

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7070 V1

WATER RIGHT NUMBER: 29-7070 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEM VALLEY FARMS C/O CHAD NEIBAUR 1550 CENTRAL RD BANCROFT, ID 83217 (208)425-3632

Priority Date: 09/20/1971

Basis: Decreed

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>
IRRIGATION	4/15 to 10/15	4.680 CFS	918.00 AF
	<u>Total Diversion:</u>	4.680 CFS	918.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 18, Twp 09S, Rge 40E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	40E	18	31.0	40.0	35.5	40.0	40.0	31.0	31.0	36.5	5.5					10.0	5.5		306.0
								L 1	L 2										

Total Acres: 306

Conditions of Approval:

1. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works for the use of the watermaster
2. 005 Use of water under this right is subject to control by the watermaster of State Water District No. 13T
3. C18 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.
4. R29 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7070 V1

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/3/2002 1:50:20 PM	rwarner			Active
Priority Date	12/3/2002 1:50:50 PM	rwarner			Active
POD	12/3/2002 1:51:35 PM	rwarner			Active
Source	12/3/2002 1:51:49 PM	rwarner			Active
POU	12/4/2002 10:16:51 AM	rwarner			Active
Use	12/4/2002 10:23:11 AM	rwarner			Active
Season	12/4/2002 10:24:44 AM	rwarner			Active
Quantity	12/4/2002 10:27:00 AM	rwarner			Active
Summary			12/04/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	10/9/2002 2:53:43 PM	ecarlson	Edited shape boundary
POD	10/9/2002 3:37:12 PM	ecarlson	Edited point location
POU	10/9/2002 3:47:01 PM	ecarlson	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7070 V1

Quantity	12/4/2002 10:27:01 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - determined by transfer No. 5675
Summary	12/4/2002 10:33:58 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POD	12/3/2002 5:22:56 PM	rwarner	Edited point location
POU	12/3/2002 5:24:07 PM	rwarner	Edited shape boundary
POU	12/3/2002 5:24:31 PM	rwarner	Edited PLS
Season	12/4/2002 10:24:45 AM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (Yes) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Use	12/4/2002 10:23:11 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

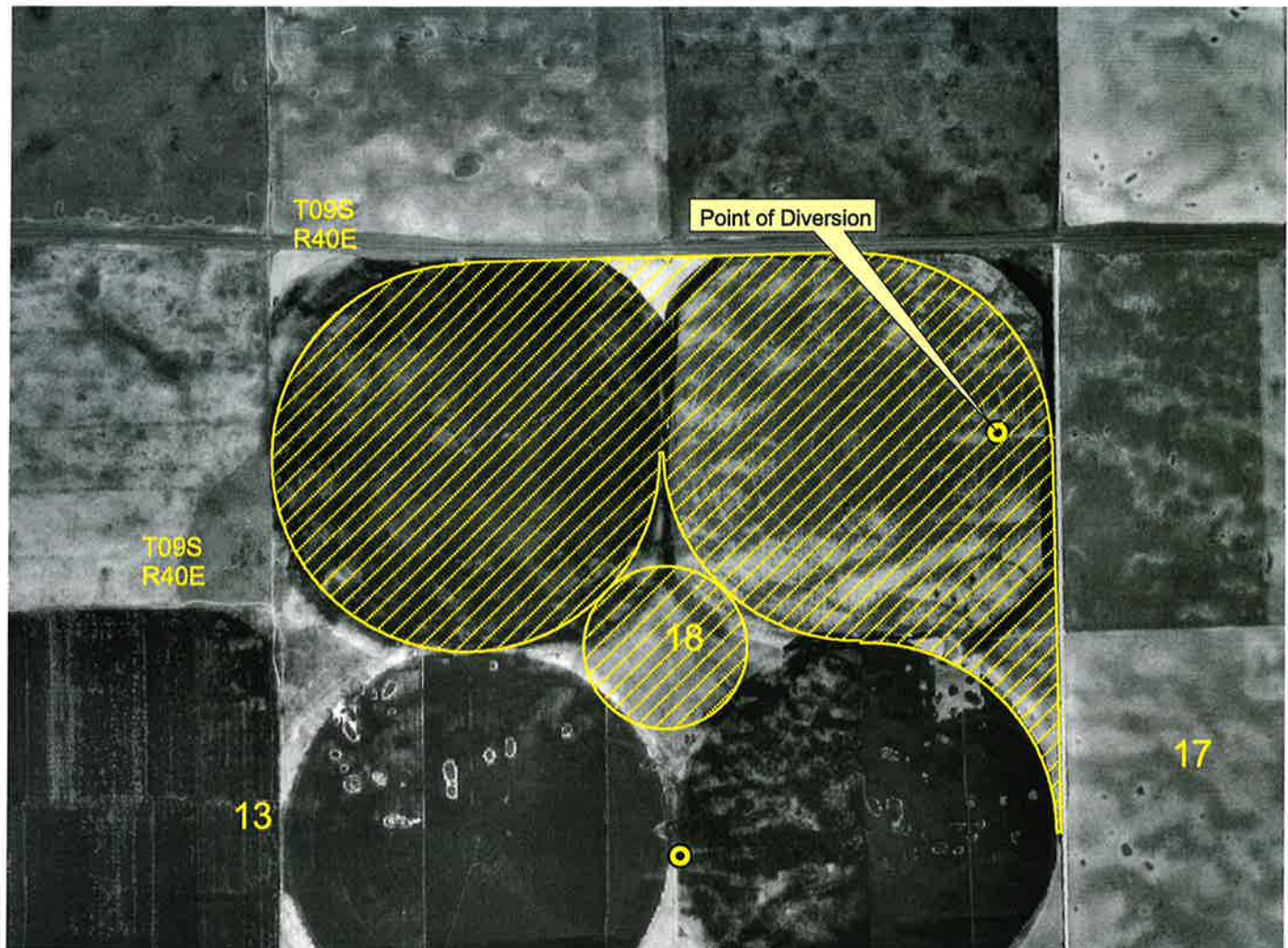
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7070 V1

POU	12/4/2002 10:16:51 AM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Contacts	12/3/2002 1:50:21 PM	rwarnar	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
Priority Date	12/3/2002 1:50:51 PM	rwarnar	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/3/2002 1:51:36 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	12/3/2002 1:51:50 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (Yes) 11. Is a Source remark and/or condition required?

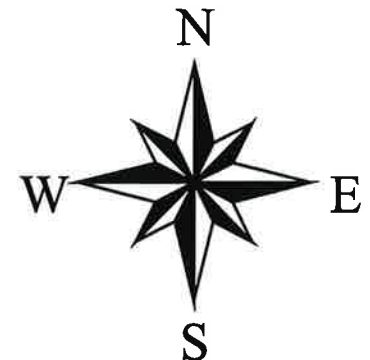
Idaho Department of Water Resources

Claim No. 29-7070



0.3 0 0.3 0.6 Miles

Irrigated Acres = 306



-  Working place of use.shp
-  Well.shp
-  Sections
-  QQ

PROFILED

SCANNED
APR 13 2006

GIS Place of Use Illustration
1987/ 1988 NAPP Photography
Prepared by: R. Warner
Date: December 2002

MAY 7 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5675
WATER RIGHT NO. 29-07070

RECEIVED

OCT 02 2000

Department of Water Resources
Eastern Region

This is to certify that: NEIBAUR FARM ENTERPRISES
DBA GEM VALLEY FARMS
C/O CHAD NEIBAUR
1550 CENTRAL RD
BANCROFT ID 83217

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.68 CFS	918.0 AF

SOURCE

GROUNDWATER

Priority: 09/20/1971

LOCATION OF POINT(S) OF DIVERSION:NENE , Sec. 18, Township 09S, Range 40E
CARIBOU CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	40E	18	NENE 31.0	NWNE 40.0	SWNE 36.5	
			SENE 40.0	NENW 40.0	NWNW 31.0	
			SWNW 31.0	SENE 35.5	NESW 5.5	
			NESE 10.0	NWSE 5.5		306.0
			Total number of acres irrigated:			306.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 13T.
2. Upon specific notification, the right holder shall install a measuring device of a type approved by this Department for the use of the watermaster.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5675
WATER RIGHT NO. 29-07070

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 28th day of

September, 2000


Chief, Water Allocation Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant GEM VALLEY FARMS % Chad Neibaur Phone 208-648-7113
 Post Office address 1550 Central Rd Bancroft, ID 83217

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes I want to rearrange my acres in the
N 1/2 Sec 18 to accomodate pivots.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 29-07070 Priority 9-20-1971 Amount (cfs/ac-ft) 4.68 cfs Nature of Use Irrigation Period of Use 4/15 to 10/15
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 4.68 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	18	9S	40E	Caribou	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	40E	18	31	40	36.5	40	40	31	31	35.5	5.5				10	5.5			306

Total Acres 306

6. General Information:

a. Description of diversion system

well & pump to pivots

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

PART 2

TRANS NO. 5675

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 29-07070

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.68 CFS	918.0 AF

SOURCE

GROUNDWATER

Priority: 09/20/1971

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 18, Township 09S, Range 40E
CARIBOU County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09S	40E	18	:	36		37		40		39		37	01-37	02-40		40				
																				306.0
																				TOTAL ACRES 306.0

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

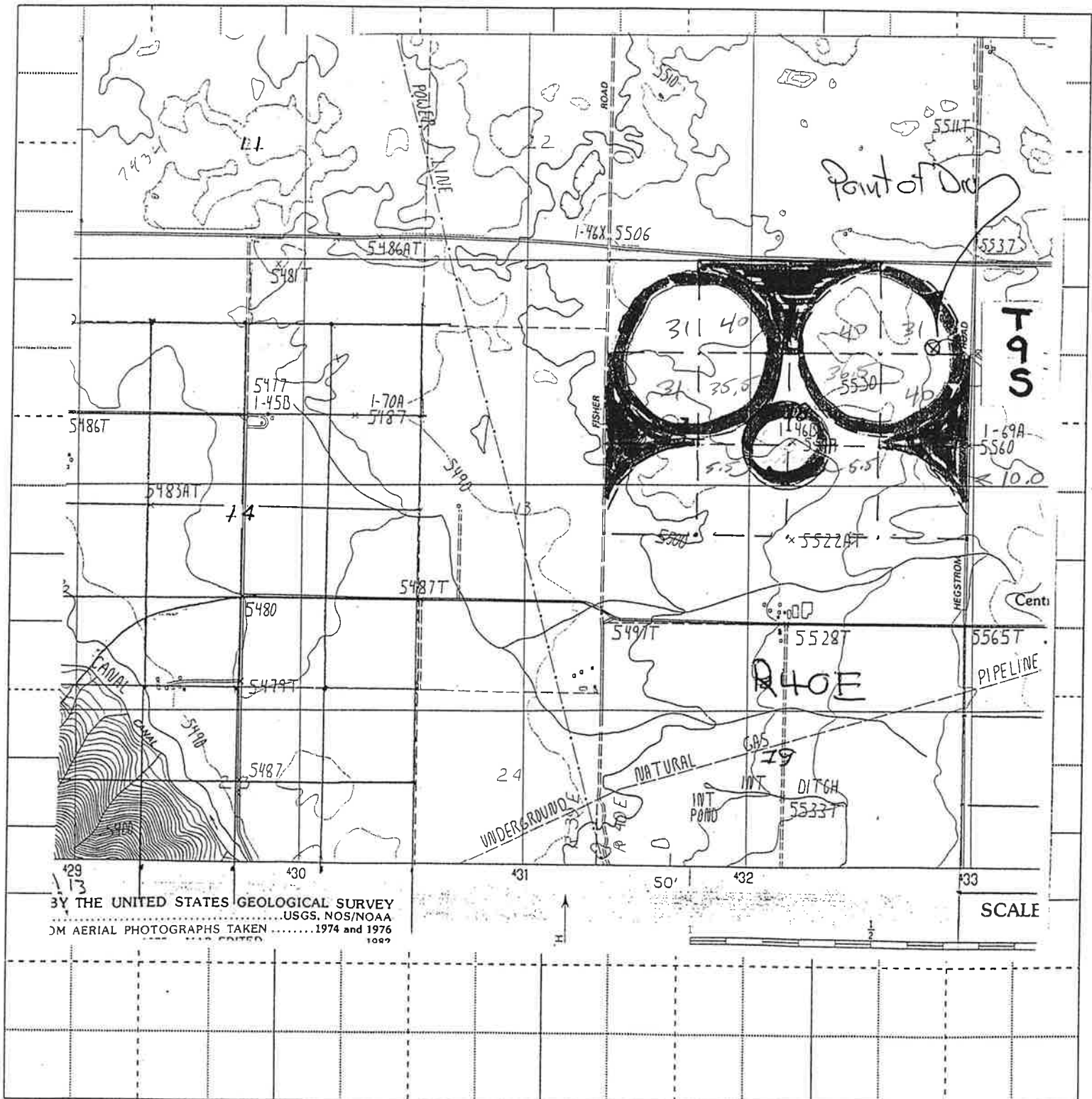
To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this 18th day of March, 2000.

Jennifer Crabtree

(Notary Public)

My commission expires 9/23/03

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 3 attachments
 Received by JKC Date 3-1-00 Protest filed by _____
 Prelim. Check by _____ Fee _____
 Receipted by JKC Date 3-1-00 E025634
 Published in Caribou County Sun Copies of protest forwarded by _____
 Pub. Dates 3-15 & 3-22-2000 Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

WR5809NP
No. 29-07070

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEM VALLEY FARMS 264 W 700 N MALAD ID 83252	09/20/1971	IRRIGATION	04/15 10/15	4.680 CFS	918.00 AFA
TOTAL DIVERSION:					4.680 CFS	918.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09S R40E S18 NENE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	:	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	:	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	:	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	:	SUM	
09S	40E	18	:	36	37	40	39	:	37	01-37	02-40	40	:					:						:	306.0
																							TOTAL ACRES	306.0	

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
X29-07070

Other Water Rights Listing Overlapping Place(s) of use:
X29-07070

Dates:	App. Received:	Priority Date:	09/20/1971
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/28/2000 User-ID: PSKAGGS Subject: TRANSFER 5675/SEE X29-07070.
TRANSFER 5675/SEE X29-07070.

Audit: 03/26/85 05/22/88 CONVERT 03/12/96 PRODMGR 03/15/96 SCURTIS
09/28/00 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-7070

WATER RIGHT NUMBER: 29-7070

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEM VALLEY FARMS 264 W 700 N MALAD CITY, ID 83252

Priority Date: 09/20/1971

Basis: Decreed

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>
IRRIGATION	4/15 to 10/15	4.680 CFS	918.00 AF
	<u>Total Diversion:</u>	4.680 CFS	918.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 18, Twp 09S, Rge 40E, B.M.
CARIBOU County		

Place of UseIRRIGATION Within CARIBOU County

T09S R40E S18	NENE	36.0	T09S R40E S18	NWNE	37.0
T09S R40E S18	SWNE	40.0	T09S R40E S18	SENE	39.0
T09S R40E S18	NENW	37.0	T09S R40E S18 Lot 1	NWNW	37.0
T09S R40E S18 Lot 2	SWNW	40.0	T09S R40E S18	SENE	40.0
Total Acres: 306					

Conditions of Approval:Remarks:Comments:

1. PSKAGGS 9/28/2000 TRANSFER 5675/SEE X29-07070.
Comment: TRANSFER 5675/SEE X29-07070.

Dates and Other Information:

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-07070	GEM VALLEY FARMS 264 WEST 700 NORTH MALAD ID 83252	09/20/1971	IRRIGATION	04-15 10-15	4.68 918.0	CFS AFY LICENSE
			TOTAL QUANTITY:		4.68 918.0	CFS AFY
			CONSUMPTIVE USE:		765.0	AFY
	POINT OF DIVERSION: T09S R40E S18		NENE			
	PLACE OF USE: IRRIGATION					
	T09S R40E S18		NENE 36.0 NENW 37.0	Lot 1 (NWNW)37.0	SWNE 40.0 Lot 2 (SWNW)40.0	SENE 39.0 SENEW 40.0
	306.0 ACRES TOTAL					
13-00514	THOMAS BROTHERS 1538 TURNER RD. GRACE ID 83241	11/07/1971	STOCKWATER	01-01 12-31	.03 1.4 .04 1.2	CFS AFY CFS AFY BENEFICIAL USE
			DOMESTIC	01-01 12-31	.04 1.2	CFS AFY
			TOTAL QUANTITY:		.04 2.6	CFS AFY
	NON-IRRIGATION-USES: STOCK, 100 RANGE; DOMESTIC, 1 HOME					
	POINT OF DIVERSION: T10S R40E S06		SWSE			
	PLACE OF USE: STOCKWATER					
	T10S R40E S06		SESW			
	PLACE OF USE: DOMESTIC					
	SAME AS OTHER USE					

Water Right Number - 29-07070

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
GEM VALLEY FARMS1 - 264 W 700 N
2 -
3 -
City- MALAD
Phone - 208-000-0000

State- ID Zip- 83252

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/20/1971 15 EASTERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
09S 40E 18 NE NE (29) CARIBOU+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 4.680 918.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.680 918.00 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
09S 40E 18 NE NE 36.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 NW NE 37.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 SW NE 40.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 SE NE 39.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 NE NW 37.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 NW NW 1 37.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 SW NW 2 40.0 01 IRRIGATION (29) CARIBOU
09S 40E 18 SE NW 40.0 01 IRRIGATION (29) CARIBOU

Total Acres: 306.0

+ - - Diversion Means - 20" DIAM. WELL, 190' DEEP. S.W.L.-113 PUMP AND SPRINKLER SYSTEM.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

Water right number - 29-07070

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

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

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

STATE OF IDAHO GERALD J. ACKERMAN, ET AL 07/28/1992

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - 03/26/85 05/22/88 CONVERT 03/12/96 PRODMGR 03/15/96 SCURTIS

+ - - - - 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
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - X999999	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag- Y
SRBA Decreed Flag -		

CONVERSATION MEMORANDUM

DATE 6-2-92FILE 29-02352NAME OF PARTY CHAD NEIBAUER29-07000BEMPLOYEE ERVIS CARLSEN29-07070

RE: Mr. Neibauer met with Dept. staff at the ~~Basin 29~~ Caribou Co. Mobile Office during the initial claims taking period. The map used to delineate the boundary between Basin 29 & 13. On the map at that office the boundary between Basins 29 & 13 ran east & west along Highway 30. Consequently he was told there was no need to file since his property appeared to be in Basin 13. ~~It was the~~ later discovered the boundary line ~~was~~ is actually 1 mile south on the old central highway putting his property in Basin 29.

Since he initially intended to file but due to a Dept. mistake was advised not to. Dave Shaw advised to ~~write~~ be taken with me this day & since the late fee for the notice filed by Mr. Neibauer in the name of Green Valley Farms.

MICROFILMED

NOV 13 1992

MAY 7 2001

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 29-7070 ✓
Date Received: 6/2/92
Receipt No:
Received By:

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

1. Name of Claimant(s)

GEM VALLEY FARMS Phone: (208)425-3623

C/O CHAD NEIBAUR ✓
1550 CENTRAL RD
BANCROFT ID 83217

2. Date of Priority: 09/20/1971 ✓

3. Source: GROUND WATER ✓ Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
09S ✓	40E ✓	18 ✓	NE ✓ NE ✓	CARIBOU

5. Description of diverting works:

20" DIAM. WELL, 190' DEEP. S.W.L.-113 PUMP AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION ✓	4/15	10/15	4.68 ✓	918

7. Total Quantity Appropriated is:

4.68 C.F.S. and/or 918 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S ✓	40E ✓	18 ✓	NE SW	IRRIGATION	5.5
			NE SE	IRRIGATION	10

NW	SE		IRRIGATION	5.5
SW	NW	2	IRRIGATION	31
SE ✓	NW ✓		IRRIGATION	35.5 - 40
NE ✓	NE ✓		IRRIGATION	31
SW ✓	NE ✓		IRRIGATION	36.5
SE ✓	NE ✓		IRRIGATION	40 - 29
NE ✓	NW ✓		IRRIGATION	40 - 37
NW ✓	NW ✓	1	IRRIGATION	31 - 37
NW ✓	NE ✓		IRRIGATION	40 - 37
Section Acres				306
Total Acres				306

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

pou changed transfer 5675
see transfer 5675 for remarks

15. Basis of Claim: License ✓

16. Signature(s)

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: A29-07070

Date Received: 6/2/1992

Receipt No: E017418

Received By: ERIC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEM VALLEY FARMS
Address: C/O CHAD NEIBAUR
1550 CENTRAL RD
BANCROFT ID

208-425-3623

83217

A2907070



2. Date of Priority: SEP 20, 1971

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	Count
09S	40E	18	NE	NE	NE		CARIBOU

5. Description of diverting works:

20" DIAM. WELL, 190' DEEP. S.W.L.-113 PUMP AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.680		918.00

7. Total Quantity Appropriated is:

4.680 C.F.S. (and/or) 918.00 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
09S	40E	18	NE	NE		IRR	36.0
			NW	NE		IRR	37.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	40E	18	NE		NW		IRR	37.0
			NW		NW	1	IRR	37.0
			SW		NW	2	IRR	40.0
			SE		NW		IRR	40.0
Section Acres								306.0
Total Acres								306.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

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: _____

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For Organizations:

I do solemnly swear or affirm that I am General Partner of
Title
Gem Valley Farms, that I have signed the foregoing
Organization
document in the space below as General Partner of
Title
Gem Valley Farms and that the statements contained in the
Organization
foregoing document are true and correct.

Chad B. Milbray
Signature of Authorized Agent
General Partner
Gem Valley Farms
Title and Organization

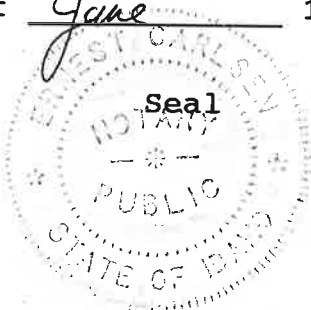
6-2-92

Date

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of June 19 92

Ernest Carlson
Notary Public



Residing at Blaho Falls
My Commission Expires 6-14-1994

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