

10/21/2003

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

RIGHT NUMBER: 74-132

NAME AND ADDRESS: TWO DOT RANCH
C/O PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

TWO DOT RANCH
C/O F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.180 CFS

PRIORITY DATE: 05/14/1920

POINT OF DIVERSION:

T15N R26E S35 SWNW Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.180 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S27 SENE 35.9

35.9 ACRES TOTAL

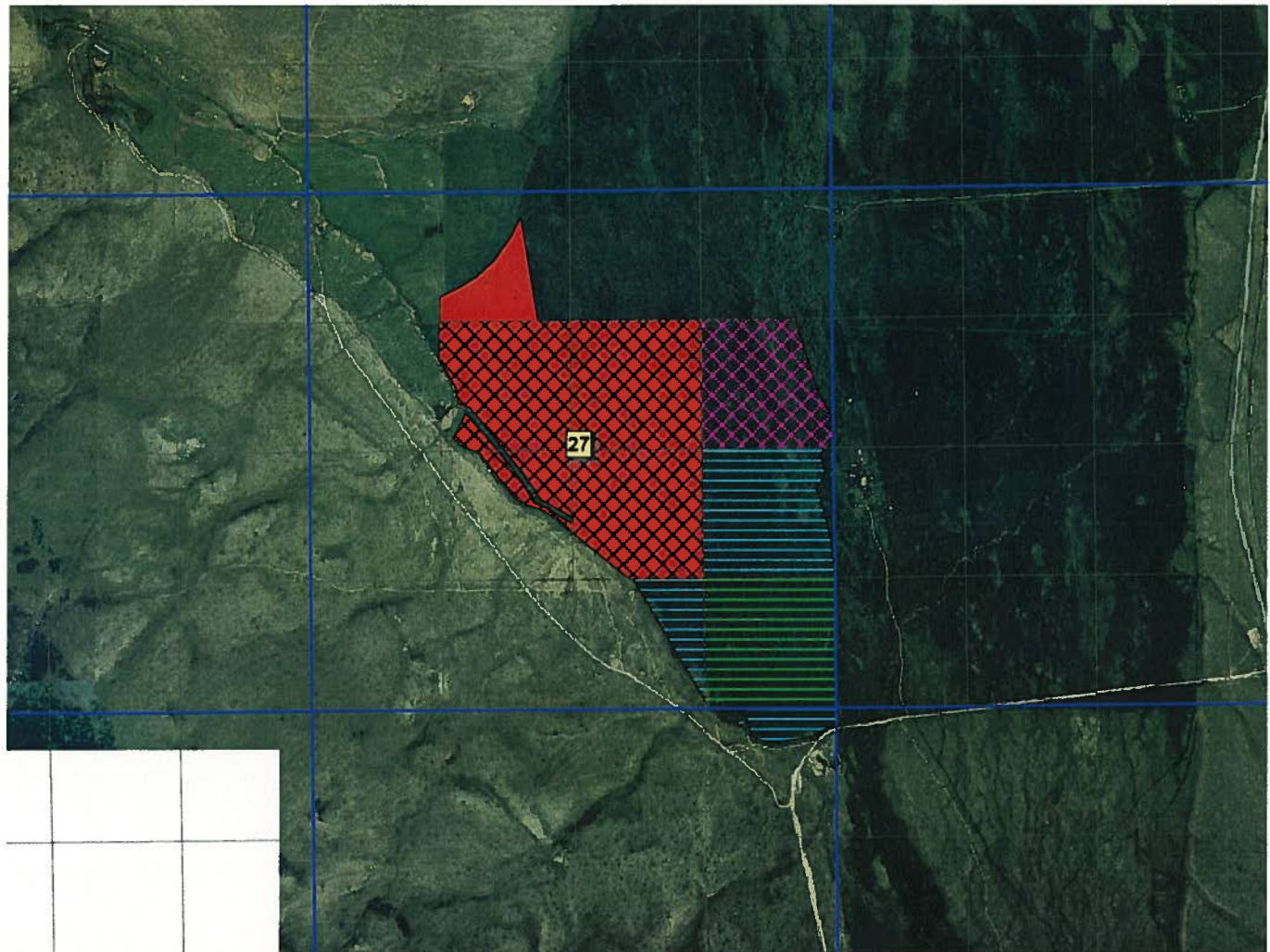
USE OF THIS RIGHT WITH RIGHT NO. 74-88 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 35.9 ACRES IN A SINGLE IRRIGATION SEASON.

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: Decreed

Idaho Dept. of Water Resources
Water Right No. 74-88, 74-89, 74-90, 74-132,
74-133, 74-1101, 74-15003
Two Dot Ranch



0.3 0 0.3 0.6 Miles

- | | |
|--|----------|
| | 74-00088 |
| | 74-00089 |
| | 74-00090 |
| | 74-00132 |
| | 74-00133 |
| | 74-01101 |
| | 74-15003 |



T 15N R26E

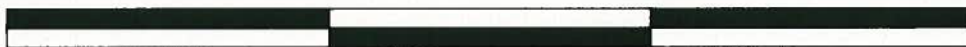
GIS Presentation
Prepared by R. Brown
October 21, 2003
1998/2001 Satellite Photography

Idaho Department of Water Resources

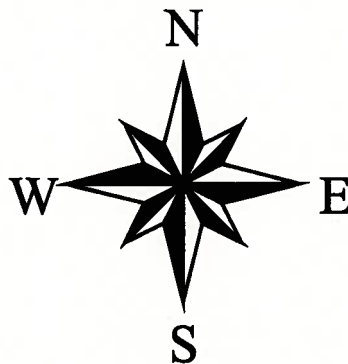
A74-00132



900 0 900 1800 Feet



T15N, R26E, S27



Close

**Prepared by Anita Warntjes
January 21, 2003
1993/94 True Color Aerial Photo**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-132

WATER RIGHT NUMBER: 74-132

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TWO DOT RANCH C/O PAULA J WHITTAKER ✓ PO BOX 240 LEADORE, ID 83464 (208)768-2491
Current Owner	TWO DOT RANCH C/O F JAMES WHITTAKER ✓ PO BOX 240 LEADORE, ID 83464 (208)768-2491
Original Owner	FLOYD J WHITTAKER PO BOX 177 LEADORE, ID 83464 ✓

Priority Date: 05/14/1920 ✓

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TEXAS CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.180 CFS	
	<u>Total Diversion:</u>	0.180 CFS ✓	

Location of Point(s) of Diversion

TEXAS CREEK	SW1/4NW1/4	Sec. 35, Twp 15N, Rge 26E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T15N R26E S27 SENE 36.0

Total Acres: 36

Conditions of Approval:Remarks:

1. General AC. IRR.=35.9. ✓

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-132

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
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

RRV
4/5/03

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

A74-132

Date Received

Receipt Number

Amended

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) F James Whittaker Phone (208) 768 2491

Mailing Address PO Box 240 Leadore ID Zip 83464

2. Date of Priority (Only one (1) per claim) 5/14/1920

3. Source of water supply (a) Texas Creek
which is tributary to (b) Lemhi River

4. a. Location of existing point of diversion is: Township 15N Range 26E Section 35,

1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

per original claim

Whittaker South of Town West
Combined Place of Use
Amended Claim

1 place of use

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 3/15 to 11/15 amount 0.18 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	26E	22	36		14	36									29	33	40	21	209
		27	34	40	40	35.9	15			36	8				39	37	9	39.6	338.5
		34	6																6

Total number of acres irrigated 548.5

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

74-88, 74-89, 74-90, 74-132, 74-133, 74-378A, 74-1101 or None ()

14. Remarks:

This amended claim combines the above rights on a permissible place of use basis per attached affidavits. The PPU only combines preliminary recommended places of use; no changes. Per preliminary recommendation this claim is for 35.9 acres within the PPU.

Last Name Whittaker

Ident No. 74-132

Copies: White -State, Yellow-Claimant

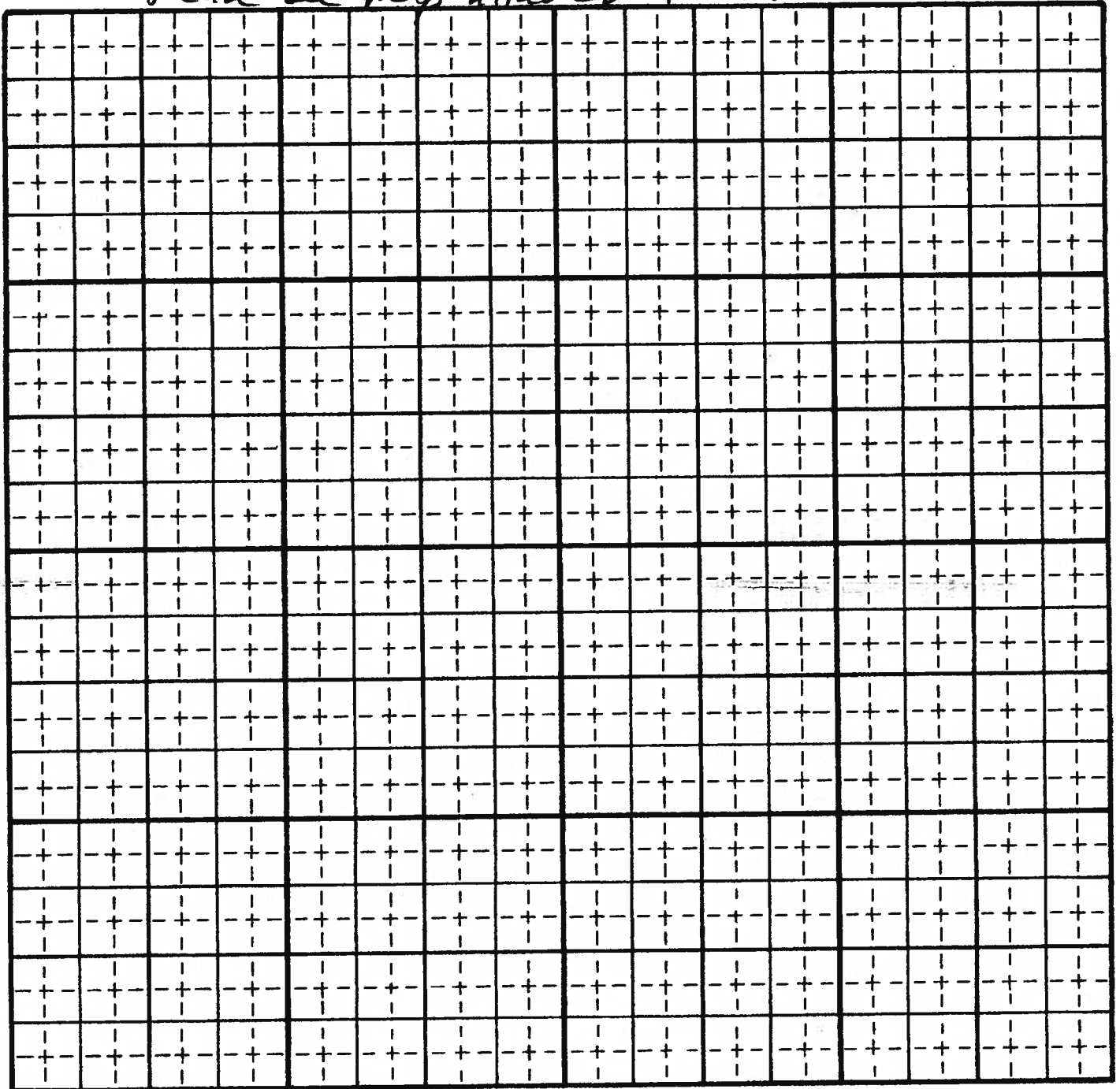
Whittaker South of Town West
Combined Place of Use
Amended Claim

place of use

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Please see map attached to 74-88



Last Name Whittaker

Ident No. 74-132

Copies: White-State, Yellow-Claimant

Whittaker South of Town West
Combined Place of Use
Amended Claim

place of use

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒

If applicable provide IDWR Water Right Number 74-132
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James Whittaker Date 8/10/04
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____ Organization _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

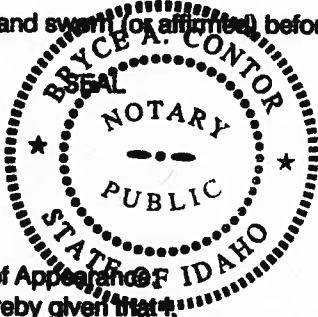
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____ }
County of Bonneville } SS.

Subscribed and sworn (or affirmed) before me this 10th day of August 2004



Notary Public Bryce A. Contor

Residing at Mud Lake

My Commission Expires 10/14/05

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Whittaker South of Town West
Combined Place of Use
Amended Claim

ent. Number 74-132
to place of use

Copies White-State, Yellow-Claimant