

01/07/2007

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

RIGHT NUMBER: 73-138

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 167
MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T15N R21E S11 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S12	SWSE	40.00	T15N R21E S12	SESE	38.00
T15N R21E S13	NENE	37.00	T15N R21E S13	NWNE	40.00
T15N R21E S13	SWNE	31.00	T15N R21E S13	SENE	36.00
T15N R21E S13	NESE	37.00	T15N R21E S13	NWSE	39.00
T15N R21E S13	SWSE	40.00	T15N R21E S24	SESE	21.00
T15N R21E S25	NENE	26.00	T15N R22E S07 Lot 4	SWSW	40.00
T15N R22E S18	NENW	9.30	T15N R22E S18 Lot 1	NWNW	40.00
T15N R22E S18 Lot 2	SWNW	39.00	T15N R22E S18	SENW	27.00
T15N R22E S18	NESW	4.40	T15N R22E S18 Lot 3	NWSW	38.00
T15N R22E S19 Lot 1	NWNW	39.00	T15N R22E S19 Lot 2	SWNW	40.00
T15N R22E S19 Lot 3	NWSW	37.00			

698.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 698.7 acres in a single irrigation season. Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-2166. 73-4005.

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 place of use pursuant to Section 42-1425, Idaho Code.

10/07/2006

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

RIGHT NUMBER: 73-138

NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 146
MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T15N R21E S11 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
1.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R21E S12	SWSE	40.00	T15N R21E S12	SESE	38.00
T15N R21E S13	NENE	37.00	T15N R21E S13	NWNE	40.00
T15N R21E S13	SWNE	31.00	T15N R21E S13	SENE	36.00
T15N R21E S13	NESE	37.00	T15N R21E S13	NWSE	39.00
T15N R21E S13	SWSE	40.00	T15N R21E S24	SESE	21.00
T15N R21E S25	NENE	26.00	T15N R22E S07 Lot 4	SWSW	40.00
T15N R22E S18	NENW	9.30	T15N R22E S18 Lot 1	NWNW	40.00
T15N R22E S18 Lot 2	SWNW	39.00	T15N R22E S18	SENW	27.00
T15N R22E S18	NESW	4.40	T15N R22E S18 Lot 3	NWSW	38.00
T15N R22E S19 Lot 1	NWNW	39.00	T15N R22E S19 Lot 2	SWNW	40.00
T15N R22E S19 Lot 3	NWSW	37.00			

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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09/05/2006

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

RIGHT NUMBER: 73-138
NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 146
MAY ID 83253
SOURCE: MORGAN CREEK TRIBUTARY: PATTERSON CREEK
QUANTITY: 1.600 CFS
PRIORITY DATE: 06/01/1895
POINT OF DIVERSION: T15N R21E S11 NENE Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.600 CFS
PLACE OF USE:	<u>IRRIGATION Within LEMHI County</u>		
	T15N R21E S12 SWSE	40.00	T15N R21E S12 SESE 35.00
	T15N R21E S13 NENE	37.00	T15N R21E S13 NWNE 40.00
	T15N R21E S13 SWNE	31.00	T15N R21E S13 SENE 31.00
	T15N R21E S13 NESE	38.00	T15N R21E S13 NWSE 37.00
	T15N R21E S13 SWSE	40.00	T15N R21E S24 SESE 21.00
	T15N R21E S25 NENE	26.00	T15N R22E S07 Lot 4 SWSW 2.10
	T15N R22E S18 NENW	9.30	T15N R22E S18 Lot 1 NWNW 32.00
	T15N R22E S18 Lot 2 SWNW	37.00	T15N R22E S18 SENW 23.00
	T15N R22E S18 Lot 3 NWSW	34.00	T15N R22E S19 Lot 1 NWNW 23.00
	T15N R22E S19 Lot 2 SWNW	40.00	T15N R22E S19 Lot 3 NWSW 37.00

613.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 613.4 acres in a single irrigation season. Combined Right Nos.: 73-128, 73-133, 73-137, 73-138, 73-142, 73-143, 73-2166.

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

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Idaho Department of Water Resources

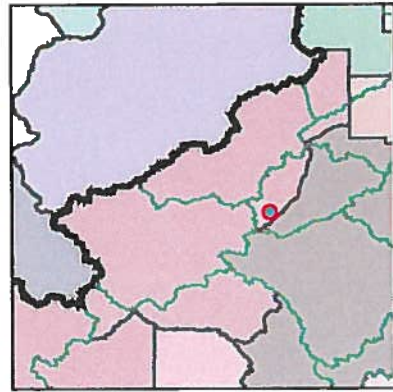
SRBA Recommendation:

**73-128, 73-133,
73-137, 73-138**

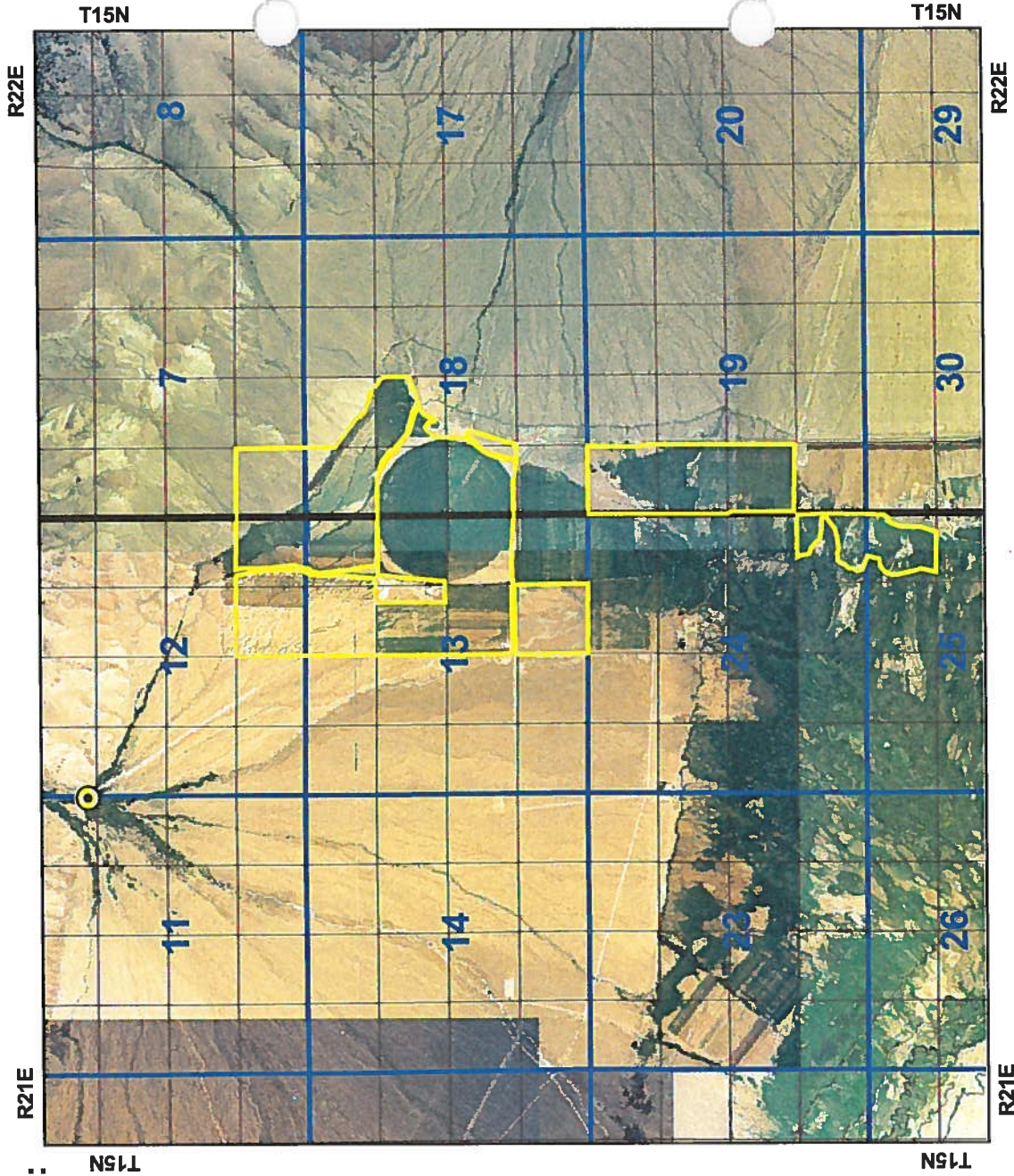
(Irrigation)

Legend

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



Lemhi County
IDWR Basin 73



0 1 2 Miles

Prepared by R. Brown
On Saturday, October 7, 2006
1987/88 Aerial Photography

10/07/2006

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

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PO BOX 146
MAY ID 83253

SOURCE: MORGAN CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T15N R21E S11 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
1.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R21E S12	SWSE	40.00	T15N R21E S12	SESE	35.00
T15N R21E S13	NENE	37.00	T15N R21E S13	NWNE	40.00
T15N R21E S13	SWNE	31.00	T15N R21E S13	SENE	31.00
T15N R21E S13	NESE	38.00	T15N R21E S13	NWSE	37.00
T15N R21E S13	SWSE	40.00	T15N R21E S24	SESE	21.00
T15N R21E S25	NENE	26.00	T15N R22E S07 Lot 4	SWSW	2.10
T15N R22E S18	NENW	9.30	T15N R22E S18 Lot 1	NWNW	32.00
T15N R22E S18 Lot 2	SWNW	37.00	T15N R22E S18	SENW	23.00
T15N R22E S18 Lot 3	NWSW	34.00	T15N R22E S19 Lot 1	NWNW	23.00
T15N R22E S19 Lot 2	SWNW	40.00	T15N R22E S19 Lot 3	NWSW	37.00

613.4 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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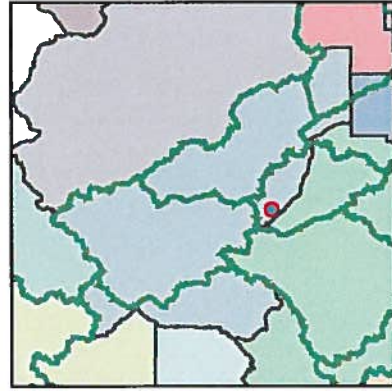
Idaho Department of Water Resources

SRBA Recommendation:

**73-128, 73-133,
73-137, 73-138**

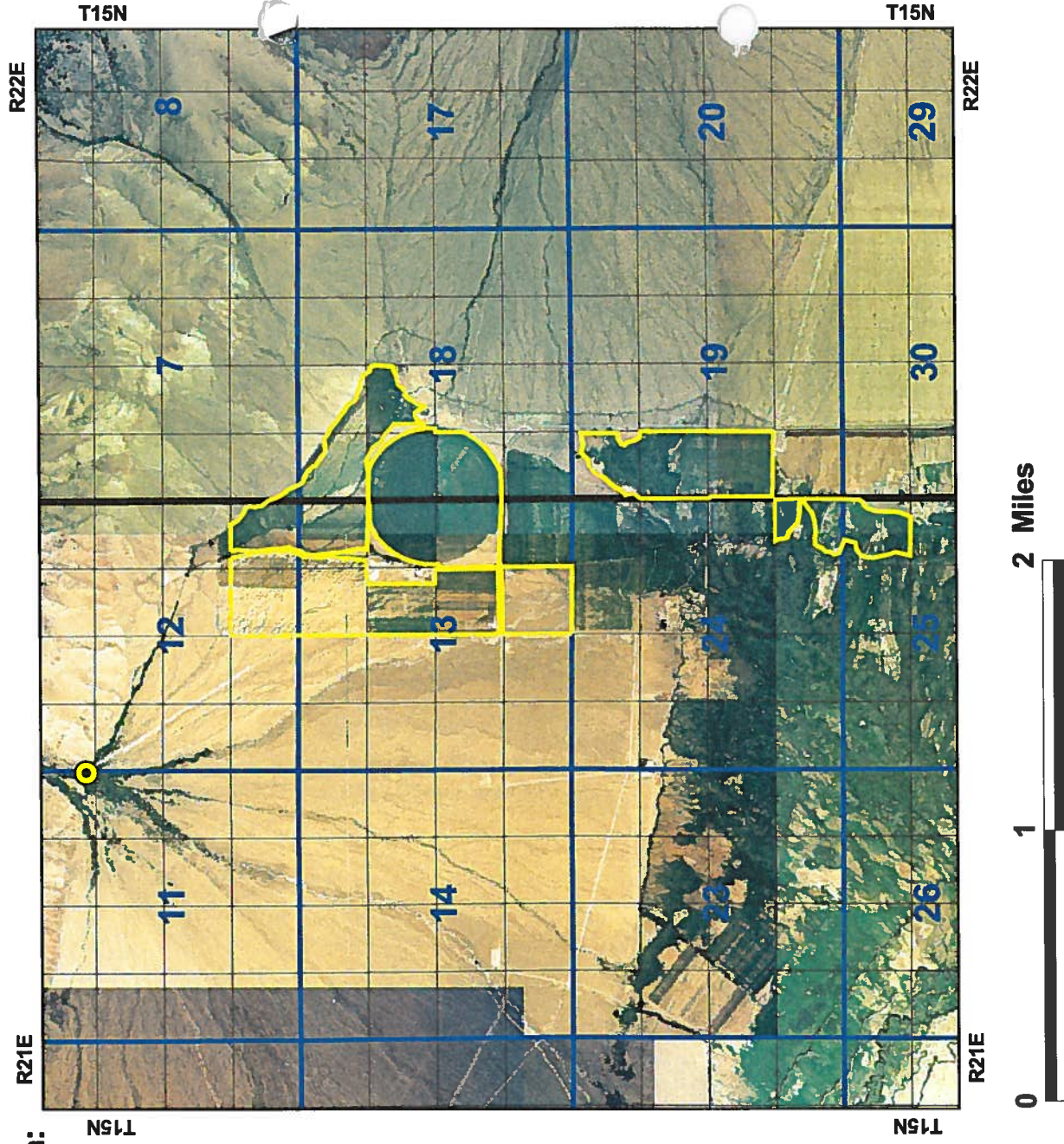
Legend

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



Lemhi County
IDWR Basin 73

Prepared by R. Brown
On Thursday, May 11, 2006
1987/88 Aerial Photography



6-5-2003

DIVERSION INFORMATION, WATER DISTRICT 73
PAHSIMEROI RIVER AND TRIBUTARIES

00128
00134
00135
00139B
04005
00138

GENERAL INFORMATION

RANCH NAME (IF APPLICABLE) _____
LAST NAME _____
FIRST NAME _____ PHONE _____
STREET ADDRESS _____
CITY _____ ZIP _____

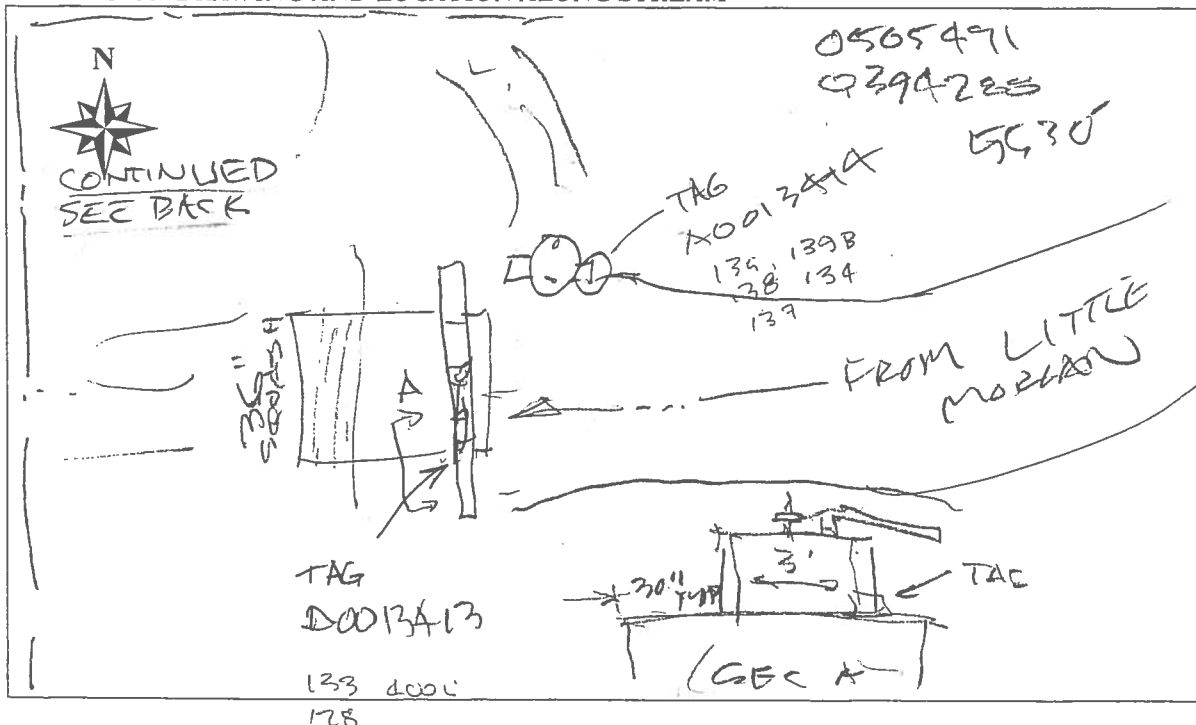
DIVERSION INFORMATION

STREAM, DITCH OR CANAL NAME LITTLE MORCOW CR
DIVERSION NAME _____
GPS TAG, IDWR TAG 10013413 / 100 13914
PLEASE LIST ANY TAGS OR MARKERS ON OR NEAR DIVERSION
DIVERSION CO-USERS GLENNER / WHITE WATWORTH
PLEASE LIST ALL OTHER WATER USERS USING THIS DIVERSION

HEADGATE AND MEASURING DEVICE DESCRIPTION

EXISTING HEADGATE-YES ☒ NO _____ HEADGATE PLANNED-YES _____
EXISTING MEASURING DEVICE-YES _____ NO _____ MEASURING DEVICE PLANNED-YES _____
HEADGATE DESCRIPTION 36" LEVER OPERATED SLIDE
PLEASE LIST CONDITION, DIMENSIONS AND CONSTRUCTION TYPE
24" SCREW OPERATED SLIDE
MEASURING DEVICE DESCRIPTION NU-WAY ON LOWET DITCH, 18' cfs
PLEASE LIST CONDITION, TYPE AND MAKE OF DEVICE 2'

DIVERSION DRAWING AND LOCATION ALONG STREAM



Split Analysis

Water Right Number:	73-138
Diversion Rate:	1.6 CFS
Reviewer Name:	Danielle Favreau
Date:	5/5/2006

[illegible]

73-138
(160.0 ac & 1.60 cfs)

73-138, Judd
(120.0 ac & 1.20 cfs)

Scott
(40.0 ac & 0.40 cfs)

appears to be
accomplished transfer
to Judd

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
73-138	1.6	160	0.010
73-138, Judd	1.20	120	0.010
Scott	0.40	40	0.010

15N21E24NESE does have the
only 4 areas claimed



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 7, 2006

Jack Whitworth
Whitworth Ranches Inc.
P.O. Box 146
May, ID 83253

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Reply – Subcase No. 73-133
Claim for high flow from Tater Creek (73-12079)
Claim for high flow from Morgan Creek (73-4005)

Dear Jack,

Thank you for your response to our preliminary recommendation of the water right claim(s) captioned above. This letter is an attempt to answer your questions and address your concerns about the recommendation(s).

73-133 We have adjusted the irrigated area to clarify your actual use, based on our conversation concerning the production history of the ranch.. Our calculation indicates a total of 698.7 acres of irrigation from Morgan Creek. We also adjusted the recommendation for 73-128, 73-137 and 73-138 to match these findings.

73-4005 We are unable to recommend this claim without additional information. Since the claim is for additional water from Morgan Creek , please complete and submit the enclosed questionnaire. The information you supply describing your water delivery system and irrigation methods is essential in order for our staff to evaluate this beneficial use claim. Much of the information required is technical; you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

73-12079 I have enclosed a claim for your use Of Tater Creek high flow. Please review the claim, sign and return it for our investigation. Your signature needs to be notarized. The filing fee for this claim is \$100.00; the fee should be submitted with the claim. I've also enclosed a flow rate questionnaire for this claim.

It was a pleasure meeting with you. Thanks so much for your help with this process.

Please call me at (208) 287-4914 if you have additional questions or concerns. You may also reach me using email: roxanne.brown@idwr.idaho.gov.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne".

Roxanne Brown
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources

Enclosures