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Apr 06, 2022

APR 06 2022

DEPARTMENT OF
WATER RESOURCES

Department of Water Resources
Eastern Region

April 5, 2022

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

Re: John Lezamiz Family Limited Partnership Transfer #85632

Dear Mr. Cefalo:

Transfer #85632 was submitted to the Idaho Department of Water Resources on December 14, 2021.

Transfer #85632 was advertised in the Challis Messenger and the Arco Advertiser on 1/20/2022 and 1/27/2022. No protests were submitted to the Idaho Department of Water Resources indicating that all local water right owners and property owners do not have any legal or hydraulic concerns pertaining to Transfer #85632.

Transfer #85632 was approved March 23, 2022 by the Idaho Department of Water Resources.

This letter is a formal request to the Idaho Department of Water Resources as a petition for reconsideration of the order approving Transfer #85632 pertaining to the subordination of the priority date of water right 34-633 from June 1, 1896 to September 4, 1971. This action of the Idaho Department of Water Resources is not allowed by Idaho water law. The changing of the priority date of water right 34-633 by 75 years is an unconstitutional taking of the petitioner's property rights without just compensation and without the due process of law.

It is further requested that all information, calculations and analysis performed during the injury analysis by the Idaho Department of Water Resources of water rights on Congdon Springs pertaining to Transfer #85632 be provided to the petitioner and their consultant. The information and calculations performed for the injury analysis should be provided to the petitioner and their consultant before a hearing to allow sufficient time for the analysis to be reviewed and discussed thoroughly.

Sincerely,
John Lezamiz Family Limited Partnership

Attorney: _____

Partner: _____





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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March 30, 2022

APR 04 2022

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Eastern Region

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Sincerely,

Greg Sullivan, M.S., Engineer

Cc: John Lezamiz