

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82370

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
MAY 07 2013
Department of Water Resources
Transfer Section

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Dennie J. and Kathleen W. Barson Family Trust

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED
MAY 07 2013
Department of Water Resources
Eastern Region

Name of Applicant(s) Dennie J. and Kathleen W. Barson Family Trust Phone (435) 563-5697
Mailing address 340 N 1100 E Hyde Park, UT 84318 Email djbarson@comcast.net

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Dennie J. Barson
Signature of Applicant or Authorized Representative

Dennie J. Barson
Print Name and Title if applicable OWNER

5-7-18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Update Ownership
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Application proposes to consolidate water right place of use by removing 35.5 acres from the Utah portion of the right. Application includes a quit claim deed from Richard and Jerri Barson, who are the current owners of the acres being removed from the right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	13-7192	2.00	Irrigation	4/1 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.00 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.32 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	02W	33							15.0	1.5	1.0	17.0							34.5
									L4	L3									
16S	37E	25						29.0	35.0			27.0	14.0						105
														L4					
16S	37E	26				5.0									29.0			10.0	44
																		L1	
Total Acres (for irrigation use)																			183.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well to mainline to sprinklers. Part of property is currently in CRP and part of the property will be farmed this year. Remaining portion was recently placed in WSB.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Acres removed from water right will be dried up.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Water is diverted from a creek on the north end of the property which is captured in a small reservoir. Creek water is used in the same mainline.

- g. To your knowledge, has/ls any portion of the water right(s) proposed to be changed:

Yes No

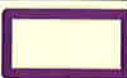
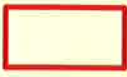
- | | | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☒ | ☐ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☒ | ☐ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

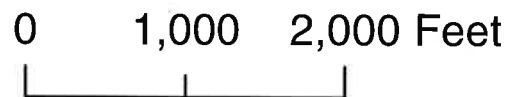
If yes, describe:

Water right was just licensed in 2014. All of the property was in CRP at that time. Most of the property has come out of CRP. A portion of the right was recently placed in the WSB.

82370

The USDA-FSA Aerial Photography Field office asks to be credited in derived products. USDA-FSA-APFO/Aerial Photography Field Office

	Barson_Proposed_POU
	Water Right POU
	Township/Range
	Sections
	Quarter Quarters



82370

5/7/2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DENNIE J BARSON 340 N 1100 E HYDE PARK, UT 84318 (435) 563-5697

Status: Active

GROUND WATER

766.5 AF

Sec. 25, Twp 16S, Rge 37E, FRANKLIN County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
15N	02W	33							15.0 L4	1.5 L3	5.6	37.0	7.2	3.7					70.0
16S	37E	25						29.0	35.0			27.0	14.0 L4						105.0
16S	37E	26				5.0									29.0			10.0 L1	44.0

POU Total Acres: 219.0

1.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2.	J07	Place of use includes the irrigation of 70.0 acres within the State of Utah.

82370

Nield, Jeff

From: Nield, Jeff
Sent: Wednesday, June 27, 2018 10:05 AM
To: 'djbarson@comcast.net'
Subject: Water Right Transfer Application

Mr. Barson,

I am working on your application for water right transfer and noticed that the land list on page 3 was one row off (it was showing the acres in the wrong quarter-quarters). I fixed the land list so it represents the acres in the correct quarter-quarter, but I just need your consent for me to make these changes on your application. Is this okay with you?

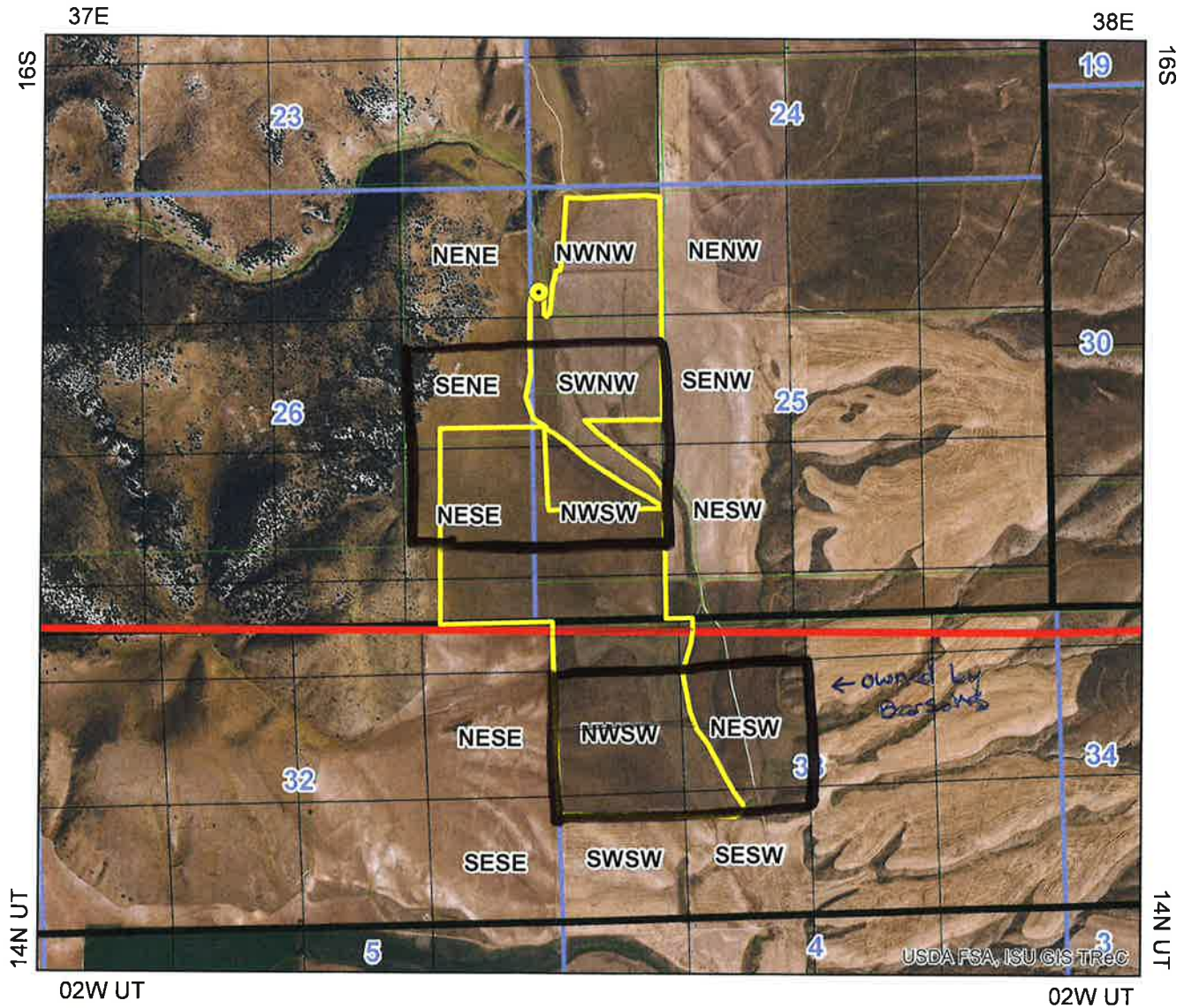
Thank you,

Jeff Nield

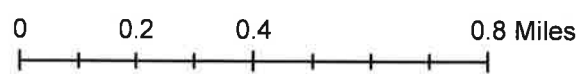
Stream Channel Specialist/Water Resource Agent
Idaho Dept. of Water Resources
900 N Skyline Dr, Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161



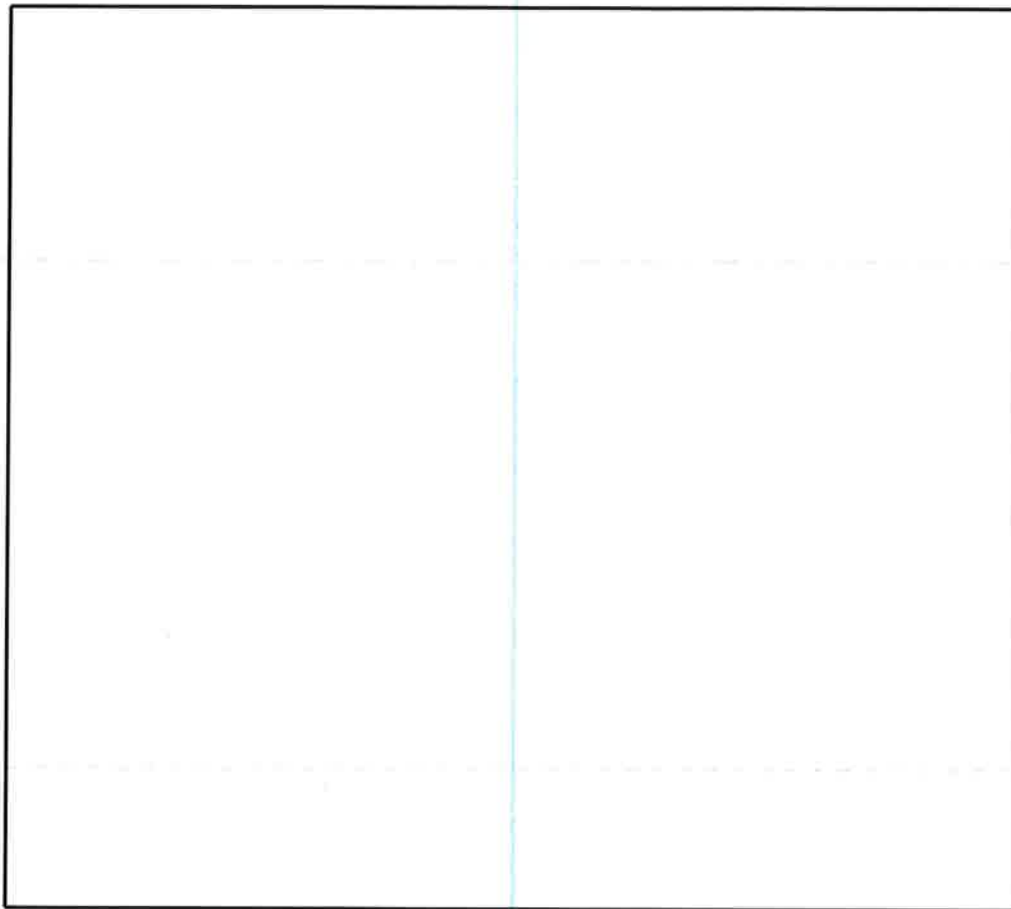
State of Idaho
Department of Water Resources
Water Right License
13-7192



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Taxlots



82370'



7/10/2018

Scale: 1 inch= 500 feet

File:

Tract 1: 142.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=9966 ft.

01 /ne,26,16s,37e

02 /n90w 1320

03 /s00e 1980

04 n90e 2640

05 s00e 2343

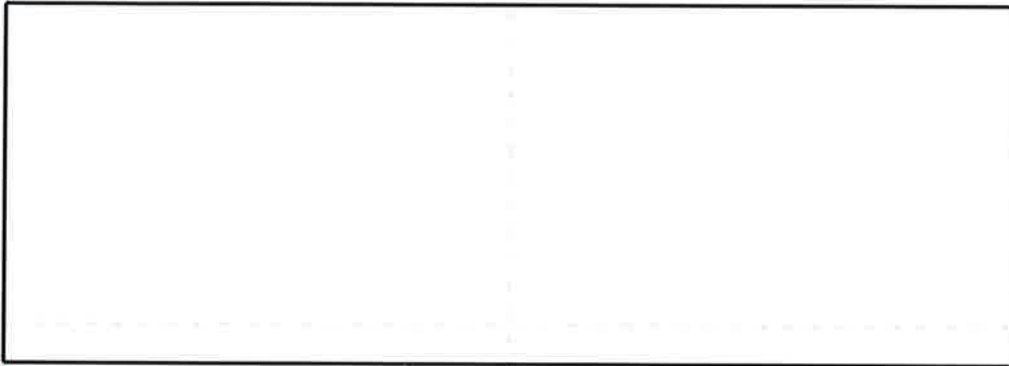
06 n90w 2640

07 n00e 2343

82370

119359

Richard & Jerri Barson to
Dennie Barson



7/10/2018

Scale: 1 inch= 500 feet

File:

Tract 1: 56.6200 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=7148 ft.

01 /se,sw,33,15n,2w

02 /s00e 487.41

03 s00e 934.23

04 n90w 2640.00

05 n00e 934.23

06 n90e 2640

82370

DENNIE J. BARSON
340 N 1100 E
HYDE PARK, UTAH 84318

Ent 1193595 Bk 2000 Pg 1203
Date: 16-Apr-2018 08:35 AM Fee \$10.00
Cache County, UT
Michael Glead, Rec. - Filed By JA
For DENNY BARSON

QUIT CLAIM DEED

(WATER RIGHTS ONLY)

RICHARD J. BARSON and JERRI C. BARSON, GRANTORS, hereby QUIT CLAIMS to DENNIE J. BARSON, GRANTEE, for the sum of Ten Dollars (\$10.00), and other good and valuable consideration hereby acknowledged, any water rights pertaining to the following tract of land located in Cache County, State of Utah:

Beginning at a point 29.54 Rods South of the Northeast Corner of the Southwest Quarter of Section 33, Township 15 North, Range 2 West of the Salt Lake Base and Meridian, thence South 56.62 Rods, thence West 160 Rods, thence North 56.62 Rods, thence East 160 Rods to the point of beginning. Situated in Cache County.

Any and all water rights that may pertain to said property, including any water rights pertaining to Idaho Water Right No. 13-07192, located in Franklin County, Idaho,

DATED this 13th day of April, 2018.

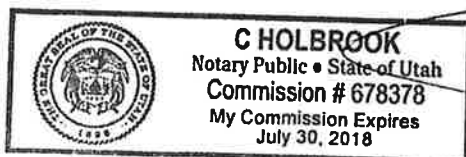
Tax # 15-051-0004

Richard J. Barson
RICHARD J. BARSON

Jerrri C. Barson
JERRI C. BARSON

STATE OF UTAH)
 : ss.
County of Cache)

On the 13 day of April, 2018, personally appeared before me RICHARD J. BARSON and JERRI C. BARSON, the signers of the within instrument, who duly acknowledged to me that they executed the same.



[Signature]
Notary Public

82370

254872

Recorded at the request of
Dennie J. Barson
Time 1:55 P

MAY 15 2012

WHEN RECORDED, MAIL TO:
Dennie J. Barson & Kathleen W. Barson, Trustees
THE DENNIE J. AND KATHLEEN W. BARSON FAMILY TRUST
340 North 1100 East
Hyde Park, Cache, Utah 84318

SHAUNA T. GEDDES, RECORDER
BY Shauna T. Geddes Deputy
FRANKLIN COUNTY IDAHO

(Space Above for Recorder's Use)

QUIT CLAIM DEED

Dennie J. Barson and Kathleen W. Barson, grantors of Hyde Park, County of Cache, State of Utah, hereby QUIT CLAIM to Dennie J. Barson and Kathleen W. Barson Trustees of THE DENNIE J. AND KATHLEEN W. BARSON FAMILY TRUST, dated the 24th day of June, 1996, grantee of Cache County, Utah, for the sum of Ten and 00/100 (\$10.00) DOLLARS and other good and valuable consideration, the following described property:

Commencing at a point 80 rods West and 120 rods South of the Northeast corner of Section 26, Township South 16, Range 37 East of the Boise Meridian and running thence East 160 rods, thence South 142 rods, more or less, to the Utah state line and running thence West 160 rods thence North 142 rods, more or less, to the point of beginning. Description includes Lot 1 in Section 26 and lot 4 in Section 25.

Together with any and all water rights appurtenant thereto or used in connection therewith.

THE GRANTOR(S) AS TRUSTEE(S) AND THE SUCCESSOR TRUSTEE(S) HAVE FULL POWER AND AUTHORITY TO PROTECT, CONSERVE, SELL, LEASE, ENCUMBER, OR OTHERWISE MANAGE AND DISPOSE OF THE PROPERTY DESCRIBED HEREIN.

WITNESS the hand of said grantor, this 24th day of June, 1996.

Dennie J. Barson
Dennie J. Barson

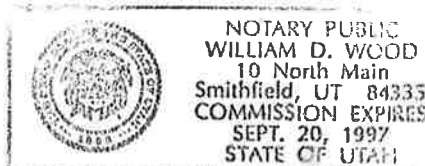
Kathleen W. Barson
Kathleen W. Barson

STATE OF UTAH)
COUNTY OF CACHE) ss.

On the ²⁴~~24th~~ day of ^{July}~~June~~, 1996, personally appeared before me Dennie J. Barson and Kathleen W. Barson the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

William D. Wood
Notary Public

Idaho
Description



82370

254873

Recorded at the request of
Dennie J. Barson
Time 1:56 P

WHEN RECORDED, MAIL TO:
Dennie J. Barson & Kathleen W. Barson, Trustees
THE DENNIE J. AND KATHLEEN W. BARSON FAMILY TRUST
340 North 1100 East
Hyde Park, Cache, Utah 84318

MAY 15 2012

SHAUNA T GEDDES, RECORDER
BY *[Signature]* Deputy
FRANKLIN COUNTY IDAHO

(Space Above for Recorder's Use)

QUIT CLAIM DEED

Dennie J. Barson and Kathleen W. Barson, grantors of Hyde Park, County of Cache, State of Utah, hereby QUIT CLAIM to Dennie J. Barson and Kathleen W. Barson Trustees of THE DENNIE J. AND KATHLEEN W. BARSON FAMILY TRUST, dated the 24th day of June, 1996, grantee of Cache County, Utah, for the sum of Ten and 00/100 (\$10.00) DOLLARS and other good and valuable consideration, the following described property:

The Southeast Quarter of the Southeast Quarter of Section 23, the Southwest Quarter of the Southwest Quarter of Section 24, also commencing at the Northeast corner of Section 26 which is the point of beginning, and running thence West 80 rods, thence South 120 rods, thence East 160 rods, thence North 120 rods, thence West 80 rods to the point of beginning.

Together with any and all water rilghts appurtenant thereto or used in connection therewith, also including any and all improvements.

Above described property all situated in Township 16 South, Range 37 East of the Boise Meridian.

THE GRANTOR(S) AS TRUSTEE(S) AND THE SUCCESSOR TRUSTEE(S) HAVE FULL POWER AND AUTHORITY TO PROTECT, CONSERVE, SELL, LEASE, ENCUMBER, OR OTHERWISE MANAGE AND DISPOSE OF THE PROPERTY DESCRIBED HEREIN.

WITNESS the hand of said grantor, this 24th day of June, 1996.

[Signature: Dennie J. Barson]
Dennie J. Barson

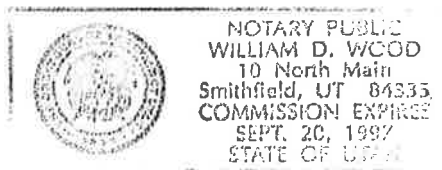
[Signature: Kathleen W. Barson]
Kathleen W. Barson

STATE OF UTAH)
COUNTY OF CACHE) ss.

On the ^{5th} ~~24th~~ day of ~~June~~ ^{July}, 1996, personally appeared before me Dennie J. Barson and Kathleen W. Barson the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

[Signature: William D. Wood]
Notary Public

Idaho
Description



WARRANTY DEED

(JOINT TENANCY FORM)

Dennie J. Barson and Kathleen W. Barson, Trustees
of THE DENNIE J. AND KATHLEEN W. BARSON FAMILY TRUST.
grants of Hyde Park County of Cache
State of Utah, hereby CONVEY and WARRANT to

Richard J. Barson and Jerri C. Barson, Husband and Wife

as joint tenants and not as tenants in common, with full rights of survivorship,

grantees of 64 E. 300 S. Clarkston, Utah
for the sum of Ten Dollars and other good and valuable considerations
the following described tract of land in Cache County, State of Utah:

See attached description marked "Exhibit A", which by reference
is made a part here of.

Ent 801992 R: 1150 Pg 932
Date 24-Oct-2002 1:38PM Fee \$14.00
Michael Glead, Rec - Filed By DP
Cache County, UT
For DENNIE BARSON

WITNESS, the hand of said grantor, this 15th day of June A.D. 2001

Signed in the presence of

Dennie J. Barson - Trustee
Kathleen W. Barson - Trustee

STATE OF UTAH

County of CACHE

On the 15 day of JUNE
A.D. 2001 personally appeared before me

DENNIE J. BARSON
KATHLEEN W. BARSON

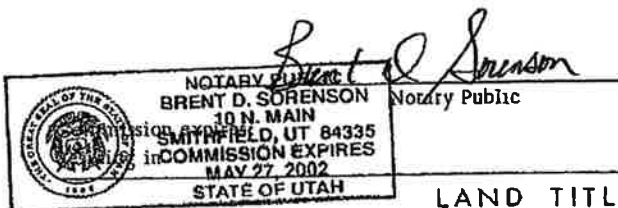
the signer of the within instrument, who duly
acknowledged to me that They executed the same.

RECORDING DATA

Entry No.

Fee \$

RECORDED	☐	INDEXED	☐
PLATTED	☐	ABSTRACTED	☐
COMPARED	☐	DELIVERED	☐



LAND TITLE COMPANY

82370

^uExhibit B^u

Parcel 1. The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 23, Township 14 North, Range 2 West of the Salt Lake Base and Meridian, excepting the land occupied by the county road, and containing 78 acres more or less.

Parcel 2: Beginning at a point 29.54 Rods South of the Northeast Corner of the Southwest $\frac{1}{4}$ of Section 33, Township 15 North, Range 2 West of the Salt Lake Base and Meridian, Thence South 56.62 Rods, thence West 160 Rods, thence North 56.62 Rods, thence East 160 Rods to the point of beginning. Situated in Cache County, Utah.

Parcel 3:

Beginning at a point 147 feet West of a point 14 Rods North of the Southeast corner of Lot 1, Block 1, Plat B., Clarkston Town Survey, thence West 100.50 feet, thence North 11 Rods, thence East 2 Rods, thence North 3.5 Rods, thence East 94.50 feet, thence South 44 feet, thence East 120 feet, thence South 100.25 feet, thence West 106 feet, thence South 17 feet, thence West 41 feet, thence South 78 feet, to the point of beginning. Located in the Northwest $\frac{1}{4}$ of Section 35, Township 14 North Range 2 West of the Salt Lake Base and Meridian.

Ent 801992 Bk 1150 Pg 933