

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

Water Right: See Exhibit A

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☒ Other: Added Paula J. Whittaker as co-claimant

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4/14/2006

Royanne Brown

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 17, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

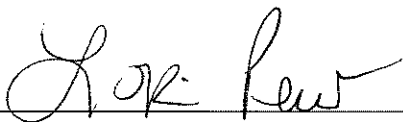
Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

F. James and Paula J. Whittaker
P.O. Box 240
Leadore, ID 83464



Signature of person mailing this document

EXHIBIT A

74	39 B
74	63
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74	73 A
74	73 B
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74	89
74	90
74	96
74	97
74	99
74	337
74	338 B
74	340 B
74	341
74	349
74	354
74	369
74	378 A
74	378 B
74	1567
74	1771
74	1772
74	1829
74	2006
74	2088
74	2091 A
74	2095
74	2124
74	2125
74	2148
74	2308
74	15655
74	15656
74	15658

04/13/2006

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

RIGHT NUMBER: 74-39B
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 6.000 CFS
682.500 AFY

Rights 74-39B and 74-63 when combined shall not exceed a total diversion rate of 6.96 cfs and a total annual maximum diversion volume of 682.5 af at the field headgate.

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total diversion rate of 12.36 cfs and a total annual maximum diversion volume of 1235.5 af at the field headgate.

PRIORITY DATE: 06/10/1901

POINT OF DIVERSION:

T15N R26E S19 NESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.000 CFS 682.50 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S21	NENE	38.00	T15N R26E S21	NWNE	35.00
T15N R26E S21	SWNE	35.00	T15N R26E S21	SENE	40.00
T15N R26E S21	NESE	6.00	T15N R26E S22	NWNE	0.40
T15N R26E S22	SWNE	3.00	T15N R26E S22	NENW	33.00
T15N R26E S22	NWNW	40.00	T15N R26E S22	SWNW	40.00
T15N R26E S22	SENE	40.00	T15N R26E S22	NESW	16.60
T15N R26E S22	NWSW	26.00			

353 ACRES TOTAL

Rights 74-39B and 74-63 when combined shall not exceed a total irrigation of 195 acres in the place of use described above in a single irrigation season.

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total irrigation of 353.0 acres.

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

04/13/2006

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 74-W.

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 right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-63

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.960 CFS
468.400 AFY

Rights 74-39B and 74-63 when combined shall not exceed a total diversion rate of 6.96 cfs and a total annual maximum diversion volume of 682.5 af at the field headgate.

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total diversion rate of 12.36 cfs and a total annual maximum diversion volume of 1235.5 af at the field headgate.

PRIORITY DATE: 07/18/1911

POINT OF DIVERSION:

T15N R26E S19 NESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.960 CFS 468.40 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S21	NENE	38.00	T15N R26E S21	NWNE	35.00
T15N R26E S21	SWNE	35.00	T15N R26E S21	SENE	40.00
T15N R26E S21	NESE	6.00	T15N R26E S22	NWNE	0.40
T15N R26E S22	SWNE	3.00	T15N R26E S22	NENW	33.00
T15N R26E S22	NWNW	40.00	T15N R26E S22	SWNW	40.00
T15N R26E S22	SENE	40.00	T15N R26E S22	NESW	16.60
T15N R26E S22	NWSW	26.00			

353 ACRES TOTAL

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total irrigation of 353.0 acres.

Rights 74-39B and 74-63 when combined shall not exceed a total irrigation of 195 acres in the place of use described above in a single irrigation season.

04/13/2006

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

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-70

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION:

T15N R26E S26 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	4.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S23	NENW	31.00	T15N R26E S23	NWNW	40.00
T15N R26E S23	SWNW	40.00	T15N R26E S23	SENW	40.00
T15N R26E S23	NESW	40.00	T15N R26E S23	NWSW	40.00

231 ACRES TOTAL

This right authorizes the irrigation of 231.4 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-71

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: PURCELL CREEK

TRIBUTARY: TEXAS CREEK

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1879

POINT OF DIVERSION:

T14N R26E S10 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R26E S03	SWSE	40.00	T14N R26E S03	SESE	30.00
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70 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-76 AND 74-120 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 99.7 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 74-76 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 70.0 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-72

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: UNNAMED STREAM

TRIBUTARY: TEXAS CREEK

QUANTITY: 0.840 CFS
409.900 AFY

Rights 74-72 and 74-15005 when combined shall not exceed a total diversion rate of 5.40 cfs, and a total annual maximum diversion volume of 553.0 af at the field headgate.

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total diversion rate of 12.36 cfs and a total annual maximum diversion volume of 1235.5 af at the field headgate.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T15N R26E S21 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.840 CFS 409.90 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S21	NENE	38.00	T15N R26E S21	NWNE	35.00
T15N R26E S21	SWNE	35.00	T15N R26E S21	SENE	40.00
T15N R26E S21	NESE	6.00	T15N R26E S22	NWNE	0.40
T15N R26E S22	SWNE	3.00	T15N R26E S22	NENW	33.00
T15N R26E S22	NWNW	40.00	T15N R26E S22	SWNW	40.00
T15N R26E S22	SENW	40.00	T15N R26E S22	NESW	16.60
T15N R26E S22	NWSW	26.00			

353 ACRES TOTAL

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total irrigation of 353.0 acres.

Rights 74-72 and 74-15005 when combined shall not exceed a total irrigation of 158.0 acres in the place of use described above in a single irrigation season.

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

04/13/2006

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

Prior to diversion of water under Rights 74-72 and 74-15005, the right holder shall provide and maintain a means of measurement acceptable to the watermaster for measuring the flow in Nez Perce Creek at the original points of diversion in NESW, S15 and S22, T14N, R26E.

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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 74-W.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Diversion of water under Rights 74-72 and 74-15005 is limited to those times water is available for diversion under these rights and priorities from Nez Perce Creek, and shall not exceed the amount that remains undiverted in Nez Perce Creek that is ultimately allowed to reach Texas Creek.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Source known locally as Warm Spring Creek.

04/14/2006

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

RIGHT NUMBER: 74-73A
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: PURCELL CREEK TRIBUTARY: TEXAS CREEK
QUANTITY: 2.360 CFS
PRIORITY DATE: 03/24/1883
POINT OF DIVERSION:

T14N R26E S10 NENE Within LEMHI County
T14N R26E S10 SWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.360 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R26E S02	SWNW	8.00	T14N R26E S02	NWSW	14.00
T14N R26E S02	SWSW	15.00	T14N R26E S03	SENE	28.00
T14N R26E S03	SESW	9.00	T14N R26E S03	NESE	17.00
T14N R26E S03	NWSE	40.00	T14N R26E S10	NENE	40.00
T14N R26E S10	SENE	23.00	T14N R26E S11	NWNW	27.00
T14N R26E S11	SWNW	1.00			

222 ACRES TOTAL

This right authorizes the irrigation of 222.6 total acres.

USE OF THIS RIGHT WITH RIGHT NO. 74-117A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 224.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-73B

NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.940 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T14N R26E S11 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3/15 11/15

QUANTITY
0.940 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T14N R26E S02	SWNW	30.00	T14N R26E S02	NESW	31.00
T14N R26E S02	NWSW	26.00	T14N R26E S02	SWSW	1.00

88 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-117B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 191.4 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-74

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: COLD SPRING CREEK

TRIBUTARY: TEXAS CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 04/07/1899

POINT OF DIVERSION:

T14N R26E S3 NESW Within LEMHI County

T14N R26E S3 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.600 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T14N R26E S03

SWNE

40.00

T14N R26E S03

SENW

32.00

T14N R26E S03

NESW

20.00

92 ACRES TOTAL

This right authorizes the irrigation of 91.5 total acres.

USE OF THIS RIGHT WITH RIGHT NO. 74-118 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 91.5 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-75

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: COLD SPRING CREEK

TRIBUTARY: TEXAS CREEK

QUANTITY: 0.230 CFS

PRIORITY DATE: 08/17/1901

POINT OF DIVERSION:

T14N R26E S3 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.230 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R26E S03 Lot 2 NWNE	10.00	T14N R26E S03 Lot 3 NENW	34.00
T14N R26E S03 Lot 4 NWNW	5.00		

49 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-99, 74-119 AND 74-142 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 48.1 ACRES IN A SINGLE
IRRIGATION SEASON.

This right authorizes the irrigation of 48.1 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-76

NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: PURCELL CREEK

TRIBUTARY: TEXAS CREEK

QUANTITY: 0.650 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T14N R26E S10 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.650 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T14N R26E S03	SWSE	40.00	T14N R26E S03	SESE	30.00
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70 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-71 AND 74-120 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 99.7 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 74-71 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 70.0 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-88

NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.540 CFS

PRIORITY DATE: 01/01/1913

POINT OF DIVERSION:

T15N R26E S35 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3/15 11/15

QUANTITY
0.540 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S27 SENE 35.90

35.9 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-132 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 35.9 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-89

NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 2.600 CFS

PRIORITY DATE: 04/09/1909

POINT OF DIVERSION:

T15N R26E S35 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S27	SWNE	40.00	T15N R26E S27	SENE	36.00
T15N R26E S27	NESW	8.00	T15N R26E S27	NWSE	37.00

121 ACRES TOTAL

This right authorizes the irrigation of 121.2 total acres.

USE OF THIS RIGHT WITH RIGHT NO. 74-133 AND 74-15003 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 136.2 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 74-133 AND 74-15003 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 136.2 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-90

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 10/01/1901

POINT OF DIVERSION:

T15N R26E S35 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.800 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S27 SESE 39.60

39.6 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-96
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: PURCELL CREEK TRIBUTARY: TEXAS CREEK
QUANTITY: 0.160 CFS
61.600 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The total instantaneous diversion of water from all points of diversion under Rights 74-96 and 74-106 shall not exceed 0.44 cfs, nor total combined annual volume of 111 af.

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION:
T14N R26E S10 NENE Within LEMHI County
T14N R26E S10 SWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.160 CFS 61.60 AFY

PLACE OF USE: IRRIGATION Within LEMHI County
T14N R26E S11 SWNW 31.70

This right is limited to the irrigation of 17.6 acres within the place of use described above in a single irrigation season.

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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within

State

Water District No. 74W.

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.

04/14/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

PLACE OF USE:		<u>IRRIGATION Within LEMHI County</u>					
T14N R26E S11	NENE	34.00	T14N R26E S11	SENE	20.00		
T14N R26E S11	NESE	12.00	T14N R26E S11	SESE	1.00		
T14N R26E S12	SWNW	2.00					

USE OF THIS RIGHT WITH RIGHT NO. 74-139 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.2 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-99
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: COLD SPRING CREEK TRIBUTARY: TEXAS CREEK
QUANTITY: 0.500 CFS
PRIORITY DATE: 06/01/1910
POINT OF DIVERSION:

T14N R26E S3 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R26E S03 Lot 2 NWNE	10.00	T14N R26E S03 Lot 3 NENW	34.00
T14N R26E S03 Lot 4 NWNW	5.00		

49 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-75, 74-119 AND 74-142 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 48.1 ACRES IN A SINGLE
IRRIGATION SEASON.

This right authorizes the irrigation of 48.1 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-337

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 3.300 CFS

Right Nos. 74-337, 74-2308 and 74-15655 are limited to a total combined diversion rate of 4.7 cfs.

PRIORITY DATE: 10/03/1887

POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County

T15N R25E S8 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.300 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S34	NESE	40.00	T16N R25E S34	NWSE	40.00
T16N R25E S34	SWSE	35.00	T16N R25E S34	SESE	37.00
T16N R25E S35	SWNW	40.00	T16N R25E S35	SENW	36.00
T16N R25E S35	NESW	40.00	T16N R25E S35	NWSW	40.00
T16N R25E S35	SWSW	37.00	T16N R25E S35	SESW	5.30
T16N R25E S35	NWSE	21.00			

371.3 ACRES TOTAL

This right is limited to the irrigation of 146 acres within the place of use described above in a single irrigation season.

Place of use does not include federal public lands

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 74-15655 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

04/14/2006

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

RIGHT NUMBER: 74-338B
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 3.200 CFS
PRIORITY DATE: 11/01/1887
POINT OF DIVERSION:

T15N R25E S5 NWSE Lot 10 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S28	SWNW	40.00	T16N R25E S28	SENW	35.00
T16N R25E S28	NESW	23.00	T16N R25E S28	NWSW	40.00
T16N R25E S28	SWSW	38.00	T16N R25E S29	SENE	40.00
T16N R25E S29	NESE	40.00	T16N R25E S29	NWSE	40.00
T16N R25E S29	SWSE	39.00	T16N R25E S29	SESE	18.00
T16N R25E S32	NENE	16.00	T16N R25E S33	NWNW	29.00

398 ACRES TOTAL

This right is limited to the irrigation of 128.9 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

04/13/2006

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

RIGHT NUMBER: 74-340B

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 2.500 CFS

PRIORITY DATE: 10/03/1887

POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County

T16N R25E S28 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

2.500 CFS

Water may not be diverted from the point of diversion in the SWSE, S28,
T16N, R25E after May 15 of each year.

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S26

SESW

40.00

T16N R25E S35

NENW

40.00

T16N R25E S35

NWNW

38.00

118 ACRES TOTAL

This right authorizes the irrigation of 117.6 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-341
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 6.980 CFS
1,101.500 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 12/06/1909

POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County
T16N R25E S28 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.980 CFS 1,101.50 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S26	NWSW	40.00	T16N R25E S26	SWSW	38.00
T16N R25E S27	SWNE	36.00	T16N R25E S27	SENE	40.00
T16N R25E S27	NESE	40.00	T16N R25E S27	NWSE	40.00
T16N R25E S27	SWSE	40.00	T16N R25E S27	SESE	40.00

314 ACRES TOTAL

Right 74-341 authorizes the irrigation of 314.7 acres in a single irrigation
season.

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

Use of water under this water right will be regulated by the watermaster
of State Water District No. 74-Z, Big Eightmile and Lee Creeks.

The right holder shall install and maintain measuring devices and lockable
controlling works of a type approved by the Department at each point of
diversion in a manner that will provide the watermaster suitable control of
the diversions.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-349
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 2.000 CFS
PRIORITY DATE: 07/06/1916
POINT OF DIVERSION:

T15N R25E S5 NWSE Lot 10 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S28	SWNW	40.00	T16N R25E S28	SENW	35.00
T16N R25E S28	NESW	23.00	T16N R25E S28	NWSW	40.00
T16N R25E S28	SWSW	38.00	T16N R25E S29	SENE	40.00
T16N R25E S29	NESE	40.00	T16N R25E S29	NWSE	40.00
T16N R25E S29	SWSE	39.00	T16N R25E S29	SESE	18.00
T16N R25E S32	NENE	16.00	T16N R25E S33	NWNW	29.00

398 ACRES TOTAL

This right is limited to the irrigation of 72.7 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

04/14/2006

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

RIGHT NUMBER: 74-354
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 2.400 CFS
536.200 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Prior to diversion of water under this approval the right holder shall install measuring devices and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.

PRIORITY DATE: 08/28/1918
POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County
T16N R25E S28 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.400 CFS 536.20 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S22	NESE	36.00	T16N R25E S22	NWSE	38.00
T16N R25E S22	SWSE	40.00	T16N R25E S22	SESE	40.00

154 ACRES TOTAL

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 74-Z, Big Eightmile and Lee Creeks.

Right 74-354 is limited to the irrigation of 153.2 acres within the place of use described above in a single irrigation season.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-369
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: LEFT FORK LEE CREEK TRIBUTARY: LEE CREEK
QUANTITY: 2.400 CFS

When the flow of water in Lee Creek is insufficient to supply all rights under the 5-12-1883 date of priority, right 74-369 and right 74-370 shall not be pro-rated with any rights on Lee Creek with that priority date.

When the flow in the Left Fork of Lee Creek falls below amounts decreed in rights 74-369 and 74-370, the two rights shall be pro-rated according to the respective amounts of water decreed.

PRIORITY DATE: 05/12/1883

POINT OF DIVERSION:
T16N R25E S31 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.400 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S29	SWNE	40.00	T16N R25E S29	SWNW	33.00
T16N R25E S29	SENW	39.00	T16N R25E S29	NESW	40.00
T16N R25E S29	NWSW	13.00	T16N R25E S29	SESW	40.00
T16N R25E S32	NENW	37.00	T16N R25E S32	NWNW	33.00

275 ACRES TOTAL

This right authorizes the irrigation of 275.4 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-378B
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: UNNAMED STREAM TRIBUTARY: TEXAS CREEK

QUANTITY: 1.270 CFS
344.400 AFY

Rights 74-378B and 74-15004 when combined shall not exceed a total annual maximum diversion volume of 344.4 af at the field headgate.

Rights 74-378B, 74-15004 and 74-15006 when combined shall not exceed a total annual maximum diversion volume of 481.3 af at the field headgate.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T15N R26E S21 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.270 CFS 344.40 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S21	SESE	13.00	T15N R26E S22	NESW	0.90
T15N R26E S22	NWSW	7.00	T15N R26E S22	SWSW	40.00
T15N R26E S22	SESW	22.60	T15N R26E S27	NENW	14.00
T15N R26E S27	NWNW	33.00	T15N R26E S28	NENE	7.00

137.5 ACRES TOTAL

Rights 74-378B, 74-15004 and 74-15006 when combined shall not exceed the irrigation of 137.5 acres.

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 right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. 74-W.

04/13/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/13/2006

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

RIGHT NUMBER: 74-1567
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 3.200 CFS
PRIORITY DATE: 05/14/1920
POINT OF DIVERSION:

T15N R26E S26 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S23	SWSW	40.00	T15N R26E S23	SESW	40.00
T15N R26E S26	NENW	40.00	T15N R26E S26	NWNW	38.00

158 ACRES TOTAL

This right authorizes the irrigation of 158.1 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-1771

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 1.360 CFS

PRIORITY DATE: 04/01/1919

POINT OF DIVERSION:

T14N R27E S35 NENE Within LEMHI County

T14N R27E S35 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.360 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T14N R27E S26	SESW	1.00	T14N R27E S26	SWSE	4.00
T14N R27E S27	SWSE	11.00	T14N R27E S34	NENE	20.00
T14N R27E S34	NWNE	14.00	T14N R27E S35	NWNE	31.00
T14N R27E S35	NENW	11.00	T14N R27E S35	NWNW	1.00

93 ACRES TOTAL

This right authorizes the irrigation of 91.4 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-1772
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 1.610 CFS
PRIORITY DATE: 04/01/1918
POINT OF DIVERSION:

T14N R27E S27 NWSE Within LEMHI County
T14N R27E S27 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.610 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R27E S22	SWNW	12.00	T14N R27E S22	SENW	3.00
T14N R27E S22	NESW	12.00	T14N R27E S22	NWSW	33.00
T14N R27E S22	SWSW	22.00	T14N R27E S22	SESW	14.00
T14N R27E S27	NENW	6.00	T14N R27E S27	NWNW	20.00
T14N R27E S27	SWNW	22.00	T14N R27E S27	SENW	26.00

170 ACRES TOTAL

This right authorizes the irrigation of 168.5 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-1829
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 2.220 CFS
PRIORITY DATE: 07/02/1928
POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.220 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S34	NENE	40.00	T16N R25E S34	NWNE	40.00
T16N R25E S34	SWNE	31.00	T16N R25E S34	SENE	40.00

151 ACRES TOTAL

This right authorizes the irrigation of 150.8 total acres.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2006

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 3.100 CFS

PRIORITY DATE: 11/14/1904

POINT OF DIVERSION:

T14N R27E S28 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
3.100 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R27E S21	NENE	20.00	T14N R27E S21	NWNE	7.00
T14N R27E S21	SENE	18.00	T14N R27E S21	NESE	21.00
T14N R27E S21	SESE	16.00	T14N R27E S28	NENE	4.00

86 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

T14N R25E S2 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R25E S02	NWNE	32.00	T15N R25E S35	SESW	14.00
T15N R25E S35	SWSE	30.00			

76 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2091A
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 1.040 CFS
PRIORITY DATE: 05/24/1910
POINT OF DIVERSION:

T14N R27E S27 NWSE Within LEMHI County
T14N R27E S27 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.040 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R27E S22	NWSW	33.00	T14N R27E S22	SWSW	22.00
T14N R27E S27	NENW	6.00	T14N R27E S27	NWNW	20.00
T14N R27E S27	SWNW	22.00	T14N R27E S27	SENW	26.00

129 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2095

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BASIN CREEK

TRIBUTARY: BIG TIMBER CREEK

QUANTITY: 2.500 CFS

PRIORITY DATE: 07/22/1910

POINT OF DIVERSION:

T14N R25E S1 NWSW Within LEMHI County

T14N R25E S2 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.500 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R25E S01	NWNW	27.00	T14N R25E S01	SWNW	20.00
T14N R25E S02	NENE	32.00	T14N R25E S02	SENE	24.00

103 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2124
NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 0.640 CFS
PRIORITY DATE: 04/29/1911
POINT OF DIVERSION:

T14N R27E S35 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.640 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R27E S34	NENE	20.00	T14N R27E S34	NWNE	14.00
T14N R27E S35	NWNW	1.00			

35 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2125
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: DIVIDE CREEK TRIBUTARY: EIGHTEENMILE CREEK
QUANTITY: 0.700 CFS
PRIORITY DATE: 06/26/1912
POINT OF DIVERSION:

T14N R27E S34 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.700 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R27E S34	NWNE	16.00	T14N R27E S34	SWNE	3.00
T14N R27E S34	SENE	2.00	T14N R27E S34	NENW	1.00

22 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2148
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BASIN CREEK TRIBUTARY: BIG TIMBER CREEK
QUANTITY: 0.600 CFS
PRIORITY DATE: 07/06/1912
POINT OF DIVERSION:

T14N R25E S2 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R25E S02	SWNE	12.00	T14N R25E S02	NENW	7.00
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19 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

04/14/2006

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

RIGHT NUMBER: 74-2308

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 1.400 CFS

Right Nos. 74-337, 74-2308 and 74-15655 are limited to a total combined diversion rate of 4.7 cfs.

PRIORITY DATE: 11/10/1952

POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County

T15N R25E S8 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.400 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S34	NESE	40.00	T16N R25E S34	NWSE	40.00
T16N R25E S34	SWSE	35.00	T16N R25E S34	SESE	37.00
T16N R25E S35	SWNW	40.00	T16N R25E S35	SENW	36.00
T16N R25E S35	NESW	40.00	T16N R25E S35	NWSW	40.00
T16N R25E S35	SWSW	37.00	T16N R25E S35	SESW	5.30
T16N R25E S35	NWSE	21.00			

371.3 ACRES TOTAL

Place of use does not include federal public lands

This right is limited to the irrigation of 71.6 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right No. 74-15655 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

04/14/2006

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

RIGHT NUMBER: 74-15655

NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 2.920 CFS

Right Nos. 74-337, 74-2308 and 74-15655 are limited to a total combined diversion rate of 4.7 cfs.

PRIORITY DATE: 05/01/1973

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County

T15N R25E S8 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.920 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S34	NESE	40.00	T16N R25E S34	NWSE	40.00
T16N R25E S34	SWSE	35.00	T16N R25E S34	SESE	37.00
T16N R25E S35	SWNW	40.00	T16N R25E S35	SENW	36.00
T16N R25E S35	NESW	40.00	T16N R25E S35	NWSW	40.00
T16N R25E S35	SWSW	37.00	T16N R25E S35	SESW	5.30
T16N R25E S35	NWSE	21.00			

371.3 ACRES TOTAL

Place of use does not include federal public lands

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.

This right is based upon an enlargement of Right Nos. 74-337 and 74-2308 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 153.7 acres within the place of use described for this right.

04/14/2006

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

RIGHT NUMBER: 74-15656
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

04/14/2006

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

RIGHT NUMBER: 74-15658
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included

where

a right was determined not to exist in a prior adjudication.