

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77706

This is to certify that: KURT W BIRD And/Or
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464
 (208)768-2425

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-34	WR/Decreed	06/01/1898	2.17 cfs	N/A	N/A	76.4	BIG TIMBER CREEK
74-7165	WR/Decreed	10/06/1982	6.55 cfs	1146.3 af	327.5	636.0	BIG TIMBER CREEK
74-15926	WR/Decreed	12/31/1982	6.78 cfs	N/A	235.2	838.5	BIG TIMBER CREEK
74-15927	WR/Decreed	12/31/1982	1 cfs	N/A	35.0	140.0	BIG TIMBER CREEK
74-15928	WR/Decreed	04/10/1909	24.2 cfs	N/A	603.3	838.5	BIG TIMBER CREEK
74-15929	WR/Decreed	04/10/1909	3.6 cfs	N/A	90.0	140.0	BIG TIMBER CREEK
74-15930	WR/Decreed	10/28/1909	6.19 cfs	N/A	N/A	217.0	BIG TIMBER CREEK
74-15931	WR/Decreed	10/28/1909	0.42 cfs	N/A	15.0	140.0	BIG TIMBER CREEK
74-32	WR/Decreed	06/01/1895	3.24 cfs	N/A	N/A	136.6	BIG TIMBER CREEK

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
74-912	WR/Decreed	08/17/1936	0.42 cfs	N/A	N/A	21.0	WASTE WATER

SUPPORT DATA
 IN FILE # 74-32

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77706

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>
74-34	NO	NO	YES	NO	NO	NO
74-7165	NO	NO	YES	NO	NO	YES
74-15926	NO	NO	YES	NO	NO	NO
74-15927	NO	NO	YES	NO	NO	NO
74-15928	NO	NO	YES	NO	NO	YES
74-15929	NO	NO	YES	NO	NO	NO
74-15930	NO	NO	YES	NO	NO	NO
74-15931	NO	NO	YES	NO	NO	NO
74-32	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>
74-34	74-34	2.17 cfs	N/A	76.4	1,554.5		N/A	N/A	N/A	N/A
74-7165	74-7165	6.55 cfs	1134.9 af	321.5	1,554.5		N/A	N/A	N/A	N/A
74-15926	74-15926	6.78 cfs	N/A	235.2	1,554.5		N/A	N/A	N/A	N/A
74-15927	74-15927	1 cfs	N/A	35.0	1,554.5		N/A	N/A	N/A	N/A
74-15928	74-15928	24.2 cfs	62.4 af	564.3	1,554.5		N/A	N/A	N/A	N/A
74-15929	74-15929	3.6 cfs	N/A	90.0	1,554.5		N/A	N/A	N/A	N/A
74-15930	74-15930	6.19 cfs	N/A	217.1	1,554.5		N/A	N/A	N/A	N/A
74-15931	74-15931	0.42 cfs	N/A	15.0	1,554.5		N/A	N/A	N/A	N/A
74-32	74-32	3.24 cfs	N/A	136.6	1,554.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		46.37 cfs	N/A	1554.5	1554.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of July, 2012


Water Resources Program Manager

WATER RIGHT NO. 74-32
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-32 is now described as follows.

Right Holder: KURT W BIRD And/Or
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: June 01, 1895

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	3.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK	SWSW	Sec. 17 Twp 15N	Rge 26E	LEMHI County
BIG TIMBER CREEK	NWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3											33.8	36.1			37.8		107.7
15N	26E	4											.3	1.4					1.7
15N	26E	8												4.0		1.0	18.4		23.4
15N	26E	9			3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0	298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17			9.6														9.6
15N	36E	14										24.8							24.8

Total Acres: 1554.5

WATER RIGHT NO. 74-32
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 136.6 acres within the authorized place of use in a single irrigation season.
2. Rights 74-32, 74-15926, and 74-15928 when combined shall not exceed a total diversion rate of 27.44 cfs and the irrigation of 799.5 acres.
3. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
4. 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. 74W.
5. 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(s).
6. 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 place of use.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right 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.

Dated this 16th day of July, 2012



Water Resources Program Manager

WATER RIGHT NO. 74-34
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-34 is now described as follows.

Right Holder: KURT W BIRD And
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: June 01, 1898

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	2.17 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK NWNW Sec. 20 Twp 15N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3									33.8	36.1					37.8		107.7
15N	26E	4									.3	1.4							1.7
15N	26E	8										4.0			1.0	18.4			23.4
15N	26E	9		3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0		298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6
15N	36E	14									24.8								24.8

Total Acres: 1554.5

WATER RIGHT NO. 74-34
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 76.4 acres within the authorized place of use in a single irrigation season.
2. Rights 74-34 and 74-912 when combined shall not exceed the irrigation of 76.4 acres.
3. Rights 74-34, 74-912, 74-7165 and 74-15930 when combined shall not exceed the irrigation of 615 acres.
4. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
5. 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. 74W.
6. 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(s).
7. 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 place of use.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

This water right 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.

Dated this 16th day of July, 2012


Water Resources Program Manager

WATER RIGHT NO. 74-15926
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-15926 is now described as follows.

Right Holder: KURT W BIRD And/Or
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: December 31, 1982

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	6.78 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK SWNW Sec. 20 Twp 15N Rge 26E LEMHI County

<u>PLACE OF USE:</u>			IRRIGATION																
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3										33.8	36.1			37.8		107.7	
15N	26E	4										.3	1.4					1.7	
15N	26E	8											4.0		1.0	18.4		23.4	
15N	26E	9			3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0	298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17			9.6														9.6
15N	36E	14										24.8							24.8

Total Acres: 1554.5

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 235.2 acres within the place of use described for this right.
2. Rights 74-15926 and 74-15928 when combined shall not exceed a total diversion rate of 24.2 cfs and the irrigation of 799.5 acres.
3. Rights 74-32, 74-15926, and 74-15928 when combined shall not exceed a total diversion rate of 27.44 cfs and the irrigation of 799.5 acres.
4. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15930 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.

WATER RIGHT NO. 74-15926
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

5. 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. 74W.
6. 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(s).
7. 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 place of use.
8. Right 74-15926 is based upon an enlargement of Right No. 74-15928 pursuant to Section 42-1426, Idaho Code.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. This right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

This water right 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.

Dated this 16th day of July, 2012


Water Resources Program Manager

WATER RIGHT NO. 74-15927
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-15927 is now described as follows.

Right Holder: JANET E BIRD And/Or
 KURT W BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: December 31, 1982

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK	SWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County
BIG TIMBER CREEK	SWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3											33.8	36.1			37.8		107.7
15N	26E	4											.3	1.4					1.7
15N	26E	8												4.0		1.0	18.4		23.4
15N	26E	9			3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0	298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6
15N	36E	14									24.8								24.8

Total Acres: 1554.5

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 35 acres within the place of use described for this right.
2. 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. 74W.
3. Rights 74-15927 and 74-15929 when combined shall not exceed a total diversion rate of 3.6 cfs.
4. Rights 74-15927, 74-15929 and 74-15931 when combined shall not exceed a total diversion rate of 4.02 cfs and the irrigation of 140 acres.

WATER RIGHT NO. 74-15927
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

5. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
6. 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(s).
7. 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.
8. Right 74-15927 is based upon an enlargement of Right No. 74-15929 pursuant to Section 42-1426, Idaho Code.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. This right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

This water right 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.

Dated this 16th day of July, 2012


Water Resources Program Manager

WATER RIGHT NO. 74-15929
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-15929 is now described as follows.

Right Holder: KURT W BIRD And/Or
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: April 10, 1909

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	3.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK	SWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County
BIG TIMBER CREEK	SWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3									33.8	36.1					37.8		107.7
15N	26E	4									.3	1.4							1.7
15N	26E	8										4.0			1.0	18.4			23.4
15N	26E	9		3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0		298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6
15N	36E	14									24.8								24.8

Total Acres: 1554.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 74-15927 and 74-15929 when combined shall not exceed a total diversion rate of 3.6 cfs.
3. Rights 74-15927, 74-15929, and 74-15931 when combined shall not exceed a total diversion rate of 4.02 cfs and the irrigation of 140 acres.
4. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.

WATER RIGHT NO. 74-15929
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

5. 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. 74W.
6. 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(s).
7. 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.
8. Right No. 74-15927 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

This water right 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.

Dated this 16th day of July, 20 12



Water Resources Program Manager

WATER RIGHT NO. 74-15930
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-15930 is now described as follows.

Right Holder: KURT W BIRD And
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: October 28, 1909

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	6.19 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK NWNW Sec. 20 Twp 15N Rge 26E LEMHI County

PLACE OF USE:

PLACE OF USE:			IRRIGATION																Totals
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3										33.8	36.1			37.8		107.7	
15N	26E	4										.3	1.4					1.7	
15N	26E	8											4.0		1.0	18.4		23.4	
15N	26E	9		3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0	298.9	
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6
15N	36E	14									24.8								24.8

Total Acres: 1554.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 217.1 acres within the authorized place of use in a single irrigation season.
2. Rights 74-34, 74-912, 74-7165 and 74-15930 when combined shall not exceed the irrigation of 615 acres.
3. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15930 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
4. 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. 74W.

WATER RIGHT NO. 74-15930
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

5. 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(s).
6. 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 place of use.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right 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.

Dated this 16th day of July, 20 12


Water Resources Program Manager

WATER RIGHT NO. 74-15931
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-15931 is now described as follows.

Right Holder: KURT W BIRD And
 JANET E BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: October 28, 1909

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.42 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK	SWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County
BIG TIMBER CREEK	SWNW	Sec. 20 Twp 15N	Rge 26E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3									33.8		36.1				37.8		107.7
15N	26E	4									.3		1.4						1.7
15N	26E	8											4.0		1.0	18.4			23.4
15N	26E	9		3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0		298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6
15N	36E	14									24.8								24.8

Total Acres: 1554.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15 acres within the authorized place of use in a single irrigation season.
2. Rights 74-15927, 74-15929 and 74-15931 when combined shall not exceed a total diversion rate of 4.02 cfs and the irrigation of 140 acres.
3. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.

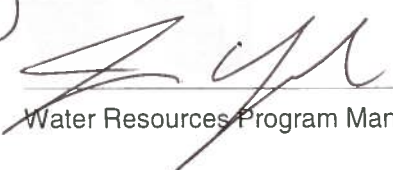
WATER RIGHT NO. 74-15931
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

4. 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. 74W.
5. 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(s).
6. 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 place of use.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right 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.

Dated this 16th day of July, 2012


Water Resources Program Manager

WATER RIGHT NO. 74-7165
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-7165 is now described as follows.

Right Holder: JANET E BIRD And/Or
 KURT W BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: October 06, 1982

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	03/15	to 11/15	0.12 CFS	
IRRIGATION FROM STORAGE	03/15	to 11/15	0.12 CFS	9.6 AF
IRRIGATION STORAGE	03/15	to 11/15		9.6 AF
IRRIGATION	03/15	to 11/15	6.43 CFS	1,125.3 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK NWNWNW Sec. 20 Twp 15N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3									33.8		36.1				37.8		107.7
15N	26E	4									.3		1.4						1.7
15N	26E	8											4.0		1.0	18.4			23.4
15N	26E	9		3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0		298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	14									24.8								24.8
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6

Total Acres: 1554.5

WATER RIGHT NO. 74-7165
As Modified by Transfer No. 77706

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 26E 17															X	X	

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 26E 3									33.8	36.1					37.8		107.7
15N 26E 4									.3	1.4							1.7
15N 26E 8											4.0		1.0	18.4			23.4
15N 26E 9		3.7	6.8	10.8	38.9	27.3	25.6	38.5			4.3	40.0	28.8	35.2	39.0		298.9
15N 26E 10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N 26E 15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N 26E 17		9.6															9.6
15N 36E 14									24.8								24.8

Total Acres: 1554.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 321.5 acres within the place of use described above in a single irrigation season.
2. Rights 74-34, 74-912, 74-7165, and 74-15930 when combined shall not exceed the irrigation of 615 acres.
3. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
4. Right(s) 74-7165 and 74-15928 authorize the diversion of an annual total of 72.0 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
5. The pond established by the storage of water under rights 74-7165 and 74-15928 shall not exceed a total capacity of 60 acre-feet or a total surface area of 7 acres.
6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. 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. 74W.
8. 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.

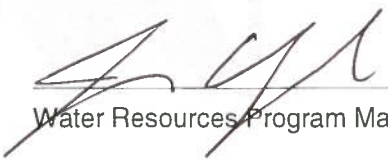
WATER RIGHT NO. 74-7165
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

9. 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 place of use.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
11. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
12. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.
13. This right does not grant any right-of-way or easement across the land of another.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.

This water right 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.

Dated this 16th day of July, 2012


Water Resources Program Manager

WATER RIGHT NO. 74-15928
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-15928 is now described as follows.

Right Holder: JANET E BIRD And/Or
 KURT W BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: April 10, 1909

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	22.64 CFS	
DIVERSION TO STORAGE	03/15	to 11/15	1.56 CFS	
IRRIGATION FROM STORAGE	03/15	to 11/15		62.4 AF
IRRIGATION STORAGE	03/15	to 11/15		62.4 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK SWNW Sec. 20 Twp 15N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 26E 3									33.8	36.1					37.8		107.7
15N 26E 4									.3	1.4							1.7
15N 26E 8										4.0			1.0	18.4			23.4
15N 26E 9		3.7	6.8	10.8	38.9	27.3	25.6	38.5		4.3	40.0	28.8	35.2	39.0			298.9
15N 26E 10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N 26E 15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N 26E 17		9.6															9.6
15N 26E 20							X										
15N 36E 14									24.8								24.8

Total Acres: 1554.5

WATER RIGHT NO. 74-15928
As Modified by Transfer No. 77706

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	3											33.8	36.1			37.8		107.7
15N	26E	4											.3	1.4					1.7
15N	26E	8												4.0		1.0	18.4		23.4
15N	26E	9		3.7	6.8	10.8	38.9	27.3	25.6	38.5				4.3	40.0	28.8	35.2	39.0	298.9
15N	26E	10	32.4	38.5	38.4	35.8	39.4	33.7	34.7	40.0	40.0	40.0	37.7	40.0	39.7	39.6	3.8	1.8	535.5
15N	26E	14											24.8						24.8
15N	26E	15	35.5	30.8	35.0	39.0	36.4	32.0	30.2	36.5	36.5	30.8	30.4	37.8	35.1	30.9	36.4	39.6	552.9
15N	26E	17		9.6															9.6
15N	26E	20							X										

Total Acres: 1554.5

PLACE OF USE: IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	17															X	X	
15N	26E	20							X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 564.3 acres within the authorized place of use in a single irrigation season.
2. Rights 74-15926 and 74-15928 when combined shall not exceed a total diversion rate of 24.2 cfs and the irrigation of 799.5 acres.
3. Rights 74-32, 74-15926, and 74-15928 when combined shall not exceed a total diversion rate of 27.44 cfs and the irrigation of 799.5 acres.
4. Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15931 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
5. Right(s) 74-7165 and 74-15928 authorize the diversion of an annual total of 72.0 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
6. The pond established by the storage of water under rights 74-7165 and 74-15928 shall not exceed a total capacity of 60 acre-feet or a total surface area of 7 acres.

WATER RIGHT NO. 74-15928
As Modified by Transfer No. 77706

CONDITIONS OF APPROVAL

7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. Right No. 74-15926 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. 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. 74W.
10. 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(s).
11. 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.
12. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
13. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
14. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.
15. This right does not grant any right-of-way or easement across the land of another.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
18. 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.

This water right 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.

Dated this 16th day of July, 20 12


Water Resources Program Manager

WATER RIGHT NO. 74-912
As Modified by Transfer No. 77706

In accordance with the approval of Transfer No. 77706, Water Right No. 74-912 is now described as follows.

Right Holder: JANET E BIRD And
 KURT W BIRD
 56 LOWER TEXAS CREEK RD
 LEADORE ID 83464

Priority Date: August 17, 1936

Source: WASTE WATER

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.42 CFS
STOCKWATER	01/01 to	12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER SESE Sec. 15 Twp 15N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	14																	21.0

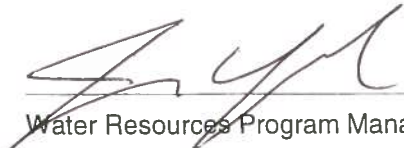
Total Acres: 21

CONDITIONS OF APPROVAL

1. Rights 74-34 and 74-912 when combined shall not exceed the irrigation of 76.4 acres.
2. Rights 74-34, 912, 74-7165 and 74-15930 when combined shall not exceed the irrigation of 615 acres.
3. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. 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.

This water right 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.

Dated this 16th day of July, 2012

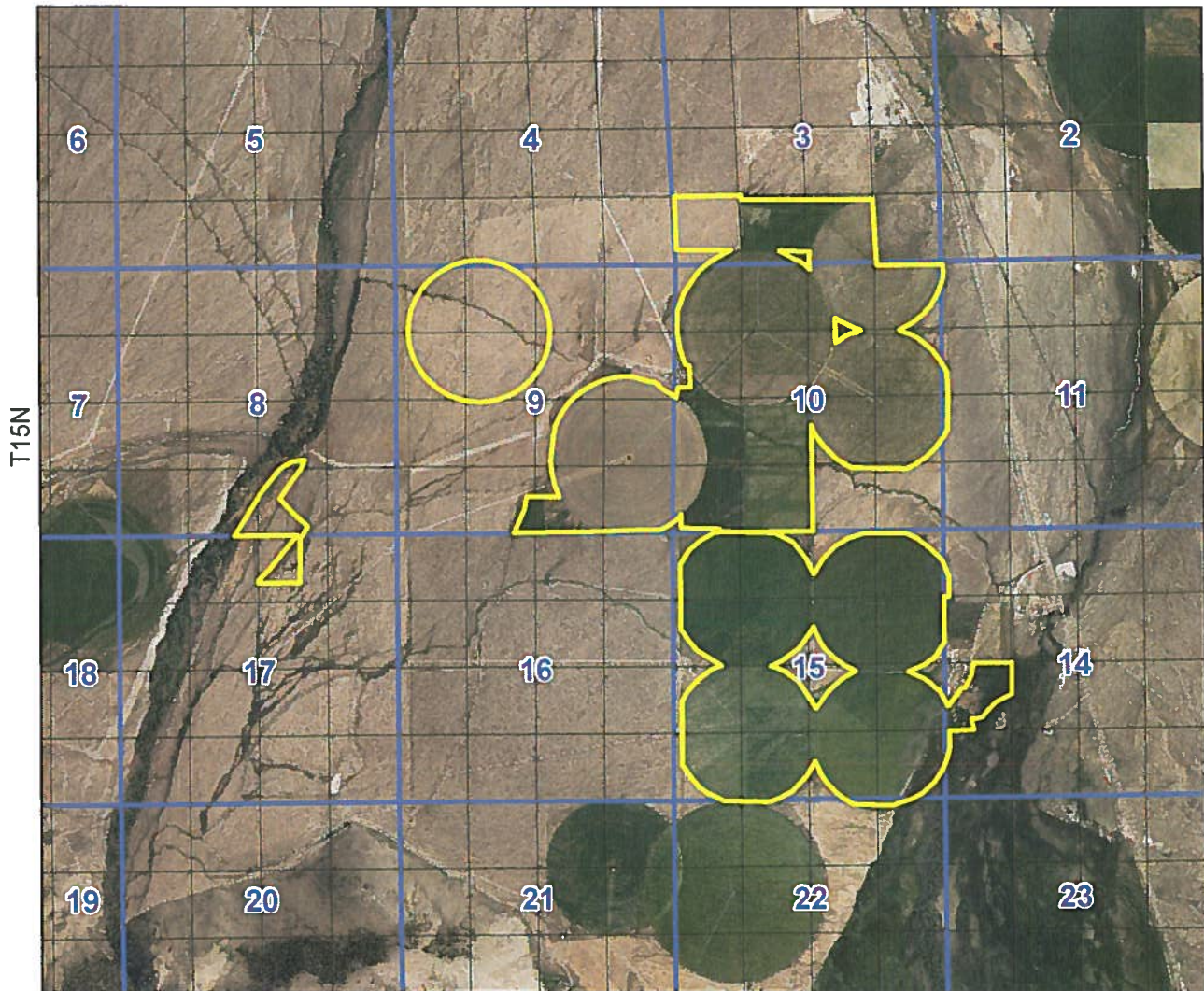

 Water Resources Program Manager

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 77706

Water Service Area Boundary for Janet E Bird
Rights: 74-32, 74-34, 74-912, 74-7165, 74-15926, 74-15927, 74-15928,
74-15929, 74-15930, 74-15931

July 16, 2012
R26E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

