

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-10486B
Date Received: 7/ 2/1990
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: FIRSTFRUITS FOUNDATION 208-879-2729
Address: PO BOX 1190
CHALLIS ID 83326

2. Date of Priority: DEC 31, 1912

3. Source: GARDEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	18E	2			CUSTER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.320		

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	18E	2	NW NE		IRR	14.0
			NE NW		IRR	

MICROFILMED
NOV 01 1994

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	18.0
					Total Acres	18.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A72-04174, 00109C, 00106B

14. Remarks:

~ 51 ACRES OF ACTUAL IRRIGATION ALONG GARDEN CREEK.
PORTION OF UNKNOWN DECREE. UNABLE TO LOCATE BASE DECREE FOR THIS
25" OF CLAIMED GARDEN CREEK WATER. PRIORITY DATE 1912 CLAIMED,
EXACT MONTH/DAY OF DECREE UNKNOWN.

OWNERSHIP CHANGE 5/24/91 BY AA.
ORIGINAL CLAIM SPLIT BASED UPON AN OWNERSHIP CHANGE ON 8-23-94
A72-10486A JAMES TRUST FOR 9/25ths OF .5CFS OR .18CFS AND
A72-10486B FIRSTFRUITS FOR 16/25ths OF .5CFS OR .32CFS.
SPLIT BASED UPON FOUND IRRIGATED ACRES AND A CONVERSATION WITH
CHRISTOPHER JAMES ON 8-15-94. KKC

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 01 1994

RECEIVED

(see instructions on back of page)

JUN 09 1994

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 13 North Range 18 East Section 2, 1/4 of 1/4 of 1/4 of Lot 2 & 3, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

POOR ORIGINAL

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A72-04174
A72, 00109C, A72-10486, A72-16274
- [] Name and Address of Former Owner/Claimant(s)(Seller): Christopher W. JAMES Trust UDT 2/9/79
Christopher W. JAMES & DEBRA E JAMES, co trustee
Box 1190, Challis, ID 83226
- [] New Owner/Claimant (Purchaser): FirstFruits Foundation UDT 9/29/86
- [] New Mailing Address: PO Box 1190
Challis, ID 83226
- [] New Telephone Number: (208) 879-2729
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
A72-00109C transfer .30, retain balance
A72-10486 transfer .20, retain .30
A72-16274 transfer ~~all~~ ^{adjusted according to irrigated place of use} as discussed 8/13/94
XXX (CWJ)
- [] Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- [] Signature of New Owner/Claimant(s) Christopher W. James, co tt. Date 6/8/94
Debra E. James, co tt. Date 6/8/94
- [] Signature of Former Owner/Claimant(s): Christopher W. James, co tt. Date 6/8/94
Debra E. James, co tt. Date 6/8/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

Claim Numbers of Split, if any:

NOV 01 1994

**Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner**

Page 1

Old (D) Number -

1
2
3
4
5
6
7
8
9

NO

```
+ - - - Status - -
```

- - Tributary
SALMON RIVER

Point of Diversion
Quantity

(37)	CUSTER
(37)	CUSTER

----- Diversion Rate Diversion Volume

0.290

	-	+	+ - KW Usage
+	- Total Consumptive Use	- +	
	0.0		

Country	CUSTER	CUSTER
(37)	(37)	(37)

1
2
3
4
5
6
7

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF

Water right number - R72-10486C Prefix Translation: RESEARCH

Remarks -----
A COMBINED TOTAL OF 13.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106J, 72-00109J, 72-10486C AND
72-04174C.

EXP

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, R18E, SEC 2 SENW.
72-00106J, 72-00109J, 72-10486C, 72-00106H, 72-00106K, 72-00109K,
72-10486D, AND 72-00106C.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, R18E, SEC 3 SESE.
72-00106J, 72-00109J, 72-10486C, 72-00106F, 72-00109F,
72-00106K, 72-00109K, 72-10486D, AND 72-10486A.

A7210486B

----- Old Water Right Numbers -----

- Conditions of Approval -----
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
- C18 - 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.

----- Decree Plaintiff ----- + ----- Decree Defendant ----- + ----- Decree Date ----- +
00/00/0000

----- Comments -----

Date: 01/31/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
- 51 ACRES OF ACTUAL IRRIGATION ALONG GARDEN CREEK.
25" OF CLAIMED GARDEN CREEK WATER. PRIORITY DATE 1912 CLAIMED,

Date: 08/23/1994 User Id: KCHRISTE Subject: COPIED FROM REMARKS
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
ANNUAL CONSUMPTIVE USE VOLUME OF 62.5 AF, AND TO THE IRRIGATION
COMBINED RIGHT NOS.: 72-00106B AND 72-00109C.
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 77.5 AF, AND TO
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106B, 72-00109C AND
72-10486B FIRSTFRUITS FOR 16/25ths OF .50 CFS OR .32 CFS.
CHRISTOPHER JAMES ON 08-15-94. KKC
Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
Date: 02/24/2000 User Id: KCHRISTE Subject: SPLIT MODIFIED PER BLM
FRED PRICE REQUESTED THE 0.3 ACRES IN SEC 2 SENW BE MOVED TO BLM
OF RECORD THRU AJU10.

PORTION OF UNKNOWN DECREE. UNABLE TO LOCATE BASE DECREE FOR THIS
EXACT MONTH/DAY OF DECREE UNKNOWN.
OWNERSHIP CHANGE 5/24/91 BY AA.

DIVERSION DESCRIBED ABOVE: 72-00106B AND 72-00109C.
TOTAL COMBINED DIVERSION RATE OF 2.26 CFS, A TOTAL COMBINED
OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE
72-10486A JAMES TRUST FOR 9/25ths OF .50 CFS OR .18 CFS AND
THE SPLIT WAS BASED UPON FOUND IRRIGATED ACRES AS DISCUSSED WITH

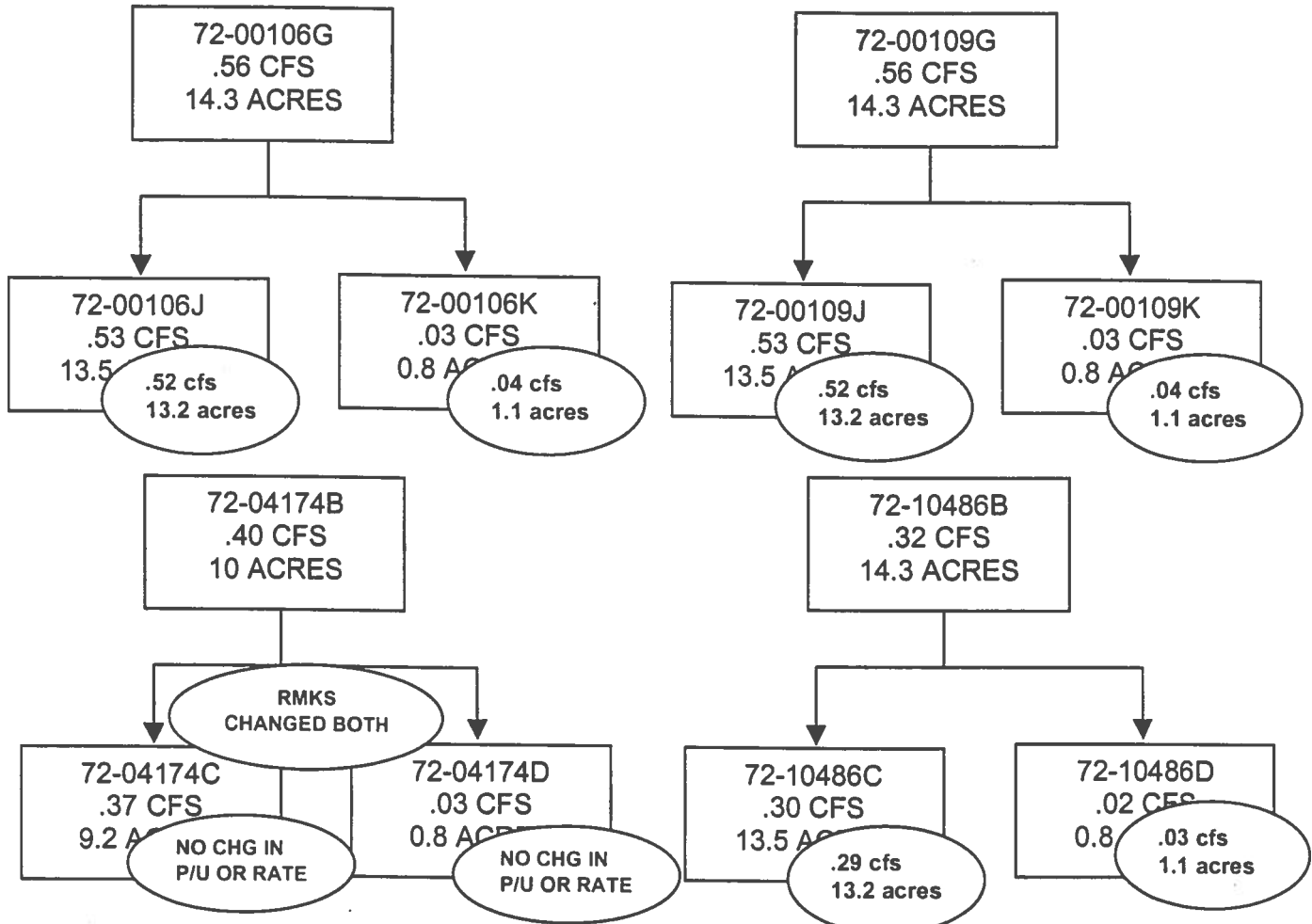
Water right number - R72-10486C

Prefix Translation: RESEARCH

+ - - Audit Fields - - +
02/28/00 KCHRISTE

+ - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	- 01/29/1999	Field Inspection Made	- 06/15/1993	Civil Case Number	-	39576			
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-				
Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- X777777	Water District	- 728				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	-	Presumption Flag	-				
				Notice of Error Flag	-				

I BELIEVE THAT I HAVE CREATED THE FOLLOWING CLAIMS AND HAVE COMPLETED THE DATA ENTRY FOR EACH ONE OF THEM. I HAVE NO DATA ENTRIES AND I DON'T THINK THAT I HAVE DONE ANYTHING. I DID CHANGE THE ACRE TRACT ACCORDING TO THE FIRST FRUITS DATA. I HAVE THE SEC 2 LEGAL SHOULD BE SWAMPENLY COVERED THE WITH GIS. I HAVE NOT UPLOADED ANYTHING TO THE SYSTEM. IF YOU NEED LAYOUTS TOMORROW LET ME KNOW. I WILL DO THE JOB.



Per Kent Foster I left the 0.3 acre overlap on First Fruits claims. Kent indicated that he would contact BLM and get a letter of agreement drafted for the hearing. The agreement will essentially state that the BLM agrees to let the 0.3 acres stay on the claim subject to a transfer to be submitted by first fruits. Let me know if I missed anything.

Kkc

February 11, 2000

FILE: 72-00106g etal splits first fruits sf5 issues

FRED PRICE REQUEST TO ADD THE 0.3 ACRES FROM SEC 2 SENW TO THE BLM CLAIM REQUEST DATE 2-24-2000. Modifications Shown in red inside the ovals at each split.

Christensen, Kelly

From: Christensen, Kelly
Sent: Thursday, February 24, 2000 6:01 PM
To: Spencer, Nick
Cc: Kelly, Vicki
Subject: BLM CHANGES MIND FOR CHRISTOPHER JAMES OBJECTION

Importance: High

Fred Price requested that the 0.3 acres in Sec 2 SENW be included in the BLM split portion. The transfer will apparently be made from the BLM claims at a later date. I agreed to do the splits and recalculate the rates. ALL CHANGED. Although 72-04174C and D did not include the 0.3 acres the remarks in each claim had to be changed so that the correct acres showed up in the remarks section. Once again I think that I have completed all required data entry changes according to the modified split tree shown in the attachment. The 8 claims should go through backup tonight and be ready for printing tomorrow.

If you have any questions please give me a holler.



72-00106g etal splits
first fr...

claims involved are';

72-00106J
72-00106K
72-00109J
72-00109K
72-04174C
72-04174D
72-10486C
72-10486D

Kelly K Christensen

Water Right Number - R72-10486C

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
FIRSTFRUITS FOUNDATION

*** O - ORIGINAL OWNER ***
US DEPT OF AGRICULTURE

SFS
Record
KKC

Priority Date - 05/20/1914 Region - 17 SOUTHERN J - BENEFICIAL USE Status -

Source - GARDEN CREEK Tributary - SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
13N	18E	2	SW NE NW	3		(37) CUSTER	
		3	SE NE SE			(37) CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		0.300	

Total Div. Rate - 0.300 Total Div. Volume - Total Consumptive Use - 0.0 KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	18E	2	NW NE	2	0.2	01	IRRIGATION	(37) CUSTER
13N	18E	2	NE NW	3	13.0	01	IRRIGATION	(37) CUSTER
13N	18E	2	SE NW	1	0.3	01	IRRIGATION	(37) CUSTER

Total Acres: 13.5

- - - Diversion Means - TWO HEADGATES, DITCHES, TO FLOOD IRRIGATION
- - - Non-Irrigation Use -
- - - Other Rights for Same Use -

Superceded
2-24-00
KKC

Water right number - R72-10486C

Prefix translation: RESEARCH

----- Remarks -----

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 13.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106J, 72-00109J, 72-10486C AND
72-04174C.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, R18E, SEC 2 SH1/4E.
72-00106J, 72-00109J, 72-10486C, 72-00106F, 72-00109F,
72-00106K, 72-00109K, 72-10486D, 72-10486A AND 72-00106C.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, R18E, SEC 3 SE1/4E.
72-00106J, 72-00109J, 72-10486C, 72-00106F, 72-00109F,
72-00106K, 72-00109K, 72-10486D, AND 72-10486A.

A7210486B

----- Old Water Right Numbers -----

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
- C18 - 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.

----- Decree Plaintiff ----- + ----- Decree Defendant ----- + ----- Decree Date ----- +
00/00/0000

----- Comments -----
Date: 01/31/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
- 51 ACRES OF ACTUAL IRRIGATION ALONG GARDEN CREEK.
25" OF CLAIMED GARDEN CREEK WATER. PRIORITY DATE 1912 CLAIMED,

Date: 08/23/1994 User Id: KCHRISTE Subject: COPIED FROM REMARKS
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
ANNUAL CONSUMPTIVE USE VOLUME OF 62.5 AF, AND TO THE IRRIGATION
COMBINED RIGHT NOS.: 72-00106B AND 72-00109C.
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 77.5 AF, AND TO
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106B, 72-00109C AND
72-04174C.
Date: 08/23/1994 User Id: KCHRISTE Subject: BASIS OF SPLIT RIGHT
THERE WAS AN OWNERSHIP CHANGE SPLITTING THE RIGHT INTO:
72-10486B FIRSTFRUITS FOR 16/25ths OF .50 CFS OR .32 CFS.
CHRISTOPHER JAMES ON 08-15-94, KK
Date: 11/21/1998 User Id: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART

PORTION OF UNKNOWN DECREE. UNABLE TO LOCATE BASE DECREE FOR THIS
EXACT MONTH/DAY OF DECREE UNKNOWN.
OWNERSHIP CHANGE 5/24/91 BY AA.
DIVERSION DESCRIBED ABOVE: 72-00106B AND 72-00109C.
TOTAL COMBINED DIVERSION RATE OF 2.26 CFS, A TOTAL COMBINED
OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE
72-10486A JAMES TRUST FOR 9/25ths OF .50 CFS OR .18 CFS AND
THE SPLIT WAS BASED UPON FOUND IRRIGATED ACRES AS DISCUSSED WITH
OF RECORD THRU AUJ10.

Water right number - R72-10486C

Prefix Translation: RESEARCH

+ - - Audit Fields - - +
02/10/00 KCHRISTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	- 01/29/1999	Field Inspection Made	- 06/15/1993	Civil Case Number	-	39576			
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-				
Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- X777777	Water District	- 72B				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	-	Presumption Flag	-				
				Notice of Error Flag	-				

CLAIM NUMBER 72-00106J DATE 2-11-00 TRANSFER NUMBER _____
72-04174C 00109J AGENT KKC CLAIMED ACRE TOTAL _____
10486C GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE			
CLAIM				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
GIS	13N	18E	2		.2			13			.3								1.
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP 72-00106G } these claims were split based upon a SFS
SHAPE NOS. 345 } 00109G } agreement between Christopher James and
344 510 } 10486B } the BLM.
346 511 (BLM) } 04174B }

B72-DBPOD.SHP
NOS. DESCRIPTION
138 Sec 2 SWNW shape 345 was split into 510 and 511 with
205 Sec 3 SENESE shape represents the 0.8 ac on BLM Ground. 511

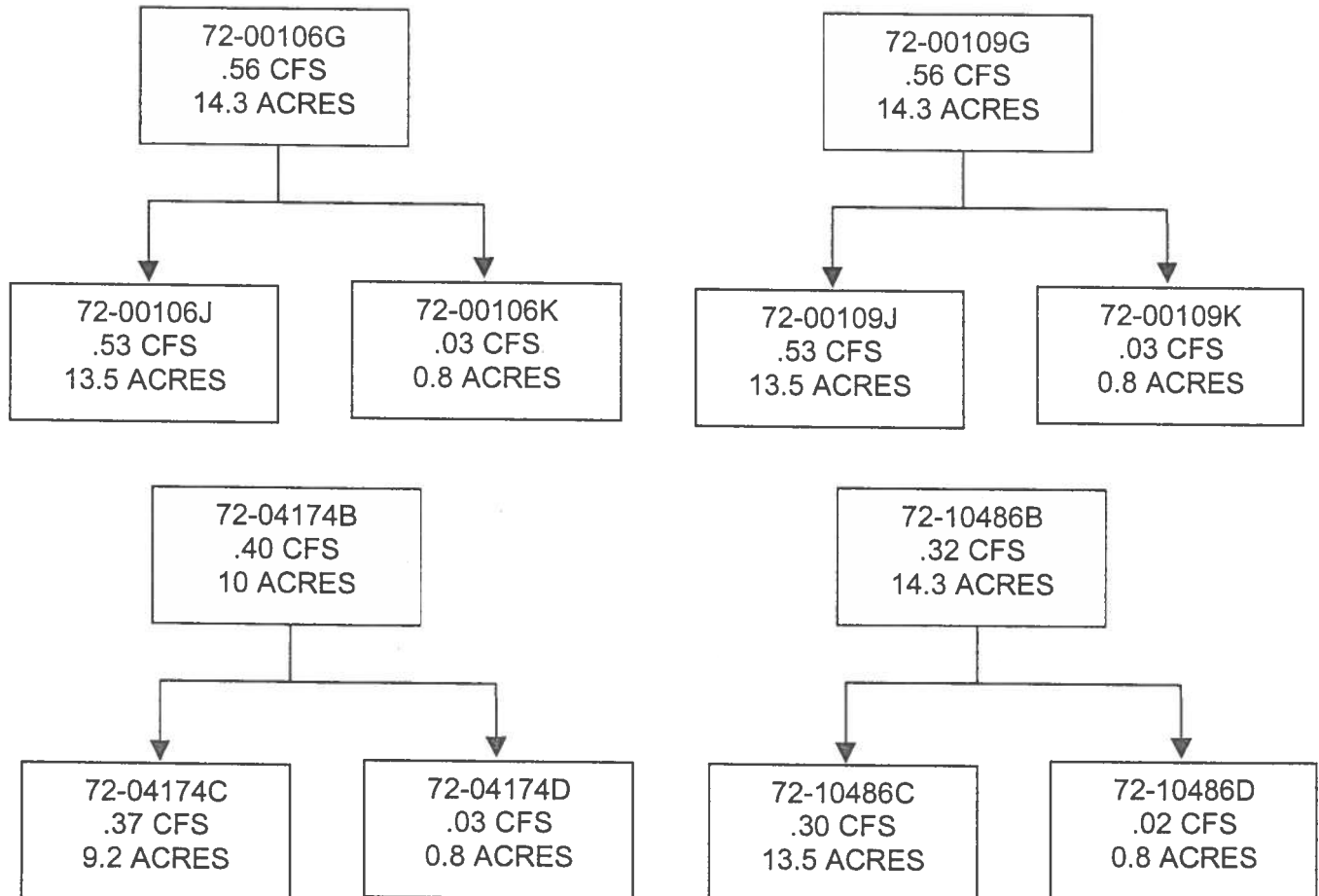
206 Sec 3 SENWSE the 0.30 ac in SENW ~~area~~ is on BLM Ground but
207 Sec 3 NWNWSE has been left on this claim subject to a pending transf
by James. As I understand it, this is part of the
settlement agreement between the two parties.

P/D # 138, there was a data entry error on the 10 ac tract. cl
DBF TABLES UPDATED changed it from the SE to the SW.

B72-DBPOU.DBF ✓ The PD # 138 & 205 are Garden Cr dimensions for 72-00106
B72-DBPOD.DBF ✓ The PD # 206 & 207 are for 72-04174C 00109
10486

JPEG LAYOUT ✓
D:\Data\372\objection settlement Response
72-00106J - ~~BLM~~ JAMES - SFS layout.

I BELIEVE THAT I HAVE CREATED THE FOLLOWING CLAIMS AND HAVE COMPLETED THE DATA ENTRY FOR EACH ONE OF THEM. I REVIEWED MY DATA ENTRIES AND I DON'T THINK THAT I MISSED ANYTHING. I DID CHANGE THE 10 ACRE TRACT ACCORDING TO ALAN BITTNER'S NOTATION THAT THE SEC 2 LEGAL SHOULD READ SWNENW. I CONFIRMED THAT WITH GIS. I HAVE not UPDATED ANYTHING IN ARCVIEW. IF YOU NEED LAYOUTS TOMORROW LET ME KNOW AND I WILL RUSH THE JOB.



Per Kent Foster I left the 0.3 acre overlap on First Fruits claims. Kent indicated that he would contact blm and get a letter of agreement drafted for the hearing. The agreement will essentially state that the blm agrees to let the 0.3 acres stay on the claim subject to a transfer to be submitted by first fruits.

Let me know if I missed anything.

Kkc

February 11, 2000

FILE: 72-00106g etal splits first fruits sf5 issues

Christensen, Kelly

From: Alan_Bittner@blm.gov
Sent: Wednesday, February 09, 2000 5:58 PM
To: kfoster@holdenlegal.com; kchrste@idwr.state.id.us
Cc: Fred_Price@blm.gov; l2brown@micron.net
Subject: Firstfruits Foundation



pic26005.pcx



7210486D.wpd



7200106K.wpd



7200109J.wpd



7200109K.wpd



7204174C.wpd



7204174D.wpd



7210486C.wpd



7200106J.wpd

Alan Bittner (Embedded image moved to file:

pic26005.pcx)

From: Alan Bittner@BLM on 02/09/2000 05:58 PM

To: kfoster@holdenlegal.com, kchrste@idwr.state.id.us
cc: Fred Price/IDSO/ID/BLM/DOI@BLM, l2brown@micron.net@BLM
Subject: Firstfruits Foundation

Kent and Kelly,

I'am attaching the split water rights for the following claims:

72-00106G split into J + K

72-00109G split into J + K

72-04174B split into C + D

72-10486B split into C + D

They are all WorkPerfect version 9 documents. If this doesn't work, I can fax them.

I only changed the legal descriptions for the POU's and adjusted the total acres. Stockwater was total removed from the BLM portion of claim 72-04174B (D).

Kelly, we need the "combined total acre" language (under the POU) adjusted on each claim.

POD's:

The only legal description that I question is the POD in T13N R18E S2 Lot 3 (SE NENW). According to IDWR's GIS data layer this POD (#138), shows up in the SW NENW (still Lot 3). It is on 72-00106G, 72-00109G and 72-10486B.

The other Garden Crk POD (#205), was never visited and I assume is correct.

The POD's (#206 and 207) (on BLM) coming from Daughtery Gulch and the old mine shaft, I GPS'ed and they are correct.

Please forward your adjusted documents to myself and Fred Price for review. Fred will get the final documents to Larry Brown and each of you for signitures.

alan

(See attached file: 7210486D.wpd)(See attached file: 7200106K.wpd)(See attached file: 7200109J.wpd)(See attached file: 7200109K.wpd)(See attached file:

7204174C.wpd)(See attached file: 7204174D.wpd)(See attached file: 7210486C.wpd)
(See attached file: 7200106J.wpd)

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10486B C

NAME & ADDRESS: FIRSTFRUITS FOUNDATION
PO BOX 1190
CHALLIS ID 83226

SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 05/20/1914

POINT OF
DIVERSION: T13N R18E S02 LOT 3 (SENENW) Within CUSTER County
S03 SENESE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.32 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T13N R18E S02 Lot 2 (NWNE) 0.2
Lot 1 (SENE) 0.3
~~T14N R18E S35 SESE 0.8~~
Lot 3 (NENW) 13
~~14.3~~ 13.2 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 7.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106G, 72-00109G,
72-10486B, AND 72-04174B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 14.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106G, 72-00109G,
AND 72-10486B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED
SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE
ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF

DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 2 SENENW. 72-00106G,
72-00109G, 72-10486B, 72-00106H, AND 72-00106C.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 3 SENESE. 72-00106F,
72-00109F, 72-10486A, 72-00106G, 72-00109G, AND 72-10486B.

KC

RECEIVED
JUN 29 1999
Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

A. Subcase 72-10486B

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Firstfruits Foundation

Address: PO Box 1190 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See attached
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: See attached
5. ☒ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Carrie C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Firstfruits Foundation

Address: PO Box 1190 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-409

RIGHTS FROM: SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10486B

NAME & ADDRESS: FIRSTFRUITS FOUNDATION
PO BOX 1190
CHALLIS ID 83226

SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 05/20/1914

POINT OF DIVERSION: T13N R18E S02 LOT 3 (SENEW) PVT
S03 SENESE PVT Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.32 CFS

PLACE OF USE: IRRIGATION Within CUSTER County PVT
T13N R18E S02 Lot 2 (NWNE) 0.2 Lot 3 (NENW) 13 Lot 1 (SENW) 0.3 BLM
T14N R18E S35 SESW 0.8 BLM
14.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 7.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106G, 72-00109G, 72-10486B, AND
72-04174B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 14.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106G, 72-00109G, AND 72-10486B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

101-29416

LUP auth to Chris James

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-410

RIGHTS FROM: SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10486B (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 2 SENENW.
72-00106G, 72-00109G, 72-10486B, 72-00106H, AND 72-00106C.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 3 SENESE.
72-00106F, 72-00109F, 72-10486A, 72-00106G, 72-00109G, AND
72-10486B.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 15, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

CHRISTOPHER JAMES
PO BOX 1190
CHALLIS ID 83226

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS HELD BY
CHRISTOPHER JAMES TRUST AND FIRSTFRUITS FOUNDATION

Dear Christopher

I have enclosed two transfer forms with attachments for your use. If you have any questions concerning those forms please contact this office and ask for an allocations agent. I have also enclosed GIS layouts of your property showing the current recommendations. You can use that map to identify the areas being dried up and the new place of use.

I have also enclosed a change of ownership form and a profile report for the 'Dewey' claim. If you have any questions concerning this claim please contact me. A layout is also included for this property as you indicated that it was probably to be included in the transfer process.

Good luck in the paper trail concerning your developments on your property.

Sincerely

Kelly K Christensen
Senior Water Resource Agent
Enclosures

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/09/98 12:02:50
Page 1

Water Right Number - R72-10486B

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***

FIRSTFRUITS FOUNDATION

1 - PO BOX 1190

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-2729

VERIFIED BY KKC
11-9-98

*** O - ORIGINAL OWNER ***

US DEPT OF AGRICULTURE

1 - FARMERS HOME ADMINISTRATION

2 - ROGER HILL

3 - PO BOX 1189

City- SALMON

State- ID Zip- 83467

Phone - 208-756-4417

+ - - Priority Date - - +

05/20/1914

+ - - - Region - - - +

17 SOUTHERN

+ - - - Stage - - - +

J - BENEFICIAL USE

+ - - - Status - - - -

+ - - - - Source - - - - -

GARDEN CREEK

+ - - - - Tributary - - - - -

SALMON RIVER

+ - - - - Point of Diversion - - - - -

TwN	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
-----	-----	-----	-------	-----	------	--------	----------------

13N	18E	2	SE NE NW	3	(37)	CUSTER	
		3	SE NE SE		(37)	CUSTER	

GS 138
205

+ - - - - Water Use - - - - -

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

01 - IRRIGATION		04/15	10/15	0.320	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage -

0.320

0.0

+ - - - - Place of Use - - - - -

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	18E	2	NW NE	2	0.2	01	IRRIGATION	(37) CUSTER
13N	18E	2	NE NW	3	13.0	01	IRRIGATION	(37) CUSTER
13N	18E	2	SE NW	1	0.3	01	IRRIGATION	(37) CUSTER
14N	18E	35	SE SW		0.8	01	IRRIGATION	(37) CUSTER

Total Acres: 14.3

GS 345
346

+ - - Diversion Means - TWO HEADGATES, DITCHES, TO FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-04174B, 72-00109G, AND 72-00106G

Water right number - R72-10486B

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 7.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106G, 72-00109G, 72-10486B, AND
72-04174B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 14.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106G, 72-00109G, AND 72-10486B.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 2 SENENW.
72-00106G, 72-00109G, 72-10486B, 72-0D106H, AND 72-001D6C.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 3 SENESE.
72-00106F, 72-00109F, 72-10486A, 72-0D106G, 72-00109G, AND
72-10486B.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date -
00/00/0000

+ - - Audit Fields - 08/23/94 KCHRISTE 03/30/95 POST-STD 10/29/98 KCHRISTE

+ - - - - - Comments - - - - -

Date: 01/31/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
~ 51 ACRES OF ACTUAL IRRIGATION ALONG GARDEN CREEK.
25" OF CLAIMED GARDEN CREEK WATER. PRIORITY DATE 1912 CLAIMED,

PORTION OF UNKNOWN DECREE. UNABLE TO LOCATE BASE DECREE FOR TH
EXACT MONTH/DAY OF DECREE UNKNOWN.
OWNERSHIP CHANGE 5/24/91 BY AA.

Date: 08/23/1994 User Id: KCHRISTE Subject: COPIED FROM REMARKS
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
ANNUAL CONSUMPTIVE USE VOLUME OF 62.5 AF, AND TO THE IRRIGATION
COMBINED RIGHT NOS.: 72-00106B AND 72-00109C.
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 77.5 AF, AND TO
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106B, 72-00109C AND 72-04174.

DIVERSION DESCRIBED ABOVE: 72-00106B AND 72-00109C.
TOTAL COMBINED DIVERSION RATE OF 2.26 CFS, A TOTAL COMBINED
OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE

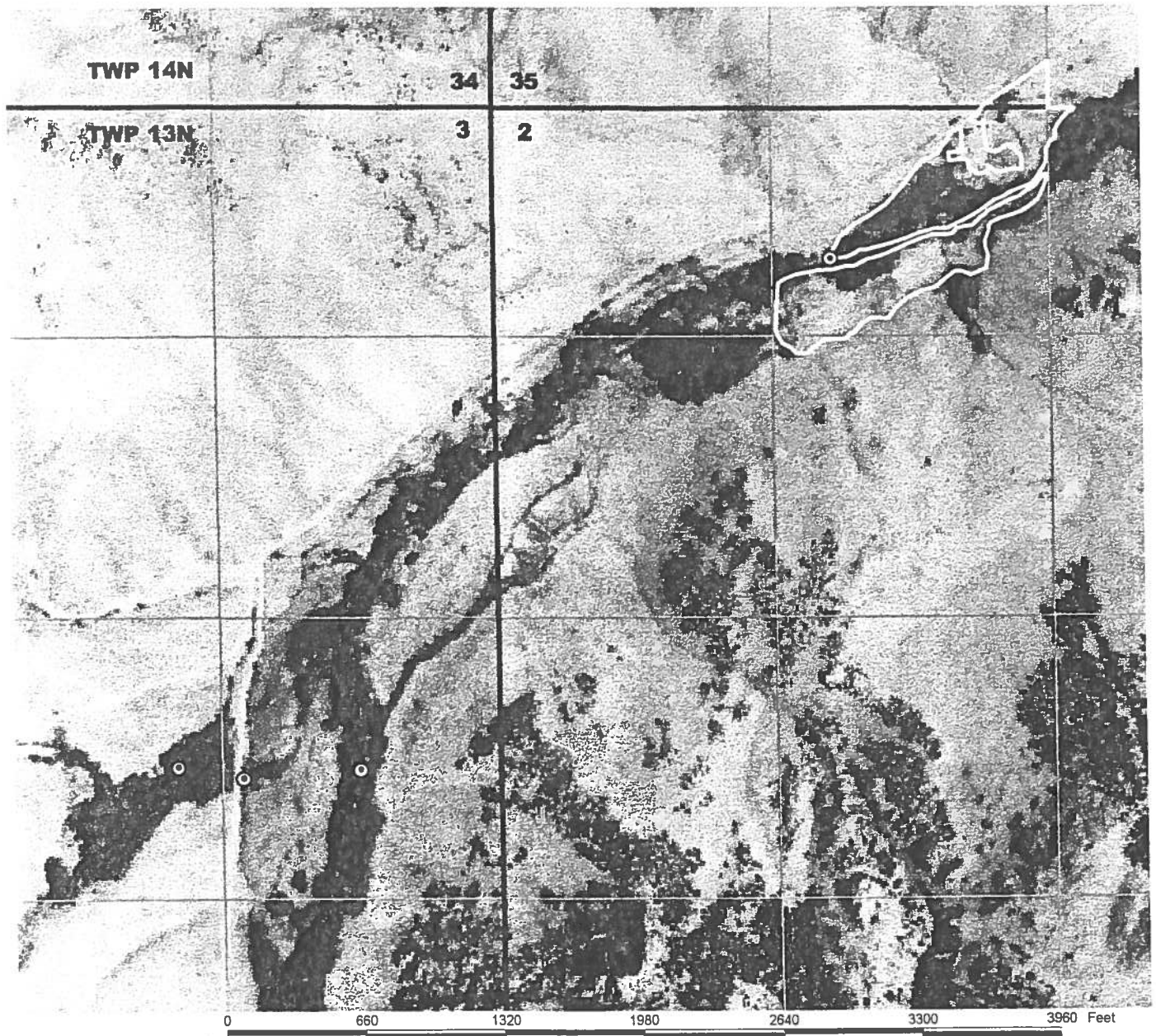
Date: 08/23/1994 User Id: KCHRISTE Subject: BASIS OF SPLIT RIGHT
THERE WAS AN OWNERSHIP CHANGE SPLITTING THE RIGHT INTO;
72-10486B FIRSTFRUITS FOR 16/25ths OF .50 CFS OR .32 CFS.
CHRISTOPHER JAMES ON 08-15-94. KKC

72-10486A JAMES TRUST FOR 9/25ths OF .50 CFS OR .18 CFS AND
THE SPLIT WAS BASED UPON FOUND IRRIGATED ACRES AS DISCUSSED WI

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/15/1993	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72B
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S

72-00106G, 72-00109G, & 72-10486B
SOURCE = GARDEN CREEK



RECOMMENDED PLACE OF USE
TWP 13N RNG 18E, SEC 35
TWP 13N RNG 18E, SEC 2
data entry on October 29, 1998



- ⊙ **RECOMMENDED POINT OF DIVERSION**
- ◻ **RECOMMENDED PLACE OF USE**
- ◻ **SECTION LINES**
- ◻ **QUARTER/QUARTER LINES**

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

CLAIM NUMBER
72-00106G
72-00109G
72-10486B

DATE
10-29-98
AGENT
KKC

TRANSFER NUMBER
CLAIMED ACRE TOTAL
18
GIS ACRE TOTAL
14.3

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13N	18E	2		4			14			-0-									18
GIS					.2			13			.3									
RECOM					.2			13			.3									13
CLAIM	14N	18E	35												-0-					-0
GIS															.8					
RECOM															.8					.8
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP
SHAPE NOS.
346
345

these rights only
OL with 4174B
O.L. with
00106G
106 H
109G
106 C
10486B

B72-DBPOD.SHP
NOS.
DESCRIPTION
138
Sec 2
106G
.56
1.91CFS
10.48CFS
Two P/DS
SENESE
109G
.56
10486B
32
205
Sec 3
1.44CFS
SENESE
O.L. with
106F
106G
108F
109G
10486A
10486B

DBF TABLES UPDATED
B72-DBPOU.DBF
B72-DBPOD.DBF
JPEG LAYOUT

RE-EVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00106G 72-10486B
72-00109G

 DATE: 10-29, 1998

 REVIEWED BY KKC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DAF	.18	.15			5.33	7.27
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
Q	.26	.21			13.2	10.4
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
CP1	2.61	7	14.3	.36	1.91 CFS
					CFS
					CFS
					CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____

R PROOF

CVR

MAPS

PHOTOS

MISC

Water Right Number - R72-104868

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

FIRSTFRUITS FOUNDATION

VERIFIED BY KKC

*** O - ORIGINAL OWNER ***

MC GARY

LAURENCE

1 - PO BOX 1190
2 -
3 -
City- CHALLIS
Phone - 208-879-2729

State- ID Zip- 83226

US DEPT OF AGRICULTURE

1 -
2 -
3 -
City- KETCHUM
Phone - 208-000-0000
1 - FARMERS HOME ADMINISTRATION
2 - ROGER HILL
3 - PO BOX 1189
City- SALMON
Phone - 208-756-4417
State- ID Zip- 83467

Priority Date - + 05/20/1914

Region - + 17 SOUTHERN

Stage - + J - BENEFICIAL USE

Status - +

Source - + GARDEN CREEK

Tributary - + SALMON RIVER

Turn Rng Sec Tract Lot RFlg County Point of Diversion
13N 18E 2 SW NE NW 3 (37) CUSTER
SE NE SE (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

04/15 10/15

0.320

Total Div. Rate - + 0.320 Total Div. Volume - + Total Consumptive Use - + KW Usage - +

Turn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
13N	18E	2	NW NE	2	1.0	01	IRRIGATION	(37) CUSTER
13N	18E	2	NE NW	3	15.0	01	IRRIGATION	(37) CUSTER

Total Acres: 16.0

- - - Diversion Means - TWO HEADGATES, DITCHES, TO FLOOD IRRIGATION

- - - Non-Irrigation Use -

MICROFILMED
NOV 0 1 1994

[illegible]

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.44 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 40 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 16 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 72-001D6g, 72-00109g, AND 72-10488b.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 47.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 19 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 72-001066, 72-001096, 72-104868 AND 72-041744.

Old Water Right Numbers

- - - Conditions of Approval - - -
No Conditions of Approval found.

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

***** OF CLAIMED GARDEN CREEK WATER. PRIORITY DATE 1912 CLAIMED,

— NPM

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

DIVERSION DESCRIBED ABOVE: 72-001068 AND 72-D01D9C.
TOTAL COMBINED DIVERSION RATE OF 2.26 CFS, A TOTAL COMBINED
OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL OF 74 ACRES IN A SINGLE

72-10486A JAMES TRUST FOR 9/25ths OF .50 CFS OR .18 CFS AND THE SPLIT WAS BASED UPON FOUND IRRIGATED ACRES AS DISCUSSED WITH

08/23/94 KCHRISTE

Adjudication Rights Dates and Flags Area

- 08/23/1994 Old Judicial District
- 00/00/0000 Temporary Right

MICROFILMED

(REGIONAL)

Water right number - R72-104868

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Receipt Number	- X777777	Water District	- 72B
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	-	Presumption Flag	-
		Notice of Error Flag	-

MICROFILMED
NOV 0 1 1994

Both Sources

Deeded To
First Fruits Foundation

Partial
Overlap

11A FROM
UNNAMED
CREEK

RETAINED BY
CHRISTOPHER JAMES

P/U FOR
A72-04174
UNNAMED STREAM
IS SOURCE

7A

8A FROM GARDEN CREEK
COMPLETS OVERLAP
WITH UNNAMED
STREAM

9A

2A

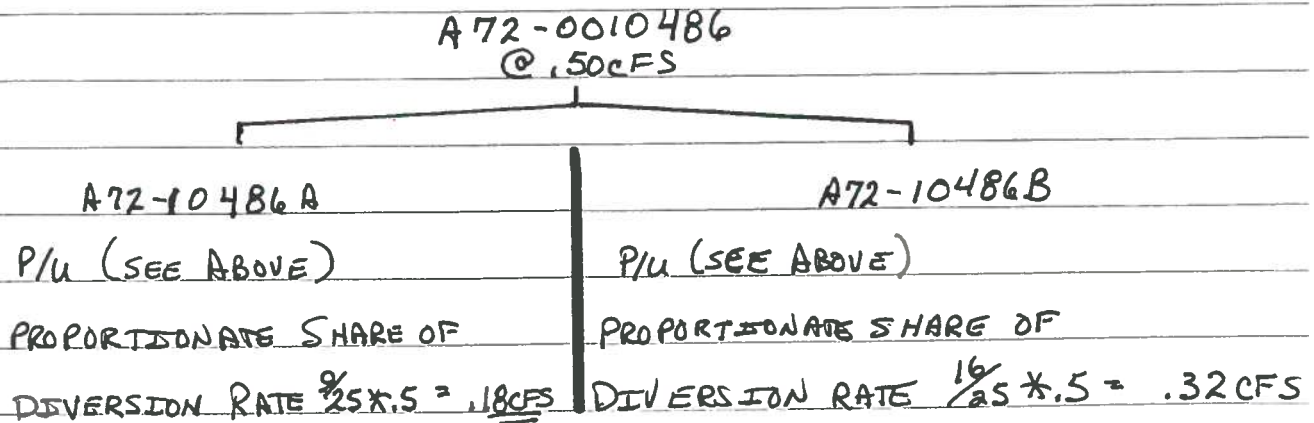
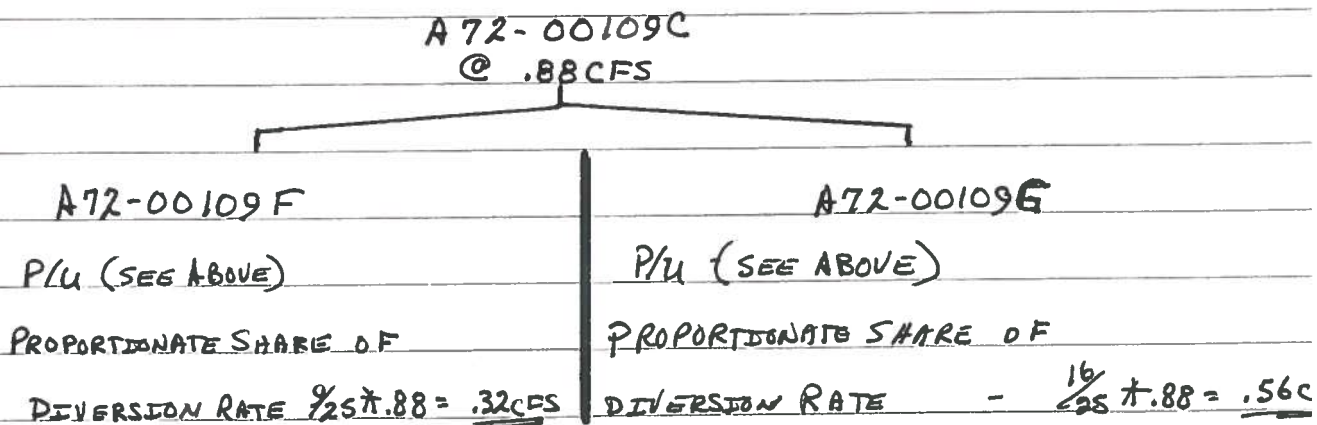
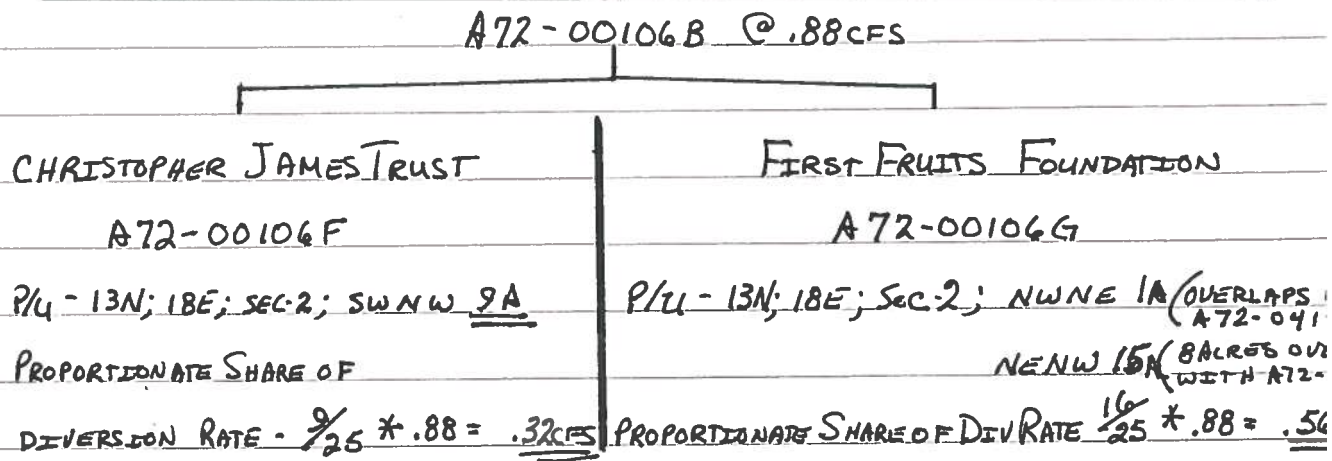
1A

MICROFILMED

NOV 0 1 1994

SPLIT RIGHT ANALYSIS & REMARK RECOMMENDATION
For A72-00106B, A72-00109C & A72-10486.

all three rights are from Garden Creek from common P/Ds through the same system and for the same P/U. Total irrigated acres found were 25.



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REMARKS FOR CHRISTOPHER JAMES TRUST CLAIMS.

FØ6: 72-00106F, 72-00109F, 72-10486A, 72-00106G,
72-00109G & 72-10486B (FM. SAME P/O)

E12: .82 CFS 22.5 AF 9 ACRES

72-00106F, 72-00109F & 72-10486A

REMARKS FOR FIRST FRUITS FOUNDATION CLAIMS.

FØ6: same as above.

E12: 1.44 CFS 40 AF 16 ACRES

72-00106G, 72-00109G & 72-10486B

E12: modified

47.5 AF 19 ACRES

72-00106G, 72-00109G, & 72-10486B & 72-04174B

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Fill notes
8-15-94
KKC

@ Christopher James' house.

POOR ORIGINAL

Discussed how the split was based.
the Trust was gifted Tot 2.3 of Sec 2
the initial estimate was based upon owned
acres not irrigated acres. Actual split of
the irrigated ground is split:

Gifted P/4	Retained P/4
2 A	4
9 A	0
6.5 A	$\frac{1}{2}$
17.5 A in P/4	9
	13 $\frac{1}{2}$ in P/4

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