

FEB 07 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN 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 an entire 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 or to report an ownership change for a portion 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

1. **APPLICANT(S)** Lord Ranch, LLP Phone 208-386-9054
2. **MAILING ADDRESS** 1171 Mayfield Road City Boise
State Idaho Zip 83716 Email jefflord@wildblue.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) required for water right ownership changes; see [fee schedule](#).
- ☐ 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)** 63-2655

- ☒ 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 1.00 cubic feet per second and/or 212.00 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*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
1N	4E	23		NW	NE	NE	Elmore	ground water	old
1N	4E	23		SW	SE	NE	Elmore	ground water	new

Transfer # 78421

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:

well to mainline to sprinklers, if a measuring device or lockable controller is required they will be installed

- b. Who owns the property at the point(s) of diversion? Applicant

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

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

If yes, describe _____

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> 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.

LORD RANCH, LCP by Jeffrey E Lord JEFFREY E LORD partner 2/7/13
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, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes 3 pages of attachments. Received by JA Date 2/7/2013
Fee paid \$500 Date 2/7/2013 Receipted by JA Receipt # W040849
Preliminary review completed by kw Date 2/22/2013

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP - 5 2012

By _____

Clerk

Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREES

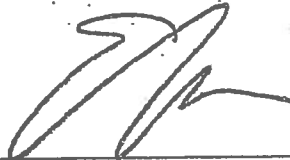
Subcases: 63-02655, 63-33233 & 63-33393
(Lord Ranch LLP)

On July 24, 2012, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED September 5, 2012.


ERIC J. WILDMAN

Presiding Judge

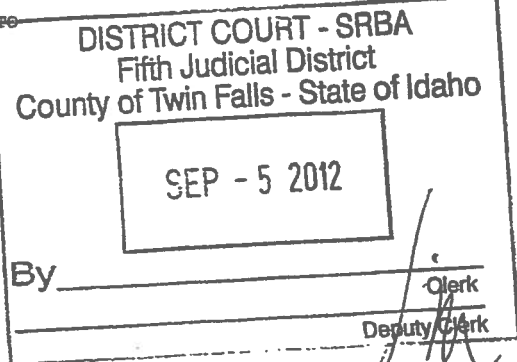
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-02655



NAME AND ADDRESS: LORD RANCH LLP
1171 MAYFIELD RD
BOISE, ID 83716-3401

SOURCE: GROUND WATER

QUANTITY: 1.00 CFS
212.00 AFY

Right Nos. 63-2655, 63-33233 and 63-33393 are limited to a total
combined diversion rate of 1.06 cfs.

PRIORITY DATE: 12/27/1946

POINT OF DIVERSION: T01N R04E S23 NWNENE Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.00 CFS
			212.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County
	T01N R04E S23	NENE 15.0
		NWNE 1.0
		SENE 14.0
		NESE 1.0
		NWSE 16.0
	53.0 Acres Total	

Right Nos. 63-2655, 63-33233 and 63-33393 are limited to the
irrigation of a combined total of 53 acres in a single irrigation
season.

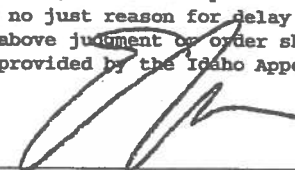
This right is limited to the irrigation of 40 acres within the
place of use described above in a single irrigation season.

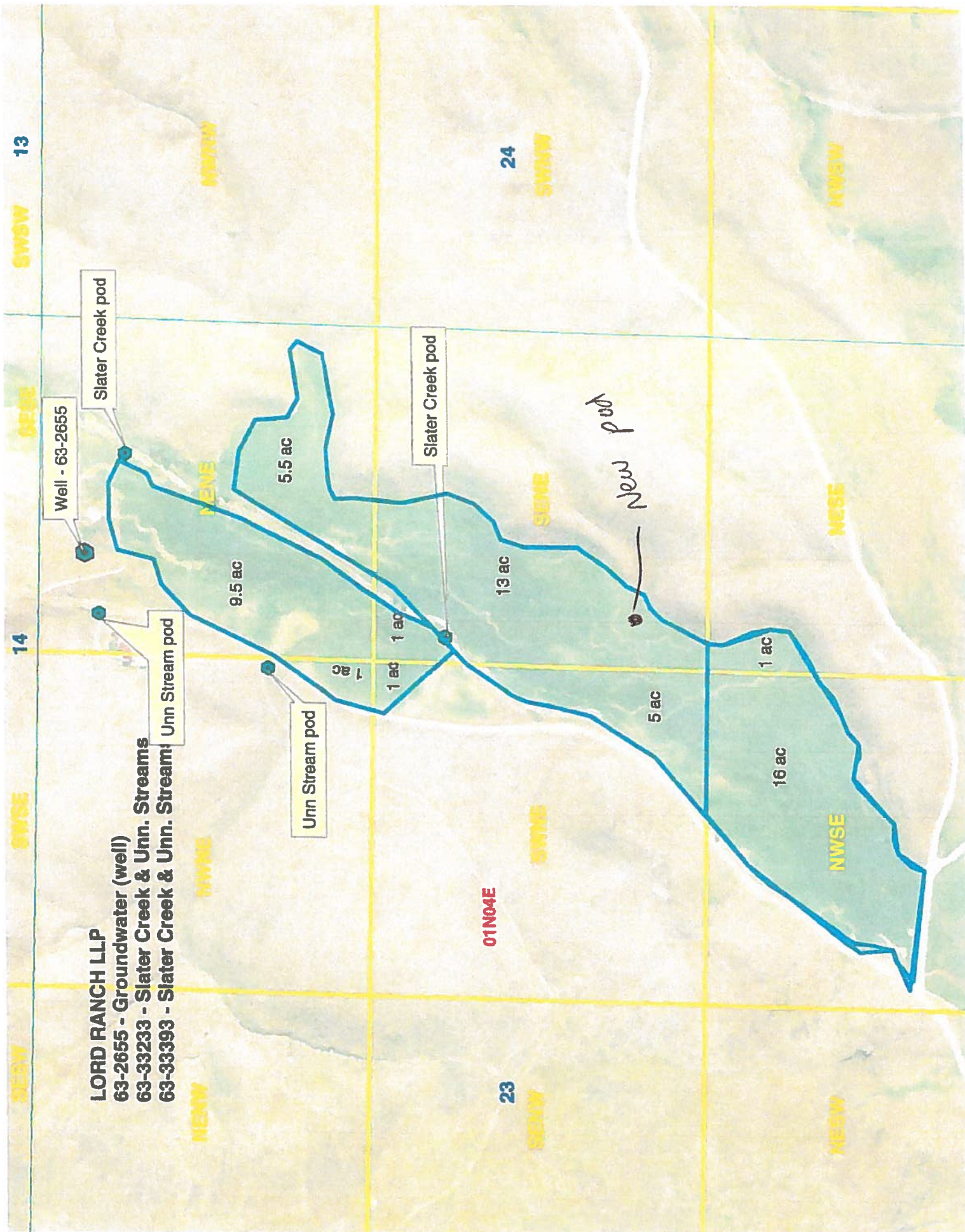
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication



MEMORANDUM

TO: Transfer No. 78421
FROM: Kay Walker *KW*
DATE: February 22, 2013
RE: Evaluation of Application

The transfer proposes to add a well to a decreed water right used for the irrigation of 40 acres within a 53 acre permissible place of use.

The site is located approximately 2 miles southwest of Mayfield on the east side of Slator Creek Road and north of Indian Creek Road.

Contact person for the application is the applicant.

Summary of Information Submitted

Authority to File:

The applicant is the water right holder of record.

Water Right Validity:

Right presumed to be valid because the partial decree was issued within the past five year period on September 5, 2012.

Injury to Other Water Rights:

There should be no injury to other water rights because the transfer application does not propose use of additional water or irrigation of more acres.

Enlargement of Use:

No enlargement is proposed.

Local Public Interest:

It is within the local public interest to allow a water user to drill an additional well to irrigate his property more efficiently.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

Data entry affected the correct record which is the partial decree issued in 2012. The decree had been moved into water rights and correct record used for transfer data entry.

There are no overlapping rights at the existing &/or proposed POD. The place of use overlaps consist of surface water rights from Slator Creek and unnamed streams. The rights are limited when combined pursuant to the partial decrees for these rights. There is also a partial decree for instream stockwater throughout this property under another party's name.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 is applicable since a new well is proposed.

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, February 27, 2013 1:48 PM
To: 'SSWENSON@MOUNTAINHOMENEWS.COM'
Subject: Legal Ad
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Stacy Swenson,

I will be doing the advertising for IDWR Western Region at this time.

Please see the attached ad for publication on 3/6/2013 & 3/13/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant I
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

February 27, 2013

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 78421,
Water Right No. 63-2655

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 3/25/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED CHANGE OF WATER RIGHT

Lord Ranch, LLP of 1171 Mayfield Rd., Boise, ID, 83716, filed Application No. **78421** to transfer one water right with a 1946 priority date from ground water totaling 1.0 cfs. The purpose of the transfer is to add an additional well to the existing system. Water will be used at the current place of use that is located approximately 2 miles southwest of Mayfield on the east side of Slaton Creek Road and north of Indian Creek Road.

For additional information concerning the property location, please contact Western Region office at 208-334-2190 or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right and the proposed transfer. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/25/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/6/2013 and 3/13/2013