

MEMORANDUM

Date: December 7, 2020
To: Transfer 84554
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the place of use and point of diversion for a 4.5 acre portion of rights 31-12474, 31-12476, 31-12478 and 31-12480 and a 1.0 acre portion of rights 31-12473, 31-12475, 31-12477 and 31-12479. It combines the split portions on a 5.5 acre place of use. A second transfer, Transfer 84562, filed and approved simultaneously with this transfer, rearranges the place of use for the remainder of rights 31-12473, 31-12475, 31-12477 and 31-12479.

Authority to File:

The applicant, L3 Limited Partnership, has the authority to file. L3 LTD Partnership was the owner of rights 31-12474 et al. at the time of transfer submittal, according to the Department's database, while L2 LTD Partnership was the owner of rights 31-12473 et al.

L2 Limited Partnership or L3 Limited Partnership own the pre-transfer places of use, while L3 Limited Partnership owns the post-transfer place of use and points of diversion, according to Jefferson County taxlot data.

The transfer is specifically authorized by Attachment #3, included with the application. It was signed by Lewis Newman and Lane Newman, the registered agents of L2 and L3 LTD Partnerships, respectively, according to the Idaho Secretary of State's office. Ownership of the split portion of rights 31-12473 et al, will be retained by L2 Limited Partnership.

Water Right Validity:

The water rights are valid for transfer. The water rights are children of various rights decreed to Producers Irrigation Company in 2002. Review of post-decree aerial photography demonstrates consistent irrigation. They were also involved in various transfers between the decree and this approval. Those transfers did not change the places of use.

Injury to Other Water Rights:

No water users will be injured by this transfer's approval. The transfer was advertised and no protest were received. The Watermaster of WD110 was notified of the transfer and did not oppose its approval. An ESPAM2.1 simulation of the transfer was not required as the pre-transfer and post-transfer points of diversion are in adjacent model cells.

Enlargement of Use:

No enlargement of use will result from this transfer's approval. Rate, volume, nor irrigated acres are authorized to increase.

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.