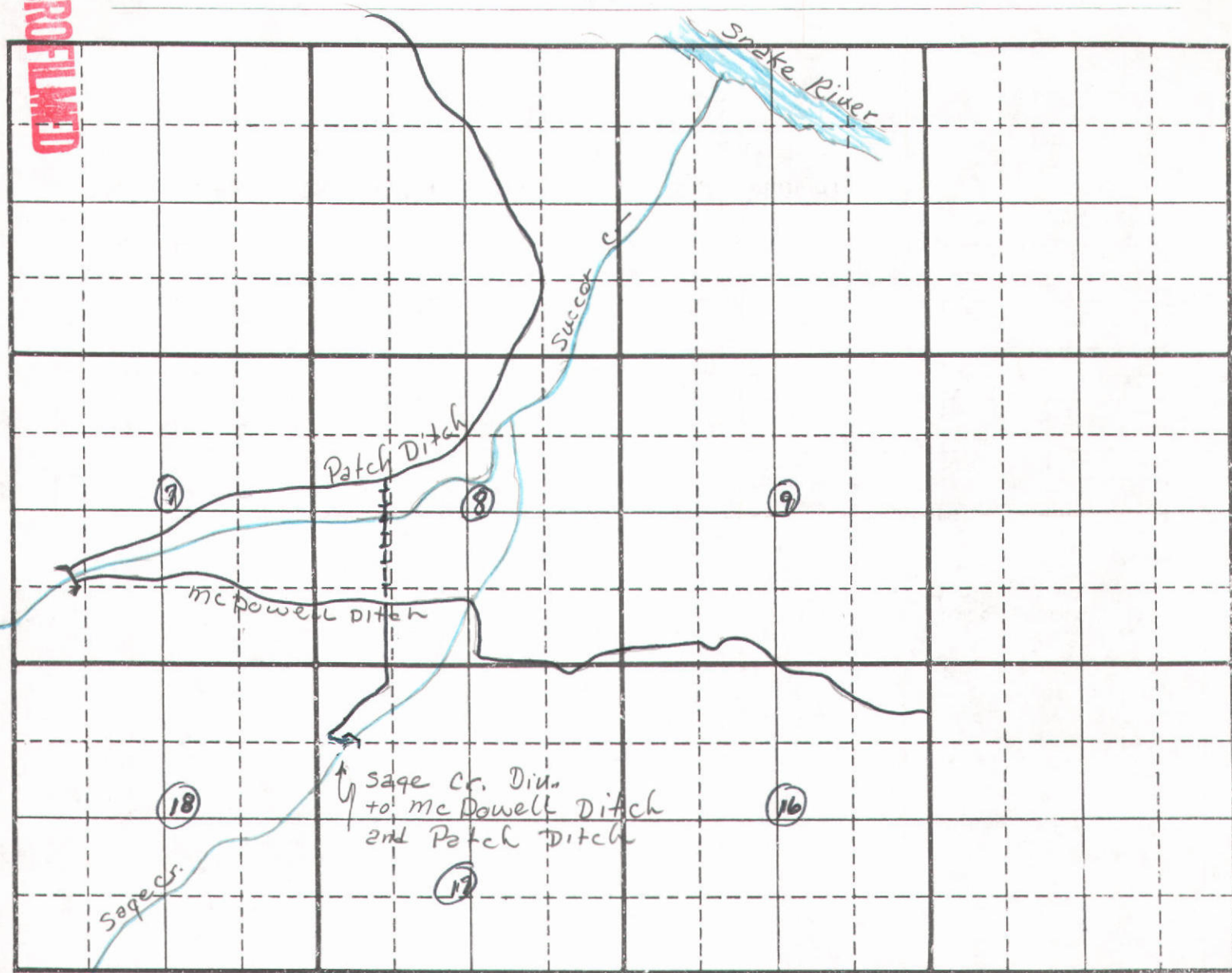


(8) Remarks

MICROFILMED



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Owyhee) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Carol Johnstone
Gem Irrigation District by Carol Johnstone
President, Board of Directors, Gem Irr. Dist.

Sworn to before me this 22nd day of December

19 82

Beverly Fisher
Notary Public
Residing at Homedale, Idaho

My commission expires May 22, 1986

FOR DEPARTMENT USE ONLY

Received by *mn* Date 6-15-83 Exception filed by: Forwarded to: Date
Prelim. check by *gh5* Date 11/9/83
\$30.00 fee received by *SP* Date 6/21/83 31056
Published in Owyhee Nugget
Dates 2/22 & 2/29/84

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 22 day of February, 1984, and the last publication being on the 29 day of February, 1984;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

PUBLISHER

Subscribed and sworn to before me this 29 day of

February, 1984.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

RECEIVED
MAR 2 1984

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

55-4147

COLLETT, BOB D.
P.O. BOX 2200, OREANA, ID
83650

Source: EAST SPRING trib. to
SINKS

Priority Date: 04/01/1932

Diversion Pt: SESE Sec 01 T 09S R
02W

Use: STOCKWATER (0.02 CFS)
In: SESE Sec 01 T 09S R 02W

57-4104-158

THE GEM IRRIGATION DIST.
P.O. BOX 67, HOMEDALE, ID
83628

Source: SAGE CREEK trib to
SUCCOR CREEK

Priority Date: 04/01/1906

Diversion Pt: NWNW Sec 17 T 03S
R 05W

Use: IRRIGATION (30.00 CFS)
P/U: Within the lands of the Gem
Irr. Dist.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published in the Owyhee Nugget,
Marsing and Homedale Idaho,
Owyhee County, Idaho 2/22 &
2/29/1984.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 57-4104 Applicant Gen Lee Dist

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 3/2/84
- ☒ Claim published correctly. Angela Nugget 2/22/84
3/29/84
- ☒ Exceptions processed.

By OBS Date 3/29/84

STATE OFFICE PROCESSING

- ☒ Claim review complete.

By SC Date 4/17/84

MICROFILMED

RECEIVED
APR 17 1984

Department of Water Resources

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 22 day of February, 1984, and the last publication being on the 27 day of February, 1984;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

PUBLISHER

Subscribed and sworn to before me this 29 day of

February, 1984.

Ryle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

RECEIVED
MAR 2 1984

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

55-4147

COLLETT, BOB D
P.O. BOX 2200, OREANA, ID
83650

Source: EAST SPRING trib. to
SINKS

Priority Date: 04/01/1932

Diversion Pt: SESE Sec 01 T 09S R
02W

Use: STOCKWATER (0.02 CFS)

In: SESE Sec 01 T 09S R 02W

57-4104-1 > 8

THE GEM IRRIGATION DIST.
P.O. BOX 67, HOMEDALE, ID
83628

Source: SAGE CREEK trib to
SUCCOR CREEK

Priority Date: 04/01/1906

Diversion Pt: NWNW Sec 17 T 03S
R 05W

Use: IRRIGATION (30.00 CFS)

P/U: Within the lands of the Gem
Irr. Dist.

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Western Region,
Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published in the Owyhee Nugget,
Marsing, and Homedale, Idaho,
Owyhee County, Idaho: 2/22 &
2/29/1984.

EXHIBIT A

ANSWER TO NUMBER 6.(A)

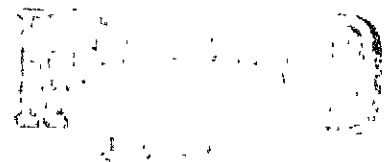
The water diverted into the Sage Creek Diversion is used to help supply water to both the McDowell Ditch and the Patch Ditch for irrigation water for the following parcels of land located in Owyhee County, Idaho:

Patch Ditch:

- (a) All irrigable lands between the Patch Ditch and Succor Creek in Section 5, T3N, R5W, B.M.
- (b) All irrigable lands between the Patch Ditch and Succor Creek in Section 8, T3N, R5W, B.M.
- (c) All irrigable lands between the Patch Ditch and the Snake River in Section 19, T4N, R5W, B.M.
- (d) All irrigable lands between the Patch Ditch and the Snake River in Section 20, T4N, R5W, B.M.
- (e) All irrigable lands between the Patch Ditch and the Snake River in Section 30, T4N, R5W, B.M.
- (f) All irrigable lands between the Patch Ditch and the Snake River in Section 31, T4N, R5W, B.M.
- (g) All irrigable lands between the Patch Ditch and the Snake River in Section 32, T4N, R5W, B.M.
- (h) All irrigable lands between the Patch Ditch and the Snake River in Section 24, T4N, R6W, B.M.

McDowell Ditch:

- (a) All irrigable lands between the McDowell Ditch and Succor Creek in Section 5, T3N, R5W, B.M.
- (b) All irrigable lands between the McDowell Ditch and Succor Creek in Section 7, T3N, R5W, B.M.
- (c) All irrigable lands between the McDowell Ditch and Succor Creek in Section 8, T3N, R5W, B.M.
- (d) All irrigable lands in the W $\frac{1}{2}$ of Section 9, T3N, R5W, B.M.
- (e) All irrigable lands located in that portion of Section 4, T3N, R5W, B.M. lying West of the Rail Road tracks.



Department of Agriculture
Nampa, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that the Gem Irrigation District
(Name of Claimant)

P. O. Box 67, Homedale, Idaho 83628 Telephone No (208) 337-3760
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows: The Sage Creek Diversion Water is used to help supply water to both the McDowell Ditch and the Patch Ditch located in Owyhee County, Idaho.

(1) Date of priority: (When was the water first applied to a beneficial use) 1906

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Sage Creek tributary to Succor Creek tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>30 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4-1</u>	To <u>10-15*</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 30 cfs TOTAL QUANTITY USED. *This period of use may vary according to seasonal weather conditions & irrigation requirements.

(5) A) Point of diversion (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 17 Twp. 3N Rge. 5W B M, County of Owyhee, Idaho
Additional points of diversion.

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities, be as specific as possible. Describe any changes in the system and give the date of the change. Concrete Diversion Dam with a spillgate across the entire width of Sage Creek with a headgate on the North side for the Sage Creek Diversion Ditch.
The Dam is capable of blocking nearly the entire flow.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location. See Exhibit A attached hereto and by this reference incorporated herein.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

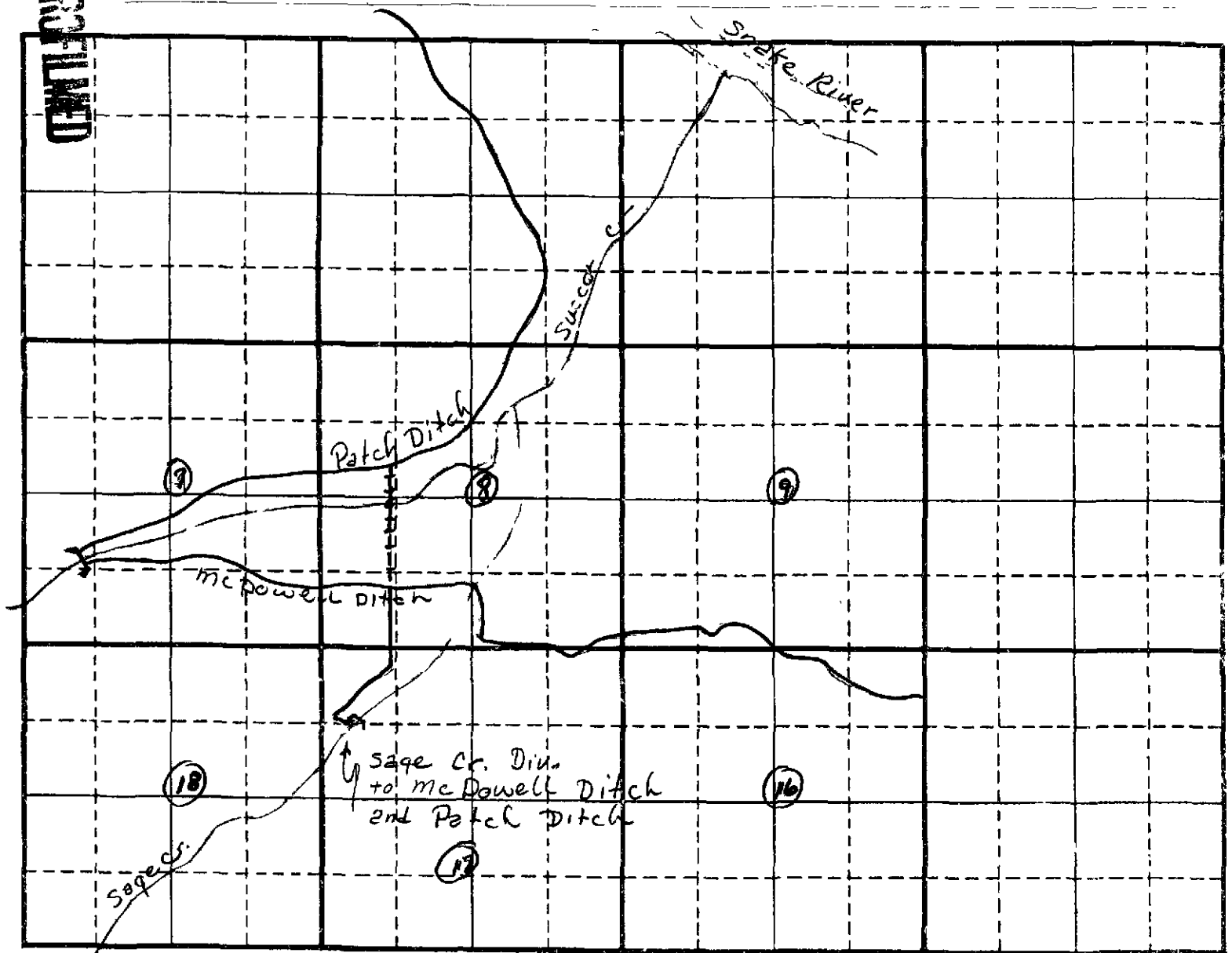
Same acres as McDowell and also feeds Patch (by siphon) No. of acres 785

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: N/A

NOTE. Include here the type and number of stock watered: N/A

(7) If you are claiming water as a member of an organization, list name of organization the Gem Irrigation District, Homedale, Idaho.

(8) Remarks _____



Scale. 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Owyhee) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 22nd day of December, 19 82.

Carol Johnstone
Gem Irrigation District, Carol Johnstone
President, Board of Directors, Gem Irr. Dist.

Beverly Stewer
Notary Public
Residing at Homedale, Idaho

My commission expires May 22, 1986

FOR DEPARTMENT USE ONLY

Received by <u>nn</u>	Date <u>6-15-83</u>	Exception filed by	Forwarded to	Date
Prelim. check by <u>ghs</u>	Date <u>11/9/83</u>		claimant by	
\$30.00 fee received by <u>JP</u>	Date <u>10/21/83</u>	<u>31056</u>		
Published in <u>Owyhee Nugget</u>				
Dates <u>2/22 & 2/29/84</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 14, 1984

THE GEM IRRIGATION DIST.
P.O. BOX 67
HOMEDALE ID 83628

RE: Claim No. 57-4104

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

5Z-4104-

THE GEM IRRIGATION DIST.

P.O. BOX 67, HOMEDALE, ID 83628

Source: SAGE CREEK trib. to SUCCOR CREEK

Priority Date: 04/01/1906

Diversion Pt: NWNW Sec 17 T 03S R 05W

Use: IRRIGATION (30.00 CFS)

P/U: Within the lands of the Gem Irr. Dist.