

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70870

This is to certify that: DUNFEE FAMILY TRUST
PO BOX 225
CHALLIS ID 83226
(208)879-5793

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>
72-151A	WR/Decreed	05/02/1878	0.86 cfs	N/A	N/A	38.0	MORGAN CREEK
72-152A	WR/Decreed	09/14/1931	0.21 cfs	N/A	N/A	38.0	MORGAN CREEK

Purpose of Transfer (Changes Proposed)

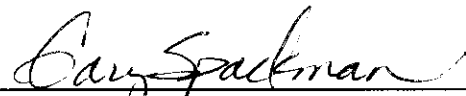
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-151A	NO	YES	NO	NO	NO	NO
72-152A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
72-151A	72-151A	0.86 cfs	N/A	35.0	38.0		N/A	N/A	N/A	N/A
72-152A	72-152A	0.21 cfs	N/A	35.0	38.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.07 cfs	N/A	35.0	38.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 72-151A
As Modified by Transfer No. 70870

In accordance with the approval of Transfer No. 70870, Water Right No. 72-151A is now described as follows.

Right Holder: DUNFEE FAMILY TRUST
 PO BOX 225
 CHALLIS ID 83226

Priority Date: May 02, 1878

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.86 CFS	
			0.86 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L3 (NENESW) Sec. 26 Twp 15N Rge 19E 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	
15N 19E 23													1.0			20.0	21.0
15N 19E 26	17.0																17.0

Total Acres: 38

CONDITIONS OF APPROVAL

1. Rights 72-151A and 72-152A when combined shall not exceed a total diversion rate of 1.07 cfs, and the irrigation of 35 acres.
2. 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.
3. Diversion of this right is limited to those times when water is available for diversion under this right and priority from Morgan Creek.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Morgan Creek at the original point of diversion and at the point of diversion from the Salmon River.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

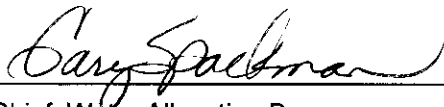
WATER RIGHT NO. 72-151A
As Modified by Transfer No. 70870

CONDITIONS OF APPROVAL

7. Rights 72-151C, 72-151D, 72-152A, 72-152C, 72-152D, 72-4025, 72-4032, 72-4033, 72-4034, 72-7055A & 72-7055B are also diverted through the point of diversion described above.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 21st day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 72-152A
As Modified by Transfer No. 70870

In accordance with the approval of Transfer No. 70870, Water Right No. 72-152A is now described as follows.

Right Holder: DUNFEE FAMILY TRUST
 PO BOX 225
 CHALLIS ID 83226

Priority Date: September 14, 1931

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.21 CFS	
			0.21 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L3 (NENESW) Sec. 26 Twp 15N Rge 19E 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	
15N 19E 23													1.0			20.0	21.0
15N 19E 26	17.0																17.0

Total Acres: 38

CONDITIONS OF APPROVAL

1. Rights 72-151A and 72-152A when combined shall not exceed a total diversion rate of 1.07 cfs, and the irrigation of 35 acres.
2. 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.
3. Diversion of this right is limited to those times when water is available for diversion under this right and priority from Morgan Creek.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Morgan Creek at the original point of diversion and at the point of diversion from the Salmon River.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

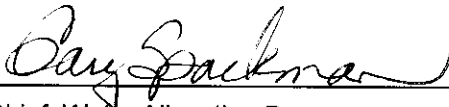
WATER RIGHT NO. 72-152A
As Modified by Transfer No. 70870

CONDITIONS OF APPROVAL

7. Rights 72-151A, 72-151C, 72-151D, 72-152C, 72-152D, 72-4025, 72-4032, 72-4033, 72-4034, 72-7055A & 72-7055B are also diverted through the point of diversion described above.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 21st day of April, 20 04



Chief, Water Allocation Bureau