

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

RIGHT NUMBER: 74-15061
NAME AND ADDRESS: PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

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

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 0.980 CFS
PRIORITY DATE: 05/24/1910

POINT OF
DIVERSION: T14N R27E S27 SESE Within LEMHI County
T14N R27E S35 NENE Within LEMHI County
T14N R27E S27 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.980 CFS
STOCKWATER	03/15 11/15	0.040 CFS

PLACE OF USE:

<u>IRRIGATION in LEMHI County</u>			
<u>T14N R27E S21</u>	<u>NENE</u>	<u>20.00</u>	<u>T14N R27E S21</u> <u>NWNE</u> <u>7.00</u>
<u>T14N R27E S21</u>	<u>SWNE</u>	<u>18.00</u>	<u>T14N R27E S21</u> <u>NESE</u> <u>21.00</u>
<u>T14N R27E S21</u>	<u>SESE</u>	<u>16.00</u>	<u>T14N R27E S22</u> <u>NESW</u> <u>12.00</u>
<u>T14N R27E S22</u>	<u>NWSW</u>	<u>33.00</u>	<u>T14N R27E S22</u> <u>SWSW</u> <u>22.00</u>
<u>T14N R27E S22</u>	<u>SESW</u>	<u>14.00</u>	<u>T14N R27E S26</u> <u>SESW</u> <u>1.00</u>
<u>T14N R27E S27</u>	<u>SWNE</u>	<u>11.90</u>	<u>T14N R27E S27</u> <u>NENW</u> <u>11.00</u>
<u>T14N R27E S27</u>	<u>NWNW</u>	<u>22.00</u>	<u>T14N R27E S27</u> <u>SWNW</u> <u>22.6</u>
<u>T14N R27E S27</u>	<u>SENW</u>	<u>36.10</u>	<u>T14N R27E S27</u> <u>NESE</u> <u>8.20 ±</u>
<u>T14N R27E S27</u>	<u>NWSE</u>	<u>7.80</u>	<u>T14N R27E S27</u> <u>SWSE</u> <u>11.00</u>
<u>T14N R27E S28</u>	<u>NENE</u>	<u>4.00</u>	<u>T14N R27E S28</u> <u>SENE</u> <u>5.00</u>
<u>T14N R27E S34</u>	<u>NENE</u>	<u>20.00</u>	<u>T14N R27E S34</u> <u>NWNE</u> <u>14.00</u>
<u>T14N R27E S35</u>	<u>NWNE</u>	<u>31.00</u>	<u>T14N R27E S35</u> <u>NENW</u> <u>15.00</u>
<u>T14N R27E S35</u>	<u>NWNW</u>	<u>1.00</u>	

STOCKWATER in LEMHI County

T14N R27E S21 SESE

379 ACRES TOTAL

This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.

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

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

Approval of transfer 70806 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 74-15061
Date Received: 1/11/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

PAULA J WHITTAKER Phone: (208)768-2491

PO BOX 240
LEADORE ID USA 83464

F JAMES WHITTAKER Phone: (208)768-2491

PO BOX 240
LEADORE ID USA 83464

2. Date of Priority: 05/24/1910

3. Source: EIGHTEENMILE CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	27E	27	NE SW	LEMHI	
14N	27E	27	NW SE	LEMHI	
14N	27E	27	SE SE	LEMHI	
14N	27E	28	NE NE	LEMHI	
14N	27E	35	NE NE	LEMHI	
14N	27E	35	NW NE	LEMHI	

5. Description of diverting works:

per original claim

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1	
STOCKWATER	03/15	11/15	0.04	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14N	27E	21	NE	NE		IRRIGATION	20
			NW	NE		IRRIGATION	7
			SE	NE		IRRIGATION	18
			NE	SE		IRRIGATION	21
			SE	SE		IRRIGATION	16
			SE	SE		STOCKWATER	
			SE	SE		STOCKWATER	
						Section Acres	82
14N	27E	22	SW	NW		IRRIGATION	12
			SE	NW		IRRIGATION	3
			NE	SW		IRRIGATION	12
			NW	SW		IRRIGATION	33
			SW	SW		IRRIGATION	22
			SE	SW		IRRIGATION	14
						Section Acres	96
14N	27E	26	SE	SW		IRRIGATION	1
			SW	SE		IRRIGATION	4
						Section Acres	5
14N	27E	27	NE	NW		IRRIGATION	6
			NW	NW		IRRIGATION	20
			SW	NW		IRRIGATION	28
			SE	NW		IRRIGATION	26
			NE	SW		IRRIGATION	1
			NW	SW		IRRIGATION	8
			SW	SE		IRRIGATION	11
						Section Acres	100
14N	27E	28	NE	NE		IRRIGATION	14
			SE	NE		IRRIGATION	6
						Section Acres	20
14N	27E	34	NE	NE		IRRIGATION	20
			NW	NE		IRRIGATION	14
						Section Acres	34
14N	27E	35	NE	NW		IRRIGATION	11
			NW	NW		IRRIGATION	2
			NW	NW		IRRIGATION	31
						Section Acres	44
						Total Acres	381

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This amended claim combines the above rights (74-1771, 74-1772, 74-2006, 74-2091A, 74-2091B, 74-2124) on a permissible place of use per attached affidavit. No change in total acres per QQ from preliminary recommendations. Please see summary attached to 74-1771. This right is for irrigation of 31 acres within the place of use.

15. Basis of Claim: Decreed

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A 74-2413 15061

COT9375

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) F James Whittaker Phone (208) 768 2491
Mailing Address PO Box 240 Leadore ID Zip 83464

2. Date of Priority (Only one (1) per claim) 5/24/1910

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

4. a. Location of existing point of diversion is: Township 14N Range 27E Section 27,
_____ 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: 14N27E27NWSE, 14N27E27SESE, 14N27E28NENE,
14N27E35NENE, 14N27E35NWNE

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

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

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

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

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

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

per original claim

18 mile combined pool

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 1.00 or _____
 For Stockwater purposes from 3/15 to 11/15 amount 0.04 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	27E	21	20	7		18									21			16	82
		22							12	3	12	33	22	14					96
		26												1			4		5
		27					6	20	28	26	1	8					11		100
		28	14			6													20
		34	20	14															34
		35		31			11	2											44

Stockwater 14N27E 21 SESE

Total number of acres irrigated 381

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
74-1771, 74-1772, 74-2006, 74-2091A, 74-2091B, 74-2124 or None ()

14. Remarks: This amended claim combines the above rights on a permissible place of use per attached Affidavit. No change to total acreage nor acres per QA from preliminary recommendations. Please see summary attached to 74-1771. This right is for irrigation of 31 acres within the place of use.

Last Name Whittaker Ident No. 74-2091B

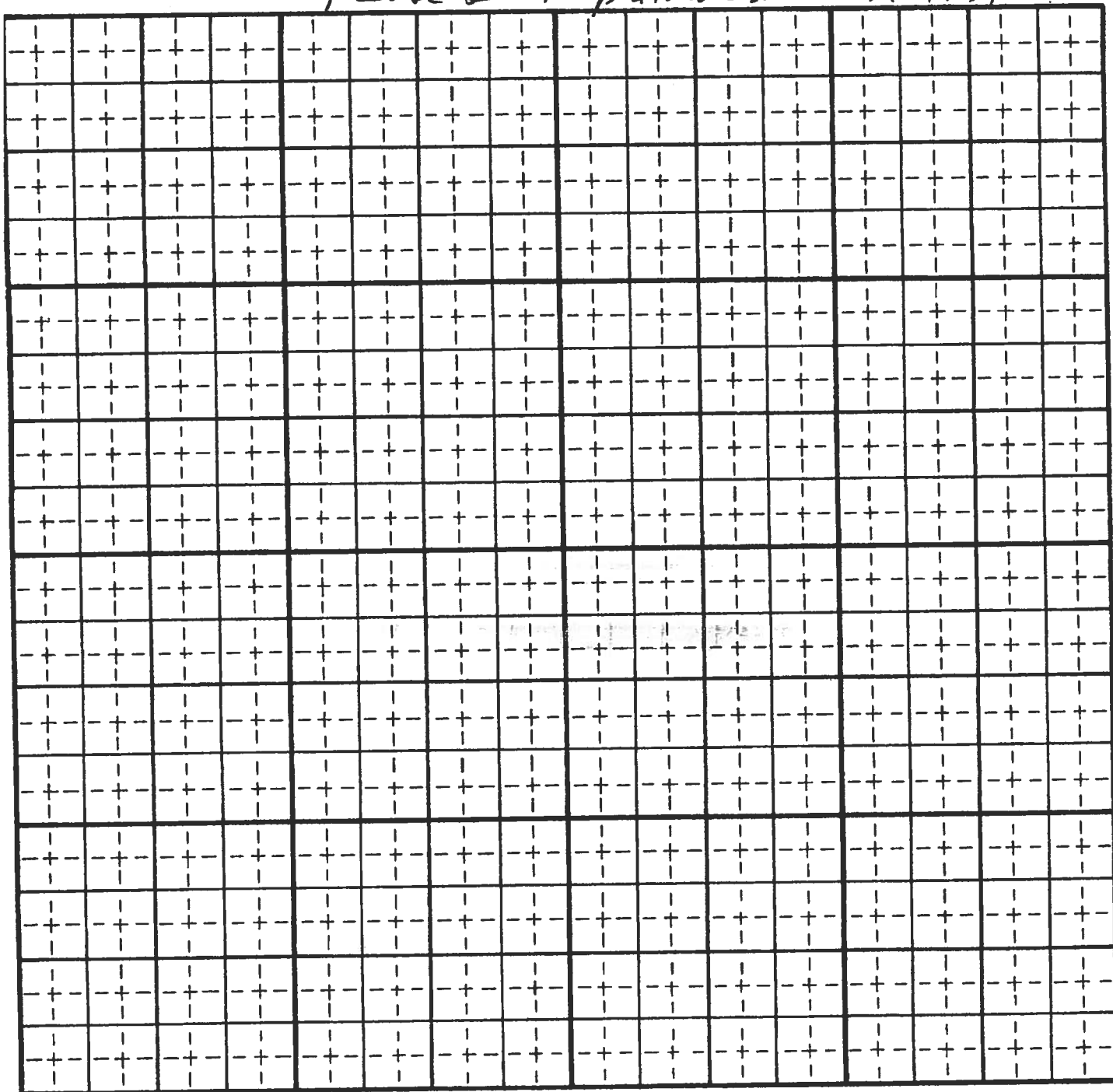
Copies: White -State, Yellow-Claimant

18 mile combined pool

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

Scale: 2 inches equals 1 mile

Please see map attached to 74-1771



Last Name Whittaker

Ident No. 74-2091B

Copies: White-State, Yellow-Claimant

18 mile combined pool

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

If applicable provide IDWR Water Right Number 74-2091B

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) James Whitaker

Date 8/10/04

Date _____

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

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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

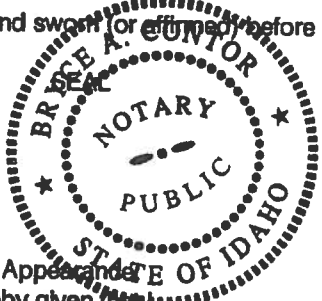
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville) SS.

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



Notary Public Bryce A. Contor

Residing at Mud Lake

My Commission Expires 10/14/05

Please Print Name

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

Signature _____

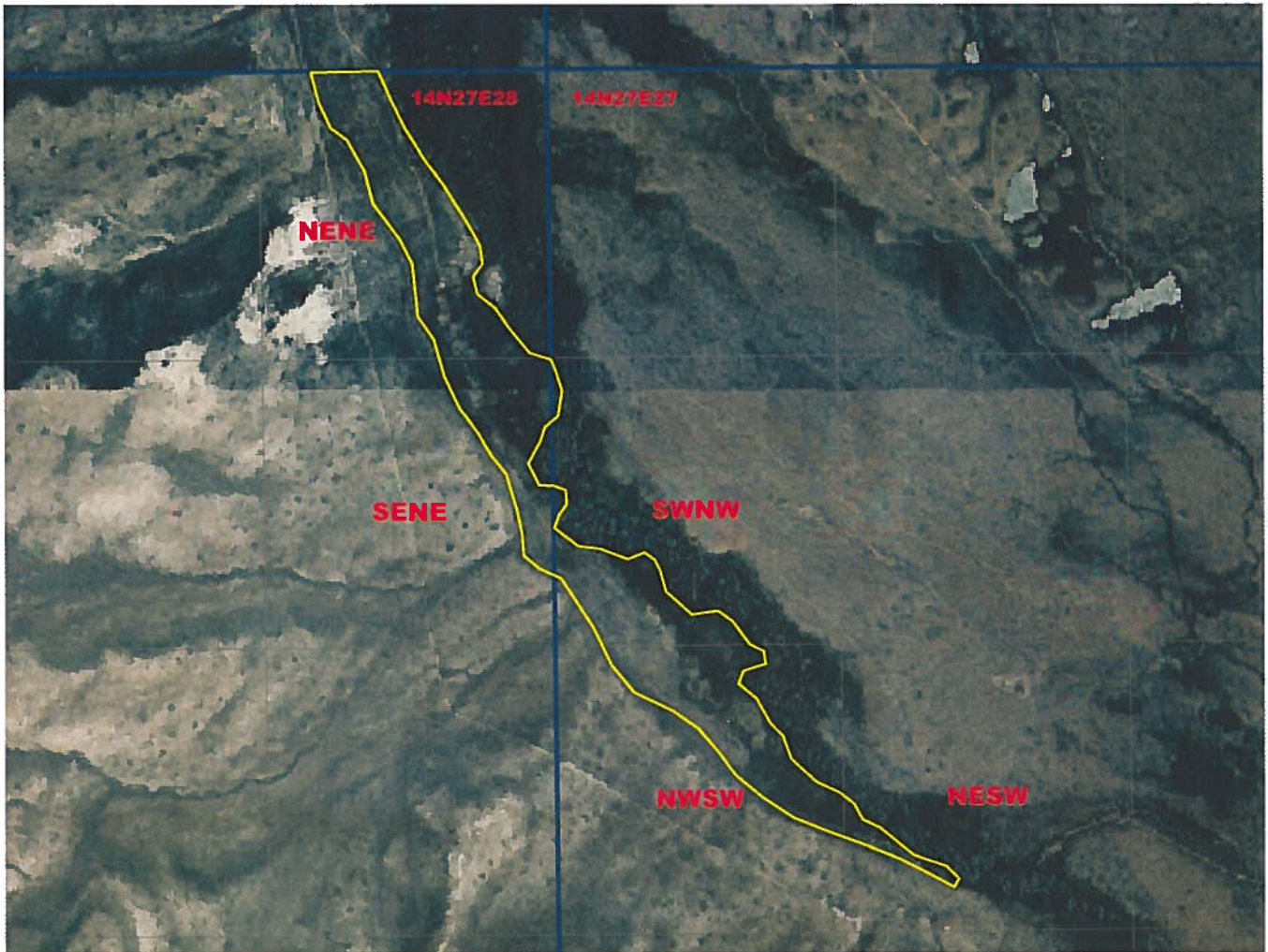
Address _____

Date _____

Last Name Whittaker Ident. Number 74-2091B

18 mile combined POW

74-15061

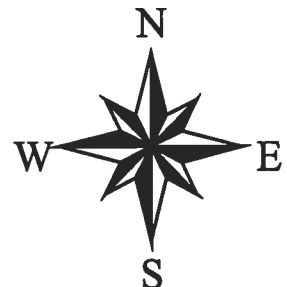


0.5

0

0.5 Miles

T14N R27E S27 & S28



Prepared by Danni Smith
June 15, 2004
1993/94 True Color Aerial Photo

06/10/2004

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

RIGHT NUMBER: 74-15061
NAME AND ADDRESS: PAULA J WHITTAKER
TWO DOT RANCH
PO BOX 240
LEADORE ID 83464

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

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 0.980 CFS
PRIORITY DATE: 05/24/1910
POINT OF DIVERSION:

T14N R27E S27 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.980 CFS
STOCKWATER	03/15 11/15	0.040 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R27E S27	SWNW	6.0	T14N R27E S27	NESW	1.0
T14N R27E S27	NWSW	8.0	T14N R27E S28	NENE	10.0
T14N R27E S28	SENE	5.0			

STOCKWATER Within LEMHI County

T14N R27E S21 SESE

30 ACRES TOTAL

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.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

EXPLANATORY MATERIAL: Decreed

06/10/2004

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

RIGHT NUMBER: 74-15062

NAME AND ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
50 HWY 93 S
SALMON ID 83467

SOURCE: EIGHTEENMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.020 CFS
2.400 AFY

This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

PRIORITY DATE: 05/24/1910

POINT OF DIVERSION:

T14N R27E S27 SWNESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/15 11/15	0.020 CFS 2.40 AFY

PLACE OF USE: STOCKWATER Within LEMHI County

T14N R27E S06	NESW	T14N R27E S07	SENW
T14N R27E S18	SENE	T14N R27E S20	NWNW
T14N R27E S20	SENW	T14N R27E S29	SENE

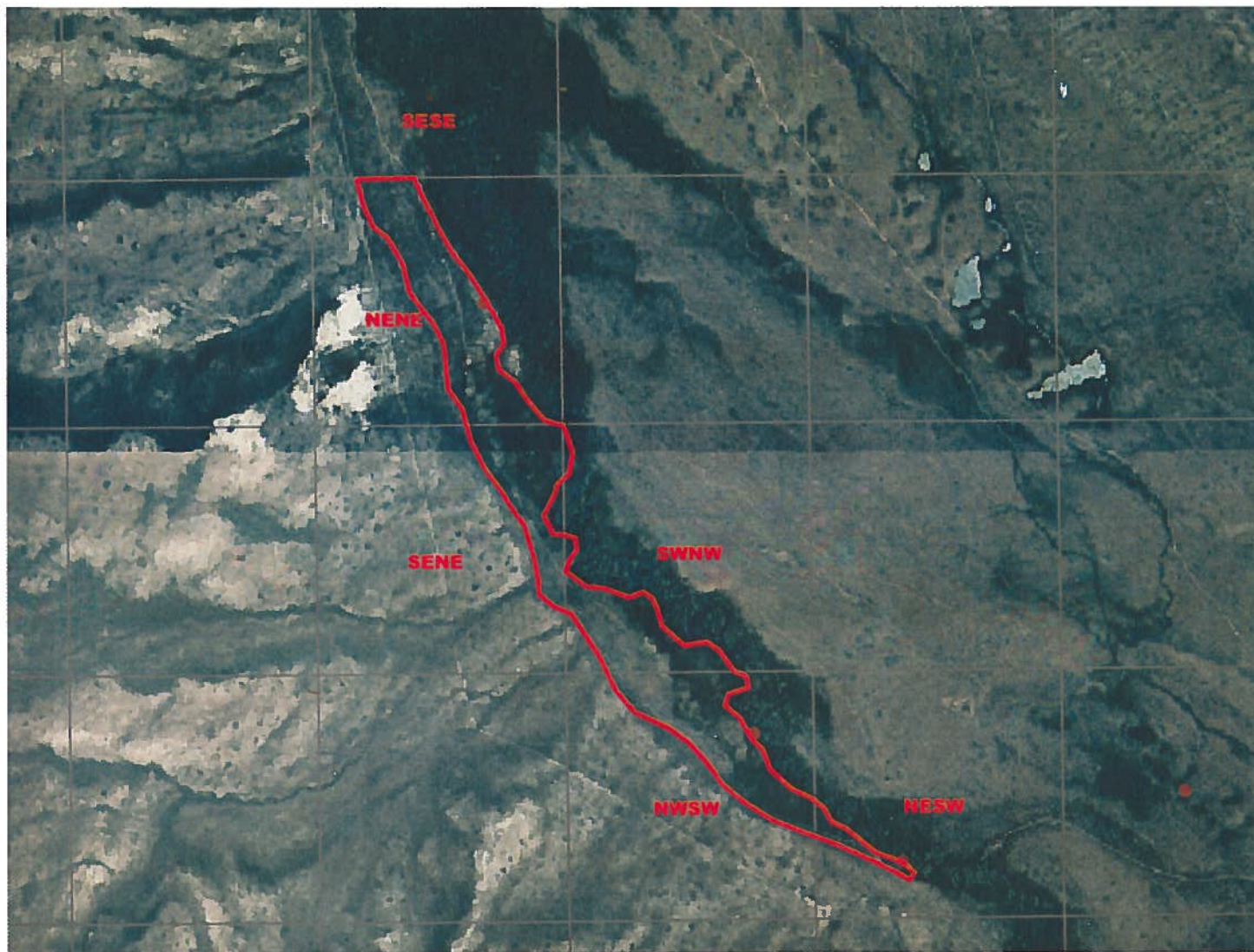
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: Decreed

Idaho Department of Water Resources

74-2091B



0.3 0 0.3 Miles

*Part of 15-Mile
Mahaffey Ranch*

T14N R27E S21 & S28



Prepared by Danni Smith
January 14, 2003
1993/94 True Color Aerial Photo

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-2091B

WATER RIGHT NUMBER: 74-2091B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TWO DOT RANCH C/O PAULA J WHITTAKER PO BOX 240 LEADORE, ID 83464 (208)768-2491
Original Owner	MAHAFFEY LIVESTOCK INC C/O STEPHEN MAHAFFEY PO BOX 4 TENDON, ID 83468
Current Owner	TWO DOT RANCH C/O F JAMES WHITTAKER PO BOX 240 LEADORE, ID 83464 (208)768-2491

Priority Date: 05/24/1910 ✓

Basis: Decreed

Status: Active

Source

EIGHTEENMILE CREEK

Tributary

LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.000 CFS	
STOCKWATER	3/15 to 11/15	0.040 CFS	
	<u>Total Diversion:</u>	1.000 CFS ✓	

Location of Point(s) of DiversionEIGHTEENMILE CREEK
LEMHI County

NE1/4SW1/4

Sec. 27, Twp 14N, Rge 27E, B.M.

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	
14N	27E	27							6.0		1.0	8.0							15.0
14N	27E	28	10.0			6.0													16.0

Total Acres: 31 ✓

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-2091B

14N 27E 21	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
																X	

Conditions of Approval:Remarks:Dates and Other Information:

Claim Received Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False