

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74023

This is to certify that: L 3 LTD PARTNERSHIP
 C/O LAVAR NEWMAN
 2943 N 800 E
 MONTEVIEW ID 83435
 (208)657-2252

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
31-2403A	WR/Decreed	01/31/1963	5.71 cfs	983.5 af	281.0	397.0	GROUND WATER
31-2455A	WR/Decreed	02/10/1966	2.16 cfs	378 af	108.0	397.0	GROUND WATER
31-11638	WR/Decreed	04/01/1968	0.13 cfs	28 af	8.0	397.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-2403A	YES	YES	NO	NO	NO	NO
31-2455A	YES	YES	NO	NO	NO	NO
31-11638	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
31-2403A	31-11988	0.05 cfs	12.2 af	3.5	5.0	31-11987	5.66 cfs	971.3 af	277.5	392.0
31-2455A	31-11984	0.02 cfs	4.9 af	1.4	5.0	31-11983	2.14 cfs	373.1 af	106.6	392.0
31-11638	31-11986	0.01 cfs	0.4 af	0.1	5.0	31-11985	0.12 cfs	27.6 af	7.9	392.0

COMBINED

TOTALS	0.07 cfs	17.5 af	5.0	5.0		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 6th day of October, 20 07

 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 31-2403A

WATER RIGHT NO. 31-11983
As Modified by Transfer No. 74023

In accordance with the approval of Transfer No. 74023, Water Right No. 31-11983 is now described as follows.

Right Holder: L 3 LTD PARTNERSHIP
 C/O LAVAR NEWMAN
 2943 N 800 E
 MONTEVIEW ID 83435

Priority Date: February 10, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.14 CFS	373.1 AF
			2.14 CFS	373.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (NWNW)	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County
GROUND WATER	L2 (NWNE)	Sec. 3	Twp 08N	Rge 33E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	33E	2					23.0	23.0	31.0	31.0									108.0
							L 3	L 4											
08N	33E	3	29.0	28.0	39.5	37.5				6.0	6.0			33.0	37.0	35.0	33.0	284.0	
			L 1	L 2															

Total Acres: 392

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 106.6 acres within the place of use described above in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under Transfer approval 73894, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. 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.

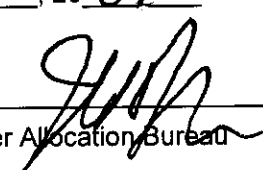
WATER RIGHT NO. 31-11983
As Modified by Transfer No. 74023

CONDITIONS OF APPROVAL

6. Rights 31-11983, 31-11985 and 31-11987 when combined shall not exceed a total diversion rate of 5.97 cfs, a total annual maximum diversion volume of 1372 af at the field headgate, and the irrigation of 392 acres.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Right No. 31-11985 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of October, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-11984
As Modified by Transfer No. 74023

In accordance with the approval of Transfer No. 74023, Water Right No. 31-11984 is now described as follows.

Right Holder: L 3 LTD PARTNERSHIP
 C/O LAVAR NEWMAN
 2943 N 800 E
 MONTEVIEW ID 83435

Priority Date: February 10, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.02 CFS	4.9 AF
			0.02 CFS	4.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County
GROUND WATER	SWSE	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08N	33E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

- 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.
- Prior to the diversion and use of water under Transfer approval 74023, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- Rights 31-11984, 31-11986 and 31-11988 when combined shall not exceed a total diversion rate of 0.07 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 5 acres.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
- Right No. 31-11986 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

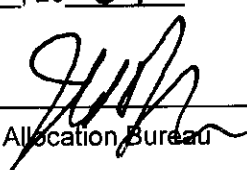
WATER RIGHT NO. 31-11984
As Modified by Transfer No. 74023

CONDITIONS OF APPROVAL

7. This right is limited to the irrigation of 1.4 acres within the place of use described above in a single irrigation season.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
10. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
11. Rights 31-2386A, 31-2464A, 31-10238, 31-11984, 31-11986 and 31-11988 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of October, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-11985
As Modified by Transfer No. 74023

In accordance with the approval of Transfer No. 74023, Water Right No. 31-11985 is now described as follows.

Right Holder: L 3 LTD PARTNERSHIP
 C/O LAVAR NEWMAN
 2943 N 800 E
 MONTEVIEW ID 83435

Priority Date: April 01, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.12 CFS	27.6 AF
			0.12 CFS	27.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (NWNW)	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County
GROUND WATER	L2 (NWNE)	Sec. 3	Twp 08N	Rge 33E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	33E	2					23.0	23.0	31.0	31.0									108.0
							L 3	L 4											
08N	33E	3	29.0	28.0	39.5	37.5					6.0	6.0			33.0	37.0	35.0	33.0	284.0
			L 1	L 2															

Total Acres: 392

CONDITIONS OF APPROVAL

- 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.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
- This right is for an enlargement of 7.9 acres within the place of use described for this right.
- Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
- This right is based upon an enlargement of Right No. 31-11983, 31-11987 pursuant to Section 42-1426, Idaho Code.

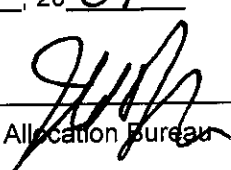
WATER RIGHT NO. 31-11985
As Modified by Transfer No. 74023

CONDITIONS OF APPROVAL

7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 73894, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Rights 31-11983, 31-11985 and 31-11987 when combined shall not exceed a total diversion rate of 5.97 cfs, a total annual maximum diversion volume of 1372 af at the field headgate, and the irrigation of 392 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of October, 20 07



Chief, Water Allocation Bureau

**WATER RIGHT NO. 31-11986
As Modified by Transfer No. 74023**

In accordance with the approval of Transfer No. 74023, Water Right No. 31-11986 is now described as follows.

Right Holder: L 3 LTD PARTNERSHIP
C/O LAVAR NEWMAN
2943 N 800 E
MONTEVIEW ID 83435

Priority Date: April 01, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.01 CFS	0.4 AF
			0.01 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County
GROUND WATER	SWSE	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N	33E	2													5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. This right is based upon an enlargement of Right No. 31-11984 and 31-11988 pursuant to Section 42-1426, Idaho Code.
2. Prior to the diversion and use of water under Transfer approval 74023, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. This right is for an enlargement of 0.1 acres within the place of use described for this right.
5. 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.

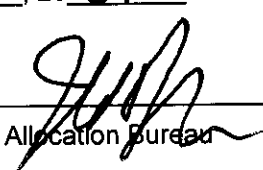
WATER RIGHT NO. 31-11986
As Modified by Transfer No. 74023

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Rights 31-11984, 31-11986 and 31-11988 when combined shall not exceed a total diversion rate of 0.07 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 5 acres.
11. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
12. Rights 31-2386A, 31-2464A, 31-10238, 31-11984, 31-11986 and 31-11988 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of October, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-11987
As Modified by Transfer No. 74023

In accordance with the approval of Transfer No. 74023, Water Right No. 31-11987 is now described as follows.

Right Holder: L 3 LTD PARTNERSHIP
 C/O LAVAR NEWMAN
 2943 N 800 E
 MONTEVIEW ID 83435

Priority Date: January 31, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	5.66 CFS	971.3 AF
			5.66 CFS	971.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (NWNW)	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County
GROUND WATER	L2 (NWNE)	Sec. 3	Twp 08N	Rge 33E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	33E	2					23.0	23.0	31.0	31.0									108.0
							L 3	L 4											
08N	33E	3	29.0	28.0	39.5	37.5					6.0	6.0			33.0	37.0	35.0	33.0	284.0
			L 1	L 2															

Total Acres: 392

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 73894, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
3. This right is limited to the irrigation of 277.5 acres within the place of use described above in a single irrigation season.
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.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 31-11987
As Modified by Transfer No. 74023

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Right No. 31-11985 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. Rights 31-11983, 31-11985 and 31-11987 when combined shall not exceed a total diversion rate of 5.97 cfs, a total annual maximum diversion volume of 1372 af at the field headgate, and the irrigation of 392 acres.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of October, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-11988
As Modified by Transfer No. 74023

In accordance with the approval of Transfer No. 74023, Water Right No. 31-11988 is now described as follows.

Right Holder: L 3 LTD PARTNERSHIP
 C/O LAVAR NEWMAN
 2943 N 800 E
 MONTEVIEW ID 83435

Priority Date: January 31, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.05 CFS	12.2 AF
			0.05 CFS	12.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County
GROUND WATER	SWSE	Sec. 2	Twp 08N	Rge 33E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	33E	2																	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
2. This right is limited to the irrigation of 3.5 acres within the place of use described above in a single irrigation season.
3. 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.
4. Right No. 31-11986 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
6. Prior to the diversion and use of water under Transfer approval 74023, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

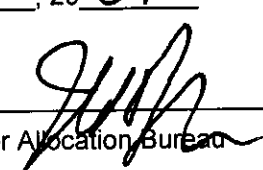
WATER RIGHT NO. 31-11988
As Modified by Transfer No. 74023

CONDITIONS OF APPROVAL

7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Rights 31-11984, 31-11986 and 31-11988 when combined shall not exceed a total diversion rate of 0.07 cfs, a total annual maximum diversion volume of 17.5 af at the field headgate, and the irrigation of 5 acres.
10. Rights 31-2386A, 31-2464A, 31-10238, 31-11984, 31-11986 and 31-11988 are also diverted through the points of diversion described above.
11. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of October, 20 07



Chief, Water Allocation Bureau