

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 74-341
Date Received: 1/12/2006
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

F JAMES WHITTAKER Phone: (208)768-2491

PO BOX 240
LEADORE ID USA 83464

2. Date of Priority: 12/06/1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	25E	28	NW SE	LEMHI	
16N	25E	28	SW SE	LEMHI	
15N	25E	5	SE NE	LEMHI	
15N	25E	5	SW SE	LEMHI	
15N	25E	8	NE NW	LEMHI	

5. Description of diverting works:

dams, ditches, headgates, pressurized pipe to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	6.98	

7. Total Quantity Appropriated is:
6.98 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	22	NE	SE		IRRIGATION	36
			NW	SE		IRRIGATION	38
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	154
16N	25E	26	NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	38
			SW	SW		IRRIGATION	40
						Section Acres	118
16N	25E	27	SW	NE		IRRIGATION	36
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	236
16N	25E	34	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	34
			NW	SE		IRRIGATION	38
			SW	SE		IRRIGATION	37
			SE	SE		IRRIGATION	39
						Section Acres	308
16N	25E	35	NW	NE		IRRIGATION	38
			SW	NE		IRRIGATION	38
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	38
			SW	NW		IRRIGATION	39
			SE	NW		IRRIGATION	37
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	36
			NW	SE		IRRIGATION	24
						Section Acres	370
						Total Acres	1186

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

OTHER WATER RIGHTS USED AT THE SAME PLACE AND FOR THE SAME PURPOSES AS DESCRIBED ABOVE: 74-340A, 74-340B, 74-341, 74-354, 74-1829, 74-2308 PLUS TWO ENLARGEMENTS.

THE ABOVE RIGHTS ARE COMBINED ON A PERMISSIBLE PLACE OF USE PER AFFIDAVITS ATTACHED TO 74-337. POU FROM PRELIMINARY RECOMMENDATIONS FOR NUMBERED RIGHTS. POU FOR TWO ENLARGEMENT CLAIMS FROM AFFIDAVITS ATTACHED TO ENLARGEMENTS. THIS RIGHT IS FOR 314.7 ACRES WITHIN PPU.

15. Basis of Claim: Decreed

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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number A74-341

Date Received _____

Receipt Number _____

Amended

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) James F. Whittaker Phone (208) 768 2491

Mailing Address PO Box 240 Leadore ID Zip 83464

2. Date of Priority (Only one (1) per claim) 12/6/1909

3. Source of water supply (a) Big Eightmile Creek
which is tributary to (b) Lemhi River

4. a. Location of existing point of diversion is: Township 15N Range 25E Section 5,

1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of

Additional points of diversion if any: 15N 25E 5 SWSE, 15N 25E 8 NENW, 16N 25E 28 SWSE,
16N 25E 28 NWSE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Dams, Ditches,
Headgates, pressurized pipe to sprinklers

Whittaker Shiner Etc PPL

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 6.98 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.98 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	25E	22													36	38	40	40	154
		26									40	38	40						118
		27			36	40									40	40	40	40	236
		34	40	40	40	40									34	38	37	37	308
		35		38	38		40	38	39	37	40	40	36			24			370

Total number of acres irrigated 1186

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

74-337, 74-340A, 74-340B, 74-341, 74-354, 74-1829, 74-2308 or None ()

14. Remarks:

The above rights are combined on a permissible place of use per affidavits attached to 74-337. POU from preliminary recommendations for numbered rights. POU for two enlargement claims from affidavits attached to enlargements. This right is for 314.7 acres within POU.

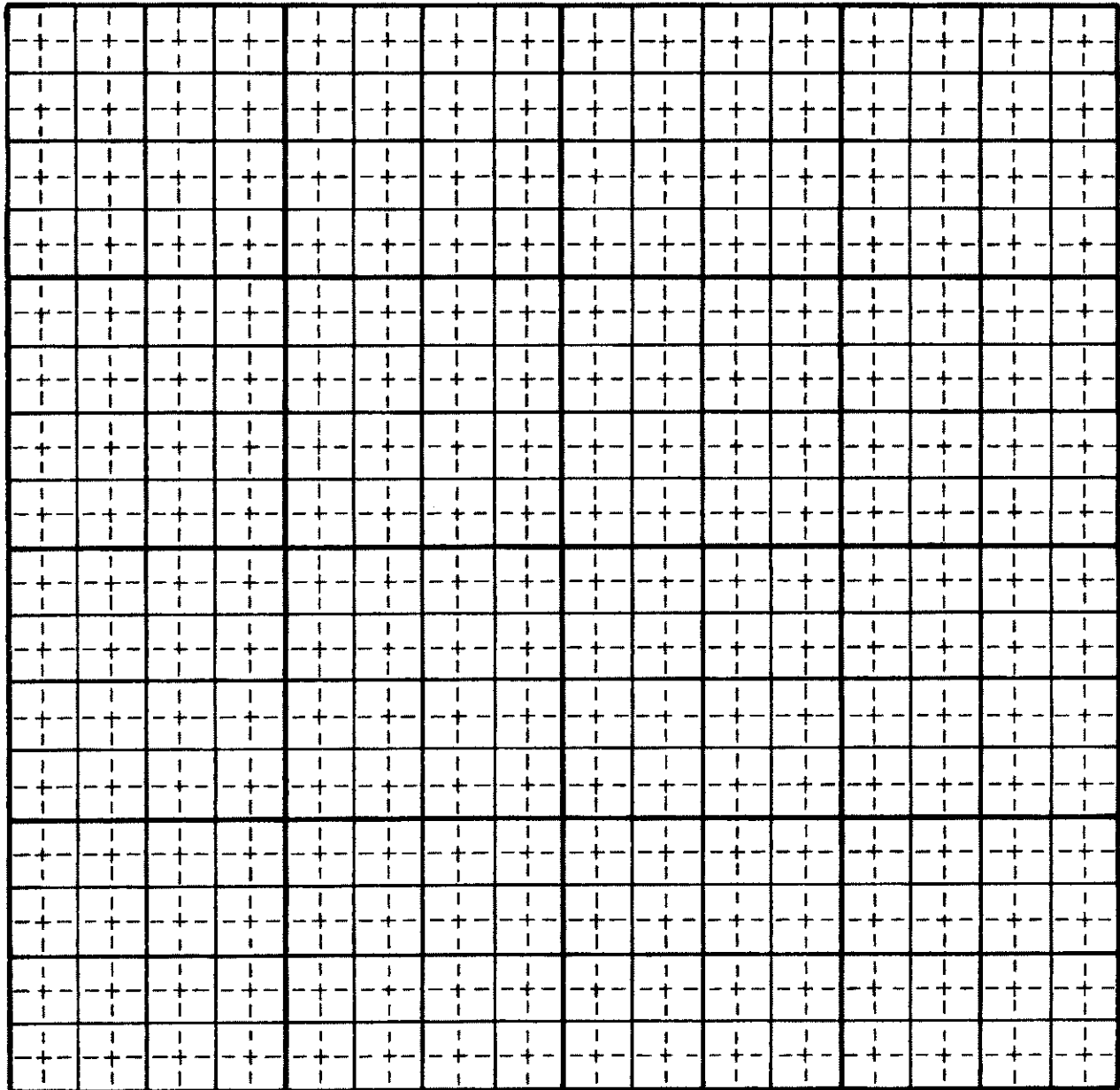
Last Name Whittaker Ident No. 174-

Shiner etc POU

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Please see attachments to A74-337



Last Name G. Hittaker Ident No. A74-341

Shiner etc ppa

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 74-341
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) James Whittaker Date 8/10/04
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10th day of August 2004
Notary Public Bryce A. Contor
Residing at Mid Lake
My Commission Expires 10/14/2005
Please Print Name

17. Notice of Appearance:
Notice is hereby given that _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name Whittaker Ident. Number A 74-341

Shiner etz PPA

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: 74-00341

DATE RECEIVED: 5-2-90/90

RECEIPT NO: X999999/90

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: FLOYD JAMES WHITTAKER
ADDRESS: P.O. BOX 177
LEADORE, ID 83464

2. DATE OF PRIORITY: DEC 06, 1909

3. SOURCE: BIG EIGHTMILE CREEK TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
16N	25E	28	SW	SE			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	6.980		

7. TOTAL QUANTITY APPROPRIATED IS:
6.980 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
16N	25E	26	NW	SW		IRR	40.0
			SW	SW		IRR	38.0

SECTION ACRES 78.0



10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4	OF	1/4	LOT	USE	ACRES
16N	25E	27	SW		NE		IRR	36.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							SECTION ACRES	236.0
							TOTAL ACRES	314.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:
AC. IRR.=314.7.

15. BASIS OF CLAIM: DECREED
CASE NUMBER:
COURT :
DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

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 ✓ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 1

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): [Signature] DATE: 5/1/90

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
TITLE

AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 1st DAY
OF May 19 90

NOTARY PUBLIC

SEAL

RESIDING AT Idaho Falls Idaho

MY COMMISSION EXPIRES 2/13/95

DATE: 02/03/90 MICROFILMED 975