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DEPARTMENT OF
WATER RESOURCES

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

Water Right: 74-14980

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

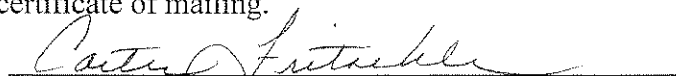
IDWR has completed the following administrative proceeding:

- ☐ 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: License Issued

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: 11-5-07



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 5, 2007, 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 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

F. James and Paula J. Whittaker
P.O. Box 240
Leadore, ID 83464



Signature of person mailing this document

11/02/2007

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

RIGHT NUMBER: 74-14980

NAME AND ADDRESS: F JAMES WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.970 CFS

Rights 74-14980, 74-15003 and 74-15004 when combined shall not exceed
a total diversion rate of 6.4 cfs.

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/01/1982

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 R26E S20 SWNW 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	0.970 CFS

PLACE OF USE: IRRIGATION in LEMHI County

<u>T15N R26E S21</u>	<u>NWSE</u>	<u>1.00</u>	<u>T15N R26E S21</u>	<u>SWSE</u>	<u>12.0 13.50</u>
<u>T15N R26E S21</u>	<u>SESE</u>	<u>13.0 16.00</u>	<u>T15N R26E S27</u>	<u>NWNW</u>	<u>3.80</u>
<u>T15N R26E S27</u>	<u>SWNW</u>	<u>9.3 3.80</u>	<u>T15N R26E S27</u>	<u>SENW</u>	<u>0.90</u>
<u>T15N R26E S28</u>	<u>NENE</u>	<u>3.70</u>			

42.7 ACRES TOTAL

The use of water within SWNW, S27, T15N, R26E is limited to the E1/2 of the
NE1/4 of that place of use and does not include federal public land.

Rights 74-14980 and 74-15003 when combined shall not exceed the
irrigation of 178.9 acres.

~~USE OF THIS RIGHT WITH RIGHT NO. 74-15003 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 178.9 ACRES IN A SINGLE
IRRIGATION SEASON.~~

This right is for an enlargement of 42.7 acres within the place of use described
for this right.

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

This right is based upon an enlargement of Right No. 74-15003 and
74-15004 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. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74W.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.