

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 A74-337

Date Received

Receipt Number CO79375

Amended

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

J.E. 00
1-10-06

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 25E 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 25E S SWSE, 15N 25E S NENE, 16N 25E 28 SWSE
16N 25E 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 PPU

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 3.30 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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	39	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, 74-1825, 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. POU from preliminary recommendations for numbered rights. POU for two enlargement claims from affidavits attached to enlargements. This right is for 146 acres within POU.

Last Name Whittaker Ident No. A74-337

Shiner etc POU

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 74-337
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) _____

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 _____

of _____

Title

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 Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this

10th

day of

August

2004

19

Notary Public

Bryce A. Contor

Residing at

107 Mud Lake

My Commission Expires

10/14/05

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ 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

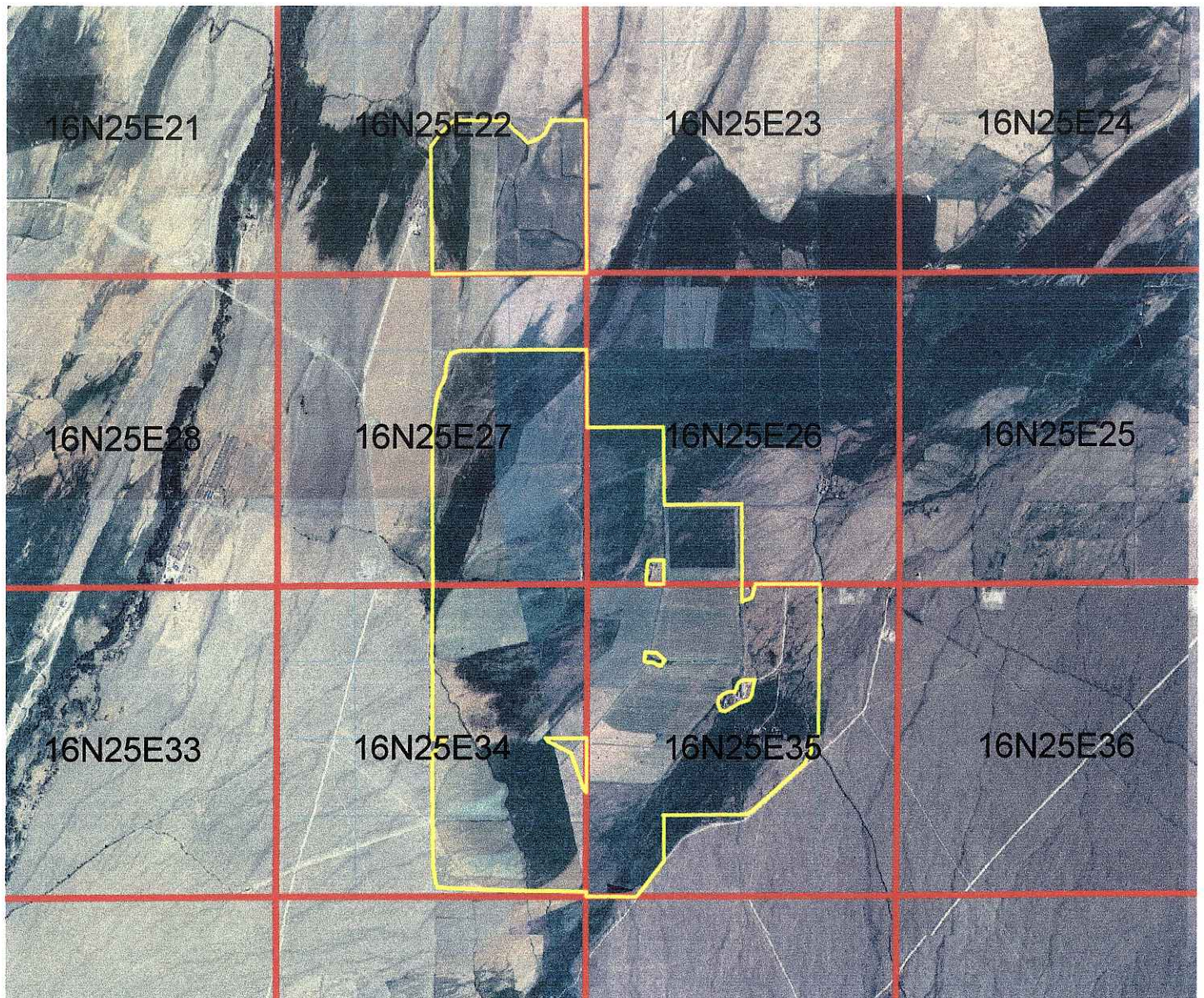
Ident. Number

A 74-337

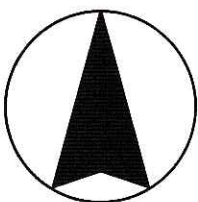
shiner etc PPA

Shiner ETC PPU		74-337		74-340A		74-340B		74-341		74-354		74-1829		74-2308		Enlargement(s)		Total		GIS		Count	
16N25E		Shiner		Ted's		Ted's		Herman's		Jimmie's		Ted's		Shiner									
		146		151		118		314		154		151		72		231		1186					37
22	NENE																	0					0
	NWNE																	0					0
	SWNE																	0					0
	SENE																	0					0
	NENW																	0					0
	NWNW																	0					0
	SWNW																	0					0
	SENW																	0					0
	NESW																	0					0
	NWSW																	0					0
	SWSW																	0					0
	SESW																	0					0
	NESE										36							36					1
26	NWSE									38							38						1
	SWSE									40							40						1
	SESE									40							40						1
	NENE																0						0
	NWNE																0						0
	SWNE																0						0
	SENE																0						0
	NENW																0						0
	NWNW																0						0
	SWNW																0						0
	SENW																0						0
	NESW																0						0
	NWSW								40								40						1
27	SWSW							38								38							1
	SESW					40										40							1
	NESE															0							0
	NWSE															0							0
	SWSE															0							0
	SESE															0							0
	NENE															0							0
	NWNE															0							0
	SWNE							36								36							1
	SENE							40								40							1
	NENW															0							0
	NWNW															0							0
	SWNW															0							0
SENW															0							0	
NESW															0							0	
NWSW															0							0	
SWSW															0							0	
SESW															0							0	
NESE								40							40							1	
NWSE								40							40							1	
SWSE								40							40							1	
SESE								40							40							1	
34	NENE		40									40				40							2
	NWNE		40									40				40							2
	SWNE		31									31			9	40							3
	SENE		40									40				40							2
	NENW															0							0
	NWNW															0							0
	SWNW															0							0
	SENW															0							0
	NESW															0							0
	NWSW															0							0
	SWSW															0							0
	SESW															0							0
	NESE													34		34							1
NWSE													38		38							1	
SWSE															37							1	
SESE															39							1	
35	NENE															0							0
	NWNE															38							1
	SWNE															38							1
	SENE															0							0
	NENW															40							1
	NWNW					40										38							1
	SWNW		39			38										39							1
	SENW		37													37							1
	NESW		30													10							2
	NWSW		40													40							1
	SWSW															36							1
	SESW															0							0
	NESE															0							0
NWSE															24							1	
SWSE															0							0	
SESE															0							0	

James Whittaker Shiner etc. Combined
Place of Use
74-337, 74-340A, 74-340B, 74-354,
74-1829, 74-2308, Plus Enlargement Claims

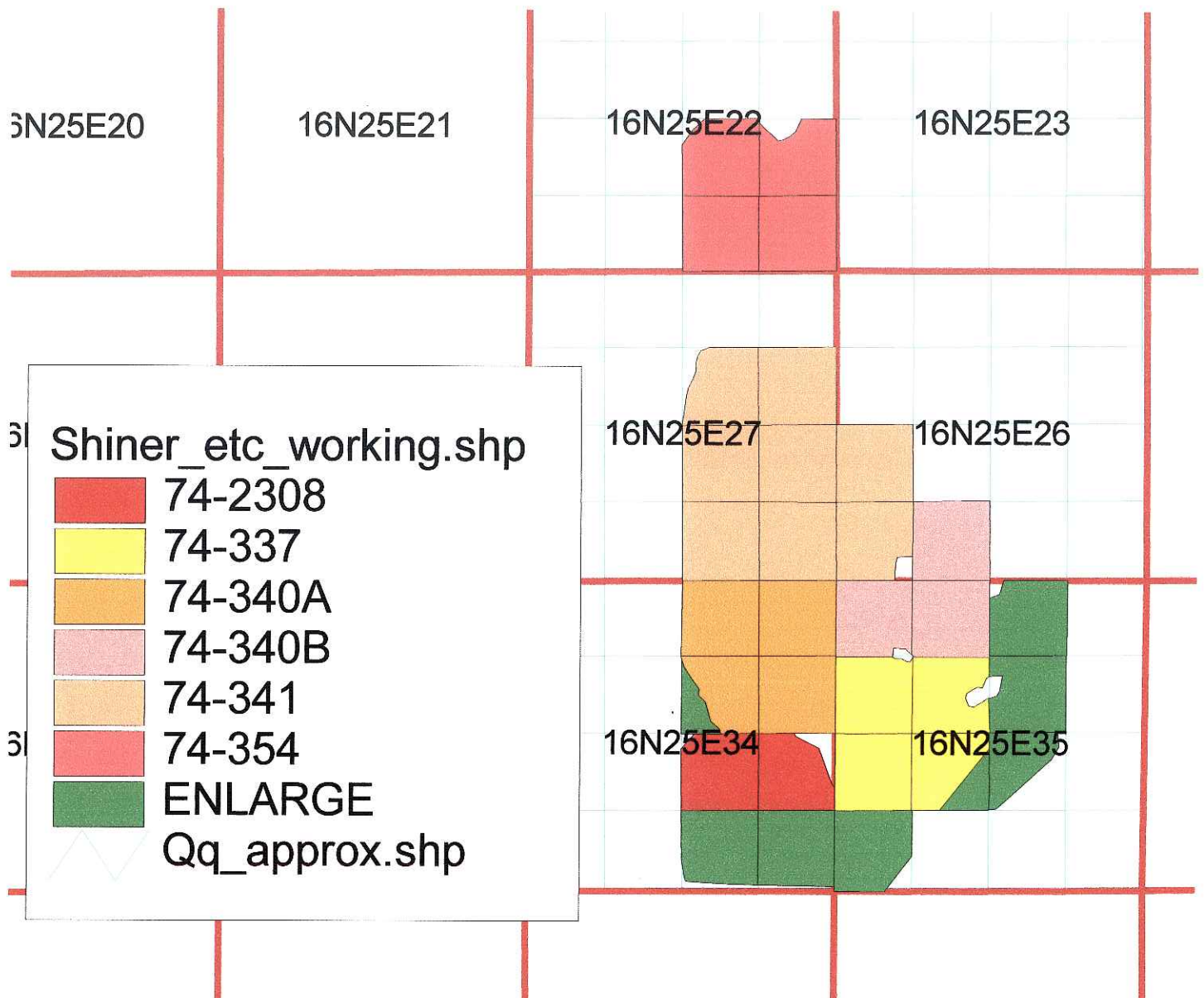


1992 aerial photo provided by IDWR

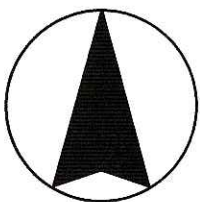


Map prepared by Water Resources Field Services 208 681 9100

James Whittaker Shiner etc. Combined
Place of Use
74-337, 74-340A, 74-340B, 74-354,
74-1829, 74-2308, Plus Enlargement Claims



1992 aerial photo provided by IDWR



Map prepared by Water Resources Field Services 208 681 9100

IDWR

AUG. 12, 2004

Leadore, Ida.

TO WHOM IT MAY CONCERN:

I START WORKING FOR James WHITTAKER IN 1986
IN 1987 I IRRIGATED The Ted Whittaker, Shiner, Jimmy,
and Herman places. And during that time I used
The Following water Rights = 74-337, 74340A, 74340B
74-341 74-354 74-1825 74-2308 where I Felt was
Best Beneficial.

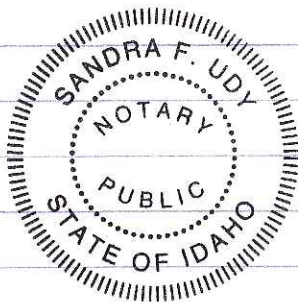
I moved Them Early IN THE SEASON to The Best
Ground, During Haying and Late IN The Season
To Be most Beneficial.

Signed

Kent Edlefer

BOX 31

Leadore Id. 83464



8/12/04

Notary Sandra F. Udy
Location Leadore Id
Comm. Exp 09/18/2008