

12-29-98

FORM 202

1/96

Ident. No. 63-12503

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Roy M. Barnes Phone 365-4752
 Post Office address 2606 Sunset Dr Emmett Idaho 83617
2. Source of water supply groundwater which is a tributary of -
3. Location of point of diversion is - 1/4 of SW 1/4 of SE 1/4, Govt. Lot -
 Sec. 15 Township 6N Range 3W B.M. 96m County; additional points of
 diversion if any: SESE S. 15; NWNW & NENW S. 22, T6N R3W
4. Water will be used for the following purposes:
 Amount 3.20 for Irrigation purposes from 3/15 to 11/15 (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)
5. Total quantity to be appropriated is (a) 3.20 and/or (b) -
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. pump & pipeline
 - b. Height of storage dam - feet; active reservoir capacity - acre-feet; total
 reservoir capacity - acre-feet; period of year when water will be diverted to storage:
- to - inclusive.
 - c. Proposed well diameter is 12? inches; proposed depth of well is 200? feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? N/A; Drilling firm -
 Well was drilled for (well owner) -
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if KW. -
 - b. Stockwatering; list number and kind of livestock. -
 - c. Municipal; show name of municipality. -
 - d. Domestic; show number of households. -
 - e. Other; describe fully. -

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	3W	15															40	40	80
		22		40			40												80

Total number of acres to be irrigated 160

10. Describe any other water rights used for the same purposes as described above. None

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 enable the applicant to make this filing: _____

12. Remarks: Applicant agrees to mitigate consumptive use in the future as needed.

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Comments Applicant is owner of processing facility per barley reduction. Single well in 1 of 4 tracts.

Roy M. Barnes
(Applicant)

Received by JR Date 12/29/98 Time 2:50 Preliminary check by DAN
 Fee \$ 160 Received by JR # 6024679 Date 12/29/98
 Publication prepared by DB Date 9/10/2008 Published in MESSANGER INDEX
 Publication approved _____ DATE: _____ Date SEPT. 17 & 24, 2008

523

42'30"

TO IDAHO ST

2671 NW
(LETHA)

526

40'

527

260 00

B5 65

C-Line
Allotment
#35

Approx
Basin Line

B5 63

PAYETTE CO
GEM CO

T6N
R3W

(gov't lots in N $\frac{1}{2}$ N $\frac{1}{2}$
S. 15 only)

NO GOVT LOTS
In designated
areas
DAN
1-20-99

A single well
somewhere in here
to irrigate 160 acres

~~Public Land
Base Property
Leased Land (Not Base)~~

-SL
12/29/98

63-

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Ray Barnes

Mailing Address

See Appl.

Application No.
(if known)

no # yet

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Ray M. Barnes

Date

12-29-98

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Ident. No. 63-12503

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ROY M BARNES
Address: 2606 SUNSET DR
EMMETT ID 83617

208-365-4752

2. Source: GROUNDWATER

Trib. to:

3. Location of Point of Diversion:

SWSE Sec. 15, Township 06N, Range 03W
SESE Sec. 15, Township 06N, Range 03W
NWNE Sec. 22, Township 06N, Range 03W
NENW Sec. 22, Township 06N, Range 03W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	3.200		

5. Total quantity to be appropriated is:

3.200 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

PUMP AND PIPELINES

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is 12 inches; proposed depth of well is 2002 feet.

d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
06N	03W	15	SWSE 40	SESE 40		80
		22	NWNE 40	NENW 40		80

This is File COPY

Total number of acres irrigated: 160

See original FOR PROCESSING. DAN 1-26-99

9. 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.

10. Remarks:
Applicant agrees to mitigate consumptive use in the future as
needed.

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

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 160.00 Receipted by _____ #W024679 Date 12/29/1998

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

Ident. No. 63-12503

Comments: Date: 1/26/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

The applicant plans to use one well within one of the four point of diversion locations noted on this application. The point of diversion should be corrected by field examiner. The applicant is also aware of processing delay per backlog reduction. Processing delay letter sent 1/26/1999. IDWR review indicates that there are no overlapping water rights.



State of Ida.

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

01/26/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROY M BARNES
2606 SUNSET DR
EMMETT, ID 83617

***RE: APPLICATION FOR PERMIT NO. 63-12503 TO DIVERT
GROUNDWATER***

Dear Applicant:

Your application for permit to appropriate ground water for a consumptive use in sections 15 and 22 in township 06N, range 03W was received on 12/29/1998. This letter is to inform you that processing of this application must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992 concerning water right applications proposing new consumptive uses of public water, regardless of source. The moratorium was lifted in May 1995, but application processing was subsequently suspended until technical data are available from the Treasure Valley Hydrologic Study now underway.

This office will hold your application and will resume processing as soon as possible based on the above considerations. Applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of an application.

Please contact me at 334-2190 if you have any questions.

Sincerely,

Daniel A. Nelson
Water Rights Agent

COPY



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

July 23, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Roy M Barnes
2606 Sunset DR
Emmett ID 83617

RE: Held Application for Permit #63-12503--Filed 12/29/98

Dear Applicant:

As you aware, the above reference application for permit located in the Boise River Basin has been held by our agency since the 1990s. The Department began holding new groundwater applications for consumptive use due to prolonged drought and concerns about declining aquifer levels. As a result, the Treasure Valley Ground Water Study was initiated. The study was completed in 2002, and now provides modeling for projecting future groundwater availability in the valley. Our agency will commence processing held applications as staff resources are available.

Attached is a proof profile of your application as submitted to our agency. Please check carefully the specifics on the application. You must still have full possessory interest-ownership in the listed point of diversion and place of use land locations for processing consideration. Your application will need to have public notice published in your local county newspaper. The notice will be published once per week for 2 consecutive weeks. Anyone having issue with an application may file a protest within the time allowed.

We are asking for you to convey your intentions regarding this application by completing the attached response form. *Please respond to the following:*

- If you desire to develop the water use, and wish our agency to complete the processing of your application, please mark the *YES* response, provide any updates/changes needed, and list the water bearing zone for the well source.

OR

-Mark the *NO* response to withdraw the application. The application will be removed from processing and our records. Our agency will not be able to provide refunds of fees for withdrawn applications.

-Sign, date, and return the response. Response forms need to returned to this office no later than 30 days of this letter date.

Should you have questions about further processing of this application, please contact Denise Buffington or John Westra at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra, Manager Western Region

Enclosure: Proof Report, Response Sheet

RECEIVED

JUL 25 2008

WATER RESOURCES
WESTERN REGION

Response Form

Name of Applicant: Roy M Barnes
Address: 2606 Sunset DR
Emmett ID 83617

Application No: # 63-12503

(Please read carefully and mark)

X **Yes, I intent to proceed with the water use development outlined in the application. I retain full possessory interest in the listed point of diversion and place of use locations on the application. I request the Department continue processing the application.** (Please describe on the back updates/changes needed on your application)

(Please fill in) **The estimated (well) water bearing zone will be**
~~250~~ ft to 300 ft below the ground surface.
250

 No, I do not wish to proceed with final processing of this application. I hereby withdraw my Application for Permit to Appropriate the Public Water of the State of Idaho

Signed this 24 day of July 2008

Applicant Signature Roy M. Barnes

Printed Applicant Name Roy M. Barnes

Return Form to: J. Westra
Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, September 10, 2008 2:57 PM
To: legals@idahopress.com
Subject: Legal Notices - Messenger Index
Attachments: Gem County Ads - Cover Letter.RTF; 63-12503 Ad.RTF; 65-23140 Ad.RTF

Attached please find (2) legal notices, being submitted for publication. Please contact me if you have any questions or are not able to run the ads on the dates listed.

Thank you,

Denise Buffington
Idaho Department of Water Resources
Western Region

9/10/2008

September 10, 2008

Legal Notice Department

MESSENGER-INDEX

PO BOX 577

EMMETT ID 83617

RE: Application for Permit No. 63-12503 and 65-23140

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 10/06/2008. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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

63-12503

ROY M BARNES
2606 SUNSET DR
EMMETT ID 83617

Point(s) of Diversion SESE S15 T06N R03W GEM County Source GROUND WATER

Point(s) of Diversion NWNE S22 T06N R03W GEM County Source GROUND WATER

Point(s) of Diversion SWSE S15 T06N R03W GEM County Source GROUND WATER

Point(s) of Diversion NENW S22 T06N R03W GEM County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 3.2 CFS

Total Diversion: 3.2 CFS

Date Filed: 12/29/1998

Place Of Use: IRRIGATION

T06N R03W S15 SWSE SESE

T06N R03W S22 NWNE NENW

Number of Acres 160

Remark: Water bearing zone to be appropriated is from 250 to 300 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 10/06/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on September 17th & 24th, 2008