

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73331

RECEIVED

JAN 24 2007

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Name of Applicant ADORE LAND PARTNERSPhone (406) 721-2438Post Office address % Karl Tyler, 3663 N Reserve St, 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 Reorganize irrigation system on this property.
Irrigate W end from Little Timber Cr and E end from Big Timber Cr.
Add POD from Lemhi R to 74-37 and 74-40. Resolve water right PODs
for two existing pivots (98.8 acres) and two proposed pivots (85.2 acres)

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
- | | | | | |
|-----------------------|-----------|-------|------------|---------------|
| 74-37 | 9/1/1874 | 3.36 | Irrigation | 3/15 to 11/15 |
| 74-40 (Big Timber) | 6/1/1879 | 1.20 | Irrigation | 3/15 to 11/15 |
| 74-40 (Little Timber) | 6/1/1879 | 3.00 | Irrigation | 3/15 to 11/15 |
| 74-39A | 6/10/1901 | 2.54 | Irrigation | 3/15 to 11/15 |
| 74-38 | 6/1/1872 | 3.84 | Irrigation | 3/15 to 11/15 |
| 74-41 | 10/1/1903 | 19.25 | | |
2. Total amount of water being transferred 19.25 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big & Little Timber Crs 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 1/4			33	16 N	26 E	Lemhi	BT-15 (IDWR designation)
		SE 1/4		5	15 N	26 E	Lemhi	BT-12 (IDWR designation)
			SW 1/4	24	15 N	25 E	Lemhi	LT-3 & LT-5
NW SE	NW			20	16 N	26 E	Lemhi	L-61B (New)

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16 N	25 E	13		40.0									6.1				22.7	9.0	77.8
16 N	25 E	24	34.8	40.4	40.3	28.3	28.6			18.7					29.1	9.8	29.5	10.0	269.4
16 N	26 E	19									28.4	21.6	4.0						54.0
16 N	26 E	20									25	40	25						90.0
16 N	26 E	29	3.1	40.2	39.8	3.1	58.8	40	27.5	41.4	7.1	32				5.3	9.6		287.9
16 N	26 E	30	40		37.1	40	40	26.8	5.1	21.4	4.8				17.8	36.4			269.4

Total Acres 1084.5
1048.5

73331

PART 1

6. General Information:

a. Description of diversion system ditcher, pump, and gravity pipeline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes _____ 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Transfer will dry up enough acreage to fill in 85.5 acres of existing W pivot, 13.3 acres of existing E pivot, 44.4 acres of proposed E pivot, and 40.8 acres of proposed wiper pivot.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20 _____.

 For the Director

Page 1

Transfer No. 73331
Receipt No. _____

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

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 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

Add POD on Lemhi River

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/Remarks:

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. 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.
5. 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.

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

Transfer No. 73331
Receipt No. _____

Current Water Right No. 74-37

Documentation of Ownership of the Current Place of Use
Tax Notice

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

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

all lands except 9 acres in nesw 29 and 25.6 acres in nwse 29 currently irrigated continue to be irrigated.

the 34.6 acres is used to put timber creek water rights on acres under the pivot

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

Transfer No. 73331
Receipt No. _____

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</u> <u>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				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/Remarks:

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

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

Transfer No. 73331
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Current Water Right No. 74-39A

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. Rights 74-37, 74-38, 74-39A and 74-996 when combined shall not exceed the irrigation of 626.8 acres.
8. 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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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Transfer No. 73331
Receipt No. _____

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

Current Water Right No. 74-38

Priority Date: 06/01/1892

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: LITTLE TIMBER CREEK

Tributary to: BIG TIMBER CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	3.84 CFS		
Total Diversion		3.84 CFS		

Source and Point(s) of Diversion:

LITTLE TIMBER CREEK SWNW 15N 25E 24 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							10.0										10.0
16N 26E 30	40.0		40.0	40.0	40.0			40.0	10.0				13.0	36.0			259.0

Total Acres: 366

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, 74-996 AND 74-39A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 626.8 ACRES IN A SINGLE IRRIGATION SEASON.
3. This right authorizes the irrigation of 365.5 total acres.

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Transfer No. 73331
Receipt No. _____

PART 2

Current Water Right No. 74-38

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

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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Transfer No. 73331
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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 74-40

Priority Date: 06/01/1879

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: BIG TIMBER CREEK

Tributary to: LEMHI RIVER

Source: LITTLE TIMBER CREEK

Tributary to: BIG TIMBER CREEK

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	3/15 11/15	4.20 CFS		
Total Diversion		4.20 CFS		

Source and Point(s) of Diversion:

LITTLE TIMBER CREEK SWNW 15N 25E 24 LEMHI

BIG TIMBER CREEK SENE 15N 26E 5 LEMHI

Change POD - Add POD on Lemhi R

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 25E 24	40.0	40.0	40.0	36.0									30.0	36.0	36.0	20.0	278.0
16N 26E 19									37.0	38.0	36.0	40.0					151.0
									L 3	L 4							

Total Acres: 429

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. 74-41 AND 74-61 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 612.7 ACRES IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHT NO. 74-41 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 429.6 ACRES IN A SINGLE IRRIGATION SEASON.
- Use of this right is limited to the diversion of 3.0 cfs from Little Timber Creek and 1.2 cfs from Big Timber Creek.
- 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.
- This right authorizes the irrigation of 429.6 total acres.

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

Transfer No. 13331
Receipt No. _____

PART 2

Current Water Right No. 74-40

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

13331

Page 1

Transfer No. 73331
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 74-41

Priority Date: 10/01/1903

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: LITTLE TIMBER CREEK

Tributary to: BIG TIMBER CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	5.18 CFS		
Total Diversion		5.18 CFS		

Source and Point(s) of Diversion:

LITTLE TIMBER CREEK SWNW 15N 25E 24 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 25E 24	40.0	40.0	40.0	36.0									30.0	36.0	36.0	20.0	278.0
16N 26E 19								37.0			40.0						77.0

Total Acres: 429

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 74-40 AND 74-61 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 612.7 ACRES IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NO. 74-40 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 429.6 ACRES IN A SINGLE IRRIGATION SEASON.
3. This right authorizes the irrigation of 429.6 total acres.
4. This partial decree is subject to such general provisions for the efficient administration of the water rights as point in time no later than the entry of a final unified

*Error in
legal description
or remarks - Total
acres only add up
to 355 ac.*

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

Transfer No. 73331
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Current Water Right No. 74-41

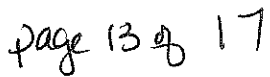
Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

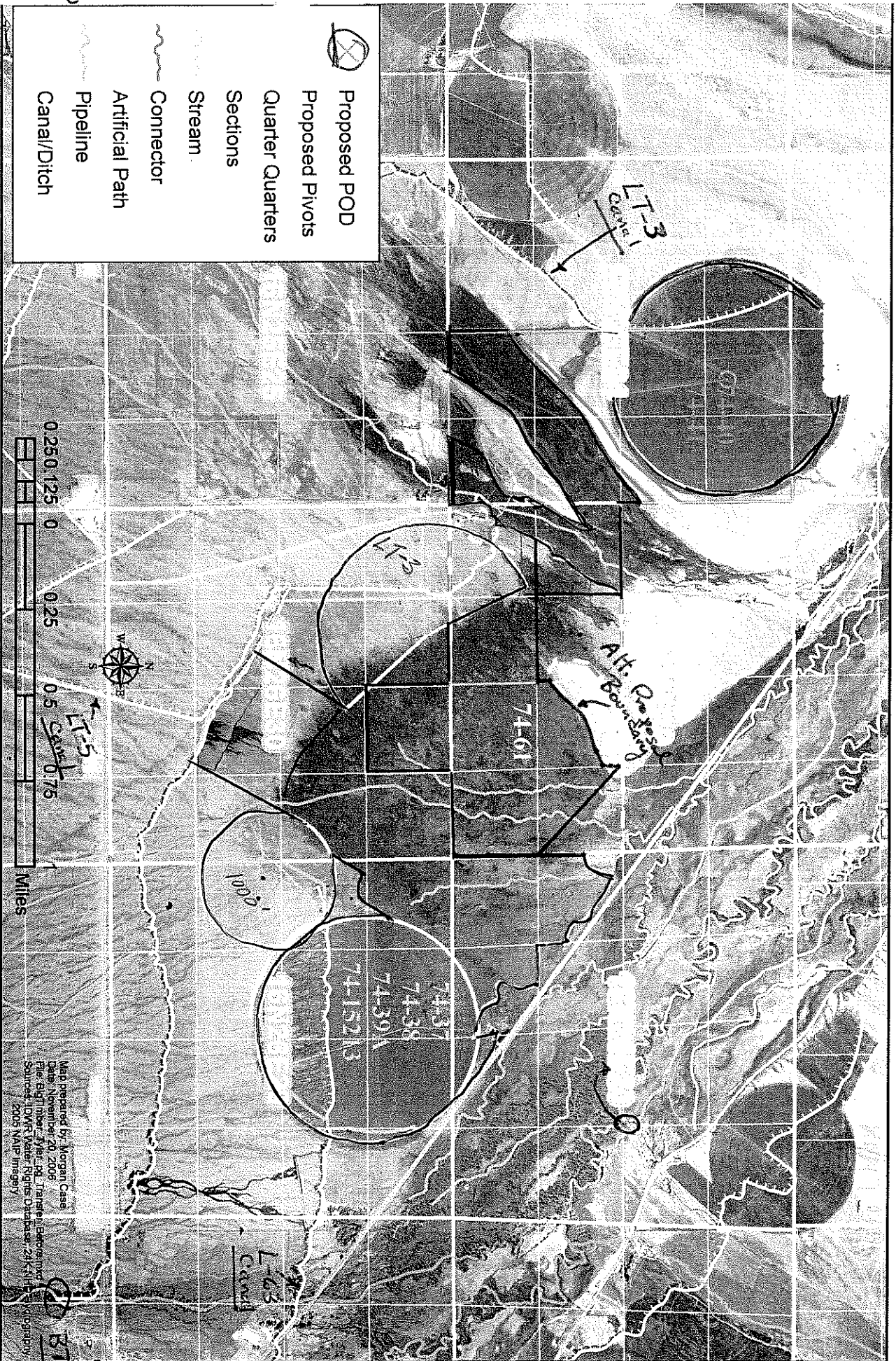
7277



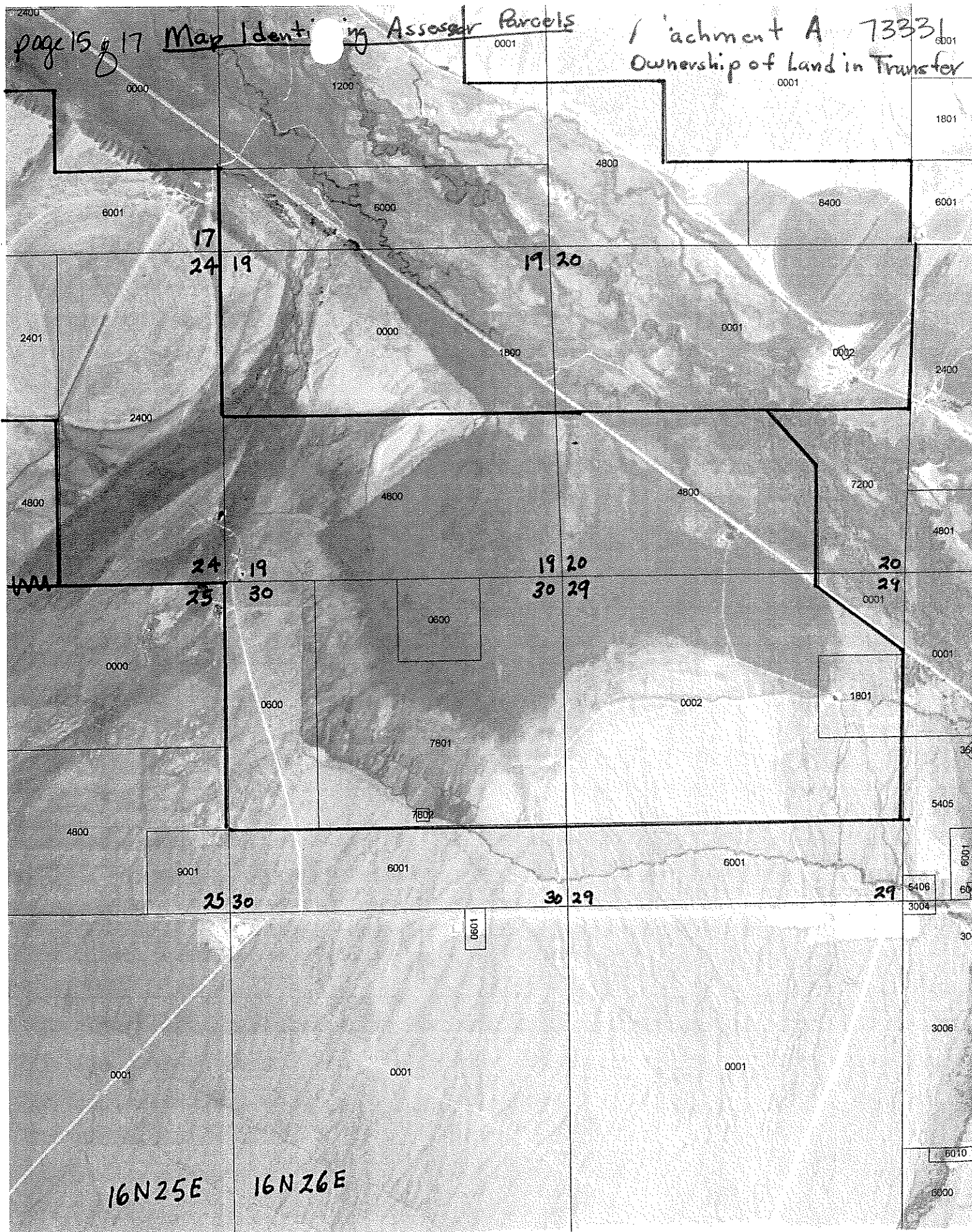
Big Timber Basin - Tyler Current Irrigated Acreage

73331

page 14 of 17



Attachment A 73331
Ownership of Land in Transfer

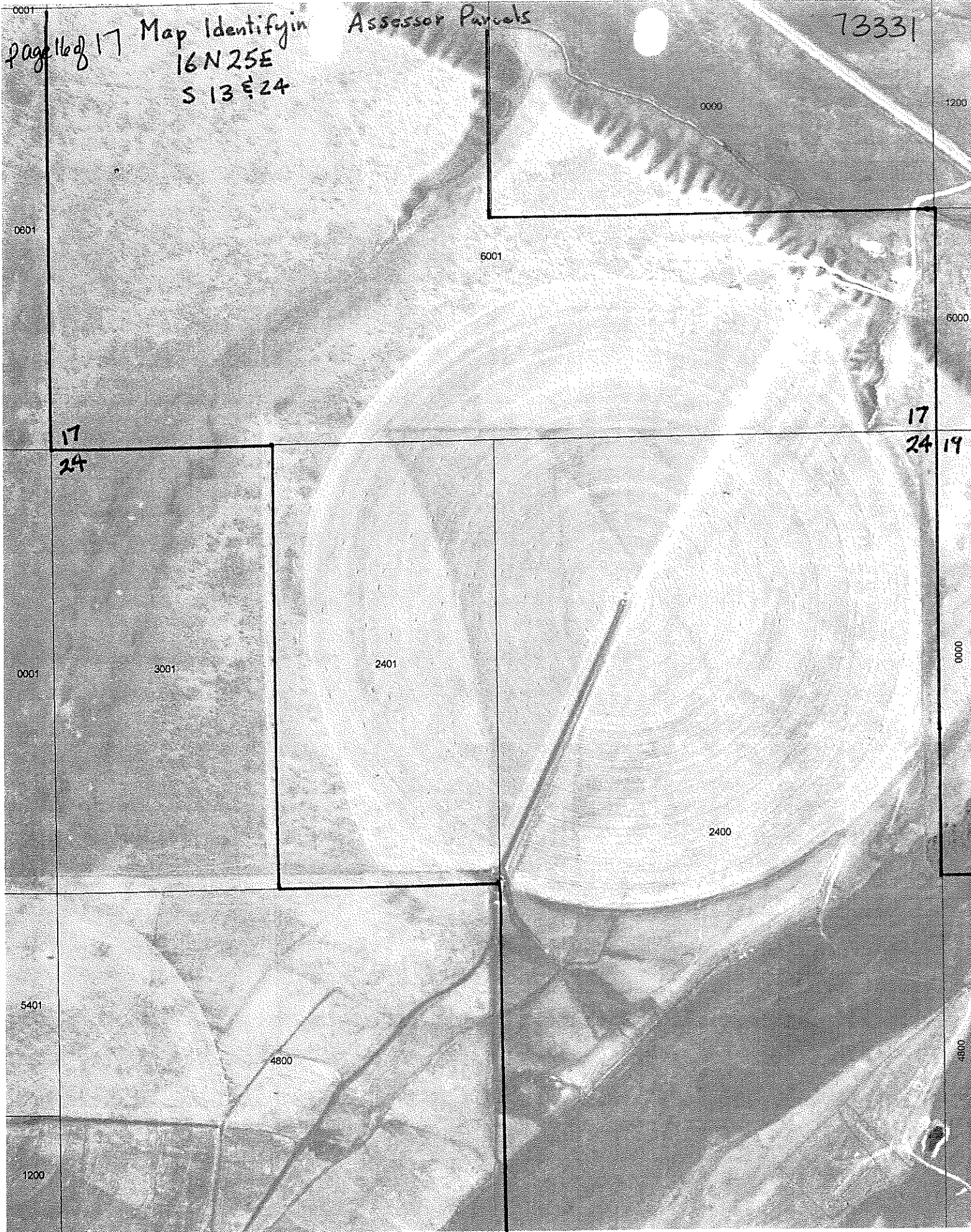


73331

page 16 of 17 Map Identifying
16N25E
S 13 E 24

Assessor Parcels

73331



73331

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ 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.

Karl Lyster
(Signature of Applicant)

Subscribed and sworn to before me this 10 day of Jan, 2007

Juan Hernandez
(Notary Public)

My commission expires 5-20-2010

FOR DEPARTMENT USE ONLY

Transfer contains 17 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee 1010⁰⁰

Receipted by Sc Date 1/25/07 ED32567

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

Timber Cr POU

73331

LEADORE LAND PARTNERS - TIMBER CR BASIN																	Totals
WR	TWP	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SE	Totals
74-37	16N	25E	13		40.0										6.1	22.7	77.8
74-38	16N	25E	24	34.8	40.4	40.3	28.3	28.6				18.7			29.1	9.8	269.4
74-39A	16N	26E	19											28.4	21.6	4.0	54.0
74-40	16N	26E	20											25.0	40.0	25.0	90.0
74-41	16N	26E	29	3.1	40.2	39.8	3.1	38.8	40.0	27.5	41.4	7.1	32.0			5.3	287.9
	16N	26E	30	40.0		37.1	40.0	40.0	26.8	5.1	21.4	4.8				17.8	269.4
																	1048.5
Alternate Proposal																	
74-37	16N	25E	13		40.0										6.1	22.7	77.8
74-38	16N	25E	24	34.8	40.4	40.3	28.3	28.6				18.7			29.1	9.8	269.4
74-39A	16N	26E	19											37.5	21.6	40.0	222.2
74-40	16N	26E	20											25.0	40.0	25.0	90.0
74-41	16N	26E	29	3.1	40.2	39.8	3.1	38.8	40.0	27.5	41.4	7.1	32.0			5.3	287.9
74-61	16N	26E	30	40.0	40.0	37.1	40.0	40.0	26.8	5.1	21.4	4.8				17.8	309.4
74-996																	1256.7

WARRANTY DEED

253266

Order No.:307021474L-G

FOR VALUE RECEIVED

Kermit K. Purcell, Trustee of the Lillie M Purcell 1998 Living Trust dated February 2, 1998

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Leadore Land Partners Limited Partnership, a Montana Limited Partnership

whose current address is

3663 N. Reserve Missoula, MT 59808

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

LOTS 3, 4 AND 5 AND THE EAST ½ OF VACATED ALLEY IN BLOCK 1 OF CLARKS ADDITION TO LEADORE, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED FOR RECORD IN BOOK 1 OF PLATS AT PAGE 35, OFFICIAL RECORD OF LEMHI COUNTY, IDAHO.

LOTS 1 AND 2 IN BLOCK 4 OF CLARKS ADDITION TO LEADORE, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED FOR RECORD IN BOOK 1 OF PLATS AT PAGE 35, OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

LOT 9 IN BLOCK 4 OF EAST LEADORE TOWNSITE, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED FOR RECORD IN BOOK 1 OF PLATS AT PAGE 37, OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

LOTS 6, 7, 8 AND 9 IN BLOCK 2 OF LEADORE TOWNSITE, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED FOR RECORD IN BOOK 1 OF PLATS AT PAGE 32, OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

LOTS 9 AND 10 IN BLOCK 6 OF LEADORE TOWNSITE, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED FOR RECORD IN BOOK 1 OF PLATS AT PAGE 32, OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO.

TOWNSHIP 12 NORTH, RANGE 28 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 17: SE1/4SW1/4, SW1/4SE1/4.
SECTION 20: N1/2NE1/4.

TOWNSHIP 14 NORTH, RANGE 27 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 25: S1/2SE1/4.

TOWNSHIP 14 NORTH, RANGE 28 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 30: LOT 4
SECTION 31: LOT 1
SECTION 34: NW1/4, W1/2NE1/4, SE1/4NE1/4
SECTION 35: NE1/4, E1/2NW1/4, NW1/4SE1/4,
NE1/4SW1/4, SW1/4NW1/4

TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 1: LOTS 3 AND 4, SW1/4NE1/4, SE1/4NW1/4.
SECTION 2: S1/2SW1/4.

T 73331
ATTACHMENT 2 OF 20

EXCEPTING THEREFROM:

A STRIP OF LAND 150.0 FEET WIDE, BEING 75.0 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE LEMHI ST. 6411(503) HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO AND LYING IN A PORTION OF THE W1/2SW1/4 OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN.

BEGINNING AT STATION 1904+25 OF THE SAID HIGHWAY SURVEY, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 455.0 FEET EAST AND 825.0 FEET NORTH FROM THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN; THENCE RUNNING NORTH $12^{\circ} 11'$ WEST - 125.3 FEET TO STATION 1905+50.3 OF SAID SURVEY, WHICH STATION IS A POINT OF SPIRAL CURVATURE; THENCE 250.0 FEET WITH A SPIRAL CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF $1^{\circ} 52' 30''$ TO STATION 1908+00.3, WHICH STATION IS A POINT OF CIRCULAR CURVATURE; THENCE 999.7 FEET WITH A $1^{\circ} 30'$ CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF $16^{\circ} 11'$ TO STATION 1918+00, WHICH STATION IS A POINT ON CIRCULAR CURVE APPROXIMATELY 516.5 FEET SOUTH FROM THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN.

SECTION 3: LOTS 3 AND 4, SW1/4NW1/4, NW1/4SW1/4.

SECTION 4: LOTS 1 AND 2, SE1/4NE1/4, NE1/4SE1/4.

SECTION 10: S1/2SE1/4.

SECTION 11: N1/2NW1/4, SE1/4SW1/4, SW1/4SE1/4,
SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4,
NW1/4SE1/4, SW1/4NW1/4, W1/2SW1/4.

SECTION 12: S1/2SW1/4.

SECTION 13: NW1/4, W1/2SW1/4.

SECTION 14: N1/2NW1/4, NW1/4NE1/4, SE1/4SE1/4.

ALSO INCLUDING:

A PARCEL OF LAND LOCATED IN SECTION 14, T. 15 N., R. 26 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SECTION 13, T. 15 N., R. 26 E., RUN THENCE S. $80^{\circ} 47' 19''$ W. A DISTANCE OF 8465.76 FT. TO THE POINT OF BEGINNING;

THENCE S. $14^{\circ} 52' 10''$ E. ALONG THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 28 A DISTANCE OF 194.98 FT. TO THE PC OF A CURVE TO THE LEFT;

THENCE ALONG SAID CURVE A DISTANCE OF 194.40 FT. HAVING A CENTRAL ANGLE OF $0^{\circ} 24' 52.6''$, A RADIUS OF 28707.90 FT. AND A LONG CHORD OF 194.40 FT., TO A POINT IN THE CENTERLINE OF TEXAS CREEK;

THENCE S. $77^{\circ} 24' 10''$ W. ALONG SAID CENTERLINE A DISTANCE OF 28.70 FT.;

THENCE N. $15^{\circ} 58' 43''$ W. A DISTANCE 397.96 FT.;

THENCE S. $89^{\circ} 45' 19''$ E. A DISTANCE OF 37.00 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: LAND SITUATED IN LEMHI COUNTY

A PARCEL OF LAND BEING ON BOTH SIDES OF THE CENTERLINE OF STATE HIGHWAY NO. 28 PROJECT NO. ST-6451(501) HIGHWAY SURVEY AS SHOWN ON THE PLANS THEREOF NOW ON FILE IN THE OFFICE OF THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF HIGHWAYS, AND BEING A PORTION OF THE NE1/4NW1/4 OF SECTION 14; THE SE1/4SW1/4, TH

ATTACHMENT T 73331
3 OF 20

N1/2SW1/4, AND THE W1/2NW1/4 OF SECTION 11; AND THE W1/2SW1/4 OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN, DESCRIBED AS FOLLOWS, TO-WIT;

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN;

THENCE SOUTH $0^{\circ} 34' 46''$ EAST ALONG THE WEST LINE OF SAID SECTION 2 A DISTANCE OF 403.99 FEET TO A POINT THAT BEARS NORTH $58^{\circ} 29' 27''$ EAST 59.60 FEET FROM STATION 1918+99.84 OF SAID STATE HIGHWAY NO. 28, PROJECT ST-6451(501) HIGHWAY SURVEY, AND BEING THE REAL POINT OF BEGINNING;

THENCE SOUTH $32^{\circ} 27' 35''$ EAST – 20.90 FEET TO A POINT IN A LINE PARALLEL WITH AND 60.00 FEET NORTHEASTERLY FROM THE CENTERLINE AND OPPOSITE STATION 1918+79.20 OF SAID HIGHWAY SURVEY;

THENCE ALONG SAID PARALLEL LINE AS FOLLOWS:

SOUTHEASTERLY ALONG A 3879.72 FOOT RADIUS CURVE RIGHT 1095.85 FEET TO A POINT OPPOSITE STATION 1908+00.3 OF SAID HIGHWAY SURVEY,

SOUTHEASTERLY ALONG A 250.0 FOOT SPIRAL CURVE RIGHT HAVING A CENTRAL ANGLE OF $1^{\circ} 52' 30''$ A DISTANCE OF 251.96 FEET TO A POINT OPPOSITE STATION 1905+50.3 OF SAID HIGHWAY SURVEY,

SOUTH $13^{\circ} 09' 14''$ EAST – 26.41 FEET TO A POINT OPPOSITE STATION 1905+11.56 BACK EQUALS STATION 1905+23.89 AHEAD OF SAID HIGHWAY SURVEY,

CONTINUING SOUTH $13^{\circ} 09' 14''$ EAST – 4395.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 1861+16.32 AN ANGLE POINT OF $0^{\circ} 07' 30''$ RIGHT OF SAID HIGHWAY SURVEY,

SOUTH $13^{\circ} 01' 44''$ EAST – 1957.0 FEET, MORE OR LESS, TO A POINT OPPOSITE STATION 1841+59.15 OF SAID HIGHWAY SURVEY,

SOUTHEASTERLY ALONG 28,587.90 FOOT RADIUS CURVE LEFT 1178.36 FEET TO A POINT OPPOSITE STATION 1829+78.32 OF SAID HIGHWAY SURVEY;

SOUTH $15^{\circ} 23' 26''$ EAST 216.34 FEET TO A POINT IN THE SOUTH LINE OF THE NE1/4NW1/4 OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN AND OPPOSITE STATION 1827+61.98 OF SAID HIGHWAY SURVEY;

THENCE WESTERLY ALONG SAID SOUTH LINE 123.27 FEET TO A POINT IN A LINE PARALLEL WITH AND 60.00 FEET SOUTHWESTERLY FROM THE CENTERLINE AND OPPOSITE STATION 1827+90.18 OF SAID HIGHWAY SURVEY;

THENCE ALONG SAID LAST PARALLEL LINE AS FOLLOWS:

NORTH $15^{\circ} 23' 26''$ WEST – 188.14 FEET TO A POINT OPPOSITE STATION 1829+78.32 OF SAID HIGHWAY SURVEY,

NORTHWESTERLY ALONG A 28,707.90 FOOT RADIUS CURVE RIGHT 1183.30 FEET TO A POINT OPPOSITE STATION 1841+59.15 OF SAID HIGHWAY SURVEY,

NORTH 13° 01' 44" WEST 1957.0 FEET MORE OR LESS TO A POINT
OPPOSITE STATION 1861+16.32 AN ANGLE POINT OF 0° 07' 30" LEFT OF
SAID HIGHWAY SURVEY,

NORTH 13° 09' 14" WEST - 4395.0 FEET TO A POINT OPPOSITE STATION
1905+11.56 BACK EQUALS STATION 1909+23.89 AHEAD OF SAID HIGHWAY
SURVEY,

CONTINUING NORTH 13° 09' 14" WEST - 26.41 FEET TO A POINT
OPPOSITE STATION 1905+50.3 OF SAID HIGHWAY SURVEY,

NORTHWESTERLY ALONG A 250.0 FOOT SPIRAL CURVE LEFT HAVING A
CENTRAL ANGLE OF 1° 52' 30" A DISTANCE OF 248.04 FEET TO A POINT
OPPOSITE STATION 1908+00.3 OF SAID HIGHWAY SURVEY,

NORTHWESTERLY ALONG A 3759.72 FOOT RADIUS CURVE LEFT 872.88
FEET TO A POINT IN THE WEST LINE OF SAID SECTION 2 AND OPPOSITE
STATION 1916+87.11 OF SAID HIGHWAY SURVEY;

THENCE NORTH 0° 34' 46" WEST ALONG SAID WEST LINE 243.94 FEET TO THE
REAL POINT OF BEGINNING.

SECTION 23: NE1/4NE1/4.

SECTION 24: W1/2NW1/4.

TOWNSHIP 15 NORTH, RANGE 27 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO.

SECTION 18: N1/2SE1/4, SW1/4NE1/4, SE1/4NW1/4.

TOWNSHIP 16 NORTH, RANGE 25 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO.

SECTION 24: E1/2NW1/4, E1/2.

TOWNSHIP 16 NORTH, RANGE 26 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO.

SECTION 19: LOTS 3 AND 4, SE1/4, E1/2SW1/4.

SECTION 20: SW1/4, W1/2SE1/4.

EXCEPTING THEREFROM:

A TRIANGULAR PIECE OF LAND DESCRIBED AS FOLLOWS:
STARTING AT THE NE CORNER OF THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 16 NORTH, RANGE 26 EAST,
BOISE MERIDIAN; RUNNING FROM SAID NORTHEAST CORNER 785 FEET
WEST, THENCE IN A STRAIGHT LINE 1185.12 FEET IN AN APPROXIMATE
SOUTHEAST DIRECTION TO A POINT 887.85 FEET SOUTH OF THE SAID
NORTHEAST CORNER, THENCE NORTH 887.85 FEET TO THE NORTHEAST
CORNER OF POINT OF ORIGIN; ALL OF SAID LAND BEING IN THE
NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20,
TOWNSHIP 16 NORTH, RANGE 26 EAST, BOISE MERIDIAN.

SECTION 29: SE1/4NE1/4, NW1/4, W1/2NE1/4,
N1/2SW1/4, N1/2SE1/4.

ALSO INCLUDING:

THAT PART AND PORTION OF THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER (NE1/4NE1/4), OF SECTION TWENTY-NINE (29),
TOWNSHIP SIXTEEN (16) NORTH, RANGE TWENTY-SIX (26) EAST, BOISE

MERIDIAN, THAT LIES SOUTHWESTERLY OF STATE HIGHWAY NO. 28, AS NOW CONSTRUCTED, SUCH HIGHWAY RIGHT-OF-WAY HERETOFORE BEING THE GILMORE AND PITTSBURG RAILROAD COMPANY, LTD., MAIN TRACK RIGHT-OF-WAY.

ALSO LESS RIGHT-OF-WAY FOR HIGHWAY 28:

SECTION 30: LOTS 1, 2 ND 3, NW1/4NE1/4,
NE1/4NE1/4, S1/2NE1/4, E1/2NW1/4,
N1/2SE1/4, NE1/4SW1/4.

ALSO EXCEPTING THEREFROM:

ALL HIGHWAY RIGHT-OF-WAYS AND ROAD EASEMENTS FALLING WITHIN THE BOUNDARIES OF THE ABOVE DESCRIBED REAL PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 1/02/2003

Kermit K. Purcell, Trustee of the Lillie M Purcell
1998 Living Trust dated February 2, 1998

Kermit K. Purcell, Trustee
By: Kermit K. Purcell, Trustee

State of California }
County of Santa Clara } ss.

On this 20 day of January 2003, before me, a Notary Public in and for said state, personally appeared KERMIT K. PURCELL known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the LILLIE M PURCELL 1998 LIVING TRUST, and acknowledged to me that he executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

253266

State of Idaho) SS No. _____
County of Lemhi)
This instrument was filed for record at the request
of Chloe J. Miller
at 2:46 o'clock P.M. 1-24 2003
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex. Officer Recorder
By Brenda C. Miller Deputy
Fee 15.00
Return to AT

LAHERIKANT A. SHAM
Notary Public for the State of California
Residing at: 6501 Crown Blvd; S.J. 95720
Commission Expires: 11-20-2006



AFFIDAVIT TO CORRECT
LEGAL DESCRIPTION

STEVEN R. GOTT, certifies that he is the Vice President of Alliance Title & Escrow Corp., under whose supervision a Deed was prepared from Kermit K. Purcell, Trustee of the Lillie M. Purcell 1998 Living Trust dated February 2, 1998, to Leadore Land Partners Limited Partnership, a Montana Limited Partnership. A Warranty Deed recorded on January 24, 2003 as Instrument No. 253266, records of Lemhi County, Idaho;

WHEREAS, the legal description contained in said document contained a typographical error, which it is the purpose of this Affidavit to reform and correct; and

WHEREAS, Idaho Code Section 55-816 permits the recording of Affidavits affecting the description of real property as part of the record title of said real property;

NOW THEREFORE, on the aforementioned instrument, the legal description is corrected to read as follows:

TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN, LEMHI COUNTY,
IDAHO.

SECTION 2: W1/2SW1/4

Dated this 7th day of February, 2003.

Alliance Title & Escrow


Steven R. Gott

STATE OF IDAHO
COUNTY OF LEMHI

State of Idaho)
County of Lemhi) SS No. _____

This Instrument was filed for record at the request
of Alliance Title

at 4:45 o'clock P.m. 2-7 2003

and duly filed and indexed in the records of Lemhi
County

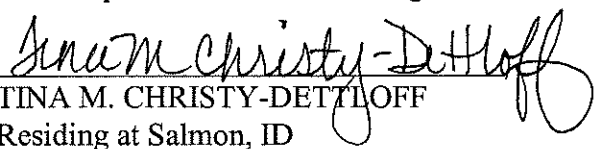
Terri J. Morton
Ex-Officio Recorder

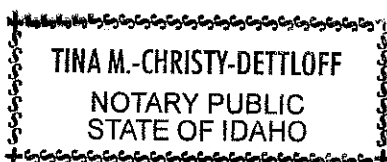
By Tina M. Christy-Dettloff Deputy

Fee 3.00

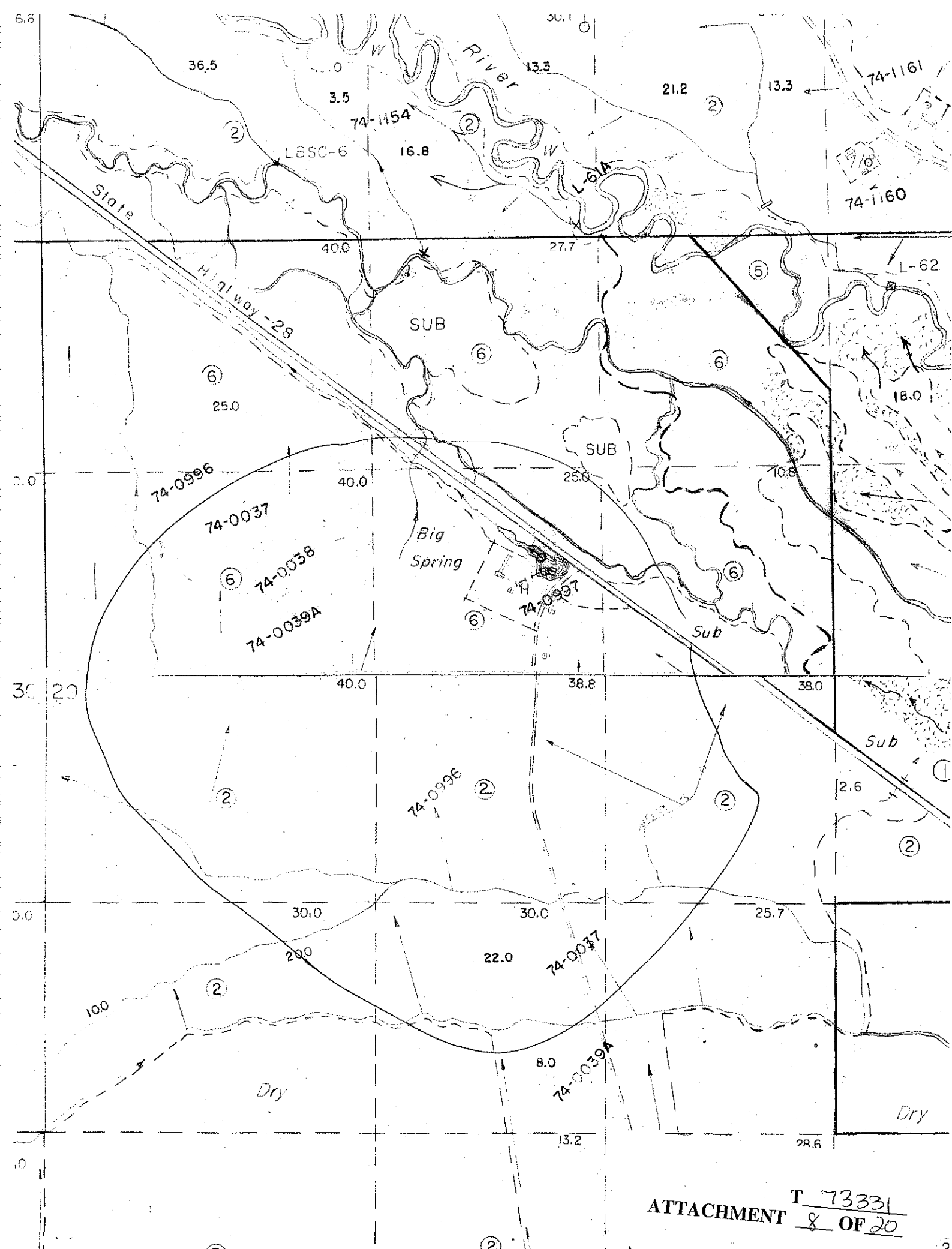
Return to A.T.

On this 7th day of February, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven R. Gott, known or identified to me to be the person who executed the within instrument as Vice President of the Corporation on behalf of said Corporation and acknowledged to me that such Corporation executed the same.


TINA M. CHRISTY-DETTLOFF
Residing at Salmon, ID
Comm. Expires: 2/6/2004



T 73331
ATTACHMENT 1 OF 20



ATTACHMENT T 73331
8 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:40:35

PARCEL: RP 16N25E136001 A

F17=DD

F23=AG

LEGAL DESCRIPTION

LEADORE LAND PARTNERS LIMITED
PARTNERSHIPSW4 S2SE4
13 16 25

PO BOX 16025

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE LOC CODE

MISSOULA MT 59808

EFFDATE 12311996 EXPDATE

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
4	2006	1000	AC	475				
5	2006	239000	AC	7622				

TOTALS 240000 8097

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=EUT 73331
ATTACHMENT 9 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:39:29

PARCEL: RP 16N25E242400 A

F9=MS

F17=DD

F23=AG

LEGAL DESCRIPTION

LEADORE LAND PARTNERS LIMITED
 PARTNERSHIP, A MONTANA LIMITED
 PARTNERSHIP

E2

24 16 25

PO BOX 16025

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE TV LOC CODE 1220

EFFDATE EXPDATE

PREV PARCEL

MISSOULA MT 59808

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2001	110000	AC	26114				
4	2001	97000	AC	45475				
5	2001	113000	AC	5464				

TOTALS 320000 77053

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 73331
 ATTACHMENT 10 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:36:49

PARCEL: RP 16N25E242401 A

F17=DD

F23=AG

LEGAL DESCRIPTION

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIP

E2NW4

24 16 25

TRUST 02-02-1998

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 10/1/1997 EXPDATE

PREV PARCEL

PO BOX 16025

MISSOULA MT 59808

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2006	12000	AC	4236				
5	2006	68000	AC	2244				

TOTALS

80000

6480

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=EUT 73331
ATTACHMENT 11 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:52:01

PARCEL: RP 16N26E194800 A

F12=RC

F17=DD F19=SP

F23=AG

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIP

LEGAL DESCRIPTION

LOTS 3 4 SE4 E2SW4
19 16 26

PO BOX 16025

ProVal Area Number 2CODE AREA 3-0000 OWNER CDPARC TYPE TV LOC CODE 1220

EFFDATE EXPDATE

PREV PARCEL

MISSOULA MT 59808

1578 LEE CRK RD

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2003	97000	AC	51601				
4	2003	192870	AC	88853				
5	2003	35000	AC	1535				
10	2003	1000	AC	13200				
TOTALS		325870		178483				

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 73331ATTACHMENT 12 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:52:50

PARCEL: RP 16N26E204800 A F1=SL

F12=RC

F17=DD F19=SP

F23=AG

LEGAL DESCRIPTION

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIPSW4 W2SE4 LESS T#977
20 16 26

PO BOX 16025

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE TV LOC CODE 1220

EFFDATE EXPDATE

PREV PARCEL

MISSOULA MT 59808

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2003	3000	AC	1479				
4	2003	218121	AC	98567				
10	2003	1000	AC	13200				
19	2003	9879	AC					
TOTALS		232000		151972				

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

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:54:06

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

MISSOULA MT 59808

EFFDATE 10/1/1997 EXPDATE

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
4	2006	4000	AC	480				
5	2006	35500	AC	1573				
19	2006	500	AC					

TOTALS 40000 2053

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 73331

ATTACHMENT 14 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:53:44

PARCEL: RP 16N26E290002 A F1=SL

F17=DD

F23=AG

LEGAL DESCRIPTION

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIPNW4 W2NE4 N2SW4 N2SE4
NE4NE4 LYING SOUTH WEST OF HWY
28 +

PO BOX 16025

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE TV LOC CODE 1220

EFFDATE EXPDATE

PREV PARCEL

MISSOULA MT 59808

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2003	28000	AC	9884				
4	2003	48000	AC	21380				
5	2003	336840	AC	17602				

TOTALS 412840 48866

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 73331

ATTACHMENT 15 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:54:31

PARCEL: RP 16N26E307801 A F1=SL

F17=DD

F23=AG

LEGAL DESCRIPTION

NE4NE4 S2NE4 NE4SW4
N2SE4 LESS T-3187 E2NW4
30 16 26

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE TV LOC CODE 1220

EFFDATE 3251991 EXPDATE

PREV PARCEL RP16N26E300000T

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTNA LIMITED
PARTNERSHIP

PO BOX 16025

MISSOULA MT 59808

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2003	91000	AC	36183				
4	2003	168000	AC	79800				
5	2003	60000	AC	2020				

TOTALS 319000 118003

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

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:54:42

PARCEL: RP 16N26E307802 A

F17=DD

F23=AG

LEGAL DESCRIPTION

T-3187

30 16 26

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIP

PO BOX 16025

MISSOULA MT 59808

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE TV LOC CODE 1220

EFFDATE 3251991 EXPDATE

PREV PARCEL RP16N26E300000T

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	2006	200	AC	99				
5	2006	800	AC	26				

TOTALS

1000

125

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 73331

ATTACHMENT 17 OF 20

12/19/06

PMO100 - PARCEL MASTER INQUIRY

14:54:20

PARCEL: RP 16N26E300600 A

F17=DD

F23=AG

LEGAL DESCRIPTION

NW4NE4 LOTS 1 2 3

30 16 26

LEADORE LAND PARTNERS LIMITED
PARTNERSHIP, A MONTANA LIMITED
PARTNERSHIP

PO BOX 16025

MISSOULA MT 59808

ProVal Area Number 2

CODE AREA 3-0000 OWNER CD

PARC TYPE TV LOC CODE 1220

EFFDATE EXPDATE

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
4	2006	40000	AC	19000				
5	2006	123830	AC	4726				
19	2006	6000	AC					

TOTALS 169830 23726

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 73331
ATTACHMENT 18 OF 20

A NOTE TO IDWR ABOUT TIMBER CR TRANSFER

December 18, 2006

RECEIVED

JAN 24 2007

Department of Water Resources
Eastern Region

The purposes of this transfer are:

- 1) Improve efficiency of both Big & Little Timber Cr water rights. A gravity mainline is being installed from Little Timber Cr to supply both the existing pivot in 16N25E 13 & 24 and the proposed wiper pivot in 16N26E 19 & 30. Leadore Land Partners needs to be able to irrigate these lands with 74-40, 74-41, and 74-38 water rights from Little Timber Cr. A pumping system from the Lemhi River is being installed to supply the existing pivot in 16N26E 20 & 29 and the proposed pivot in 29 & 30. Leadore Land Partners needs to be able to irrigate the lands in these two pivots with 74-37 and that portion of 74-40 diverted from Big Timber Cr (1.2 cfs). The proposal is to measure the water "spilled" at POD BT-15 to the Lemhi River, then pump an equivalent amount back to the two pivots.
- 2) Dry up enough acreage to fill in 85.5 acres of existing W pivot, 13.3 acres of existing E pivot, 44.4 acres of proposed E pivot, and 40.8 acres of proposed W wiper pivot.
- 3) Add the new pump POD from Lemhi River for 74-37 and 74-40.
- 4) Make all the Little Timber water rights legal from either POD LT-3 or LT-5 (they are located about 200 yards apart but feed two separate ditches). Leadore Land Partners is the only diverter in both ditches.
- 5) Make the listed Big Timber water rights legal from POD BT-15. This will leave 74-61 at POD BT-12.

At the time of the Lemhi Decree, this property was two separate ranches – Kermit Purcell and the Clinger Ranch. Kermit Purcell subsequently purchased the Clinger Ranch. Since that time they have been operated as one parcel. Following Kermit Purcell's death, Leadore Land Partners (Karl Tyler family) purchased the ranch in 2003 from the Purcell heirs. Leadore Land Partners are now at the point that they would like to reorganize the irrigation system.

As a result of investigations for this transfer, Leadore Land Partners is changing the "footprint" of the two existing pivots. The end guns have been removed from both pivots, making the W pivot 1778 feet radius and the E pivot 1717 feet radius. That is why the proposed POU boundary is inside the existing wetted area. The radius of the proposed new E pivot is 1050 feet. The radius of the wiper pivot is 1700 feet. The pivot point of all pivots was located with GPS, the area under each pivot was then mapped from those radii.

At the time they installed the E pivot in 2004, Leadore Land Partners completed a transfer to create a common POU for the water rights on the original Clinger property. They needed to do this to insure that the pivot could be irrigated with Big Timber Cr water. That common POU is delineated on the maps with the orange line. One of the water rights included in this transfer was 74-38 (from Little Timber Cr). It now becomes apparent that 74-38 can be used more effectively in the proposed wiper pivot.

The addition of the POD on Lemhi River should be conditioned on measuring the water flow passed from Big Timber Cr to Lemhi River. IDWR currently has a gaging station (13303800) located above the Lee Cr Rd just downstream of BT-15. NRCS and IDFG are currently in the process of redesigning the diversion structure at BT-15. It is

currently planned that the structure would also be a weir to measure both the water diverted and the flow remaining instream. Since the two water rights proposed to be bypassed are the two senior water rights in Big Timber Cr, it is important to assure the junior water users on Big Timber Cr that only the legal water right ($3.36 + 1.2 = 4.56$ cfs) is remaining instream.

If, in the opinion of IDWR, it makes more sense to include all the water rights for the ranch in one common POU, this transfer would also include 74-61 (3.72 cfs from Big Timber Cr) and 74-996 (8.32 cfs from Lemhi River). The transfer fee would then be \$1250 instead of \$1010. Leadore Land Partners would be happy to pay the difference. We think the entire ranch has about 1250 acres covered by water rights. The original proposal and an alternative proposal for acreage is presented in Attachment to Page 1. The additional approximately 7 acres is probably within mapping error. If not, we would remove the water right from an additional 7 acres in NESE 19.