

05/01/2006

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

RIGHT NUMBER: 73-4005
NAME AND ADDRESS: WHITWORTH RANCHES INC
PO BOX 146
MAY ID 83253

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

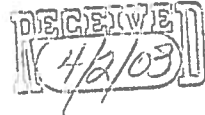
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 73-4005
Date Received: 4/2/2003
Receipt No: C068492
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



1. Name of Claimant(s)

WHITWORTH RANCHES INC Phone: (208)876-4405
PO BOX 146
MAY ID USA 83253

2. Date of Priority: 06/01/1883

3. Source: MORGAN CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	21E	11	NE NE	LEMHI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	9/30	32.8	

7. Total Quantity Appropriated is:
32.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	21E	12	SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			Section Acres			
15N	21E	13	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			Section Acres			
15N	21E	24	SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			Section Acres			
15N	21E	25	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			Section Acres			
15N	22E	18	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			Section Acres			
15N	22E	19	NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			Section Acres			
Total Acres						680

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

128
133
137
138

14. Remarks:

SOURCE ALSO KNOWN AS LITTLE MORGAN CREEK

15. Basis of Claim: Statutory Claim

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 Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

Whitworth Ranches LLC, that I have signed the foregoing Organization

document in the space below as Secretary of Title

Whitworth Ranches LLC and that the statements contained in the Organization

foregoing document are true and correct. Jack M. Whitworth Signature of Authorized Agent

Title and Organization

4/2/03
Date

State of Idaho)

County of Ada)

SS. .

Subscribed and sworn (or affirmed) before me this

of April 2003

2nd
Roxanne Brown

Notary Public

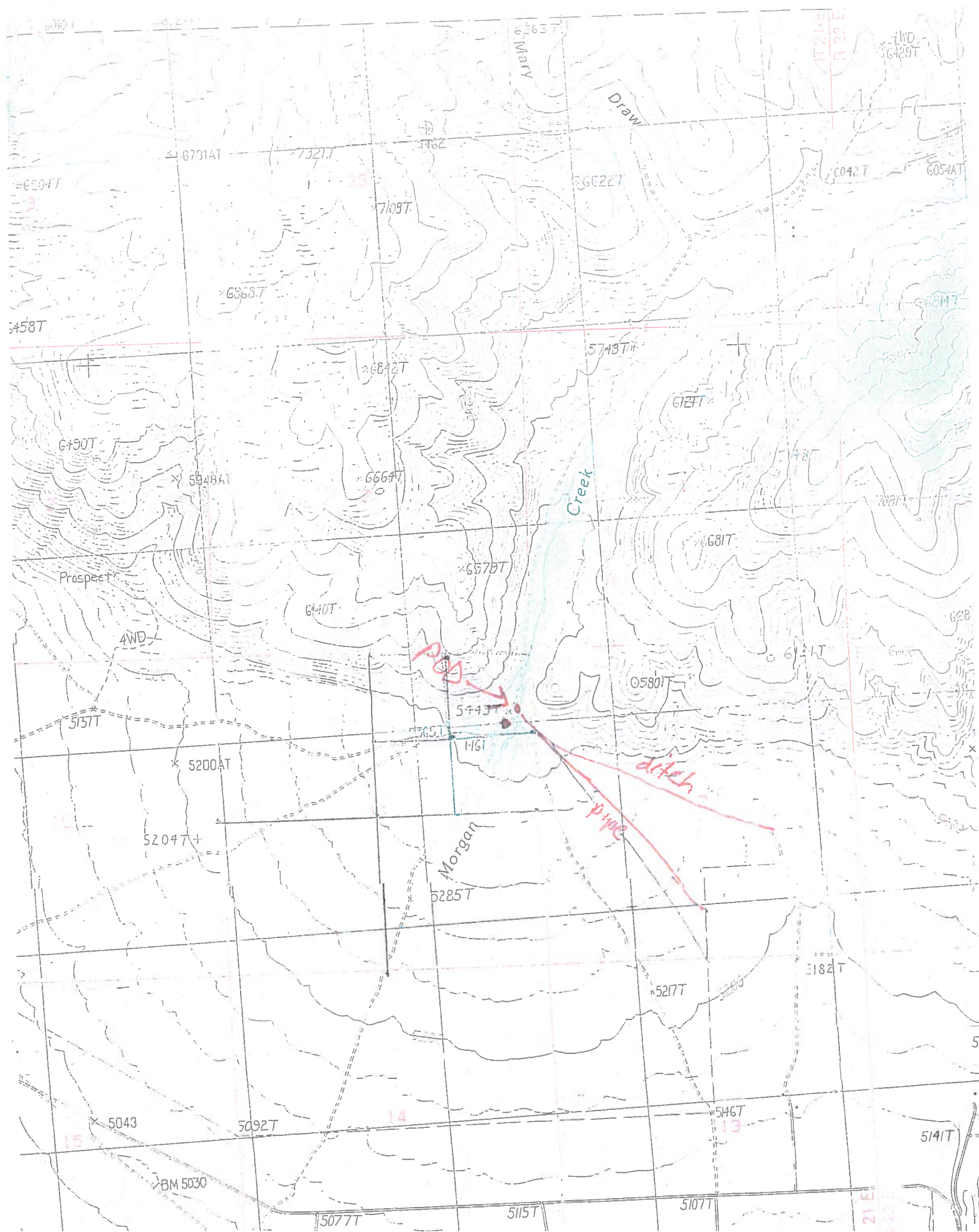
Residing at

Brown, 2nd

My commission Expires

5/16/2008





01/07/2007

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

RIGHT NUMBER: 73-4005

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

SOURCE: MORGAN CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 9.660 CFS

PRIORITY DATE: 06/16/1917

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 09/30	9.660 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 - Beneficial Use

RECEIVED

JUN 30 2008

Department of Water Resources
Eastern Region