

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74253

This is to certify that: FIRSTFRUITS FOUNDATION
PO BOX 510
CHALLIS ID 83226
(208)879-4560

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>
72-106C	WR/Decreed	05/15/1890	0.03 cfs	N/A	N/A	2.0	GARDEN CREEK
72-106H	WR/Decreed	05/15/1890	0.04 cfs	N/A	N/A	3.3	GARDEN CREEK
72-106J	WR/Decreed	05/15/1890	0.52 cfs	N/A	N/A	11.5	GARDEN CREEK
72-109J	WR/Decreed	05/15/1888	0.52 cfs	N/A	N/A	11.5	GARDEN CREEK
72-4174C	WR/Decreed	05/20/1914	0.37 cfs	N/A	N/A	7.5	GROUND WATER, UNNAMEDSTREAM
72-4174D	WR/Decreed	05/20/1914	0.03 cfs	N/A	0.8	0.8	GROUND WATER, UNNAMEDSTREAM
72-10486C	WR/Decreed	05/20/1914	0.29 cfs	N/A	N/A	11.5	GARDEN CREEK
72-16730	WR/Decreed	05/15/1890	0.03 cfs	N/A	0.8	0.8	GARDEN CREEK
72-16732	WR/Decreed	05/15/1888	0.03 cfs	N/A	0.8	0.8	GARDEN CREEK
72-16734	WR/Decreed	05/20/1914	0.02 cfs	N/A	0.8	0.8	GARDEN CREEK

Purpose of Transfer (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>
72-106C	NO	NO	YES	NO	NO	NO
72-106H	NO	NO	YES	NO	NO	NO
72-106J	NO	NO	YES	NO	NO	NO
72-109J	NO	NO	YES	NO	NO	NO
72-4174C	NO	NO	YES	NO	NO	NO
72-4174D	NO	NO	YES	NO	NO	NO
72-10486C	NO	NO	YES	NO	NO	NO
72-16730	NO	NO	YES	NO	NO	NO
72-16732	NO	NO	YES	NO	NO	NO
72-16734	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 72-106C

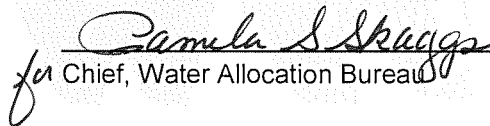
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74253

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining	Remaining Acres	Remaining Limit	Remaining Total Acres
72-106C	72-106C	0.03 cfs	N/A	2.0	20.2		N/A	N/A	N/A	N/A	N/A
72-106H	72-106H	0.04 cfs	N/A	3.3	20.2		N/A	N/A	N/A	N/A	N/A
72-106J	72-106J	0.52 cfs	N/A	11.5	20.2		N/A	N/A	N/A	N/A	N/A
72-109J	72-109J	0.52 cfs	N/A	11.5	20.2		N/A	N/A	N/A	N/A	N/A
72-4174C	72-4174C	0.37 cfs	N/A	7.5	20.2		N/A	N/A	N/A	N/A	N/A
72-4174D	72-4174D	0.03 cfs	N/A	0.8	20.2		N/A	N/A	N/A	N/A	N/A
72-10486C	72-10486C	0.29 cfs	N/A	11.5	20.2		N/A	N/A	N/A	N/A	N/A
72-16730	72-16730	0.03 cfs	N/A	0.8	20.2		N/A	N/A	N/A	N/A	N/A
72-16732	72-16732	0.03 cfs	N/A	0.8	20.2		N/A	N/A	N/A	N/A	N/A
72-16734	72-16734	0.02 cfs	N/A	0.8	20.2		N/A	N/A	N/A	N/A	N/A
COMBINED											
TOTALS		1.88 cfs		20.2	20.2		N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of October, 20 11


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-106C
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-106C is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 15, 1890

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	04/01	to 10/31	0.02 CFS
IRRIGATION	04/01	to 10/31	0.03 CFS
			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER County

PLACE OF USE: STOCKWATER

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		X			X												
		L 2			L 3												
14N 18E 35															X		

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		.1			11.4		4.8										16.3
		L 2			L 3												
14N 18E 35								.7							3.2		3.9

Total Acres: 20.2

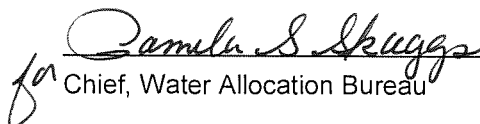
WATER RIGHT NO. 72-106C
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 2 acres within the authorized place of use in a single irrigation season.
4. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
5. 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 place of use.
6. The following rights are diverted through the point of diversion described above: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26th day of October, 20 11


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-106H
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-106H is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 15, 1890

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.04 CFS
			0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER 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	
13N 18E 2		.1			11.4		4.8										16.3
		L 2			L 3												
14N 18E 35									.7						3.2		3.9

Total Acres: 20.2

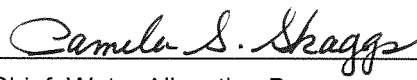
WATER RIGHT NO. 72-106H
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 3.3 acres within the authorized place of use in a single irrigation season.
4. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
5. 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 place of use.
6. The following rights are diverted through the point of diversion described above: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26th day of October, 20 11


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-109J
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-109J is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 15, 1888

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/01	to 10/31	0.07 CFS
IRRIGATION	04/01	to 10/31	0.45 CFS
			0.52 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER County

GARDEN CREEK SENESE Sec. 3 Twp 13N Rge 18E CUSTER County

PLACE OF USE: MITIGATION

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					X												
							L 3												

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					11.4		4.8										16.3
							L 3												
14N	18E	35												.7			3.2		3.9

Total Acres: 20.2

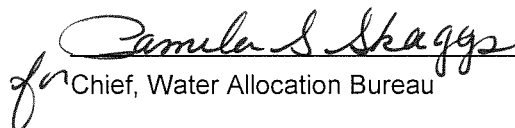
WATER RIGHT NO. 72-109J
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 11.5 acres within the authorized place of use in a single irrigation season.
4. Rights 72-106J, 72-109J, and 72-10486C when combined shall not exceed the irrigation of 11.5 acres.
5. Rights 72-106J, 72-109J, 72-10486C and 72-4174C when combined shall not exceed the irrigation of 14.1 acres.
6. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
7. 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 place of use.
8. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 3 SENESE: 72-106F, 72-109F, 72-106J, 72-109J, 72-10486A, 72-10486C, 72-16625, and 72-16729 through 72-16734.
9. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 2 SWNENW: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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 26th day of October, 20 11


for Chief, Water Allocation Bureau

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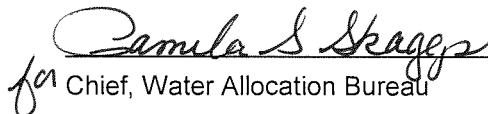
WATER RIGHT NO. 72-4174C
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 7.5 acres within the authorized place of use in a single irrigation season.
4. Rights 72-106J, 72-109J, 72-4174C, and 72-10486C when combined shall not exceed the irrigation of 14.1 acres.
5. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
6. 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 place of use.
7. The following rights are diverted through point(s) of diversion described above: 72-4174A, 72-4174C, and 72-4174D.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 26th day of October, 20 11


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-4174D
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-4174D is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 20, 1914

Source: GROUND WATER
 UNNAMED STREAM

Tributary: UNNAMED STREAM
 GARDEN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.03 CFS
			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNESW	Sec. 3	Twp 13N	Rge 18E	CUSTER County
GROUND WATER (Injection)	NWNESW	Sec. 3	Twp 13N	Rge 18E	CUSTER County
UNNAMED STREAM	SEWSE	Sec. 3	Twp 13N	Rge 18E	CUSTER County
GROUND WATER (Rediversion)	SEWSE	Sec. 3	Twp 13N	Rge 18E	CUSTER 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	
13N	18E	2		.1			11.4		4.8										16.3
				L 2			L 3												
14N	18E	35											.7				3.2		3.9

Total Acres: 20.2

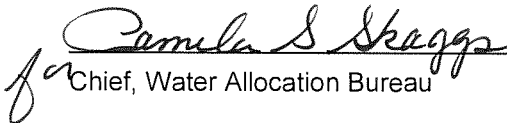
WATER RIGHT NO. 72-4174D
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 0.8 acres within the place of use described above in a single irrigation season.
4. Rights 72-16730, 72-16732, 72-16734, and 72-04174D when combined shall not exceed the irrigation of 0.8 acres.
5. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
6. 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 place of use.
7. The following rights are diverted through point(s) of diversion described above: 72-4174A, 72-4174C, and 72-4174D.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 26th day of October, 2011


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-10486C
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-10486C is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 20, 1914

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/01	to 10/31	0.07 CFS
IRRIGATION	04/01	to 10/31	0.22 CFS
			0.29 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER County

GARDEN CREEK SENESE Sec. 3 Twp 13N Rge 18E CUSTER County

PLACE OF USE: MITIGATION

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					X												
					L 3												

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		.1			11.4		4.8										16.3
		L 2			L 3												
14N 18E 35									.7						3.2		3.9

Total Acres: 20.2

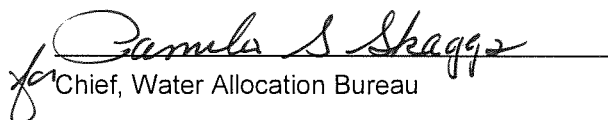
WATER RIGHT NO. 72-10486C
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 11.5 acres within the authorized place of use in a single irrigation season.
4. Rights 72-106J, 72-109J, and 72-10486C when combined shall not exceed the irrigation of 11.5 acres.
5. Rights 72-106J, 72-109J, 72-10486C and 72-4174C when combined shall not exceed the irrigation of 14.1 acres.
6. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
7. 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 place of use.
8. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 3 SENESE: 72-106F, 72-109F, 72-106J, 72-109J, 72-10486A, 72-10486C, 72-16625, and 72-16729 through 72-16734.
9. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 2 SWNENW: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 26th day of October, 2011


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16730
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-16730 is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 15, 1890

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	10/31	0.03 CFS
			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER County

GARDEN CREEK SENESE Sec. 3 Twp 13N Rge 18E CUSTER 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	
13N	18E	2		.1			11.4		4.8										16.3
				L 2			L 3												
14N	18E	35												.7			3.2		3.9

Total Acres: 20.2

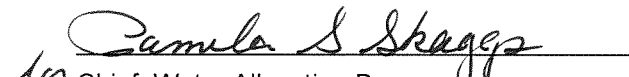
WATER RIGHT NO. 72-16730
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 0.8 acres within the place of use described above in a single irrigation season.
4. Rights 72-4174D, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 0.8 acres.
5. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
6. 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 place of use.
7. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 2 SWNENW: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
8. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 3 SENESE: 72-106F, 72-109F, 72-106J, 72-109J, 72-10486A, 72-10486C, 72-16625, and 72-16729 through 72-16734.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 26th day of October, 2011


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16732
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-16732 is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 15, 1888

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.03 CFS
			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER County

GARDEN CREEK SENESE Sec. 3 Twp 13N Rge 18E CUSTER 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	
13N	18E	2		.1			11.4		4.8										16.3
				L 2			L 3												
14N	18E	35									.7						3.2		3.9

Total Acres: 20.2

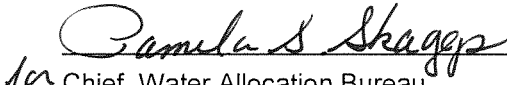
WATER RIGHT NO. 72-16732
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 0.8 acres within the place of use described above in a single irrigation season.
4. Rights 72-4174D, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 0.8 acres.
5. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
6. 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 place of use.
7. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 2 SWNENW: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
8. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 3 SENESE: 72-106F, 72-109F, 72-106J, 72-109J, 72-10486A, 72-10486C, 72-16625, and 72-16729 through 72-16734.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 26th day of October, 20 11


for Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16734
As Modified by Transfer No. 74253

In accordance with the approval of Transfer No. 74253, Water Right No. 72-16734 is now described as follows.

Right Holder: FIRSTFRUITS FOUNDATION
 PO BOX 510
 CHALLIS ID 83226

Priority Date: May 20, 1914

Source: GARDEN CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.02 CFS
			0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L3 (SWNENW) Sec. 2 Twp 13N Rge 18E CUSTER County

GARDEN CREEK SENESE Sec. 3 Twp 13N Rge 18E CUSTER 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	
13N	18E	2		.1			11.4		4.8										16.3
				L 2			L 3												
14N	18E	35											.7				3.2		3.9

Total Acres: 20.2

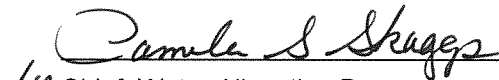
WATER RIGHT NO. 72-16734
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 0.8 acres within the place of use described above in a single irrigation season.
4. Rights 72-4174D, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 0.8 acres.
5. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
6. 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 place of use.
7. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 3 SENESE: 72-106F, 72-109F, 72-106J, 72-109J, 72-10486A, 72-10486A, 72-16625, and 72-16729 through 72-16734.
8. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 2 SWNENW: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 26th day of October, 2011


for Chief, Water Allocation Bureau

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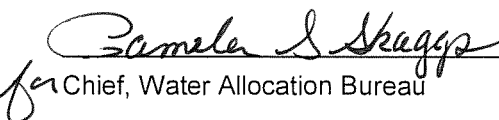
WATER RIGHT NO. 72-106J
As Modified by Transfer No. 74253

CONDITIONS OF APPROVAL

1. 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. 72A.
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 is limited to the irrigation of 11.5 acres within the authorized place of use in a single irrigation season.
4. Rights 72-106J, 72-109J, and 72-10486C when combined shall not exceed the irrigation of 11.5 acres.
5. Rights 72-106J, 72-109J, 72-10486C and 72-4174C when combined shall not exceed the irrigation of 14.1 acres.
6. Rights 72-106C, 72-106H, 72-106J, 72-109J, 72-4174C, 72-4174D, 72-10486C, 72-16730, 72-16732, and 72-16734 when combined shall not exceed the irrigation of 20.2 acres.
7. 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 place of use.
8. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 3 SENESE: 72-106F, 72-109F, 72-106J, 72-109J, 72-10486A, 72-10486C, 72-16625, and 72-16729 through 72-16734.
9. The following rights are diverted through the point of diversion described above in T13N, R18E, Sec 2 SWNENW: 72-106C, 72-106H, 72-106J, 72-109J, 72-10486C, 72-16625, and 72-16729 through 72-16734.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 26th day of October, 20 11


for Chief, Water Allocation Bureau