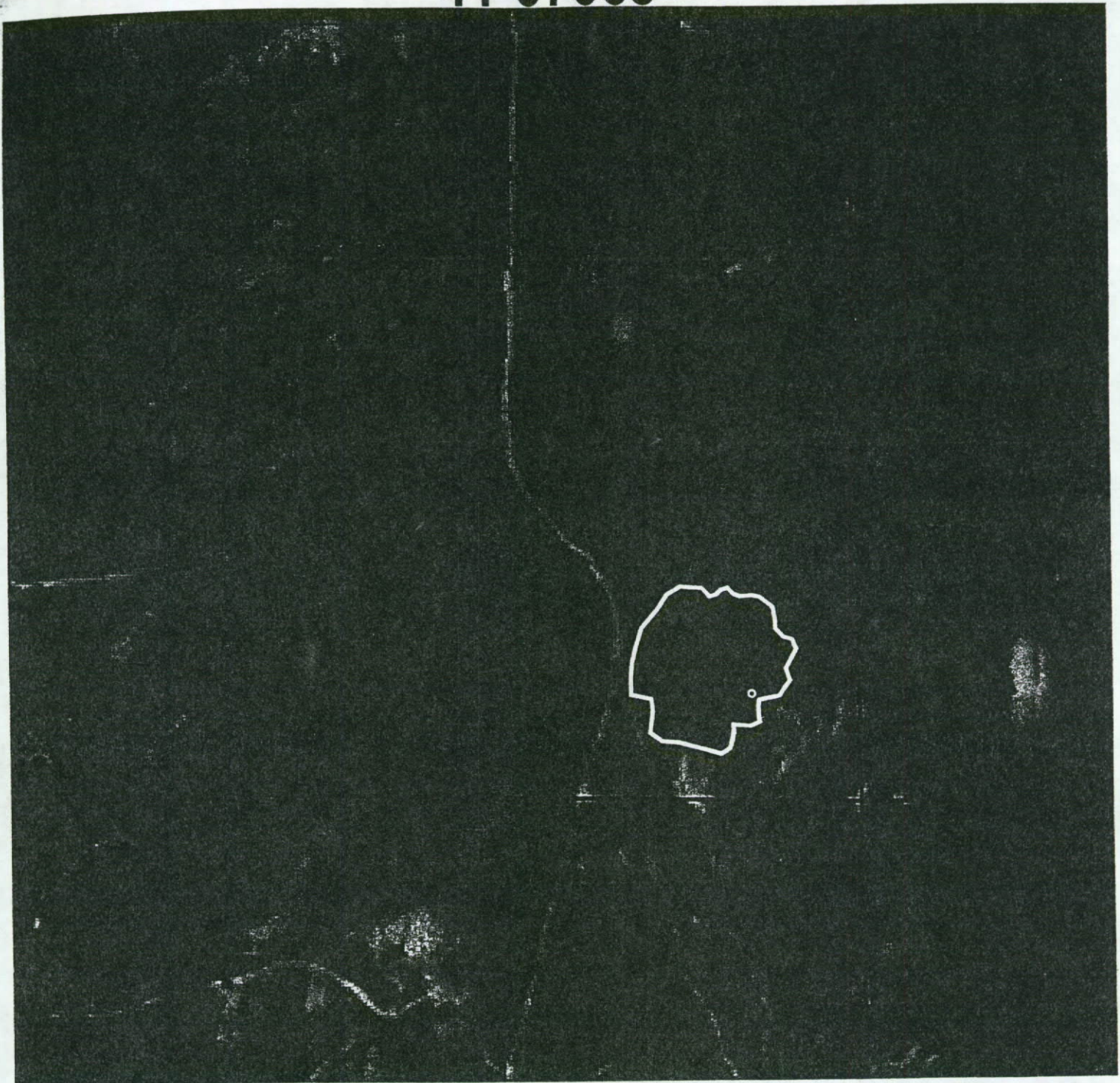


IDAHO DEPT OF WATER RESOURCES

41-07063



660 0 660 1320 Feet

T9S, R28E, SEC. 25, SESE



RECOMMENDED PLACE OF USE

- POINT OF DIVERSION
- ~ SECTION LINES
- 1/4 - 1/4 LINES

MICROFILMED

JAN 3 0 2001

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: September 7, 1999

(41-07096)

RECEIVED
AUG - 7 2000
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 41-07096 Telephone No. 226-5817

2. Name(s) of Permit Holder(s): Barkdull Ranches

3. Mailing Address: C/o Carl Barkdull, 3202 Hedstrom Lane, American Falls, ID 83211

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. / yr. 1965

a. Well Driller: Chesley Drilling Co. Drilling Permit Number: - - -

b. **OPTIONAL:**
Pump Horsepower: 7 Pressure (psi): 35 Dynamic pumping level (ft): 30'

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 3 Stockwater (No. and type of stock):

Irrigation (No. of acres): 4 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.11 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓
Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No ✓
Has the measurement port been installed? Yes or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Applicant Telephone Number:

Address:

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Carl Barkdull Date: 8-7-2000
(include your title, if on behalf of company or organization)

MICROFILMED

JAN 30 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 41-07096

Priority: August 7, 2000

Maximum Diversion Rate:

0.11 CFS

This is to certify, that **BARKDULL RANCHES**
C/O CARL BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211

has applied for a permit to appropriate water from: **GROUND WATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.11 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 25, Township 09S, Range 28E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	28E	25	SESE	4.0		4.0

Total number of acres irrigated: 4.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2001**.
2. Subject to all prior water rights.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
7. This right does not authorize the irrigation of land not previously irrigated.
8. Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.

MICROFILMED

JAN 30 2001

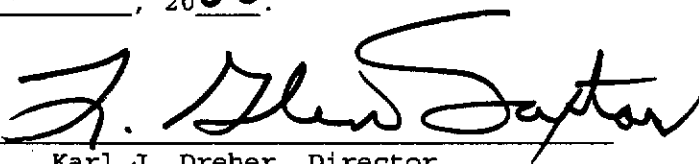
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 41-07096

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

22nd day of November, 2000.


for Karl J. Dreher, Director



MICROFILMED

JAN 30 2001

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 3 - 2000

APPLICATION FOR PERMIT

AUG - 7 2000

Department of Water Resources

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern Region

1. Name of Applicant Barkdull Ranches c/o Carl Barkdull Phone 208-226-5817
Mailing address 3202 Hedstrom Lane, American Falls, ID 83211
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is Township 09S Range 28E Sec. 25 in the SE 1
SE 1/4, SE 1/4, Govt. Lot _____, B.M., Power Cour _____
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.11 cfs for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.08 cfs for Domestic purposes from 1/1 to 12/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.11 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Existing well, motor, pump, & pipelines
 - 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 85°F being sought? _____
 - e. If well is already drilled, when? Pre 1987; Drilling firm Chester Drilling Co.
Well was drilled for (well owner) applicant's father (in 1965); Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 3 homes 2 in use 1 empty
 - e. Other; describe fully. _____

MICROFILMED

JAN 30 2001

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.

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.

[illegible]

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make

សង្គម

12. Remarks:

Remarks: This development is pre 1987. ASCS and GIS map verifies the irrigation.

Bar Kdull Ranches is just a business name, as we own several places, it is not a corporation or partnership.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" 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.)

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.

MICROFILMED

1002: 0 E RV:

Signature of Applicant (and title, if applicable)

Received by W. H. Smith Date 8-4-00 Time 11:33 AM Preliminary check by 5033394 Date 8-9-00 Fee \$ 100.00 Received by W. H. Smith Date 8-10-00 Time 11:33 AM Preliminary check by 5033394 Date 8-9-00 Publication prepared by W. H. Smith Date 8-10-00 Published in Journal of the American Chemical Society Date 9/3/00 Publication approved by W. H. Smith



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 27, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BARKDULL RANCHES
C/O CARL BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 41-07096

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Eastern Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

JAN 30 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 41-07096 Reviewed by D. Gibson Date 11-27-00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Domestic (3 homes) &
irrigation (4 acres) (5 acres total)
Correct Uses? Yes 41-07063

SOURCE OF WATER

No Surface water source
Yes Ground water source
No Drilling permit required?
No Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file? _____

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

No Required?
No Installed?
Waiver requested? _____

PRIORITY CALCULATION

Date proof received	<u>8/7/00</u>	
Date proof due	<u>12/1/01</u>	-
No. of days late		=
Priority Date		+
New Priority Date		

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 8/7/00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 24, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BARKDULL RANCHES
C/O CARL BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211

PERMIT APPROVAL NOTICE

RE: PERMIT 41-07096

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

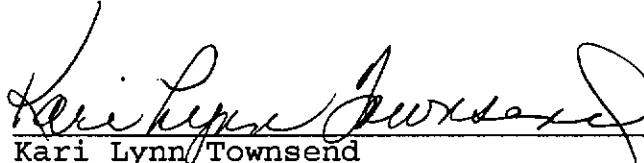
JAN 30 2001

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of November, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 41-07096

BARKDULL RANCHES
C/O CARL BARKDULL
3202 HEDSTROM LN
AMERICAN FALLS ID 83211


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 30 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 10/5/00

No. 41-07096 Name: Barkdull Ranch Corp. Officers dba filing Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes SR Moratorium _____ GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells ~~084~~
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

Aberdeen Amer. Falls
GND

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation 121
42-248 Area P84
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCK WATER - R37 (BLM/USFS)
MINING - 054-106(P10)
FISH/PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 12/01/2001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5(3)
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 4.0

OTHER CONDITIONS/REMARKS

COMMENTS For a better copy of the 1987 infrared aerial photography,
see file 41-07063.

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

OCT 3 2000

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY J. Feltan DATE 8-7-00

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt?

+++PROPOSED PRIORITY DATE _____ 19,____

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☐ Yes ☒ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by _____
- ☐ Yes ☒ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☐ Yes ☒ No Groundwater management area?
- ☒ Yes ☒ No Measurement District or Groundwater District?
What District? Aberdeen-American Falls GW District
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☐ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☒ Yes ☐ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

Process- Pre-1987 Development

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
☒ <u>EW District</u>	<u>8/10/00</u>	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?
☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____

☐ Yes ☒ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo _____

Date of priority recommended: _____

COMMENTS:

RECOMMEND

☒ Approval

☐ Denial

By

AD

Date

9/28/00

RECEIVED

OCT 3 - 2000

MEMO

Department of Water Resources

FROM: Allen Merritt

DATE: September 28, 2000

TO: Permit No: 41-07096

In the Name of

SUBJECT: **Review and Recommendation**

This application is for pre-1987 development of irrigation and domestic use. The pre-1987 use is documented by the SRBA review of 41-07063.

The application was advertised without protest.

The applicant has submitted the proof of beneficial use form. It is included in the file.

Recommendation

I recommend that the application be approved subject to the following conditions:

- Approval of this permit does not authorize the irrigation of more acres than exist, rather it covers acres already irrigated. When this permit is combined with 41-07063 the total irrigated acreage is limited to 5.0 acres.
- Other conditions as may apply.

MICROFILMED

JAN 30 2001

PERMIT 41-07063

DATE: JUNE 5, 1995

[illegible]

ACRES: Brian Block shows 5 acres irrigated within the place of use. His sketch of the POU on the USGS Quad map is greatly overshadowed and his sketch on the exam write-up shows the acres distribution slightly different than found by my exam and review of the aerial maps. However, my review of OPQ BB84, dated 8-20-1976, and the NAPP photo 377-81, dated 7-22-1987, shows the irrigated acres to be 5.0 acres total. Measured acres by grid overlay on the QPO.

POU

well

house

house

house

POU

DRIVEWAY

←North

MICROFILMED
JAN 30 2001

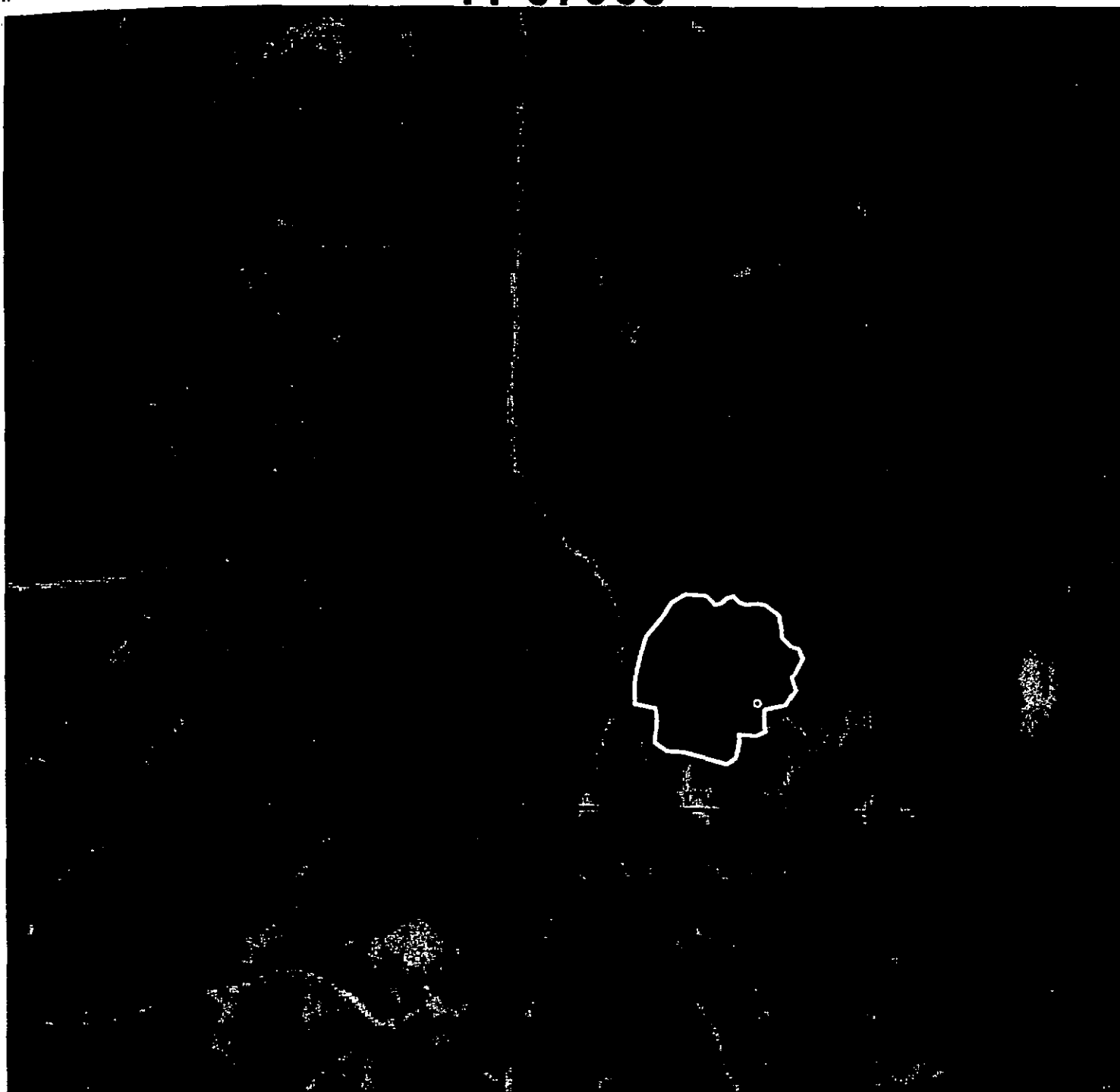
TOTAL ACRES
= 5.0

TOTAL ACRES
= 5.0

(41-07096)

IDAHO DEPT OF WATER RESOURCES

41-07063



660 0 660 1320 Feet



T9S, R28E, SEC. 25, SESE



RECOMMENDED PLACE OF USE

- POINT OF DIVERSION
- ∧ SECTION LINES
- 1/4 - 1/4 LINES

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JAN 30 2001

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: September 7, 1999

(41-07096)

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:
That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterrupted and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 16th day of August 2000 and the date of the last publication being the 23rd day of August 2000.

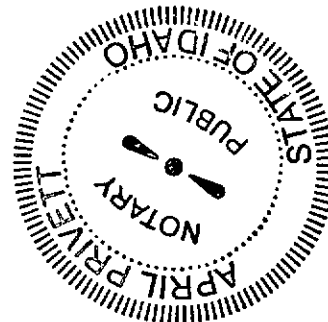
Signed

Brett Crompton

State of Idaho

County of Power

On this 23rd day of August in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



[Signature]
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: August 3, 2006

RECEIVED

SEP 08 2000

Department of Water Resources
Southern Region

OK MB 9/8/00

**Barkdull Ranches
water application**

Published in The Power County Press
Aug. 16, 23, 2000.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application(s) have
been filed to appropriate the public wa-
ters of the State of Idaho:

41-07096

BARKDULL RANCHES

C/O CARL BARKDULL

3202 HEDSTROM LANE

AMERICAN FALLS, ID 83211

Source: GROUND WATER

Diversion Pt: SESESE Sec 25 T 09S R
28E in POWER County.

Use: IRRIGATION (0.110 CFS)

DOMESTIC (0.080 CFS)

Total Diversion (0.110 CFS)

Date Filed: 8/7/2000

In: POWER County

T09S R28E S25 SESE

4.0 ACRES TOTAL

The application proposes to divert
groundwater from the "Eastern Snake
River Plain Aquifer" presently under a
moratorium order dated April 30th,
1993. The order allows the Director to
consider a case-by-case basis applica-
tions; if it can be shown development
will have no effect on prior surface and
groundwater rights because of its loca-
tion, insignificant consumption, or miti-
gation by the applicant to offset injury to
other rights. The applicant has submitted
material evidence of pre-1987 develop-
ment as part of the application. Any
protest against the proposed application
must be filed with the Department of
Water Resources, Southern Region,
1341 Fillmore St. Suite 200; Twin Falls,
ID 83301 together with a protest fee of
\$25.00 on or before September 5, 2000
to be considered by the Department in its
decision to grant or deny any part of the
proposed application. The protestant
must also send a copy of the protest to
the applicant.

Karl J. Dreher, Director

STATEMENT

PAGE 1

THE POWER COUNTY PRESS
PO BOX 547
174 IDAHO ST
AMERICAN FALLS, ID 83211

(208)226-5294 FX:(208)226-5295

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SEP 08 2000

Department of Water Resources
Southern Region

Account No.
TFDEPTWA

Date
08/31/00

Total Amount Due
115.60

Amount Remitted
\$

DEPARTMENT OF WATER
1341 FILLMORE
SUITE 200
TWIN FALLS, ID 83301

Please cut at dotted line and return with your payment

Date	Invoice No.	Description	Charges	Payments	Balance
08/01/00		OPENING BALANCE			0.00
08/09/00		LEGAL	OK 42.24	# 1	42.24
08/09/00		AFFIDAVIT > T# 5756	OK 5.00		47.24
08/23/00		LEGAL	OK 63.36		110.60
08/23/00		AFFIDAVIT > 41-07096	OK 5.00	# 2	115.60
		ENDING BALANCE			115.60

OK MB
9/18/00

115.60

Current	31 - 60	61 - 90	90+	Total Amount Due
115.60	0.00	0.00	0.00	115.60

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THE POWER COUNTY PRESS

JAN 30 2001

Thank You

NOTICE OF APPLICATION FOR WATER RIGHT

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

41-07096

BARKDULL RANCHES
C/O CARL BARKDULL
3202 HEDSTROM LANE
AMERICAN FALLS, ID 83211

Source: GROUND WATER

Diversion Pt: SESESE Sec 25 T 09S R 28E in POWER County.

Use: IRRIGATION	(	0.110 CFS)
DOMESTIC	(	0.080 CFS)
Total Diversion:	(	0.110 CFS)

Date Filed: 8/ 7/2000

In: POWER County
T09S R28E S25 SESE

4.0 ACRES TOTAL

The application proposes to divert groundwater from the "Eastern Snake River Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 5, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Power County Press on 08/16 & 08/23/00.

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JAN 30 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 10, 2000

Legal Notices Department
POWER COUNTY PRESS
174 IDAHO STREET
AMERICAN FALLS, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 5, 2000.

Yours truly,

Mary Baldwin
Administrative Assistant

Enclosure

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JAN 30 2001