

April 19th
Monica Van Bussum

RECEIVED

APR 21 2011

DEPARTMENT OF
WATER RESOURCES

Dear Monica.

Your records are in error and do not reflect the correct status of my water rights! I bought my water right from M. Peter Nielsen on Apr. 11th 2003. The have been submitted to the water bank every 2 years after that. I have the documentation that my water rights have been in the water bank since 2004. I own water rights numbers Transfer No. 69815 , # 61-11980, # 61-11982, # 61- 11984, # 61-11985, # 61-11986 # 61-11986. # 61-11987

I submitted my water rights for lease by the Idaho water bank to a Aaron Marshall on the 8th of Aril 2008 and called him on the 8th of May to confirm he received my application. He said he did and was overwhelmed with applications. I then again call Aaron in July 2008 and he said I was good to go. I have paper work stating that my water rights were leased out by your office in 2009.

In your letter dated Apr. 18th you said, " your application to lease water right 35- 7666 to the water bank supply Bank". What is 35-7666?

2001 - not owner

2002 - not owner

2003 - bought rights from Nielson Apr 11th.

2004- submitted to the water bank to 2010 by every 2 years.

Your department must have a computer crash or a bad hard drive somewhere? Any help would be appreciated.



Thanks, Jay D. Barnett

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11985

WATER RIGHT NUMBER: 61-11985

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DALE E GILBERT PO BOX 606 WENDELL, ID 83355 (208)536-2481
Current Owner	JAY BARNETT 4550 N 18TH E MOUNTAIN HOME, ID 83647 (208)587-5960
Current Owner	JONNA BARNETT 4550 N 18TH E MOUNTAIN HOME, ID 83647 (208)587-5960

Priority Date: 04/23/1964

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.100 CFS	31.80 AF
	<u>Total Diversion:</u>	0.100 CFS	31.80 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 7, Twp 03S, Rge 07E, B.M.
ELMORE 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	
03S	07E	7																	8.4

Total Acres: 8.4

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Right 61-11987 is an enlargement of Right 61-11985 pursuant to Section 42-1426, Idaho Code.

Look at page 2

this is all I got from

Arron Marshall

2008/2009

Water right
turned in Apr 2008
to Apr 2010

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11985

4. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
5. X27 This right is limited to the irrigation of 7.1 acres within the place of use described above in a single irrigation season.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 61-11985 and 61-11987 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 31.8 af at the field headgate, and the irrigation of 8.4 acres.
8. Right 61-11985 retains its priority date of April 23, 1964 and right 61-11987 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
9. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
10. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. scurtis 4/10/2003 8:27:44 AM Transferred Right
 Comment: This is now an approved transfer, transfer number = 69815

2. nvaughan 5/11/2005 Water Supply Bank
 Comment: Water rented from the bank under rights 61-11985 and 61-11987 limited to combined total of 8.4 ac, 0.1 cfs, and 31.8 afa.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11985

Dates and Other Information:

Licensed Date:
Decreed Date: 10/26/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.1	31.8	8.4
Combined Water Rights: 61-11985 , 61-11987		

Water Supply Bank:

APR 25 2006
WATER RESOURCES
WESTERN REGION

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Jay & Janna Barnett Phone 208-587-5960
Post office address 4664 N 18th St Mtn. Home, Id. 83647

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 61-11980, 61-11982, 61-11986
61-11984, 61-11985, 61-11987 Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources. Related to Transfer No. 69815
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: _____ cubic feet per second &/or
8.4 acre-feet per annum
- b. Point of diversion: NW 1/4 of SW 1/4 of Section 7 Township 03S Range
07E, B.M. in ELMORE County.
Additional points _____

RECEIVED
APR 30 2004
WATER RESOURCES
EASTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK**

Name of Seller/Lessor Jay & Jonna Barnett Phone 208 687 5960
Post office address 4550 NW 18th ST MTN. Home, Id. 83647

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by: 61-11980, 61-11982 61-11986

a. Decree No. 61-11984, 61-11985 61-11987 Decreed to _____

(Name)

in case of _____ vs _____

dated _____ in _____ county of _____

(Name of court)

b. License No. _____ issued by the Idaho Department of Water

Resources.

c. Permit No. _____ issued by the Idaho Department of Water

Resources.

Related to Transfer No. 69815

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,

show "all" on line a. below and skip the remainder of part 2.)

a. Amount of water under right: _____ cubic feet per second &/or

8.4 acre-feet per annum

b. Point of diversion: NW 3 of SW 3 of Section 7 Township 03S Range

07E B.M. in Elmore County.

Additional points _____