

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90077**

This is to certify that: LCSC ENTERPRISES LLC
433 LAS COLINAS BLVD E STE 1290
IRVING, TX 75039-5058

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>
35-13992	WR/DECREED	6/21/1955	3.220 cfs	1101.6 af	N/A	275.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

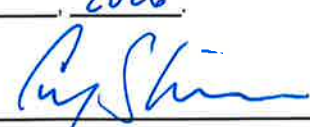
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13992	YES	YES	YES	NO	YES	YES

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>
35-13992	36-17359	0.070 cfs	13.4 af	N/A	N/A	35-13992	3.150 cfs	1077.6 af	N/A	269.4
COMBINED TOTALS		0.070 cfs	13.4 af	N/A	N/A		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 8th day of January, 2026.



Southern Region Manager

SUPPORT DATA

IN FILE # 35-13992

Transfer No. 90077

WATER RIGHT NO. 35-13992

As Modified by Transfer No. 90077

In accordance with the approval of Transfer No. 90077, Water Right No. 35-13992 is now described as follows:

Right Holder: LCSC ENTERPRISES LLC
433 LAS COLINAS BLVD E STE 1290
IRVING, TX 75039-5058

Priority Date: 6/21/1955

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	3.150 cfs	1077.6 af
			3.150 cfs	1077.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESESE Sec 33 Twp 03S Rge 31E BINGHAM 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	
03S	31E	33													35.5	33.0	32.0	35.7	136.2
03S	31E	34									33.0	35.9	31.3	33.0					133.2

POU Total Acres: 269.4

CONDITIONS OF APPROVAL

1. Right includes accomplished change in place of use pursuant to section 42-1425, Idaho Code.
2. 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.
3. Approval of this transfer does not confirm the validity of this water right.

Transfer No. 90077

WATER RIGHT NO. 36-17359
As Modified by Transfer No. 90077

In accordance with the approval of Transfer No. 90077, Water Right No. 36-17359 is now described as follows:

Right Holder: LCSC ENTERPRISES LLC
 433 LAS COLINAS BLVD E STE 1290
 IRVING, TX 75039-5058

Priority Date: 6/21/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 /1	to 12/31	0.070 cfs	13.4 af
			0.070 cfs	13.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 10S Rge 18E JEROME County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	18E	1															X		0.0

CONDITIONS OF APPROVAL

1. 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. 130.
2. 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.
3. Upon specific notification by the Department, the right holder shall install a measuring device of a type acceptable to the Department.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 90077

WATER RIGHT NO. 36-17359
As Modified by Transfer No. 90077

CONDITIONS OF APPROVAL

7. 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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 90077
36-17359

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



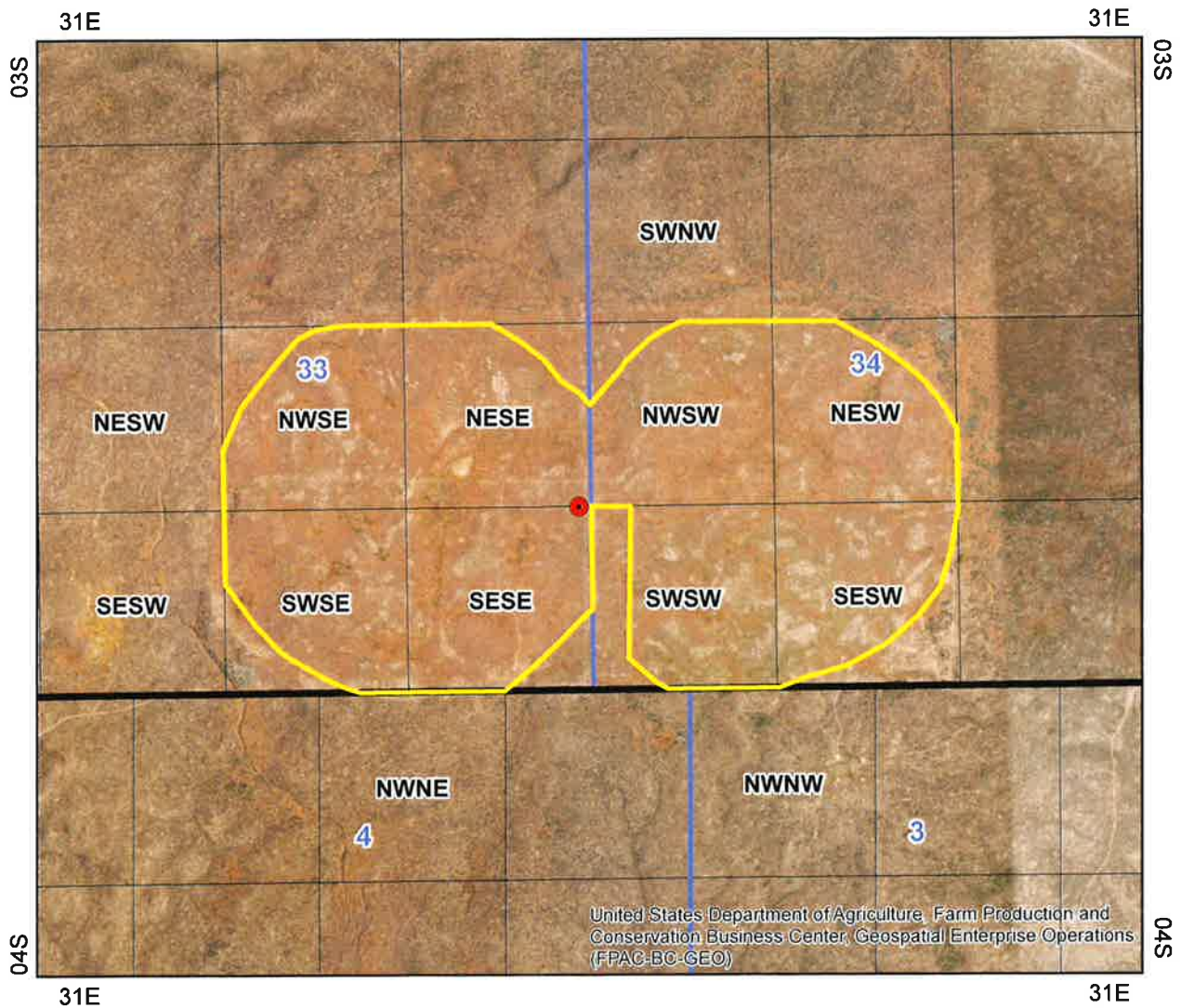
0 0.035 0.07 0.14 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



State of Idaho
Department of Water Resources
Attachment to Transfer # 90077
35-13992

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



0 0.15 0.3 0.6 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 12, 2026

LCSC ENTERPRISES LLC
433 LAS COLINAS BLVD E STE 1290
IRVING TX 75039-5058

Re: Transfer No: 90077
Water Right No(s): 35-13992, 36-17359

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

WATER DISTRICT 120
BLAKE JORDAN
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

WATER DISTRICT 130
COREY KING
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2026 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.: 90077
Water Right No(s): 35-13992, 36-17359

LCSC ENTERPRISES LLC
433 LAS COLINAS BLVD E STE 1290
IRVING TX 75039-5058

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

WATER DISTRICT 120
BLAKE JORDAN
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

WATER DISTRICT 130
COREY KING
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

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

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer 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.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure within twenty-one (21) days of the presiding officer to act on a petition for reconsideration of this preliminary order, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is to be heard, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

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 Idaho Code § 42-1701A(3). A written petition to the Director contesting the preliminary order and requesting a hearing must be filed with the Department

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the director for review of the preliminary order.

by any aggrieved person **within fifteen (15) days after service of this preliminary order.**

CERTIFICATE OF SERVICE
(*See* IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.

MEMORANDUM

Date: November 18, 2025
To: Transfer 90077
From: Bill Mills
Re: Evaluation of Sufficiency Memorandum

Application proposes changing the point of diversion, place of use, nature of use and period of use for a 6-acre portion (0.07 cfs) of an irrigation ground water right. Current place of use (POU) and point of diversion (POD) for the ground water right is on a farm located approximately 24.0 to 25.2 miles west and 5.4 to 6.0 miles south of the center of Blackfoot. The proposed POU and POD (new well to be drilled) for the portion of the water right being transferred is located near exit 182 on Interstate 184 approximately 10.4 to 10.5 miles east and 9.7 to 9.9 miles south of the center of Jerome. Change in nature of use is from irrigation to commercial use at a commercial gas station.

The current POD and POU are located in Water District 120 and the proposed POD and POU are located in Water District 130. Watermaster comments were solicited. The Watermaster for Water District 130 did not oppose approval of this application and indicated that the water right will be administered by the water district, but the flow rate falls below the threshold requiring installation of a measurement device. No response was received from the Watermaster for Water District 120.

The proposed transfer is within the ESPA model boundary. Modeling indicated no mitigation would be required. IDWR staff ran the model with the same results.

The water right had been under a CREP contract (from 3/1/2007 to 9/30/2021) and apparently, water has not been diverted under this water right since. The current owners bought the property and water right while it was in the CREP program. As such, the current owners could not provide crop records for the proposed change in nature of use from irrigation to commercial use. Since there were no historical crop records available, a conservative consumptive use value was utilized for the change in nature of use. Spring grain – irrigated precipitation deficit (681 mm or 2.23 afa) reported at the Aberdeen Exp. Station was utilized. Six acres from this water right were purchased: 6 acres x 2.23 afa = 13.4 af will be transferred to commercial volume through approval of this transfer.

- **Authority to File:** Applicant is listed as the current owner of the water rights and the property associated with this transfer application. The owners of the property where the water is being transferred to have provided consent to move the water to their property.
- **Water Right Validity:** Water right 35-13992 was decreed in the SRBA on or before 1/31/2002. Water right was in the CREP program from 3/1/2007 to 9/30/2021.
- **Injury to Other Water Rights:**
None anticipated.

- **Enlargement of Use:**

There is a decrease in volume as a result of the change in nature of use process which precludes potential enlargement of the changed portion of the water right.

- **Local Public Interest:**

No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**

None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 90077
Water Right No: 35-13992
Applicant Name: LCSC ENTERPRISES, LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application (SEE NOTE)
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: November 14, 2025

Water District 130



Corey King, Watermaster

NOTE:

This water right will be administered by Water District 130 however the flow rate falls beneath the measurement threshold of Water District 130 and at this time will not require a measurement device.

AFFIDAVIT OF PUBLICATION

Magic Valley Times-News
132 Fairfield ST W, Twin Falls, ID 83301
(208) 735-3253

State of Florida, County of Broward, ss:

I, Anjana Bhadoriya, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

Publication Dates:

- Oct 16, 2025
- Oct 23, 2025

Notice ID: OE5CQQD0nHukvgrpNdsR

Notice Name: LEGAL NOTICE 47-17788 & 90077

Publication Fee: \$189.42

Anjana Bhadoriya

Agent

VERIFICATION

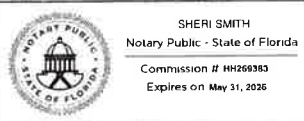
State of Florida
County of Broward

Signed or attested before me on this: 10/27/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

**RECEIVED****OCT 29 2025****DEPT. OF WATER RESOURCES
SOUTHERN REGION**

✓ ok sm 10/31/2025

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
47-17788

PRESERVE PUD LLC
313 N MAIN ST
HAILEY, ID 83333-8415
Point of Diversion SENE S2 T10S R17E TWIN FALLS County
Source UNNAMED STREAM Tributary SNAKE RIVER
Point of Diversion SWNE S2 T10S R17E TWIN FALLS County
Source UNNAMED STREAM Tributary SNAKE RIVER
Use: AESTHETIC 01/01 to 12/31 1.4 CFS
Total Diversion: 1.4 CFS
Date Filed: 09-22-2025
Place Of Use: AESTHETIC
T10S R17E S2 SWNE, SENW

Application for permit is seeking to appropriate and divert 1.4 cfs from an unnamed stream and inject it into a second unnamed stream for aesthetic use. Place of use, point of diversion and point of injection are located approximately 1.2 to 1.5 miles east and 0.3 to 0.4 miles south of the intersection of Poleline Rd and Blue Lakes Blvd in Twin Falls. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

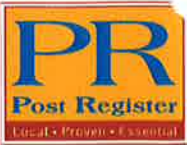
**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90077**

LCSC ENTERPRISES LLC, 433 LAS COLINAS BLVD E STE 1290, IRVING, TX 75039-5058 has filed Application No. 90077 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-13992; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion, place of use, nature of use and period of use for a 6-acre portion (0.07 cfs) of an irrigation ground water right. Current place of use (POU) and point of diversion (POD) for the ground water right is on a farm located approximately 24.0 to 25.2 miles west and 5.4 to 6.0 miles south of the center of Blackfoot. The proposed POU and POD (new well to be drilled) for the portion of the water right being transferred is located near exit 182 on Interstate 184 approximately 10.4 to 10.5 miles east and 9.7 to 9.9 miles south of the center of Jerome. Change in nature of use is from irrigation to commercial use at a commercial gas station.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before November 3, 2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: October 16, 23, 2025
COL-NV-3025

✓ *bm*



PROOF OF PUBLICATION Idaho State Journal and Post Register

RECEIVED

OCT 27 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
County of Bingham

I, Collins Crapo first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Idaho State Journal and Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Pocatello and Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal and Post Register and on IdahoPublicNotices.com for 2 day(s), first publication having been made on 10/15/2025 last publication having been made on 10/22/2025, and that the said notice was published in the regular and entire issue of said papers on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

attached jurat

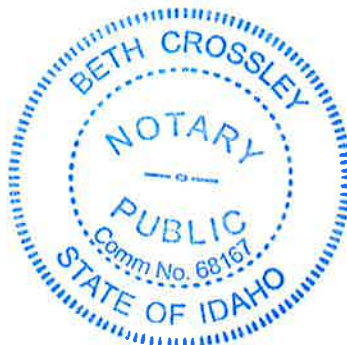
STATE OF IDAHO

ss.

COUNTY OF BINGHAM

On this 22nd day of October, 2025 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Idaho State Journal and Post Register, a newspaper of general circulation, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/2028

✓ DM 10/31/2025

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90077**

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For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **November 3, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER
Director

Published: October 15, 22, 2025 (PR/ISJ12622-682108)

A handwritten signature in blue ink, appearing to be 'Jm', with a checkmark to its left.