

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

02/28/2001

RIGHT NUMBER: 29-7247

NAME AND ADDRESS: GARY L SKEEM
SHARON SKEEM
PO BOX 291
MC CAMMON, ID 83250

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 30 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-07174 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 54.44 CFS.

PRIORITY DATE: 02/06/1975

POINT OF DIVERSION: T09S R36E S12 NWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	1-01 12-31	30.00 CFS

NON-CONSUMPTIVE POWER GENERATION

PLACE OF USE:

POWER Within BANNOCK County
T09S R36E S12 NWNE T09S R36E S12 NENW

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

10/10/2003

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

RIGHT NUMBER: 29-7247

NAME AND ADDRESS: MICHAEL JAY
336 WEST TERRY
POCATELLO ID 83204

TEAGANE JAY
336 WEST TERRY
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 30.000 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-07174 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 54.44 CFS.

PRIORITY DATE: 02/06/1975

POINT OF
DIVERSION: T09S R36E S12 NWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	1/01 12/31	30.000 CFS
NON-CONSUMPTIVE POWER GENERATION		

PLACE OF USE: POWER Within BANNOCK County

T09S R36E S12	NWNE	T09S R36E S12	NENW
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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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 17, 2003

MICHAEL & TEAGANE JAY
336 WEST TERRY
POCATELLO ID 83204

RE: Notice of Change of Water Right Ownership (NCO) for 29-7174 & 29-7247
and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On October 8, 2003, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: GARY & SHARON SKEEM

PROFILED

SCANNED
APR 21 2004

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 Rights: 29-7174 & 29-7247

Case No. 39576

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 10/14/03.



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 17, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
GARY & SHARON SKEEM
PO BOX 57
MCCAMMON ID 83250

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MICHAEL & TEAGANE JAY
336 WEST TERRY
POCATELLO ID 83204

4. One copy to:

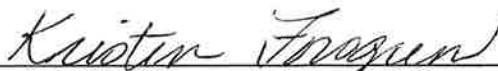
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

OK JC
10-9-03

State of Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-0718

RECEIVED

OCT 08 2003

Department of Water Resources
Eastern Region

October 1, 2003

To whom it may concern,

I'm including two quit claim deeds relating to water rights filed in your office. Those two water rights have recently been transferred to our names. The two water rights include water right number 29-7247 and water right 29-7174. Please forward all the future pertaining correspondence in regard to those water rights to:

Michael and Teagane Jay
336 West Terry
Pocatello, Idaho 83204
Tel 208-254-3737

Please feel free to contact us if you have any questions.

Thank you,


Mike Jay

PROFILED

SCANNED
APR 21 2004

QUIT CLAIM DEED

THIS INDENTURE, made this 17th day of April in the year of our Lord, Two Thousand and Three, Sharon Ann Skeem of McCammon Idaho, P.O. Box 57 McCammon, in the county of Bannock, Idaho 83250 the party of the first part, and Michael Simon Jay and Teagan Jay, husband and wife, 336 West Terry, Pocatello 83204, in the county of Bannock, Idaho, thereafter known as the second part.

WITNESSETH, that the parties of the first part, for and in consideration of "VALUE RECEIVED", that Value being of Ten or More dollars, hereinafter acknowledged by parties of the first part signatures on this document, do thereby these presents demise, release and forever Quit Claim unto the said party of the second part and assigns all of the right and licences of the water right number 29-7174, purpose of use for non-consumptive hydro power generation, on the following described real property, situated in Bannock County, State of Idaho, more particularly described as follows, to wit:

Gov. Lot 1 (NW1/4NE1/4) T09S R36E S 12 NWNE Within Bannock County

Place of use :T093S R36 E S 12 NWNE T09S R36E S 12 NENW

Together with all and singular, tenements, hereditaments and appurtenances belonging thereto or in any anywise appertaining, and the reversion and reversions, remainders, issues, rents and profits thereof, including the right of redemption held by the parties of the first part.

TO HAVE AND TO HOLD all and singular the premises, together with appurtenances unto he party of the Second part and his assigns forever.

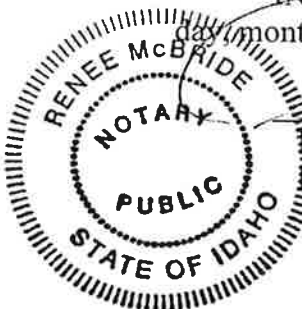
IN TESTIMONY WHEREOF, The said parties of the first part have hereunto set their hands and seal this day and year first written above.


Sharon Ann Skeem

STATE OF IDAHO)
) SS
COUNTY OF BANNOCK)

On this 17 day of April, 2003, did appear the persons personally known to me whose names subscribed to the within instrument, and acknowledged to me that they did execute the same.

IN WITNESS THEREOF, I hereto set my hand and affixed my official seal, the day month and year in this Certificate, first above written.




NOTARY PUBLIC FOR IDAHO
RESIDING AT Lawa Hot Springs
Exp - May 31, 2006

SCANNED
APR 21 2005

QUIT CLAIM DEED

THIS INDENTURE, made this 17 day of April in the year of our Lord, Two Thousand and Three, Sharon Ann Skeem of McCammon Idaho, P.O. Box 57 McCammon, in the county of Bannock, Idaho 83250 the party of the first part, and Michael Simon Jay and Teagane Jay, husband and wife, 336 West Terry, Pocatello 83204, in the county of Bannock, Idaho, thereafter known as the second part.

WITNESSETH, that the parties of the first part, for and in consideration of "VALUE RECEIVED", that Value being of Ten or More dollars, hereinafter acknowledged by parties of the first part signatures on this document, do thereby these presents demise, release and forever Quit Claim unto the said party of the second part and assigns all of the right and licences of the water right number 29-7247, purpose of use for non-consumptive hydro power generation, on the following described real property, situated in Bannock County, State of Idaho, more particularly described as follows, to wit:

Gov. Lot 1 (NW1/4NE1/4) T09S R36E S 12 NWNE Within Bannock County

Place of use :TO93S R36 E S 12 NWNE TO9S R36E S 12 NENW

Together with all and singular, tenements, hereditaments and appurtenances belonging thereto or in any anywise appertaining, and the reversion and reversions, remainders, issues, rents and profits thereof, including the right of redemption held by the parties of the first part.

TO HAVE AND TO HOLD all and singular the premises, together with appurtenances unto he party of the Second part and his assigns forever.

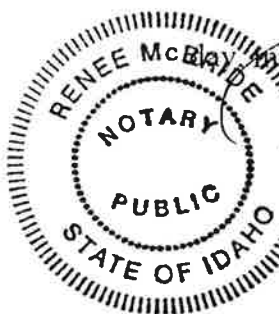
IN TESTIMONY WHEREOF, The said parties of the first part have hereunto set their hands and seal this day and year first written above.

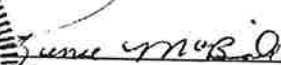

Sharon Ann Skeem

STATE OF IDAHO)
) SS
COUNTY OF BANNOCK)

On this 17 day of April, 2003, did appear the persons personally known to me whose names subscribed to the within instrument, and acknowledged to me that they did execute the same.

IN WITNESS THEREOF, I hereto set my hand and affixed my official seal, the _____ month and year in this Certificate, first above written.




NOTARY PUBLIC FOR IDAHO

RESIDING AT Lava Hot Springs Rd
Exp - May 31, 2006 83246

SCANNER

APR 21 2003

Allen

02/25/2003

NOTICE OF ERROR
REPLY

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: April 21, 2003

Water right number: 29-7247

GARY L SKEEM
PO BOX 57
MC CAMMON ID 83250
Telephone Number: (208)254-3325

SHARON SKEEM
PO BOX 57
MC CAMMON ID 83250
Telephone Number: (208)254-3325

APR 23 2003

Department of Water Resources
Eastern District Office

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:

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

DATE:

4/16/03

SIGNATURE:

Sharon Skeem

Please print your name:

Sharon Skeem

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

APR 21 2003



SCANNED

JUN 06 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 17, 1990

Mr. Gary Skeem
P.O. Box 57
Mc Cammon, Idaho 83250

RE: Bannock County Adjudication claims

Dear Mr. Skeem:

The Idaho Department of Water Resources (IDWR) is returning your Notice(s) of Claim to a Water Right because of insufficient information and/or fees. Your check no. 1478 in the amount of \$196.00 is also enclosed. All items on the forms must be completed and fees submitted before the IDWR can process the notice(s).

Please correct the items identified below and return the notice(s) and filing fee(s) to the IDWR within 30 days of the date of this letter. If the corrected notice(s) are not returned within the 30 days, each notice will be subject to an additional late fee.

Regarding the irrigation notice based on license 29-07430. The information on your notice is incomplete and does not match the licensed right. To correct this problem, find enclosed a typed notice of claim that matches licensed right 29-07430. Please review this notice and when you are satisfied that it correctly reflects your water right, sign it in the presence of a Notary Public and return it to this office.

I have also enclosed typed notices for your hydropower claims, 29-07174 and 29-07247. Please sign and notarize these and submit them as your filings. The notice you submitted for the domestic well is complete and can be returned.

The filing fees for these notices are as follows:

One domestic/stockwater notice	= \$25.00
One irrigation notice (\$50.00/claim)	= \$50.00
Irrigation of 6 acres	= \$6.00
2 claims for hydropower (\$50.00/claim)	= \$100.00
2 variable fees for 20KW power \$3.50/KW	= \$140.00
TOTAL DUE	= \$321.00

MICROFILMED

NOV 13 1992

Skeem, Page 2

If you wish to make an appointment to discuss the corrections,
please call the IDWR at (208) 525-7161.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Ernest Carlsen', with a stylized flourish at the end.

Ernest Carlsen
Adjudication Supervisor

EC:ev

Enclosure

MICROFILMED

NOV 13 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7247 Priority February 6, 1975 Amount 30 cfs

THIS IS TO CERTIFY, that GARY L. SKEEM
of McCammon, Idaho has complied with the terms and conditions of Permit
No. 29-7247 issued pursuant to Application for Permit dated February 6, 1975
and has submitted proof to the Department of Water Resources on May 2, 1978
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 54.44 cfs of water from Portneuf River
tributary to Snake River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Power Generation	from <u>January 1</u> to <u>December 31</u>	at <u>30</u> cfs and <u>N/A</u>	
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 30 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

N/A acre feet per year, said waters to be diverted within the NW 1/4, Sec. 12, Twp. 9S,
Rge. 36E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	36E	12	X				X												

Total number of acres irrigated _____

The maximum rate of diversion under this license when combined with License No.
29-7174 shall not exceed 54.44 cfs.

This project shall be operated in a manner that will not conflict or interfere
with the future upstream diversion of water for irrigation or other beneficial
consumptive uses.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
February, 19 79.

CLAIMED AS LICENSED
SO, RECOMMENDED

Stephen Allred
Director

C18 NON-Consumptive Power Consumption
Combined Use Recommended

SCANNED

JUN 06 2001

NO DATE FEE IF RECEIVED
BY 6-18-90 89

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: A29-07247
Date Received: 5/17/1990
Receipt No: E014768/90
Received By: _____

JUN 7 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L. SKEEM 208-254-3325
Address: P.O. BOX 291
MC CAMMON, ID 83250

OR

Name: SHARON SKEEM 208-254-3325
Address: P.O. BOX 291
MC CAMMON, ID 83250

2. Date of Priority: FEB 06, 1975

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09S	36E	12	NW NE		BANNOCK

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	30.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER GENERATION. 12' HEAD, 20KW GENERATOR.
GENERATING CAPACITY 20.0 KILOWATTS

A2907247



A29-07247

Page 1

Date: 05/17/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	12	NW	NE		POWER	
			NE	NW		POWER	

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-7174.

14. Remarks:

THE MINIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED WITH LICENSE NO. 29-2174 SHALL NOT EXCEED 54.44 CFS. THIS PROJECT SHALL BE OPERATED IN A MANNER THAT WILL NOT CONFLICT OR INTERFERE WITH THE FUTURE UPSTREAM DIVERSION OF WATER FOR IRRIGATION OR OTHER BENEFICIAL CONSUMPTIVE USES.

*** ITEM 5:

WATER DIVERTED THROUGH SCREEN AND GEAD GATE BY CHANNEL CUT THROUGH RIVER BANK. THEN TRAVELS INTO PEN STOCK, THROUGH WATER TURBINE. THEN RELEASED INTO A TAIL WATER POND, AND FLOWS BACK TO RIVER.

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: _____

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): Gary L Skeem Date: May 29, 1990
Sharon Skeem Date: May 29, 1990

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29 day

of May 1990

Belva Olsen
Notary Public

Seal

Residing at McCammon

My Commission Expires 10-95