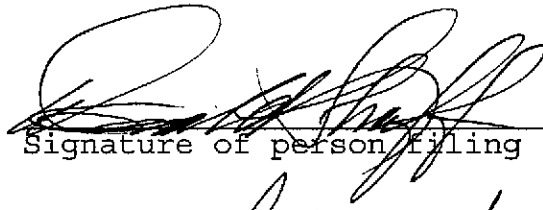
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

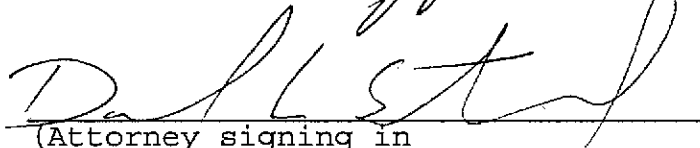
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



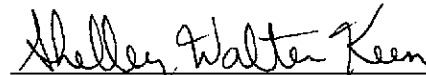
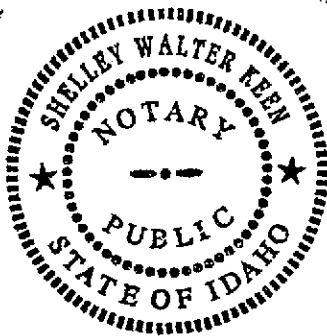
Signature of person filing response

By:



(Attorney signing in representative capacity)

Subscribed and sworn to before me this 1ST day of July, 1993.



Notary Public for Idaho

Residing at: Borise, Idaho

My Commission expires: July 31, 1997

MICROFILMED

100 22 113

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

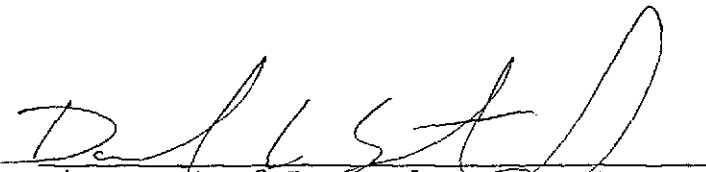
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: BRAD A FLINDERS
Address: STUNZ FONDA NICHOLS KIYUNA
OKAI HORTON & FLINDERS
PO BOX 1565
NYSSA OR 97913-2268

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

1 Brad A. Flinders
2 STUNZ, FONDA, NICHOLS, KIYUNA, OKAI,
3 HORTON & FLINDERS
4 P. O. Box 1565
5 Nyssa, OR 97913
6 Telephone: (503) 372-2268

1993 APR 28 AM 10:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

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10 The State of Idaho, ex rel.)
11 R. Keith Higginson in his)
12 official capacity as Director)
13 of the Idaho Department of)
14 Water Resources,)
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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 39576

ORDER FOR WITHDRAWAL
OF COUNSEL FOR GEM
IRRIGATION DISTRICT

DESCRIPTIVE SUMMARY

This is an order withdrawing Davis Wright Tremaine as
counsel of record for Gem Irrigation District.

Gem Irrigation District and Davis Wright Tremaine having
stipulated to the withdrawal of Davis Wright Tremaine as counsel of
record for Gem Irrigation District, the Court hereby orders the
withdrawal of Davis Wright Tremaine as counsel of record for Gem
Irrigation District.

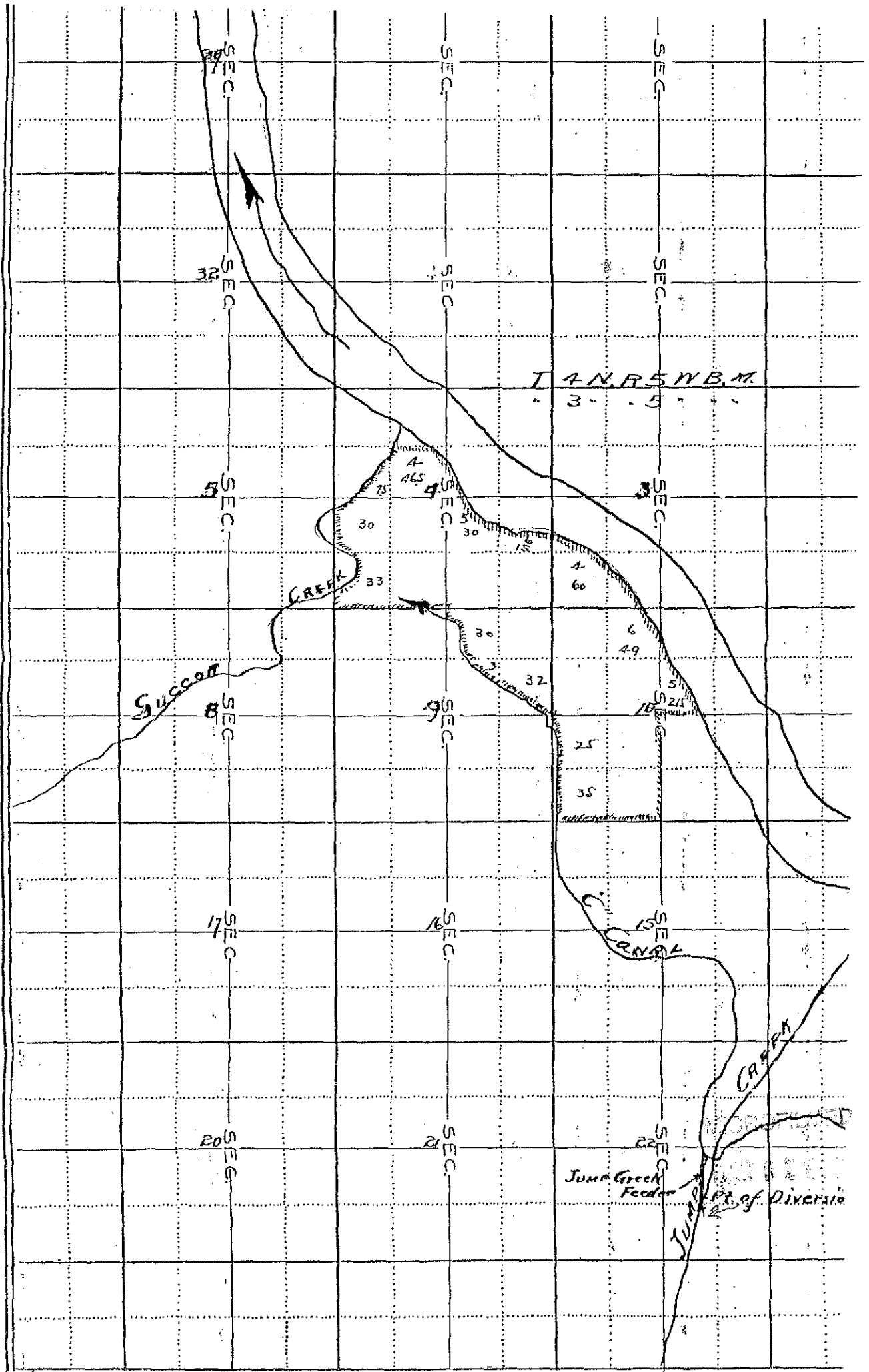
DATED this 16 day of April, 1993.


Daniel C. Hurlbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

ORDER FOR WITHDRAWAL OF COUNSEL - 1

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JAN 08 1996

Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER SETTING SUBCASE
	)	FOR SCHEDULING CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 57-02118

The Scheduling Conference for this subcase will be
held as follows:

FRIDAY, FEBRUARY 16, 1996 at 01:00 PM
SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Parties and their attorneys, if any, shall attend the
Scheduling Conference and shall be prepared to discuss the
following matters:

1. Claimant representation and alignment of the parties;
2. Identification of the issues;
3. Admissions of facts and documents;
4. Amendment of pleadings, if required;
5. Discovery and discovery cut-off dates;
6. Expert witnesses, if planned;
7. Pre-trial conference dates;
8. Motions;
9. Settlement/alternative dispute resolution; and
10. Firm trial date.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

The date for the scheduling conference will not be changed unless a Stipulation to Reset is received by the court fourteen (14) days before the date of the scheduling conference. Parties who wish to change the date of the scheduling conference must do the following:

1. Contact the clerk of the SRBA Court and obtain alternative dates and times (208-736-3011).
2. Contact each party to the subcase(s) or their attorney, if any, and reach an agreement on the alternative date(s) and time(s) provided by the clerk.
3. Prepare a Stipulation to Reset the hearing. The hearing must be reset on one of the dates and times provided by the clerk. The stipulation must specify the date(s) and time(s) agreed to and must contain a statement that you have contacted each party or their attorney and that all have agreed on the alternative date(s) and time(s). The court will send a notice resetting the hearing.
4. If the parties cannot agree on one of the alternative dates and times provided by the clerk, the party wishing to change the date and time must file an Expedited Motion to Reset with the court at least 21 days prior to the scheduled hearing.

IT IS SO ORDERED.

Dated: JANUARY 05, 1996

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED

MAR 02 1996

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE FOR SCHEDULING CONFERENCE was mailed on JANUARY 05, 1996,
with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE, ID 83628

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BUREAU OF RECLAMATIO

MICROFILMED

MAR 02 1996

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources Division

DARIA J. ZANE
Attorney, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0471

RECEIVED
JAN 26 1996
Department of Water Resources
Adjudication Bureau

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

In Re SRBA	)	STIPULATION TO RESET
	)	SETTLEMENT CONFERENCE
Case No. 39576	)	Subcase No. 57-02118

DESCRIPTIVE SUMMARY

This is a stipulation to reschedule the scheduling conference in Subcase No. 57-02118, currently scheduled for February 16, 1996, at 1:00 p.m.

I. DISCUSSION

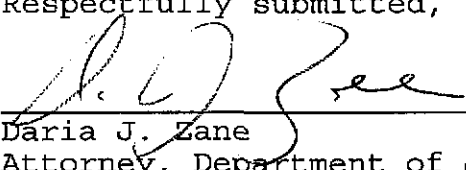
Undersigned counsel was unable to attend the conference on the date set. Counsel was advised by the Court that there is an opening for a scheduling conference on March 5, 1996, at 2:30 p.m. in Twin Falls, Idaho.

Counsel for the United States has talked to the manager of the GEM Irrigation District, the claimant in this subcase. GEM agrees to changing this conference.

MICROFILMED
JAN 26 1996

WHEREFORE, for the foregoing reasons, the parties request that the Court approve this stipulation and reschedule the settlement conference to March 5, 1996, at 2:30 p.m.

Respectfully submitted,



Daria J. Zane
Attorney, Department of Justice
Environment and Natural Resources
Division
General Litigation Section
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0471

1/19/96

MICROFILMED
FEB 22 1996

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

In Re SRBA	)	Subcase No. 57-02118
	)	
	)	
Case No. 39576	)	ORDER RESCHEDULING
	)	SCHEDULING CONFERENCE
	)	
	)	

This matter is before the Court on the parties' Stipulation to Reset Scheduling Conference scheduled for February 16, 1996, at 1:00 p.m. in Twin Falls, Idaho. Upon consideration of this matter, it is this _____ day of January, 1996,

ORDERED, that the stipulation should be and hereby is APPROVED. The scheduling conference is hereby rescheduled to March 5, 1996, at 2:30 p.m.

FRITZ X. HAEMMERLE
Special Master

MICROFILMED
DEC 3 2 1996

CERTIFICATE OF SERVICE

I certify that on the 19 day of January, 1996, I served a true and correct copy of the Stipulation to Reschedule Scheduling Conference in Subcase 57-02118 by postage prepaid, first class mail or by fax on the the following individuals:

1. Original to

Clerk of the District Court by fax
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
FAX 208/736-2121

2. Copies to:

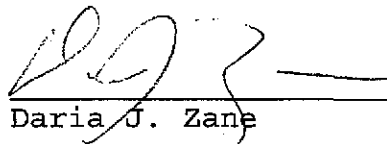
Chief, Natural Resources Division by mail
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

U.S. Department of Justice by fax
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

GEM Irrigation District
ATTN: Clyde Hutton, Secretary
PO Box 67
Homedale, Idaho 83628

3. Courtesy copy to:

Idaho Dept. of Water Resources by mail
1300 N. Orchard St.
Boise, Idaho 83702


Daria J. Zane

MICROFILMED

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JAN 23 1996

Department of Water Resources

1996 JAN 22 PM 04:40
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	ORDER RESETTNG SUBCASE
	)	FOR SCHEDULING CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 57-02118

The court, having received a Motion/Stipulation to Reset,
resets the Scheduling Conference for this subcase.

The Scheduling Conference for this subcase, set for
FRIDAY, FEBRUARY 16, 1996 at 01:00 PM, is reset as follows:

TUESDAY, MARCH 05, 1996 at 02:30 PM
SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

IT IS SO ORDERED.

Dated: JANUARY 22, 1996

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED

JAN 32 1996

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

03013087

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER RESETTING SUBCASE FOR SCHEDULING CONFERENCE was mailed on JANUARY 22, 1996, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE, ID 83628

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BUREAU OF RECLAMATIO

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(182) FEB 20 1996

Department of Water Resources
Adjudication Bureau

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

In Re SRBA	)	
	)	Subcase Nos. 57-02118, 57-02177,
	)	57-04104, 57-10854, 57-10912,
	)	57-10913 and 57-10807
Case No. 39576	)	
	)	PARTIES' STIPULATION TO CONSOLIDATE
_____	)	SUBCASES

I. DISCUSSION

Pursuant to I.R.C.P. Rule 42(a), the parties hereby move to consolidate the above-referenced subcases. These subcases, currently pending before the Court, raise common issues of fact and law.

At present, one of these subcases, 57-02118, is set for scheduling conference on March 5, 1996, at 2:30 p.m. The parties ask that the scheduling conference include the other above-referenced subcases.

The parties have discussed the matter with IDWR and it concurs in consolidating these subcases.

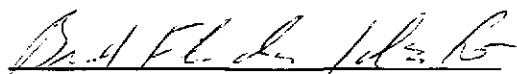
RECORDED

1996

II. CONCLUSION

WHEREFORE, for the foregoing reasons, the parties stipulate and respectfully request that the subcases identified above be consolidated.

Respectfully submitted,


Brad Flinders, Esquire
Stunz, Fonda, Nichols, Kiyuna
Horton & Flinders
PO Box 1565, 106 Main St.
Nyssa, OR 97913
(541) 372-2268


Daria J. Zane, Esquire
General Litigation Sec.
U.S. Dept. of Justice
PO Box 663
Washington, DC 20044
(202) 305-0471

DATED: _____

MICROFILMED
MAR 02 2000

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

In Re SRBA	)	
	)	Subcase Nos. 57-02118, 57-02177,
	)	57-04104, 57-10854, 57-10912,
	)	57-10913 and 57-10807
Case No. 39576	)	
	)	ORDER CONSOLIDATING
_____	)	SUBCASES

This matter is before the Court on the parties' stipulation to consolidate the above-captioned subcases pursuant to I.R.C.P. Rule 42(a). Upon consideration of this matter, it is this _____ day of February, 1996,

ORDERED, that the above-captioned subcases should be and hereby CONSOLIDATED. A scheduling conference on these subcases shall be held on March 5, 1996, at 2:30 p.m., the time and date previously set.

FRITZ X. HAEMMERLE
Special Master

CERTIFICATE OF SERVICE

I hereby certify that on this 16TH day of February, 1996, a true and correct copy of the Stipulation to Consolidate Subcases was mailed via first-class, postage-paid mail to the following:

Brad Flinders, Esquire
Stunz, Fonda, Nichols, Kiyuna, Horton
& Flinders
PO Box 1565, 106 Main St.
Nyssa, OR 97913

Clyde Hutton
GEM Irrigation District
PO Box 67
Homedale, ID 83628

and a courtesy copy to:

Richard Burleigh
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706



Daria J. Zane

MICROFILMED

FEB 22 1996

RECEIVED

FEB 22 1996

Department of Water Resources

1996 FEB 21 PM 4:49

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA	)	Subcase Nos.: 57-02118, 57-02177,
	)	57-04104, 57-10854, 57-10912, 57-10913
Case No. 39576	)	and 57-10807
	)	
	)	ORDER CONSOLIDATING SUBCASES

This matter is before the court on the *Parties Stipulation to Consolidate* the above-captioned subcases pursuant to I.R.C.P. 42(a) and *SRBA Administrative Order 1*. Having reviewed the parties *Stipulation*, IT IS ORDERED that the above-captioned subcases be and hereby are consolidated.

The lead designated case shall be subcase no. 57-02118. The scheduling conference on these consolidated subcases shall be held on March 5, 1996 at 2:30 p.m. at the SRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho, the time and date previously set for subcase 57-02118. Furthermore, IT IS HEREBY ORDERED that if there are any dual-based claims, those claims shall be identified by the parties upon which those claims shall likewise be consolidated. The parties shall address whether any dual-based claims exist at the scheduling conference.

DATED February 21, 1996.

MICROFILMED

1996


FRITZ K. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONSOLIDATING SUBCASES was mailed on February 21, 1996, with sufficient first-class postage to the following:

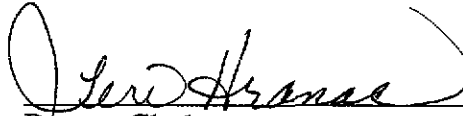
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Gem Irrigation District
P.O. Box 67
Homedale, ID 83628

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

COURTESY COPY:
Brad Flinders
P.O. Box 1565
Nyssa, OR 97913-2268


Deputy Clerk

MICROFILMED

MAR 12 1996

RECEIVED

MAR 14 1996

Brad Flinders

STUNZ, FONDA, NICHOLS, Kiyuna, Department of Water Resources
HORTON & FLINDERS Adjudication Bureau

P. O. Box 1565

Nyssa, OR 97913

Telephone: (503) 372-2268

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

In Re SRBA

Case No. 39576

) Subcase Nos.: 57-02118,
) 57-02177, 57-04104,
) 57-10854, 57-10912,
) 57-10913 and 57-10807
)
) NOTICE OF APPEARANCE

Please take notice that I appear for the Gem Irrigation
District in the above-captioned subcases.

STUNZ, FONDA, NICHOLS, Kiyuna,
HORTON & FLINDERS

By: Brad Flinders
Brad Flinders

NOTIFIED

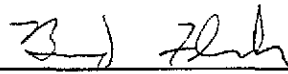
NOTICE OF APPEARANCE.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF APPEARANCE was mailed on March 11, 1996, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Brad Flinders

RECEIVED

MAR 18 1996

Department of Water Resources
Adjudication Bureau

1996 MAR 15 PM 4:00

**DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO**

FILED _____

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

In Re SRBA

Case No. 39576

) Subcase No.: 57-02118

) TRIAL SCHEDULING ORDER

This matter came before the Special Master at a scheduling conference on March 5, 1996.

The following dates shall govern the conduct of the subcase through the trial. No further order shall issue.

- | | | | |
|----|---------|---------|--|
| 1. | 4/12/96 | 1:15 pm | Settlement Conference.
Location: IDWR Conference Room
1301 N. Orchard Drive
Boise, Idaho |
| 2. | 5/3/96 | 5:00 pm | Discovery Cutoff Date. All discovery shall be completed by this date. |
| 3. | 5/10/96 | 5:00 pm | Deadline for filing Motions for Summary Judgment. |
| 4. | 7/2/96 | 2:00 pm | Exhibit & Witnesses Cutoff Date. A list of exhibits and a complete list of witnesses shall be exchanged by the parties and copies sent to the court. |
| 5. | 7/2/96 | 2:00 pm | Pretrial Conference
Location: Owyhee County Courthouse
Highway 78
Murphy, ID 83650 |
| 6. | 7/2/96 | 2:00 pm | Deadline for filing other Pretrial Motions. |

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MAR 22 1996

7. 7/10/96 5:00 pm Deadline for filing trial briefs.
8. 7/17/96 9:00 am Trial. (One Day)
Location: Owyhee County Courthouse
Highway 78
Murphy, ID 83650
9. At the scheduling conference, the parties designated the following as trial counsel:
- | | |
|----------------------------|-----------------------|
| <u>Party:</u> | <u>Trial Counsel:</u> |
| Gem Irrigation District | Brad Flinders |
| USDI Bureau of Reclamation | Daria Zane |

Motions shall proceed in accordance with the Idaho Rules of Civil Procedure. All dates are final and may only be reset on motion, hearing and order of the court. The hearing on a Motion to Reset will be held with all parties present including those represented by an attorney. The moving party may be held responsible for the costs of the resulting delay.

IT IS SO ORDERED.

DATED March 15, 1996.



FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED
MAR 22 1996

CERTIFICATE OF MAILING

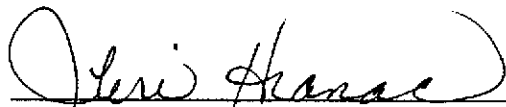
I certify that a true and correct copy of the **TRIAL SCHEDULING ORDER** was mailed on March 15, 1996, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Brad Flinders
P.O. Box 1565
Nyssa, OR 97913

U.S. Dept. Of Justice
Environment & Natural Resources Div.
550 West Fort Street
Boise, ID 83724-0663



Deputy Clerk

RECEIVED
MAR 21 1996



WMC:DZane
90-6-2-63c

U.S. Department of Justice

Environment and Natural Resources Division

General Litigation Section

Washington, D.C. 20530

April 2, 1996

VIA FAX

Mr. Brad Flinders
Stunz, Fonda, Nichols, Kiyuna
Horton & Flinders
PO Box 1565, 106 Main Street
Nyssa, Oregon 97913
541/372-2848

Richard Burleigh
Deputy Attorneys General
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83701
208/327-5400

Re: SRBA--Subcases involving GEM Irrigation District,
Subcase Nos. 57-02118, 57-02177, 57-04104,
57-10854, 57-10912, 57-10913, and 57-10807

Dear Mr. Flinders and Mr. Burleigh:

This is to confirm our conversation Thursday regarding the Bureau of Reclamation's objections in the above-references subcases. As we discussed, based on the letter received from IDWR, a copy of which is enclosed, the Bureau of Reclamation intends to withdraw its objection to its own water right claim, 57-10807. The Bureau agrees that in the future, pursuant to 42-801, IDWR shall be notified if and when Succor Creek is to be used to transport stored water. The Bureau will make an appropriate arrangement with GEM Irrigation District regarding this.

In addition, as stated at the status conference, the Bureau also plans to withdraw its other objections. The sole reason the United States has not to date moved to withdraw these is to allow time for GEM and IDWR to visit the district and verify the flow measurements. It had been anticipated this would occur last week. However, I understand that due to weather, it has not been possible to check the flows.

Given the Bureau desires to avoid any further litigation expenses and because a settlement conference is set for next

Monday, April 8, 1996, the Bureau would like to withdraw its objections now. As mentioned in our conversation, the Bureau would like GEM to stipulate to this withdrawal.

As we discussed, even if the Bureau withdraws its objection and it is determined that the original recommendation on flows is incorrect, the matter can be resolved. IDWR would simply file a supplemental report as provided for by statute. Further, should the Bureau's objection be dismissed and IDWR and GEM Irrigation District are unable to resolve the flows issue, GEM would be able to file a motion for late objection. IDWR has stated that they would not oppose such a motion.

A draft stipulation is enclosed. Please review the stipulation and let me know by COB Wednesday, April 3, 1996, if this is acceptable. If not acceptable, please call immediately so we can discuss this matter. We may be in a position of filing a motion to dismiss over objection. Before doing this, however, we want to discuss this matter and try to reach an amicable resolution while at the same time avoiding future litigation expenses.

Your cooperation and prompt attention is appreciated. Please call me should you have any questions, 202/305-0471.

Sincerely,



Daria J. Zane
Attorney

Enclosures

cc: Kathleen Carr
Phil Graf

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources Division

DARIA J. ZANE
Attorney, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0471

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

In Re SRBA	)	
	)	Subcase No. 57-02118
Case No. 39576	)	
	)	
	)	

STIPULATION TO DISMISS OBJECTION AND
DISMISS THE UNITED STATES AS A PARTY

The parties, GEM Irrigation District, and the United States, submit this stipulation resolving the objections filed by the United States. As support for this stipulation, the parties state that:

1. GEM Irrigation District filed claims in the following subcases: 57-02118, 57-02177, 57-04104, 57-10854, 57-10912 and 57-10913. The purpose of use of the rights are irrigation.

2. Subsequently, the claims were recommended by IDWR in its Director's Report.

3. The United States, on behalf of the Bureau of Reclamation, filed objections to these claims.

4. The United States also filed a claim in 57-10807. IDWR recommended that this claim be disallowed.

5. Subsequently, this subcase was consolidated with the following subcases: 57-02177, 57-04104, 57-10807, 57-10854, 57-10912 and 57-10913.

6. The parties have discussed this matter and agreed that the United States' objections in each of these subcases are no longer necessary.

7. The United States counsel has discussed this matter with the Idaho Department of Water Resources and it has no objection to the withdrawal of the United States' objections and the dismissal of the United States as a party to these subcases.

WHEREFORE, for the foregoing reasons, the parties stipulate to and request that the Court dismiss the objections filed by the United States and dismiss the United States as a party to these subcases.

Respectfully submitted,

Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
P.O. Box 1565
106 Main Street
Nyssa, Oregon 97913
Attorney for GEM Irrigation
District

Daria J. Zane, Attorney
U.S. Department of Justice
Env. & Nat. Resources Div.
550 W. Fort St., MSC 033
Boise, Idaho 83724
Attorney for United States
on behalf of the Bureau of
Reclamation

Date: _____

Date: _____

RECEIVED

MAR 18 1996

Department of Water Resources

1996 MAR 15 PM 04:17
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA) ORDER SETTING MANDATORY
Case No. 39576) SETTLEMENT CONFERENCE
)
) SUBCASE NO: 57-02118

To help parties minimize litigation expenses and settle subcases the court has initiated a SETTLEMENT CONFERENCE process. These settlement conferences will proceed before a Settlement Moderator for the sole purpose of helping the parties work on settling their differences before trial. A settlement conference cannot be reset unless the procedures outlined in the Court's rules of procedure are followed.

IT IS ORDERED that this case shall proceed with a Settlement Conference before Settlement Moderator, TERRENCE A. DOLAN, as follows:

INITIAL DISCLOSURE: To be exchanged at Settlement Conference
(See A.O. 9, Section g)

SETTLEMENT STATEMENT: Deadline 5:00 p.m. 4/05/1996 Friday
(See A.O. 9, Section h)

SETTLEMENT CONFERENCE

DATE: April 12, 1996 Friday
TIME: 1:15 p.m.
LOCATION: IDWR CONFERENCE ROOM
1301 N. ORCHARD DRIVE
BOISE, ID
(208) 327-7900

IT IS SO ORDERED.

Dated: March 15, 1996

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

3/13/96

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING MANDATORY SETTLEMENT CONFERENCE was mailed on March 15, 1996, with sufficient first-class postage to the following:

BRAD A. FLINDERS
PO BOX 1565
NYSSA, OR 97913
Phone: 503-372-2268
Rep: GEM IRRIGATION DISTRICT

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BUREAU OF RECLAMATIO

RECEIVED

1996 MAR 27 8 49:53
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
Department of Water Resources
FILED

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

In Re SRBA)
Case No. 39576) ORDER RESETTING MANDATORY
SETTLEMENT CONFERENCE
SUBCASE NO: 57-02118

IT IS ORDERED that the Settlement Conference for this
subcase, set for Friday, April 12, 1996 at 01:15 PM,
before Settlement Moderator TERRENCE A. DOLAN, be reset
as follows:

INITIAL DISCLOSURE: To be exchanged at Settlement Conference
(See A.O. 9, Section g)

SETTLEMENT STATEMENT: Deadline 5:00 p.m. 0/00/0000 Monday
(See A.O. 9, Section h)

SETTLEMENT CONFERENCE

DATE: April 08, 1996 Monday
TIME: 2:30 p.m.
LOCATION: IDWR CONFERENCE ROOM
1301 N. ORCHARD DRIVE
BOISE, IDAHO

MICROFILMED

IT IS SO ORDERED.

MAR 22 1996

Dated: March 27, 1996

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

3/27/96

01/13/96

CERTIFICATE OF MAILING

SEP 13 1996

I Certify that a true and correct copy of the ORDER RESETTING MANDATORY SETTLEMENT CONFERENCE was mailed on March 27, 1996, with sufficient first-class postage to the following:

BRAD A. FLINDERS
PO BOX 1565
NYSSA, OR 97913
Phone: 503-372-2268
Rep: GEM IRRIGATION DISTRICT

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, BOX 33
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BUREAU OF RECLAMATIO

MICROFILMED

SEP 13 1996

RECEIVED

APR 08 1996

Department of Water Resources

1996 APR -5 PM 3:16

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

) Subcase: 57-02118

Case No. 39576

)
) ORDER VACATING SETTLEMENT
) CONFERENCE AND VACATING
) TRIAL SCHEDULING ORDER
)

On April 3, 1996, a *Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation)* was filed in the above subcase. The *Stipulation* states, "the parties stipulate to and request that the Court dismiss the objections filed by the United States and Dismiss the United States as a party to these subcases. *Stipulation* at 2. The *Stipulation* further states:

The parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. ~~73~~ 57-02177, 57-02118, 57-04104, 57-10807, 57-10854, 57-10912 and 57-10913 should be decreed as recommended. The parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-10807, should not be decreed.

Stipulation ¶ 7.

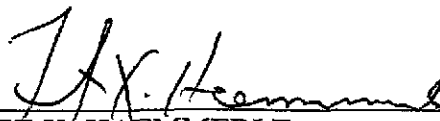
The *Stipulation* was signed by the parties to the subcases. IDWR did not sign the *Stipulation*, however the parties represent to the court that IDWR has no objection. *Stipulation* at ¶ 8. Therefore, since all parties to the subcases appear to be in agreement as to how these

MICROFILMED

MAR 02 1996

water rights should be decreed, IT IS ORDERED that the Settlement Conference previously set for April 8, 1996 at 2:30 p.m. in Boise, Idaho is **vacated**. IT IS FURTHER ORDERED that all dates and deadlines set forth in the *Trial Scheduling Order* issued March 15, 1996 are **vacated**.

DATED April 5, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

CERTIFICATE OF MAILING

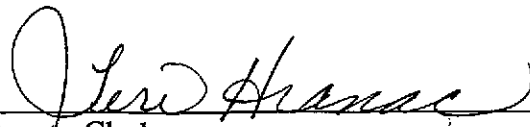
I certify that a true and correct copy of the ORDER VACATING SETTLEMENT CONFERENCE AND VACATING TRIAL SCHEDULING ORDER was mailed on April 5, 1996, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Brad Flinders
Stunz, Fonda, Nichols, Kiyuna,
Norton & Flinders
P.O. Box 1565
Nyssa, OR 97913

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098


Deputy Clerk

Movants' Names:

UNITED STATES OF AMERICA

GEM IRRIGATION DISTRICT

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Env. & Natural Resources Div.

DARIA J. ZANE
Attorney, Department of Justice
General Litigation Section
Env. & Natural Resources Div.
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0471

BRAD FLINDERS, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
106 Main Street
P.O. Box 1565
Nyssa, Oregon 97913
(541) 372-2268

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

In Re SRBA)

Case No. 39576)

Subcase No. 57-02118

STIPULATION TO DISMISS OBJECTION AND
DISMISS THE UNITED STATES AS A PARTY

The parties, GEM Irrigation District, and the United States, submit this stipulation resolving the objections filed by the United States. As support for this stipulation, the parties state that:

1. GEM Irrigation District filed claims in the following subcases: 57-02118, 57-02177, 57-04104, 57-10854, 57-10912 and 57-10913. The purpose of use of the rights are irrigation.

2. Subsequently, the claims were recommended by IDWR in its Director's Report.

3. The United States, on behalf of the Bureau of Reclamation, filed objections to these claims.

MICROFILMED

4. The United States also filed a claim in 57-10807. IDWR recommended that this claim be disallowed.

5. Subsequently, this subcase was consolidated with the following subcases: 57-02177, 57-04104, 57-10807, 57-10854, 57-10912 and 57-10913.

6. The parties have discussed this matter and agreed that the United States' objections in each of these subcases are no longer necessary.

7. The parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. 57-02177, 57-02118, 57-04104, 57-10807, 57-10854, 57-10912 and 57-10913 should be decreed as recommended. The parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-10807, should not be decreed.

8. The United States counsel has discussed this matter with the Idaho Department of Water Resources and it has no objection to the withdrawal of the United States' objections and the dismissal of the United States as a party to these subcases.

MICROFILMED

MAR 02 1988

WHEREFORE, for the foregoing reasons, the parties stipulate to and request that the Court dismiss the objections filed by the United States and dismiss the United States as a party to these subcases.

Respectfully submitted,


Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
P.O. Box 1565
106 Main Street
Nyssa, Oregon 97913
Attorney for GEM Irrigation
District

Date: 4-2-96


Daria J. Zane, Attorney
U.S. Department of Justice
Env. & Nat. Resources Div.
550 W. Fort St., MSC 033
Boise, Idaho 83724
Attorney for United States
on behalf of the Bureau of
Reclamation

Date: 4/2/96

MICROFILMED

MAR 02 1996

CERTIFICATE OF SERVICE

I certify that on this 3rd day of April, 1996, I served a true and correct copy of the Stipulation to Dismiss Objection and Dismiss the United States as a party in the subcases consolidated under No. 57-02118, by fax and/or by first class, postage prepaid mail upon the following individuals:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303-2707
208/736-2121 (by fax)

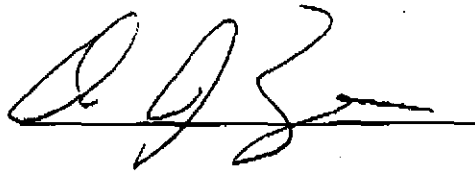
2. Copies to:

Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
106 Main Street
P.O. Box 1565
Nyssa, Oregon 97913
541/372-2848 (by fax and mail)

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, Idaho 83720-0098
208/334-2690 (by fax)

3. Courtesy copy to:

Richard Burleigh
Deputy Attorney General
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702
208/327-5400 (by fax)



MICROFILMED

MAR 02 1996

4/3/96

TO: SRBA Court, 208/736-2121
Brad Flinders, 541/372-2848
Idaho AG, 208/334-2690
IDWR, 208/327-5400
CACI, 208/387-0842
K. Carr, 208/334-1378
P. Graf, 208/378-5305

FROM: Daria Zane

RE: For filing, Subcase 57-02118

Total pages, 5

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MAR 02 1996

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APR 10 1996

Department of Water Resources
Adjudication BureauMovants' Names:

UNITED STATES OF AMERICA

GEM IRRIGATION DISTRICT

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Env. & Natural Resources Div.

BRAD FLINDERS, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
106 Main Street
P.O. Box 1565
Nyssa, Oregon 97913
(541) 372-2268

DARIA J. ZANE
Attorney, Department of Justice
General Litigation Section
Env. & Natural Resources Div.
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0471

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

In Re SRBA)

Subcase No. 57-02118

Case No. 39576)

MICROFILMED

MAR 32 1996

PARTIES' STIPULATION TO AMEND PRIOR
STIPULATION TO DISMISS OBJECTION AND
DISMISS THE UNITED STATES AS A PARTY

The parties, GEM Irrigation District, and the United States, submit this stipulation to correct the prior stipulation filed by the parties resolving the objections filed by the United States. As support for this stipulation, the parties state that:

1. On April 3, 1996, the parties filed a stipulation to resolve the United States' objections to the claims filed by the GEM Irrigation District in the following subcases: 57-02118, 57-02177, 57-04104, 57-10854, 57-10912 and 57-10913 as well as the objection filed by the United States to the claim it filed, 57-10807.

2. Subsequently, it was brought to the parties'

attention, that paragraph 7 of the stipulation was incorrect in that it included 57-10807 in the recitation of claims that should be decreed as recommended. Rather, the parties' agreement was that that water right, should not be decreed.

3. The parties hereby stipulate that paragraph 7 should be corrected to read as follows:

7. The parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. 57-02177, 57-02118, 57-04104, 57-10854, 57-10912 and 57-10913 should be decreed as recommended. The parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-10807, should not be decreed.

4. The parties hereby request that the Court strike the claim number 57-10807 from the first sentence of paragraph 7 of the previous stipulation.

MICROFILMED

MAR 12 1996

WHEREFORE, for the foregoing reasons, the parties stipulate to and request that the Court amend the previous stipulation as set forth above.

Respectfully submitted,

Brad Flinders
Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
P.O. Box 1565
106 Main Street
Nyssa, Oregon 97913
Attorney for GEM Irrigation
District

Date: 4-9-96

Daria J. Kane
Daria J. Kane, Attorney
U.S. Department of Justice
Env. & Nat. Resources Div.
550 W. Fort St., MSC 033
Boise, Idaho 83724
Attorney for United States
on behalf of the Bureau of
Reclamation

Date: 4/10/96

MICROFILMED

MAR 32 1996

CERTIFICATE OF SERVICE

I certify that on this 17 day of April, 1996, I served a true and correct copy of the Stipulation to Amend Prior Stipulation to Dismiss Objection and Dismiss the United States as a party in the subcases consolidated under No. 57-02118, by fax and/or by first class, postage prepaid mail upon the following individuals:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303-2707
208/736-2121 (by fax)

2. Copies to:

Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
106 Main Street
P.O. Box 1565
Nyssa, Oregon 97913
541/372-2848 (by fax and mail)

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, Idaho 83720-0098
208/334-2690 (by fax)

3. Courtesy copy to:

A. Lynne Krogh
Deputy Attorney General
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702
208/327-5400 (by fax)



MICROFILMED

MAR 22 1996



**U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION
GENERAL LITIGATION SECTION**

PRIMARY FAX # (202)305-0506

ALT. # (202)305-0267

PHONE NUMBER (202)305-0504

U.S. POSTAL MAILING ADDRESS
P.O. BOX 663
WASHINGTON, D.C. 20044-0663

FED EX/DELIVERIES
601 PENNSYLVANIA AVE, NW
SUITE 854
WASHINGTON, D.C. 20004

DATE: 4/10/96TO: SLIPA Ct

Brad Elades
State of Idaho
LOWR

R. Carr
P. Graf
CACT

FAX #:

208/736-2121541/372-2848208/334-2650207/327-5400208/334-1377208/377-5305208/377-0842FROM: D. ZANENO. OF PAGES: 5

MESSAGE: _____

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MAR 12 1996

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1996 APR -8 PM 3: 47

APR 11 1996

DISTRICT COURT - SRBA Department of Water Resources
TWIN FALLS CO., IDAHO

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

In Re SRBA) Subcase 57-02118, 57-02177, 57-04104,
Case No. 39576) 57-10854, 57-10912, 57-10913 and
57-10807
ORDER DISMISSING OBJECTIONS

On February 16, 1996, the parties to the above subcases, GEM Irrigation District and the United States Bureau of Reclamation, filed *Parties Stipulation to Consolidate Subcases*. The Court consolidated the above subcases and designating subcase 57-02118 as the lead subcase. *Order Consolidating Subcases*, Feb. 21, 1996.

On April 3, 1996, GEM Irrigation and the United States filed a *Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation)* which stated, in part:

[t]he parties stipulate to and request that the Court dismiss the objections filed by the United States and dismiss the United States as a party to these subcases."

Stipulation at 3.

The parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. 57-02177, 57-02118, 57-04104, 57-10807, 57-10854, 57-10912 and 57-10913 should be decreed as recommended. The parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-10807, should not be decreed.

Stipulation ¶ 7.

Therefore, after reviewing the files and record herein, IT IS ORDERED that:

1. The *Objections* filed by the United States to the above water rights are **dismissed**.
2. This court will recommend that United States' claim number 57-10807 should **not be confirmed** in any partial or final decree.

3. This court will recommend that GEM Irrigation District's claim numbers 57-02118, 57-02177, 57-04104, 57-10854, 57-10912 and 57-10913 should be decreed as recommended in the *Director's Report for Reporting Area 2*.

DATED April 8, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

CERTIFICATE OF MAILING

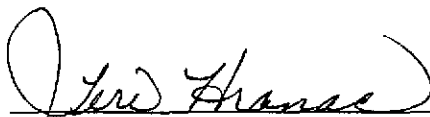
I certify that a true and correct copy of the **ORDER DISMISSING OBJECTIONS** was mailed on April 8, 1996, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Brad Flinders
Stunz, Fonda, Nichols, Kiyuna,
Norton & Flinders
P.O. Box 1565
Nyssa, OR 97913

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098


Deputy Clerk

RECORDED

APR 8 1996

Parties' Names:

UNITED STATES OF AMERICA

GEM IRRIGATION DISTRICT

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Env. & Natural Resources Div.

BRAD FLINDERS, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
106 Main Street
P.O. Box 1565
Nyssa, Oregon 97913
(541) 372-2268

DARIA J. ZANE
Attorney, Department of Justice
General Litigation Section
Env. & Natural Resources Div.
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0471

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

In Re SRBA

Case No. 39576

)
) Subcase Nos. 57-02118, 57-02177,
) 57-04104, 57-10854, 57-10912 and
) 57-10913
)
)
)

PARTIES' JOINT MOTION TO CORRECT
CLERICAL ERRORS IN PRELIMINARY
SPECIAL MASTER'S REPORTS AND RECOMMENDATIONS

DESCRIPTIVE SUMMARY

This is the parties' joint motion to correct clerical
errors in the Preliminary Special Master's Reports and MICROFILMED
Recommendations in the above-captioned subcases. MAR 02 1993

I. DISCUSSION

The GEM Irrigation District and the United States on
behalf of the Bureau of Reclamation, through respective counsel,
hereby ask that the Court make one minor change to the Special

Master's Reports and Recommendations in each of the above-captioned subcases.¹

The reports are essentially identical. The first sentence of the first paragraph on page 2 of the Findings of Fact in each of the reports references the Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation) filed on April 3, 1996. In the findings of fact, the Court quotes from paragraph 7 of that stipulation for the proposition that the parties intended that the specific water right that is the subject of the report, filed on behalf of the GEM Irrigation District, should be decreed as recommended in the name of GEM Irrigation District.

Although the Court's quotation in the Reports is intended to show the parties' intent as to these water rights to have them decreed in the name of GEM Irrigation District rather than the United States on behalf of the Bureau of Reclamation, the quotation is actually from the second sentence of that paragraph. That second sentence, the sentence quoted, actually addresses another water right, water right 57-10807, filed by the United States on behalf of the Bureau of Reclamation. This water right is not the subject of the Preliminary Special Master's Reports and Recommendations (Reports). As a result, it appears that the second sentence was quoted inadvertently instead of the first sentence of paragraph 7.

¹These subcases have been consolidated under one subcase number, subcase no. 57-02118.

Rather, it is the first sentence of the April 3, 1996, stipulation that addresses the parties' intent as to the decree of the water rights that are the subject of these Reports. Specifically, that sentence provides: "[t]he parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. 57-02177, 57-02118, 57-04104, 57-10854, 57-10912 and 57-10913 should be decreed as recommended."² Given the Court's intent, it appears that the Court actually meant to include the language of the first sentence of paragraph 7 of the Stipulation, not the second.

Accordingly, the parties ask that the Court amend each of its Reports by changing the first sentence of the first paragraph on page 2 to read:

On April 3, 1996, the parties, the United States Bureau of Reclamation and GEM Irrigation District filed a Stipulation to Dismiss Objection and Dismiss the United States as a party (Stipulation), which stated in part: '[t]he parties agree that the water rights filed by GEM Irrigation District, Subcase Nos. 57-02177, 57-02118, 57-04104, 57-10854, 57-10912 and 57-10913 should be decreed as recommended.'

MICROFILMED

MAR 02 1997

²Originally water right no. 57-10807 was also included in this sentence in the April 3, 1996 stipulation. This was corrected by stipulation to amend this stipulation filed on April 10, 1996 by the parties.

III. CONCLUSION

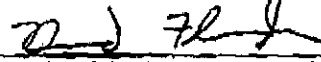
WHEREFORE, for the foregoing reasons, the United States and GEM Irrigation District respectfully request that the Court remove the first sentence of the first paragraph of its Preliminary Special Master's Reports as it currently reads and substitute the above-quoted language for that language.

Respectfully submitted,


Daria J. Zane, Attorney
General Litigation Sec.
U.S. Dept. of Justice

DATED:

9/16/96


Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders

DATED:

9-16-96

MICROFILMED

MAR 02 2000

CERTIFICATE OF SERVICE

I certify that on the 10 day of September, 1996,
I served the original and copies of the Joint Motion of Parties
to Correct Clerical Errors In Preliminary Special Master's
Reports and Recommendations, to the following persons by faxing
the original and/or copies, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, Idaho 83303-2707
BY FAX: 208/736-2121

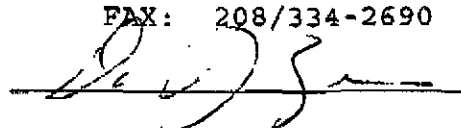
2. Copies to:

A. Lynn Krogh
Deputy Attorney General
State of Idaho
1301 N. Orchard St.
Boise, Idaho 83702
BY FAX: 208/327-5400

Department of Justice
550 West Fort Street
Box 33
Boise, ID 83724-0663
BY FAX: 208/387-0842

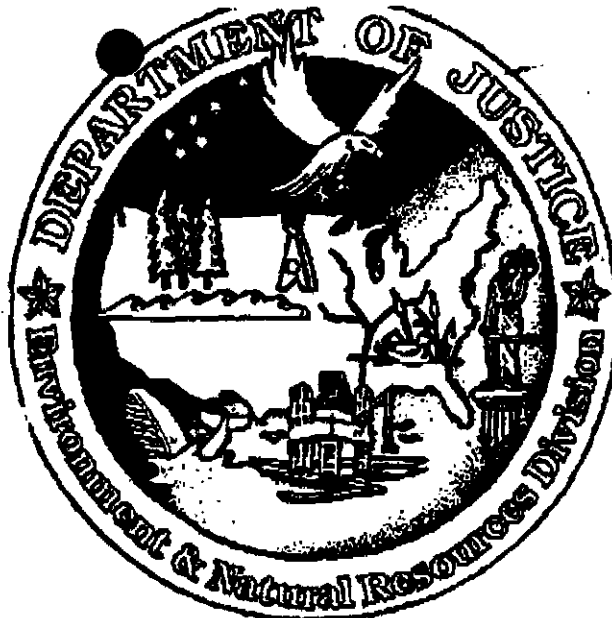
Brad Flinders, Esquire
Stunz, Fonda, Nichols,
Kiyuna, Horton & Flinders
106 Main Street
PO Box 1565
Nyssa, Oregon 97913
FAX: 541/372-2848

Chief, Natural Res. Div.
Office of the Attorney
General, State of Idaho
PO Box 83720
Boise, ID 83720-0098
FAX: 208/334-2690



MICROFILMED

MAR 32 1996



U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT AND NATURAL RESOURCES DIVISION
GENERAL LITIGATION SECTION

PRIMARY FAX # (202) 305-0506

ALT. # (202) 305-0267

PHONE NUMBER (202) 305-0504

U.S. POSTAL MAILING ADDRESS
P.O. BOX 663
WASHINGTON, D.C. 20044-0663

FED EX/DELIVERIES
601 PENNSYLVANIA AVE, NW
SUITE 854
WASHINGTON, D.C. 20004

DATE: 9/16/96

TO: SRBA CT
B. F. [unclear]
A. Lynn [unclear]
DOS
Office of AG
at [unclear]

FAX #: 202/736-2121
541/372-2848
202/327-5800
202/327-0242
202/334-2450
202/334-1378

FROM: D. LAM

NO. OF PAGES: 6

MESSAGE: _____

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MAR 32 1997

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SEP 09 1995
Department of Water Resources

724 SEP - 3 AM 11: 07
DIVISION OF WATER RESOURCES
TWIN FALLS, IDAHO
JL

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

In Re SRBA	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT AND
Case No. 39576	)	RECOMMENDATION
	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW FOR
	)	
_____	)	WATER RIGHT NO: 57-02118

FINDINGS OF FACT

A notice of claim was filed for this water right to pursuant to I.C. § 42-1409(1990). The director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 and investigated and abstracted the notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-02118 was filed on February 26, 1993, by the United States Bureau of Reclamation. A response to the objection was filed on July 1, 1993 by the State of Idaho Department of Water Resources.

On February 16, 1996, the United States and GEM Irrigation District filed *Parties' Stipulation to Consolidate Subcases*. An *Order Consolidating Subcases (Order)* was issued February 21, 1996, the *Order* consolidated subcases 57-02118, 57-02177, 57-04104, 57-10854, 57-10912, 57-10913 and 57-10807.

MICROFILMED

MAR 02 1996

On April 3, 1996, the parties, the United States Bureau of Reclamation, and GEM Irrigation District filed a *Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation)*, which stated in part: "[t]he parties further agree that the water right filed by the United States on behalf of the Bureau of Reclamation, Subcase No. 57-02118, should be decreed as recommended." *Stipulation*, ¶ 7. Subsequently, the United States' objection was dismissed. *Order Dismissing Objections*, Apr. 8, 1996. On April 10, 1996, the United States' and GEM Irrigation filed *Parties' Stipulation to Amend Prior Stipulation to Dismiss Objection and Dismiss the United States as a Party*, which further clarified the parties' intent that water right 57-02118 should be decreed.

CONCLUSIONS OF LAW

Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

Under I.R.C.P. 41, an action may be dismissed with prejudice by stipulation or court order. The record on file for this subcase, particularly the *Stipulation to Dismiss Objection and Dismiss United States as a Party*, clearly establishes the intent of the parties that this subcase be decreed as recommended.

Therefore, based on the file and record herein, IT IS RECOMMENDED that subcase 57-02118 be decreed as recommended in the *Preliminary Special Master's Report*.

IT IS SO RECOMMENDED.

DATED February 9, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

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SEP 09 1996

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

Department of Water Resources

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-02118

57-02118 - SRBA
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED *DL*NAME & ADDRESS: GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE ID 83628

SOURCE: JUMP CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 8.00 CFS

PRIORITY DATE: 04/25/1919

POINT OF DIVERSION: T03N R05W S22 NESWE Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 8.00 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T03N R05W S03 Lot 8 (SWSW) 30.0	SWNW 8.0 Lot 4 (SENW) 46.0	NESW 25.0	NWSW 29.0
S04 SWSW 35.0	SESW 25.0 Lot 6 (NESE) 15.0	Lot 5 (NWE) 28.0	
SWSE 22.0	SESE 22.0		
S09 NENE 24.0	NWNE 26.0	SWNE 8.0	SENE 32.0
S10 Lot 5 (SWNE) 22.0	Lot 6 (NENW) 27.0	NWNW 35.0	SWNW 40.0
SENW 40.0	NESW 40.0	NWSW 25.0	SWSW 35.0
SESW 40.0	SWSE 17.6	Lot 3 (SESE) 16.0	

712.6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104,
57-10854, 57-10912 & 57-10913 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 3761.8 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104,
57-10854, 57-10912 & 57-10913 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 13166.3 AF.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

MICROFILMED

MAR 02 1996

DATED:

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

RECEIVED
SEP 09 1996

Department of Water Resources

201 OCT -6 PM 1:21

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right No: 57-02118

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on September 06, 1996, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

DISMISSED ON 04-08-1996 ****
USDI BUREAU OF RECLAMATION

CHIEF, NTRL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
PO BOX 44449
BOISE, ID 83711-4449

BRAD A. FLINDERS
PO BOX 1565
NYSSA, OR 97913

MICROFILMED
MAR 02 1997

CERTIFICATE OF MAILING

Debbie Lash PAGE 1
DEBBIE LASH 09/06/96
Deputy Clerk

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SEP 09 1996

Department of Water Resources

774 000 - 1 CH 1:21

RECEIVED 09/03/96
JULIA L. LASH

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

In Re SRBA)

Case No. 39576)
_____)

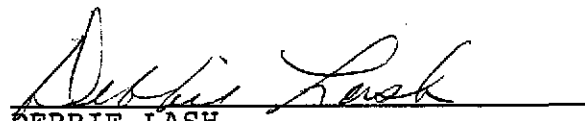
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right No: 57-02118

On September 03, 1996, Special Master FRITZ X HAEMMERLE issued a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 sections 11 (e) and (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion for Reconsideration or a Motion to Correct Clerical Errors with the Special Master, but must do so before September 17, 1996.

DATED September 03, 1996.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1996

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SEP 30 1996
Department of Water Resources

SEP 26 PM 4:53

DISTRICT COURT-SEDA
TWIN FALLS CO IDAHO
FILED

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

In Re SRBA	)	AMENDED PRELIMINARY
	)	SPECIAL MASTER'S REPORT
Case No. 39576	)	AND RECOMMENDATION
	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW FOR
	)	
	)	WATER RIGHT NO: 57-02118

FINDINGS OF FACT

A notice of claim was filed for this water right to pursuant to I.C. § 42-1409(1990). The director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 and investigated and abstracted the notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-02118 was filed on February 26, 1993, by the United States Bureau of Reclamation. A response to the objection was filed on July 1, 1993 by the State of Idaho Department of Water Resources.

On February 16, 1996, the United States and GEM Irrigation District filed *Parties' Stipulation to Consolidate Subcases*. An *Order Consolidating Subcases (Order)* was issued February 21, 1996, the *Order* consolidated subcases 57-02118, 57-02177, 57-04104, 57-10854, 57-10912, 57-10913 and 57-10807.

MICROFILMED

MAR 02 1996

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SEP 30 1996

Department of Water Resources

1996 SEP 26 PM 4: 53

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED DL

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

In Re SRBA

Case No. 39576

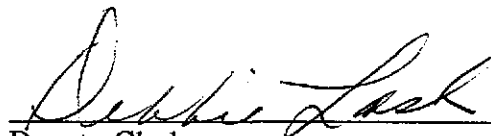
) NOTICE OF ISSUANCE OF
) AMENDED PRELIMINARY
) SPECIAL MASTER'S REPORT
) AND RECOMMENDATION
)

Water Right No.57-02118

On September 26, 1996, Special Master Fritz X. Haemmerle issued a *Amended Preliminary Special Master's Report and Recommendation* for subcase 57-02118 pursuant to *SRBA Administrative Order 1*, sections 11 (e) and (f).

The *Amended Preliminary Special Master's Report and Recommendation* is served only on parties to the subcase and is not served on the Presiding Judge. Parties to this subcase may file a *Motion to Reconsider* or a *Motion to Correct Clerical Errors* with the Special Master, but must do so within 10 days after receipt of the *Amended Preliminary Special Master's Report and Recommendation*.

DATED: September 26, 1996.


Deputy Clerk

On April 3, 1996, the parties, the United States Bureau of Reclamation, and GEM Irrigation District filed a *Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation)*, which stated in part: "[t]he parties further agree that the water right filed by GEM Irrigation District, Subcase No. 57-02118, should be decreed as recommended." *Stipulation*, ¶ 7. Subsequently, the United States' objection was dismissed. *Order Dismissing Objections*, Apr. 8, 1996. On April 10, 1996, the United States' and GEM Irrigation filed *Parties' Stipulation to Amend Prior Stipulation to Dismiss Objection and Dismiss the United States as a Party*, which further clarified the parties' intent that water right 57-02118 should be decreed.

CONCLUSIONS OF LAW

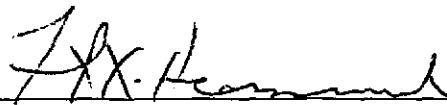
Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

Under I.R.C.P. 41, an action may be dismissed with prejudice by stipulation or court order. The record on file for this subcase, particularly the *Stipulation to Dismiss Objection and Dismiss United States as a Party*, clearly establishes the intent of the parties that this subcase be decreed as recommended.

Therefore, based on the file and record herein, IT IS RECOMMENDED that subcase 57-02118 be decreed as recommended in the *Preliminary Special Master's Report*.

IT IS SO RECOMMENDED.

DATED February 9, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

MAR 12 1996

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SEP 30 1996
Department of Water Resources

SEP 26 PM 4: 53

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED PL

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

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	Water Right No. 57-02118
	)	

I certify that a true and correct copy of the *Amended Preliminary Special Master's Report and Recommendation; Findings of Fact and Conclusions of Law for Water Right No. 57-02118* and *Notice of Issuance of Amended Preliminary Special Master's Report and Recommendation* were mailed on February 9, 1996, with sufficient first-class postage prepaid to the following:

Chief, Natural Resources Division
Office Of The Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

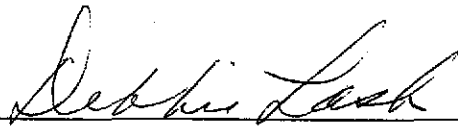
Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Brad A Flinders
P O Box 1565
Nyssa, Oregon 97913

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MAR 3 2 1996


Deputy Clerk

DATED: September 26, 1996

RECEIVED
OCT 17 1996

1996 OCT 16 PM 3:08 Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02118

On October 16, 1996, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED October 16, 1996.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1998

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OCT 17 1996

Department of Water Resources

1996 OCT 16 PM 3:08

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO

FILED *DL*

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-02118

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 16, 1996, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

BRAD A. FLINDERS
PO BOX 1565
NYSSA, OR 97913

Debbie Lash
DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 22 1998

PAGE 1
10/16/96

CERTIFICATE OF MAILING

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OCT 17 1996

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

Department of Water Resources

In Re SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-02118

OCT 16 PM 3:08

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHOFILED *DL*NAME & ADDRESS: GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE ID 83628

SOURCE: JUMP CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 8.00 CFS

PRIORITY DATE: 04/25/1919

POINT OF DIVERSION: T03N R05W S22 NESWE Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 8.00 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T03N R05W S03 Lot 8 (SWSW) 30.0									
S04		SWNW 8.0	Lot 4 (SENW) 46.0		NESW 25.0		NWSW 29.0		
		SWSW 35.0	SESW 25.0	Lot 6 (NESE) 15.0		Lot 5 (NWSE) 28.0			
		SWSE 22.0	SESE 22.0						
S09		NENE 24.0	NWNE 26.0		SWNE 8.0		SENE 32.0		
S10 Lot 5 (SWNE) 22.0	Lot 6 (NENW) 27.0				NWNW 35.0		SWNW 40.0		
		SENW 40.0	NESW 40.0		NWSW 25.0		SWSW 35.0		
		SESW 40.0	SWSE 17.6	Lot 3 (SESE) 16.0					
712.6 ACRES TOTAL									

USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104,
57-10854, 57-10912 & 57-10913 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 3761.8 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104,
57-10854, 57-10912 & 57-10913 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 13166.3 AF.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

DATED:

FRITZ X. HAEMMERLE
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

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SPECIAL MASTER'S RECOMMENDATION

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Department of Water Resources

1996 OCT 16 PM 3:08

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW FOR
	)	
	)	WATER RIGHT NO: 57-02118

FINDINGS OF FACT

A notice of claim was filed for this water right to pursuant to I.C. § 42-1409(1990). The director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 and investigated and abstracted the notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-02118 was filed on February 26, 1993, by the United States Bureau of Reclamation. A response to the objection was filed on July 1, 1993 by the State of Idaho Department of Water Resources.

On February 16, 1996, the United States and GEM Irrigation District filed *Parties' Stipulation to Consolidate Subcases*. An *Order Consolidating Subcases (Order)* was issued February 21, 1996, the *Order* consolidated subcases 57-02118, 57-02177, 57-04104, 57-10854, 57-10912, 57-10913 and 57-10807.

On April 3, 1996, the parties, the United States Bureau of Reclamation, and GEM Irrigation District filed a *Stipulation to Dismiss Objection and Dismiss the United States as a Party (Stipulation)*, which stated in part: "[t]he parties further agree that the water right filed by

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MAR 32 1996

GEM Irrigation District, Subcase No. 57-02118, should be decreed as recommended." *Stipulation*, ¶ 7. Subsequently, the United States' objection was dismissed. *Order Dismissing Objections*, Apr. 8, 1996. On April 10, 1996, the United States' and GEM Irrigation filed *Parties' Stipulation to Amend Prior Stipulation to Dismiss Objection and Dismiss the United States as a Party*, which further clarified the parties' intent that water right 57-02118 should be decreed.

CONCLUSIONS OF LAW

Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

A *Preliminary Special Master's Report and Recommendation; Findings of Fact and Conclusions of Law*, was issued for subcase 57-02118 on September 6, 1996. A *Parties' Joint Motion to Correct Clerical Errors in Preliminary Special Master's Reports and Recommendation* was filed on September 16, 1996. An *Amended Preliminary Special Master's Report and Recommendation; Findings of Fact and Conclusions of Law*, was issued for subcase 57-02118 on September 26, 1996. No other Motions to Reconsider or Motions to Correct Clerical Errors were filed, and the time for such motions has now expired.

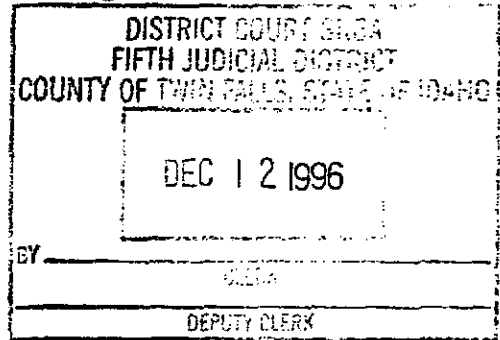
Under I.R.C.P. 41, an action may be dismissed with prejudice by stipulation or court order. The record on file for this subcase, particularly the *Stipulation to Dismiss Objection and Dismiss United States as a Party*, clearly establishes the intent of the parties that this subcase be decreed as recommended.

Therefore, based on the file and record herein, IT IS RECOMMENDED that subcase 57-02118 be decreed as recommended in the *Amended Preliminary Special Master's Report*.

IT IS SO RECOMMENDED.

DATED February 9, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication



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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

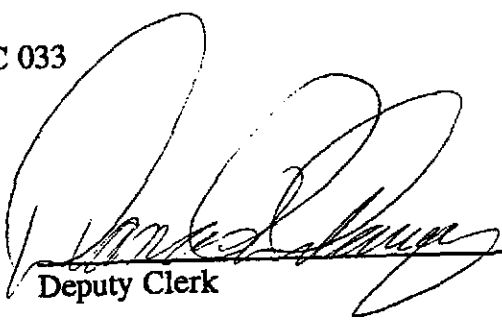
For Water Right 57-02118

I certify that a true and correct copy of the *Order of Partial Decree for Water Right 57-02118* and *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 57-02118* was mailed on December ¹⁵~~12~~, 1996 with sufficient first-class postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Brad Flinders
PO Box 1565
Nyssa, OR 97913

U.S. Department of Justice
Environment &
Natural Resources Div
550 West Fort Street, MSC 033
Boise, ID 83724


Deputy Clerk

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DEC 17 1996

Department of Water Resources

DISTRICT COURT SRBA FIFTH JUDICIAL DISTRICT COUNTY OF TWIN FALLS STATE OF IDAHO
DEC 12 1996
BY _____
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

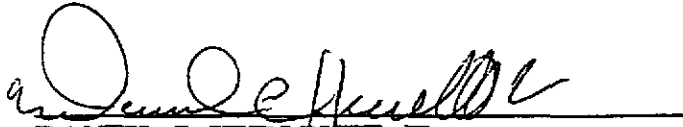
) For Water Right 57-02118

On October 16, 1996, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-02118 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 12, 1996.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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MAR 22 1997

NEW LAND LIST SUBMITTED BY ~~BLA~~ ^{GEM} AS A PART
OF THE NOTICE OF ERROR PROCEDURE.

GEM IRRIGATION DISTRICT

Twn	Rge	Sec	Quarter	Total	57- 10854 Succor Creek	57- 10912 Succor Creek	57- 10913 Sage Creek	57- 04104 Sage Creek	57- 02118 Jump Creek	57- 02177 Jump Creek
3N	5W	3	SW SW	30.0					30.0	30.0
3N	5W	4	NE NW	10.0						
			NW NW	26.0	26.0			26.0		
			SW NW	24.0	16.0			16.0	8.0	8.0
			SE NW	46.0					46.0	46.0
			NE SW	41.2					25.0	25.0
			NW SW	29.0	11.9	16.6	16.6	11.9	29.0	29.0
			SW SW	35.6	33.8	1.8	1.8	33.8	35.0	35.0
			SE SW	41.0					25.0	25.0
			NE SE	15.0					15.0	15.0
			NW SE	36.8					28.0	28.0
			SW SE	38.2					22.0	22.0
			SE SE	38.5					22.0	22.0
3N	5W	5	NE NE	8.7	8.7			8.7		
			NW NE	32.5	32.5			32.5		
			SW NE	13.5	13.5			13.5		
			SE NE	29.2	29.2			29.2		
			NE NW	8.1	8.1	0.9	0.9	8.1		
			NW NW							
			SW NW							
			SE NW							
			NW SW							
			NW SW							
			SW SW							
			SE SW							
			NE SE	28.1	27.1	1.0	1.0	27.1		
			NW SE	1.8	1.8			1.8		
			SW SE	2.6	2.6			2.6		
			SE SE	24.6	24.7			24.7		
3N	5W	7	NE NE							
			NW NE							
			SW NE							
			SE NE							
			NE NW							
			NW NW							
			SW NW							
			SE NW							
			NE SW							
			NW SW							
			SW SW							
			SE SW							
			NE SE	26.7	3.7	23.0	23.0	3.7		
			NW SE	20.9		20.9	20.9			
			SW SE	31.9		31.9	31.9			
			SE SE	36.4	8.2	28.2	28.2			

3.7
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Gem Irrigation - Page 2

3N	5W	8	NE NE	27.4	27.4			27.4		
			NW NE	9.5	9.5			9.5		
			SW NE	25.0	23.0	2.0	2.0	23.0		
			SE NE	31.8	31.8			31.8		
			NE NW							
			NW NW							
			SW NW							
			SE NW	13.4	13.4			13.4		
			NE SW	21.6	18.6	3.0	3.0	18.6		
			NW SW	21.6	21.6			21.6		
			SW SW	24.0	4.8	19.2	19.2	4.8		
			SE SW	31.0						
			NE SE	39.5	39.5			39.5		
			NW SE	28.9	23.6	5.3	5.3	23.6		
			SW SE	37.0	20.5	16.5	16.5	20.5		
			SE SE	38.2	38.2			38.2		
3N	5W	9	NE NE	41.2					24.0	24.0
			NW NE	40.6					26.0	26.0
			SW NE	39.8	31.8			31.8	8.0	8.0
			SE NE	40.6					32.0	32.0
			NE NW	40.7	20.3			20.3		
			NW NW	39.8	25.0			25.0		
			SW NW	38.9	38.9			38.9		
			SE NW	40.2	40.2			40.2		
			NE SW	39.7	39.7			39.7		
			NW SW	38.6	38.6			38.6		
			SW SW	35.1	32.0	3.1	3.1	32.0		
			SE SW	35.7	31.5	4.2	4.2	31.5		
			NE SE	37.5	37.5			37.5		
			NW SE	39.4	39.4			39.4		
			SW SE	36.6	36.6			36.6		
			SE SE	37.4	37.4			37.4		
3N	5W	10	SW NE	22.0					22.0	22.0
			NE NW	27.0					27.0	27.0
			NW NW	35.0					35.0	35.0
			SW NW	40.0					40.0	40.0
			SE NW	40.0					40.0	40.0
			NE SW	40.0					40.0	40.0
			NW SW	30.9	18.1			18.1	25.0	25.0
			SW SW	32.7	16.5			16.5	35.0	35.0
			SE SW	40.0					40.0	40.0
			SW SE	17.0					17.0	17.0
			SE SE	16.0					16.0	16.0
3N	5W	16	NE NE	4.0	4.0			4.0		
			NW NE	35.4	7.8			7.8		

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Gem Irrigation - Page 3

4N	5W	19	SE NW	20.0		20.0	20.0	
			SW NW	20.0		20.0	20.0	
			NE SW	34.8	33.4	1.4	1.4	33.4
			NW SW	33.7	31.5	2.2	2.2	31.5
			SW SW	35.6	35.6			35.6
			SE SW	38.9	35.4	3.5	3.5	35.4
			NE SE	41.6		41.6	41.6	
			NW SE	40.6		40.6	40.6	
			SW SE	40.2	37.4	2.8	2.8	37.4
			SE SE	41.2	32.4	8.8	8.8	32.4
4N	5W	(20)	SW SW	14.6		14.6	14.6	
			NW SW	17.9		17.9	17.9	
4N	5W	29	NW NW	36.5	3.4	33.1	33.1	3.4
			SW NW	35.3	8.1	27.2	27.2	8.1
			NW SW	40.2	24.6	15.6	15.6	24.6
			SW SW	48.6	33.4	15.2	15.2	33.4
4N	5W	30	NE NE	38.0	15.2	22.8	22.8	15.2
			NW NE	37.2	37.2			37.2
			SW NE	40.0	40.0			40.0
			SE NE	38.6	11.3	27.3	27.3	11.3
			NE NW	37.3	36.9	0.4	0.4	36.9
			NW NW	34.1	34.1			34.1
			SW NW	32.5	28.3			28.3
			SE NW	40.1	30.1	9.9	9.9	30.1
			NE SW	32.2	21.1	11.1	11.1	21.1
			NW SW	33.2	2.6	29.4	29.4	2.6
			SW SW	34.6				
			SE SW	35.5	1.4	34.1	34.1	1.4
			NE SE	32.4	21.6	10.8	10.8	21.6
			NW SE	37.2	33.9	3.3	3.3	33.9
			SW SE	33.0	31.2	1.8	1.8	31.2
			SE SE	38.3	32.1	6.2	6.2	32.1
4N	5W	31	NE NE	25.4	17.0	8.4	8.4	17.0
			NW NE	33.9	8.5	25.4	25.4	8.5
			SW NE	34.7				
			SE NE	27.8	7.1	20.7	20.7	7.1
			NE NW	36.4				
			NW NW	32.7				
			SW NW	1.1				
			SE NW	8.1				
			NE SW					
			NW SW					
			SW SW					
			SE SW					
			NE SE	20.6				
			NW SE	2.0				
			SW SE					
			SE SE					

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Gem Irrigation - Page 4

4N	5W	32	NE NW	28.6		28.6	28.6	
			NW NW	35.3		35.3	35.3	
			SW NW	37.4		5.0	5.0	
			SE NW	34.5		34.5	34.5	
			NE SW	15.7	12.9	2.8	2.8	12.9
			NW SW	13.2	13.2			13.2
			SW SW	40.3				
			SE SW	29.4	32.6			32.6
			NW SE	19.0		19.0	19.0	
			SW SE	9.4	9.4			9.4
4N	6W	23	NE NE	11.0		11.0	11.0	
			NW NE	17.0		17.0	17.0	
			SW NE	13.8		13.8	13.8	
			SE NE	28.0	27.8	0.2	0.2	27.8
			NE NW	5.0		5.0	5.0	
			Lot 3					
			Lot 4					
			SE NW					
			NE SW					
			Lot 5					
Lot 6								
NE SE	25.2	21.1			21.1			
SE SE	0.5							
4N	6W	24	Lot 6	21.5	13.4	8.1	8.1	13.4
			Lot 7	27.1		23.0	23.0	
			Lot 4	34.4	34.4			34.4
			Lot 5	34.4	23.4	11.0	11.0	23.4
			NE SW	35.6	35.6			35.6
			NW SW	32.3	31.7	0.6	0.6	31.7
			SW SW	36.0	24.7	11.3	11.3	24.7
			SE SW	35.9	35.7	0.2	0.2	35.7
			NE SE	31.6	8.1	23.5	23.5	8.1
			NW SE	30.7	7.2	23.5	23.5	7.2
SW SE	38.2	38.2			38.2			
SE SE	36.8	28.1	8.7	8.7	28.1			
4N	6W	25	NE NE	36.7	35.5	1.2	1.2	35.5
			NW NE	35.0	14.4	20.6	20.6	14.4
			SW NE	40.3				
			SE NE	32.2	3.9	28.3	28.3	3.9
			NE NW	35.0	1.8			1.8
			NW NW	19.0				
			SW NW					
			SE NW	21.0				
			NW SW					
			SW SW					
SE SW	6.6							
NE SE	39.4							
NW SE	40.0							
SW SE	38.5							
SE SE	38.8							

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Totals -

57-10854	Succor Creek	2,152.9 acres
57-10912	Succor Creek	985.9
57-10913	Sage Creek	~~952.4~~ 985.9
57-04104	Sage Creek	2,152.9
57-02118	Jump Creek	712.0
57-02177	Jump Creek	712.0

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RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: JUMP CREEK

TRIBUTARY: SNAKE RIVER

57-02118	GEM IRRIGATION DISTRICT PO BOX 67 HOMEDALE ID 83628	04/25/1919	IRRIGATION	03-15 11-15	8.00	CFS LICENSE
----------	---	------------	------------	-------------	------	-------------

TOTAL QUANTITY: 8.00 CFS

POINT OF DIVERSION:

T03N R05W S22

NESWSE

PLACE OF USE: IRRIGATION

T03N R05W S03	Lot 8	(SWSW)30.0				
S04		SWNW 8.0	Lot 4	(SENW)46.0	NESW 25.0	NWSW 29.0
		SWSW 35.0		SESW 25.0	Lot 6 (NESE)15.0	Lot 5 (NWSE)28.0
		SWSE 22.0		SESE 22.0		
S09		NENE 24.0		NWNE 26.0	SWNE 8.0	SENE 32.0
S10	Lot 5	(SWNE)22.0	Lot 6	(NENW)27.0	NWNW 35.0	SWNW 40.0
		SENW 40.0		NESW 40.0	NWSW 25.0	SWSW 35.0
		SESW 40.0				

679.0 ACRES TOTAL

REMARKS: RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

USE OF THIS RIGHT WITH RIGHT NO.'S 57-04104, 57-10854, 57-10912, & 57-10913 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 12882.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 3680.8 ACRES IN A SINGLE IRRIGATION SEASON.

Copy of Claim as recommended in
Proposed Report - Amended landlist
submitted by Gen during Notice of Error
Procedure changed this recommendation.
see later profile report.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:58:23
10/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-02118

LAST: GEM IRRIGATION DISTRICT
ADDRESS: P.O. BOX 67
CITY: HOMEDALE
PHONE NUMBER: 208-337-3760

FIRST:
STATE: ID ZIP: 83628

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: LAND IS WITHIN THE SERVICE AREA OF THE GEM IRRIGATION DISTRICT.
INCLUDES LANDS IRRIGATED IN THE BOUNDARY OF THE CITY OF HOMEDALE
AND ADJOINING LANDS FROM POINT OF DIVERSION.
NOTE: ORIGINAL LICENSE SHOWS 4/25/1919 PRIORITY DATE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Clyde Hutton - GID

PHONE NUMBER: () 337-3760

DATE OF FIELD EXAM:

10/25/90

APPOINTMENT MADE: Y(☒) N()

TIME: 11:00 A(M) P()

ACCOMPANIED BY:

KAY WALKER & CLYDE HUTTON

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

NONE

MGR.

DIRECTIONS TO PROPERTY / REMARKS:

Meet at Gem's office in Homedale.

MICROFILMED
OCT 07 1992

A. AJ CLAIM: # A57-02118 PRIORITY DATE: 06-16-1926 STAGE: L
B. WR RECORD: # 57-02118 PRIORITY DATE: 04-25-1919 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

YES

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(X) N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

4-25-1919

REVIEWED BY

DATE

1-29-92

MICROFILMED
OCT 07 1992

WRONG PRIORITY ON CLAIM - CHANGED
TO LICENSED PRIORITY DATE.
See copy of license next page.

State of Idaho
License and Certificate of Water Right

Water License No. 14102
Water District No. 51

Amount \$ 888.00

Priority 4-26-19

THIS IS TO CERTIFY that Gem Irrigation District of Homedale, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 25, 1919; that Permit No. 14102 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 8.0 second feet, was issued thereunder on October 3, 1922, showing that said works were completed on the 5th day of July, 1922; and that on the 16th day of June, 1926,

Gem Irrigation District

of Homedale State of Idaho, made proof to the satisfaction of the of Idaho, of the right to use the waters of Jump Creek, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 14102 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 8 of Licenses, page 3365, on the 9th day of July, 1926.

The right hereby confirmed dates from April 25, 1919;

The Point of Diversion is located

in the SW 1/4 SE 1/4, Sec. 22, Tp. 3 N., R. 5 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 8.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Approximately all land embraced in the Gem Irrigation District.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 9th day of July, 1926.

W. G. SWENSON
Commissioner of Reclamation

(SEAL)

57-2118

By

Geo. H. Carter
Assistant

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 14102

This proof is for RECLAMATION

District No. 51

Name of applicant Gen. Irrigation District

Source of water supply Jump Creek

Location of point of diversion: Is in the SE 1/4 of Section 22

T. 3 N. R. 5 E. S. 1/2 County Blaine

Describe works as they exist, giving dimensions and capacities of same. Diversion in the earth dam 2 ft high, 20 ft long. ditch from pt. of diversion 15 ft deep. 1/2 mile to the dam which is directed to a small ditch to flow of river.

Water is used for Irrigation and domestic use

State whether or not water has been turned into works of diversion yes

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation). Lot 8 Sec. 3; Lots 4, 5 and 6; ST. NW. 1/4; SE 1/4; S. 1/2 Sec. 4; NE 1/4 Sec. 9; Lots 5 and 6; NW 1/4; SE 1/4; S. 1/2 Sec. 10; Twp. 3 N. R. 5 E. S. 1/2.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This water is principally seepage and leakage from the upper covering of Jump Creek up and during the irrigation season it drains naturally to the lower courses. (Jump Creek was literally dry above the spillway on the 174 ft. high dam at time of inspection) and amounted to about 2 cfs. at this date.

This examination was made on the 20th

day of April

(St.)

(Signature)

REPORT OF ENGINEER

This proof is for **Completion Works**

In Water District No. **51**

1. State name of applicant and number of permit: **Gen Irr. Dist - Permit 14102**
2. State source of water supply: **Jump creek**
3. Location of point of diversion: **SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 3 N., R. 5 W., B.M.**

4. Describe works as they exist, giving dimensions and capacities of same: *Water is diverted from Jump Creek by means of a small earth dam into canal on west bank. Headgate is wood lift-gate 4' wide, 2' high. Canal is 4' wide, 2' deep and about 1250' long to where it empties into the C. Canal in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 22. The water is then conveyed to the land thru the main C. canal as shown on map.*

5. State whether or not water has been turned into works of diversion: **Yes**
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): **Lot 8, Sec. 3; Lots 4, 5, 6; the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 4; NE $\frac{1}{4}$ Sec. 9; Lots 5, 6, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, the SW $\frac{1}{4}$ Sec. 10; all in T. 3 N., R. 5 W., B.M.**
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? **One**
9. Give names and amount of each right: *Gen Irrigation District, Permit 14102 for 8 sec. ft.*
10. What large stream would the water here appropriated finally reach? *Snake River*
11. Describe the various tributaries en route from point of diversion to the principal drainage stream:

Remarks *This water is used for irrigation, primarily for growing sugar beets by the Gen Irr. Dist.*

This examination was made on the **26** day of **August**

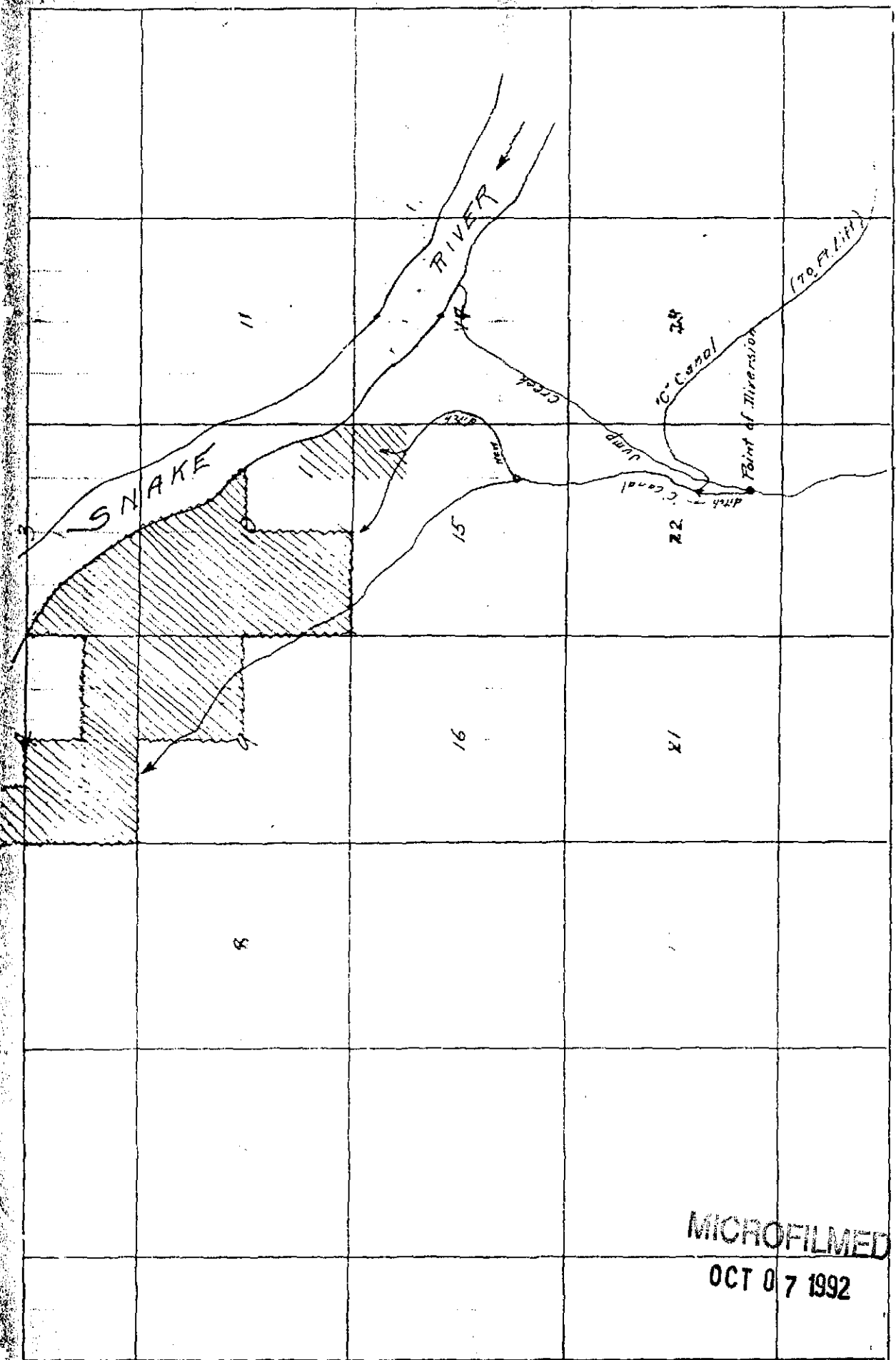
(Signed) **F. J. Sawyer**

OVER

14102

1922
MICROFILMED

067007 1992



MICROFILMED
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-02118	03N	05W	22	NE	SW	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: JUMP CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-02118	03N	05W	22		SW	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: JUMP CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

[Signature] (10 acre parcel discrepancy only)

REMARKS:

MICROFILMED
OCT 07 1992

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

1/4

1/4

1/4

LOT

COUNTY

3N 5W 22

NE SW SE

N/A

Owyhee

SOURCE: JUMP CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

DATE:

1-29-92

MICROFILMED
OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-02118

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03N	05W	10	SW	NE	5	GEM IRRIGATION DISTRICT	A57-02118 /22.0	57-02118 /22.0	14.0	22	22 ✓
						GEM IRRIGATION DISTRICT	A02-00065 / 9.0	- /			
						GEM IRRIGATION DISTRICT	A02-00064 / 9.0	- /			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NE	NW	6	GEM IRRIGATION DISTRICT	A57-02118 /49.0	57-02118 /49.0	21.0	27	27 ✓
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NW	NW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	37.0	~~35~~ 35	~~35~~ 35 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /40.6	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /40.6	- /			
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	SW	NW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	37.0	40	40 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /32.0	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /32.0	- /			
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DISTRICT		02-02276 /28.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	SE	NW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	37.0	40	40 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /21.4	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /21.4	- /			
						GEM IRRIGATION DISTRICT		02-02276 /21.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
03N	05W	10	NE	SW		GEM IRRIGATION DISTRICT	A57-02118 /40.0	57-02118 /40.0	25.0	40	40 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /36.4	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /36.4	- /			
						GEM IRRIGATION DISTRICT		02-02276 /23.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
05W	10	NW	SW			GEM IRRIGATION DISTRICT	A57-02118 /25.0	57-02118 /25.0	38.0	32.5	25 ✓
						GEM IRRIGATION DISTRICT	A02-00065 /30.9	- /			
						GEM IRRIGATION DISTRICT	A02-00064 /30.9	- /			
						GEM IRRIGATION DISTRICT		02-02014 /20.0			
						GEM IRRIGATION DISTRICT		02-02276 /23.0			
						GEM IRRIGATION DIST. , THE		A02-00064 /			
						GEM IRRIGATION DIST. , THE		A02-00065 /			
05W	10	SW	SW			GEM IRRIGATION DISTRICT	A57-02118 /35.0	57-02118 /35.0	37.0	35	35 ✓

ECT 07 1992

RECORDED

(8.5 under
other etc)

				GEM IRRIGATION DISTRICT	A02-00065	/28.7	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/28.7	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/29.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 10	SE	SW		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	19.0	40	40
				GEM IRRIGATION DISTRICT	A02-00065	/38.7	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/38.7	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/39.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 9	NE	NE		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	12.0	24	24
				GEM IRRIGATION DISTRICT	A02-00065	/41.2	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/41.2	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
03N 05W 9	NW	NE		GEM IRRIGATION DISTRICT	A57-02118	/30.0	57-02118	/30.0	23.0	26	26
				GEM IRRIGATION DISTRICT	A02-00065	/40.6	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/40.6	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 9	SW	NE		GEM IRRIGATION DISTRICT	A57-02118	/ 3.0	57-02118	/ 3.0	37.0	39.8	8
				GEM IRRIGATION DISTRICT	A02-00065	/38.3	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/38.3	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/38.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 9	SE	NE		GEM IRRIGATION DISTRICT	A57-02118	/32.0	57-02118	/32.0	36.0	32	32
				GEM IRRIGATION DISTRICT	A02-00065	/40.6	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/40.6	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				MYLER , FRANK J.			57-02020	/25.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W 3	SW	SW		GEM IRRIGATION DISTRICT	A57-02118	/60.0	57-02118	/60.0	36.0	30	30
03N 05W 4	SW	NW		GEM IRRIGATION DISTRICT	A57-02118	/ 8.0	57-02118	/ 8.0	29.0	24	8
				GEM IRRIGATION DISTRICT	A02-00065	/16.0	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/16.0	-	/			
				GEM IRRIGATION DISTRICT			02-02276	/16.0			
03N 05W 4	SE	NW		GEM IRRIGATION DISTRICT	A57-02118	/46.0	57-02118	/46.0	36.0	40	40
				GEM IRRIGATION DISTRICT	A02-00064	/25.4	-	/			
				GEM IRRIGATION DISTRICT	A02-00065	/25.4	-	/			
03N 05W 4	NE	SW		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	33.0	25	25
				GEM IRRIGATION DISTRICT	A02-00065	/41.2	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/41.2	-	/			
03N 05W 4	NW	SW		GEM IRRIGATION DISTRICT	A57-02118	/30.0	57-02118	/30.0	26.0	29	29

OCT 07 1996
 10:00 AM
 10:00 AM

(31.8 inches
 other side)

8 Flowers
 Suckers (5 each)
 Ch. RTS

				GEM IRRIGATION DISTRICT	A57-04104	/28.5	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/28.5	-	/			
				GEM IRRIGATION DISTRICT	A57-04103	/28.5	-	/			
				GEM IRRIGATION DISTRICT	A02-00065	/28.5	-	/			
				GEM IRRIGATION DISTRICT			02-02276	/18.0			
03N 05W	4	SW	SW	GEM IRRIGATION DISTRICT	A57-02118	/33.0	57-02118	/33.0	38.0	35	35
				GEM IRRIGATION DISTRICT	A57-04104	/35.4	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/35.4	-	/			
				GEM IRRIGATION DISTRICT	A57-04103	/35.4	-	/			
				GEM IRRIGATION DISTRICT	A02-00065	/35.4	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DISTRICT			02-02276	/35.0			
				CHURCH OF JESUS CHRIST LATTER			57-07519	/2.0			
03N 05W	4	SE	SW	GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	26.0	25	25
				GEM IRRIGATION DISTRICT	A02-00064	/41.0	-	/			
				GEM IRRIGATION DISTRICT	A02-00065	/41.0	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W	4	NE	SE	6	GEM IRRIGATION DISTRICT	A57-02118	/15.0	57-02118	/15.0	16.0	15
				BLOCK 57 IRRIGATION CO.	A02-02076	/2.0	02-02076	/2.0			
				BLOCK 57 IRRIGATION COMPANY			A02-02076	/2.0			
03N 05W	4	NW	SE	5	GEM IRRIGATION DISTRICT	A57-02118	/30.0	57-02118	/30.0	32.0	28
				WADE , JACK			57-07494	/1.0			
				SEIBOLD , RICHARD F.			A02-00042	/1.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W	4	SW	SE		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	24.0	22
				GEM IRRIGATION DISTRICT	A02-00065	/38.2	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/38.2	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
				GEM IRRIGATION DIST. , THE			A02-00064	/			
				GEM IRRIGATION DIST. , THE			A02-00065	/			
03N 05W	4	SE	SE		GEM IRRIGATION DISTRICT	A57-02118	/40.0	57-02118	/40.0	19.0	22
				THOMAS , CECIL A.	A57-10815	/0.8	-	/			
				GEM IRRIGATION DISTRICT	A02-00065	/38.5	-	/			
				GEM IRRIGATION DISTRICT	A02-00064	/38.5	-	/			
				GEM IRRIGATION DISTRICT			02-02014	/40.0			
TOTAL ACRES					A57-02118	818.00	818.00	688.00		679	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DOES TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ADD IN
3N 5W 10 5W 5E
3N 5W 10 5E 5E (LOT 3)

TOTAL

17.6
16
712.6

PRESUMPTION FLAG:

REMARKS:

EO1 & F07 - see below

RECOMMENDATIONS:

TOTAL ACRES:

212.6

REVIEWED BY:

[Signature]

DATE:

2-3-92

EO1 - Use of this rt. with rt. no's ^{→ 57-02177,} 57-04104, 57-10854, 57-10912 & 57-10913 is limited to a total combined annual cons. use vol. of **13,166.3** af and to the irrigation of a comb. total of **3,761.8** acres in a single irrig. season.

F07 - Basin 02. Snake R. rights.

diversion rate limited because total cfs of all rights = **643 cfs** or **3,212.5"** and there are **3,761.8** acres.

See overlap analysis of this right with 57-02177, 57-04104, 57-10854, 57-10912 & 57-10913 - next page.

RECEIVED
NOV 07 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-02118 IRRIGATION	FROM 03-15 TO 11-15	8.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		8.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-02118 IRRIGATION	FROM TO	8.000 CFS
57-02118 DOMESTIC	FROM TO	8.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		8.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

No domestic use of this water - only irig. for Jam
Shing district waterusers.

RECORDED
OCT 07 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 8.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 8.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
N NO

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

MEASUREMENT METHOD

MANUALLY
NONE REQ'D

FLOW MEASUREMENT

NEXT PAGE

, SEE ATTACHED CALCULATIONS.

NOTE: MEAS. TAKEN
FOR DISALLOW ON
57-02177 - CAN ALLOW

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 57-02177, ~~57-04103~~, 57-04104, 02-00065, 02-00064
DISALLOWED OK OK OK

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

57-10854, 57-10912 + 10913 OF WATER

DIVERTED AT THIS
P.P.

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-02118	JUMP CREEK	GEM IRRIGATION DISTRICT	8.000	0.009	-	-
A02-00065	SNAKE RIVER	GEM IRRIGATION DISTRICT	50.000	0.002	-	-
A57-04104	SAGE CREEK	GEM IRRIGATION DISTRICT	30.000	0.010	-	-
A57-04103	SUCCOR CREEK	GEM IRRIGATION DISTRICT	40.000	0.013	-	-
A02-02076	SNAKE RIVER	BLOCK 57 IRRIGATION CO.	0.044	0.022	-	-
A57-10815	GROUNDWATER	THOMAS , CECIL A.	0.020	0.025	-	-

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

Overlap
Reviews attached

MICROFILMED
OCT 07 1992

GEM IRRIGATION DISTRICT

OVERLAP OF 57-02118/02177 WITH 57-04104/10854/10912 & 10913

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
3N 5W																							
TOTAL SEC. 3	02118	3N	5W	3												11.8	30				30	30	
	02118	3N	5W	4							8	4.4	25	29	35	25	15	4.6	4.5	22	22	255	
04104 &	10854	3N	5W	4					4.3	26	16				11.9	33.8					87.7		
10913 &	10912	3N	5W	4											16.6	1.8					18.4		
TOTAL SEC. 4	ALL	3N	5W	4					4.3	26	24	4.4	25	29	35	25	15	4.6	4.5	22	22	297.6	
	10854	3N	5W	5	4.1	4.2			4.3									27.1	1.8	2.6	24.7	148.2	
	10912	3N	5W	5					4.3									1				1.9	
TOTAL SEC. 5	ALL	3N	5W	5	4.1	4.2			4.3									28.1	1.8	2.6	24.7	150.1	
	10854	3N	5W	7														3.7		8.2	11.9		
	10912	3N	5W	7														23	20.9	31.9	28.2	104	
TOTAL SEC. 7	ALL	3N	5W	7														26.7	20.9	31.9	36.4	115.9	
	10854	"	"	8	27.4	9.5	23	31.8					13.4	18.6	21.6	4.8		39.5	23.6	20.5	38.2	271.9	
	10912	"	"	8			2						3		19.2				5.3	16.5		46	
TOTAL SEC. 8	ALL	"	"	8	27.4	9.5	25	31.8					13.4	21.6	21.6	24		39.5	28.9	37	38.2	317.9	
	02118	"	"	9	24	26	8	32														90	
	10854	"	"	9			31.8		20.3	25	38.9	40.2	37.7	38.6	32	31.5	37.5	39.4	36.6	37.4	448.9		
	10912	"	"	9											3.1	4.2					7.3		
TOTAL SEC. 9	ALL	"	"	9	24	26	39.8	32	20.3	25	38.9	40.2	37.7	38.6	35.1	35.7	37.5	39.4	36.6	37.4	546.2		
	02118	"	"	10			4.5	22			4.6	27	35	40	40	40	25	35	40		4.3	337.6	
	10854	"	"	10											12.1	16.5						34.6	
TOTAL SEC. 10	ALL	"	"	10			4.5	22			4.6	27	35	40	40	40	33.5	35	40		4.3	346.1	
	10854	"	"	16	40	7.8															11.8		
TOTAL SEC. 16	ALL	"	"	16	40	7.8																11.8	
	10854	4N	5W	19											33.4	4.9	4.10			37.4	32.4	205.7	
	10912	"	"	19							4.8	4.7	20	20	1.4	2.2		3.5	41.6	40.6	2.8	8.8	140.9
TOTAL SEC. 19	ALL	"	"	19							4.8	4.7	20	20	34.8	33.7	35.6	38.9	41.6	40.6	40.2	41.2	346.6
	10912	4N	5W	20											4.4	4.3							32.5
TOTAL SEC. 20	ALL	"	"	20											4.4	4.3							32.5

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
4N 5W																						
	10854	4N	5W	29					4.8	4.7			4.6	4.5							69.5	
	10912	"	"	29					4.8	4.7			4.6	4.5							91.1	
TOTAL SEC. 29	ALL	"	"	29					4.8	4.7			4.6	4.5								160.6
	10854	"	"	30	15.2	37.2	40	11.3	36.9	34.1	38.3	30.1	21.1	2.6		1.4	21.6	33.9	31.2	32.1	377	
	10912	"	"	30	22.8			27.3	4			9.9	11.1	29.4		34.1	10.8	3.3	1.8	6.2	157.1	
TOTAL SEC. 30	ALL	"	"	30	38	37.2	40	38.6	37.3	34.1	38.3	40	32.2	32		35.5	32.4	37.2	33	38.3		534.1
	10854	"	"	31	17	8.5		7.1													32.6	
	10912	"	"	31	8.4	25.4		20.7													54.5	
TOTAL SEC. 31	ALL	"	"	31	25.4	33.9		27.8														87.1
	10854	"	"	32									12.9	13.2	11	32.6		9.4			68.1	
	10912	"	"	32					4.7	38.6	36.3	5	4.6	34.5	2.8	52		4.5	19		125.2	
TOTAL SEC. 32	ALL	"	"	32					4.7	38.6	36.3	5	4.6	34.5	15.7	13.2		19	9.4			193.3
4N 6W	10854	4N	6W	23				27.8									21.1				48.9	
	10912	"	"	23	4.1	4.2			11	17	13.8	2	5								47.0	
TOTAL SEC. 23	ALL	"	"	23	4.1	4.2			11	17	13.8	28	5				21.1					95.9
	10854	"	"	24				13.4					4.4	4.5			8.1	7.2	38.2	28.1	280.5	
	10912	"	"	24				4.6	4.7				4.5				1.6	11.3	2	23.5	23.5	109.9
TOTAL SEC. 24	ALL	"	"	24				4.6	4.7				4.4	4.5			31.6	30.7	38.2	36.8		390.4
	10854	"	"	25	35.5	14.4		3.9	1.8												55.6	
	10912	"	"	25	1.2	20.6		28.3													50.1	
TOTAL SEC. 25	ALL	"	"	25	36.7	35.0		4.2	1.8													105.7
TOTAL -	ALL RIGHTS																					ALL=3761.8 AC

02118 + 02177 TOTAL = 712.6

01104 + 10854 - TOTAL = 2152.9

10912 + 10913 - TOTAL = 985.9

OVERLAPPING ACRES
CALCULATED FOR A
TOTAL 12116 ACRES
WHEN ALL 5 RTS.
ARE COMBINED = 3761.8 AC
LIMITER

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

A57-04104 A57-10854

AGENT

JAN THURTELL

DATE

2-12-92

A57-02118

A57-02177

9-21-92

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
JUMP CK.	<u>02177/</u> <u>02118</u>		3N	5W	3											<u>48</u> <u>30</u>					30	30
SECTOR CK.	<u>04104/</u> <u>10854</u>		3N	5W	4					<u>43</u> <u>26</u>	<u>16</u>			<u>11.9</u> <u>38</u>							87.7	
(10854)	<u>02177/</u> <u>02118</u>				4												<u>46</u> <u>15</u>	<u>28</u> <u>22</u>	<u>22</u> <u>22</u>		255	
SAGE CK.	<u>04104/</u> <u>10854</u>									<u>43</u> <u>26</u>	<u>24</u> <u>46</u>		<u>25</u> <u>29</u>	<u>35</u> <u>42</u>	<u>25</u> <u>25</u>	<u>15</u> <u>15</u>	<u>28</u> <u>28</u>	<u>22</u> <u>22</u>	<u>22</u> <u>22</u>		297.4	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	<u>04104/</u> <u>10854</u>		3N	5W	5	<u>87</u> <u>32</u>	<u>35</u> <u>35</u>	<u>32</u> <u>32</u>	<u>1</u> <u>1</u>								<u>21.1</u> <u>18</u>	<u>26</u> <u>24</u>	<u>27</u> <u>27</u>		148.2	148.2
				7													<u>37</u>		<u>82</u>		11.9	11.9
				8	<u>214</u> <u>95</u>	<u>23</u> <u>31</u>	<u>8</u> <u>8</u>						<u>134</u> <u>18</u>	<u>62</u> <u>16</u>	<u>48</u> <u>48</u>		<u>39.5</u> <u>35</u>	<u>10</u> <u>10</u>	<u>38</u> <u>32</u>		271.9	271.9
	<u>02177/</u> <u>02118</u>		3N	5W	9	<u>24</u> <u>26</u>	<u>8</u> <u>32</u>														90	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	<u>04104/</u> <u>10854</u>			9			<u>31.8</u>		<u>20.3</u> <u>25</u>	<u>37</u> <u>40</u>	<u>2</u> <u>2</u>	<u>39.7</u> <u>38</u>	<u>62</u> <u>32</u>	<u>31.5</u> <u>37</u>	<u>39</u> <u>4</u>	<u>36</u> <u>6</u>	<u>37</u> <u>4</u>				148.9	
	ALL		3N	5W	9	<u>24</u> <u>26</u>	<u>39.8</u> <u>32</u>	<u>20.3</u> <u>25</u>	<u>38.9</u> <u>40</u>	<u>2</u> <u>2</u>	<u>39.7</u> <u>38</u>	<u>62</u> <u>32</u>	<u>31.5</u> <u>37</u>	<u>39</u> <u>4</u>	<u>36</u> <u>6</u>	<u>37</u> <u>4</u>					58.9	
	<u>02118/</u> <u>02177</u>		3N	5W	10		<u>45</u> <u>22</u>		<u>46</u> <u>27</u>	<u>35</u> <u>40</u>	<u>40</u> <u>40</u>	<u>40</u> <u>40</u>	<u>25</u> <u>35</u>	<u>40</u> <u>40</u>			<u>17.6</u> <u>16</u>	<u>16</u> <u>16</u>			337.6	
	<u>04104/</u> <u>10854</u>			10									<u>18.1</u> <u>16</u>	<u>5</u> <u>5</u>							34.6	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	ALL		3N	5W	10		<u>45</u> <u>22</u>		<u>46</u> <u>27</u>	<u>35</u> <u>40</u>	<u>40</u> <u>40</u>	<u>40</u> <u>40</u>	<u>25</u> <u>35</u>	<u>40</u> <u>40</u>			<u>17.6</u> <u>16</u>	<u>16</u> <u>16</u>			346.1	
REMAINING TOTAL FOR 57-04104/10854 (NO OVERLAP ON																					1149.7	
REMAINING ACRES																						
WITH 57-02118																						
OR 57-02177)																						

TOTAL ACRES 794.1

OCT 07 1992

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: A57-02118 A57-02177
 AGENT JAN THURTELL DATE 2-12-92 9-21-92 A57-10912 A57-10913

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL		
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
JUMP CK	02118/ 02177	3N	SW	3											47	30					30	30		
SAGE CK	10912/ 10913	3N	SW	4											10.6	1.8					18.4			
(10913)	02118/ 02177			4										8	44	25	29	35	25	15	28	22	22	255
ELPCOR CK				4										8	44	25	29	35.6	25	15	28	22	22	255.6
(10912)	ALL			4										8	44	25	29	35.6	25	15	28	22	22	255.6

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	10912/ 10913	3N	SW	5					1.9								1				1.9	1.9
"	"	"	"	7													23	29	35	22	104	104
"	"	"	"	8			2						3	1.2			5	3	6.5		46	46

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	02118/ 02177	3N	SW	9	24	26	8	32													90	
	10912/ 10913			9											3.1	4.2					7.3	
	ALL			9	24	26	8	32							3.1	4.2					97.3	
	02118/ 02177	3N	SW	10			15	22	15	27	35	40	40	25	35	40			17	16	337.6	337.6

USE / SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL				
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
	10912/ 10913	Remaining area not overlapping ~~with~~ 808.3 with 57-02118 or 02177																			Total = 1680.7 OF ALL PTS					

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OCT 07 1992

MANNING EQUATION CHANNEL CAPACITY RESULTS

09-11-1992

File Number: 57-02177 & 57-02118

Claimant: Gem Irrigation District

Channel measured: Town Ditch

Date of measurement: September 10 1992

Measurement location: *SWSE & NWSE, J. 22, T. 5N, R. 3W (see map attached)*
SWSE S22 T05N R03W ← P.O.

Calculation prepared by: Jan Shurte

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 1007 feet.

The upstream and downstream rod readings are 5.38 and 6.95 feet.

The channel cross section is 18.38 ft-sq.

The wetted perimeter is 12.47 feet.

The hydraulic radius is 1.47 feet.

The slope is 0.0016

The roughness coefficient is 0.0300

The flow velocity is 2.540 ft/sec.

The rate of flow is 46.67 cfs.

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OCT 07 1992

CROSS SECTION NUMBER 1

For File Number 57-02177 & 57-02118 for the Town Ditch

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	2.13	2.13	1.50
3	2.34	2.34	3.00
4	2.52	2.52	4.50
5	2.40	2.40	6.00
6	2.15	2.15	7.50
7	1.34	1.34	9.00
8	0.00	0.00	10.30

The area for this cross section is 19.19 square feet
and the wetted perimeter is 12.23 feet.

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OCT 07 1992

CROSS SECTION NUMBER 2

For File Number 57-02177 & 57-02118 for the Town Ditch

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	1.04	1.04	1.50
3	1.70	1.70	3.00
4	2.02	2.02	4.50
5	2.01	2.01	6.00
6	1.91	1.91	7.50
7	1.70	1.70	9.00
8	0.69	0.69	10.50
9	0.00	0.00	12.50

The area for this cross section is 16.78 square feet
and the wetted perimeter is 13.44 feet.

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CROSS SECTION NUMBER 3

For File Number 57-02177 & 57-02118 for the Town Ditch

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	1.98	1.98	1.50
3	2.61	2.61	3.00
4	2.73	2.73	4.50
5	2.76	2.76	6.00
6	2.31	2.31	7.50
7	0.00	0.00	9.50

The area for this cross section is 19.16 square feet
and the wetted perimeter is 11.74 feet.

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OCT 07 1992

MANNING EQUATION - DATA COLLECTION

Claim Number(s): A57-02177 & 02118Name of Claimant(s): GIDName of Ditch, Canal, or Stream: TOWN DITCH (JUMP CREEK)Date of Measurement: 9/10/92 Data Collected By: KW & JSMeasurement Location: SW 1/4 NE 1/4 Section 22 T3N R5W
NW SE
Cross Section Data

Basis: high water mark() maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

	depth or rod reading	distance from initial point		depth or rod reading	distance from initial point
1.		<u>0</u>	7.	<u>1.34</u>	<u>9'</u>
2.	<u>2.13'</u>	<u>1.5'</u>	8.	<u>REW</u>	<u>10.3'</u>
3.	<u>2.34</u>	<u>3.0'</u>	9.	<u>LEW</u>	<u>0'</u>
4.	<u>2.52</u>	<u>4.5'</u>	10.	<u>1.04'</u>	<u>1.5'</u>
5.	<u>2.40</u>	<u>6.0'</u>	11.	<u>1.7'</u>	<u>3.0'</u>
6.	<u>2.15</u>	<u>7.5'</u>	12.	<u>2.02'</u>	<u>4.5'</u>

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>7.96</u>	<u>9.40'</u>	
center	<u>5.38</u>	<u>6.95'</u>	
lower stadia	<u>2.78</u>	<u>4.51'</u>	channel length
stadia difference	<u>(5.18 + 4.89)</u>		<u>x 100 = 1007'</u>

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes ☒

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OCT 07 1992

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	X	(1)
occasional	.005	X	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

MANNING EQUATION - DATA COLLECTION

PROG 1
MEAS. CONT.

Claim Number(s): _____

Name of Claimant(s): _____

Name of Ditch, Canal, or Stream: _____

Date of Measurement: _____ Data Collected By: _____

Measurement Location: _____ 1/4 _____ 1/4 Section _____ T _____ R _____

Cross Section Data

Basis: high water mark() maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

	depth or rod reading	distance from initial point		depth or rod reading	distance from initial point
1.	2.01'	6.0'	7.	1.98'	1.5'
2.	1.91'	7.5'	8.	2.01'	3.0'
3.	1.7'	9.0'	9.	2.73'	4.5'
4.	.69'	10.5'	10.	2.76'	6.0'
5.	LEW	12.5'	11.	2.31'	7.5'
6.	LEW	0	12.	LEW	9.5'

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings: upstream downstream

upper stadia _____

center _____

lower stadia _____

stadia difference (_____ + _____) x 100 = _____

channel length

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

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OCT 07 1994



D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 712.6 x 0.02 CFS/ACRE = 14.25 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2863.0 AF/A

ACRES 712.6 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 2494.1 AF/A

*Per license
exam*

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

N/A surface H₂O
AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

See pg. 8.

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OCT 07 1992

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

IRRIGATION

3-15 11-15

8.0

N/A

~~2376.5~~ N/A

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

2-6-92

MICROFILMED
OCT 07 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
(X)	()
(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-02118

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
8.000

EXAMINER
[Signature]

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-02118	8.000	-		57-02118	8.000
TOTAL CFS		8.000				8.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
[Signature]

REMARKS:

*See map of acres irrigated in 57-10854.
Photos & system desc. attached with map
of P.O. only.*

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE:

2-6-92

NAME OF FIELD EXAMINER:

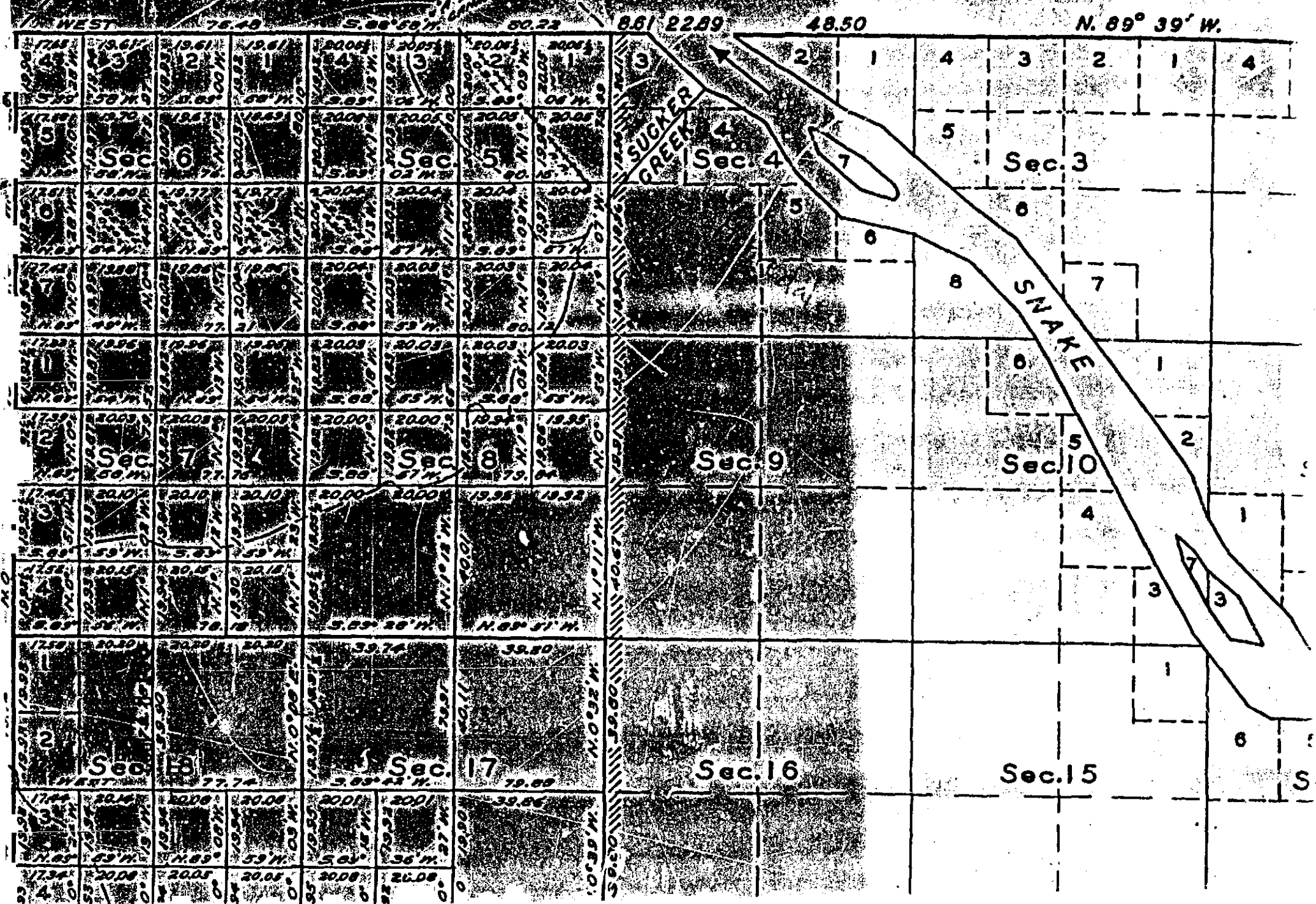
TAN THURTE

TITLE:

WATER RIGHTS SUPERVISOR



RANGE NO. 5 WEST OF THE
DEPENDENT RESURVEY AND SUBDIVISION OF
RESURVEY



SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

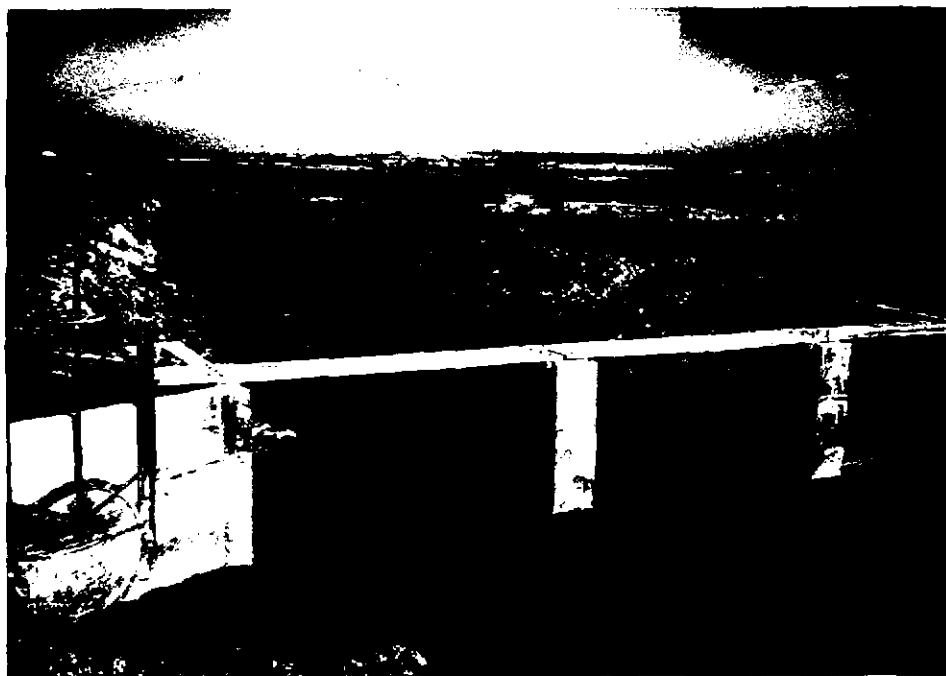
CLAIM NO. A57-02118

Cement diversion dam in Jump Ch -
30' wide X 6' high with 36" culvert
pipe headgate diversion into ditch
system which carries the water to the
various shareholders thru Homedale
& surrounding area and into

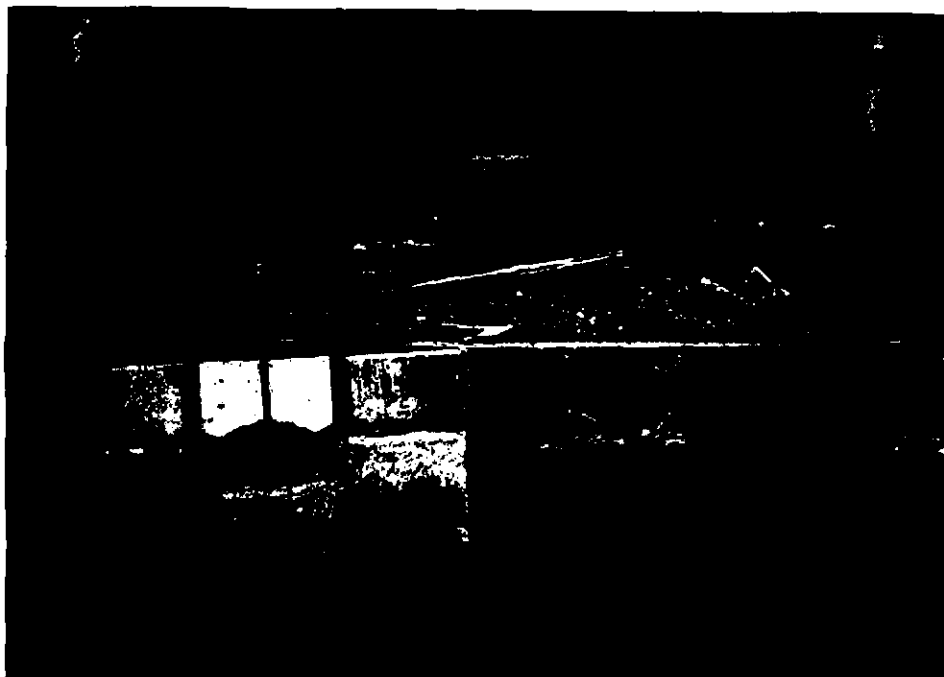
MICROFILMED

OCT 07 1994

CLAIM NO. A57-02118



JUMP CK. DIVER-
SION LOOKING DOWN-
STREAM ^{FACING} (NORTH) WITH
HEADGATE ON LEFT
SIDE OF PHOTO.



HEADGATE SHOWN
ABOVE TAKEN AT
A FURTHER LEFT
VIEWPOINT.

PHOTOS TAKEN BY KAY WALKER ON ^{MICROFILMED} OCT 07 1992
ACCOMPANIED BY JAN THURTELL & CLYDE
HUTTON.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Clyde Hulton Jr.
Secretary
Gem Irrigation
P. O. Box 67
Homedale, Idaho 83628

RE: SRBA Claims - A02-00064, A02-00065, A57-04103, A57-04104,
A57-02118, A57-02177

Dear Mr. Hulton;

Please find attached receipt #W003966 for \$24,031.00 for the above listed Adjudication Claims. Also attached are the carbon copies of your original submittals, copies of the data entries of the claims, and copies of the lands listed you submitted with the claims.

During the review process, we have found discrepancies between the lands lists submitted and the total number of acres noted on the four of the claims. Your lands lists indicate 2,909.8, 2,909.8, 23,173.8, 23,173.8 acres for claims A57-04103, A57-04104, A02-00064, and A02-00065, respectively. However, the Total Acres Claimed on the claims are 3,025.4, 3,025.4, 23,730.21 and 23,730.21 acres for A57-04103, A57-04104, A02-00064 and A02-00065 respectively. Because of the size of the discrepancies, we would like your organization to review the lands lists and let us know if there was a calculation error on your part or that not all of the acres on the lands list were properly highlighted for the submittals.

These discrepancies would also indicate a sizable refund may be in order.

Please review the materials and respond promptly as we have begun the claims verification process in Owyhee County and must process your claims for the Fifth District Court this season.

Regards

Jan Shurte,
Adjudications Supervisor
Western Region

cc:JS:BAS:CH:files

Enclosures: W003966, A02-00064, A02-00065, A57-02118,
A57-04104, A57-04103.

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OCT 07 1984

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEM IRRIGATION DISTRICT PO BOX 67 HOMEDALE ID 83628 (208) 337-3760	04/25/1919	IRRIGATION	03-15 11-15	8.00 CFS	
TOTAL DIVERSION:					8.00 CFS	

Water Source: JUMP CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T03N R05W S22

NESWE

OWYHEE 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	:	SUM	
03N	05W	3	:																	:	30.0	
03N	05W	4	:							08	04-46			25	29	35	25	06-15	05-28	22	22	: 255.0
03N	05W	9	:	24		26		08	32													: 90.0
03N	05W	10	:				05-22			06-27	35	40	40	40	25	35	40			17	03-16	: 337.6
TOTAL ACRES																					712.6	

POU County: OWYHEE

Other Rights: 02-00064 02-00065 57-02177 57-04104 57-10854 57-10912 & 13.

Remarks: RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02177, 57-04104, 57-10854, 57-10912 & 57-10913 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 13166.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 3761.8 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 57-02177 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 11/19/1990 Verified Date:

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

Comments: Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/20/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 6/25/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/19/1992 User-ID: SHURTE Subject: ACRES CHANGED - NOT DUE TO ERROR
GEM IRRIGATION DISTRICT SUBMITTED AN AMENDED LANDLIST DUE TO THE

MICROFILMED
OCT 07 1992

=====

Comments: Date: 09/19/1992 User-ID: SHURTE Subject: ACRES CHANGED - NOT DUE TO ERROR
ADDITION OF ACRES THAT WERE PREVIOUSLY NOT ASSESSED BY THE IRRIG.
DISTRICT, BUT THAT HAVE BEEN USING GID WATER. THESE ACRES HAVE
BEEN ADDED BECAUSE THEY HAVE BEEN IRRIGATED BUT WERE LEFT OUT
BECAUSE THE PREVIOUS LIST WAS BASED ON ONLY ASSESSED ACRES.
THESE PEOPLE ARE BEING CONTACTED BY GID & WILL BE ASSESSED FOR
THESE ACRES IN THE FUTURE.

Audit: 09/20/92 SHURTE

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OCT 07 1992

THIS IS A COPY OF YOUR WATER RIGHT AS IDWR PROPOSES TO RECOMMEND IT TO THE DISTRICT COURT*

RECEIVED
AUG 20 1992

*THIS IS NOT A FINAL DETERMINATION OF YOUR CLAIM. YOU MUST FILE A NOTICE OF ERROR WITH IDWR IF YOU DISAGREE WITH THE PROPOSED RECOMMENDATION.

Department of Water Resources
Western Regional Office

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
37-02118	GEM IRRIGATION DISTRICT PO BOX 21 P424 BOX 27 HOMEDALE ID 83623	1423521913 26/11/1928	IRRIGATION	02-15 11-15	3.00 CFS	LICENSE
					TOTAL QUANTITY: CONSUMPTIVE USE:	3.00 CFS 2882.3 AFS
SOURCE: JUMP CREEK			TRIBUTARY: SNAKE RIVER			
POINT OF DIVERSION:						
TOWN R03W 52E						
PLACE OF USE: IRRIGATION						
TOWN R03W 50E						
LOT 1 (SENW) 21.2						
227 A/ (SWSE) 28.0						
304			LOT 4 (SENW) 46.0	NESH 22.2 NESH 22.2	NESH 22.2 NESH 22.2	SENW 22.2 SENW 22.2
309			LOT 5 (NESH) 15.0	LOT 1 (NESH) 22.2 227 A/ (NESH) 20.0	SWSE 22.2 SWSE 22.2	SESE 22.2 SESE 22.2
510			LOT 6 (SENE) 22.2	SENE 22.2 SENE 22.2	SENE 22.2 SENE 22.2	SENE 22.2 SENE 22.2
712			LOT 7 (SENE) 22.2	SENE 22.2 SENE 22.2	SENE 22.2 SENE 22.2	SENE 22.2 SENE 22.2
TOTAL ACRES TOTAL			712	712	712	712

REMARKS: RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS. USE OF THIS RIGHT WITH RIGHT NO.'S 37-04104, 37-10654, 37-10912, & 37-10913 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 12882.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 3680.8 ACRES IN A SINGLE IRRIGATION SEASON.

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OCT 07 1992

3 T.3N R.5W

Sec. 4 3N 5W

Sec. 9 3N 5W

Sec. 10 3N 5W

Sec. 10 3N 5W

SWNW 8
SE SW 25
SE NW 46
NE SE 15
NE SW 25
NW SE 28
NW SW 29
SW SE 22
SW SW 35
SE SE 22
255

NE NE 24
NW NE 26
SW NE 8
SE NE 32
90

SW NE 22
X NE SW 40
- NE NW 22
43.1 NW SW 25
- NW NW 35
51.5 SW SW 35
- SW NW 40
X SE SW 40
- SE NW 40
304
SE SE 16
SW SE 17
337

(Check on these acres)
NW SE -
SW SE 17
SE SE 16
Water right claim shows no acres

Total 712 acres

Submitted as Notice of Error on 8-20-92 for additional acre only Change

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A57-02118Date Received 8-2-89Receipt Number W003966 (\$50)

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Gem Irrigation District Phone (208) 337-3760
Mailing Address P. O. Box 67, Homedale, Idaho Zip 83628

2. Date of Priority (Only one (1) per claim) June 16, 1926

3. Source of water supply (a) Jump Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 5W Section 22,
NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, - B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Concrete Diversion Dam - canal and gravity ditches at place of use.

NOTIFIED

OCT 4 7 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 8 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2863 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
See attachment for description of place of use.																			

Total number of acres irrigated 818

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
57-02177, 57-04103, 57-04104, 02-00065, 02-00064 or None ()

14. Remarks: Land is within the service area of the Gem Irrigation District. Includes
lands irrigated in the boundary of the City of Homedale and adjoining lands from
point of diversion.

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OCT 07 1992

Last Name Gem I.D. Ident No. 57-02118

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

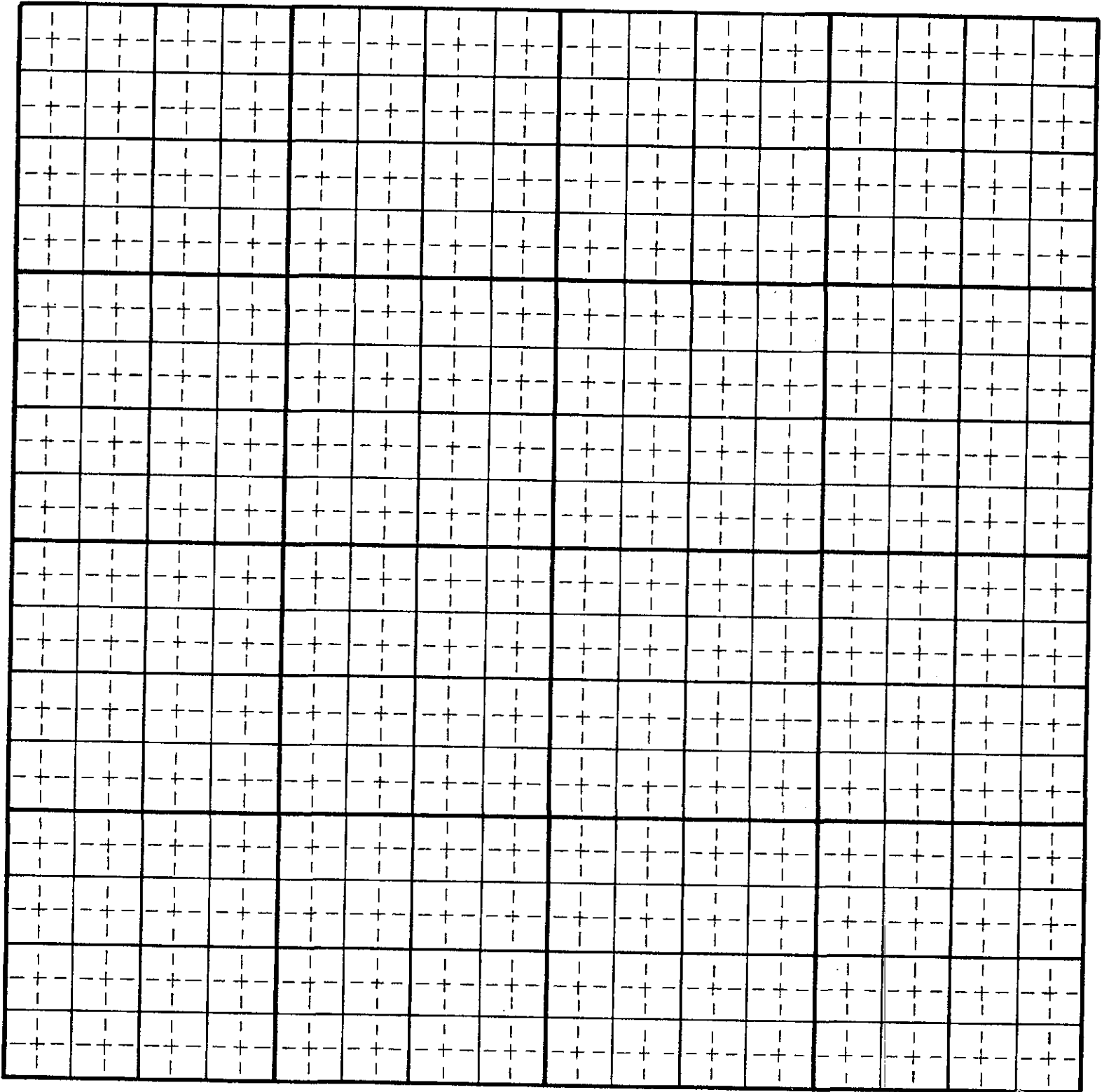
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

*See attached map



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OCT 7 1992

Last Name Gem I.D.

Ident No. 57-02118

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☒ License ☐ Permit

Decree

If applicable provide IDWR Water Right Number 57-02118

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary _____ Title

of Gem Irrigation District _____, that I have signed the foregoing
Organization

document in the space below as Secretary of Gem Irrigation District
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Clyde Hutton Jr

Title and Organization Secretary, Gem Irrigation District Date 1/13/89

State of Idaho/or _____)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 13th day of January 19 89

SEAL

Notary Public Joyce A. Cuddaback

Residing at Homedale

My Commission Expires May 22, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

NOTARIZED

OCT 07 1992

Last Name Gem I.D. Ident. Number 57-02118

Copies White-State, Yellow-Claimant

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

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39356

Ident. Number A57-02118Date Received 8-2-89Receipt Number W003966 (\$50)

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Gem Irrigation District Phone (208) 337-3760
Mailing Address P. O. Box 67, Homedale, Idaho Zip 83628

2. Date of Priority (Only one (1) per claim) June 16, 1926

3. Source of water supply (a) Jump Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 5W Section 22,
NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, - B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Concrete Diversion Dam - canal and gravity ditches at place of use.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2863 acre feet per annum.

9. Non-irrigation uses, describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 818

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
57-02177, 57-04103, 57-04104, 02-00065, 02-00064 or None ()

14. Remarks: Land is within the service area of the Gem Irrigation District. Includes
lands irrigated in the boundary of the City of Homedale and adjoining lands from
point of diversion.

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OCT 07 1992

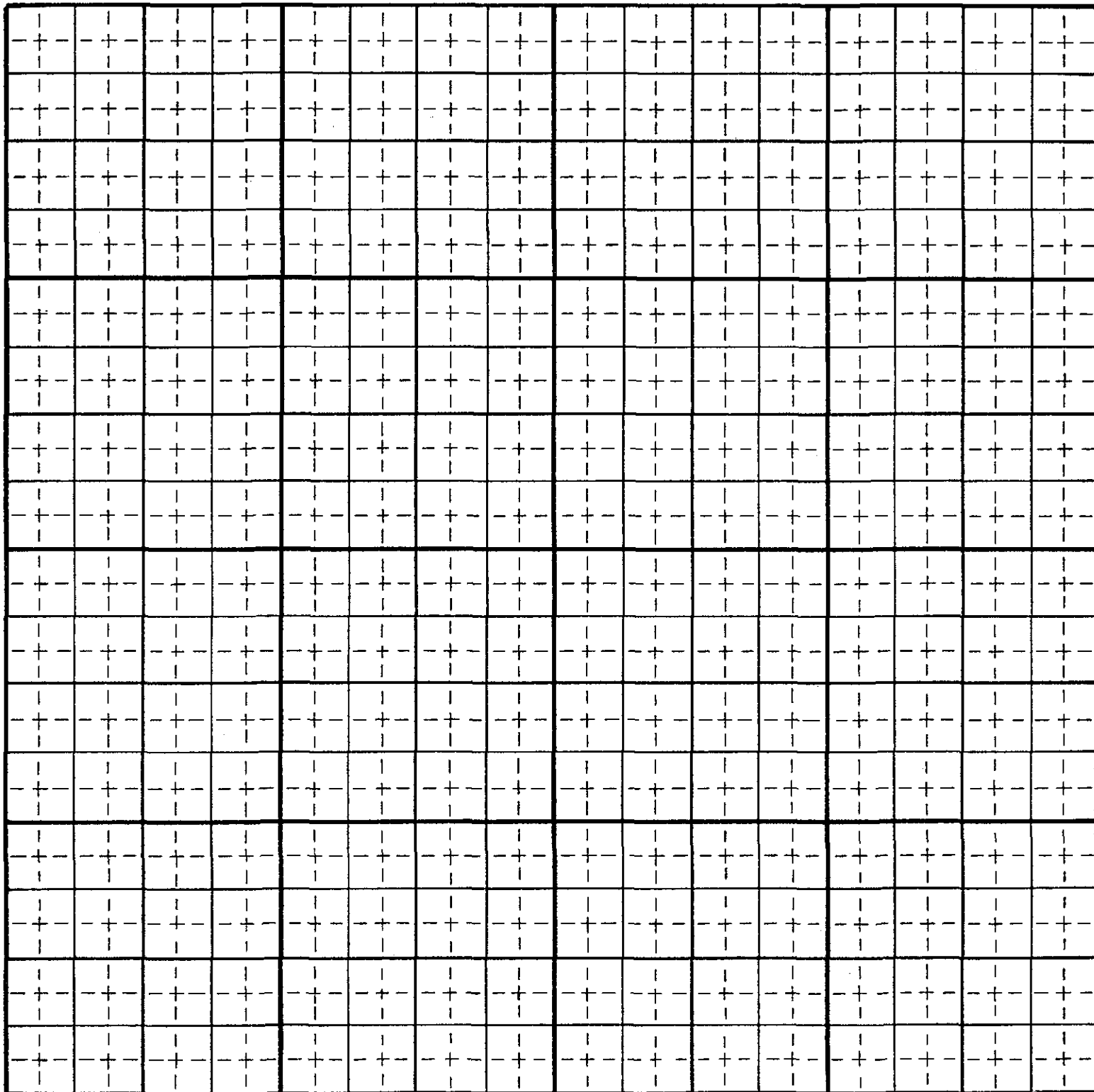
Last Name Gem I.D. _____ Ident No. 57-02118

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

*See attached map



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OCT 07 1992

Last Name Gem I.D.

Ident No. 57-02118

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 57-02118
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ✓
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary
of _____ Gem Irrigation District _____, that I have signed the foregoing
Organization
document in the space below as _____ Secretary _____ of _____ Gem Irrigation District
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Clyde Hutton
Title and Organization Secretary, Gem Irrigation District Date 1/13/89

State of Idaho/or _____)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 13th day of January 19 89

SEAL

Notary Public Joyce A. Cuddelback
Residing at Homedale

My Commission Expires May 22, 1993

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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OCT 07 1992

Last Name Gem I.D. Ident. Number 57-02118

Copies White-State, Yellow-Claimant

Water Right Number - 57-02118

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 14102

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GEM IRRIGATION DISTRICT1 -
2 -
3 -
City- HOMEDALE State- ID Zip- 83628
Phone - 208-000-0000+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
04/25/1919 14 L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
JUMP CREEK SNAKE RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 05W 22 SW SE (73) OWYHEE 272.0 337.0 1.5 0.1

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 8.000
43 - DOMESTIC+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
8.000+ - - - - - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | | |
|-----|-----|----|-------|---|------|----|------------|-------|--------|
| 03N | 05W | 3 | SW SW | 4 | 60.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | SW NW | | 8.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | SE NW | 4 | 46.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | NE SW | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | NW SW | | 30.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | SW SW | | 33.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | SE SW | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | NE SE | 6 | 15.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | NW SE | 5 | 30.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | SW SE | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 4 | SE SE | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 9 | NE NE | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 9 | NW NE | | 30.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 9 | SW NE | | 3.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 9 | SE NE | | 32.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 10 | SW NE | 5 | 22.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 10 | NE NW | 6 | 49.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 10 | NW NW | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 10 | SW NW | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 10 | SE NW | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |
| 03N | 05W | 10 | NE SW | | 40.0 | 01 | IRRIGATION | (73) | OWYHEE |

OCT 07 1992

WR0723NP

Water right number - 57-02118

Adj. flag translation: Standard Water Right Number

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use Code | Description | County |
|-----|-----|-----|-------|-----|-------|-------------------|-------------|--------------|
| 03N | 05W | 10 | NW SW | | 25.0 | 01 | IRRIGATION | (73) OWYHEE |
| 03N | 05W | 10 | SW SW | | 35.0 | 01 | IRRIGATION | (73) OWYHEE |
| 03N | 05W | 10 | SE SW | | 40.0 | 01 | IRRIGATION | (73) OWYHEE |

Total Acres: 818.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
P/U WITHIN LANDS OF GEM IRR. DIST.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 05/20/85 05/01/88 CONVERT 06/29/89 CURTIS

+ - - - - - Water Rights Dates and Flags Area - - - - -

| | | |
|-------------------------------|------------------------------|---------------------|
| Proof Due Date - 00/00/0000 | Field Exam Made - 00/00/0000 | Field Exam Fee - |
| Approved/Denied - 00/00/0000 | Protested Date - 00/00/0000 | Swan Falls - |
| Proof Made Date - 00/00/0000 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Start Work Date - 00/00/0000 | Verified Date - 05/20/1985 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - |
| Licensed Date - 06/07/1979 | Appl Received - 00/00/0000 | Transfer/Amended - |
| Decree Date - 00/00/0000 | Presumption Flag - | |

Microfilm Roll Number -

MICROFILMED
OCT 07 1992