

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: A43-10425
Date Received: 6/08/1989
Receipt No: 5007690
Received By: ADW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENTON WHITAKER 208-645-2518
Address: H.C. 72 BOX 2192
MALTA, ID 83342
AND/OR
Name: CLETA WHITAKER 208-645-2518
Address: H.C. 72 BOX 2192
MALTA, ID 83342

2. Date of Priority: APR 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	8	NW	NW	SW		CASSIA
			SW	SW	SW		CASSIA
			SW	NW	SE		CASSIA

5. Description of diverting works:
THREE WELL & PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.550		

7. Total Quantity Appropriated is:
3.550 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 840.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-10425

Page 1

Date: 06/08/89

MICROFILMEI

MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acre
14S	27E	8	SW		NW		IRR	10.0
			SE		NW		IRR	10.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	10.0
			SE		SW		IRR	10.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	280.0
							Total Acres	280.0

+30=40
+30=40
← delete
← 300 Total

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A45-02294B & RAFT RIVER DECREES

14. Remarks:
THIS CLAIM IS BASED ON A COMBINATION OF STATUTORY CLAIMS
43-04055 PART & 43-04149 WHICH IS FOR THE ADDITIONAL WATER
DEVELOPED FROM THESE WELLS ABOVE THAT WHICH IS COVERED UNDER
A43-02294B.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Denton Whitaker Date: 6-8-89

Date: _____

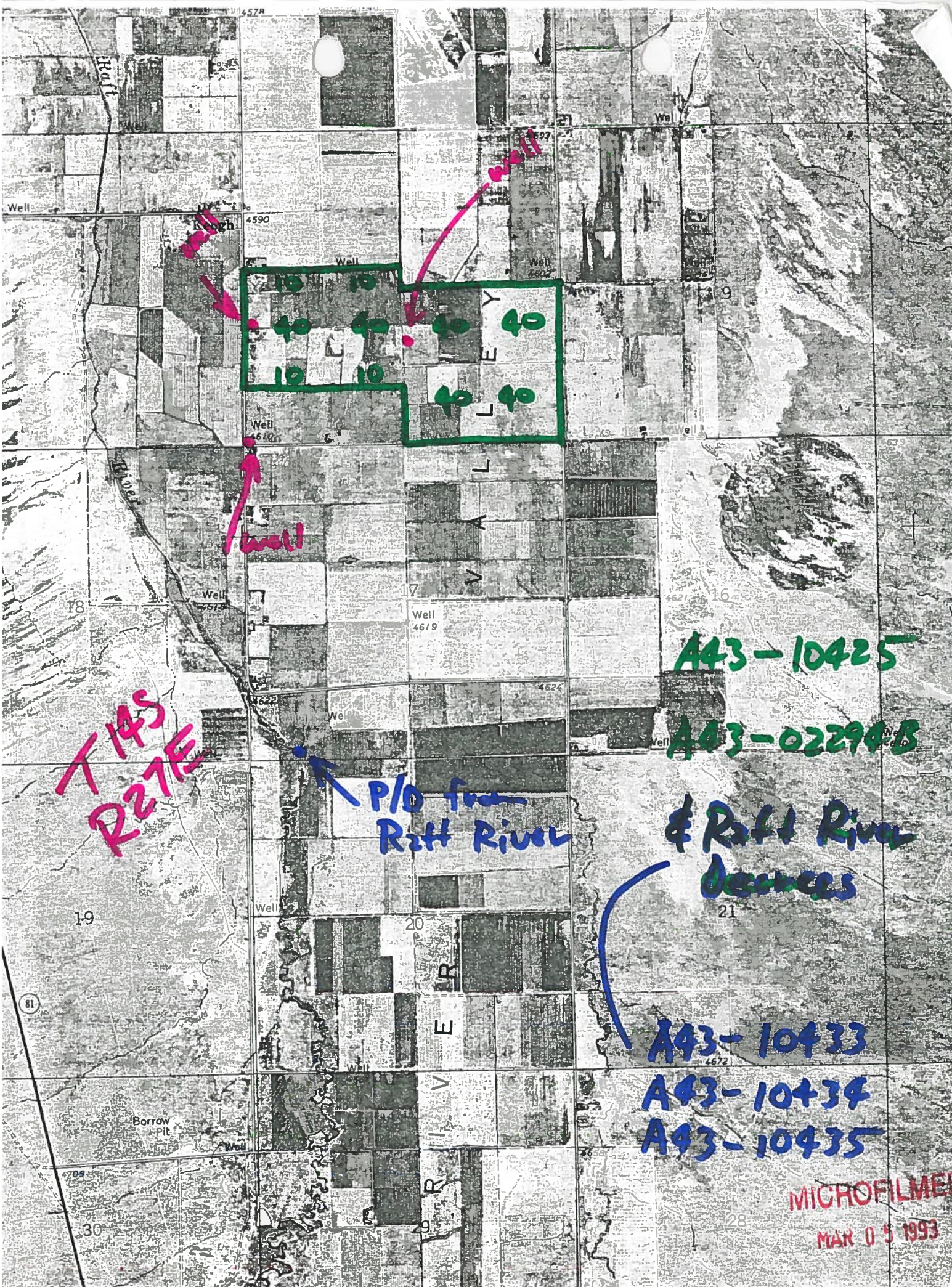
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of June 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/90



T 14S
R 27E

10 10 10 10
40 40 40 40
10 10 10 10
40 40

A43-10425

A43-02290B

& Ratt River
downers

A43-10433

A43-10434

A43-10435

MICROFILMED
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10425
DENTON WHITAKER
CLETA WHITAKER
H.C. 72 BOX 2192
MALTA

ID 83342

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by February 3, 1992, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILM

MAR 05 1992

RECEIVED

JAN - 8 2003

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JAN 6 AM 9 14

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

In Re SRBA

Case No. 39576

)
)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 43-10425

On October 9, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 43-10425 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED January 6, 2003



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2003 JAN 6 AM 9 14

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-10425

NAME AND ADDRESS: CLETA WHITAKER
DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 3.55 CFS
1200.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D, 43-02294G,
43-10289, & 43-10425.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION: T14S R27E S08 NWNWSW Within Cassia County
SWSWSW
SWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.55 CFS 1200.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R27E S08	
	SWNW 6.5	SENW 8.8
	NESW 40.0	NWSW 38.0
	SWSW 39.0	SESW 38.0
	NESE 39.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
	329.3 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 300 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289,
43-10425, 43-10434, 43-10627, 43-12958, 43-12959, 43-12976,
43-12977, 43-12978, 43-12979, 43-12980, 43-12981, 43-12982,
43-12983, 43-12984, & 43-12985.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2003 JAN 06 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 43-10425

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 43-10425 was mailed
on January 06, 2003, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLETA WHITAKER
DENTON WHITAKER
Represented by:
WILLIAM A. PARSONS
PO BOX 910
137 WEST 13TH STREET
BURLEY, ID 83318
Phone: 208-678-8382

DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342
Phone: 208-645-2518

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/06/03

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 09 2002	
By _____	Clerk
_____	Deputy Clerk

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

In Re SRBA	)	Subcase 43-10425
	)	(Whitaker)
Case No. 39576	)	SPECIAL MASTER REPORT

Findings of Fact

Denton and Clela Whitaker, 2145 South, 2350 East, Malta, Idaho 83342, filed a *Notice of Claim to a Water Right* on June 8, 1989, claiming 3.55 cfs from groundwater to irrigate 280 acres in Cassia County from March 15 to November 15 with a priority date of April 1, 1959, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43, Part I* on September 28, 2001. The Director recommended the claim as filed, but for .436 cfs to irrigate 300 acres within a 329.3 acre place of use.

The Whitakers filed an *Objection* on January 10, 2002, objecting to quantity, priority date and point of diversion. On October 7, 2002, the Whitakers and IDWR filed a *Standard Form 5* agreeing to 3.55 cfs and to amend the quantity remark, the place of use remark and explanatory material.

Conclusions of Law

Denton and Clela Whitaker are entitled to a partial decree adjudicating a water right as described in the *Standard Form 5* and the attached *Special Master Recommendation for Partial Decree for Water Right 43-10425*.

DATED October 9, 2002.



 TERRENCE A. DOLAN
 Special Master
 Snake River Basin Adjudication

SCANNED
 OCT 10 2002

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

DISTRICT COURT-SRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

OCT 09 2002

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 43-10425

By

Clerk

Deputy Clerk

NAME AND ADDRESS: CLETA WHITAKER
DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 3.55 CFS
1200.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D, 43-02294G,
43-10289, & 43-10425.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION: T14S R27E S08 NWNWSW Within Cassia County
SWSWSW
SWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.55 CFS 1200.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R27E S08	
	SWNW 6.5	SENW 8.8
	NESW 40.0	NWSW 38.0
	SWSW 39.0	SESW 38.0
	NESE 39.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
	329.3 Acres Total	

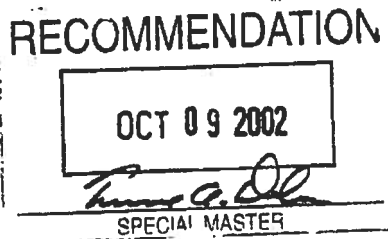
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 300 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289,
43-10425, 43-10434, 43-10627, 43-12958, 43-12959, 43-12976,
43-12977, 43-12978, 43-12979, 43-12980, 43-12981, 43-12982,
43-12983, 43-12984, & 43-12985.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 09 2002	
By _____	Clerk Deputy Clerk

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 43-10425

On October 09, 2002, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 09, 2002.


LEINIE MESSICK
Deputy Clerk

NOTICE OF ISSUANCE

PAGE 1
10/09/02

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 09 2002	
By _____	Clerk _____
Deputy Clerk _____	

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 43-10425

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 09, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLETA WHITAKER
DENTON WHITAKER
Represented by:
WILLIAM A. PARSONS
PO BOX 910
137 WEST 13TH STREET
BURLEY, ID 83318
Phone: 208-678-8382

DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342
Phone: 208-645-2518

CERTIFICATE OF MAILING

 PAGE 1
OCT 09/02
LETTIE MESSICK
Deputy Clerk

PARSONS, SMITH & STONE, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P. O. BOX 910

BURLEY, IDAHO 83318

TELEPHONE
(208) 878-8382

FAX NO.
(208) 878-0146

pss@pmtf.org

WILLIAM A. PARSONS

RICHARD K. SMITH

RANDOLPH C. STONE

LANCE A. LOVELAND

DAVID F. SHIRLEY

September 20, 2002

RECEIVED
SEP 21 2002
Department of Water Resources
Southern Region

Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

A COPY FOR YOUR INFORMATION
PARSONS, SMITH & STONE, LLP

RE: SRBA 43-2294D, 43-2294G, 43-10289, 43-10425, etc.

Dear Clerk:

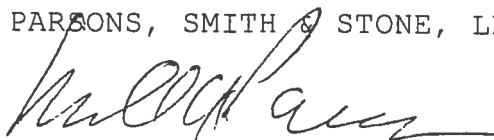
A settlement conference was held with representatives of the SRBA and subsequently Standard Form 5's were provided. I have not had an opportunity to go over them with our client and I will not be able to until next week because of certain health restraints of my client.

I believe we are close to a settlement after reviewing the SF5S forms and would respectfully request that the hearing scheduled for the 26th of September be vacated and recycled in the off chance that the settlement is not reached.

Please confirm.

Sincerely,

PARSONS, SMITH & STONE, LLP



William A. Parsons

WAP/nj

VERIFIED BY

09/05/2002

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

RIGHT NUMBER: 43-10425
NAME AND ADDRESS: DENTON WHITAKER
2145 S 2350 E
MALTA ID 83342

CLETA WHITAKER
2145 S 2350 E
MALTA ID 83342

SOURCE: GROUND WATER
QUANTITY: ~~0.436~~ 3.55 CFS
1,200.0 AFY

TRIBUTARY:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~3~~ 6 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289, & 43-10425.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:

T14S R27E S8 NWNWSW Within CASSIA County
T14S R27E S8 SWSWSW Within CASSIA County
T14S R27E S8 SWNWSE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	~~0.436~~ 3.550 CFS 1,200.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T14S R27E S08	SWNW	6.5	T14S R27E S08	SENW	8.8
T14S R27E S08	NESW	40.0	T14S R27E S08	NWSW	38.0
T14S R27E S08	SWSW	39.0	T14S R27E S08	SESW	38.0
T14S R27E S08	NESE	39.0	T14S R27E S08	NWSE	40.0
T14S R27E S08	SWSE	40.0	T14S R27E S08	SESE	40.0

329.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~329.3~~ 300 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289, 43-10425, 43-10434, 43-10627, 43-12958, 43-12959, 43-12976, 43-12977, 43-12978, 43-12979, 43-12980, 43-12981, 43-12982, 43-12983, 43-12984, & 43-12985.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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: Beneficial Use

~~RIGHT NO. 43-10289 IS AN EXPANSION OF RIGHT NOS. 43-02294D, 43-02294G, & 43-10425 PURSUANT TO SECTION 42-1416B, IDAHO CODE.~~

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-4055 (PART) & 43-4149.

Water Right 43-10425

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

RIGHT NUMBER: 43-10425

NAME AND ADDRESS:

CLETA WHITAKER
2145 S 2350 E
MALTA ID 83342

DENTON WHITAKER
2145 S 2350 E
MALTA ID 83342

SOURCE: GROUND WATER

Tributary:

QUANTITY: 3.550 CFS 0.436 CFS
1,200.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D, 43-02294G,
43-10289, & 43-10425.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D, 43-02294G,
43-10289, & 43-10425.~~

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:

T14S R27E S8 NWNWSW Within CASSIA County

T14S R27E S8 SWSWSW Within CASSIA County

T14S R27E S8 SWNWSE Within CASSIA County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
IRRIGATION		03/15 11/15	3.550 CFS 1,200.00 AFY
			~~0.436 CFS 1,200.00 AFY~~

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

PLACE OF USE: IRRIGATION within CASSIA County

T14S R27E S08 SWNW 6.5
T14S R27E S08 SENW 8.8
T14S R27E S08 NESW 40.0
T14S R27E S08 NWSW 38.0
T14S R27E S08 SWSW 39.0
T14S R27E S08 SESW 38.0
T14S R27E S08 NESE 39.0
T14S R27E S08 NWSE 40.0
T14S R27E S08 SWSE 40.0
T14S R27E S08 SESE 40.0

329.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 300 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 43-02294D, 43-02294G, 43-10289, 43-10425, 43-10434, 43-10627,
43-12958, 43-12959, 43-12976, 43-12977, 43-12978, 43-12979, 43-12980, 43-12981,
43-12982, 43-12983, 43-12984, & 43-12985.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 329.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289, 43-10425, 43-10434,
43-10627, 43-12958, 43-12959, 43-12976, 43-12977, 43-12978, 43-12979, 43-12980,
43-12981, 43-12982, 43-12983, 43-12984, & 43-12985.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE 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 - Beneficial Use

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-4055 (PART) & 43-4149.

~~RIGHT NO. 43-10289 IS AN EXPANSION OF RIGHT NOS. 43-02294D, 43-02294G, &
43-10425 PURSUANT TO SECTION 42-1416B, IDAHO CODE.~~

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

1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-10425 V2

WATER RIGHT NUMBER: 43-10425 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DENTON WHITAKER 2145 S 2350 E MALTA, ID 83342 (208)645-2518
Current Owner	CLETA WHITAKER 2145 S 2350 E MALTA, ID 83342 (208)645-2518

Priority Date: 04/01/1959

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.550 CFS	1,200.00 AF
	<u>Total Diversion:</u>	3.550 CFS	1,200.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 8,	Twp 14S,	Rge 27E, B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 8,	Twp 14S,	Rge 27E, B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4SE1/4	Sec. 8,	Twp 14S,	Rge 27E, B.M.
CASSIA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	8							6.5	8.8	40.0	38.0	39.0	38.0	39.0	40.0	40.0	40.0	329.3

Total Acres: 329.3

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-10425 V2

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 300 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289, 43-10425, 43-10434, 43-10627, 43-12958, 43-12959, 43-12976, 43-12977, 43-12978, 43-12979, 43-12980, 43-12981, 43-12982, 43-12983, 43-12984, & 43-12985.
2. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289, & 43-10425.
3. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-4055 (PART) & 43-4149.

Comments:

1. jroberts 9/5/2002 V2 Recommendation

Comment: This new recommendation was created to resolve an Objection, changing total diversion rate to 6 cfs on groundwater rights and the Pou to 300 acres within a 329.3 ac .

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

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

VERIFIED BY *JK* 3/15/06
03/15/2001

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

RIGHT NUMBER: 43-10425
NAME AND ADDRESS: CLETA WHITAKER
DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: ^{3.55}
0.426 CFS
1200 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D,
43-02294G, 43-10289, & 43-10425.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:	T14S R27E S8	NWNWSW	Within CASSIA County
	T14S R27E S8	SWSWSW	Within CASSIA County
	T14S R27E S8	SWNWSE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.44 CFS ^{3.55} 1,200.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S8	SWNW	6.5	T14S R27E S8	SENW	8.8
T14S R27E S8	NESW	40	T14S R27E S8	NWSW	38
T14S R27E S8	SWSW	39	T14S R27E S8	SESW	38
T14S R27E S8	NESE	39	T14S R27E S8	NWSE	40
T14S R27E S8	SWSE	40	T14S R27E S8	SESE	40

329.3 ACRES TOTAL

USE OF THE RIGHTS LISTED ³⁰BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 329.3 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289,
43-10425, 43-10434, 43-10627, 43-12958, 43-12959, 43-12976, 43-
12977, 43-12978, 43-12979, 43-12980, 43-12981, 43-12982, 43-
12983, 43-12984, & 43-12985.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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

Water Right 43-10425

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

~~RIGHT NO. 43-10289 IS AN EXPANSION OF RIGHT NOS. 43-02294D,
43-02294G, & 43-10425 PURSUANT TO SECTION 42-1416B, IDAHO CODE.~~

*Comb. of old rts. 43-4055
+ 43-4149*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 30, 2002

WILLIAM A PARSONS
PARSONS SMITH & STONE
PO BOX 910
BURLEY ID 83318

RE: Whitaker Objections

Dear Mr. Parsons,

Before our telephone conference scheduled for 1:30 pm next Wednesday regarding these rights, I thought I'd lay out what I did in my initial recommendations, the Objections, and what could be done to resolve them. I ended up with this analysis and thought it might help if I sent a copy to you ahead of time.

Please feel free to call if you have any questions before then, or else I'll plan to call you on Wednesday.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

WHITAKER RIGHTS:

43-2294

- This license was originally issued for 6 cfs on 700 acres in Sections 8 & 17, T14S, R27E from 4 wells in the SWSW of Section 17
- Transfer # 2154 (approved 10/77) split off 200 acres in Section 8 and 1.71 cfs and changed the Point of Diversion (POD) to a well in the NWSE of Section 8 (Water Right part "B")
- Transfer # 2822 (approved 6/83) split another 40 acres in Section 8 and .34 cfs and changed the PODs to 3 wells in Section 8 (NWSE, SWSW, & NWSW) (Water Right part "F")
- Whitaker originally claimed both of the above under AJ Claim 43-2294B, but since it was actually a combination of B & F, the claim was renumbered to 43-2294G (240 acres and 2.05 cfs)
 - o **43-2294G** was recommended as claimed, but in a 329.3 acre Permissible Place of Use (PPU), limited to 240 acres, from the 3 wells
- Transfer # 2756 (approved 6/83) was filed by Tracy and split off another 60 acres in Section 8 and .514 cfs and changed the POD to a well in the SWSW of Section 8 (Water Right part "D")
- It was claimed, as transferred, by Tracy under 43-2294D and later sold to Whitaker
 - o **43-2294D** was recommended as claimed, but in a 329.3 acre PPU, limited to 60 acres, and to all three wells

43-10425

- This claim was filed by Whitaker as a combination of two old statutory claims:
 - (43-4055 4/1/1959 3 cfs 320 ac well in SWSW of Sec. 8, originally filed by Tracy)
 - (43-4149 4/1/1955 2.4 cfs 100 ac wells in SWSW & NWSW Sec. 8, originally filed by Whitaker - no Evidence of Priority ever submitted for well in NWSW)
- Whitaker claimed priority date of 4/1/1959, 3.55 cfs (1.15 from 43-4055 & 2.4 cfs from 43-4149) on 280 acres (same acres as previously licensed under 43-2294, **except for the 40 acres in the NESE**, which were never licensed or covered by transfers
 - o I recommended this right for only .44 cfs because not enough information had been provided on the development of the wells

43-10289

- This claim was filed by Tracy as 19% (.56 cfs) of 43-4055 on 60 acres, later sold to Whitaker
 - o I recommended this right as an Expansion claim of the previous rights to cover the extra acres in the NESE

OBJECTION RESOLUTIONS/PROPOSALS

- Additional information on the development of the wells has been provided so a total of 6 cfs can be recommended for all rights (inch per acre on 300 acres)
 - **43-10425** could now be recommended as 3.44 cfs, amount needed to bring system total to 6 cfs or an inch per acre for the 300 acres, not covering the expansion acres in the NESE. (These acres don't appear irrigated in either the '62 or '68 aerial photos, nor were they included in the transfers approved in '77 and '83.)
 - **43-10289** could still be recommended as an expansion claim of the other three rights, to cover the extra 29.3 acres, with no additional diversion rate or volume and a 6/30/1985 priority date
 - Or, all the rights could be recommended as claimed, but limited to a total of 6 cfs when combined and to a total of 300 acres within a PPU of 329.3 acres
 - You could file an additional expansion claim to pick up the extra 29.3 acres (**\$50.00 filing fee & Motion to the Court required**)
- Objection stated the well in the NWSE *may* be in the NWNWSE. The claim and recommendation were for the SWNWSE. I did a GPS reading when I was there, and while the well is *very* close to being in the middle of the $\frac{1}{4}$ $\frac{1}{4}$, I believe it is *slightly* to the NW. (657' to the N $\frac{1}{4}$ line, 665' to the S $\frac{1}{4}$ line)
- Objection stated the Priority Date on 43-10425 should be 1955. 1959 was claimed because it was a combination of two rights with differing priority dates, thereby getting the later date. The 1959 date came from 43-4055, originally filed by Tracy on the well in the SWSW of Section 8; there was an affidavit in the file signed by you and others stating that the use began in 1959. The 1955 date came from 43-4149, originally filed by you on the Tracy well **and** the one in the NWSW. If you want the 1955 date, you must split out the claim and file an additional one (**\$50.00 filing fee and Motion to the Court required**), and you will need to submit Evidence of Priority for the other well, showing the use began in 1955 and identify which acres were irrigated at that time.

Claimed = 340 Ac.
GIS = 329.3 Ac.
Lic & C.U. = 300 Ac.
Exp = 29.3 Ac.

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	GIS	14S	27E	8							65	88	40	38	39	38	39	40	40	40	329.3	329.
43-2294G	14S	27E	8								10	10	40	40	10	10		40	40	40	240	
43-2294D	14S	27E	8												30	30					60	
43-10425	14S	27E	8								10	10	40	40	10	10	40	40	40	40	280	
43-10289	14S	27E	8												30	30					60	

[illegible][illegible][illegible]

AJ

$$43-2294G = 240A.$$

2.05 cfs

$$43-2294D = 60A.$$

.514 cfs

$$43-10425 = 280A.$$

3.55 cfs

$$43-10289 = 60A.$$

.56 cfs

(comb. of 43-4055 & 43-4149)
(1.15 cfs) (2.4 cfs)
(19% of 43-4055)

$$\begin{array}{r} -10425 \quad 10 \\ -2294G \quad 10 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 10 \\ -2294G \quad 10 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 40 \\ -2294G \quad 40 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 40 \\ -2294G \quad 40 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 40 \\ -2294G \quad 40 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 40 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 10 \\ -2294G \quad 10 \\ \hline -2294D \quad 30 \\ -10289 \quad 30 \end{array}$$

$$\begin{array}{r} -10425 \quad 10 \\ -2294G \quad 10 \\ \hline -2294D \quad 30 \\ -10289 \quad 30 \end{array}$$

$$\begin{array}{r} -10425 \quad 40 \\ -2294G \quad 40 \\ \hline \end{array}$$

$$\begin{array}{r} -10425 \quad 40 \\ -2294G \quad 40 \\ \hline \end{array}$$



T145, R27E (Whitaker)

(8)

(8)

(17)

(17)

WR

43-2294B = 200 Ac. 1.71 cfs } claimed as 43-2294G
43-2294F = 40 Ac. .34 cfs
43-2294D = 60 Ac. .514 cfs
43-4055 = 320 Ac. 3 cfs } claimed as 43-10289 & 43-10425
43-4149 = 100 Ac. 2.4 cfs } (60 Ac.) (280 Ac.)

-2294B 10

-2294B 10

-2294B 40

-2294B 40

-2294B 40

-4055 40

-4055 40

-4055 40

-4055 40

-4149 20

-4149 20

1.66

-2294B 10

-2294B 10

-2294B 20

-2294B 20

-2294D 30

-2294D 30

-2294F 20

-2294F 20

-4055 40 30

-4055 40 30

-4055 40

-4055 40

-4149 10

-4149 10

-4149 20

-4149 20

3.62
⑧

⑧

⑪

⑪

T/4S, R27E

(Whitaker)

MEMORANDUM

To: File
From: Scott King *SK*
Date: July 21, 2000
Subject: A43-10425, A43-10289, A43-02294G, Denton Whitaker

Cindy Bird and I met with Denton Whitaker at his home on June 1, 2000. We discussed his claims listed above. Whitaker described three wells in section 8 and Cindy and I visited these three diversions.

Whitaker also asked if our records showed that he claimed a well in section 17, for which I could not find any claim and informed as such on July 27, 2000 by letter. He claims the section 17 well was likely drilled by the LDS church, should have been filed on by Lorenzo Tracey for 500-600 acres, and is now owned and operated by Whitaker. Cindy and I visited two wells located in section 17, one in the NWSNW, and one at either NWNWSE or NENESW that we understand to be claimed by Warr Brothers, A43-04034, tag number A0007917 and A43-02294E, tag number A0007916, respectively. There appeared have been another large irrigation well to the north of A0007917, but we did not visit it.

For A43-10425, 14S 27E 08 SWNWSE, tag A0004847, we found a 100-hp well pump and a 75-hp booster pump. The well pump was pulled for repair. Current capacity for this system estimated between 4.22 and 4.46 cfs. I do not have any information to support historic capacity of this diversion. *30 HP in 1955*

For A43-10289 and A43-10425, 14S 27E 8 SWSWSW, tag A0004849, we found a 50-hp well pump that appears to discharge into a pressurized sprinkler system. A concrete box and ditch nearby indicates historic open-discharging conditions. Review of original claim file 43-04055 indicates that the claimant stated the system as a 50-hp pump with water at 100 feet, pump at 150 feet, claiming 3 cfs. Theoretical capacity calculations support a potential capacity of 3 cfs assuming a pumping level of 115 feet and open-discharge conditions.

For A43-10425, 14S 27E 8 ^{SW?}NWNWSW, Tag A0004848, we found a 75-hp well pump and 40-hp booster pump. The well pump was removed for repair. Estimated capacity of this current system is about 2.38 cfs. However, review of claim file 43-04149 indicates a 30-hp pump that probably open discharged prior to 1977 when the system was converted to sprinklers. Using an estimated water level of 100 feet and open discharge conditions, theoretical capacity of the pre-1977 system is about 2.04 cfs.

2.564 cfs

*4.22
3
+ 2.04
9.26 cfs.*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

copy

July 27, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DENTON WHITAKER
HC 72 BOX 2192
MALTA ID 83342

RE: Section 17 well

Dear Mr. Whitaker:

I wanted to follow up with you regarding our visit at your home on June 1, 2000. Your description of wells used by you was helpful. Cindy and I visited your "East Well," the "Don Shaw Well," and the "Juan Tracey Well," all in section 8, T14S R27E. IDWR site tag numbers at these wells are A0004847, A0004848, and A0004849.

During our visit, you mentioned that you have additional data on these wells regarding their historic diversion capacity. If you still have this data, we could still use it for recommending water right claims A43-10289 and A43-10425. Please forward it to me at the above address.

You had asked if our records indicate that you have claimed as a point of diversion a well located in section 17. I was unable to find any claim in your name for a diversion (well) in section 17. In section 17, I find that Warr Brothers has several wells claimed for irrigation, Gary Fowles has one small diversion (domestic, stock, and 3 acres of irrigation), the LDS church has one for irrigation (in the SWNW quarter-quarter, claim A43-04208), and Brian Hansen has one (domestic only). You may wish to contact Jeanie Robertson of the Twin Falls IDWR office regarding this issue. I believe that she is working on your claims. The telephone number for the Twin Falls office is (208) 736-3033.

If you have any questions about this matter, please let me know. I can be reached by mail at the above address or by phone at (208) 327-7897.

Sincerely,

Scott King

80004819

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: **Scott King**

ed 1/6/2000

Date: **7/24/2000**

Page 1 of 1

Record ID	92	Measured Flow:	
Water Right No.	A43-10289	Designed Flow:	
Name	Whitaker, Denton & Cleta	HP/Eff Flow:	3.03 cfs <<--Max
pod	14S 27E 8 SWSWSW	Sprinkler Flow:	
year:	1974	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	50 hp	from claim, 43-04055	
PWL	115 ft	estimated pwl	
Disch Psi	0 psi	assumed open discharge	
PUMP Eff Estimate	0.79 %		
TDH	115 ft		
OHP	39.5 hp		
Flow	1360 gpm	=	3.03 cfs
System Method:			
No Lines		Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks		=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating		gpm	=

Comments / Data Supplied:

7/24/2000 snk

Review of claim file for 43-04055 indicates claimant stated a 50 hp pump, water at 100 ft, pump at 150 feet. Claimed 3 cfs.

I assumed the water level at 100 ft was static, and added 15 feet for drawdown, and also assumed the system was open discharging to ditches. These conditions confirm the potential to pump 3 cfs as claimed.

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: **Scott King**

Date: **7/24/2000**

ed 1/6/2000

Page 1 of 1

A0004847
"East well"

Record ID 177 Water Right No. A43-10425 Name Whitaker, Denton & Clela pod 14S 27E 08 SWNWSE year 2000	Measured Flow: Designed Flow: 4.46 cfs <<—Max HP/Eff Flow: 4.22 cfs Sprinkler Flow: Pivot/System Flow:
Flow Measurement: gpm =	
Curve/Pump Design: 2000 gpm = 4.46 cfs approximate rating for booster pump	
Horsepower / Efficiency Method	
Horsepower 175 hp PWL 150 ft Disch Psi 65 psi PUMP Eff Estimate 0.82 % TDH 300 ft OHP 143.5 hp Flow 1893 gpm = 4.22 cfs	100-hp well pump, 75-hp booster pump estimated pwl, measured swl at 121.5 ft estimated discharge pressure
System Method:	
No Lines Birds per line Ttl no nozzles 0 Nozzle size in Nozzle pressure psi Flow per nozzle 0.00 gpm Sprinkler Flow 0 gpm Percent Leaks % Total Flow 0 gpm = Pivot / System rating gpm =	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$ C= 1.00 Nozzle coefficient; typical 0.97 to 1.00 r= 0.0000 ft Nozzle radius A= 0.00000 ft^2 Nozzle area h= 0 ft Head g= 32.2 ft/sec^2 Gravitational constant Q= 0.000 cfs Flow per nozzle = 0.000 gpm Flow per nozzle

Comments / Data Supplied:

7/24/2000 snk

Field visit to system 6/1/2000. Well pump was pulled for repair; measured static water level at 121.5 feet with electric tape, then checked with steel tape and found oil at 121 feet, and oil/ water interface at 124 feet. Well pump motor is 100-hp, and booster is 75-hp. Estimated pwl and discharge pressure for theoretical capacity of 4.22 cfs. Reviewed Peerless pump curve catalog, and couldn't find a curve for the pump (Model 8AE12), but similar Model 8 with 12" impellers and 75-hp rating had rated capacity near 2000 gpm.

40048.0

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: Scott King

ed 1/6/2000

Date: 7/24/2000

Page 1 of 1

Record ID 176		Measured Flow:	
Water Right No. A43-10425		Designed Flow:	
Name Whitaker, Denton & Cleta		HP/Eff Flow:	2.04 cfs <<--Max
pod 14S 27E 8 NWNWSW		Sprinkler Flow:	
year: 1970's		Pivot/System Flow:	
Flow Measurement: gpm =			
Curve/Pump Design: gpm =			
Horsepower / Efficiency Method			
Horsepower	30 hp	from claim, 43-04149	
PWL	100 ft	estimated pwl	
Disch Psi	0 psi	assumed open discharge	
PUMP Eff Estimate	0.77 %		
TDH	100 ft		
OHP	23.1 hp		
Flow	915 gpm =	2.04 cfs	
System Method:			
No Lines		Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size	in	A=	0.00000 ft^2 Nozzle area
Nozzle pressure	psi	h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks	%	=	0.000 gpm Flow per nozzle
Total Flow	0 gpm =		
Pivot / System rating: gpm =			

Comments / Data Supplied:

7/24/2000 snk

Review of claim file for 43-04149 indicates a 30 hp pump that probably open discharged prior to 1977 when system converted to sprinklers. Estimated a water level of 100 feet, which is similar to level used for SWSWSW section 8 well. Estimated flow of 2 cfs is less than the claimed amount of 2.4 cfs.

A0004848

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: Scott King

Date: 7/24/2000

Page 2 of 2

Record ID: 176	Measured Flow:
Water Right No. A43-10425	Designed Flow:
Name Whitaker, Denton & Cleta	HP/Eff Flow: 2.38 cfs <<--Max
pod 14S 27E 8 NWNWSW	Sprinkler Flow:
year: <u>current</u>	Pivot/System Flow:
Flow Measurement: <u> </u> gpm =	
Curve/Pump Design: <u> </u> gpm =	
Horsepower / Efficiency Method	
Horsepower <u>115</u> hp	75-hp well pump motor, 40-hp booster
PWL <u>200</u> ft	estimated pwl
Disch Psi <u>65</u> psi	estimated pressure for sprinkler system
Eff Estimate <u>0.82</u> %	
TDH <u>350</u> ft	
OHP <u>94.3</u> hp	
Flow <u>1066</u> gpm =	2.38 cfs
System Method:	
No Lines <u> </u>	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$
Birds per line <u> </u>	C= 1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles <u>0</u>	r= 0.0000 ft Nozzle radius
Nozzle size <u> </u> in	A= 0.00000 ft^2 Nozzle area
Nozzle pressure <u> </u> psi	h= 0 ft Head
Flow per nozzle <u>0.00</u> gpm	g= 32.2 ft/sec^2 Gravitational constant
Sprinkler Flow <u>0</u> gpm	Q= 0.000 cfs Flow per nozzle
Percent Leaks <u> </u> %	= 0.000 gpm Flow per nozzle
Total Flow <u>0</u> gpm =	
Pivot / System rating <u> </u> gpm =	

Comments / Data Supplied:

7/24/2000 snk

Field exam 6/1/2000 revealed current system is 75-hp well pump motor and 40-hp booster pump.

Well pump was out of the well for repair so there should be data on the current well pump capacity, however, I have not received it.

Estimated pwl at 200 feet, and discharge pressure at 65 psi.

Conversation w/ Whitaker

6/1/2000

at his home w/ Cindy Bird. by Scott King

Section 17 well

145 27E

Likely drilled by LDS.

Should have been filed on
by Lorenzo Tracky for 500-600 acres

Now owned and operated by
Whitaker.

Has NOT

Check to see that Whitaker has
filed on.

LDS hasn't used since
1960's because Whitaker
has been here since and
water from well

→ Do not find any POD filing for Whitaker in
Section 17.

Also- only visited 2 wells in Sec 17, both in
name of Warr Bros (A0007917 NWSE NW, A0007916 NWSE NW)

Conversation, cont

100 hp ~~well~~ East Well
75 hp ~~Booster~~ By hay stack

Don Shaw well,
✓ 5 $\frac{1}{8}$ mile from house. Pumped
Travis house just south of well

Then double-wide.

Tracey well. about $\frac{1}{2}$ mi south

Up road $\frac{3}{4}$ mile was 3 ~~and~~ ^{going} wells
↳ these now abandoned but were used
to develop water rights.

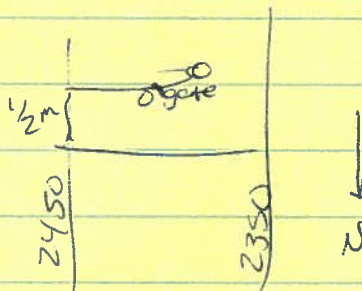
Travis' well up road
about 3 miles

100 HP

This well was

Peter Gush's

A0004852



14527E 20

NE SESW

A43-02421

- 04096

6/1/2000

45 27E 08

SURVSE

Denton Whitaker

A43-02294 G

-10425

"East Well" ESE of farm by
haystack

A0004847 previously tagged
GPS'd today

Pump recently removed from
well for repair.

Measured water level w/
elect tape and steel tape.
at 121.5 ft elect tape sounded.

applied Kolor Kut to lower 10 ft
of steel tape and lowered tape
to 130 ft.

Oil mark at 9'

$130 - 9 = 121'$ to oil

Water line at 6'

$130 - 6 = 124'$ to water

3' of oil in well

Reference mark was top of casing

Well Pump motor 100-hp SN: C1009293 US Electric

Direct in-line Cent Booster Motor GE 75hp OEG092709

Peerless booster pump SN 9045134

Model 8AE12

WWE
2000-2500
HAN 110-130A

6/1/2008

Denton Whitaker

145 27E 08 NW NW SW

"Don Shaw" well

A43-02294G

About 1/8 mile S of Denton's Home

- 10425

- Pump out of well for repair

A0004848 previously tagged - Re-gps'd today

75 HP S/L# 3986967 US Electric Motor
1800 RPM.

Bypass ^{booster} thruster

Aurora Pump.

No. 77 14426-1

TYPE 411-8F

Booster

40 hp S/L# J1261512

Denton Whitaker.
Formally: Sean Tracy well.

A43-02294D

G

-10289

-10425

A0004849 previously tagged

14527E8 SWSW: SESES

US Electrical Motor.

50 hp.

S/L # 1214577

1200 RPM.

No Booster.

old. Concrete box & ditch is approx. 12' from the pump. running east.

Power Pole. 24084.

4 Photos taken at site.
Looking E, NE @ well

Denton Whitaker
June 1, 2000
A43-10425
A0004847
T14SR27E08 SWNWSE



Figure 1 Denton Whitaker POD T14SR27E08 SWNWSE. Pump had to be reconditioned because of wear.

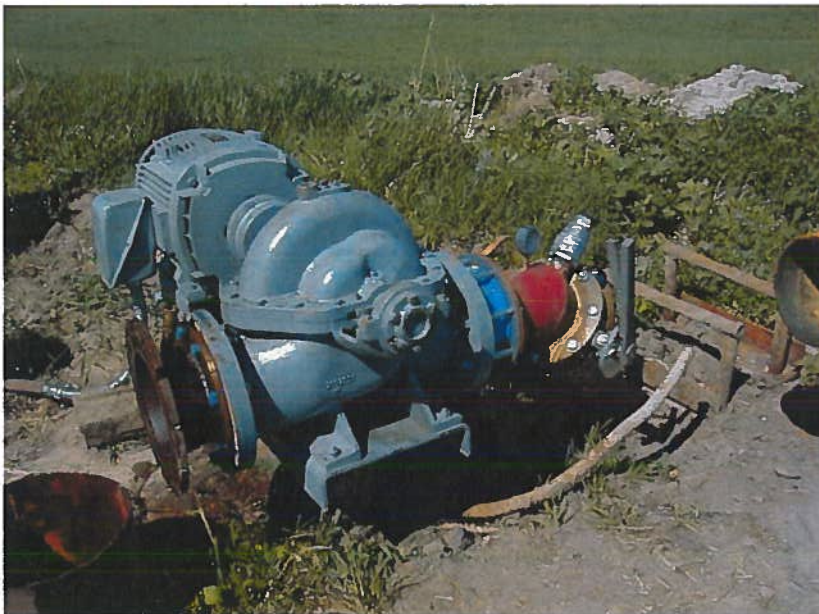


Figure 2. D. Whitaker



Figure 3. D. Whitaker POD.

D. Whitaker
A0004848
14S 27E 08 NWNWSW

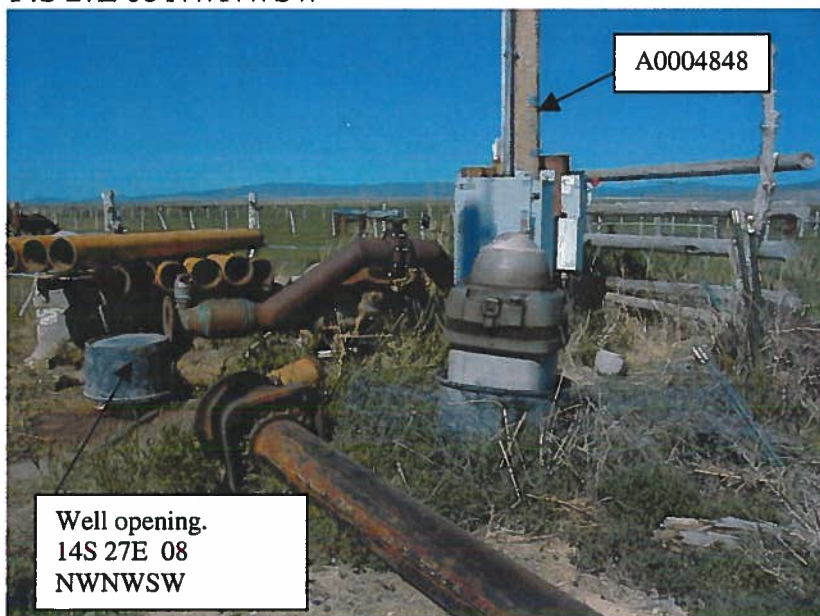


Figure 4. D. Whitaker reconditioning pump.



Figure 5 D. Whitaker POD A0004848

D Whitaker
A0004849
T14SR27E08 SWSWSW

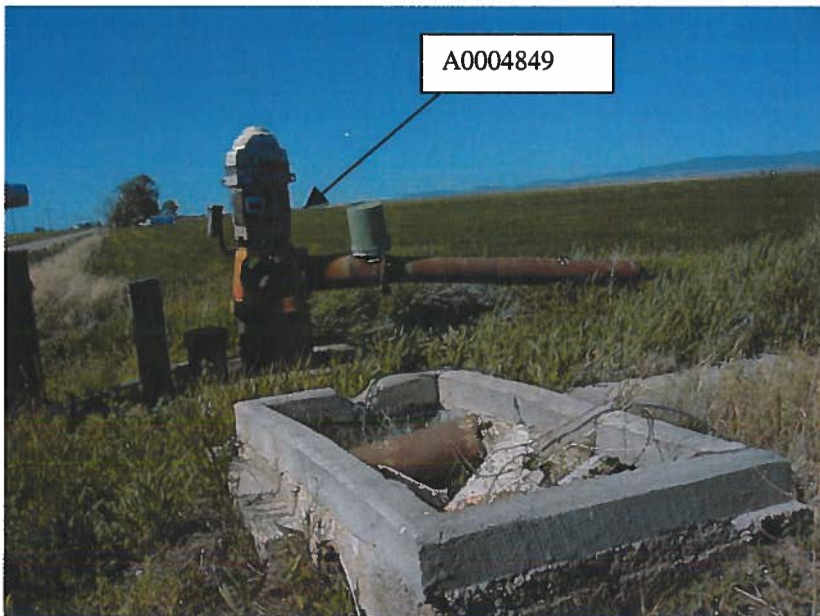


Figure 6. Denton Whitaker's POD T14SR27E08 NWNWSE



Figure 7. Old concrete ditch system.



Figure 8. D. Whitaker POU.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 12, 2001

DENTON WHITAKER
HC 72 BOX 2192
MALTA ID 83342

RE: NEW AND AMENDED CLAIMS

Dear Mr. Whitaker,

Enclosed are amended claims for 43-10433, 43-10434, and 43-10435, showing your share of combinations of decreed rights. (The Remarks in #14 on each claim shows the proportionate amounts from each decreed right.) There is no charge for amending these claims, just sign in front of a notary and return ASAP.

There are also two new claims for your portions of 43-00170 and 43-00173, which hadn't previously been claimed. These will require a \$50.00 filing fee for each.

There is an ownership change form for the Tracy rights (43-02294D and 43-10289). Please complete it and sign on page 2, remembering to enclose a map and warranty deed. (No charge)

Mr. Tracy started but never completed three other claims, which are appurtenant to the Tracy property (43-10625, 43-10626, & 43-10627), and the fees were not paid. The Remarks in #14 show which decreed rights they are a combination of and the amount. If you would like to file these claims, a \$50.00 filing fee for each is necessary.

Please remind your son that we still need the ownership change form, map and warranty deed for the property he purchased from Grush. The Preliminary Report is scheduled to go out very soon, so please send everything back to my attention as soon as you can. If you decide to file an all five new claims, don't forget a check for \$250.00.

Please feel free to give me a call at the office if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

$\nearrow 12976$
 $\nearrow 12977$
43-10433 comb. of 2 diff sou 7/1 $\rightarrow$ 10/1
 - needs split 4/1 $\rightarrow$ 7/10/1

43-10434

43-10435

needs A

limited to $\overset{120}{113.3}$ in 329.3ppu

43-12976 -12980

43-12977?

43-12978

43-12979

43-10625

needs A

limited to $\overset{200}{193.3}$ in 329.3ppu

43-10434

43-12977?

limited to 80 in 329.3ppu

43-12958

43-12959

43-10626

needs spl

limited to $\overset{60}{59}$ in 329.3ppu

43-10627

-022940

-12981

-12984

-10289?

-12982

-12985

-12983

-10627

43-12958 OK

43-12959 OK

43-02294G OK

disallow

43-10425 - part of 43-04055
43-04149

needs split to claim both priority dates

★ - will need another claim & 50th filing fee

43-02294A OK

43-10289 OK
part of 43-04055 (disallow)

43-04055 4/1/1959 3cfs 320 Ac.

disallow
- same wells as licensed under 43-02294G (2.05cfs)
- has one affidavit stating 1959

43-04149 1955 2.4cfs 100 Ac.

- no E/P

43-10425 claims 3cfs from well in SWSW
51 cfs lic. to that well by trans 2756 on 02294

disallow

claims 40 acres of B.U. in NESE of Sec 8
(other claims are all based on decrees)
(thru 43-04055)

2.43cfs

these 40 Ac. don't appear to be map. in '62 or '68 photo
- no evidence of priority submitted

Tracy Place

-02294D 3/5/1945 .514 cfs 60A. (57 acc.)

$$.514 \div 60 = 0.0085 \text{ cfs/Ac.}$$

(well in SW SWSW of 8)

-10289 4/1/1959 .56 cfs 60A.

(disallow) well in (SWSWSW of 8)

- Scott indicates a potential of 3 cfs

- both claims = 1.074 cfs (or 0.0179 cfs/Ac.)

$$(1.074 \text{ cfs} \div 57 = 0.188 \text{ cfs/Ac.})$$

329.3 GIS
-300 Lic (2.564 cfs)

-43-02294G 3/5/1945 2.05 cfs 240Ae

NWNWSW

SW SWSW

SWNWSE

} Sec. 8

43-02294D 3/5/1945 0.514 cfs 60Ac

can allow some more water under 43-04055

3/5/1945
A43-02294 G 2.05 cfs 240 Ac.

- this combines two pieces of water right 43-02294
one for 43-02294B for 1.710 cfs and 200 Ac.
one for 43-02294F for 0.340 cfs and 40 Ac. (diff. ac.)
- together these add up to the claim.

43-02294 was licensed for 6 cfs on 700 Ac. in Sec. 8 & 17
to surface water rights

- in 1977, transfer 2154 was approved ^{splitting off} moving 200 Ac.
and 1.71 cfs to a well in the ~~NE~~ NWSE of Sec. 8
- in 1983, transfer 2822 was approved which moved
an additional 40 acres and .34 cfs to the 3 wells
owned by Whitaker in Section 8
- well log for 1977 show the well in the NESE of Sec. 8 was
replaced and pumped 990 gpm in a test (about 2.2 cfs)
202'
- well log for 1979 show same well was deepened (no test data)
502'
- well log for 1982 show well in NWSW was deepened to 409'

in 1974, 43-04055 ^{by Tracy} was filed for 320 Ac. in Sec. 8 (S 1/2)
on 3 cfs 4/1/1959 priority listing well in SWSW Sec. 8

- orig. filing lists 50 hp. pump & 3 cfs
- Scott's notes say that's reasonable
- 40 Ac. in NESE don't appear irrigated in '62 or '68
- expansion claim needed for these acres ^{- no transfer 2154 moving water there}

in 1983, 43-04149 was filed by Whitaker on 100 Ac. for 2.4 cfs
~~43-04149~~ from well in SWSW (50 hp) and NWSW (30 hp.)

- no E/P submitted same acres already covered by 1977 transfer
- disallow

A43-10425 was filed in AJ combining both stat. claims using 1959 priority date for 3.55 cfs and the 3 wells in Section 8 on 280 Ac.

- disallow*
- disallow the 2.4 cfs from 43-4149, leaves 1.15 cfs on 240 Ac. (not NESE)
 - originally 04055 was for 3 cfs, <.56 claimed by 10289> leaves 2.44 available, can recommend 2.44 cfs on ^{255 Ac}~~240 Ac~~.

A43-02294D 3/5/1945 0.514 cfs 60 Ac.

- matches WR 43-02294D
- created by transfer in 1983 (2756) which moved 0.514 cfs to well SWSW of Sec. 8 and 60 ~~Ac~~ (57 now sec.)
- notes on transfer states this report seems to supersede 43-04055 and give them an earlier date - disallow stat. claims

A43-10289 4/1/1959 0.56 cfs 60 Ac (same)

- disallow*
- filed on 19% of 43-04055
 - seems reasonable, tog. = 1.074 or 0.0179 cfs/Ac.
 - an affidavit was submitted with (43-04055)
 - disallow, cause already covered by lic - 02294 & transfers

G/S = 329.3

total div. rate = 2.44 (-10425)

lic = 300 (1200 AF)

- 0.514 (-02294D)

EXP = 29.3 needed

- 2.05 (-02294G)

2.564 cfs

0.56 (-10289)

Total

(supp. to surface)

5.564 cfs ÷ 329.3 A

0.008 cfs/Ac
on 300 Ac.

= 0.01689 cfs/Ac.

RECEIVED

JAN 30 1974

Department of Water Administration
Southern District Office

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-235a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that

LEONZO D. T. (name of claimant)

at Maltby, Indiana
(mailing address)

claims a right to the diversion and beneficial use of

ground water or surface water tributary to

The extent and nature of said claim is as follows:

- (1) Describe source of water (name of stream, lake, spring, etc. or ground water) Ground water

Amount 5 CFS Use for 1 yr. Period of Use From April 1 To Oct 1

Amount	Use	Period of Use	From	To
--------	-----	---------------	------	----

Amount	Use	Period of Use	From	To
--------	-----	---------------	------	----

(etc. spm of a 0)	(dom. am. stick etc.)
---	---

- | | | | | |
|-----|---|---|--|-----------|
| 4.5 | Total quantity of water claimed per annum, and/or | 3 | cubic feet per second, or gallons per minute | acre feet |
|-----|---|---|--|-----------|

- (4) Priority claimed (the date water was first applied to beneficial use) 2010-11-01

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (4) A Point of diversion (give location of point where water is diverted from its source)

SW 1/4 SW 1/4 Sec 9 Twp 14 Rge 27 B.M. County of Cass

Additional points of diversion:

- B) Describe means of diversion of water (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities be as specific as possible. 50 HP Pump, 10" dia. pipe, 100' long.

Water 100% well drilled to 300 ft. Remains down 100 ft.

- 161 A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No of items 320

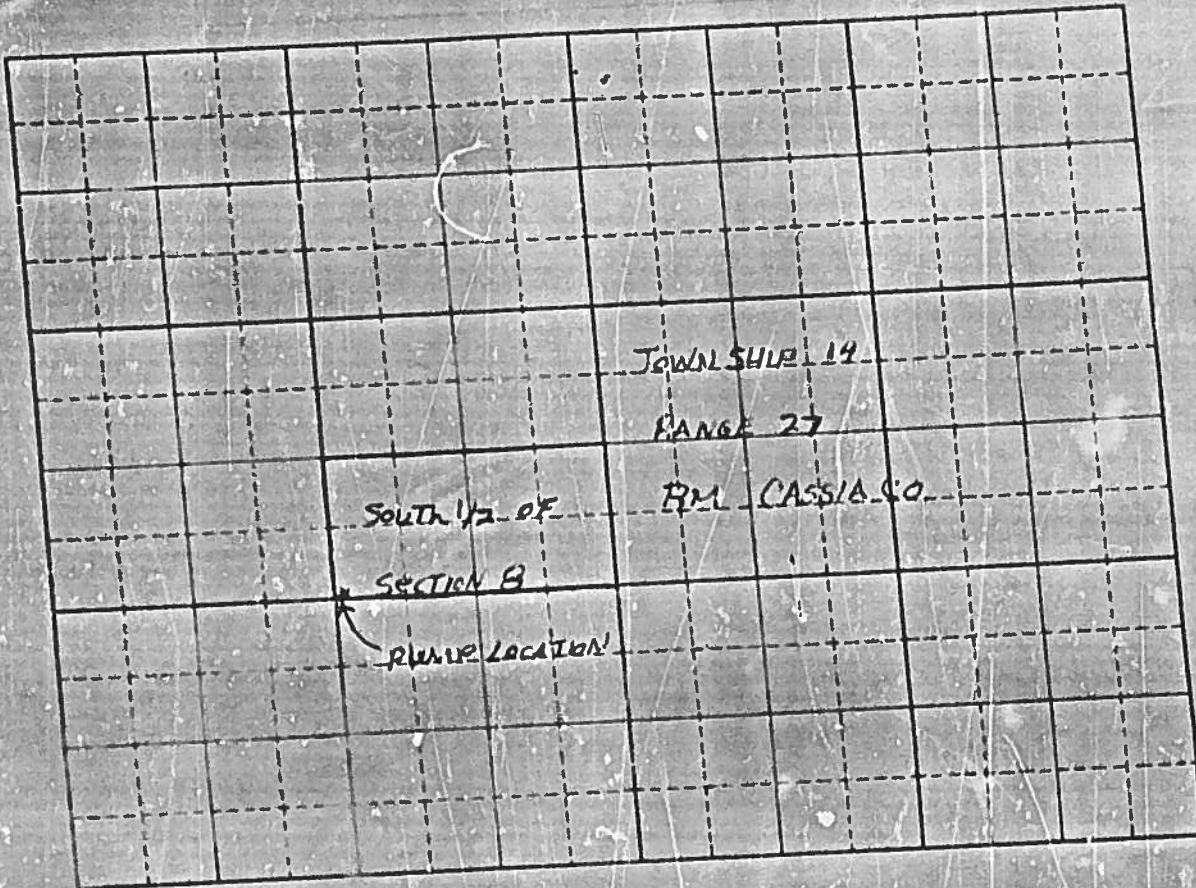
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible.

- 17) If you are claiming water as a member of an organization, list name of organization

13 405F

13 4055

(8) Remarks Well is located in SW corner of SW 1/4 Sec 8, T14N, R27E, S10E, 1st Ed.
Water is used on South 1/2 of Section 8



Scale 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 30-acre subdivisions, section, township and range in the public land survey system.

State of Idaho

County of *Cassia*

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this *25th* day of

January

Louise D. Tracy
(Claimant)

Gene Baxter
Notary Public
Residing at *Malta, Idaho*

My commission expires

For Department Use Only

Received by *SA*
Prepaid check by *SA*
\$10.00 fee received by *SA*
Approved for publication by
Published in *S.I. Press*
Dates *2-12 & 2-19-74*

Date *2-20-74*
Date *2-20-74*
Date *2-20-74* (1974)

Exception filed by

Forwarded to
claimant by

Date

January 23, 1974

Malta, Idaho

To Whom It May Concern

Be it known that we the undersigned do have knowlege of the fact that the water from the well located on the SW corner of the SW $\frac{1}{4}$ of section '18' Township 14 Range 27 B. M. Cassia Co. has been used on the S $\frac{1}{2}$ of the same section. This use was started in 1959 and has continued to the present.

1- John Doe
2- John Doe
3- John Doe
4- John Doe

RECEIVED

JAN 30 1974

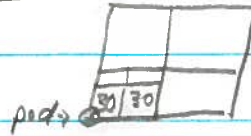
Department of Water Administration
Southern District Office

13 4055

43-02294 (part D)

for Tracy - now owned by Whitaker

in 1983, transfer 2756 approved for 0.514 cfs on 60 Ac. to well in SWSW of Section 8



- statement in transfer said 43-04055 was filed because license 43-02294 was not known about at that time when new well was drilled in 1959.

-(this transfer just recorded what had been happening since 1959)

$$\begin{array}{l} \text{total under lic} = \overset{\text{Whitaker}}{2.05} + \overset{\text{Tracy}}{.514} = \underline{2.564 \text{ cfs}} \\ \text{rec. under 43-10425} \xrightarrow{\quad} = \underline{0.436} \text{ for } 43-04055? \end{array} \left. \vphantom{\begin{array}{l} \text{total under lic} \\ \text{rec. under 43-10425} \end{array}} \right\} 29$$

4/1/1959

43-10289 filed by Tracy for 19% of 43-04055 or .56 cfs

- rec. as expansion claim for 29.3 Ac. not covered by license and not irrigated in '62 & '68 photos

acres in NESE don't appear irrigated in '62 or '68

- need expansion claim

- make either -10425 or 10289 expansion claim²
B.U. 300 Ac. for 29.3 Ac.

1200 AF on 300 Ac.

CLAIM TO A WATER RIGHT

RECEIVED

JAN 30 1974

Department of Water Administration
Southern District Office

Notice is hereby given that

LORENZO D. T. (name of Plaintiff)

of \$4.00 + 7.146.00
(including address)

claims a right to the diversion and beneficial use of

Ground water or surface water tributary to

The extent and nature of said claim is as follows:

- (1) Describe source of water (name of stream, lake, spring, etc., or ground water) Ground water
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | Amount | Use | Period of Use |
|--------|-----|-----------------------|
| 5 CFS | Use | From April 1 To Oct 1 |
| Amount | Use | Period of Use From To |
| Amount | Use | Period of Use From To |
- (lbs/gpm or a/d) (dam, mill, stock, etc.) (both dates inclusive)

3. Total quantity of water claimed: 3 cubic feet per second, or
per annum, and of gallons per minute. acre feet

- (4) Priority claimed. (the date water was first applied to beneficial use) Spring 1957
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- r^2 r^2 Amount of diversion Give location of point where water is diverted from its source

SW - SW to Sec 8 Tap 14 Res 27 8 M County of

Additional points of discussion

- B) Describe means of diversion of water: pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc. Hinge Mass and capacities be as specific as possible.

etc. Give mass and capacities be as specific as possible. S. Hsp. 1044 12" x 12" x 12" 1000 gms. 1000 gms. 1000 gms.
 The water level, with density 20 3000 1000 gms. 1000 gms. 1000 gms.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acrs. 320

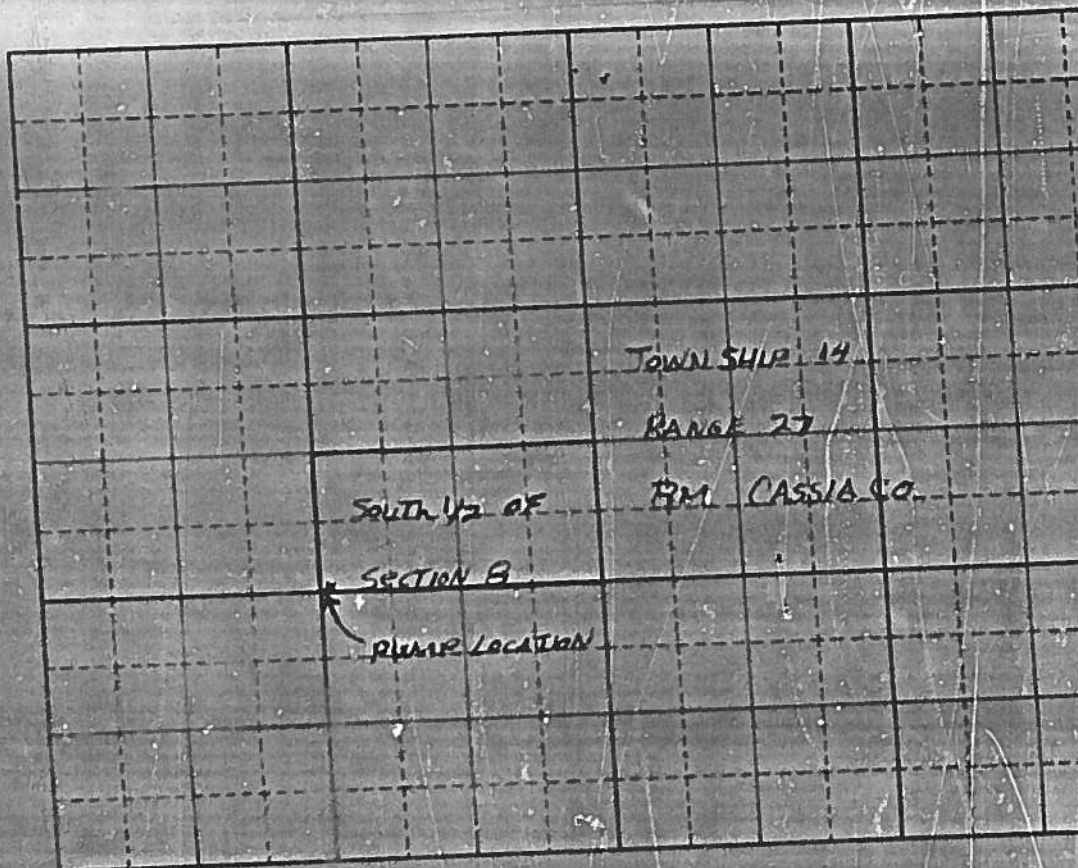
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible.

- (7) If you are drinking water as a member of an organization, list name of organization

13 4055

13 4055

REMARKS Well is located in SW corner of SW 1/4 Sec 10, T. 14 N., R. 27 E., S. 1/2 of Section B. Water is used on South 1/2 of Section B.



Scale: 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of *Cassia*

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing is a water right, together with all attached information, and that the requests and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 25th day of

Louise D. Tracy
(Claimant)
1974
Gene Baiter
Residing at *Malta, Idaho*

My commission expires

For Department Use Only

Received by
Filing check by *EC*
\$70.00 fee received by
Approved for publication by
Published to *S.I. Press*
Date *2-28-74*

Date *2-28-74* Accepted filed by
Date *3-1-74*
Date *7-1-74*

Forwarded to
claimant by

January 23, 19
Malta, Idaho

To Whom It May Concern

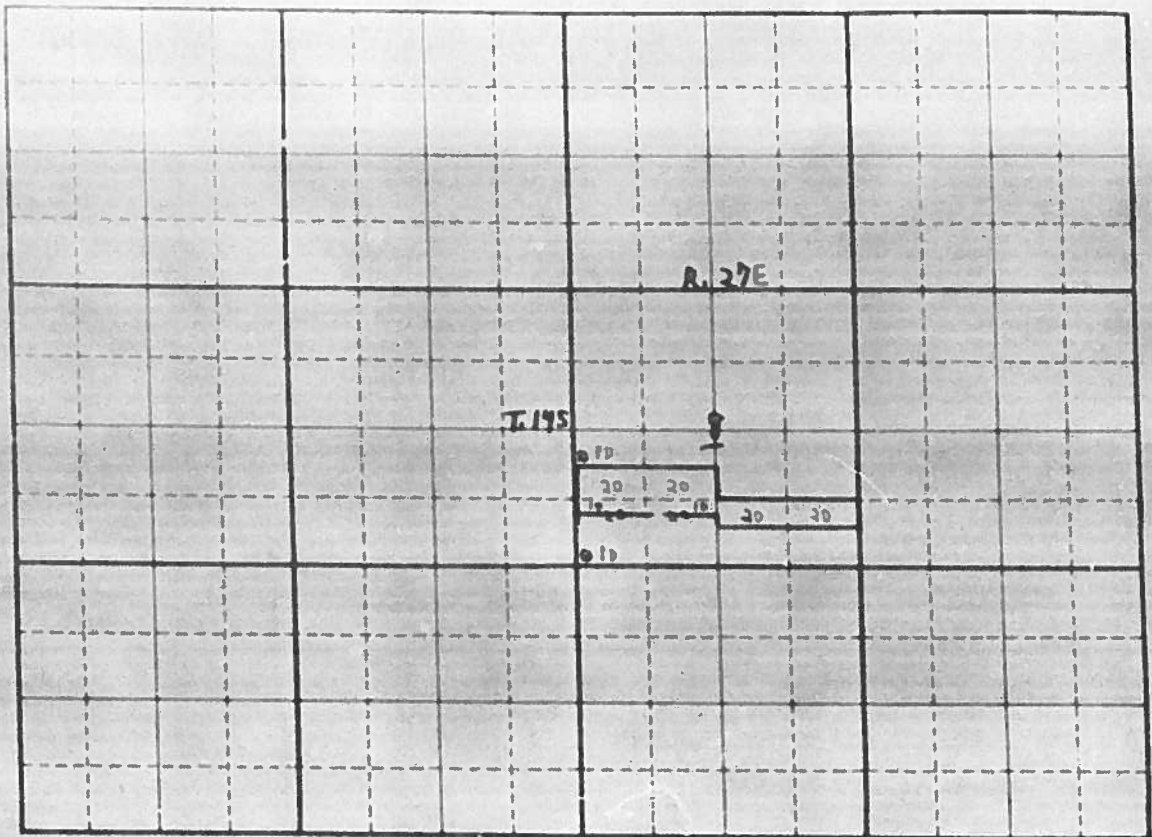
Be it known that we the undersigned do have knowlege of the fact that the water from the well located on the SW corner of the SW $\frac{1}{4}$ of section 18 Township 14 Range 27 B. M. Cassia Co. has been used on the S $\frac{1}{2}$ of the same section. This use was started in 1959 and has continued to the present.

1- Malta, Idaho
2- Chas. Brown
3- Malta, Idaho
4- Malta, Idaho

RECEIVED

JAN 30 1974

Department of Water Administration
Southern District Office



Scale: 7 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Twin Falls

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Denton Whitaker
(Claimant)

Sworn to before me this 11th day of March, 1983.

Stanley A. McWhorter
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>J. E. Hutton</u>	Date <u>3-21-83</u>	Exception filed by	Forwarded to	Date
Prelim. check by <u>A. H.</u>	Date <u>4/21/83</u>		claimant by	
\$30.00 fee received by <u>PH</u>	Date <u>3-21-83 4:26/83</u>			
Published in <u>South Idaho Press</u>				
Dates <u>5-22-83 to 5-23-83</u>				

SD-4110
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 10/13/99
Time: 15:45:12

Water Right Number: A43-04055

FIRST PAGE

GEN SEE NO. 43-10289 AND 43-10425.

| THIS RIGHT HAS BEEN SPLIT AND IS CLAIMED AS FOLLOWS:

A43-10289 - 0.56 CFS - 60 AC - TRACEY.

A43-10425 - COMBINES 1.15CFS OF 43-04055 WITH ALL (2.4CFS) OF
43-04149 AND IS CLAIMED ON 280 ACRES.

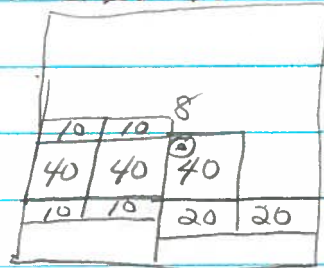
| THIS RIGHT HAS AN UNDER CLAIMED DIVERSION RATE. ALB 1-16-92

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

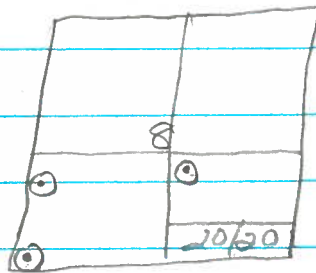
(A43-02294G 2.05 cfs on 240A)

in 1977 trans. 2154 approved for 1.71 cfs on 20 Ac.
to well in NWSE of Sec. 8 (part B)



- well replaced in 1977 - test = 990 gpm (2.8 ^{202'} cfs)
- well deepened in 1979 (302')
- notes from claimant say 30 HP pump in 1955
50 HP pump in 1981
75 HP pump in 1998

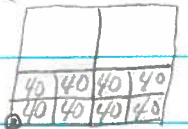
in 1983 trans. 2822 approved for 0.34 cfs on 40 Ac.
to 3 wells



(part F)

4/1/1959

in 1974, 43-04055 was filed by Tray for 320 Ac. (S $\frac{1}{2}$ Sec. 8
and 3 cfs from well in SW SW SW



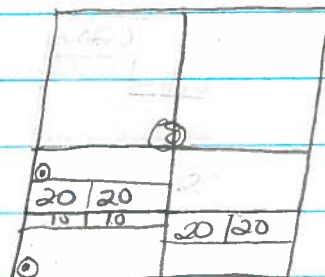
- affidavit states use from 1959
- part claimed by Whitaker in 43-10425, which also
combines 43-4149)

1955 priority

in 1983, 43-04149 was filed by Whitaker for 100 Ac. from 2 wells

- no evidence submitted

(- disallow -)



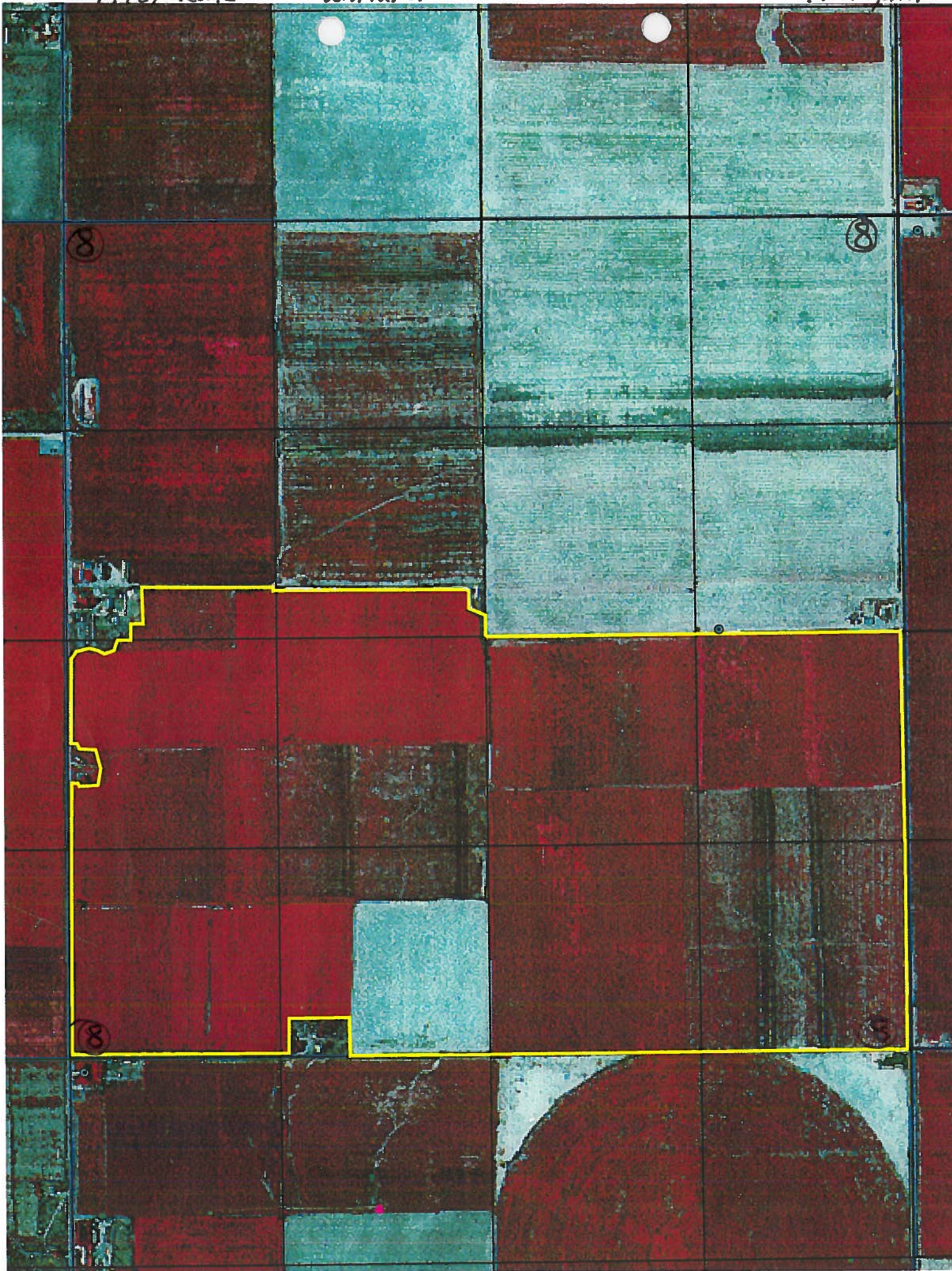
NW
 183.7 NHEL/W
 2
 187.9 NHEL/W
 356.2 NHEL/W
 124.4 NHEL/W
 158.1 NHEL/W
 58.1
 102.0
 100.3
 171.16
 356.0
 T1645
 58.4
 29.6
 29.3
 28.3 NHEL/W
 6.1
 6.0
 6.8
 T8593

Whittaker
 must have
 bought 1645
 from Juan
 1 ray

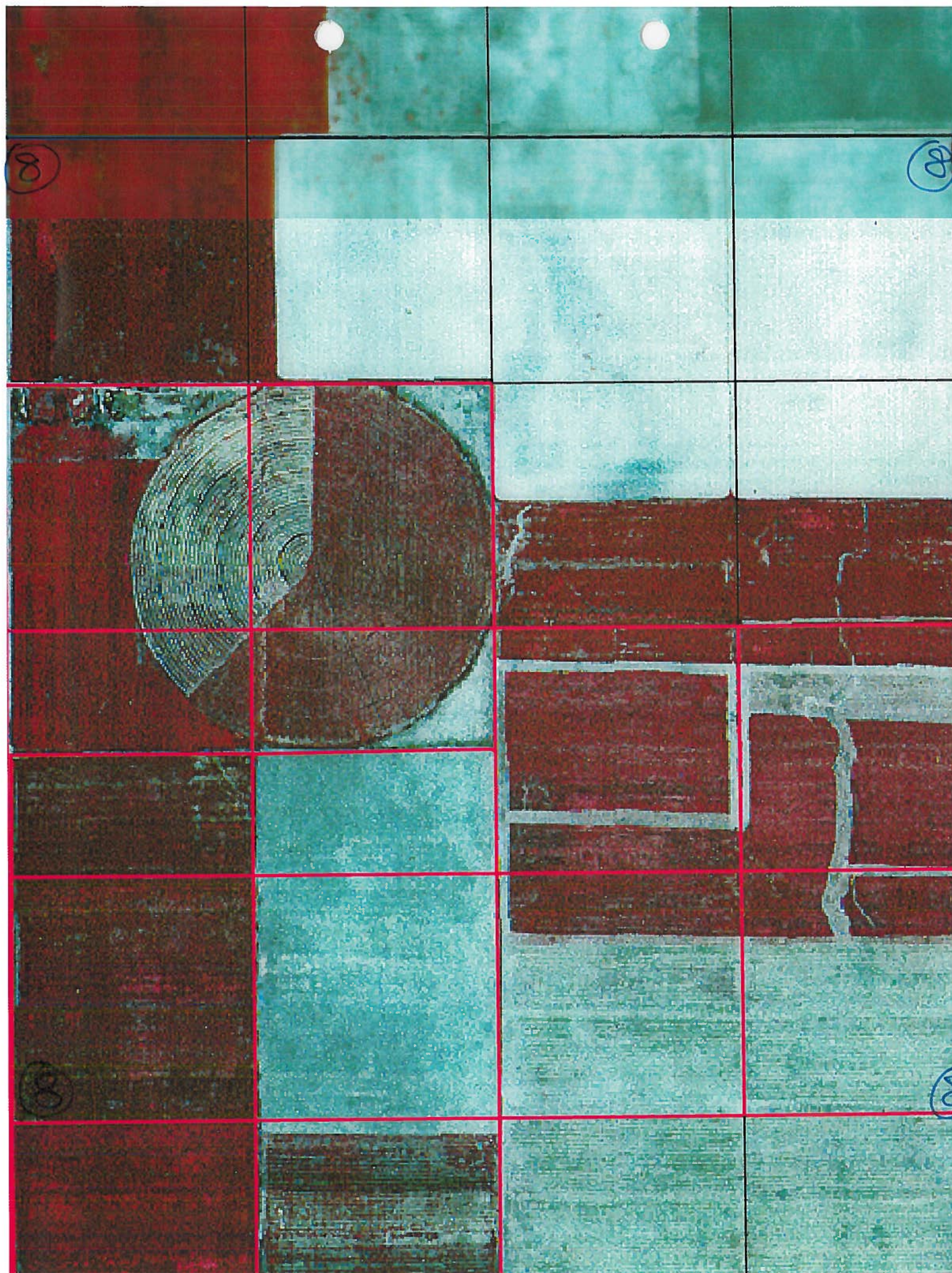
T145, R27E

Whitaker

1987 photo







IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 3214

Prepared: 04/13/9

Crop Year: 9

Page:

No. of Tracts: 4

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	MG	CWTE	CWNA	PCW
-----------	----------	----------	-----------------------	-----	-----	------	---	----	----	----	----	----	----	----	------	------	-----

1425	800.0	323.8	323.8	Y	Y	Y	Y	N	N								N
IDENTIFIER			X30 S8 T14 R25														
OWNER	1 - DENTON L WHITAKER																

1644	280.0	272.0	272.0	N	N	N	Y	N	N	-							N
IDENTIFIER			EE30 S4.5.8 T14 R25														
OWNER	1 - DENTON L WHITAKER																

1645	60.0	58.1	58.1	N	N	N	Y	N	N	-							N
IDENTIFIER			EE30 S8 T14 R27														
OWNER	1 - DENTON L WHITAKER																

(used to be Juan Tracy)

1651	163.0	156.8	156.8	N	N	N	Y	N	N	-							N
IDENTIFIER			EE32 S20 T14 R27														
OWNER	1 - JENNIFER WHITAKER, 2 - TRAVIS WHITAKER																

(used to be Peter Grush)

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 3214
Prepared: 04/13/9
Crop Year: 9
Page:

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
519-44-9544 S DENTON L WHITAKER MALTA	1303.0	810.7	810.7	810.7	NONE	ACTIVE
ID 83342 0000						

CRP: .0

IFM: N

RECON. REF. NO.: A40090

OF AV NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	-----P&CP-----		-----YIELD-----	
						YEAR		YEAR	NI
WHEAT	1	34.6	.0			93	34.2	94	25
						92	26.5	85	25
						91	39.7		
						90	37.3		
						89	34.9	94	71
						88	32.5	85	77
BARLEY	1	170.1	.0			93	182.2	94	23
						92	197.5	85	23
						91	199.8		
						90	58.2		
						89	212.8	94	82
						88	242.9	85	86
OATS	1	2.3	.0			93	2.2	94	25
						92	1.8	85	25
						91	2.2		
						90	4.3		
						89	1.4	94	66
						88	1.0	85	68
CORN	1	1.9	.0			93	1.9	94	50
						92	1.4	85	50
						91	1.9		
						90	1.9		
						89	2.3	94	50
						88	2.0	85	50

[illegible]

T14S, R27E

Whitaker

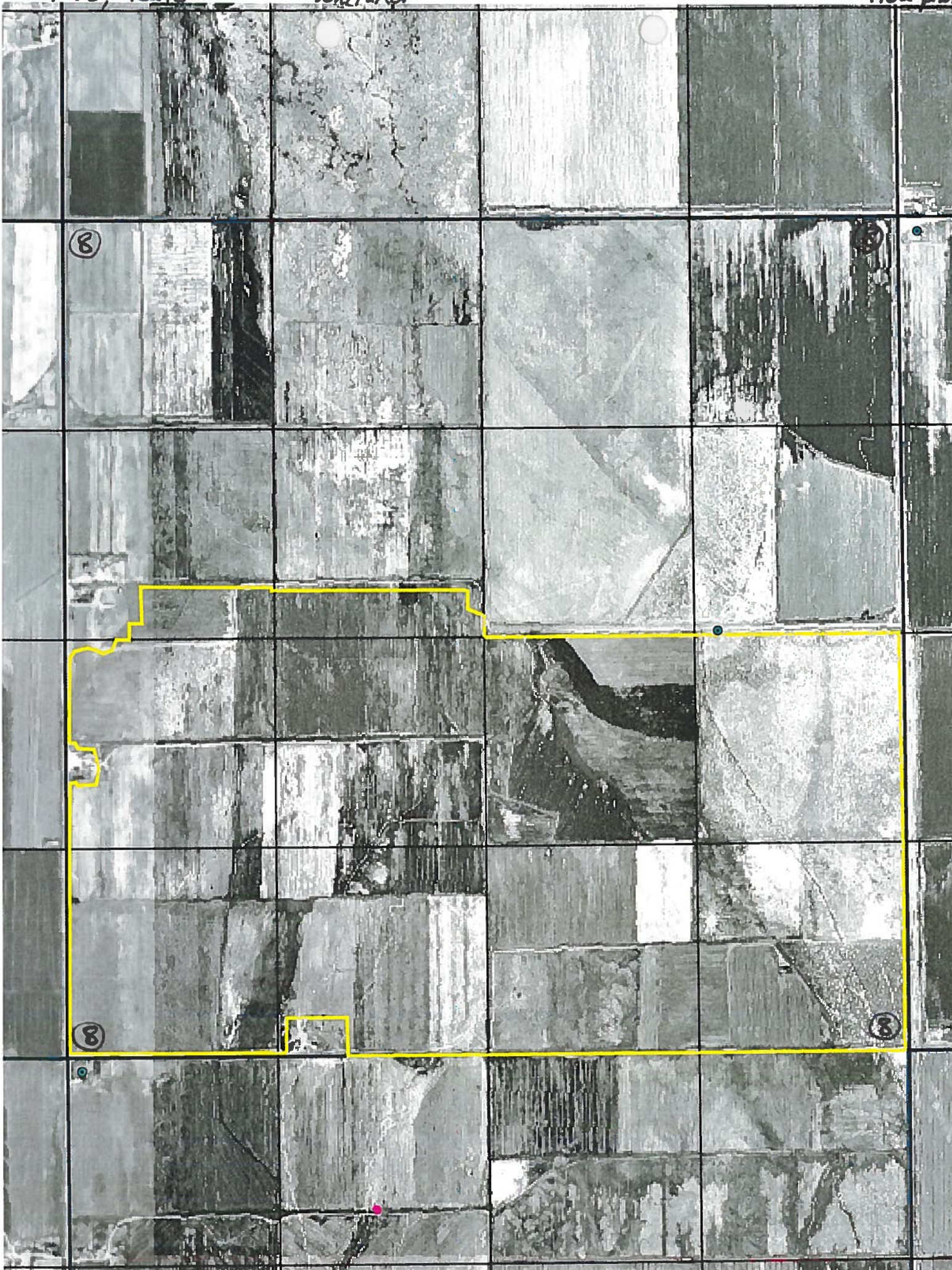
1968 photo



T14S, R27E

Whitaker

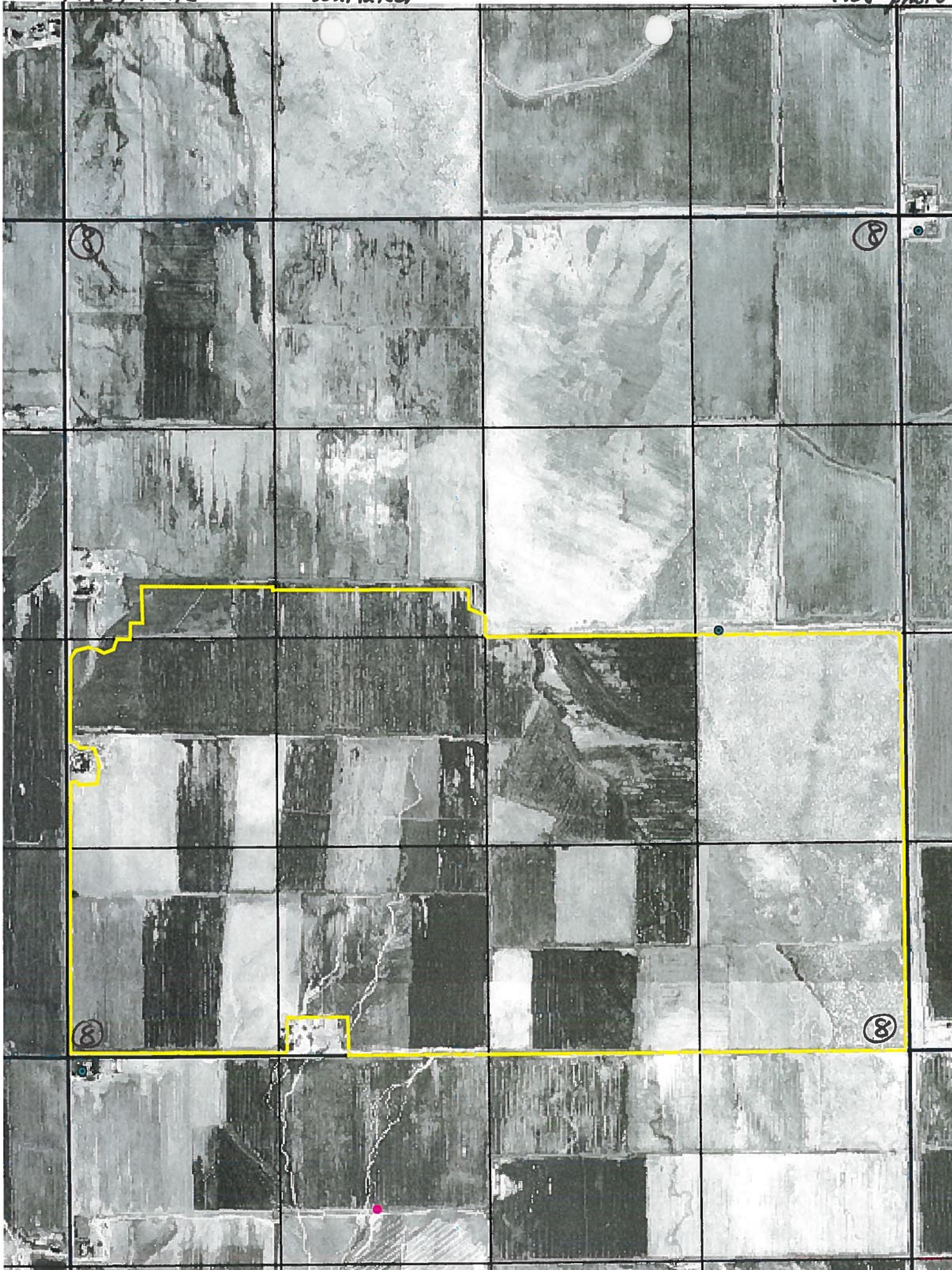
1962 photo



T14S, R27E

Whitaker

1968 photo



T14S, R27E

Whitaker

1962 photo



GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: _____

DATE: _____

BY: _____

THEORETICAL RATE OF FLOW:

$$Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (30) \times (0.70)}{[(40) + (6.5 \times 2.31)]} = \frac{184.8}{40} = 4.62$$

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

(season) (days) CV-DV

5/01-09/30 153 2-3

4/15-10/15 184 2.5-3.5

4/01-10/31 214 3-4

3/01-11/30 275 VARIES

3/15-11/15 246 VARIES

POTENTIAL =

$$(\dots) \times (1.98) \times (\dots)$$

$$(\dots)$$

REQUIRED Acre Feet/Acre/Annum =

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

1.28 cfs
576 gpm

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

RECEIVED
MAR 02 2001

Department of Water Resources
Southern Region

A4310425

WHITAKER DENTON & CLETA

14S27E8SWNWSE

D.S.

DON SHAW well on road

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on flow measurements, pump curves or specifications, system characteristics, depth to water, discharge pressure, and irrigation system characteristics to quantify the maximum rate of flow diverted and put to beneficial use in 1987.

deepened in 2/79
replaced in 3/79

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions, a phone call is welcomed. We can also be contacted by e-mail

completing the form, your
and cbird@idwr.state.id.us

6.56 cfs
328"

6 cfs needed
for inch/acre
on 300 Ac.

1) Rate of Flow measurements:

Please give approximate date, person or entity performing measurements, device and any other applicable data. Examples may include efficiency survey, which are often provided as a service by a utility.

Description of measuring
made as part of an energy
utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

1955 - 30 HP Motor - 3 Stages 12CL Bowl

1984 - 50 HP Motor - 25 HP Booster - (New Bowls - Stages) + No?

1998 - 75 HP Motor 4 Stages 11-JKH Bowl 700 - 950 GPM
280 ft head

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)	
1955 1965	30 H.P. 2	25 H.P.	40 ft.	60 ft	0	3.08 cfs
1985	50 H.P.	25 H.P.	60 ft	90 ft	65	1.28 cfs
1998	75 H.P.		100 ft	150 ft	65	1.54 cfs

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

1965-1974 - 5 - 4" siphons FLOOD IRRIGATION
 1975 - 1998 - 6-7 HAND LINES 26-28 BIRDS PER LINE 65 PSI
 1998 - PRESENT - 8 - tower center pivot - END GUN - 2 hand lines
 26 BIRDS - EACH -

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

Prior To 1987 Well in open discharge
 Pumped App - 100 - 120 IN.

BALLFOIN1 PE

WELL OWNER

Owner's Permit No. 43-2294

Operator: 2222222222222222

State law requires that this report be filed with the Director, Department of Water Resources, within 30 days after the completion or abandonment of the well.

(Operator) _____

1.66 cfs
747 gpm

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310425

WHITAKER DENTON & CLETA

14S27E8NWNWSW

East well - middle of field

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available flow measurements, pump curves or specifications, system characteristics to depth to water, discharge pressure, and irrigation system characteristics. The purpose is to quantify the maximum rate of flow diverted and put to beneficial use in the year 1987.

deepened in 3/82

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: _____ (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

1977 - 1500 - 1600 G.P.M. - Head - 100 Layne + Bowler
2 stages 12 RH Bowls / with full dia impellers
1986 - 2 stages 12 R Bowls / new tube & shaft - bearing / water level
1999 - 1800 - 1890 GPM - 100-HP / new shaft & tubing 4 stages 12 x C bowls

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)
1977	50 HP	50 HP	65 ft	80 ft	$\varnothing$
1985	75 HP	50	127 ft	-	
1999	100 HP	50 HP	126 ft	128 ft	

3.85 c/f

1.66 c

2.21 c

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

1977-1978 - Open discharge - 10-12 - 4" siphons

1979-1998 - 8 Hand-lines - 256 Birds - 5/32 Nozzles - 60-70 psi

1998-2000 - 8 Tower center Pivot with end gun - 1000 G.P.M.

also hand-lines in corners - 125 birds with 5/32 nozzles at 60 psi

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

Extraordinary Well - Capable of pumping 2600-2800 G.P.M. when tested - shut down at that amount.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

RECEIVED
JUN 22 1982

1. WELL OWNER Name <u>Denton Whitaker</u> Address <u>Malta, IDA</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>40'</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality <u>good</u>																																																																																																				
2. NATURE OF WORK ☐ New well ☒ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																	
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>12"</td> <td>0</td> <td>403</td> <td></td> <td></td> <td></td> </tr> <tr> <td>16"</td> <td>0</td> <td>135</td> <td>old hole</td> <td></td> <td></td> </tr> <tr> <td>14"</td> <td>135</td> <td>320</td> <td>old hole</td> <td></td> <td></td> </tr> <tr> <td>12"</td> <td>320</td> <td>323</td> <td>Sand</td> <td></td> <td></td> </tr> <tr> <td></td> <td>323</td> <td>324</td> <td>Sand stone</td> <td></td> <td></td> </tr> <tr> <td></td> <td>324</td> <td>328</td> <td>Sand</td> <td></td> <td></td> </tr> <tr> <td></td> <td>328</td> <td>360</td> <td>Brown Sandy clay</td> <td></td> <td></td> </tr> <tr> <td></td> <td>360</td> <td>373</td> <td>Sand</td> <td></td> <td></td> </tr> <tr> <td></td> <td>373</td> <td>379</td> <td>Brown Sandy clay</td> <td></td> <td></td> </tr> <tr> <td></td> <td>379</td> <td>386</td> <td>Sand</td> <td></td> <td></td> </tr> <tr> <td></td> <td>386</td> <td>395</td> <td>Brown Sandy clay</td> <td></td> <td></td> </tr> <tr> <td></td> <td>395</td> <td>397</td> <td>Sand stone</td> <td></td> <td></td> </tr> <tr> <td></td> <td>397</td> <td>399</td> <td>Brown Sandy clay</td> <td></td> <td></td> </tr> <tr> <td></td> <td>399</td> <td>399</td> <td>Sand</td> <td></td> <td></td> </tr> <tr> <td></td> <td>399</td> <td>401</td> <td>Brown Sandy clay</td> <td></td> <td></td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	12"	0	403				16"	0	135	old hole			14"	135	320	old hole			12"	320	323	Sand				323	324	Sand stone				324	328	Sand				328	360	Brown Sandy clay				360	373	Sand				373	379	Brown Sandy clay				379	386	Sand				386	395	Brown Sandy clay				395	397	Sand stone				397	399	Brown Sandy clay				399	399	Sand				399	401	Brown Sandy clay		
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____																																																																																																					
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>1/4" inches</td> <td>12" inches</td> <td>10 feet</td> <td>403 feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☒ Factory ☐ Knife ☐ Torch Size of perforation <u>1/8"</u> inches by <u>2 1/2"</u> inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>16 perforations</td> <td>50 feet</td> <td>400 feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Pudding clay ☐ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing <u>1/4" steel weld between casing</u> ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>pipe</u>	Thickness	Diameter	From	To	1/4" inches	12" inches	10 feet	403 feet													Number	From	To	16 perforations	50 feet	400 feet																																																																											
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6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County <u>CLASSIA</u> <u>NW 1/4 SW 1/4 Sec. 8 T. 14 N. R. 27 E. W.</u>	10. Work started <u>March 5</u> finished <u>March 30</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Stan Lloyd Drill</u> Firm No. <u>294</u> Address <u>Elba, IDA</u> Date <u>5/28/82</u> Signed by (Firm Official) <u>F. Stanley Lloyd</u> and (Operator) <u>Ronald C. Ward</u>																																																																																																				

3,62 cfs
1629 gpm

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

RECEIVED
MAR 02 2001
Department of Water Resources
Southern Region

A4310289
WHITAKER DENTON & CLETA
14S27E8SWSWSW

_____ *year long well* _____

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: _____ (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

*Prior to 1987 - Open discharge with flood irrigation + siphons
tubes - (4" - 6-8 tubes) water was split 3 different ways - History on
open discharge was 110" - 125" also had Raft River water mixed
in some stream at different points.*

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)
1988	50 HP		40 ft	65 ft	4.73 c
1987	50 HP		60 ft	-	3.62 c
2000	50 HP		73 ft	100 ft	1.26

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

1955 - 1987 - Open discharge - 6-7 (4") siphon tubes + flood irrigation

1988 - 1990 - put into Hand-line for Juan Tracy (flood irrigation for Henry Whitaker + Melba Banks)

1991 - 2000 - 5 Hand Lines - 26-27 birds per line 5/32 Nozzles with app pressure 62[#]

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well. Mr. Tracy in 1987 put in new bowls for only enough water to do his own a without permission from either Henry Whitaker or Melba Banks. that is the reason

1991 new bowls were put in so as to get enough water as he

1987 - 4 stage 10 RL Bowl assay 470 GPM at 170 ft.

1991 - Added 4 stages 10 RL-M Bowl assay 690 GPM at 270 ft. 1d.

Prior to 1987 I'm not sure what bowl assay.

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Malta, ID A3342

(Mailing Address)

(Zip Code) _____

Telephone No. 645-2518

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1955

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

- Describe the purpose for which the water has been used and the time during the year when you have used the water claimed.

Can also

(Domestic, Foreign, Sewer, Etc.)

 Springer[illegible]

May Day

Quantity: 2.4 cfs

Use Irrigation

Period of Use Factor

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

Oct 15

Quantity

CS-94

Perpetual Life Estate

FILE 12

522

Quantity

سولہ

Period of Use From _____

Quantity

Use

Period of Use From _____

10

- 14) 2.4 cfs
(cfs at)

5. As Point of diversion Location of point where water is diverted from its source

Additional points of diversion: 8 Two 145 Pgs 276 B.M. Cuts of Consia

- 8) Describe means of diversion of water. (Pump and pipeline, weir, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities, be as specific as possible. Describe any changes in the system and give the date of the change. 18" X 400' well, pump, 30 hp motor, sprinklers (changed from gravity system in 1977) (north well). South well has 50 hp motor.

- (6) A) Description of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box in their location.

[illegible]

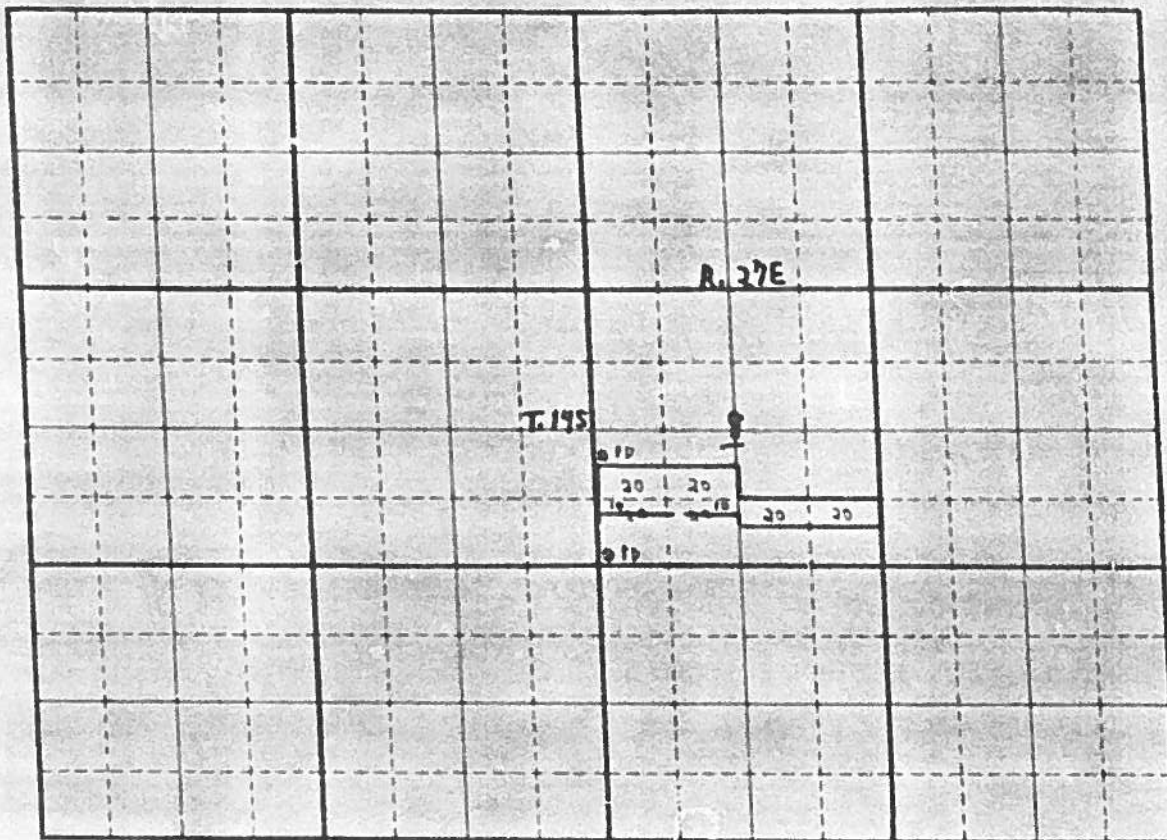
No. of acts: 100

SECRET

Notes include the date, the type and number of birds, waterfowl

Is this a leading name in a member of an organization? List name of organization.

8. Remarks



Scale: 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Twin Falls

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Denton Whitaker
(Claimant)

Sworn to before me this 31st day of March, 19 83.

Steven A. Mowbray
Notary Public
Residing at Twin Falls, ID

11. EXHIBITS

Life

FOR DEPARTMENT USE ONLY

Received by <u>Denton Whitaker</u>	Date <u>4-21-83</u>	Exception filed by	Forwarded to	Date
Prelim. check by <u>AK</u>	Date <u>4/21/83</u>		claimant by	
\$30.00 fee received by <u>AK</u>	Date <u>4-21-83 6:05/43</u>			
Published in <u>Idaho State Record</u>				
Dated <u>4-21-83</u>				

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

RECEIVED

JAN 30 1974

Department of Water Administration
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-2252, Idaho Code, a person may file a claim to a right to use water which has been adjudged by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that

Lorenza D. Truitt
(In name of claimant)

at 4126 W. 7th St.
(mailing address)
ground water or surface water tributary to

claims a right to the diversion and beneficial use of

The extent and nature of said claim is as follows:

- (1) Describe source of water: frame of stream, lake, spring, etc., or ground water) *Ground water*
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

Amount	Use	Period of Use	From	To
Amount	Use	Period of Use	From	To
Amount	Use	Period of Use	From	To
Units, gram or a lb	(dom. int'l stock etc.)	Period of Use	From	To

(both dates inclusive)

- (4) Total quantity of water claimed per annum, and, or

- (4) Priority claimed if the salt water was first applied to beneficial use April 1958
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion (give location of point where water is diverted from its source)
 S.W. 1/4 Sec 8 Twp 27 N. R. 27 E. B.M. County of Cass

- B) Describe means of diversion of water. (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities, as applicable as possible.

- No. 67-1 sec 8 ft well drilled 70.30 ft

- (c) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 320

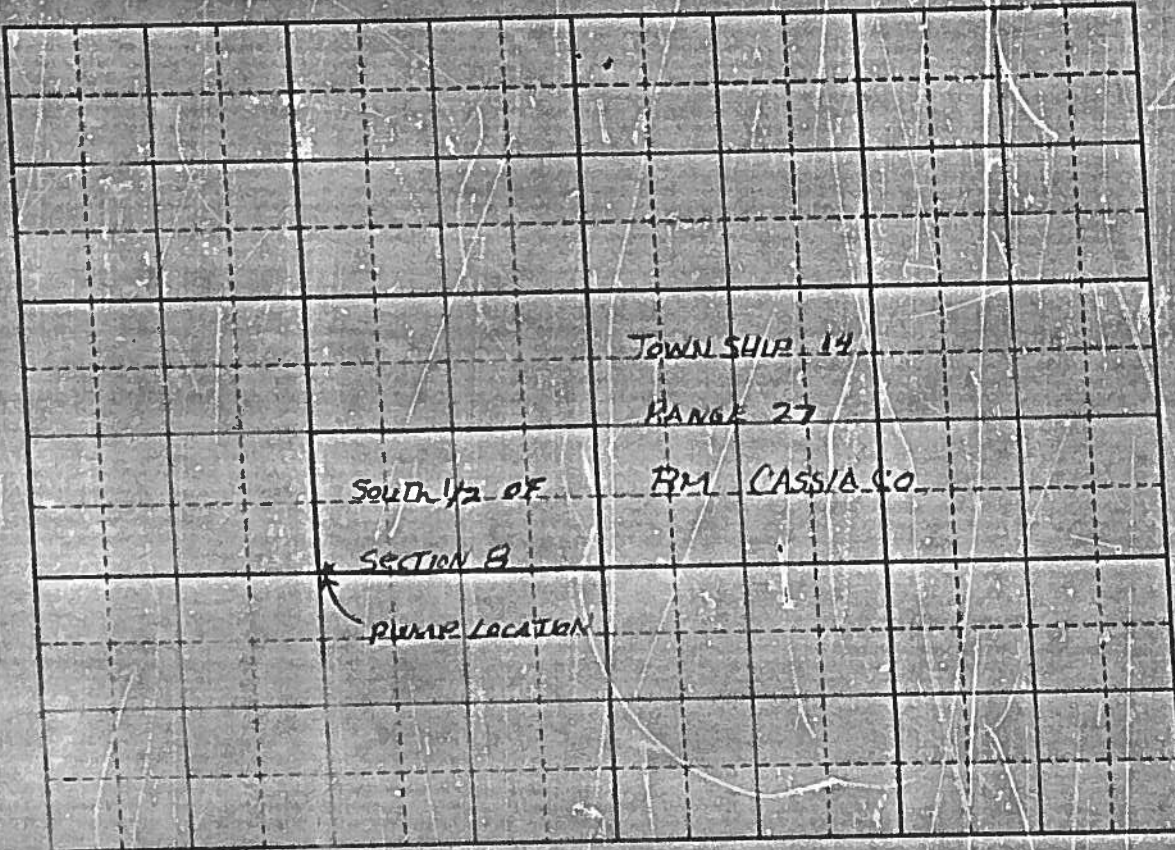
- B If the water is used for other than irrigation, fully describe that use, being as specific as possible:
 Total No. of

- (7) If you are claiming water as a member of an organization, list name of organization

13 1055

13 1055

(8) Remarks Well is located in the corner of SW 1/4, Sec 14, T14N, R27E, S14E. Water is used on South 1/2 of Section 14.



Scale: 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of *Cassia*

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Subscribed before me this *25th* day of

January 19*74*
James D. Tracy (Claimant)
Gene Baxter
 Notary Public
 Residing at *Malta, Idaho*

My commission expires

For Department Use Only

Received by *SA*
 Printed check by *CT*
 \$10.00 fee received by
 Approved for publication by
 Published in *SI Free*
 Dates *2-12-74 2-14-74*

Date *2-2-74*
 Date *2-2-74*
 Date *2-2-74* (1974)

Exception filed by

Forwarded to
 claimant by

Date

January 23, 1974

Malta, Idaho

To Whom It May Concern

Be it known that we the undersigned do have knowlege of the fact that the water from the well located on the SW corner of the SW $\frac{1}{4}$ of section '8' Township 14 Range 27 B. M. Cassia Co. has been used on the S $\frac{1}{2}$ of the same section. This use was started in 1959 and has continued to the present.

- 1- John Doe
- 2- John Doe
- 3- John Doe
- 4- John Doe

RECEIVED

JAN 30 1974

Department of Water Administration
Southern District Office

43 4055

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19800

This proof is for Beneficial use

In Water District No.

1. Name of applicant Malta Land & Irrigation Co., John A. Kileon, Mgr. Malta, Idaho

2. Source of water supply: Five wells

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17

T. 14 S. R. 27 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Four dug wells with concrete curbing of four feet diameter, and 4" thickness: two of which are equipped with 8 inch (discharge) Pomona Pumps, and two of which have similar type pumps with 6 inch discharge pipes. Ditches 2 feet wide X 1 1/2 feet deep.

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8;

N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17;

All in Township 14 South, Range 27 East, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Unknown

Remarks

Well	1,	40ft deep	4ft. Concrete curb,	Pomona Pump belt drive,	I.I. 11" Disch.
"	2	35.	"	"	" " " " " " " " " " " "
"	3	35	"	"	" " " " " " " " " " " " not running.
"	4	35	"	"	" " " " " " " " " " " " " " " "
"	5	245'	" drilled,	equipment absent,	

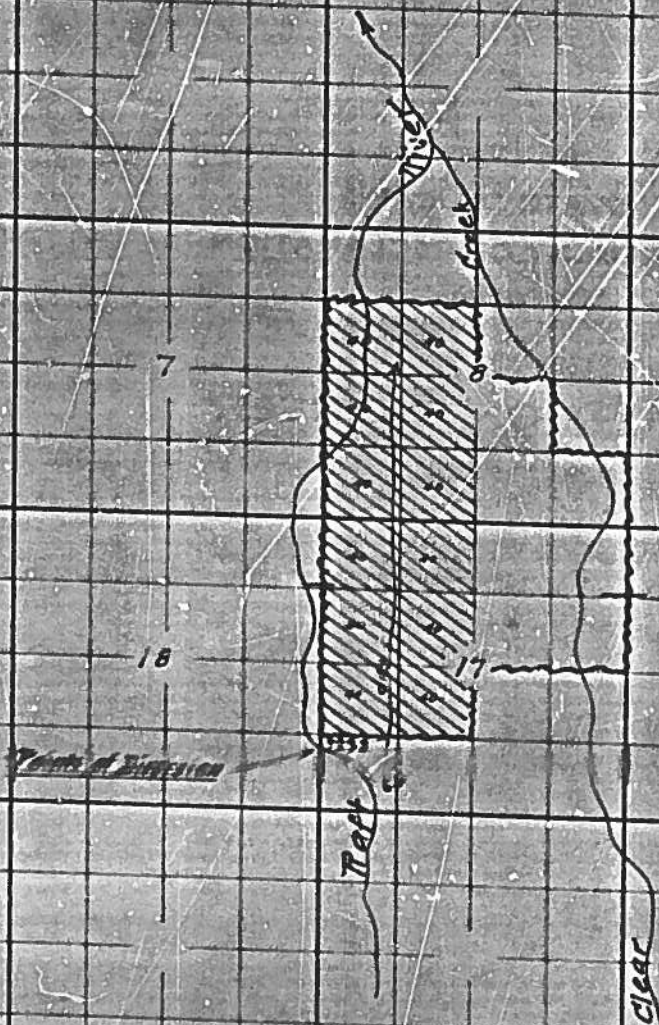
Water covered by this Permit is supplemental to Decreed rights from other sources, and is to apply equally to all the lands covered by this Permit

This examination was made on the

11th. day of July, 1945

(Signed)

Edith Delman
Engineer.



SCALE 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

19600

Whitaker

43-2294

- this license was originally issued for 6 cfs on 700 Ac. in Sections 8 & 17, T45, R29E from four wells in the SWSW of Sec. 17
- Transfer # 2154 (approved 10/77) split off 200 Ac. in Sec. 8 and 1.71 cfs to a well in the NWSE of Sec. 8 (this was WR part "B")
- Transfer # 2822 (approved 6/83) split another 40 Ac. in Sec. 8 and .34 cfs to 3 wells in Sec. 8 (NWSE, SWSW, & NWSW) - this was WR part "F"
- Whitaker originally claimed both of the above under AT part B but since it was actually a combination of B & F, the claim was renumbered to G (240 Ac and 2.05 cfs)
 - it was recommended as claimed, but in a 329.3 Ac. ppu (limited to 240 Ac.) 3 wells
- Transfer # 2756 (approved 6/83) was filed by Juan Tracy and split off another 40 Ac. in Sec. 8 and .514 cfs to a well in the SWSW of Sec. 8 (WR part "D")
- claimed as transferred by Tracy and later sold to Whitaker as AT part "D"
- recommended as claimed, but in a 329.3 Ac. ppu (limited to 60 Ac.)
(claimed 1 well in SWSW, rec. all three)

43-10425

- was originally filed by Whitaker as a combination of two old statutory claims:

- 43-4055^(Tract) 4/1/1959 3 cfs 320 Ac. (well in SWSW of Sec. 8) affidavit states use began in 1959, even signed by Whitaker

+ 43-4149^(Whitaker) 4/1/1955 2.4 cfs 100 Ac. (wells in SWSW & NWSW of Sec. 8) no E/P submitted

- 100 Ac. totally overlap those of 43-4055 (1.24 cfs/Ac)

- Whitaker claimed 4/1/1959, 3.55 cfs, on 280 Ac. (1.15 cfs from -4055 & 2.4 cfs from -4149)

- same acres as previously licensed under 43-2294 except for the 40 Ac. in the NESE which were never licensed or covered by transfers.

- originally recommended as .44 cfs, limited to 300 acres in 329.3 ac ppu (probably should have been limited to 280 Ac. in 329.3 Ac. ppu) but I added the 60 acres claimed under 43-10289 as B.U. and made 43-10289 an expansion claim for 29.3 Ac.

- the .44 cfs was because I took away the amount covered by the license parts ⁴³⁻²²⁹⁴ (2.56 cfs) from the 3 cfs claimed by the well in the SWSW, as there was no evidence of historical development on the other 2 wells or pumping information at that time

- pumping information & development was later received and claim could now be recommended for 3.44 cfs except for the 40 Ac. in the NESE which appears to have been developed later (see '62 & '68 photos)

- limit to 240 Ac. in 329.3 Ac. ppu

* could amend this claim also to pick 60 Ac. from 43-10289 and drop those in the NESE.

0.00 (acc.)
2.56
3.44 cfs
amt needed for 300 Ac.
at inch per acre

43-10289

- was originally filed by Tracy as 19% (.56 cfs) of 43-40 (43-4055 4/1/1959 3 cfs 320 Ac. well in SWSW of Sec. 8)
- it was claimed by Tracy on 60 Ac. and later sold to Whitaker (these 60 acres are the same as 43-2294 D)
- I originally recommended this right as an expansion of the previous 3 rts. Since the 300 acres are covered by the previous 3 rights and an inch per acre has already been recommended on the 300 Ac., this right could stay as an expansion claim, but it would probably be best to amend it that way and cover the 29.3 acres not covered.

* if you don't want to amend, could recommend as claimed but all rights would be limited to 6.00 cfs when combined and to 300 Ac. w/in a 329.3 Ac. ppu

* another expansion claim could be filed for the 29.3 Ac.

Call Parsons @ 878-8382 1:30pm Wed. Sept. 4 (Whitaker Day)

① You objected to the quantity and said you needed at least 329" (6.58 cfs)

- based on the information you provided at Scott King's request (which I didn't have when I did my initial recommendation and was very detailed & helpful)

I can recommend 6 cfs

(inch per acre on 300 Ac.)

→ { 43-2294D .514 cfs
43-2294G 2.05 cfs
43-10425 3.55 cfs
43-10289 .47 cfs

* (all would be limited to 6. → 6.58 cfs)

The acres in the NESE of Section 8 don't appear to have been irrigated till after the area was closed to development in '60 (not in '62 or '68 photos, when transfers were approved in '77 & '8. on parts of License 2294 (changing the Pcd's) those acres weren't included), so 300 Ac. can be considered as licensed or B.U. out of the total of 329.3 sec. acres. The extra 29.3 acres must be considered "expansion" acres with no additional diversion rate or volume and with a priority date of 6/30/1885. If you wish to be able to irrigate the extra acres, you must "motion the court to file a late claim" and file an expansion claim for \$50.00. Otherwise, you can irrigate 300 Ac. within the 329.3 Ac. app u.

Or, you can motion the court to amend claims
43-10289 and 43-10425

make expansion claim?

② You said the well (by the house?) may be in the NW NWSE. You claimed and I recommended it in the SW NWSE. I did a GPS reading when I was out there and while it is very close to being in the center of the $\frac{1}{4}$ $\frac{1}{4}$, I believe it is slightly to the NW. I measured in my computer program and it was 657' to N. $\frac{1}{4}$ line, and 665' to S. $\frac{1}{4}$ line...

③ You said that the priority date on 43-1045 s/b 1955. You claimed 1959 because it is a combination of 43-4055 (pd 1959, originally filed by Tracy on the well in the SWSWSW of Sec. 8.) and 43-4149 (pd 1955 and filed by you on the Tracy well and the well by the ~~your~~ house. There was no evidence of 1955 in the files, but in Tracy's file, there was an affidavit signed by you stating that the beneficial use began in 1959. If you want 1955, you would have to provide "proof" and split out this claim - filing another one for the 1955 priority date and evidence as to what acres were put to B.U. at that time from the one well, cause 2nd well doesn't seem to have come into play till 1959.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

443-10289
A 43-10425
A 43-04096

February 10, 2000

Second Notice

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WHITAKER, DENTON & CLETA
HC 72 BOX 2192
MALTA ID 83342

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

Sincerely,

Scott King
Scott King

Enclosures

Mr. Whitaker
I believe we spoke in late December
about this information. If you wish to
submit data to support this claim,
I need to have it soon.

Thanks,

Scott

RECEIVED

JAN 10 2002

Department of Water Resources

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

In Re SRBA

A. Subcase 43-10425

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Denton Whitaker & Cleta Whitaker

Address: 2145 S. 2350 E.

Malta, ID 83342

Daytime Phone: 208-645-2518

Name & Address of Attorney, if any:

William A. Parsons

PARSONS, SMITH & STONE
Box 910

Burley, ID 83318

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Denton & Cleta Whitaker

Address: 2145 S. 2350 E.

Malta, ID 83342

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: At least 329"
4. ☒ **Priority Date**
Should be: 1955 on 43-10425
5. ☒ **Point(s) of Diversion**
Should be: On 43-10425 maybe should NW NWSE
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Either some information furnished to the IDWR was lost or not considered that would justify the increased quantity of water or the Objecting Party needs to file a motion to file a late claim or amendments to claims. At the time of filing, Whitaker was assisted by Loren Holmes and was under the impression that all was

(cont. on attachment)

(Cont. From Page 2 SF.1 - Objection)

taken care of in the claim process, however that does not seem to be the case now. The objecting party has the map that Loren Holmes prepared for them and can be furnished on request or at a conference. The Objecting Party does not believe that all the water from the three points of diversion has been considered in the report or if it has then some late filings need to be made. The Objecting Party has had some serious illness within the family and has not been able to attend to all the details of this issue, and has therefore employed counsel to assist. Somehow the flow rate is wrong. If it cannot be corrected at this level, then the motion to file late claim or amended claim needs to be done because the use is being made of the increased flow.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Cassia)

William A. Parsons, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

William A. Parsons

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 9, 2002

Shelly Hard
Notary Public for Idaho

Residing at: Murtaugh

My Commission Expires: 05/30/02

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 9, ²⁰⁰²~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

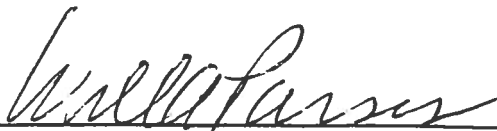
Name: Denton Whitaker & Cleta Whitaker
Address: 2145 S. 2350 E.
Malta, ID 83342

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

July 28, 2000

DENTON WHITAKER
HC 72 BOX 2192
MALTA ID 83342

RE: Section 17 well

Dear Mr. Whitaker:

I wanted to follow up with you regarding our visit at your home on June 1, 2000. Your description of wells used by you was helpful. Cindy and I visited your "East Well," the "Don Shaw Well," and the "Juan Tracey Well," all in section 8, T14S R27E. IDWR site tag numbers at these wells are A0004847, A0004848, and A0004849.

During our visit, you mentioned that you have additional data on these wells regarding their historic diversion capacity. If you still have this data, we could still use it for recommending water right claims A43-10289 and A43-10425. Please forward it to me at the above address.

You had asked if our records indicate that you have claimed as a point of diversion a well located in section 17. I was unable to find any claim in your name for a diversion (well) in section 17. In section 17, I find that Warr Brothers has several wells claimed for irrigation, Gary Fowles has one small diversion (domestic, stock, and 3 acres of irrigation), the LDS church has one for irrigation (in the SWNW quarter-quarter, claim A43-04208), and Brian Hansen has one (domestic only). You may wish to contact Jeanie Robertson of the Twin Falls IDWR office regarding this issue. I believe that she is working on your claims. The telephone number for the Twin Falls office is (208) 736-3033.

If you have any questions about this matter, please let me know. I can be reached by mail at the above address or by phone at (208) 327-7897.

Sincerely,

Scott King

VERIFIED BY

3/15/01

03/15/2001

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

RIGHT NUMBER: 43-10425

NAME AND ADDRESS: CLETA WHITAKER
DENTON WHITAKER
2145 S 2350 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.436 CFS
1200 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1200 AF. COMBINED RIGHT NOS.: 43-02294D,
43-02294G, 43-10289, & 43-10425.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:	T14S R27E S8	NWNWSW	Within CASSIA County
	T14S R27E S8	SWSWSW	Within CASSIA County
	T14S R27E S8	SWNWSE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.44 CFS 1,200.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S8	SWNW	6.5	T14S R27E S8	SENW	8.8
T14S R27E S8	NESW	40	T14S R27E S8	NWSW	38
T14S R27E S8	SWSW	39	T14S R27E S8	SESW	38
T14S R27E S8	NESE	39	T14S R27E S8	NWSE	40
T14S R27E S8	SWSE	40	T14S R27E S8	SESE	40

329.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 329.3 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-02294D, 43-02294G, 43-10289,
43-10425, 43-10434, 43-10627, 43-12958, 43-12959, 43-12976, 43-
12977, 43-12978, 43-12979, 43-12980, 43-12981, 43-12982, 43-
12983, 43-12984, & 43-12985.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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

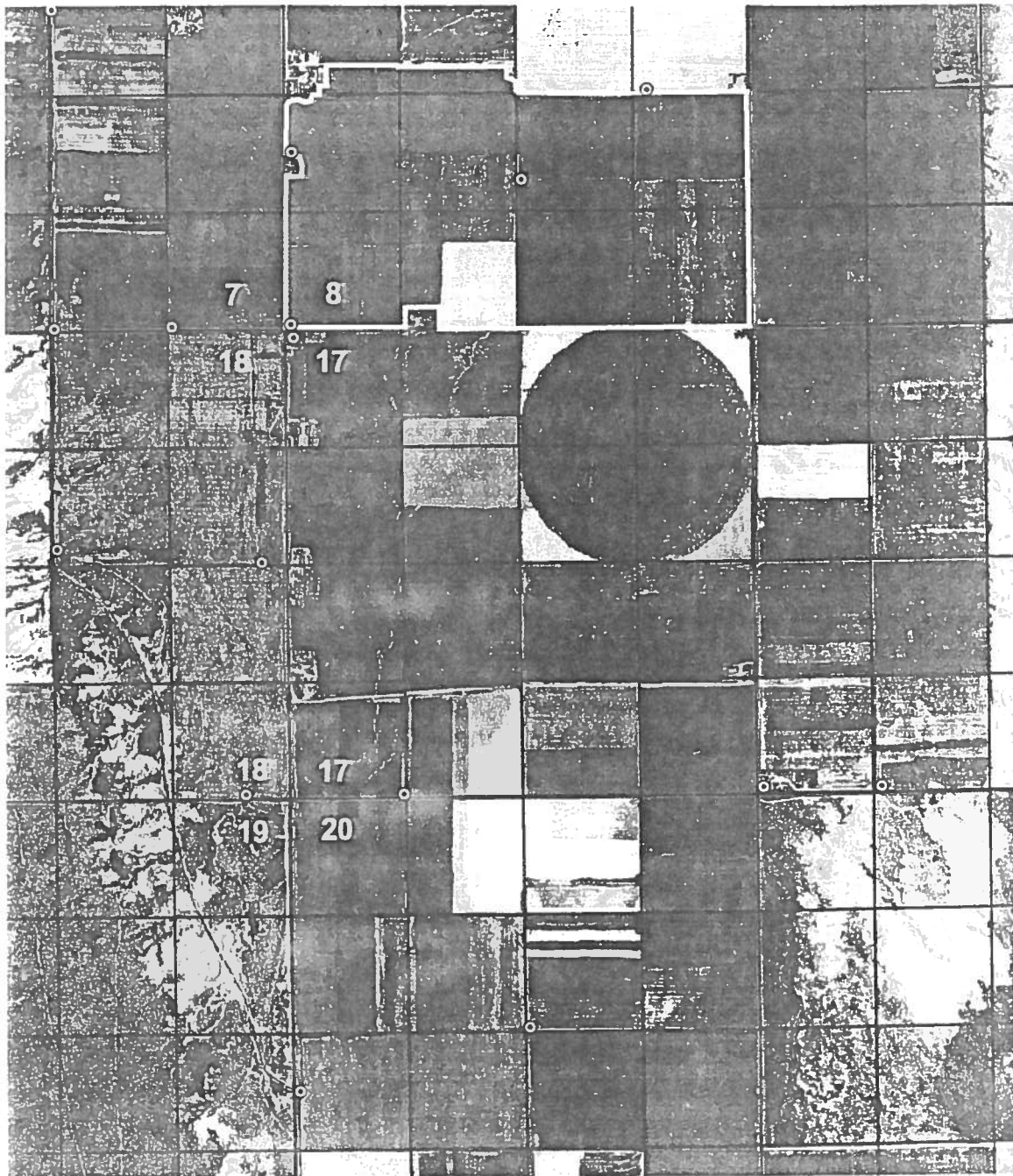
Water Right 43-10425

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

RIGHT NO. 43-10289 IS AN EXPANSION OF RIGHT NOS. 43-02294D,
43-02294G, & 43-10425 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

43-02294D, 43-02294G, 43-10289, 43-10425, 43-10434,
43-10627, 43-12958, 43-12959, & 43-12976 thru 43-12985



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 16, 2001
TWP 14S, RNG 27E, SEC. 8



- Point of diversion
- Place of use
- == Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Roberts

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:50:03
03/13/01
12

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-10425

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENTON WHITAKER	04/01/1959	IRRIGATION	03-15 11-15	3.550 CFS	
C	CLETA WHITAKER					
TOTAL DIVERSION:					3.550 CFS	
CONSUMPTIVE USE:					.436	

1200 AF
(300 x 4)
840.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T14S R27E S08 NWNWSW SWSWSW SWNWSE CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
14S	27E	8	:					:			10	10	:	40	40	10	10	:	40	40	40	40	:	280.0
TOTAL ACRES																							280.0	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A45-02294B & RAFT RIVER DECREES

Remarks: GEN THIS CLAIM IS BASED ON A COMBINATION OF STATUTORY CLAIMS
43-04055 PART & 43-04149 WHICH IS FOR THE ADDITIONAL WATER
DEVELOPED FROM THESE WELLS ABOVE THAT WHICH IS COVERED UNDER
A43-02294B.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

div. rate = 0.436
(left from 3 cfs of well in SWSWSW
of Section 8 and not covered by
licenses 43-02294A & 43-02294G)
- other wells, no proof of hist. dev. -

Cond. Cook C18
Remarks: K06 300 Ac.
POU E14 329.3 Ac.
w/alt
QNT E27 3cfs
1200 AF
w/-2294D
-2294G
-10289
EXP K03
4pp. cl
-10289

SD-0611-2 Basin: 43 Starting Water Right: 04055

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	43-04055	TRACY, LORENZO D.	C	04/01/1959	S/	GROUNDWATER	IRR	WR
-	A43-04055	SPLIT RIGHT COMBINED RIGHT	C C	04/01/1959	/Z	GROUNDWATER SPLIT RIGHT COMBINED RIGHT	IRR	AJ

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

WR5809NP
No. 43-04055

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LORENZO D. TRACY	04/01/1959	IRRIGATION	04/01 10/01	3.000 CFS	
TOTAL DIVERSION:					3.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T14S R27E S08

SWSW

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE															
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM			
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac					
14S	27E	8	:					:					:	40	40	40	40	:	40	40	40	40	:	320.0			
												10	10													TOTAL ACRES	320.0

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-02294D 43-02294F 43-04149

Other Water Rights Listing Overlapping Place(s) of use:

43-00164A 43-00165A 43-00166A 43-00167 43-00168A 43-00169B 43-00169C 43-00170 43-00172A 43-00173
43-00175A 43-00176A 43-00178C 43-02294B 43-02294D 43-02294F 43-02372 43-04149

Dates: App. Received: Priority Date: 04/01/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/28/88 CONVERT

WR5809NP
No. 43-04149

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENTON WHITAKER	03/15/1955	IRRIGATION	03/15 10/15	2.400 CFS	
C	CLETA WHITAKER					
TOTAL DIVERSION:					2.400 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T14S R27E S08 NWSW SWSW CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	
14S	27E	8	:					:					:	20	20	10	10	:			20	20	:	100.0	
TOTAL ACRES																							100.0		

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-02294D 43-02294F 43-02372 43-04055

Other Water Rights Listing Overlapping Place(s) of use:

43-00164A 43-00165A 43-00166A 43-00167 43-00168A 43-00169B 43-00169C 43-00170 43-00172A 43-00173
43-00175A 43-00176A 43-00178C 43-02294B 43-02294D 43-02294F 43-02372 43-04055

Dates: App. Received: Priority Date: 03/15/1955
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 01/28/86 05/28/88 CONVERT 08/11/89 CURTIS

SD-0611-2 Basin: 43 Scarting Water Right: 04149

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N				S
X	43-04149	WHITAKER, DENTON	C	03/15/1955	S/	GROUNDWATER	WI
		WHITAKER, CLETA	C				
	A43-04149	COMBINED RIGHT	C	03/15/1955	/Z	GROUNDWATER COMBINED RIGHT	Ac

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

10/13/99 15:46:31
Page 1

Water Right Number - A43-04055

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SPLIT RIGHT

1 -
2 -
3 -
City- XXXXX State- ID Zip- 83342
Phone - 208-000-0000

COMBINED RIGHT

1 -
2 -
3 -
City- N State- ID Zip- 0
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

TRACY

JUAN M.

1 - 563 W. 1ST N.
2 -
3 -
City- RIGBY State- ID Zip- 83442
Phone - 208-745-9471

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/01/1959 17 SOUTHERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
SPLIT RIGHT
COMBINED RIGHT

+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
14S 27E 8 SW SW SW (31) CASSIA

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/01 3.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.000 150.0

+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

+ - - Diversion Means - WELL, 300' DEEP, 55 HP PUMP TO FLOOD/SPRINKLERS

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - OTHERS

Water right number - A43-04055

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - -

GEN SEE NO. 43-10289 AND 43-10425.

|

THIS RIGHT HAS BEEN SPLIT AND IS CLAIMED AS FOLLOWS:

A43-10289 - 0.56 CFS - 60 AC - TRACEY.

A43-10425 - COMBINES 1.15CFS OF 43-04055 WITH ALL (2.4CFS) OF

43-04149 AND IS CLAIMED ON 280 ACRES.

|

THIS RIGHT HAS AN UNDER CLAIMED DIVERSION RATE. ALB 1-16-92

+ - - - - Old Water Right Numbers - - - - -

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 05/31/89 OLENICHA 12/11/91 MERRITT 01/16/92 BAUMHOFF

+ - - - - Comments - - - - -

No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 05/31/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - |
| Licensed Date | - 00/00/0000 | Receipt Number | - X777777 | Federal/State Indicator | - S |
| | | POU Ownership Flag | - Y | Presumption Flag | - |
| | | Name Connector | - | Notice of Error Flag | - |

13-2155
 Will is located in the corner of SW 1/4 Sec 14
 Date: 1-25-74



Map should show the location of the point of diversion and the place of use of the water by the water user.
 State of Idaho
 County of **Cassia**

We hereby certify that the undersigned, being duly sworn, depose and say that he, she, they subscribed the foregoing
 statement as a water right, together with the attached information, and that the matters and facts therein are true to the best of
 the affiant's knowledge.

Subscribed and sworn to before me this **25th** day of **January**, 1974
Louise D. Tracy
 (Notary Public)
Gene Baister
 Residing at **Malta, Idaho**

Recorded for
 Published in **S.I. Press**
 Date **2-10-74**

For Department of Idaho
 State **Idaho**
 Date **1-25-74**
 Date **1-25-74** (1974)

Forwarded to
 Name **by**
 Date

January 23, 1974

Malden, Idaho

To Whom It May Concern

Be it known that we the undersigned do have knowlege of the fact that the water from the well located on the SW corner of the SW $\frac{1}{4}$ of section '8' Township 14 Range 27 B. M. Cassia Co. has been used on the S $\frac{1}{2}$ of the same section. This use was started in 1959 and has continued to the present.

- 1- John J. [unclear]
- 2- Alfred [unclear]
- 3- Wm. J. [unclear]
- 4- [unclear]

RECEIVED

JAN 30 1974

Department of Water Administration
Southern District Office

13 4055

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES CLAIM TO A WATER RIGHT

Claim No. **15-449**

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-238(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right. Notice is hereby given that **Denton (Denny) &/or Clea Whitaker** (Name of Claimant)

Malta, ID 83342 (Mailing Address) Telephone No. **645-2518** (Zip Code)

(1) Date of priority (When was the water first applied to a beneficial use) **1955**
A claim is not acceptable on a ground water source with a priority later than March 25, 1983 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: **Groundwater** (Name of stream, lake, spring, etc., or ground water)
Describe the purpose for which the water has been used and the uses during the year when you have used the right claimed.

| Quantity | (in cfs) | Use | Period of Use From | To | (Both dates included) |
|----------|----------|-----------------------------------|--------------------|----|-----------------------|
| Quantity | 2.4 cfs | Domestic, Irrigation, Stock, Etc. | Mar 15 | To | Oct 15 |
| Quantity | | Irrigation | Period of Use From | To | |
| Quantity | | Use | Period of Use From | To | |
| Quantity | | Use | Period of Use From | To | |
| Quantity | | Use | Period of Use From | To | |

TOTAL QUANTITY USED.

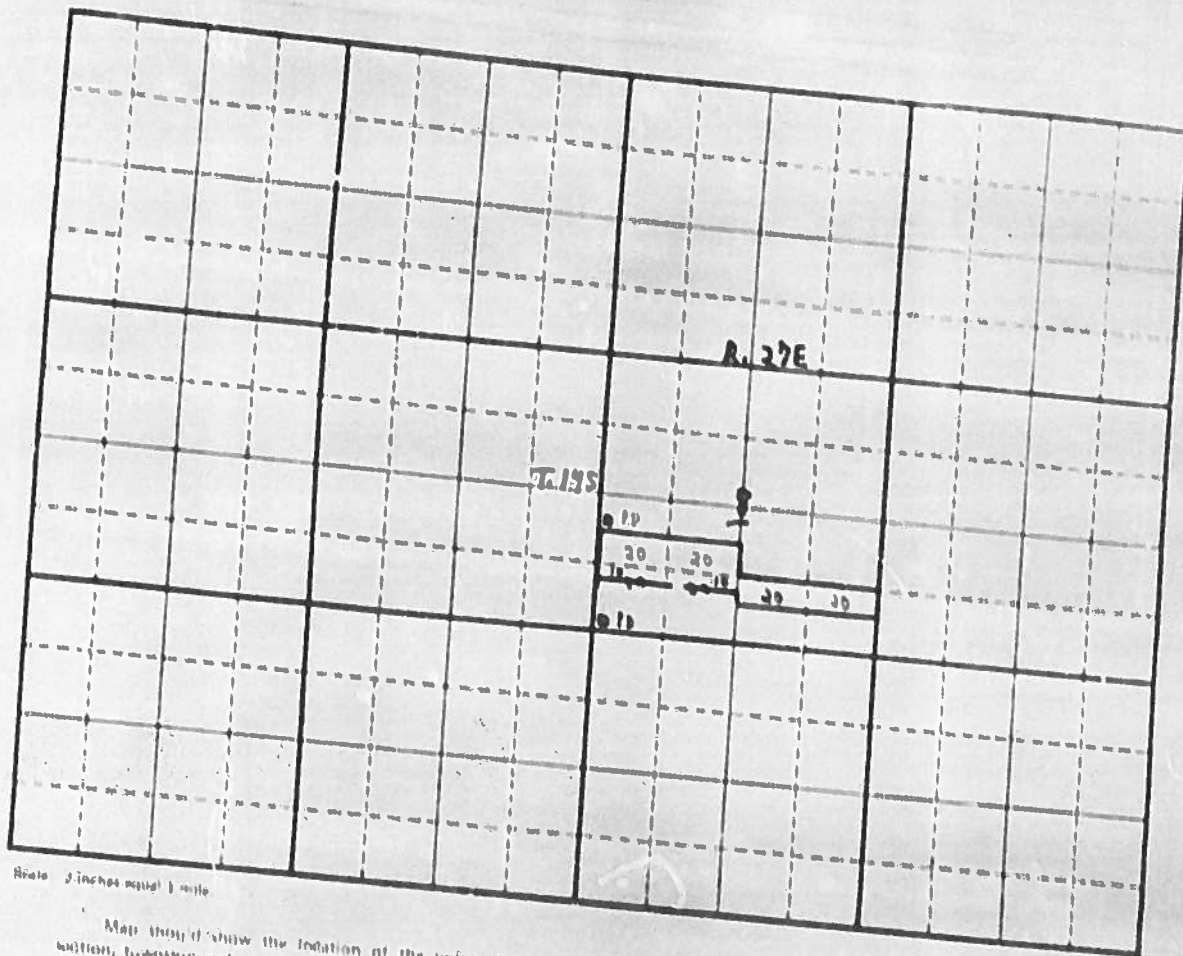
(3) A) Point of diversion (Location of point where water is diverted from its source)
Additional points of diversion: **SW 1/4 Sec. 8 Twp. 14S Rge. 27E B.M. Co. of SW 1/4 Sec. 8 T. 14S R. 27E**
B) Describe means of diversion of water (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. **18" X 400' well, pump, 30 hp motor, sprinklers (changed from gravity system in 1977) (north well). South well has 50 hp motor.**
C) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T | | R | | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTAL |
|-----|-----|---|--|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| | | | | | 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 | |
| 14S | 27E | | | | | | | | | | | | | | | 20 | 20 | 20 | 20 | 100 | |
| | | | | | | | | | | | | | | | | | | | | | |
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No. of acres **100**

B) If water is used for other than irrigation, fully describe that use, being as specific as possible.

NOTE: Include here the type and number of stock watered.
If you are supplying water to a member of an organization, list name of organization.



Scale: 1 inch equals 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Twin Falls

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 31st day of

March, 1983.

Robert Whitaker
(Claimant)

James A. MacKay
Notary Public
Residing at Twin Falls, ID

My commission expires

1984

FOR DEPARTMENT USE ONLY

Received by
Checked by
Date received by
Placed in
Date

Date
Date
Date

Exception filed by

Forwarded to
claimant by

Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:49:44
03/13/01

PAGE: 2
QUICKLOOK INFORMATION

11
CLAIM NUMBER: A43-10425

| WR ELEMENT | DATA
DISCREPANCY
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | ELEMENT
DOCUMENTED
WHOM/DATE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|----------------------------|---|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | - | | | | | | | |
| POINT OF DIV | - | | | | | | | |
| SOURCE | - | | | | | | | |
| PLACE OF USE | - | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | - | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES OF USE | - | | | | | | | |
| PERIOD OF USE | - | | | | | | | |
| BASIS OF CLAIM | - | | | | | | | |
| REMARKS | - | | | | | | | |

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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