

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

RIGHT NUMBER: 74-133

NAME AND ADDRESS: TWO-DOT-RANCH

C/O F JAMES WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

TWO-DOT-RANCH
C/O PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

SOURCE: SPRINGS TRIBUTARY: TEXAS CREEK
TEXAS CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 05/14/1920

POINT OF
DIVERSION: T15N R26E S35 NWNW Within LEMHI County
T15N R26E S35 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	0.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R26E S27	SWNE	40.00	T15N R26E S27	SENE	35.90
T15N R26E S27	SENE	36.00	T15N R26E S27	NESW	8.00
T15N R26E S27	NESE	39.00	T15N R26E S27	NWSE	37.00
T15N R26E S27	SWSE	9.00	T15N R26E S27	SESE	39.60
T15N R26E S34	NENE	6.00			

250.5 ~~121~~ ACRES TOTAL

This right is limited to the irrigation of 121.2 acres within the place of use described above in a single irrigation season.

This right authorizes the irrigation of 121.2 total acres.

USE OF THIS RIGHT WITH RIGHT NO. 74-89 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 121.2 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 74-89 AND 74-15003 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 136.2 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: BASIS OF CLAIM - Decreed

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

474-133

Date Received

Receipt Number

Amended

NOTICE OF CLAIM Amended
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

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 0.60 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.60 (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	
5N	24E	22	36		14	36									29	33	40	21	209
		27	34	40	40	35.9	15			36	8				39	37	9	39	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 121 acres within the PPU.

Whittaker

Ident No. 74-133

Copies: White -State, Yellow-Claimant

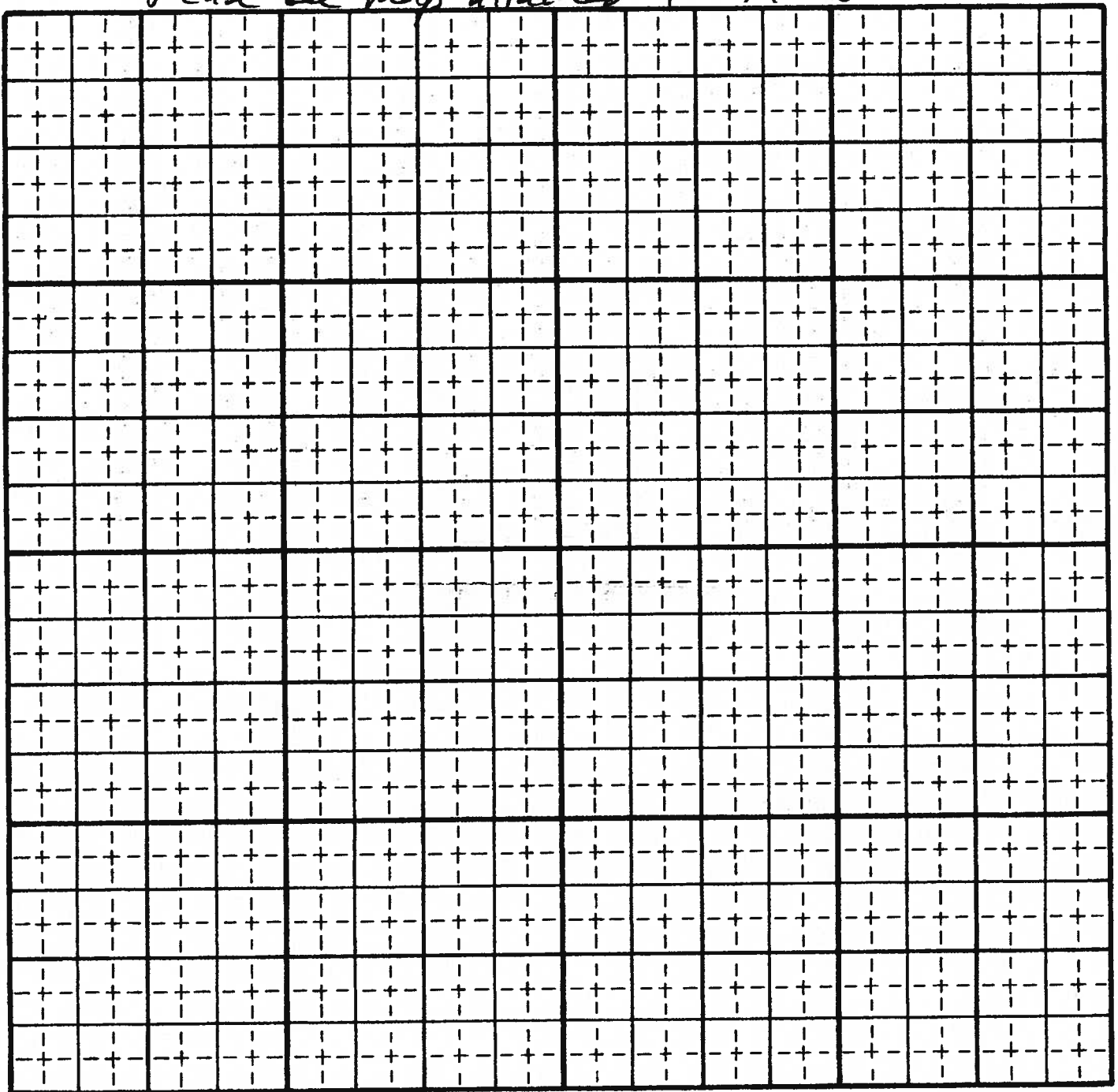
Whittaker South of Town West
Combined Place of Use
Amended Claim

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



Whittaker South of Town West
Combined Place of Use
Amended Claim

dent No. 74-133
place of use

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒
If applicable provide IDWR Water Right Number 74-133
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 Whitaker*

Date 8/10/04

Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization

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 _____)

SS.

County of Bonneville)

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

Notary Public *Bryce A. Contor*

Residing at *Mud Lake*

My Commission Expires 10/14/2005

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

Ident. Number 74-133

red place of use

Copies White-State, Yellow-Claimant

10/21/2003

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

RIGHT NUMBER: 74-133

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

TWO DOT RANCH
C/O PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464

SOURCE: TEXAS CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 05/14/1920

POINT OF DIVERSION:

T15N R26E S35 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S27	SWNE	40.0	T15N R26E S27	SENW	36.0
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121 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-89 AND 74-15003 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 136.2 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 74-89 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 121.2 ACRES IN A SINGLE IRRIGATION SEASON.

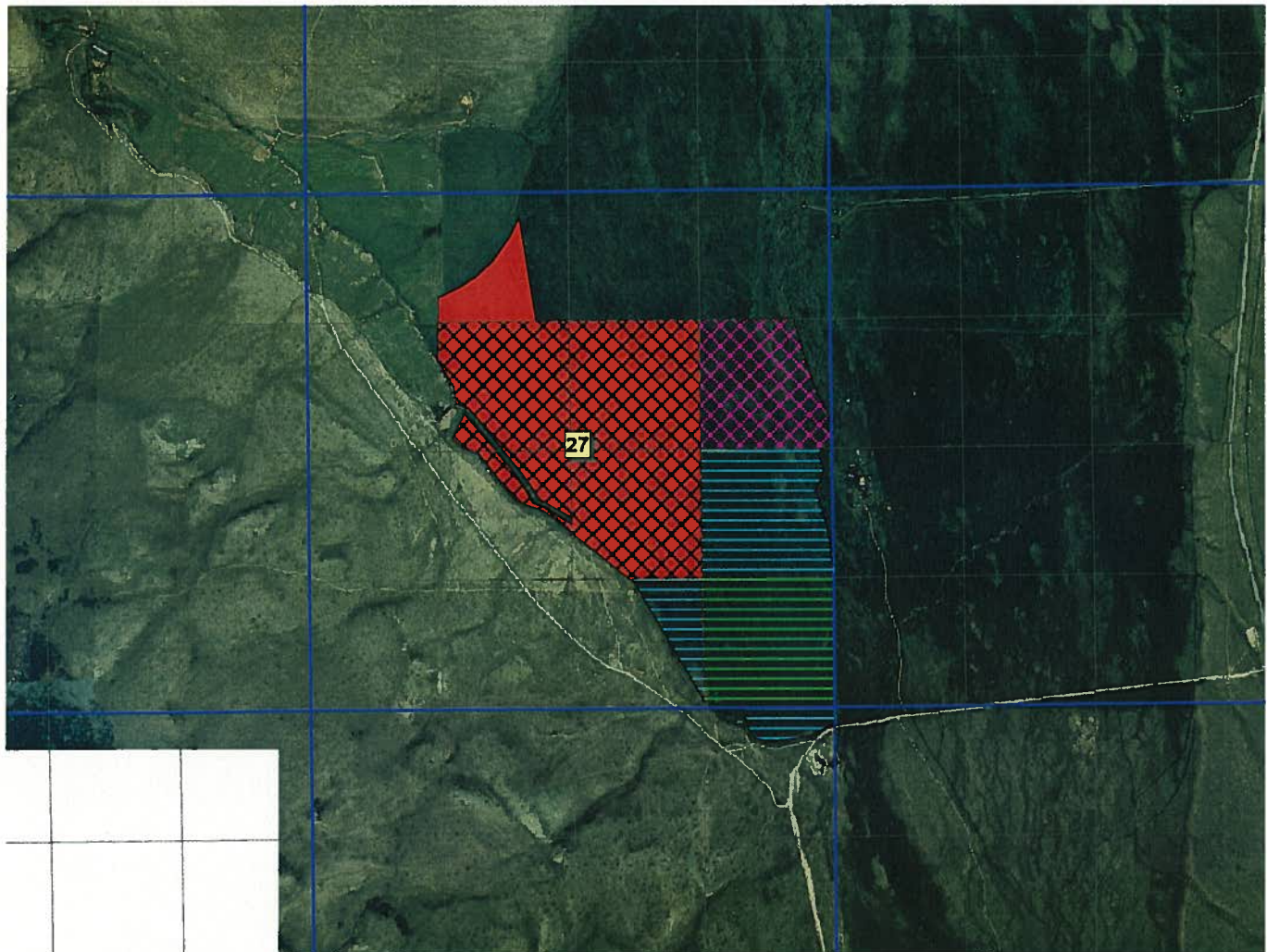
This right authorizes the irrigation of 121.2 total acres.

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

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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 |



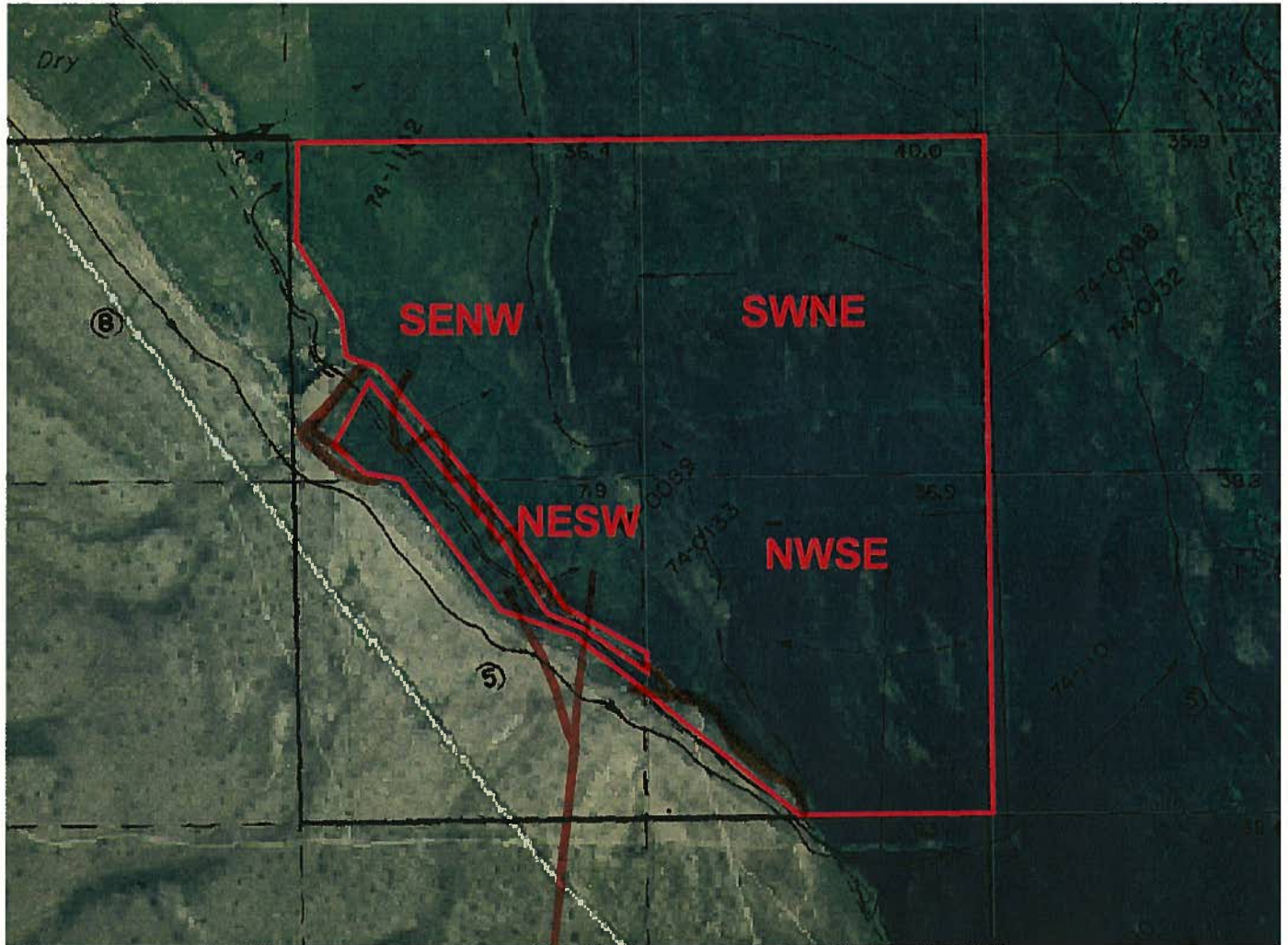
T 15N R26E

GIS Presentation
Prepared by R. Brown
October 21, 2003

1998/2001 Satellite Photography

Idaho Department of Water Resources

A74-00133



900 0 900 1800 2700 3600 Feet

T15N, R26E, S27



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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-133

WATER RIGHT NUMBER: 74-133

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

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	0.600 CFS	
	<u>Total Diversion:</u>	0.600 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	SWNE	40.0	T15N R26E S27	SENE	36.0
T15N R26E S27	NESW	8.0	T15N R26E S27	NWSE	37.0

Total Acres: 121

Conditions of Approval:Remarks:

1. General AC. IRR.=121.2. ✓

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-133

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

REL
4/5/03