

February 8, 2007

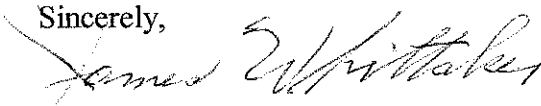
State of Idaho
District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

To Whom It May Concern:

Please correct Water Right # 74-15661 by adding the name, Paula J. Whittaker, and changing the source from Big Timber Creek to Little Timber Creek and the tributary from the Lemhi River to Big Timber Creek to correspond with Water Right # 74-55.

Thank you for your help in this matter.

Sincerely,


James Whittaker
PO Box 240
Leadore, Idaho 83464

428
RECEIVED DISTRICT COURT
TWIN FALLS, IDAHO
FILED
2007 FEB 11 AM 11 07

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 74-15661

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

SOURCE: *Paula*
Little *Big Timber Creek*
~~SRBA~~ TIMBER CREEK TRIBUTARY: ~~LEMMI RIVER~~

QUANTITY: 1.00 CFS

Right Nos. 74-55 and 74-15661 are limited to a total combined
diversion rate of 6.2 cfs.

PRIORITY DATE: 03/15/1983 *WED*

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 S26 NWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.00 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T15N R25E S14	SWNE 19.0 SNNW 8.2
		SENE 35.0 NESW 22.0
		NWSW 12.0 SWSW 16.0
		SESW 1.0 NWSE 38.0
		SWSE 4.0
	S15	SESE 6.0
	161.2 Acres Total	

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

This right is based upon an enlargement of Right No. 74-55
pursuant to Section 42-1426, Idaho Code.

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. I.C. SECTION 42-1412(6).

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-55

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

PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: LITTLE TIMBER CREEK

TRIBUTARY: BIG TIMBER CREEK

QUANTITY: 6.200 CFS

Right Nos. 74-55 and 74-15661 are limited to a total combined diversion rate of 6.2 cfs.

PRIORITY DATE: 08/19/1910

POINT OF

DIVERSION: T15N R25E S26 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	6.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R25E S14	SWNE	19.00	T15N R25E S14	SWNW	8.20
T15N R25E S14	SENE	35.00	T15N R25E S14	NESW	22.00
T15N R25E S14	NWSW	12.00	T15N R25E S14	SWSW	16.00
T15N R25E S14	SESW	1.00	T15N R25E S14	NWSE	38.00
T15N R25E S14	SWSE	4.00	T15N R25E S15	SESE	6.00

161.2 ACRES TOTAL

This right is limited to the irrigation of 144.8 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 No. 74-15661 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.