

SEP 14 2009

In Re SRBA	)	Water Rights: 74-37, 74-39A, 74-996,
	)	74-15213
	)	
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

☐ Address change

☐ Substitution of Party

☒ IC § 42-222

☒ Point of diversion	☒ Place of use
☐ Period of use	☐ Nature of use
☐ Split of water right	☐ Change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) except as set forth above.

DATED: 9/3/2009

Monica Van Buren

PAGE 1

CERTIFICATE OF MAILING

I certify that on 9/4, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Leadore Land Partners Ltd. Partnership	Josephine P. Beeman
c/o Karl Tyler	409 W. Jefferson St.
3663 N. Reserve	Boise, ID 83702
Missoula, MT 59808	



Signature of person mailing this document

09/03/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-37

NAME AND ADDRESS: LEADORE LAND PARTNERS LTD PARTNERSHIP
C/O KARL TYLER
3663 N RESERVE
MISSOULA MT 59808

SOURCE: BIG TIMBER CREEK TRIBUTARY: LEMHI RIVER

Diversion of water from the Lemhi River is limited to those times water is available for diversion under this right from Big Timber Creek.

QUANTITY: 3.350 CFS

Prior to the diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Big Timber Creek at the original point of diversion, at the mouth of Big Timber Creek, and at the point of diversion from the Lemhi River.

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.

PRIORITY DATE: 09/01/1874

POINT OF DIVERSION:

T16N R26E S20 NWSE Within LEMHI County

T16N R26E S33 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.350 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R26E S20	NWSW	25.30	T16N R26E S20	SWSW	40.00
T16N R26E S20	SESW	27.80	T16N R26E S20	SWSE	9.50
T16N R26E S29	NENE	2.50	T16N R26E S29	NWNE	40.00
T16N R26E S29	SWNE	39.70	T16N R26E S29	SENE	2.60
T16N R26E S29	NENW	40.00	T16N R26E S29	NWNW	40.00
T16N R26E S29	SWNW	40.00	T16N R26E S29	SENW	40.00
T16N R26E S29	NESW	8.20	T16N R26E S29	NWSW	32.70
T16N R26E S29	NWSE	5.60	T16N R26E S30	NENE	40.00
T16N R26E S30	SENE	36.70	T16N R26E S30	NESE	17.20

487.8 ACRES TOTAL

Rights 74-37, 74-39A, 74-996 and 74-15213 when combined shall not exceed the irrigation of 487.8 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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).

Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within the water districts. At the time of this approval, this water right is within State Water District Nos. 74 and 74W.

09/03/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-39A

NAME AND ADDRESS: LEADORE LAND PARTNERS LTD PARTNERSHIP
C/O KARL TYLER
3663 N RESERVE
MISSOULA MT 59808

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

Diversion of water from the Lemhi River is limited to those times water is available for diversion under this right and priority from Big Timber Creek. Availability of water from the Lemhi River shall be determined based on the lesser of the flow in Big Timber Creek at the authorized point of diversion or at the mouth of Big Timber Creek.

QUANTITY: 2.530 CFS

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring flow in Big Timber Creek at the original point of diversion, at the mouth of Big Timber Creek, and at the point of diversion from the Lemhi River.

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.

PRIORITY DATE: 06/10/1901

POINT OF DIVERSION:

T16N R26E S20 NWSE Within LEMHI County

T16N R26E S33 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.530 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R26E S20	NWSW	25.30	T16N R26E S20	SWSW	40.00
T16N R26E S20	SESW	27.80	T16N R26E S20	SWSE	9.50
T16N R26E S29	NENE	2.50	T16N R26E S29	NWNE	40.00
T16N R26E S29	SWNE	39.70	T16N R26E S29	SENE	2.60
T16N R26E S29	NENW	40.00	T16N R26E S29	NWNW	40.00
T16N R26E S29	SWNW	40.00	T16N R26E S29	SENW	40.00
T16N R26E S29	NESW	8.20	T16N R26E S29	NWSW	32.70
T16N R26E S29	NWSE	5.60	T16N R26E S30	NENE	40.00
T16N R26E S30	SENE	36.70	T16N R26E S30	NESE	17.20

487.8 ACRES TOTAL

Rights 74-37, 74-38, 74-39A and 74-996 when combined shall not exceed the irrigation of 487.8 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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. 74W.

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.

09/03/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-996

NAME AND ADDRESS: LEADORE LAND PARTNERS LTD PARTNERSHIP
C/O KARL TYLER
3663 N RESERVE
MISSOULA MT 59808

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 8.320 CFS

Rights 74-37, 74-39A, and 74-996 when combined shall not exceed a total diversion rate of 9.8 cfs.

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.

PRIORITY DATE: 09/10/1918

POINT OF DIVERSION:

T16N R26E S28 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	8.320 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R26E S20	NWSW	25.30	T16N R26E S20	SWSW	40.00
T16N R26E S20	SESW	27.80	T16N R26E S20	SWSE	9.50
T16N R26E S29	NENE	2.50	T16N R26E S29	NWNE	40.00
T16N R26E S29	SWNE	39.70	T16N R26E S29	SENE	2.60
T16N R26E S29	NENW	40.00	T16N R26E S29	NWNW	40.00
T16N R26E S29	SWNW	40.00	T16N R26E S29	SENW	40.00
T16N R26E S29	NESW	8.20	T16N R26E S29	NWSW	32.70
T16N R26E S29	NWSE	5.60	T16N R26E S30	NENE	40.00
T16N R26E S30	SENE	36.70	T16N R26E S30	NESE	17.20

487.8 ACRES TOTAL

Right Nos. 74-37, 74-39A, 74-996, and 75-15213 when combined shall not exceed the irrigation of 487.8 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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. 74W.

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).

09/03/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-15213

NAME AND ADDRESS: LEADORE LAND PARTNERS LTD PARTNERSHIP
C/O KARL TYLER
3663 N RESERVE
MISSOULA MT 59808

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 21.000 CFS

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.

PRIORITY DATE: 03/15/1966

POINT OF DIVERSION:

T16N R26E S33 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	21.000 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R26E S20	NWSW	25.30	T16N R26E S20	SWSW	40.00
T16N R26E S20	SESW	27.80	T16N R26E S20	SWSE	9.50
T16N R26E S29	NENE	2.50	T16N R26E S29	NWNE	40.00
T16N R26E S29	SWNE	39.70	T16N R26E S29	SENE	2.60
T16N R26E S29	NENW	40.00	T16N R26E S29	NWNW	40.00
T16N R26E S29	SWNW	40.00	T16N R26E S29	SENW	40.00
T16N R26E S29	NESW	8.20	T16N R26E S29	NWSW	32.70
T16N R26E S29	NWSE	5.60	T16N R26E S30	NENE	40.00
T16N R26E S30	SENE	36.70	T16N R26E S30	NESE	17.20

487.8 ACRES TOTAL

Right Nos. 74-37, 74-39A, 74-996, and 74-15213 are limited to the irrigation
of a combined total of 487.8 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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. 74.

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).