

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: A43-00346
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 30, 1885

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	0.200		

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

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

9. Non-irrigation uses:

A43-00346

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Date: 05/22/89

MICROFILMED

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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:
A43-00344, A43-00345

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

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 Cello
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

03/07/2001

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

RIGHT NUMBER: 43-346

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

SOURCE: CROSS CREEK
GREEN CREEK

TRIBUTARY: CASSIA CREEK
CROSS CREEK

QUANTITY: 0.2 CFS

PRIORITY DATE: 04/30/1885

VERIFIED BY: KKC

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	04-01 10-31	0.20 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.

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

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.