

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74724

This is to certify that: LEADORE LAND PARTNERS LTD PARTNERSHIP
 C/O KARL TYLER
 3663 N RESERVE
 MISSOULA MT 59808
 (406)721-2438

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-39A	AJC/Decreed	06/10/1901	2.53 cfs	N/A	N/A	626.8	BIG TIMBER CREEK
74-15213	AJC/Beneficial Use	03/15/1966	21.00 cfs	N/A	N/A	548.0	BIG TIMBER CREEK
74-37	AJC/Decreed	09/01/1874	3.35 cfs	N/A	N/A	626.8	BIG TIMBER CREEK
74-996	AJC/Decreed	09/10/1918	8.32 cfs	N/A	N/A	626.8	LEMHI RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-39A	NO	NO	YES	YES	NO	NO
74-15213	NO	NO	YES	YES	NO	NO
74-37	NO	NO	YES	YES	NO	NO
74-996	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
74-39A	74-39A	2.53 cfs	N/A	N/A	487.8		N/A	N/A	N/A	N/A
74-15213	74-15213	21.00 cfs	N/A	N/A	487.8		N/A	N/A	N/A	N/A
74-37	74-37	3.35 cfs	N/A	N/A	487.8		N/A	N/A	N/A	N/A
74-996	74-996	8.32 cfs	N/A	N/A	487.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		30.80 cfs	N/A	N/A	487.8		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 74-37

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74724

Detailed Water Right Description(s) attached

Dated this 5th day of June, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-39A
As Modified by Transfer No. 74724

In accordance with the approval of Transfer No. 74724, Water Right No. 74-39A is now described as follows.

Right Holder: LEADORE LAND PARTNERS LTD PARTNERSHIP
C/O KARL TYLER
3663 N RESERVE
MISSOULA MT 59808

Priority Date: June 10, 1901

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	2.53 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK	NWSE	Sec. 20 Twp 16N	Rge 26E	LEMHI County
BIG TIMBER CREEK	NWNW	Sec. 33 Twp 16N	Rge 26E	LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 26E 20									25.3	40.0	27.8				9.5		102.6
16N 26E 29	2.5	40.0	39.7	2.6	40.0	40.0	40.0	40.0	8.2	32.7				5.6			291.3
16N 26E 30	40.0			36.7									17.2				93.9

Total Acres: 487.8

CONDITIONS OF APPROVAL

1. Rights 74-37, 74-39A, and 74-996 when combined shall not exceed a total diversion rate of 9.8 cfs and the irrigation of 487.8 acres.
2. Rights 74-37, 74-39A, 74-996, and 74-15213 when combined shall not exceed the irrigation of 487.8 acres.
3. 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.
4. Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within the water districts. At the time of this approval, this water right is within State Water District Nos. 74 and 74W.

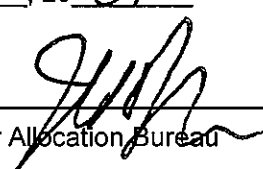
WATER RIGHT NO. 74-39A
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

5. Diversion of water from the Lemhi River is limited to those times water is available for diversion under this right and priority from Big Timber Creek. Availability of water from the Lemhi River shall be determined based on the lesser of the flow in Big Timber Creek at the authorized point of diversion or at the mouth of Big Timber Creek.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Big Timber Creek at the original point of diversion, at the mouth of Big Timber Creek, and at the point of diversion from the Lemhi River.
7. 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 watermasters suitable control of the diversion(s).
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. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of June, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-996
As Modified by Transfer No. 74724

In accordance with the approval of Transfer No. 74724, Water Right No. 74-996 is now described as follows.

Right Holder: LEADORE LAND PARTNERS LTD PARTNERSHIP
C/O KARL TYLER
3663 N RESERVE
MISSOULA MT 59808

Priority Date: September 10, 1918

Source: LEMHI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	8.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

LEMHI RIVER SESE Sec. 28 Twp 16N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 26E 20									25.3	40.0	27.8				9.5		102.6
16N 26E 29	2.5	40.0	39.7	2.6	40.0	40.0	40.0	40.0	8.2	32.7				5.6			291.3
16N 26E 30	40.0			36.7									17.2				93.9

Total Acres: 487.8

CONDITIONS OF APPROVAL

1. Rights 74-37, 74-39A, and 74-996 when combined shall not exceed a total diversion rate of 9.8 cfs and the irrigation of 487.8 acres.
2. Rights 74-37, 74-39A, 74-996, and 74-15213 when combined shall not exceed the irrigation of 487.8 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within the water district. At the time of this approval, this water right is within State Water District No. 74.
4. 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.

WATER RIGHT NO. 74-996
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of June, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-15213
As Modified by Transfer No. 74724

In accordance with the approval of Transfer No. 74724, Water Right No. 74-15213 is now described as follows.

Right Holder: LEADORE LAND PARTNERS LTD PARTNERSHIP
 C/O KARL TYLER
 3663 N RESERVE
 MISSOULA MT 59808

Priority Date: March 15, 1966

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	21.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK NWNW Sec. 33 Twp 16N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 26E 20									25.3	40.0	27.8				9.5		102.6
16N 26E 29	2.5	40.0	39.7	2.6	40.0	40.0	40.0	40.0	8.2	32.7				5.6			291.3
16N 26E 30	40.0			36.7									17.2				93.9

Total Acres: 487.8

CONDITIONS OF APPROVAL

1. Rights 74-37, 74-39A, 74-996, and 74-15213 when combined shall not exceed the irrigation of 487.8 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within the water district. At the time of this approval, this water right is within State Water District No. 74.
3. 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.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

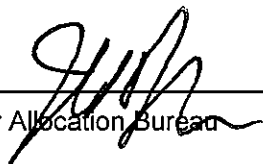
WATER RIGHT NO. 74-15213
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of June, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-37
As Modified by Transfer No. 74724

In accordance with the approval of Transfer No. 74724, Water Right No. 74-37 is now described as follows.

Right Holder: LEADORE LAND PARTNERS LTD PARTNERSHIP
 C/O KARL TYLER
 3663 N RESERVE
 MISSOULA MT 59808

Priority Date: September 01, 1874

Source: BIG TIMBER CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	3.35 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK	NWSE	Sec. 20 Twp 16N	Rge 26E	LEMHI County
BIG TIMBER CREEK	NWNW	Sec. 33 Twp 16N	Rge 26E	LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 26E 20									25.3	40.0	27.8				9.5		102.6
16N 26E 29	2.5	40.0	39.7	2.6	40.0	40.0	40.0	40.0	8.2	32.7				5.6			291.3
16N 26E 30	40.0			36.7									17.2				93.9

Total Acres: 487.8

CONDITIONS OF APPROVAL

1. Rights 74-37, 74-39A, and 74-996 when combined shall not exceed a total diversion rate of 9.8 cfs and the irrigation of 487.8 acres.
2. Rights 74-37, 74-39A, 74-996, and 74-15213 when combined shall not exceed the irrigation of 487.8 acres.
3. 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.
4. Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within the water districts. At the time of this approval, this water right is within State Water District Nos. 74 and 74W.

WATER RIGHT NO. 74-37
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

5. Diversion of water from the Lemhi River is limited to those times water is available for diversion under this right and priority from Big Timber Creek. Availability of water from the Lemhi River shall be determined based on the lesser of the flow in Big Timber Creek at the authorized point of diversion or at the mouth of Big Timber Creek.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Big Timber Creek at the original point of diversion, at the mouth of Big Timber Creek, and at the point of diversion from the Lemhi River.
7. 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 watermasters suitable control of the diversion(s).
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.
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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 5th day of June, 20 09



Chief, Water Allocation Bureau