

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 A74-340B
Date Received _____
Receipt Number 0099375

Amended

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

Amended

d.e. - 20
1-11-06

Please type or print clearly

1. Name of Claimant (s) James F. Whittaker Phone (208) 768 2491
Mailing Address PO Box 240 Leadore ID Zip 83464

2. Date of Priority (Only one (1) per claim) 10/3/1887

3. Source of water supply (a) Big Eightmile Creek
which is tributary to (b) Lemhi River

4. a. Location of existing point of diversion is: Township 15N Range 2SE Section 5

1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: 15N 2SE 5 SWSE, 15N 2SE 8 NENE, 16N 2SE 28 SWSE
16N 2SE 28 NWSE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

Dams, Ditches,
Headgates, pressurized pipe to sprinklers

Whittaker Shiner Etc PPL

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 2,50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2,50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	25E	22													36	38	40	40	154
		26									40	38	40						118
		27			36	40									40	40	40	40	236
		34	40	40	40	40									34	38	37	37	308
		35		38	38		40	38	37	37	40	40	36			24			370

Total number of acres irrigated 1186

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

12. Do you own the property listed above as place of use? Yes X 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
74-337, 74-340A, 74-340B, 74-341, 74-354, 74-1829, 74-2308 or None ()
plus two enlargements.

14. Remarks:

The above rights are combined on a permissible place of use per affidavits attached to 74-337. POA from preliminary recommendations for numbered rights. POA for two enlargement claims from affidavits attached to enlargements. This right is for 118 acres within PPA.

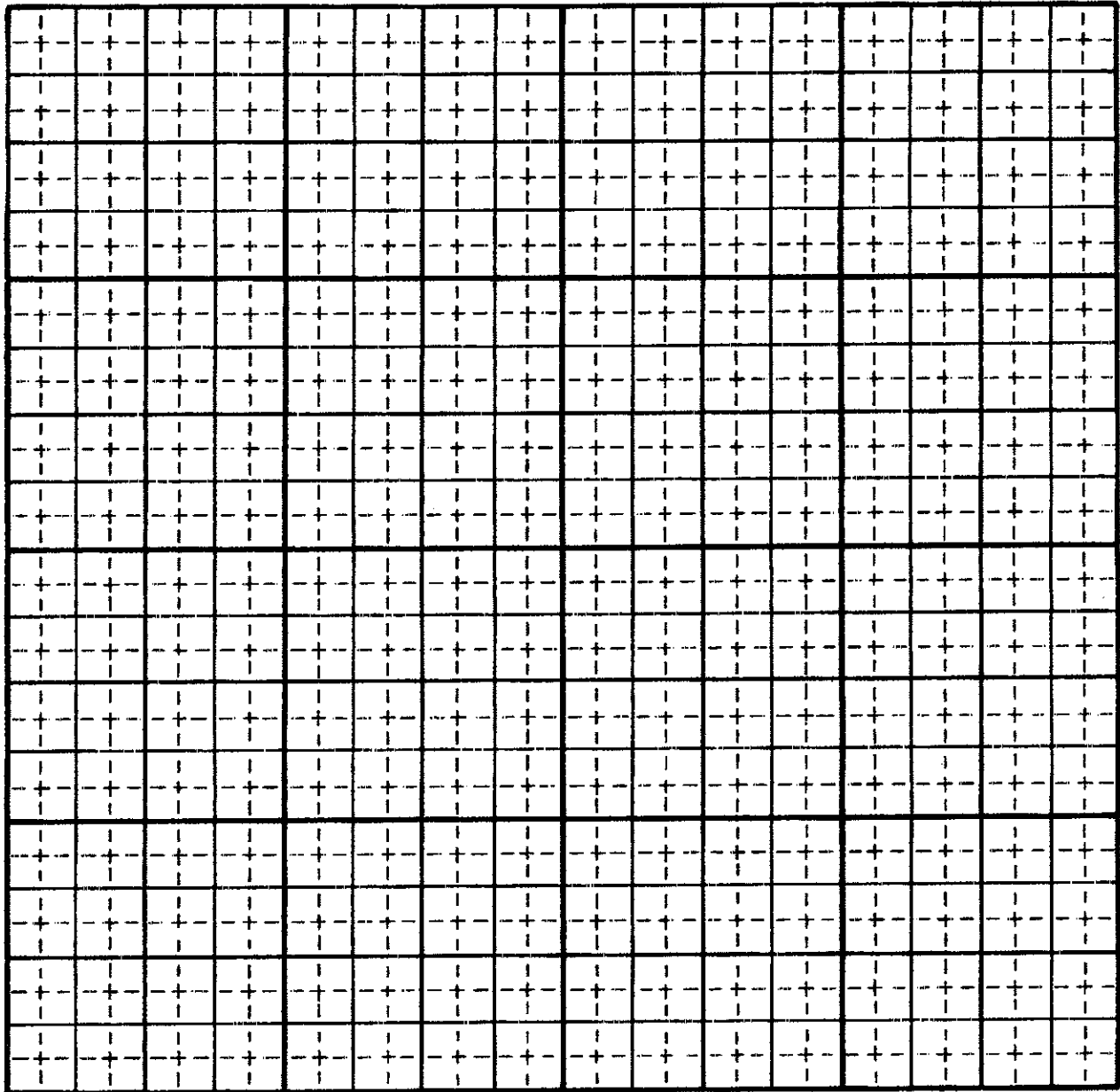
Last Name Whittaker Ident No. A74-340A

Shiner etc PPA

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Please see attachments to A74-337



Last Name Whittaker Ident No. A74-340A

Shiner etc ppa

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒ 74-340A
If applicable provide IDWR Water Right Number 74-340A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

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

Signature of Claimant (s) James Whitaker

Date 8/10/04

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Bonnerville) SS

Subscribed and sworn (or affirmed) before me this

10th

day of

August

2004

Notary Public

Bryce A. Contor

Residing at

Mud Lake

My Commission Expires

10/14/2005

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Whittaker Ident. Number A 74-340A

shiner etc ppa