

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: A43-00344
Date Received: 5/22/1989
Receipt No: S007222
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE O. WHITAKER 208-645-2437
Address: MALTA, ID 83342
OR
Name: LOIS WHITAKER 208-645-2437
Address: MALTA, ID 83342

2. Date of Priority: APR 01, 1894

3. Source: GREEN CREEK Trib. to: CROSS CREEK
DRY CREEK CROSS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	11	SW	SW	SW		CASSIA
		12	NE	SW	NW		CASSIA

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.100		

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

8. Total consumptive use is 121.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-00344

Page

1

Date: 05/22/89

MICROFILMED
MAR 03 1993
MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14S	25E	8	NE	NW		IRR	14.0
			SE	NW		IRR	28.6
			NE	SW		IRR	5.7
						Section Acres	48.3
						Total Acres	48.3

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:
A43-00345, A43-00346

14. Remarks:
SOURCES ARE LISTED IN DECREE AS CASSIA CREEK. THE ACTUAL
STREAM NAMES AS IDENTIFIED BY USGS MAPS ARE GIVEN IN THIS CLAIM.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

MICROFILMED
MAR 03 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Wayne A. Whitaker Date: 5/22/89

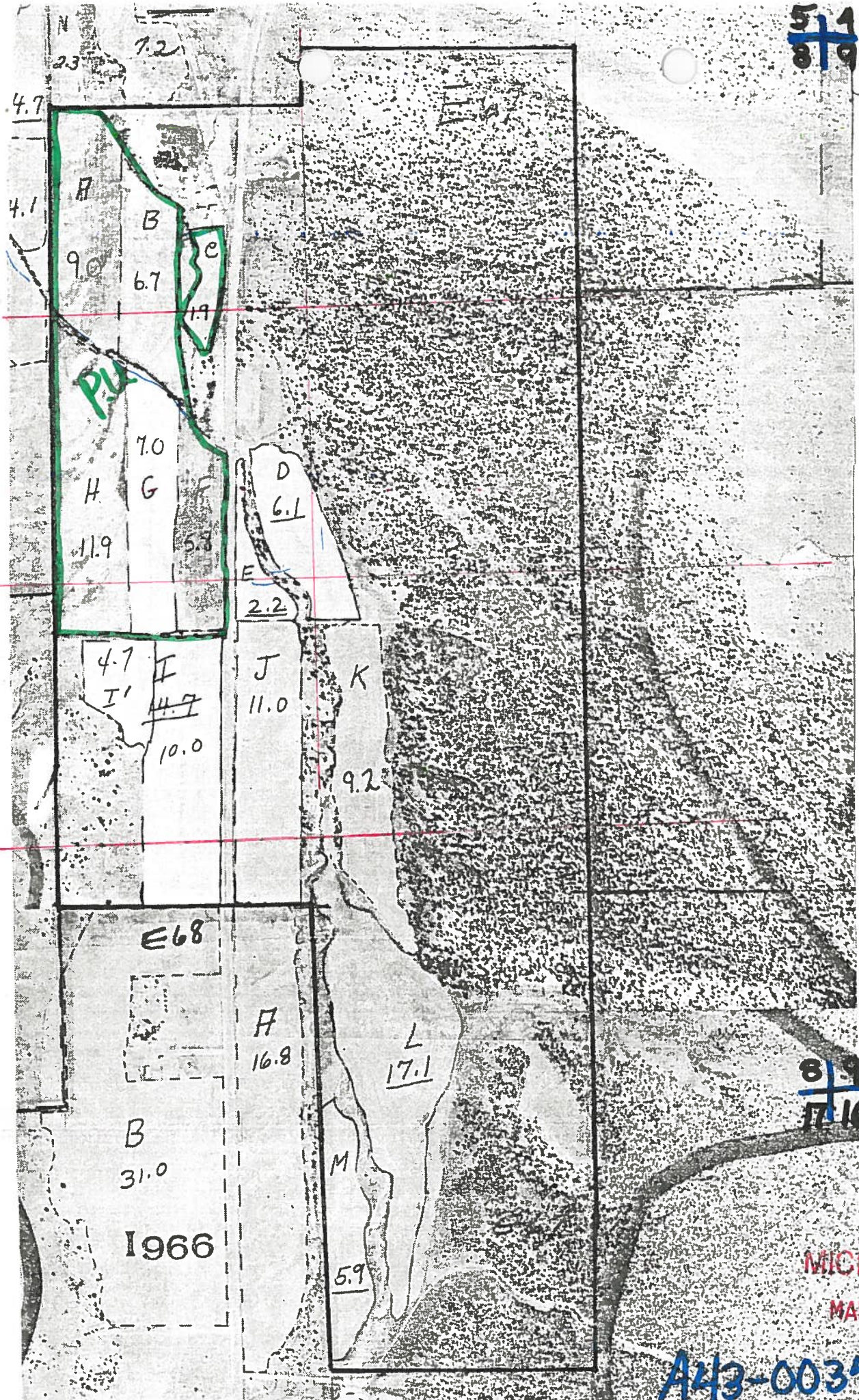
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of May 19 89 Steve Coo
Notary Public

Seal

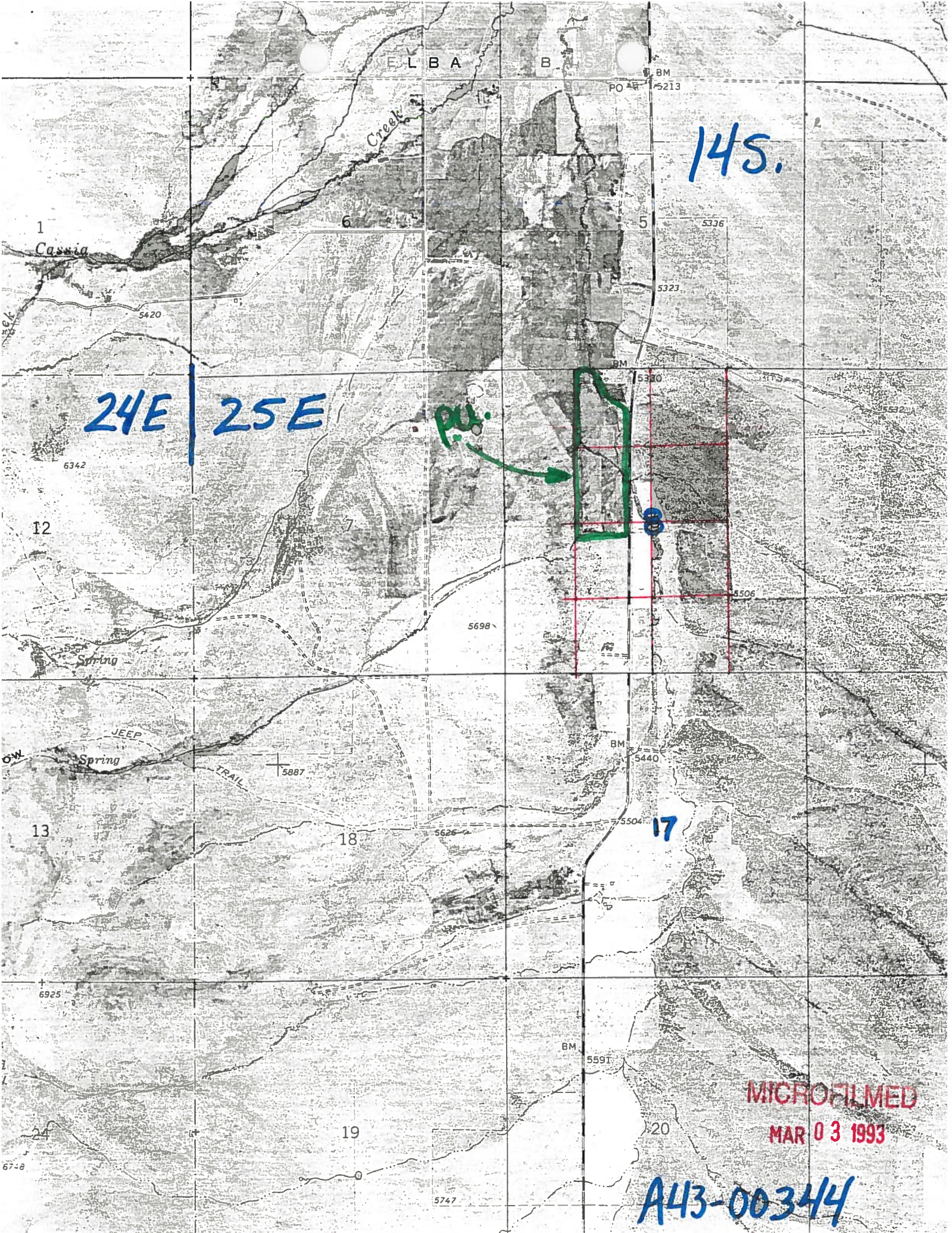
Residing at Twin Falls
My Commission Expires Dec 7, 1994



14S.
25E

MICROFILMED
MAR 03 1993

A43-00344



145.

24E | 25E

PU.

MICROFILMED
MAR 03 1993

A43-00344

03/07/2001

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

RIGHT NUMBER: 43-344

NAME AND ADDRESS: LOIS WHITAKER
WAYNE O WHITAKER
MALTA, ID 83342

VERIFIED BY: KKC

SOURCE: CROSS CREEK
GREEN CREEK

TRIBUTARY: CASSIA CREEK
CROSS CREEK

QUANTITY: 2.1 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T14S R24E S11 NWSWE Within CASSIA County
T14S R24E S12 NWNENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-1 10-31	2.10 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T14S R25E S8	NENW	17	T14S R25E S8
T14S R25E S8	NESW	5	SENW 24

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. 43-344, 43-345, and 43-346.

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.

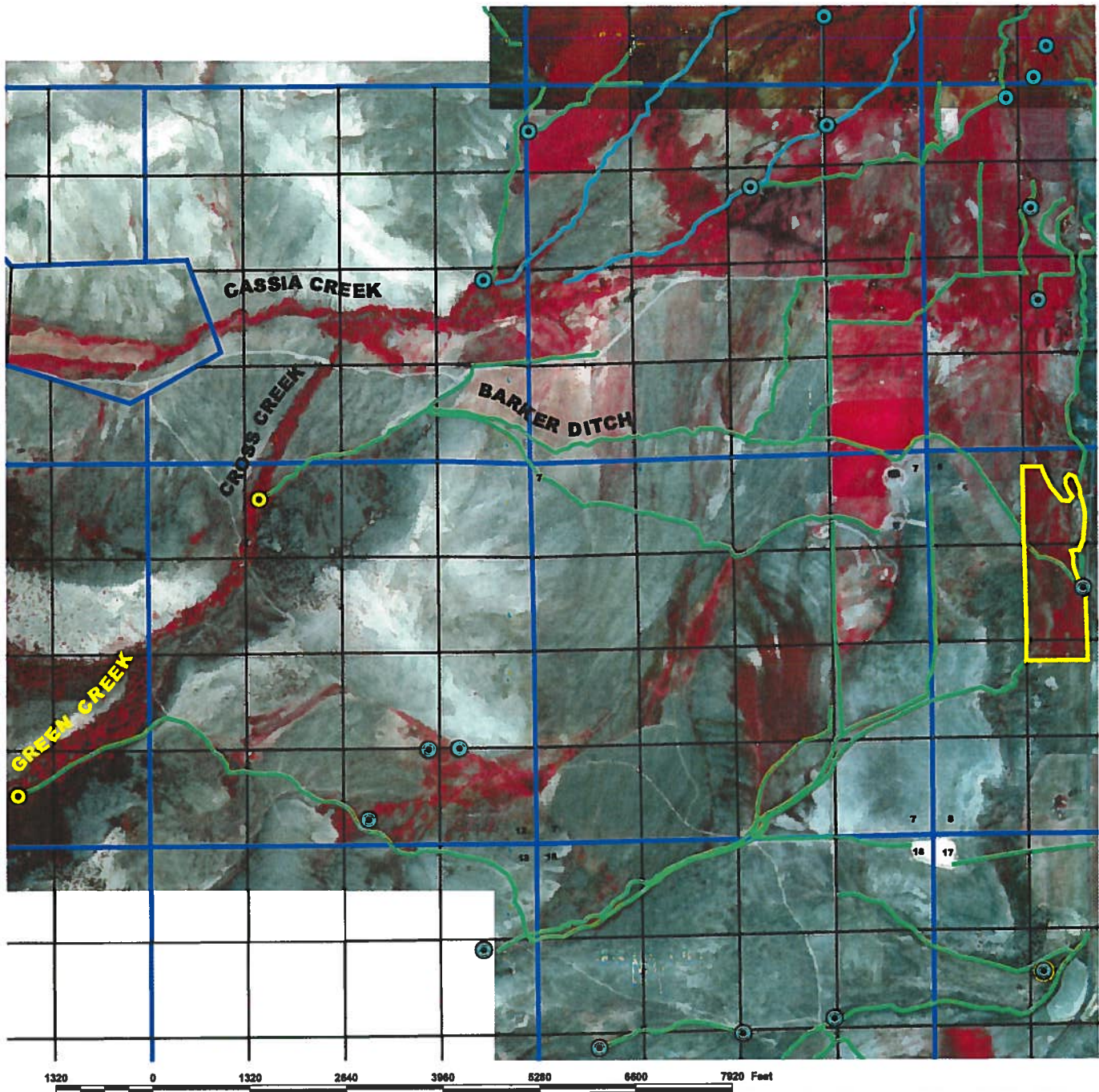
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES
0.18 CFS FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION
AND THE FIELD HEADGATE FOR THE BARKER DITCH. COMBINED RIGHT
NOS. 43-344, 43-345, and 43-346.

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES
0.35 CFS FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION
AND THE FIELD HEADGATE FOR THE GREEN CREEK DITCH. COMBINED
RIGHT NOS. 43-344, 43-345, and 43-346.

WATER IS DELIVERED THROUGH THE BARKER DITCH AND/OR GREEN
CREEK DITCHES.

RECOMMENDED PLACE OF USE FOR 43-344, 43-345, AND 43-346



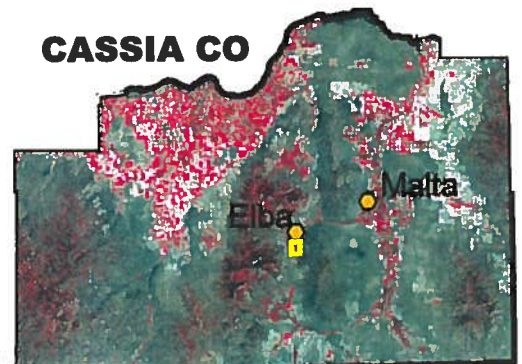
PLACE OF USE
TWP 14S, RNG 25E, SEC 8
Data entry on March 7, 2001

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



CASSIA CO



CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Green Creek ditch

BY: kkc

DATE: 3-7-01

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	3000	4.0	0.85	0.13	0.00	5.17	0.0249	0.00	6.01
2	9000	3.0	0.85	0.29	2.00	5.17	0.0561	0.16	5.88
3	5000	2.5	0.85	0.13	2.80	3.17	0.0423	0.35	3.59
4	10600	2.5	0.85	0.28	0.37	0.37	0.7691	0.33	0.65
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00

TOTAL 27600

0.84 5.17
reach 6,7 0.00

0.84

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY; REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
 IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

sum of reach 1
thru 2 0.42

Mitton	0.16
Whitaker	0.23
Tuttle	0.03
	0.42
	0.42

reach 3 0.13

rounding error
of 0.01 cfs

Whitaker	0.12
Tuttle	0.01

reach 4 0.28

Tuttle	0.28
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PROPORTIONATE SHARE

Mitton	0.16
Whitaker	0.35
Tuttle	0.32
total	0.83

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Barker ditch

BY: kkc

DATE: 3-5-01

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	2700	4.0	0.85	0.12	0.00	7.22	0.0161	0.00	8.00
2	3050	3.0	0.85	0.10	0.00	7.22	0.0136	0.00	7.88
3	1450	3.0	0.85	0.05	0.00	7.22	0.0065	0.00	7.78
4	1500	3.0	0.85	0.05	0.00	7.22	0.0067	0.00	7.74
5	1530	3.0	0.85	0.05	1.62	7.22	0.0068	0.08	7.69
6	2160	3.0	0.85	0.07	2.80	5.60	0.0124	0.17	6.02
7	2770	2.5	0.85	0.07	2.80	2.80	0.0266	0.25	3.15
8	10270	2.5	0.85	0.28		0.00	0.0000	0.00	0.28
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTAL:	25430			0.78	7.22			0.50	
				reach 6,7	5.60				

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY; REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
 IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

sum of reach 1
thru 5 0.36

Anderson 0.08
 W Whitaker 0.14
 D Whitaker 0.14
 0.36

reach 6 0.07

W Whitaker 0.035
 D Whitaker 0.037
 0.072

reach 7 0.07

D Whitaker 0.07

PROPORTIONATE SHARE

Anderson 0.08
 W Whitaker 0.18
 D Whitaker 0.25
 0.50

6-22-94

conv. with Wayne Whitaker in his home.

Southern P/O Green Canyon Cr.

shared with Hawken

Whitaker

Alfred

Lloyd

uses two ditches one from Green C. Cr.
& the other from Cross Cr. Does not use
concurrently. Does not use water from
drainage running parallel to highway.

Feels that he has 105" of 1894
40" of 1887 water.

has used water since he bought property
31st Oct 1944 P/O was SW/NE of Sec 8. now in
grass also part of SENEW (that portion west of highway)
acres east of highway has not been irrigated from
current system. uses runoff from ground east of location

in practice 2 weeks on each section.
no dry days.

7817

Original
in AFB-00053

2.76

25/11/2019

11/11/11

8.4

no ditch

6



1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

10

10

1997

2

10

100

100

10

10

10

10

1976
Fugate

DECLASSIFIED
P/24

CLAIM # A43-00344 & 00345
DATE PHOTOS TAKEN; 7-13-94
PICTURE SET # 1

This photo set was taken from Anderson's property west of the found P/U for these claims.
You are looking east on the right to north northeast on the right.

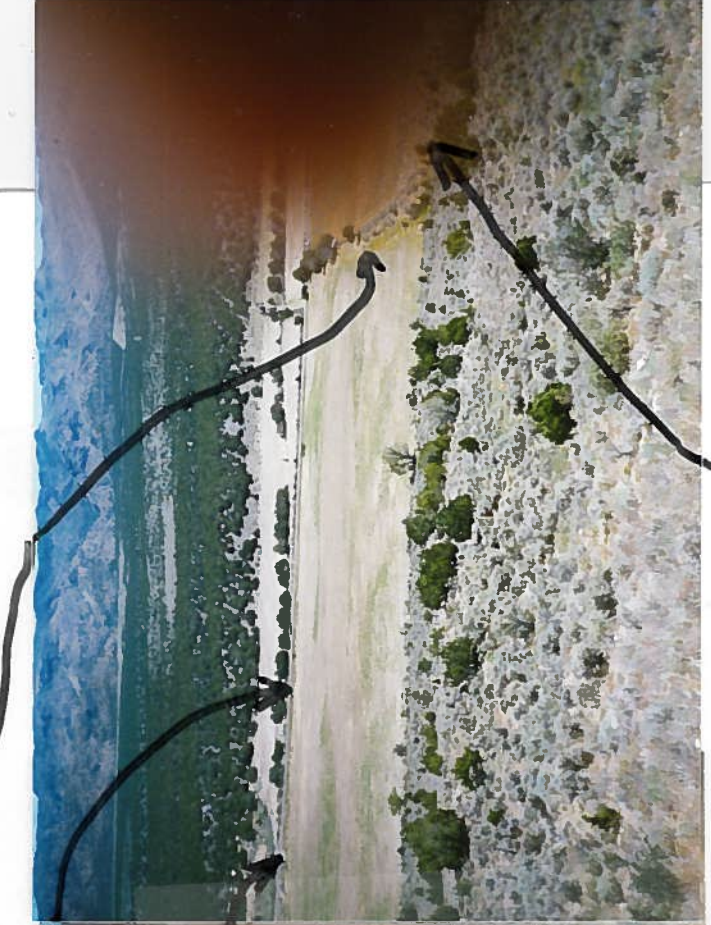
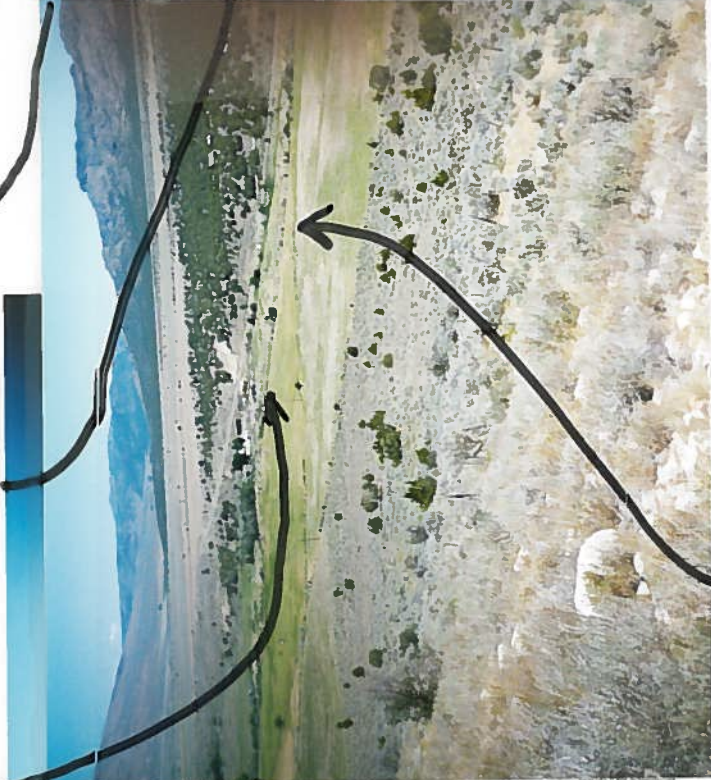
NORTH END
OF P/U

DRY WASH

DRY WASH
P/D

HIGHWAY TO
ALMO

SOUTH END
OF P/U



BARKER
DITCH

GREEN CREEK
DITCH

CLAIM # A43-00344 & 00345
DATE PHOTO TAKEN; 7-13-94
PICTURE # 2

This photo shows the diversion structure on Dry Wash that either allows water to stay in the Dry Wash channel or go into the Barker Ditch. You are looking north northeast. The van is parked along the Almo highway.

MAIN CHANNEL ROUTE

TO BURIED PIPELINE TO THE BARKER DITCH



PICTURE # 3

This set shows the riser for the buried flume that carries Barker Ditch water under the Dry Wash and the junction of the Dry Wash diversion shown in photo # 2.

PICTURE # 2
LOCATION

END OF BURIED
DRY WASH DIVERSION



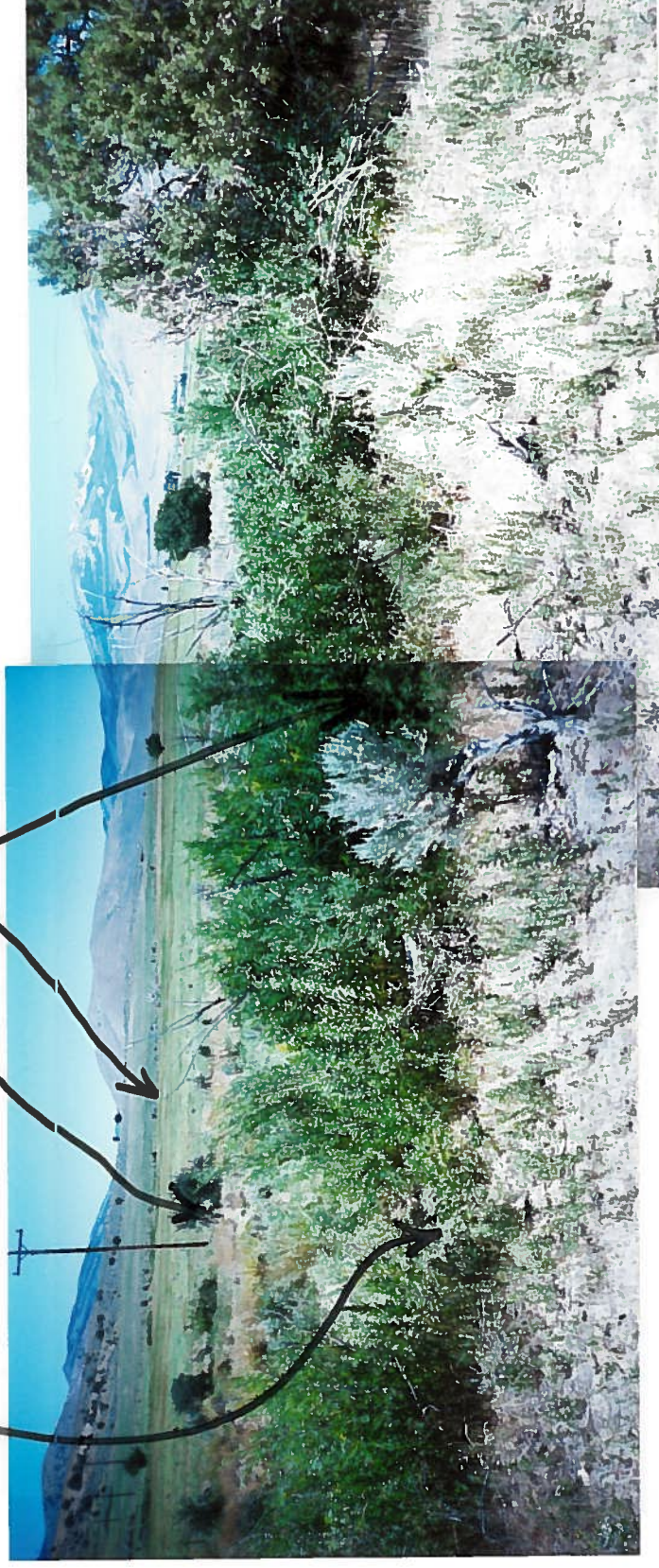
CLAIM # A43-00344 & 00345
DATE PHOTOS TAKEN; 7-13-94
PICTURE SET # 4

This photo set shows the location of the first diversion point from the Barker ditch after crossing the Dry Wash. This is the southern end of the P/U that lays east of the Dry Wash and west of the Barker ditch. Note the powerline for physical location. You are looking west northwest on the left to north northwest on the right.

DIVERSION POINT FROM
BARKER DITCH

DRY
WASH

BARKER
DITCH



CLAIM # A43-00344 & 00345
DATE PHOTOS TAKEN; 7-13-94
PICTURE SET # 5

This photo set is looking north northwest on the left to north on the right and shows the P/U described in picture set # 4. The P/U runs north from this point to the farmstead. Note that the tree shown in the far right in this set is the same tree shown on the far right of picture set # 4.

DRY WASH

BARKER DITCH

