

10/06/2003

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

RIGHT NUMBER: 74-39B

NAME AND ADDRESS: PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 6.000 CFS
682.500 AFY

Rights 74-39B and 74-63 when combined shall not exceed a total diversion rate of 6.96 cfs and a total annual maximum diversion volume of 682.5 af at the

field headgate.

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total diversion rate of 12.36 cfs and a total annual maximum diversion volume of 1235.5 af at the field headgate.

PRIORITY DATE: 06/10/1901

POINT OF DIVERSION:

T15N R26E S19 NESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.000 CFS 682.50 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S21	NENE	38.0	T15N R26E S21	NWNE	35.0
T15N R26E S21	SWNE	35.0	T15N R26E S21	SENE	40.0
T15N R26E S21	NESE	6.0	T15N R26E S22	NWNE	0.4
T15N R26E S22	SWNE	3.0	T15N R26E S22	NENW	33.0
T15N R26E S22	NWNW	40.0	T15N R26E S22	SWNW	40.0
T15N R26E S22	SENW	40.0	T15N R26E S22	NESW	16.6
T15N R26E S22	NWSW	26.0			

353 ACRES TOTAL

Rights 74-39B and 74-63 when combined shall not exceed a total irrigation of 195 acres in the place of use described above in a single irrigation season.

Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total irrigation of 353.0 acres.

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

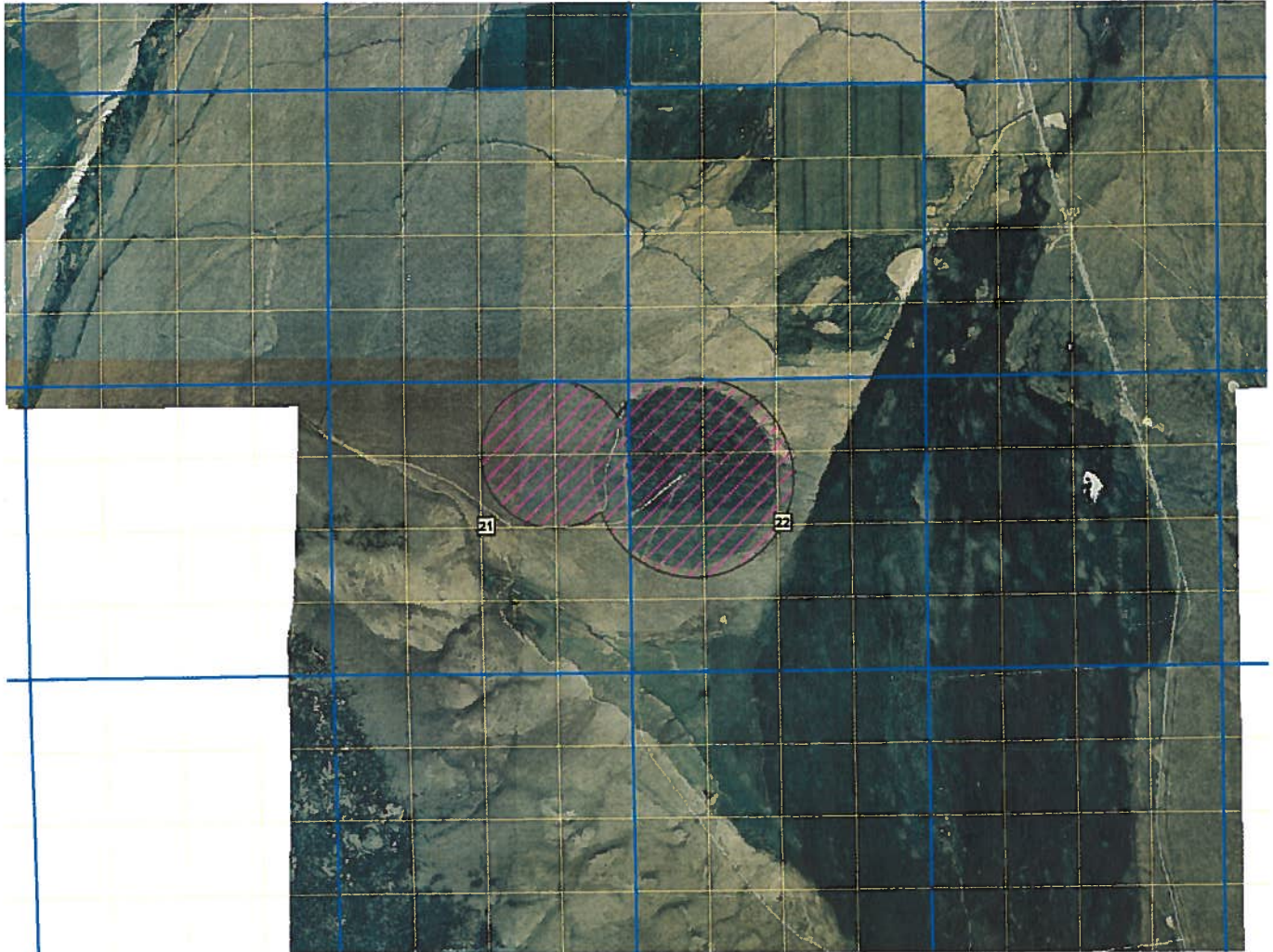
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Use of water under this water right will be regulated by the watermaster of State Water District No. 74-W.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL: Decreed

**Idaho Dept. of Water Resources
Water Right Nos. 74-39B, 74-63, 74-72, 74-15005
James Whittaker**



0.6 0 0.6 1.2 Miles



T15N R26E

**GIS Presentation
Prepared by R. Brown
October 6, 2003
1993/94 True Color Photography**

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WRD416

05/04/83

INDICATES TOTAL

SOURCE: BIG TIMBER CREEK

TRIBUTARY TO: LEWIS RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-0032	P.O. BOX 54 LEADORE REMARKS: AC. IRR.=136.6.						SESW(25) SWSE(32) S03 T15N R26E * 137 ACRES*	DEGREE
74-0034	HARRIS, WILLIAM D. HARRIS, SHARON B. P.O. BOX 34 LEADORE REMARKS: AC. IRR.=76.4.	06-01-1898	IRRIGATION	03-15 11-15	2.17 CFS	SWSW S17 T15N R26E	NWSW(21) S14 T15N R26E NESE(19) SESE(36) S15 T15N R26E	DEGREE
74-0039A	CLINGER ENTERPRISES INC. 230 HARVARD AV REXSBURG REMARKS: AC. IRR.= 549.0. P/U: T16N R26E S29 NWSW(37) S20 NWSW(25) S30 NENE(40) NESE(40)	06-10-1901	IRRIGATION	03-15 11-15	2.54 CFS	NWNW S33 T16N R26E		DEGREE
74-0039B	SHINER, WILFORD SHINER, CHARLES LEADORE						SESW(30) NESW(13) NESE(02) SWSE(07) SENW(40) NESW(10) NENW(40) * 550 ACRES*	DEGREE
74-1093	STATE OF IDAHO DEPT. OF LANDS STATEHOUSE BOISE REMARKS: 2 P/D IN NWSE, SW, T15N, R26E. P/U IN S36, T16N, R25E.	06-10-1901	IRRIGATION	03-15 11-15	6.00 CFS	NWSE S08 T15N R26E	NESW(35) SESW(40) DEGREE NESE(40) NWSE(40) SWSE(40) S25 T16N R25E * 195 ACRES*	DEGREE
74-0148	ADAMS, ROBERT H. ADAMS, OPAL C. P.O. BOX 54 LEADORE REMARKS: AC. IRR.= 693.3. P/U: T15N R26E S17 NENE(40) S10 NENE(40) NWSW(18)	04-10-1909	IRRIGATION	03-15 11-15	27.80 CFS	SWNW S20 T15N R26E		DEGREE
							SENE(19) NENW(05) SENW(12) NWNW(16) SWNW(38) SENW(40)	