

02/08/2003

Dave

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: 29-7115

ANAVOE BARNES
3717 E BACK DOWNATA RD
DOWNEY ID 83234
Telephone Number: (208)897-5775

CARL BARNES
3717 E BACK DOWNATA RD
DOWNEY ID 83234
Telephone Number: (208)897-5775

RECEIVED
APR 17 2003
Department of Water Resources
Eastern Region

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:

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

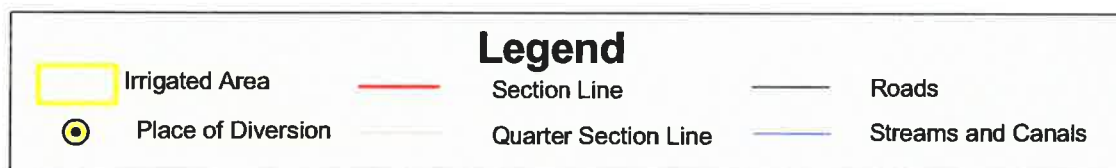
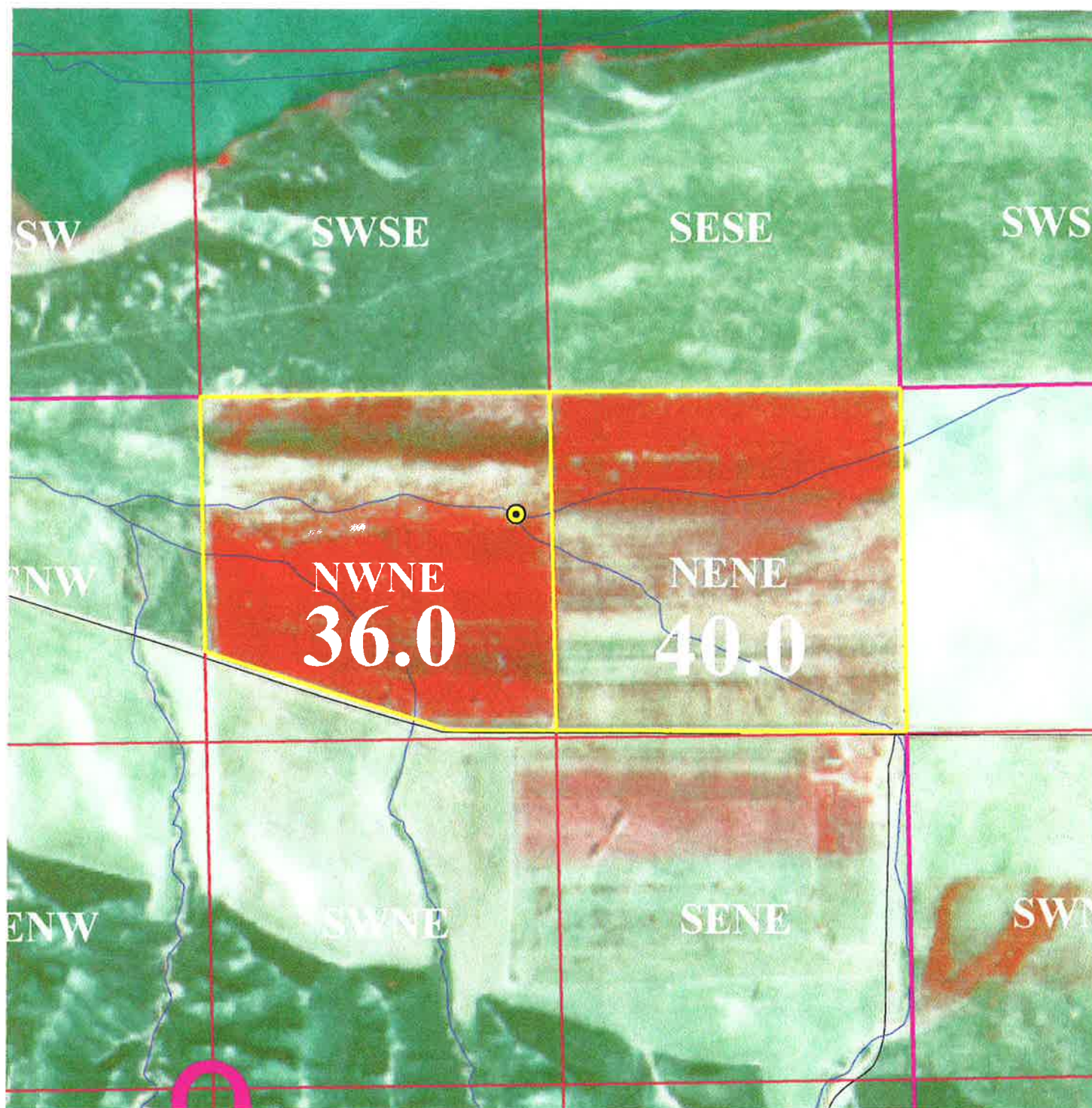
DATE: 4-6-03 SIGNATURE: Carl Barnes
Please print your name: Carl Barnes

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

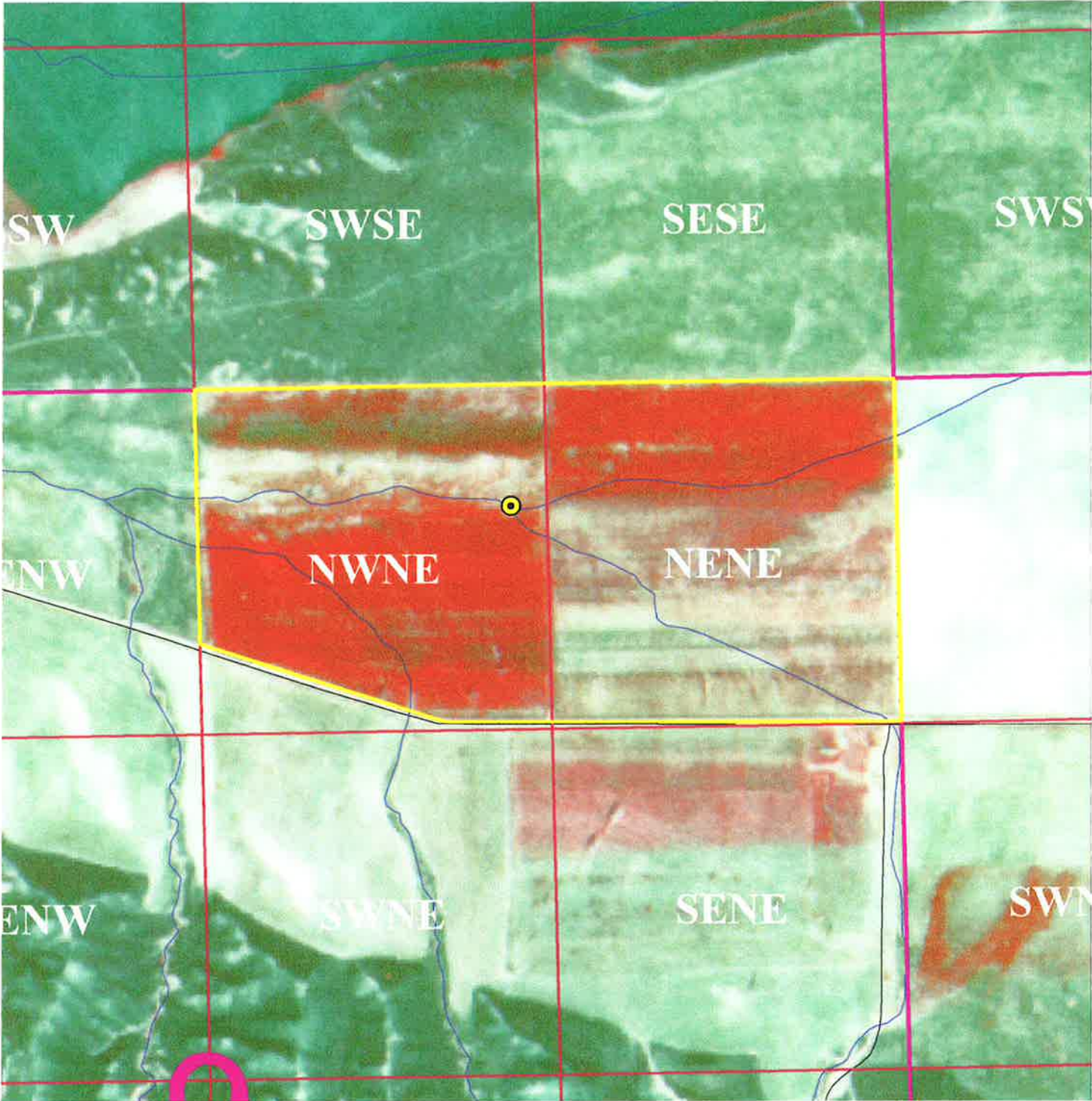
PROFILED

SCANNED
APR 14 2003

Township , 12S37E



Township , 12S37E





Irrigated Area



Section Line



Roads



Place of Diversion



Quarter Section Line



Streams and Canals

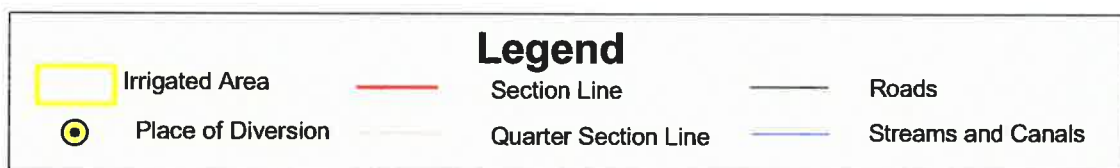
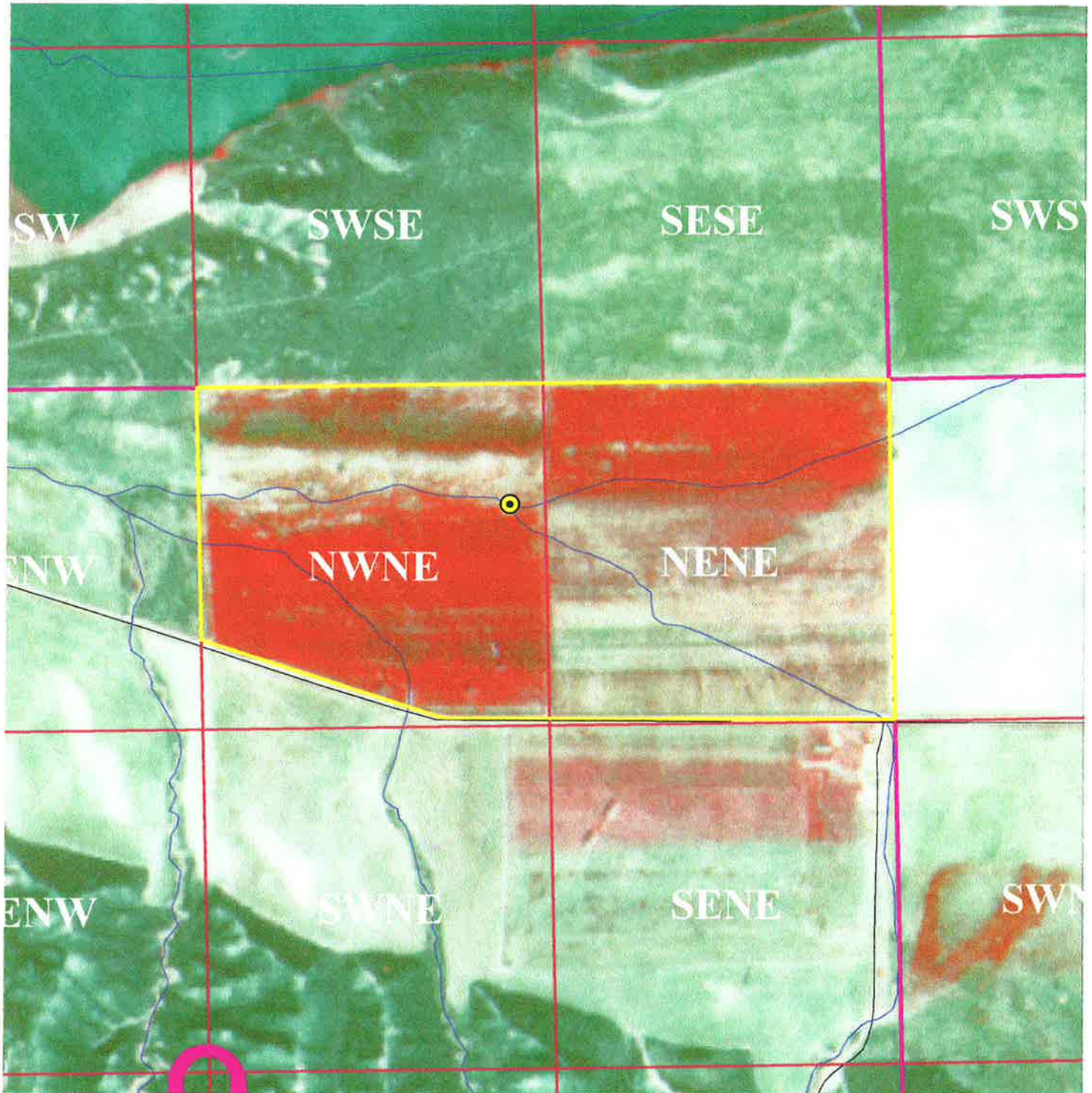
Legend



N



Township , 12S37E

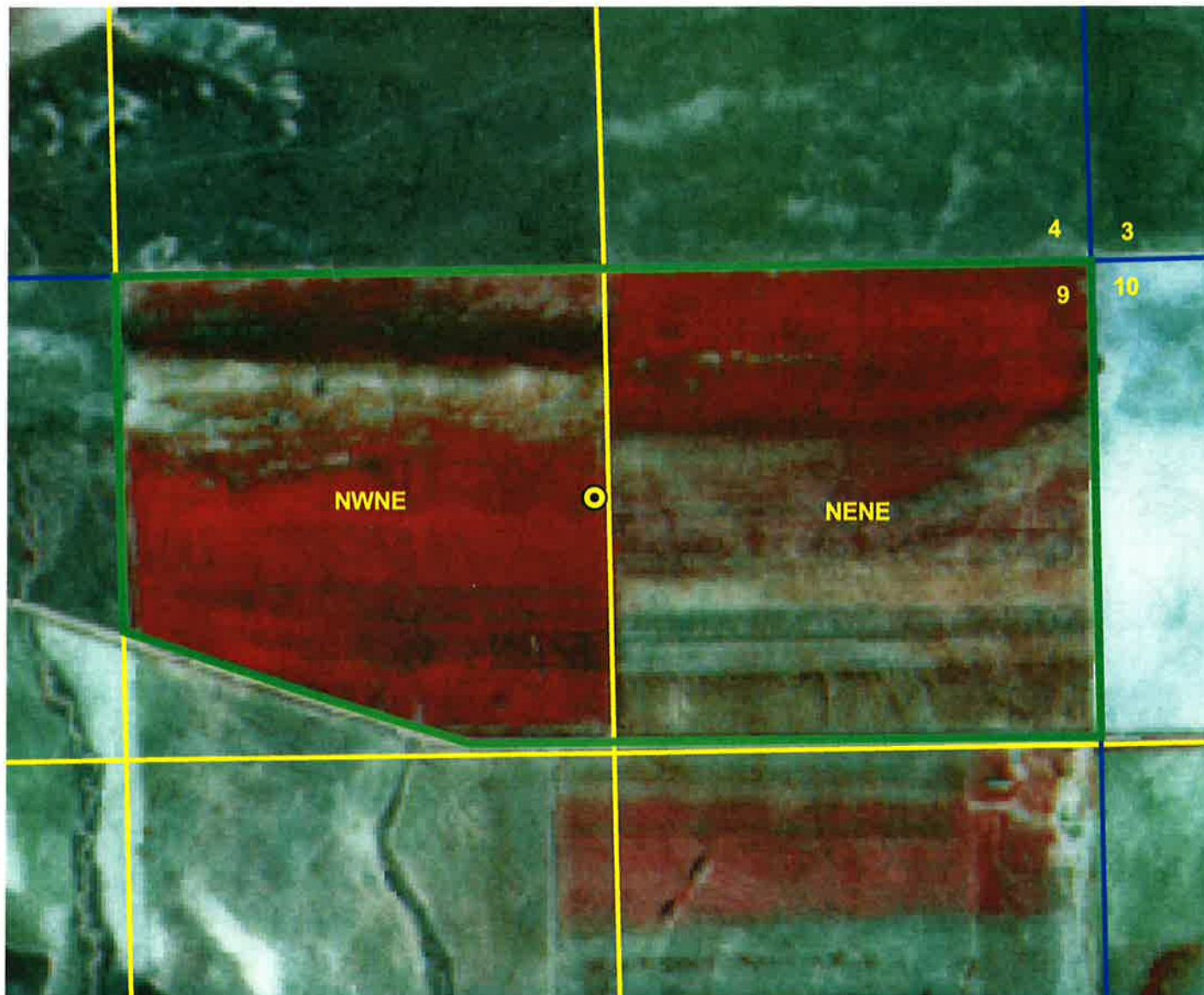


MAY 24 2001

IDAHO DEPARTMENT OF WATER RESOURCES

29-07115

T12S, R37E SEC 9



ACRES IRRIGATED- 76



POINT OF DIVERSION



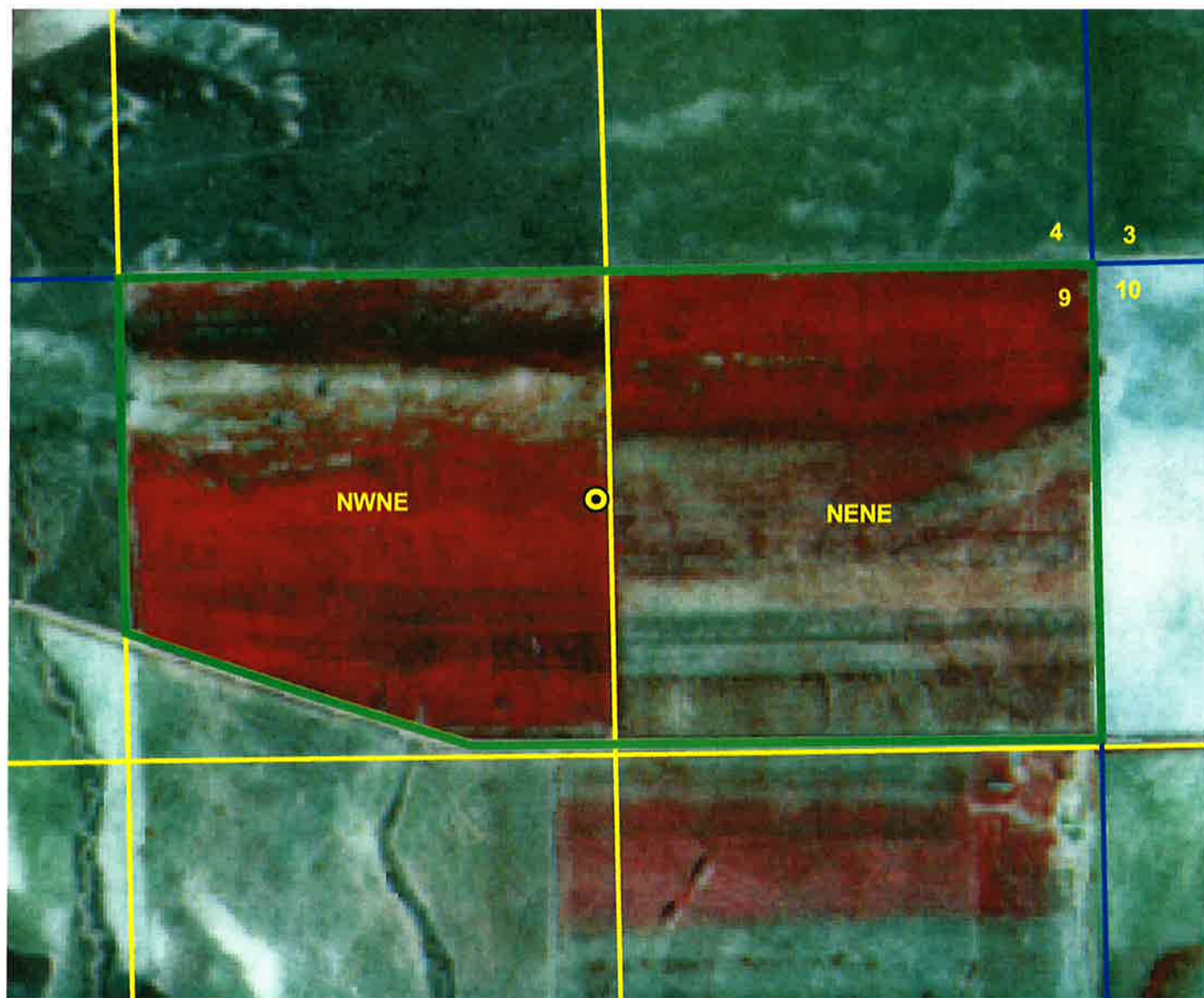
PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES

29-07115

T12S, R37E SEC 9



ACRES IRRIGATED- 76



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

MAY 24 2001

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. 29-7115 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 _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ 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 NW 1/4 NE 1/4 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.	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	
12 S	37 E	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

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED**APPLICATION FOR PERMIT**

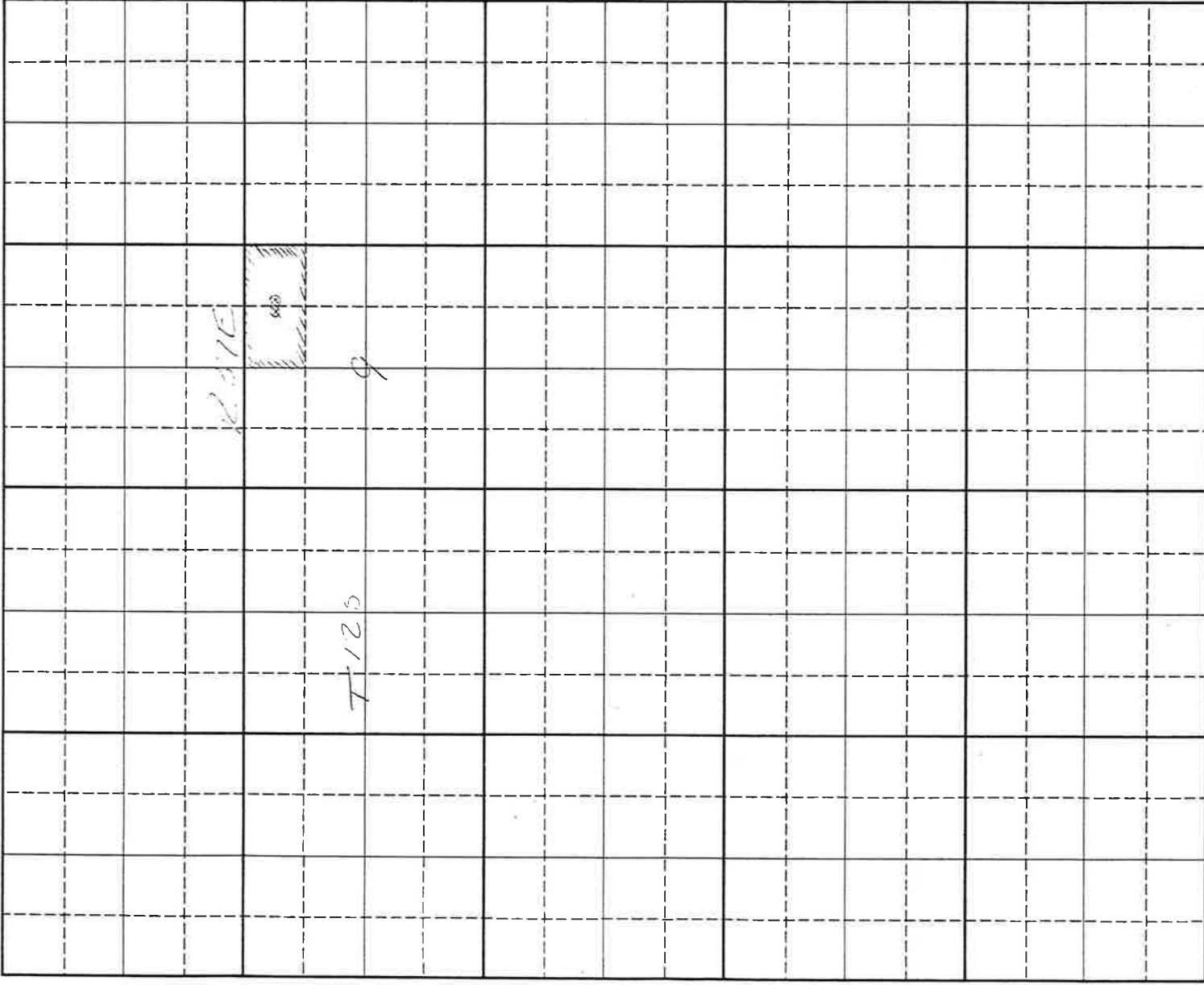
To Appropriation the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

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: _____

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 J. Smith
(Applicant)

TOTAL ACREAGE 80

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. MO 559999 Type Badger Condition Good

Total V recommended 266 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

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

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

SYSTEM DESCRIPTION:

U.S. MOTORS 60 Hp #R2062634
LAYNE & Bowler #45134
8" discharge East 6' To N.S. Aluminum 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. Palmer Date Oct 28, 1974

Approved by _____ Date _____

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					
	DOWNEY ID 83234					
	(208) 897-5775					
				TOTAL DIVERSION:	1.110 CFS	
				CONSUMPTIVE USE:		190.00 AFA

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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
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

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: PM

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 Banne Date: 4-27-91

Date: _____

State of Idaho)
County of BONAVILLE) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of April 19 90

[Signature]
Notary Public

Seal

Residing at TRAMO FALLS
My Commission Expires 9-12-94

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
QUANTITY: 1.11 CFS
266.0 AFY

TRIBUTARY:

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
---------------	------	------	---------------	------	------

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			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
A29-11801			29-11801							
			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			AJ CLAIMS IN SAME 40 ACRE TRACT							
			A PREFIX							
			R PREFIX							
NONE			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. 12S	RGE. 37E	SEC. 9	1/4	1/4 NW	1/4 NE	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

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

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()

NOTES:

REVIEWED BY: _____ DATE: _____