

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74836

This is to certify that: MICHAEL & CATHERINE LEGGE FAMILY LIMITED PARTNERSHIP
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83401
(208)523-0620

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>
21-12893	WR/Decreed	07/20/1897	0.5 cfs	N/A	N/A	22.5	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>
21-12893	NO	YES	NO	NO	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>
21-12893	21-12893	0.5 cfs	N/A	N/A	22.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.5 cfs	N/A	N/A	22.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of September, 2008

Chief, Water Allocation Bureau

WATER RIGHT NO. 21-12893
As Modified by Transfer No. 74836

In accordance with the approval of Transfer No. 74836, Water Right No. 21-12893 is now described as follows.

Right Holder: MICHAEL & CATHERINE LEGGE FAMILY LIMITED PARTNERSHIP
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83401

Priority Date: July 24, 1897

Source: TIMBER CREEK

Tributary: HENRYS LAKE

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/31	0.50 CFS
STOCKWATER	04/01 to	10/31	0.04 CFS
			0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

TIMBER CREEK L1 (NWNW) Sec. 31 Twp 16N Rge 43E FREMONT 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 43E 31						19.0	3.5										22.5
						L 1	L 2										

Total Acres: 22.5

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. 01.
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 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Place of use does not include federal public lands
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 21-12893
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CONDITIONS OF 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 16th day of September, 20 08



Chief, Water Allocation Bureau