

01/07/2007

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

RIGHT NUMBER: 73-12079

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

SOURCE: TATER CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 3.200 CFS

PRIORITY DATE: 08/05/1914

POINT OF DIVERSION:

T15N R22E S18 NESW Within LEMHI County

T15N R22E S18 NESE Within LEMHI County

T15N R22E S18 NWSE 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	3.200 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S13	SWNE	31.00	T15N R21E S13	SENE	36.00
T15N R21E S13	NESE	37.00	T15N R21E S13	NWSE	37.00
T15N R21E S24	SESE	21.00	T15N R21E S25	NENE	26.00
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			

412.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 412.4 acres in a single irrigation season. Combined Right Nos.: 73-142, 73-143, 73-12079.

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

Source is also known as Potato Creek or Spud Creek.

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Whitworth Tater Creek BY: D. Shaff DATE: Jan 7, 2007
Upper Diversion

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	11900	6.0	6.00	5.41	4.25	0.00	0.0000	0.00	9.66
2									
3									
4									
5									
6									
7									
TOTALS	11900			5.41	4.25			0.00	9.66

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES

OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;

REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;

IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE

PROPORTED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

<u>Basin</u>	<u>Sequence</u>	<u>Suff</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u>	<u>De</u>	<u>Rate</u>	<u>(cfs)</u>	<u>Volu</u>	<u>Source</u>	<u>Water Use</u>	<u>Owners</u>	<u>Source Table</u>
73	142		Decreased	Active	1886-06-0'		1.2			TATER CF IRRIGATIC WHITWOF wrAdjudicationClaim			
73	142		Decreased	Active	1886-06-0'		1.2			TATER CF IRRIGATIC WHITWOF wrAdjudicationRecommendation			
73	142		Decreased	Active	1886-06-0'		1.2			TATER CF IRRIGATIC OSTROM, wrWaterRight			
73	143		Decreased	Active	1897-06-0'		2.0			TATER CF IRRIGATIC WHITWOF wrAdjudicationClaim			
73	143		Decreased	Active	1897-06-0'		2.0			TATER CF IRRIGATIC WHITWOF wrAdjudicationRecommendation			
73	143		Decreased	Active	1897-06-0'		2.0			TATER CF IRRIGATIC OSTROM, wrWaterRight			
73	12079		Beneficial	Active	1886-06-0'		3.2			TATER CF IRRIGATIC WHITWOF wrAdjudicationClaim			
73	12079		Beneficial	Active	8/5/1914		3.2			TATER CF IRRIGATIC WHITWOF wrAdjudicationRecommendation			

Idaho Department of Water Resources Receipt

Receipt ID C083015

Payment Amount Date Received Region Status
 Payment Type Check Number

Payer Comment *a*

RECEIVED

JAN 11 2007

DEPARTMENT OF
WATER RESOURCES

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	ADJUDICATION FILING FEE	0337	41503	1155	

AMB

Signature Line (Dept. Representative)

13-12079
 73-12105
 73-12106

1 of 3



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

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 73-12079
Date Received:
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

DRAFT

1. Name of Claimant(s)

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

2. Date of Priority: 06/01/1886

3. Source: TATER CREEK Trib. to: PATTERSON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	22E	18	NE SW	LEMHI	
15N	22E	18	NE SE	LEMHI	
15N	22E	18	NW SE	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	04/01	10/31	3.2	

7. Total Quantity Appropriated is:
3.2 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	13	SW	NE		IRRIGATION	31
			SE	NE		IRRIGATION	36
			NE	SE		IRRIGATION	37
			NW	SE		IRRIGATION	37
						Section Acres	141
15N	21E	24	SE	SE		IRRIGATION	21
						Section Acres	21
15N	21E	25	NE	NE		IRRIGATION	26
						Section Acres	26
15N	22E	18	SW	NW	2	IRRIGATION	39
			SE	NW		IRRIGATION	27
			NE	SW		IRRIGATION	4.4
			NW	SW	3	IRRIGATION	38
						Section Acres	108.4
15N	22E	19	NW	NW	1	IRRIGATION	39
			SW	NW	2	IRRIGATION	40
			NW	SW	3	IRRIGATION	37
						Section Acres	116
						Total Acres	412.4

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:

14. Remarks:

Source is also known as Potato Creek or Spud Creek.

This right is for high flow irrigation from Tater Creek and is used with Water Rights 73-142 and 73-143.

15. Basis of Claim: Beneficial Use

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 _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 2006

Notary Public

Residing at _____

My commission Expires _____