

Rev 07/11

Page \_\_\_\_\_ of \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 79015**AMENDED****APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**Name of Applicant(s) Brett R or Bonnie J Barfuss

Phone (208) 547-3468

Mailing address Po Box 18 Soda Springs ID 83278Email bjbarf@ida.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.



Signature of Applicant or Authorized Representative

Print Name and Title if applicable

8-3-12

Date



Signature of Applicant or Authorized Representative

Bonnie J Barfuss

Print Name and Title if applicable

08-03-2012

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 Ownership change
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. This application proposes to add a point of diversion for a pump, change the place of use to reflect current irrigation practices and correct the ownership of the rights.

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Eastern Region

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary    |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|-----------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 11-443       | .40 cfs               | Irrigation    | 04/20 to 9/30 | Soda Creek/Bear River |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 11-446       | .50 cfs               | Irrigation    | 04/20 to 9/30 | Soda Creek/Bear River |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                       |

Total authorized under rights .90 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed .90 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

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 # |
|-------|-----|---|----|----|-----|-----|-----|---------|------------|---------------------|
|       |     |   | SW | NE | 25  | 08S | 41E | CARIBOU | SODA CREEK |                     |
|       |     |   | SW | NE | 36  | 08S | 41E | CARIBOU | SODA CREEK |                     |
|       |     |   |    |    |     |     |     |         |            |                     |
|       |     |   |    |    |     |     |     |         |            |                     |

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 |             |
| 08S | 41E | 25  |      |    | 23.4 | .2 |      |    |    |    |      |    |    |    | .4   | 4.0 |    |    | 28          |
| 08S | 41E | 36  |      |    |      | 17 |      |    |    |    |      |    |    |    |      |     |    |    | 17          |
|     |     |     |      |    |      |    |      |    |    |    |      |    |    |    |      |     |    |    |             |
|     |     |     |      |    |      |    |      |    |    |    |      |    |    |    |      |     |    |    |             |
|     |     |     |      |    |      |    |      |    |    |    |      |    |    |    |      |     |    |    |             |
|     |     |     |      |    |      |    |      |    |    |    |      |    |    |    |      |     |    |    |             |

Total Acres (for irrigation use) 45

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:

20 hp Pump to eight inch mainline to a 4 inch wheel lines and 3 inch hand lines that sprinkle the fields.

- 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:

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

Transfer will only correct the place of use to show acres currently under irrigation with this right, current place of use show acres under irrigation for this water right plus canal shares.

- e. 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:

The applicant also has shares in a canal company.

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

Yes No

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: \_\_\_\_\_

|                                  |    |
|----------------------------------|----|
| Total Acres (for irrigation use) | 35 |
|----------------------------------|----|

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

**A. PLAT MAP** (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by \_\_\_\_\_ Date \_\_\_\_\_ Prelim. Check by \_\_\_\_\_ Date \_\_\_\_\_

Fee Paid \$180.00 Date 6/22/2012 Received by KM Receipt # ED37728

Add'l Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

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AUG 06 2012

Department of Water Resources  
Eastern Region

## Statement of Water Usage

## Water Rights:

Ditch or Reservoir Company

11-B Soda Creek / Bear River

Number of Shares or Undivided Interest  
Certificate Number

Name and Address of owner(s) of Water

Rights:

Brett R or Bonnie J Barfuss PO Box 18  
Soda Springs ID 83276

Statement prepared by:

Brett R Barfuss

Irrigated Land:

Description of land irrigated by above mentioned Water Rights: (attach if necessary)

08 S 41 E SENE and NESE Residential  
homesite lawnI Brett R Barfuss have pumped water  
from Soda Creek / Bear River into portable  
water tanks and used on our lawn at our  
residence

Name and Address of owner(s) of described property:

Brett R or Bonnie J Barfuss  
PO Box 18  
Soda Springs ID 83276

## AFFIDAVIT

The undersigned Brett R Borgess

having personal knowledge of the irrigation of the previously described lands by virtue of being the owner(s) and/or person(s) who have farmed and irrigated those lands or person(s) who have lived in the immediate area and are familiar with the irrigation and cultivation of said lands, being first duly sworn, hereby state that to the best of our/my knowledge, the listed Water Rights and Historic Use of said Water Rights as set forth on the Statement attached hereto, constitute the Beneficial Use of the aforementioned Water Rights.

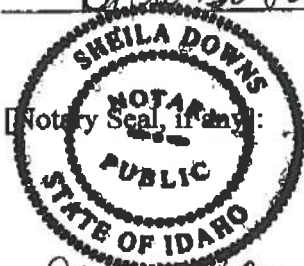
20 12 Signed and dated this 3 day of August

## CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

STATE OF IDAHO

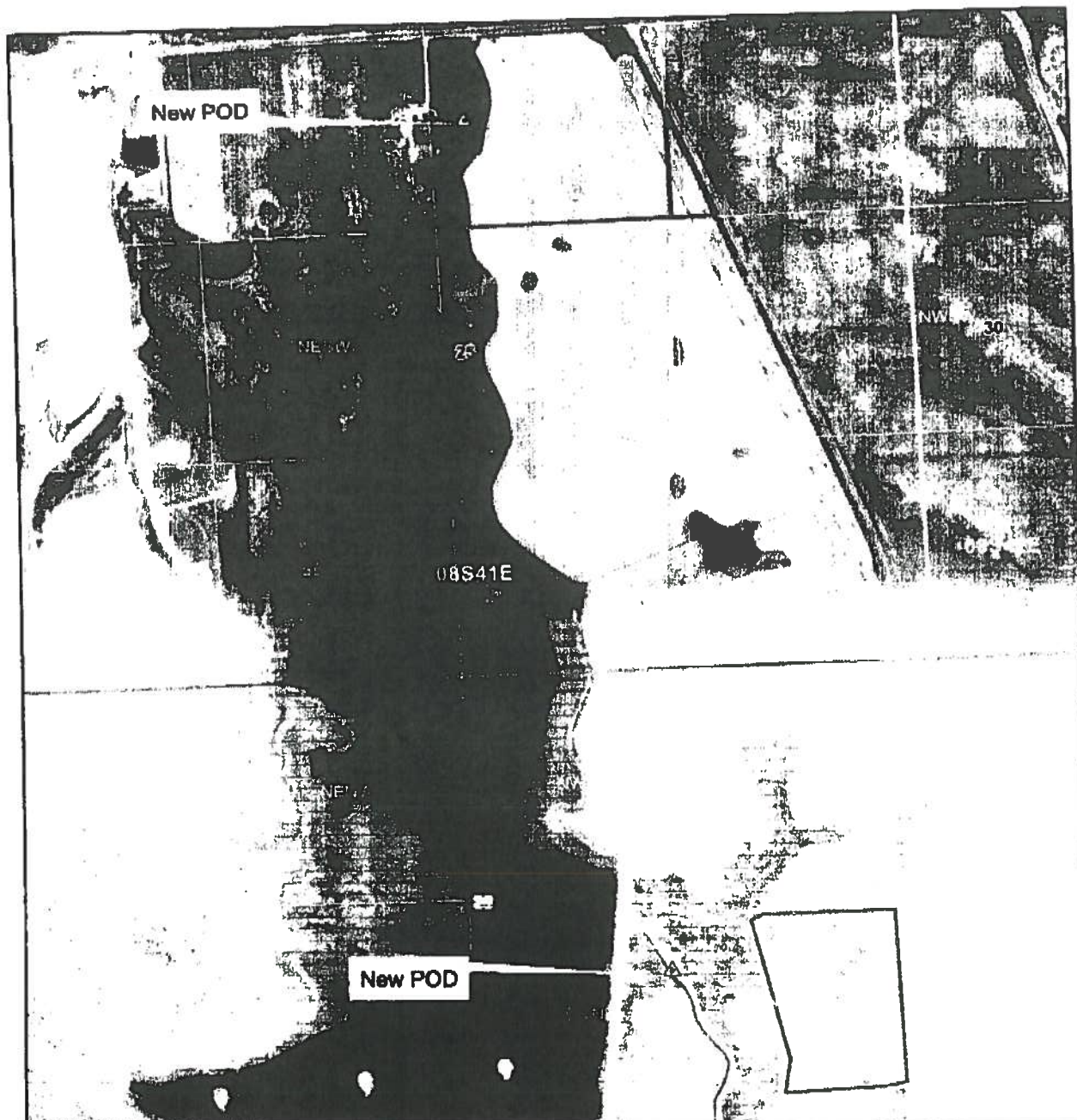
COUNTY OF Caribou

This document was acknowledged before me on 3rd Aug 12 [date] by  
Brett Borgess [name].

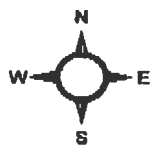
Sheila Downs

(Signature of Notarial Officer)

Commission Expires: 5-7-16



## Brett & Bonnie Barfus - Transfer #78015



-  NEW\_POU
-  Township/Range
-  Sections
-  QQ

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Department of Water Resources  
Eastern Region

0 0.075 0.15 0.3 Miles