

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 71253**

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	548.0	BIG TIMBER CREEK
74-39A	AJC/Decreed	06/10/1901	2.53 cfs	N/A	N/A	548.0	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	NO	YES	NO	NO	NO
74-39A	NO	NO	YES	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>
74-37	74-37	3.35 cfs	N/A	548.0	626.8		N/A	N/A	N/A	N/A
74-39A	74-39A	2.53 cfs	N/A	548.0	626.8		N/A	N/A	N/A	N/A
COMBINED TOTALS		5.88 cfs	N/A	548.0	626.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of April, 2005


Chief, Water Allocation Bureau

SUPPORT DATAIN FILE # 74-37

WATER RIGHT NO. 74-37
As Modified by Transfer No. 71253

In accordance with the approval of Transfer No. 71253, 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>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.35 CFS	
			3.35 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				9.0		99.0
16N	26E	29	1.2	40.0	36.8	.5	40.0	40.0	30.0	40.0	9.8	.2				3.3			241.8
16N	26E	30	40.0		40.0	40.0	40.0			40.0	10.0				40.0	36.0			286.0

Total Acres: 626.8

CONDITIONS OF APPROVAL

1. Rights 74-37, 74-38, 74-39A and 74-996 when combined shall not exceed the irrigation of 626.8 acres.
2. Rights 74-37 and 74-39A when combined shall not exceed the irrigation of 548 acres in a single irrigation season.
3. 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.
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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 74-37
As Modified by Transfer No. 71253

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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 14th day of April, 2005


Chief, Water Allocation Bureau

**WATER RIGHT NO. 74-39A
As Modified by Transfer No. 71253**

In accordance with the approval of Transfer No. 71253, 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>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.53 CFS	
			2.53 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				9.0		99.0
16N	26E	29	1.2	40.0	36.8	.5	40.0	40.0	30.0	40.0	9.8	.2				3.3			241.8
16N	26E	30	40.0		40.0	40.0	40.0			40.0	10.0				40.0	36.0			286.0

Total Acres: 626.8

CONDITIONS OF APPROVAL

1. Rights 74-37, 74-38, 74-39A and 74-996 when combined shall not exceed the irrigation of 626.8 acres.
2. Rights 74-37 and 74-39A when combined shall not exceed the irrigation of 548 acres in a single irrigation season.
3. 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.
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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 74-39A
As Modified by Transfer No. 71253

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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 14th day of April, 20 05



Chief, Water Allocation Bureau