

RECEIVED

FORM 202 Rev. 09/16

DEC 20 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-34488WATER RESOURCES
WESTERN DIVISION

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) MONA AND BARRY BARNES Phone 208 365-4896
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. BOX 460 City EMMETT
 State IDAHO ZIP 83617 Email MONAB@MEYER.COM
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of N/A
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
6N	3W	10	1		NW	SE	GEM	GROUND WATER	

5. Water will be used for the following purposes:

MB 25-14
 Amount .135 cfs for IRRIGATION purposes from MAY to OCT (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) .14 cubic feet per second (cfs) and/or (b) MB 25 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. WELL AND PUMPING SYSTEM
- b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by CS Date 12/20/17 Time 12:50 Preliminary check by JS
 Fee \$ 100⁰⁰ Received by CS Receipt No. W045930 Date 12/20/17

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households N/A
- e. Other; describe fully. N/A

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 use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>6N</u>	<u>3W</u>	<u>10</u>														<u>4.5</u>			<u>4.5</u>

Total number of acres to be irrigated: 4.5

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? PROPOSED WATER IS SUPPLEMENTAL TO WATER FROM GEM COUNTY IRRIGATION. WE ALSO HAVE A DOMESTIC WELL USED FOR DOMESTIC PURPOSES INCLUDING UP TO 1/2 ACRE OF LAWN AROUND HOUSE. NEW WELL WILL BE A SEPARATE SYSTEM NOT CONNECTED TO DOMESTIC WELL.

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 make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. SEE ATTACHED

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Barry Barnes
Signature of Applicant
BARRY BARNES
Print Name (and title, if applicable)

Mona Barnes
Signature of Applicant
MONA BARNES
Print Name (and title, if applicable)



63 - 34 488

We are a part of the Valley View Homeowners association for our watering, and for the 2 years we have lived here it has been nothing but problems and chaos. There is a schedule that designates the watering times for each of us, but it is rarely followed. We have encountered members (nearly always the watermaster) watering during our time, tampering with the system or outright shutting down the system during our watering and recently bringing weapons to the water switch over. For those 2 years we have tried to learn more about the watering, the watering system, and work with the rest of the association to make our watering easier and the most efficient it can be. Those that have been using the system the longest (5 of the properties) have been double talking and stonewalling us for a vast majority of the time we have lived here. Some of them, after explaining that watering has always been that way (after talking about the problems they have had with our "watermaster") now say we just have to water the way they tell us and have more than implied our watering needs are not as important as others using our system. (see copy of letters attached.)

We now both have to be involved in the watering, to provide a witness to all our interactions with the watermaster and to also be able to go outside on a regular basis to check the water (and the neighbor) during our watering time. We are surrounded on two sides by this person. His family has an "organic" strawberry farm that is a business only behind us and a mostly undeveloped and wild field south of us down one side. We had issues with the watermaster concerning him and his family using our land like their own, driving vehicles on our property, throwing weeds on our property and so much more. The more we pushed back against this, the harder it became to water. Our watermaster (and now our association) has tried to push the idea that all the problems have been because of our lack of understanding fluctuating amounts of pressure due to dirt, flow through the system or whatever reason. With over a year of watching and documenting all the watering in our association, consulting with various experts about our system and changing our sprinklers, we feel it has to do with our watermaster. While he expands the drip lines, sprinklers and filling a tank that are on his property on our main line over the watering easement, most of the rest of the line showed a lack of care. We are just tired of the continuing rounds of different ways of playing with the pressure to justify, mostly the watermaster, watering whenever they want. We have plans for our property but have worried about the ability to water and we feel this is our last resort to be able to have the confidence to stay here.

Valley View Homeowners Association

4255 Valley View Road
Emmett, ID 83617

October 13, 2016

Barry & Mona Barnes
P.O. Box 460
Emmett, ID 83617

Ref: VVHA meeting on Oct. 3, 2016

Dear Barry & Mona,

A homeowners association meeting was held on October 3, 2016 at your request to discuss issues you have been having with the mutual irrigation system. You brought up the fact that during your scheduled time to water, the water pressure fluctuates causing portions of your property to not be watered properly. You also mentioned you thought this problem is being caused by Prolife not turning off all his valves when your water is on.

Water pressure fluctuations have been a problem since our subdivision was developed in 2000. The irrigation system we are using was installed over 50 years ago by the farmers who put it in to water a fruit orchard. We do not know if this system was engineered by a professional, or conceived by the orchard owners, but it did draw water from the Black Canyon Canal and irrigated their orchard. After the trees were removed the system was left pretty much intact for use by the eight parcels created in the subdivision. For the most part we are currently using the irrigation system to irrigate pasture land and a strawberry farm. With a limited amount of water being pumped due to the nature of the existing six inch line and pump, we all have to monitor how many sprinklers heads we can use at one time. Also, there are constant maintenance problems of debris collecting on the intake in the canal, leaking valves, as well as dirt and debris clogging sprinkler heads, any of which can affect water pressure.

The Homeowners Association will be doing everything it can in the off season to maintain the system at peak efficiency by having the pump motor checked and rebuilt by professional pump people, replacing the intake screen, and replacing leaking valves. We have spoken to Prolife to be careful to shut off every valve at the end of his water session. With all of this, if the water pressure still fluctuates, it has to be an inherent problem with the irrigation system that we all have to live with.

We just want you to know the Valley View Homeowners Association will be doing all it can to provide a steady source of water to irrigate your property, but we cannot be responsible for situations we cannot control.

We are a close community here in the Valley View subdivision and have gotten along and cooperated with each other for over 15 years, while respecting each other's privacy. We are pleased you have chosen to make your home with us and hope you will enjoy living here as well.

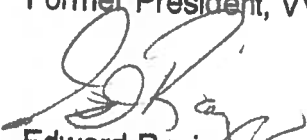
If you have any positive suggestions for improving our Irrigation system, please let one of the water masters know and we will take it into consideration.

Thank you for your patience and cooperation in this matter.

Sincerely,



Cheri Moore
Former President, VVHA



Edward Ravizza
Secretary/Treasurer, VVHA

Valley View Homeowners Association

4255 Valley View Road

Emmett, ID 83617

Minutes

October 3, 2016 meeting called to order by President Cheri Moore at 6:33 PM at 4255 Valley View Road, Emmett, ID 83617.

Present were:

Parcel A - Kelly Ragland
Parcel B - Ed & Jo Ravizza
Parcel C - Lonnie & Karen Reynolds
Parcel D - Proxy representation by Prolife Richardson
Parcel E - Barry & Mona Barnes
Parcel F - Prolife & Kirsten Richardson
Parcel G - Eric Claydon
Parcel H - Cheri Moore

QUORUM PRESENT

1. An e-mail from Michael L. Thomas of MLThomas Investments, LLC, was presented authorizing Prolife, Kirsten, and Ammon Richardson to have authority to vote on road and irrigation matters on Parcel D.
2. Prolife brought up the fact that it has been four years since the pump motor has been overhauled and should be rebuilt again. He also mentioned that running the pump without water will burn the bearings and ruin the pump. He suggested we look into a shutoff switch that will shut the motor off during a power outage and not turn it back on when power is resrtored. Also, the intake screen seems to clog and should be replaced. Kelly Ragland moved that the VVHA spend what is necessary to overhaul the motor to maintain the pump and insure it running properly. Second by Lonnie Reynolds. Passed unanimously.
3. Cheri Moore expressed concern that waiting until the end of October to blow out the lines may increase the chance of damage to the lines by an early hard frost. Prolife stated he can finish watering his strawberries two weeks after the water is shut down by using his own well and reservoir. Lonnie moved that the line blowout be done two weeks after the water is shut down. Ed Ravizza seconded. Passed unanimously. Prolife was asked to call and reserve the compressor right away to insure having it for the blowout.

4. Cheri Moore suggested that due to the strawberry farm taking most of Prolife's time, that a co-watermaster might be a good idea. Eric Claydon volunteered to be co-watermaster. Karen Reynolds moved that Eric be appointed. Mona Barnes seconded. Passed unanimously

5. Cheri Moore stated that after twelve years as president of VVHA, she wished to step down, and suggested that the By-Laws be modified to change the Association to a committee format. This would dissolve the office of president and form a panel of homeowners to meet and vote on pertinent items. This panel would have meetings three times a year. The secretary/treasure position would be maintained to keep the accounts and the checking account. A second member would also be authorized to sign checks. The committee would begin on January 1, 2017. Kelly Ragland moved to change to a committee system. Karen Reynolds seconded. Passed unanimously.

6. Mona Barnes moved that now with two co-watermasters, that the compensation of waiving the irrigation portion of the annual dues be split 50-50 between the two. Jo Ravizza seconded. Passed unanimously

7. Mona Barnes stated that they were having issues with water pressure fluctuation and felt it is being caused by other property owners using the water during their scheduled time. She asked that everyone adhere to the published schedule to avoid these problems. She felt that Prolife was not turning off his irrigation system completely causing a drop in pressure when they turned their's on. Prolife explained how his system worked and that the drip system can only be on for an hour and that he shuts it down when another property turns their's on. A lively discussion ensued explaining that the irrigation system was designed for an orchard and not meant for watering lawns, that pressure variations can be caused by many reasons including the intake screen being blocked by debris, the main six inch line valve not being fully open, the syphon not pulling in its capacity of water, old leaky valves, and so on. It was mentioned that pressure problems have been ongoing since the subdivision was created and will probably always have some problems. The Barnes' still feel that valves are being left open, but other than two instances, presented no proof of other times. The majority of homeowners felt that doing what they can by overhauling the pump motor, replacing leaky valves, and the intake screen during the off season, plus making sure all valves not being used are turned off, the pressure problem should be minimized.

8. Lonnie moved to adjourn the meeting, seconded by Mona. Meeting adjourned at 7:50 PM.

Respectfully submitted,

Edward Ravizza
Secretary/Treasure, VVHA

Valley View Homeowners Association

4255 Valley View Road
Emmett, ID 83617

January 5, 2016

Barry & Mona Barnes
3554 Bishop Road
Emmett, ID 83617

Dear Barry and Mona,

I wish to take this opportunity, on behalf of the Valley View Homeowners Association, to welcome you to our neighborhood and homeowners association. You should have received a copy of the VVHA Covenants. If not, please contact me and I will forward them to you.

Enclosed is a roster of homeowners, along with the bill for your 2016 Homeowners Dues. You may pay the annual fee now, or spread the payments on a quarterly or monthly basis. Please note that irrigation water will NOT be available if dues are delinquent. The Emmett Irrigation District fills the Black Canyon canal in early April, and water is available through Early October. The water master for our homeowners association is Pro-Life Richardson, who is your neighbor next door at 3680 Bishop Road. A watering schedule will be published before the start of irrigation season. Pro-Life is available to explain our system and how we use it.

The eight parcels in our association share time equally at 21 hours per week per parcel, more or less, depending on the scheduling time. Since all the parcels are not using their full time allotment, there are extra times available upon arrangement. 2016 will be an extraordinary year due to the fact that four of the eight parcels changed owners this past year. If you have any special needs for extra water, please contact pro-Life or myself as early as possible so adjustments can be made to the schedule.

Homeowners meetings are scheduled periodically, as needed, through the year. You will be notified when a meeting is scheduled. Cheri Moore is the current president of the VVHA.

Please look over your billing statement and contact me if there are any corrections. Also, to keep the roster current, we would appreciate a telephone number to be able to contact you on homeowners business, if necessary.

If you have any questions regarding our Association or the neighborhood, please do not hesitate to call me.

Very truly yours,

Ed Ravizza, Secretary/Treasurer, VVHA

208-249-4986

Idaho State
See of State
Water User Assoc
Register

Valley View Homeowners Association

4255 Valley View Road

Emmett, ID 83617

Minutes

June 10, 2016 meeting called to order by President Cheri Moore at 7:05 PM at 4290 Valley View Road, Emmett, ID 83617.

Present were:

Parcel A - Not present
Parcel B - Ed & Jo Ravizza
Parcel C - Lonnie & Karen Reynolds
Parcel D - No formal representation

Parcel E - Barry & Mona Barnes
Parcel F - Prolife Richardson
Parcel G - Not present
Parcel H - Cheri Moore

QUORUM PRESENT

1. VVHA President Cheri announced there were problems with the water schedule and water pressure. A discussion followed with Barry Barnes asking if using all his valves at once contributed to a drop in the water pressure. Pro-Life assured him that on his property, due to the unique nature of his set up that he could use all lines together safely.

2. Further discussion brought up the question whether not using water during your allotted time could affect the water pressure. It was determined that one using water during someone else's time without the other person's knowledge, could possibly cause pressure problems, especially if the other person then turned on his/her water with someone else already using it. It was suggested that the allotted time holder be notified by the other property owner if he/she desired to use water on other than their allotted time to avoid unforeseen problems and overloading the pump. No vote was taken due to an apparent unanimous agreement to this suggestion.

3. Lonnie & Karen requested that they be put on the schedule so there would be no problems with others knowing when they are using water. Lonnie stated that since they only water their garden and a little around their house, they would like three hours a day, seven days a week, thus using their 21 hour/week allotment. It was agreed by all present that by placing the Reynolds on the schedule from eight to eleven o'clock each evening would accomplish that. The few sprinklers that they would be using during Parcels A & G's time would not affect the water pressure, nor reduce the irrigation on Parcel A during Monday and Thursday evenings, nor Parcel G on Sunday and Wednesday evenings. Barry and Mona Barnes offered to reduce their irrigation time by two hours each on Tuesday and Friday evenings to help facilitate this new schedule. No vote was taken, but there seemed to be unanimous approval by all present that this was agreeable. Cheri stated she would notify both Kelly Ragland and Eric Claydon about the changes in the schedule.

4. Pro Life said that the main 6 inch line valve behind the pump needed to be turned off tightly, about an inch beyond the painted line on the handle, to assure no water leaked from the siphon while the system was turned off. Also everyone needed to be sure all valves were securely

turned off after finishing irrigation. Lonnie added that attempting to fill the main line with valves open could cause cavitation problems and possibly damage the pump.

5. Lonnie mentioned that people not in our homeowners association have been observed trying to turn on the pump, thinking it was part of another irrigation association. He suggested we lock the electrical panel and distribute keys only to VVHA members. Also, the broken switch needs to be replaced. Lonnie volunteered to find the necessary parts then repair and lock the panel, duplicating the keys for each of the VVHA members.

6. Meeting was adjourned at 7:58 PM.

Respectfully submitted,

Edward Ravizza Ravizza, Secretary/Treasurer, VVHA



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 29, 2018

MONA BARNES
BARRY BARNES
PO BOX 460
EMMETT, ID 83617

Application for Permit No. 63-34488

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the MESSENGER INDEX on 4/4/2018 and 4/11/2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, March 29, 2018 9:34 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Gem Legal Ads
Attachments: Gem Cover Letter.docx; Gem Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 4/4/2018 & 4/11/2018.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

March 29, 2018

LEGAL NOTICE DEPARTMENT
MESSENGER INDEX
PO BOX 577
EMMETT, ID 83617

RE: Application for Permit No. 63-34488
Application for Permit No. 63-34514

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/23/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34488

MONA BARNES

BARRY BARNES

PO BOX 460

EMMETT, ID 83617

Point of Diversion NWSE S10 T06N R03W GEM County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 12/20/2017

Place of Use: IRRIGATION

T06N R03W S10 NWSE

Total Acres: 4.5

Water bearing zone to be appropriated is from 50 to 200 feet.

63-34514

WILLIAM JOHNSON

DEBORAH JOHNSON

7690 W SONARA RD

CALDWELL, ID 83607

Point of Diversion SE(ALL) S36 T06N R03W GEM County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/01 to 11/15 0.15 CFS

Total Diversion: 0.19 CFS

Date Filed: 3/19/2018

Places of Use: IRRIGATION, DOMESTIC

T06N R03W S36 SE(ALL)

Total Acres: 5

Water bearing zone to be appropriated is from 235 to 400 feet.

This proposal is located within Lot 1 of High Vista Estates Subdivision.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 4/23/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/4/2018 and 4/11/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 29, 2018

VALLEY VIEW HOMEOWNERS ASSOC
4255 VALLEY VIEW RD
EMMETT ID 83617

Re: Application for Permit No. 63-34488

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Messenger Index* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **April 23, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the applications, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures