

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: A43-00052
Date Received: 6/08/1989
Receipt No: 5007690
Received By: tdm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENTON WHITAKER 208-645-2518
Address: H.C. 72 BOX 2192
MALTA, ID 83342

AND/OR
Name: CLETA WHITAKER 208-645-2518
Address: H.C. 72 BOX 2192
MALTA, ID 83342

2. Date of Priority: APR 01, 1894

3. Source: CROSS CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	24E	12	SW	NE	NW		CASSIA

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 138.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-00052

Page 1

Date: 06/08/89

MICROFILMED
MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	25E	5	NE	SW		IRR	20.0
			SE	SW		IRR	24.0
					Section Acres		44.0
		8	NE	NW		IRR	2.0
					Section Acres		2.0
					Total Acres		46.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A43-00051

14. Remarks:
WATER DECREED FROM CASSIA CREEK BUT IT APPEARS WATER IS ACTUALLY
DIVERTED FROM CROSS CREEK.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

MICROFILMED
MAR 02 1993

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): Denton Whitaker Date: 6-8-89

Date: _____

State of Idaho)
County of Twila Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of June 19 89 [Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 01/30/94

03/06/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-52

NAME AND ADDRESS: CLETA WHITAKER
DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342

SOURCE: CROSS CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 2 CFS

VERIFIED BY: KKC

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T14S R24E S12

NWNENW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
2.00 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T14S R25E S5	NESW	19.3	T14S R25E S5	SESW	22
T14S R25E S8	NENW	4.7			

46 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 46 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-51 AND 43-52.

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

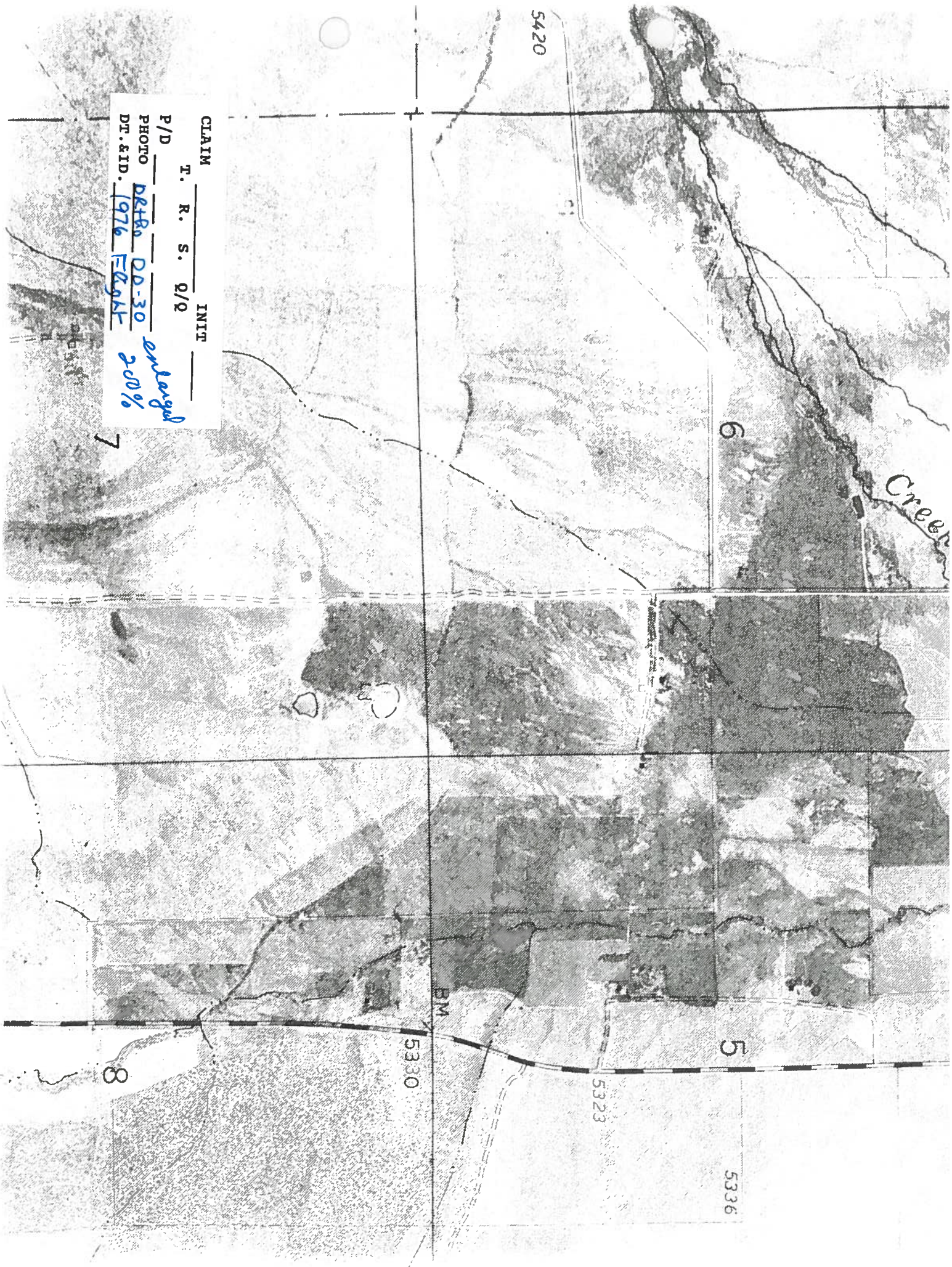
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES
0.25 CFS FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION
AND THE FIELD HEADGATE. COMBINED RIGHTS: 43-51 AND 43-52

WATER IS DELIVERED THROUGH THE BARKER DITCH.

CLAIM _____ INIT _____
T. R. S. Q/Q
P/D _____
PHOTO DR-80 DD-30 *enlarged*
DT. & ID. 1976 FRGAL *200%*



CLAIM _____ INIT KKC
T. R. S. Q/Q

P/D _____
PHOTO ASCS W-30
DT. & ID. 1987 Flight

