

Idaho Dept. of Water Resources

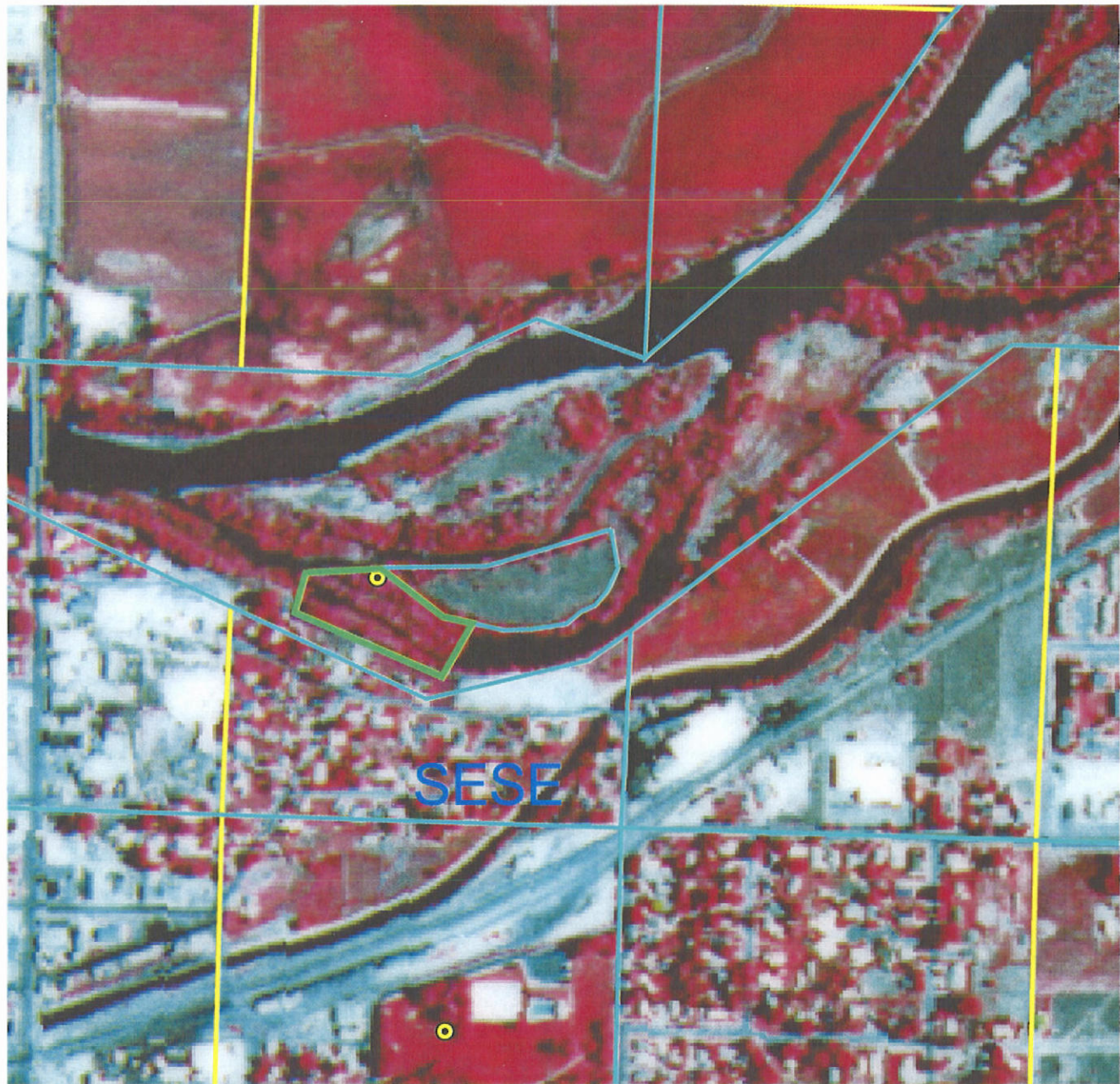
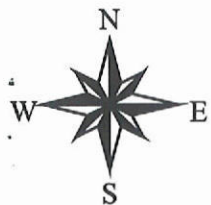
Claim No(s): 65-02295

T06N, R01W, Sec 6

Created by: Sue Bock

Date: 9/12/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000

1987 NAPP Photo
3000 Feet



56+2

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: 65-02295

DATE RECEIVED: 12-8-89

RECEIPT NO:

RECEIVED BY: JFW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: JACK L. ST. GERMAIN
ADDRESS: P. O. BOX 66
EMMETT, ID 83617

NAME: GERTRUDE M. ST. GERMAIN
ADDRESS: P. O. BOX 66
EMMETT, ID 83617

2. DATE OF PRIORITY: MAY 06, 1922

3. SOURCE: PAYETTE RIVER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	6				13	GEM.
			SE	SE		13	GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

7. TOTAL QUANTITY APPROPRIATED IS:
0.040 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	01W	6	SE	SE	13	IRR	2.0
SECTION ACRES							2.0
TOTAL ACRES							2.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS
DECREE 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: _____

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): Jack F. Berman DATE: 12/5/89
Arthur M. Berman DATE: _____
(deceased)

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Jersey) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 5th DAY

OF Dec 19 89

Theresa L. Kolaszky
NOTARY PUBLIC

SEAL

RESIDING AT Boonville, Idaho

MY COMMISSION EXPIRES 11/9/94
DATE: 10/28/89 4604



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

12/19/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2295

NAME AND ADDRESS: GERTRUDE M ST GERMAIN
JACK L ST GERMAIN
P O BOX 66
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/06/1922

POINT OF DIVERSION: T06N R01W S6 LOT 13 SESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.04 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T06N R01W S6 LOT 13 SESE 2

2 ACRES TOTAL

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

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. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-02295

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 78

was off
when printed.

Snake R

Point(s) of Diversion:

T06N R01W S06 Lot13() Lot13(SESE) ✓

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
06N	01W	6	:					:					:					:							:	
																							13-02	2.0	✓	
TOTAL ACRES																							2.0	✓		

POU County: GEM

Dates: Exam Made Date:

Verified Date:

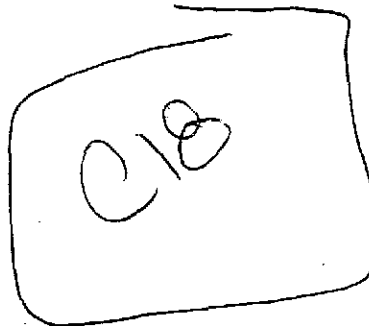
Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

not shown on
mylar, varz on
blue line

Not
covered by
ditch co.



Add
Snake River
as trib
(as me how to do
this)
Remove 1 pad.

WR5809NP
No. 65-02295

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/29/00
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK L. ST. GERMAIN GERTRUDE M. ST. GERMAIN P. O. BOX 66 EMMETT ID 83617	05/06/1922	IRRIGATION	03/15 11/15	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: PAYETTE RIVER

Tributary to: Snake

Stage: DECREED

Point(s) of Diversion: T06N R01W S06 Lot 13() Lot 13(SESE)

GEM 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
06N	01W 6	:																
																	13-02	2.0
																	TOTAL ACRES	2.0

Pou County: GEM

Dates:	App. Received:	Priority Date:	05/06/1922
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

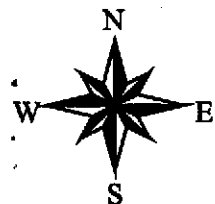
Misc: Water District Number: 65 Field Exam Fee:

Idaho Dept. of Water Resources



Claim No(s): 65-02295
T06N, R01W, Sec 6
Created by: Sue Bock
Date: 9/12/2000

- ☐ Place of Use
- ☒ Point of Diversion
- ☐ Section lines
- ☐ 1/4 1/4 lines



0

1000

2000

1987 NAPP Photo
3000 Feet