**MEMORANDUM**

Date: January 30, 2019

To: WR 29-12265

From Steven Visosky

Re: Water district administration for water right 29-12265

---

The purpose of this memo is to document an agreement/understanding between IDWR, the watermasters and the advisory committees of Water District 29D (WD 29D), Lower Portneuf River and Tributaries, and Water District 29H (WD 29H), Marsh Creek, to administer water right 29-12256 in WD29D and not in WD29H. I discussed the topic with the advisory committees of both districts and the water right owner Mr. James Guthrie in the spring of 2018 and all parties were in agreement.

Below is the water right information related to the agreement:

WR 29-12265 (Carol and James Guthrie, owners)

> 5/26/1884 priority / 1.2 CFS / Irrigation use / Marsh Creek source / 60 acres / combined limit of 3.31 CFS and 162 acres of irrigation with WR-11732.

WR 29-11732 (Carol and James Guthrie, owners)

> 6/19/1902 priority / 3.31 CFS / Irrigation and Sotockwater use / Portneuf River source / 162 acres / combined limit of 3.31 CFS and 162 acres of irrigation with WR-12265.

The reason for an agreement includes: Both of water rights listed above have the same combined limits and therefore use of water from either right needs to be administered in conjunction with the other. The source and water districts of the two rights are different. Use of water from either right would require coordination of two watermasters. The proximity of the two water right points of diversion is relatively close to one another. The Portneuf River right is junior to the Marsh Creek right and will be the first of the two rights to be regulated when needed. The water right owner would be assessed, in total between two districts, for an amount greater than what could actually be diverted.

For practicality of the situation, it was agreed WR 29-12256 would be administered, assessed, and diversion information would be recorded in WD29D instead of WD29H until further notice.