

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 84554

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED  
NOV 23 2020  
Department of Water Resources

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](http://idwr.idaho.gov).

Name of Applicant(s) L3 LTD PARTNERSHIP

**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](http://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 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

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) L3 LTD PARTNERSHIP Phone 208-681-2536  
Mailing address 2943 N 800 E, Montevue, ID 83435 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 Rocky Mountain Environmental Associates, Inc. Phone 208-524-2353  
Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

- ☐ 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

Lane L Newman  
Print Name and Title if applicable

11-12-2020  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

### A. PURPOSE OF TRANSFER

- ☒ Change point of diversion  
☐ Change nature of use

☐ Add diversion point(s)  
☐ Change period of use

☒ Change place of use  
☐ Other \_\_\_\_\_
- Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)  
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.
- 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**.  
Applicant proposes to transfer corners from neighboring water rights for use under a new mini pivot at the proposed place of use. A companion transfer application will reconfigure acres remaining under water rights 31-12473 et al.

## Narrative to Support Application

### L3 LTD Partnership

Water rights 31-12473, 31-12475, 31-12477, and 31-12479 currently authorize irrigation of 468 acres, which are irrigated through a combination of pivots, mini pivots, and handlines. This transfer application proposes to relocate 1.0 acre under these water rights to the proposed place of use. Due to rounding and to maintain significant figures of two decimal places, the diversion rates for the 1.0 acre portion of each water right to be transferred have been rounded to the nearest hundredth and the acres have been rounded to the nearest tenth, as shown in Table 1.

These water rights are owned by L2 LTD Partnership, who has granted authorization for this transfer in Attachment #3. Ownership of this right will not be changed through this transfer, but will be maintained by L2 LTD Partnership.

**Table 1. Water right split of 31-12473, 31-12475, 31-12477, and 31-12479**

| Water Right # | cfs  | afa    | Acre Limit | Total POU | % Total | Transferred Amount |     |            |           | Remaining Amounts |        |            |           |
|---------------|------|--------|------------|-----------|---------|--------------------|-----|------------|-----------|-------------------|--------|------------|-----------|
|               |      |        |            |           |         | cfs                | afa | Acre Limit | Total POU | cfs               | afa    | Acre Limit | Total POU |
| 31-12473      | 1.64 | 646.5  | 452.1      | 468       | 97%     | 0.01               | 1.4 | 1.0        | 1         | 1.63              | 645.1  | 451.1      | 467       |
| 31-12475      | 1.03 | 410.2  | 468        | 468       | 100%    | 0.01               | 0.9 | 1.0        | 1         | 1.02              | 409.3  | 467.0      | 467       |
| 31-12477      | 7.53 | 1434.4 | 409.8      | 468       | 88%     | 0.02               | 3.1 | 0.9        | 1         | 7.51              | 1431.3 | 408.9      | 467       |
| 31-12479      | 3    | 1581.3 | 468        | 468       | 100%    | 0.01               | 3.4 | 1.0        | 1         | 2.99              | 1577.9 | 467.0      | 467       |
|               | 13.2 | 1638   | 468        | 468       | 100%    | 0.030              | 3.5 | 1.0        | 1         | 13.17             | 1634.5 | 467.0      | 467       |

Water rights 31-12474, 31-12476, 31-12478, and 31-12480 currently authorize irrigation of 156 acres. This transfer application proposes to relocate 4.5 acres under these water rights for the proposed place of use. Acres are to be removed from corners that have been irrigated through handlines. Portions to be transferred are represented in the split amounts as shown in Table 2.

**Table 2. Water right split of 31-12474, 31-12476, 31-12478, and 31-12480**

| Water Right # | cfs  | afa   | Acre Limit | Total POU | % Total | Transferred Amount |      |            |           | Remaining Amounts |       |            |           |
|---------------|------|-------|------------|-----------|---------|--------------------|------|------------|-----------|-------------------|-------|------------|-----------|
|               |      |       |            |           |         | cfs                | afa  | Acre Limit | Total POU | cfs               | afa   | Acre Limit | Total POU |
| 31-12474      | 0.55 | 215.5 | 150.7      | 156       | 97%     | 0.02               | 6.2  | 4.3        | 4.5       | 0.53              | 209.3 | 146.4      | 151.5     |
| 31-12476      | 0.34 | 136.7 | 156        | 156       | 100%    | 0.01               | 3.9  | 4.5        | 4.5       | 0.33              | 132.8 | 151.5      | 151.5     |
| 31-12478      | 2.51 | 478.1 | 136.6      | 156       | 88%     | 0.07               | 13.8 | 3.9        | 4.5       | 2.44              | 464.3 | 132.7      | 151.5     |
| 31-12480      | 1    | 527.1 | 156        | 156       | 100%    | 0.03               | 15.2 | 4.5        | 4.5       | 0.97              | 511.9 | 151.5      | 151.5     |
|               | 4.4  | 546   | 156        | 156       | 100%    | 0.13               | 15.8 | 4.5        | 4.5       | 4.27              | 530.3 | 151.5      | 151.5     |

Total amount proposed to be transferred is 5.5 acres and 0.16 cfs.

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.**

| 1.                                                                          | <u>Right Number</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Nature of Use</u> | <u>Period of Use</u> | <u>Source &amp; Tributary</u> |
|-----------------------------------------------------------------------------|---------------------|------------------------------|----------------------|----------------------|-------------------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 31-12473            | 0.01                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12475            | 0.01                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12477            | 0.02                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12479            | 0.01                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12474            | 0.02                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12476            | 0.01                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12478            | 0.07                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12480            | 0.03                         | Irrigation           | 4/01 to 10/31        | Ground Water                  |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |

Total authorized under rights 0.16 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.16 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 # |
|-------|-----|---|----|----|-----|-----|-----|-----------|--------------|---------------------|
| N     |     |   | SE | NE | 2   | 8N  | 33E | JEFFERSON | GROUND WATER | A0008724            |
|       |     |   |    |    |     |     |     |           |              |                     |
|       |     |   |    |    |     |     |     |           |              |                     |
|       |     |   |    |    |     |     |     |           |              |                     |
|       |     |   |    |    |     |     |     |           |              |                     |

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 |             |
| 8N                               | 33E | 2   | 5.5  |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 5.5         |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 5.5         |

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:

One well will deliver water through mainline to the proposed mini pivot. Measuring devices are already installed.

- 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: \_\_\_\_\_

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:

Corners now irrigated will be retired from irrigation.

- 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:

Proposed POD: other rights owned by applicant, including 31-2386A and associated rights and 31-11984 and associated rights. Proposed POU: no other water rights. Existing POD and POU: no other rights other than those listed in the transfer application.

- 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:



## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12473

| <u>Owner Type</u> | <u>Name and Address</u>                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------|
| Current Owner     | L2 LTD PARTNERSHIP<br>C/O LEWIS J NEWMAN<br>2943 N 800 E<br>MONTEVIEW, ID 83435<br>2086572515 |

Priority Date: 07/25/1955

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 1.64 CFS              | 646.5 AFA     |
| Total Diversion       |             |           | 1.64 CFS              | 646.5 AFA     |

Location of Point(s) of Diversion:

|              |      |         |              |           |                  |
|--------------|------|---------|--------------|-----------|------------------|
| GROUND WATER | SESW | Sec. 01 | Township 08N | Range 33E | JEFFERSON County |
| GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County |

IRRIGATION Use:

Acre Limit: 452.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|

84554

|     |     |    |      |    |      |    |      |    |      |    |
|-----|-----|----|------|----|------|----|------|----|------|----|
| 08N | 33E | 1  | NESW | 40 | NWSW | 39 | SWSW | 38 | SESW | 39 |
|     |     |    | NESE | 39 | NWSE | 40 | SWSE | 39 | SESE | 38 |
|     |     | 12 | NENE | 38 | NWNE | 39 | SWNE | 40 | SENE | 39 |

Total Acres: 468

Conditions of Approval:

1. X27 This right is limited to the irrigation of 452.1 acres within the place of use described above in a single irrigation season.
2. X35 Rights 31-12473, 31-12475, 35-12477 and 31-12479 when combined shall not exceed a total annual maximum diversion volume of 1638.0 af at the field headgate, and the irrigation of 468.0 acres.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R05 Use of water under this right will 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. 110.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 468

Combined Volume Limit: 1638

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12475

| <u>Owner Type</u> | <u>Name and Address</u>                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------|
| Current Owner     | L2 LTD PARTNERSHIP<br>C/O LEWIS J NEWMAN<br>2943 N 800 E<br>MONTEVIEW, ID 83435<br>2086572515 |

Priority Date: 07/26/1961

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 1.03 CFS              | 410.2 AFA     |
| Total Diversion       |             |           | 1.03 CFS              | 410.2 AFA     |

Location of Point(s) of Diversion:

|              |      |         |              |           |                  |
|--------------|------|---------|--------------|-----------|------------------|
| GROUND WATER | SESW | Sec. 01 | Township 08N | Range 33E | JEFFERSON County |
| GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County |

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 08N             | 33E          | 1              |            | NESW         | 40           |            | NWSW         | 39           |            | SWSW         | 38           |            | SESW         | 39           |
|                 |              |                |            | NESE         | 39           |            | NWSE         | 40           |            | SWSE         | 39           |            | SESE         | 38           |

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NENE 38

NWNE 39

SWNE 40

SENE 39

Total Acres: 468

Conditions of Approval:

1. X35 Rights 31-12473, 31-12475, 35-12477 and 31-12479 when combined shall not exceed a total annual maximum diversion volume of 1638.0 af at the field headgate, and the irrigation of 468.0 acres.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R05 Use of water under this right will 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. 110.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

84554

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 468

Combined Volume Limit: 1638

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12477

| <u>Owner Type</u> | <u>Name and Address</u>                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------|
| Current Owner     | L2 LTD PARTNERSHIP<br>C/O LEWIS J NEWMAN<br>2943 N 800 E<br>MONTEVIEW, ID 83435<br>2086572515 |

Priority Date: 06/22/1953

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 7.53 CFS              | 1434.4 AFA    |
| Total Diversion       |             |           | 7.53 CFS              | 1434.4 AFA    |

Location of Point(s) of Diversion:

|              |      |         |              |           |                  |
|--------------|------|---------|--------------|-----------|------------------|
| GROUND WATER | SESW | Sec. 01 | Township 08N | Range 33E | JEFFERSON County |
| GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County |

IRRIGATION Use:

Acre Limit: 409.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|

84554

|     |     |    |      |    |      |    |      |    |                 |    |
|-----|-----|----|------|----|------|----|------|----|-----------------|----|
| 08N | 33E | 1  | NESW | 40 | NWSW | 39 | SWSW | 38 | Part 2A<br>SESW | 39 |
|     |     |    | NESE | 39 | NWSE | 40 | SWSE | 39 | SESE            | 38 |
|     |     | 12 | NENE | 38 | NWNE | 39 | SWNE | 40 | SENE            | 39 |

Total Acres: 468

Conditions of Approval:

1. X27 This right is limited to the irrigation of 409.8 acres within the place of use described above in a single irrigation season.
2. X35 Rights 31-12473, 31-12475, 35-12477 and 31-12479 when combined shall not exceed a total annual maximum diversion volume of 1638.0 af at the field headgate, and the irrigation of 468.0 acres.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R05 Use of water under this right will 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. 110.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 468

Combined Volume Limit: 1638

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12479

| <u>Owner Type</u> | <u>Name and Address</u>                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------|
| Current Owner     | L2 LTD PARTNERSHIP<br>C/O LEWIS J NEWMAN<br>2943 N 800 E<br>MONTEVIEW, ID 83435<br>2086572515 |

Priority Date: 08/07/1962

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 3 CFS                 | 1581.3 AFA    |
| Total Diversion       |             |           | 3 CFS                 | 1581.3 AFA    |

Location of Point(s) of Diversion:

|              |      |         |              |           |                  |
|--------------|------|---------|--------------|-----------|------------------|
| GROUND WATER | SESW | Sec. 01 | Township 08N | Range 33E | JEFFERSON County |
| GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County |

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 08N             | 33E          | 1              |            | NESW         | 40           |            | NWSW         | 39           |            | SWSW         | 38           |            | SESW         | 39           |
|                 |              |                |            | NESE         | 39           |            | NWSE         | 40           |            | SWSE         | 39           |            | SESE         | 38           |

Total Acres: 468

Conditions of Approval:

- X35

Rights 31-12473, 31-12475, 35-12477 and 31-12479 when combined shall not exceed a total annual maximum diversion volume of 1638.0 af at the field headgate, and the irrigation of 468.0 acres.
- R02

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- R05

Use of water under this right will 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. 110.
- 213

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
- 214

Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 186

Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
- 046

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- R63

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- 004

This right does not grant any right-of-way or easement across the land of another.
- T07

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T19

Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 468

Combined Volume Limit: 1638

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12474

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Current Owner     | L3 LTD PARTNERSHIP<br>2943 N 800 E<br>MONTEVIEW, ID 83435-5069<br>2086572366 |

Priority Date: 07/25/1955

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.55 CFS              | 215.5 AFA     |
| Total Diversion       |             |           | 0.55 CFS              | 215.5 AFA     |

Location of Point(s) of Diversion:

GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County

IRRIGATION Use:

Acre Limit: 150.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 08N             | 33E          | 12             |            | NENW         | 39           |            | NWNW         | 38           |            | SWNW         | 39           |            | SENW         | 40           |

Total Acres: 156

## Conditions of Approval:

1. X27 This right is limited to the irrigation of 150.7 acres within the place of use described above in a single irrigation season.
2. X35 Rights 31-12474, 31-12476, 35-12478 and 31-12480 when combined shall not exceed a total annual maximum diversion volume of 546.0 af at the field headgate, and the irrigation of 156.0 acres.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R05 Use of water under this right will 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. 110.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 156

Combined Volume Limit: 546

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12476

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Current Owner     | L3 LTD PARTNERSHIP<br>2943 N 800 E<br>MONTEVIEW, ID 83435-5069<br>2086572366 |

Priority Date: 07/26/1961

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.34 CFS              | 136.7 AFA     |
| Total Diversion       |             |           | 0.34 CFS              | 136.7 AFA     |

Location of Point(s) of Diversion:

GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 08N             | 33E          | 12             |            | NENW         | 39           |            | NWNW         | 38           |            | SWNW         | 39           |            | SENW         | 40           |

Total Acres: 156

Conditions of Approval:

1. X35 Rights 31-12474, 31-12476, 35-12478 and 31-12480 when combined shall not exceed a total annual maximum diversion volume of 546.0 af at the field headgate, and the irrigation of 156.0 acres.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R05 Use of water under this right will 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. 110.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 156

Combined Volume Limit: 546

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12478

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Current Owner     | L3 LTD PARTNERSHIP<br>2943 N 800 E<br>MONTEVIEW, ID 83435-5069<br>2086572366 |

Priority Date: 06/22/1953

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 2.51 CFS              | 478.1 AFA     |
| Total Diversion       |             |           | 2.51 CFS              | 478.1 AFA     |

Location of Point(s) of Diversion:

GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County

IRRIGATION Use:

Acre Limit: 136.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 08N             | 33E          | 12             |            | NENW         | 39           |            | NWNW         | 38           |            | SWNW         | 39           |            | SENW         | 40           |

Total Acres: 156

## Conditions of Approval:

1. X27 This right is limited to the irrigation of 136.6 acres within the place of use described above in a single irrigation season.
2. X35 Rights 31-12474, 31-12476, 35-12478 and 31-12480 when combined shall not exceed a total annual maximum diversion volume of 546.0 af at the field headgate, and the irrigation of 156.0 acres.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R05 Use of water under this right will 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. 110.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 156

Combined Volume Limit: 546

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False





## WATER RIGHT REPORT

11/10/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12480

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Current Owner     | L3 LTD PARTNERSHIP<br>2943 N 800 E<br>MONTEVIEW, ID 83435-5069<br>2086572366 |

Priority Date: 08/07/1962

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 1 CFS                 | 527.1 AFA     |
| Total Diversion       |             |           | 1 CFS                 | 527.1 AFA     |

Location of Point(s) of Diversion:

GROUND WATER | NESE | Sec. 12 | Township 08N | Range 33E | JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 08N             | 33E          | 12             |            | NENW         | 39           |            | NWNW         | 38           |            | SWNW         | 39           |            | SENW         | 40           |

Total Acres: 156

Conditions of Approval:

1. X35 Rights 31-12474, 31-12476, 35-12478 and 31-12480 when combined shall not exceed a total annual maximum diversion volume of 546.0 af at the field headgate, and the irrigation of 156.0 acres.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R05 Use of water under this right will 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. 110.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. 214 Prior to the diversion and use of water under Transfer approval 80260, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 186 Diversion of water from the additional well authorized under Transfer 80260 located in NESE, Sec. 12, T08N, R33E shall not exceed a total maximum diversion rate of 7.00 cfs.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 156

Combined Volume Limit: 546

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



## 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 has a slight shadow on the right side, suggesting it's resting on a surface.

84554

We give permission and acknowledge  
that moving water rights within our 3 entities  
which are L1 Partnership, L2 Partnership and  
L3 Partnership, is acceptable and requires  
no further written permission. These  
Partnerships agree to use water rights to the  
best beneficial use possible according to  
locations and varying points of diversion.

L1 Partnership, LaVar Newman



L2 Partnership, Lewis Newman



L3 Partnership, Lane Newman



## ESPA Modeling Analysis

L3 LTD Partnership

This application proposes to move 5.5 acres under the listed water rights to be diverted at a new point of diversion. Figure 1 below illustrates the model cells in which the TO and FROM Wells reside. All cells are adjacent, and therefore, no modeling is required.

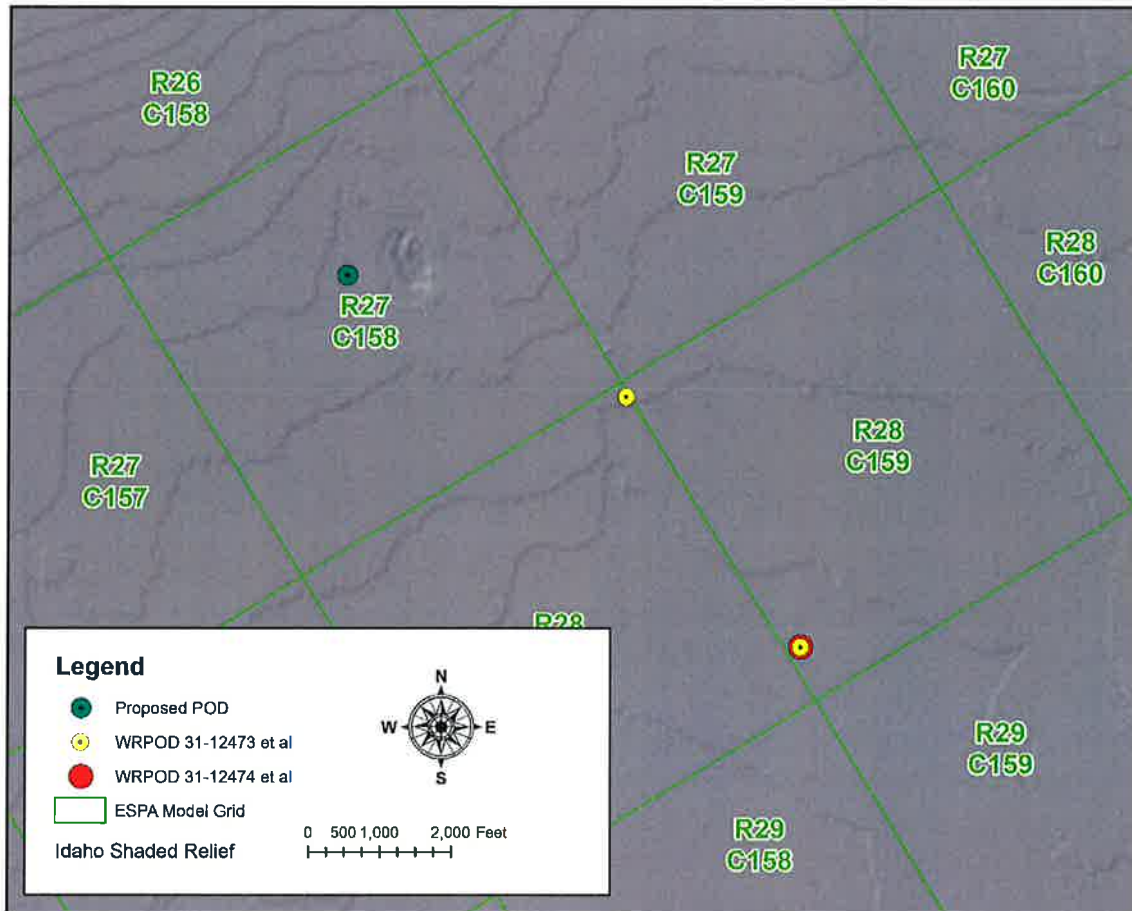
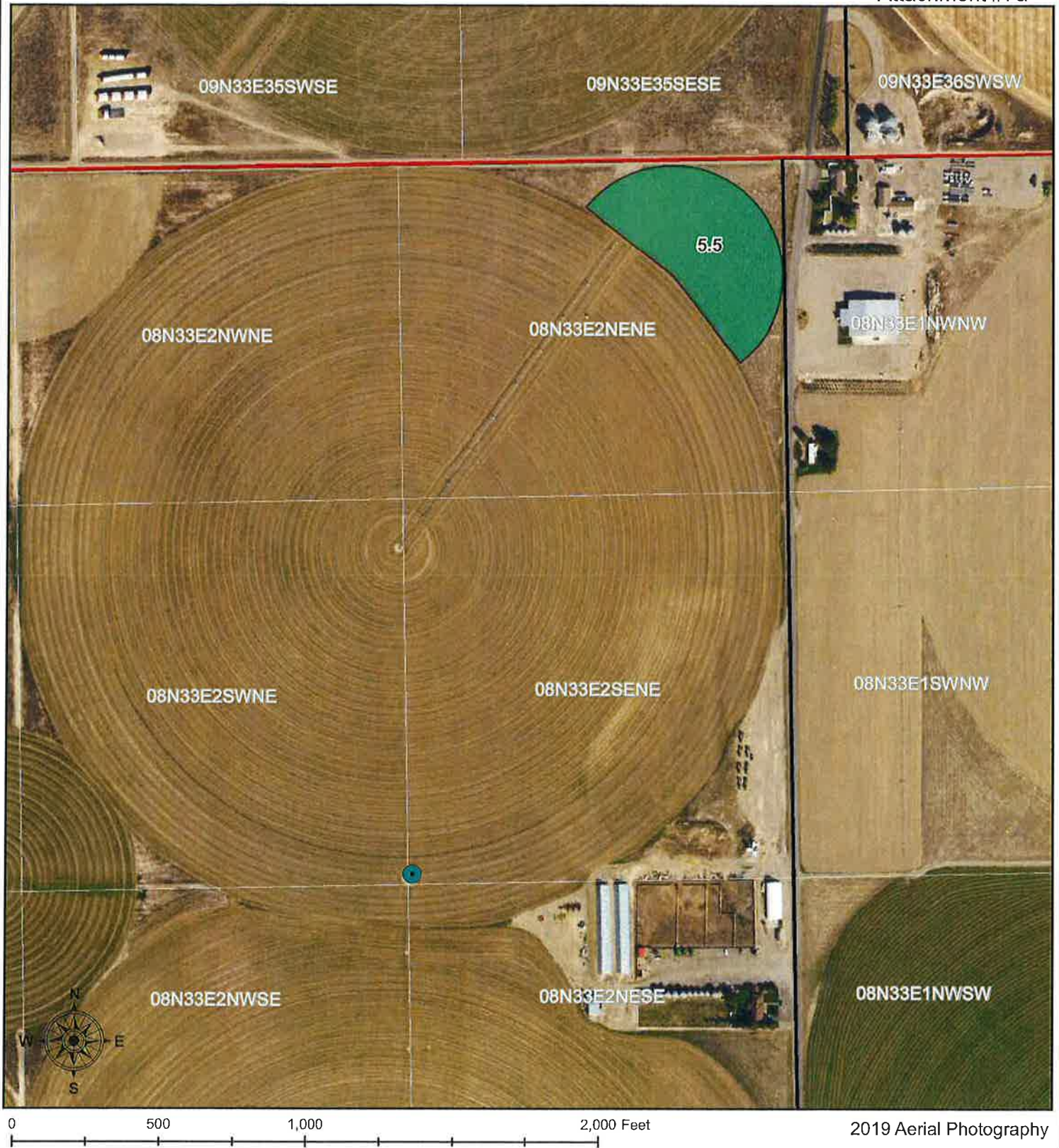


Figure 1. ESPA Model Grid



### Legend

-  Proposed POD
-  Proposed POU
-  Twp & Rng
-  Section

## Proposed Water Right Location

*L3 LTD Partnership*

RMEA #14-0004

by: KM

Date: 11/10/2020



84554



### Legend

- WRPOD 31-12473 et al
- WRPOD 31-12474 et al
- Existing POU 31-12474 et al
- Retiring POU 31-12473 et al
- Twp & Rng
- Section
- QQ
- Remaining POU 31-12474 et al

## Existing Water Right Location

### L3 LTD Partnership

RMEA #14-0004

by: KM

Date: 11/10/2020





Rocky Mountain  
**ENVIRONMENTAL**  
ASSOCIATES, INC.

RECEIVED  
NOV 23 2020  
Department of Water Resources  
Eastern Region

November 23, 2020

RMEA 14-0004, 18-0104, 20-0041

Idaho Department of Water Resources  
900 N Skyline Dr. Ste A  
Idaho Falls, ID 83404

Re: New Transfer Applications

Dear Agent,

Please find enclosed four applications and check #20993 in the amount of \$2,050 for filing fees as described below:

|                                                                                        |              |
|----------------------------------------------------------------------------------------|--------------|
| • r Little Muddy LLC, Application for Transfer 22-253                                  | \$500        |
| Change in Ownership                                                                    | \$100        |
| • City of Moore, Application for Transfer of 34-2323C                                  | \$500        |
| Change in Nature of Use                                                                | \$250        |
| • L2 LTD Partnership, Application for Transfer of 31-12473 et al                       | \$500        |
| • L3 LTD Partnership, Application for Transfer of 31-12474 et al<br>and 31-12473 et al | <u>\$200</u> |
|                                                                                        | \$2,050      |

Please contact our office with any questions regarding these applications.

Thank you,

Kristin Moore  
Senior Water Rights Analyst

Enclosures



Brad Little  
Governor

State of Idaho

## DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718  
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Gary Spackman  
Director

December 9, 2020

L3 LTD PARTNERSHIP  
2943 N 800 E  
MONTEVIEW, ID 83435-5069

RE: Transfer No. 84554  
Water Right No(s). 31-12473, 31-12474, 31-12475, 31-12476, 31-12477, 31-12478, 31-12479, 31-12480

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 JEFFERSON STAR on 12/16/2020 and 12/23/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman  
Administrative Assistant

CC:  
ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC  
C/O KRISTIN MOORE  
482 CONSTITUTION WAY STE 303  
IDAHO FALLS, ID 83402-3552

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, December 09, 2020 4:12 PM  
**To:** Jordan, Blake  
**Subject:** Application for Transfer No. 84554  
**Attachments:** RecommendationForm Transfer12.docx

### Watermaster:

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.

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

**Henman, Christina**

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**From:** Henman, Christina  
**Sent:** Wednesday, December 09, 2020 4:29 PM  
**To:** JEFFERSON STAR (info@jeffersonstarnews.com)  
**Subject:** Legal Notice for Jefferson Star  
**Attachments:** 84554 Jefferson Star.docx

LEGAL NOTICE DEPARTMENT  
JEFFERSON STAR  
PO BOX 37  
RIGBY, ID 83442

RE: Transfer No. 84554

Water Right No(s). 31-12473, 31-12474, 31-12475, 31-12476, 31-12477, 31-12478, 31-12479, 31-12480

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 1/4/2021. Your cooperation is appreciated.

Thank You,

Christina Henman  
Administrative Assistant  
Idaho Dept. of Water Resources, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 84554**

L3 LTD PARTNERSHIP, 2943 N 800 E, MONTEVIEW, ID 83435-5069 has filed Application No. 84554 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-12473, 31-12474, 31-12475, 31-12476, 31-12477, 31-12478, 31-12479, 31-12480; to see a full description of these rights and the proposed transfer, please see

<https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in SENE Sec 2 T8N R33E for 0.16 cfs from Ground water. The proposed place of use is in Lot 1 (NENE) Sec 2 T8N R33E for 5.5 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 1/4/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/16/2020 and 12/23/2020