

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	SENE	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

COPY

RECEIVED

APR 19 2006
DEPARTMENT OF
WATER RESOURCES

7004 APR 19 AM 10:16

ASST. CLERK-SRBA
TWIN FALLS CO., IDAHO
FILED

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:

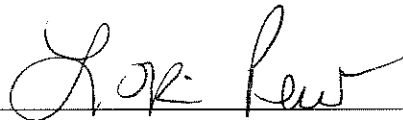
Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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
74	70
74	71
74	72
74	73 A
74	73 B
74	74
74	75
74	76
74	88
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