

RECEIVED

NOV 17 2003

Page 1

Department of Water Resources
Southern Region

Transfer No. 70870

Receipt No. 5026309

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information DUNFEE FAMILY TRUST
JUDE C DUNFEE TRUSTEE AND
JOYCE I DUNFEE TRUSTEE
PO BOX 225
CHALLIS ID 83226
(208)879-5793

Will this transfer result in an ownership change? No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
72-151A	WR/Decreed	0.86		35.0	38.0	MORGAN CREEK
72-152A	WR/Decreed	0.21		35.0	38.0	MORGAN CREEK

3. Purpose of Transfer (Change Proposed)

**Part 3A Attached for Each Proposed Right
Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-151A	NO	YES	NO	NO	NO	NO
72-152A	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

We have an agreement with state and federal agencies to change from the gravity diversion on Morgan Creek to an existing pump site on the Salmon River in order to protect salmon and steelhead. Water will be used more efficiently through sprinklers.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
72-151A	0.86 cfs	35.0	38.0	
72-152A	0.21 cfs	35.0	38.0	
TOTAL	1.07 cfs	35.0	38.0	

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

Current Water Right No. 72-151A

Priority Date: May 02, 1878

Origin: Water Right

Basis: Decreed

Status: Active

Source: MORGAN CREEK

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.86 CFS		
Total Diversion			0.86 CFS		

Source and Point(s) of Diversion:

MORGAN CREEK

SESWNE

Sec. 23 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/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 THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.07 CFS. COMBINED RIGHT NOS.: 72-00151A & 72-00152A.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 35 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00151A & 72-00152A.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Page 4

5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 72-00151A & 72-00152A

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?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 72-152A

Priority Date: September 14, 1931

Origin: Water Right

Basis: Decreed

Status: Active

Source: MORGAN CREEK

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.21 CFS		
	Total Diversion		0.21 CFS		

Source and Point(s) of Diversion:

MORGAN CREEK

SESWNE

Sec. 23 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/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 THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.07 CFS. COMBINED RIGHT NOS.: 72-00151A & 72-00152A.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 35 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00151A & 72-00152A.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Page 6

5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 72-00151A & 72-00152A

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?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 70870

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-151A

Priority Date: May 02, 1878

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON RIVER**Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.86 CFS		
Total Diversion			0.86 CFS		

Source and Point(s) of Diversion:

SALMON RIVER L3 (NENESW) Sec. 26 Twp 15N Rge 19E CUSTER County

Describe the proposed diversion system

Point of Diversion # 1 Pump & pipeline to sprinklers

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

Transfer No. 70870
Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-151A

Priority Date: May 02, 1878

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON RIVER**Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.86 CFS		
Total Diversion			0.86 CFS		

Source and Point(s) of Diversion:

SALMON RIVER L3 (NENESW) Sec. 26 Twp 15N Rge 19E CUSTER County

Describe the proposed diversion system

Point of Diversion # 1 Pump & pipeline to sprinklers

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

Transfer No. 70870

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-152A

Priority Date: September 14, 1931

Origin: Water Right

Basis: Decreed

Status: Active

Source: SALMON RIVER**Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.21 CFS		
	Total Diversion		0.21 CFS		

Source and Point(s) of Diversion:

SALMON RIVER L3 (NENESW) Sec. 26 Twp 15N Rge 19E CUSTER County

Describe the proposed diversion system

Point of Diversion # 1 Pump & pipeline to sprinklers

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

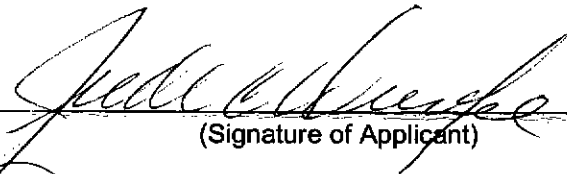
Total Acres: 38

Transfer No. 70870

Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

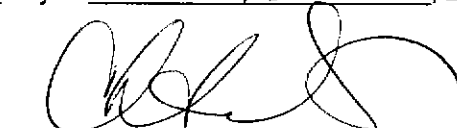
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)


(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 6th day of November, 2003.



(Notary Public) Christina J. Angles

My commission expires June 28, 2007



C

722

723

724

10

725

460 000 FEET

