

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED**TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 74354**

This is to certify that: LEIGH MEADOWS DEVELOPMENT LLC
440205 E HWY 10
WELCH OK 74369
(480)266-4522

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>
22-480B	WR/Decreed	06/01/1892	1.33 cfs	N/A	N/A	64.8	NORTH LEIGH CREEK

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>
22-480B	NO	NO	NO	NO	YES	YES

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>
22-480B	22-480B	1.33 cfs	N/A	44.1	64.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.33 cfs	N/A	44.1	64.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of December, 2010



Water Resources Program Manager

SUPPORT DATA

IN FILE # 22480B

WATER RIGHT NO. 22-480B
As Modified by Transfer No. 74354

In accordance with the approval of Transfer No. 74354, Water Right No. 22-480B is now described as follows.

Right Holder: LEIGH MEADOWS PROPERTY OWNERS ASSOCIATION INC
 PO BOX 604
 DRIGGS ID 83422

Priority Date: June 01, 1892

Source: NORTH LEIGH CREEK **Tributary:** SPRING CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.91 CFS	
RECREATION STORAGE	01/01	to 12/31		28.8 AF
FIRE PROTECTION STORAGE	01/01	to 12/31		1.7 AF
DIVERSION TO STORAGE	04/15	to 10/31	0.42 CFS	41.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH LEIGH CREEK SENE Sec. 30 Twp 06N Rge 46E TETON 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	
06N	45E	26									20.0	20.0							40.0
06N	45E	35					6.8	18.0											24.8

Total Acres: 64.8

PLACE OF USE: RECREATION STORAGE and FIRE PROTECTION 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	
06N	45E	26											X	X					
06N	45E	35					X	X											

WATER RIGHT NO. 22-480B
As Modified by Transfer No. 74354

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 44.1 acres within the place of use described above in a single irrigation season.
2. The ponds established by the storage of water under this right shall not exceed a total capacity of 28.8 acre-feet or a total surface area of 7.2 acre(s).
3. Right 22-480B authorizes the diversion of an annual total of 41.4 acre-feet to be used for the initial filling of the pond(s) and for the replacement of losses caused by evaporation.
4. The diversion and use of water described in Transfer 74354 may be subject to additional limitations agreed to by a protestant and the right holder under separate agreement identified as Instrument No. 214663 filed with Teton County on December 8, 2010 to which the Department is not a party and which may be enforceable by a court of law.
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. 01.
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. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
8. 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.
9. The right holder shall install and maintain an impermeable liner in the ponds to eliminate seepage losses.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
11. Place of use and point of diversion are located within Leigh Meadows Subdivision.
12. Water is delivered from Middle Leigh Creek through the Ricks Canal.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 22-480B
As Modified by Transfer No. 74354

CONDITIONS OF APPROVAL

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 29th day of December, 2010



Water Resources Program Manager

