STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84491

This is to certify that: DONNA J ANDERSON
MARC A ANDERSON
1011 E 1000 S
ALBION, ID 83311-9708

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
45-521D	WR/DECREED	6/1/1877	0.380 cfs	N/A	N/A	20.5	LAND CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-521D	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-521D	45-14536	0.030 cfs	N/A	N/A	1.5	45-521D	0.350 cfs	N/A	N/A	19.0
COMBINED TOTALS		**0.030 cfs**	**N/A**	**N/A**	**1.5**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 29th day of January, 2021.

Southern Region Manager

SUPPORT DATA
IN FILE # 45-521D

Transfer No. 84491

WATER RIGHT NO. 45-521D

As Modified by Transfer No. 84491

In accordance with the approval of Transfer No. 84491, Water Right No. 45-521D is now described as follows:

Right Holder: RICHARD GLENN CLARK OR
SHIRLEY A CLARK
PO BOX 20
ALBION, ID 83311

Priority Date: 6/1/1877

Source: LAND CREEK **Tributary:** MARSH CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	0.350 cfs
				0.350 cfs

LOCATION OF POINT(S) OF DIVERSION

LAND CREEK	NENWNE	Sec 13 Twp 12S Rge 24E CASSIA County
LAND CREEK	SWNENW	Sec 13 Twp 12S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	24E	13	9.5	9.5															19.0

POU Total Acres: 19.0

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

2. Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.

3. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-14536

As Modified by Transfer No. 84491

In accordance with the approval of Transfer No. 84491, Water Right No. 45-14536 is now described as follows:

Right Holder: MARC A ANDERSON AND
DONNA J ANDERSON
1011 E 1000 S
ALBION, ID 83311-9708

Priority Date: 6/1/1877

Source: LAND CREEK **Tributary:** MARSH CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	0.030 cfs
				0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

LAND CREEK NWNWNE Sec 13 Twp 12S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	24E	13		1.5															1.5

POU Total Acres: 1.5

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 under this right is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the partial decree date of 5/6/2005.

Transfer No. 84491

WATER RIGHT NO. 45-14536

As Modified by Transfer No. 84491

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 84491

45-14536

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

24E

12S

Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.035 0.07 0.14 Miles

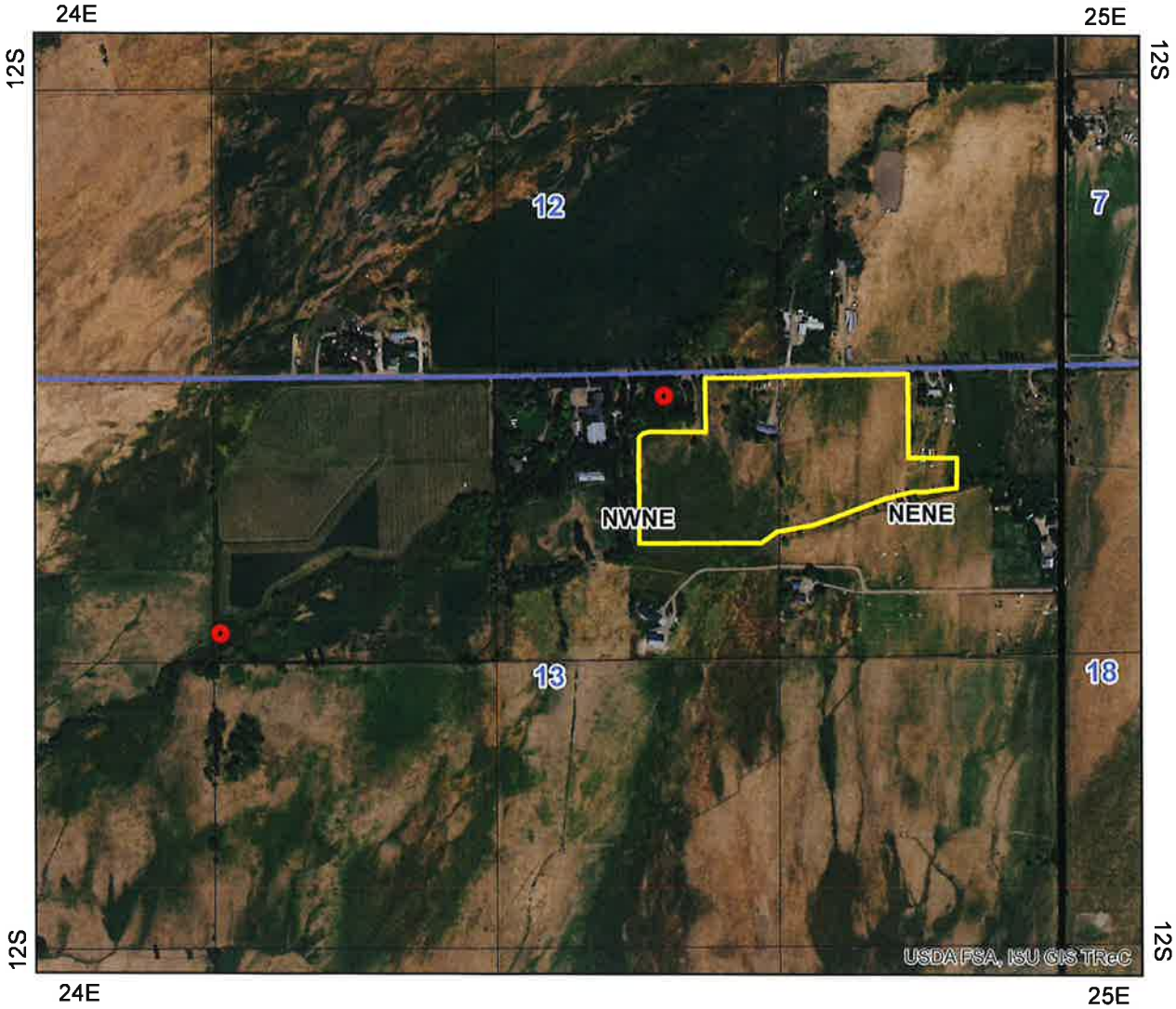
N

State of Idaho
Department of Water Resources

Attachment to Transfer # 84491

45-521D

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

0 0.1 0.2 0.4 Miles

N

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037
Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 1, 2021

MARC A ANDERSON
DONNA J ANDERSON
1011 E 1000 S
ALBION ID 83311-9708

Re: Transfer No: 84491
Water Right No(s).: 45-521D

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

William A Parsons, attorney
Richard Glenn & Shirley A Clark
Donald Gunderson, Water District 45F

CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84491
Water Right No(s).: 45-521D

MARC A ANDERSON
DONNA J ANDERSON
1011 E 1000 S
ALBION ID 83311-9708

WILLIAM A PARSONS
PARSONS SMITH STONE LOVELAND & SHIRLEY LLP
PO BOX 910
BURLEY ID 83318-0910

RICHARD GLENN CLARK
SHIRLEY A CLARK
PO BOX 20
ALBION ID 83311

WATER DISTRICT 45F
DONALD GUNDERSON
1047 E 1000 S
ALBION ID 83311-9708

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) The petition for reconsideration is disposed of; or
(b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sufficiency Memorandum

Date: December 30, 2020

To: Transfer 84491 File

From: Benny Walker

Re: Transfer Synopsis

Application for transfer proposes to change the place of use and point of diversion locations for a 0.03 cfs and 1.5 acre portion of an irrigation water right from Land Creek. The current authorized place of use is located approximately 1.7-1.9 miles south and 0.6-0.9 miles west of the City of Albion. The currently authorized points of diversion are located 1.7 miles south and 0.9 miles west of the City of Albion and 2.0 miles south and 1.3 miles west of the City of Albion. The proposed new location for the 1.5 acres of irrigation and proposed new point of diversion is on adjacent property just west of the current place of use. The application also proposes to change the ownership of the 0.03 cfs and 1.5 acres being transferred to the applicant.

The right involved with this application is located within Water District #45F. Therefore watermaster comments were solicited. The watermaster has no apparent problem in approving this application. The application was subject to notice and protest. No protests were received.

- **Authority to File:**
  The applicant submitted the necessary deed conveying ownership.

- **Water Right Validity:**
  The water right involved in the transfer was decreed in 2005. Aerial photography indicates that the land has been irrigated in recent years.

- **Injury to Other Water Rights:**
  None anticipated. The application proposes to change the point of diversion to a new diversion Land Creek on the applicants' property. Watermaster comments were solicited and the watermaster does not oppose approval of this application.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No negative impacts anticipated. The application was subject to notice and protest and no protests were received.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use are recognized as beneficial uses of water.

- **Effect on Economy of the Local Area:**
  None anticipated.

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

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.

** Proof of Publication **

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

JENNY GREEN, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500

TWIN FALLS ID 83301

ORDER NUMBER 108934

Jenny Green

(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 10 day of December in the year of 2020 before me, a Notary Public, personally appeared before me Jenny Green known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore

Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-2026

Section: Legals

Category: 50 Legal

PUBLISHED ON: 12/03/2020, 12/10/2020

TOTAL AD COST: 212.70

FILED ON: 12/10/2020

RECEIVED
DEC 16 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

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

37-23252
THOMAS E KING
1032 IDAHO ST
BURLEY, ID 83318-4923
Point of Diversion L6(NESWSE) S7 T06S R13E GOODING County Source UNNAMED SPRING Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10-26-2020
Place Of Use: DOMESTIC
T06S R13E S7 L6(SWSE)
Application proposes to divert water from an unnamed spring source tributary to the Snake River for domestic use. The proposed point of diversion and place of use are located approximately 0.8 miles south and 0.3 miles west of Bliss. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

47-17721
TWIN FALLS SCHOOL DISTRICT #411
201 MAIN AVE W
TWIN FALLS, ID 83301-6103
Point of Diversion NESESW S28 T10S R17E TWIN FALLS County Source GROUND WATER Tributary
Use: HEATING 01/01 to 12/31 0.58 CFS
Use: COOLING 01/01 to 12/31 0.58 CFS
Total Diversion: 0.58 CFS
Date Filed: 10-22-2020
Place Of Use: COOLING, HEATING
T10S R17E S28 SESW
Application seeks to appropriate 0.58 cfs of ground water for heating and cooling uses associated with South Hills Middle School located at 1550 Harrison St S in Twin Falls. Water will be diverted from an existing well, utilized and reinjected on site. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84491

MARC A ANDERSON and DONNA J ANDERSON, 1011 E 1000 S, ALBION, ID 83311-9708 has filed Application No. 84491 for changes to the following water rights within CASSIA County(s): Right No(s). 45-521D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use and point of diversion locations for a 0.03 cfs and 1.5 acre portion of an irrigation water right from Land Creek. The current authorized place of use is located approximately 1.7 to 1.9 miles south and 0.6 to 0.9 miles west of the City of Albion. The currently authorized points of diversion are located 1.7 miles south and 0.9 miles west of the City of Albion and 2.0 miles south and 1.3 miles west of the City of Albion. The proposed new location for the 1.5 acres of irrigation and proposed new point of diversion is on adjacent property just west of the current place of use.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **December 21, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 3rd & 10th, 2020

ok bm 12/28/2020.

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 25, 2020

Rec'd 11/30/2020 DGG. note: I am 5 days short of the 21 days required to furnish the State.

WATER DISTRICT 45F
DON GUNDERSON
1047 E 1000 S
ALBION ID 83311-9708

RE: Transfer No. 84491 (Marc & Donna Anderson)
Water Right No(s). 45-521D

Dear Don:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is 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 can finish reviewing an unprotested application 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 application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

RECEIVED
DEC 14 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Enclosure(s)

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RECEIVED
DEC 14 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

RE: Transfer No. 84491 Water Right No(s).: 45-521D

Transfer Applicant's Name: MARC & DONNA ANDERSON
1011 E 1000 S
ALBION ID 83311-9708

Watermaster's Recommendation:

a) _____ I do not oppose approval of this application.

b) __X__ I do not oppose approval of this application if it is conditioned as follows:
Please Review my Cover letter for comments!

c) _____ I oppose approval of this application for the following reasons:

d) __X__ Additional comments: Please see cover letter for my additional comments. Thank you!

Dated this 12 day of December, 2020

Water District 45F

Don G. Gunderson 45-F
Watermaster's Signature

Don G. Gunderson
Printed Name

RECEIVED
DEC 14 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Marsh Creek Water District 45F
1047 E 1000 S
Albion, Idaho 83311

Dec. 12, 2020

State of Idaho
Department of Water Resources
Attn: Denise Maline
Administrative Assistant
Southern Region
650 Addison Ave W. Suite 500
Twin Falls, Idaho 83301-5858

Re: Transfer No. 84491, Water Right No. 45-521D

Dear Denise,

Received the above documentation November 30, 2020! Hopefully I don't run into a holiday getting my reply back to Twin Falls! Just in Jest!

I have no problems in approving the above attached application on the water right or POD transfer, but I do have conditions that I have that needs to be addressed.

In reviewing page 1 of the Transfer No 84491 item #1 was indicated ***NO,*** *[I question this]! The Reason, I was informed by parties that User(s) Donna & Mark Anderson hold weddings at their premises all thru the season and charging for the use of their facilities! I believe it's a Business and checked off as a YES.*

a) *Note: This was one reason why the hoses were still hooked up to the pump at the creek into September when all POD's' were being checked by the Watermaster and Water Resources personnel. Andersons' decreed water right along with the other Users' with the same date of the lateral had not been available since part of June 2020!*

1) *I had assumed they were using their well, not the case, but they had to keep the lawns and property green for the occasions!*
   a. *Solution could be, they could invest in developing their well with some of their profits from the weddings! I understand their domiciliary well cannot supply that amount of water. Otherwise, were back to the current conditions depriving the others of their water rights by Decreed Date!*

2) *In all my annual reports to the Users' is by e-mail and or the Water Masters annual water meetings, that the paragraph below is so stated that if a pump is a legal POD, then the following rule applied: Neither party has attended a meeting nor provided an e-mail address to the water master, but I have conversed dealing with water right, etc with Donna on ocasions!*

   - *The Legal Pump Diversion's within the creeks': The User will call the Watermaster for delivery. Also, realize the Water District through Allen Merritts' Ruling is, and I will enforce; "If the water right is down to a portion of the right, it has to go to the next inline. It is SHUTOFF regardless! If an individual persists to use the pump then there SHALL be a monitor required instead of guessing on usage".*

No matter what takes place with the POD transfer and the Decreed Water Right 45-521D Priority date of 6/1/1876 no longer has beneficial use and the water goes to the next User inline by priority date there will be no water delivered from Land Creek for special use on their project.

b) *It will be noted the Lateral consists of Six (6) additional Users' which are setup on a rotation basis and charged by their decreed right percentage that is turned out at the Land Creek lateral POD.*

b) *It will be noted the Lateral consists of Six (6) additional Users' which are setup on a rotation basis and charged by their decreed right percentage that is turned out at the Land Creek lateral POD.*

c) *Also, if pump has been used after they have been shutoff and notified, and there is no water for the Decreed Date, the pump will be pulled with a fine. The following is an option that is implemented by the Watermaster.*

The Watermaster will be charging the User(s) till he can no longer supply water due to the decreed date, whether they are irrigating or not [per b) above]. The sole responsibility falls back with Mark & Donna Anderson following the policies set forth by IDWR

Respectively submitted,

Don G. Gunderson

Donald G. Gunderson, Watermaster
Marsh Creek Water District 45F
gundy@safelink.net

Enclosure(s):

Cover Letter
Recommendation Form
Water Right Transfer 84491 Notice
Attached IDWR File Letter Notice

Maline, Denise

From: gundy@safelink.net
Sent: Monday, December 14, 2020 12:10 PM
To: Maline, Denise
Cc: Skinner, Corey; Erickson, Nathan
Subject: Transfer No 84491/45-521D
Attachments: Scan7 M&DAnderson.pdf

Importance: High

Hi Denise,

Hope you get this Transfer OK! If there are any question, Please give me a call or email.

Hope everyone has a "Fantastic Christmas" @ IDWR~Twin Falls!

Best Regards,

..... Don G.Gunderson, Wm-45F
gundy@safelink.net