

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78389**

This is to certify that: EUNICE TYLER AND/OR
SCOTT TYLER
762 LEE CREEK RD
LEADORE, ID 83464

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-284B	WR/DECREED	9/24/1909	1.600 cfs	N/A	N/A	86.0	MILL CREEK
74-955	WR/DECREED	5/15/1914	2.500 cfs	N/A	N/A	93.0	MILL CREEK
74-957	WR/DECREED	10/7/1916	0.940 cfs	N/A	N/A	46.8	SPRINGS

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-7272	WR/LICENSE	6/12/1989	0.390 cfs	190.3 af		158.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-284B	YES	NO	YES	YES	NO	NO
74-955	NO	NO	YES	YES	NO	NO
74-957	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
74-284B	74-15993	0.250 cfs	N/A	13.5	158.5	74-284B	1.350 cfs	N/A	N/A	72.2
74-955	74-955	2.500 cfs	N/A	93.6	158.5	N/A	N/A	N/A	N/A	N/A
74-957	74-957	0.940 cfs	N/A	46.8	158.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.690 cfs	N/A	N/A	158.5		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 78389

IN FILE # 74-284B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78389

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 6th day of February, 2014.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 74-955
As Modified by Transfer No. 78389

In accordance with the approval of Transfer No. 78389, Water Right No. 74-955 is now described as follows:

Right Holder: SCOTT TYLER AND/OR
 EUNICE TYLER
 762 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 5/15/1914

Source: MILL CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 2.500 cfs
 2.500 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK L2 (SENE) Sec 15 Twp 16N Rge 24E LEMHI County
 MILL CREEK L2 (SENE) Sec 15 Twp 16N Rge 24E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12			14	2				30	34			17	13.5	40.0	7	1	158.5

Right Acre Limit: 93.6

POU Total Acres: 158.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 93.6 acres within the authorized place of use in a single irrigation season.
2. Rights 74-955, 74-957, 74-7272 and 74-15993 when combined shall not exceed a total diversion rate of 3.17 cfs, at the field headgate, and the irrigation of 158.5 acres.
3. 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. 74Q.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78389

WATER RIGHT NO. 74-955

As Modified by Transfer No. 78389

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. Water can be delivered through Diversion M-6 (Calson Ditch) or Diversion M-7 (QuinnDitch).



WATER RIGHT NO. 74-957
As Modified by Transfer No. 78389

In accordance with the approval of Transfer No. 78389, Water Right No. 74-957 is now described as follows:

Right Holder: SCOTT TYLER AND/OR
 EUNICE TYLER
 762 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 10/7/1916

Source: SPRINGS

Tributary: MILL CREEK

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 0.940 cfs
 0.940 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRINGS SWSW Sec 12 Twp 16N Rge 24E LEMHI County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12			14	2				30	34			17	13.5	40.0	7	1	158.5

Right Acre Limit: 46.8
 POU Total Acres: 158.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 46.8 acres within the authorized place of use in a single irrigation season.
2. Rights 74-955, 74-957, 74-7272 and 74-15993 when combined shall not exceed a total diversion rate of 3.17 cfs, at the field headgate, and the irrigation of 158.5 acres.
3. 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. 74Q.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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WATER RIGHT NO. 74-957
As Modified by Transfer No. 78389

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 74-284B

As Modified by Transfer No. 78389

In accordance with the approval of Transfer No. 78389, Water Right No. 74-284B is now described as follows:

Right Holder: RICHARD L TYLER
MARGARETE E TYLER
796 LEE CREEK RD
LEADORE, ID 83464

Priority Date: 9/24/1909

Source: MILL CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE
IRRIGATION

From 3/15 to **To** 11/15

Diversion Rate
1.35 cfs
1.350 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK L2 (SENE) Sec 15 Twp 16N Rge 24E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12													26.5				26.5
16N	25E	7															28.7		28.7
16N	25E	18						17.0											17.0
								L 1											

POU Total Acres: 72.2

CONDITIONS OF APPROVAL

- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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WATER RIGHT NO. 74-15993
As Modified by Transfer No. 78389

In accordance with the approval of Transfer No. 78389, Water Right No. 74-15993 is now described as follows:

Right Holder: EUNICE TYLER AND/OR
 SCOTT TYLER
 762 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 9/24/1909

Source: MILL CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE
 IRRIGATION

From 3/15 **To** 11/15

Diversion Rate
 0.250 cfs
 0.250 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK L2 (SENE) Sec 15 Twp 16N Rge 24E LEMHI County
 MILL CREEK L2 (SENE) Sec 15 Twp 16N Rge 24E LEMHI County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12			14.0	2.0				30.0	34.0			17.0	13.5	40.0	7.0	1.0	158.5

Right Acre Limit: 13.5

POU Total Acres: 158.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.5 acres within the authorized place of use in a single irrigation season.
2. Rights 74-955, 74-957, 74-7272 and 74-15993 when combined shall not exceed a total diversion rate of 3.17 cfs, at the field headgate, and the irrigation of 158.5 acres.
3. 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. 74Q.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 78389

WATER RIGHT NO. 74-15993
As Modified by Transfer No. 78389

CONDITIONS OF APPROVAL

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. Water can be delivered through Diversion M-6 (Carlson Ditch) or Diversion M-7 (Quinn Ditch).



WATER RIGHT NO. 74-7272

As Modified by Transfer No. 78389

In accordance with the approval of Transfer No. 78389, Water Right No. 74-7272 is now described as follows:

Right Holder: SCOTT TYLER AND/OR
EUNICE TYLER
762 LEE CREEK RD
LEADORE, ID 83464

Priority Date: 6/12/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.390 cfs	190.3 af
			0.390 cfs	190.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 12 Twp 16N Rge 24E LEMHI County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
16N	24E	12			14.0	2.0				30.0	34.0			17.0	13.5	40.0	7.0	1.0	158.5	

POU Total Acres: 158.5

CONDITIONS OF APPROVAL

1. Rights 74-15993, 74-955, 74-957, and 74-7272 when combined shall not exceed the total combined diversion rate of 3.17 cfs, at the field headgate, and irrigation of a combined total of 158.5 acres.
2. If rights 74-15993, 74-955, and 74-957 are abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water 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.
3. The right holder shall make full beneficial use of rights 74-284B, 74-955, and 74-957 for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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