

09/17/2009

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

RIGHT NUMBER: 73-2058

NAME AND ADDRESS: JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

LARRY D WHITTIER
HC 62 BOX 2161
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.320 CFS

PRIORITY DATE: 03/07/1910

POINT OF DIVERSION:

T12N R24E S32 SWNW 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	1.320 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T12N R24E S21	NENE	3.30	T12N R24E S21	NWNE	33.00
T12N R24E S21	SWNE	40.00	T12N R24E S21	SENE	26.00
T12N R24E S21	NENW	40.00	T12N R24E S21	SENW	37.00

179.3 ACRES TOTAL

This right is limited to the irrigation of 66.0 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 357.3 acres in a single irrigation season. Combined Right Nos.: 73-167, 73-2058, 73-2169, & 73-10003

The rights listed below are limited to the irrigation of a combined total of 179.3 acres in a single irrigation season. Combined Right Nos.: 73-167 & 73-2058.

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 - License

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-2058

WATER RIGHT NUMBER: 73-2058

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES C WHITTIER HC 62 BOX 2160 MAY, ID 83253 (208)876-4268
Original Owner	THETA WHITTIER HC 62 BOX 2160 MAY, ID 83253 (208)876-4218
Current Owner	JUDI A WHITTIER HC 62 BOX 2161 MAY, ID 83253 (208)876-4474
Current Owner	LARRY D WHITTIER HC 62 BOX 2161 MAY, ID 83253 (208)876-4474

Priority Date: 03/07/1910

Basis: License

Status: Active

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

1.320 CFS

Annual VolumeTotal Diversion:

1.320 CFS

Location of Point(s) of Diversion

PAHSIMEROI RIVER

SW1/4NW1/4

Sec. 32, Twp 12N, Rge 24E, B.M.

CUSTER County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12N	24E	21			40.0				26.0										66.0

Total Acres: 66

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-2058

1. THE CLAIM ABOVE IDENTIFIED IS KNOWN BY THE CLAIMANT BY THE COMMON NAME OF
ROSS PLACE.
ASSUME STOCKWATER USE SAME AS IRRIG.
CHANGED OWNERSHIP 11/12/96/JT/GT

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 11/6/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number: 73
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



Idaho Department of Water Resources

Adjudication Recommendation

73-2058

(IRRIGATION)

Legend

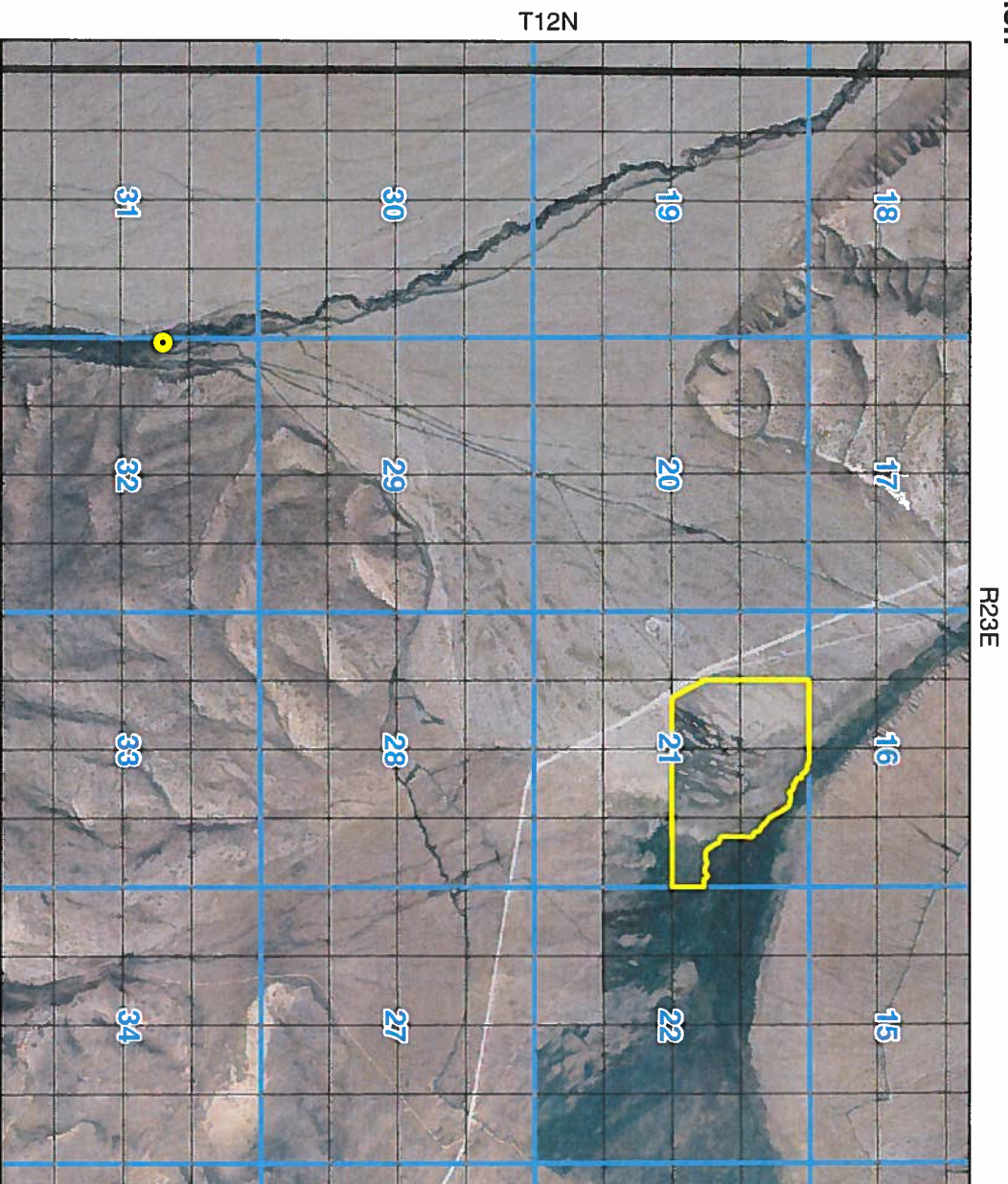
- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Custer County
IDWR Basin 73



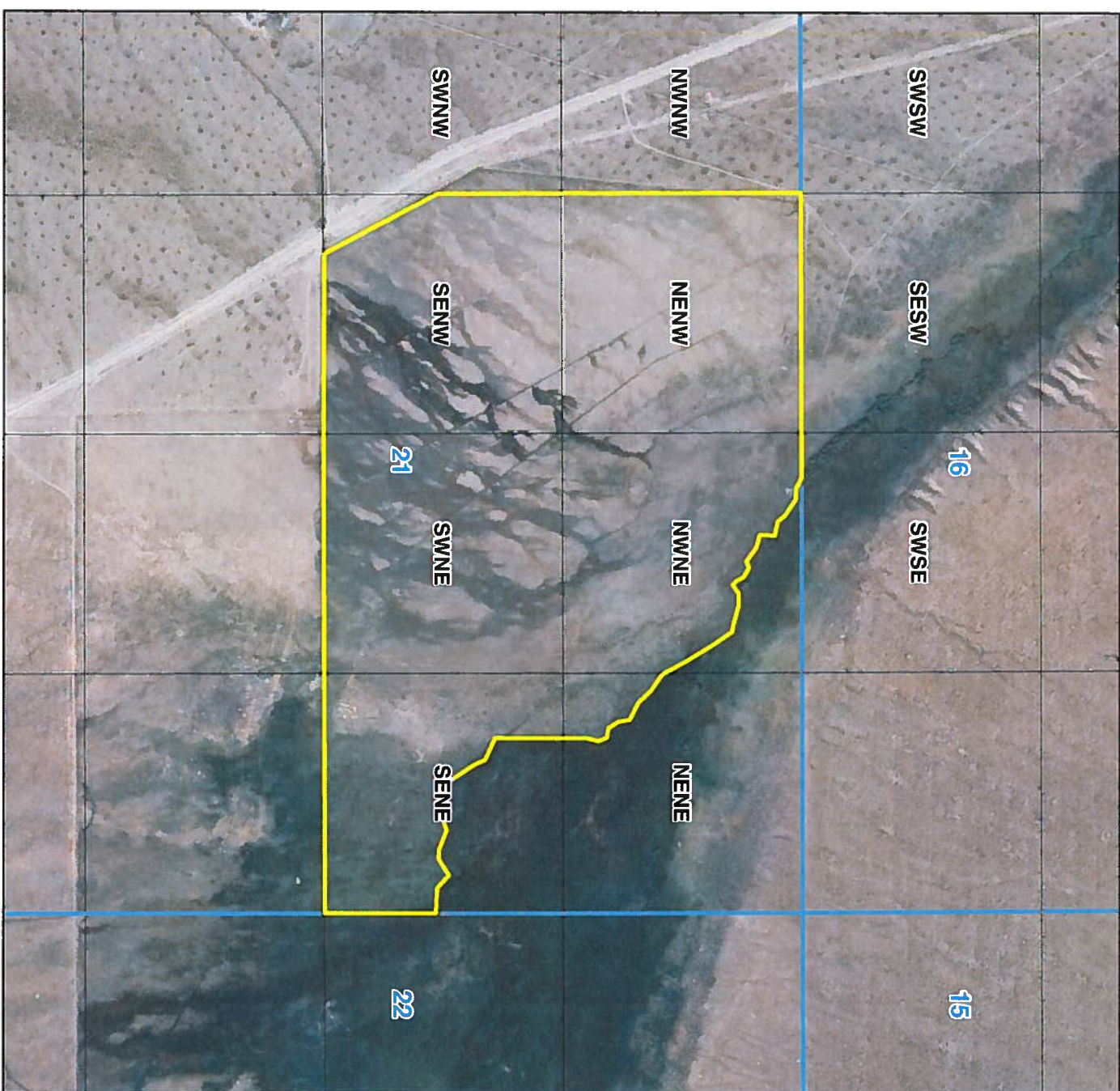
0 0.5 1 2 Miles



Prepared by Craig Saxton
On September 22, 2009
2004 Aerial Photography



73-2058



2009 JUL 08 PM 03:44
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	NOTICE SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
		SUBCASE NOS: 73-00167	73-02058
		73-02169	73-10003

The Initial Hearing for this subcase will be held before
Special Master TERRENCE A. DOLAN

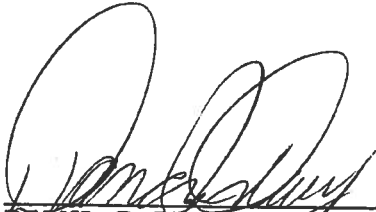
WEDNESDAY, AUGUST 12, 2009 at 09:00 AM (M
CUSTER COUNTY COURTHOUSE
801 MAIN
CHALLIS, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
AUGUST 07, 2009 or hearing will not be vacated.

Dated: JULY 08, 2009



DIANA R DELANEY
Deputy Clerk
Snake River Basin Adjudication

FILE COPY FOR 00047
FILE COPY FOR 00047

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on JULY 08, 2009,
with sufficient first-class postage to the following:

JUDI A WHITTIER
LARRY D WHITTIER
HC 62 BOX 2161
MAY, ID 83253
Phone: 208-876-4474

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Deputy Clerk



Idaho Department of Water Resources

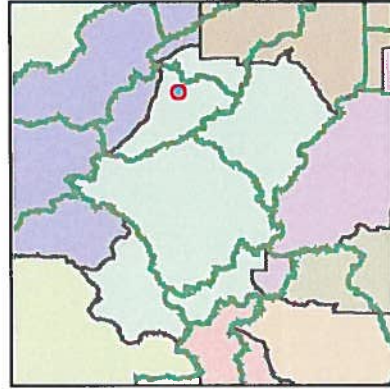
RD 53

Adjudication Claim:

73-2058

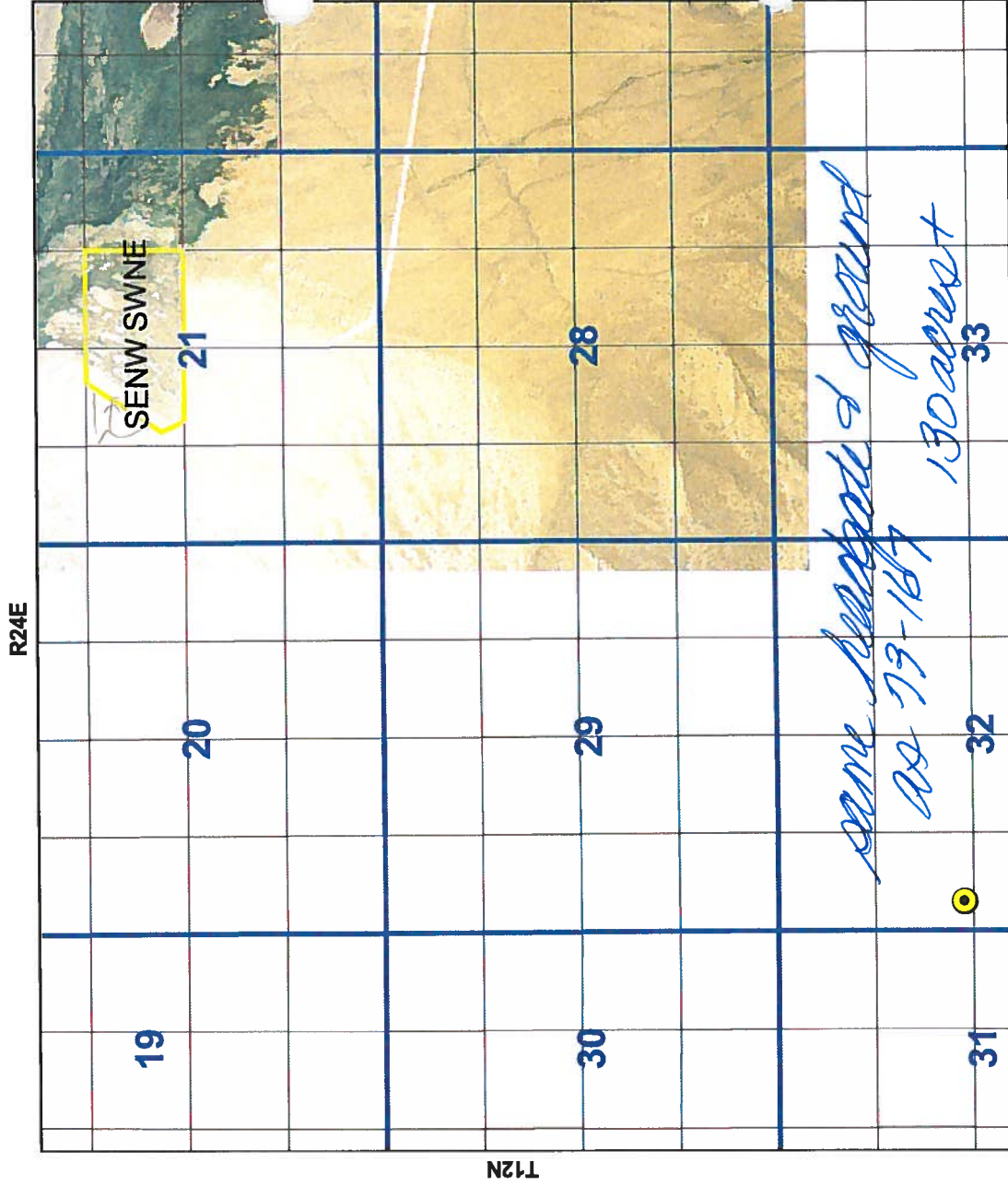
Legend

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



Custer County
IDWR Basin 73

Prepared by D. Favreau
On Monday, April 24, 2006
1987/88 Aerial Photography



0 1 2 Miles

04/24/2006

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

RIGHT NUMBER: 73-2058

NAME AND ADDRESS: JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

LARRY D WHITTIER
HC 62 BOX 2161
MAY ID 83253

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TRIBUTARY: SALMON RIVER

QUANTITY: 1.320 CFS

PRIORITY DATE: 03/07/1910

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.320 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T12N R24E S21	SWNE	40.00	T12N R24E S21	SENE	26.00
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66 ACRES TOTAL

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

~~THE CLAIM ABOVE IDENTIFIED IS KNOWN BY THE CLAIMANT BY THE
COMMON NAME OF ROSS PLACE.~~

~~ASSUME STOCKWATER USE SAME AS IRRIG.~~

~~**CHANGED OWNERSHIP 11/12/96/JT/GT**~~

*Removed 5/8/06
R/Brown*

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

Adjudication Claim:

73-2058

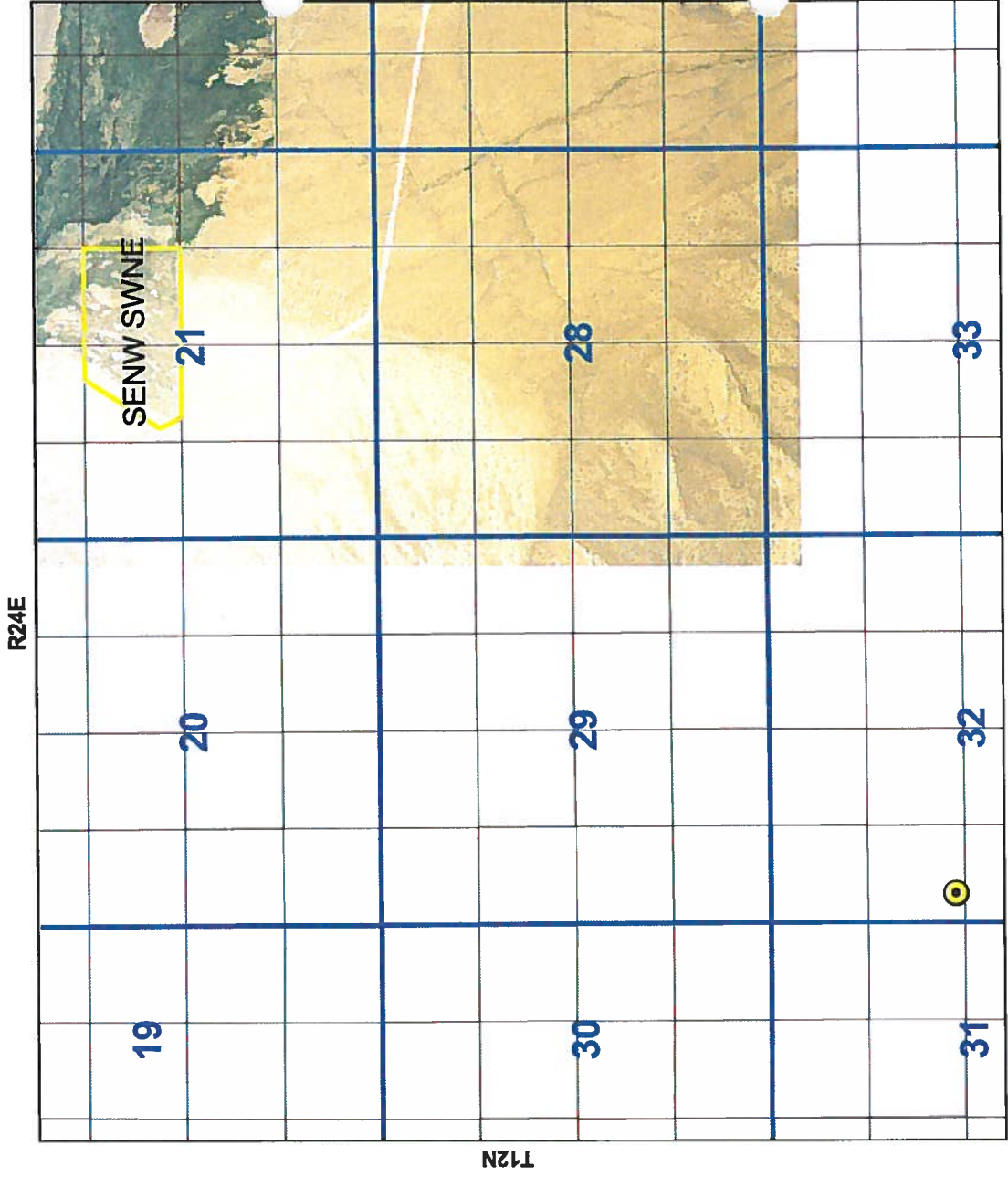
Legend

- Point of Diversion
- Place of Use
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- Quarter Quarters

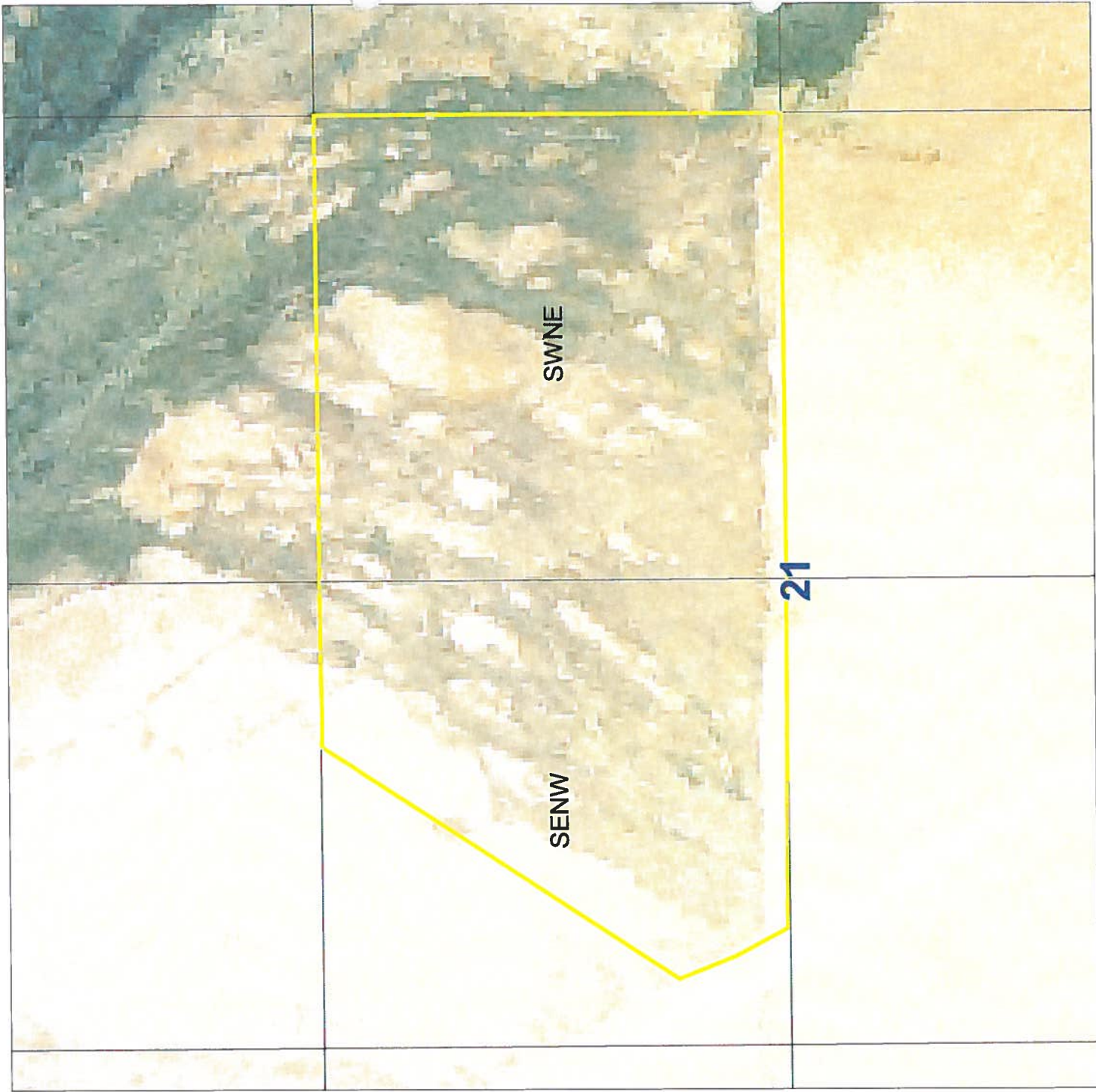
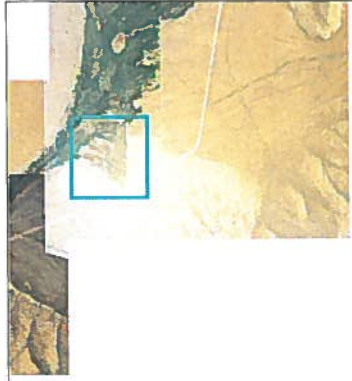


Custer County
IDWR Basin 73

Prepared by D. Favreau
On Monday, April 24, 2006
1987/88 Aerial Photography



73-2058



GPS FIELD DATA FORM - IDWR, Water Distribution

Water District No.: 73 Water Dist. Div. No.: _____
(if applicable)

Date: 9-20-01 Examiner: Bob Foster

Stream / Source: Pattsimeroi River

Diversion Type: ☒ diversion ☐ exchange ☐ flow station ☐ reservoir

Diversion Name: (Alger headgate) Whittier

Point of Diversion: _____

Access: _____

USGS Map: _____

GPS Site Tag No.: A000768 (name) A0000768? (number) GPS File Name: P092015A

GPS Tag Location: headgate

GPS Offset: _____

Watermaster Control: ☒ YES ☐ NO

Diversion Description lockable headgate, three foot rectangular w/cer
washed out. needs replaced

Measurement: NONE

Water Right Owner: Hatch, Whitworth

Current Water Rights: _____

BLM A000768?