

September 26, 2006

RECEIVED

SEP 29 2006

DEPARTMENT OF
WATER RESOURCES

TO: Roxanne Brown
State of Idaho
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83707-9815
Phone: 208-287-4800

FROM: Dixie Whitworth
P.O. Box 870
Humboldt, AZ 86329
Phone: 928-632-5821
Fax: 928-632-5821
Cell: 520-705-0032

RE: Water Right #: 73-39
Water Right #: 73-62
Basin 73 (Pahsimeroi River Drainage)

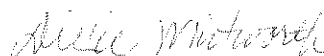
Roxanne:

I have been in Humboldt, Arizona taking care of my mother for a while now. I just recently received the Preliminary Director's Report regarding my water rights in May, Idaho. I have tried unsuccessfully to reach you by phone to discuss some of the changes being recommended. I have talked to Danny and Carter and they advised me to go ahead and send in these papers with this explanation and hopefully I can reach you by phone soon to discuss this matter.

I am returning the Notice of Error Reply for both of my water rights with explanations and also a copy of my original decreed water rights for comparison. I would like my rights to remain as the original decree states. Under the recommendation being presented I would lose approximately 12 acres which has been used continuously throughout history.

I appreciate your help with this matter and I will continue to reach you by phone to discuss this.

Sincerely,



Dixie Whitworth

08/31/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 29, 2006

Water right number: 73-62

DIXIE L WHITWORTH

PO BOX 134

MAY ID 83253

Telephone Number: (208)876-4432

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

period of use: 4/1 - 10/1

place of use: please see attached Recommendation (acres)

2. Describe the changes you wish to make in the proposed recommendation:

period of use: 4/1 - 11/1 back to original decree

place of use: Restore Acres to original Decree

3. Give a brief explanation as to why you disagree with these portions:

period of use: original decree (I would lose 1 day)

place of use: I would lose ~3 acres which was originally decreed and has been used continuously

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9/26/06

SIGNATURE: Dixie L. Whitworth

Please print your name: DIXIE L WHITWORTH

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

08/31/2006

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

RIGHT NUMBER: 73-62

NAME AND ADDRESS: DIXIE L WHITWORTH
PO BOX 134
MAY ID 83253

SOURCE: MORSE CREEK

TRIBUTARY: SINKS

QUANTITY: 0.900 CFS

The appropriator is entitled to the quantity of water described above at the point of measurement in T15N, R22E, S28, SWSW.

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION: T15N R22E S26 SENENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 (10/31 11/1)	0.900 CFS
PLACE OF USE:	<u>IRRIGATION Within LEMHI County</u>		
	T15N R22E S31 Lot 2 SWNW 35.00	T15N R22E S31 Lot 3 NWSW	9.70' 10
	45 44.7 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

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 73 62
Date Received: 5/9/1990
Receipt No: E014390
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DIXIE L WHITWORTH Phone: (208)876 4432
PO BOX 134
MAY ID USA 83253

2. Date of Priority: 06/01/1891

3. Source: MORSE CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	22E	26	SE NE NW	LEMHI	

5. Description of diverting works:

CEMENT DITCH DIV. WORKS WITH GRAVITY FLOW SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.9	

7. Total Quantity Appropriated is:
0.9 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

300 HD BEEF CATTLE DRINK FROM DITCH

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
15N	22E	31	SW	NW	2	IRRIGATION	35
			NW	SW	3	IRRIGATION	10
						Section Acres	45
						Total Acres	45

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

73-39

14. Remarks:

P/D NOT GIVEN IN DECREE.

WATER IS MEASURED TO EACH USER AT 15N 22E 28 SWNE3W

15. Basis of Claim: Decreed