

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: A74-00063
Date Received: / /
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: F. JAMES WHITTAKER 208-768-2491
Address: TWO DOT : RANCH
BOX 240
LEADORE ID 83464
AND/OR
Name: PAULA J. WHITTAKER 208-768-2491
Address: TWO DOT : RANCH
BOX 240
LEADORE ID 83464

2. Date of Priority: JUL 18, 1911

3. Source: BIG TIMBER CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	26E	20	SW	NW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		

7. Total Quantity Appropriated is:
0.960 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
16N	26E	22	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NW	SW		IRR	35.0

Section Acres 195.0

Total Acres 195.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THE TOTAL COMBINED RATE OF DIVERSION AT THE FIELD HEADGATE
UNDER RIGHT NOS. 74-00039B AND 74-00063 SHALL NOT EXCEED 6.96 CFS
THE TOTAL COMBINED RATE OF DIVERSION AT THE FIELD HEADGATE
UNDER RIGHT NOS. 74-00039B AND 74-00063 SHALL NOT EXCEED 0.02 CFS
PER IRRIGATED ACRE.

*** CLAIM CHANGED PURSUANT TO APPROVED TRANSFER 4071, ESV 8/27/93

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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: 74-00063
DATE RECEIVED: 5-2-90/80
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: WILFORD SHINER
ADDRESS:

LEADORE, ID 83464

NAME: CHARLES SHINER
ADDRESS:

LEADORE, ID 83464

2. DATE OF PRIORITY: JUL 18, 1911

3. SOURCE: BIG TIMBER CREEK TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4 OF	LOT	COUNTY
15N	26E	8	NW	SE			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.960		

7. TOTAL QUANTITY APPROPRIATED IS:
0.960 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

74-00063

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DATE: 02/08/90

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10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4	OF	1/4	LOT	USE	ACRES
16N	25E	25	NE		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							SECTION ACRES	195.0
							TOTAL ACRES	195.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREEED
CASE NUMBER:
COURT :
DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ____ DO NOT ☒ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 1

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): James Whitaker DATE: 5/1/90

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 15th DAY
OF May 19 90

Kevin A. Hoff
NOTARY PUBLIC

SEAL

RESIDING AT Blake Falls, Idaho

MY COMMISSION EXPIRES 2/13/95
DATE: 02/08/90 170

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SEPTEMBER 9, 1993

F JAMES AND/OR PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

RE: TRANSFER

Dear Mr. Whittaker:

Our office has received notice of your approved transfer #4071 of water right #74-00039B and 74-00063. The Snake River Basin Adjudication claims filed on these right have been amended pursuant to the approved transfer. Enclosed are copies of the amended claims for your records.

Please review the notices carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notices, please place the copies with your records.

Sincerely,

Eric Verner
Sr. Water Agent

EV:sc

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POOR ORIGINAL

TRANSFER OF WATER RIGHT

TRANSFER NO. 4071
WATER RIGHT NO(S). 74-00039B/74-00063

RECEIVED

MAY 11 1993

This is to certify that: F JAMES WHITTAKER
PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

Department of Water Resources
Eastern District Office

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 74-00039B:		
IRRIGATION	03/15 to 11/15	6.00 CFS
Priority: 06/10/1901		
Right No. 74-00063:		
IRRIGATION	03/15 to 11/15	0.96 CFS
Priority: 07/18/1911		

SOURCE

BIG TIMBER CREEK

TRIBUTARY OF

LEMHI RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 15N, Range 26E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15N 26E 22	NENW 40	NWNW 40	SWNW 40	
	SEnw 40	NWSW 35		195

Total number of acres irrigated: 195

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74W.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

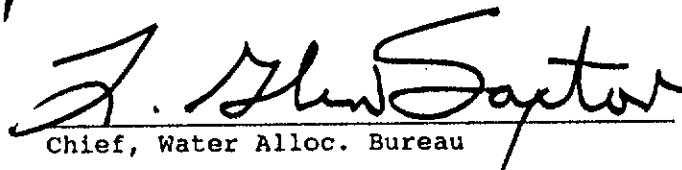
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POOR ORIGINAL

TRANSFER NO. 4071
WATER RIGHT NO(S). 74-00039B/74-00063CONDITIONS/REMARKS:

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. The total combined rate of diversion under Right Nos. 74-00039B and 74-00063 shall not exceed 6.96 cfs.
7. The total combined rate of diversion at the field headgate under Right Nos. 74-00039B and 74-00063 shall not exceed 0.02 cfs per irrigated acre.

Dated this 26th day of April, 1993.
Chief, Water Alloc. Bureau

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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: 3956
Ident. No.

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

Please type or print clearly:

Name of claimant(s) F. James and/or Paula J. Whittaker

Mailing Address
(including zip code)

Two Dot : Ranch

Box 240

Leadore, Idaho 83464

Phone Number (208) 768 - 2491 DEJO

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