

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74724

Receipt: E033949

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant LEADORE LAND PARTNERS LTD PARTNERSHIP Phone (406) 721-2438
 Mailing address C/O KARL TYLER, 3663 N RESERVE ST, MISSOULA, MT 59808
 Email ktyler@karltylerchevrolet.com

A. PURPOSE OF TRANSFER

1. Change point of diversion Add diversion point(s) X Change place of use X
 Change nature of use Change period of use Other

2. Describe the reason for the proposed changes:

These changes are proposed to allow 4.5 cfs (74-37 and part of 74-39A) to be passed to the Lemhi River and pumped back to the existing pivot and a new pivot. This will help provide passage flows for anadromous fish to Big Timber Cr.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
74-37 9/1/1874 3.35 Irrigation 3/15 to 11/15
74-39A 6/10/1901 1.14 Irrigation 3/15 to 11/15

2. Total amount of water being transferred:

4.50 cubic feet per second and/or 1019 acre-feet per annum.

3. Source of water: Big Timber Cr tributary to Lemhi River

4. Point(s) of Diversion:

Twp 16N Rge 26E Sec 20 NWSE L-61B (New diversion)

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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	
																		291.2	

RECEIVED
MAR 28 2008

Department of Water Resources
Eastern Region

74724

PART 1

6. General Information:

a. Description of diversion system:

Water will be passed down Big Timber Cr at BT-2 (the existing POD). The bypassed water will be measured at the existing IDWR gage approximately 300 yards downstream of BT-2. A new pump station will be constructed on Lemhi River to pump 4.5 cfs through a pipeline to the existing pivot and a new pivot. The pump and pipeline will be sized to limit the quantity diverted to 4.5 cfs.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

 Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

A different transfer will remove the water from sufficient currently irrigated acreage to fill in the acreage on the proposed new pivot that does not currently have a water right.

d. Remarks:

This transfer adds an additional POD for 74-37 and 74-39A. 4.5 cfs will be passed down Big Timber Cr from BT-2 to the Lemhi River. It will be diverted at a new pumping station from Lemhi River. This transfer with another transfer that will be proposed will supply approximately 5.9 cfs of instream flow between BT-2 and Lemhi River for anadromous fish recovery.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 ____.

For the Director

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (74-39A)

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.14 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
NWSE				20	16N	26E	Lemhi	L-61B (new)

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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
			Same as Page 1, A5																
16N	26E	29	2.6	39.8	39.8	2.8	40	9.3	29.5	40	8.1	33				5.7			250.6
16N	26E	30				9.5									17.1				26.6
																			291.2

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.4 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

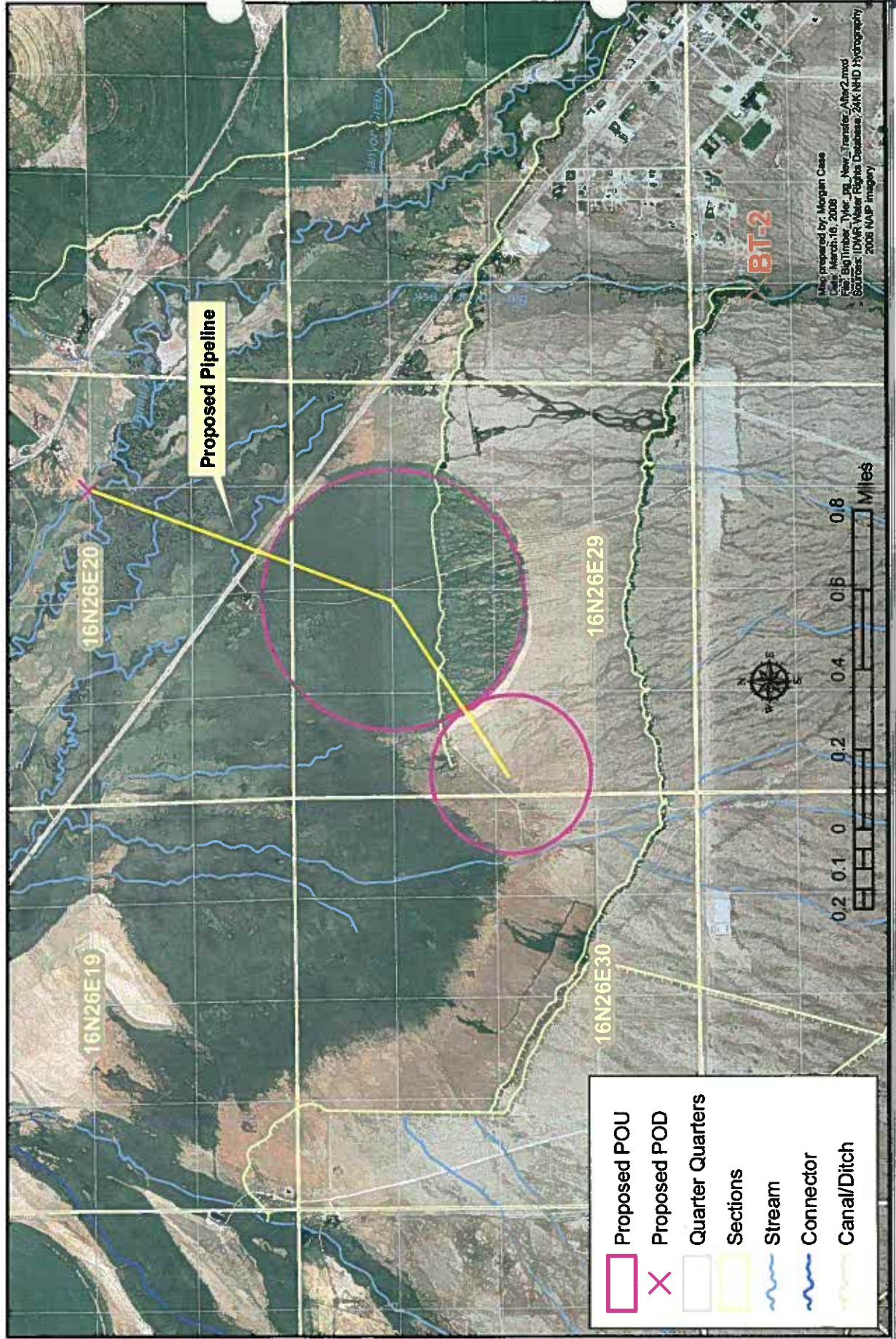
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
NWNW				33	16N	26E	Lemhi	BT-2

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	26E	20										25	40	19.7					84.7
16N	26E	29					31.8	2.3											34.1
16N	26E	30	40		40	31.1	40			25.5	.7				4.3	35.2			216.8
																			335.6

Leadore Land Partners - Proposed Place of Use (74-37 and 74-39A)



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
_____ to _____
_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

x Karl Tyler
(Signature of Applicant)

Karl Tyler
Print Name (and title, if applicable)

Subscribed and sworn to before me this 21st day of March, 2008

Tunz
(Notary Public)

My commission expires 8-27-09

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee Receipt # E033949

Received by _____ Date _____

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

No. L 4368	Due no later than Apr 30, 2008 Annual Report Form		2. Registered Agent and Address (NO PO BOX)				
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			1. Mailing Address: Correct in this box if needed. LEADORE LAND PARTNERS, LIMITED PARTNERSHIP KARL L TYLER 3663 N RESERVE STREET MISSOULA MT 59808		CARL LUFKIN RR #1 LEADORE ID 83464		
4. Limited Partnerships: Enter Names and Addresses of Partners.				3. <u>New</u> Registered Agent Signature: *			
5. Organized Under the Laws of: MT L 4368	6. Annual Report must be signed.* Signature: Karl L Tyler Name (type or print): Karl L Tyler Date: 02/22/2008 Title: General Partner						
Processed 02/22/2008		*Electronically provided signatures are accepted as original signatures.					