

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77009

RECEIVED

JAN 12 2011

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Name of Applicant(s) BEYELER RANCHES LLCPhone (208)768-2651Mailing address PO BOX 62, 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

 MERRILL BEYELER, General Partner
 Print Name and Title if applicable

 10/20/10
 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 _____
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 ranch is all "plumbed" together. Transfer creates a common POU for all water and allows the user to use any water available at any place within it. The primary purpose is to improve anadromous rearing habitat in Canyon Cr and Big Timber Cr by passing 4.0 and 1.4 cfs respectively down the creeks and pumping that water back from Lemhi R.

77009

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 ☒ ☐	74-158	5.0	Irrigation	3/15 to 11/15	Canyon Creek
☒ ☐	74-159	0.5	Irrigation	3/15 to 11/15	Canyon Creek
☒ ☐	74-160	0.5	Irrigation	3/15 to 11/15	Canyon Creek
☒ ☐	74-2289	0.74	Irrigation & Stockwater	3/15 to 11/15	Canyon Creek
☒ ☐	74-2326	1.36	Irrigation	3/15 to 11/15	Hawley Cr
☒ ☐	74-871	1.8	Irrigation	3/15 to 11/15	Yearian Springs
☒ ☐	74-7185	2.0	Irrigation	3/15 to 11/15	Ground Water
☒ ☐	74-31	1.4	Irrigation	3/15 to 11/15	Big Timber Creek
☐ ☐				to	

Total authorized under rights 13.3 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 13.3 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 #
x			NE	NW	28	16N	26E	Lemhi	Lemhi River	New
			SE	SE	22	16N	26E	Lemhi	Canyon Cr	C-2
x			NE	NE	34	16N	26E	Lemhi	Hawley Cr	
			NE	SW	27	16N	26E	Lemhi	Ground Water	Well
			SW	NW	35	16N	26E	Lemhi	Spring	Yearian Spring

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	21																	
16N	26E	27			31.1				33.2	40	37.8	28.3							170.4
16N	26E	28	35.9	40	28.1	40	11.9	3.6	5.9	19.1					30.1	0.4			215.0

Total Acres (for irrigation use) 573.3

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 ☒ ☐	74-158	5.0	Irrigation	3/15 to 11/15	Canyon Cr
☒ ☐	74-159	0.5	Irrigation	3/15 to 11/15	Canyon Cr
☒ ☐	74-160	0.5	Irrigation	3/15 to 11/15	Canyon Cr
☒ ☐	74-2289	.74	Irrigation & Stockwater	3/15 to 11/15	Canyon Cr
☒ ☐	74-2326	1.36	Irrigation	3/15 to 11/15	Hawley Cr
☒ ☐	74-871	1.8	Irrigation	3/15 to 11/15	Yearian Springs
☒ ☐	74-7185	2.0	Irrigation	3/15 to 11/15	Ground water
☒ ☐	74-31	1.4	Irrigation	3/15 to 11/15	Big Timber Cr
☐ ☐				to	

Total authorized under rights 13.3 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 13.3 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 #
x			NE	NW	28	16N	26E	Lemhi	Lemhi River	New
			SE	SE	22	16N	26E	Lemhi	Canyon Cr	(IDWR) C-2
x			SE	SW	35	16N	26E	Lemhi	Hawley Cr	
			NE	SW	27	16N	26E	Lemhi	Ground Water	Well
			SW	NW	35	16N	26E	Lemhi	Springs	Yearian Spring
			SW	SE	22	16N	26E	Lemhi	Canyon Cr	(IDWR) C-3

4. Place of use: (If irrigation, identify with number of acres irrigated per 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	21									31.6			13.6	33.5	40.0	39.3	29.9	187.9
16N	26E	27			31.1				33.2	40.0	37.8	28.3							170.4
16N	26E	28	35.9	40.0	28.1	40.0	11.9	3.6	5.9	16.9					30.1	.4			212.8

Total Acres (for irrigation use) 571.1

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: System consists of two gravity pipelines, one from Canyon Cr and one from Hawley Cr/Yearian Springs; a pumped pipeline from Lemhi River; and a pumped pipeline from a point where the well water and Hawley Cr/Yearian Springs water commingle. All plumbing converges at the full pivot in S28. Surface diversions have weirs.
- b. Who owns the property at the point(s) of diversion? The property at the new POD is owned by Beyeler Ranches LLC.
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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: This transfer simply describes the common POU for all water rights where the water will be used after the transfer.
- 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: _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Transfer contains _____ pages and _____ attachments.
Received by _____ Date _____ Prelim. Check by _____ Date _____
Fee Paid 770.00 Date _____ Received by _____ Receipt # _____
Add'l Fee Paid _____ Date 04/12/2014 Received by Blake Receipt # E036354

77 009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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 <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

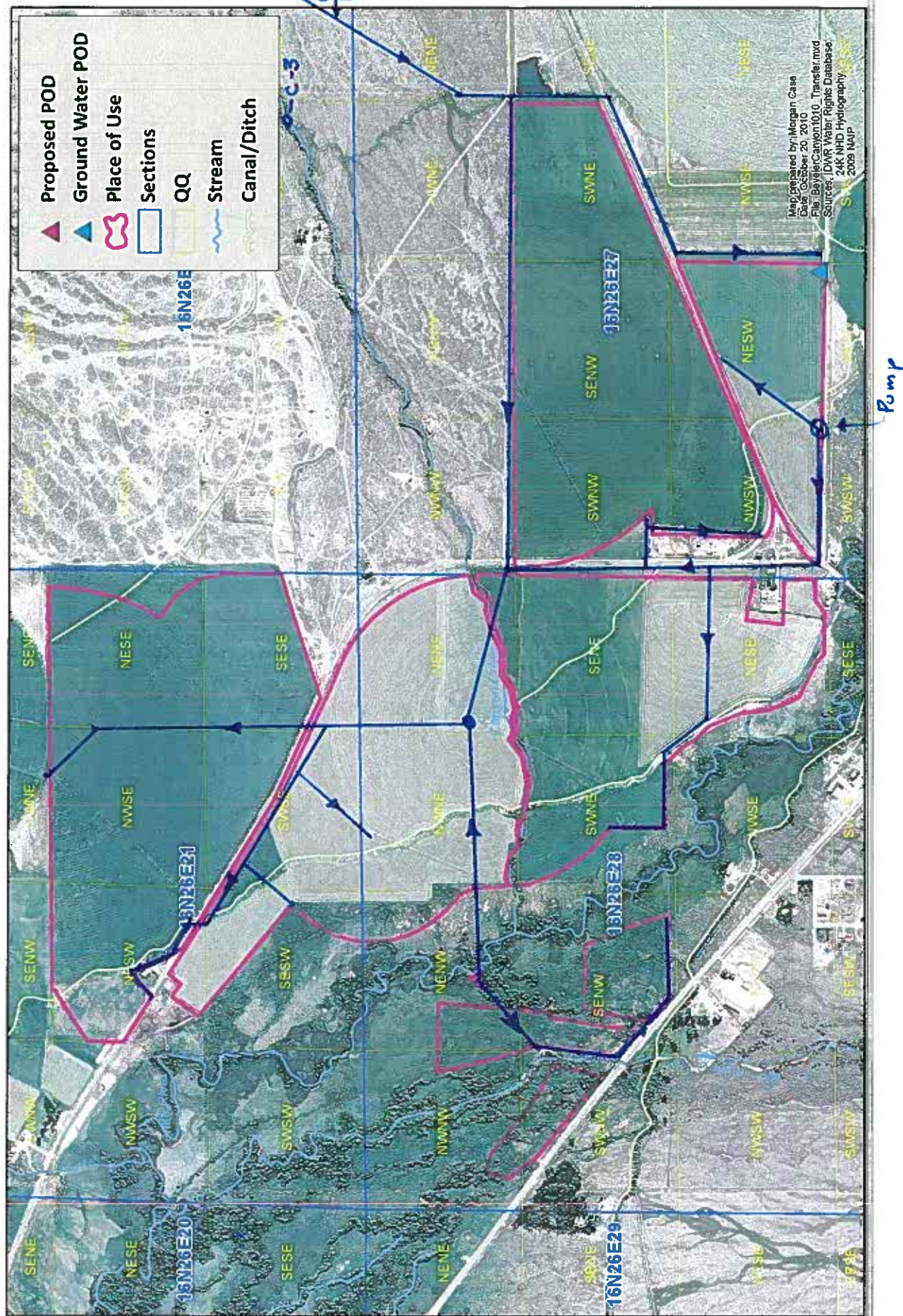
Yes N/A * Means the item is always required and must be included with the application.

- ☒ * 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. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf.
- ☒ * 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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

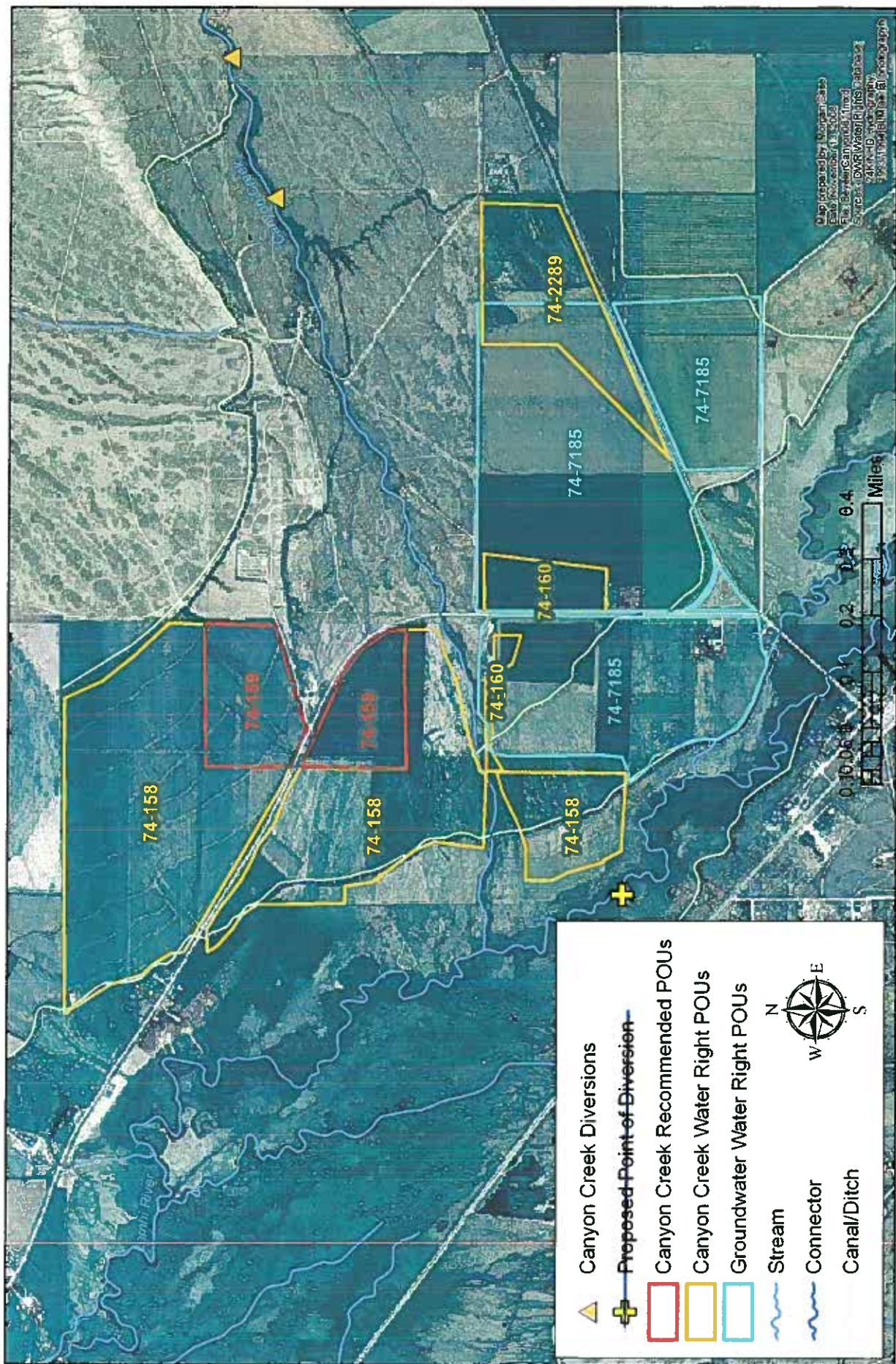
Proposed Changes to Beyeler Irrigation



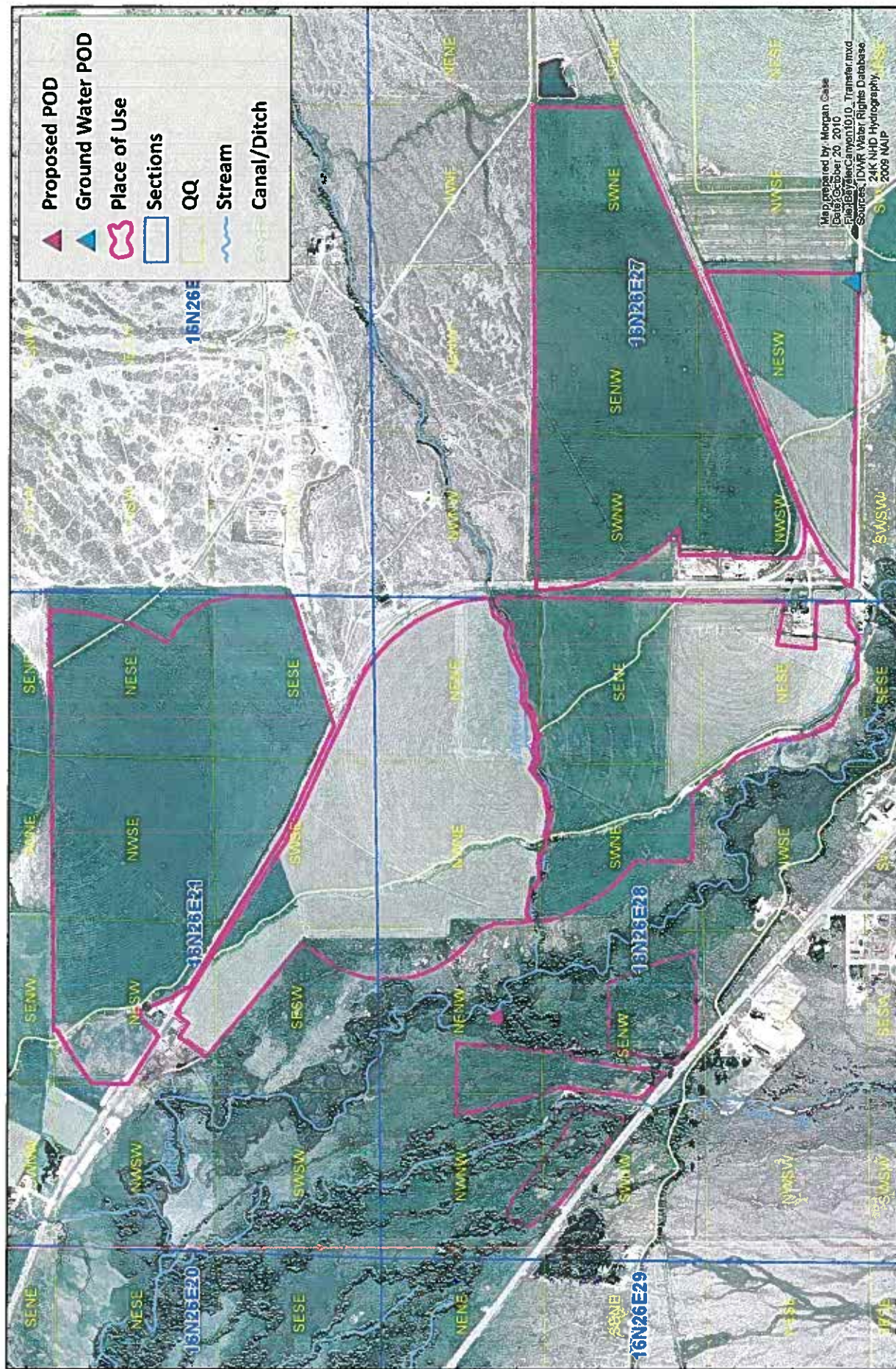


Hawley Creek Diversion

Beyeler Water Rights



Proposed Changes to Beyeler Irrigation



01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-31

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/01/1884

POINT OF

DIVERSION: T16N R26E S28 SWNW Within LEMHI County

T16N R26E S28 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.400 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S21	SWSW	17.70	T16N R26E S28	NENW	10.00
T16N R26E S28	NWNW	33.50	T16N R26E S28	SENE	27.00

88.2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-158

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: CANYON CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 5.000 CFS

PRIORITY DATE: 07/01/1876

POINT OF

DIVERSION: T16N R26E S22 SESE Within LEMHI County

T16N R26E S23 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	5.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S21	NESW	17.80	T16N R26E S21	SESW	2.00
T16N R26E S21	NESE	31.40	T16N R26E S21	NWSE	39.00
T16N R26E S21	SWSE	35.50	T16N R26E S28	NENE	15.50
T16N R26E S28	NWNE	25.00	T16N R26E S28	SWNE	23.00

189.2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-159

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: CANYON CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 07/01/1876

POINT OF
DIVERSION: T16N R26E S22 SESE Within LEMHI County
T16N R26E S23 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S21	SESE	28.00	T16N R26E S28	NENE	11.00
---------------	------	-------	---------------	------	-------

39 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-160

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: CANYON CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 07/01/1877

POINT OF

DIVERSION: T16N R26E S22 SESE Within LEMHI County

T16N R26E S23 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.500 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S27

SWNW

12.00

T16N R26E S28

SENE

3.50

15.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-2289

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: CANYON CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.740 CFS

PRIORITY DATE: 03/07/1944

POINT OF

DIVERSION: T16N R26E S22 SESE Within LEMHI County

T16N R26E S23 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.740 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S27	SWNE	27.90	T16N R26E S27	SENE	4.70
T16N R26E S27	NESW	3.00			

35.6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-2326

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: HAWLEY CREEK

TRIBUTARY: EIGHTEENMILE CREEK

QUANTITY: 1.360 CFS

PRIORITY DATE: 04/11/1960

POINT OF
DIVERSION: T16N R27E S31 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.360 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S27 NESW 26.70

26.7 ACRES TOTAL

This right authorizes the irrigation of 26.7 total acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-7185

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
720.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 05/31/1983

POINT OF
DIVERSION: T16N R26E S27 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.000 CFS 720.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S27	NWNE	1.00	T16N R26E S27	SWNE	11.00
T16N R26E S27	NENW	2.00	T16N R26E S27	NWNW	1.00
T16N R26E S27	SWNW	40.00	T16N R26E S27	SENE	40.00
T16N R26E S27	NESW	38.00	T16N R26E S27	NWSW	23.00
T16N R26E S27	NWSE	12.00	T16N R26E S28	NENE	1.00
T16N R26E S28	SENE	39.00	T16N R26E S28	NESE	30.00
T16N R26E S28	NWSE	2.00			

240 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/27/2010

WATER RIGHT NO. 74-871

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEYELER RANCHES LLC C/O MERRILL AND SHARAL BEYELER PO BOX 62 LEADORE, ID 83464 (208)768-2651
Attorney	PAUL L ARRINGTON
Attorney	TRAVIS L THOMPSON BARKER ROSHOLT & SIMPSON LLP 113 MAIN AVE WEST STE 303 PO BOX 485 TWIN FALLS, ID 83301-0485 (208)733-0700
Original Owner	MERRILL BEYELER
Original Owner	SHARAL L BEYELER PO BOX 62 LEADORE, ID 83464 (208)768-2651
Original Owner	MAXWELL F BEYELER
Original Owner	REVA S BEYELER PO BOX 73 LEADORE, ID 83464

Priority Date: 08/09/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	EIGHTEENMILE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	1.8 CFS	
Total Diversion			1.8 CFS	

Location of Point(s) of Diversion:

SPRINGS	SWNW	Sec. 35	Township 16N	Range 26E	LEMHI County
---------	------	---------	--------------	-----------	--------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
16N	26E	27		NWSW	22.9									
		28		SENE	36.5									
				NESE	31									

Total Acres: 90.4

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	Right Nos. 74-871 and 74-7185 are limited to the irrigation of a combined total of 240 acres in a single irrigation season.

Dates:

Licensed Date:

Decreed Date: 12/21/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:



November 30, 2010

Beyeler Ranches, L.L.C.
Merrill Beyeler
PO Box 62
Leadore, ID 83464

Dear Merrill,

This letter is being sent as a follow-up to our previous conversation regarding your filing for permissible place of use of water rights. Northwest Farm Credit Services, FLCA does not object to you filing for permissible place of use of water rights on your ranch and farm operation in Leadore, ID. Please use this letter as a reference if it is needed with your filing.

Thank you for using Northwest Farm Credit Services for your financial needs. If you have any questions please contact Kara Welch or me at 552-2300.

Sincerely

A handwritten signature in black ink, appearing to read "Cody Hendrix", written over a horizontal line.

Cody Hendrix
Credit Officer

77 00 9