



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

~~June 24, 2009~~

September 1, 2009,

John W Baicy

2715 Shady Ln

Webster TX 77598

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

RE: Application for Permit #63-12421

Dear Mr. Baicy:

This letter is to acknowledge the receipt of your amended permit application. Unfortunately, the acreages that you have listed on the amended application are in error. I would ask you to read this letter carefully for clarification:

#8 Place of Use

Decreed Water right #63-07431 already covers 132 acres of the 150 acres you have listed, see below. You may apply for an additional 18 acres of irrigation. A new water right application can not duplicate another water right. The following compares the application proposed 40 acre tract places of use and acreage already covered under Water right #63-7431:

40 Acre Tract	New Application Acreage place of use	Water Right #63-7431 Acreage	Difference Acreage not Covered
NENE	36	34	2
NWNE	38	38	0
SWNE	38	26	12
SENE	38	34	4
Total	150	132	<u>18</u>

#4 Water Use

Irrigation

The irrigation flow rate has been reduced to **.36 cfs**
(.02cfs/acre maximum X 18 acres = .36 cfs)

Domestic

-Under the domestic use definition Idaho Code 42-111 the maximum flow rate for in-house use—1 residence is **.02 CFS**. Outside water use for lawn and garden will be included in the irrigation component of the application. *The flow rate for domestic use has been reduced to .02CFS.*

Stockwater

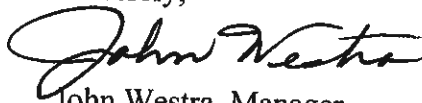
The flow rate has been reduced to .02 cfs which will cover up to 50 head of cattle/horses. If you intend to water more than 50 head of cattle/horses please adjust the flow rate according to the attached chart.

Page 2.
Baicy

I have enclosed a new amended application form with the above changes. Please sign and date the amended application on page 2. and submit the document by mail with original signature. Faxed applications can not be processed. Please return the amended application within 30 days. An untimely response or no response may result in the application being ordered void.

Should you have questions or need clarifications, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,


John Westra, Manager

Enclosure: Amended Application, Stockwater Chart,

TABLE 1, RECOMMENDED DIVERSION RATES FOR STOCKWATER

In cubic feet per second (cfs)

No. of head	Dairy cows	Other cattle, horses & mules	Hogs	Sheep & goats
0 - 25	0.02	0.02	0.02	0.02
26 - 50	0.04	0.02	0.02	0.02
51 - 100	0.07	0.03	0.02	0.02
101 - 200	0.13	0.05	0.02	0.02
201 - 300	0.20	0.07	0.02	0.02
301 - 400	0.26	0.09	0.03	0.02
401 - 500	0.33	0.12	0.04	0.02
501 - 600	0.39	0.14	0.05	0.03
601 - 700	0.46	0.16	0.05	0.03
701 - 800	0.52	0.19	0.06	0.03
801 - 900	0.58	0.20	0.07	0.04
901 - 1000	0.65	0.23	0.08	0.04

For chickens, round to the next highest 100 and multiply this number by 0.0000018.
For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

If you have more than 1000 head of stock (other than poultry), round the number of head to the next highest 100, and multiply this number by one of the following factors:

For dairy cows, multiply by 0.00065

For other cattle, horses, or mules, multiply by 0.00022

For hogs, multiply by 0.000074

For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

TOTAL QUANTITY CLAIMED

Item 7: Enter the total amount of water diverted for all the uses shown in Item 6. The total quantity claimed should not exceed the diversion capacity of the system, nor the total of all the uses.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7431

WATER RIGHT NUMBER: 63-7431

*Existing
Water Right*

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN W BAICY 43050 ED HOLLEY PL LANCASTER, CA 93536 (805)943-1463
Original Owner	LILLIAN M TERWILLIGER BOISE, ID 83702

Priority Date: 08/17/1971

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	03/01 to 11/15	2.640 CFS	594.00 AF
	<u>Total Diversion:</u>	2.640 CFS	594.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 19, Twp 01N, Rge 01E, B.M.
ADA 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	
01N	01E	19	34.0	38.0	26.0	34.0													132.0

Total Acres: 132

Conditions of Approval:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. C18 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.

Remarks:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: JOHN W BAICY
2715 SHADY LN
WEBSTER TX 77598
(832)247-9588

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER
ADA County

NW1/4NE1/4

Sec. 19, Twp 01N, Rge 01E, B.M.

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	
IRRIGATION	03/01 to 11/15	0.36 CFS	
STOCKWATER	01/01 to 12/31	0.02 CFS	

5. Total quantity to be appropriated is: 0.40 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: EXISTING WELL, (440' X 12"), PUMP, MAINLINE TO SPRINKLERS

b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.

c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

8.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	01E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X	X	X													

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	01E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			2.0		12.0	4.0													18.0

Total Acres: 18

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	01E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X	X	X													

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

11. Map of proposed point of diversion and place of use attached? []

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PLICATION FOR PERMIT

Public water of the State of Idaho

Application for permit to appropriate the public

BE IT KNOWN
waters of the State

Sign & Date.
→

Received by ____
Publication prepared by ____
Publication approved by ____

Applicant _____ Date _____
Time _____ Preliminary check by _____
Published in _____
Date _____

Receipt No. _____
Date: _____
Received by: _____