

September 4, 2018

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SEP 10 2018

Department of Water Resources
Eastern Region

State of Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls, ID 83402
Attn: James Cefalo

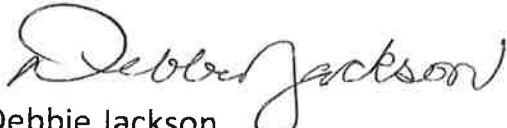
Re Transfer No: 80529
Water Right No: 29-14032
Protest to condition on Approval of Transfer

Dear James,

As you are aware, Chad Barnes has filed an application for transfer of his point of diversion on Spring Creek located in Downey, Idaho, within the last month with IDWR. Kirk has discussed options for resolution with Brad Maddox, the Marsh Valley Water Master, and Brad is trying to help the parties come up with a point of diversion and measuring device that will comply with IDWR's regulations and be beneficial to both parties. A proposal for a diversion near the Spring Creek source was discussed with Steve Viskowksi of IDWR in Boise, who attended a water meeting held in Downey a few weeks ago, and we sent a proposal to Brad Maddox last week.

Chad Barnes Application for Diversion includes a plan to install a pipeline from the head of the channel, near the Spring Creek water source. That plan would only work if we change the placement of our diversion point as well as installing a pipeline from that same point for our water. Brad Maddox is working on a plan that would allow all parties to co operate with that basic idea. If only one party (Barnes) installs a pipeline, the water in the ditch would be lowered to a point that we would not be able to use a *side-channel diversion* to access our water, as stipulated in the Conditions of Approval #5., on our transfer.

Thank you,


Debbie Jackson