

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>
74-37	AJC/Decreed	09/01/1874	3.35 cfs	N/A	N/A	626.8	BIG TIMBER CREEK
74-39A	AJC/Decreed	06/10/1901	2.53 cfs	N/A	N/A	626.8	BIG TIMBER CREEK

Purpose of Transfer (Changes Proposed)

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

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres Limit</u>	<u>Total</u>	<u>Source</u>
74-15213	AJC/Beneficial Use	03/15/1966	21.0 cfs	N/A	N/A	548.0	BIG TIMBER CREEK

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>
74-37	74-37	3.35 cfs	N/A	N/A	291.2		N/A	N/A	N/A	N/A
74-39A	74-15860	1.14 cfs	N/A	N/A	291.2	74-15859	1.39 cfs	N/A	256.8	335.6
COMBINED TOTALS		4.49 cfs	N/A	291.2	291.2		N/A	N/A	N/A	N/A

SUPPORT DATA

Detailed Water Right Description(s) attached

IN FILE # 74-37

Dated this 31ST day of December, 20 08

 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

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												8.2			5.8		14.0
16N	26E	29	2.6	39.8	39.8	2.8	40.0	9.3	29.5	40.0	8.1	33.0				5.7			250.6
16N	26E	30				9.5									17.1				26.6

Total Acres: 291.2

CONDITIONS OF APPROVAL

1. 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.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 74-37 and 74-15860 when combined shall not exceed the irrigation of 291.2 acres.
5. Rights 74-37, 74-15860, and 74-15213 when combined shall not exceed the irrigation of 291.2 acres.
6. Diversion of water from the Lemhi River is limited to those times water is available for diversion under this right from Big Timber creek.

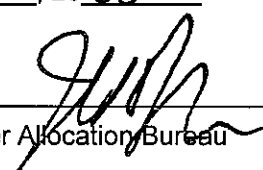
WATER RIGHT NO. 74-37
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

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 31ST day of December, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-15859
As Modified by Transfer No. 74724

In accordance with the approval of Transfer No. 74724, Water Right No. 74-15859 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	1.40 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									25.0	40.0	19.7						84.7
16N	26E	29					31.8	2.3											34.1
16N	26E	30	40.0		40.0	31.1	40.0			25.5	.7				4.3	35.2			216.8

Total Acres: 335.6

CONDITIONS OF APPROVAL

1. 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. 74W.
2. 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.
3. This right is limited to the irrigation of 256.8 acres within the place of use described above in a single irrigation season.
4. Rights 74-15859 and 74-15213 when combined shall not exceed the irrigation of 256.8 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within <one> year(s) of the date of this approval.

WATER RIGHT NO. 74-15859
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 31st day of December, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-15860
As Modified by Transfer No. 74724

In accordance with the approval of Transfer No. 74724, Water Right No. 74-15860 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	1.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK NWSE Sec. 20 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												8.2			5.8		14.0
16N 26E 29	2.6	39.8	39.8	2.8	40.0	9.3	29.5	40.0	8.1	33.0				5.7			250.6
16N 26E 30				9.5									17.1				26.6

Total Acres: 291.2

CONDITIONS OF APPROVAL

1. 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.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 74-37 and 74-15860 when combined shall not exceed the irrigation of 291.2 acres.
5. Rights 74-37, 74-15860, and 74-15213 when combined shall not exceed the irrigation of 291.2 acres.
6. Diversion of water from the Lemhi River is limited to those times water is available for diversion under this right from Big Timber creek.

WATER RIGHT NO. 74-15860
As Modified by Transfer No. 74724

CONDITIONS OF APPROVAL

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 31st day of December, 20 08



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									25.0	40.0	25.0				7.0		97.0
16N 26E 29		37.0	26.0				30.0	30.0	13.0					29.0			165.0
16N 26E 30	40.0		40.0	40.0	40.0			40.0	10.0				40.0	36.0			286.0

Total Acres: 548

CONDITIONS OF APPROVAL

1. Transfer 74724 does not preclude SRBA recommendation or confirm the validity of this right.
2. This right is supplemental to water right nos. 74-37, 74-15859 and 74-15860.
3. This water right is subordinated to all water rights with a priority date earlier than October 3, 1974.
4. If 74-15213 is decreed with places of use upon ground from which irrigated acres have been removed pursuant to Transfer 74724, this water right will require the filing of a transfer for the purpose of changing the place of use to prevent enlargement under Idaho Code §42-222.
5. Rights 74-37, 74-15860, and 74-15213 when combined shall not exceed the irrigation of 291.2 acres.

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

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 31ST day of December, 20 08



Chief, Water Allocation Bureau