



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

7/31/2014

Justin Pond
35 Lois Lane
Horseshoe Bend, ID, 83692

Dear Mr. Pond,

This letter is meant to notify you of two transfer applications and corresponding ownership changes which have recently been filed with the Idaho Department of Water Resources ("IDWR") involving water right 13-961 from the Bear River. Water right 13-961 was listed in the 1920 Bear River Decree and carries a priority date of April 18, 1904. The 1920 Decree listed the following as owners of the water right: Pond Brothers and Barthlome, a partnership comprised of L.A. Pond, J.T. Pond and David Barthlome.

The 1920 Decree limited water right 13-961 to the irrigation of 560 acres. However, the decree only provided a large, general description for the place of use (over 880 acres large). Up to this point, IDWR has not had enough information to know where the 560 irrigated acres were actually located. Recently, David Barthlome and Ray Sauer Farms have contacted IDWR, asserting ownership of water right 13-961 (Barthlome asserts ownership of 5/12ths of the right, Sauer Farms asserts ownership of 7/12ths of the right). Barthlome and Sauer Farms have provided deeds tracing ownership of their respective properties back to J.T. Pond. They have also provided records showing that they have paid assessments to Gentile Valley Canal Co. to convey water right 13-961 from the Bear River to their properties.

If the transfers and ownership changes proposed by Barthlome and Sauer Farms are approved by IDWR, Barthlome would become owner of 5/12ths of water right 13-961; Sauer Farms would become owner of the remaining 7/12ths of the right. Please refer to the enclosed maps for the proposed place of use.

You are currently listed in the IDWR database as being an owner of water right 13-961. Therefore, I feel it is important to notify you of the proposed changes. If you believe you have a valid ownership interest in water right 13-961, please contact IDWR immediately. To demonstrate an interest in the water right, you must show that your property traces back to one of the originally decreed owners. Further, you must show that a portion of water right 13-961 has been consistently diverted from the Bear River and used on your property.

Please contact our office if you would like to discuss the proposed transfers in greater detail. If we do not receive a response from you by August 15, 2014, I will assume that you do not assert an interest in water right 13-961 and have no objection to the transfer applications and ownership changes proposed by David Barthlome and Sauer Farms.

Sincerely,

Cooper Fritz
Water Resources Agent
IDWR
(208) 525-7161



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

7/21/2014

RE: Transfer Applications / Ownership Changes for Water Right 13-961

Dear Property Owner:

This letter is meant to notify you of two transfer applications and corresponding ownership changes which have recently been filed with the Idaho Department of Water Resources ("IDWR") involving water right 13-961 from the Bear River. Water right 13-961 was listed in the 1920 Bear River Decree and carries a priority date of April 18, 1904. The 1920 Decree listed three owners of the water right: J.T. Pond, L.A. Pond, and David Barthlome.

The 1920 Decree limited water right 13-961 to the irrigation of 560 acres. However, the decree only provided a large, general description for the place of use (over 880 acres large). Up to this point, IDWR has not had enough information to know where the 560 irrigated acres were actually located. Recently, David Barthlome and Ray Sauer Farms have contacted IDWR, asserting ownership of water right 13-961 (Barthlome asserts ownership of 5/12ths of the right, Sauer Farms asserts ownership of 7/12ths of the right). Barthlome and Sauer Farms have provided deeds tracing ownership of their respective properties back to J.T. Pond. They have also provided records showing that they have paid assessments to Gentile Valley Canal Co. to convey water right 13-961 from the Bear River to their properties.

If the transfers and ownership changes proposed by Barthlome and Sauer Farms are approved by IDWR, Barthlome would become owner of 5/12ths of water right 13-961; Sauer Farms would become owner of the remaining 7/12ths of the right. Please refer to the enclose maps for the proposed places of use.

Caribou and/or Franklin County taxlot records indicate that you own property within the large, general (880-acre) place of use description for water right 13-961. Therefore, I feel it is important to notify you of the proposed changes. If you believe you have a valid ownership interest in water right 13-961, please contact IDWR immediately. To demonstrate an interest in the water right, you must show that your property traces back to J.T. Pond, L.A. Pond or David Barthlome. Further, you must show that a portion of water right 13-961 has been consistently diverted from the Bear River and used on your property.

Please contact our office if you would like to discuss the proposed transfers in greater detail. If we do not receive a response from you by August 15, 2014, I will assume that you do not assert an interest in water right 13-961 and have no objection to the transfer applications and ownership changes proposed by David Barthlome and Sauer Farms.

Sincerely,

Cooper Fritz
Water Resources Agent
IDWR
(208) 525-7161