

02/19/2003

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

RIGHT NUMBER: 29-7391

NAME AND ADDRESS: ERMA M BANKS
3229 BANKS RD
BANCROFT ID 83217

SOURCE: UNNAMED DRAIN

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 3.820 CFS

PRIORITY DATE: 05/05/1977

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

POINT OF DIVERSION:

T06S R39E S19 SWSESW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	3.820 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S19	SWNE	14.0	T06S R39E S19	NESW	40.0
T06S R39E S19 Lot 3	NWSW	26.0	T06S R39E S19 Lot 4	SWSW	5.0
T06S R39E S19	SESW	26.0	T06S R39E S30	NWNE	40.0
T06S R39E S30	SWNE	40.0			

191 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

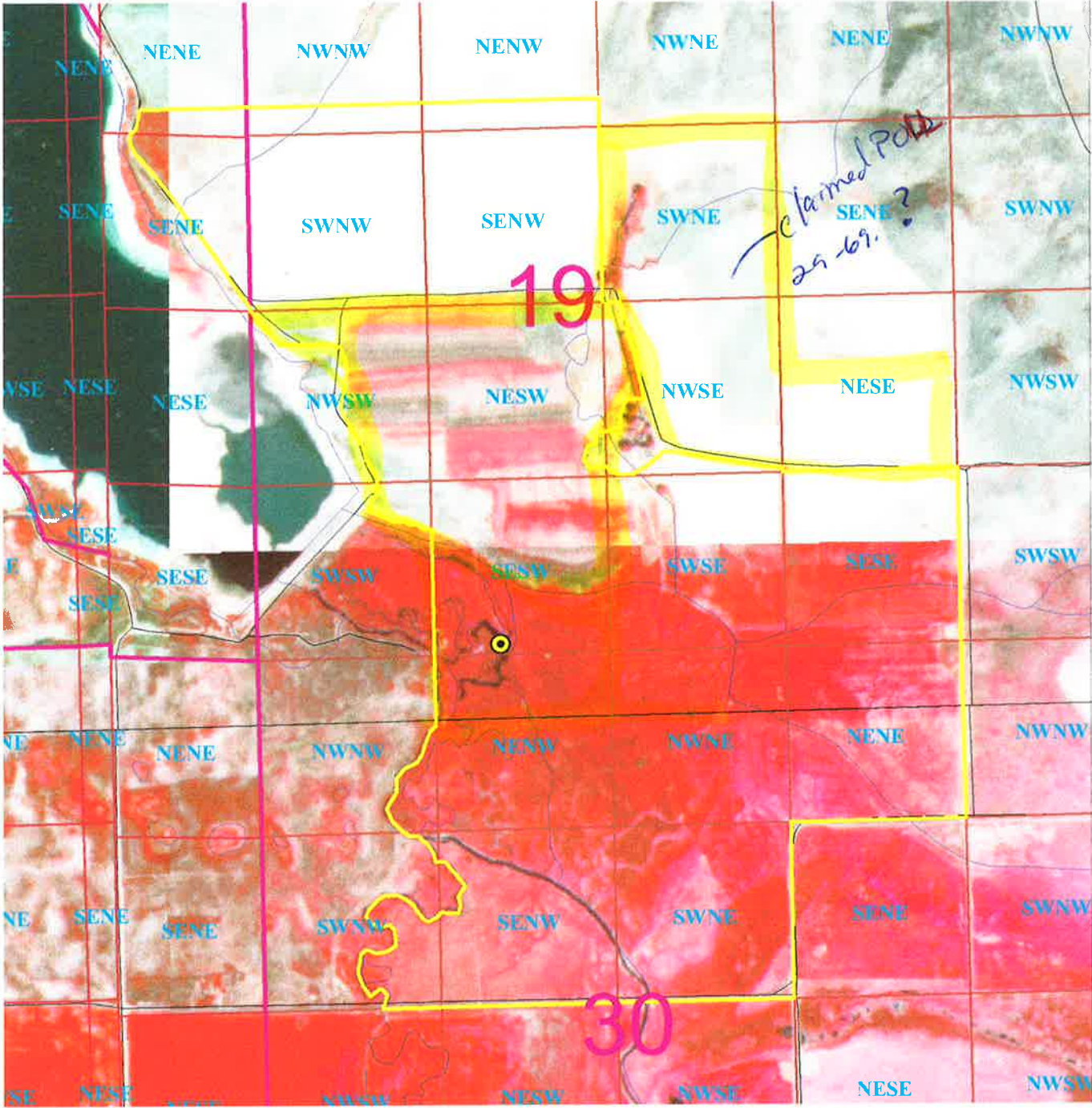
THE APPLICANT MUST INSTALL AND MAINTAIN ADEQUATE MEASURING DEVICES AT LOCATIONS ACCEPTABLE TO THE DEPT. IN THE OLD EXISTING DRAIN, THE DRAIN HE RECENTLY CONSTRUCTED AND ANY FUTURE DRAINS THAT MAY BE INSTALLED. ANY WATER DIVERTED UNDER THIS RT. MUST BE DEVELOPED THROUGH A DRAINAGE SYSTEM CONSTRUCTED BETWEEN MAY 20, 1971 AND DECEMBER 1, 1982. ANY PUMP INSTALLED UNDER THIS RIGHT MUST BE SO LOCATED AS TO ASSURE NO WATER WILL BE DIVERTED FROM ANY DRAIN EXISTING PRIOR TO MAY 20, 1971, OR FROM THE PORTNEUF RIVER.

Use of water under this right is subject to control by the watermaster of State Water District No. 6 DISTRICT.

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: Permit

Townships , 6S39E, 6S38E



 Irrigated Area

 Section Line

 Roads

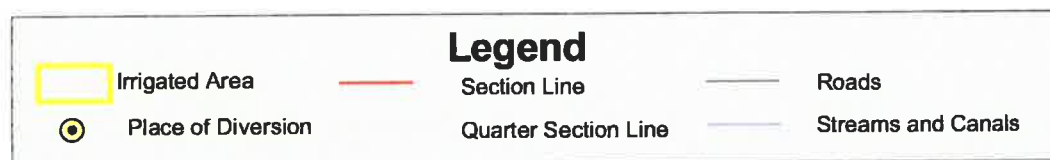
 Place of Diversion

 Quarter Section Line

 Streams and Canals



06/14/2000



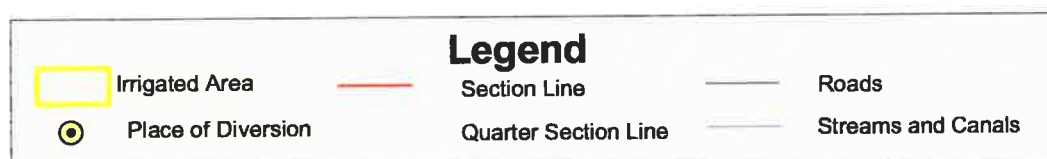
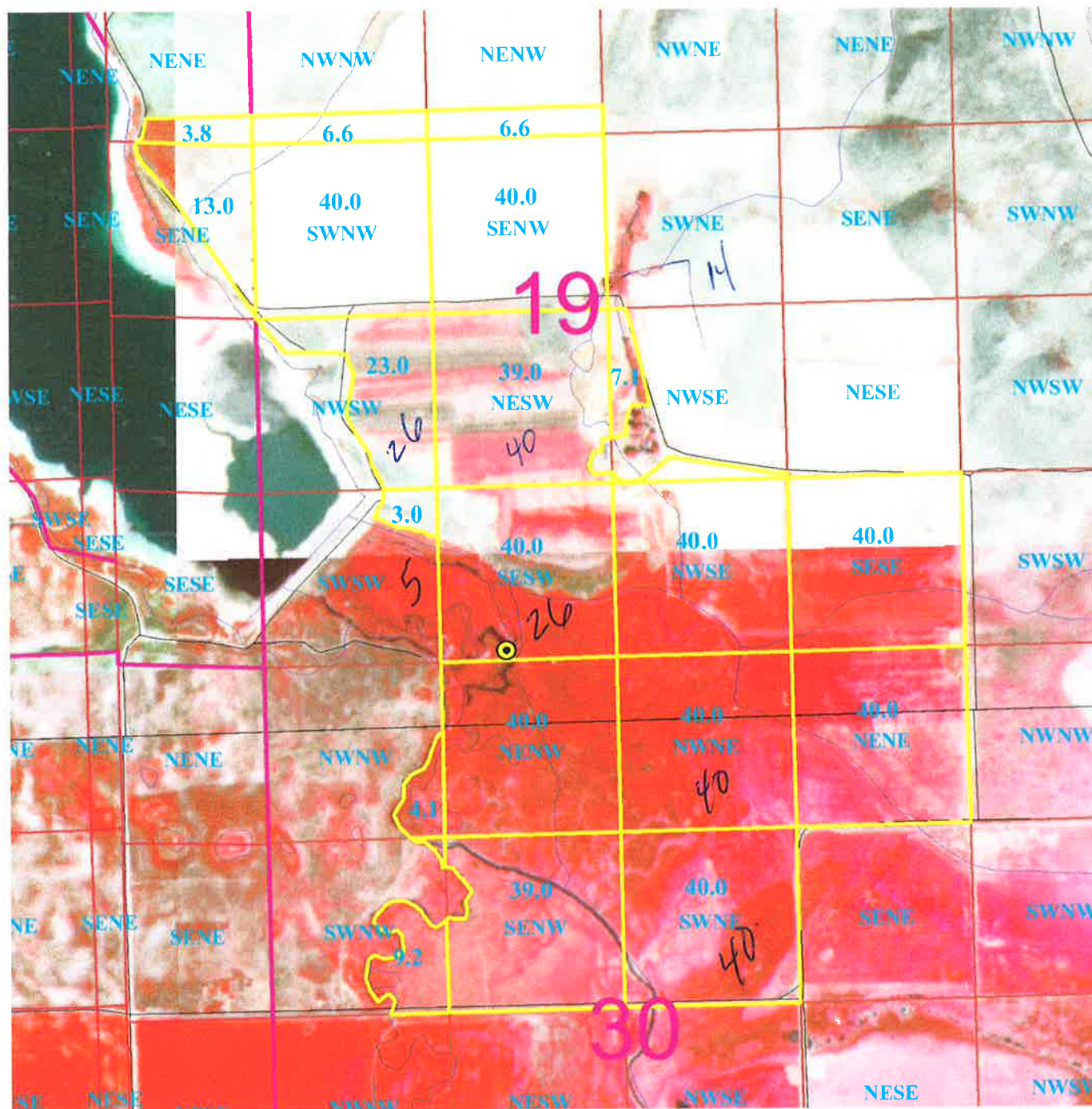
500 0 500 1000 Feet



Water Right Claim Number A29-07391

06/14/2000

Townships , 6S39E, 6S38E



500 0 500 1000 Feet

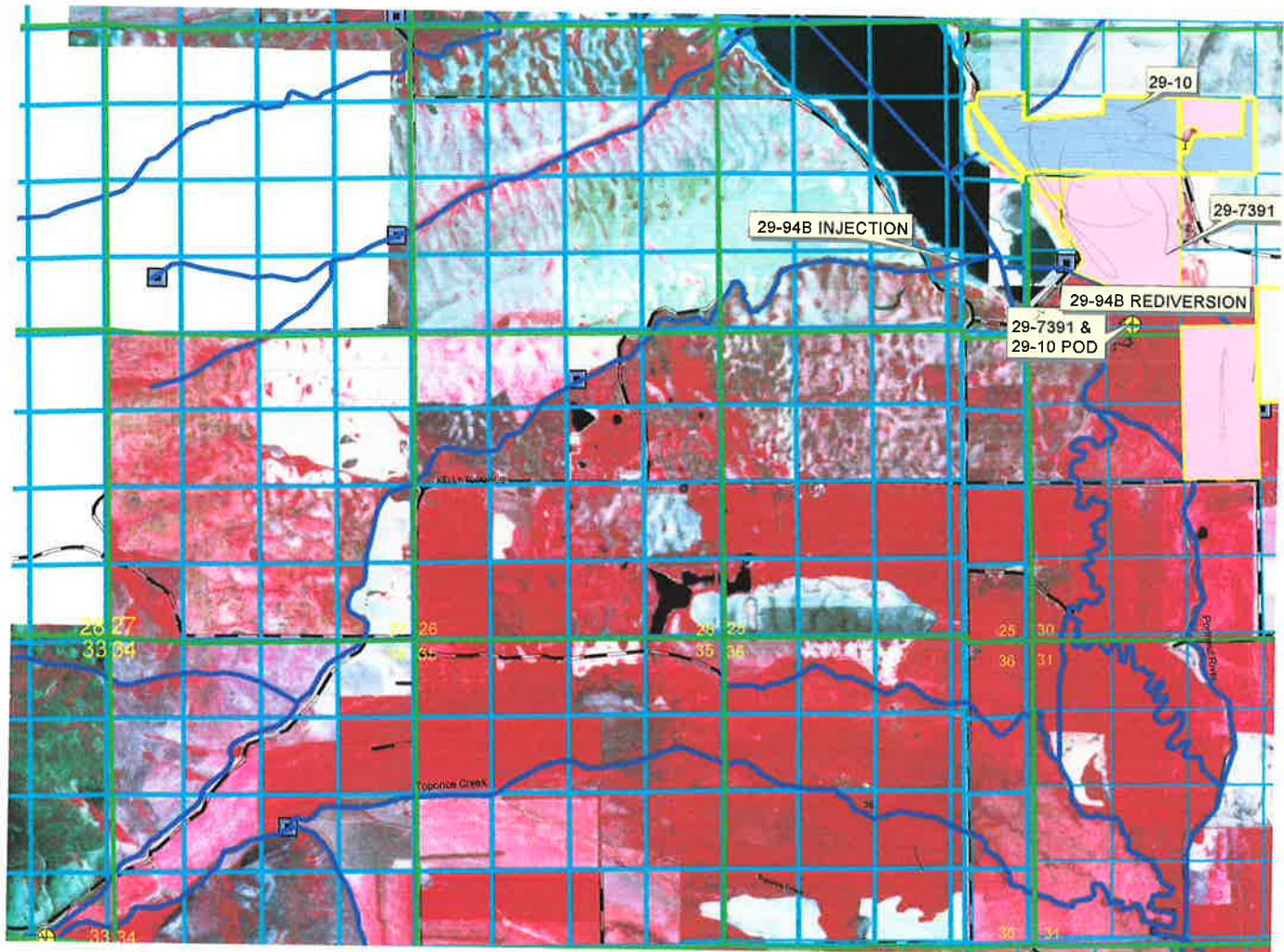




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Rights: 29-7391



0.8 0 0.8 1.6 Miles

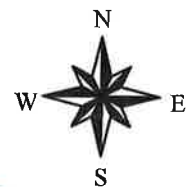
IRRIGATED ACRES 191

LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T6S, R39E,
(part of) Sections 19 & 30

Points of Diversion: T6S, R39E,
Sec. 19 SWSESW



PROFILED

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: FEBRUARY 2003

SCANNED

APR 28 2006

10/30/01

Firma Banks

Div. rate Priority Ac.

29-10	2.32 cfs	4-14-1883	116
29-7391	3.82 cfs	5-5-1977	191
29-69	1.22 cfs	11-28-1882	61.22

29-19	0.64	5-1-1881	32.28
29-13	0.36	5-1-1881	18.0
29-15	0.31	5-1-1881	15.4

433.90

claimed 525 ac.

534.

592

10/30/01

Finished the property from Chris Gail in April of 1959.

Early 1960. - gas pump (1959) in the ditch and irrigated

Frank
Siphon for the bank
from Suna Bank
Portman

PROFILED
SCANNED
2006 8 28

Sec 19 SWNE (13ac.) was in CRP, it's been out for the past 2 or 3 yrs.

Start pumping Topcon water in May. in April. Pump 30hp. \$ 1/2 handling, (2 ac waterline) 9/32

Claim No.: 29-7391

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

AD1

any other Remark/ Conditions on permit.

Split or Combined Right Analysis:

NO

Attached Field Notes or Other Documents:

PROFILED

SCANNED
APR 29 2006

Claim No.:

29-7391

Reviewer

Cindy Buil

Date

2/18/03

Notes

2/18/03 Conversion w/ Ernie Carlson.

The recommendation for the permit must match permit.

The B.U. exam recommended 169 acres for licensing. Permit applied for 191. Will recommend as claimed in application for permit and claimant must complete the permitting process. Add A01 Remark and any other Remark/Cond. to the permit.

Link POI Shape: 29-7391-poi.shp.

- print layout

- export spec 29-7391

- Complete summary and printout recommendation.

See file 29-10 for 1987 FSA Photo and 1964 imagery.

SCANNED
APR 28 2006

Contacts Data Entry Form

[illegible]

Current Owner _____

Name connector: and ____, or ____, and/or ____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: DAVID Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 0-30-0 Time: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the page.

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: 2A-7391

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

license permit

Reviewer: VBDate: 2/12/03

APR 28 2003

Point of Diversion and Source Data Entry Form

Claim Number: 29-7391

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____



Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? 29-10, 29-10246

Document how the POD and Source were verified and/or Pump and Motor data:

License permit
field exam

Transfers Changing POD _____

Reviewer: CBDate: 2/12/03SCANNED
APR 23 2006

Place Of Use Data Entry Form

Claim Number: 29-7391☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU must match permitShelley Keen corrected the data base on the
permit to 191 acres.POU shape created to match permit 29-7391 p.u.

Transfers Changing POU _____

Reviewer: CBDate: 2/18/03

SCANNED

APR 29 2006

Purpose of Use Data Entry Form

Claim Number: 29-7391 Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			191	

Document how the Purpose of Use was verified:

permit
examiner found 169 acres.

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 2/18/03SCANNED
APR 23 2006

Period of Use and Quantity Data Entry Form

Claim Number: 29-7391☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	3.82	

Overall Diversion Rate 3.82 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

permit

Reviewer: CBDate: 2/18/03SCANNED
APR 29 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 29-7391

WATER RIGHT NUMBER: 29-7391

Owner Type Name and Address
 Current Owner FLOYD J BANKS
 BANCROFT, ID 83217

Priority Date: 05/05/1977

Basis:

Status: Active

Source Tributary
 UNNAMED DRAIN PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.820 CFS	
<u>Total Diversion:</u>		3.820 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN SE1/4SW1/4 Sec. 19, Twp 06S, Rge 39E, B.M.
 CARIBOU County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	19			14.0						40.0	26.0	5.0	26.0					111.0
06S	39E	30		40.0	40.0														80.0

Total Acres: 191

Conditions of Approval:

- 005 Use of water under this right is subject to control by the watermaster of State Water District No. & DISTRICT.
- 016 See remarks for additional conditions of approval.

Remarks:

- General THE APPLICANT MUST INSTALL AND MAINTAIN ADEQUATE MEASURING DEVICES AT LOCATIONS ACCEPTABLE TO THE DEPT. IN THE OLD EXISTING DRAIN, THE DRAIN HE RECENTLY CONSTRUCTED AND ANY FUTURE DRAINS THAT MAY BE INSTALLED. ANY WATER DIVERTED UNDER THIS RT. MUST BE DEVELOPED THROUGH A DRAINAGE SYSTEM CONSTRUCTED BETWEEN MAY 20, 1971 AND DECEMBER 1, 1982. ANY PUMP INSTALLED UNDER THIS RIGHT MUST BE SO LOCATED AS TO ASSURE NO WATER WILL BE DIVERTED FROM ANY DRAIN EXISTING PRIOR TO MAY 20, 1971, OR FROM THE PORTNEUF RIVER.

C18
A01

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 29-7391

Comments:

Dates and Other Information:

Permit Proof Due Date: 12/1/1982
Permit Proof Made Date: 10/25/1982
Permit Approved Date: 12/19/1977
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 8/26/1998
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number: 29
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

WR5809NP
No. 29-07391

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLOYD J. BANKS BANCROFT ID 83217	05/05/1977	IRRIGATION	04/01 11/01	3.820 CFS	
TOTAL DIVERSION:					3.820 CFS	

Water Source: UNNAMED DRAIN

Tributary to: PORTNEUF RIVER

Stage: PERMIT

Point(s) of Diversion: T06S R39E S19

SESW

CARIBOU 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		
06S	38E	24	:				24	:					:					:					:	24.0
06S	39E	19	:			14		:					:	40	26	05	26	:					:	111.0
06S	39E	30	:		40	40		:					:					:					:	80.0
TOTAL ACRES																							215.0	

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-00010

Other Water Rights Listing Overlapping Place(s) of use:
29-00010 29-00013 29-00069 29-04488

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 29.
016 - See remarks for additional conditions of approval.

Remarks: GEN THE APPLICANT MUST INSTALL AND MAINTAIN ADEQUATE MEASURING
DEVICES AT LOCATIONS ACCEPTABLE TO THE DEPT. IN THE OLD EXISTING
DRAIN, THE DRAIN HE RECENTLY CONSTRUCTED AND ANY FUTURE DRAINS
THAT MAY BE INSTALLED.
ANY WATER DIVERTED UNDER THIS RT. MUST BE DEVELOPED THROUGH A
DRAINAGE SYSTEM CONSTRUCTED BETWEEN MAY 20, 1971 AND DECEMBER
1, 1982.
ANY PUMP INSTALLED UNDER THIS RIGHT MUST BE SO LOCATED AS TO
ASSURE NO WATER WILL BE DIVERTED FROM ANY DRAIN EXISTING PRIOR
TO MAY 20, 1971, OR FROM THE PORTNEUF RIVER.

Dates: App. Received: Priority Date: 05/05/1977
Proof Due Date: 12/01/1982 Proof Made Date: 10/25/1982
Exam Made Date: 08/26/1998 Exam Sent to S.O.: 03/17/1999
Licensed Date:

Misc: Water District Number: 29 Field Exam Fee: N (Not Required)

WR5809NP
No. 29-07391

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 2

Audit: 09/22/87 05/22/88 CONVERT 11/02/88 WRAY 03/16/99 KWILSON

MAY 7 2001

Log for claim A29-07391

Spatial Dynamics BTD

6/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	24	NENE	4	3.8	
06s38e	24	SENE	20	13	
06s39e	19	NENW	5	6.6	
06s39e	19	NWNW	5	6.6	
06s39e	19	SWNW	40	40	
06s39e	19	SENV	40	40	
06s39e	19	NESW	40	39	
06s39e	19	NWSW	26	23	
06s39e	19	SWSW	4	3	
06s39e	19	SESW	40	40	
06s39e	19	NWSE	14	7.1	
06s39e	19	SWSE	40	40	
06s39e	19	SESE	40	40	
06s39e	30	NENE	40	40	
06s39e	30	NWNE	40	40	
06s39e	30	SWNE	40	40	
06s39e	30	NENW	40	40	
06s39e	30	NWNW	5	4.1	
06s39e	30	SWNW	4	9.2	
06s39e	30	SENV	37	39	
Totals:			524	514.4	

AJ5809NP
No. A29-07391

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 109

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERMA M BANKS 3229 BANKS RD BANCROFT ID 83217 (208) 648-7856	05/05/1977	IRRIGATION	04-01 11-01	3.820 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					3.820 CFS	477.50 AFA

Water Source: UNNAMED DRAIN

Tributary to: PORTNEUF RIVER

Stage: PERMIT

Point(s) of Diversion:

T06S R39E S19

SWSESW

CARIBOU 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	:		
06S	38E	24	:	04			20	:					:					:					:	24.0	
06S	39E	19	:					:	05	05	40	40	:	40	26	04	40	:		14	40	40	:	294.0	
06S	39E	30	:	40	40	40		:	40	05	04	37	:					:					:	207.0	
																							TOTAL ACRES		525.0

POU County: CARIBOU

Other Rights: A29-10246, -00010, -00094A, 24 MILE CREEK CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00010 A29-10246

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

A29-00010 A29-00013 A29-00015 A29-00018 A29-00069 A29-00071 A29-00094 A29-00094B A29-02558 A29-10246

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the
watermaster of State Water District No. 29.
016 - See remarks for additional conditions of approval.

Remarks: GEN

THE APPLICANT MUST INSTALL AND MAINTAIN ADEQUATE MEASURING DEVICES AT LOCATIONS ACCEPTABLE TO THE DEPT. IN THE OLD EXISTING DRAIN, THE DRAIN HE RECENTLY CONSTRUCTED AND ANY FUTURE DRAINS THAT MAY BE INSTALLED.
ANY WATER DIVERTED UNDER THIS RT. MUST BE DEVELOPED THROUGH A DRAINAGE SYSTEM CONSTRUCTED BETWEEN MAY 20, 1971 AND DECEMBER 1, 1982.
ANY PUMP INSTALLED UNDER THIS RIGHT MUST BE SO LOCATED AS TO ASSURE NO WATER WILL BE DIVERTED FROM ANY DRAIN EXISTING PRIOR TO MAY 20, 1971, OR FROM THE PORTNEUF RIVER.
THIS RIGHT UTILIZES THE SAME DISTRIBUTION SYSTEM AS OTHER RIGHTS USED FOR THE SAME IRRIGATED ACRES. THE DRAIN FLOWS INTO AN OLD DITCH AND JUST BEFORE ENTERING THE RIVER CHANNEL THE MAIN PUMP

AJ5809NP
No. A29-07391

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 110

=====

Remarks: FOR THE IRRIGATION SYSTEM PICKS UP BOTH WATERS FROM THE RIVER AND
 THIS DRAIN.
 BECAUSE OF THIS SYSTEM THE WATERS LICENSED BY THIS RIGHT WILL
 BE APPLIED IN A GIVEN IRRIGATION SEASON ON 191 ACRES WITHIN THE
 PLACE OF USE LISTED IN ITEM #10.

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

Misc: Water District Number: 29 Field Inspection Flag:
 Presumption Flag:

Audit: 01/25/90 BAUMHOFF 07/27/94 THOMPSON 03/29/95 POST-STD

Identification No.

29 7391

Application No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

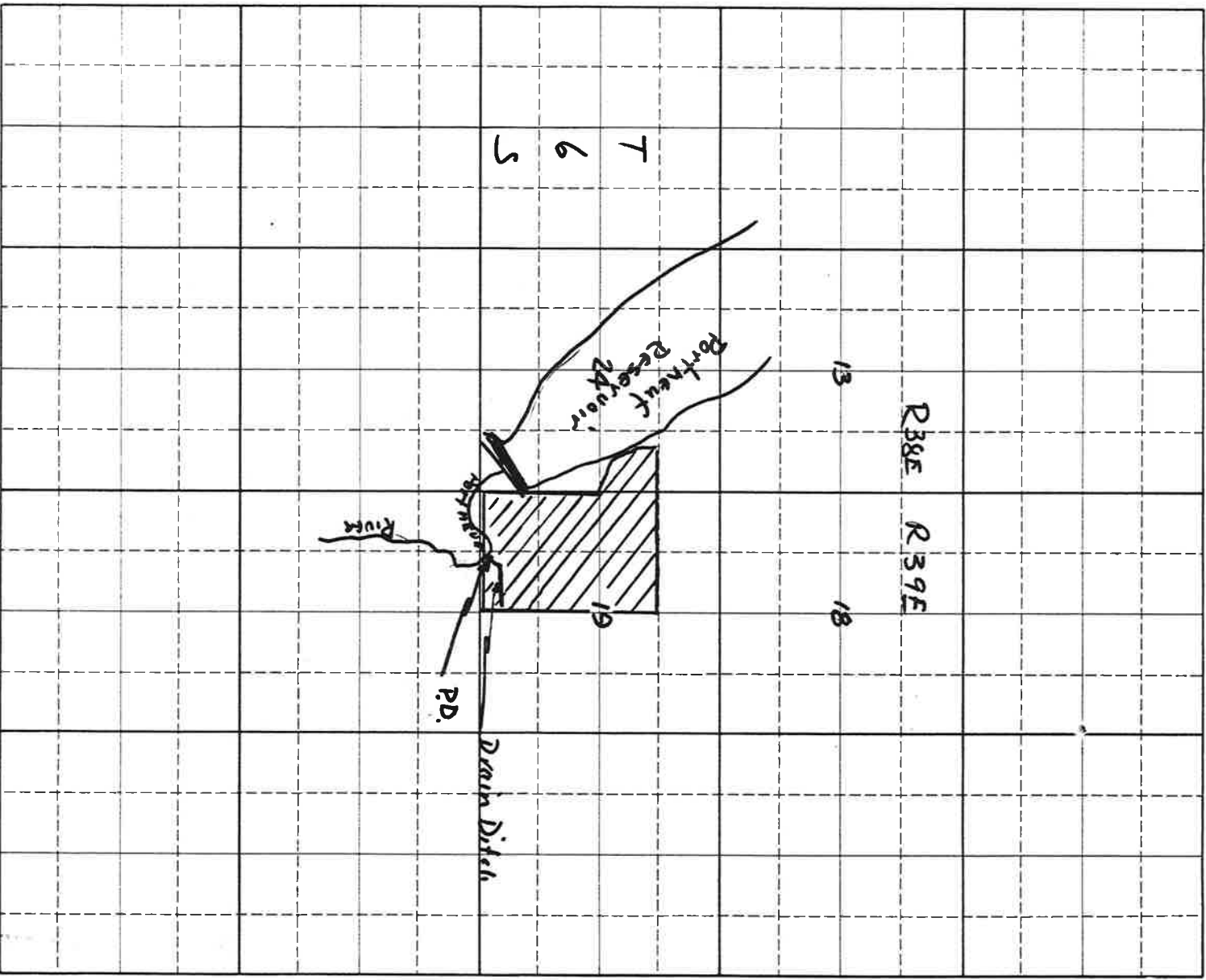
1. Name of applicant Floyd J. Banks Phone: 648-7856
post office address Bancroft, ID 83217
2. Source of water supply drain ditch which is a tributary of Portneuf River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 6S
Range 39E B.M. Caribou County; additional points of diversion if any:

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 3.82 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. 3.82 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drain ditch, pump and sprinkler
system

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 _____ inches; proposed depth of well is _____ 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 \$45,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(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.

Wayne J. Bank
(Applicant)

RECEIVED
Form 214
5/78

Ident. No. 29-7391

AUG 23 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Floyd J. Banks
of (address) Bancroft, Idaho 83217, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 29-7391, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Section 19, Township 6S, Range 39E, B.M.,
County of Caribou. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.82 for Irrigation purposes from April 1 to Nov. 1 (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)

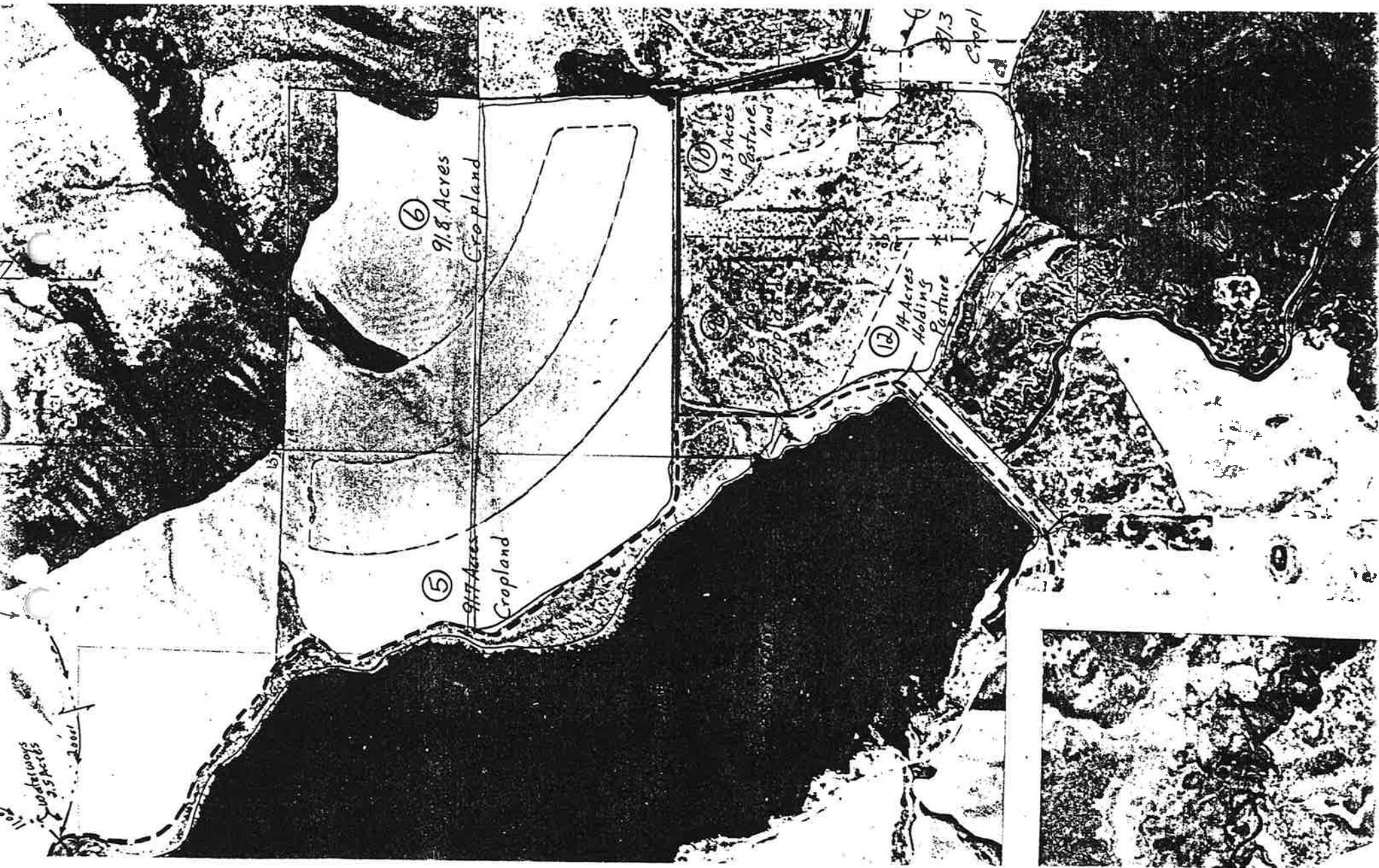
3. Place of use or land to be irrigated:

TWP	RGE	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	
6S	39E	19			14						40	26	5	26					111
		30		40	40														80

Total number of acres to be irrigated = 191

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the 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: _____

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Form 219
6/92

MAR 22 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

RE-EXAM

1. Owner: FLOYD J BANKS & ERMA M. BANKS

Permit No. 29-07391

Current Address: 3229 Banks Rd Bonanza ID 23217

Phone No. 208 648-7856

2. Accompanied by: NO ONE

Address: _____ EXAM DATE: 8-26-1998

Relationship to Permit Holder: _____ Phone No. _____

3. Source: Unnamed Drain

tributary to Portneuf River

B. OVERLAP REVIEW

- Other water rights with the same place of use: _____
- Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	~~1/2~~	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		5/2	SE	SW	19	6S	39E	CARIBOU	ON SITE / USGS QUAD / FSA Aerial

2. Place(s) of Use:

RGE	SEC	NE				NW				SW				SE				Totals
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38E	24	L-1 2			L-2 14													16
39E	19					4	4	38	37	26	18		18			8		153
						L-1	L-2				L-3							169

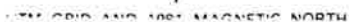
Indicate Method of Determination

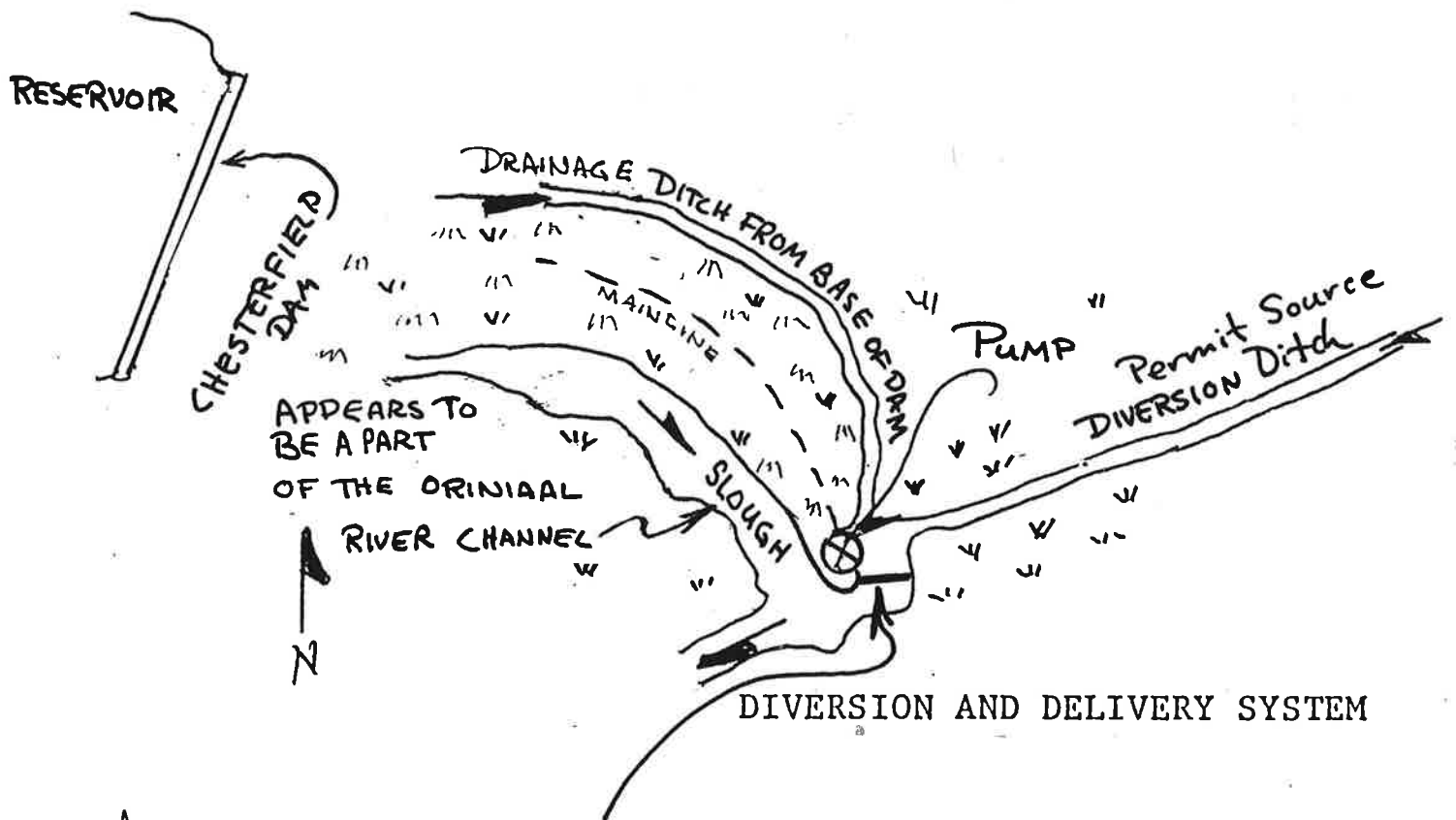
E. NARRATIVE/REMARKS/COMMENTS

Water from drainage ditch from base of Chesterfield Reservoir is co-mingled with water from permitted drainage ditch, and collected at a sump pond. Water is held in the sump pond by what appears to be a diversion dam. Water in sump pond appears to be 4" to 6" above water in old river channel (appears to be a slough)

There is no weir on permitted drainage ditch to determine how much water ditch contributes for licensing.

Have conditions of permit approval been met? ☐ yes ☒ no





APPEARS TO BE A DIVERSION DAM. KEEPS WATER ELEVATION IN Sump Pond 4" to 6" above water elevation in Slough (old River Channel)

29-07391

8-26-1998 *Keith C Wilson*

29-07391

Point of Diversion
Permitted Drainage Ditch
DRAINAGE DITCH

Lot 4

Lot 3

Lot 2

Lot 1



PLACE OF WISE

HELV
1987-1992
C&P 411
8.2
2

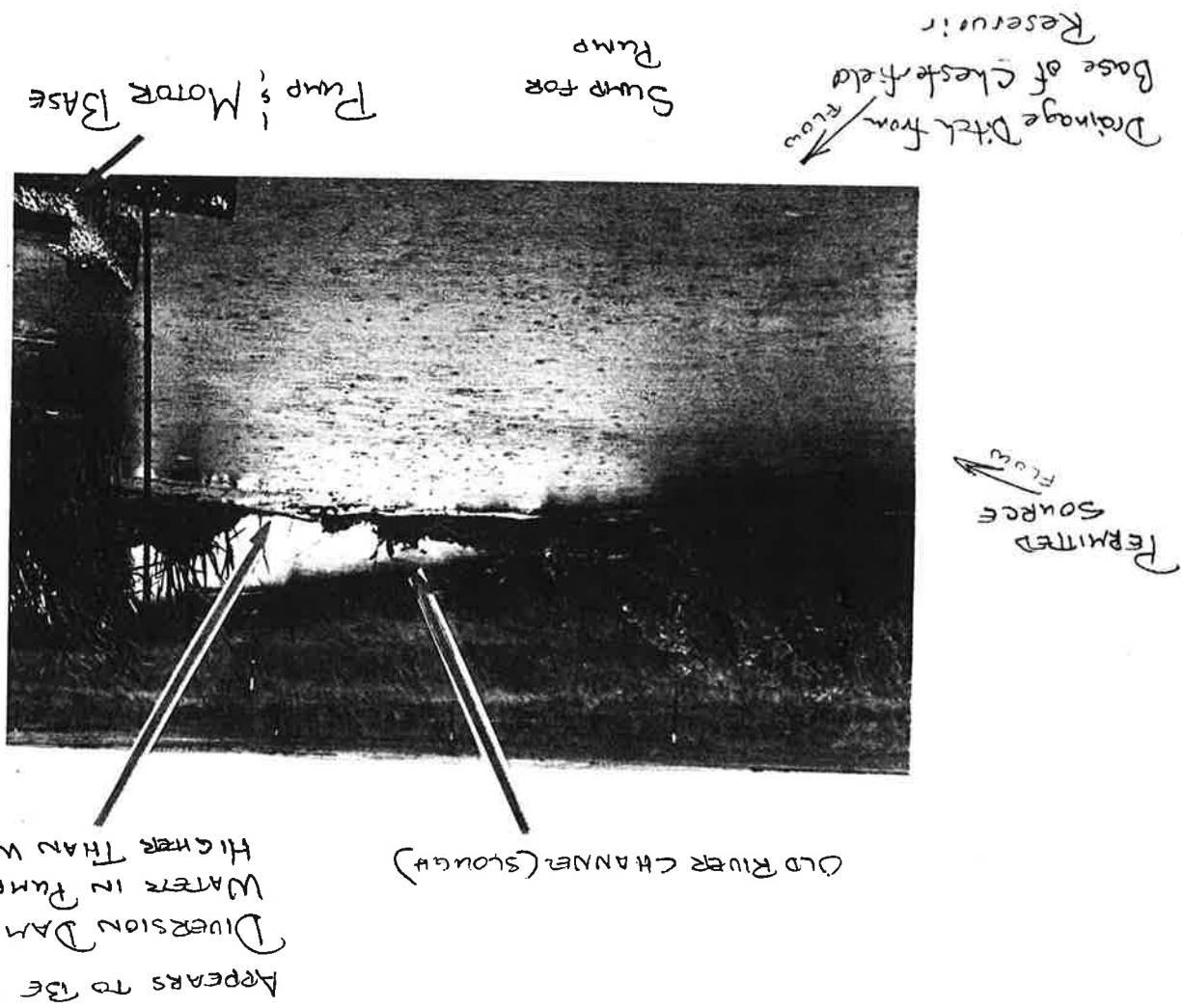
Lot 4

Lot 3

Lot 2

Lot 1

29-07391



POINT OF
DIVERSION

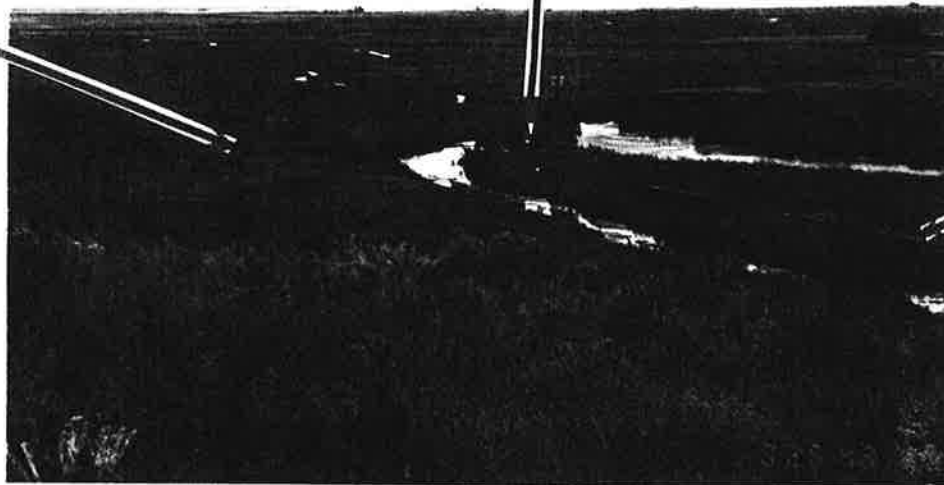
Drainage Ditch from
Base of Chesterfield
Reservoir



Photo is view from Chesterfield Reservoir

POINT OF DIVERSION

Permitted
Source
Ditch



Old River Channel
NOW A
Slough

MAINLINE

Drainage Ditch from
Base of
Chesterfield Reservoir

29-07391

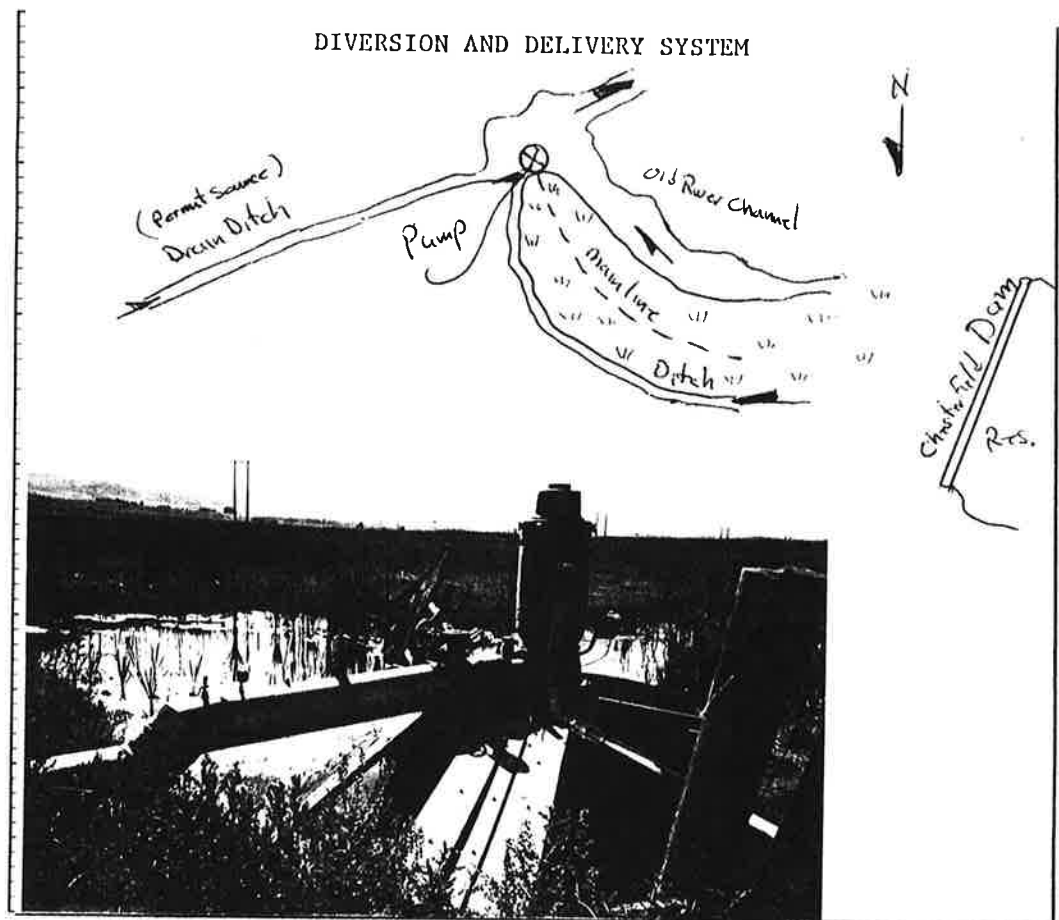
Permit No. 29-739/
Phone No. 648-7856

- | Place(s) of Use: | | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination | | | | | | | | | | | | | | | | | |
|------------------|------|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Twp. | Rge. | 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 | |
| 65 | 39E | 19 | | | | | 4 | 4 | 38 | 37 | 26 | 18 | | 18 | | | 8 | | 153 |
| 65 | 38E | 24 | 2 | | | 14 | | | | | | | | | | | | | 16 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| Total Acres | | | | | | | | | | | | | | | | | | | 169 |

10. Other water rights on these lands Tr. 2341 / 89-0010 For 2.32 cfs

11. Other water right diverted from same p.d. Tr. 2341 / 29-0010

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks All water is committed at pending area of pump. There is a meter on mainline but no weir on drain ditch to determine how much water this source contributes for licensing of this permit. I feel this violates the memorandum agreement & does not qualify for licensing of the permit.

15. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature J. C. Jones

Date 5-12-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

CONSULTANT SEAL

MAY 7 2001

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: A29-07391

Date Received: 1-25-90

Receipt No: MOUSS94

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERMA M. BANKS 208-648-7856
Address: 3229 BANKS RD.
BANCROFT, ID 83217

2. Date of Priority: MAY 05, 1977

3. Source: UNNAMED DRAIN Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	39E	19	SW	SE	SW		CARIBOU

5. Description of diverting works:
DRAIN, WIER AND 150HP PUMP, MAINLINE TO HAND & WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.820		

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

8. Total consumptive use is 477.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	38E	24	NE	NE		IRR	4.0
			SE	NE		IRR	20.0
Section Acres							24.0

A2907391



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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	39E	19	NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	26.0
			SW	SW		IRR	4.0
			SE	SW		IRR	40.0
			NW	SE		IRR	14.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	294.0
		30	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	5.0
			SW	NW		IRR	4.5
			SE	NW		IRR	37.5
						Section Acres	207.0
						Total Acres	525.0

11. Place of use in counties: CARIBOU
12. Do you own the property listed above as place of use? YES
13. Other Water Rights Used:
A29-10246, -00010, -00094A, 24 MILE CREEK CANAL CO.

14. Remarks:

THE APPLICANT MUST INSTALL AND MAINTAIN ADEQUATE MEASURING DEVICES AT LOCATIONS ACCEPTABLE TO THE DEPT. IN THE OLD EXISTING DRAIN, THE DRAIN HE RECENTLY CONSTRUCTED AND ANY FUTURE DRAINS THAT MAY BE INSTALLED.

ANY WATER DIVERTED UNDER THIS RT. MUST BE DEVELOPED THROUGH A DRAINAGE SYSTEM CONSTRUCTED BETWEEN MAY 20, 1971 AND DECEMBER 1, 1982.

ANY PUMP INSTALLED UNDER THIS RIGHT MUST BE SO LOCATED AS TO ASSURE NO WATER WILL BE DIVERTED FROM ANY DRAIN EXISTING PRIOR TO MAY 20, 1971, OR FROM THE PORTNEUF RIVER.

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14. Remarks: Continued

THIS RIGHT UTILIZES THE SAME DISTRIBUTION SYSTEM AS OTHER RIGHTS USED FOR THE SAME IRRIGATED ACRES. THE DRAIN FLOWS INTO AN OLD DITCH AND JUST BEFORE ENTERING THE RIVER CHANNEL THE MAIN PUMP FOR THE IRRIGATION SYSTEM PICKS UP BOTH WATERS FROM THE RIVER AND THIS DRAIN. BECAUSE OF THIS SYSTEM THE WATERS LICENSED BY THIS RIGHT WILL BE APPLIED IN A GIVEN IRRIGATION SEASON ON 191 ACRES WITHIN THE PLACE OF USE LISTED IN ITEM #10.

15. Basis of Claim: PERMIT

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): X Erma M. Banks Date: 1-25-90
_____ Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of January 19 90

Anna Baumhoff
Notary Public

Seal

Anna Baumhoff, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires December 7, 1994
My Commission Expires _____

五世

Hibner
Stuarts
Springs

FANAL

429-073911

$$\begin{array}{r} 28 \overline{) 32} \\ 21 \end{array}$$

unfiled

NOV 13 1992