

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

This is to certify that: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
847 CANYON SPRINGS RD
TWIN FALLS, ID 83301-3010

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

Summary of Water Rights Before the Proposed Changes

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

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-2356	WR/DECREED	3/24/1960	2.980 cfs	521.5 af		149.0	GROUND WATER
34-230	WR/DECREED	6/1/1895	2.400 cfs	N/A	155.0	490.9	BIG LOST RIVER
34-231	WR/DECREED	6/1/1889	2.700 cfs	N/A	135.0	490.9	BIG LOST RIVER
34-232	WR/DECREED	6/1/1886	0.800 cfs	N/A	40.0	490.9	CONGDON SPRINGS
34-2275	WR/DECREED	6/11/1946	1.300 cfs	N/A	60.0	490.9	CONGDON SPRINGS
34-2350	WR/DECREED	7/13/1959	1.600 cfs	280.0 af	80.0	490.9	GROUND WATER
34-2418	WR/DECREED	5/24/1961	1.260 cfs	262.5 af	75.0	490.9	GROUND WATER
34-14312	WR/DECREED	8/29/1960	0.380 cfs	66.2 af	18.9	490.9	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-633	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-633	34-633	2.980 cfs	N/A	149.0	490.9	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.980 cfs	N/A	149.0	490.9		N/A	N/A	N/A	N/A

Transfer No. 85632

**Support Data
In File # 34-633**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85632

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 23rd day of March, 2022.


Regional Manager



Transfer No. 85632

Support Data
In File # 34-633

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

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

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

Priority Date: 6/1/1896

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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	2.980 cfs
STOCKWATER	1/01	to 12/31	1.000 cfs
			2.980 cfs

LOCATION OF POINT(S) OF DIVERSION

CONGDON SPRINGS CREEK NENWNE Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 149.0

POU Total Acres: 490.9

PLACE OF USE: STOCKWATER

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

CONDITIONS OF APPROVAL

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

Transfer No. 85632

WATER RIGHT NO. 34-633

As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

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

WATER RIGHT NO. 34-2356**As Modified by Transfer No. 85632**

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

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

Priority Date: 3/24/1960

Source: GROUND WATER

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

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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

POU Total Acres: 149.0

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Idaho Code § 42-1412(6).

Transfer No. 85632

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

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

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

Priority Date: 6/1/1895

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 05/01 **To** 10/15

Diversion Rate
2.400 cfs
2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SENWNW Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 155.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 85632

WATER RIGHT NO. 34-230

As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. Water is delivered through the Burnett Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

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

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

Priority Date: 6/1/1889

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
05/01

To
to 10/15

Diversion Rate
2.700 cfs
2.700 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

SENWNW

Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 135.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 85632

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

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. Water is delivered through the Burnett Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

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

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

Priority Date: 6/1/1886

Source: CONGDON SPRINGS **Tributary:** CONGDON SPRINGS CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01	to 10/15	0.800 cfs
			0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

CONGDON SPRINGS NWNE Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 40.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 when combined shall not exceed a total diversion rate of 6.28 cfs and the irrigation of 173.9 acres.
3. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 85632

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

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

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

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

Priority Date: 6/11/1946

Source: CONGDON SPRINGS **Tributary:** CONGDON SPRINGS CREEK

BENEFICIAL USE **From** **To** **Diversion Rate**
IRRIGATION 05/01 to 10/15 1.300 cfs
1.300 cfs

LOCATION OF POINT(S) OF DIVERSION

CONGDON SPRINGS SENWNE Sec 31 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 60.0
POU Total Acres: 490.9

CONDITIONS OF APPROVAL

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

Transfer No. 85632

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

CONDITIONS OF APPROVAL

4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 34-2350**As Modified by Transfer No. 85632**

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

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

Priority Date: 7/13/1959

Source: GROUND WATER

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

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 80.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

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

Transfer No. 85632

WATER RIGHT NO. 34-2350
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 77636, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

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

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

Priority Date: 5/24/1961

Source: GROUND WATER

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

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 75.0

POU Total Acres: 490.9

CONDITIONS OF APPROVAL

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

Transfer No. 85632

WATER RIGHT NO. 34-2418

As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 77636, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 34-14312**As Modified by Transfer No. 85632**

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

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

Priority Date: 8/29/1960

Source: GROUND WATER

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

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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

Right Acre Limit: 18.9
POU Total Acres: 490.9

CONDITIONS OF APPROVAL

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

Transfer No. 85632

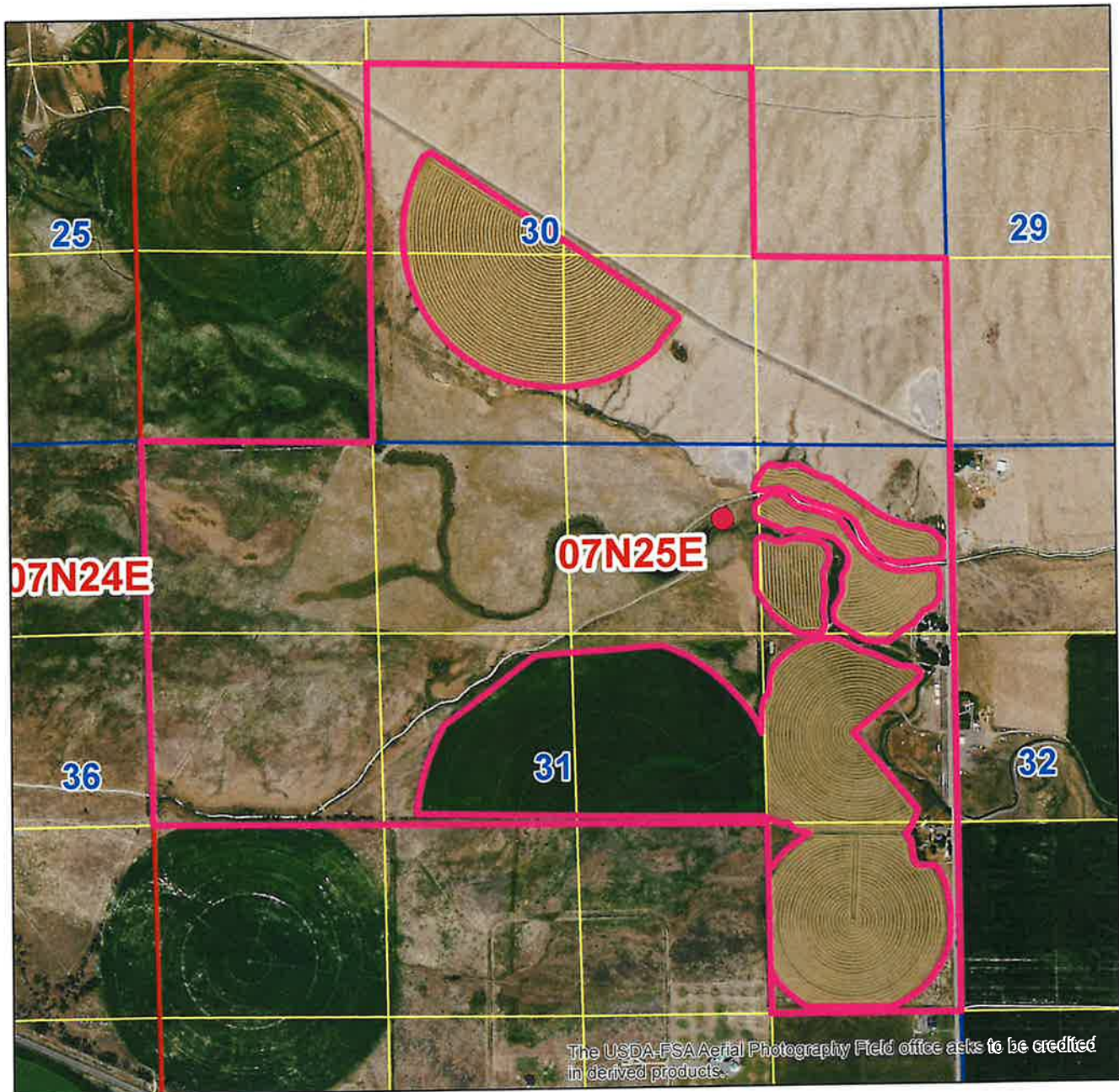
WATER RIGHT NO. 34-14312
As Modified by Transfer No. 85632

CONDITIONS OF APPROVAL

4. Rights 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2418 and 34-14312 are limited to the irrigation of a specific 173.9 acres within the 490.9 acre place of use authorized by this right in a single irrigation season. The specific 173.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 173.9 acres to be irrigated within the 490.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 77636, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Attachment to Transfer Approval 85632

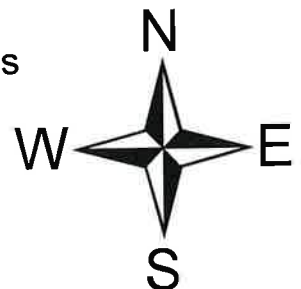
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 0.125 0.25 0.5 Miles



Date: 3/23/2022



Governor Brad Little

Director Gary Spackman

March 23, 2022

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

Re: Transfer No: 85632
Water Right No(s): 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2356,
34-2418, 34-14312

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

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

SEEFRIED RANCH LLC
4399 W HOUSTON RD
MACKAY ID 83251-4507

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

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85632

**Water Right No(s): 34-230, 34-231, 34-232, 34-633, 34-2275, 34-2350, 34-2356,
34-2418, 34-14312**

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

**GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

**SEEFRIED RANCH LLC
4399 W HOUSTON RD
MACKAY ID 83251-4507**

**NOTCH BUTTE FARMS LLC
C/O JOHN LEZAMIZ
PO BOX 486
JEROME ID 83338-0486**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.