

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: A29-07115
Date Received: 4/27/1990
Receipt No: E013794
Received By: TPM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL BARNES 208-897-5775
Address: 3717 E. BACK DOWNATA RD.
DOWNEY, ID 83234

OR

Name: ANAVOE BARNES 208-897-5775
Address: 3717 E. BACK DOWNATA RD.
DOWNEY, ID 83234

2. Date of Priority: MAR 30, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	37E	9	NW	NE			BANNOCK

5. Description of diverting works:
WELL, PUMP AND PIPELINES FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.110		

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

8. Total consumptive use is 190.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A2907115



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	9	NE	NE		IRR	40.0
			NW	NE		IRR	36.0

Section Acres 76.0

Total Acres 76.0

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:
N/A

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: _____

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): Carl Bama Date: 4-27-91

Date: _____

State of Idaho

County of BONNEVILLE

) SS.
)

Subscribed and sworn (or affirmed) before me this 27 day

of April 19 90

[Signature]
Notary Public

Seal

Residing at IDAHO FALLS

My Commission Expires 7-12-94

RIGHT NUMBER: 29-7115
NAME AND ADDRESS: ANAVOE BARNES
3717 E BACK DOWNATA RD
DOWNEY ID 83234

CARL BARNES
3717 E BACK DOWNATA RD
DOWNEY ID 83234

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.11 CFS
266.0 AFY

PRIORITY DATE: 03/30/1973

POINT OF DIVERSION:

T12S R37E S9 NWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.110 CFS 266.00 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T12S R37E S09	NENE	40.0	T12S R37E S09	NWNE	36.0
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76 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: License

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07115	12S 37E	9		NW	NE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-11801 29-11801

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07115	12S 37E	9		NW	NE			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A29-11801 29-11801

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (____)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
12S	37E	9		NW	NE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A29-07115

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	9	NE	NE		BARNES, CARL	A29-07115 / 40.0	29-07115 / 40.0	30.0		
12S	37E	9	NW	NE		BARNES, CARL	A29-07115 / 36.0	29-07115 / 36.0	35.0		
			NW	NE		ATKISON, JEAN H	A29-07200 / 3.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07115	76.00	76.00	65.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-07115	GROUNDWATER	BARNES, CARL	1.110	0.014		
A29-07200	GROUNDWATER	ATKISON, JEAN H	0.640	0.008	271.70	3.62

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: N/A

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

1. The first part of the document is a title page. It contains the title "The Role of the State in the Development of the Economy" and the author's name "John Doe".

Log for claim A29-07115

Spatial Dynamics TWB

5/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	9	NENE	40	40	
12s37e	9	NWNE	36	36	
Totals:			76	76	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. Priority March 30, 1973 Amount 1.11 cfs

THIS IS TO CERTIFY, that CARL BARNES

of Downey, Idaho, has complied with the terms and conditions of Permit No. 29-7115 issued pursuant to Application for Permit dated March 30, 1973, and has submitted proof to the Department of Water Resources on September 17, 1973, 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 1.11 cfs of water from a ground water source, tributary to , 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
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u> at <u>1.11</u> cfs and	<u>266 acre feet or</u>	
	from <u> </u> to <u> </u> at <u> </u> cfs and	<u>3.5 af per acre</u>	
	from <u> </u> to <u> </u> at <u> </u> cfs and		
(both dates inclusive)			

Subject, however, to the condition that no more than 1.11 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 266 acre feet per year, said waters to be diverted within the NW¹NE⁴ of Sec. 9, Twp. 12 S, Rge. 37 E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWW				SWW				SEW				Totals
			NEW	NWW	SWW	SEW	NEW	NWW	SWW	SEW	NEW	NWW	SWW	SEW	NEW	NWW	SWW	SEW	
12S	37E	9	40	36															76

Total number of acres irrigated 76

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

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 5 day of February, 19 75.

MICROFILMED

Director [Signature]

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED**APPLICATION FOR PERMIT****To appropriate the Public Waters of the State of Idaho**

(TYPE OR PRINT IN INK)

1. Name of applicant CARL BARNES
post office address Downey, Idaho Ph: 897-5775
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 12S
Range 37E B.M. Bannock County; additional points of diversion if any: ---
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 12S, R. 37E, B.M.
- b. If water is not consumed, it will be discharged into --- at a point in --- $\frac{1}{4}$
of --- $\frac{1}{4}$ of Section --- Township --- Range --- B.M. ---
4. Water will be used for the following purposes:
Amount 1.6 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount --- for --- purpose from --- to --- (both dates inclusive)
(cfs or acre-feet per annum)
Amount --- for --- purpose from --- to --- (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.6 cubic feet per second ~~and/or~~
b. --- acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. electric pump and well

- b. Height of storage dam --- feet, active reservoir capacity --- acre feet; total reservoir capacity --- acre feet, materials used in storage dam: ---
Period of year during which storage will occur --- to --- inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ ---
8. Description of proposed uses:
a. If water is **not** for irrigation: N.A.
(1) Give the place of use of water: --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township ---
Range --- B.M. ---
(2) Amount of power to be generated: --- hp under --- feet of head.
(3) List number of each kind of livestock to be watered ---

(4) Name of municipality to be served ---, or number of families to be supplied with domestic water ---
(5) If water is to be used for other purposes describe: ---

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
12S	37E	9	40	40															80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above NONE

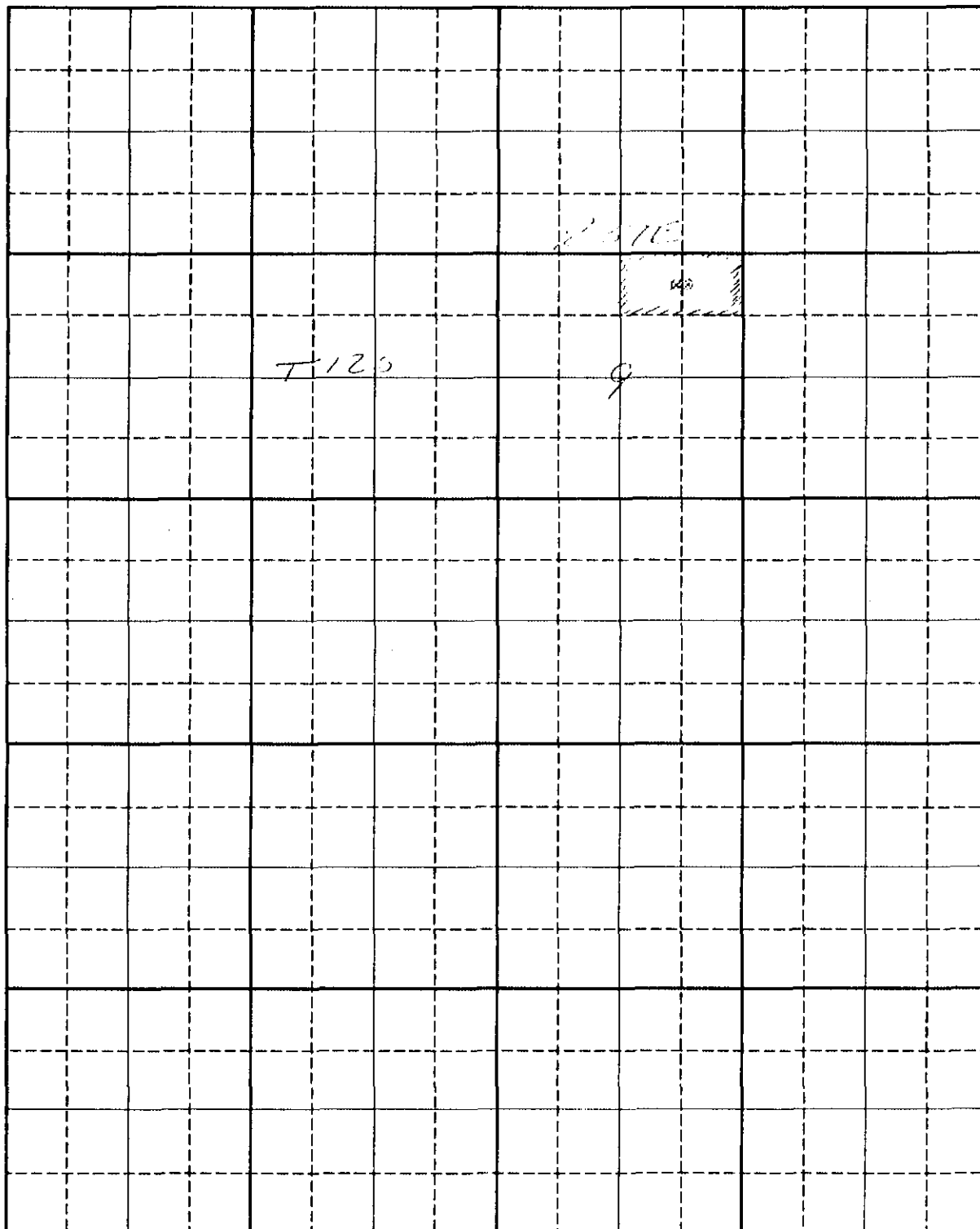
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Carl James
(Applicant)

29 7115

Received by la Date 3-30-73 Time 4:15 pm
 Preliminary check by NCY Fee \$ 35.00 Receipt # 730
 Receipted by la Date 3-30-73
 Publication prepared by la Date 3-30-73
 Published in Idaho State Journal,ocatello
 Publication dates 4-5-12-73
 Publication approved NCY Date 4/16/73
 Priority reduced to 2/30/73 Reason ---

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by NCY DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7115, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 26 day of April, 19 73.

R. Keith Hiji
 Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Carl Barnes

Post office address Downey, Idaho 83234 Phone

Person to contact: _____ Phone: () - -

2. Source of water supply: Groundwater ☒ Surface water ☐

Tributary to SEP 26 1973

3. Water will be used for the following purposes:

Amount 1.6 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from **Apr. 1** to **Nov. 1**
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 1.6 cubic feet per second and annual volume _____ AF/Annum.

5. **Location of Point(s) of Diversion:**

Township 12S N/S, Range 37E E/W, B.M., Section 9, Subdivision NE $\frac{1}{4}$ NE $\frac{1}{4}$, **Bannock**
County

Township 12S N/S, Range 37E E/W, B.M., Section 9, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$ Bannock
County

Township N/S, Range E/W, B.M., Section Subdivision 1/4 1/4, ...
County County

Other Points of Diversions:

Description of diverting works: 60 hp electric pump, depth of well is 170', depth of pump 150'

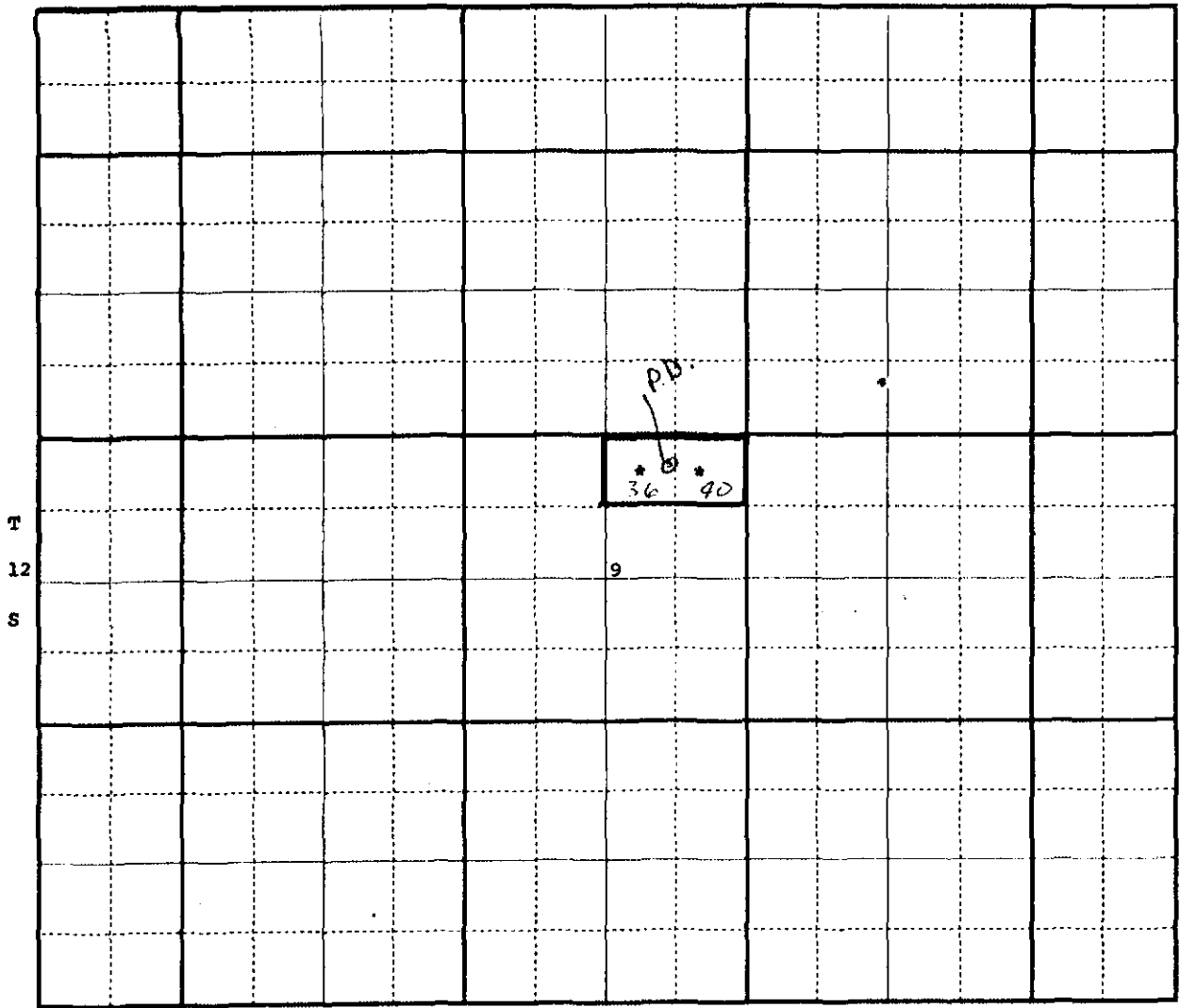
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

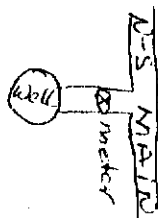
MICROFILMED

TOTAL ACREAGE 80



T
12
S

Diagram of System



DATE OF EXAM July 8, 1974

ACREAGE
Found 76
Recommended 76

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.11 c.f.s. V = 266 AF/Ann. from Apr to Nov
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no +

Name source: N.A.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: N.A.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N.A.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N.A.
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.11 cfs Method of measurement In Line Meter

Total Q recommended 1.11 cfs Meter No. MD 559999 Type Badger Condition Good

Total V recommended 266 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION

$$Q = 500 \text{ gpm} / 448.8 \text{ gpm/cfs} = 1.11 \text{ cfs}$$

$$V = 76 \text{ Ac} \times 3.5 \text{ AF/Ac/Ann.} = 266 \text{ AF/Ann.}$$

SYSTEM DESCRIPTION:

U.S. MOTORS 60 Hp #R2062634
LAYNE & Bowler #45134
8" discharge East 6' To N.S. Abundant Surface within
1 Wheel with 32 Noz & 1 Hand Line w 32 Noz 3/16" Noz

REMARKS:

System & Land shown by Carl Barnes
150' Chang 75' To H.O.

Examiner's Signature Bill Rhoads Date Oct 1, 1974

Checked by Loren O. Halmer Date Oct 28, 1974

Approved by _____ Date _____

24-2115



AJ5809NP
No. A29-07115

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 133

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL BARNES	03/30/1973	IRRIGATION	04-01 11-01	1.110 CFS	
C	ANAVOE BARNES					
	3717 E BACK DOWNATA RD			TOTAL DIVERSION:	1.110 CFS	
	DOWNNEY ID 83234			CONSUMPTIVE USE:		190.00 AFA
	(208) 897-5775					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T12S R37E S09 NWNE

BANNOCK 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	:	---
12S	37E	9	:	40		36		:					:					:					:	76.0
																							TOTAL ACRES	76.0

POU County: BANNOCK

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11801 A29-11801

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07200

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 04/28/90 MEYER 07/25/94 THOMPSON 03/29/95 POST-STD