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The proposed common POU transfer for Beyeler Ranches LLC accomplishes several purposes: 1) it changes the decreed POU to the current POU (including eliminating some illegal acreage expansion); 2) it describes the PODs as they are currently used; and 3) it corrects a few errors (typos) in the adjudicated water rights.

Some time ago Beyeler accomplished a transfer for a change in POD for the Big Timber Cr water (74-31) from Big Timber Cr to Lemhi River. The water is passed down the creek and pumped back from a POD on Lemhi River. *The POD was not constructed as described in the transfer, but was constructed at the POD described as New in this transfer.*

Many years ago, the Hawley Cr POD (74-2326) was moved downstream to the POD described in this transfer. The water is diverted to an open ditch to Yearian Spring where it commingles with 74-871. Both water rights are then conveyed by pipeline to a pumping station close to the well (74-7185). At that point, all water is pumped to a pipeline as shown in Attachment #7a.

All Canyon Cr irrigation water is diverted at the existing POD (C-2 on the Lemhi Adjudication map) to a gravity pipeline. That pipeline is shown on Attachment #7a. The other Canyon Cr POD (C-3 on the Lemhi Adjudication map) is only used for stock water before and after water is being diverted for irrigation.

Beyeler worked with Jeff Lutch (IDFG), Morgan Case (IDWR), and Nick Van Dyke (IDWR) on this transfer. Since several of the water rights have overlapping acreage, Nick Van Dyke researched the rights to determine the allowable acreage (email 4/15/10 to Morgan Case & Jeff Lutch, subject: overlap review). He determined that the allowable acreage was 573.3 acres. Morgan did all the mapping. Leadore is a difficult place to map, since the ground surveys do not match with the ArcMap layers (see attached Memo from Morgan).

Most of the infrastructure shown in this transfer currently exists. There will be a new pipeline from the Lemhi River POD to the center of the full pivot in S28 and a pipeline from the existing pipeline to a new small wiper pivot in S21 and S28.

This transfer removes the water from some irrigated acreage on both sides of the river (see Attachment #7b1) and moves it to lands that are either of higher value or more easily irrigated with pivots. The shape file (Attachment #7b2) is the configuration of the common POU after the transfer.

The Beyeler reach of the Lemhi River is extremely important for anadromous fish. It is a major spawning reach for Chinook salmon and important rearing habitat for both Chinook and steelhead trout. This transfer helps create substantial rearing habitat by providing 4 cfs additional flow in Canyon Creek and 1.4 cfs additional flow in Big Timber Creek. Another completed transfer has increased the flow in Lemhi River by diverting the Whitefish Ditch to the river at S Hwy 29.

S/Bob Loucks

