

RECEIVED

OCT 21 2009

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STATE OF IDAHO *Water Resources*
DEPARTMENT OF WATER RESOURCESTransfer No. 76069

OCT 21 2009

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern regionName of Applicant Guardian LTD Partnership No 2Phone (208) 227-9008Mailing Address 1740 S Yellowstone Hwy, Idaho Falls, ID 83403Email hal@rmlcnatural.com

- ☒ 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**. (Not Required: Included for clarification of ownership only)
- ☐ 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 RepresentativeName of Representative Keith C. Wilson c/o Rocky Mountain Environmental Associates Inc. Phone (208) 524-2353 / Fax 524-1795Mailing address 482 Constitution Way, Suite 303, Idaho Falls, ID 83402 Email kwilson@rockymountainenvironmental.com☐ 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 no 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

Print Name and Title if applicable

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. Attached additional pages if necessary and label it **Part 1A.2**. Applicant will dry up 62.7 acres of less productive ground and move only those acres to a half pivot to complete a full (227 acre) pivot on the more productive ground. This application proposes to transfer a total of only 3.65 cfs [(60.315 cfs/1036.7 ac)(62.7 ac)] appurtenant to those 62.7 acres. This transfer does not propose any new Point(s) of Diversion or additional acres irrigated, and uses an existing irrigation system. Ranch operates under the name Lemhi Ranches LLC.

76069

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHT(S) 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					
☒ ☐	74-373 ⁽¹⁾	0.60 cfs	Irrigation	03/15 to 11/15	Little Sawmill Creek – Lemhi River
		0.04 cfs	Stockwater	01/01 to 12/31	Little Sawmill Creek – Lemhi River
☒ ☐	74-374 ⁽¹⁾	0.60 cfs	Irrigation	03/15 to 11/15	Little Sawmill Creek – Lemhi River
		0.04 cfs	Stockwater	01/01 to 12/31	Little Sawmill Creek – Lemhi River
☒ ☐	74-15904 ⁽¹⁾	0.88 cfs	Irrigation	03/15 to 11/15	Little Sawmill Creek – Lemhi River
☒ ☐	74-15905 ⁽¹⁾	2.12 cfs	Irrigation	03/15 to 11/15	Little Sawmill Creek – Lemhi River
☒ ☐	74-985	3.58 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1066A	0.66 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1066B ⁽³⁾	15.75 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1067	1.56 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1068	5.30 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1800A ⁽²⁾	0.28 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1800B ⁽²⁾	0.24 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-15898 ⁽²⁾	0.635 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-15899 ⁽²⁾	0.55 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-15903 ⁽³⁾	10.04 cfs	Irrigation	03/15 to 11/15	Hayden Creek – Lemhi River
☒ ☐	74-1072	0.88 cfs	Irrigation	03/15 to 11/15	East Fork Hayden Creek - Hayden Creek
☒ ☐	74-1073	10.80 cfs	Irrigation	03/15 to 11/15	East Fork Hayden Creek - Hayden Creek
☒ ☐	74-1074	7.04 cfs	Irrigation	03/15 to 11/15	Meadow Creek - Hayden Creek

Total Authorized under rights 60.315⁽⁴⁾ cfs and/or _____ ac-ft

- (1) Expansion rights 74-15904 & 74-15905 limited to 3.0 cfs when combined with other rights from the P/D SESW Sec 7, T17N, R24E. Other rights with the same P/D: 74-373 & 74-374
- (2) Expansion rights 74-15899, 74-15898, 74-15897 & 74-15896 limited to 13.8 cfs when combined with other rights from the same P/D Lot 7 Sec 32, T18N, R24E. Other rights with the same P/D: 74-999, 74-1800A, 74-1800B, 74-1753, 74-1778A & 74-15862.
- (3) Expansion right 74-15903 limited to 14.8 cfs when combined with other rights from the same P/D SWSW Sec 14, R23E. Other rights with the same P/D: 74-1034, 74-1032 & 74-15902, and 74-1066B.
- (4) See Attachment #9

2. Total amount of water being transferred or changed 3.65⁽⁴⁾ 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 proposed 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 #

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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	
17N	23E	1													16.2		7.7	37.9	61.8
		12	19.4	17.3		26.4									16.2				79.3
	24E	5										14.3	13.8						28.1
		6	0.1 L-1	10.4 L-2	40.0	15.9	17.5 L-3		9.0 L-5	40.0	40.0	14.0 L-6	18.4 L-7	33.4	33.6	40.0	22.2	37.5	372.0
		7	32.8	18.4	23.4	39.6	39.8	32.7	30.3 L-2	26.7	6.0	24.8 L-3			5.3	0.8			280.6
		8						4.3	9.2										13.5
18N	24E	31				0.4								22.0 L-18	27.9	2.5	33.8	34.7	121.3
		32					4.0 L-10	0.1	22.9	20.4	0.3	26.2	6.2						80.1

Total Acres (for irrigation use) 1036.7

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: All of these water rights are regulated by the water master in State Water District No. 74

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

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? No ☒. 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Original Place of Use will not be irrigated

- 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) of use: No other water rights on the same place of use. No change in the points of diversion

- 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: _____

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

WATER RIGHT NO. 74-373

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 06/15/1899

Basis: Decereed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SAWMILL CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	0.6 CFS	
STOCKWATER	1/01	12/31	0.04 CFS	

Total Diversion

0.6 CFS

Location of Point(s) of Diversion:

LITTLE SAWMILL CREEK	NWSESW	Sec. 07	Township 17N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

Place of Use Legal Description: STOCKWATER LEMHI County same as Irrigation

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-373 (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the
1. T19 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.
 2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
 3. R05 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. 74.
 4. R43 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).
 5. X27 This right is limited to the irrigation of 51.7 acres within the place of use described above in a single irrigation season.
 6. X36 Right 74-374 is also diverted through the point of diversion described above.
 7. X35 Rights 74-373, 74-374 and 74-1068 when combined shall not exceed the irrigation of 176.8 acres.
 8. Rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 when combined shall not exceed the irrigation of 283.9 acres.
 9. Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
 10. R59 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.

Decreed Date: 09/20/2007

Combined Acres Limit: 176.8

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

WATER RIGHT NO. 74-374

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 06/15/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SAWMILL CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	0.6 CFS	
STOCKWATER	1/01	12/31	0.04 CFS	

Total Diversion 0.6 CFS

Location of Point(s) of Diversion:

LITTLE SAWMILL CREEK	NWSESW	Sec. 07	Township 17N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

Place of Use Legal Description: STOCKWATER LEMHI County same as IRRIGATION

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENW	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENW	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENW	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-374 (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. T19
 2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
 3. R05 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. 74.
 4. R43 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).
 5. X27 This right is limited to the irrigation of 125.1 acres within the place of use described above in a single irrigation season.
 6. X36 Right 74-373 is also diverted through the point of diversion described above.
 7. X35 Rights 74-373, 74-374 and 74-1068 when combined shall not exceed the irrigation of 176.8 acres.
 8. Rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 when combined shall not exceed the irrigation of 283.9 acres.
 9. Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
 10. R59 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.

Decreed Date: 09/20/2007

Combined Acres Limit: 176.8

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

WATER RIGHT NO. **74-15904** **Adjudication Recommended** Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 03/15/1966

Basis: Beneficial Use - Adjudication Recommended

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SAWMILL CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	0.88 CFS	
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Total Diversion

0.88 CFS

Location of Point(s) of Diversion:

LITTLE SAWMILL CREEK	SESW	Sec. 07	Township 17N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-15904 (Cont.)** **Adjudication Recommended** Right Report

8/27/2009

Conditions of Approval:

1. 181 This water right is subordinated to all water rights with a priority date earlier than October 3, 1974.
2. U42 Place of use does not include federal public lands
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
3. C18 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.
4. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 3.0 cfs.
5. 182 This water right is supplemental to surface water rights with priority dates earlier than March 15, 1966.
6. This right is a split from former right 74-15373 .

Dates:

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

WATER RIGHT NO. **74-15905** **Adjudication Recommended** Right Report

8/27/2009

Owner Type **Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 03/15/1966

Basis: Beneficial Use - Adjudication Recommended

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SAWMILL CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	2.12 CFS	
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Total Diversion 2.12 CFS

Location of Point(s) of Diversion:

LITTLE SAWMILL CREEK	SESW	Sec. 07	Township 17N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-15905 (Cont.)** **Adjudication Recommended** Right Report

8/27/2009

Conditions of Approval:

1. U42 Place of use does not include federal public lands

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient

2. C18 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.

3. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 3.0 cfs.

4. 181 This water right is subordinated to all water rights with a priority date earlier than October 3, 1974.

5. 182 This water right is supplemental to surface water rights with priority dates earlier than March 15, 1966.

6. This right is a split from former right 74-15373 .

Dates:

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

WATER RIGHT NO. **74-985**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 01/28/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	3.58 CFS	
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Total Diversion 3.58 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	NENESE	Sec. 22	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-985 (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029
 3. R05
 4. R43
 5. X27
 6. X36
 7. X35
 8. R59
- Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
- 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. 74.
- 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).
- This right is limited to the irrigation of 119.2 acres within the place of use described above in a single irrigation season.
- Rights 74-985, 74-1066A, 74-1066B, 74-1067 and 74-1068 are diverted through the point of diversion described above.
- Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
- 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.

Decreed Date: 11/06/2007

Combined Acres Limit: 1036.7

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

WATER RIGHT NO. **74-1066A**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 10/06/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	0.66 CFS	
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Total Diversion

0.66 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	NENESE	Sec. 22	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-1066A (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029
 3. R05
 4. R43
 5. X27
 6. X36
 7. X35
 8. R59
- Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
- 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. 74.
- 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).
- This right is limited to the irrigation of 22.2 acres within the place of use described above in a single irrigation season.
- Rights 74-985, 74-1066A, 74-1066B, 74-1067 and 74-1068 are diverted through the point of diversion described above.
- Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
- 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.

Decreed Date: 11/06/2007

Combined Acres Limit: 1036.7

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

WATER RIGHT NO. **74-1066B**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 10/06/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	15.75 CFS	
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Total Diversion 15.75 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	SESWSW	Sec. 14	Township 17N	Range 23E	LEMHI County
HAYDEN CREEK	NENESE	Sec. 22	Township 17N	Range 23E	LEMHI County

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENW	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENW	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENW	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-1066B (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029
 3. R05
 4. R43
 5. X27
 6. X36
 7. X35
 8. R59
- Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
- 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. 74.
- 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).
- This right is limited to the irrigation of 524.7 acres within the place of use described above in a single irrigation season.
- Rights 74-985, 74-1066A, 74-1066B, 74-1067 and 74-1068 are diverted through the point of diversion described above.
- Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
- 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.

Decreed Date: 11/06/2007

Owner Name Connector: OR

Water District Number: 74

Combined Acres Limit: 1036.7

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

WATER RIGHT NO. **74-1067**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 02/27/1915

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	1.56 CFS	
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Total Diversion

1.56 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	NENESE	Sec. 22	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-1067** (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029
 3. R05
 4. R43
 5. X27
 6. X36
 7. X35
 8. R59
- Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
- 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. 74.
- 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).
- This right is limited to the irrigation of 51.8 acres within the place of use described above in a single irrigation season.
- Rights 74-985, 74-1066A, 74-1066B, 74-1067 and 74-1068 are diverted through the point of diversion described above.
- Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
- 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.

Decreed Date: 11/06/2007

Combined Acres Limit: 1036.7

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

WATER RIGHT NO. **74-1068**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 11/05/1908

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	5.3 CFS	
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Total Diversion

5.3 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	NENESE	Sec. 22	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-1068 (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029
 3. R05
 4. R43
 5. X27
 6. X36
 7. X35
 8. R59
- Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
- 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. 74.
- 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).
- This right is limited to the irrigation of 176.8 acres within the place of use described above in a single irrigation season.
- Rights 74-985, 74-1066A, 74-1066B, 74-1067 and 74-1068 are diverted through the point of diversion described above.
- Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
- 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.

Decreed Date: 11/06/2007

Combined Acres Limit: 176.8

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

WATER RIGHT NO. **74-1800A**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 01/28/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	0.28 CFS	
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Total Diversion 0.28 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	NENW Lt 7	Sec. 32	Township 18N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-1800A (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029
 3. R05
 4. R43
 5. X27
 6. X35
 7. R59
- Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
- 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. 74.
- 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).
- This right is limited to the irrigation of 9.3 acres within the place of use described above in a single irrigation season.
- Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
- 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.

Decreed Date: 11/06/2007

Combined Acres Limit: 1036.7

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

WATER RIGHT NO. **74-1800B**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 01/28/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	0.24 CFS	
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Total Diversion 0.24 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	NENW Lt 7	Sec. 32	Township 18N	Range 24E	LEMHI County
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IRRIGATION Use: Acre Limit: 8.2

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

76069

WATER RIGHT NO. 74-1800B (cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18
 2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
 3. R05 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. 74.
 4. R43 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).
 5. X27 This right is limited to the irrigation of 8.2 acres within the place of use described above in a single irrigation season.
 6. X35 Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
 7. R59 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.

Decreed Date: 11/06/2007

Combined Acres Limit: 1036.7

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

WATER RIGHT NO. 74-15898 Adjudication Recommended Right Report

8/27/2009

Owner TypeName and Address

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 03/15/1966

Basis: Beneficial Use - Adjudication Recommended

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	0.635 CFS	
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Total Diversion

0.635 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	Lt 7	Sec. 32	Township 18N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-15898 (Cont.)** **Adjudication Recommended** Right Report

8/27/2009

Conditions of Approval:

1. This right is a split from former right 74-15094 .
2. 181 This water right is subordinated to all water rights with a priority date earlier than October 3, 1974.
3. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 13.8 cfs.
4. U42 Place of use does not include federal public lands
5. 182 This water right is supplemental to surface water rights with priority dates earlier than March 15, 1966.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
6. C18 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.

Dates:

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

WATER RIGHT NO. **74-15899** **Adjudication Recommended** Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 03/15/1966

Basis: Beneficial Use - Adjudication Recommended

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	13.8 CFS	
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Total Diversion

0.55 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	Lt 7	Sec. 32	Township 18N	Range 24E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-15899 (Cont.) Adjudication Recommended Right Report

8/27/2009

Conditions of Approval:

1. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 13.8 cfs.
2. 182 This water right is supplemental to surface water rights with priority dates earlier than March 15, 1966.
3. This right is a split from former right 74-15094 .
4. 181 This water right is subordinated to all water rights with a priority date earlier than October 3, 1974.
5. U42 Place of use does not include federal public lands
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
6. C18 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.

Dates:

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

WATER RIGHT NO. **74-15903** **Adjudication Recommended** Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 03/15/1966

Basis: Beneficial Use - Adjudication Recommended

Status: Active

<u>Source</u>	<u>Tributary</u>
HAYDEN CREEK	LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION	03/15	11/15	10.04 CFS	
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Total Diversion

10.04 CFS

Location of Point(s) of Diversion:

HAYDEN CREEK	SWSW	Sec. 14	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-15903 (Cont.)** **Adjudication Recommended** Right Report

8/27/2009

Conditions of Approval:

1. This right is a split from former right 74-15100 .
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
2. C18 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.
3. 182 This water right is supplemental to surface water rights with priority dates earlier than March 15, 1966.
4. 181 This water right is subordinated to all water rights with a priority date earlier than October 3, 1974.
5. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 14.8 cfs.
6. U42 Place of use does not include federal public lands

Dates:

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

WATER RIGHT NO. 74-1072

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 04/01/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK HAYDEN CREEK	HAYDEN CREEK

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	0.88 CFS	
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Total Diversion

0.88 CFS

Location of Point(s) of Diversion:

EAST FORK HAYDEN CREEK	NWNWSE	Sec. 34	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENW	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENW	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENW	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-1072** (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

1. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
2. R05 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. 74.
3. R43 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).
4. X36 Right 74-1073 is also diverted through the point of diversion described above.
5. X27 This right is limited to the irrigation of 18.6 acres within the place of use described above in a single irrigation season.
6. X35 Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
7. R59 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.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
8. C18 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: 11/05/2007

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

WATER RIGHT NO. **74-1073**

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 07/30/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK HAYDEN CREEK	HAYDEN CREEK

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	10.8 CFS	
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Total Diversion

10.8 CFS

Location of Point(s) of Diversion:

EAST FORK HAYDEN CREEK	NWNWSE	Sec. 34	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. **74-1073** (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

1. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
2. R05 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. 74.
3. R43 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).
4. X36 Right 74-1072 is also diverted through the point of diversion described above.
5. X27 This right is limited to the irrigation of 232.2 acres within the place of use described above in a single irrigation season.
6. X35 Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
7. R59 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.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient
8. C18 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: 11/05/2007

State or Federal: S

Owner Name Connector: OR

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

WATER RIGHT NO. 74-1074

Water Right Report

8/27/2009

Owner Type**Name and Address**

Current Owner GUARDIAN LTD PARTNERSHIP NO 2

Priority Date: 06/05/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEADOW CREEK	HAYDEN CREEK

Beneficial Use From To Diversion Rate Volume

IRRIGATION	3/15	11/15	7.04 CFS	
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Total Diversion

7.04 CFS

Location of Point(s) of Diversion:

MEADOW CREEK	SEWNW	Sec. 23	Township 17N	Range 23E	LEMHI County
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Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	23E	1		SENE	19.1									
				NESE	30.1		SWSE	9.3		SESE	38			
		12		NENE	19.4		NWNE	20.7		SENE	26.4			
				NESE	16.2									
	24E	5		NWSW	14.3		SWSW	13.8						
		6	1	NENE	0.1	2	NWNE	10.4		SWNE	40		SENE	16.3
			3	NENW	17.5	5	SWNW	12.8		SENE	40			
				NESW	40	6	NWSW	22.2	7	SWSW	18.4		SESW	33.4
				NESE	38.2		NWSE	40		SWSE	27.7		SESE	39.4
		7		NENE	32.4		NWNE	18.2		SWNE	13.6		SENE	4.9
				NENW	39.8	1	NWNW	32.7	2	SWNW	30.3		SENE	26.7
				NESW	6	3	NWSW	24.8						
		8		NWNW	2.2									
18N		31		SENE	0.4									
			18	SESW	22									
				NESE	27.9		NWSE	2.5		SWSE	33.8		SESE	34.7
		32	10	NENW	4	4	NWNW	0.1		SWNW	22.9		SENE	20.4
				NESW	0.3		NWSW	26.2		SWSW	6.2			

Total Acres: 1036.7

WATER RIGHT NO. 74-1074 (Cont.)

Water Right Report

8/27/2009

Conditions of Approval:

- 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.
1. C18 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.
 2. T19 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
 3. 029 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. 74.
 4. R05 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).
 5. R43 This right is limited to the irrigation of 232.2 acres within the place of use described above in a single irrigation season.
 6. X27 Rights 74-1074 and 74-1073 when combined shall not exceed the irrigation of 232.2 acres.
 7. X35 Rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 when combined shall not exceed the irrigation of 283.9 acres.
 8. Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
 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 lands above.
 10. R59

Decreed Date: 11/05/2007

State or Federal: S

Owner Name Connector: OR

APPLICATION FOR TRANSFER OF WATER RIGHT

Part 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☒ 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 right 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 supplemental, 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.:

[illegible]

Transfer contains _____ pages and _____ attachments.

Received by SC Date 10/21/09 Prelim. Check by _____ Date _____

Fee Paid 370.00 Date 10/21/09 Received by SC Receipt # 0035415

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____



IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

GUARDIAN LIMITED PARTNERSHIP NO. 2

2225 E 25TH ST #200
IDAHO FALLS, ID 83404

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT, ANREPT SENT 05 Aug 2009

State of Origin: IDAHO

Date of Origination/Authorization: 14 Oct 1994

Current Registered Agent: DEREK C ENCE
2235 E 25TH ST #200
IDAHO FALLS, ID 83404

File Number: L2556

Date of Last Annual Report: 13 Aug 2009

No. L 2556 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Oct 31, 2009 Annual Report Form 1. Mailing Address: Correct in this box if needed. GUARDIAN LIMITED PARTNERSHIP NO. 2 DEREK L ENCE 2225 E 25TH ST #200 IDAHO FALLS ID 83404		2. Registered Agent and Address (NO PO BOX) DEREK C ENCE 2235 E 25TH ST #200 IDAHO FALLS ID 83404 3. <u>New</u> Registered Agent Signature:*		
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
GENERAL PARTNER	BALL ENTERPRISES, INC.	2235 E 25TH ST SUITE 200	IDAHO FALLS	ID	USA	83404
5. Organized Under the Laws of: ID L 2556		6. Annual Report must be signed.* Signature: Derek C. Ence Name (type or print): Derek C. Ence Date: 08/13/2009 Title: General Counsel				
Processed 08/13/2009		* Electronically provided signatures are accepted as original signatures.				



IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

BALL ENTERPRISES, INC.

PO BOX 1491
IDAHO FALLS, ID 83403

Type of Business: CORPORATION, GENERAL BUSINESS
Status: GOODSTANDING, ANREPT SENT 01 Oct 2008
State of Origin: IDAHO
Date of Origination/Authorization: 21 Dec 1992
Initial Registered Agent: DEREK C ENCE
 2235 E 25TH ST #220
 IDAHO FALLS, ID 83404
Organizational ID / Filing Number: C100474
Number of Authorized Stock Shares: 100
Date of Last Annual Report: 17 Nov 2008

No. C 100474		Due no later than December 31, 2008		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080		Annual Report Form 1. Mailing Address - Correct in this box, if applicable BALL ENTERPRISES, INC. DEREK C. ENCE PO BOX 1491 IDAHO FALLS, ID 83403		DEREK C ENCE 2235 E 25TH ST #220 IDAHO FALLS, ID 83404	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held	Name	Street or P.O. Address	City	State	Zip
President	Roger Ball	P.O. Box 1491	Idaho Falls	ID	83403
Secretary	Derek Ence	"	"	"	"
Directors:	Roger Ball	"	"	"	"
	Marsha Ball	"	"	"	"
	Ben Ball	"	"	"	"
	Brett Ball	"	"	"	"
5. Organized Under the Laws of: IDAHO C 100474		6. Signature 		Date 11-13-08	
		Name (Typed or Printed) Derek Ence		Title General Counsel	
				200812001291	

Issued 10/11/2008

Do Not Tape or Staple



IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

LEMHI RANCHES, LLC

PO BOX 1491
IDAHO FALLS, ID 83403

Type of Business: LIMITED LIABILITY COMPANY
Status: EXISTING, ANREPT SENT 03 Sep 2009
State of Origin: IDAHO
Date of Origination/Authorization: 13 Nov 1995
Current Registered Agent: DEREK C ENCE
 2235 E 25TH #200
 IDAHO FALLS, ID 83404
File Number: W1710
Date of Last Annual Report: 08 Sep 2009

No. W 1710 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Nov 30, 2009 Annual Report Form 1. Mailing Address: Correct in this box if needed. LEMHI RANCHES, LLC DEREK C ENCE PO BOX 1491 IDAHO FALLS ID 83403		2. Registered Agent and Address (NO PO BOX) DEREK C ENCE 2235 E 25TH #200 IDAHO FALLS ID 83404 3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
MANAGER	BALL ENTERPRISES, INC.	2235 E 25TH	IDAHO FALLS	ID	USA 83404
5. Organized Under the Laws of: ID W 1710 Processed 09/08/2009		6. Annual Report must be signed.* Signature: Derek C. Ence Name (type or print): Derek C. Ence Date: 09/08/2009 Title: General Counsel			
* Electronically provided signatures are accepted as original signatures.					

Application for Water Right Transfer

Guardian Ltd Partnership No. 2

Legend

Attachment #7a

 New Acres per Transfer

 NewPOU

 Original POU

 Township and Range

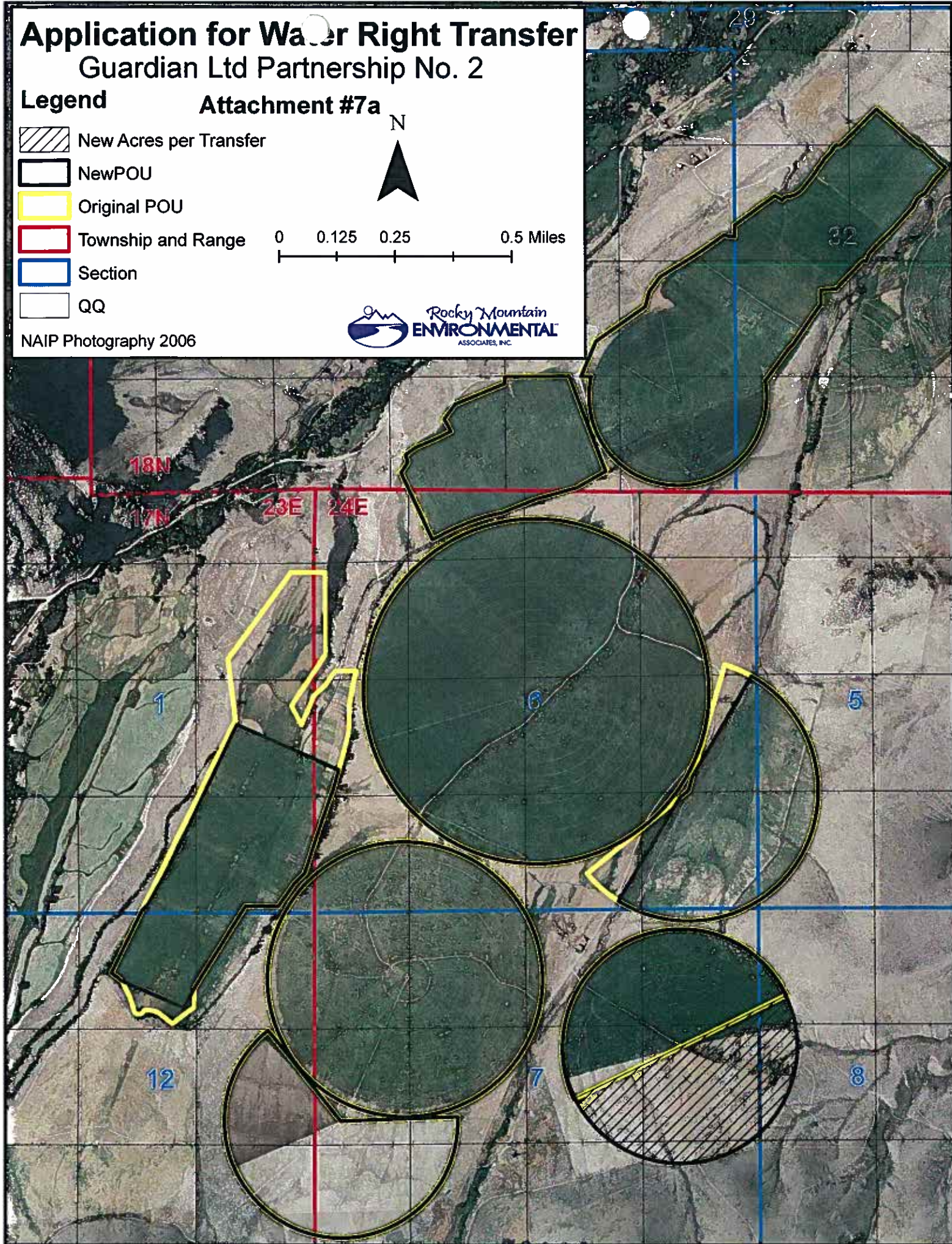
 Section

 QQ

NAIP Photography 2006



0 0.125 0.25 0.5 Miles



Application for Water Right Transfer

Guardian Ltd Partnership No. 2

Attachment #7b Page 1/2

Legend

 Dry Acres per Transfer

 Original POU

 Township and Range

 Section

 QQ

N

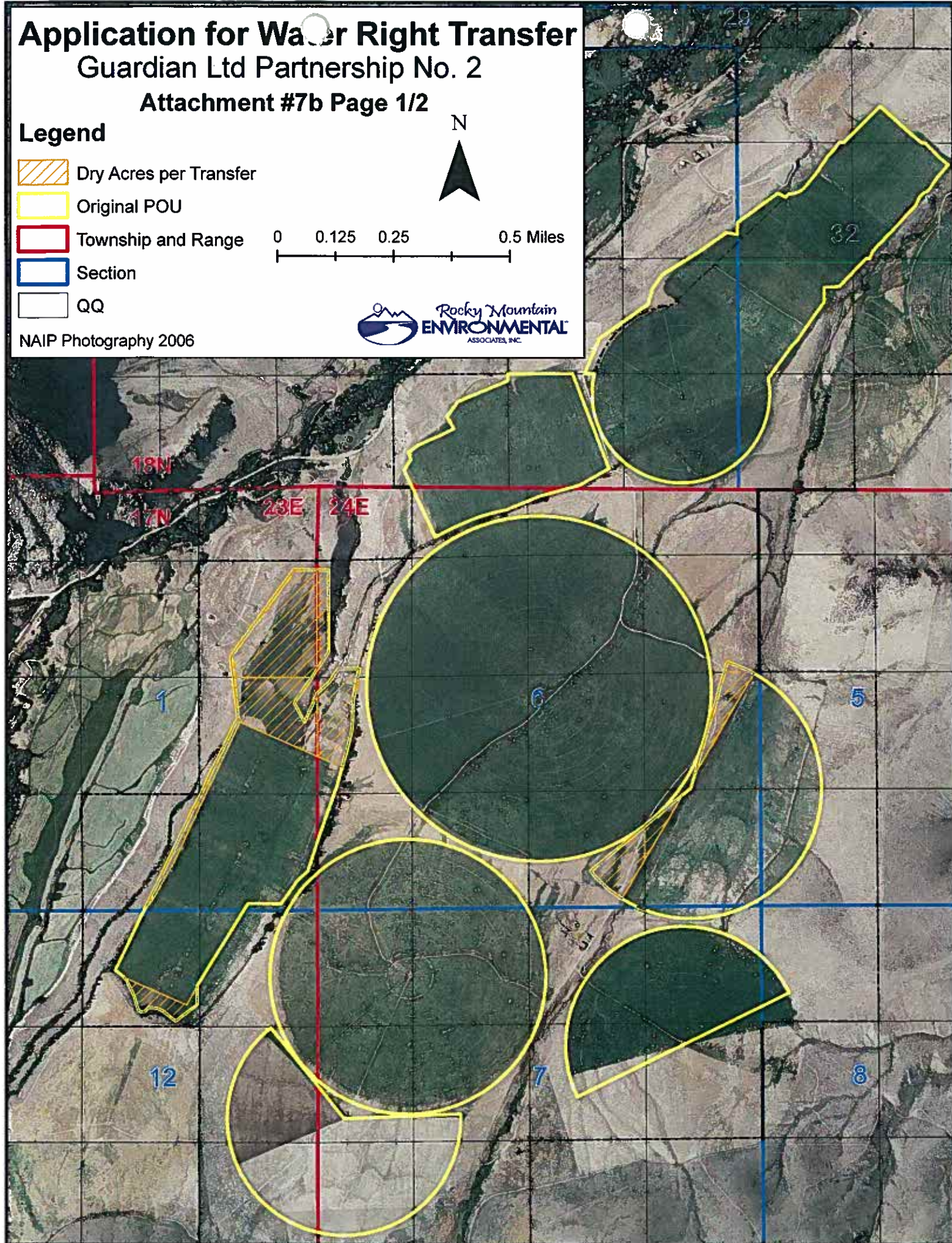


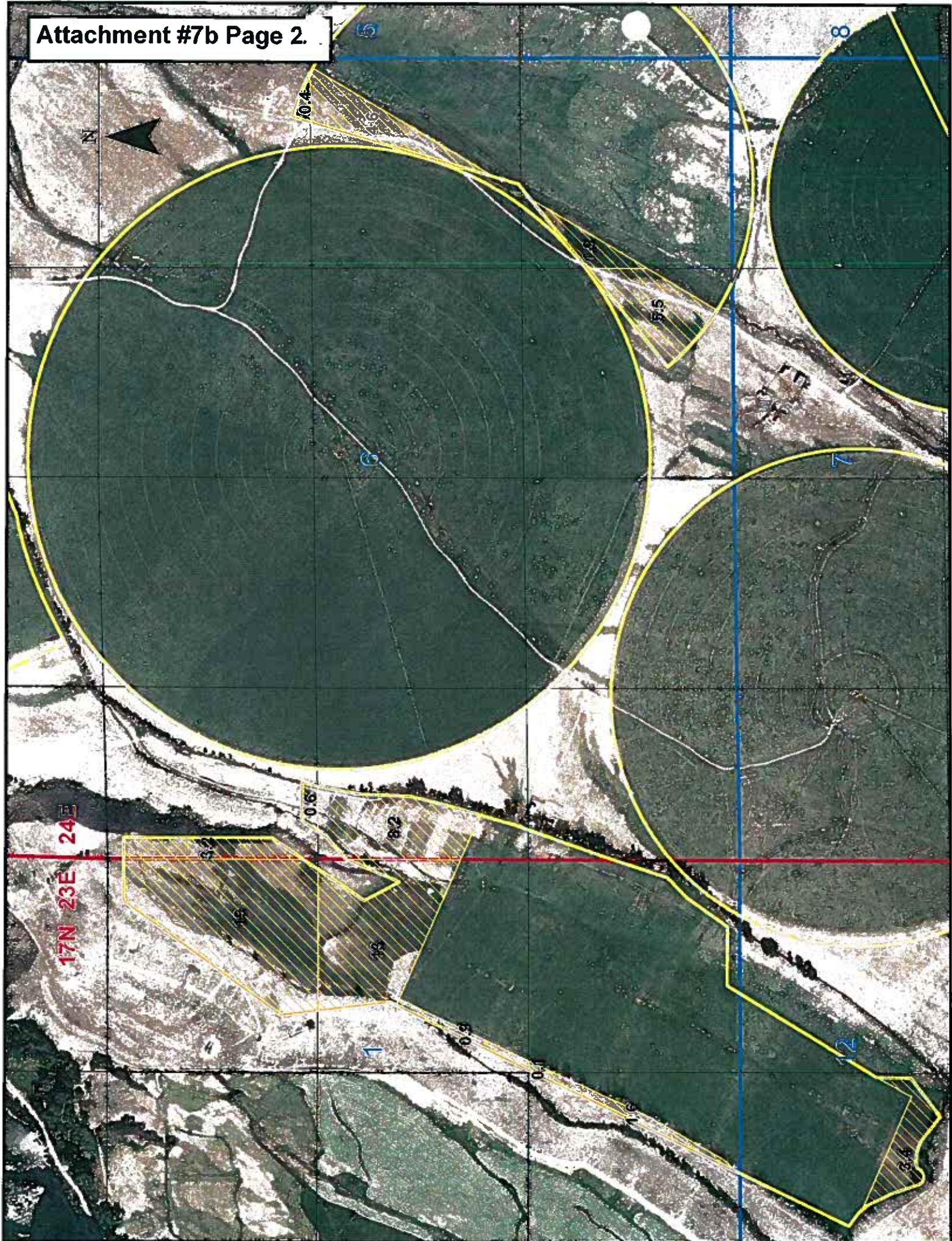
0 0.125 0.25 0.5 Miles



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

NAIP Photography 2006





Calculation of Acres Transferred & Filing Fee

Acres Moved:

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	
17N	23E	1		SENE	19.1										
				NESE	13.9		SWSE	1.6		SESE	0.1				
		12		NWNE	3.4										
17N	24E	6		SENE	0.4										
				SWNW	3.8										
				NWSW	8.2										
				NESE	4.6					SWSE	5.5		SESE	1.9	
															Acres
53.4 ac + 1.6 ac + 5.6 ac + 1.9 ac =															62.5 ac

Places of Use changed:

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	
17N	24E	7		NENE			NWNE	+0.2		SWNE			SENE		0.2 ac
				NESE			NWSE								
17N	24E	8		NWNW			SWNW								Total Acres
															Total acres involved in transfer
															62.7 ac

In the process of re-calculating the acres with in the NWNE Sec 7, T17N, R24E it was determined that the acreage within the NWNE was 0.2 acres more than recorded in the water right. The difference is attributed to the fact that the engineering firm that installed the pivot provided the irrigated radius of the pivot and this was used to determine the acres under the half pivot and the resulting full pivot. The change of 0.2 acres does not increase the acres under the water rights involved in this transfer.

The 62.7 acres referenced in this transfer is the addition of the 0.2 acres in the NWNE Sec 7, T17N, R24E to the 62.5 acres moved for a total of 62.7 acres. The total amount of water being transferred or changed was calculate as follows:

Conditions on some of the points of diversion are as follows:

- (1) Expansion rights 74-15904 & 74-15905 limited to 3.0 cfs when combined with other rights from the P/D SESW Sec 7, T17N, R24E. Other rights with the same P/D: 74-373 & 74-374
- (2) Expansion rights 74-15899, 74-15898, 74-15897 & 74-15896 limited to 13.8 cfs when combined with other rights from the same P/D Lot 7 Sec 32, T18N, R24E. Other rights with the same P/D: 74-999, 74-1800A, 74-1800B, 74-1753, 74-1778A & 74-15862.
- (3) Expansion right 74-15903 limited to 14.8 cfs when combined with other rights from the same P/D SWSW Sec 14, R23E. Other rights with the same P/D: 74-1034, 74-1032 & 74-15902, and 74-1066B.

These conditions made determining to total amount transferred for just water rights of Guardian LTD Partnership No. 2 difficult. Therefore, water rights 74-373, 74-374, 74-15904 & 74-15905 limited to 3.0 cfs and the remainder were added as if no limiting conditions existed. This resulted in a total diversion rate on this place of use of 60.315 cfs.

The diversion rate was calculated as follows:

$$(60.315 \text{ cfs}/1036.7 \text{ ac}) = (0.058 \text{ cfs/ac}) \times (62.7 \text{ ac}) = 3.647 \text{ cfs} = 3.65 \text{ cfs}$$

Filing fee for 3.65 cfs = \$370.00

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
- ☒ * 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/water/rights/>.
- ☐ ☒ #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: Calculation of Acres Transferred & Filing Fee