EXHIBIT 1

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85632

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☑ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☑ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☑ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☑ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☑ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☑ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☑ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☑ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☑ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☑ #10 Other. Please describe: _____

85632

Rev. 07/18

RECEIVED

DEC 17 2021

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) JOHN LEZAMIZ FAMILY LTD PARTNERSHIP Phone 2083085710

Mailing address 847 CANYON SPRINGS RD TWIN FALLS, ID 83301-3010 Email

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☑ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**. See attached Quitclaim Deed for 34-633

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543

Mailing address 2016 Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	John Lezamiz Owner/Manager	12/14/2021
	Print Name and Title if applicable	Date
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
   John Lezamiz Family Limited Partnership has purchased water right 34-633 and will be changing the POU and POD. No additional acres will be irrigated at the new POU. There is an existing POD from Congdon Springs for water rights 34-232 and 34-2275.

85632

85632

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 03 2022
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use		Source & Tributary
☑	☐	34-633	2.98/	Irrigation	5/01	to 10/15	Congdon Springs/ Big Lost
☐	☐		1.0/	Stockwater	1/01	to 12/31	Congdon Springs/ Big Lost
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	

Total authorized under rights 2.98 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.98 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NE	NW	NE	31	07N	25E	Custer	Condgon Springs	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19			42		.5	33	9.9	104.4
07N	25E	31	41	41.5	41	40	42	50	50	42					39				388.5

* Irrigation will be limited to 173.9 acres within the 490.9 acre PPU

Total Acres (for irrigation use) 490.9*

85632

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use		Source & Tributary
☑	☐	34-633	2.98/	Irrigation	5/01 to	10/15	Congdon Springs/ Big Lost
☐	☐		1.0/	Stockwater	1/01 to	12/31	Congdon Springs/ Big Lost
☑	☐	34-230	2.4/	Irrigation	5/01 to	10/15	Big Lost River
☑	☐	34-231	2.7/	Irrigation	5/01 to	10/15	Big Lost River
☑	☐	34-232	0.8/	Irrigation	5/01 to	10/15	Congdon Springs/ Big Lost
☑	☐	34-2275	1.3/	Irrigation	5/01 to	10/15	Congdon Springs/ Big Lost
☑	☐	34-2350	1.6/180	Irrigation	4/01 to	10/31	Ground Water
☑	☐	34-2418	1.26/262.5	Irrigation	4/01 to	11/01	Ground Water
☑	☐	34-14312	0.38/66.2	Irrigation	4/01 to	10/31	Ground Water

Total authorized under rights 9.26 cfs and/or 608.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.98 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	See Exhibit A									

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	30									19			42		.5	33	9.9	104.4
07N	25E	31	41	41.5	41	40	42	50	50	42					39				386.5

Total Acres (for irrigation use) 490.9*

* Irrigation will be limited to 173.9 acres within the 490.9 acre PPU

85632

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Existing diversions, collections basins, pumps and delivery system.

b. Who owns the property at the point(s) of diversion? The applicant.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
There will be 149.0 acres of ground that will continue to be irrigated by 34-2356. Water right 35-633 has not delivered water to the 149.0 acres in many, many years because there is no longer a functioning conveyance system or even sufficient water to divert.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
34-2356 will continue to irrigate the 149.0 acres as it has historically. See the attached Data Summary and Point of Diversion records from the WMIS database.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐ ☑ undergone a period of five or more consecutive years of non-use,
☐ ☑ currently leased to the Water Supply Bank,
☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

85632

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

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

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: ______________

1. amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
   amount ________________ (cfs/ac-ft) for ________________________ purposes from __________ to __________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																		Total Acres (for irrigation use)	

85632

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-633

Current Owner: SEEFRIED RANCH LLC

Priority Date: 6/1/1898

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
CONGDON SPRINGS CREEK	BIG LOST RIVER
SWAUGER SPRINGS	BIG LOST RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	5/01 to 10/15	2.98 CFS	
STOCKWATER	1/01 to 12/31	1 CFS	
	Total Diversion	2.98 CFS	

Location of Point(s) of Diversion

SWAUGER SPRINGS SE1/4SW1/4NW1/4 Sec. 32, Twp 07N, Rge 25E B.M.
CUSTER County

CONGDON SPRINGS CREEK SE1/4SW1/4NW1/4 Sec. 32, Twp 07N, Rge 25E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S4	Lot 3	NENW	35.00	T06N R25E S4	Lot 4	NWNW	39.00
T07N R25E S33		NESW	37.00	T07N R25E S33		SESW	38.00

Total Acres: 149

STOCKWATER Within CUSTER County

T06N R25E S4	Lot 3	NENW	T06N R25E S4	Lot 4	NWNW	
T07N R25E S33		NESW	T07N R25E S33		SESW	

85632

Conditions of Approval:

1.	X35	Rights 34-2356 and 34-633 when combined shall not exceed a total diversion rate of 2.98 cfs and the irrigation of 149 acres.
2.	S34	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.
3.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4.	T19	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.
5.	X02	Stockwater use is for 1000 range cattle.

Decreed Date: 12/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-230

Current Owner: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Priority Date: 6/1/1895

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BIG LOST RIVER	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	05/01 to 10/15	2.4 CFS	
	Total Diversion	2.4 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER SE1/4NW1/4NW1/4 Sec. 34. Twp 07N. Rge 24E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N R25E S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N R25E S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N R25E S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N R25E S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N R25E S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N R25E S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 490.9

85632

Conditions of Approval:

1.	T19	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.
2.	X27	This right is limited to the irrigation of 155.0 acres within the authorized place of use described above in a single irrigation season.
3.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4.	F01	Water is delivered through the Burnett Ditch.
5.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6.	S34	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.
7.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
8.	208	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
9.	R43	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).
10.	R59	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.
11.	R05	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.
12.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350 and 34-2418 when combined shall not exceed a total diversion rate of 5.90 cfs and the irrigation of 155.0 acres.

Decreed Date: 8/5/2009

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-231

Current Owner: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Priority Date: 6/1/1889

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BIG LOST RIVER	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	05/01 to 10/15	2.7 CFS	
	Total Diversion	2.7 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER SE1/4NW1/4NW1/4 Sec. 34, Twp 07N, Rge 24E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N	R25E	S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N	R25E	S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N	R25E	S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N	R25E	S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N	R25E	S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N	R25E	S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N	R25E	S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 490.9

85632

Conditions of Approval:

1.	F01	Water is delivered through the Burnett Ditch.
2.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4.	S34	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.
5.	206	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
6.	R05	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.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350 and 34-2418 when combined shall not exceed a total diversion rate of 5.90 cfs and the irrigation of 155.0 acres.
9.	X27	This right is limited to the irrigation of 135.0 acres within the authorized place of use described above in a single irrigation season.
10.	R43	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).
11.	T19	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.
12.	R59	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.

Decreed Date: 8/5/2009

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-232

Current Owner: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Priority Date: 6/1/1886

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
CONGDON SPRINGS	CONGDON SPRINGS CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	05/01 to 10/15	0.8 CFS	
	Total Diversion	0.8 CFS	

Location of Point(s) of Diversion

CONGDON SPRINGS NW1/4NE1/4 Sec. 31, Twp 07N, Rge 25E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N R25E S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N R25E S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N R25E S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N R25E S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N R25E S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N R25E S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 490.9

Conditions of Approval:

1.	206	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
2.	R43	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).
3.	R59	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.
4.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
5.	S34	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.
6.	T08	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.	R05	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.
8.	T19	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.
9.	X27	This right is limited to the irrigation of 40.0 acres within the authorized place of use described above in a single irrigation season.
10.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350 and 34-2418 when combined shall not exceed a total diversion rate of 5.90 cfs and the irrigation of 155.0 acres.
11.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

Decreed Date: 8/5/2009

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-2275

Current Owner: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Priority Date: 6/11/1946

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
CONGDON SPRINGS	CONGDON SPRINGS CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	05/01 to 10/15	1.3 CFS	
	Total Diversion	1.3 CFS	

Location of Point(s) of Diversion

CONGDON SPRINGS — SE1/4NW1/4NE1/4 Sec. 31. Twp 07N. Rge 25E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N R25E S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N R25E S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N R25E S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N R25E S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N R25E S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N R25E S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 480.9

85632

Page _____ of _____

Conditions of Approval:

1.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2.	R43	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).
3.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.	R59	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.
5.	X27	This right is limited to the irrigation of 60.0 acres within the authorized place of use described above in a single irrigation season.
6.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350 and 34-2418 when combined shall not exceed a total diversion rate of 5.90 cfs and the irrigation of 155.0 acres.
7.	206	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
8.	R05	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.
9.	S34	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.	T19	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.
11.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

Decreed Date: 12/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-2350

Current Owner: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Priority Date: 7/13/1959

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	1.6 CFS	280 AF
	Total Diversion	1.6 CFS	280 AF

Location of Point(s) of Diversion

GROUND WATER — NW1/4NW1/4NE1/4 Sec. 31, Twp 07N, Rge 25E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N R25E S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N R25E S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N R25E S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N R25E S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N R25E S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N R25E S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 490.9

85632

Conditions of Approval:

1.	213	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.
2.	R05	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.
3.	R59	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.
4.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350 and 34-2418 when combined shall not exceed a total diversion rate of 5.90 cfs and the irrigation of 155.0 acres.
6.	T19	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.
7.	X27	This right is limited to the irrigation of 80.0 acres within the authorized place of use described above in a single irrigation season.
8.	104	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.
9.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
11.	214	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.
12.	085	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.
13.	206	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
14.	R02	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.

Decreed Date: 12/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-2418

Current Owner: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP

Priority Date: 5/24/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	1.26 CFS	262.5 AF
	Total Diversion	1.26 CFS	262.5 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4NE1/4 Sec. 31, Twp 07N, Rge 25E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N R25E S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N R25E S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N R25E S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N R25E S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N R25E S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N R25E S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 490.9

85632

Conditions of Approval:

1.	104	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.
2.	065	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.
3.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4.	206	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.	214	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.
6.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
7.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350 and 34-2418 when combined shall not exceed a total diversion rate of 5.90 cfs and the irrigation of 155.0 acres.
8.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9.	213	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.
10.	T19	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.
11.	R59	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.
12.	X27	This right is limited to the irrigation of 75.0 acres within the authorized place of use described above in a single irrigation season.
13.	R02	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.
14.	R05	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.

Decreed Date: 10/16/2009

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 34-14312

Current Owner: NOTCH BUTTE FARMS LLC

Priority Date: 8/29/1960

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.38 CFS	66.2 AF
	Total Diversion	0.38 CFS	66.2 AF

Location of Point(s) of Diversion

GROUND WATER — NW1/4NW1/4NE1/4 Sec. 31, Twp 07N, Rge 25E B.M.
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S30	NESW	19.00	T07N R25E S30	SESW	42.00
T07N R25E S30	NWSE	0.50	T07N R25E S30	SWSE	33.00
T07N R25E S30	SESE	9.90	T07N R25E S31	NENE	41.00
T07N R25E S31	NWNE	41.50	T07N R25E S31	SWNE	41.00
T07N R25E S31	SENE	40.00	T07N R25E S31	NENW	42.00
T07N R25E S31	NWNW	50.00	T07N R25E S31	SWNW	50.00
T07N R25E S31	SENW	42.00	T07N R25E S31	NESE	39.00

Total Acres: 490.9

85632

Conditions of Approval:

1.	R02	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.
2.	R59	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.
3.	214	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.
4.	213	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.
5.	X35	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8.	004	This right does not grant any right-of-way or easement across the land of another.
9.	206	Rights 34-00230, 34-00231, 34-00232, 34-02275, 34-02350, 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.
10.	X27	This right is limited to the irrigation of 18.9 acres within the authorized place of use described above in a single irrigation season.
11.	R05	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.
12.	T19	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.

Decreed Date: 12/14/2001

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a.**

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b.**

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

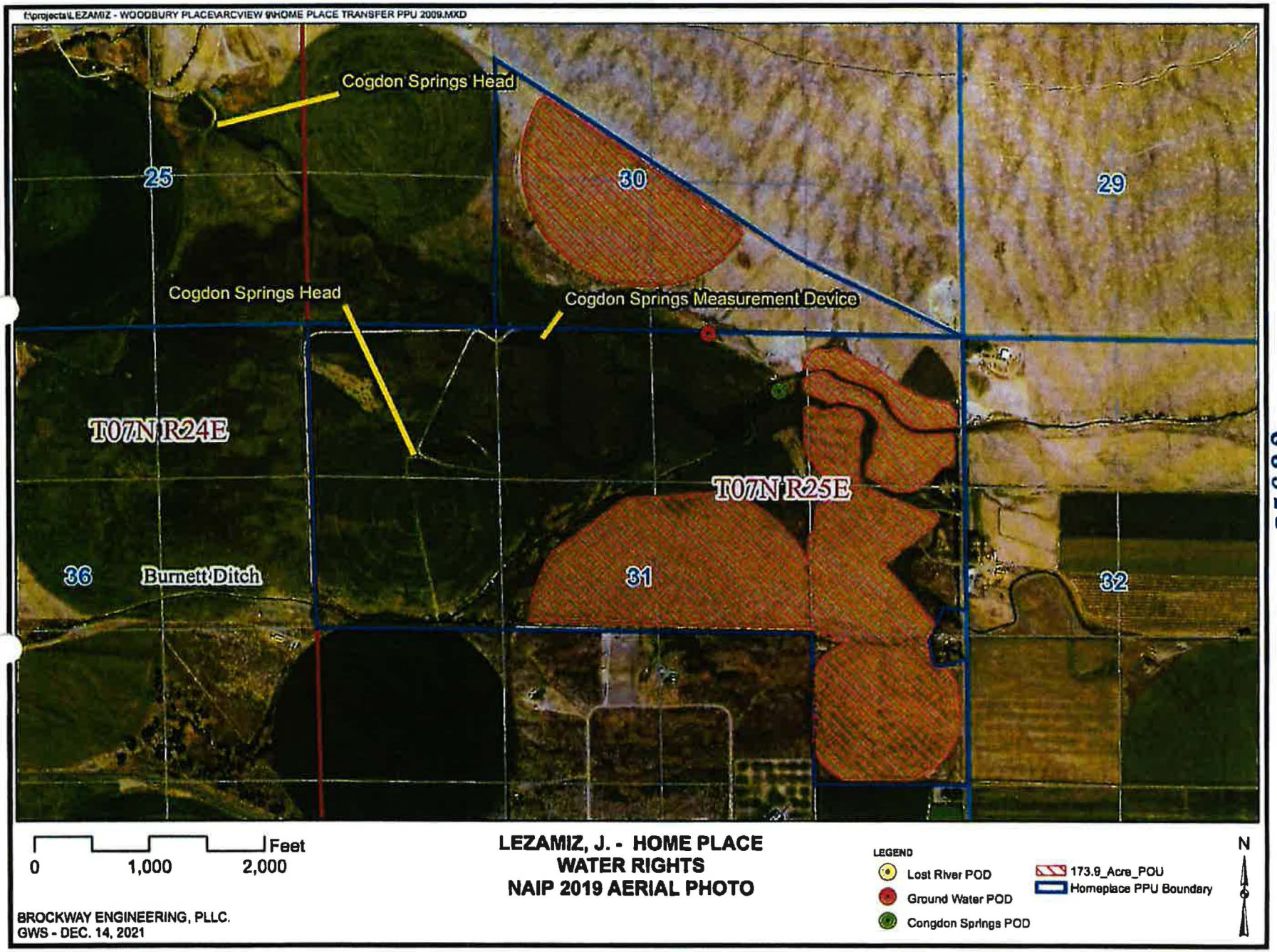
Fee paid $710.00 Date 6/17/21 Receipted by OA PK Receipt # E047650

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

85632

Lezimiz Exhibit 1



85632

000024

Exhibit A
Points of Diversion

	Township	Range	Sec.	QQQ	QQ	Q	County	Source	Water Rights
1	07N	24E	34		NW	NW	Custer	Big Lost River	34-230 and 34-231
2	07N	25E	31		NW	NE	Custer	Congdon Springs	34-232, 34-2275, 34-633
3	07N	25E	31		NW	NE	Custer	Ground Water	34-2350, 34-2418, 34-14312
4									
5									
6									
7									
8									
9									
10									

QUITCLAIM DEED

For value received, Seefried Ranch, LLC, as grantor, hereby quitclaims unto John Lezamiz Family Limited Partnership, the grantee, whose current mailing address is 847 Canyon Springs Road, Twin Falls, Idaho, 83301, all of the grantor's right, title, and interest in and to the following described water rights situated in Custer County, Idaho.

All of water right 34-633, priority date 6/01/1896, and 2.98 cfs for the beneficial use of irrigation and stockwater.

See the attached IDWR water right report and aerial map for details of the place of use of irrigation and stockwater in Township 06 North Range 25 East Section 4 NENW and NWNW and Township 07 North Range 25 East Section 33 NESW and SESW in Custer County, Idaho.

Grantor has caused this quitclaim deed to be executed this 13th day of December, 2021.

SEEFRIED RANCH, LLC

By Holly Seefried, owner/manager
Holly Seefried

STATE OF IDAHO)
) ss.
County of Custer)

On this 13th day of December, 2021, before me, a Notary Public, personally appeared Holly Seefried, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he or she executed the same.

STEPHANIE LEAVITT NOTARY PUBLIC COMM. NO. 20180228 STATE OF IDAHO SEAL

Stephanie Leavitt
NOTARY PUBLIC
In and for Custer County, Idaho

02/05/2024
My Commission Expires on:

85632

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

12/8/2021
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 34-633

Owner Type	Name and Address
Current Owner	SEEFRIED RANCH LLC 4399 W HOUSTON RD MACKAY, ID 83251-4507 2085883330
Original Owner	W M PHILLIPPI

Priority Date: 06/01/1896
Basis: Decreed
Status: Active

Source	Tributary
CONGDON SPRINGS CREEK	BIG LOST RIVER
SWAUGER SPRINGS	BIG LOST RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	2.98 CFS	
STOCKWATER	1/01	12/31	1 CFS	
Total Diversion			2.98 CFS	

Location of Point(s) of Diversion:

SWAUGER SPRINGS	SESWNW	Sec. 32	Township 07N	Range 25E	CUSTER County
CONGDON SPRINGS CREEK	SESWNW	Sec. 32	Township 07N	Range 25E	CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	25E	4	3	NENW	35	4	NWNW	39						
07N		33		NESW	37		SESW	38						

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	25E	4	3	NENW		4	NWNW							
07N		33		NESW			SESW							

Total Acres: 149

Conditions of Approval:

1.	X35	Rights 34-2356 and 34-633 when combined shall not exceed a total diversion rate of 2.98 cfs and the irrigation of 149 acres.
2.	X02	Stockwater use is for 1000 range cattle.
3.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4.	S34	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.
5.	T19	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.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 160

Combined Volume Limit:

Combined Rate Limit: 3.2

Civil Case Number:

Old Case Number:

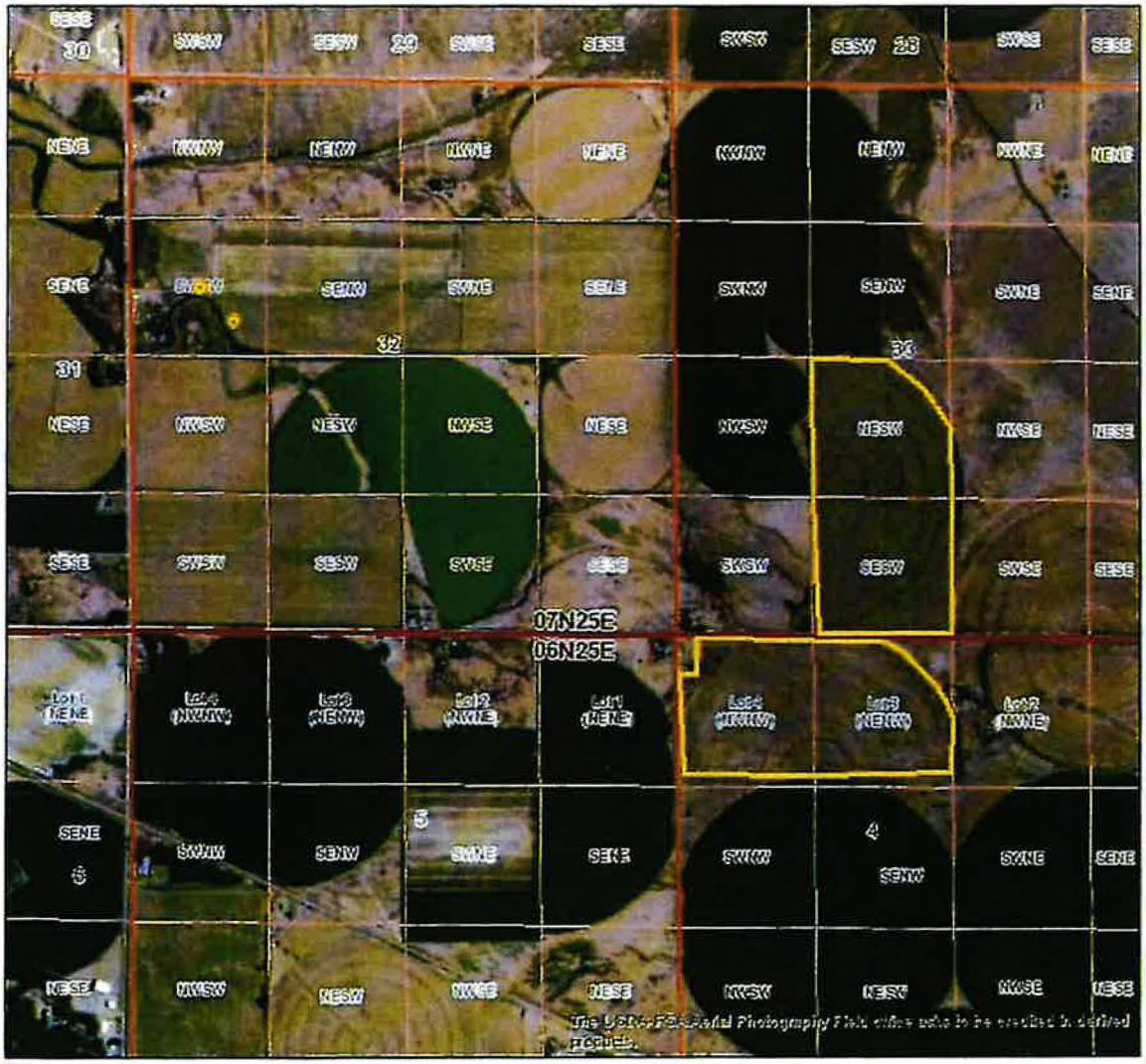
State of Idaho
Department of Water Resources

Water Right

34-633

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right

34-633

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Idaho Department of Water Resources

WMIS

Water Management Information System

Quick Search: For assistance, email WMIS Info

Logon

Search Method: WMIS Number

WMIS Number: 204

Search

Point Of Diversion | PCC | Flow Meter | Time Clock | Alternate | Contacts | Data Summary | Other | Logout

Data Summary

You are viewing 204; 40006062

Report Year	Alternate	FM	PCC	Time Clock
2021		362.27		
2020		415.57		
2019		294.73		
2018		228.81		
2017		435.45		
2016		438.14		
2015		443.25		
2014		435.52		
2013			336.38	
2012			259.32	
2011			240.00	
2010			355.00	
2009			304.00	
2008			811.22	
2007			824.25	
2006			481.41	
2005			312.80	
2004			950.20	
2003			723.80	
2002			788.30	
2001			530.00	
2000			116.39	

85632

Idaho Department of Water Resources

WMIS

Water Management Information System

Quick Search:

For assistance, email WMIS Info

Login

Search Method: WMIS Number

WMIS Number: 204

Search

Point Of Diversion | PCC | Flow Meter | Time Clock | Alternate | Contacts | Data Summary | Other | Logout

Point Of Diversion

You are viewing 204: A0008062

WMIS Number	204	Network Well	No
Reporting District	Water District 34	Access Port	No
Measurement Option	Flowmeter (1)	Water District	34
Metal Tag Number	A0008062	Tag Location	
Followup Date		Comments	
Diversion Name	663		

Search Water Rights

Contacts | PLSS | Spatial Data | Water Source | Water Rights

Water Right Number	Owner Type	Owner Name	Address	Phone	City/State/ Zip	Email
34-2356	Current Owner	SEEFRIED RANCH LLC	4399 W HOUSTON RD	[redacted]	MACKAY, ID 83251-4607	[redacted]@gmail.com

85632

0004476764

STATE OF IDAHO
Office of the secretary of state, Lawerence Denney
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only
-FILED-
File #: 0004476764
Date Filed: 11/3/2021 8:36:24 AM

Entity Name and Mailing Address:

Entity Name:	JOHN LEZAMIZ FAMILY LIMITED PARTNERSHIP
The file number of this entity on the records of the Idaho Secretary of State is:	0000026931
Address	847 CANYON SPRINGS RD TWIN FALLS, ID 83301-3010

Entity Details:

Entity Status	Active-Current
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	L4574

The registered agent on record is:

Registered Agent	JOHN LEZAMIZ LLC Registered Agent Physical Address 847 CANYON SPRINGS RD TWIN FALLS, ID 83301 Mailing Address

Limited Partnership General Partners

Name	Business Address
John T Lezamiz	847 CANYON SPRINGS RD TWIN FALLS, ID 83301

The annual report must be signed by an authorized signer of the entity.
Job Title: Manager

John Lezamiz — Sign Here
11/03/2021 — Date

B0659-7537 11/03/2021 8:36 AM Received by ID Secretary of State Lawerence Denney

85632

The United States of America

To all to whom these presents shall come, Greeting:

238220

Custer County Rec. of
Time 11:58 AM Date 1-22-2008
Barbara C. Breedlove, Clerk
Deputy $ 3.00

IDI-35511

WHEREAS

John Lezamiz Family Limited Partnership

is entitled to a land patent pursuant to Sections 203 and 209 of the Act of October 21, 1976, as amended (43 U.S.C. 1713 and 1719), for the following described land:

Boise Meridian, Idaho
T. 7 N., R. 25 E.,
Sec. 30, Lots 13, 14 and 15

Containing 103.88 acres.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES**, unto the John Lezamiz Family Limited Partnership, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, there unto belonging, unto the John Lezamiz Family Limited Partnership and to its successors or assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).

2. A right-of-way for powerline purposes as reserved under Right-of-Way No. IDI 22582, pursuant to Title V of the Act of October 21, 1976 (43 U.S.C. 1767) as to lot 15 of section 30, T. 7 N., R. 25 E., B.M., and the right to enforce all or any of the terms and conditions of the right-of-way.

SUBJECT TO those rights held by Lost River Highway District, its successors or assigns, for an existing road in lots 13 and 15 of section 30, T. 7 N., R. 25 E., B.M., exercised under RS 2477 and noted under Serial No. IDI 23188.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the fourteenth day of January in the year of our Lord two thousand and eight and of the Independence of the United States the two hundred and THIRTY-SECOND.

By _____
Jimmie Buxton
Chief, Branch of Lands, Minerals, Water Rights
Resource Services Division

Patent No. 11-2008-0001

85632

FILE No. _____ INSTRUMENT No. _____

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED L. VERNON WOODBURY and VERNETTA B. WOODBURY, Husband and Wife, the Grantor, does hereby grant, bargain, sell and convey unto JOHN LEZAMIZ FAMILY LIMITED PARTNERSHIP, the Grantee, whose current address is 847 Canyon Springs Road, Twin Falls, ID 83301, the following described real estate situated in CUSTER County, State of Idaho, to-wit:

See attached LEGAL DESCRIPTION EXHIBIT 'A'

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 3-7-06

L. Vernon Woodbury
L. Vernon Woodbury

Vernetta B. Woodbury
Vernetta B. Woodbury

STATE OF IDAHO, County of BUTTE
On this 7th day of March, 2006 before me, Lyle B. Boyer, a Notary Public in and for the said State personally appeared L. Vernon Woodbury, Vernetta B. Woodbury

Known to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledges to me that they executed the same.

THIS SPACE FOR COUNTY RECORD'S USE ONLY

23355-1

Custer County Recorded for Idaho Title Co: Allliance
Time 4:10 PM Date 3/7/2006
Ethel M. Peck, Clerk
By Deputy

85632

LEGAL DESCRIPTION
EXHIBIT 'A'

TOWNSHIP 7 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

A PARCEL OF LAND IN SECTION 32 AND SECTION 33, BEING GENERALLY DESCRIBED AS A PORTION OF THE NORTHWEST QUARTER NORTHEAST QUARTER SAID SECTION 32, ALL OF THE NORTHEAST QUARTER NORTHEAST QUARTER SECTION 32, ALL OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32; AND A PORTION OF THE NORTHEAST QUARTER NORTHWEST QUARTER SAID SECTION 33, ALL OF THE NORTHWEST QUARTER NORTHWEST QUARTER SECTION 33, ALL OF THE SOUTH HALF NORTHWEST QUARTER SECTION 33, AND ALL OF THE NORTHWEST QUARTER SOUTHWEST QUARTER SECTION 33, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 25 EAST, B.M. THENCE NORTH 88° 57' 40" WEST ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER NORTHEAST QUARTER SECTION 32 A DISTANCE OF 1321.78 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER NORTHEAST QUARTER SECTION 32; THENCE NORTH 88° 57' 40" WEST 608.71 FEET ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER NORTHEAST QUARTER SECTION 32; THENCE SOUTH 03° 12' 50" EAST, 1307.58 FEET ALONG AN EXISTING FENCE LINE; THENCE SOUTH 89° 14' 30" EAST, 538.73 FEET ALONG THE SOUTH BOUNDARY OF THE NORTHWEST QUARTER NORTHEAST QUARTER SECTION 32; THENCE SOUTH 89° 14' 30" EAST ALONG THE SOUTH BOUNDARY OF THE NORTHEAST QUARTER NORTHEAST QUARTER SECTION 32, A DISTANCE OF 1322.71 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER NORTHEAST QUARTER SECTION 32; THENCE SOUTH 00° 11' 40" EAST ALONG THE EAST BOUNDARY OF SECTION 32, 1295.17 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32; THENCE NORTH 89° 31' 18" WEST ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32, 1323.65 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32; THENCE SOUTH 00° 08' 56" EAST ALONG THE WEST BOUNDARY OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32, 1340.41 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32; THENCE SOUTH 89° 15' 08" EAST ALONG THE SOUTH BOUNDARY OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32, 1324.80 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER SOUTHEAST QUARTER SECTION 32; THENCE SOUTH 88° 53' 24" EAST ALONG THE SOUTH BOUNDARY OF THE NORTHWEST QUARTER SOUTHWEST QUARTER

SECTION 33, ..6 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER SOUTHWEST QUARTER SECTION 33; THENCE NORTH 00° 13' 03" WEST ALONG THE EAST BOUNDARY OF THE NORTHWEST QUARTER SOUTHWEST QUARTER SECTION 33, 1341.25 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER SOUTHWEST QUARTER SECTION 33; THENCE SOUTH 88° 39' 30" EAST ALONG THE SOUTH BOUNDARY OF THE SOUTH HALF NORTHWEST QUARTER SECTION 33, 1338.35 FEET TO THE SOUTHEAST CORNER OF THE SOUTH HALF NORTHWEST QUARTER SECTION 33; THENCE NORTH 00° 14' 27" WEST ALONG THE EAST BOUNDARY OF THE NORTHWEST QUARTER SECTION 33, 1972.84 FEET; THENCE SOUTH 82° 49' 28" WEST, 665.59 FEET; THENCE NORTH 00° 16' 26" WEST 740.88 FEET ALONG AN EXISTING FENCE LINE; THENCE NORTH 89° 21' 41" WEST ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER SECTION 33, 2012.68 FEET TO THE NORTHEAST CORNER OF SECTION 32, SAID CORNER BEING THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A PARCEL OF LAND BEING GENERALLY DESCRIBED AS A PORTION OF THE EAST HALF NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 25 EAST, B.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 33, THENCE SOUTH 00° 14' 27" EAST ALONG THE EAST BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 650.37 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE EAST BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 33, SOUTH 00° 14' 27" EAST A DISTANCE OF 1972.84 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE NORTH 88° 39' 30" WEST ALONG THE SOUTH BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 33 A DISTANCE OF 657.38 FEET, MORE OR LESS; THENCE NORTH 00° 21' 03" WEST ALONG AN EXISTING FENCE LINE, A DISTANCE OF 1874.33 FEET, MORE OR LESS, TO AN EXISTING FENCE CORNER; THENCE NORTH 82° 49' 28" EAST, 665.59 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND FUTHER EXCEPTING THEREFROM:

A PARCEL OF LAND IN THE NORTHWEST QUARTER NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 32, TOWNSHIP 7 NORTH, RANGE 25 EAST, THENCE NORTH 88° 57' 40" WEST

ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER, A DISTANCE OF 1930.49 FEET TO THE POINT OF BEGINNING. THENCE SOUTH 3° 12' 50" EAST A DISTANCE OF 1307.58 FEET ALONG AN EXISITNG FENCE LINE; THENCE SOUTH 89° 14' 30" EAST A DISTANCE OF 330 FEET; THENCE NORTH 3° 12' 50" WEST A DISTANCE OF 1310 FEET, MORE OR LESS, TO THE NORTH BOUNDARY OF THE NORTHWEST QUARTER NORTHEAST QUARTER OF SAID SECTION 32; THENCE NORTH 88° 57' 40" WEST A DISTANCE OF 330 FEET ALONG SAID NORTH BOUNDARY LINE TO THE POINT OF BEGINNING.

ALSO INCLUDING:

TOWNSHIP 7 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 31:

NORTH ONE HALF OF THE NORTHEAST QUARTER; TRACT 13; LOT 1 AND 2; EAST ONE HALF OF THE NORTHWEST QUARTER; SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; TRACT 1165; NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

EXCEPTING THEREFROM:

A PARCEL OF LAND IN CUSTER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS N. 37° 27' W., 52.7 FEET FROM THE QUARTER CORNER BETWEEN SECTIONS 31 AND 32, T. 7 N., R. 25 EAST, B.M.,; THENCE N. 62° 15' W., 198.5 FEET; THENCE S. 26° 06' W., 208.0 FEET; THENCE S. 8° 23' E., 234.9 FEET; THENCE S. 88° 26 E., 233.9 FEET; THENCE N. 0° 09' W., 333.1 FEET TO THE REAL AND TRUE POINT OF BEGINNING.

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

January 13, 2022

JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
847 CANYON SPRINGS RD
TWIN FALLS, ID 83301-3010

RE: Transfer No. 85632
Water Right No(s). 34-633

Dear Applicant:

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 CHALLIS MESSENGER, ARCO ADVERTISER on 1/20/2022 and 1/27/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman
Administrative Assistant

CC:
GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Henman, Christina

From: Henman, Christina
Sent: Thursday, January 13, 2022 12:52 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Challis Messenger
Attachments: 85632 Challis Messenger, Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Transfer No. 85632
Water Right No(s). 34-633

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 2/7/2022. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

Henman, Christina

From:	Henman, Christina
Sent:	Thursday, January 13, 2022 12:52 PM
To:	arcoadv@aol.com
Subject:	Legal Notice for Arco Advertiser
Attachments:	85632 Challis Messenger, Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER
PO BOX C
ARCO, ID 83213

RE: Transfer No. 85632
Water Right No(s). 34-633

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 2/7/2022. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85632

JOHN LEZAMIZ FAMILY LTD PARTNERSHIP, 847 CANYON SPRINGS RD, TWIN FALLS, ID 83301-3010 has filed Application No. 85632 for changes to the following water rights within CUSTER County(s): Right No(s). 34-633; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in NENWNE Sec 31 T07N R25E for 2.98 cfs from Congdon Springs Creek. The proposed place of use is in Sec 30 and 31, T07N R25E, for stockwater and the irrigation of 173.9 acres within a 490.9-acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 2/7/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 1/20/2022 and 1/27/2022

RECEIVED

DEC 17 2021

Department of Water Resources
Eastern Region

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

December 14, 2021

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Water Right 34-633

Dear Mr. Cefalo:

John Lezamiz Family LTD Partnership recently purchased water right 34-633 (see the attached Quitclaim Deed). It is desired to transfer 34-633 to property that is owned by John Lezamiz Family LTD Partnership. The irrigation place of use and the point of diversion for 34-633 will be updated with this transfer.

Water from Congdon Springs is very unreliable. Delivery from water right 34-633 to its current place of use has not occurred in many years. The conveyance ditches and points of diversion are not functional, have been filled in over the years or simply do not exist anymore. Ground water right 34-2356 has historically been used to irrigate 149.0 acres. Historical pumping records from the WMIS database are attached to this letter.

This transfer proposes to combined water right 34-633 with Congdon Springs water rights 34-232 and 34-2275 and other water right associated with 173.9 acres of allowed irrigated on property owned by John Lezamiz Family LTD Partnership. The total allowed irrigation with 34-633 and the other water rights on this farm will be limited to the existing 173.9 acres.

The ownership of 34-633 will be updated with this transfer. Additionally, the ownership of 34-14312 needs to be updated also.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: John Lezamiz
Enc: Transfer Application, Aerial Map, Exhibit A, Quitclaim Deed, WMIS Datasheets, Annual Report, Warranty Deeds, Brockway Engineering Check # 16107 for $710.00

85632

85632

EXHIBIT 2

THE CHALLIS Messenger

PROOF OF PUBLICATION
The Challis Messenger

RECEIVED
JAN 31 2022
Department of Water Resources
Eastern Region

State of Idaho
County of Custer

I, ~~Dawn Giannini, or~~ Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Challis Messenger, a newspaper of general circulation, published 1 day, Thursday at Challis, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said The Challis Messenger for 2, first publication having been made on 01/20/2022 last publication having been made on 01/27/2022, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Collins Crapo

Subscribed and sworn to before me, on this 27th day of January, 2022

Beth Crossley

BETH CROSSLEY
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 68167
MY COMMISSION EXPIRES 7-28-2022

Notary Public
My commission expires:

Attached jurat

STATE OF IDAHO

ss.

COUNTY OF CUSTER

On this 27th day of January, 2022 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini or~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

BETH CROSSLEY
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 68167
MY COMMISSION EXPIRES 7-28-2022

Beth Crossley

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

192401

AD# 192401 AD#

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85632

JOHN LEZAMIZ FAMILY LTD PARTNERSHIP, 847 CANYON SPRINGS RD, TWIN FALLS, ID 83301-3010 has filed Application No. 85632 for changes to the following water rights within CUSTER County(s): Right No(s). 34-633; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/query-newtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in NENWNE Sec 31 T07N R25E for 2.98 cfs from Congdon Springs Creek. The proposed place of use is in Sec 30 and 31, T07N R25E, for stockwater and the irrigation of 173.9 acres within a 490.9-acre permissible place of use. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 2/7/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published Jan 20 and 27, 2022 (CM11777-192401)

EXHIBIT 3

IDAHO DEPARTMENT OF WATER RESOURCES

Water Rights

DOCUMENT SEARCH RESULTS

New Search

Water Right # 34-633

To sort, click a column heading. To view a document, click the link in the Document Name column.

DOCUMENT NAME	PROCESS	DOCUMENT DATE	DATE RECEIVED
Petitioners Request to Take Official Notice Rule 602	Transfer		7/7/2022
Watermaster Comment	Transfer		6/27/2022
Prehearing Order and Notice of Hearing	Transfer	6/23/2022	
2nd Request for Watermaster Comments	Transfer	6/22/2022	
Notice of Prehearing Conference	Transfer	6/13/2022	
Order Vacating Prehearing Conference	Transfer	5/27/2022	
Notice of Prehearing Conference	Transfer	5/13/2022	
Order Granting Request for Hearing	Transfer	5/9/2022	
Exceptions to Preliminary Order	Transfer		4/29/2022
Petition Contesting Preliminary Order & Request for Hearing	Transfer		4/29/2022
Preliminary Order Denying Transfer	Transfer	4/15/2022	
Order Granting Petition for Reconsideration and Withdrawing Preliminary Order Approving Transfer	Transfer	4/15/2022	
Petition for Reconsideration	Transfer		4/4/2022
Transfer Approval & Supporting Documents	Transfer	3/23/2022	
Evaluation Memorandum	Transfer	3/17/2022	
Email Re: Response to Congdon Springs	Transfer		3/15/2022
Email Re: Congdon Springs	Transfer	3/11/2022	
Affidavit of Publication	Transfer		1/31/2022

DOCUMENT NAME	PROCESS	DOCUMENT DATE	DATE RECEIVED
Request for Watermaster Reccomendation	Transfer	1/13/2022	
Transfer Application through Legal Notice	Transfer	1/13/2022	12/17/2021
Transfer Approval & Supporting Documents-Application Record in 34-2356	Transfer	9/9/2021	
Change in Ownership & Supporting Documents	Owner Change	8/25/2020	8/21/2020
Change in Ownership & Supporting Documents	Owner Change	12/21/2018	12/17/2018
Correspondence re: Late Claim in Basin 34	Adjudication Claims Investigation	5/7/2008	5/9/2008
STANDARD FORM 3 STANDARD FORM FOR NOTICE OF CHANGE IN ADDRESS OR CONSENT TO SUBSTITUTION OF PARTY	Change of Address or Ownership		12/9/1993
Partial Decree 34-633	Partial Decree		

EXHIBIT 4

Hersley, Jean

From: Henman, Christina
Sent: Wednesday, June 22, 2022 4:32 PM
To: watermaster34@atcnet.net
Subject: FW: Application for Transfer No. 85632
Attachments: tmpC435.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. Please review the application, then complete the enclosed recommendation form and return it to this office no later than July 12, 2022.

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 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 by July 12, 2022, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Henman, Christina

From: Hersley, Jean
Sent: Monday, June 27, 2022 3:49 PM
To: Henman, Christina; Anderson, Peter
Subject: FW: WR Transfer

Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

From: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>
Sent: Monday, June 27, 2022 3:39 PM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: FW: WR Transfer

For the file. Thanks!

RW

From: Lucas Yockey <watermaster34@atcnet.net>
Sent: Monday, June 27, 2022 3:21 PM
To: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>
Subject: RE: WR Transfer

Rob,

IDWR requested comments on transfer application #85632 (John Lezamiz Partnership) January 13, 2022 and June 22, 2022 which I received but I chose to not give any comment.

Thank you

Lucas Yockey
Watermaster
Water District 34
Cell:(208)589-3138
Office:(208)588-3137
Fax:(208)588-3130

EXHIBIT 5

MEMORANDUM

Date: March 17, 2022

To: Transfer 85632

From: James Cefalo

Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and point of diversion for water right 34-633. The proposed point of diversion is located in the same quarter-quarter as the existing point of diversion. The right will be combined with seven existing water rights at the proposed place of use, providing additional rate from Congdon Springs, but authorizing no new irrigated acres.

Authority to File:

The applicant, John Lezamiz Family Limited Partnership, has the authority to file and update ownership of the water right. The application was signed by John Lezamiz, owner and manager of the John Lezamiz Family Limited Partnership. The proposed place of use and point of diversion are owned by the applicant, according to Custer County taxlot data.

Prior to the transfer, the right was owned by Seefried Ranch, LLC. Seefried Ranch also owns the existing place of use according to Custer County taxlot data. Seefried Ranch conveyed water right 34-633 to John Lezamiz Family Limited Partnership via a Quit Claim Deed, submitted with the application. The Deed was signed by Holly Seefried, registered agent for Seefried Ranch, according to records from the Idaho Secretary of State.

Water Right Validity:

The water right is valid for transfer. It was decreed in 2001. Review of post-decree aerial imagery demonstrates consistent irrigation at the existing place of use. According to Seefried, the existing place of use has not been irrigated using water right 34-633 for many years. The existing place of use has been irrigated with ground water right 34-2356. Forfeiture is not a concern.

Injury to Other Water Rights:

On March 11, 2022, IDWR requested additional information from the applicant related to the historical use of water right 34-633. The applicant contacted Holly Seefried for information about water right 34-633. The following information was provided by Holly Seefried:

Seefried has managed the existing place of use for water right 34-633 since 2011. Prior to 2011, water right 34-633 was used for irrigation by combining the right with other water supplies (storage water from Mackay Reservoir). The last time water right 34-633 was used for irrigation was 2011 or possibly 2012. The attempt to irrigate in 2011/2012 was "highly unsuccessful." Since 2012, water right 34-633 has only been used for stockwater.

In 2011, when Seefried took over management of the property, they discovered that the surface water pump (used to divert right 34-633 from the ditch) was not connected to a power source and was not operable. All wires had been disconnected from the power panel. Further, the mainline from the pump was not connected to the irrigation system. Seefried attempted to flood irrigate pivot corners in 2011 or 2012, but it wasn't successful. According to Seefried, "reliable and consistent delivery of Congdon Springs water right 34-633 to [the existing place of use] is impossible." Irrigation of the existing place of use

"would require a miracle." "This water right [34-633] is of no use to the Seefrieds and can no longer be used for its intended purpose on the property that it is allocated to."

Water right 34-633 authorizes stockwater and irrigation use. Although the irrigation component of the right has not been used for many years, the stockwater portion of the right has been delivered. According to Seefried, water was diverted for stockwater use in 2017 and 2019. Records from BLRID confirm delivery of stockwater to Seefried in 2017.

Water right 34-633 is the second most-senior right on Congdon Springs Creek. The senior most right (34-232, 0.80 cfs) is owned by Lezamiz. The application proposes to combine water right 34-633 with water right 34-232 onto a combined place of use. There are fifteen water rights from Congdon Springs or Congdon Springs Creek with priority dates junior to water right 34-633. The most junior irrigation right on Congdon Springs Creek bears a priority date of September 3, 1971. The water supply in Congdon Springs Creek is not sufficient to satisfy all of the water rights on the creek. According to Seefried, if the proposed transfer were not approved, water right 34-633 would not be used (except for stockwater). If the water right remained at its current location, junior water rights would have a more-reliable water supply. If the proposed transfer were approved, the water supply for these junior water rights would be reduced below the amounts that have been available in the last ten years.

In order to prevent injury to existing rights from Congdon Springs Creek, the following condition should be added to water right 34-633: "During times of scarcity on Congdon Springs or Congdon Springs Creek, the irrigation use under this right bears a priority date of September 4, 1971.

Enlargement of Use:

No enlargement of use will result from the transfer approval. Prior to the transfer, water right 34-633 described the same place of use as ground water right 34-2356. Water right 34-2356 authorizes the diversion of 2.98 cfs. The two rights carry a combined diversion rate limit of 2.98 cfs. Water right 34-2356 represents a full water supply for the 149 combined irrigated acres. For at least ten years, water right 34-2356 has been used exclusively to irrigate the place of use. If the transfer is approved, it will not change the amount of water diverted and used under ground water right 34-2356.

The proposed place of use is covered by seven irrigation rights. Three of these rights (34-2350, 34-2418 and 34-14312) authorize the diversion of 3.24 cfs from ground water. These three ground water rights provide a full water supply for the 173.9 acres irrigated at the proposed place of use. Therefore, water right 34-633 will be moving from a stacked position to a similar stacked position.

The seven water rights at the proposed place of use bear a combined limit condition, restricting the rights to a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres. The transfer will not increase the total number of irrigated acres. In order to prevent enlargement of water right 34-633, the right, in combination with the seven rights at the proposed place of use must be limited to a combined diversion rate of 6.28 cfs. Further, water right 34-633 and ground water rights 34-2350, 34-2418 and 34-14312 must carry a combined diversion rate limit of 3.24 cfs. These combined rate limits will preserve the existing relationship between water right 34-633 and overlapping full-supply ground water rights.

Conservation of Water Resources:

No issues identified. Applicant will use sprinkler irrigation.

Local Public Interest:

No issues identified.

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

Cefalo, James

From:	Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent:	Tuesday, March 15, 2022 10:46 AM
To:	Cefalo, James
Cc:	lezamizjohn@gmail.com
Subject:	RE: Application for Transfer 85632 (Lezamiz Family Ltd Partnership)
Attachments:	Holly Seefried Response.pdf

James,

See the attached response to your email from Holly Seefried.

Let me know if you need additional information.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

Greg,

I am completing a final review of Application for Transfer 85632 and have some follow-up questions about the application. In your cover letter you state: "Water from Congdon Springs is very unreliable. Delivery from water right 34-633 to its current place of use has not occurred in many years. The conveyance ditches and points of diversion are not functional, have been filled in over the years or simply do not exist anymore." These statements are not consistent with the information I have gathered from other water users in the area. Water right 34-633 is the most senior water right from Congdon Springs. It is always available, at least in part, at the authorized point of diversion. Representatives from the Big Lost River Irrigation District state that Congdon Springs water has been delivered to the Seefried property as recently as 2017. Bruce Warner, another water user on Congdon Springs, told me that Congdon Springs was used by Dave Nelson, predecessor in interest to Seefried.

John Cefalo should have talked to Bill or Holly Seefried concerning this matter, NOT "other water users in the area" that have NOTHING to do with this property!

Water right 34-633 is NOT the "most senior water right from Congdon Springs." The priority date for 34-633 is 6/1/1896. John Lezamiz owns the oldest right, right 34-232 with a priority date of 6/1/1886, (10 years older) as shown by a simple search of IDWR water rights.

Records from the Big Lost River Irrigation District indicate that Congdon Springs water was delivered to Bill Seefried in September and October 2017. Because 2017 was such a good water year, Most Big Lost River rights were available at the same time water was delivered from Congdon Springs to Seefried. It is not clear from the BLRID records whether Seefried was actually using water from the Big Lost River, Congdon Springs, both, or neither. Records from BLRID, show that Congdon Springs water was also delivered to Dave Nelson (predecessor in interest to Seefried) in 2012.

Water delivered through this right in 2017 & again in 2019, was used ONLY as stock water. The last year that Seefried's attempted to use Congdon Springs water to irrigate with was in 2011, or possibly 2012, as a flood stream to cover corners. This was highly unsuccessful. Delivery of this right is VERY unreliable because it is on the end of the delivery ditch. Dave Nelson died March 18, 2010, & Nelson Ranches was dispersed to his heirs in the spring of 2011. Water from this right WAS NOT delivered to Dave Nelson or Nelson Ranches in 2012, for this property. It may have been delivered to Seefried's in an attempt at flooding corners, but most likely was delivered to Seefried's in the form of stock water in the fall & not used as irrigation water. This property was not in Seefried's name in 2012 but they were running it. They had a lease agreement with Heather Nelson, (Dave's wife) & had sole responsibility for it. As of the start of 2011, Seefried's had sole control of this property & no connection with Randy Nelson's inherited portion of Nelson Ranches that had previously been able to help get this water right delivered. Seefried's do not have a Big Lost River right of any kind for

this property. Seefried's do have a Big Lost River water right that is delivered to other property that they own in the Big Lost River Valley. (Again, all he had to do was contact me)

A couple of weeks ago, I spoke with Randy Nelson. He said that he ran the Dave Nelson farm for a couple of years after Dave died. According to Randy, Seefried (his sister) took over management of the farm around 2012/2013. He also said that the ditch pump was removed shortly after Seefried took over management of the farm. If the ditch pump were removed, it is not clear how water from Congdon Springs was used in 2017.

Again, Dave Nelson died in March of 2010. Randy Nelson, (Dave's son) ran Nelson Ranches for the 2010 season only. In the spring of 2011, Randy no longer wanted to run Nelson Ranches & it was divided amongst his heirs which included Holly Seefried, (Randy's sister). The property in question was still owned by Heather Nelson, (Dave's wife) but operation for this property was taken over by Holly Seefried & her family. Seefried's now own it outright, along with the water rights to it.

In the past, Congdon Springs water MAY HAVE been delivered successfully to the property in question, however, it was still being operated under the entire Nelson Ranches enterprise & was able to benefit from the fact that several rights were available to add to the right to get it delivered. That is no longer the case & has not been since 2011, when Nelson Ranches ceased to exist as one property.

Seefried's did remove the disconnected, unworking "ditch pump" in 2014.

I am looking for more specific information about the use of Congdon Springs water on the existing (Seefried) place of use since Seefried has managed the property.

(Then why didn't he ask me?)

As stated previously, this property was owned by Dave Nelson, & under the umbrella of Nelson Ranches, when Dave died in March of 2010. Randy Nelson, Dave's son, ran Nelson Ranches for 1, (one) season. In 2011, Randy no longer desired to run the entire operation, so Nelson Ranches was dispersed to the heirs of Dave Nelson. The property in question remained in Dave's name but was owned by Heather Nelson, Dave's wife. Holly Seefried, Dave's daughter & also an heir to Dave's estate, & her husband Bill entered into a lease agreement with Heather to have sole control of the property in question. (They now own it outright). The property consists of two 80-acre parcels, one on either side of the road. Both parcels used to be under wheel lines. In 2006, the wheel lines were removed, and half-circle pivots were installed, one on each 80-acre parcel.

So...Here are the specifics

In 2011, when Seefried's first started working this property, they found the pump that MAY HAVE been used at one time to put Congdon Springs water, (OCCASIONALLY) through the wheel lines was NOT CONNECTED to a power source. It was NEAR a power pole & LOOKED like it would work but WAS NOT HOOKED UP & was, in fact INOPERABLE. Several years later, while burying mainline, Seefried's also found that the main line that came off of that pump had also been disconnected. In 2014, Seefried's did remove this pump. It was NOT CONNECTED, OF NO USE & INOPERABLE.

As previously stated, many times, RELIABLE & CONSISTANT delivery of Congdon Springs water right 34-633 to this property is IMPOSSIBLE! Delivery MAY have happened at one time in the past, but without the help of additional water added when this property had the benefit of being under the Nelson Ranches umbrella, this right CANNOT be relied upon to irrigate this property. It cannot even be relied upon to deliver a consistent stock water stream.

When was the last time Congdon Springs water was used for irrigation on the existing place of use for right 34-633?

As stated, prior, Seefried's tried to flood the corners of this property, UNSUCCESSFULLY, in 2011 &/or possibly 2012. It didn't work. They could not get the water delivered reliably. They spent hours working on the ditch through Lezamiz's & Colson's in the fall 2019 just to try to get a consistent stock water stream. They usually had nothing & a couple of times, after complaining to the BLRID, it was running over the banks. 2019 was the last time Seefried's asked for this water.

If Congdon Springs water cannot be used anymore, why not? Has infrastructure been removed from the ditch?

The main conveyance ditch is still in place. The only ditches that have been filled in are the ditches that Seefried's attempted to flood irrigate with. Those ditches were off the main ditch & ran in the field. Those ditches are the ditches that have been filled in. The main conveyance ditch is still in place & Seefried's now use hand line & a small wheel line to irrigate the corners that they could not flood irrigate. They irrigate with a deep well because their deep well provides a reliable, consistent irrigation source.

Has the mainline tying together the pump from the surface water ditch and the ground water well been removed?

The main line that tied the surface water pump & ditch to the ground water well was NOT in working order or even connected to power or water source when Seefried's took over operation of this property in 2011. There was a pump sitting on an upended 55 gallon barrel near a power pole & small pond that MAY have

once been used to pump Congdon Springs water, however, when Seefried's took over operation, this pump was NOT wired to the panel. It only had the appearance of being connected. ALL the wires had been disconnected, (or it was never hooked up to begin with) & the panels only provide power to move the 2 pivots. No main line was connected. The pump was removed in 2014 by Seefried's.

What sections of the ditch have been filled in between Congdon Springs and the existing place of use?

The main ditch is NOT filled in, it is still in place as is the pond that may have once been used to feed the pump that was not connected to power. The ONLY ditches that have EVER been filled in are small ones that were fed off the main ditch & used in unsuccessful attempts to flood irrigate corners.

What kind of work would be required to resume using water from Congdon Springs?

For Seefried's to get a reliable, consistent stream of water from right 34-633 that would allow them to irrigate through their pivots would require a miracle. By itself & at this time, water right 34-633 is unable to do any more than provide an inconsistent stock water stream. Without the benefit of added water to get this right to the end of the ditch, there is no way to get it there. In years past, Seefried's had the BLRID do some work on the ditch, (under protest of the then BLRID manager). The ditch has been burned several times, ditchers have been run through it, Seefried's have shoveled, burned & spent hours on their backhoe trying to get a stream of water. All to no avail. Seefried's have asked if they can use this right as a source of recharge, possible mitigation, or to trade or transfer it so they could use it on their other property in the Big Lost River Valley. All of these ideas have been shot down. This water right is of no use to the Seefried's & can no longer be used for its intended purpose on the property that it is allocated to. Hence, this transfer.

Answers to these questions will help me complete an injury and enlargement analysis under Idaho Code, Section 42-222.

I know it may take some time to track down this specific information from Seefried. Please provide the additional information by April 8, 2022. Feel free to call if you have any questions. Please forward this email to the Lezamiz family. The application did not include an email address for the partnership.

EXHIBIT 6

Cefalo, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Tuesday, March 15, 2022 10:46 AM
To: Cefalo, James
Cc: lezamizjohn@gmail.com
Subject: RE: Application for Transfer 85632 (Lezamiz Family Ltd Partnership)
Attachments: Holly Seefried Response.pdf

James,

See the attached response to your email from Holly Seefried.

Let me know if you need additional information.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

SCANNED
MAR 25 2022

Greg,

I am completing a final review of Application for Transfer 85632 and have some follow-up questions about the application. In your cover letter you state: "Water from Congdon Springs is very unreliable. Delivery from water right 34-633 to its current place of use has not occurred in many years. The conveyance ditches and points of diversion are not functional, have been filled in over the years or simply do not exist anymore." These statements are not consistent with the information I have gathered from other water users in the area. Water right 34-633 is the most senior water right from Congdon Springs. It is always available, at least in part, at the authorized point of diversion. Representatives from the Big Lost River Irrigation District state that Congdon Springs water has been delivered to the Seefried property as recently as 2017. Bruce Warner, another water user on Congdon Springs, told me that Congdon Springs was used by Dave Nelson, predecessor in interest to Seefried.

John Cefalo should have talked to Bill or Holly Seefried concerning this matter, NOT "other water users in the area" that have NOTHING to do with this property!

Water right 34-633 is NOT the "most senior water right from Congdon Springs." The priority date for 34-633 is 6/1/1896. John Lezamiz owns the oldest right, right 34-232 with a priority date of 6/1/1886, (10 years older) as shown by a simple search of IDWR water rights.

Records from the Big Lost River Irrigation District indicate that Congdon Springs water was delivered to Bill Seefried in September and October 2017. Because 2017 was such a good water year, Most Big Lost River rights were available at the same time water was delivered from Congdon Springs to Seefried. It is not clear from the BLRID records whether Seefried was actually using water from the Big Lost River, Congdon Springs, both, or neither. Records from BLRID, show that Congdon Springs water was also delivered to Dave Nelson (predecessor in interest to Seefried) in 2012.

Water delivered through this right in 2017 & again in 2019, was used ONLY as stock water. The last year that Seefried's attempted to use Congdon Springs water to irrigate with was in 2011, or possibly 2012, as a flood stream to cover corners. This was highly unsuccessful. Delivery of this right is VERY unreliable because it is on the end of the delivery ditch. Dave Nelson died March 18, 2010, & Nelson Ranches was dispersed to his heirs in the spring of 2011. Water from this right WAS NOT delivered to Dave Nelson or Nelson Ranches in 2012, for this property. It may have been delivered to Seefried's in an attempt at flooding corners, but most likely was delivered to Seefried's in the form of stock water in the fall & not used as irrigation water. This property was not in Seefried's name in 2012 but they were running it. They had a lease agreement with Heather Nelson, (Dave's wife) & had sole responsibility for it. As of the start of 2011, Seefried's had sole control of this property & no connection with Randy Nelson's inherited portion of Nelson Ranches that had previously been able to help get this water right delivered. Seefried's do not have a Big Lost River right of any kind for

this property. Seefried's do have a Big Lost River water right that is delivered to other property that they own in the Big Lost River Valley. (Again, all he had to do was contact me)

A couple of weeks ago, I spoke with Randy Nelson. He said that he ran the Dave Nelson farm for a couple of years after Dave died. According to Randy, Seefried (his sister) took over management of the farm around 2012/2013. He also said that the ditch pump was removed shortly after Seefried took over management of the farm. If the ditch pump were removed, it is not clear how water from Congdon Springs was used in 2017.

Again, Dave Nelson died in March of 2010. Randy Nelson, (Dave's son) ran Nelson Ranches for the 2010 season only. In the spring of 2011, Randy no longer wanted to run Nelson Ranches & it was divided amongst his heirs which included Holly Seefried, (Randy's sister). The property in question was still owned by Heather Nelson, (Dave's wife) but operation for this property was taken over by Holly Seefried & her family. Seefried's now own it outright, along with the water rights to it.

In the past, Congdon Springs water MAY HAVE been delivered successfully to the property in question, however, it was still being operated under the entire Nelson Ranches enterprise & was able to benefit from the fact that several rights were available to add to the right to get it delivered. That is no longer the case & has not been since 2011, when Nelson Ranches ceased to exist as one property.

Seefried's did remove the disconnected, unworking "ditch pump" in 2014.

I am looking for more specific information about the use of Congdon Springs water on the existing (Seefried) place of use since Seefried has managed the property.

(Then why didn't he ask me?)

As stated previously, this property was owned by Dave Nelson, & under the umbrella of Nelson Ranches, when Dave died in March of 2010. Randy Nelson, Dave's son, ran Nelson Ranches for 1, (one) season. In 2011, Randy no longer desired to run the entire operation, so Nelson Ranches was dispersed to the heirs of Dave Nelson. The property in question remained in Dave's name but was owned by Heather Nelson, Dave's wife. Holly Seefried, Dave's daughter & also an heir to Dave's estate, & her husband Bill entered into a lease agreement with Heather to have sole control of the property in question. (They now own it outright). The property consists of two 80-acre parcels, one on either side of the road. Both parcels used to be under wheel lines. In 2006, the wheel lines were removed, and half-circle pivots were installed, one on each 80-acre parcel.

So...Here are the specifics

In 2011, when Seefried's first started working this property, they found the pump that MAY HAVE been used at one time to put Congdon Springs water, (OCCASIONALLY) through the wheel lines was NOT CONNECTED to a power source. It was NEAR a power pole & LOOKED like it would work but WAS NOT HOOKED UP & was, in fact INOPERABLE. Several years later, while burying mainline, Seefried's also found that the main line that came off of that pump had also been disconnected. In 2014, Seefried's did remove this pump. It was NOT CONNECTED, OF NO USE & INOPERABLE.

As previously stated, many times, RELIABLE & CONSISTANT delivery of Congdon Springs water right 34-633 to this property is IMPOSSIBLE! Delivery MAY have happened at one time in the past, but without the help of additional water added when this property had the benefit of being under the Nelson Ranches umbrella, this right CANNOT be relied upon to irrigate this property. It cannot even be relied upon to deliver a consistent stock water stream.

When was the last time Congdon Springs water was used for irrigation on the existing place of use for right 34-633?

As stated, prior, Seefried's tried to flood the corners of this property, UNSUCCESSFULLY, in 2011 &/or possibly 2012. It didn't work. They could not get the water delivered reliably. They spent hours working on the ditch through Lezamiz's & Colson's in the fall 2019 just to try to get a consistent stock water stream. They usually had nothing & a couple of times, after complaining to the BLRID, it was running over the banks. 2019 was the last time Seefried's asked for this water.

If Congdon Springs water cannot be used anymore, why not? Has infrastructure been removed from the ditch?

The main conveyance ditch is still in place. The only ditches that have been filled in are the ditches that Seefried's attempted to flood irrigate with. Those ditches were off the main ditch & ran in the field. Those ditches are the ditches that have been filled in. The main conveyance ditch is still in place & Seefried's now use hand line & a small wheel line to irrigate the corners that they could not flood irrigate. They irrigate with a deep well because their deep well provides a reliable, consistent irrigation source.

Has the mainline tying together the pump from the surface water ditch and the ground water well been removed?

The main line that tied the surface water pump & ditch to the ground water well was NOT in working order or even connected to power or water source when Seefried's took over operation of this property in 2011. There was a pump sitting on an upended 55 gallon barrel near a power pole & small pond that MAY have

once been used to pump Congdon Springs water, however, when Seefried's took over operation, this pump was NOT wired to the panel. It only had the appearance of being connected. ALL the wires had been disconnected, (or it was never hooked up to begin with) & the panels only provide power to move the 2 pivots. No main line was connected. The pump was removed in 2014 by Seefried's.

What sections of the ditch have been filled in between Congdon Springs and the existing place of use?

The main ditch is NOT filled in, it is still in place as is the pond that may have once been used to feed the pump that was not connected to power. The ONLY ditches that have EVER been filled in are small ones that were fed off the main ditch & used in unsuccessful attempts to flood irrigate corners.

What kind of work would be required to resume using water from Congdon Springs?

For Seefried's to get a reliable, consistent stream of water from right 34-633 that would allow them to irrigate through their pivots would require a miracle. By itself & at this time, water right 34-633 is unable to do any more than provide an inconsistent stock water stream. Without the benefit of added water to get this right to the end of the ditch, there is no way to get it there. In years past, Seefried's had the BLRID do some work on the ditch, (under protest of the then BLRID manager). The ditch has been burned several times, ditchers have been run through it, Seefried's have shoveled, burned & spent hours on their backhoe trying to get a stream of water. All to no avail. Seefried's have asked if they can use this right as a source of recharge, possible mitigation, or to trade or transfer it so they could use it on their other property in the Big Lost River Valley. All of these ideas have been shot down. This water right is of no use to the Seefried's & can no longer be used for its intended purpose on the property that it is allocated to. Hence, this transfer.

Answers to these questions will help me complete an injury and enlargement analysis under Idaho Code, Section 42-222.

I know it may take some time to track down this specific information from Seefried. Please provide the additional information by April 8, 2022. Feel free to call if you have any questions. Please forward this email to the Lezamiz family. The application did not include an email address for the partnership.

EXHIBIT 7

John Lezamiz Family LTD Partnership
Transfer No. 85632
Brockway Engineering

CONGDON SPRINGS CREEK WATER RIGHTS

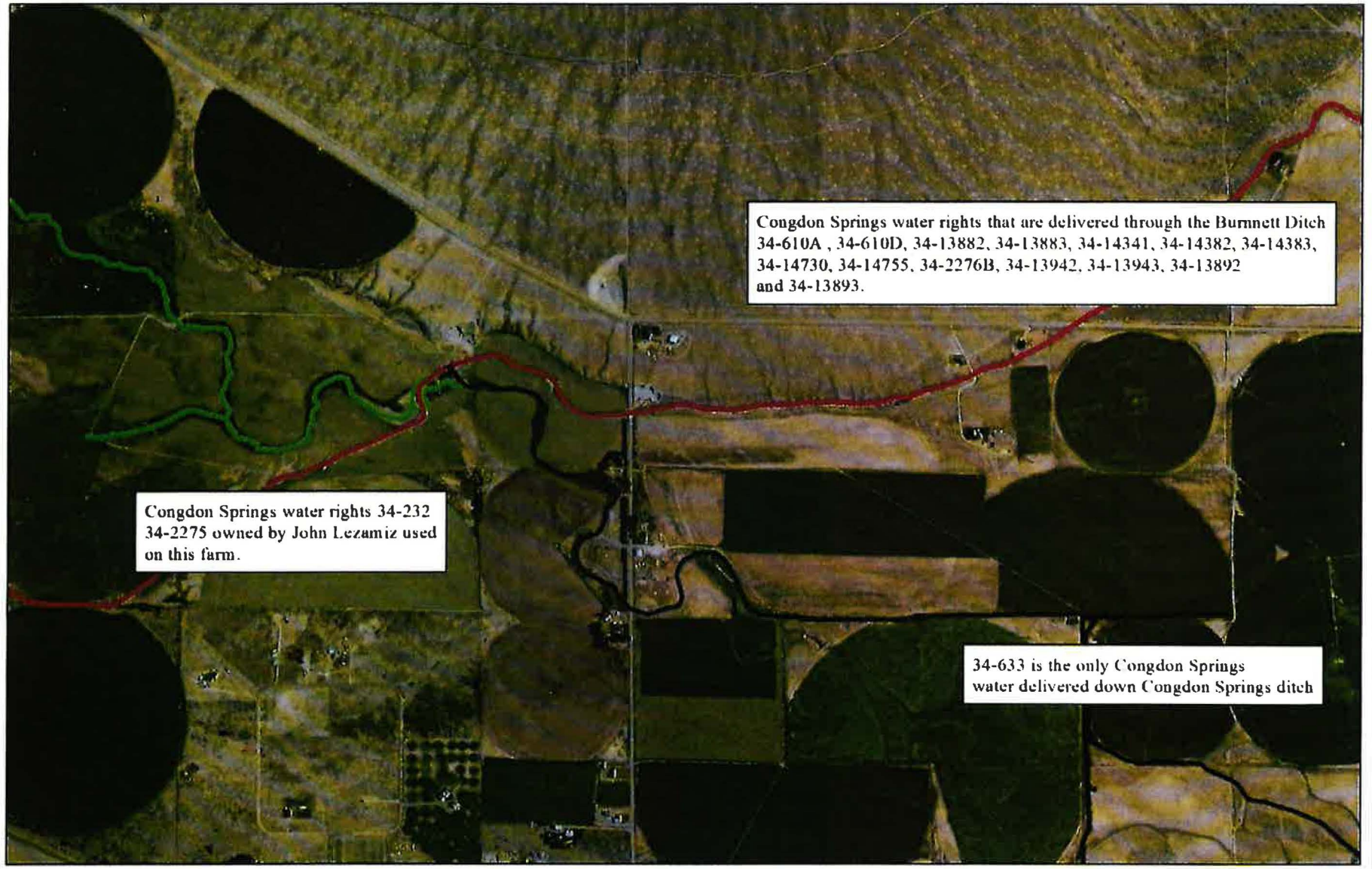
	Water Right	Priority Date	Diversion Rate (cfs)	Cumulative (cfs)	Diversion Rate (inches)	Cumulative (inches)	Source	Delivered Through Burnett Ditch	Water Use	Owner
1	**34-232**	**06/01/1886**	**0.8**	**0.8**	**40**	**40**	**CONGDON SPRINGS**	**No**	**IRRIGATION**	**JOHN LEZAMIZ FAMILY LTD PARTNERSHIP**
2	**34-633**	**06/01/1896**	**2.98**	**3.78**	**149**	**189**	**CONGDON SPRINGS CREEK, SWAUGER SPRINGS**	**No**	**IRRIGATION, STOCKWATER**	**JOHN LEZAMIZ FAMILY LTD PARTNERSHIP**
3	34-610A	7/9/1908	2	5.78	100	289	CONGDON SPRINGS CREEK	Yes	IRRIGATION, STOCKWATER	WARNER, BRUCE K
4	34-610D	7/9/1908	0.1	5.88	5	294	CONGDON SPRINGS	Yes	IRRIGATION	WILKIE, LENIE; WILKIE, NICOLAS
5	34-13882	7/9/1908	1.23	7.11	61.5	355.5	CONGDON SPRINGS	Yes	IRRIGATION	MAGEE GROUP INC
6	34-13883	7/9/1908	0.67	7.78	33.5	389	CONGDON SPRINGS	Yes	IRRIGATION	BRULEY, GREGORY M; BRULEY, LAURA M
7	34-14341	7/21/1910	0.13	7.91	6.5	395.5	CONGDON SPRINGS CREEK	Yes	IRRIGATION	JOHNSTON, BRENDA; JOHNSTON, JERALD
8	34-14382	7/21/1910	0.28	8.19	14	409.5	CONGDON SPRINGS CREEK	Yes	IRRIGATION	HENSLEY, DEANNA; HENSLEY, TOM
9	34-14383	7/21/1910	0.12	8.31	6	415.5	CONGDON SPRINGS CREEK	Yes	IRRIGATION	JOHNSTON, JARELD; SCHAEFER, JARRIE E; SCHAEFER, JEFFREY S
10	34-14730	7/21/1910	0.02	8.33	1	416.5	CONGDON SPRINGS CREEK	Yes	IRRIGATION	RABER, MARY; RABER, PAUL
11	34-14755	7/21/1910	1.65	9.98	82.5	499	CONGDON SPRINGS CREEK	Yes	IRRIGATION	GIESBRECHT, JANA; GIESBRECHT, JAYSON
12	**34-2275**	**6/11/1946**	**1.3**	**11.28**	**65**	**564**	**CONGDON SPRINGS**	**No**	**IRRIGATION**	**JOHN LEZAMIZ FAMILY LTD PARTNERSHIP**
13	34-22768	7/25/1946	0.1	11.38	5	569	CONGDON SPRINGS	Yes	IRRIGATION	WILKIE, LENIE; WILKIE, NICOLAS
14	34-13942	7/25/1946	1.23	12.61	61.5	630.5	CONGDON SPRINGS	Yes	IRRIGATION	MAGEE GROUP INC
15	34-13943	7/25/1946	0.67	13.28	33.5	664	CONGDON SPRINGS	Yes	IRRIGATION	BRULEY, GREGORY M; BRULEY, LAURA M
16	**34-13892**	**9/3/1971**	**1.08**	**14.36**	**54**	**718**	**CONGDON SPRINGS CREEK**	**No**	**IRRIGATION**	**JOHN LEZAMIZ FAMILY LTD PARTNERSHIP**
17	34-13893	9/3/1971	0.2	14.56	10	728	CONGDON SPRINGS CREEK	Yes[1]	IRRIGATION	MONTIERTH, GARY; MONTIERTH, NETTIE

Notes:

1. The partial decree report and IDWR's water right report for water right 34-13893 does not identify that the water for 34-13893 is carried in the Burnett Ditch to the authorized place of use. The authorized irrigaiton place of use straddles the Burnett Ditch. The partial decree report and the IDWR water right report should identify that water from Congdon Springs for 34-13893 must be carried by the Burnett Ditch to be beneficially used within the authorized irrigation place of use.

EXHIBIT 8

Path: F:\Projects\Lezamiz, J. Woodbury Farms\Arcview 9\Congdon Springs Simplified.mxd



N

0 0.25 0.5 Miles

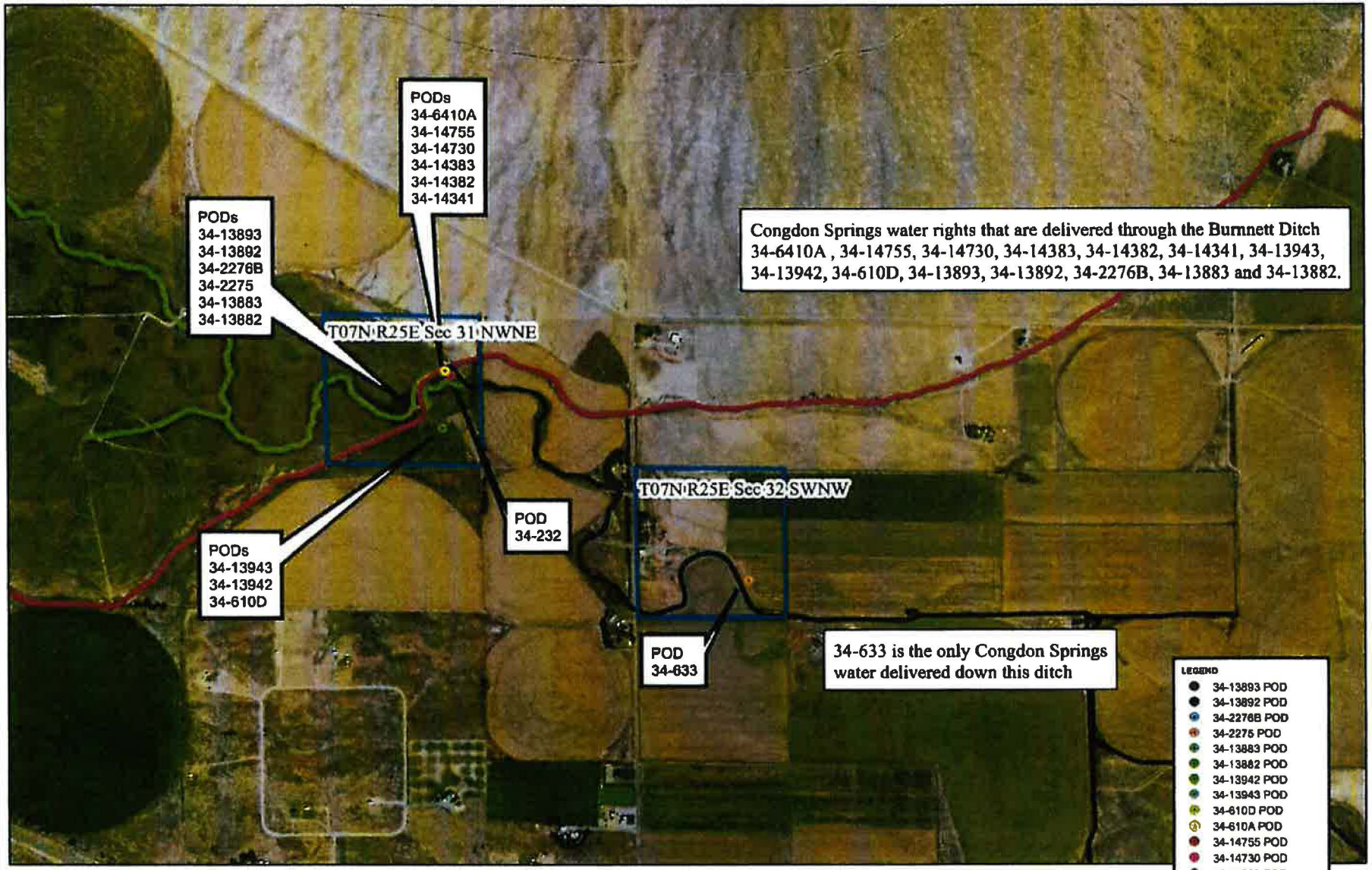
BROCKWAY ENGINEERING, PLLC
GWS - 7/11/2022

JOHN LEZAMIZ
CONGDON SPRINGS WATER RIGHTS
NAIP 2021 AERIAL PHOTO

LEGEND
- Congdon Spring Ditch
- Burnett Ditch
- Congdon Springs

EXHIBIT 9

Path: F:\Projects\Lezamiz, J., Woodbury Farms\Arcview 9\Congdon Springs WRs Simplified.mxd



N

0 0.25 0.5 Miles

BROCKWAY ENGINEERING, PLLC.
GWS - 6/22/2022

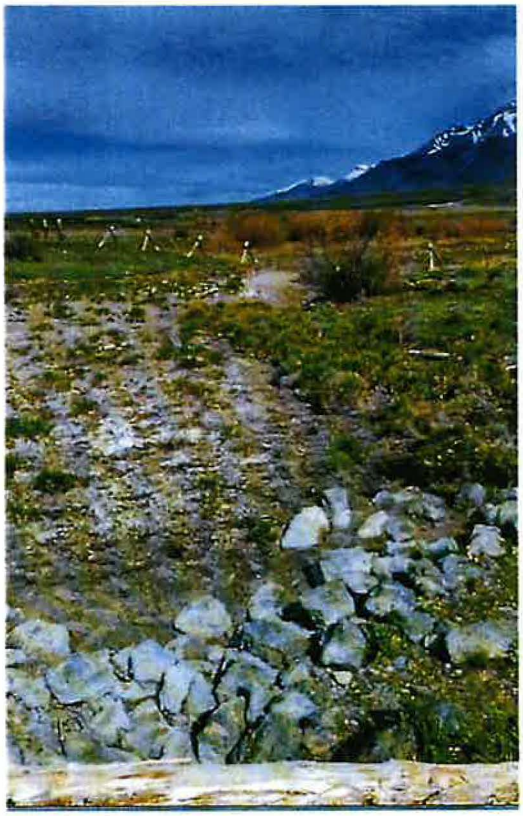
JOHN LEZAMIZ
CONGDON SPRINGS WATER RIGHTS
NAIP 2019 AERIAL PHOTO

EXHIBIT 10

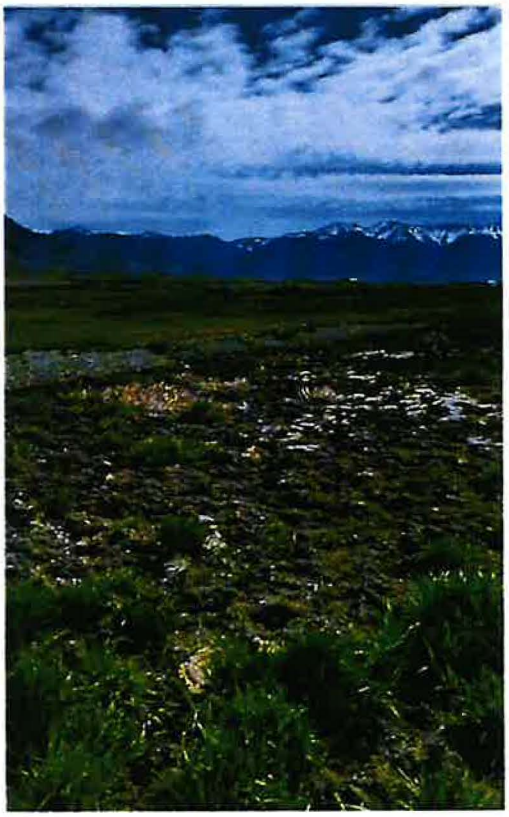
John Lezamiz Family LTD Partnership

Congdon Springs Pictures
Brockway Engineering

Congdon Springs (North Channel)



Congdon Springs (South Channel)

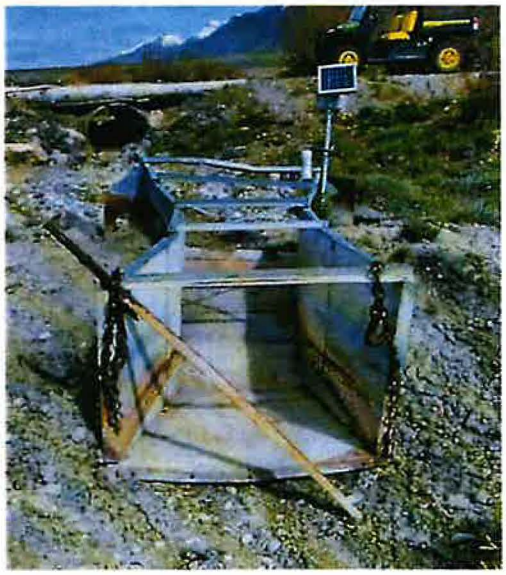


Congdon Springs (Lost River Irrigation District Measuring Device)

Weir has been installed incorrectly and cannot provide accurate measurement when water is flowing. Water can easily flow under and around weir.







Congdon Springs Collection Pond Maintaned by John

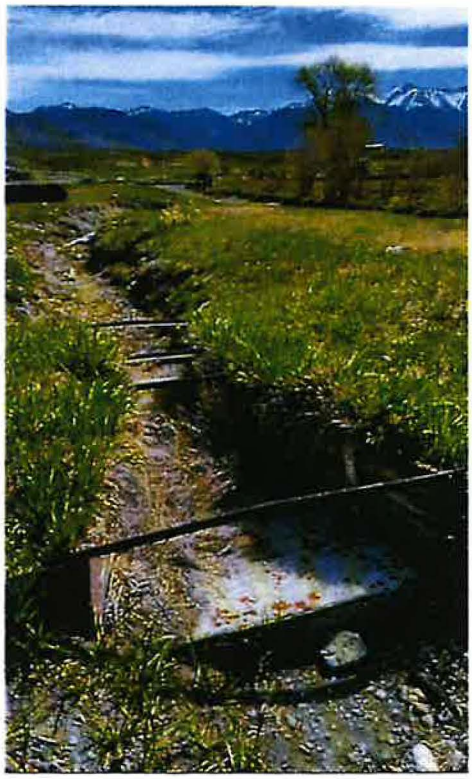
Inlet to Pond



Gate Valve from Pond to John's POD

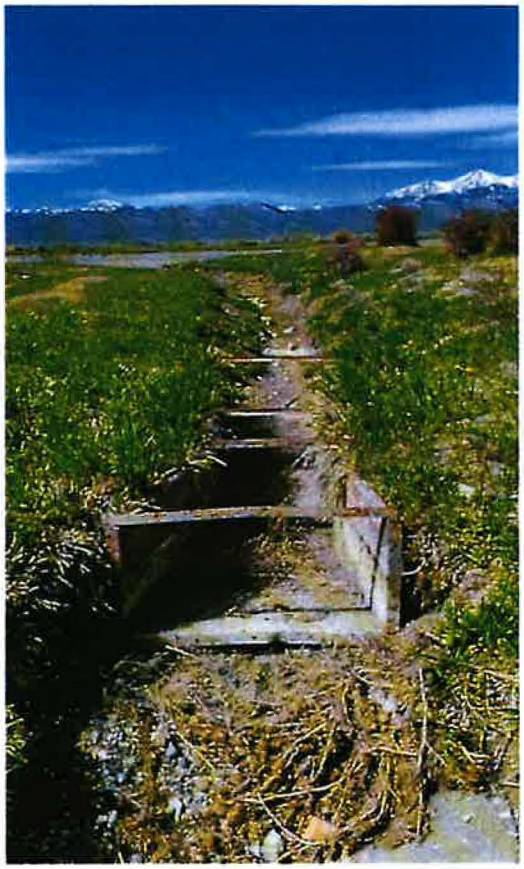


Congdon Springs Collection Pond Overflow Channel and Weir
No Control Gate or Lockable Device Present



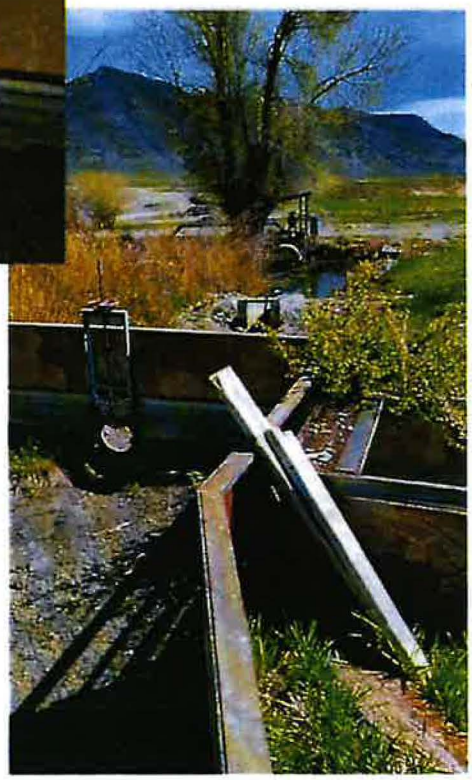


Congdon Springs Collection Pond Overflow Channel and Weir
No Control Gate or Lockable Device Present



John's Congdon Springs POD and Weir
Lockable control gate and weir have been installed correctly
Additional water above John's water rights is diverted down Congdon Spring Channel



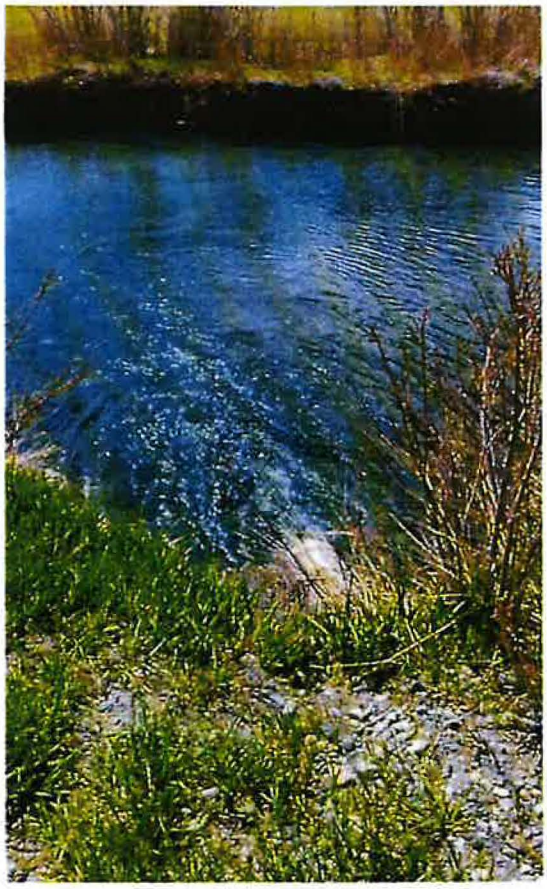




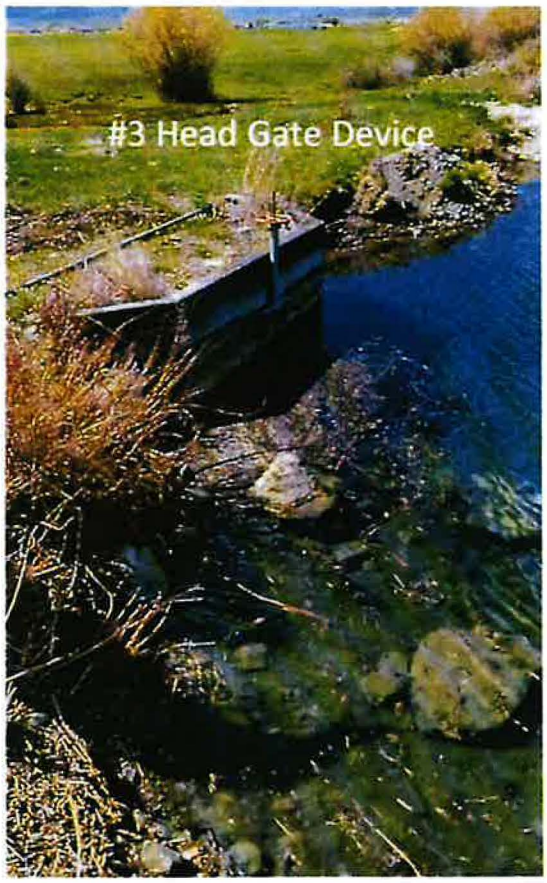
John's Irrigation Mixing Pond

Congdon Springs, Burnett Ditch, Big Lost River, Storage Water and Ground Water can be mixed together in this pond. The water is then piped to another irrigation collection pond utilized by John's irrigation system.

Ground Water Inlet to Pond



Gate Valve from Pond to John's POD



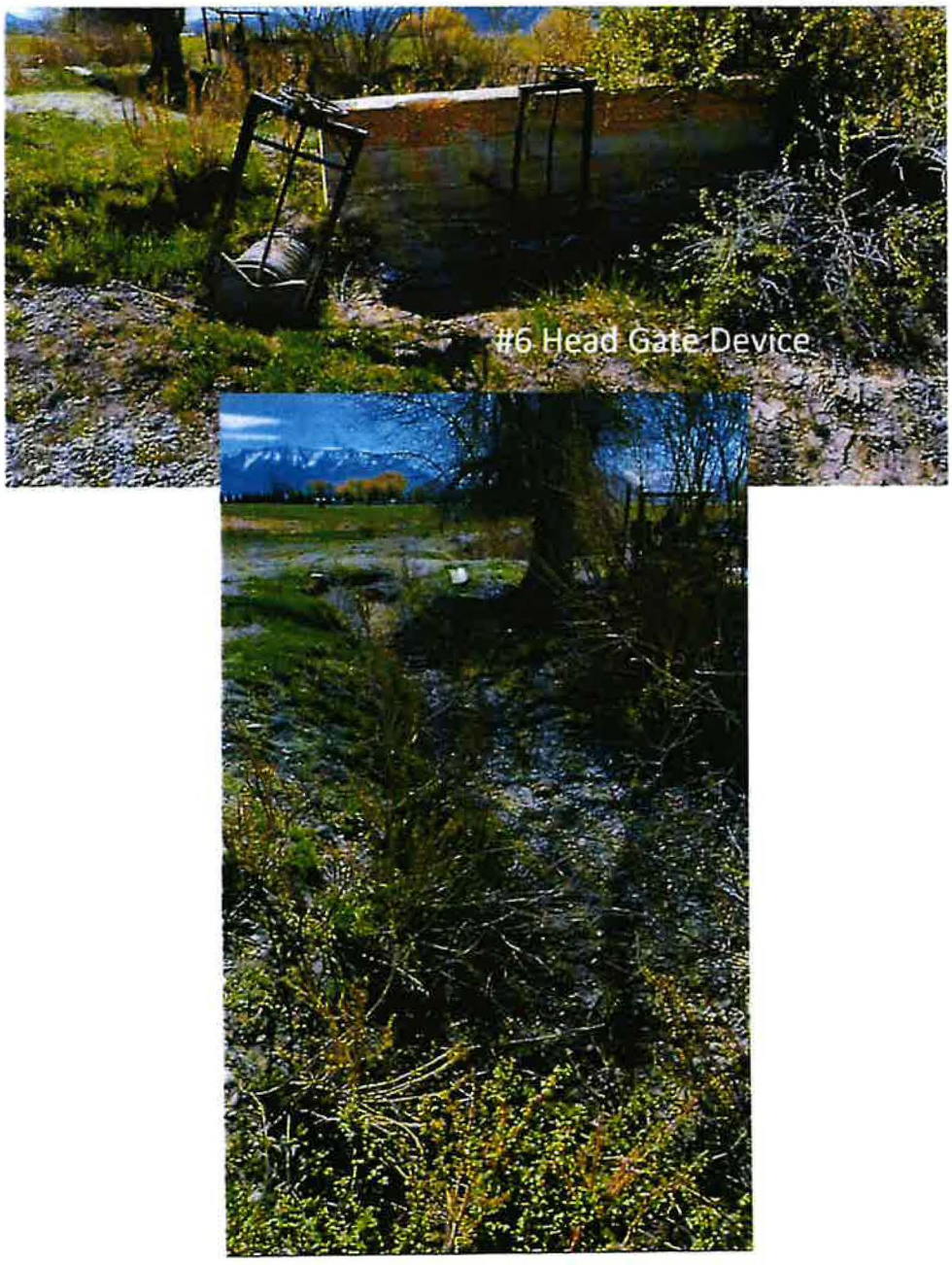
The first and third picture below was taken by standing in the dry Burnett Ditch
These gates and measurement devices are intented to control Big Lost River and Storage water that enters John's mixing pond.







Water gates that control water delivered from the Burnett Ditch into a channel that bypasses John's mixing pond.

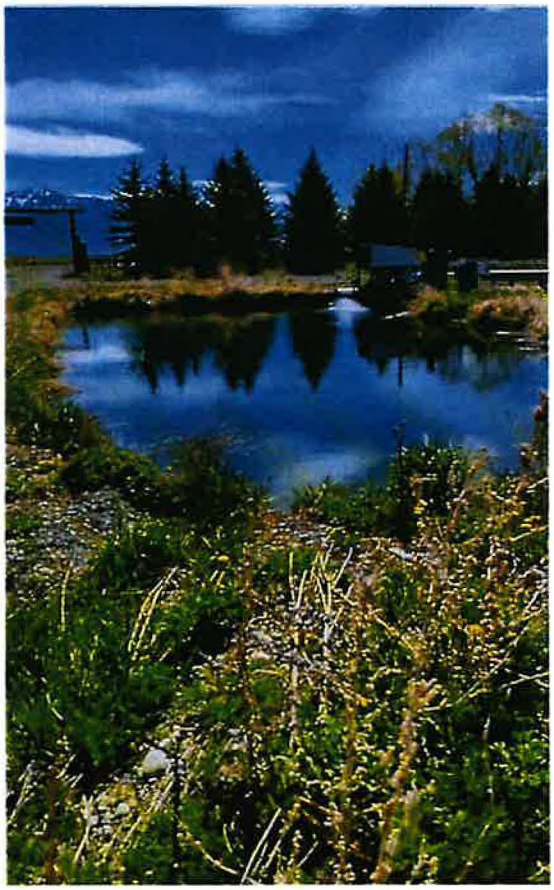


Water from the Burnett Ditch bypasses John's mixing pond and is co-mingled with Congdon Springs water.





John's 2nd Irrigation Pond that can utilize Congdon Springs, Big Lost River, Storage Water and Ground Water



Congdon Springs channel and water right 34-633 POD





Irrigation channel in which Burnett Ditch or Congdon Springs water could be delivered. However, obstructions at the 34-633 POD currently prevent any water from enteriing this channel



Unused headgate structure and ditches.



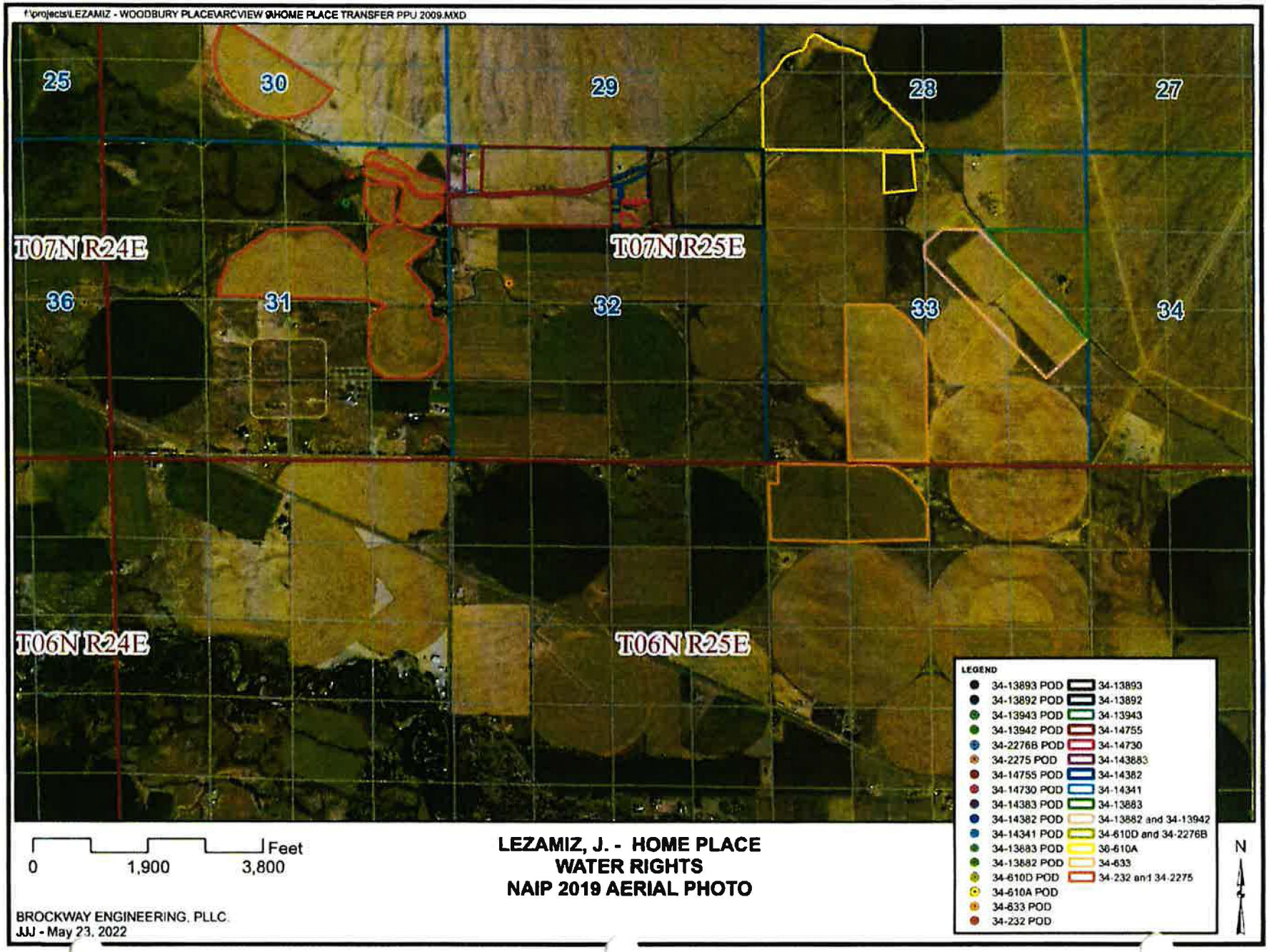


The last water control box on Congdon Springs and a storage pond.



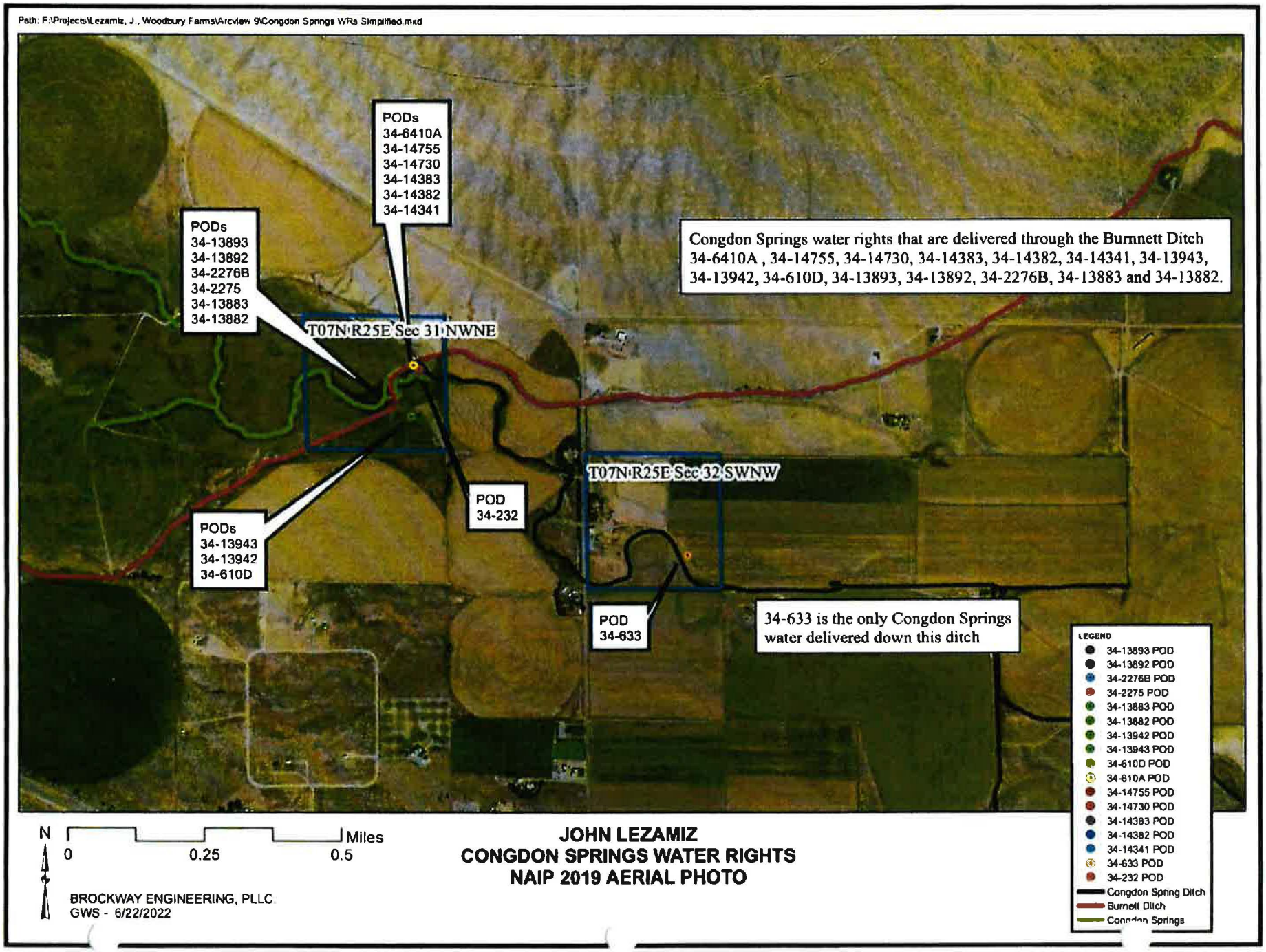


LEZAMIZ EXHIBIT 10



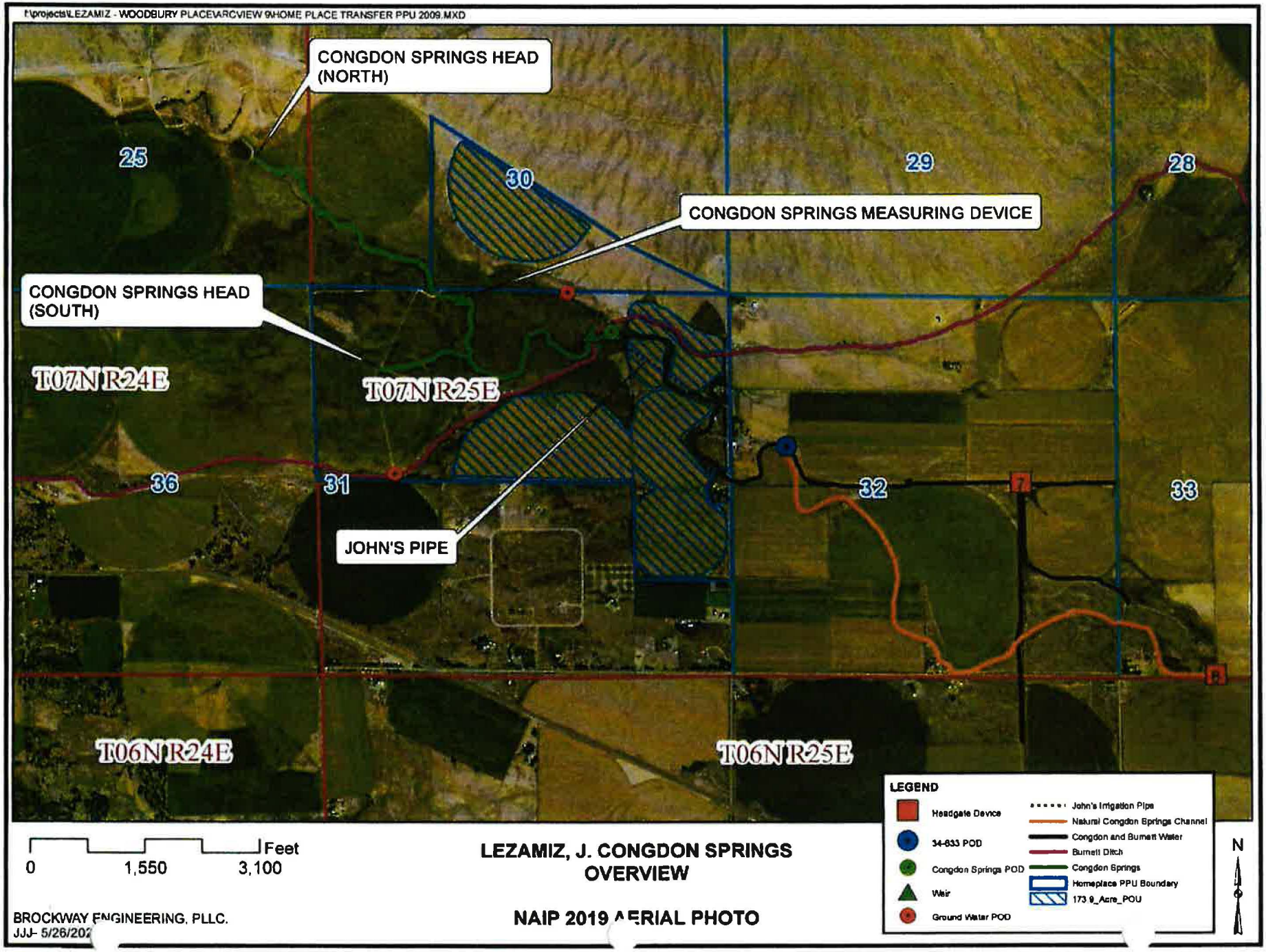
000016

LEZAMIZ EXHIBIT 10



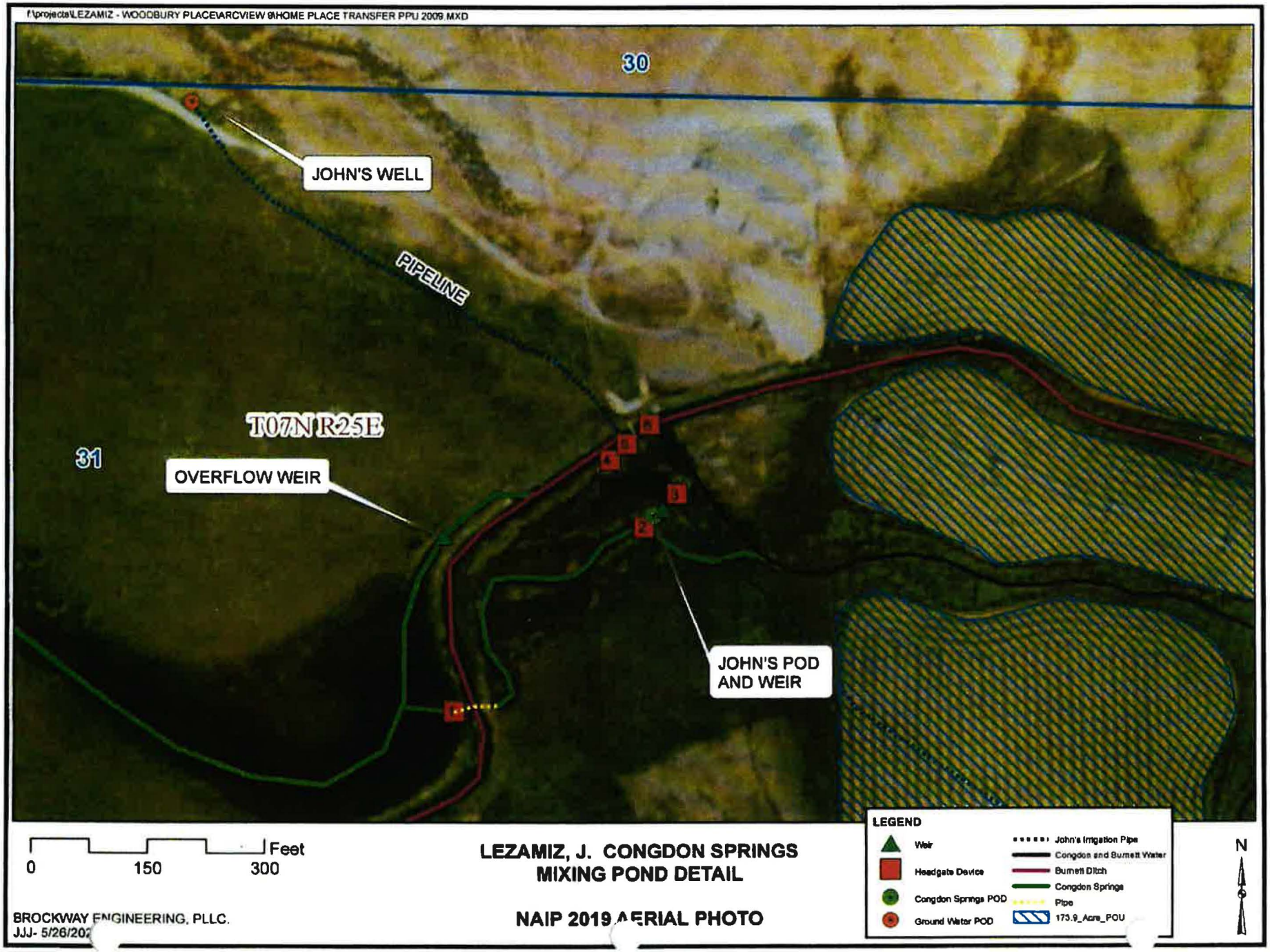
000017

LEZAMIZ EXHIBIT 10



000018

LEZAMIZ EXHIBIT 10



LEZAMIZ, J. CONGDON SPRINGS
MIXING POND DETAIL

NAIP 2019 AERIAL PHOTO

BROCKWAY ENGINEERING, PLLC.
JJJ- 5/26/202

000019

EXHIBIT 11

My name is John Lezamiz. I reside at 895 Canyon Springs Road, Twin Falls, Idaho, 83301. I am the general partner and manager of the John Lezamiz Family Limited Partnership (FLP), which owns the following water rights in Congdon Springs, Mackay, Idaho:

	Right #	Priority Date	Rate (cfs)
1.	34-232	06/01/1886	.80
2.	34-2275	06/11/1946	1.30
3.	34-13892	09/13/1971	1.08

The above entity also purchased the following water right in Congdon Springs from Seefried Ranch, LLC, which is the subject of the pending water transfer application:

	Right #	Priority Date	Rate (cfs)
4.	34-633	06/01/1896	2.98

In addition to the above water rights owned by the John Lezamiz FLP, there are ten (10) other individuals owning water rights in Congdon Springs. Nine (9) of the ten (10) individuals have stated they do not oppose the above transfer application, with eight (8) of the nine (9) signing written statements which expressly state that these individuals "do not oppose the above water right transfer, and . . . believe IDWR should grant the request for a transfer as requested by Lezamiz." (See Exhibit A, items 1-8). These eight (8) individuals and their corresponding water rights are listed below:

	Name	Right #	Priority Date	Rate (cfs)
1.	Nicolas Wilkie	34-610D	07/09/1908	.10
		34-2276B	07/25/1946	.10
2.	Greg Bruley	34-13883	07/09/1908	.67
		34-13943	07/25/1946	.67
3.	Brenda Johnston	34-14341	07/21/1910	.13
4.	Jamie Schaefer	34-19383	07/21/1910	.12
5.	Deanna Hensley	34-14382	07/21/1910	.28
6.	Paul Raber	34-14730	07/21/1910	.02
7.	Jayson Giesbrecht	34-14755	07/21/1910	1.65
8.	Gary Montierth	34-13893	09/03/1971	.20

Written statements from the above individuals stating they do not oppose the transfer and believe that IDWR should grant the transfer requested by Lezamiz are attached as Exhibit A, items 1-8. The ninth individual owning water rights in Congdon Springs has stated he does not oppose the water transfer application, but prefers not to sign a statement; this individual is:

	Name	Right #	Priority Date	Rate (cfs)
9.	Gary/Fran Magee	34-13882	07/09/1908	1.23
	Magee Group	34-13942	07/25/1946	1.23

Only one individual has indicated he opposes the water transfer application; his name and the particulars of his water right in Congdon Springs are as follows:

Name	Right #	Priority Date	Rate (cfs)
10. Bruce Warner	34-610A	07/09/1908	2.0

Initially, when notice of the above transfer was published locally by IDWR, Mr. Warner did not object nor formally oppose the transfer, despite being aware of the publication of notice and deadline for objecting to the water transfer application. He has since stated that he opposes the transfer.

Dated this 29th day of May, 2022.

JOHN T. LEZAMIZ

My name and address are listed below:

Nicholas Wilkie
Mackay, Idaho
83251

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-610D	7/9/1908	.1 cfs
34-2276B	7/25/1946	.1

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 15 day of MAY, 2022.

My name and address are listed below:

Gregory Bailey
3917 W 4300 N
MACKAY ID

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-13883	7/9/1908	.67 cfs
34-13943	7/25/1946	.67 cfs

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 18 day of May, 2022.

Greg M. Bailey

Ex 4 A. Item 2.

My name and address are listed below:

Brenda ~~Seefried~~ Johnston
MacKay, ID
83251

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34- 14341	7/21/1910	.13 cfs

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 19 day of May, 2022.

Brenda Johnston

Exh A, Item 3

My name and address are listed below:

Jarbic Schaefer
Malad, Idaho
83251

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-14383	7/21/1910	.12

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 18 day of May, 2022.

Exh A, Item 4

My name and address are listed below:

Deanna Hensley
4051 W 4300 N
MACKAY, ID

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-14382	7/21/1910	.28 cfs

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 18th day of MAY, 2022.

Deanna Hensley

Ex# A, Item 5

My name and address are listed below:

Paul Rober
4049 W 4300 N
MacKay

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-14736	7/21/1910	.02

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 23rd day of May, 2022.

Paul Rober

Ex H A, Item 6

My name and address are listed below:

Jayson Giesbrecht
MACKAY, IDAHO
83251

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-14755	7/21/1910	1.65 cfs

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 19 day of May, 2022.

Jayson Giesbrecht

Exh A, Item 7

My name and address are listed below:

Gary Montieth
4037W 4300N
MacKay, ID 83251

I am the owner or responsible person for the following water rights in Congdon Springs:

Water Right No.	Priority Date	Rate
34-13893	9/3/1971	.2

I understand that the John Lezamiz Family Limited Partnership (Lezamiz) has purchased water right number 34-633 with a priority date of 6/1/1896 from Seefried Ranches, LLC (Seefried) which authorizes the diversion of 2.98 cfs from Congdon Springs. I also understand that Lezamiz is the owner of water right number 34-232 with a priority date of 6/1/1886 for .8 cfs from Congdon Springs. Together, these two water rights are the most senior water rights on Condon Springs. A request for a transfer of water right number 34-633 has been filed with the Idaho Department of Water Resources (IDWR) to transfer water right number 34-633 from Seefried to Lezamiz.

I hereby state that I do not oppose the above water right transfer, and I believe IDWR should grant the request for a transfer as requested by Lezamiz.

Dated this 18th day of May, 2022.

Mary A Montieth

Exh A, Item B

EXHIBIT 12

Henman, Christina

From: Henman, Christina
Sent: Thursday, January 13, 2022 4:08 PM
To: watermaster34@atcnet.net
Subject: Application for Transfer No. 85632
Attachments: tmpC435.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. Please review the application, then complete the enclosed recommendation form 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 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 <TIMEFRAME> 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.

Please contact this office if you have any questions regarding the application.