

Memorandum

Date: July 03, 2007

To: Tim Luke; State Office
Ernie Carlsen; Eastern Region

Re: 74-54 Leadore Land Partners

On June 28, 2007 I made an on-site visit to Leadore Land Partners' diversion for water right 74-54 from Big Timber Creek. I was accompanied by Carl Lufkin, ranch manager. Water was not being diverted at the time of my visit.

The use of this water is alleged to have not been used for an extended period of time by other water users on Big Timber Creek. The point of diversion for water right 74-54 consists of a wooden head gate that is in operable condition with no visible signs of rot or extensive water damage. Mr. Lufkin stated the head gate has been in place for many years. The measuring device in the ditch was installed by Leadore Land Partners as well extensive ditch work that was required to convey water to the place of use. The place of use does not appear to have been cultivated for an extended period of time and consists mainly of low sagebrush and some short grasses.

Mr. Lufkin stated the intent of Leadore Land Partners was to attempt to provide some early cattle pasture. Mr. Lufkin also stated that due to the junior priority of this water right it would normally only be available in the early season for approximately 3 weeks.

Based on my observations it appears 74-54 may not have been used for several years and is a junior water right from Big Timber Creek. The limited availability of 74-54 may resolve the issue with the other water users.