

08/15/2007

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

RIGHT NUMBER: 73-2A

NAME AND ADDRESS: ROBERT WHITWORTH
HC 62 BOX 2290
MAY ID 83253

SOURCE: SULPHUR CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 6.800 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1884

POINT OF
DIVERSION:

T14N R21E S12 SESE Within CUSTER County

T14N R21E S13 NENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.800 CFS
STOCKWATER	01/01 12/31	0.140 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T14N R21E S12	NESE	34.00	T14N R21E S12	NWSE	40.00
T14N R21E S12	SWSE	40.00	T14N R21E S12	SESE	36.00
T14N R22E S07	NESW	8.30	T14N R22E S07 Lot 3	NWSW	35.00
T14N R22E S07 Lot 4	SWSW	33.00	T14N R22E S07	SESW	20.00

STOCKWATER in CUSTER County

T14N R21E S12	NESE	T14N R21E S12	NWSE
T14N R21E S12	SWSE	T14N R21E S12	SESE
T14N R22E S07	NESW	T14N R22E S07 Lot 3	NWSW
T14N R22E S07 Lot 4	SWSW	T14N R22E S07	SESW

246.3 ACRES TOTAL

Right Nos. 73-2A and 73-190 are limited to the irrigation of a combined total of 246.3 acres in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

04/18/2006

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

RIGHT NUMBER: 73-2A
NAME AND ADDRESS: JERALDINE WHITWORTH
PO BOX 2290
MAY ID 83253

ROBERT WHITWORTH
PO BOX 2290
MAY ID 83253

SOURCE: SULPHUR CREEK TRIBUTARY: PAHSIMEROI RIVER
QUANTITY: 6.800 CFS
PRIORITY DATE: 05/01/1884
POINT OF DIVERSION:

T14N R21E S12 SESE Within CUSTER County
T14N R21E S13 NENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.800 CFS
STOCKWATER	01/01 12/31	0.140 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R21E S12	NESE	34.00	T14N R21E S12	NWSE	40.00
T14N R21E S12	SWSE	40.00	T14N R21E S12	SESE	36.00
T14N R22E S07	NESW	8.30	T14N R22E S07 Lot 3	NWSW	35.00
T14N R22E S07 Lot 4	SWSW	33.00	T14N R22E S07	SESW	20.00

STOCKWATER Within CUSTER County

T14N R21E S12	NESE	T14N R21E S12	NWSE
T14N R21E S12	SWSE	T14N R21E S12	SESE
T14N R22E S07	NESW	T14N R22E S07 Lot 3	NWSW
T14N R22E S07 Lot 4	SWSW	T14N R22E S07	SESW

246.3 ACRES TOTAL

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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.



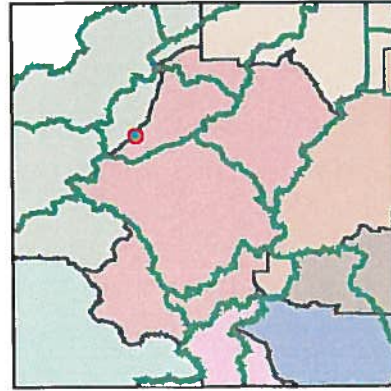
Idaho Department of Water Resources

Adjudication Claim:

73-2A

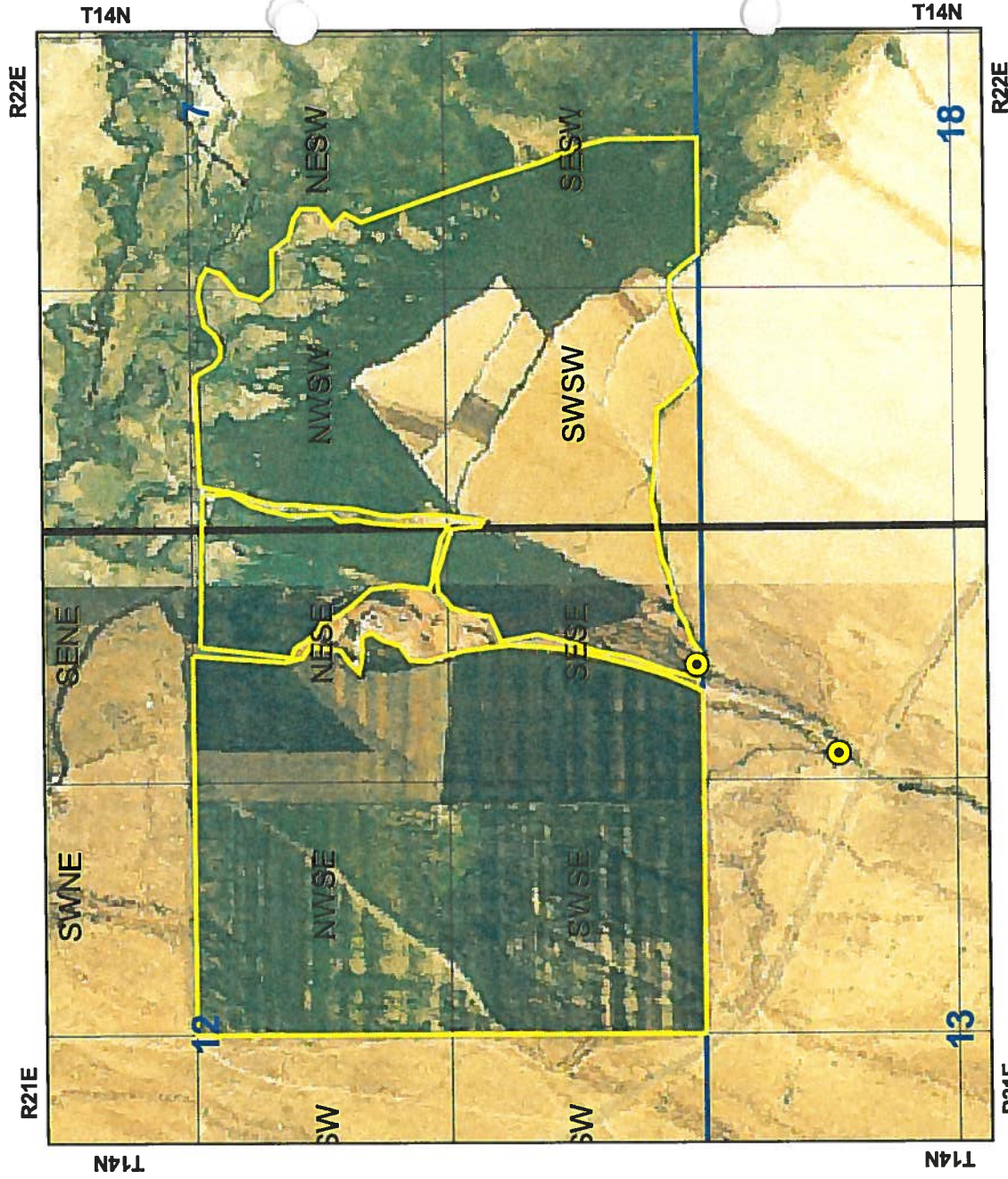
Legend

- Point of Diversion
- ▭ Place of Use
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters



Custer County
IDWR Basin 73

Prepared by R. Brown
On Tuesday, April 18, 2006
1987/88 Aerial Photography



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

A73-00002A

Date Received

4-16-90

Receipt Number

E013241/90

NOTICE OF CLAIM
TO A
WATER RIGHT

B.W. ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Robert & Jeraldine Whitworth Phone (208) 876-4221

Mailing Address

8C 62 Box 2290
May Idaho

Zip

832532. Date of Priority (Only one (1) per claim) 1884 - No day or month3. Source of water supply (a) Sulphur Creek
which is tributary to (b) Pahsimeroi River4. a. Location of existing point of diversion is: Township DP#1 14N Range 21E Section 13NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of CusterAdditional points of diversion if any: DP#2 - T14N, R21E, Sec 12, SE SE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Wooden checks about
4' w by 3' h in creek & about 2' w & 3' h in
ditches. Combination of sprinkler irrigation
& Flood Irrigation Systems.

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DEC 14 1992

A7300002A



6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 6.8 or _____
For Stock Water purposes from 1-1 to 12-31 amount .16 or _____
For Groundwater Recharge purposes from 11-1 to 4-1 amount 2.0 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 650 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater in ditches 600 Adult cattle year round

10. Description of place of use:
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	21E	12													35	40	40	40	155
14N	22E	7									8	38	38	21					105
14N	21E	12													S			S	
14N	22E	7									S								

Total number of acres irrigated 260

11. In which county (ies) are lands listed above as place of use located? CLUSTER

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Right # 73-00190 for irrigation or None ()

14. Remarks: Water from Sulphur creek does not freeze and is used in ditches for Stockwater year round. Water diverted for livestock returns to Sulphur creek or goes into groundwater recharge.

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Last Name B. Whitworth Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 73-00002
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 1 map

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Robert J Whitworth Date Apr 10, 1989
Geraldine Whitworth Date Apr 10, 1989

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 10th day of April, 19 90

SEAL

Notary Public Jacqueline Herrin
Residing at May, Idaho
My Commission Expires 09/23/93
Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name B. Whitworth Ident. Number _____

MICROFILMED

DEC 14 1992

Copies White-State, Yellow-Claimant

Idaho Department of Water Resources Receipt

Receipt ID: C088022

Payment Amount	\$172.00	Date Received	2/12/09 1:18	Region	STATE
Payment Type	Money Order	Check Number	021324		
Payer	SYRINGA BANK, ROXANNE BROWN				

Comments Order Granting Motion to Amend Claim and Setting Deadlines. for Robert Whitworth 73-00002
A

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$172.00	ADJUDICATION FILING FEE	0337		41503	1155

SR7
Signature Line (Department Representative)

73 00002 A WHITWORTH, ROBERT

Search ROA Code:

Date:

File#: 75

LR: 28

X	ROA	Text	Filed MMDDYEAR	WA	Disp/SET MMDDYEAR	Res/ Obj
	O01	OBJ 01 F/B WHITWORTH, ROBERT	8162007	RB	2182008	1
-	M20	MOTION TO FILE AMENDED NOTICE OF CLAIM	8162007	MG	3132008	
-	T99	AMENDED CLAIM	8162007			
-	A55	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	8202007			
-	D12	AMENDED DIRECTOR'S REPORT	8202007			
-	D12C	CHANGE: ADDRESS				
-	N20	NOTICE SETTING HEARING	2202008	HS	3132008	930
-	N20C	Motion to Amend Claim				
-	H20	HEARING HELD	3132008	HH	3132008	930
-	M01	MINUTES-NO RECORDING PER SPECIAL MASTER	3132008			
-	O23	ORDER GRANTING MOTION TO AMEND CLAIM AND	3132008			
-	O23C	SETTING DEADLINES				
-	O23C	AMENDED DR DUE 4/30/08		AB	4302008	500
-	O23C	OBJECTIONS TO AMENDED DR DUE 5/28/08		8B	5282008	500

--> A:add U:update D:delete C:copy L:link P:print T:top B:bottom

F1=Menu F2=Prior F3=Next F4=Name/Subcase List F5=N/L Evt F8=D/R
 F9=Claimant F10=Objection F11=Copy F12=Respondant F13=P/D F14=Sched F24=Scan

RECEIVED

FEB 12 2009

DEPARTMENT OF
WATER RESOURCES

Spring said go
ahead. They'll
process it.
EAP

PURCHASER'S RECEIPT

ZG041314

021324



Syringa Bank

Expertise • Integrity • Value

1299 North Orchard Street
Boise, ID 83706

August 14, 2007

92-375/1241

DRAWN TO THE
ORDER OF

IDWR

\$ 172.00

EXACTLY \$172.00 00cts

CASHIER'S CHECK

MEMO ROXANNE BROWN

CUSTOMER'S MEMO:

FOR

NOT NEGOTIABLE