

APR 13 2016

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80833**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Leadore Land Partners, LPCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Leadore Land Partners, LP Phone (406) 360-2438

Mailing address P.O. Box 16025, Missoula, MT 59808 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Roxanne Brown, SPF Water Engineering Phone (208) 383-4140

Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email rbrown@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Karl Tyler
Signature of Applicant or Authorized Representative

Karl Tyler
Print Name and Title if applicable

3/22/2016
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 The applicant seeks to change the place of use to correctly describe the location of two pivots that will be changed as part of a conservation project.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐	_____	_____	_____	_____ to _____	_____
	_____	_____	_____	_____ to _____	_____
	_____	_____	_____	_____ to _____	_____
	_____	_____	See Part 1B(1) Addendum	_____ to _____	_____
	_____	_____		_____ to _____	_____
	_____	_____		_____ to _____	_____
	_____	_____		_____ to _____	_____
	_____	_____		_____ to _____	_____
	_____	_____	_____ to _____	_____	
	_____	_____	_____ to _____	_____	
_____	_____	_____ to _____	_____		
_____	_____	_____ to _____	_____		

Total authorized under rights 14.89 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 8.70 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	26E	23											12	35			19		66.0
		26	26	33.6	35	35	22	23							1.1	0.9			176.6
Total Acres (for irrigation use)																			242.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The complete system will consist of existing points of diversion and distribution piping to two center pivots. A measuring device and lockable control will be installed as required by the water district.

- b. Who owns the property at the point(s) of diversion? applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

This application is one of a set of applications to be submitted simultaneously. The net result will be a change in the place of use for each water right appurtenant to the applicant's land. No additional irrigation (enlargement) will occur.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-13

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 7/23/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

HAWLEY CREEK

Tributary

EIGHTEENMILE CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

0.42 CFS

0.42 CFS

Annual Volume

Location of Point(s) of Diversion

HAWLEY CREEK

LEMHI County

SE1/4NE1/4

Sec. 3,

Twp 15N,

Rge 27E B.M.

HAWLEY CREEK

LEMHI County

NE1/4NW1/4

Sec. 31,

Twp 16N,

Rge 27E B.M.

(Injection)

HAWLEY CREEK

LEMHI County

L1()

Sec. 31,

Twp 16N,

Rge 27E B.M.

(Rediversion)

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26

SWNE

2.00

T16N R26E S26

NENW

34.00

T16N R26E S26

NWNW

37.00

Total Acres: 73

Conditions of Approval:

1. E64 This right authorizes the irrigation of 72.6 total acres.
2. X35 Rights 74-13, 74-163, 74-164 and 74-7271 when combined shall not exceed the irrigation of 262.5 acres.
3. C18 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.
4. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-163 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 89.2 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-15

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 7/23/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

HAWLEY CREEK

Tributary

EIGHTEENMILE CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

0.42 CFS

0.42 CFS

Annual Volume

Location of Point(s) of Diversion

HAWLEY CREEK

LEMHI County

SE1/4NE1/4

Sec. 3,

Twp 15N,

Rge 27E B.M.

HAWLEY CREEK

LEMHI County

NE1/4NW1/4

Sec. 31,

Twp 16N,

Rge 27E B.M.

(Injection)

HAWLEY CREEK

LEMHI County

L1()

Sec. 31,

Twp 16N,

Rge 27E B.M.

(Rediversion)

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26

NWSW

40.00

T16N R26E S26

SWSW

37.00

Total Acres: 77

Conditions of Approval:

1. C18 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NOS. 74-26 AND 74-162 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 141.8 ACRES IN A SINGLE IRRIGATION SEASON.
3. E64 This right authorizes the irrigation of 76.8 total acres.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-23

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 4/1/1939
Origin: Water Right
Status: Active
Basis: Decreed

Source

HAWLEY CREEK

Tributary

EIGHTEENMILE CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

1 CFS

1 CFS

Annual Volume

Location of Point(s) of Diversion

HAWLEY CREEK

LEMHI County

HAWLEY CREEK

LEMHI County

HAWLEY CREEK

LEMHI County

SE1/4NE1/4 Sec. 3, Twp 15N, Rge 27E B.M.

L1() Sec. 31, Twp 16N, Rge 27E B.M.

(Rediversion)

NE1/4NW1/4 Sec. 31, Twp 16N, Rge 27E B.M.

(Injection)

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S34

NENE

13.00

T16N R26E S35

NWNW

22.00

Total Acres: 35

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-26 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 112.2 ACRES IN A SINGLE IRRIGATION SEASON.
2. E64 This right authorizes the irrigation of 35.4 total acres.
3. C18 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.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-24

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 4/1/1939
Origin: Water Right
Status: Active
Basis: Decreed

Source

HAWLEY CREEK

Tributary

EIGHTEENMILE CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.5 CFS	
	<u>Total Diversion</u>	1.5 CFS	

Location of Point(s) of Diversion

HAWLEY CREEK	SE1/4NE1/4	Sec. 3,	Twp 15N,	Rge 27E B.M.
LEMHI County				
HAWLEY CREEK	L1(SE1/4NW1/4NW1/4)	Sec. 31,	Twp 16N,	Rge 27E B.M.
LEMHI County	(Rediversion)			
HAWLEY CREEK	SE1/4NE1/4NW1/4	Sec. 31,	Twp 16N,	Rge 27E B.M.
LEMHI County	(Injection)			

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26	SE1/4	40.00	T16N R26E S26	NESW	40.00
T16N R26E S26	SES1/4	34.00			

Total Acres: 114

Conditions of Approval:

1. C18 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NOS. 74-14 AND 74-161 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-26

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 4/15/1883
Origin: Water Right
Status: Active
Basis: Decreed

Source

HAWLEY CREEK

Tributary

EIGHTEENMILE CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

1.5 CFS

1.5 CFS

Annual Volume

Location of Point(s) of Diversion

HAWLEY CREEK

LEMHI County

SE1/4NE1/4

Sec. 3,

Twp 15N,

Rge 27E B.M.

HAWLEY CREEK

LEMHI County

L1(SE1/4NW1/4NW1/4)

Sec. 31,

Twp 16N,

Rge 27E B.M.

(Rediversion)

HAWLEY CREEK

LEMHI County

SE1/4NE1/4NW1/4

Sec. 31,

Twp 16N,

Rge 27E B.M.

(Injection)

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26	NWSW	40.00	T16N R26E S26	SWSW	37.00
T16N R26E S34	NENE	13.00	T16N R26E S35	NWNW	22.00

Total Acres: 112

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NOS. 74-26 AND 74-162 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 141.8 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH 74-23 IS LIMITED TO THE IRRIGATION OF 112.2 ACRES IN A SINGLE IRRIGATION SEASON
2. E64 This right authorizes the irrigation of 112.2 total acres.
3. C18 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.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-161

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 7/29/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

CANYON CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

1.54 CFS

1.54 CFS

Annual Volume

Location of Point(s) of Diversion

CANYON CREEK

LEMHI County

NW1/4SW1/4

Sec. 24, Twp 16N, Rge 26E B.M.

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26

SENE

40.00

T16N R26E S26

NESW

40.00

Total Acres: 80

Conditions of Approval:

1. C18 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NOS. 74-14 AND 74-24 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-162

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 7/29/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

CANYON CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.02 CFS

Annual Volume

Total Diversion

1.02 CFS

Location of Point(s) of Diversion

CANYON CREEK

NW1/4SW1/4

Sec. 24, Twp 16N, Rge 26E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26	NWSW	40.00	T16N R26E S26	SWSW	37.00
T16N R26E S27	NESE	35.00	T16N R26E S27	NWSE	30.00

Total Acres: 142

Conditions of Approval:

1. E64 This right authorizes the irrigation of 141.8 total acres.
2. C18 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.
3. E55 USE OF THIS RIGHT WITH RIGHT NOS. 74-15 AND 74-26 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 141.8 ACRES IN A SINGLE IRRIGATION SEASON.
4. Water diverted flows back into Hawley Creek and is rediverted at a point in Lot 1, T16N 27E S31.

Decreed Date: 4/3/2012

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-163

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 7/29/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

CANYON CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.02 CFS

Annual Volume

Total Diversion

1.02 CFS

Location of Point(s) of Diversion

CANYON CREEK

NW1/4SW1/4

Sec. 24, Twp 16N, Rge 26E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S26	NWNE	17.00	T16N R26E S26	SWNE	2.00
T16N R26E S26	NENW	34.00	T16N R26E S26	NWNW	37.00

Total Acres: 90

Conditions of Approval:

1. C18 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-13 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 89.2 ACRES IN A SINGLE IRRIGATION SEASON.
3. X35 Rights 74-13, 74-163, 74-164 and 74-7271 when combined shall not exceed the irrigation of 262.5 acres.
4. E64 This right authorizes the irrigation of 89.2 total acres.

Decreed Date: 4/3/2012

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 74-7271

Current Owner: LEADORE LAND PARTNERS LTD PARTNERSHIP
Priority Date: 7/12/1989
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.64 CFS	
	<u>Total Diversion</u>	2.64 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4NE1/4	Sec. 26,	Twp 16N,	Rge 26E B.M.
LEMHI County				

Place of Use

IRRIGATION Within LEMHI County

T16N R26E S23	SWSW	5.00	T16N R26E S23	SESW	31.00
T16N R26E S23	SWSE	40.00	T16N R26E S23	SESE	26.00
T16N R26E S26	NWNE	39.00	T16N R26E S26	SWNE	40.00
T16N R26E S26	NENW	39.00	T16N R26E S26	NWNW	33.00
T16N R26E S26	SWNW	0.50	T16N R26E S26	SENW	4.60

Total Acres: 258.1

Page _____ of _____

Conditions of Approval:

1. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 905.8 af at the field headgate for the lands above.
3. C18 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.
4. Rights 74-164 and 74-7271 when combined shall not exceed the irrigation of 258.1 acres.
5. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right.
6. R59 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.
7. X35 Rights 74-13, 74-163, 74-164 and 74-7271 when combined shall not exceed the irrigation of 261.8 acres.
8. U42 Place of use does not include federal public lands

Decreed Date: 9/6/2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B**

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 74-23

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	13.2
----------------------------------	------

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 74-24[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	80
----------------------------------	----

Total Acres (for irrigation use)	76.8
----------------------------------	------

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B**

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

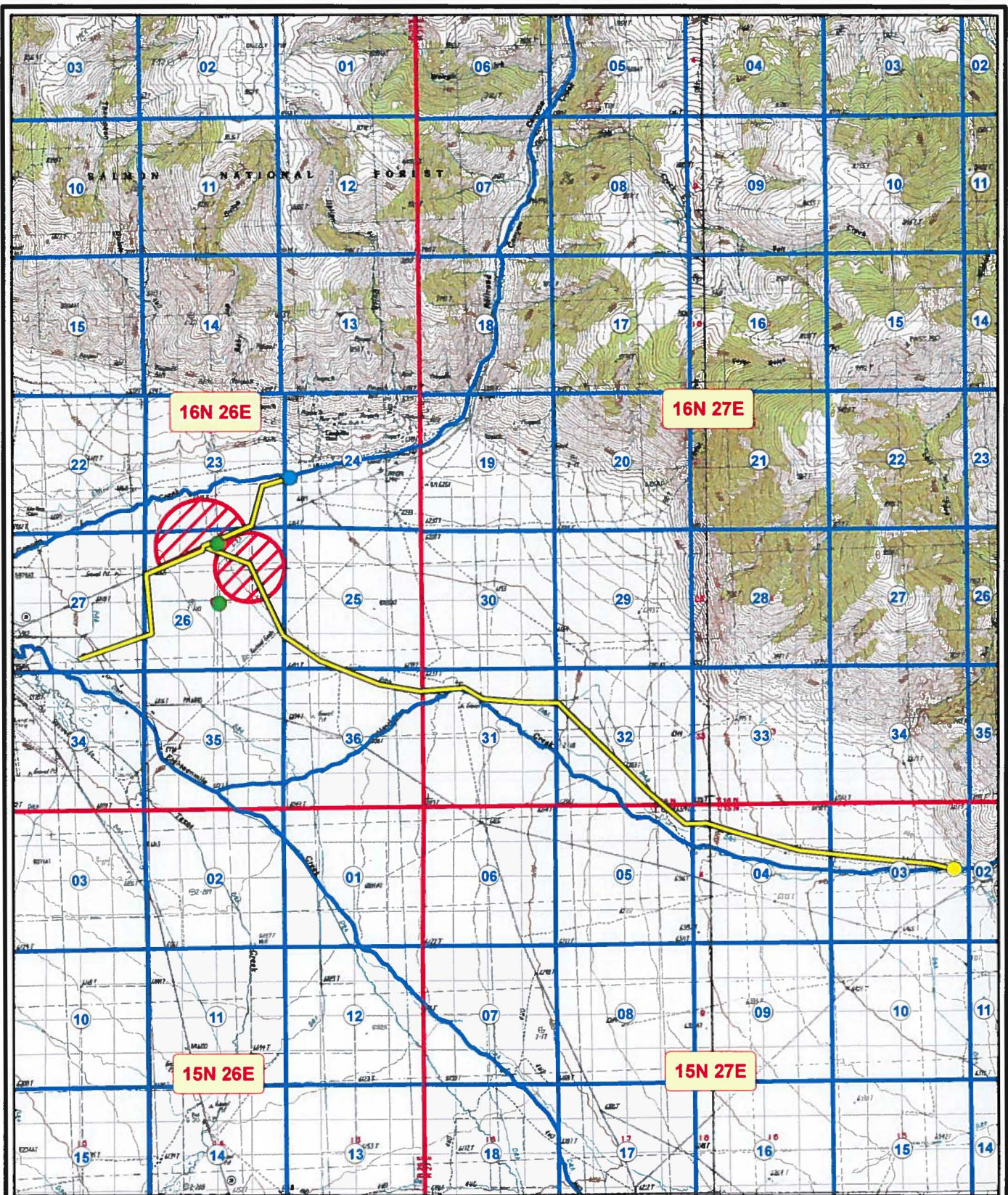
☐ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 74-163

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]



- Existing Point of Diversion - Canyon Creek
- Existing Point of Diversion - Hawley Creek
- Existing Well
- Proposed Place of Use
- Proposed Pipeline

Attachment 7a - Proposed Points of Diversion and Place of Use



1

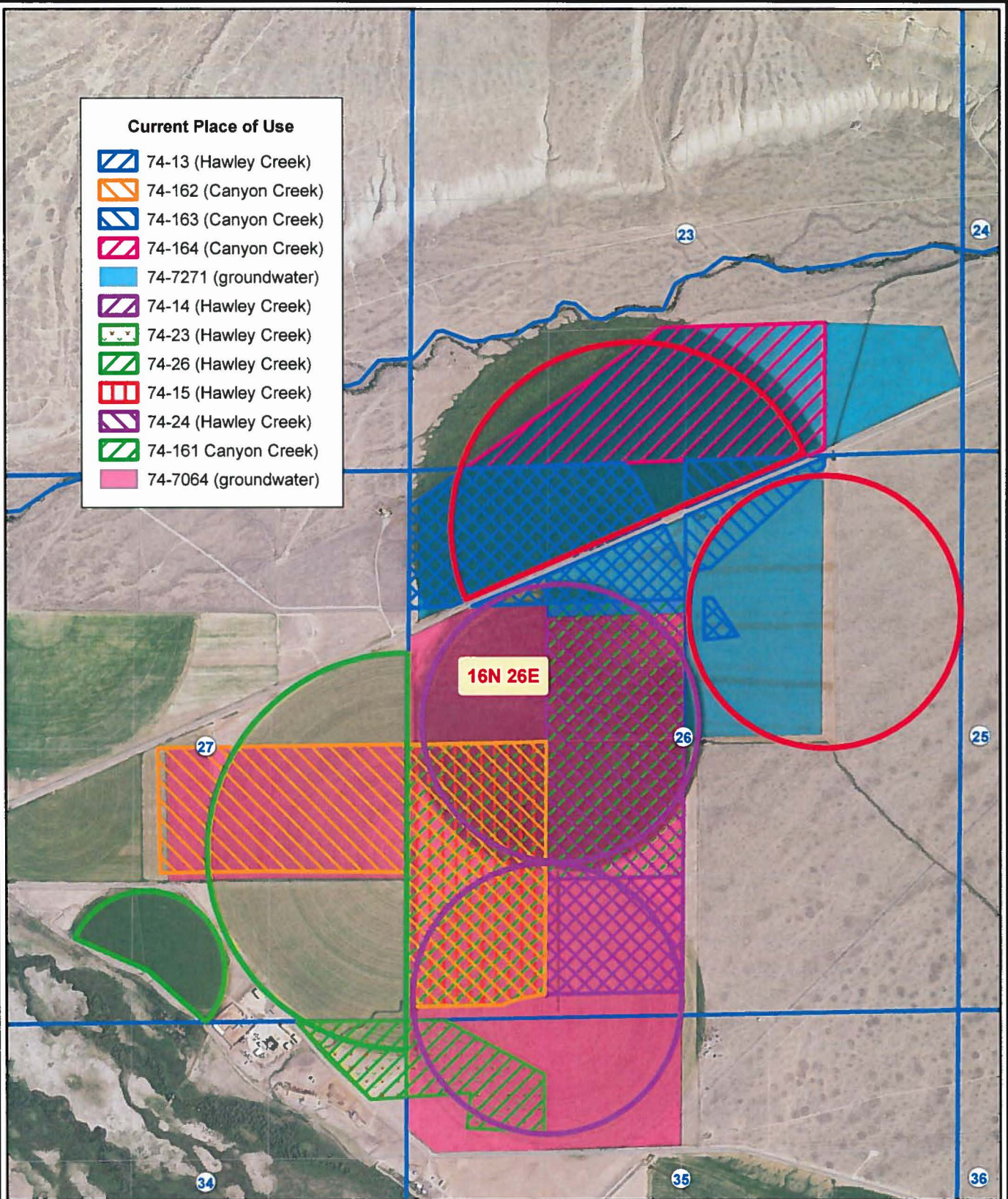
Miles



SPF WATER
ENGINEERING

Current Place of Use

-  74-13 (Hawley Creek)
-  74-162 (Canyon Creek)
-  74-163 (Canyon Creek)
-  74-164 (Canyon Creek)
-  74-7271 (groundwater)
-  74-14 (Hawley Creek)
-  74-23 (Hawley Creek)
-  74-26 (Hawley Creek)
-  74-15 (Hawley Creek)
-  74-24 (Hawley Creek)
-  74-161 Canyon Creek
-  74-7064 (groundwater)



Proposed Place of Use/Primary Source of Supply

-  Canyon Creek
-  Hawley Creek
-  Groundwater

**Attachment 7b - Existing and Proposed Place of Use
Entire Place of Use Altered by Transfers**



0.25

Miles



**SPF WATER
ENGINEERING**

Before-After Result of Several Transfers filed March 2016
Leadore Land Partners, LP

ELEMENTS			BEFORE				Hawley Creek				Canyon Creek				Canyon Creek/Groundwater				Groundwater				AFTER			
Water Right No.	Priority Date	Source	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Combined POU (acres)
74-13	7/23/1909	Hawley Creek	0.42	72.6	89.2	262.5	0.42	72.60	72.6		0.00		89.2		0.00				0.00				0.42	72.6	89.2	262.5
74-163	7/29/1909	Canyon Creek	1.02	89.2			0.83	72.60			0.19	16.6			0.00				0.00				1.02	89.2		
74-164	11/9/1909	Canyon Creek	3.16	75.0	258.1		0.00		73.9		3.16	75.0	75.0		0.00		91.6	91.6	0.00		92.6		3.16	75.0	258.1	
74-7271	7/12/1989	Groundwater	2.63	258.1			0.75	73.90			0.00				0.93	91.6			0.94	92.6			2.63	258.1		
74-14	7/23/1909	Hawley Creek	0.66	34.0	114.0		0.00		80.0		0.00				0.00				0.66	34.0	34.0		0.66	34.0	114.0	
74-161	7/29/1909	Canyon Creek	1.54	80.0			1.54	80.00			0.00				0.00				0.00				1.54	80.0		
74-24	4/1/1939	Hawley Creek	1.50	114.0			1.05	80.00			0.00				0.00				0.45	34.0			1.50	114.0		
74-15	7/23/1909	Hawley Creek	0.42	76.8			0.42	76.80			0.00				0.00				0.00				0.42	76.8		
74-162	7/29/1909	Canyon Creek	1.02	141.8	141.8	76.8	0.55	76.80	76.8		0.47	65.0	65.0		0.00				0.00				1.02	141.8	141.8	
74-26	4/15/1883	Hawley Creek	1.50	112.2			1.20	90.00			0.00				0.00				0.30	22.2			1.50	112.2		
74-23	4/1/1939	Hawley Creek	1.00	35.4	112.2		0.37	13.20	112.2		0.00				0.00				0.63	22.2	112.2		1.00	35.4	112.2	
74-7064	3/1/1979	Groundwater	3.84	383.0			1.57	156.80			0.00				0.64	64.0			1.63	162.2			3.84	383.0		
TOTAL			18.71	1,472.1			3.47	242.60	338.70	76.80	3.82	155.6*			1.58	155.60			2.57	254.80			18.71	1472.10		

TOTAL AFTER		Rate	Acres
		18.71	1,472.1

PROPOSED LAYOUT	Source	Hawley	Canyon	Ground	Total*
	Area (ac)	242.6	155.6	254.8	653.0
* The total of the proposed layout is one acre less than the original combined place of use due to the complicated nature of the various overlaps. The result is a one-acre "shrink" in the Canyon Creek water rights.					

Spreadsheet submitted with application
for Transfer 80831 on 4/13/16. S.V.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 31, 2016

LEADORE LAND PARTNERS LP
PO BOX 16025
MISSOULA, MT 59808

RE: Transfer No. 80831

Water Right No(s). 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271

Transfer No. 80833

Water Right No(s). 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064,
74-7271

Transfer No. 80834

Water Right No(s). 74-162, 74-163, 74-164, 74-7064, 74-7271

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 6/2/2016 and 6/9/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

CC: SPF WATER ENGINEERING LLC
C/O ROXANNE BROWN
300 E MALLARD DR STE 350
BOISE, ID 83706



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 31, 2016

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS, ID 83402

RE: Application for Transfer No.: Transfer No. 80895 (Water Right No(s). 73-2102), Transfer No. 80878 (Water Right No(s). 73-10023, 73-10041, 73-12110, 73-32), Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfers and applications for permit. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 31, 2016

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Application for Transfer No.: Transfer No. 80895 (Water Right No(s). 73-2102), Transfer No. 80878 (Water Right No(s). 73-10023, 73-10041, 73-12110, 73-32), Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications for permit and transfers. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 31, 2016

USDI BLM
C/O FRED PRICE
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

RE: Applications for Transfer: Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for permit. A full description concerning property location may be found at: www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 31, 2016

STATE OF IDAHO
DEPT OF LANDS
300 N. 6TH STREET, SUITE 103
BOISE ID 83702

RE: Applications for Transfer: Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for permit. A full description concerning property location may be found at: www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 31, 2016

DAN SMITH
WATER DISTRICT #74W
PO BOX 22
LEADORE ID 83464-0022

RE: Applications for Transfer: Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find copies of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 31, 2016 12:20 PM
To: Yenter, Cindy; Clark, Cynthia (Bridge)
Subject: Transfer Applications 80895, 80878, 80831, 80833 and 80834

Application for Transfer No.: Transfer No. 80895 (Water Right No(s).73-2102), Transfer No. 80878 (Water Right No(s). 73-10023, 73-10041, 73-12110, 73-32), Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

Dear Interested Party:

The Department of Water Resources is notifying you of an application for transfer that may be of interest to you. A full description concerning property location may be found at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by June 20, 2016.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, May 31, 2016 12:36 PM
To: Cefalo, James
Subject: Transfer applications

Application for Transfer No.: Transfer No. 80895 (Water Right No(s).73-2102), Transfer No. 80878 (Water Right No(s). 73-10023, 73-10041, 73-12110, 73-32), Transfer No. 80831 (Water Right Nos. 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80833 (Water Right Nos. 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271), Transfer No. 80834 (Water Right Nos. 74-162, 74-163, 74-164, 74-7064, 74-7271)

These will be advertised June 2 and 9th with the protest deadline June 20, 2016. The documents will be scanned by the end of the day. Please let us know before June 20, 2016 if you have any comments or concerns. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Friday, May 27, 2016 12:56 PM
To: rhlegals@custertel.net
Subject: Legal Notice for Water Right Transfers
Attachments: Legal Notice to Recorder Herold.docx

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Jean
May 27, 2016

208-756-2222 Page 1

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before June 20, 2016. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80878

FLYING JOSEPH RANCH LLC, C/O JOSEPH CLARK
7213 PERIMETER RD S, SEATTLE, WA 98108; has filed Application No. 80878 for changes to the following water rights within CUSTER, LEMHI County(s): Right No(s). 73-10023, 73-10041, 73-12110, 73-32; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:
Add a point of diversion in NESE, Section 13, T13N, R23E.

TRANSFER NO. 80895

BIG CREEK RANCH LLC, PO BOX 5987, KETCHUM, ID 83340-5987; has filed Application No. 80895 for changes to the following water rights within CUSTER, LEMHI County(s): Right No(s). 73-2102; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:
Add a point of diversion in the NESE, Section 13, T13N, R23E.

TRANSFER NO. 80833

LEADORE LAND PARTNERS LP, PO BOX 16025, MISSOULA, MT 59808; has filed Application No. 80833 for changes to the following water rights within LEMHI County(s): Right No(s). 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271; to see a full description of these rights and the proposed transfer, please see

www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to rearrange 242.6 acres of irrigation use on existing full & half pivots located generally in the S1/2SW & SWSE of S23, & N1/2NW & NE of S26, T16N, R26E; & describe conveyance of surface water rights in a new pipeline.

TRANSFER NO. 80831

LEADORE LAND PARTNERS LP, PO BOX 16025, MISSOULA, MT 59808; has filed Application No. 80831 for changes to the following water rights within LEMHI County(s): Right No(s). 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to rearrange 254.8 acres of irrigation use on two existing pivots located generally in the S1/2NW & SW of S26, & N1/2NW of S35, T16N, R26E; add a new well, & describe conveyance of surface water rights in a new pipeline.

TRANSFER NO. 80834

LEADORE LAND PARTNERS LP, PO BOX 16025, MISSOULA, MT 59808; has filed Application No. 80834 for changes to the following water rights within LEMHI County(s): Right No(s). 74-162, 74-163, 74-164, 74-7064, 74-7271; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to rearrange 155.6 acres of irrigation use on two existing partial pivots located generally in the S1/2NE, SESW & SE of S27, & NENE of S34, T16N, R26E; change the ground water point of diversion to an existing well & remove a point of diversion from Canyon Creek.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> 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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 6/20/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/2/2016 and 6/9/2016

MEMORANDUM

Date: May 10, 2016
To: Transfer 80833
From: Steven Visosky
Re: Review & Evaluation of Sufficiency of Information

The proposed transfer application proposes to change the place of use (POU) and the point of diversion (POD) to more accurately describe the use in two pivots primarily supplied from Hawley Creek. The change in POD involves removing two PODs, an injection point and rediversion point, from the Hawley Creek water rights. This transfer is one of three transfers that will be processed simultaneously with twelve overlapping water rights. This transfer is one component of a conservation project intended to improve streamflows and fish habitat in Hawley Creek and Canyon Creek to benefit anadromous fish.

The application was submitted by Representative Roxanne Brown of SPF Water Engineering LLC on behalf of Leadore Land Partners, LP. The fee associated with transferring the 8.70 cfs was received on 4-13-2016.

Authority to File: The application was signed by Karl Tyler who was confirmed with the Idaho Secretary of State as a general partner for Leadore Land Partners, Limited Partnership. Leadore Land Partners does own all of the land associated with the POU however the proposed pipeline from the source does cross over BLM and State of Idaho land. A letter from the BLM was submitted by Roxanne Brown acknowledging an application for a Right-of-Way was submitted by Karl Tyler.

Water Right Validity: There are ten water rights proposed in the transfer. The eight surface water rights were decreed in 2012 so forfeiture is not a concern. The two ground water rights (74-7064 and 74-7271) were decreed in 2007. Aerial photography shows the total amount of land permitted to be irrigated under the two surface water rights that serve as both a primary and supplemental sources were irrigated at least once in the last five years.

Injury to Other Water Rights: This transfer proposes the shifting of acres on land owned by the applicant to accurately describe two pivot systems. The 8 surface water rights from two different sources will maintain their original POD however injection and rediversion points will be removed as a pipeline will replace conveying the water down Hawley Creek.

Enlargement of Use: This transfer proposes utilizing surface water from Hawley Creek and Canyon Creek, and ground water will also be used for this system. The portion of the two ground water rights (74-7064 and 74-7271) used in this transfer are fully overlapping with the surface water rights as the portion of ground water that was authorized as a sole source was fully consumed in the first transfer proposed (80831).

The total amount of acres irrigated from the 10 water rights included in the transfer does not increase after the transfer. Stacked water rights that were conditioned prior to the transfer were moved accordingly with this transfer.

Local Public interest: Comments will be requested from Water District 74W and IDWR Eastern Regional office to address any concerns. BLM should also be notified as the proposed place of use borders BLM and the proposed pipeline will be on BLM property. The place of use for this transfer is within the Wild and Scenic Watershed of the Salmon River and is within close proximity to Minimum Streamflow water right 74-14993 however there is no increase in diversion rate or acreage as a result of this transfer.

Beneficial Use/Conservation of Water Resources: Irrigation is a recognized beneficial use and no concerns about conservation were found during the review.

Effect on Economy the Local Area: No change to local economy through the transfer.

Effect on Agricultural Base of the Local Area: No change proposed that would affect the local agricultural base.

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.

Conditions of Transfers 80831, 80833, 80834
Created by Steve Visosky 5/24/16

Transfer Conditions and Limits	Original Acre limit	Transfer #1 acres	Condition reduction	Transfer #2 acres	Condition reduction	Transfer #3 acres
All sequences in Basin 74						
14 / 24 / 161	114.00	34.00	74-14			
		34.00	74-16045 (24)			
		80.00	remain for 74-24 / 74-161	80.00	74-24	
				80.00	74-161	
				80.00	acres total - nothing remains	
26 / 23	112.20	22.20	74-16044 (23)			
		22.20	74-16046 (26)			
		90.00	remain for 74-23 / 74-26	13.20	74-23	
				90.00	74-26	
				90.00	acres total - nothing remains	
26 / 162	141.80	22.20	74- 16046 (26)			
		119.60	remian for 74-26/74-162	76.80	74-16052 (162)	
				90.00	74-26	
				90.00	acres total	
				29.60	remain for 74-162	29.6 74-162
						nothing remains
26 / 162 /15	141.80	22.20	74-16046 (26)			
		119.60	remian for 74-26/74-162/74-15	76.80	74-15	
				76.80	74-16052 (162)	
				90.00	74-26	
				90.00	acres total	
				29.60	remain for 74-162	29.6 74-162
						nothing remians
164 / 7271	258.10	92.60	74-16047 (7271)			
		165.50	remain for 74-164 / 74-7271	73.90	74-16053 (7271)	
				91.60	remain for 74-164 and 74-7271	75.0 74-162
						91.6 74-7271

Created by Steve Visosky 5/24/16

						91.6 total
						nothing remains
13 / 163	89.20			72.60	74-13	
				72.60	74-16051 (163)	
				72.60	acres total	
				16.60	remain for 74-163	16.6 74-163
						nothing remains
13 / 163 / 164 / 7271	262.50	92.60	74-16047 (7271)			
		169.90	remain for 13/163/164/7271	72.60	74-13	
				72.60	74-16051 (163)	
				73.90	74-16053 (7271)	
				77.20	Not all of the 73.9 ac of 74-16053 are the same as 74-13 and 74 16051	
				92.70	remain for 74-163 / 74-164/ 74-7271	16.6 74-163
						75.0 74-164
						91.6 74-7271
						91.6 total
						nothing remains
74-7271	905.8 AF	324.1 AF	74-16047 (7271)			
		579.3 AF*	remain of 74-7271 volume (165.5ac)	258.7 AF	74-16053 (7271) (73.9 ac)	
				320.6 AF	remain for transfer #3 volume	320.6 74-7271
						nothing remains
74-7064	1149 AF	486.6 AF	74-16048 (7064)			
		662.40	remain of 74-7064 volume	470.4 AF	74-16054 (7064)	
				192 AF	remain for transfer #3	192.0 74-7064
						nothing remains
All of 74-7271 used as a primary source (92.6 ac) used in transfer #1						
All of 74-7064 used as primary source (106 ac) used in transfer #1.						
* difference compensates the the 3.5 AF to the actual acreage amount.						

Combined Rights	Basin	Sequence	Basis	Status	Priority Date	Source	Water Use	Div. Rate (cfs)	Acres	Transfer 1 acres	Transfer #1 rate	Remainder of right acres	Remainder of right rate	Remainder of right volume	Transfer #2 acres	Transfer #2 rate	Remainder of right acres	Remainder of right rate	Remainder of right volume	Transfer #3 acres	Transfer #3 rate	Remainder of right rate	Remainder of right acres
1	74	26	Decreed	Active	4/15/1883	HAWLEY CREEK	IRR	1.50	112.2	SPLIT		90	1.20		90.0	1.20						0	0
										74-16046	22.2	0.30											
2 Rts	74	23	Decreed	Active	4/1/1939	HAWLEY CREEK	IRR	1.00	35.4	SPLIT		13.2	0.37		13.2	0.37						0	0
										74-16044	22.2	0.63											
									112.2	22.2					90.0								0
	74	15	Decreed	Active	7/23/1909	HAWLEY CREEK	IRR	0.42	76.8						76.8	0.42						0	0
	74	162	Decreed	Active	7/29/1909	CANYON CREEK	IRR	1.02	141.8						SPLIT		65.0	0.47		29.6**	0.47	0	35.4**
All 4 Rts									141.8	22.2					74-416052	76.8	0.55						
																							0
3	74	14	Decreed	Active	7/23/1909	HAWLEY CREEK	IRR	0.66	34.0	34.0	0.66											0	0
	74	24	Decreed	Active	4/1/1939	HAWLEY CREEK	IRR	1.50	114.0	SPLIT		80.0	1.05		80.0	1.05						0	0
										74-16045	34.0	0.45											
All 3 Rts	74	161	Decreed	Active	7/29/1909	CANYON CREEK	IRR	1.54	80.0						80.0	1.54						0	0
									114.0	34.0					80.0								0
	74	7064	Decreed	Active	3/1/1979	GROUND WATER	IRR	3.84	383.0	SPLIT		220.8	2.21	662.4	SPLIT		64	0.64		64	0.64	0	0
										74-16048	162.2	1.63			74-16054	156.8	1.57		192				
All 8 Rts									396.0	162.2					170					64			
All Rts overlapped within 74-7064 POU except 13 acres in NENE, S34, 16N, 26E (383 + 13 = 396 acres)																							
2	74	13	Decreed	Active	7/23/1909	HAWLEY CREEK	IRR	0.42	72.6						72.6	0.42						0	0
	74	163	Decreed	Active	7/29/1909	CANYON CREEK	IRR	1.02	89.2						SPLIT		16.6	0.19		16.6	0.19	0	0
															74-16051	72.6	0.83						
2 Rts									89.2						72.6								
	74	164	Decreed	Active	7/30/1909	CANYON CREEK	IRR	3.20	75.0											75	3.20	0	0
	74	7271	Decreed	Active	7/12/1989	GROUND WATER	IRR	2.64	258.1	SPLIT		165.5	1.70	579.3	SPLIT		91.6	0.95	320.6	91.6	0.95	0	0
										74-16047	92.6	0.94	0.0	0.00	74-16053	73.9	0.75						
2 Rts									258.8	92.6					77.2					91.6			
All 4 Rts									262.5	92.6					77.2					91.6			
All Rts overlapped within 74-7271 POU except 4 acres in NWNW, S26, 16N, 26E (258.8+4 = 262.8 acres limited to 262.5 in conditions)																							
All 12 Rts								18.76	653.4	254.8 ac*	4.61 cfs				247.6	8.70 cfs				155.6	5.45 cfs		
5.1 acre overlap between two groups of rights in the SWNW & SENW, S26, 16N, 26E per PLS acreage. (396.0 + 262.5 - 5.1 = 653.4)																							

Water rights in Transfers 80831, 80833, and 80834
Steve Visosky 5/24/16

*Of the 254.8 ac, 198.6 acres is being supplied primarily by Ground Water, 56.2 acres of surface water is being supplimented by Ground Water.
106 acres from 74-7064 and 92.6 ac from 74-7271
**acre reduction is the result of overlapping conditions



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Salmon Field Office
1206 S. Challis Street
Salmon, Idaho 83467



In Reply Refer To:
2800 (IDI04000)

Mark Olson
Natural Resources Conservation Service
945 Riverfront Drive
Salmon, Idaho 83467

APR 01 2016

Dear Mr. Olson:

This letter is to inform those concerned with the Canyon/Hawley project of the status of the authorizations that are current and pending on public lands administered by the Bureau of Land Management (BLM) in the project area.

Mr. Tex Kauer (McFarland Livestock, LLC) holds rights for conveyance of water across BLM lands within the noted limits of 50 feet wide by 17,830 feet long. These rights are noted under the under the authority of the Act of July 26, 1866, 14 Stat. 253, as amended, 43 U.S.C. 661 (1970).

Mr. Karl Tyler (Leadore Land Partners) holds rights for conveyance of water across BLM lands within the noted limits of 50 feet wide by 23,676 feet long. These rights are noted under the under the authority of the Act of July 26, 1866, 14 Stat. 253, as amended, 43 U.S.C. 661 (1970). Mr. Tyler also has a pending application for a Right-of-Way of 50 feet wide by 7,789 feet long, running adjacent to Mr. Kauers. The route of the pipeline for Mr. Tyler has not yet been determined, but either option will require approximately the same amount of materials.

The Salmon Field Office is a partner and supporter of this project. It contributes to the connectivity of the Lemhi River tributaries, improves irrigation efficiencies and provides resource benefits to the project area.

If you have any questions or concerns please contact Vince Guyer, at 208.756.5403.

Sincerely,

Linda R. Price
Field Manager

Visosky, Steven

From: Roxanne Brown [RBrown@spfwater.com]
Sent: Tuesday, May 17, 2016 1:54 PM
To: Visosky, Steven
Subject: RE: Time frame to accomplish proposed Leadore transfers

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Steve – They want to start construction in July (if possible) and complete the project this Fall. I would expect the project to be completely buttoned up in the 1-year time frame.

Roxanne

From: Visosky, Steven [<mailto:Steven.Visosky@idwr.idaho.gov>]
Sent: Monday, May 16, 2016 3:25 PM
To: Roxanne Brown
Subject: Time frame to accomplish proposed Leadore transfers

Roxanne,

What time frame will be needed to accomplish the proposed transfers that you submitted for Leadore Land Partners?

Steve Visosky
Water Resource Agent
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4933
Fax (208) 287-6700
steven.visosky@idwr.idaho.gov

Visosky, Steven

From: Roxanne Brown [RBrown@spfwater.com]
Sent: Tuesday, May 17, 2016 2:40 PM
To: Visosky, Steven
Cc: Allen Bradbury (Allen.Bradbury@osc.idaho.gov); Daniel Bertram (Daniel.Bertram@osc.idaho.gov)
Subject: Water Right No. 74-162; Transfer Nos. 80833, 80834

Steve –

I appreciate your attention to the Leadore Land Partners transfers for Hawley and Canyon creeks. We spoke today about water right 74-162 (which appears on both of the transfer applications captioned in this email). You sought clarification of a confusing Condition that appears on the SRBA decree of this right. The Condition reads as follows: "Water diverted flows back into Hawley Creek and is rediverted at a point in Lot 1, T16N 27E S31."

We discussed the following points:

1. The source for water right 74-162 is Canyon Creek at the existing point of diversion in T16N R26E S24, which is north and west of the point identified in the Condition.
2. The point of rediversion described in the Condition is the same point of rediversion from Hawley Creek listed on the other Hawley Creek rights.
3. It does not appear physically possible for the water diverted from Canyon Creek to flow uphill to the point of rediversion from Hawley Creek.

I believe we agreed that the Condition must have been placed on water right 74-162 in error and will not appear on the approved transfer.

Again, thank you for picking up the phone to discuss this directly. I know it saves you processing time and we are always happy to help!

Roxanne

Roxanne Brown | Sr. Water Right Specialist

SPF Water Engineering, LLC
300 E Mallard Drive, Suite 350 | Boise, ID 83706
p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2136
e. rbrown@spfwater.com | w. www.spfwater.com



Visosky, Steven

From: Roxanne Brown [RBrown@spfwater.com]
Sent: Friday, May 06, 2016 2:12 PM
To: Visosky, Steven
Cc: Allen Bradbury (Allen.Bradbury@osc.idaho.gov); Daniel Bertram (Daniel.Bertram@osc.idaho.gov)
Subject: Leadore Land Partners transfers
Attachments: Overlap.xlsx

Steven –

Thank you for contacting me with your questions concerning the Leadore transfers. You asked for clarification on two points:

1. Transfer 80833 (Hawley Creek) Yes, the intention is to eliminate both the point of injection and point of rediversion from Hawley Creek. As you explained, IDWR views this as a change to the point of diversion for purposes of the transfer.
2. Transfer 80834 (Canyon Creek) The point of diversion for stockwater will be the same point of diversion for irrigation after the transfer. The current point of diversion in Section 18 goes away.

We also discussed primary vs. supplemental water rights. Attached is the overlap chart I constructed to prepare the transfer; the chart may be helpful.

Thank you for contacting me directly by phone. I look forward to working with you if you have additional questions.

Roxanne

Roxanne Brown | Sr. Water Right Specialist

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2136

e. rbrown@spfwater.com | w. www.spfwater.com



SPF WATER
ENGINEERING

Location				Group 1				Group 2								TOTAL
Twp	Rng	Sec	Q-Q	74-13	74-163	74-164	74-7271	74-14	74-15	74-23	74-24	74-26	74-161	74-162	74-7064	
16N	26E	23	SWSW			4.0	5.0									5.0
			SESW			31.0	31.0									31.0
			SWSE			40.0	40.0									40.0
			SESE				26.0									26.0
		26	NWNE		16.6		39.0									39.0
			SWNE	2.3	2.3		40.0									40.0
			NENW	34.0	34.0		39.0									39.0
			NWNW	36.3	36.3		33.0									36.3
			SWNW				0.5								38.0	38.5
			SENW				4.6				40.0		40.0		40.0	40.0
			NESW								40.0		40.0		40.0	40.0
			NWSW						40.0			40.0		40.0	40.0	40.0
			SWSW						36.8			36.8		36.8	40.0	40.0
			SESW					34.0			34.0				40.0	40.0
		27	NESE											35.0	38.0	38.0
			NWSE											30.0	29.0	30.0
		34	NENE							13.2		13.2				13.2
		35	NENW												39.0	39.0
			NWNW							22.2		22.2			39.0	39.0
TOTAL				72.6	89.2	75.0	258.1	34.0	76.8	35.4	114.0	112.2	80.0	141.8	383.0	654.0

Hawley Creek	Canyon Creek	CC Groundwater	Groundwater	TOTAL
	4.0	4.0	1.0	5.0
	31.0	31.0		31.0
	40.0	40.0		40.0
			26.0	26.0
	16.6	16.6	22.4	39.0
2.3			37.7	40.0
34.0			5.0	39.0
36.3				36.3
			38.5	38.5
40.0				40.0
40.0				40.0
40.0				40.0
40.0				40.0
36.8			3.2	40.0
			40.0	40.0
	35.0	35.0	3.0	38.0
	30.0	29.0		30.0
13.2				13.2
			39.0	39.0
			39.0	39.0
242.6	156.6	155.6	254.8	654.0

Overlap chart submitted by Roxanne Brown
on 5/6/16 S.V.



RECEIVED

APR 13 2016

DEPARTMENT OF
WATER RESOURCES

April 13, 2016

James Cefalo
IDWR Eastern Region Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402

By hand-delivery to IDWR State Office

Subject: Applications for Transfer – Leadore Land Partners LP
SPF Project No.:

Dear James,

Enclosed on behalf of Leadore Land Partners LP are four water right transfer applications to change the points of diversion (in some cases) and places of use for 12 overlapping water rights authorizing diversions from Hawley Creek, Canyon Creek, and groundwater wells. More specifically, the transfer applications can be described as follows:

1. A *Notice of Diversion as an Alternative to Instream Stockwater Use* (Form 113) that seeks authorization to move a previously unrecorded instream stockwater use along Hawley Creek away from the stream channel to troughs;
2. A transfer application to describe use in two pivots primarily supplied from Hawley Creek (no change to points of diversion);
3. A transfer application to describe use in two pivots primarily supplied from groundwater (with changes to the points of diversion);
4. A transfer application to describe use in two pivots supplied primarily from Canyon Creek and groundwater (with changes to the points of diversion).

The transfer applications are one component of a conservation project intended to improve streamflows and fish habitat in Hawley Creek and Canyon Creek to benefit anadromous fish. The transfer applications propose a careful unstacking and rearrangement of several water rights without enlarging individual rights. A spreadsheet summarizing "before-and-after" water right descriptions is included with each application proposing changes to existing water rights. SPF can provide GIS shapefiles for proposed points of diversion and places of use, and we are available to discuss the applications with IDWR staff to clarify any details and answer any questions.

The filing fee for each application is shown in the table below:

Transfer Description	Transfer Application Fee
Notice of Diversion as an Alternative to Instream Stockwater Use	\$ 25.00
242.6 acre Hawley Creek Application	\$1,140.00
155.6 acre Canyon Creek Application	\$ 900.00
254.8 acre Groundwater Application	\$ 820.00
TOTAL	\$2,885.00

A check for the total fees is enclosed.

Sincerely,



Roxanne Brown
Sr. Water Rights Specialist

Enclosures