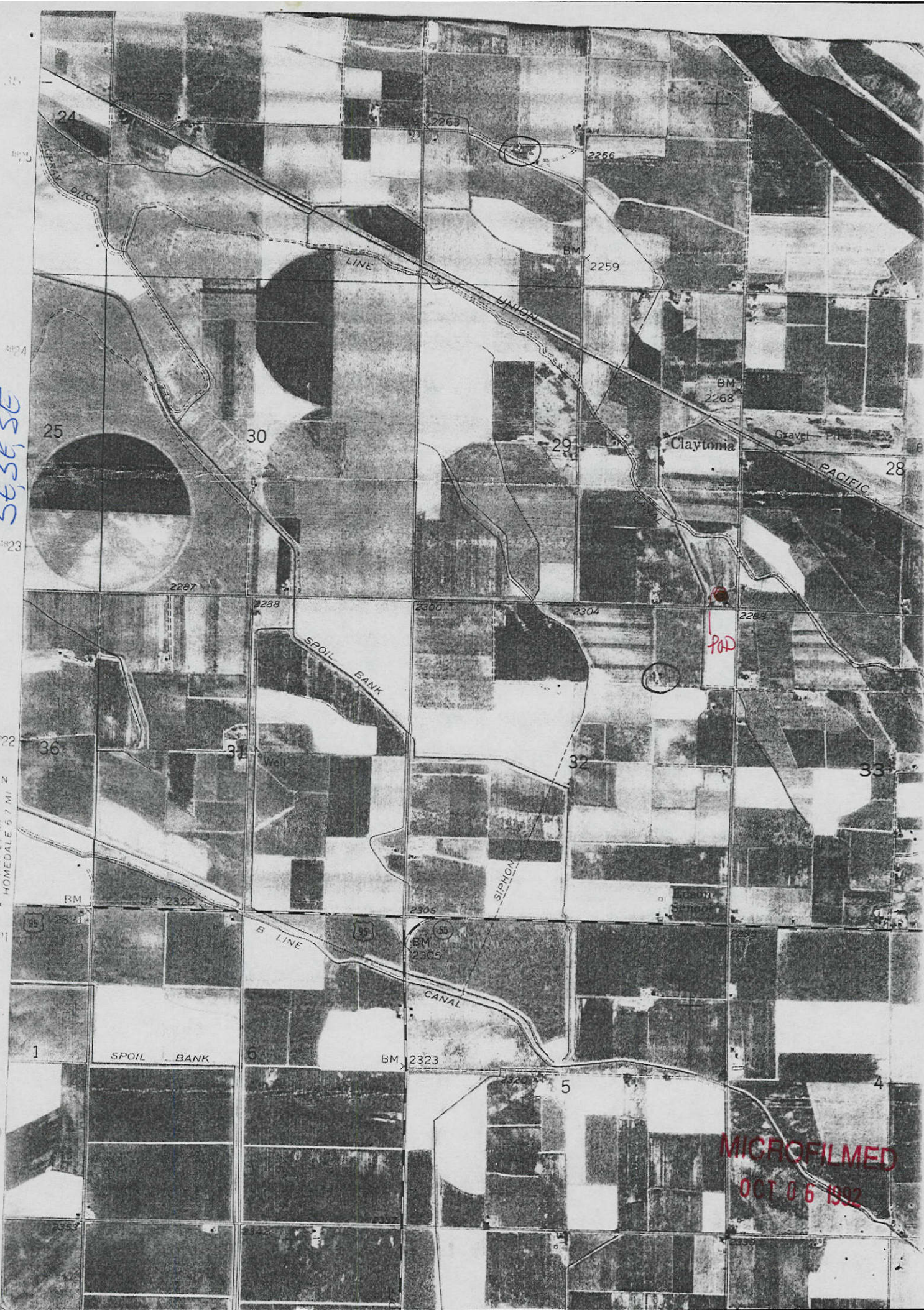


T3N R4W Sec 29
SE, SE, SE

PARVA 21 MI
HOMEDALE 5.7 MI

680 000
FEET



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: A57-10797
Date Received: 4/20/1989
Receipt No: C006266
Received By: _____

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

1. Name: M. LORAIN WHITTAKER 208-896-4274
Address: RT. 1, BOX 407
MARSING, ID 83639

OR

Name: EDWARD T. WHITTAKER 208-896-4274
Address: RT. 1, BOX 407
MARSING, ID 83639

2. Date of Priority: DEC 31, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	29	SE	SE	SE		OWYHEE

5. Description of diverting works:
WELL, 40' DEEP, SHALLOW WELL PUMP OR 1/2 HP, 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSES, S/UP TO 25 DAIRY COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	29	SE	SE		DOMEST	
			SE	SE		STOCK	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
GEM IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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OCT 06 1992

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A57-10797Date Received 12-16-88Receipt Number C006266NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources

Department of Water Resources

Filing Fee \$25

Please type or print clearly m, Loraine or1. Name of Claimant (s) Edward T. Whittaker Phone (208-896-4274)Mailing Address Rt 1 Box 407, Marsing Zip 836392. Date of Priority (Only one per claim) June 1, 1975 ¹²⁻³¹⁻¹⁹⁸² See letter dated 4/10/89 from CLAIMANT3. Source of water supply (Check one) (☒ Groundwater or Other () (a) 4/12/89 from DEPT.

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 3 North Range 4 WestSection 29, SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,County of Owyhee

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Forty feet deep, shallow well pump of 1/2 horse power 6 inch casing

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from Jan 1 ^{Month/Day} to Dec 31 ^{Month/Day} amount .04 (cfs)For stock purposes from Jan 1 ^{Month/Day} to Dec 31 ^{Month/Day} amount .02 (cfs)
(Both dates are inclusive)7. Total quantity claimed .06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 houses up to 25 dairy cows

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OCT 06 1992

form

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 3N Range 4W

Section 29 SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,

County of Owyhee for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes _____ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Gem Irrigation District

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not no wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) M Lorraine Whittaker Date Dec 16, 1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Owyhee } SS.

Subscribed and sworn (or affirmed) before me this 16th day of December 1988

SEAL

Notary Public Anna Baumgardner

Residing at Borise Blain

My Commission Expires 12-7-1991

Last Name Whittaker Ident No. _____

Copies: White-State, Yellow-Claimant

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

UNCLASSIFIED

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME _____

CLAIM IDENT. NO. A57-10797

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

YES

NO

1. Is the name and address complete with zip code?

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required) N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

Is the consumptive use correct?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct? Exempt

If this claim is based on an existing water right, has the identification number been entered?

Should this claim be receipted and data entered?

Claim checked by: _____

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OCT 06 1992

Comments: _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)

)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10797

NAME & ADDRESS: M LORAIN WHITTAKER
 EDWARD T WHITTAKER
 RT 1 BOX 407
 MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 12/31/1952

POINT OF DIVERSION: T03N R04W S29 SESESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
 T03N R04W S29 SESE

DOMESTIC Within Owyhee County
T03N R04W S29 SESE

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

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

DATED: NOV 15 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED
JUN 06 1997

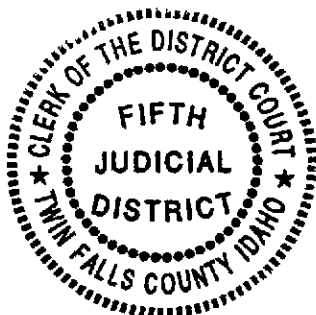
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: NOV 15 1996

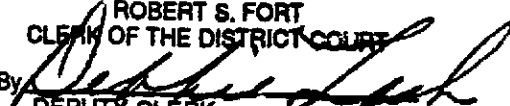


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK

MICROFILMED

JUN 06 1997

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

DATE: OCT-09-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10797 ✓

NAME AND ADDRESS: M LORAIN WHITTAKER
EDWARD T WHITTAKER
RT 1 BOX 407
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR DOMESTIC, 2 HOMES, STOCKWATER, 25 DAIRY COWS

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

PRIORITY DATE: 12/31/1952

POINT OF DIVERSION: T03N R04W S29 SESESE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T03N R04W S29 SESEDOMESTIC Within Owyhee County
T03N R04W S29 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP0012508.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP0012508.
STOCKWATER, 25 DAIRY COWSMICROFILMED
JUN 06 1997

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10797

NAME & ADDRESS: M LORAIN WHITTAKER
EDWARD T WHITTAKER
RT 1 BOX 407
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 12/31/1952

POINT OF DIVERSION: T03N R04W S29 SESESE Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

DOMESTIC DOMESTIC, 2 HOUSES; STOCK

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.02 CFS

0.04 CFS

PLACE OF USE:

STOCKWATER

T03N R04W S29

Within Owyhee County

SESE

DOMESTIC

T03N R04W S29

Within Owyhee County

SESE

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

PARCEL NO. RP0012508. *Exp*

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

25
0006266
25
MICROFILMED
JUN 06 1997

Water Right Number - R57-10797

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WHITTAKER

M LORAINÉ

1 - RT 1 BOX 407

2 -

3 -

City- MARSING

State- ID Zip- 83639

Phone - 208-896-4274

WHITTAKER

EDWARD T

1 - RT 1 BOX 407

2 -

3 -

City- MARSING

State- ID Zip- 83639

Phone - 208-896-4274

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/31/1952 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
03N 04W 29 SE SE SE (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 04W 29 SE SE 04 STOCKWATER (73) OWYHEE
03N 04W 29 SE SE 43 DOMESTIC (73) OWYHEE

Total Acres:

- - Diversion Means - WELL, 40' DEEP, SHALLOW WELL PUMP OR 1/2 HP, 6" CASING

- - Non-Irrigation Use - DOMESTIC, 2 HOUSES; STOCKWATER, 25 DAIRY COWS

+ - - Other Rights for Same Use - GEM IRRIGATION DISTRICT

+ - - - - Remarks - - - - - +

PARCEL NO. RP0012508.

MICROFILMED
OCT 06 1992

Water right number - R57-10797

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 07/07/1992 User Id: SHURTE Subject: CHANGED PRIORITY DATE BACK TO 12-31-1952 FROM CHANGE MADE BY D/S
CONTRACTOR WHO CHANGED IT TO THE 1975 PRIORITY DATE ORIGINALLY CLAIMED. PER HELEN THORNTON'S CLAIMANT CONTACT SHE DATA ENTERED
THE PRIORITY DATE OF 12-31-1952 AFTER ORIGINAL CLAIM WAS FILED DUE TO INFORMATION RECEIVED FROM THE CLAIMANT AND INFORMED THE
CLAIMANT SHE WAS DOING THIS IN A LETTER DATED 4-26-89. THE D/S CONTRACTOR CHANGED IT BACK BASED ON THE ORIGINAL CLAIM AND NOT ON
THE CORRESPONDENCE IN THE FILE. THIS HAS BEEN CORRECTED. JS.

+ - - Audit Fields - - +

07/07/92 SHURTE

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/11/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C006266	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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OCT 06 1992

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

STATE- ID ZIP- 83639

STATE- ID ZIP- 83639

PHONE - 208-896-4274

+ - - - STATUS - - - -

J - BENEFICIAL USE

12-31-89

+ - - - - - TRIBUTARY - - - - -

STREAM INDEX (BLANK IF NO INDEX CODE)

DIVERSION VOLUME

0.020

0.060

COUNTY

(73) DWYHEE

(73) DWYHFF

+ - - OTHER RIGHTS FOR SAME USE - GEM IRRIGATION DISTRICT

NO REMARKS FOUND.

- - - OLD WATER RIGHT NUMBERS - -
NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED

OCT 06 1992

WATER RIGHT NUMBER - A57-10797

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 04/20/89 HARRINGT 10/24/89 REFUNDML

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 04/11/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C006266	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PQU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR		

RP 0012508

DATA ENTRY

ENTERED 11/25/91 ca
CHECKED 12-2-91 RD

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

MICROFILMED
OCT 06 1992

PROOF

MAR 01 1991

VERIFIED

MAR - 1991

CERTIFIED

MAR 13 1991

WATER EXAMINER



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 26, 1989

Mr. and Mrs. Edward T. Whittaker
Rt. 1, box 407
Marsing, Idaho 83639

RECEIVED
NOV 15 1989

RE: Snake River Basin Adjudication
Claim #A57-10797 - Owyhee County

Department of Water Resources

Dear Mr. & Mrs. Whittaker:

We are forwarding to you a data entered copy of the claim A57-10797 you filed for your property in Owyhee County. We are also enclosing receipt #C006266 in the amount of \$50.00 for the filing fees. The second claim has also been data entered without problems.

We have interpreted the data from your claim in the process of data entry in a manner which we feel more accurately reflects the true status of your water right. Please review the enclosed claim to assure that these modifications are in agreement with your water right.

Based on your letter, the water use has existed since at least 1952. I have, therefore, data entered that date as the priority date. If this is correct, there is no need to file the application for permit which you sent with your letter. I am returning it; you may certainly use it if the information I have interpreted is incorrect. If you believe our data is incorrect or if you make any changes to this Notice of Claim, please sign the form, having your signature notarized, and return it to this office.

Please feel free to contact this office if you have any questions.

Sincerely,

Helen Harrington
Helen Harrington
Water Rights Agent

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OCT 06 1992

HH:mcc:west

Enclosures:

Claim #A57-10797

Receipt #C006266

App. for Permit form

nov 14, 1989

*I am sending these papers back to you. all looks well to us
N. Loraene Whittaker*



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 23, 1989

Mr. and Mrs. Edward T. Whittaker
Rt. 1, Box 407
Marsing, Idaho 83639

Re: Snake River Basin Adjudication SRBA
Owyhee County

Dear Mr. & Mrs. Whittaker:

You are given the opportunity to withdraw these claims in Owyhee County. Therefore, your check #239075072 in the amount of 50.00 is being returned. Any water right developed from a groundwater source after 1963, for any use other than single family domestic use, is required to have an application for permit filed. We can find no record of a permit for this property. The claim you have presented conflicts with the Ground Water Statute at §42-230, Idaho Code, and Water Appropriation Rules and Regulations, paragraph 2,15.

I have enclosed an application for permit, with instructions for your use in this matter. If you will return the completed forms to the Department of Water Resources - Western Region Office, 2735 Airport Way, Boise, Idaho 83705, we will be happy to proceed. Should you wish to pursue before the court the exact water right you have presented on this claim, please return it with your check instead, to this office.

If you have any further questions or require further help, please do not hesitate to contact this office.

Yours Truly,

Donald V. Shaff
Adjudication Section Manager

DVS:HHT:mcc

Enclosures:

Notice of Claims (2)w/Attachments
Check #239075072 (\$50.00)
Permit Application w/Instructions

*We wish to file water claims
over on these wells*

~~Mess~~

April 10, 1989

Dear Sirs

This well was on the place when purchased
in 1952. and in 1975 we redrilled it
putting in a 6 in. casing instead of $4\frac{1}{4}$ in.
galvanized pipe

Yours Truly
M. Lorraine or Edward T W Hittaker

We are sending the \$50 check with this

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State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 23, 1989

Mr. and Mrs. Edward T. Whittaker
Rt. 1, Box 407
Marsing, Idaho 83639

Re: Snake River Basin Adjudication SRBA
Owyhee County

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REPLACED BY CLAIM No. A52-10797

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APR 14 1992
Ref

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant M. Lorraine or Edward T. Whittaker Phone 208-896-4453
Post office address Rt 1, Box 407, Marsing, Idaho 83639
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 3 North Range 4 West B.M. Owyhee County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 04 for domestic purposes from Jan 1 to to 1993 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 02 for stock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Forty feet deep, shallow well pump of 1/2 horse power 6 in casing
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 6 in inches; proposed depth of well is 40 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 6 weeks years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 25 dairy cows
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	4W	29																	<u>SW¼</u> <u>D & S</u>

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Edward T & M. Louine Whittaker

b. Who owns the land to be irrigated or place of use? _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

[illegible]

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M. Louine Whittaker
(Applicant)

Received by K. Young Date 4/11/89 Time 9:00 AM Preliminary check by _____
Fee \$ _____ Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: