

12/10/2003

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

RIGHT NUMBER: 74-36B

NAME AND ADDRESS: LISA BIRD
PO BOX 76
LEADORE ID 83464

KENT BIRD
PO BOX 76
LEADORE ID 83464

SOURCE: LITTLE TIMBER CREEK

TRIBUTARY: BIG TIMBER CREEK

QUANTITY: 3.400 CFS

PRIORITY DATE: 07/01/1898

POINT OF DIVERSION:

T15N R25E S24 SWNW 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	3.400 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S23	SESE	40.0	T16N R25E S24	NESW	36.0
T16N R25E S24	NWSW	37.0	T16N R25E S24	SWSW	34.0
T16N R25E S24	SESW	14.0			

161 ACRES TOTAL

This right authorizes the irrigation of 161.5 total 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: Decreed



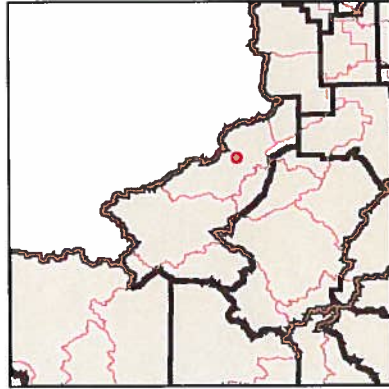
Idaho Department of Water Resources

Adjudication Claim Number: **74-36 A, 74-36B**

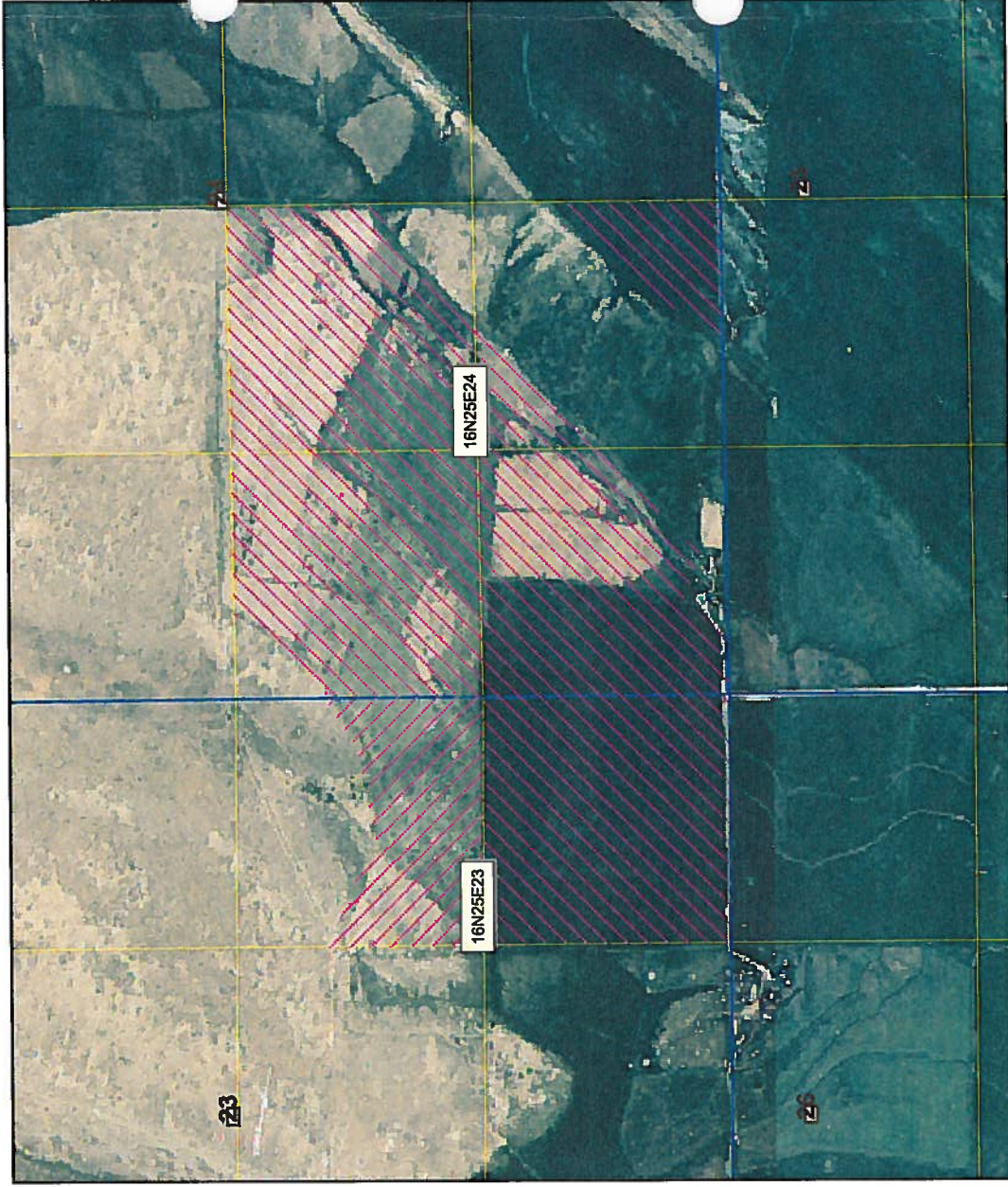
T16N R25E

Legend

- 74-36A
- 74-36B
- Township/Range
- Sections
- QQ



Lemhi County
IDWR Basin 74

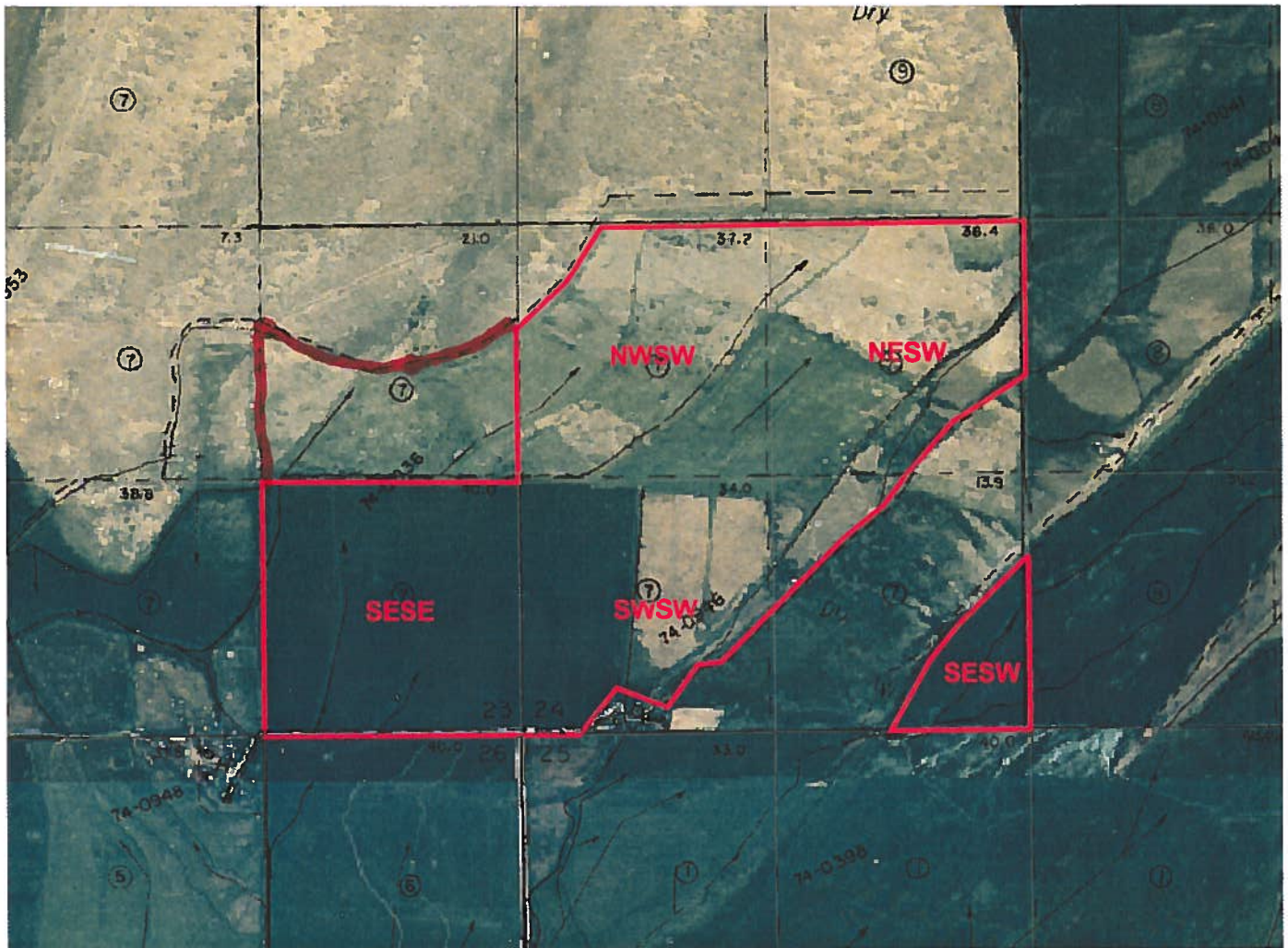


0 0.3 0.6 Miles



Prepared by R. BROWN
On Wednesday, June 15, 2005
1993/94 Aerial Photography

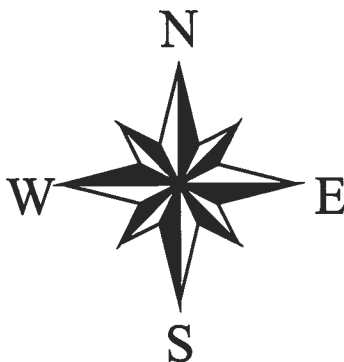
A74-00036B



1000 0 1000 2000 3000 Feet



T16N, R25E, S23 & S24



**Prepared by Anita Warntjes
January 7, 2003
1993/94 True Color Aerial Photo**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-36B

WATER RIGHT NUMBER: 74-36B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LISA BIRD PO BOX 76 LEADORE, ID 83464 (208)768-2460
Original Owner	DEXTER J NILSSON PO BOX 51 CARMEN, ID 83462 (208)756-4842
Original Owner	FLOYD A NILSSON PO BOX 51 CARMEN, ID 83462 (208)756-4842
Current Owner	KENT BIRD PO BOX 76 LEADORE, ID 83464 (208)768-2460

Priority Date: 07/01/1898

Basis: Decreed

Status: Active

Source

LITTLE TIMBER CREEK

Tributary

BIG TIMBER CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

3.400 CFS

Total Diversion:

3.400 CFS

3.84

Location of Point(s) of Diversion

LITTLE TIMBER CREEK

SW1/4NW1/4

Sec. 24, Twp 15N, Rge 25E, B.M.

LEMHI County

Place of UseIRRIGATION Within LEMHI County

T16N R25E S23 SESE 40.0 T16N R25E S24 NESW 36.0

T16N R25E S24 NWSW 37.0 T16N R25E S24 SWSW 34.0

T16N R25E S24 SESW 14.0

S24 NESE 21.0

Total Acres: 161

Conditions of Approval:Remarks:

1. General

AC. IRR.=161.5.

* CHANGE IN OWNERSHIP SPLIT CLAIM NUMBER A74-00036 INTO A & B.

This WR was not split, or if it was it was recombined. Lisa Bird is Floyd Nilsson's granddaughter. She and her husband purchased the ranch. She can't remember whether they purchased it in one or two transactions. In any case, Floyd now owns 0.86 acres where his home is located. - Confirmed with Assessor

182.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 74-36B

Dates and Other Information:

Claim Received Date: 5/14/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
APR 8 1994

DATE OF CLOSING: March 92

LEGAL DESCRIPTION OF PROPERTY: Township 16 North Range 25 Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, ~~Boise~~ District Office
Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. See Attached

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: 74-62 A74-00353, A74-00950, A74-00036 *Portion*

☐ Name and Address of Former Owner/Claimant(s)(Seller): Floyd Nilsson

☐ New Owner/Claimant (Purchaser): Kent & Lisa Bird

☐ New Mailing Address: P.O. Box 76
Leadore, Id 83464

☐ New Telephone Number: (208) 768-2460

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Kent Bird Date 6-1-93

Lisa J Bird Date 6-1-93

☐ Signature of Former Owner/Claimant(s): Floyd Nilsson Date 4-6-94

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 15 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

EXHIBIT A

PARCEL I: The Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4}SE\frac{1}{4}$) of Section Twenty-three (23), and the Southwest Quarter ($SW\frac{1}{4}$) of Section Twenty-four (24), Township Sixteen (16) North, Range Twenty-five (25) East of the Boise Meridian.

PARCEL II: Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$), Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4}SE\frac{1}{4}$), Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$), Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}NW\frac{1}{4}$), Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}NE\frac{1}{4}$), Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$), Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of Section Twenty-three (23); Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$), Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$), Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}NW\frac{1}{4}$) of Section Twenty-six (26); and North half of the Northeast Quarter ($N\frac{1}{2}NE\frac{1}{4}$) of Section Twenty-seven (27), all in Township Sixteen (16) North, Range Twenty-five (25), East of the Boise Meridian.

LESS:

A parcel of land located in the $NW\frac{1}{4}NE\frac{1}{4}$ of Section 26, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of Section 25, from which the East Quarter Corner of Section 26 bears South $0^{\circ} 04' 35''$ East, a distance of 8288.48 feet on a bearing of North $53^{\circ} 30' 09''$ West to the REAL POINT OF BEGINNING. Thence North $0^{\circ} 50' 32''$ East, 156.55 feet; thence North $89^{\circ} 22' 11''$ West, 243.23 feet; thence North $2^{\circ} 02' 36''$ West, 149.74 feet; thence North $89^{\circ} 01' 15''$ East, 246.29 feet to the REAL POINT OF BEGINNING.

MICROFILMED

NOV 15 1996