

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71253APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED
PART 1

MAY 20 2004

Name of applicant LEADORE LAND PARTNERSHIP LTD Phone (406) 721-7438
Post Office address PO Box 16025, MISSOULA, MT 59808

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes Installation of a center-pivot sprinkler necessitates changes in POU to insure that entire pivot has a water right.

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
- | | | | | |
|---------------|------------------|-------------|-------------------|-----------------------------|
| <u>74-37</u> | <u>9/1/1874</u> | <u>3.35</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>.01</u> | <u>Stockwater</u> | <u>3/15</u> to <u>11/15</u> |
| <u>74-39A</u> | <u>6/10/1901</u> | <u>2.53</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>.01</u> | <u>Stockwater</u> | <u>3/15</u> to <u>11/15</u> |
2. Total amount of water being transferred 5.9 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water BIG Timber Creek tributary to Lemhi River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	33	16N	26E	Lemhi	Timber Creek 2

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	26E	20									25	40	25			9			99.0
16N	26E	29	1.2	40	36	0.5	40	40	30	40	9.8	0.2			3.3				241.8
16N	26E	30	40		40	40	40			40	10				40	36			286

Total acres 626.8

71253

PART 1**6. General Information:**

a. Description of diversion system Wooden diversion, headgate, measuring device

?? 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.

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

All lands, except 9 acres in NE SW 29 and 25.6 acres in NWSE 29, currently irrigated continue to be irrigated. The 34.6 acres is used to put a Timber Creek water right on acres under the pivot w/o a water right.

d. Remarks:

This transfer covers the entire pivot with Big Timber Creek water rights. Part of the pivot is also covered with water from Lemhi River. (74-996).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

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Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 71253
Receipt No. _____

Current Water Right No. 74-37

Priority Date: 09/01/1874
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG TIMBER CREEK Tributary to: LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.35 CFS		
Total Diversion			3.35 CFS		

Source and Point(s) of Diversion:

BIG TIMBER CREEK NWNW 16N 26E 33 LEMHI

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/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NOS. 74-996, 74-38 AND 74-39A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 626.8 ACRES IN A SINGLE IRRIGATION SEASON.

71253

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 74-39A

Priority Date: 06/10/1901

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: BIG TIMBER CREEK

Tributary to: LEMHI RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.53 CFS		
	Total Diversion	2.53 CFS		

Source and Point(s) of Diversion:

BIG TIMBER CREEK NWNW 16N 26E 33 LEMHI

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/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NOS. 74-37, 74-38 AND 74-996 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 626.8 ACRES IN A SINGLE IRRIGATION SEASON.

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 71253
Receipt No. _____

Current Water Right No. 74-39A

Documentation of Ownership of the Current Place of Use *See attached*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *No*

X *Changes in POU are entirely on same ranch*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Dries up 9 acres in NESW 29 and 25.6 acres in NWSE 29. Transfers POU from NENW 30 and SENW 30 to NENW 29 and NWNW 29.*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *No*

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PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-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.

Subscribed and sworn to before me this 17 day of MAY, 19 2004
X Karl Lyster (Signature of Applicant)
Steve May (Notary Public)
My commission expires 3/13/2008

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 10 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by DC Fee 450 8029836 5/21/04

Receipted by _____ Date _____

Published in Recorder Herald Copies of protest forwarded by _____

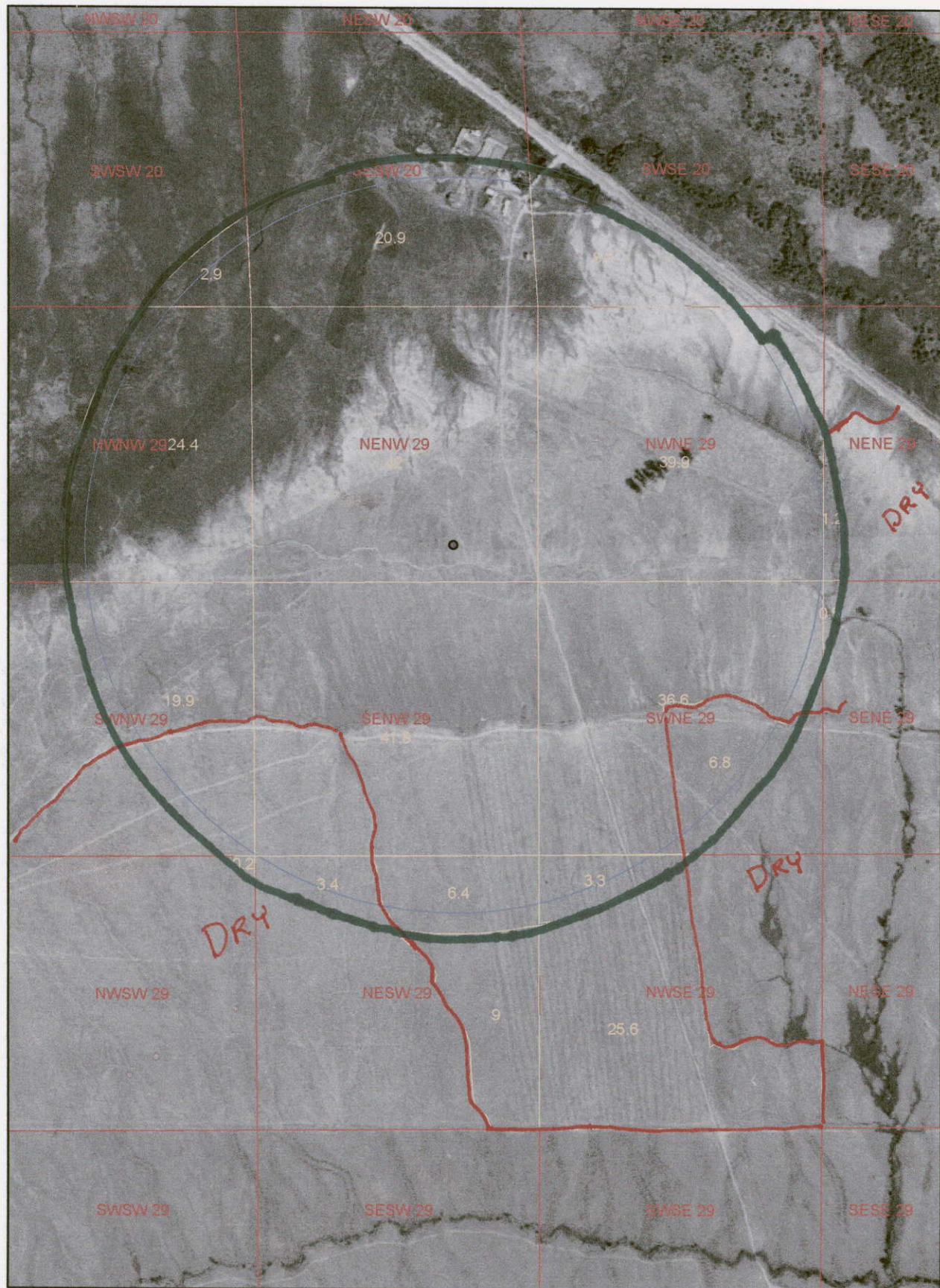
Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on 6/8/04 Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Leisure Land Partnership LTD.



74-37 74-39A

2,000

1,000

0

T 71253
T 1 OF 9

ATTACHMENT 1 OF 9

PMPKEY: RP 16N26E204800 A YEAR 2003

BILL# 6907

TXPKEY: RP16N26E204800A

BILLED TO: LEADORE LAND PARTNERS LIMITED

NAME LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIP

CODE AREA 3-0000
BANK FLB

ACCT TYP
OWNER PUP

ADDRESS PO BOX 16025

MISSOULA MT 59808

LEGAL SW4 W2SE4 LESS T#977
20 16 26

MARKET VALUE	123,541
HARDSHIP	
HOMEOWNER	
NET MARKET	123,541
TAX AMOUNT	892.34
LESS: CIRCUIT	
PLUS: SPECIALS	62.00
NET TAX BILLED	954.34
TAX PAYMENTS	477.17
TAX CANCELLED	
SPEC CANCELLED	
REMAINING TAX DUE	477.17

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2003
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F4=TAX COMMENTS

PMPKEY: RP 16N26E290002 A YEAR 2003

BILL# 6941

TXPKEY: RP16N26E290002A

BILLED TO: LEADORE LAND PARTNERS LIMITED

NAME LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIP

CODE AREA 3-0000 ACCT TYP
BANK FLB OWNER PUP

ADDRESS PO BOX 16025

MISSOULA MT 59808

LEGAL NW4 W2NE4 N2SW4 N2SE4
NE4NE4 LYING SOUTH WEST OF HWY
28
29 16 26
ACREAGE CHANGE DUE TO PLATTING
WITH PLANIX

MARKET VALUE 38,056
HARDSHIP
HOMEOWNER
NET MARKET 38,056
TAX AMOUNT 274.86
LESS: CIRCUIT
PLUS: SPECIALS
NET TAX BILLED 274.86
TAX PAYMENTS 137.43
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE 137.43

NEXT PARCEL# RP A OR NEXT BILL# RP 2003
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F4=TAX COMMENTS

Attachment 4

LEADORE LAND PARTNERSHIP, LTD																			
		NE				NW				SW				SE				Total	
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Acres	Water Rights
Current POU																			
Sect 20											25	40	25			7		97	74-37, 74-39A, 74-996
Sect 29																		165	74-37, 74-39A
	3	37	26				39	40	30	30	13							181	74-996
Sect 30																			
	40		40	40	40	40			40	10				40	36			286	74-37, 74-39A
Proposed POU																			
Sect 20											25	40	25			8.8		98.8	74-37, 74-39A
Sect 29																			
	1.2	40.0	36.6	0.5	40.0	40.0	30.0	40.0	40.0	9.8	0.2							241.6	74-37, 74-39A
Sect 30																			
	40		40	40						10				40	36			206.0	74-37, 74-39A
Sect 20											25	40	25			7		546.4	
																		97.0	74-996
Sect 29																			
	1.2	37	20				20	22										100.2	74-996
Sect 30																			
																		80.0	74-996
																		277.2	
TOTALS - 74-37, 74-39A, 74-996																			
Sect 20											25	40	25			9		98.8	
Sect 29																		241.6	
Sect 30																		286.0	
	40		40	40	40				40	10				40	36			626.4	



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED PARTNERSHIP

(Instructions on back of application)

00 MAR 31 AM 10:38

to the Secretary of State of Idaho:

Pursuant to the Chapter 2, Title 53, Idaho Code, the undersigned Limited Partnership hereby applies for registration in Idaho as a business entity, and for that purpose submits the following information:

1. The name of the limited partnership is Leadone Road Ventures, Limited Partnership
2. Tax state when it shall use in Idaho is _____
3. It was organized under the laws of Montana on 03/21/00
4. The address of its registered or principal office in the state or country under the laws of which it is organized is 3210 N. Bonanza St. Missoula, MT 59808
5. The name and street address of its proposed registered agent in Idaho is Earl J. Taylor, 10110 North 40th, Missoula, MT 59808
6. The address at which a list of the names, addresses and contributions of the limited partners is kept is 3210 N. Bonanza St. Missoula, MT 59808

(This limited partnership never in been dissolved or registration is suspended or withdrawn.)

8. The name and business address of each general partner are:

Name	Address
Earl J. Taylor	10110 North 40th, Missoula, MT 59808
Bernie E. Taylor	10110 North 40th, Missoula, MT 59808
_____	_____
_____	_____

Dated 3/22/00By Kent Taylor
Secretary of State

STATE OF IDAHO
DEPARTMENT OF REVENUE
03/23/2000 09:00 AM
ID-197 PT 105236 BH 10000
1 * 100.00 - 100.00 R00 F00 00 4 2

FILE EFFECTIVE

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T 71253
ATTACHMENT 6 OF 9

SECRETARY OF STATE STATE OF MONTANA

CERTIFICATE OF FACT OF LIMITED PARTNERSHIP

I, MIKE COONEY, Secretary of State of the State of Montana, do hereby certify that on January 25, 2000, Leodore Lund Partners Limited Partnership was formed pursuant to the laws of Montana with the filing of the Certificate of Limited Partnership in the office of the Secretary of State of the State of Montana.

I further certify that the name and address of the specified agent for the limited partnership is Karl L. Tyler @ 3219 N Reserve, Missoula MT 59808.

I further certify that the name and address of the general partner is Karl L. and Donna F Tyler both @ 3219 N Reserve, Missoula MT 59808.

I further certify that the purpose of the limited partnership is service general.

I further certify that the expiration date is January 25, 2005, unless an application for renewal of limited partnership registration is received in this office within 90 days prior to the expiration date.

I further certify that according to my records the limited partnership is active.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho this 27th day of March, the United, this March 28, 2000.

MIKE COONEY

Secretary of State

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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

T 71253
ATTACHMENT 7 OF 9

State of Idaho

Office of the Secretary of State

CERTIFICATE OF REGISTRATION
OF
LEADORE LAND PARTNERS, LIMITED PARTNERSHIP
File Number L4368

I Pete T. Cenarrusa, Secretary of State of the State of Idaho, hereby certify that an Application for Registration, duly executed pursuant to the provisions of the Idaho Limited Partnership Act, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Registration to transact business in this State and attach hereto a duplicate of the Application for Registration.

Dated: April 3, 2000



Pete T. Cenarrusa
SECRETARY OF STATE

By *[Signature]*

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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

T 71253
ATTACHMENT 8 OF 9



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

[[Get a certificate of existence for LEADORE LAND PARTNERS, LIMITED PARTNERSHIP](#)]

LEADORE LAND PARTNERS, LIMITED PARTNERSHIP

3219 N RESERVE ST
MISSOULA, MT 59808

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT 03 Apr 2000

State of Origin: MONTANA

Date of 03 Apr 2000

Origination/Authorization:

Initial Registered Agent: CARL LUFKIN
RR #1
LEADORE, ID 83464

File Number: L4368

Date of Last Annual Report:

Amendments:

Amendment filed 03 Apr 2000 REG. OF FOREIGN

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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

T 71253
ATTACHMENT 9 OF 9

6/14/04

PMO100 - PARCEL MASTER INQUIRY

07:46:25

PARCEL: RP 16N26E291801 A

F17=DD

F23=AG

LEGAL DESCRIPTION

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIPSE4NE4
29 16 26

PO BOX 16025

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 10/1/1997 EXPDATE

PREV PARCEL

MISSOULA MT 59808

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
4	2003	4000	AC	380				
5	2003	35500	AC	1239				
19	2003	500	AC					

TOTALS

40000

1619

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

T 71253
ATTACHMENT 10 OF 10