

RECEIVED

JAN 24 2013

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78387

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Eunice Tyler

Phone (208) 768-2404

Mailing address 762 Lee Creek Road Leadore, ID 83464

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

Phone

Mailing address

Email

☐ Send all correspondence for this application to the representative and not to the applicant.

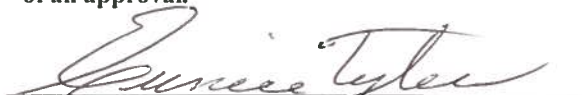
OR

☐ 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.



Signature of Applicant or Authorized Representative

Eunice Tyler

Print Name and Title if applicable

1-24-2013

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Ownership update
2. 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**. This transfer proposes to combine the place of use for all of the water rights.

78387

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					
☒ ☐	74-282A	1.64 cfs	Irrigation	03/15 to 11/15	Mill Creek/Lemhi River
☒ ☐	74-283A	3.2 cfs	Irrigation	03/15 to 11/15	Mill Creek/Lemhi River
☒ ☐	74-284A	1.6 cfs	Irrigation	03/15 to 11/15	Mill Creek/Lemhi River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.44 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 6.44 cubic feet per second and/or _____ acre-feet per annum.

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 #
Yes	2		SE	NE	15	16N	24E	Lemhi	Mill Creek	M-7, Quinn, A003054
	2		SE	NE	15	16N	24E	Lemhi	Mill Creek	M-6, Carlson, No 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	25E	7		36.3	38.3		40	40	40	40									234.6
16N	24E	12	25.5		8.1	36.3													69.9
16N	25E	6								4			7.2	18					29.2

Total Acres (for irrigation use) 333.7

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: _____

Open ditch to mainline to sprinklers.

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

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

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

No change, just combining the place of use

- e. 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:

- f. 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: _____

78387

Page _____ of _____

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

Current Water Right No.: 74-282A

Current Owner: NORMA E CARLSON
ROBERT E CARLSON
Priority Date: 9/24/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

MILL CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.64 CFS

Annual Volume

Total Diversion

1.64 CFS

Location of Point(s) of Diversion

MILL CREEK

L2(SE1/4NE1/4)

Sec. 15, Twp 16N, Rge 24E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T16N R25E S7

Lot 1 NWNW

41.00

T16N R25E S7

Lot 2 SWNW

41.00

Total Acres: 82

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.

Decreed Date: 7/9/2007

78387

Page _____ of _____

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

Current Water Right No.: 74-283A

Current Owner: NORMA E CARLSON
ROBERT E CARLSON
Priority Date: 9/24/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

MILL CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

3.2 CFS

Annual Volume

Total Diversion

3.2 CFS

Location of Point(s) of Diversion

MILL CREEK

L2(SE1/4NE1/4)

Sec. 15, Twp 16N, Rge 24E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T16N R25E S7	NWNE	33.00	T16N R25E S7	SWNE	40.00
T16N R25E S7	NENW	38.00	T16N R25E S7	SENE	40.00

Total Acres: 151

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. E64 This right authorizes the irrigation of 150.9 total acres.

Decreed Date: 7/9/2007

Page _____ of _____

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

Current Water Right No.: 74-284A

Current Owner: ROBERT E CARLSON
NORMA E CARLSON

Priority Date: 9/24/1909

Origin: Water Right

Status: Active

Basis: Decreed

Source

MILL CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.6 CFS

Annual Volume

Total Diversion

1.6 CFS

Location of Point(s) of Diversion

MILL CREEK

L2(SE1/4NE1/4)

Sec. 15, Twp 16N, Rge 24E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T16N R24E S12

NENE

34.00

T16N R24E S12

SWNE

27.00

T16N R24E S12

SENE

40.00

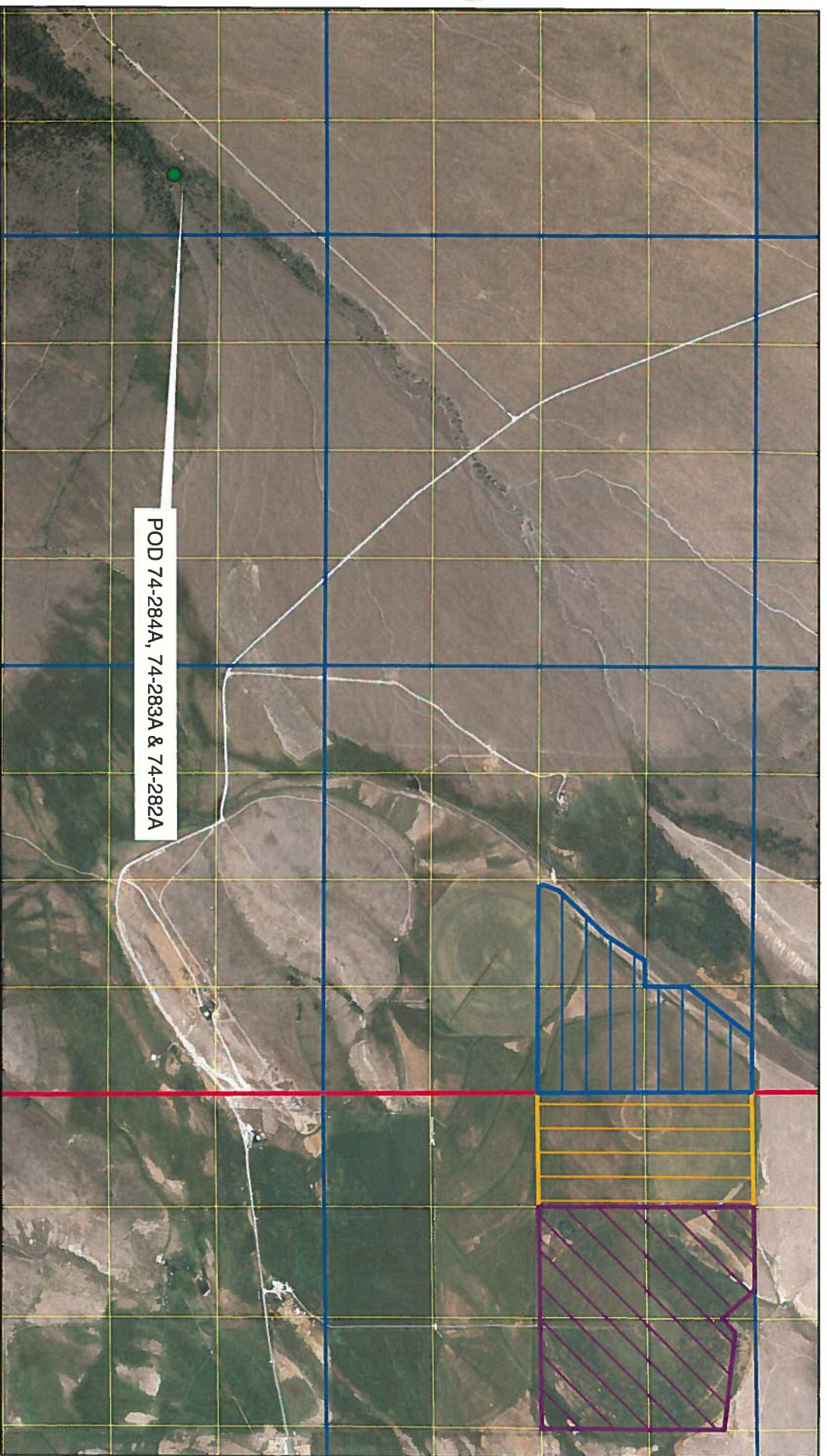
Total Acres: 101

Conditions of Approval:

1. E64 This right authorizes the irrigation of 100.8 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.

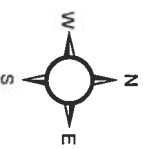
Decreed Date: 7/9/2007

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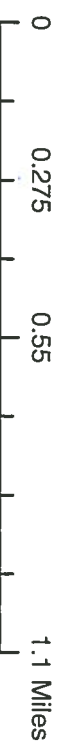


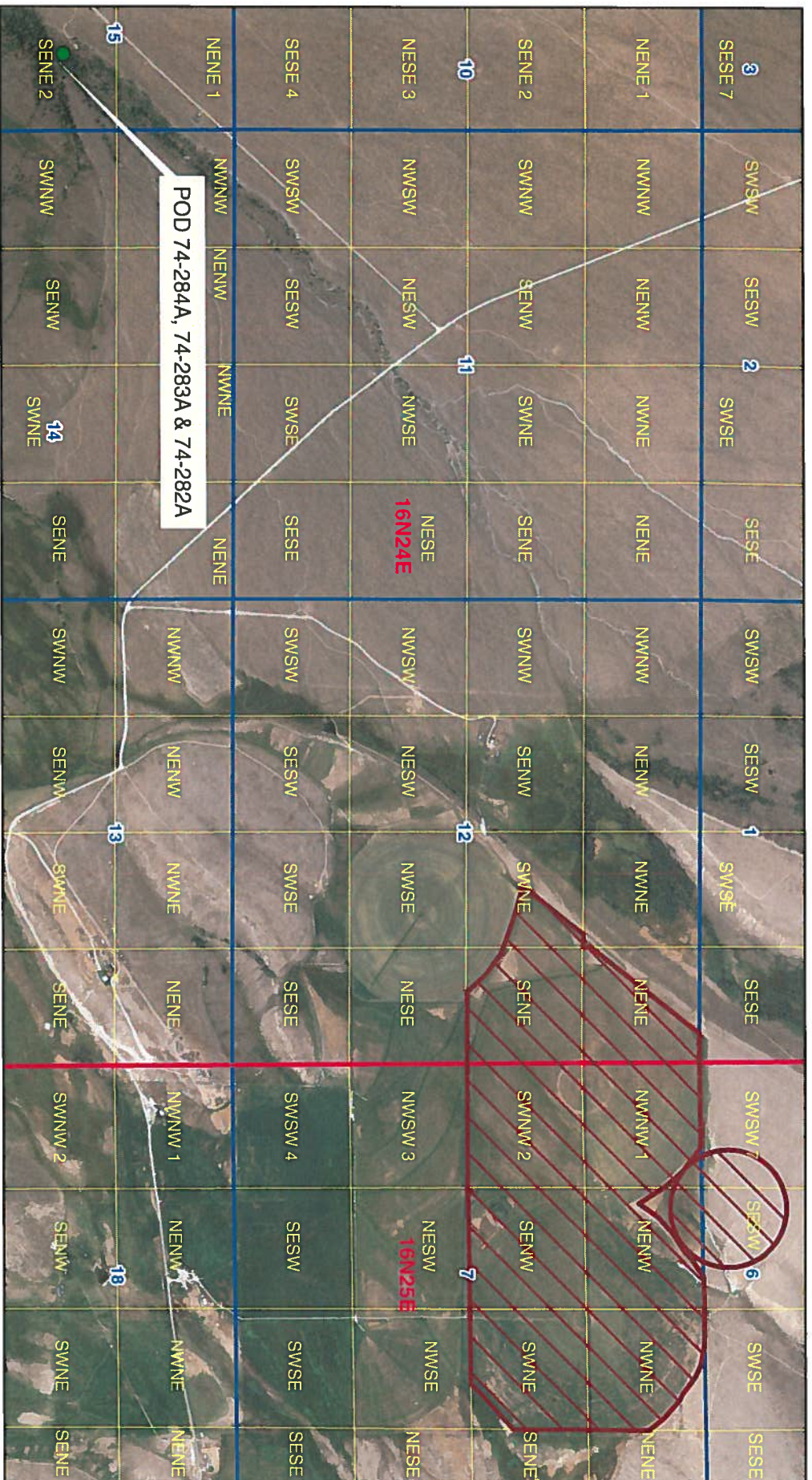
Tyler/Carlson Transfer Existing Place of Use and Point of Diversion

- 74-284A
- 74-283A
- 74-282A
- Township/Range
- Sections
- QQ

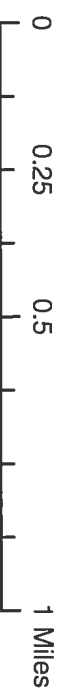


2011 Aerial Photography





Tyler/Carlson Transfer combined place of use



PERSONAL REPRESENTATIVE'S WARRANTY DEED

For Value Received, **The Estate of Robert Edward Carlson, Deceased,**
by and through Norma Eunice Carlson, Personal Representative of said
Estate, whose mailing address is 740 Lee Creek Road, Leadore, Idaho 83464,
does hereby grant, bargain, sell and convey unto **Eunice Gail Tyler,** a married
woman but as her sole and separate property as an inheritance, of 762 Lee Creek
Road, Leadore, Idaho 83464, an undivided (1/2) one half interest in the following
real estate located in Lemhi County, Idaho to wit:

**As per attached Exhibit A which is incorporated hereto as though set
forth at large herein.**

Together with any and all improvements located thereon, water and
water rights, ditch and ditch rights, and range and range rights, appurtenant thereto
and/or used in connection therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances
unto the said Grantee, her heirs and assigns forever. And the said Grantor
does hereby covenant to and with the said Grantee, that the Estate is the owner
in fee simple of said premises. That said property is conveyed free from all other
encumbrances excepting therefrom all covenants, conditions and restrictions of
record and all easements of sight and of record as recorded in the records of
Lemhi County, Idaho; that said Estate will warrant and defend the same from
all lawful claims whatsoever.

Estate Warranty Deed - page one

DATED: This 20th day of July, 2005.

ESTATE OF ROBERT EDWARD CARLSON

BY: Norma Eunice Carlson P.R.
Norma Eunice Carlson, Personal Representative

STATE OF IDAHO)
)
) :ss
County of Lemhi)

On this 20th day of July, 2005, before me, a Notary Public in and for said State, personally appeared **Norma Eunice Carlson**, known to me to be the **Personal Representative of the Estate of Robert Edward Carlson, deceased**, and acknowledged to me that she executed the same on behalf of said Estate.



Fred Snook
Notary Public for Idaho, Residing at Salmon
My Commission Expires: 08/04/2005

263757
State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Fred Snook
at 2:28 o'clock P.m. 7-20 2005
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By TS Deputy
Fee 9-
Return to Fred Snook

Estate Warranty Deed - page two

78387

263757

TOWNSHIP 16 NORTH, RANGE 24 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 1: E1/2SE1/4

SECTION 12: E1/2NE1/4, SW1/4NE1/4

SECTION 13: S1/2N1/2, N1/2S1/2

SECTION 14: S1/2NE1/4, SE1/4NW1/4, NW1/4SE1/4

TOWNSHIP 16 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 6: LOT 7, SE1/4SW1/4

SECTION 7: LOTS 1, 2, E1/2NW1/4, W1/2NE1/4, SE1/4SE1/4

SECTION 8: SW1/4SW1/4 AND

SECTION 17: NW1/4NW1/4 LESS THE FOLLOWING:

A PARCEL OF LAND LOCATED IN THE SW1/4, SECTION 8 AND THE NW1/4, SECTION 17, T. 16 N., R. 25 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W1/4 CORNER OF SAID SECTION 8, FROM WHICH THE NW CORNER OF SAID SECTION 8 BEARS N. 00 DEGREES 09' 44" E., A DISTANCE OF 2648.81 FEET, THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 30 DEGREES 59' 58" E., A DISTANCE OF 2566.42 FEET TO A POINT IN THE CENTER OF COTTOM LANE AND THE POINT OF BEGINNING; THENCE S. 00 DEGREES 21' 33" W., A DISTANCE OF 460.00 FEET; THENCE S. 62 DEGREES 51' 20" W., A DISTANCE OF 428.53 FEET; THENCE N. 00 DEGREES 21' 33" E., A DISTANCE OF 456.83 FEET, TO A POINT IN THE CENTER OF COTTOM LANE; THENCE N. 62 DEGREES 28' 50" E., ALONG SAID CENTERLINE A DISTANCE OF 430.00 FEET TO THE POINT OF BEGINNING.

SECTION 18: LOTS 2, 3, NE1/4SW1/4, NE1/4NE1/4, SE1/4NW1/4,
W1/2NE1/4, NW1/4SE1/4

Quit Claim Deed

Norma E. Carlson, Grantor, City of Leadore, County of Lemhi, State of Idaho,
hereby QUIT-CLAIM to Eunice Gail Tyler, Grantee, as her sole and separate property,
for the sum of TEN DOLLARS (\$10.00) the following described tract of land in Lemhi
County, Idaho, subject to the encumbrances owed thereon, to-wit:

See attached "Exhibit A"

Together with any and all improvements located thereon, water and water rights, ditch
and ditch rights, and range and range rights, appurtenant thereto and/or used in
connection therewith.

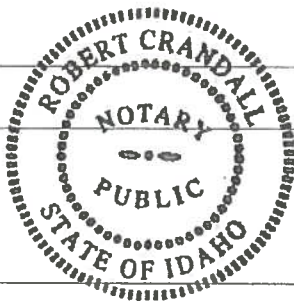
Witness the hand of said grantor, this 11 day of December, 2012.

Norma E. Carlson
Norma E. Carlson, Grantor

STATE OF Idaho

COUNTY OF Bonneville

On the 11 day of December, 2012, personally appeared
before me Norma E. Carlson, the signer(s) of the within
instrument, who duly acknowledged to me that he/she/they executed the same.



Robert Crandall
Notary Public

Idaho Falls
Residing at:

1-18-2017
My Commission expires:

Corrected Quit Claim Deed

(This Deed Correct Instrument No. 292122, Recorded Dec. 20, 2012)

Norma E. Carlson, Grantor, City of Leadore, County of Lemhi, State of Idaho, hereby QUIT-CLAIM to Eunice Gail Tyler, Grantee, as her sole and separate property, for the sum of TEN DOLLARS (\$10.00) the following described tract of land in Lemhi County, Idaho, subject to the encumbrances owed thereon, to-wit:

762 LEE CR Rd
Leadore, Id
83464

See attached "Exhibit A"

Together with any and all improvements located thereon, water and water rights, ditch and ditch rights, and range and range rights, appurtenant thereto and/or used in connection therewith.

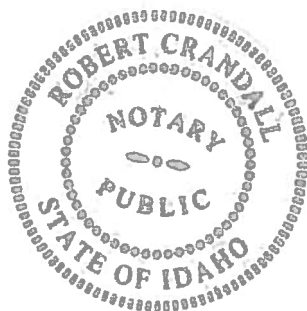
Witness the hand of said grantor, this 21 day of January, 2013

Norma E. Carlson
Norma E. Carlson, Grantor

STATE OF Idaho

COUNTY OF Bonneville

On the 21 day of January, 2013, personally appeared before me Norma E. Carlson, the signer(s) of the within instrument, who duly acknowledged to me that he/she/they executed the same.



Robert Crandall
Notary Public

Idaho Falls
Residing at:

1-18-2013
My Commission expires:

Exhibit A

TOWNSHIP 16 NORTH, RANGE 24 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO

SECTION 1: E1/2SE1/4

SECTION 12: E2NE4 SW4NE4 LESS T-5346 BEING A FR OF T-5347

SECTION 13: S1/2N1/2, N1/2S1/2

SECTION 14: S1/2NE1/4, SE1/4NW1/4, NW1/4SE1/4

TOWNSHIP 16 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 6: LOT 7 SE1/4SW1/4

SECTION 7: LOTS 1,2, E1/2NW1/4, W2NE4, SE4SE4

SECTION 8: T-5352

SECTION 17: T-5353 & T-5351

SECTION 18: LOTS 2,3, NE1/4SW1/4, NE1/4NE1/4 LESS T-5354 BEING A FR OF T-5351,
SE1/4NW1/4, W1/2NE1/4, NW1/4SE1/4

I, Scott Tyler release any interest I may have to Water Right 74-284A currently in the name of Norma E & Robert E Carlson. This water right partially overlaps property I own located in the SWNE quarter of Sec 12, T16N R24E.

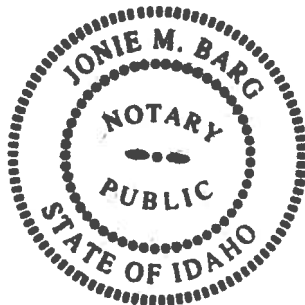
Scott Tyler
Scott Tyler

1-24-13
Date

STATE OF Idaho

COUNTY OF Bonneville

On the 24th day of January 24, 2013, personally appeared before me Scott Tyler, the signer(s) of the within instrument, who duly acknowledged to me that he/she/they executed the same.



Jonie M BARG
Notary Public

Idaho Falls
Residing at:

July 24, 2013
My Commission expires: