

RECEIVED

DEC 21 2015

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 80589**MINIMUM REQUIREMENTS CHECKLIST**

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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) BAR G FARMS ENTERPRISES

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

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DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) BAR G FARMS ENTERPRISES Phone (208) 876-4215Mailing address PO BOX 175 May, ID 83253 Email bargfarms@gmail.com

- ☐ 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.

Signature of Applicant or Authorized Representative

Billy Gydesen

Print Name and Title if applicable

12-11-15

Date

Signature of Applicant or Authorized Representative

Rivers Gydesen

Print Name and Title if applicable

12-11-15

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 _____

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**.

Both Warm Springs rights currently co-mingle with the headwaters of Mud Springs Creek, a tributary of the Pahsimeroi River that consists of juvenile rearing habitat for ESA-listed Chinook salmon and steelhead. The temperature of the Warm Springs rights exceeds the limits of viability for rearing habitat. See attachment

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.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	73-91	1.4	Irrigation	4/1 to 10/31	Warm Spring - Pahsimeroi
☐ ☒	73-11980	1.4	Irrigation	4/1 to 10/31	Warm Spring - Pahsimeroi
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.4 cfs and/or 304.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.0 cubic feet per second and/or 224 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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	34				0.3									8.7				9
15N	21E	35			1.6				14.3			28.3	32			1.6	0.2		78
Total Acres (for irrigation use)																			87

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:
The warm spring water flows into a small, open ditch and then enters a buried pipeline that connects to a series of risers . The water flows into a vertical pipe bubbler and ultimately flows into the headwaters of Mud Springs Creek. See attachment
- b. Who owns the property at the point(s) of diversion? Ben and Linda Yates - Circle Pi LLC
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
There is no proposed change to the point of diversion for these rights.
- 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: _____

 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:
Approximately 64 total acres under this right is proposed to be transferred to a new POU. Approximately 60 of the 64 total acres is currently irrigated under a pivot that that receives water from the Pahsimeroi -12 diversion and the following rights: 73-10005 and 73-11982. See attachment
- 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:
See explanation in "e" for existing POU. A portion of the proposed new POU for these rights is currently irrigated by the following rights: 73-11987 and 73-11993. An additional transfer application proposes to change the POU for 73-11987 and 73-11993.
- g. To your knowledge, has/is 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:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-91

Current Owner: BAR G FARMS ENTERPRISES

Priority Date: 11/5/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

WARM SPRING

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

1.4 CFS

1.4 CFS

Annual Volume

Location of Point(s) of Diversion

WARM SPRING

CUSTER County

L2(NE1/4NW1/4NE1/4)

Sec. 3, Twp 14N, Rge 21E B.M.

Place of Use

IRRIGATION Within CUSTER County

T15N R21E S34	NESE	21.00	T15N R21E S34	SWSE	2.50
T15N R21E S34	SESE	34.00	T15N R21E S35	NWSW	4.50
T15N R21E S35	SWSW	25.00			

Total Acres: 87

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E56 The rights listed below are limited to the irrigation of a combined total of 87 acres in a single irrigation season. Combined Right Nos.: 73-91, 73-11980
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 3/3/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-11980

Current Owner: BAR G FARMS ENTERPRISES

Priority Date: 2/18/1926

Origin: Water Right

Status: Active

Basis: Decreed

Source

WARM SPRING

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

1.4 CFS

Annual Volume

Total Diversion

1.4 CFS

Location of Point(s) of Diversion

WARM SPRING

NW1/4NE1/4

Sec. 3, Twp 14N, Rge 21E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T15N R21E S34	NESE	21.00	T15N R21E S34	SWSE	2.50
T15N R21E S34	SESE	34.00	T15N R21E S35	NWSW	4.50
T15N R21E S35	SWSW	25.00			

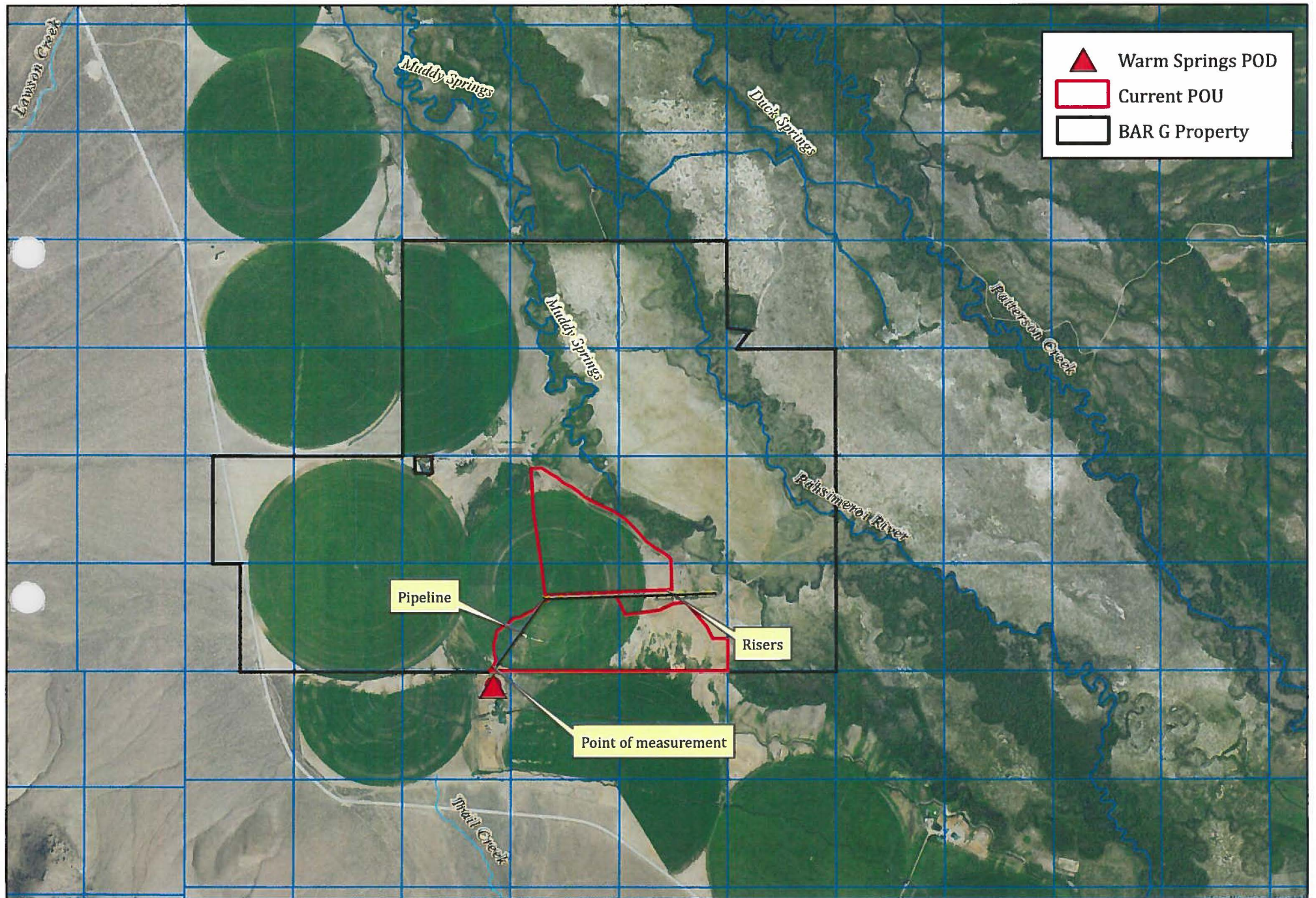
Total Acres: 87

Conditions of Approval:

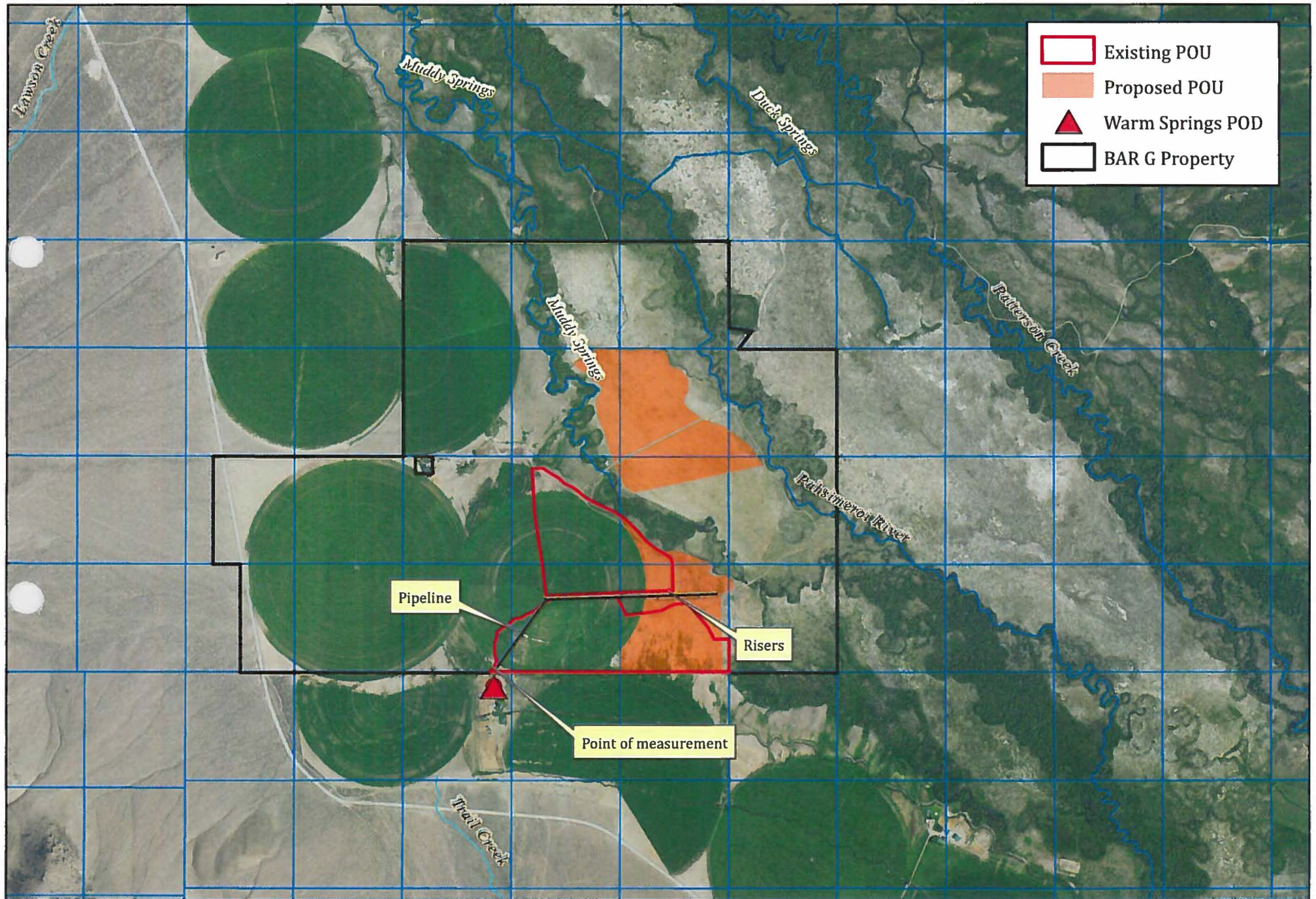
1. E56 The rights listed below are limited to the irrigation of a combined total of 87 acres in a single irrigation season. Combined Right Nos.: 73-91, 73-11980
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 3/3/2010

ATTACHMENT #7a
BAR G FARMS 73-91 and 73-11980



ATTACHMENT #7b
BAR G FARMS 73-91 and 73-11980



Bar G Farm Irrigation System



1 inch = 900 feet



Hersley, Jean

From: Hersley, Jean
Sent: Monday, March 14, 2016 9:13 AM
To: 'ameans@challismessenger.com'
Subject: Legal Notice for Transfer No. 80588, 80589
Attachments: Legal Notice.docx

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 4/4/2016. Your cooperation is appreciated. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80588

BAR G FARMS ENTERPRISES, PO BOX 175, MAY, ID 83253; has filed Application No. 80588 for changes to the following water rights within CUSTER County(s): Right No(s). 73-10005, 73-11981, 73-11982, 73-11987, 73-11993; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Change point of diversion for 2 rights & change place of use of 296.5 irrigated acres to adjacent land owned by applicant in Section 3, T14N, R21E, & Sections 34 & 35, T15N, R21E.

TRANSFER NO. 80589

BAR G FARMS ENTERPRISES, PO BOX 175, MAY, ID 83253; has filed Application No. 80589 for changes to the following water rights within CUSTER County(s): Right No(s). 73-11980, 73-91; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Changing irrigated acres within Sections 34 & 35, T15N, R21E to adjacent parcels owned by applicant.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see

<http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before **4/4/2016**.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/17/2016 and 3/24/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 14, 2016

BAR G FARMS ENTERPRISES
PO BOX 175
MAY, ID 83253

RE: Transfer No. 80588 & 80589
Water Right No(s). 73-10005, 73-11981, 73-11982, 73-11987, 73-
11993 & 73-11980, 73-91

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the CHALLIS MESSENGER on 3/17/2016 and 3/24/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

TED O NEAL
WATER DISTRICT #73
81 FUREY LN
MAY ID 83253

RE: Application Transfer Nos. 80588 and 80589

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced Applications for Transfers. Please review the applications, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the applications are approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's offices can finish reviewing unprotested applications as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the applications and that you have no comments for IDWR to consider.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 14, 2016

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS, ID 83402

RE: Transfer No. 80588 & 80589

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfers. You can find copies of the applications at:
<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 14, 2016

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Transfer No. 80588 & 80589

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfers. You can find copies of the applications at:
<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office

Hersley, Jean

From: Hersley, Jean
Sent: Monday, March 14, 2016 10:42 AM
To: Yenter, Cindy
Subject: application for transfer 80588 & 80589 for Bar G Farms

Basin 73. Documents are scanned and available in Docs.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Edl, Michele

From: Shannon Gydesen [bargfarms@gmail.com]
Sent: Friday, March 11, 2016 1:50 PM
To: Edl, Michele
Subject: transfer documents
Attachments: IDWRtransfer.pdf

I apologize for the delay. Very busy week at work. Let me know if this is satisfactory.

Rivers G.

Ident. No. 80589

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

[illegible][illegible]

~~SS~~ gal 3/7/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 80588

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☒ Yes	15N	21E	35		SE	NE	SW	Custer	Ground water	pt 500974
☒ Yes	15N	21E	35		SE	NW	SW	Custer	Spring - Little Mud Cr	pt 500975
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- 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.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	21E	3	1.2																1.2
			L1																
15N	21E	34	5.3	40	40	16									34	40	40	40	255.3
15n	21E	35																	
											20.5	12	5.5	2.0					40.0
																			296.5

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

Page _____

3/7/16

	calculated by Michele Edl												
	Transfer 80588							moved ac	formula		rate for fee		
	source	WR#	rate	ac limit	rate/ac	delta ac	total ac	/total ac					195/296.5
	Pahsimeroi R	73-10005	3.90	195.00	0.0200	48.47	296.5	0.248567	195/296.5x73.7x.02=		0.96941		0.65767
	spring-little mud	73-11981	2.25	298.00	0.0076	73.7	296.5		POD;full		2.25		
	Pahsimeroi R	73-11982	0.98	298.00	0.0033	73.7	296.5	0.247315	0.247*0.98=		0.241133		
	spring-sinks	73-11987	0.10	76.00	0.0013	46.0	76	0.605263	0.605*0.1=		0.060526		
	GW	73-11993	1.50	170.00	0.0088	73.7	296.5		POD;full		1.5		
											5.02	cfs	
	Transfer 80589							moved ac					
	source	WR#	rate	ac limit	rate/ac	delta ac	total ac	/total ac					
	Warm Spring	73-91	1.40	87.00	0.0161	48.50		0.557471	48.5 x 0.0161=		0.78		
	Warm Spring	73-11980	1.40	87.00				or	0.557 x 1.4=		0.78	cfs	
											5.80	Total cfs	
	notice in the calcs for 80589 that there are two ways												
		full rate x moved ac/total ac									\$900.00	Fee for both xfers	
	or	rate/ac x delta acres											

MEMORANDUM

Date: March 8, 2016
To: Transfer 80589
From: Michele Edl
Re: Review & Evaluation of Sufficiency of Information

Authority to File: Bar G Farms is the right holder-of-record for the 2 rights involved in this transfer. IDSOS does not have an entry for either Bar G Farms or Bar G Farms Enterprises.

Available Custer County taxlot information shows that the POU and the PODs are property held by Bar G Farms Enterprises Trust. The application was signed by Billy Gydesen and Shannon (Rivers) Gydesen. I requested and received copies of documents which connect the Gydesens to the Bar G Farms Enterprises Trust.

The original application map and PLS grid did not match. Corrections were provided via email and were approved by the applicant.

Water Right Validity: Water Rights 73-91 and 73-11980 were decreed in the SRBA on March 3, 2010. A review of aerial photography shows that the places-of-use have been irrigated. Forfeiture is not a concern at this time.

Injury to Other Water Rights: This transfer proposes shifting of a number of acres onto adjacent land. It does not change the point of diversion. No injury concerns were identified.

Enlargement of Use: No enlargement is evident through this transfer. There is 1.5 acres of overlap between the POUs for water rights involved in transfer 80588 and rights involved in transfer 80589. The applicant has been required to shrink the POU of one of the transfers.

Local Public Interest: Review staff has no information to suggest this application is inconsistent with the local public interest. Comment will be requested from WD# 170-Upper Salmon River Basin.

Beneficial Use/Conservation of Water Resources: The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area: Review staff has no information to suggest this transfer will negatively impact the economy of the local area.

Effect on Agricultural Base of the Local Area: Review staff has no information to suggest this transfer will negatively impact the agricultural base of the local area.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Edl, Michele

From: Shannon Gydesen [bargfarms@gmail.com]
Sent: Wednesday, February 03, 2016 4:23 PM
To: Edl, Michele
Subject: Re: trust documents

Thank-you,
Amy Cassel called last night. She is in Seattle this week, but will forward the map as soon as she returns.
Should be no problem to forward to you by Monday.

Rivers (Shannon) Gydesen

On Wed, Feb 3, 2016 at 10:44 AM, Edl, Michele <Michele.Edl@idwr.idaho.gov> wrote:

Shannon,

This is just a quick message to let you know that the emailed versions of your trust documents are sufficient for the water rights processes. You don't need to snail-mail paper copies also.

Michele

Date: MAY 17, 1993

BAR G FARMS INTERPRISES

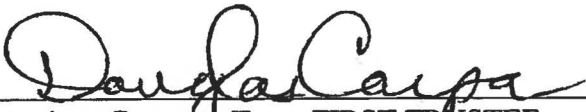
P.O. Box 27413

TEMPE, AZ 85285

THIS DATE there was called a special meeting, pursuant to the Trust Organization Indenture and bylaws of the Board of Trustees for **BAR G FARMS INTERPRISES**, for the consideration of the contract engagement of **BILLY GYDESEN** as Trust Manager. The Board of Trustees now find it necessary for such Trust Manager, and, having considered the credentials of **BILLY GYDESEN** appoint him/her to the position of Trust Manager, his/her duties include, but are not limited to the day-to-day operations of the trust organization, with full authority, subject to the Board of Trustees.

MINUTE 01

There being no further business to come before this Special Meeting, upon a motion duly made, seconded and carried, the meeting was adjourned.



American Common Trust, FIRST TRUSTEE,
Douglas J. Carpa, Trust Officer

TRUST MANAGER APPOINTMENT

AMERICAN COMMON TRUST
WASHINGTON, D.C.
SEAL

BAR G FARMS INTERPRISES
Board of Trustees/Special Meeting
Washington, D.C.

Date: **MAY 17, 1993**

Mailing address:
BAR G FARMS INTERPRISES
General Trust Account
P.O. Box 27413 Tempe, AZ 85285

Employer I.D. 52-6611644

I, the undersigned **FIRST TRUSTEE** of the Board of Trustees of **BAR G FARMS INTERPRISES** held in accordance with the Trust Indenture and Trust Organization Bylaws, and held on this date at the aforementioned address of this Trust, the following Minute was unanimously adopted as appears from the record of **BAR G FARMS INTERPRISES**, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF **BAR G FARMS INTERPRISES**,

1. THAT Billy Gydesen hereby designated as one of the depositories of the funds of this Trust, for either savings or checking accounts, in the name of the Trust, for the purpose of deposit and collection; checks, drafts, notes wire transfers, investments and other like obligations, issued or drawn to and owned by this Trust; and is further resolved that endorsement for deposit and collection may be by the written or stamped endorsement to this Trust without designation of the party making the endorsement;

2. THAT Billy Gydesen be and it is hereby authorized to pay out funds of this Trust on deposit with it from time to time upon checks or withdrawal from upon said depository and signed whose name appears in Section 3 below; whether said checks are payable in cash, bearer or the order of this Trust, or to any third party, or to the order of the maker, in either individual or official capacity;

3. That the following named individuals are authorized to sign checks and/or withdrawal forms drawn on said depository, open a safe deposit box in the name of this Trust, to-wit:

Billy Gydesen Trust Manager
BILLY GYDESEN, TRUST MANAGER

Shannon Gydesen, asst. trust manager
SHANNON GYDESEN ASST. TRUST MANAGER

IN WITNESS WHEREOF, I have hereunto subscribed my hand and seal as Manager for the **FIRST TRUSTEE** and do hereby Certify that the above and foregoing is a correct copy of the said Minute passed as herein set forth.

Douglas Carpa
AMERICAN COMMON TRUST,
FIRST TRUSTEE, Douglas J. Carpa, Trust Officer

AMERICAN COMMON TRUST
WASHINGTON, D.C.
SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RECEIVED

DEC 21 2015

DEPARTMENT OF
WATER RESOURCES

December 18, 2015

RE: Applications for Water Supply Bank and Applications for Transfer – BAR G FARMS ENTERPRISES

Enclosed please find 12 separate applications for the Water Supply Bank and two applications for transfer. The WSB applications are based on conditions post-transfer, and the transfer applications primarily address POU changes and POD corrections.

Enclosed are two checks: \$500.00 for the Water Supply Bank applications, and \$980.00 for the transfer application fees. Please contact me directly regarding the remaining balance and payment of \$1500.00 for the WSB applications.

If you have any questions, please do not hesitate to contact me at (208) 577-1565 or amy.cassel@idwr.idaho.gov.

Sincerely,

Amy Cassel
Project Coordinator, Water Transaction Program
Idaho Department of Water Resources
955 Riverfront Drive, Suite B
Salmon, ID 83467

Transfer Applications

Application #1

73-10005

73-11981

73-11982

73-11987

73-11993

Application #2

73-91

73-11980