

12/12/2003

**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:

Water right number: 27-7007C

J. Blaine Shoemaker

PO Box 41-----please change to street address: 24 South 200 East

Blackfoot ID 83221 Daytime ph: (208) 785-5936 Evening Phone: same

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

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

 Restore the CFS to 1" per acre.
 27-7007B is no longer a part of this system
3. Give a brief explanation as to why you disagree with these portions:

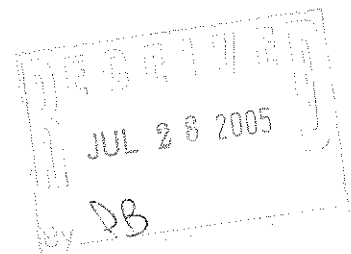
 Explained in the attached memo and attachments

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

DATE: 7-27-05 SIGNATURE: J. Blaine Shoemaker

Please print your name: J. BLAINE SHOEMAKER

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



1969 – Installed new motor and pump in a new 20" well

2003 – Replicated the installation by using the same motor (reconditioned), the same pump rebuilt to its original specifications and set at the same pumping depth; the same well which was deepened in 1987 to stop the pumping of small gravel and sand which was causing accelerated wear on the pump bowls. This is a request for a new test of the now replicated system. These test results should duplicate the CFS pumped in 1969 under Permit #27-7007C.

Because of the excessive wear on the bowls between 1969 and 1978 when the IDWR executed the official test the inspection determined a reduced water flow.

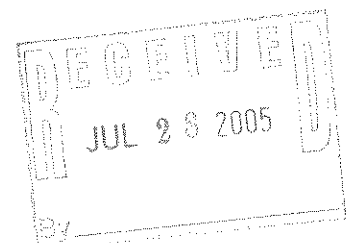
The IDWR sets the time of tests. This is the basis of my filing the notice of error. If the Department had performed the inspection in a timely manner, the erosion of the pumping system would have been greatly reduced.

I had the right to appeal the results of the 1978 inspection, but the grounds for the appeal were not revealed until 1987 when the pump was pulled and inspection found it to be gutted. By then it was too late.

On the advice of IDWR personnel, I have applied for a new permit for 1.65 CFS, which would bring it to 1" per acre.

I believe that, unless it is prevented by regulations, it would be better to proceed under the original permit. It has been advertised, and it has pumped to the requested CFS (to be substantiated by the next inspection). It met the criteria to qualify for the license. Could this be done? I don't want to fall through the cracks because of factors beyond my control.

J. Blaine Shoemaker 7-27-05
J. Blaine Shoemaker Date



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant J. Blaine Shoemaker (208) Phone 785-5936
Mailing address 245 200E, Blackfoot, Id 83221
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 3S Range 36E Sec. 4, in the _____ 1/4
SW 1/4, NE 1/4, Govt. Lot _____, B.M., Bingham County
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.65 cfs for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.65 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source well pump to center
pivots
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is 20 inches; proposed depth of well is 710 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? 1969; Drilling firm Barrus / Cushman
Well was drilled for (well owner) Shoemaker; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. _____

RECEIVED
JUL 23 2005
BY _____

9. 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 the use (example: D for Domestic) in the corresponding place of below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOT
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	36E	4	35	35	39	35			1	17	34	9	1	11		22			23

Total number of acres to be irrigated 239

10. Describe any other water rights used for the same purposes as described above. 27-7007

11. a. Who owns the property at the point of diversion? Applicant

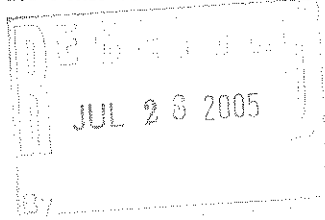
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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



J. Blaine Shewmaker
Signature of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____



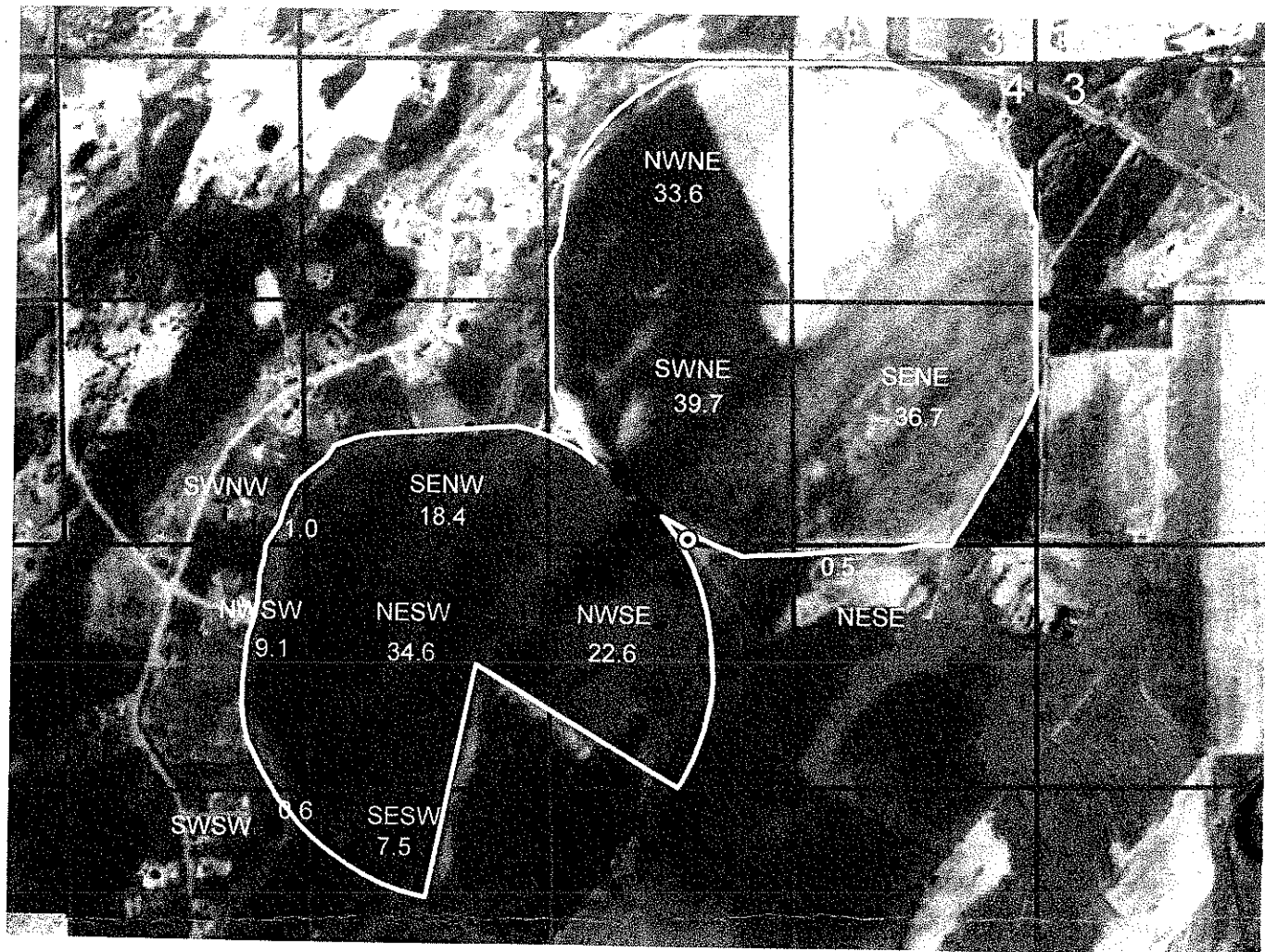
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7007C



800 0 800 1600 Feet

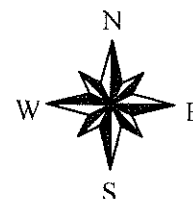
IRRIGATED ACRES

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R36E:
(part of) Sec. 4, NENE, NWNE,
SWNE, SENE, SWNW, SENW,
NESW, NWSW, SWSW,
SESW, NWSE NESE.

Point(s) of Diversion: T3S, R36E:
Sec. 4, SWNE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: December 2003