

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89064**

This is to certify that: SUSAN K KOZACEK LIVING TRUST
7850 N SILVERBELL RD STE 114-316
TUCSON, AZ 85743-8219

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>
75-10392	WR/DECREED	5/1/1887	0.160 cfs	N/A	N/A	3.0	NORTH FORK SALMON RIVER, SPRING

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>
75-10392	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-10392	75-10392	0.160 cfs	N/A	N/A	3.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.160 cfs	N/A	N/A	3.0		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 12th day of June, 2026.



Regional Manager

Transfer No. 89064

WATER RIGHT NO. 75-10392
As Modified by Transfer No. 89064

In accordance with the approval of Transfer No. 89064, Water Right No. 75-10392 is now described as follows:

Right Holder: SUSAN K KOZACEK LIVING TRUST
 7850 N SILVERBELL RD STE 114-316
 TUCSON, AZ 85743-8219

Priority Date: 5/1/1887

Source: SPRING **Tributary:** NORTH FORK SALMON RIVER
Source: NORTH FORK SALMON RIVER **Tributary:** SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.120 cfs
STOCKWATER	01/01	to 12/31	0.040 cfs
			0.160 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING	SESWSW	Sec 15 Twp 25N Rge 21E	LEMHI County
SPRING	SENESE	Sec 21 Twp 25N Rge 21E	LEMHI County
NORTH FORK SALMON RIVER	NENWNW	Sec 22 Twp 25N Rge 21E	LEMHI 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	
25N	21E	21	2.9				0.1													3.0

POU Total Acres: 3.0

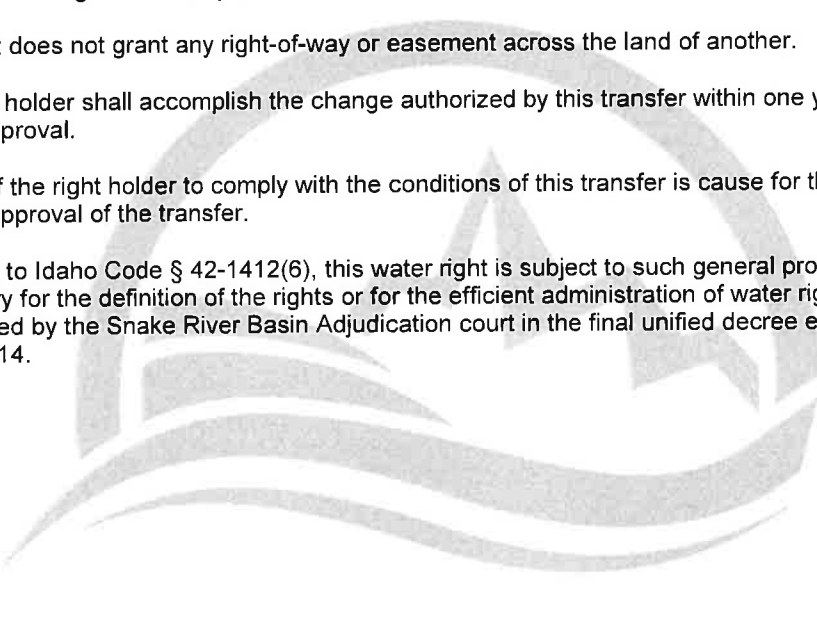
CONDITIONS OF APPROVAL

1. Rights 75-10392 and 75-10400 when combined shall not exceed a total diversion rate of 0.30 cfs and the irrigation of 6.5 acres.
2. 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. 75F.
3. 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).
4. The point of measurement and regulation for this right is located at an existing headgate in the SWNE of Section 21, T25N, R21E.

Transfer No. 89064

WATER RIGHT NO. 75-10392
As Modified by Transfer No. 89064

CONDITIONS OF APPROVAL

5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
 6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 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 place of use.
 8. This right does not grant any right-of-way or easement across the land of another.
 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.
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Attachment to Transfer Approval 89064

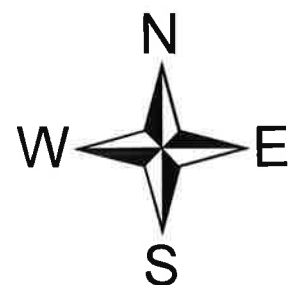
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 250 500 1,000 Feet



Date: 6/12/2026



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

Governor Brad Little

Director Mathew Weaver

June 12, 2026

SUSAN K KOZACEK LIVING TRUST
7850 N SILVERBELL RD STE 114-316
TUCSON AZ 85743-8219

Re: Transfer No: 89064
Water Right No(s): 75-10392

Transfer Approval Notice

Dear Water Right Holder:

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

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

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

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

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

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

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

RUSSELL J KOZACEK
PO BOX 128
NORTH FORK ID 83466-0128

JEANA M THOMAS
PO BOX 213
NORTH FORK, ID 83466

ANN M HELTSLEY LIVING TRUST
6568 S FEDERAL WAY #131
BOISE, ID 83716

CERTIFICATE OF SERVICE

I hereby certify that on June 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.: 89064
Water Right No(s): 75-10392**

**SUSAN K KOZACEK LIVING TRUST
7850 N SILVERBELL RD STE 114-316
TUCSON AZ 85743-8219**

**RUSSELL J KOZACEK
PO BOX 128
NORTH FORK ID 83466-0128**

**JEANA M THOMAS
PO BOX 213
NORTH FORK, ID 83466**

**ANN M HELTSLEY LIVING TRUST
6568 S FEDERAL WAY #131
BOISE, ID 83716**



**Christina Henman
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 issue a written order disposing of the 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 of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, 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 necessary, 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 final written brief 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 the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

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.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

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 proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.