

RECEIVED

AUG 28 2024

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 125.00
Receipt No. C118798
Received By KM
Date Received 8.28.24

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 37-23430 Name of Permit Holder(s) Stephen Barnard
Telephone No. 650-644-9516 Email rw56@earthlink.net
Mailing Address 18450 Highway 20 City Bellevue State ID Zip 83313
2. Source of Water Loving Creek If Ground Water (well), Date Drilled mo. ____ / yr. ____
Drilling Permit/Tag No. ____ Drilling Company's Name ____
3. Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) ____ Irrigation (No. acres) ____ Stockwater (No. and stock type) ____
Other non-consumptive (wildlife) - see attachment
4. Total diversion rate or volume (storage only) for which proof is submitted 2 cfs OR ____ af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.
5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
see attachment

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

- | | | | |
|--------------------------|--------------------------|-------------------------------------|---|
| ☐ | ☐ | ☐ | Ground water level data, pumping information, or other diversion data |
| ☐ | ☐ | ☒ | Mitigation plan |
| ☐ | ☐ | ☒ | Lockable controlling works |
| ☐ | ☐ | ☒ | Measuring device |
| ☐ | ☐ | ☐ | Fish screen |
| ☐ | ☐ | ☐ | Other requirements of the water right permit |
| ☐ | ☐ | ☐ | Reasonably Anticipated Future Needs ("RAFN") Municipal use |

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed \$ 125 or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Stephen Barnard Telephone No. 650-644-9516 Email rw56@earthlink.net
Mailing Address 18450 Highway 20 City Bellevue State ID Zip 83313

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Stephen Barnard
SIGNATURE OF PERMIT HOLDER*

Stephen Barnard (owner)
PRINTED NAME AND TITLE

10/26/2024
DATE

*Attach power of attorney if completing on behalf of permit holder.

[3]

The purpose of water right 37-23430 is to provide flow to a well-established pond/creek system when I am not irrigating, primarily but not exclusively during the winter. It is non-consumptive, 2 cfs of surface water.

Previously, the only permissible source was water right 37-8571 (5 cfs, non-consumptive, ground water). I argued in the application that this is excessive, inefficient, and unnecessary. That has proven to be the case.

[5]

Water is diverted from Loving Creek through a previously existing lockable head gate. From the diversion, water flows in an underground culvert to the pond/creek system and returns to Loving Creek through an underground culvert. (See attached diagram.) Water right 37-8569 (wildlife storage, 8.2 acre feet) mitigates any evaporation losses in the ponds.

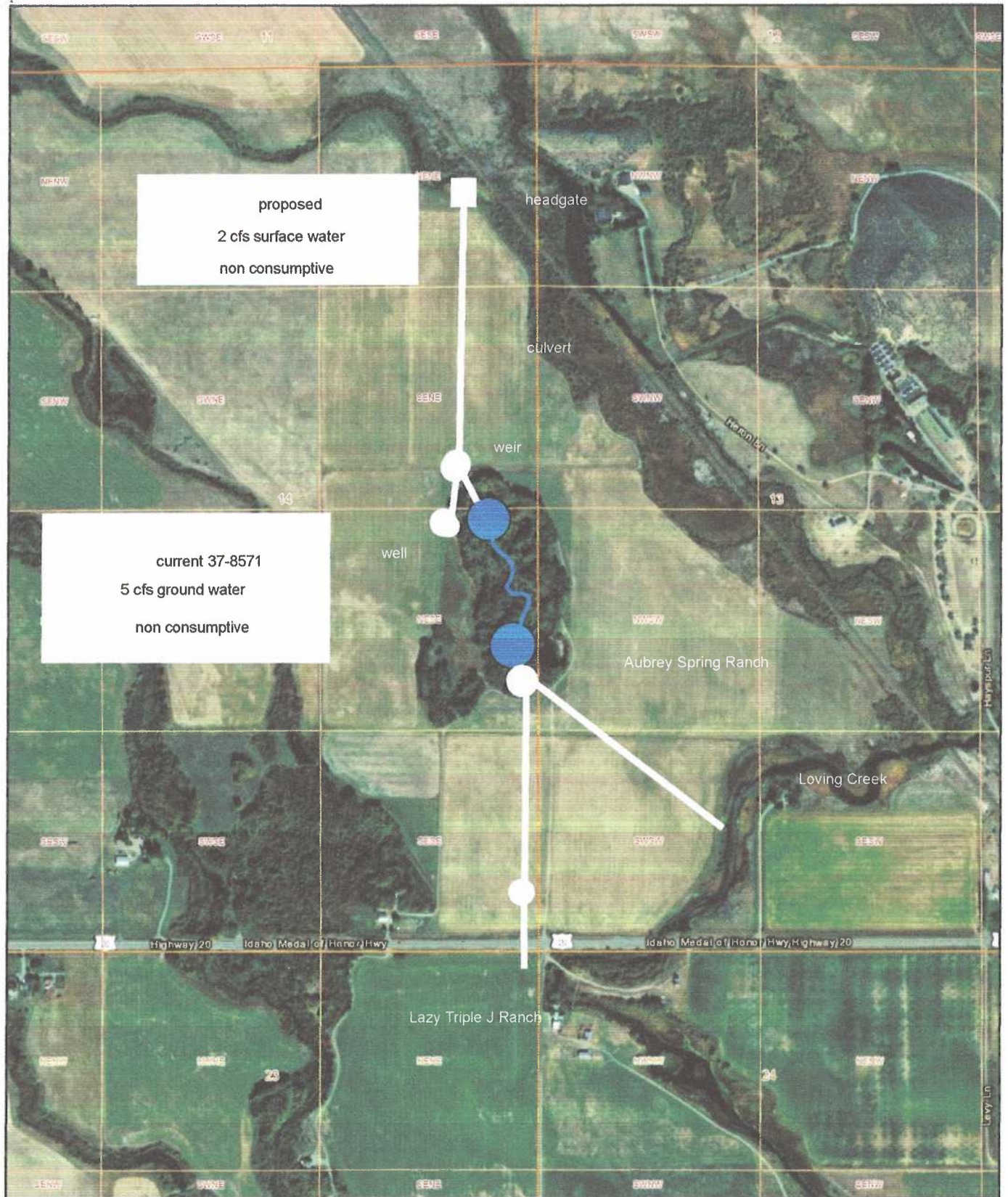
Water right 37-8571 was offered as mitigation by non-use. In the fall of 2023 the watermaster recorded the time clock on the groundwater pump associated with 37-8571 at 8818.4 hours. On July 18, 2024 she recorded the time as unchanged at 8818.4 hours. This is proof that the mitigation plan was honored. I'd like to mention that as long as 37-23430 is approved I have no reason, and in fact have a strong disincentive, to violate the terms of the mitigation plan by unnecessarily pumping groundwater at great cost.

Not using 37-8571 saves over 3600 acre feet of ground-water depletion year-to-year. Meanwhile, the pond/creek system has

been adequately supplied and is healthy.

Measurement: The head gate has a 1 square foot rectangular submerged orifice. It is sometimes used to divert 3.8 cfs for irrigation (37-252 and 37-712), and at other times to divert 2 cfs for 37-23430. I installed staff gages to enable accurate measurement. (See attached photo).

Application for Water Right Transfer



12/3/2022, 9:53:21 AM

Lines

Override 1

Override 2

Areas

Override 1

Override 2

Counties

Quarter Quarters

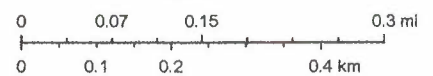
PLS Sections

Townships

Idaho Outline

Idaho Mask

1:9,028



Esri, HERE, GeoTechnologies, Inc., Created by NRCS from 1:24,000 scale USGS topographic maps., Maxar





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 11, 2024

STEPHEN T BARNARD
18450 HIGHWAY 20
BELLEVUE ID 83313-5116

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 37-23430

Dear Permit Holder(s):

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.

Please 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 or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the field examination, please contact the Southern Region Office of the Department located in Twin Falls at (208) 736-3033.

Sincerely,

Amanda Velbell
Technical Records Specialist

Enclosure(s)