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MAY 14 2008

DEPARTMENT OF
WATER RESOURCES

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

MAY 12 2008

By _____ 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

Water Right: 74-97

Case No. 39576

AMENDED NOTICE OF
COMPLETED
ADMINISTRATIVE
PROCEEDING

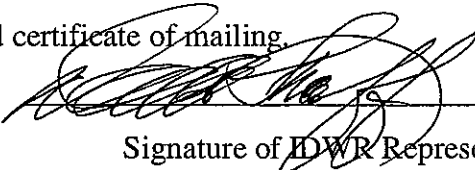
IDWR has completed the following administrative proceeding:

- | | |
|---|--|
| ☐ Address change | ☐ Substitution of Party |
| ☐ IC § 42-222 transfer | |
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Remarks | XX Other: Correction of POU clerical error in
Amended Director's Report attached to the
Notice of Completed Administrative
Proceeding filed on April 15, 2008 |

IDWR certifies that it has completed its investigation into the changes to the elements of the water right listed above as set forth in the attached *Amended Director's Report* for said water right. No other changes have been made to the elements of this water right except as set forth above.

IDWR has served copies of the *Amended Notice of Completed Administrative Proceeding* and *Amended Director's Report* 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: May 8, 2008


Signature of IDWR Representative

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

RIGHT NUMBER: 74-97

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: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.960 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: 06/01/1904

POINT OF
DIVERSION:

T14N R26E S11 SESE 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	0.960 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R26E S11	NENE	34.00	T14N R26E S11	SENE	22.00
T14N R26E S11	NESE	12.00	T14N R26E S11	SESE	1.00

69 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-139 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.2 ACRES IN A SINGLE IRRIGATION SEASON.

This right authorizes the irrigation of 69.2 total acres.

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

The right holder shall accomplish the change authorized by transfer 73146 by October 31, 2008.

Right 74-139 is also diverted through the point(s) of diversion described above.

Failure of the right holder to comply with the conditions of transfer 73146 is cause for the Director to rescind approval of the transfer.

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).

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 approved transfer 73146, this water right is within State Water District No. 74W.

CERTIFICATE OF MAILING

I certify that on May 8, 2008, 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

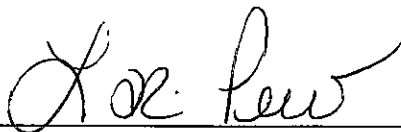
2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

3. Copies to all parties to the subcase:

F. James Whittaker
Paula J. Whittaker
83 Big Eight Mile Rd
P.O. Box 240
Leadore, ID 83464



Signature of person mailing this document