

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84563**

This is to certify that: **ZWEIFEL PROPERTIES LLC**
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

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>
32-2104B	WR/DECREED	4/5/1961	0.410 cfs	91.0 af	26.0	408.0	GROUND WATER
32-2105B	WR/DECREED	3/13/1961	0.550 cfs	122.5 af	35.0	408.0	GROUND WATER
32-2117B	WR/DECREED	5/14/1964	0.480 cfs	129.5 af	31.0	408.0	GROUND WATER
32-2119B	WR/DECREED	11/5/1965	0.910 cfs	168.0 af	48.0	408.0	GROUND WATER
32-2133B	WR/DECREED	4/2/1964	0.760 cfs	168.0 af	48.0	408.0	GROUND WATER
32-4074	WR/DECREED	5/30/1959	0.090 cfs	32.7 af	48.0	408.0	GROUND WATER
32-7011B	WR/DECREED	3/29/1972	0.720 cfs	161.0 af	46.0	408.0	GROUND WATER
32-7090B	WR/DECREED	3/20/1978	0.830 cfs	185.5 af	53.0	408.0	GROUND WATER
32-7256	WR/DECREED	10/6/1951	0.610 cfs	136.5 af	39.0	408.0	GROUND WATER
32-7257	WR/DECREED	6/23/1955	0.750 cfs	135.1 af	38.6	408.0	GROUND WATER
32-7258	WR/DECREED	4/9/1974	1.170 cfs	245.0 af	70.0	408.0	GROUND WATER
32-7259	WR/DECREED	1/22/1976	0.190 cfs	42.0 af	12.0	408.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
32-2104B	NO	NO	YES	NO	NO	NO
32-2105B	NO	NO	YES	NO	NO	NO
32-2117B	NO	NO	YES	NO	NO	NO
32-2119B	NO	NO	YES	NO	NO	NO
32-2133B	NO	NO	YES	NO	NO	NO
32-4074	NO	NO	YES	NO	NO	NO
32-7011B	NO	NO	YES	NO	NO	NO
32-7090B	NO	NO	YES	NO	NO	NO
32-7256	NO	NO	YES	NO	NO	NO
32-7257	NO	NO	YES	NO	NO	NO
32-7258	NO	NO	YES	NO	NO	NO
32-7259	NO	NO	YES	NO	NO	NO

Transfer No. 84563

Support Data
In File # 32-2104B

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84563**

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>
32-2104B	32-2104B	0.410 cfs	91.0 af	26.0	408.0	N/A	N/A	N/A	N/A	N/A
32-2105B	32-2105B	0.550 cfs	122.5 af	35.0	408.0	N/A	N/A	N/A	N/A	N/A
32-2117B	32-2117B	0.480 cfs	129.5 af	31.0	408.0	N/A	N/A	N/A	N/A	N/A
32-2119B	32-2119B	0.910 cfs	168.0 af	48.0	408.0	N/A	N/A	N/A	N/A	N/A
32-2133B	32-2133B	0.760 cfs	168.0 af	48.0	408.0	N/A	N/A	N/A	N/A	N/A
32-4074	32-4074	0.090 cfs	32.7 af	48.0	408.0	N/A	N/A	N/A	N/A	N/A
32-7011B	32-7011B	0.720 cfs	161.0 af	46.0	408.0	N/A	N/A	N/A	N/A	N/A
32-7090B	32-7090B	0.830 cfs	185.5 af	53.0	408.0	N/A	N/A	N/A	N/A	N/A
32-7256	32-7256	0.610 cfs	136.5 af	39.0	408.0	N/A	N/A	N/A	N/A	N/A
32-7257	32-7257	0.750 cfs	135.1 af	38.6	408.0	N/A	N/A	N/A	N/A	N/A
32-7258	32-7258	1.170 cfs	245.0 af	70.0	408.0	N/A	N/A	N/A	N/A	N/A
32-7259	32-7259	0.190 cfs	42.0 af	12.0	408.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.730 cfs	1427.8 af	408.0	408.0		N/A	N/A	N/A	N/A

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 21st day of January, 2021


Regional Manager

Transfer No. 84563

Support Data
In File # 32-2104B

WATER RIGHT NO. 32-2133B
As Modified by Transfer No. 84563

In accordance with the approval of Transfer No. 84563, Water Right No. 32-2133B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
 5225 WILD DUNES LN
 IDAHO FALLS, ID 83404

Priority Date: 4/2/1964

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 11/01	0.760 cfs	168.0 af
			0.760 cfs	168.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 48.0
 POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
3. 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. 110.
4. 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.

Transfer No. 84563

WATER RIGHT NO. 32-2133B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 84563, 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-7256**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-7256 is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 10/6/1951

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

to 10/15

Diversion Rate

0.610 cfs

0.610 cfs

Diversion Volume

136.5 af

136.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 39.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
3. 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. 110.
4. 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.

Transfer No. 84563

WATER RIGHT NO. 32-7256
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 84563, 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/27/2000.
9. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-7258**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-7258 is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 4/9/1974

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

1.170 cfs

1,170 cfs

Diversion Volume

245.0 af

245.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 70.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
3. 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. 110.
4. 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.

Transfer No. 84563

WATER RIGHT NO. 32-7258
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 84563, 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-7259**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-7259 is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 1/22/1976

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 11/01	0.190 cfs	42.0 af
			0.190 cfs	42.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 12.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
3. 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. 110.
4. 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.

Transfer No. 84563

WATER RIGHT NO. 32-7259

As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 84563, 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-2104B
As Modified by Transfer No. 84563

In accordance with the approval of Transfer No. 84563, Water Right No. 32-2104B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
 5225 WILD DUNES LN
 IDAHO FALLS, ID 83404

Priority Date: 4/5/1961

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 11/01	0.410 cfs	91.0 af
			0.410 cfs	91.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 26.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B and 32-2105B when combined are limited to 0.55 cfs.
3. Rights 32-2104B, 32-2105B, 32-2117B, 32-7011B, and 32-7090B when combined shall not exceed a total annual maximum diversion volume of 500.5 af at the field headgate, and the irrigation of 143.0 acres.
4. Rights 32-2104B, 32-2105B, 32-7011B, and 32-7090B when combined shall not exceed a total diversion rate of 1.77 cfs.
5. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.

Transfer No. 84563

WATER RIGHT NO. 32-2104B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

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. 110.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. Prior to the diversion and use of water under Transfer approval 84563, 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.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-2105B**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-2105B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 3/13/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

0.550 cfs

0.550 cfs

Diversion Volume

122.5 af

122.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 35.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B and 32-2105B when combined are limited to 0.55 cfs.
3. Rights 32-2104B, 32-2105B, 32-2117B, 32-7011B, and 32-7090B when combined shall not exceed a total annual maximum diversion volume of 500.5 af at the field headgate, and the irrigation of 143.0 acres.
4. Rights 32-2104B, 32-2105B, 32-7011B, and 32-7090B when combined shall not exceed a total diversion rate of 1.77 cfs.
5. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.

Transfer No. 84563

WATER RIGHT NO. 32-2105B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

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. 110.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. Prior to the diversion and use of water under Transfer approval 84563, 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.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-2117B
As Modified by Transfer No. 84563

In accordance with the approval of Transfer No. 84563, Water Right No. 32-2117B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 5/14/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	5/24	to 9/24	0.480 cfs 0.480 cfs	129.5 af 129.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 31.0
POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 31.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-2117B, 32-7011B, and 32-7090B when combined shall not exceed a total annual maximum diversion volume of 500.5 af at the field headgate, and the irrigation of 143.0 acres.
3. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
4. 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. 110.

Transfer No. 84563

WATER RIGHT NO. 32-2117B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 84563, 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-7090B
As Modified by Transfer No. 84563

In accordance with the approval of Transfer No. 84563, Water Right No. 32-7090B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
 5225 WILD DUNES LN
 IDAHO FALLS, ID 83404

Priority Date: 3/20/1978

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 4/01

To
 to 11/01

Diversion Rate
 0.830 cfs
 0.830 cfs

Diversion Volume
 185.5 af
 185.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 53.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 53.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-7090B, and 32-7011B when combined shall not exceed a total diversion rate of 1.77 cfs.
3. Rights 32-2104B, 32-2105B, 32-2117B, 32-7090B, and 32-7011B when combined shall not exceed a total annual maximum diversion volume of 500.5 af at the field headgate, and the irrigation of 143.0 acres.
4. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.

WATER RIGHT NO. 32-7090B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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. 110.
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. 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.
8. Prior to the diversion and use of water under Transfer approval 84563, 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.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 32-7257**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-7257 is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 6/23/1955

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

To

to 10/15

Diversion Rate

0.750 cfs

0.750 cfs

Diversion Volume

135.1 af

135.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			148.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 38.6

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.6 acres within the authorized place of use in a single irrigation season.
2. Rights 32-7257 and 32-4074 when combined shall not exceed a total irrigation of 48.0 acres.
3. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
4. 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. 110.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 84563

WATER RIGHT NO. 32-7257
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 84563, 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/27/2000.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 32-2119B
As Modified by Transfer No. 84563

In accordance with the approval of Transfer No. 84563, Water Right No. 32-2119B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
 5225 WILD DUNES LN
 IDAHO FALLS, ID 83404

Priority Date: 11/5/1965

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

0.910 cfs
 0.910 cfs

Diversion Volume

168.0 af
 168.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 48.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
3. 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. 110.
4. 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.

Transfer No. 84563

WATER RIGHT NO. 32-2119B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 84563, 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.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year 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 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. 32-4074**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-4074 is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 5/30/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

To

to 10/15

Diversion Rate

0.090 cfs

0.090 cfs

Diversion Volume

32.7 af

32.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 48.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-4074 and 32-7257 when combined shall not exceed the irrigation of 48.0 acres.
3. Rights 32-2104, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.
4. 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. 110.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 84563

WATER RIGHT NO. 32-4074

As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 84563, 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/27/2000.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 32-7011B**As Modified by Transfer No. 84563**

In accordance with the approval of Transfer No. 84563, Water Right No. 32-7011B is now described as follows:

Right Holder: ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS, ID 83404

Priority Date: 3/29/1972

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

0.720 cfs

0.720 cfs

Diversion Volume

161.0 af

161.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 33 Twp 09N Rge 33E CLARK 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	
09N	33E	33	33.0	34.0	35.0	29.0				5.6	5.0					4.9			146.5
09N	33E	34	30.0	30.0	36.0	30.0	31.0	30.0	29.0	36.0	4.9					4.6			261.5

Right Acre Limit: 46.0

POU Total Acres: 408.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 46.0 acres within the authorized place of use in a single irrigation season.
2. Rights 32-2104B, 32-2105B, 32-7011B, and 32-7090B when combined shall not exceed a total diversion rate of 1.77 cfs.
3. Rights 32-2104B, 32-2105B, 32-2117B, 32-7011B, 32-7090B when combined shall not exceed a total annual maximum diversion volume of 500.5 af at the field headgate, and the irrigation of 143.0 acres.
4. Rights 32-2104B, 32-2105B, 32-2117B, 32-2119B, 32-2133B, 32-4074, 32-7011B, 32-7090B, 32-7256, 32-7257, 32-7258, and 32-7259 when combined shall not exceed a total diversion rate of 6.73 cfs, a total annual maximum diversion volume of 1427.8 af at the field headgate, and the irrigation of 408.0 acres.

Transfer No. 84563

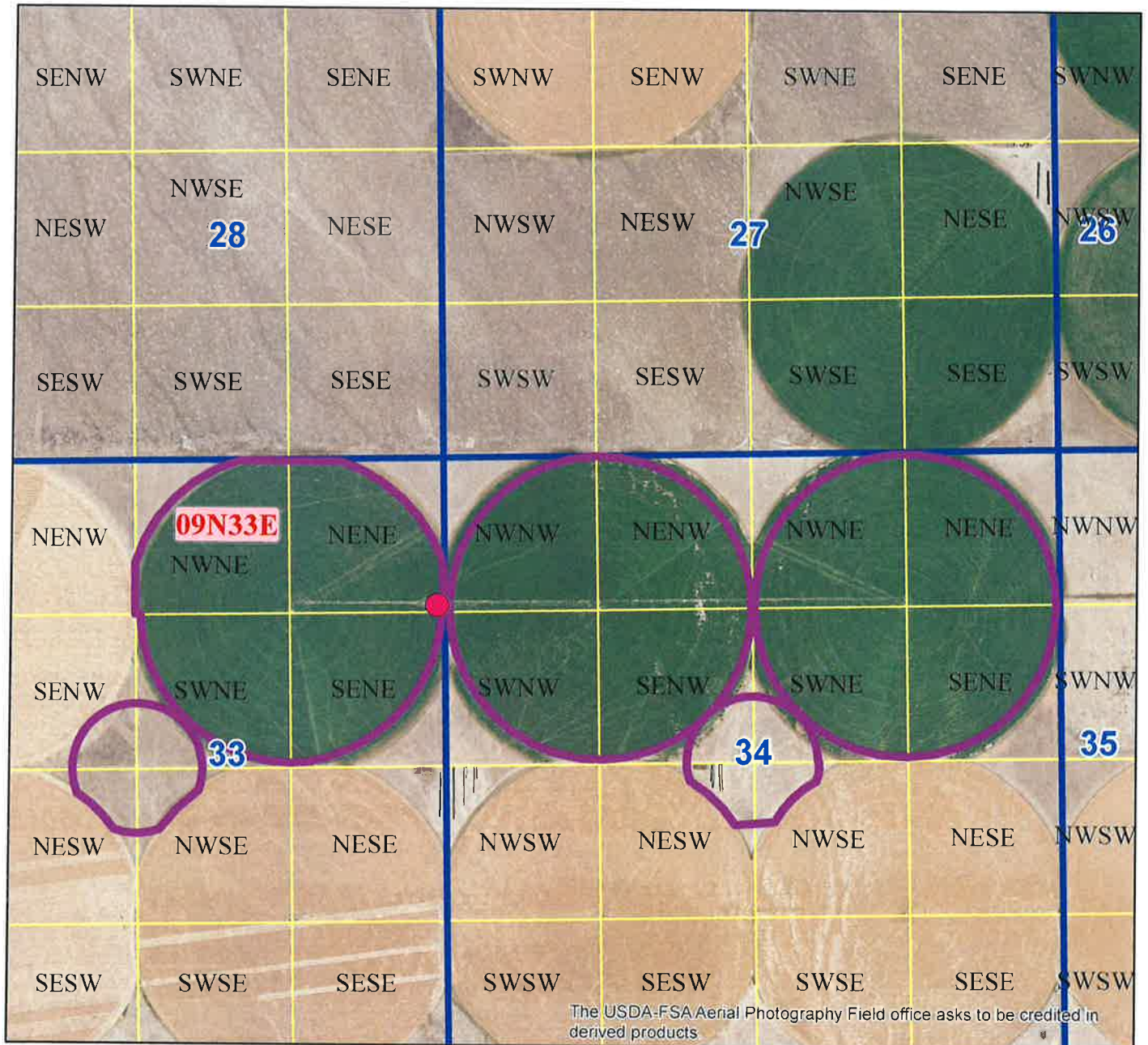
WATER RIGHT NO. 32-7011B
As Modified by Transfer No. 84563

CONDITIONS OF APPROVAL

5. 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. 110.
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. 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.
8. Prior to the diversion and use of water under Transfer approval 84563, 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.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

Attachment to Transfer Approval 84563

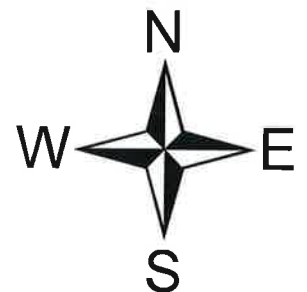
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 1,500 3,000 Feet



Date: 1/21/2021



State of 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

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 21, 2021

ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS ID 83404

Re: Transfer No: 84563

Water Right No(s): 32-2104B , 32-2105B , 32-2117B , 32-2119B , 32-2133B , 32-4074, 32-7011B ,
32-7090B , 32-7256, 32-7257, 32-7258, 32-7259

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,

A handwritten signature in blue ink, appearing to read 'CAH', is positioned above the printed name.

Christina Henman
Administrative Assistant

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2021 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.: 84563

**Water Right No(s): 32-2104B , 32-2105B , 32-2117B , 32-2119B , 32-2133B ,
32-4074, 32-7011B , 32-7090B , 32-7256, 32-7257, 32-7258, 32-7259**

**ZWEIFEL PROPERTIES LLC
5225 WILD DUNES LN
IDAHO FALLS ID 83404**

A handwritten signature in dark ink, appearing to read "CH", is written over a horizontal line.

**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.