

SEP 09 2016

42-222 POD - 09/14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT -- POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) LCSC ENTERPRISES LLC Phone (972)-556-11902. MAILING ADDRESS 433 E LAS COLINAS BLVD STE 1290 City IRVINGState TX Zip 75039 Email blair@dbscpa.net

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 45-2426 45-2484 45-2624

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 7.11 cubic feet per second and/or 1848 acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION -- Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
X		SW	SW	SW	11	12S	22E	CASSIA	GROUNDWATER	
		NW	SW	SW	11	12S	22E	CASSIA	GROUNDWATER	A0005099
		SW	SE	SW	11	12S	22E	CASSIA	GROUNDWATER	A0005085

6. 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:

The new well will be connected to the existing irrigation system. A full profile magnetic flowmeter will be installed.

- b. Who owns the property at the point(s) of diversion? LCSC ENTERPRISES LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ of section information. The Map Tool, available at maps.idwr.idaho.gov/Transfer/IppllicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Blair Lee Dance, Manager Blair Lee Dance, Manager 9-7-16
Signature of applicant or authorized agent Print name and title if applicable Date

Signature of applicant or authorized agent Print name and title if applicable Date

9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov/WaterRightTransfers/Step4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by WM Date 9-9-2016

Fee paid \$1,000 - Date 9-9-2016 Received by DM Receipt # S035717

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/9/2016

WATER RIGHT NO. 45-2426

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LCSC ENTERPRISES LLC 433 E LAS COLINAS BLVD STE 1290 IRVING, TX 75039 (972)556-1190
Original Owner	MARK G SCHROEDER
Original Owner	PEGGY L SCHROEDER 4481 N 1800 E BUHL, ID 83316 (208)678-5960

Priority Date: 12/05/1952
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	03/15	11/15	3.5 CFS	960 AFA
Total Diversion			3.5 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 11	Township 12S	Range 22E	CASSIA County
GROUND WATER	SWSESW	Sec. 11	Township 12S	Range 22E	CASSIA County

IRRIGATION Use:
Acre Limit: 240

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA 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>
12S	22E	11		NENW	40		NWNW	39		SWNW	39		SENW	38
				NESW	38		NWSW	39		SWSW	36		SESW	35
				NESE	40		NWSE	40		SWSE	39		SESE	39

Total Acres: 462

Conditions of Approval:

1. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1848 AF. COMBINED RIGHT NOS.: 45-2426, 45-2484 & 45-2624.
2. 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.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. E55 USE OF THIS RIGHT WITH RIGHT NO. 45-2484 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 246 ACRES IN A SINGLE IRRIGATION SEASON.
5. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 462 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2426, 45-2484 & 45-2624.

Dates:

Licensed Date:

Decreed Date: 06/29/2005

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: AND

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 245

Combined Volume Limit: 980

Combined Rate Limit: 3.5

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

9/9/2016

WATER RIGHT NO. 45-2484

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LCSC ENTERPRISES LLC 433 E LAS COLINAS BLVD STE 1290 IRVING, TX 75039 (972)556-1190
Original Owner	MARK G SCHROEDER
Original Owner	PEGGY L SCHROEDER 4481 N 1800 E BUHL, ID 83316 (208)678-5960

Priority Date: 09/07/1954
 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	03/15	11/15	0.1 CFS	24 AFA
Total Diversion			0.1 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 11	Township 12S	Range 22E	CASSIA County
GROUND WATER	SWSESW	Sec. 11	Township 12S	Range 22E	CASSIA County

IRRIGATION Use:
 Acre Limit: 6

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA 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>
12S	22E	11		NENW	40		NWNW	39		SWNW	39		SENW	38
				NESW	38		NWSW	39		SWSW	36		SESW	35
				NESE	40		NWSE	40		SWSE	39		SESE	39

Total Acres: 462

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.
2. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 462 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2426, 45-2484 & 45-2624.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1848 AF. COMBINED RIGHT NOS.: 45-2426, 45-2484 & 45-2624.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. E55 USE OF THIS RIGHT WITH RIGHT NO. 45-2426 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 246 ACRES IN A SINGLE IRRIGATION SEASON.
6. P31 THE REMAINDER OF THIS RIGHT, AMOUNTING TO 15 ACRES, WAS FORFEITED FOR NON-USE FROM 1976 TO 1987.
7. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:

Decreed Date: 06/29/2005

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: AND
Water District Number: 140
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 245
Combined Volume Limit: 980
Combined Rate Limit: 3.5
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

9/9/2016

WATER RIGHT NO. 45-2624

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LCSC ENTERPRISES LLC 433 E LAS COLINAS BLVD STE 1290 IRVING, TX 75039 (972)556-1190
Original Owner	MARK G SCHROEDER
Original Owner	PEGGY L SCHROEDER 4481 N 1800 E BUHL, ID 83316 (208)678-5960

Priority Date: 07/11/1960
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	03/15	11/15	3.61 CFS	864 AFA
Total Diversion			3.61 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 11	Township 12S	Range 22E	CASSIA County
GROUND WATER	SWSESW	Sec. 11	Township 12S	Range 22E	CASSIA County

IRRIGATION Use:
Acre Limit: 216

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA 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>
12S	22E	11		NENW	40		NWNW	39		SWNW	39		SENW	38
				NESW	38		NWSW	39		SWSW	36		SESW	35
				NESE	40		NWSE	40		SWSE	39		SESE	39

Total Acres: 462

Conditions of Approval:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 462 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2426, 45-2484 & 45-2624.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1848 AF. COMBINED RIGHT NOS.: 45-2426, 45-2484 & 45-2624.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 216 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:

Decreed Date: 06/29/2005

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: AND

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 462

Combined Volume Limit: 1848

Combined Rate Limit: 7.11

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

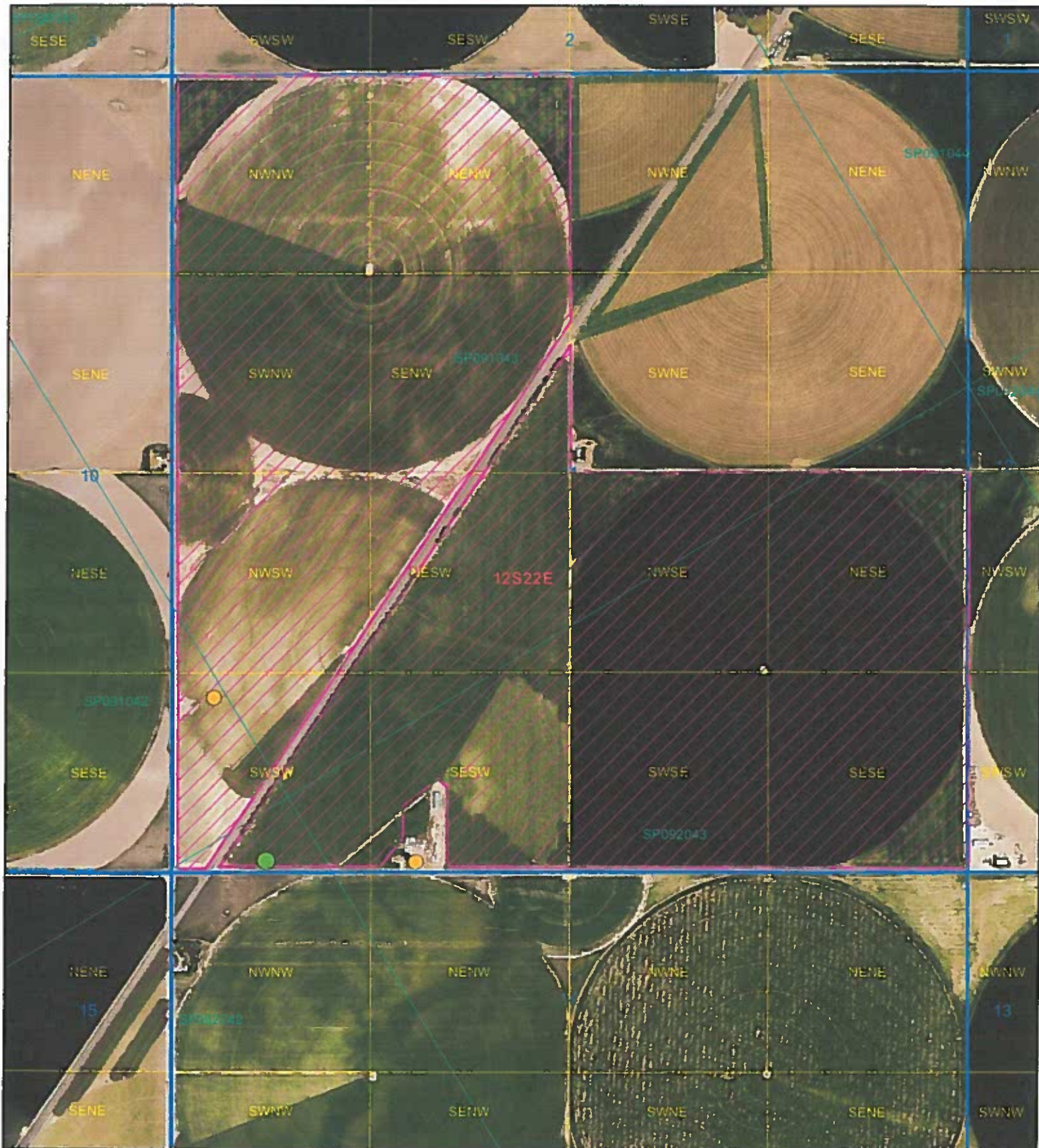
DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

LCSC Proposed Point of Diversion



0 0.125 0.25 0.5 Miles

- Proposed POD
- Existing POD
- ▨ WR POU
- ESPAM Grid



2015 NAIP Aerial Imagery
Created by: Jaxon Higgs
WWC Inc.

TRANSFER 81222

No. W 107936 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than Oct 31, 2015 Annual Report Form 1. Mailing Address: Correct in this box if needed. LCSC ENTERPRISES, LLC BORAH CAPITAL LTD 433 E LAS COLINAS BLVD E #1290 IRVING TX 75039	2. Registered Agent and Address (NO PO BOX) BUSINESS FILINGS INCORPORATED 921 S ORCHARD ST STE G BOISE ID 83705 3. New Registered Agent Signature:*														
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"><thead><tr><th>Office Held</th><th>Name</th><th>Street or PO Address</th><th>City</th><th>State</th><th>Country</th><th>Postal Code</th></tr></thead><tbody><tr><td>MEMBER</td><td>BLAIR DANCE</td><td>433 E LAS COLINAS BLVD #1290</td><td>IRVING</td><td>TX</td><td>USA</td><td>75039</td></tr></tbody></table>			Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	BLAIR DANCE	433 E LAS COLINAS BLVD #1290	IRVING	TX	USA	75039
Office Held	Name	Street or PO Address	City	State	Country	Postal Code										
MEMBER	BLAIR DANCE	433 E LAS COLINAS BLVD #1290	IRVING	TX	USA	75039										
5. Organized Under the Laws of: NV W 107936	6. Annual Report must be signed.* Signature: Blair Dance Name (type or print): Blair Dance Date: 08/24/2015 Title: Member															
Processed 08/24/2015 * Electronically provided signatures are accepted as original signatures.																

TRANSFER 81222

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 33488

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	87.57
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	87.57
Fax			
Section	Legals	Start/End Dates	10/06/2016 - 10/13/2016
SubSection		Insertions	2
Category	50 Legal	Size	54
Ad Key	33488-1	Salesperson(s)	Ruby Aufderheide
Keywords	LCSC Enterprises water transfer	Taken By	Ruby Aufderheide
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81222

LCSC ENTERPRISES LLC, 433 E LAS COLINAS BLVD STE 1290, IRVING, TX 75039; has filed Application No. 81222 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2426, 45-2484, 45-2624; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/Query-NewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to three irrigation ground water rights (combined total 7.11 cfs) that currently utilize two existing wells as authorized points of diversion for the irrigation of 462 acres. The proposed well will be located approximately 9.9 miles north and 1.5 miles east of Oakley and is within 0.25 miles of the existing wells.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on October 6th & 13th, 2016

**Proof of legal notice received
from Times News 9/29/2016
(2 pages)**

✓ OK DM
9-30-2016
E-mail sent to
newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 33488

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	87.57
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	87.57
Fax			
Section	Legals	Start/End Dates	10/06/2016 - 10/13/2016
SubSection		Insertions	2
Category	50 Legal	Size	54
Ad Key	33488-1	Salesperson(s)	Ruby Aufderheide
Keywords	LCSC Enterprises water transfer	Taken By	Ruby Aufderheide
Notes			

Ad Proof	NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81222 LCSC ENTERPRISES LLC, 433 E LAS COLINAS BLVD STE 1290, IRVING, TX 75039, has filed Application No. 81222 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2426, 45-2484, 45-2624; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to three irrigation ground water rights (combined total 7.11 cfs) that currently utilize two existing wells as authorized points of diversion for the irrigation of 462 acres. The proposed well will be located approximately 9.9 miles north and 1.5 miles east of Oakley and is within 0.25 miles of the existing wells For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2016. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director Published on October 6th & 13th, 2016 .
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✓ DM
9-30-2016

Maline, Denise

From: Maline, Denise
Sent: Friday, September 30, 2016 10:18 AM
To: 'Brian Higgs'
Subject: Comment Letter - Transfer 81222
Attachments: Transfer 81222.pdf; Comment Letter to WM140 for 81222.docx

Good morning Brian,

Attached is a copy of Transfer #81222 for LCSC Enterprises, which is currently being processed. Please review the information and provide any necessary comments within 21 days.

Thank you in advance & have a great weekend,

Denise @ IDWR

*Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 30, 2016

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

via e-mail

RE: Transfer No. 81222
Water Right No(s). 45-2426, 45-2484, 45-2624

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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's regional offices 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.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 29, 2016

LCSC ENTERPRISES LLC
433 E LAS COLINAS BLVD STE 1290
IRVING, TX 75039

RE: Transfer No. 81222
Water Right No(s). 45-2426, 45-2484, 45-2624

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 **TIMES NEWS** on **10/6/2016** and **10/13/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**October 24, 2016**).

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,


Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 29, 2016 1:49 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times New Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on October 6th & 13th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 29, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 81222
Water Right No(s): 45-2426, 45-2484, 45-2624

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 October 24, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81222**

LCSC ENTERPRISES LLC, 433 E LAS COLINAS BLVD STE 1290, IRVING, TX 75039; has filed Application No. 81222 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2426, 45-2484, 45-2624; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to three irrigation ground water rights (combined total 7.11 cfs) that currently utilize two existing wells as authorized points of diversion for the irrigation of 462 acres. The proposed well will be located approximately 9.9 miles north and 1.5 miles east of Oakley and is within 0.25 miles of the existing wells

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on October 6th & 13th, 2016

MEMORANDUM

Date: September 26, 2016
To: Transfer 81222 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #81222 were based on the on the current transfer fee schedule and included \$1060.00 for the full 7.11 cfs being transferred in the application (Receipt No.S035717).

MEMORANDUM

Date: September 19, 2016
To: Transfer 81222 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes adding a new well to ground water rights 45-2426, 45-2484 and 45-2624 (combined limit of 7.11 cfs and 1848 acre feet) which currently have two authorized points of diversion (PODs) and authorize the irrigation of a total of 462.0 acres. The proposed well will be located approximately 9.9 miles north and 1.5 miles east of Oakley.

Overlap review indicates there are no other irrigation rights appurtenant to the permissible place of use (PPU). PPU overlaps with Oakley Canal Co. and Southwest Irrigation District service areas. Proposed and existing PODs are located within the Eastern Snake Plain Aquifer (ESPA) ESPAM2 model grid boundary. No modeling is required as the existing wells are in cells adjacent to the cell the proposed well will be located in. PODs and POU are within Water District 140 and Watermaster comments will be solicited.

- **Authority to File:** The applicant is listed as the current owner of the water rights in this transfer and IDWR records indicate they are the owners of all properties involved in this transfer.
- **Water Right Validity:** Water Right 45-2426, 45-2484 and 45-2624 were all decreed in the SRBA on 6/29/2006. Recent aerial and satellite imagery indicate that the property involved with this transfer appears to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application is subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing