

RECEIVED

OCT 30 2018

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

82824

RECEIVED

NOV 05 2018

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) L 1 LTD PartnershipCheck 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 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: Authorization letter

82824

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 30 2018
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) L 1 LTD Partnership Phone 208-657-2252
Mailing address 2943 N 800 E, Montevue, ID 83435 Email lane.newmanfarms@gmail.com

- ☐ 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.

Lane Newman

Signature of Applicant or Authorized Representative

Partner

Print Name and Title if applicable

10-23-2018

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 **Part 1A.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 reconfigure acres under the water right by retiring pivot corners and relocating the acres to be used under a mini pivot. An existing well is proposed to be added as a point of diversion to provide for the mini pivot and to provide a redundant source for the remaining water right.

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.		Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part	☒	31-2404	2.31 cfs	Irrigation	4/01 to 11/01	Ground Water
	☐				to	
	☐				to	
	☐				to	
	☐				to	
	☐				to	
	☐				to	
	☐				to	
	☐				to	

Total authorized under rights 2.31 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.31 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.

LN JAN 3, 2019

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SE	SW	SW	2	8N	33E	JEFFERSON	GROUND WATER	
	4		NW	NW	2	8N	33E	JEFFERSON	GROUND WATER	

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							4.7		38.9	38.7	38.6	33.1					154
Total Acres (for irrigation use)																			154

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JAN 04 2019

DEPARTMENT OF
WATER RESOURCES

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	31-2404	2.31 cfs	Irrigation	4/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.31 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.31 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 #
		SE	SW	SW	2	8N	33E	JEFFERSON	GROUND WATER	
			NW	NW	2	8N	33E	JEFFERSON	GROUND WATER	

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							4.7		38.9	38.7	38.6	33.1					154
Total Acres (for irrigation use)																			154

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:

Two existing wells divert to pivot irrigation systems. Measuring devices and lockable controlling works already installed.

- b. Who owns the property at the point(s) of diversion? L3 LTD Partnership

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Owner and applicant work in collaboration on their family farms. See Attachment #10 for an authorization letter.

- 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:

The land now irrigated will be retired to accommodate the reconfiguration of acres.

- 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:

No other water rights at proposed POU or existing POU/POD. Water rights 31-11983, 31-11985, and 31-11987 currently use the proposed POD.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/8/2018

WATER RIGHT NO. 31-2404

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEWIS LA VAR NEWMAN
Current Owner	LOUISE J NEWMAN 2943 N 800 E MONTEVIEW, ID 83435 2086572366
Original Owner	DELOY B NEWMAN 56 WHITING RD SALMON, ID 83467-5276 2087563085

Priority Date: 01/31/1963

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	4/01	11/01	2.31 CFS	539 AFA
Total Diversion			2.31 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESWSW|Sec. 02|Township 08N|Range 33E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

82824

<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	2		NESW	40		NWSW	39		SWSW	38		SESW	37

Total Acres: 154

Conditions of Approval:

1. 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.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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:

Generic Max Volume per Acre:

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

Close

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

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.

Check total \$85.-
\$685.- for this app. \$660.- transfer / \$25.- ownership change

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$685. - Date 10/30/2018 Received by JR Receipt # E0442196

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

QUITCLAIM DEED

For Value Received Lewis Lavar Newman and Louise Newman,
husband and wife

do hereby convey, release, remise and forever quit claim unto

L1 Limited Partnership

whose address is: +2943 N 800E Montview ID 83435

Hereinafter called the Grantee, the following described premises situated in Jefferson County, Idaho, to-wit:

Township 8 North, Range 33 E.B.M., Jefferson
County, Idaho.

Section 2: SW 1/4

Microfilm No. 384952
6-4-2010
 At 12:09 O'Clock P M.
 CHRISTINE BOULTER
 Jefferson Co. Recorder
 Fee \$ 32 PM Deputy
 Recorded at Request of Lavar Newman

together with its appurtenances.

Dated: 6-04-2010

X Lewis Lavar Newman
Lewis Lavar Newman

X Louise Newman
Louise Newman

STATE OF IDAHO)
) ss.
 COUNTY OF Jefferson)

On this 4th day of June, in the year of 20 10 before me, the undersigned, personally appeared Lewis Lavar - Louise Newman known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they/he/she executed the same.

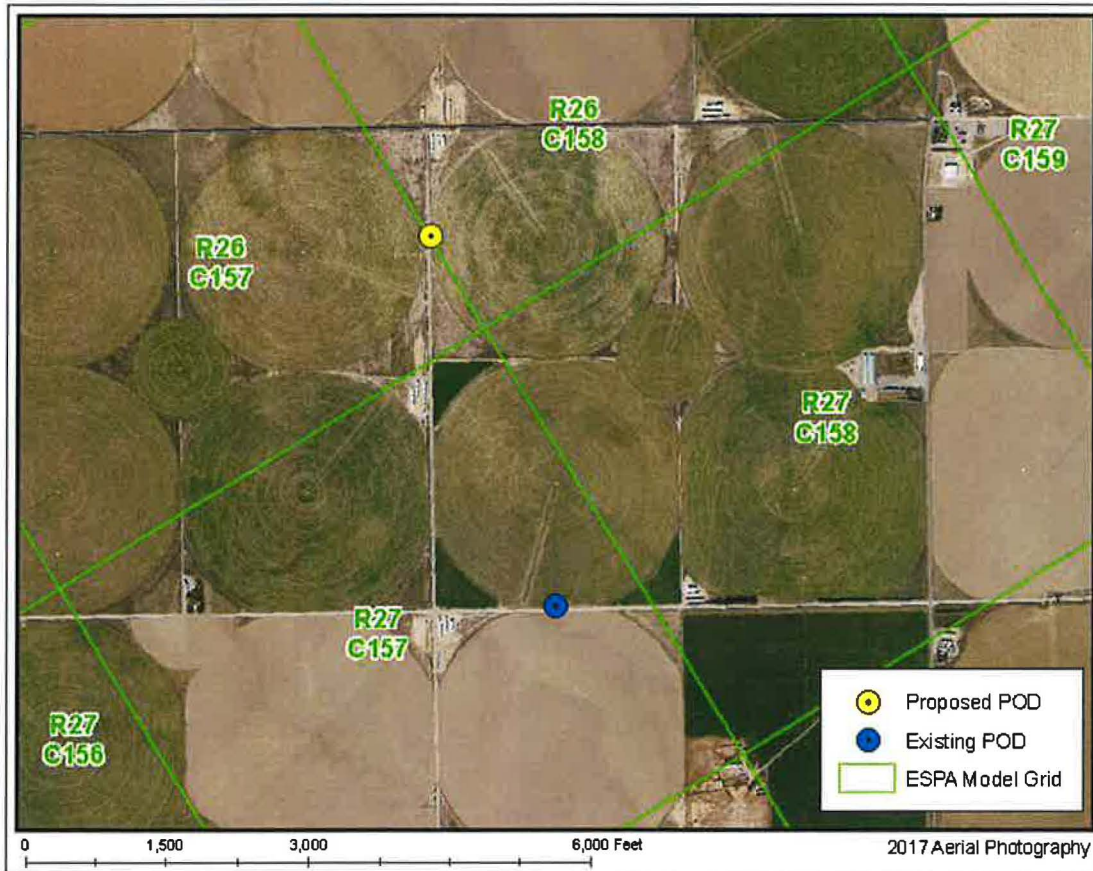
Kathryn M. Tomlinson
 Notary Public of Idaho
 Residing at: Teweton, ID
 Commission Expires: 9-4-15

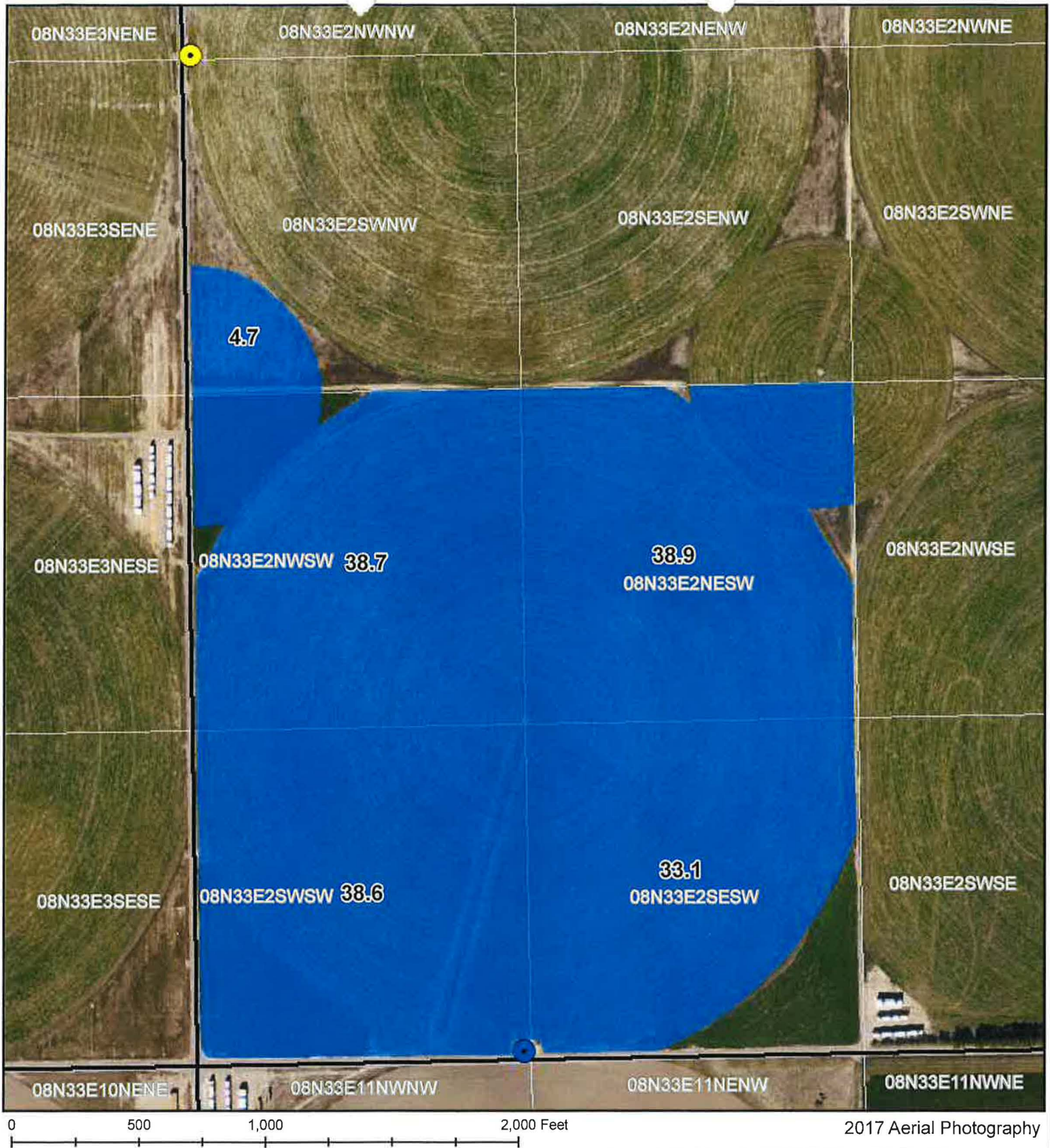


Eastern Snake Plain Aquifer Modeling Analysis for 31-2404*L1 LTD Partnership*

The Applicant proposes to add a point of diversion to water right 31-2404. The existing point of diversion and the proposed point of diversion are located in adjacent model cells. Figure 1 shows the wells within the model grid. No modeling is required.

Figure 1. ESPA Model Grid





Legend

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



Proposed WR 31-2404

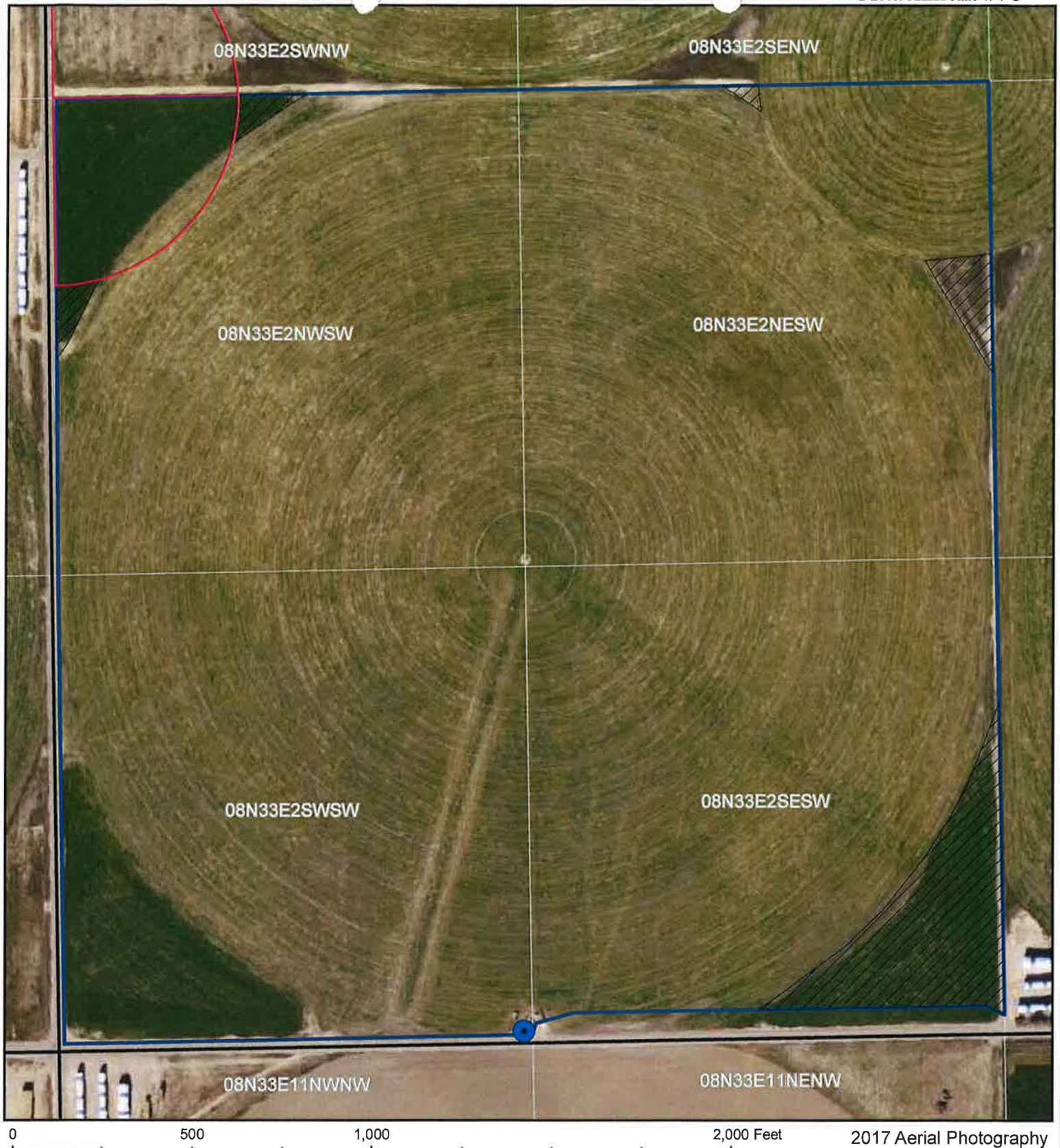
L1 LTD Partnership

RMEA #14-004

6.2 KM

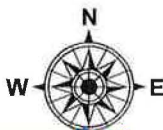
Date: 10/18/2018





Legend

- Existing POD
- Twp & Rng
- New Mini Pivot
- Section
- Retire Acres
- QQ
- WRPOU 31-2404



82824

Existing WR 31-2404

L1 LTD Partnership

RMEA #14-004

by: KM

Date: 10/18/2018



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

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



Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 11, 2019 9:04 AM
To: 'info@jeffersonstarnews.com'
Subject: Legal Notice for your paper

April 11, 2019

Legal Notice Department
Jefferson Star

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 May 6, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82824

L1 LTD PARTNERSHIP, C/O LAVAR NEWMAN

2943 N 800 E, MONTEVIEW, ID 83435; has filed Application No. 82824 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-2404; The purpose of the transfer is to change a portion of the above rights as follows:

to change a portion of right 31-2404 to add a new well for irrigation of 154 acres on a neighboring family parcel owned by LTD3 Limited Partnership. The southern part of the transfer POU is located on McCrary Rd & .37 miles from the Clark County line to the North, SW & NW, Sec. 9, T08N, R33E.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 5/6/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/17/2019 and 4/24/2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 11, 2019

L1 LTD PARTNERSHIP
C/O LAVAR NEWMAN
2943 N 800 E
MONTEVIEW, ID 83435

RE: Transfer No. 82824
Water Right No(s). 31-2404

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 4/18/2019 and 4/25/2019. 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,

Jean Hersley
Technical Records Specialist

CC: ROCKY MOUNTAIN ENVIRONMENTAL ASSOC

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 11, 2019 9:20 AM
To: Cefalo, James
Subject: Watermaster comments for Transfer applications 82824 & 82825
Attachments: Watermaster Recommendation.doc

James,

We are looking for your comments or concerns regarding Applications for Transfer 82824 & 82825.

Application 82824 will be advertised. This transfer proposes to reconfigure acres under the water right by retiring pivot corners and relocating the acres to be used under a mini-pivot. An existing well is also proposed to be added as a POD to provide for the mini pivot and to provide a redundant source for the remaining water right.

Application 82825 will NOT be advertised. This application proposes to change the place of use for water right 32-13263. The changes do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. The water rights are not being transferred from the property. There will be no changes to the point of diversion.

Please provide your comments within 21 days. If you have any questions, please contact Clay (208) 287-4910 or Alex (208) 287-4913. The documents will be scanned by the end of today.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

MEMORANDUM

Date: December 20, 2018
To: Transfer 82824
From: Alex Dagleish
Re: Review & Evaluation of Sufficiency of Information

Purpose:

The department received this application for L 1 Limited (LTD) Partnership to reconfigure irrigated acres. This transfer proposes adding a point of diversion (POD) and changing the place of use (POU) for water right 31-02404. The applicant wants to add a POD to feed a small pivot.

POUs:

The place of use will change slightly. Originally, the water right was in almost all 40 acres of each SW quarter of S2, T08N, R33E. The applicant will retire various acres in the NESW, NWSW and SESW quarter-quarters of the original POU. A new mini pivot will irrigate 4.7 acres in the top corner of the SWSWNW. The mini pivot will also feed new acres in the SW quarter-quarter-quarter of the SWNE quarter-quarter of the same Township and Range and section.

PODs:

There is one existing point of diversion for this water right. A new POD is proposed to provide for a new mini pivot and to supplement the existing POD. The new POD is a current well and has measuring devices and lockable controlling works installed. I spoke with the water master of district 110 regarding approval conditions 131,213 and 214 for this transfer.

Authority to File:

This application was signed by LaVar Newman, who is a partner at L 1 Limited (LTD) Partnership. According to the 2018 Jefferson County tax lot data, L 1 LTD Partnership owns the property. The applicant has provided a quitclaim deed transferring property from Lewis LaVar Newman and Louise Newman, husband and wife, to L1 LTD Partnership. The proposed POU and POD are on property owned by L 3 LTD Partnership. L1 LTD Partnership and L 3 LTD Partnership work in collaboration on their family farms. There are no ownership concerns.

Water Right Validity:

The water right was partially decreed in the SRBA on February 22, 2002 with groundwater as the source. A review of aerial imagery indicates that irrigation use is consistent in the last 5 years. Forfeiture is not an issue. A complete application for transfer was received from L 1 LTD Partnership on October, 30 2018.

Injury to Other Water Rights:

After the transfer, the water right record will more accurately reflect irrigation use. These water rights are regulated by water master in water district 110. The proposed POD is on property owned by the same family. A letter acknowledging this transfer was included from L1, L2 and L3 LTD Partnership. There will not be an increase in irrigated acres. No injury is anticipated.

Enlargement of Use:

There will not be an increase in acres. The transfer will use an additional POD. All water rights using this POD are owned by L 3 LTD Partnership. These overlapping rights may be conditioned with appropriate combined limits.

Local Public interest:

There are no apparent issues with local public interest. Comments will be requested from the watermaster to identify any local public interest concerns IDWR will advertise the transfer.

Beneficial Use/Conservation of Water Resources:

This transfer appears to be consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area:

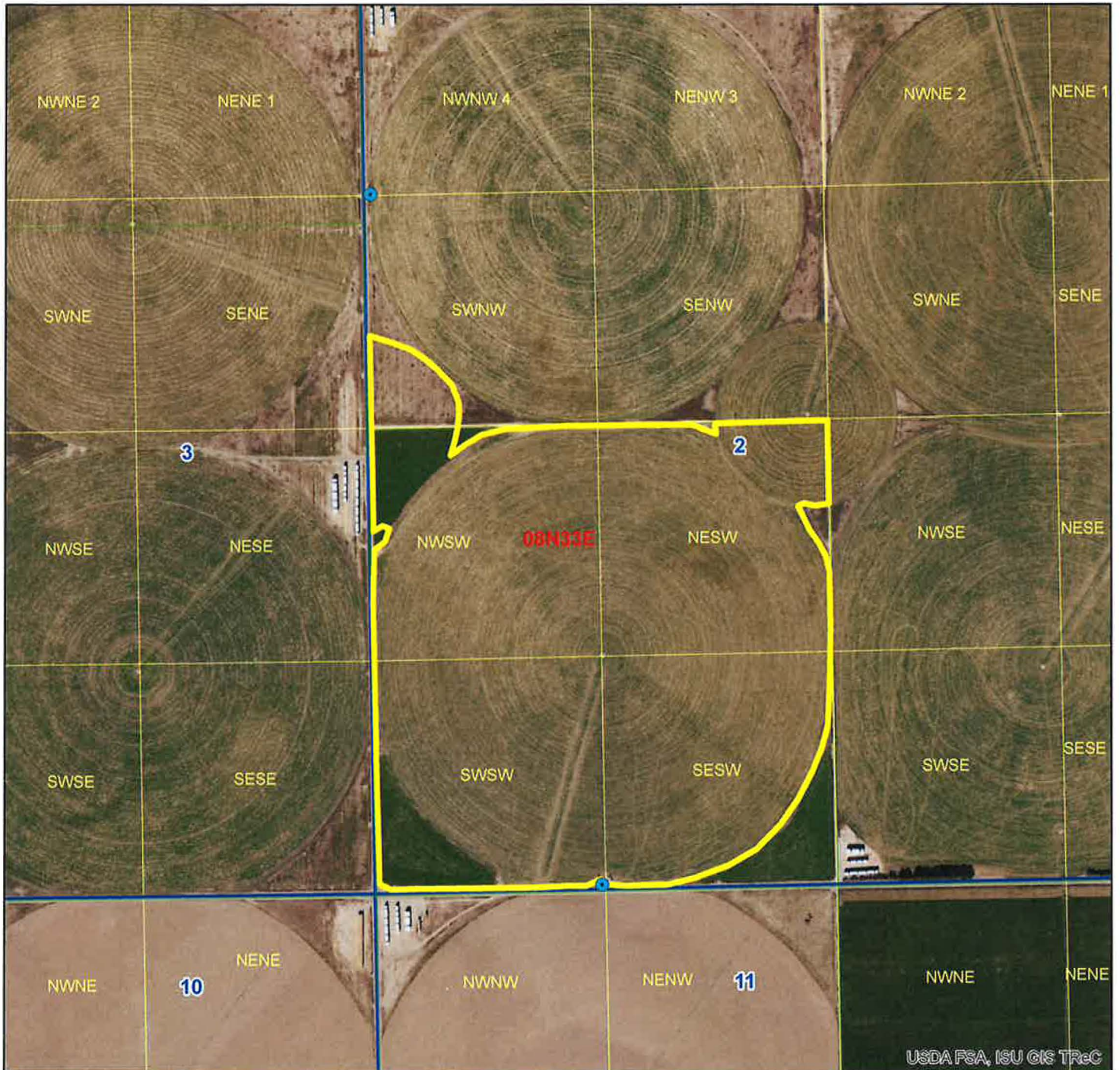
No adverse impacts are anticipated.

Effect on Agricultural Base of the Local Area:

The transfer shows no negative impacts on the local agriculture.

Transfer POU & POD

Transfer 82824



- Transfer POD
- Parcels
- Township/Range
- Sections
- QQ

0 0.075 0.15 0.3 Miles



Transfer 82824



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 28, 2019

LEWIS LA VAR NEWMAN
LOUISE J NEWMAN
2943 N 800 E
MONTEVIEW ID 83435

Re: Change in Ownership for Water Right No(s): 31-2404

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4913.

Sincerely,

Alex Dalglish
Water Resource Agent

Enclosure(s)

Cc. Water District 110

Cc. Rocky Mountain Environmental Associates, Inc.