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OCT 23 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 19 2007

By

Clerk

Deputy Clerk

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

Subcases: 74-15787 & 74-15788

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

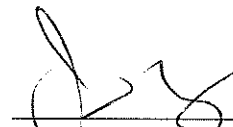
On July 24, 2007, F. James and Paula J. Whittaker filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on October 16, 2007. These *Motions* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights is **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated Oct. 18, 2007.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on October 19,
2007, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

F JAMES WHITTAKER
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464
Phone: 208-768-2491

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 74-15787
Date Received: 7/11/2007
Receipt No: 1085163
Received By: amb

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

F JAMES WHITTAKER Phone: (208)768-2491

83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID USA 83464

PAULA J WHITTAKER Phone: (208)768-2491

83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID USA 83464

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED
2007 JUL 24 AM 10 41

2. Date of Priority: 12/31/1982

3. Source: BIG EIGHTMILE CREEK , BIG EIGHTMILE CREEK Trib. to: LEMHI RIVER , LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	25E	33	NW SW	LEMHI	
15N	25E	5	NW SE	LEMHI	

5. Description of diverting works:

Allhands Ditch to flood and sprinkler irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	9.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
16N	25E	28	SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	35
			NE	SW		IRRIGATION	32
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	38
			SE	SW		IRRIGATION	14
			Section Acres				
16N	25E	29	SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			SW	NW		IRRIGATION	34
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	18
			SW	SW		IRRIGATION	15
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	39
			SE	SE		IRRIGATION	18
			Section Acres				
16N	25E	32	NE	NE		IRRIGATION	16
			NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	36
Section Acres						90	
16N	25E	33	NW	NW		IRRIGATION	31
Section Acres						31	
Total Acres						724	

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:

14. Remarks:

This right is based upon an enlargement of Right Nos. 74-349, 74-338B, and 74-1105 pursuant to Section 42-1426, Idaho Code.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *James Whitaker* Date: 7/16/07

Date:

State of Idaho)
County of Lemhi) SS.

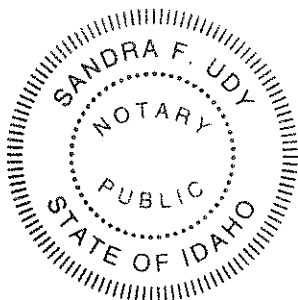
Subscribed and sworn (or affirmed) before me this

of July 17 20 07

Sandra E. Udy
Notary Public

Residing at *Leadore Idaho*

My commission Expires 09/18/2007



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 74-15788
Date Received: 7/11/2007
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED
2007 JUL 24 AM 10 41

1. Name of Claimant(s)

F JAMES WHITTAKER Phone: (208) 768-2491

83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID USA 83464

PAULA J WHITTAKER Phone: (208) 768-2491

83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID USA 83464

2. Date of Priority: 12/31/1982

3. Source: LEE CREEK LEFT FORK Trib. to: LEE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	25E	31	SE NE	LEMHI	

5. Description of diverting works:

headgate to ditch to sprinkler and flood irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	4.4	

7. Total Quantity Appropriated is:

4.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	25E	28	SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	35
			NE	SW	IRRIGATION	32
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	14
					Section Acres	197
16N	25E	29	SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			SW	NW	IRRIGATION	34
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	18
			SW	SW	IRRIGATION	15
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	17
					Section Acres	403
16N	25E	32	NE	NW	IRRIGATION	38
			NW	NW	IRRIGATION	36
					Section Acres	74
16N	25E	33	NW	NW	IRRIGATION	12
					Section Acres	12
					Total Acres	686

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:

14. Remarks:

This right is based upon an enlargement of Right Nos. 74-369 and 74-1136 pursuant to Section 42-1426, Idaho Code.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sandra Whitaker Date: 7/16/07

Date:

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this

of July 17 2007

Sandra E. Udy

Notary Public

Residing at Leadore Idaho

My commission Expires 09/18/2008

