

RECEIVED

FORM 202 03/10 (Print form as a 2 page, single-sided document)

AUG 16 2010

WATER RESOURCES
WESTERN REGION

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

Ident. No. 63-33412

1. Name of applicant(s) Byron Barker and/or Lonni Leavitt-Barker Phone (208) 939-3333
Name connector (check one) ☐ and ☐ or ☒ and/or

Mailing address: 4567 N. Skyline Dr. City Eagle

State ID Zip 83616 Email: _____

2. Source of water supply groundwater which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
5N	1E	30			SW	SE	Ada	groundwater	domestic well
5N	1E	30			SE	SW	Ada	groundwater	

4. Water will be used for the following purposes:

Amount 0.26 cfs for irrigation purposes from 3/1 to 11/15 (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)

5. Total quantity to be appropriated is (a) 0.26 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. two wells and pumps to sprinkler irrigation system

b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11
For dams 10 feet or more in height OR reservoirs with a total 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 6 inches; proposed depth of well is 332 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? 1974; drilling firm H.C. Nicholson
Well was drilled for (well owner) Otto Bertel; Drilling Permit No. copy attached

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

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; show name of municipality or the applicant's qualifications as a municipal provider. n/a

d. Domestic; show number of households n/a

e. Other, describe fully. n/a

8. 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	
5N	1E	30											10				3		13

Total number of acres to be irrigated: 13

9. 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? 63-23012 for domestic and stockwater use (copy of partial decree attached); water right is currently in applicants' name

10. 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: n/a

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant seeks a permit to use two existing wells for irrigation of up to 13 acres of landscaping, trees and pasture. The place of use is outside the Basin 63 area of groundwater concern.

A Well Driller's Report was found for the well currently being used for domestic purposes. The well construction details for that well are given in Item #6 above. A report was not found for the second well. The second well has a 6" diameter and was drilled prior to 1995. Dr. James Osiensky measured a 154' water level in this well on June 19, 2006

The water bearing zone to be appropriated is from 100 to 330 feet.

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

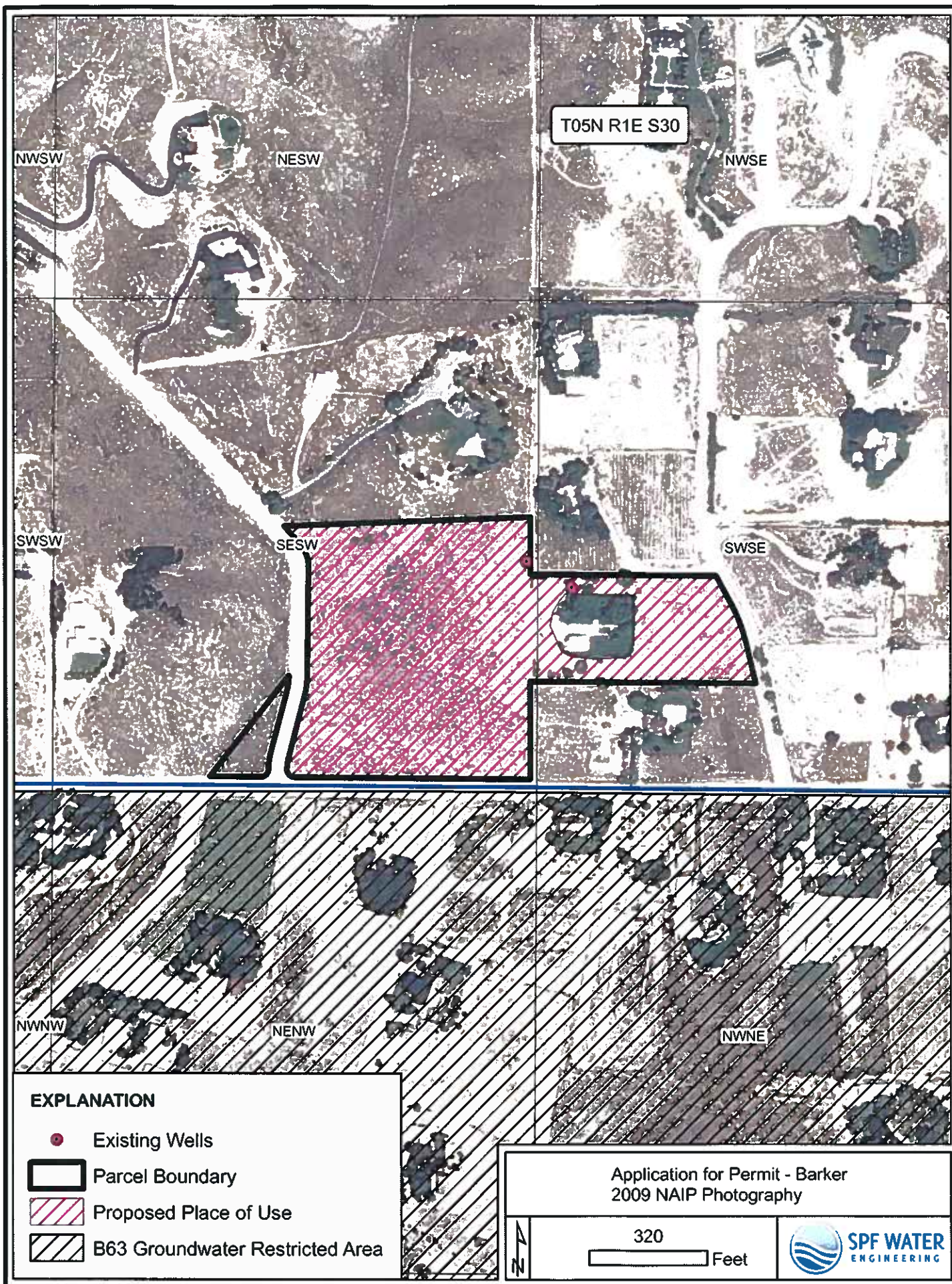
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred

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.

Byron Barker
Signature of Applicant
Print Name (and title, if applicable)

Lonni Leavitt - Barker
Signature of Applicant
Print Name (and title, if applicable)

Received by DB Date 8-16-2010 Time 2:00pm Preliminary check by VLM
Fee \$ 250 - Received by DB Receipt No. W038661 Date 8-16-2010



102.22417

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Otto Bertel</u> Address <u>Eagle</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>152</u> feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow _____ Temperature _____ °F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																				
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (Describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge (G.P.M.)</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge (G.P.M.)	Draw Down	Hours Pumped																																	
Discharge (G.P.M.)	Draw Down	Hours Pumped																																			
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection	9. LITHOLOGIC LOG 042963 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>6"</td> <td>0</td> <td>5</td> <td>Clay</td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td>5</td> <td>100</td> <td>Sandy clay</td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td>100</td> <td>332</td> <td>Sand and clay</td> <td> </td> <td> </td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	6"	0	5	Clay				5	100	Sandy clay				100	332	Sand and clay										
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6"	0	5	Clay																																		
	5	100	Sandy clay																																		
	100	332	Sand and clay																																		
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other _____	Continuation of Lithologic Log																																				
5. WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>332</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>6</u> inches</td> <td> </td> <td> </td> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Johnson</u> Type _____ Model No. _____ Diameter <u>5</u> Slot size <u>10</u> Set from <u>325</u> feet to <u>331</u> feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>100</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Sherry gel ☐ Temporary surface casing ☒ Overbore to seal depth	Thickness	Diameter	From	To	<u>250</u> inches	<u>6</u> inches																			Number	From	To										Continuation of Lithologic Log
Thickness	Diameter	From	To																																		
<u>250</u> inches	<u>6</u> inches																																				
Number	From	To																																			
6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name <u>Skyline Acres</u> Lot No. <u>2</u> Block No. _____ County <u>Ada</u> S.W. 1/4 SE 1/4 Sec. <u>30</u>, T. <u>5</u> N/R. <u>1</u> E/W	10. Work started <u>12-1-73</u> finished <u>1-10-74</u> 11. DRILLERS CERTIFICATION Firm Name <u>H.C. Nicholson</u> Firm No. <u>54</u> Address <u>921 6th Ave So. Payette</u> Date _____ Signed by (Firm Official) <u>H.C. Nicholson</u> and <u>Don</u> (Operator) MICROFILMED																																				

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

2000 APR 07 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-23012

NAME AND ADDRESS: CYNTHIA S RICHARDS
THOMAS K RICHARDS
4567 SKYLINE DR
EAGLE, ID 83616

SOURCE: GROUNDWATER
QUANTITY: 0.10 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1974

POINT OF DIVERSION: T05N R01E S30 NWSWSE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.06 CFS

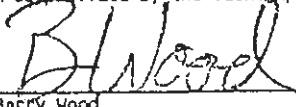
PLACE OF USE:	Stockwater		Within Ada County
	T05N R01E S30	SWSE	
	Domestic		Within Ada County
	T05N R01E S30	SWSE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, December 29, 2010 11:39 AM
To: Idaho Statesman
Subject: LEGAL NOTICE
Attachments: Ada County Ads - Cover Letter.Doc; Ada County Ads - COMBINED.Doc

Attached please find (1) legal notice being submitted for publication. Please contact me immediately if you have any questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

December 29, 2010

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No(s): 63-33407, 63-33408 & 63-33412

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 1/24/2011. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-33407

RONALD K PAUL

T KATIE PAUL

4800 N WILLOW CREEK RD

EAGLE, ID 83616

Point of Diversion SESE S29 T05N R01E ADA County Source GROUND WATER Tributary

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

Total Diversion: 0.14 CFS

Date Filed: 8/10/2010

Place Of Use: IRRIGATION

T05N R01E S29 SESE

Total Acres: 4.5

Water bearing zone to be appropriated is from 268 to 278 feet.

63-33408

J0 ELLEN BUNTON

5461 N HONDO DR

EAGLE, ID 83616

Point of Diversion SWNW S29 T05N R01E ADA County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 8/11/2010

Place Of Use: IRRIGATION

T05N R01E S29 NWNW SWNW SENW

Total Acres: 5

Water bearing zone to be appropriated is from 571 to 581 feet.

63-33412

BYRON BARKER

LONNI LEAVITT BARKER

4567 N SKYLINE DR

EAGLE, ID 83616

Point of Diversion SWSE S30 T05N R01E ADA County Source GROUND WATER Tributary

Point of Diversion SESW S30 T05N R01E ADA County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 0.26 CFS

Total Diversion: 0.26 CFS

Date Filed: 8/16/2010

Place Of Use: IRRIGATION

T05N R01E S30 SESW SWSE

Total Acres: 13

Water bearing zones are unknown for the two existing wells proposed to be the points of diversion.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 1/24/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 1/6 & 1/13/2011



SPF WATER
ENGINEERING

RECEIVED

AUG 16 2010

WATER RESOURCES
WESTERN REGION

August 12, 2010

Steve Lester
Western Region Office
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Water Right Permit
Byron Barker and Lonni Leavitt-Barker

Dear Steve,

On behalf of the Barkers, we are pleased to submit the enclosed *Application for Permit* to develop a new water right for irrigation use. The proposed place of use is outside the current Basin 63 area of groundwater concern.

We were able to obtain a copy of the *Well Driller's Report* for the Barkers' domestic well. A report for Otto Bertel may be associated with the second well (in the SESW), and is included for your reference. GIS shapefiles for the existing wells and proposed place of use are available from SPF and can be transmitted electronically.

The filing fee for this application is \$250.00. You will find a check for that amount enclosed. Please contact me with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roxanne".

Roxanne Brown

Cc: Lonni Leavitt-Barker

Enclosures

SPF file no.: 875.0010