

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. **RECEIVED**

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

NOV 02 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Marc A Anderson and Donna J Anderson, husband and Wife

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b 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). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☐ #7b 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. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Marc A Anderson and Donna J Anderson Phone 208 312 0306
Mailing address 1011 East 1000 South Albion, Idaho 83311 Email _____

- ☐ 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**.

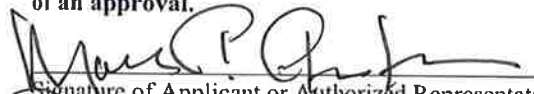
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

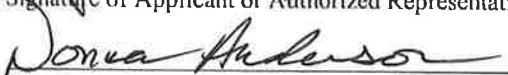
☐ No Representative

Name of Representative William A Parsons Phone 208 878 8382
Mailing address Box 910 Burley, Idaho 83311 Email wparsons@pmt.org

- ☒ 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


Signature of Applicant or Authorized Representative

Marc A Anderson 10/19/2020
Print Name and Title if applicable Date

Donna J Anderson 10/19/2020
Print Name and Title if applicable 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 _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. 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.3**.
See attached narrative

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 (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input type="checkbox"/> <input checked="" type="checkbox"/>	45-521D	0.03cfs	Irrigation	4-1 to 10-31	Land Creek
<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	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 0.03 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.03 cubic feet per second and/or _____ acre-feet per year.

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 #
x		NW	NW	NE	13	12	24E	Cassia	Land 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	
12	24E	13		1.5															1.5
Total Acres (for irrigation use)																			1.5

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:

Pump from Land Creek

- 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: none

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

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

No material change but 1.5 acres dried uip

- f. 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:

none

- g. 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:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-521D

Current Owner: RICHARD GLENN CLARK
SHIRLEY A CLARK

Priority Date: 6/1/1877

Origin: Water Right

Status: Active

Basis: Decreed

Source

LAND CREEK

Tributary

MARSH CREEK

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.38 CFS

Annual Volume

Total Diversion

0.38 CFS

Location of Point(s) of Diversion

LAND CREEK

NE1/4NW1/4NE1/4

Sec. 13, Twp 12S, Rge 24E B.M.

CASSIA County

LAND CREEK

SW1/4NE1/4NW1/4

Sec. 13, Twp 12S, Rge 24E B.M.

CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T12S R24E S13

NENE

9.50

T12S R24E S13

NWNE

11.00

Total Acres: 20.5

Conditions of Approval:

1. S47 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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.

Decreed Date: 5/6/2005

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Page 67

PART 1A.3

The purpose of this Transfer is to enable the Applicant to irrigate a certain lawn area which is attached to the Applicant's house and which is used for weddings and other social events. Previously it has been used by a pump in Land Creek to water the lawn and that's the only purpose. When the Applicant got the first piece in 1996, outlined in Blue, there were no Water Rights transferred, and recently the Applicant acquired the additional property, all of which is used together.

The Applicant has been paying the Water District over the years and has used the water to water a little bit of the lawn. A new Deed has been executed, and attached, transferring the first parcel relating to Water Right No. 45-521D and another Deed of the current property just says Water Rights but the water comes from that part.

William Parsons

From: "Karen Shaw" <karen.shaw@cassiacounty.org>
Date: Thursday, October 1, 2020 11:32 AM
To: "William A Parsons" <wparsons@pmt.org>
Subject: Picture



#1

#2



1. Originally deeded in 1996 and re-deeded on the transfer of some water.
2. Deeded in 2020 with Water Rights.

À

Karen Shaw

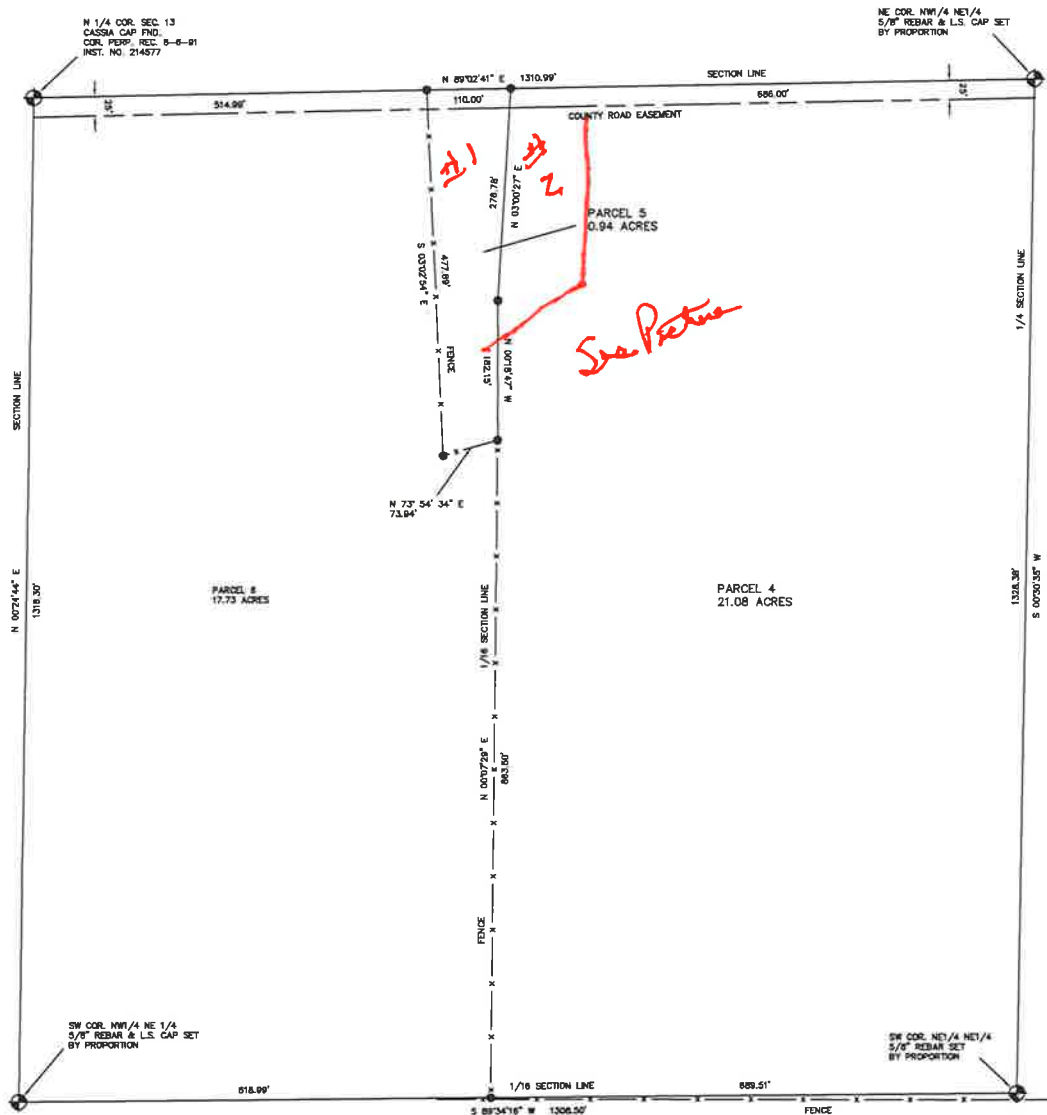
GIS Specialist

Cassia County Assessor's Office

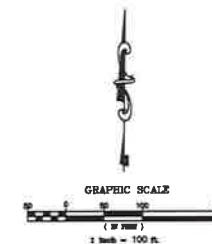
203 East 15th Street

Burley, ID 83318

A portion of the property owned by the Applicant is watered by a pump in Lake Creek and has been for some time until instructed by Water Resources to stop doing that. The water is used to irrigate a yard at the residential site that is sometimes used for weddings or other gatherings.



A PART OF THE NORTH HALF OF THE
NORTHEAST QUARTER, SECTION 13,
TOWNSHIP 12 SOUTH, RANGE 24 EAST,
BOISE MERIDIAN, CASSIA COUNTY, IDAHO



LEGEND

- = 1/2" REBAR WITH L.S. CAP SET
- = 1/2" REBAR FOUND OR AS INDICATED
- = NO POINT FOUND OR SET
- ⊕ = SECTION CORNER OR BENCHMARK
- () = DISTANCE OR BEARING OF RECORD

SURVEYS OF RECORD

ESTHER MONTGOMERY SURVEY
RECORDED APRIL 31, 1890 INSTRUMENT NO. 207334

G.L.D. FIELD NOTES
DATED JULY 1874 BY JOHN B. DAVID

G.L.D. FIELD NOTES
APPROVED JANUARY 11, 1841 BY WALTER N. DOOD

SURVEYOR'S CERTIFICATION

I, EUGENE D. MOON, A REGISTERED PROFESSIONAL ENGINEER AND LAND
SURVEYOR, IDAHO LICENSE NO. 2285, DO HEREBY ATTEST THAT THE PLAT
DEPICTED HEREON WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION
AND IS A TRUE AND CORRECT REPRESENTATION THEREOF.



MOON & ASSOCIATES
ENGINEERING & LAND SURVEYING
525 F. STREET RUPERT, IDAHO 83350
PHONE (208) 436-3714

CLARK PROPERTY SURVEY

DRAWN BY: E. SPENCER	DATE: 27 JULY 05
CHECKED BY: D. FELT	JOB NO.: 85056
DRAWING: SURVEY	
SHEET 2 OF 3	12242-13-1-0

TRANSFER 84491

Instrument # 2020005601

BURLEY, CASSIA, ID

10-30-2020 11:31 AM No. of Pages: 1

Recorded for : PARSONS, SMITH, STONE, ...

JOSEPH LARSEN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED

CV

QUITCLAIM DEED

THIS INDENTURE, made this 29 day of October, 2020, between SHIRLEY ANN CLARK, a single person, of Albion, ID 83311, herein called the ("GRANTOR") and MARC A. ANDERSON and DONNA J. ANDERSON, husband and wife, of 1011 E. 1000 S., Albion, ID 83311, herein called the ("GRANTEE").

WITNESSETH:

The said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee and to the heirs and assigns of the Grantee, all of the interest of the Grantor in that certain lot, piece or parcel of land situated, lying and being in the County of Cassia, State of Idaho, bounded and particularly described as:

Township 12 South, Range 24 East, Boise Meridian, Cassia County, Idaho

Section 13: That part of the Northwest Quarter of the Northeast Quarter more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter (monumented by a 5/8" rebar);

Thence South 89°02'41" West for 686.00 feet along the North Section line to a 1/2" rebar which shall be the True Point of Beginning.

Thence South 89°02'41" West for 110.00 feet along the North Section line to a 1/2" rebar;

Thence South 3°02'54" East for 477.89 feet along an existing fence line to a 1/2" rebar at the fence corner;

Thence North 73°54'34" East for 73.94 feet along an existing fence line to a 1/2" rebar at the fence corner;

Thence North 0°18'47" West for 182.15 feet to a 1/2" rebar;

Thence North 3°00'27" East for 276.78 feet to the True Point of Beginning.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof and subject to existing roadway along the North boundary of the property described above. To have and to hold all and singular the said premises, together with the appurtenances, unto the Grantee, and to the heirs and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed.

GRANTOR

Shirley Ann Clark
SHIRLEY ANN CLARK

STATE OF IDAHO

County of Cassia

On this 29 day of October, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared SHIRLEY ANN CLARK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

William A. Parsons
Notary Public for Idaho

Residing at: Boise

Comm. Exp.: 2/28/2022

(Anderson, Marc, Donna, Clark, OC DZ, 000)
WILLIAM A. PARSONS
COMMISSION NO. 5045
NOTARY PUBLIC
STATE OF IDAHO
Quitclaim Deed

TRANSFER 84491

Instrument # 2020005602

BURLEY, CASSIA/ 1HO

10-30-2020 1 17 AM No. of Pages: 1

Recorded for : PARSONS, SMITH, STONE,

JOSEPH LARSEN

Fee: 15.00

Ex-Officio Recorder Deputy

CV

QUITCLAIM DEED

THIS INDENTURE, made this 29 day of October, 2020, between SHIRLEY ANN CLARK, a single person, of Albion, ID 83311, herein called the ("GRANTOR") and MARC A. ANDERSON and DONNA J. ANDERSON, husband and wife, of 1011 E. 1000 S., Albion, ID 83311, herein called the ("GRANTEE").

WITNESSETH:

The said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee and to the heirs and assigns of the Grantee, all of the interest of the Grantor in that certain lot, piece or parcel of land situated, lying and being in the County of Cassia, State of Idaho, bounded and particularly described as:

PART of Section 13, Township 12 South, Range 24 East of Boise Meridian

BEGINNING at the Northeast corner of the Northwest Quarter of the Northeast Quarter

THENCE South 89 degrees 02'41" West for 593 feet along the North section line of Section 13 to a point which shall be the True Point of Beginning.

THENCE continuing South 89 degrees 02'41" West for 93 feet along the North section line to a 1/2 inch rebar on the North section line which is the Northeast corner of property deeded by Shirley Ann Clark (Inst #239235, 1995) to Marc and Donna Anderson.

THENCE along the East boundary of said property South 03 degrees 00'27" West for 276.78 feet to a 1/2 inch rebar.

THENCE Northeast to a point 220 feet from the North section line.

THENCE North 03 degrees 00'27" East for 220 feet along a line parallel to the East boundary of property described on Inst. #239235, to the True Point of Beginning.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and subject to existing roadway along the North boundary of the property described above. To have and to hold all and singular the said premises, together with the appurtenances, unto the Grantee, and to the heirs and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed.

GRANTOR

Shirley Ann Clark
SHIRLEY ANN CLARK

STATE OF IDAHO

County of Cassia

On this 29 day of October, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared SHIRLEY ANN CLARK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Anderson Marc Donna Clark CCD.doc
WILLIAM A. PARSONS
COMMISSION NO. 5043
NOTARY PUBLIC
STATE OF IDAHO
Quitclaim Deed - 1

William A. Parsons
Notary Public for Idaho

Residing at: 1011 E. 1000 S.

Comm. Exp.: 12/31/2022

TRANSFER 84491

Instrument # 2020005603
BURLEY, CASSIA, IDAHO
10-30-2020 1:37:02 AM No. of Pages: 1
Recorded for: PARSONS, SMITH, STONE,
JOSEPH LARSEN Fee: 15.00
Ex-Officio Recorder Deputy
Index to: DEED

QUITCLAIM DEED

THIS INDENTURE, made this 29 day of October, 2020, between SHIRLEY ANN CLARK, a single person, of Albion, ID 83311, herein called the ("GRANTOR") and MARC A. ANDERSON and DONNA J. ANDERSON, husband and wife, of 1011 E. 1000 S., Albion, ID 83311, herein called the ("GRANTEE").

WITNESSETH:

The said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee 0.03 cfs from Land Creek in Cassia County, Idaho, Water Right No. 45-521D, and being conveyed From the following real estate in Cassia County, Idaho, to-wit:

Part of Section 13, Township 12 South, Range 24 East Boise Meridian
Beginning at the Northeast corner of the Northwest ¼ of the Northeast ¼;
Thence South 89°2'41" West for 593 feet along the North section of Section 13;
Thence South 25 feet to the Point of Beginning;
Thence South 255.62 feet;
Thence East 255.62 feet;
Thence North 255.62 feet;
Thence West 255.62 feet to the Point of Beginning.

It is the purpose of this Quitclaim Deed to convey to the Grantee, the quantity of water described and conveying the water from the land above described.

To have and to hold the same unto the Grantee and to the heirs and assigns of the Grantee to the real estate in Cassia County, Idaho, described in Quitclaim Deed No. 2020005601 and Quitclaim Deed No. 2020005602 in the office of the County Recorder, County of Cassia, State of Idaho.

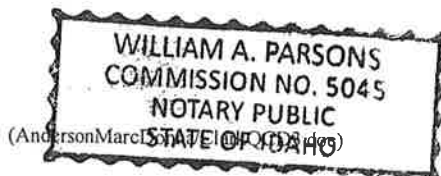
IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed.

GRANTOR

Shirley Ann Clark
SHIRLEY ANN CLARK

STATE OF IDAHO)
County of Cassia) ss

On this 29 day of October, in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared SHIRLEY ANN CLARK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



William A. Parsons
Notary Public for Idaho
Residing at: Amity
Comm. Exp.: 9/30/2022

238954

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made this 4th day of October, 1995, by and between SHIRLEY ANN CLARK, the duly appointed, qualified and acting Personal Representative of the Estate of Richard Glenn Clark, deceased, as Grantor, and SHIRLEY ANN CLARK, as Grantee, whose present address is Star Route Box 20, Albion, Idaho.

W I T N E S S E T H:

That the said Shirley Ann Clark, Personal Representative of the Estate of Richard Glenn Clark, deceased, having heretofore duly recorded a certified copy of the Letters Testamentary, does hereby grant, release and convey all right, title and interest to the said Shirley Ann Clark, Grantee, in the following described real property situated in Cassia County, Idaho, to wit:

A PARCEL IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 12,
TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE
BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Beginning at the Southwest Corner of
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North to the Northwest corner of
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East 225 feet along the North
boundary line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South along a line parallel with
the West boundary line of the Southeast
Quarter of the Southeast Quarter of
Section 12 to the South boundary of the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12;
Thence West 225 feet to the Southwest
corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ which was the POINT OF
BEGINNING.

Parcel 1:

TOWNSHIP 12 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

SECTION 13: That part of the Northeast Quarter
of the Northeast Quarter more
particularly described as follows:

Commencing at the Northeast corner of
Section 13 (Monumented by an aluminum

deed of personal representative
PAGE 1
clark.prd\brb

cap); Thence South 89°02'41" West for 495.00 feet along the north section line to a $\frac{1}{2}$ " rebar at the Northwest corner of the Gunderson property (Warranty Deed rec. June 17, 1985, Inst. No. 170348) which shall be the True Point of Beginning.

Thence South 0°36'20" West (rec. as South) along the west line of said Gunderson property and parallel with the east line of the Northeast Quarter of the Northeast Quarter to a $\frac{1}{2}$ " rebar;

Thence North 75°55'04" East for 179.74 feet along the south line of said Gunderson property to a $\frac{1}{2}$ " rebar on the west line of the Smith property (Warranty Deed rec. April 16, 1986, Inst. No. 177583);

Thence South 0°36'20" West for 456.19 feet along the west line of said Smith property and parallel with the east line of the Northeast Quarter of the Northeast Quarter to a $\frac{1}{2}$ " rebar;

Thence North 89°34'16" East for 321.00 feet along the south line of said Smith property and parallel with and 50.00 feet North of the Cemetery property to a $\frac{1}{2}$ " rebar on the east line of the Northeast Quarter of the Northeast Quarter;

Thence South 0°36'20" West for 50.00 feet along said east section line to a $\frac{1}{2}$ " rebar at the Northeast corner of the Cemetery property said point being North 0°36'20" East for 295.16 feet from the Southeast corner of the Northeast Quarter of the Northeast Quarter;

Thence South 89°34'16" West for 469.13 feet along a line parallel with the south line of the Northeast Quarter of the Northeast Quarter to a $\frac{1}{2}$ " rebar;

Thence South 0°36'20" West for 295.16 feet along a line parallel with the east line of the Northeast Quarter of the

Northeast Quarter to a $\frac{1}{2}$ " rebar on the South line of the Northeast Quarter of the Northeast Quarter;

Thence South $89^{\circ}34'16''$ West for 487.37 feet along the south line of the Northeast Quarter of the Northeast Quarter to a $\frac{1}{2}$ " rebar on the east line of the Kenneth D. Clark property (Warranty Deed rec. July 29, 1994, Inst. No. 232200);

Thence North $0^{\circ}30'35''$ East for 412.00 feet along the east line of the Kenneth D. Clark property and parallel with the west line of the Northeast Quarter of the Northeast Quarter to a $\frac{1}{2}$ " rebar;

Thence South $89^{\circ}34'16''$ West for 352.00 feet along the Kenneth D. Clark property and parallel with the south line of the Northeast Quarter of the Northeast Quarter to a $\frac{1}{2}$ " rebar on the west line of the Northeast Quarter of the Northeast Quarter;

Thence North $0^{\circ}30'35''$ East for 916.38 feet along the west line of the Northeast Quarter of the Northeast Quarter to a $5/8$ " rebar at the Northwest corner of the Northeast Quarter of the Northeast Quarter;

Thence North $89^{\circ}02'41''$ East for 815.99 feet along the north line of the Northeast Quarter of the Northeast Quarter to the True Point of Beginning.

This parcel contains 24.06 acres and is subject to a 25 foot county road easement along the North and East section line. Also subject to a 50.00 foot access easement of record as described in Warranty Deed of Richard Glenn Clark to Kenneth D. Clark, rec. July 29, 1994, Inst. No. 232200.

Parcel 3

A PART OF THE NORTH HALF OF THE NORTHEAST
QUARTER, SECTION 13, TOWNSHIP 12 SOUTH,
RANGE 24 EAST, BOISE MERIDIAN, CASSIA
COUNTY, IDAHO

Section 13: That part of the Northeast Quarter
of the Northeast Quarter more
particularly described as follows:

Commencing at the Southeast corner of the
Northeast Quarter of the Northeast
Quarter (monumented by a 5/8" rebar);
Thence South 89°34'16" West for 442.66
feet along the south line of the
Northeast Quarter of the Northeast
Quarter to a point which shall be the
True Point of Beginning.

Thence North 0°36'20" East for 295.16
feet along a line parallel with the east
line of the Northeast Quarter of the
Northeast Quarter to a point;

Thence South 89°34'16" West for 26.47
feet along a line parallel to the south
line of the Northeast Quarter of the
Northeast Quarter to a 1/2" rebar;

Thence South 0°36'20" West for 295.16
feet along a line parallel with the east
line of the Northeast Quarter of the
Northeast Quarter and along an existing
fence line to a 1/2" rebar on the South
section line;

Thence North 89°34'16" East for 26.47
feet along the south line of the
Northeast Quarter of the Northeast
Quarter to the Point of Beginning.

This parcel contains 0.18 acres.

Parcel 4:

TOWNSHIP 12 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Sectoin 13: That part of the Northwest Quarter
of the Northeast Quarter more
particularly described as follows:

Commencing at the Northeast corner of the
Northwest Quarter of the Northeast
Quarter (monumented by a 5/8" rebar)
which shall be the True Point of
Beginning.

Thence South 0°30'35" West for 1328.38
feet along the east line of the Northwest
Quarter of the Northeast Quarter to the
Southeast corner of the Northwest Quarter
of the Northeast Quarter (monumented by a
5/8" rebar);

Thence South 89°34'16" West for 689.51
feet (rec. as 702.00 feet in Quitclaim
Deed, Earnest W. Clark to Richard Glenn
Clark, rec. Nov. 1979, Inst. No. 121760)
along the South line of the Northwest
Quarter of the Northeast Quarter to a 1/2"
rebar;

Thence north 0°07'29" East for 863.50
feet (rec. as North for 870.00 feet in
above mentioned Quitclaim Deed and in
Warranty Deed, Dorothy Clark to Alan Gene
Clark, rec. Nov. 19, 1985, Inst. No.
174263) along an existing fence line to a
1/2" rebar at the fence corner;

Thence North 0°18'47" West for 182.15
feet to a 1/2" rebar;

Thence North 3°00'27" East for 276.78
feet to a 1/2" rebar on the north line of
the Northwest Quarter of the Northeast
Quarter;

Thence North 89°02'41" East for 686.00
feet along the north line of the
Northwest Quarter of the Northeast
Quarter to the True Point of Beginning.

This parcel contains 21.08 acres and is subject to a 25 foot county road easement along the north side.

Parcel 5:

TOWNSHIP 12 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 13: That part of the Northwest Quarter
of the Northeast Quarter more
particularly described as follows:

Commencing at the Northeast corner of the
Northwest Quarter of the Northeast
Quarter (monumented by a 5/8" rebar);

Thence South 89°02'41" West for 686.00
feet along the north section line to a 1/2"
rebar which shall be the True Point of
Beginning.

Thence South 89°02'41" West for 110.00
feet along the north section line to a 1/2"
rebar (rec. as 801.00 feet from the
Northeast corner of the Northwest Quarter
of the Northeast Quarter in Quitclaim,
Earnest Clark to Richard and Shirley
Clark, rec. Nov. 1979, Inst. No. 121760,
and rec. as 519.00 feet from the
Northwest corner of the Northwest Quarter
of the Northeast Quarter in Warranty
Deed, Dorothy Clark to Alan Gene Clark,
rec. Nov. 19, 1985, Inst. No. 174263);

Thence South 3°02'54" East for 477.89
feet (rec. as South for 450.00 feet in
above mentioned deeds) along an existing
fence line to a 1/2" rebar at the fence
corner;

Thence North 73°54'34" East for 73.94
feet (rec. as East for 75.00 feet in said
Clark Deeds) along an existing fence line
to a 1/2" rebar at the fence corner;

Thence North 0°18'47" West for 182.15
feet to a 1/2" rebar;

Thence North 3°00'27" East for 276.78 feet to the True Point of Beginning.

This parcel contains 0.94 acres and is subject to a 25 foot county road easement along the north side.

EXCEPT that portion which had been deeded to Grant Monroe Clark by Richard Glenn Clark and Shirley Ann Clark, and then deeded April 1995, Inst. No. 235983 by Grant Monroe Clark to Shirley Ann Clark described as follows:

Part of Section 13, Township 12 South, Range 24 East of the Boise Meridian:

Beginning at a point approximately 519 feet East of the Northwest corner of NW¼NE¼ of Section 13;
Thence East 99 feet;
Thence South approximately 450 feet;
Thence West 75 feet;
Thence North (slightly northwest) approximately 455 feet to the Point of Beginning.

TO HAVE AND TO HOLD all and singular the above-granted premises, together with the appurtenances, and every part thereof, unto the Grantee, her heirs and assigns forever. And the Grantor does covenant and agree that she is making this conveyance, in pursuance of the authority granted in and by the court wherein she was appointed and the statutes of the State of Idaho.

IN WITNESS WHEREOF, the said Grantor has set her hand the day and year first above written.


Shirley Ann Clark

STATE OF IDAHO)
) ss.
County of Cassia)

On this 4th day of October, 1995, before me the undersigned notary public in and for said state, personally appeared SHIRLEY ANN CLARK, known to me to be the person whose

deed of personal representative
PAGE 7
clark.prd\brb

name is subscribed to the within instrument as personal representative of the estate of Richard Glenn Clark, and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Brenda R. Burgoyne
Notary Public
Residing at *Hayden, Idaho*
My Commission expires *2-29-98*

RECORDED AT THE REQUEST OF
Richard Clark
FILM *270*

1995 OCT -4 P 3:07

238954

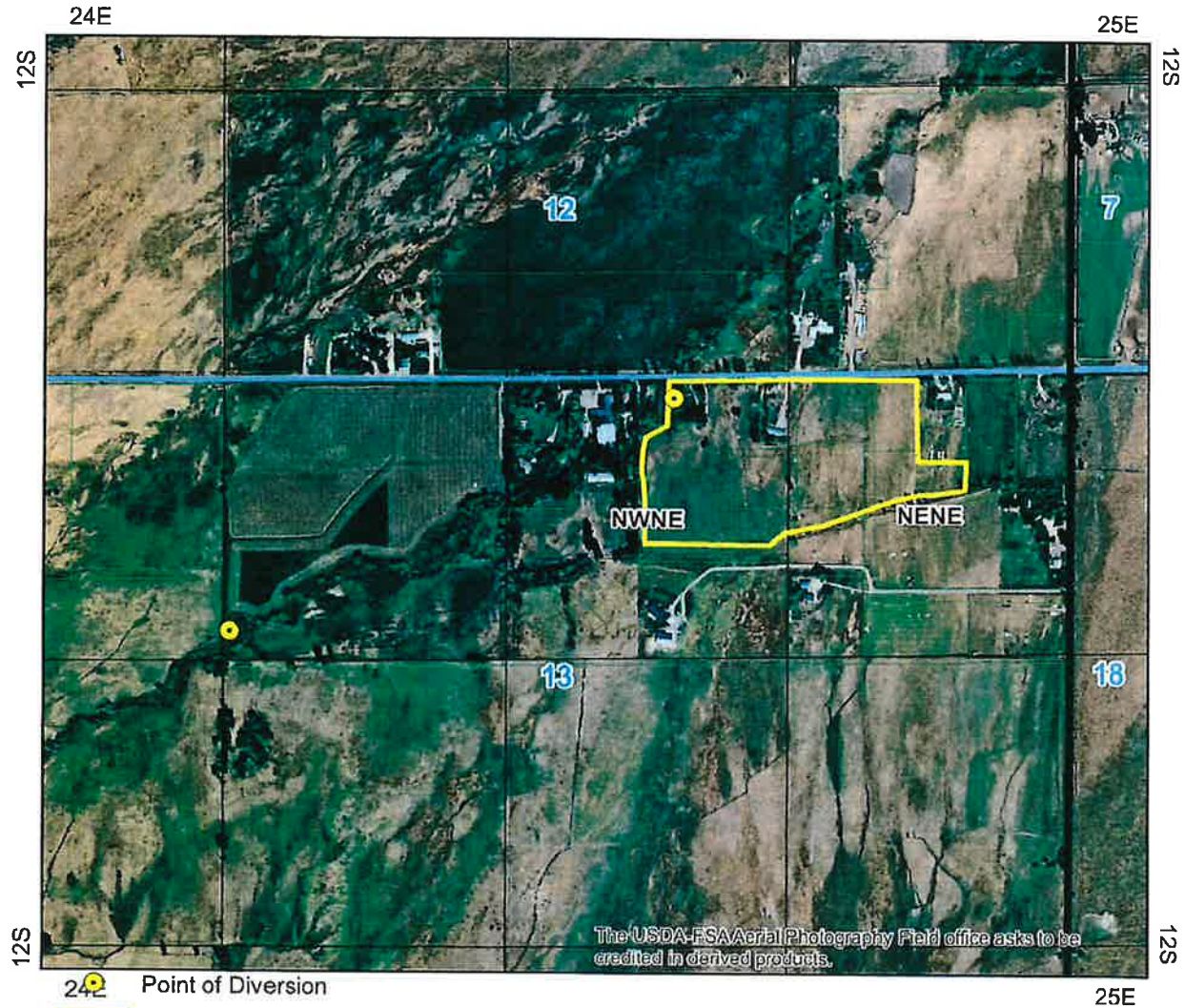
CASSIA COUNTY, IDAHO
CARRELL M. ROSKELLEY
RECORDER

240 DEPUTY
RE: David - Gov 20
Allen, 20

State of Idaho
Department of Water Resources
Water Right License

45-521 D

Water Service Area Boundary for Richard Glenn Clark
September 30, 2020



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

0 0.1 0.2 0.4 Miles

The outline is Transferor's property from which the proposed Transfer comes in the point of diversion is noted.



TRANSFER 84491



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

TRANSFER 84491

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 108934

Publication

Times News

Contact

ID DEPARTMENT OF WATER RESOURCES

PO Number

Address 1

650 ADDISON AVE W, STE 500

Rate

Legal Notice

Address 2

Order Price

212.70

City St Zip

TWIN FALLS ID 83301

Amount Paid

0.00

Phone

2087363033

Amount Due

212.70

Fax

Section

Legals

Start/End Dates

12/03/2020 - 12/10/2020

SubSection

Insertions

2

Category

50 Legal

Size

140

Ad Key

108934-1

Salesperson(s)

Jenny Green - Legals

Keywords

Transfer No. 84491

Taken By

Jenny Green

Notes

Ad Proof

✓ DM 11-25-2020

**Proof of legal notice received
from Times News 11/25/2020 (2 pgs)**

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 108934

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

✓ DM

Maline, Denise

From: Bassista,Tom <thomas.bassista@idfg.idaho.gov>
Sent: Wednesday, November 25, 2020 12:02 PM
To: Maline, Denise
Cc: Peterson,Mike
Subject: RE: Comment Letter for Application for Transfer 84491 (Mark & Donna Anderson)

Dear Denise,

IDFG has no comments concerning this proposed Transfer.

Sincerely,

Tom Bassista
Technical Assistance Program Coordinator
Idaho Department of Fish and Game
Headquarters Office
PO Box 25
600 South Walnut
Boise, ID 83707

208-287-2773 office
208-610-4032 cell



<https://idfg.idaho.gov>

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Wednesday, November 25, 2020 11:37 AM
To: Peterson,Mike <mike.peterson@idfg.idaho.gov>; Bassista,Tom <thomas.bassista@idfg.idaho.gov>
Subject: Comment Letter for Application for Transfer 84491 (Mark & Donna Anderson)

Good morning,

Attached is an application for transfer currently being processed by the department. Please review the information and provide any necessary comments using the attached recommendation form within 21 days.

Feel free to contact Water Right Agent Benny Walker at our office if you have any questions regarding this application.

Thank you & Happy Thanksgiving,

Denise Maline @ IDWR Twin Falls



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

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

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

Dear Applicant(s):

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 **TIMES NEWS on 12/3/2020 and 12/10/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **December 21, 2020**.

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,
Denise Maline

Denise Maline
Administrative Assistant 1

c: William A Parsons, attorney

Maline, Denise

From: Maline, Denise
Sent: Wednesday, November 25, 2020 11:37 AM
To: Peterson, Mike; Tom Bassista (IDFG)
Subject: Comment Letter for Application for Transfer 84491 (Mark & Donna Anderson)
Attachments: Transfer 84491 - Anderson.pdf; Comment Letter to F&G for 84491.docx

Good morning,

Attached is an application for transfer currently being processed by the department. Please review the information and provide any necessary comments using the attached recommendation form within 21 days.

Feel free to contact Water Right Agent Benny Walker at our office if you have any questions regarding this application.

Thank you & Happy Thanksgiving,

Denise Maline @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



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

IDAHO DEPT OF FISH & GAME
MIKE PETERSON &/OR TOM BASSISTA
324 S 417 E STE 1
JEROME ID 83338-6206

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

Dear Fish & Game:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:*

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before December 21, 2020**).

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



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

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

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Wednesday, November 25, 2020 8:34 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on December 3rd & 10th, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance & Happy Thanksgiving,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



Brad Little
Governor

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

Gary Spackman
Director

November 25, 2020

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application for Permit No(s). 37-23252, 47-17721

RE: Transfer No. 84491

Water Right No(s). 45-521D

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 December 21, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant 1

Enclosure(s)

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

MEMORANDUM

Date: November 4, 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 the application is located within Water District #45F. Therefore watermaster comments will be solicited. The application will be subject to notice and protest.

MEMORANDUM

TO: Transfer 84491 File

FROM: Benny Walker

DATE: November 4, 2020

SUBJECT: Filing Fee

The filing fee of, \$300.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.03 cfs. The transfer fee schedule for a transfer involving 0.00-0.20 cfs indicates that the filing fee is \$200.00. The transfer also required a fee of \$100.00 per divided right requiring an ownership change for a combined total of \$300.00. The applicant submitted a fee of \$300.00 for this transfer. (Receipt S038234).

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP

ATTORNEYS AT LAW
137 WEST 13TH STREET
P.O. BOX 910
BURLEY, IDAHO 83318

WILLIAM PARSONS
LANCE A. LOVELAND
DAVID F. SHIRLEY
JASON R. NAESS
SCOTT B. LINDSTROM

OF COUNSEL
RICHARD K. SMITH
RANDOLPH C. STONE

October 30, 2020

RECEIVED

NOV 02 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Mr. Cory Skinner
Idaho Department of Water Resources
650 Addison Avenue W, Ste. 500
Twin Falls, ID 83301-5858

RE: Marc & Donna Anderson – Shirley Ann Clark
Our File No. 1542.200010

Dear Cory:

I'm enclosing what I believe now to be a complete Application, together with the filing fee of \$300.00. There are three Deeds. Instrument No. 5601 is the first piece that the Andersons got and it's in blue on your map. The next Deed, Instrument No. 5602, was the second piece that Andersons got from Clark, that was in yellow on the map. The third Deed, Instrument No. 5603 is the 0.03 cf of water and the land from which the water proposes to be taken.

If there's anything else I need to provide, please let me know. I certainly hope we don't have to go see Mrs. Clark again. That was a harrowing experience.

PARSONS, SMITH, STONE, LOVELAND
& SHIRLEY, LLP



William A. Parsons

WAP/sw
Enc.