

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 2-10642

Priority: May 28, 2020

Maximum Diversion Rate: 0.03 CFS

It is hereby certified that:

CONNIE BARNETT
AND/OR
CLARK BARNETT
25723 CLUBHOUSE CT
WILDER ID 83676-6038

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 28, 2020, and has submitted Proof of Beneficial Use on October 25, 2021. An examination confirms water is diverted from:

Source : SNAKE RIVER

Tributary: COLUMBIA RIVER

Beneficial Use

IRRIGATION

Period of Use

03/01 to 11/15

Rate of Diversion

0.03 CFS

Location of Point(s) of Diversion

SNAKE RIVER SE¼ SW¼, Sec. 11, Twp 03N, Rge 05W, B.M. CANYON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	11												1.5 L2					1.5

Total Acres: 1.5

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
3. Place of use is located within Lot 8, Blk 1, Riverfront Estates Subdivision.

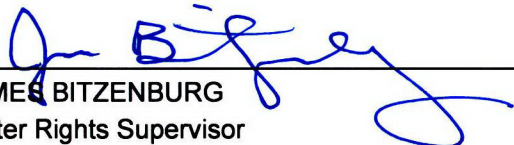
SCANNED

JUN 30 2023

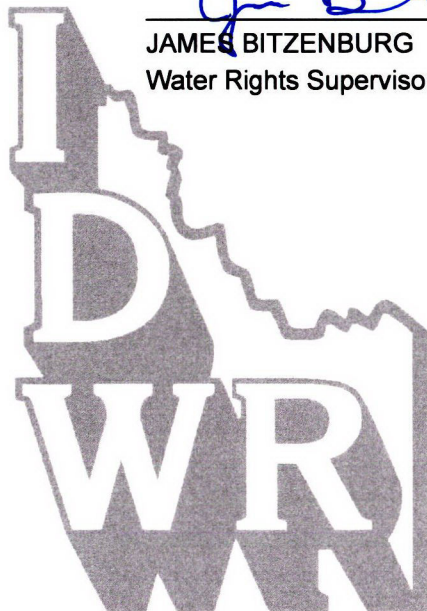
State of Idaho
Department of Water Resources
Water Right License
Water Right No. 2-10642

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 27th day of June, 20 23.



JAMES BITZENBURG
Water Rights Supervisor



State of Idaho
Department of Water Resources
Attachment to Water Right
2-10642

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion



SCANNED
JUN 30 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/23/2022

Water Permit 2-10642

Owner Type

Current Owner
Current Owner

Name

CLARK BARNETT
CONNIE BARNETT

Priority Date: 5/28/2020

Status: Active DRAFT

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From

03/01

To

11/15

Diversion Rate

0.030 CFS

Volume

Total Diversion

0.030 CFS

Source and Point(s) of Diversion:

SNAKE RIVER

L2(SESW)

Sec. 11, Twp 03N, Rge 05W, CANYON County

Place Of Use:

IRRIGATION within CANYON County

T03N R05W S11 L2

SESW

1.5

POU Total Acres

1.50

Conditions of Approval:

1. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
3. X60 Place of use is located within Lot 8, Blk 1, Riverfront Estates.

Comments:

1 scheever 9/23/2022 Renumber
Renumber WR 2-10642 This has been renumbered from 63-34907

2 scheever 9/23/2022 POU
Updated Shape

SCANNED

APR 17 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/23/2022

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

SCANNED

APR 17 2023

**WATER RIGHT 2-10642
WAS RENUMBERED**

FROM

WATER RIGHT 63-34907



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 27, 2023

CLARK BARNETT
CONNIE BARNETT
25723 CLUBHOUSE CT
WILDER ID 83676-6038

RE: License No. 2-10642

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing 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 mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

James Bitzenburg
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2023, I served a true and correct copy of Water Right License No. 2-10642 by U.S. Mail, postage prepaid, to the following:

CLARK BARNETT (Current Owner)
CONNIE BARNETT (Current Owner)
25723 CLUBHOUSE CT
WILDER ID 83676-6038

A handwritten signature in blue ink, reading "Denise Maline", is written over a horizontal line.

Denise Maline
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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 service date 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 2-10642

Exam Date: 5/16/2023

1. Current Owner:
CLARK BARNETT AND/OR CONNIE BARNETT
25723 CLUBHOUSE CT
WILDER ID 83676-6038
2. Accompanied by: Clark Barnett, Permit Holder, and Kent Aasa, IDWR Senior Agent

3. **SOURCE:**
SNAKE RIVER

Tributary
COLUMBIA RIVER

Method of Determination: Aerial photography, ArcMap, and Site visit

B. OVERLAP REVIEW

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
Boise Project Board of Control (numerous)	SNAKE RIVER	Irrigation	Decreed
Wilder Irrigation District		Irrigation	

Comments: The property is within the Boise Project Board of Control service area and the Wilder Irrigation District.

2. Other water rights with the same point-of-diversion: NO Overlap

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

SNAKE RIVER (SE¼ SW¼), Sec. 11, Twp 03N, Rge 05W, B.M. CANYON County

Method of Determination: Aerial photography, ArcMap, and Site visit

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	05W	11												1.5 L2					1.5

Total Acres: 1.5

Method of Determination: Aerial photography, ArcMap, and Site visit

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.

 X Indicate weir size/pipe as applicable.

Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

 X X Aerial Photo Attached (required for irrigation of 10+ acres). X Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	Munro	3	LP Series/221992	Munro	2-inch discharge

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
None						

2. Measurements: No measurement is required per Beneficial Use Examination Rules IDAPA 37.03.02

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: N/A

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: None, annual diversion volume is not required per Beneficial Use Rules IDAPA 37.03.02, Rule 35, 01., (j), vii. (Irrigation using natural stream flow diverted from a stream or spring).

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.}$$

2. Volume Calculations for Other Uses: None

G. NARRATIVE/REMARKS/COMMENTS

The field exam for permit 02-10642 was conducted on May 16, 2023, with Kent Aasa IDWR Agent and permit holder Clark Barnett. Permit 02-10642 was approved for 0.03 cfs from the Snake River for the irrigation of 1.5 acres. Mr. Barnett showed Kent and I his property, landscaping, and irrigation system. The water is diverted from the Snake River with a 3 HP portable electric-powered pump through a 2" line to an under-ground system that used for irrigation of the lawn, garden, and landscaping by sprinklers and drip lines.

I recommend licensing Permit 2-10642 for the total diversion rate of 0.03 cfs and the irrigation of 1.5 acres.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	
IRRIGATION	03/01 to 11/15	0.03 CFS	

Totals: 0.03 CFS

2. Recommended Amendments

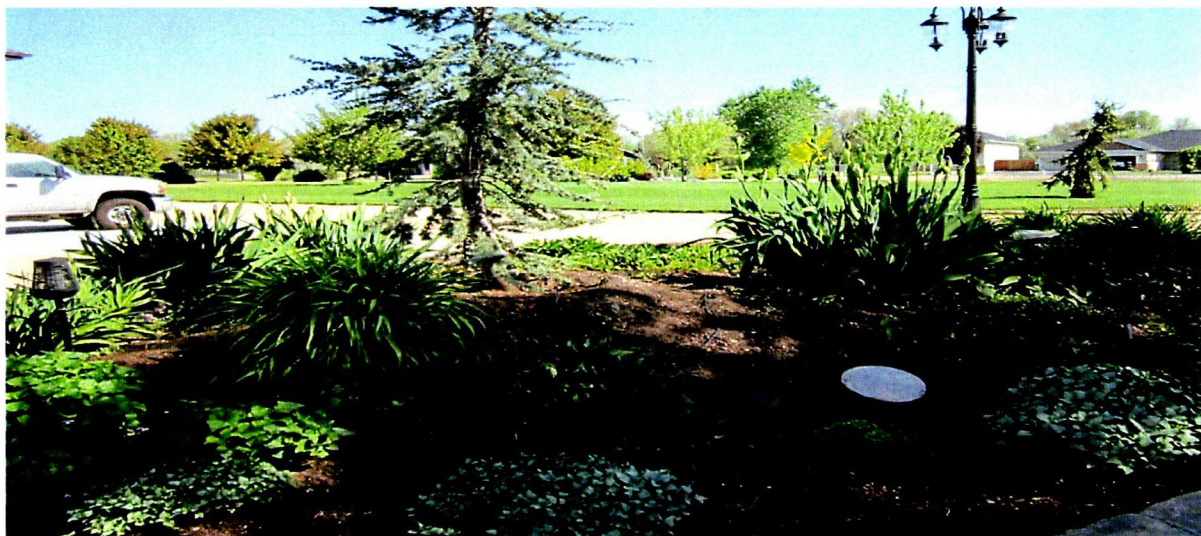
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

I. AUTHENTICATION Benny Walker -

Field Examiner's Name Benny Walker Date 6/23/2023

Reviewer _____ Date _____



Irrigation of Lawns, Landscaping, and garden areas



Location of pump placement for diversion from the Snake River



Connection of 2" hose from pump to pressurize system



Electric Power Cord, Pump, and Hose for the irrigation system



Diversion Hose with Screen to divert from the Snake River

Clubhouse Ct

SESW 2

03N05W

11

Place of Use

Point of Diversion

SESW

10642

SCANNED
JUN 30 2023