

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82966

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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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.

Name of Applicant(s) L 2 LTD Partnership and L 1 LTD Partnership**RECEIVED****DEC 18 2018**Department of Water Resources
Eastern Region

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.
- ☒ ☐ #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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) L 2 LTD Partnership and L 1 LTD Partnership Phone 208-657-2252
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**.

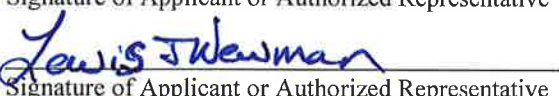
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ 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	<u>LEWIS J NEWMAN</u> Print Name and Title if applicable	<u>18 Dec 2018</u> Date
 Signature of Applicant or Authorized Representative	<u>Lewis J Newman</u> Print Name and Title if applicable	<u>18 Dec 2018</u> Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
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 transfer acres from pivot corners to a new location for use in a mini pivot. And also to correct the ownership on water rights 31-12004 and 31-12006. See attached narrative for details.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT **AMENDED**
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> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part					
☐ ☒	31-12004	0.04 cfs	Irrigation	4/01 to 10/31	Ground Water
☐ ☒	31-12006	0.03 cfs	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☒	31-2380	0.04 cfs	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.11 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.11 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	3		NE	NW	1	8N	33E	JEFERSON	GROUND WATER	
N	2		NW	NE	5	8N	34E	JEFFERSON	GROUND WATER	
N			SW	NW	5	8N	34E	JEFFERSON	GROUND WATER	
N			SE	NW	5	8N	34E	JEFFERSON	GROUND WATER	
N	3		NE	NW	6	8N	34E	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	1		6.6			2.1												8.7
Total Acres (for irrigation use)																			8.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT AMENDED
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:

Existing wells that will divert to mainline and a 486' mini pivot irrigation system. Measuring devices and lockable controlling works already installed.

- b. Who owns the property at the point(s) of diversion? L2 LTD Partnership

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See Attachment #10 for an authorization letter for all entities involved in this transfer.

- 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: Idaho Ag Credit FLCA has interest in water right 31-2380

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. No irrigation will occur from this or any other source.

- 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:

Existing POD of 31-2380 also provides water 31-2465. No other water rights at existing POU/PODs or proposed POU. Water Rights 31-11989, 31-2413C, 31-7078A, and 31-7101A share the proposed PODs.

- 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. 31-12004

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L 3 LTD PARTNERSHIP C/O LAVAR NEWMAN 2943 N 800 E MONTEVIEW, ID 83435 2086572252
Original Owner	LEWIS LA VAR NEWMAN
Original Owner	LOUISE J NEWMAN 2943 N 800 E MONTEVIEW, ID 83435 2086572366

Priority Date: 02/04/1952
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	1.19 CFS	296.2 AFA
Total Diversion			1.19 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENWNW|Sec. 10|Township 08N|Range 33E|JEFFERSON County

IRRIGATION Use:
Acre Limit: 84.6

82966

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	10		NENW	37.5		NWNW	36.5		SWNW	38		SENW	38

Total Acres: 150

Conditions of Approval:

1. Right No. 31-12006 is also diverted through point of diversion described above.
2. Use of this right with right no. 31-12006 is limited to the irrigation of a total of 150 acres in a single irrigation season. This right is limited to the irrigation of 84.6 acres within the place of use described above in a single irrigation season
3. Use of this right with right no. 31-12006 is limited to a total comined diversion rate of 2.12 CFS and to a total combined annual diversion volume of 525.0 af.
4. 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: 150

Combined Volume Limit: 525

Combined Rate Limit: 2.12

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

82966

10/8/2018

Water Right Report

Part 2A

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

82966

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 31-12004

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) 5.2

Acre Limit: 2.9 ac

82966

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/8/2018

WATER RIGHT NO. 31-12006

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L 3 LTD PARTNERSHIP C/O LAVAR NEWMAN 2943 N 800 E MONTEVIEW, ID 83435 2086572252
Original Owner	LEWIS LA VAR NEWMAN
Original Owner	LOUISE J NEWMAN 2943 N 800 E MONTEVIEW, ID 83435 2086572366

Priority Date: 07/05/1983

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	0.93 CFS	228.8 AFA
Total Diversion			0.93 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENWNW|Sec. 10|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	10		NENW	37.5		NWNW	36.5		SWNW	38		SEnw	38

Total Acres: 150

Conditions of Approval:

1. Use of this right with right no. 31-12004 is limited to the irrigation of a combined total of 150 acres in a single irrigation season.
2. Right no. 31-12004 is also diverted through point of diversion described above.
3. Use of this right with right no. 31-12004 is limited to a total combined diversion rate of 2.12 cfs and to a total combined annual diversion volume of 525 AF
4. 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: 150

Combined Volume Limit: 525

Combined Rate Limit: 2.12

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

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/8/2018

WATER RIGHT NO. 31-2380

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L 2 LTD PARTNERSHIP C/O LEWIS J NEWMAN 2943 N 800 E MONTEVIEW, ID 83435 2086572515
Original Owner	ELMA WALKER
Original Owner	PAUL WALKER 124 EAST MAIN ST REXBURG, ID 83440 2087095025
Security Interest	IDAHO AGCREDIT FLCA 1586 N 2 E REXBURG, ID 83440

Priority Date: 11/18/1960

Basis: Decreed

Status: Active

Water Supply Bank 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	10/31	1.92 CFS	560 AFA
Total Diversion			1.92 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENENE|Sec. 10|Township 08N|Range 33E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	33E	10		NENE	40		NWNE	40		SWNE	40		SENE	40

Total Acres: 160

Conditions of Approval:

1. 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.
2. RIGHT NO. 31-02465 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

Water Supply Bank:

L 2 LTD PARTNERSHIP

Lessor Name(s): ELMA WALKER
PAUL WALKER

Lease Status: Active

Lease Amount: 17.15

Rental Availability: None

Date Received: 10/1/2015

Lease Begin Date: 10/1/2015

Expiration Date: 12/31/2019

Close

QUITCLAIM DEED

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

do hereby convey, release, remise and forever quit claim unto L 1 Limited Partnership

whose address is: 2943 N 800E Montevideo 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 9: E 1/2

Section 10: NW 1/4

Excepting Therefrom: County Road.

Microfilm No. 384953
6-4-2010
 At 12:10 O'clock P M
 CHRISTINE BOULTER
 Jefferson Co. Recorder
 Fee \$ 3.00 pus Deputy
 Recorded at Request of Lavar Newman

together with its appurtenances.

Dated: 6-4-2010

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: Trevelton, ID
 Commission Expires: 9-4-15



FIRST AMERICAN TITLE
RI23869

322624

WARRANTY DEED

For Value Received **Larry Simmons and Kristen Simmons, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

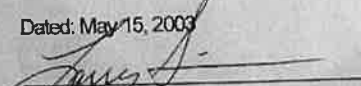
Lewis Lavar Newman and Louise Newman, husband and wifewhose address is: **2941 North 800 East, Montevue, ID 83435**Hereinafter called the Grantee, the following described premises situated in **Jefferson County, ID**, to-wit**Township 8 North, Range 33 E.B.M., Jefferson County, Idaho.****Section 9: E $\frac{1}{2}$** **Section 10: NW $\frac{1}{4}$** **EXCEPTING THEREFROM: County Road.**

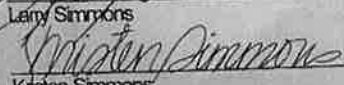
Instrument # 322624
 RIGBY, JEFFERSON, IDAHO
 2003-05-16 01:28:00 No. of Pages: 1
 Recorded for: FIRST AMERICAN TITLE
 CHRISTINE BOULTER Fee: 3.00
 Ex-Officio Recorder Deputy
 Index to: WARRANTY DEED

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 15, 2003


 Larry Simmons

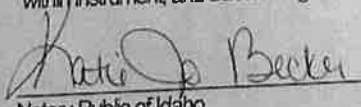

 Kristen Simmons

STATE OF IDAHO

)ss.

COUNTY OF JEFFERSON

On this 15th day of May, 2003, before me Katie Jo Becker, personally appeared Larry Simmons and Kristen Simmons, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


 Notary Public of Idaho
 Residing at Rexburg, Idaho
 Commission Expires: 11/08/05



RECEIVED BY
 ASSESSOR
 For PLATTING
 Date 5/16/03 Time 1:28

AMENDED

Eastern Snake Plain Aquifer Modeling Analysis for Water Rights 31-2380, 31-12004, and 31-12006

L1 LTD Partnership and L2 LTD Partnership

The Applicant proposes to transfer portions of water rights from two different points of diversion to an existing combined system of five wells. Figure 1 shows the wells within the model grid.

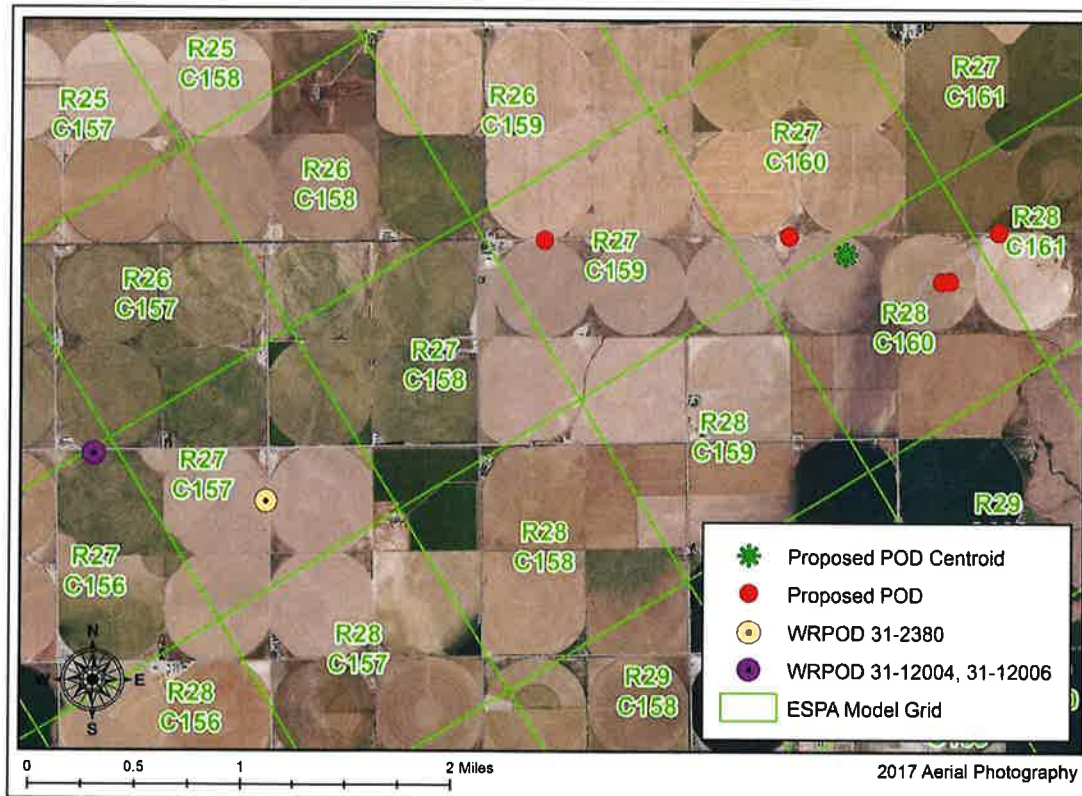
The TO Well location is a centroid of the five existing points of diversion, or the proposed points of diversion for the transfer. Total volume expected to be transferred is 30.4 afa, or 10.1 af/trimester, for the irrigation of 8.7 acres.

FROM 1 Well is a point of diversion for water rights 31-12004 and 31-12006, from which a total of 5.2 acres and 18.2 afa will be transferred.

FROM 2 Well is a point of diversion for water right 31-2380 from which a total of 3.5 acres and 12.3 afa will be transferred.

Figures 2-4 include excerpts of the modeling scenario. **Results do not exceed IDWR *de minimus* thresholds.**

Figure 1. ESPA Model Grid



AMENDED

Figure 2. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON
 YEAR: 1951
 SEASON: WINTER

TRANSFER NO: Transfer C
 TRANSFER NAME: L2 LTD Partnership

UPDATE DATES

RUN MODEL

GET OUTPUT

CALCULATE EFFECTS

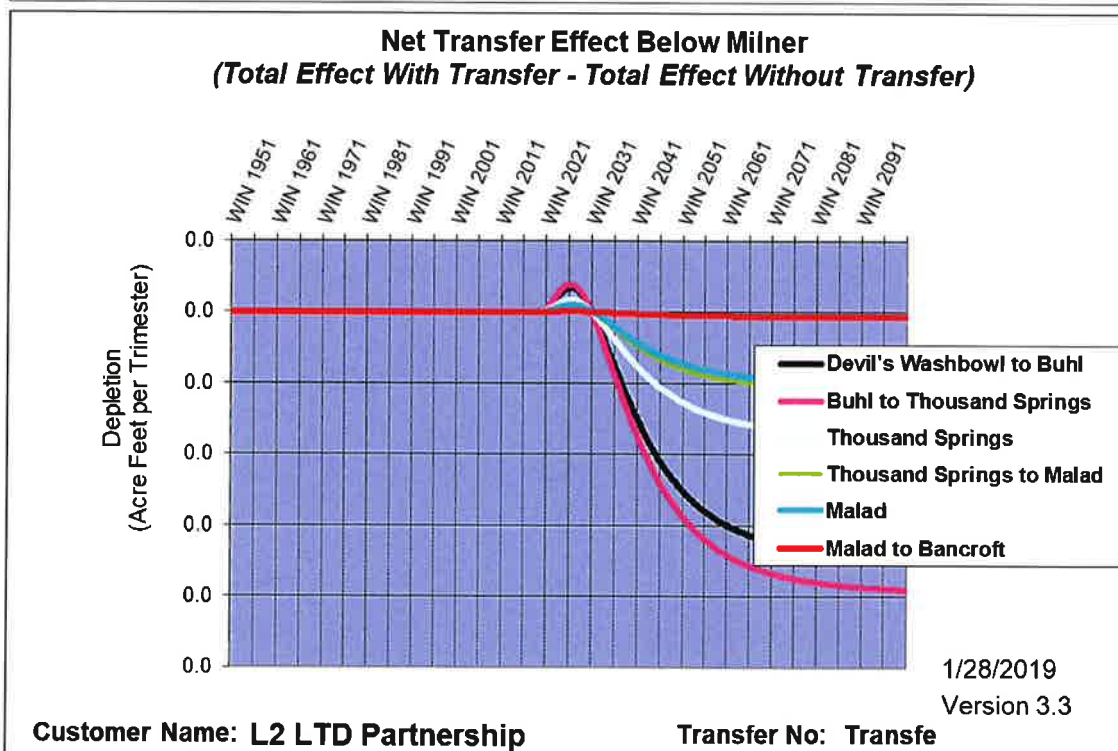
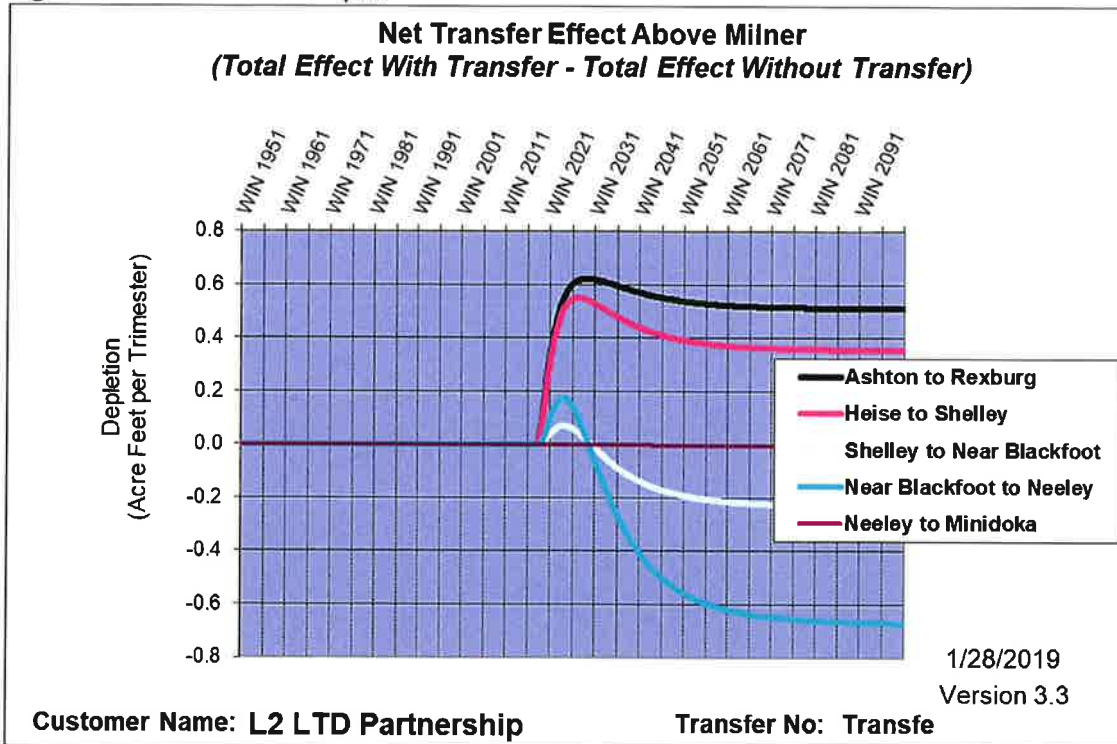
ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	28	27	27	45
COLUMN	160	156	157	30

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1951	0	3	3	0	0	0	0
SPR 1952	0	3	3	0	0	0	0
SUM 1952	0	3	3	0	0	0	0
WIN 1952	0	3	3	0	0	0	0
SPR 1960	0	3	3	0	0	0	0
SUM 1960	0	3	3	0	0	0	0
WIN 1960	0	3	3	4	4	0	0
SPR 1961	0	3	3	4	4	0	0
SUM 1961	0	3	3	4	4	0	0
WIN 1961	0	3	3	4	4	0	0
SPR 1962	0	3	3	4	4	0	0
SUM 1962	0	3	3	4	4	0	0
SPR 1982	0	3	3	4	4	0	0
SUM 1982	0	3	3	4	4	0	0
WIN 1982	0	3	3	4	4	0	0
SPR 1983	0	3	3	4	4	0	0
SUM 1983	0	6	6	4	4	0	0
WIN 1983	0	6	6	4	4	0	0
SPR 1984	0	6	6	4	4	0	0
SUM 1984	0	6	6	4	4	0	0
WIN 1984	0	6	6	4	4	0	0
SPR 1985	0	6	6	4	4	0	0
SUM 1985	0	6	6	4	4	0	0
SPR 2018	0	6	6	4	4	0	0
SUM 2018	0	6	6	4	4	0	0
WIN 2018	0	6	6	4	4	0	0
SPR 2019	10	0	6	0	4	0	0
SUM 2019	10	0	6	0	4	0	0
WIN 2019	10	0	6	0	4	0	0
SPR 2020	10	0	6	0	4	0	0
SUM 2020	10	0	6	0	4	0	0
WIN 2020	10	0	6	0	4	0	0
SPR 2021	10	0	6	0	4	0	0
SUM 2021	10	0	6	0	4	0	0
WIN 2021	10	0	6	0	4	0	0
SPR 2022	10	0	6	0	4	0	0
SUM 2022	10	0	6	0	4	0	0
WIN 2022	10	0	6	0	4	0	0
SUM 2099	10	0	6	0	4	0	0
WIN 2099	10	0	6	0	4	0	0
SPR 2100	10	0	6	0	4	0	0
SUM 2100	10	0	6	0	4	0	0
WIN 2100	10	0	6	0	4	0	0
SPR 2101	10	0	6	0	4	0	0
SUM 2101	10	0	6	0	4	0	0

AMENDED

Figure 3. Net Transfer Graphs



AMENDED

Figure 4. Calculated Effects.

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2018	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2020	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2020	0.2	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2020	0.2	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.3	0.3	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.3	0.3	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.4	0.3	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2022	0.4	0.4	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2022	0.4	0.4	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2022	0.4	0.4	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2023	0.5	0.4	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2023	0.5	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2023	0.5	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.5	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.5	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.6	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.6	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.6	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.6	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.6	0.5	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.6	0.5	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.6	0.5	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.6	0.5	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.6	0.6	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.6	0.6	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.6	0.6	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.6	0.6	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.6	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.6	0.5	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.6	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.6	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.6	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.6	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.6	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.6	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2031	0.6	0.5	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: WIN 1951

Match: 1 Match: 456

	AtR	HIS	SINB	NBIN	NIM	DWIB	BITs	TS	TSIM	M	MIB	Total	
Preexisting Effects @ SS (Last Time Step):	2.67	2.72	1.22	3.29	0.02	0.07	0.08	0.04	0.02	0.02	0.00	10.15	Total Effects without Transf
dy State - Value of Dep. @ Last Time Step:	3.18	3.08	0.99	2.62	0.02	0.05	0.06	0.03	0.02	0.02	0.00	10.06	Total Effects with Transf
ss @ Transient State (Max Value Timestep):	2.67	2.72	1.22	3.29	0.02	0.07	0.08	0.04	0.02	0.02	0.00	10.15	Total Effects without Transf
nt State - Max. Value of Dep. After Transfer:	3.25	3.23	1.26	3.38	0.02	0.07	0.08	0.03	0.02	0.02	0.00	11.37	Total Effects with Transf
Steady State Change:	0.51	0.36	-0.23	-0.67	0.00	-0.02	-0.02	-0.01	-0.01	0.00	0.00		
Transient State Change:	0.59	0.51	0.04	0.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00		



1586 N 2 E
Rexburg, Idaho 83440
208.356.5479 or 800.632.8821
Fax: 208.356.6037
www.idahoagcredit.com

December 14, 2018

Idaho Department of Water Resources
900 N Skyline Dr. Ste A
Idaho Falls, Idaho 83402-1718

RE: L2 Limited Partnership Water Right #31-2380

Gentlemen,

Idaho AgCredit has reviewed the proposed transfer of 0.04 cfs of Water Right # 31-2380 and grants authority for these water rights to be transferred from the property we have a lien on. Feel free to call me at the above number if you require further information.

Sincerely,



Doug Eck
Loan Officer
Idaho ACA



2017 Aerial Photography

Legend

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

82966

Proposed Water Right Location

L2 LTD Partnership and L1 LTD Partnership

RMEA #14-0004

by: KM

Date: 1/22/2019



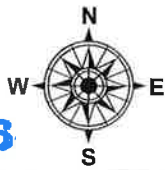


0 500 1,000 2,000 Feet

2017 Aerial Photography

Legend

- WRPOD 31-2380
- WRPOU 31-2380
- Retired Acres 31-2380
- WRPOD 31-12004, 31-12006
- WRPOU 31-12004, 31-12006
- Retired Acres 31-12004, 31-12006
- Twp & Rng
- Section
- QQ



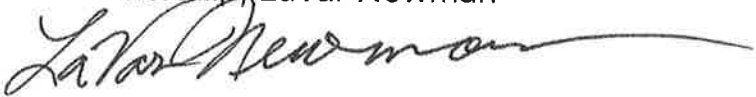
**Existing WR 31-12004,
31-12006, 31-2380
L2 LTD Part. & L3 LTD Part.**

RMEA #14-004
by: KM
Date: 10/18/2018



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





Rocky Mountain
ENVIRONMENTALSM
ASSOCIATES, INC.

RECEIVED
DEC 18 2018
Department of Water Resources
Eastern Region

December 13, 2018

RMEA 14-0004

Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls, ID 83402

Re: Companion Transfer Applications for L1 LTD Partnership, L2 LTD Partnership, and L3 LTD Partnership

Dear IDWR,

Please find enclosed four transfer applications on behalf of L1 LTD Partnership, L2 LTD Partnership, or L3 LTD Partnership. The intent of these transfers is to retire corners and reconfigure acres to allow for installation of mini pivots. This requires some redistribution of water rights between the three entities' properties. Attached to each transfer that includes multiple entities is an authorization letter signed by all three entities allowing the proposed changes. Lien holder letters have also been provided where required.

The portions of water rights 31-2465 and 31-2380 included in these transfers have been leased to the Water Supply Bank, and rented each year to other users. They were released from the Bank this summer and will be available for diversion again beginning in the 2019 season.

Table 1 below shows a summary and correlation between the acres proposed to be transferred under all four transfer applications. Water rights 31-12004 and 31-12006 have combined use limitations.

Table 1. Summary of Transfers

Water Right No.: Owner:	31-2465			31-2380			31-12004*			31-12006*			31-11989			Total Trans. cfs
	L3 LTD PARTNERSHIP			L2 LTD PARTNERSHIP			L1 LTD PARTNERSHIP			L1 LTD PARTNERSHIP			L2 LTD PARTNERSHIP			
	ac	cfs	AFA	ac	cfs	AFA	ac	cfs	AFA	ac	cfs	AFA	ac	cfs	AFA	
EXISTING WATER RIGHT	160	2.42	560	160	1.92	560	84.6	1.19	296.2	150	0.93	228.8	4	0.06	14	
Transfer A	11.2	0.17	39.2													0.17
Transfer B	10.4	0.16	36.4													0.16
Transfer C				3.5	0.04	12.3	2.9	0.04	10.3	5.2	0.03	7.9				0.11
Transfer D	1.1	0.02	3.8	3.8	0.05	13.3							4	0.06	14	0.13
REMAINING AMTS	137.3	2.07	480.6	152.7	1.83	534.4	81.7	1.15	285.9	144.8	0.9	220.9				

Transfers A and B simply propose to remove corners from water right 31-2465 for use at another location.

Transfer C proposes to first correct ownership of Rights 31-12004 and 31-12006. It appears that in a past transfer involving numerous water rights, these two rights were erroneously included in an ownership change. The deeds submitted with the transfer application (which can be found in the backfile of water right 31-2340) described a property very close in description, resulting in these two rights being changed into the name of L3 LTD Partnership. However, the property has never been owned by L3 LTD partnership. Deeds have been attached to this application to show that the property should be in the name of L1 LTD Partnership.

The remaining acres under water rights 31-12004 and 31-12006 do not correlate exactly to the place of use shapefile available from IDWR. Swing arms and end guns have been removed from the large pivot and mini pivots have been installed in corners. The acres irrigated within the QQs remains unchanged. A shapefile can be provided to update IDWRs shapefile for the actual irrigated acres under the pivots upon request (for the remaining portion of these rights).

Transfer D proposes to transfer acres from 31-2465 and 31-2380, which are included in Transfers A and B, or C. For Right 31-2380, the total acres to be transferred was determined by evaluating the acres that would remain under irrigation and subtracting that amount from the total water right place of use. Then the amount transferred under Transfer C was subtracted, leaving 3.8 acres available for transfer. This method was preferred since the measured acres in corners plus the remaining irrigation totaled more than the water right allowed.

Also in Transfer D, it is proposed to remove the full amount of 31-11989 to be relocated. The areas under this water right have been developed into farm facilities and will no longer be irrigated. The points of diversion will not change.

A check for filing fees is also enclosed, including the \$200 filing fee per transfer and an additional \$50 ownership change fee for Transfer C.

Thank you,



Kristin Moore
Senior Water Rights Analyst

Enclosures: Four (4) Transfers
 Check for Filing Fees