

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXCHANGE OF WATER
EXCHANGE NO. 74849

This is to certify that: BEYELER RANCHES LLC
 C/O MERRILL AND SHARAL BEYELER
 PO BOX 62
 LEADORE ID 83464
 (208)768-2651

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>
74-31	WR/Decreed	06/01/1884	1.4 cfs	N/A	N/A	88.2	BIG TIMBER CREEK

Purpose of Exchange (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>
74-31	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Exchange Rate</u>	<u>Exchange 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>
74-31	74-31	1.4 cfs	N/A	N/A	88.2		N/A	N/A	N/A	N/A
COMBINED TOTALS		1.4 cfs	N/A	N/A	88.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12 day of February, 20 09


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 74-31

WATER RIGHT NO. 74-31
As Modified by Exchange No. 74849

In accordance with the approval of Exchange No. 74849, Water Right No. 74-31 is now described as follows.

Right Holder: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

Priority Date: June 01, 1884

Source: LEMHI RIVER
BIG TIMBER CREEK
Tributary: SALMON RIVER
LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	1.40 CFS	
			1.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK (Injection)	SWNW	Sec. 21 Twp 16N	Rge 26E	LEMHI County
LEMHI RIVER	SWNE	Sec. 28 Twp 16N	Rge 26E	LEMHI County
BIG TIMBER CREEK (Injection)	SENE	Sec. 28 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	21																	5.7
16N	26E	28					4.0	33.5	18.0	27.0									82.5

Total Acres: 88.2

CONDITIONS OF APPROVAL

1. Water diverted under this right is exchanged with water from Big Timber Creek by injecting water diverted under this right into Big Timber Creek , and diverting an equal amount from the Lemhi River.
2. 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(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by two watermasters with responsibility for the distribution of water among appropriators within both water districts. At the time of this approval, this water right is within State Water District Nos.74 & 74W.

WATER RIGHT NO. 74-31
As Modified by Exchange No. 74849

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 12 day of February, 2009

Ernest Carlson
Chief, Water Allocation Bureau