

6/25

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
Case No. 39576

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Water Right: 74-15656, 74-15658,
74-15660 and 74-15663

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

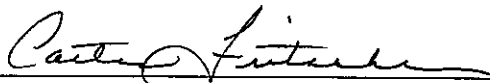
- ☐ Address change
- ☐ Substitution of Party
- ☐ Split of water right ☐ Change in ownership
- ☐ IC § 42-222
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership

XX Other: Enlargement Advertisement – No protest filed

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: 6-17-08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 18, 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:

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 Whittaker
Paula J Whittaker
83 Big Eight Mile Rd
PO Box 240
Leadore, ID 83464



Signature of person mailing this document

05/27/2008

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

RIGHT NUMBER: 74-15656

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 EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.020 CFS

10.22 The rights listed below are limited to a total combined diversion rate of
cfs.
Combined Right Nos.: 74-337, 74-340A, 74-340B, 74-1829, 74-2308,
74-15655, and 74-15656

PRIORITY DATE: 03/15/1983

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 S5 SENE Within LEMHI County
T15N R25E S8 SENE 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	1.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R25E S26	SESW	40.00	T16N R25E S34	NENE	40.00
T16N R25E S34	NWNE	40.00	T16N R25E S34	SWNE	31.00
T16N R25E S34	SENE	40.00	T16N R25E S34	NESE	40.00
T16N R25E S34	NWSE	40.00	T16N R25E S34	SWSE	35.00
T16N R25E S34	SESE	37.00	T16N R25E S35	NWNE	38.00
T16N R25E S35	SWNE	38.00	T16N R25E S35	NENW	40.00
T16N R25E S35	NWNW	38.00	T16N R25E S35	SWNW	40.00
T16N R25E S35	SENW	36.00	T16N R25E S35	NESW	40.00
T16N R25E S35	NWSW	40.00	T16N R25E S35	SWSW	37.00
T16N R25E S35	SESW	5.30	T16N R25E S35	NWSE	21.00

716.3 ACRES TOTAL

Place of use does not include federal public lands

The rights listed below are limited to the irrigation of a combined total of
716.3 acres in a single irrigation season. Combined Right Nos.: 74-337,
74-340A, 74-340B, 74-1829, 74-2308, 74-15655, and 74-15656

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.

This right is based upon an enlargement of Right Nos. 74-2308, 74-337, 74-340A, 74-340B, and 74-1829 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 76 acres within the place of use described for this right.

05/27/2008

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

RIGHT NUMBER: 74-15658

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
UNNAMED STREAM TRIBUTARY: BIG TIMBER CREEK

QUANTITY: 0.450 CFS

Right Nos. 74-56 and 74-15658 are limited to a total combined diversion rate of 2.00 cfs.

PRIORITY DATE: 12/31/1982

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:

T14N R26E S6 SWNE Within LEMHI County
T14N R26E S6 NESW Within LEMHI County
T14N R26E S7 NESW Within LEMHI County
T14N R26E S7 NWSE 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	0.450 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R26E S05	SWNW	2.00	T14N R26E S05	NWSW	5.00
T14N R26E S05	SWSW	1.40	T14N R26E S06	SWNE	1.00
T14N R26E S06	SENE	3.10	T14N R26E S06	NWSW	3.10
T14N R26E S06	NESE	40.00	T14N R26E S06	NWSE	9.00
T14N R26E S06	SWSE	7.00	T14N R26E S06	SESE	18.00

89.6 ACRES TOTAL

Place of use does not include federal public lands and is contained within HES 236

Right Nos. 74-15658 and 74-56 are limited to the irrigation of a combined total of 89.6 acres 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.

This right is based upon an enlargement of Right No. 74-56 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 15.6 acres within the place of use described for this right.

05/27/2008

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

RIGHT NUMBER: 74-15660

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

SOURCE: BIG TIMBER CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.480 CFS

Right Nos. 74-15660 and 74-1103 are limited to a total combined diversion rate of 0.48 cfs.

PRIORITY DATE: 12/31/1982

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:

T14N R26E S5 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	0.480 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R26E S05	NWNW	19.00	T14N R26E S05	SWNW	15.40
T14N R26E S06	NENE	8.70	T14N R26E S06	SENE	0.80
T15N R26E S31	SESE	7.60	T15N R26E S32	SWSW	2.60

54.1 ACRES TOTAL

Right Nos. 74-1103 and 74-15660 are limited to the irrigation of a combined total of 54.1 acres in a single irrigation season.

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

This right is based upon an enlargement of Right No. 74-1103 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

This right is for an enlargement of 30.1 acres within the place of use described for this right.

05/27/2008

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

RIGHT NUMBER: 74-15663

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

SOURCE: BASIN CREEK

TRIBUTARY: BIG TIMBER CREEK

QUANTITY: 0.930 CFS

Right Nos. 74-2088, 74-15662, and 74-15663 are limited to a total combined diversion rate of 2.00 cfs.

Right Nos. 74-2095, 74-15662, and 74-15663 are limited to a total combined diversion rate of 2.50 cfs.

Right Nos. 74-2148, 74-15662, and 74-15663 are limited to a total combined diversion rate of 0.60 cfs.

The rights listed below are limited to a total combined diversion rate of 5.1 cfs.

Combined Right Nos.: 74-2088, 74-2095, 74-2148, 74-15662, and 74-15663

PRIORITY DATE: 03/15/1982

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:

T14N R25E S1 NWSW Within LEMHI County
T14N R25E S2 SENE Within LEMHI County
T14N R25E S2 NENW Within LEMHI County
T14N R25E S2 NWSE Within LEMHI County
T14N R25E S35 SESE Within LEMHI County
T14N R25E S36 SENE Within LEMHI County
T14N R25E S36 NWSW Within LEMHI County
T14N R25E S36 SWSW 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	0.930 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R25E S01	NWNW	27.00	T14N R25E S01	SWNW	22.00
T14N R25E S02	NENE	32.00	T14N R25E S02	NWNE	32.00
T14N R25E S02	SWNE	12.00	T14N R25E S02	SENE	24.00
T14N R25E S02	NENW	7.00	T15N R25E S25	SWSE	25.00
T15N R25E S25	SESE	30.00	T15N R25E S35	SESW	14.00
T15N R25E S35	SWSE	30.00	T15N R25E S36	NENE	2.00
T15N R25E S36	NWNE	5.00	T15N R25E S36	NESW	2.00
T15N R25E S36	NWSW	35.00	T15N R25E S36	SWSW	35.00
T15N R25E S36	SESW	6.00			

340 ACRES TOTAL

Place of use does not include federal public lands

The rights listed below are limited to the irrigation of a combined total of 340 acres in a single irrigation season. Combined Right Nos.: 74-2088, 74-2095, 74-2148, 74-15662, and 74-15663

Right Nos. 74-2088, 74-15662, and 74-15663 are limited to the irrigation of a combined total of 216 acres in a single irrigation season.

Right Nos. 74-2095, 74-15662, and 74-15663 are limited to the irrigation of a combined total of 243 acres in a single irrigation season.

Right Nos. 74-2148, 74-15662, and 74-15663 are limited to the irrigation of a combined total of 159 acres in a single irrigation season.

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

This right is based upon an enlargement of Right Nos. 74-2088, 74-2095, and 74-2148 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

This right is for an enlargement of 62 acres within the place of use described for this right.