

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 70192

SEP 20 2002

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant CHARLES BARLOW Phone 801-544-9711Post Office address 1130 MANCHESTER DRIVE KAYSVILLE UT 84037

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 the reason for the proposed changes _____

CHANGE IN OWNERSHIP OF
PROPERTY FROM GLENN TURNER
TO CHARLES BARLOW

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use

See Attached sheet A

2. Total amount of water being transferred
- 5.39
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- Whiskey Creek
- tributary to
- Bear River

4. Point(s) of Diversion:
- * Location as per Asst. Water master, Frank Swenson.

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
*		SW	SE	24	11S	40E	Caribou	
							(See MAP OF	
							LOCATION FOR DIVERSION	
							LOCATION)	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	29		40	34									39	40	13	14	209
		36	39	29	3	7	13												91
11S	41E	31						40		40									80
								L-1?											

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* Limited to 296.1 acres

* Total Acres 380

PART 1

6. General Information:

a. Description of diversion system HEAD GATE AND DITCH TO PUMPS FOR
SPRINKLER IRRIGATION

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE TO LAND NOW IRRIGATED

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

RIGHT NO.	PRIORITY	AMOUNT	USE	PERIOD OF USE
✓13-695	5/01/1880	0.40 cfs	Irrigation	4/20 to 9/30
✓13-696A	5/1/1905	0.78 cfs	Irrigation	4/20 to 9/30
13-712A	5/01/1878	0.58 cfs	Irrigation	4/20 to 9/30
13-713	5/1/1905	0.90 cfs	Irrigation	4/20 to 9/30
7622-13-718C split	5/01/1880	0.23 cfs .21	Irrigation	4/20 to 9/30
7614-13-718B split	5/01/1880	0.34 cfs	Irrigation	4/20 to 9/30
7616-13-719A split	5/01.1905	0.65 cfs	Irrigation	4/20 to 9/30
7618-13-719B split	5/1/1905	0.53 cfs	Irrigation	4/20 to 9/30
7624-13-720A split	6/1/1905	0.65 cfs .59	Irrigation	4/20 to 9/30
7620-13-720B split	6/1/1905	0.41 cfs	Irrigation	4/20 to 9/30

5.39

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-695

WATER RIGHT NUMBER: 13-695

Owner Type Name and Address

Current Owner HENRY R TURNER

, ZZ

Original Owner JOHN R TURNER

, ID

Priority Date: 05/01/1880

Basis: Decreed

Status: Active

Source

Tributary

WHISKEY CREEK

BEAR RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/20 to 9/30

0.400 CFS

Total Diversion:

0.400 CFS

Location of Point(s) of Diversion

WHISKEY CREEK

NW1/4SE1/4

Sec. 18, Twp 11S, Rge 41E, B.M.

CARIBOU County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	40E	25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X		X	X			X	X	X								

Conditions of Approval:

Remarks:

- General P/U 20 ACRES.
P/D MICKELSON - SWENSON DITCH.
RT. MODIFIED BY LEROY TURNER VS HENRY TURNER (13-N).

Comments:

Dates and Other Information:

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05/20/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-696A

WATER RIGHT NUMBER: 13-696A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLENN V TURNER 179 HWY 34 GRACE, ID 83241 (208) 427-6672
Original Owner	CARSTON BENNETT ZZ

Priority Date: 05/01/1905
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
WHISKEY CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.780 CFS	
<u>Total Diversion:</u>		0.780 CFS	

Location of Point(s) of Diversion

WHISKEY CREEK	SE1/4SE1/4	Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	31																	40.0

Total Acres: 40

wrong range - whiskey creek
cannot get here
should be 41E

Conditions of Approval:

Remarks:

1. General SEE TRANS. 2251.

Comments:

Dates and Other Information:

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05/20/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-712A

WATER RIGHT NUMBER: 13-712A

Owner Type Name and Address

Current Owner J W GIBBS

, ID

Priority Date: 05/01/1878

Basis: Decreed

Status: Active

Source Tributary
WHISKEY CREEK BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.580 CFS	
	<u>Total Diversion:</u>	0.580 CFS	

Location of Point(s) of Diversion

WHISKEY CREEK NE1/4SE1/4 Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	41E	31						X			X								
								L 1											

Conditions of Approval:

Remarks:

1. General P/U 75 ACRES.

Comments:

Dates and Other Information:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-713

WATER RIGHT NUMBER: 13-713

Owner Type Name and Address

Current Owner J W GIBBS

, ID

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

Source Tributary
WHISKEY CREEK BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion
WHISKEY CREEK NE1/4SE1/4 Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	41E	31						X		X									
								L1											

Conditions of Approval:

Remarks:

1. General P/U AC IRR = 75 P/D, MENDENHALL DITCH

Comments:

Dates and Other Information:

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Spld Right
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 13-718B

WATER RIGHT NUMBER: 13-718B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOHN R TURNER
	, ID
Current Owner	LEROY TURNER
	, ZZ

Priority Date: 05/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WHISKEY CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20	9/30	0.550 CFS	
	<u>Total Diversion:</u>		0.550 CFS	

Location of Point(s) of Diversion

WHISKEY CREEK	NE1/4SE1/4	Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25													X	X	X	X	

Conditions of Approval:Remarks:

1. General P/U 100 ACRES.
SEE SUPPL. DECREE, TURNER VS TURNER (13-N).

Comments:Dates and Other Information:

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To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.34 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>NE SE 24</u>	<u>11S</u>	<u>40E</u>	<u>Caribou</u>	

Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11S</u>	<u>40E</u>	<u>25</u>													<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>61.8</u>

13.7613

Total Acres 61.8

DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.21 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>NE SE 24</u>	<u>11S</u>	<u>40E</u>	<u>Caribou</u>	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11S</u>	<u>40E</u>	<u>25</u>															<u>A</u>	<u>A</u>	<u>38.2</u>

Total Acres 38.2

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Split Right

05/20/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 13-718C

WATER RIGHT NUMBER: 13-718C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HENRY TURNER
	, ZZ
Current Owner	JOHN TURNER
	, ZZ

Priority Date: 05/01/1880
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
WHISKEY CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.230 CFS	
	<u>Total Diversion:</u>	0.230 CFS	

Location of Point(s) of Diversion
WHISKEY CREEK NE1/4SE1/4 Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	40E	25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X		X	X			X	X	X								

Conditions of Approval:

Remarks:
1. General P/U 163 ACRES.
 SEE SUPPLEMENTAL DECREE; TURNER VS TURNER (13-N).

Comments:

Dates and Other Information:

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PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

13-718C

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.21 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	24	11S	40E	Caribou	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	A		A	A			A	A	A								

13-7621

Total Acres 148.6

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.02 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	24	11S	40E	Caribou	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	A		~~A~~	A			~~A~~	~~A~~	~~A~~								14.4

Total Acres 14.4

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Split Right

05/20/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-719A

WATER RIGHT NUMBER: 13-719A

Owner Type Name and Address

Original Owner JOHN R TURNER

, ID

Current Owner HENRY R TURNER

, ZZ

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

Source Tributary
WHISKEY CREEK BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.850 CFS	
	<u>Total Diversion:</u>	0.850 CFS	

Location of Point(s) of Diversion
WHISKEY CREEK NE1/4SE1/4 Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	X		X	X			X	X	X								

Conditions of Approval:

Remarks:

1. General P/U 163 ACRES.

Comments:

Dates and Other Information:

3. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.65 cfs for Irrigation purposes from 4-20 to 9-30
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

1. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				NE SE 24	11S	40E	Caribou	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	A		A	A			A	A	A								

13-7615

Total Acres 148.6

DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.20 for Irrigation purposes from 4-20 to 9-30
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				NE SE 24	11S	40E	Caribou	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	A		A	A			A	A	A								14.4

Total Acres 14.4

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Split Right
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 13-719B

05/20/2002

WATER RIGHT NUMBER: 13-719B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEROY TURNER
	, ZZ
Original Owner	JOHN R TURNER
	, ID

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WHISKEY CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.850 CFS	
	<u>Total Diversion:</u>	0.850 CFS	

Location of Point(s) of Diversion

WHISKEY CREEK	NE1/4SE1/4	Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25													X	X	X	X	

Conditions of Approval:

Remarks:

- General P/U 100 ACRES.
SEE DECREE FOR ROTATING USE PERIOD.

Comments:

Dates and Other Information:

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To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.53 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>N12SE24</u>	<u>11S</u>	<u>40E</u>	<u>Caribou</u>	

Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11S</u>	<u>40E</u>	<u>25</u>													<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>61.8</u>

13-7617

Total Acres 61.8

DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.21 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>N12SE24</u>	<u>11S</u>	<u>40E</u>	<u>Caribou</u>	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11S</u>	<u>40E</u>	<u>25</u>															<u>A</u>	<u>A</u>	<u>38.2</u>

Total Acres 38.2

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Split Right

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 13-720A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOHN R TURNER , ID
Current Owner	HENRY R TURNER , ZZ

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 9/30	0.650 CFS	
	<u>Total Diversion:</u>	0.650 CFS	

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25	X		X	X			X	X	X								

Remarks:

Comments:

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PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

1. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.59 cfs for Irrigation purposes from 4/20 to 9/30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			<u>NESE</u>	<u>24</u>	<u>11S</u>	<u>40E</u>	<u>Caribou</u>	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11S</u>	<u>40E</u>	<u>25</u>	<u>A</u>		<u>A</u>	<u>A</u>			<u>A</u>	<u>A</u>	<u>A</u>								

Total Acres 148.6

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.06 cfs for Irrigation purposes from 4/20 to 9/30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			<u>NESE</u>	<u>24</u>	<u>11S</u>	<u>40E</u>	<u>Caribou</u>	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11S</u>	<u>40E</u>	<u>25</u>	<u>A</u>		<u>A</u>	<u>A</u>			<u>A</u>	<u>A</u>	<u>A</u>								

Total Acres 14.4

Page 1

Split Right

05/20/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-720B

WATER RIGHT NUMBER: 13-720B

Owner Type Name and Address

Original Owner JOHN R TURNER

Current Owner , ID
LEROY TURNER

, ZZ

Priority Date: 06/01/1905

Basis: Decreed

Status: Active

Source

WHISKEY CREEK

Tributary

BEAR RIVER

Beneficial Use

IRRIGATION

From To

4/20 to 9/30

Diversion Rate

0.650 CFS

Annual VolumeTotal Diversion:

0.650 CFS

Location of Point(s) of Diversion

WHISKEY CREEK

NE1/4SE1/4

Sec. 24, Twp 11S, Rge 40E, B.M.

CARIBOU County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25														X	X	X	X

Conditions of Approval:Remarks:

- General P/U 100 ACRES.
SEE DECREE FOR ROTATING USE PERIOD.

Comments:Dates and Other Information:

To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.41 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	24	11S	40E	Caribou	

Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25													A	A	A	A	61.8

15-7619

Total Acres 61.8

DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.24 cfs for Irrigation purposes from 4-20 to 9-30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	24	11S	40E	Caribou	

3. Lands irrigated or place of use:

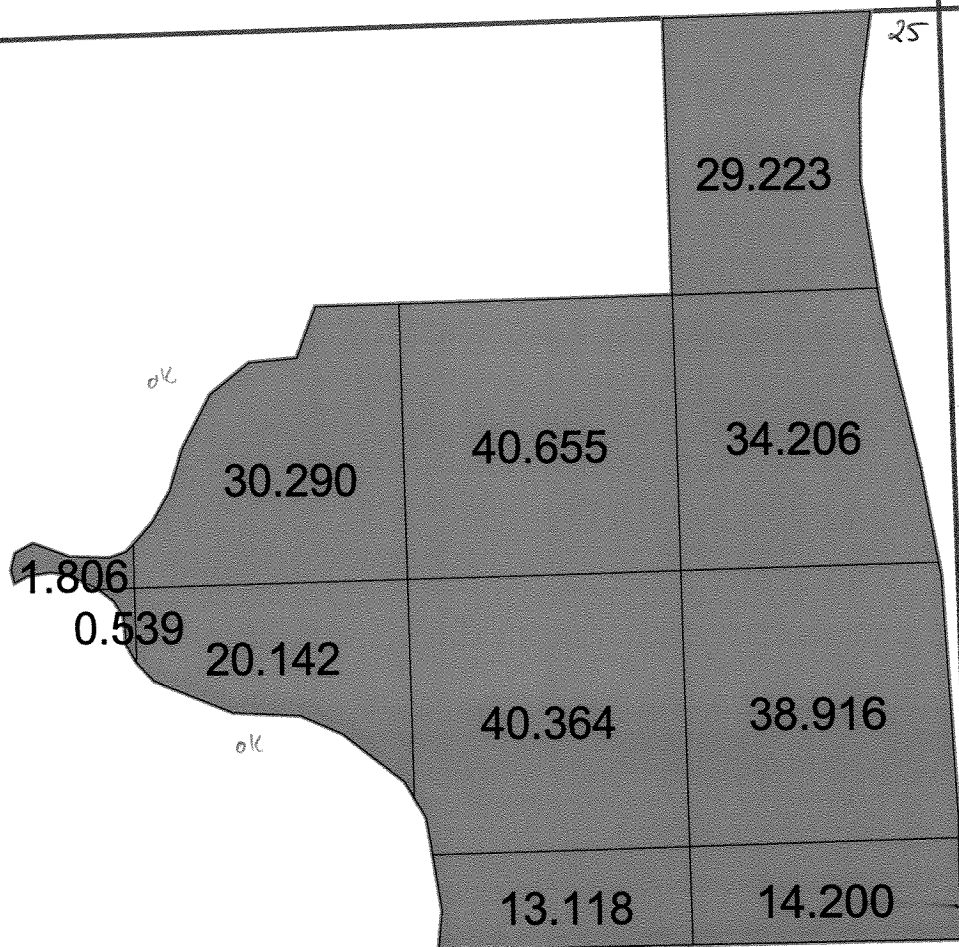
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25															A	A	38.2

Total Acres 38.2

R40E

25

25



ok

ok

T
115

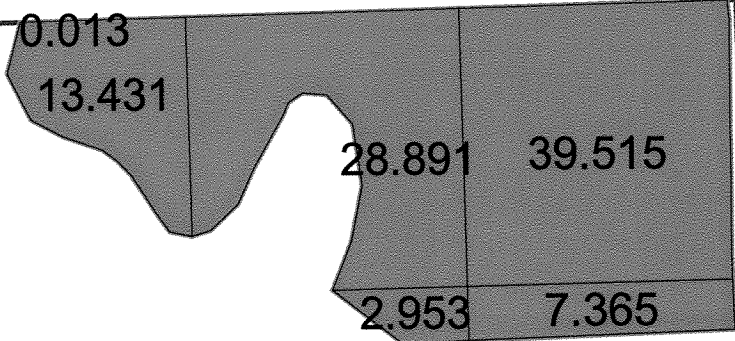
ok

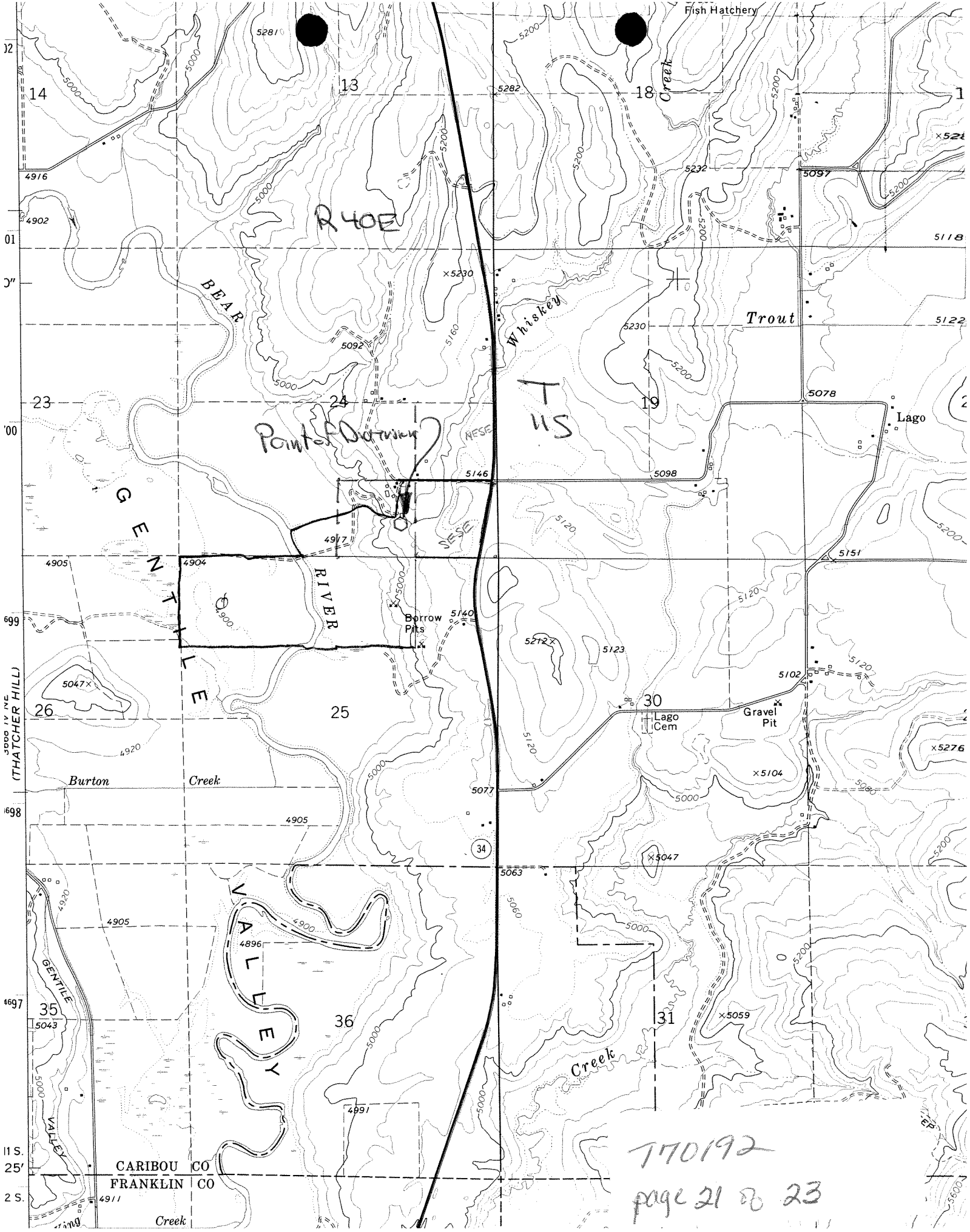
ok

25

36

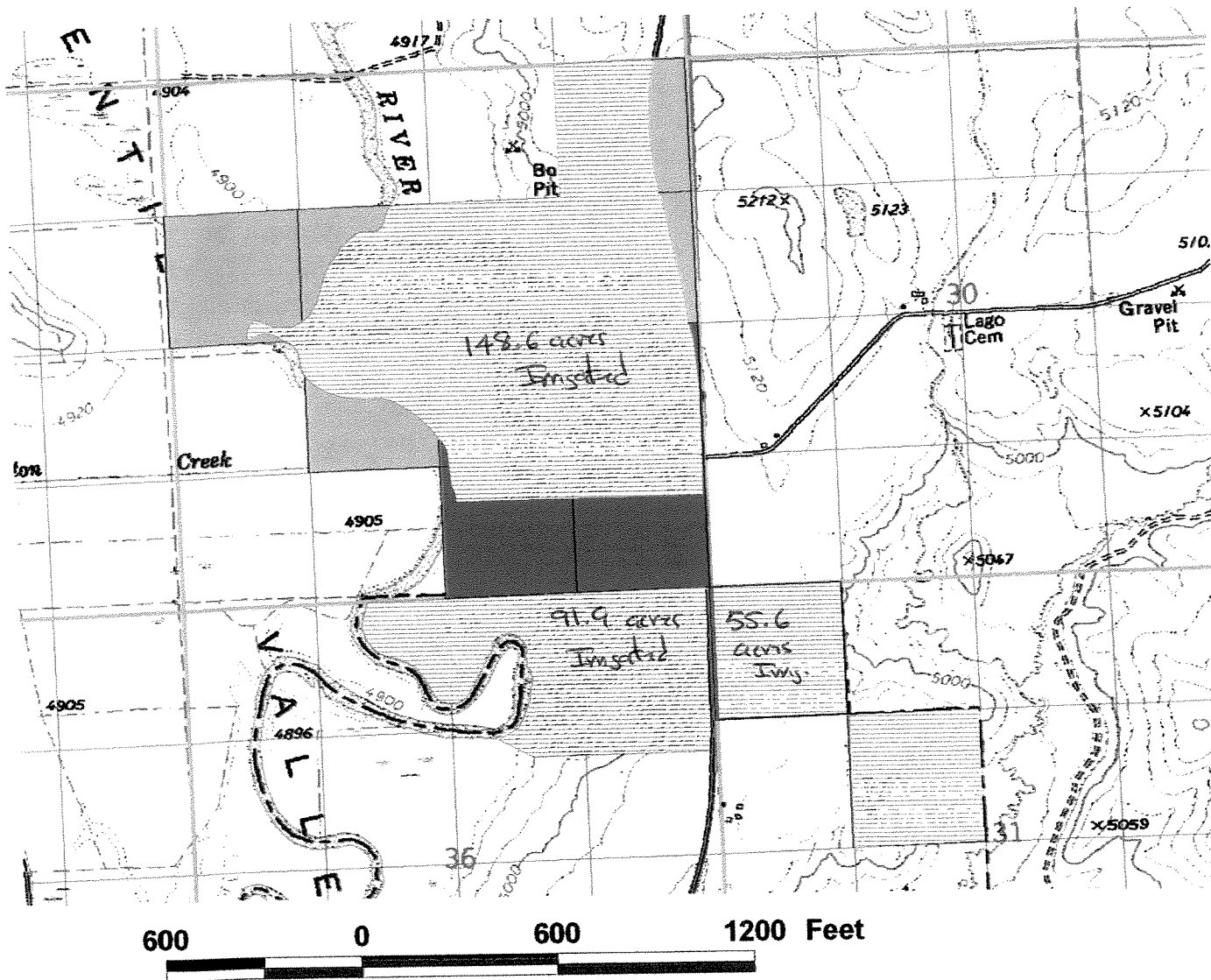
25



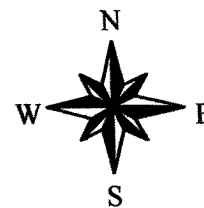


770192
page 21 of 23

Glenn V. Turner Ownership and Decreed Water Rights



-  Gturner ownership.shp
-  G turner.shp
-  Jw gibbs.shp
-  Henry turner.shp
-  Leroy turner.shp
-  Gcdb_section.shp
-  T11s41e.shp
-  T11s40e.shp



Created by: Cbird
May 21, 2002

PART 3

CHANGES IN NATURE OF USE

New Nature of Use

Amount(cfs/af-ft)

Hours/days/year

Period of Use

to

to

Quantity and quality of return flows and location of discharge:

Describe effects on other water uses resulting from the proposed change:

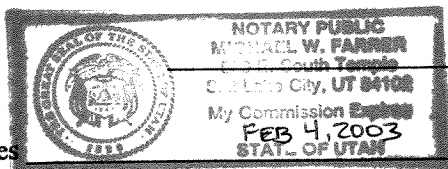
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this 19TH day of SEPTEMBER, 20 02.



[Signature: Michael W. Farmer]
(Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains 23 pages and 4 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$225 + \$225

Received by JM C061765 Date 5-2-02 + 9-20-02

Published in Caribou Co. Sun Copies of protest forwarded by _____

Pub. Dates Oct 17 & 24, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on Oct 9, 2002 Recommended for ☒ approval ☐ denial

_____ received Nov 1, 2002 by *[Signature]*

Copy of transfer sent to lien holder _____

T70192

WARRANTY DEED

Order No.:3080240073

FOR VALUE RECEIVED

Glenn V. Turner and Carol Turner, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Charles E. Barlow and Laurel W. Barlow, husband and wife

whose current address is

1130 Manchester Dr.
Kaysville, UT 84037

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

Township 11 South, Range 40 East of the of the Boise Meridian, Caribou County, Idaho,
Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, and that part of the S $\frac{1}{2}$ NW $\frac{1}{2}$ and of the
N $\frac{1}{2}$ SW $\frac{1}{4}$ lying East of the center line of Bear River.

EXCEPT:

All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 11, South, Range 40 East, of the Boise Meridian lying
South and West of the Bear River.

ALSO EXCEPT:

Township 11 South, Range 40 East of the Boise Meridian:

Section 25: All that portion of the NE $\frac{1}{4}$ lying Easterly of the Easterly right of way line of State of
Idaho Highway No. 34 as presently located.

ALSO EXCEPT:

All that property Deeded to the State of Idaho for Highway right of way recorded March 22, 1956,
as Instrument No. 37499 and Recorded May 25, 1956 as Instrument No. 37858 and 37859 of the
Official Records, Caribou County, Idaho.

ALONG WITH ANY AND ALL WATER RIGHTS APPURTENANT TO SAID PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in
fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions,
covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated:

5-20-02

Glenn V. Turner

Carol Turner

166019

STATE OF IDAHO

County of Caribou

Date: May 21, 2002

Time: 2:25 PM

Official Records

Recorder: Edie Izatt

Deputy: Linda L. Hodgrey

Fee: 3.00 AT

ATTACHMENT

T 70192
1 OF 6

WR
LWB

217317

WARRANTY DEED

Recorded at the request of
NORTHERN TITLE

Order No.: 3080240073

FOR VALUE RECEIVED

Glenn V. Turner and Carol Turner, Husband and Wife

a.m. MAY 21 2002 3:50 p.m.

V. ELLIOTT LARSEN, RECORDER
By Carmelle Larsen Deputy
FRANKLIN COUNTY, IDAHO

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Charles E. Barlow and Laurel W. Barlow, husband and wife

whose current address is

1130 Manchester Dr.
Kaysville, UT 84037

the grantee(s), the following described premises, in Franklin County, Idaho, TO WIT:

TOWNSHIP 11 SOUTH, RANGE 41 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO. SECTION 31: LOT ONE (1) AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER. ALSO, BEGINNING AT THE NORTHEAST CORNER OF LOT TWO (2), THENCE RUNNING WEST 25 RODS AND 10 FEET; THENCE SOUTH 4 RODS; THENCE IN A SOUTHEASTERLY DIRECTION 8 RODS; THENCE EAST 19 RODS AND 10 FEET TO THE QUARTER SECTION LINE; THENCE NORTH ALONG SAID LINE 9 RODS AND 12 FEET TO THE PLACE OF BEGINNING. (8.00)

TOWNSHIP 11 SOUTH, RANGE 40 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO. SECTION 36: BEGINNING AT THE NORTHEAST CORNER OF SECTION 36, AND RUNNING THENCE SOUTH 80 RODS TO THE SOUTHWEST CORNER OF LOT ONE (1); THENCE WEST 4 RODS; THENCE SOUTH 11 RODS; THENCE WEST 51 RODS; THENCE SOUTHWEST BY WEST ALONG THE NORTH SIDE OF THE HOLLOW 105 RODS TO THE HALF SECTION LINE BETWEEN THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 36; THENCE NORTH ALONG SAID LINE 91 RODS; THENCE EAST 160 RODS TO THE PLACE OF BEGINNING. (2.00)

TOWNSHIP 11 SOUTH, RANGE 40 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO. SECTION 36: EXCEPTING THEREFROM: ALL THAT LAND IN THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE NORTHEAST QUARTER LYING WEST OF THE BEAR RIVER, ALSO: ALL THAT LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE BEAR RIVER.

ALONG WITH ANY AND ALL WATER RIGHTS APPURTENANT TO SAID PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, condition covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 20, 2002
Glenn V. Turner
Glenn V. Turner

Carol Turner
Carol Turner

T 70192
2 OF 6
ATTACHMENT

RECEIVED
SEP 16 2002
Department of Water Resources
Eastern Region



Harold Jones
Idaho Department of Water Resources
900 N. Skyline Drive
Suite A
Idaho Falls, Idaho 83402-1718

Re: Charles E. Barlow – Water Rights transfer and consolidation, 13-695, 13-696A, 13-712A, 13-713, 13-718B, 13-718C, 13-719A, 13-719B, 13-720A, 13-720B,

Dear Harold,

Zions Bank has received notification from our client –Charles E. Barlow – of his intended request to your department for the transfer of certain water rights from Mr. Glenn V. Turner, et.al. Mr. Barlow is also requesting that these water rights be consolidated, allowing him to use these rights interchangeably on each of his parcels, as he deems necessary.

Mr. Barlow has entered into certain financial arrangements with Zions Bank, and consequently has allowed our bank to take these rights as collateral in connection with our lien (EXHIBIT A). Our mortgage interest was **filed in Caribou County** 2:25pm as instrument **#166020**. The water rights belonging to this property are identified in the 10 water rights attached.

We understand that a consolidation of these rights in no way would compromise our lien position or diminish the property value. We further understand that should it be necessary in the future to sell certain parcels, access to these water rights would not be precluded with such a consolidation.

Sincerely,

Dennis R. Watson
Vice President

Cc: Charles E. Barlow
Attachments: Exhibit A, Water Rights description

ZIONS BANK®

Private Banking

One South Main, Suite 200

Salt Lake City

Utah 84111

ATTACHMENT T 70192
3 OF 6

"EXHIBIT A"

RECEIVED
SEP 16 2002
Department of Water Resources
Eastern Region

TOWNSHIP 11 SOUTH, RANGE 41 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.
SECTION 31: LOT ONE (1) AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER.
ALSO, BEGINNING AT THE NORTHEAST CORNER OF LOT TWO (2), THENCE RUNNING WEST 25 RODS
AND 10 FEET; THENCE SOUTH 4 RODS; THENCE IN A SOUTHEASTERLY DIRECTION 8 RODS; THENCE
EAST 19 RODS AND 10 FEET TO THE QUARTER SECTION LINE; THENCE NORTH ALONG SAID LINE 9
RODS AND 12 FEET TO THE PLACE OF BEGINNING. (8.00)

TOWNSHIP 11 SOUTH, RANGE 40 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO
SECTION 36: BEGINNING AT THE NORTHEAST CORNER OF SECTION 36, AND RUNNING THENCE SOUTH
80 RODS TO THE SOUTHWEST CORNER OF LOT ONE (1); THENCE WEST 4 RODS; THENCE SOUTH 11
RODS; THENCE WEST 51 RODS; THENCE SOUTHWEST BY WEST ALONG THE NORTH SIDE OF THE
HOLLOW 105 RODS TO THE HALF SECTION LINE BETWEEN THE NORTHEAST QUARTER AND THE
NORTHWEST QUARTER OF SECTION 36; THENCE NORTH ALONG SAID LINE 91 RODS; THENCE EAST 160
RODS TO THE PLACE OF BEGINNING. (2.00)

TOWNSHIP 11 SOUTH, RANGE 40 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.
SECTION 36: EXCEPTING THEREFROM: ALL THAT LAND IN THE SOUTH HALF OF THE NORTHEAST
QUARTER AND THE NORTH HALF OF THE NORTHEAST QUARTER LYING WEST OF BEAR RIVER. ALSO;
ALL THAT LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF BEAR
RIVER.

95.5 acres

RECORDATION REQUESTED BY:

ZIONS FIRST NATIONAL BANK
SALT LAKE PRIVATE BANKING CENTER
310 SOUTH MAIN STREET SUITE 100
SALT LAKE CITY, UT 84101

WHEN RECORDED MAIL TO:

ZIONS FIRST NATIONAL BANK
Loan Servicing Group UT RDWG 0187
2460 South 3270 West
West Valley City, UT 84119

Carver County
@ 2:25

166020 instrument

Franklin County
@ 4:30

217318

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MORTGAGE

THIS MORTGAGE dated May 15, 2002, is made and executed between CHARLES E. BARLOW and LAUREL W. BARLOW, HUSBAND AND WIFE. (referred to below as "Grantor") and ZIONS FIRST NATIONAL BANK, whose address is 310 SOUTH MAIN STREET SUITE 100, SALT LAKE CITY, UT 84101 (referred to below as "Lender").

GRANT OF MORTGAGE. For valuable consideration, Grantor mortgages, grants, bargains, sells and conveys to Lender all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, watercourses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Parcel 1: CARIBOU COUNTY; Parcel 2: FRANKLIN COUNTY County, State of Idaho:

SEE EXHIBIT "A" ATTACHED

The Real Property or its address is commonly known as 179 HIGHWAY 34, GRACE, ID 83241. The Real Property tax identification number is Parcel 1: RL 40720 H/E; Parcel 2: 8.00 and 2.00

Grantor presently assigns to Lender all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS MORTGAGE, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS MORTGAGE. THIS MORTGAGE IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Mortgage, Grantor shall pay to Lender all amounts secured by this Mortgage as they become due and shall strictly perform all of Grantor's obligations under this Mortgage.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property. The following provisions relate to the use of the Property or to other limitations on the Property.

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Compliance With Environmental Laws. Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Grantor authorizes Lender and its agents to enter upon the Property to make such inspections and tests, at Grantor's expense, as Lender may deem appropriate to determine compliance of the Property with this section of the Mortgage. Any inspections or tests made by Lender shall be for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Grantor or to any other person. The representations and warranties contained herein are based on Grantor's due diligence in investigating the Property for Hazardous Substances. Grantor hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Grantor becomes liable for cleanup or other costs under any such laws; and (2) agrees to indemnify and hold harmless Lender against any and all claims, losses, liabilities, damages, penalties, and expenses which Lender may directly or indirectly sustain or suffer resulting from a breach of this section of the Mortgage or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release occurring prior to Grantor's ownership or interest in the Property, whether or not the same was or should have been known to Grantor. The provisions of this section of the Mortgage, including the obligation to indemnify, shall survive the payment of the Indebtedness and the satisfaction and reconveyance of the lien of this Mortgage and shall not be affected by Lender's acquisition of any interest in the Property, whether by foreclosure or otherwise.

Nuisance, Waste. Grantor shall not cause, conduct or permit any nuisance nor commit, pe

T 70192
ATTACHMENT 5 OF 6

May 20, 2002

Harold Jones
Idaho Department of Water Resources
900 N. Skyline Drive
Suite A
Idaho Falls, Idaho 83402-1718

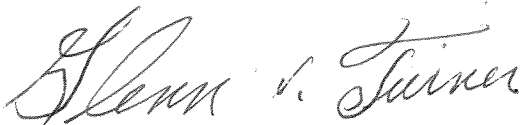
REF: Water Rights 13-713, 712A, 695, 718C, 719A, 720A, 718B, 719B, 720B

SUBJECT: Ownership change filing fee.

Dear Harold,

In the process of selling my property I discovered that my water rights were not current and filed an ownership change on receipt number C061765 in the amount of \$225.00. It was later determined that a transfer was necessary to clear up several issues. I would like that money applied to the transfer needed to clear up all of the issues under my water rights with the new owners Mr. & Mrs. Charles E. Barlow. The new owners have decided to file the transfer and do the ownership change to their name at the same time.

Sincerely,



Glenn V. Turner