

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.

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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.

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:

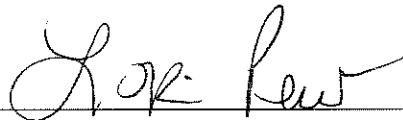
Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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