



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718  
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

November 30, 2011

ROGER TOTTEN  
WATER DISTRICT 34  
PO BOX 53  
MACKAY, ID 83251

RE: Application for Transfer 77636

Water Right Number(s) 34-230 , 34-232 , 34-2275 , 34-2350 , 34-2418 ,  
34-10895 , 34-231

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Sincerely,

Sharla Cox  
Administrative Assistant

Enclosure(s)



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

December 1, 2011

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

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

BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 N WASHINGTON ST STE 4  
TWIN FALLS, ID 83301

RE: Transfer No. 77636  
Water Right No(s). 34-230, 34-231, 34-232, 34-2350, 34-2275, 34-2418,  
34-10895

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the CHALLIS MESSENGER on December 8 and 15, 2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Sharla Cox  
Administrative Assistant

## Cox, Sharla

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**From:** Cox, Sharla  
**Sent:** Thursday, December 01, 2011 8:34 AM  
**To:** 'ameans@challismessenger. com (ameans@challismessenger.com)'  
**Subject:** Legal ad for your paper  
**Attachments:** Challis Messenger E-Mail.doc

**Contacts:** Challis Messenger

*Sharla*

Sharla Cox  
Administrative Assistant  
Idaho Department of Water Resources  
900 N. Skyline Dr. Ste. A  
Idaho Falls ID 83402  
208-525-7161 - telephone  
208-525-7177 - fax  
[sharla.cox@idwr.idaho.gov](mailto:sharla.cox@idwr.idaho.gov)

PLEASE NOTE: CAN CONTAIN 2 OR MORE PAGES

December 1, 2011

**Legal Notice Department**

Challis Messenger  
PO Box 405  
Challis ID 83226

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 27, 2011. Your cooperation is appreciated.

Sincerely

Sharla Cox  
Administrative Assistant

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77636

JOHN LEZAMIZ FAMILY LTD PARTNERSHIP, 847 CANYON SPRINGS, TWIN FALLS, ID 83301 has filed Application No. 77636 for changes to the following water rights within CUSTER County(s): Right No(s). 34-230, 34-231, 34-232, 34-2350, 34-2275, 34-2418, 34-10895; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to change the point of diversion and to change the place of use. The points of diversion are in the NWNWNE, SENWNE, and the NWNE Sec 31 T7N R25E and the SENWNW Sec 34 T7N R24E from ground water, Big Lost River and Congdon Springs Creek for 6.28 cfs. The place of use is within Sec 30 and 31 T7N R25E for 173.9 acres within 490.9 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 27, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on December 8 and 15, 2011