

MEMORANDUM

Date: August 07, 2008
To: Transfer 74849
From: narave
Re: Exchange Evaluation

The purpose of this exchange is to increase the flows in Big Timber Creek for the purpose of increase in stream flows available for anadromous fish species. The is water will be pumped instead from the Lemhi River upstream of the confluence of the Lemhi River and Big Timber Creek. This exchange has existed historically under exchange 3187 which was nullified recently by transfer 74741 filed by Leadore Land Partners, the other party to the exchange.

Authority to File:

Beyler Ranches is the current owner of this property. They are registered with the Secretary of State as a Business. Merrill Beyler is the manager and he signed this exchange.

Water Right Validity:

This water right was decreed in the SRBA court 12/2007

Injury to Other Water Rights:

The exchanged water right is contained within Water District 74, but will be managed based upon availability of water in Big Timber Creek which is Water District 74W. Both Watermasters will comment. Exchange will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.