

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4174C

WATER RIGHT NUMBER: 72-4174C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	US DEPT OF AGRICULTURE FARMERS HOME ADMINISTRATION PO BOX 1189 SALMON, ID 83467 (208)756-4417
Representative	ROBERT W COMPTON HC 33 BOX 1175 BOISE, ID 83706 (208)343-4321
Current Owner	FIRSTFRUITS FOUNDATION PO BOX 510 CHALLIS, ID 83226 (208)879-4560

Priority Date: 05/20/1914

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	UNNAMED STREAM
UNNAMED STREAM	GARDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.340 CFS	
MITIGATION	01/01 to 12/31	0.030 CFS	
STOCKWATER	04/01 to 10/31	0.010 CFS	
	<u>Total Diversion:</u>	0.370 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SW1/4	Sec. 3,	Twp 13N,	Rge 18E, B.M.
CUSTER County				
GROUND WATER	SE1/4NW1/4SE1/4	Sec. 3,	Twp 13N,	Rge 18E, B.M.
CUSTER County	(Rediversion)			
UNNAMED STREAM	SE1/4NW1/4SE1/4	Sec. 3,	Twp 13N,	Rge 18E, B.M.
CUSTER County				
GROUND WATER	NW1/4NE1/4SW1/4	Sec. 3,	Twp 13N,	Rge 18E, B.M.
CUSTER County	(Injection)			

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	
13N	18E	2		.2			7.5												7.7
				L 2			L 3												

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Total Acres: 7.7

MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
13N	18E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X												
							L 3												

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
13N	18E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X			X												
				L 2			L 3												

Conditions of Approval:

1. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE. 72-04174A, 72-04174C, AND 72-04174D.
2. 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.: 72-00106J, 72-00109J, 72-04174C, & 72-10486C
3. 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.
4. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:Comments:

1. CHRISTEN 1/31/1994 COPIED FROM REMARKS
Comment: OWNERSHIP CHANGE 5/24/91 BY AA.
2. KCHRISTE 8/19/1994 BASIS OF SPLIT DONE ON 8-19-92
Comment: THE ORIGINAL CLAIM WAS SPLIT INTO PARTS A FOR 3/15THS OF THE FOUND P/U FOR CHRISTOPHER JAMES TRUST AND THIS PORTION FOR 12/15 FOR FIRSTFRUITS FOUNDATION. SPLIT BASED UPON A CONVERSATION WITH CHRISTOPHER JAMES ON 8-15-94. KKC
3. KCHRISTE 11/22/1996 ADDITION OF PERSONAL REPRESENTATIVE
Comment: BASED UPON A LETTER DATED 11-19-96 FROM CHRISTOPHER JAMES BOB COMPTON WAS ADDED TO THE CLAIM.
4. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
5. KCHRISTE 2/24/2000 SPLIT MODIFIED PER BLM
Comment: FRED PRICE REQUESTED THE 0.3 ACRES IN SEC 2 SENW BE MOVED TO BLM

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6. amerritt 6/3/2004 correct typo

Comment: 72-109J, 72-106J and 72-10486C overlap on same 13.2 acres. Right 72-4174C overlaps partially on these 13.2 acres but also is primary on 2.6 acres. In total all these rights irrigate 15.8 acres. Corrected condition by changing 13.2 to 15.8.

7. kwalker 9/29/2004 Mitigation

Comment: This right has been changed to reflect the mitigation use that was added due to approval order found in permit file 72-16624. The right holder changed 1.5 acres to allow for the mitigation use. Also corrected condition limiting number of acres to 14.3 (11.7 under 72-106J, 72-109J, 72-10486C & 2.6 under 72-4174C - per amerritt comment).

Dates and Other Information:

Licensed Date:

Decreed Date: 5/31/2000

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 72B

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		14.3

Combined Water Rights: 72-106J , 72-109J , 72-4174C , 72-10486C