

04/14/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-10474
NAME AND ADDRESS: WINSLOW B WHITELEY
PO BOX 218
OAKLEY ID 83346
JOSEPH R WHITELEY
RT 1 BOX A
OAKLEY ID 83346
SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION:

T14S R22E S35 NESWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T14S R22E S26	NWSW	T14S R22E S26	SWSW
T14S R22E S26	SESW	T14S R22E S35	NWNE
T14S R22E S35	SWNE	T14S R22E S35	NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER, 300 RANGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-10474 V1

WATER RIGHT NUMBER: 45-10474 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WINSLOW B WHITELEY PO BOX 218 OAKLEY, ID 83346 (208)862-3229
Current Owner	JOSEPH R WHITELEY RT 1 BOX A OAKLEY, ID 83346 (208)862-3246
Current Owner	SHOULDER 3 RANCHES INC PO BOX 218 OAKLEY, ID 83346 (208)862-3375

Priority Date: 01/01/1950

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.020 CFS	

Location of Point(s) of Diversion

SPRING	NE1/4SW1/4NE1/4	Sec. 35, Twp 14S, Rge 22E, B.M.
CASSIA 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	
14S	22E	26									X	X	X						
14S	22E	35		X	X		X												

Conditions of Approval:

1. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-10474 V1

2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 300 RANGE

Comments:

1. jroberts 4/14/2004 Basis of Recommendation

Comment: Recommended per stipulated agreement of August 2002.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH R WHITELEY	01/01/1950	STOCKWATER	01-01 12-31	0.07 CFS	
C	W B WHITELEY					
C	SHOULDER 3 RANCHES INC					
TOTAL DIVERSION:					0.07 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T14S R22E S35

NRSWNE

CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
14S	22E	26	:	:	:	:	:	:	:	:	:	:	:	:	:
14S	22E	35	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: CASSIA

Other Rights: WARM SPRINGS

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER, 300 RANGE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

*Hold for clarification
claim talks about a pond
map appears to show an
ins beam flow
KCC*

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-20-1997

PAGE: A-108

RIGHT NUMBER: 45-10474

NAME & ADDRESS: SHOULDER 3 RANCH INC *PO Box 213*
OAKLEY ID 83346

JOSEPH R WHITELEY
W B WHITELEY ✓
RT 1 BOX A
OAKLEY ID 83346

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.07 CFS

PRIORITY DATE: 01/01/1950

POINT OF DIVERSION: T14S R22E S35 *NESWNE BLM* Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER S/300 RANGE <i>BLM</i>	01-01 12-31	0.07 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T14S R22E S26 NWSW SESW
S35 NWNE SWNE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

owned by Alastra

*from assessor's convey plan map & stuff,
p 8-29-97*

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: [REDACTED]
Date Received: 5/05/1989
Receipt No: S007045
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH R. WHITELEY
Address: RT. 1 BOX A
OAKLEY, ID 83346 208-862-3246

Name: W. B. WHITELEY
Address: RT. 1 BOX A
OAKLEY, ID 83346

Name: SHOULDER 3 RANCH, INC.
Address: OAKLEY, ID 83346

2. Date of Priority: JAN 01, 1950

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	22E	35	NE	SW	NE		CASSIA

5. Description of diverting works:
MAN-MADE POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE

A45-10474

Page 1

Date: 05/05/89

MICROFILMED

MAR 08 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	22E	26	NW		SW		STOCK	
			SE		SW		STOCK	
		35	NW		NE		STOCK	
			SW		NE		STOCK	

11. Place of use in counties: CASSIA

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

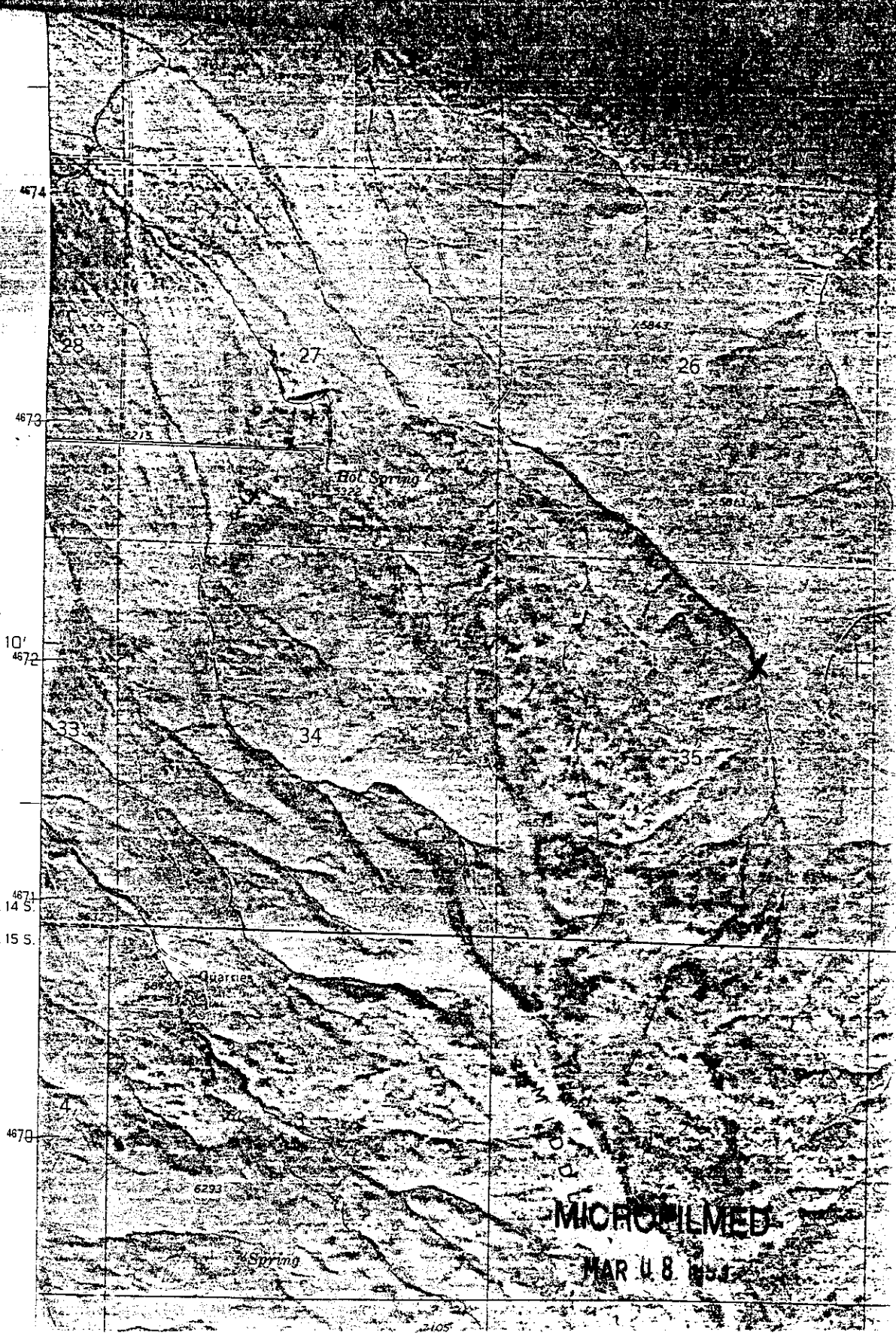
13. Other Water Rights Used:
WARM SPRINGS

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

(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.

MICROFILMED
MAR 08 1993



474

4673

10'
4672

4671
T. 14 S.
T. 15 S.

4670

T14S

T15S

A45-10474

MICROFILMED

MAR 48 1954