

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

RECEIVED

OCT 30 2023

**APPLICATION FOR TRANSFER OF WATER RIGHT - POINT(S) OF DIVERSION**

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s)      ☐ Add diversion point(s)      ☐ Ownership change      ☐ Ownership split  
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** TIMOTHY BARCA Phone 970.471.6619

2. **MAILING ADDRESS** PO BOX 212 City CARMEN

State ID Zip 83462 Email magbarca@yahoo.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.  
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.  
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 75-13948, 75-13950

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is .09 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.  

(diversion rate)
(storage volume)

5. **POINT OF DIVERSION** - Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, Water Rights, Water Right Transfers, Modeling Resources.

| New? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Source       | Local name or tag # |
|------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|      |     |   | NE | SW | 6   | 22N | 22E | LEMHI  | SALMON RIVER |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
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|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |

## 6. 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:

System consists of screened pump in river which will connect to existing pod/sprinkler line on the property. Pump and screen will limit the amount of water diverted (3 inch suction hose, 3 horsepower pump).

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

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

N/A

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

N/A

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

**(Disregard if these items are on file and ownership has not changed.)**

7. **MAP** - ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and  $\frac{1}{4}$   $\frac{1}{4}$  of section information. You may create a map at [idwr.idaho.gov](http://idwr.idaho.gov), Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Timothy Barca  
Signature of applicant or authorized agent

Timothy Barca  
Print name and title if applicable

10/26/23  
Date

\_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
Print name and title if applicable

\_\_\_\_\_  
Date

9. **FEE** - ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8, require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

## FOR DEPARTMENT USE ONLY

Transfer includes \_\_\_\_\_ pages of attachments. Received by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$200.00 Date 10/30/23 Received by cth Receipt # E049588

Preliminary review by \_\_\_\_\_ Date \_\_\_\_\_ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 \_\_\_\_\_ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

11/7/2023

Water Right 75-13948

**Owner Type**

Current Owner

**Name**

TIMOTHY BARCA

**Priority Date:** 5/13/1898

**Basis:** Decreed

**Status:** Active

**Source**

WALLACE CREEK

**Tributary**

SALMON RIVER

**Beneficial Use**

IRRIGATION

**From**

04/01

**To**

10/31

**Diversion Rate**

0.040 CFS

**Volume**

**Total Diversion**

0.040 CFS

**Source and Point(s) of Diversion:**

WALLACE CREEK

L7(NWSW)

Sec. 6, Twp 22N, Rge 22E, LEMHI County

**Place Of Use:**

**IRRIGATION within LEMHI County**

T22N R22E S6 L11

NESW

4.0

POU Total Acres

4.00

**Conditions of Approval:**

1. 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.
2. P21 This right is a split from former right 75-83F.
3. E55 Right Nos. 75-13948 and 75-13950 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.
4. This right is a split from decreed right 75-83.

**Dates and Other Information:**

Decreed Date: 4/12/2010

Civil Case Number: 39576

Judicial District: FIFTH

Water District Number: 75A

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

11/7/2023

Water Right 75-13950

**Owner Type**  
Current Owner

**Name**  
TIMOTHY BARCA

**Priority Date:** 6/1/1902

**Basis:** Decreed

**Status:** Active

**Source**  
WALLACE CREEK

**Tributary**  
SALMON RIVER

| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                  | 10/31     | 0.050 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.050 CFS             |               |

**Source and Point(s) of Diversion:**

WALLACE CREEK L7(NWSW) Sec. 6, Twp 22N, Rge 22E, LEMHI County

**Place Of Use:**

**IRRIGATION within LEMHI County**

|                  |      |      |
|------------------|------|------|
| T22N R22E S6 L11 | NESW | 4.0  |
| POU Total Acres  |      | 4.00 |

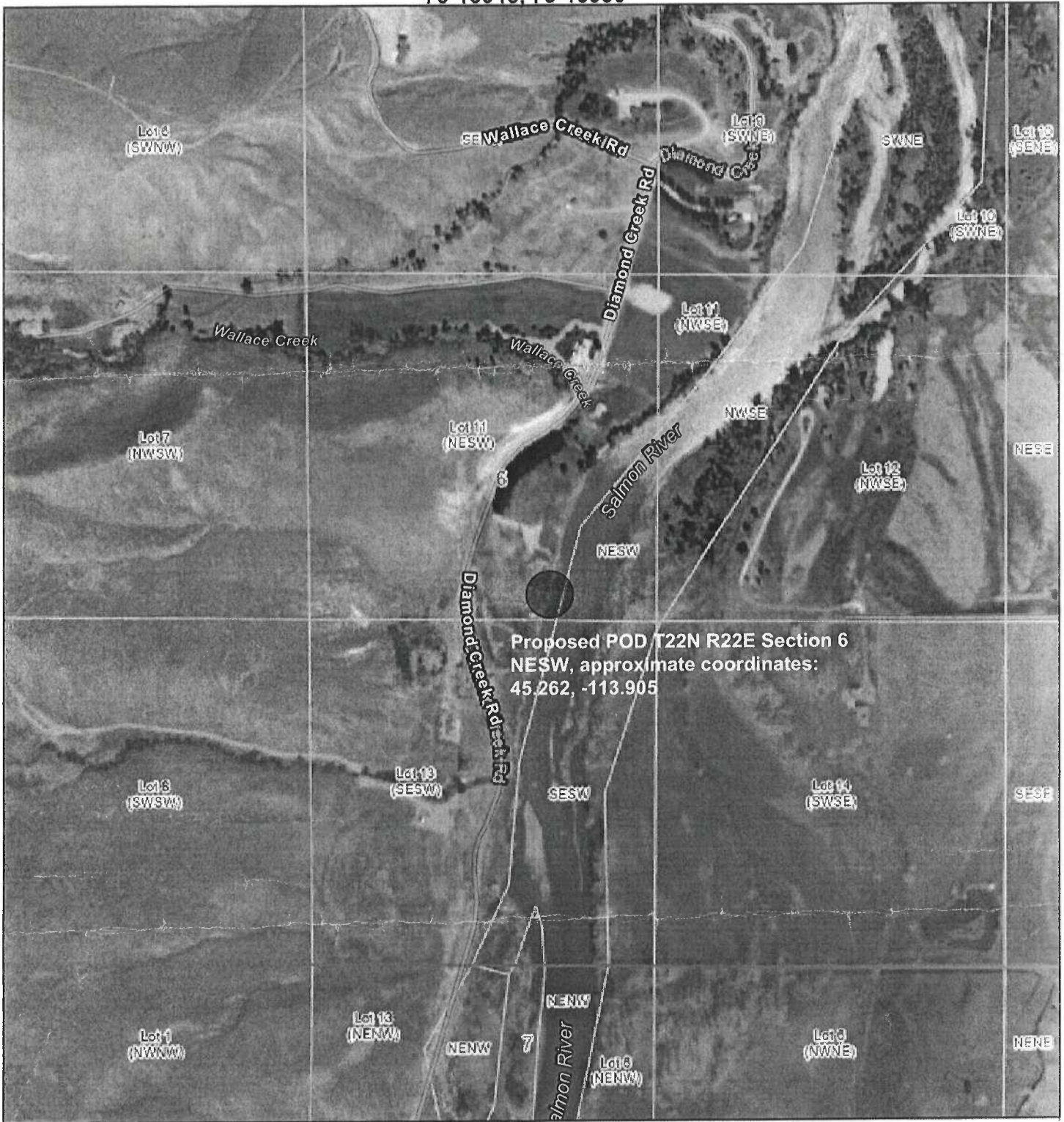
**Conditions of Approval:**

1. P21 This right is a split from former right 75-84D.
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.
3. This right is a split from decreed right 75-84.
4. E55 Right Nos. 75-13948 and 75-13950 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.

**Dates and Other Information:**

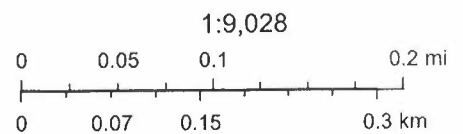
Decreed Date: 4/12/2010  
Civil Case Number: 39576  
Judicial District: FIFTH  
Water District Number: 75A  
Mitigation Plan: False

Barca POD Transfer  
T22N R22E Section 6 NESW  
75-13948, 75-13950



10/16/2023, 2:36:47 PM

- Counties
- Quarter Quarters
- PLS Sections
- Townships



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88603

ArcGIS Web AppBuilder  
IDWR | Idaho Department of Water Resources (IDWR)

PLEASE CONTACT ME VIA PHONE  
OR EMAIL ON THIS APPLICATION AS  
I WILL NOT BE IN SALMON TO  
RECEIVE MAIL FROM NOVEMBER TO  
EARLY MAY. IF NEEDED, PLEASE  
MAIL ANY CORRESPONDENCE REGARDING  
THIS APPLICATION TO P.O. BOX 261  
TESUQUE, N.M. 87574

Thank you!

Timothy Barca

970-471-6619

(970) 471-6619

mghbarca@yahoo.com



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

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

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

November 8, 2023

TIMOTHY BARCA  
PO BOX 212  
CARMEN, CO 83462

RE: Transfer No. 88603  
Water Right No(s). 75-13948, 75-13950

Dear Applicant:

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 RECORDER HERALD on 11/16/2023 and 11/23/2023. 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,

Christina Henman  
Administrative Assistant

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, November 8, 2023 11:56 AM  
**To:** rhlegals@custertel.net  
**Subject:** Legal Notice for Recorder Herald  
**Attachments:** 88603, 74-16470 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT  
RECORDER HERALD  
PO BOX 310  
SALMON, ID 83467

RE: Transfer No. 88603, Permit No. 74-16470

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 12/4/2023. Your cooperation is appreciated.

Thank You,



Christina Henman  
Administrative Assistant  
IDWR, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 88603**

TIMOTHY BARCA, PO BOX 212, CARMEN, CO 83462 has filed Application No. 88603 for changes to the following water rights within LEMHI County(s): Right No(s). 75-13948, 75-13950; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The source is Wallace Creek, but the proposed point of diversion is on the Salmon River in Lot 11 (NESW) Sec 6 T22N R22E for 0.09 cfs.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 12/4/2023. The protestant must also send a copy of the protest to the applicant.

**The following application(s) have been filed to appropriate the public waters of the State of Idaho:**

**74-16470**

DANIEL F BORINTRAGER, 35 N BAKER RD, SALMON, ID 83467-5170

Point of Diversion L3( NENW) S3 T20N R23E LEMHI County

Source WASTE WATER Tributary LEMHI RIVER

Use: IRRIGATION

04/01 to 10/31

0.09 CFS

Total Diversion:

0.09 CFS

Date Filed: 06-29-2023

Place Of Use: IRRIGATION

T20N R23E S3

L3(NENW)

Total Acres: 4.5

This application proposes the diversion and use of water from waste water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 12/4/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/16/2023 and 11/23/2023