

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74000

This is to certify that: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
 PO BOX 389
 TWIN FALLS ID 83303-0389
 (208)734-7510

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-2275	WR/Decreed	06/11/1946	1.3 cfs	N/A	N/A	60.0	CONGDON SPRINGS
34-232	WR/Decreed	06/01/1886	0.8 cfs	N/A	40.0	79.0	CONGDON SPRINGS
34-13892	WR/Decreed	09/03/1971	1.08 cfs	N/A	N/A	54.1	CONGDON SPRINGS CREEK

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>
34-2275	NO	YES	YES	NO	NO	NO
34-232	NO	YES	YES	NO	NO	NO
34-13892	YES	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. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>
34-2275	34-2275	1.3 cfs	N/A	60.0	147.0		N/A	N/A	N/A	N/A
34-232	34-232	0.8 cfs	N/A	40.0	147.0		N/A	N/A	N/A	N/A
34-13892	34-14006	0.22 cfs	N/A	11.0	147.0	34-14005	0.86 cfs	N/A	43.1	198.2
COMBINED										
TOTALS		2.32 cfs	N/A	95.0	147.0		0.86 cfs	N/A	43.1	198.2

Detailed Water Right Description(s) attached

Dated this 14 day of January, 2009

Ernest Carlson
 Chief, Water Allocation Bureau

SUPPORT DATA

34-232
 IN FILE # _____

WATER RIGHT NO. 34-232
As Modified by Transfer No. 74000

In accordance with the approval of Transfer No. 74000, Water Right No. 34-232 is now described as follows.

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
PO BOX 389
TWIN FALLS ID 83303-0389

Priority Date: June 01, 1886

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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE:

IRRIGATION																			
Twp	Rge	Sec	NE				NW				SW				SE				Totals
07N	25E	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			31.0			35.0	26.0				23.0					32.0			147.0

Total Acres: 147

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-2275 and 34-2350 when combined shall not exceed a total diversion rate of 3.16 cfs and the irrigation of 84 acres.
3. Rights 34-230, 34-231, 34-232, 34-2275, 34-2350, 34-13949, 34-13951, 34-14006, 34-14008, 34-14010 and 34-14012 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 133.9 acres.
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.

WATER RIGHT NO. 34-232
As Modified by Transfer No. 74000

CONDITIONS OF APPROVAL

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. 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.

This water right 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.

Dated this 14 day of January, 20 09

Ernest Carlson
Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2275
As Modified by Transfer No. 74000

In accordance with the approval of Transfer No. 74000, Water Right No. 34-2275 is now described as follows.

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
PO BOX 389
TWIN FALLS ID 83303-0389

Priority Date: June 11, 1946

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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	1.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	31	31.0		35.0	26.0			23.0					32.0					147.0

Total Acres: 147

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-2275 and 34-2350 when combined shall not exceed a total diversion rate of 3.16 cfs and the irrigation of 84 acres.
3. Rights 34-230, 34-231, 34-232, 34-2275, 34-2350, 34-13949, 34-13951, 34-14006, 34-14008, 34-14010 and 34-14012 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 133.9 acres.
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.

WATER RIGHT NO. 34-2275
As Modified by Transfer No. 74000

CONDITIONS OF APPROVAL

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. 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.

This water right 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.

Dated this 14 day of January, 2009

Ernest Carlson
Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-14005
As Modified by Transfer No. 74000**

In accordance with the approval of Transfer No. 74000, Water Right No. 34-14005 is now described as follows.

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
PO BOX 389
TWIN FALLS ID 83303-0389

Priority Date: September 03, 1971

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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/15	0.86 CFS

LOCATION OF POINT(S) OF DIVERSION:

CONGDON SPRINGS CREEK SWNW Sec. 32 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07N 25E 32	31.0	4.2											32.0				67.2
07N 25E 33					17.0	36.0	35.0	11.0	32.0								131.0

Total Acres: 198.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 43.1 acres within the place of use described above in a single irrigation season.
2. Rights 34-13948, 34-13950, 34-14005, 34-14007, 34-14009 and 34-14011 when combined shall not exceed a total diversion rate of 5.23 cfs and the irrigation of 198.2 acres.
3. 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.
4. 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).
5. 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.
6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 34-14005
As Modified by Transfer No. 74000

CONDITIONS OF APPROVAL

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right 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.

Dated this 14 day of January, 2009

Ernest C. Baker
Chief, Water Allocation Bureau

WATER RIGHT NO. 34-14006
As Modified by Transfer No. 74000

In accordance with the approval of Transfer No. 74000, Water Right No. 34-14006 is now described as follows.

Right Holder: JOHN LEZAMIZ FAMILY LTD PARTNERSHIP
PO BOX 389
TWIN FALLS ID 83303-0389

Priority Date: September 03, 1971

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

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to 10/15	0.22 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	31	31.0							23.0					32.0				147.0

Total Acres: 147

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
2. Rights 34-230, 34-231, 34-232, 34-2275, 34-2350, 34-13949, 34-13951, 34-14006, 34-14008, 34-14010 and 34-14012 when combined shall not exceed a total diversion rate of 4.48 cfs and the irrigation of 133.9 acres.
3. Rights 34-13949, 34-13951, 34-14006, 34-14008, 34-14010 and 34-14012 when combined shall not exceed a total diversion rate of 1.32 cfs and the irrigation of 49.9 acres.
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. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. 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.

WATER RIGHT NO. 34-14006
As Modified by Transfer No. 74000

CONDITIONS OF APPROVAL

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. 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.

This water right 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.

Dated this 14 day of January, 2009

Ernest Carlson
Chief, Water Allocation Bureau