

04/14/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY 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

QUANTITY: 2.530 CFS

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.

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 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 Within LEMHI County

T16N R26E S20	NWSW	25.0	T16N R26E S20	SWSW	40.0
T16N R26E S20	SESW	25.0	T16N R26E S20	SWSE	9.0
T16N R26E S29	NENE	1.2	T16N R26E S29	NWNE	40.0
T16N R26E S29	SWNE	36.8	T16N R26E S29	SENE	0.5
T16N R26E S29	NENW	40.0	T16N R26E S29	NWNW	40.0
T16N R26E S29	SWNW	30.0	T16N R26E S29	SENW	40.0
T16N R26E S29	NESW	9.8	T16N R26E S29	NWSW	0.2
T16N R26E S29	NWSE	3.3	T16N R26E S30	NENE	40.0
T16N R26E S30	SWNE	40.0	T16N R26E S30	SENE	40.0
T16N R26E S30	NENW	40.0	T16N R26E S30	SENW	40.0
T16N R26E S30	NESW	10.0	T16N R26E S30	NESE	40.0
T16N R26E S30	NWSE	36.0			

626.8 ACRES TOTAL

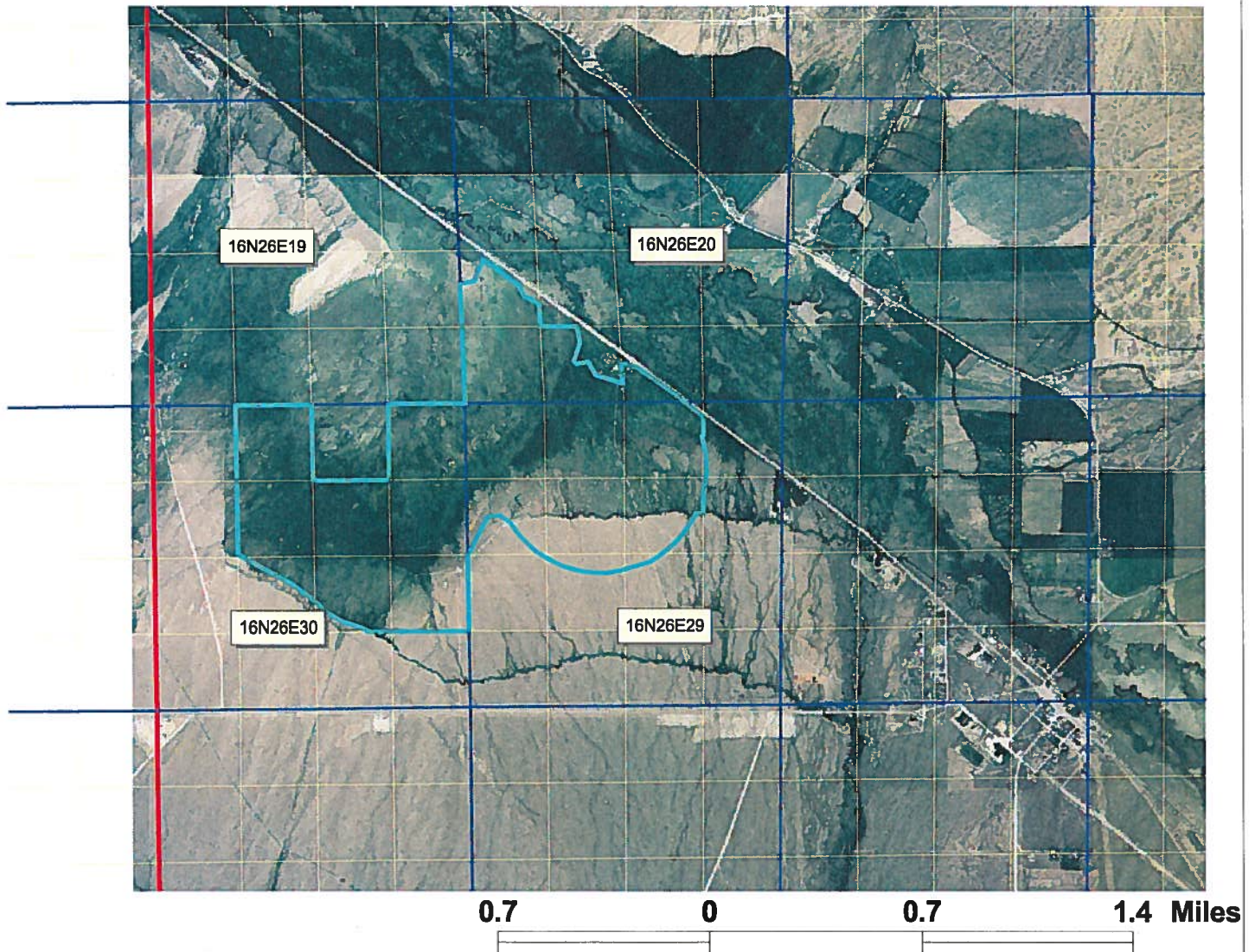
Rights 74-37 and 74-39A when combined shall not exceed the irrigation of 548 acres in a single irrigation season.

Rights 74-37, 74-38, 74-39A and 74-996 when combined shall not exceed the irrigation of 626.8 acres.

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

Idaho Dept. of Water Resources

Water Right No. 74-37, 74-38, 74-39A, 74-996



prepared by

Adjudication

Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702
- 208.327.4800 -

- Place of Use
- Township/Range
- Sections
- QQ



Roxanne Brown
April 14, 2005
1988 True Color Photography

01/10/2003

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

RIGHT NUMBER: 74-39A

NAME AND ADDRESS: CLINGER ENTERPRISES INC
230 HARVARD AVE
REXBURG ID 83440

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 2.530 CFS

PRIORITY DATE: 06/10/1901

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	2.530 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S20	NWSW	25.0	T16N R26E S20	SWSW	40.0
T16N R26E S20	SESW	25.0	T16N R26E S20	SWSE	7.0
T16N R26E S29	NWNE	37.0	T16N R26E S29	SWNE	26.0
T16N R26E S29	SWNW	30.0	T16N R26E S29	SENW	30.0
T16N R26E S29	NESW	13.0	T16N R26E S29	NWSE	29.0
T16N R26E S30	NENE	40.0	T16N R26E S30	SWNE	40.0
T16N R26E S30	SENE	40.0	T16N R26E S30	NENW	40.0
T16N R26E S30	SENW	40.0	T16N R26E S30	NESW	10.0
T16N R26E S30	NESE	40.0	T16N R26E S30	NWSE	36.0

548 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 74-37, 74-38 AND 74-996 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 626.8 ACRES IN A SINGLE
IRRIGATION SEASON.

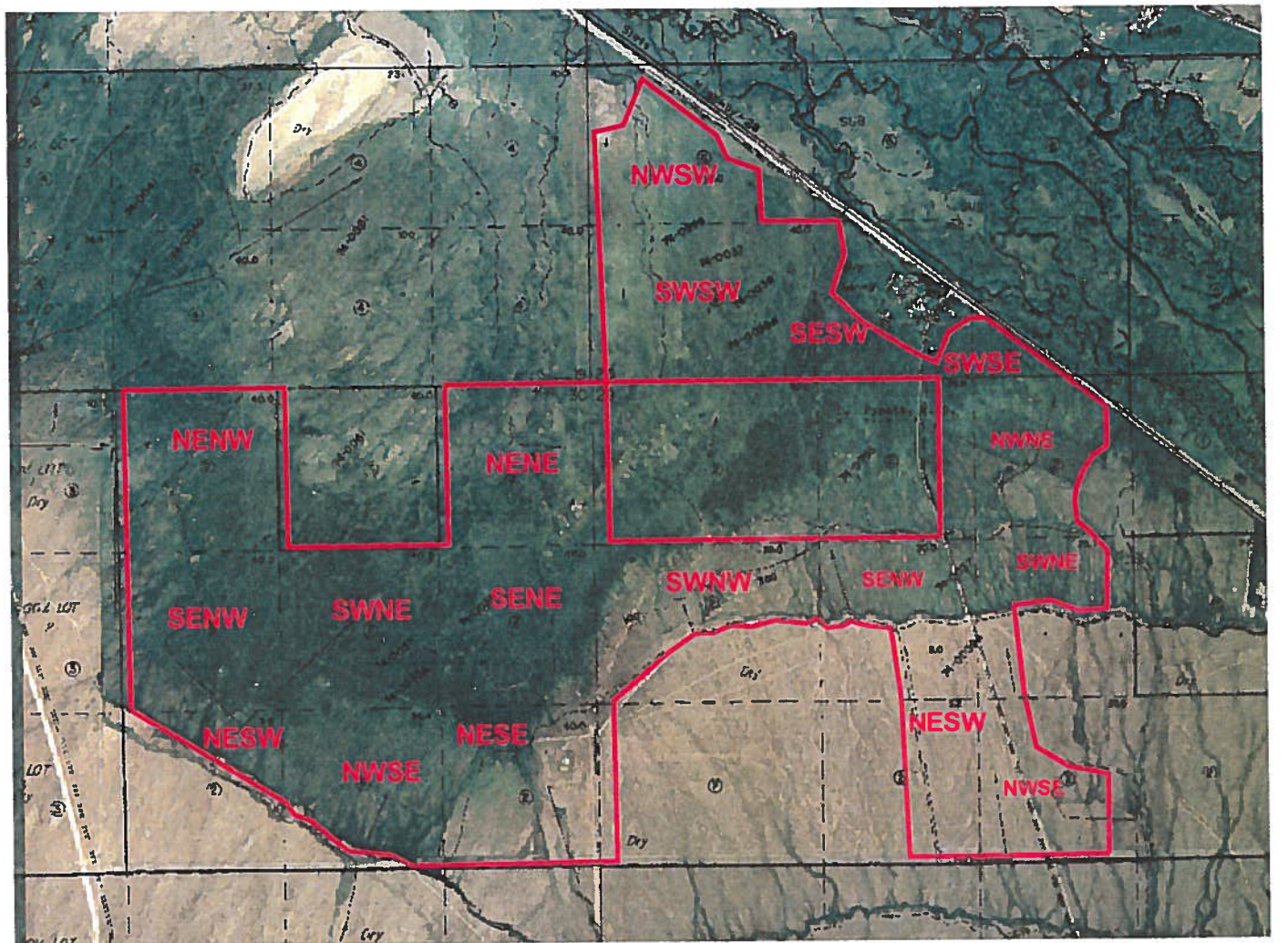
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Decreed

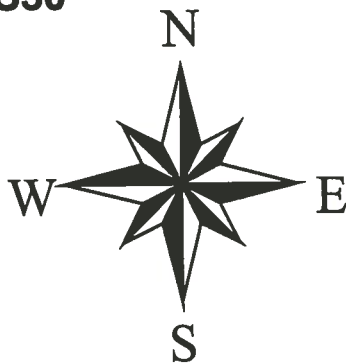
Idaho Department of Water Resources

A74-00039A



2000 0 2000 4000 6000 Feet

T16N, R26E, S20 , S29 & S30



Prepared by Anita Warntjes
January 8 2003
1993/94 True Color Aerial Photo

**Place of Use Overlaps in the Lemhi Decree
Basin 74**

<u>Right No.</u>	<u>POU (acres)</u>	<u>Irrigated (acres)</u>	<u>Total (acres)</u>	<u>Notes</u>
74-37	548	548.0	548.0	
74-38	366	365.5	0.0	complete overlap with 74-37
74-39A	548	548.0	0.0	complete overlap with 74-37
74-996	278	277.1	78.8	partial overlap with 74-37, 38, 39A

Total Acres =	626.8
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STATE OF IDAHO)
COUNTY OF Madison) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 17 DAY
OF April 19 90

SEAL

[Signature]
NOTARY PUBLIC

RESIDING AT Rexburg, Idaho

MY COMMISSION EXPIRES 4-6-93