

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85632**

This is to certify that: **JOHN LEZAMIZ FAMILY LTD PARTNERSHIP**
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-633	WR/DECREED	6/1/1896	2.980 cfs	N/A	N/A	149.0	CONGDON SPRINGS CREEK, SWAUGER SPRINGS

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-2356	WR/DECREED	3/24/1960	2.980 cfs	521.5 af		149.0	GROUND WATER
34-230	WR/DECREED	6/1/1895	2.400 cfs	N/A	155.0	490.9	BIG LOST RIVER
34-231	WR/DECREED	6/1/1889	2.700 cfs	N/A	135.0	490.9	BIG LOST RIVER
34-232	WR/DECREED	6/1/1886	0.800 cfs	N/A	40.0	490.9	CONGDON SPRINGS
34-2275	WR/DECREED	6/11/1946	1.300 cfs	N/A	60.0	490.9	CONGDON SPRINGS
34-2350	WR/DECREED	7/13/1959	1.600 cfs	280.0 af	80.0	490.9	GROUND WATER
34-2418	WR/DECREED	5/24/1961	1.260 cfs	262.5 af	75.0	490.9	GROUND WATER
34-14312	WR/DECREED	8/29/1960	0.380 cfs	66.2 af	18.9	490.9	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>
34-633	NO	YES	YES	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>
34-633	34-633	2.980 cfs	N/A	149.0	490.9	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.980 cfs	N/A	149.0	490.9		N/A	N/A	N/A	N/A

Transfer No. 85632

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85632

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 19th day of August, 2022.



Peter Anderson, Hearing Officer



WATER RIGHT NO. 34-633**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-633 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 6/1/1896

Source: CONGDON SPRINGS CREEK **Tributary:** BIG LOST RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

5/01
1/01

To

to 10/15
to 12/31

Diversion Rate

2.980 cfs
1.000 cfs
2.980 cfs

LOCATION OF POINT(S) OF DIVERSION

CONGDON SPRINGS CREEK NENWNE

Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5
								L 1	L 2										

Right Acre Limit: 149.0

POU Total Acres: 490.9

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	30									X			X		X	X	X	
																			0
07N	25E	31	X	X	X	X	X	X	X	X					X				
								L 1	L 2										0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 149 acres within the authorized place of use in a single irrigation season.
2. Rights 34-633, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 3.24 cfs.

Transfer No. 85632

WATER RIGHT NO. 34-633

As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
4. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. Diversion of water under this right is limited to those times when water is available for diversion under the priority of this right at the original point of diversion from Congdon Springs Creek in T07N, R25E, Sec 32, SESWNW.
6. Use of water under this right may 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. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
10. Stockwater use is for 1,000 range cattle.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-2356

As Modified by Transfer No. 85632

In accordance with the approval of Transfer No. 85632, Water Right No. 34-2356 is now described as follows:

Right Holder: SEEFRIED RANCH LLC
4399 W HOUSTON RD
MACKAY, ID 83251-4507

Priority Date: 3/24/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.980 cfs	521.5 af
			2.980 cfs	521.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 4 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	4					35.0	39.0											74.0
							L 3	L 4											
07N	25E	33									37.0			38.0					75.0

POU Total Acres: 149.0

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. Idaho Code § 42-1412(6).

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WATER RIGHT NO. 34-230**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-230 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 6/1/1895

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

2.400 cfs

2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

SENWNW

Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 155.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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. 34.

Transfer No. 85632

WATER RIGHT NO. 34-230
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. Water is delivered through the Burnett Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. 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. 34-231**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-231 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 6/1/1889

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

2.700 cfs

2.700 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

SENWNW

Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 135.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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. 34.

Transfer No. 85632

WATER RIGHT NO. 34-231
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. Water is delivered through the Burnett Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. 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. 34-232**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-232 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 6/1/1886

Source: CONGDON SPRINGS

Tributary: CONGDON SPRINGS CREEK

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

0.800 cfs

0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

CONGDON SPRINGS

NWNE

Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 40.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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. 34.

Transfer No. 85632

WATER RIGHT NO. 34-232
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 34-2275**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-2275 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 6/11/1946

Source: CONGDON SPRINGS

Tributary: CONGDON SPRINGS CREEK

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

1.300 cfs

1.300 cfs

LOCATION OF POINT(S) OF DIVERSION

CONGDON SPRINGS

SEWNNE

Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 60.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 85632

WATER RIGHT NO. 34-2275
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

4. 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. 34.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 34-2350**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-2350 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 7/13/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.600 cfs	280.0 af
			1.600 cfs	280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 80.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-633, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 3.24 cfs.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
4. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 85632

WATER RIGHT NO. 34-2350

As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. 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. 34.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 77636, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 34-2418**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-2418 is now described as follows:

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
895 CANYON SPRINGS RD
TWIN FALLS, ID 83301

Priority Date: 5/24/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	1.260 cfs	262.5 af
			1.260 cfs	262.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 75.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 75.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-633, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 3.24 cfs.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
4. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 85632

WATER RIGHT NO. 34-2418
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. 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. 34.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 77636, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 34-14312**As Modified by Transfer No. 85632**

In accordance with the approval of Transfer No. 85632, Water Right No. 34-14312 is now described as follows:

Right Holder: NOTCH BUTTE FARMS LLC
C/O JOHN LEZAMIZ
PO BOX 486
JEROME, ID 83338-0486

Priority Date: 8/29/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.380 cfs	66.2 af
			0.380 cfs	66.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19.0			42.0		0.5	33.0	9.9	104.4
07N	25E	31	41.0	41.5	41.0	40.0	42.0	50.0	50.0	42.0					39.0				386.5

Right Acre Limit: 18.9

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.9 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-633, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 3.24 cfs.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.

Transfer No. 85632

WATER RIGHT NO. 34-14312

As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

4. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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. 34.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 77636, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.