

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: A63-03207
Date Received: 2/28/1990
Receipt No: W009796
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GEM STATE ACADEMY
Address: 16115 MONTANA AVE
CALDWELL ID 83605
208-459-1627

2. Date of Priority: JUN 30, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03W	10	SE	SE	SW		CANYON

5. Description of diverting works:
WELL, 10" X 252', 10 HP MOTOR, PIPED TO 6 HOUSES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 6 HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03W	10	SE	SW		DOMEST	
			SW	SE		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
4 HOUSES IN SESW & 2 HOUSES IN SWSE, SEC. 10, T. 3N, R. 3W.

15. Basis of Claim: LICENSE

Water Right Number: 28836

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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 63-3207

Date Received _____

Receipt Number W009796

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 27 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Gen State Academy Phone (208) 459-1627

Mailing Address 16115 Montana Ave, Caldwell Zip 83605
Ida

2. Date of Priority (Only one (1) per claim) 6/30/1960

3. Source of water supply (a) 8 roundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3N Range 3W Section 10,
SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Canyon

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.

10 inch casing, 252 ft deep, 10 HP motor
Piped to six houses.

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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 4/15 amount .10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .10 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 6 homes

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	
<u>3N</u>	<u>3W</u>	<u>10</u>												<u>D</u>			<u>D</u>		

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
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.
_____ or None (☒)

14. Remarks:

4 houses in SE SW & 2 houses in SE SE
Sec 10 T3N R3W

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Last Name Dem State Ident No. 63-3207
academy

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Last Name Sen State Ident No. 63-3207
Academy

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-3207
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 _____

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 Farm Manager
Title
of Ben State Academy , that I have signed the foregoing
Organization
document in the space below as Farm Manager of Ben State Academy
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Gene Herbel
Title and Organization Farm Manager Ben State Academy Date 2/21/90

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 21 day of February 1990

SEAL

Notary Public John Z. Zorner
Residing at 15470 Homedale Rd
Caldwell, Idaho 83605
My Commission Expires Sept 21, 1994

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 02 1996

Last Name Ben State Academy Ident. Number 63-3207

Copies White-State, Yellow-Claimant

**RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES**

Receipt No: W009796

Date: 02/28/90
Time: 11:07:35

Received

From: GEM STATE ACADEMY

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIM FEE	0410162 9337 6490	\$570.00
APPLICATION FOR PERMIT	0620199 1238 6390	\$65.00
	Total	\$635.00

CHECK 26074

WR/NO: A63-07202 A63-03207 A63-02880 A63-03097 A63-02672

Idaho Department of Water Resources

Region: WESTERN

Signature: Keri Harris

**MICROFILMED
OCT 02 1996**

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Gem State Academy CLAIM IDENT. NO. A63-03207DATE RECEIVED 2-27-90 RECEIPT # W009796 FEE PAID \$ 60⁰⁰ FEE REQ'D \$ 60⁰⁰ ?

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A ☒	☐	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
<i>Purpose of use entered as irrigation rather than domestic.</i> Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A ☐	☐	☐	
Is the consumptive use correct? N/A ☐	☐	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A ☒	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found? <i>NA</i>	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A ☒	☒	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A ☒	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct? Exempt ☒	☒	☐	*

Claim implies a domestic use that would match the license. However, the purpose entered is irrigation with the irrigation season

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YES NO

23. Is this claim being rejected and returned to claimant? ☐ ☒
24. Can this claim be data entered? ☒ *
25. Was claim modified? ☐ *
- If yes, do modifications require notification to claimant? ☐ ☐
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: CA Date 12-24-92

Claim data entered by: CA Date 12-24-92

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: * Claim can be data entered. The claimants should be
contacted to amend the claim to have the purpose
match the license which appears to be their intent.
Additional domestic use at the academy appears to
be covered by permit 03-11308.

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 01 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

RECEIVED

OCT 30 2006

WATER RESOURCES
WESTERN REGION

Water right number: 63-3207

GEM STATE ACADEMY
16115 S MONTANA AVE
CALDWELL ID 83605
Telephone Number: (208)459-1627

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-30-2006 SIGNATURE: Harold R. Dixon, III VP Finance

Please print your name: Harold R. Dixon, III

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

✓kw

08/24/2006

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

RIGHT NUMBER: 63-3207

NAME AND ADDRESS: GEM STATE ACADEMY
16115 S MONTANA AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day per home.

PRIORITY DATE: 06/30/1960

POINT OF DIVERSION:

T03N R03W S10 SESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.100 CFS

Domestic use is for 6 homes.

PLACE OF USE: DOMESTIC Within CANYON County

T03N R03W S10

SESW

T03N R03W S10

SWSE

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 - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3207

WATER RIGHT NUMBER: 63-3207

Owner Type Name and Address
Original Owner ~~SEVENTH DAY ADVENTISTS~~
 ~~PO BOX 189~~
 ~~CALDWELL, ID 83605~~
Current Owner GEM STATE ACADEMY
 16115 S MONTANA AVE
 CALDWELL, ID 83605
 (208)459-1627

Priority Date: 06/30/1960 ✓
Basis: License ✓
Status: Active

Source Tributary
GROUND WATER ✓

Beneficial Use From To Diversion Rate Annual Volume
~~IRRIGATION~~ ~~8/15 to 11/15~~ 0.100 CFS ✓ 7.2
Dom 1/1 12/31 Total Diversion: 0.100 CFS ✓ 7.2

Location of Point(s) of Diversion
GROUND WATER
CANYON County ✓

SE1/4SE1/4SW1/4 ✓ Sec. 10, Twp 03N, Rge 03W, S.M. ✓

Place of Use

3N 3W S10 SESW

Conditions of Approval:

1. 4 HOUSES IN SESW & 2 HOUSES IN SWSE, SEC. 10, T. 3N, R. 3W.

Remarks:

Comments:

Water Supply Bank:

*in office review
by Kay Walker
8/24/06*

*per
non-irrig.
uses &
license*

per license

*- 6 domestic
units-per
license
6 x 1.2 = 7.2 AFA*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3207

WATER RIGHT NUMBER: 63-3207

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SEVENTH DAY ADVENTISTS PO BOX 169 CALDWELL, ID 83605

Priority Date: 06/30/1960

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 10, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	10												X					

Conditions of Approval:Remarks:Comments:

Receipt Details for ID W009796

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/28/1990 11:07:35 AM	2/28/1990	Western	\$635.00	Check
Payer		GEM STATE ACADEMY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
26074			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$570.00	ADJUDICATION CLAIM FEE	410162	9337	0 0		6490
\$65.00	APPLICATION FOR PERMIT	620199	1238	0 0		6390

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	7202		\$218.00	Claim
63	3207		\$60.00	Claim
63	2880		\$142.00	Claim
63	3097		\$65.00	Claim
63	2672		\$85.00	Claim

OK

Print Report

A63 - 03207

State of Idaho License and Certificate of Water Right

Water License No. G-28836

Amount 0.10 c.f.s.

Water District No.

Priority June 30, 1960

THIS IS TO CERTIFY that SOUTHERN IDAHO CONFERENCE ASS'N OF SEVENTH DAY ADVENTISTS of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 30, 1960; that Permit No. G-28836 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.10 second feet, was issued thereunder on November 4th, 1965, showing that said works were completed on the 15th day of September, 1965; and that on the 15th day of September, 1965, SOUTHERN IDAHO CONFERENCE ASS'N. of SEVENTH DAY ADVENTISTS

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of domestic use, under Use Permit No. G-28836 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8357, on the 4th day of November, 1965; The right hereby confirmed dates from June 30, 1960;

The Point of Diversion is located in the SE 1/4 SW 1/4, Sec. 10, Tp. 3 N, R. 3 W, B. M. Canyon 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 0.10 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	3 W	10	SE 1/4 SW 1/4 - domestic use		

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 State Reclamation Engineer, affixed at Boise, Idaho, this 4th day of November, 1965.

(SEAL)

DO NOT FILM

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

63 227

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-28836 ✓

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Southern Idaho Conference Ass'n. of Seventh Day Adventists

2. Source of water supply: Subterranean ✓

3. Location of point of diversion: Is in the SE 1/4 SW 1/4 ✓ of Section 10 ✓

T. 3 N. R. 3 W. B. M. County of Canyon ✓

4. Describe works as they exist, giving dimensions and capacities of same: 7 1/2 HP Rapiday ton Submersible Pump * F 65 (Model A 75666) (220V) 3450 RPM - (30 amp) 3" discharging reduced to 2 1/2" GIP X 125' North to 1000 gallon storage tank 40 ft 60" pressure range, located in South end of Girls Dorm Bldg. There are two Fire Hydrants also. Well - 240' x 12" - 240' pump column.

5. Water is used for: Irrigation and domestic ✓

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

7. 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 other than irrigation):

13 acres in SE 1/4 SW 1/4 Sec. 10, Twp. 3 N., Rge. 3 W. B. M.

4 yr. High School, 1 Boys Dorm (100 Boys), 1 Girls Dorm (115 Girls), 6 Dwellings. Total population of school - students and faculty members is 300. They also have their own Bakery and Laundry facilities.

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

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

Remarks: Mr. Clavis Way Maintains Supt. along

They only irrigate around residences as pump isn't large enough to irrigate the 13 acre campus.

if you have a map

Pump Column shows 456 ft capacity 66'

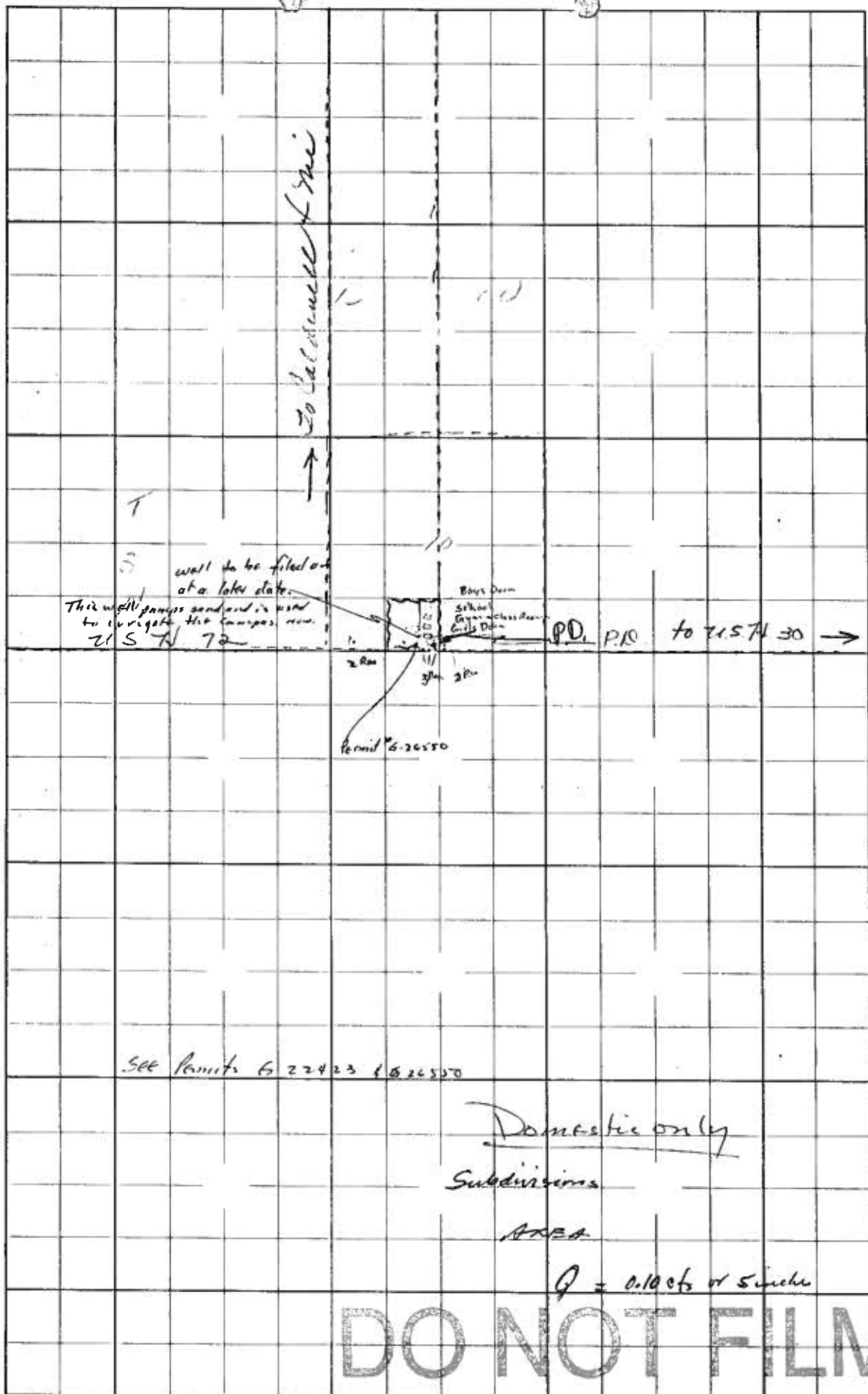
This is also known as Glen State Academy of 7th Day Adventists.

This examination was made on the 19th day of October, 1965

(Signed) Lyndon F. Johnson & Robert W. Hamilton
Examiner

DO NOT FILE

28836



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28836