

01/11/2006

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

RIGHT NUMBER: 74-15655
NAME AND ADDRESS: F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464
SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER
QUANTITY: 2.920 CFS
Right Nos. 74-337, 74-2308 and 74-15655 are limited to a total combined diversion rate of 4.7 cfs.
PRIORITY DATE: 05/01/1973
This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T15N R25E S5 SENE Within LEMHI County
T15N R25E S8 NENW 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	2.920 CFS

PLACE OF USE:

<u>IRRIGATION Within LEMHI County</u>						
T16N R25E S34	NESE	40.00	T16N R25E S34	NWSE	40.00	
T16N R25E S34	SWSE	35.00	T16N R25E S34	SESE	37.00	
T16N R25E S35	SWNW	40.00	T16N R25E S35	SENW	36.00	
T16N R25E S35	NESW	40.00	T16N R25E S35	NWSW	40.00	
T16N R25E S35	SWSW	37.00	T16N R25E S35	SESW	5.30	
T16N R25E S35	NWSE	21.00				

371.3 ACRES TOTAL

Place of use does not include federal public lands

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.

This right is based upon an enlargement of Right Nos. 74-337 and 74-2308 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 153.7 acres within the place of use described for this right.

PPU Analysis**Claim No. 74-15655**

<u>Associated Water Rights</u>	<u>Acres</u>	<u>Diversion Rate</u>
74-337	146.0	3.3
74-2308	71.6	1.4
PPU	371.3	2.92
Total	371.3	4.7

<u>Recommendation</u>	<u>No. Acres</u>	<u>within</u>
74-337	146.0	371.3
74-2308	71.6	371.3
74-15655	153.7	371.3
Total	371.3	

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Elmore County are shown to the nearest section - more specific locations are available upon request.

Water Right: 74-14980

Name & Address:
F JAMES & PAULA J WHITTAKER
PO BOX 240
LEADORE ID 83464
SOURCE: BIG TIMER CREEK,
TRIBUTARY TO: LEMHI RIVER
PRIORITY DATE: 06/01/1982
POINT OF DIVERSION: T15N R26E
S20 SWNW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T15N R26E S21
SWSE SESE
S27 NWNW SWNW SENW
S28 NENE

This right is for an enlargement of 42.7 acres irrigation within the place of use described for this right.

Water Right: 74-15072

NAME & ADDRESS:
DARRELL J & VERNA M NEF
1019 LEE CREEK RD
LEADORE ID 83464
SOURCE: BIG EIGHTMILE CREEK,
TRIBUTARY: LEMHI RIVER
PRIORITY DATE: 06/19/1982
POINT OF DIVERSION: T16N R25E
S33 SWNW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T16N R25E S20
NESW SWSW SESW NWSE SWSE
S29 NWNE NENW NWNW

This right is for an enlargement of 59 acres within the total acres recommended.

Water Right: 74-15533

NAME & ADDRESS:
JUNE PLAYFAIR
PO BOX 38
LEMHI ID 83465
SOURCE: LEMHI RIVER, TRIBU-
TARY: SALMON RIVER
PRIORITY DATE: 03/15/1957
POINT OF DIVERSION: T18N R24E
S33 LOT 7 (NWNW)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T18N R24E S28
NESW

This right is for an enlargement of 4 acres within the total acres recommended.

Water Right: 74-15555

NAME & ADDRESS:
F JAMES & PAULA J WHITTAKER
PO BOX 240 LEADORE ID 83464
SOURCE: BIG EIGHTMILE CREEK,
TRIBUTARY TO: LEMHI RIVER
PRIORITY DATE: 05/01/1973
POINT OF DIVERSION: T15N R25E
S05 SENE, S08 NENW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T16N R25E, S34
NESE NWSE SWSE SESE
S35 SWNW SENW NESW NWSW
SWSW SESW NWSE

This right is for an enlargement of 153.7 acres irrigation within the place of use described for this right

Water Right: 74-15661

NAME & ADDRESS:
F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464
SOURCE: BIG TIMBER CREEK,
TRIBUTARY TO: LEMHI RIVER
PRIORITY DATE: 03/15/1983
POINT OF DIVERSION: T15N R25E
S26 NWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T15N R25E S14
SWNE SWNW SENW NESW
NWSW SWSW SESW NWSE SWSE
S15 SESE

This right is for an enlargement of 16.4 acres irrigation within the place of use described for this right.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, State Office, PO Box 83720, Boise, ID 83720-0098 on or before September 26, 2006.

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss:

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the NOTICE OF ENLARGEMENT, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for TWO (2) consecutive issue(s), commencing with the issue dated 8-17-2006 and ending with the issue dated 8-24-2006.

STATE OF IDAHO

County of Lemhi

ss:

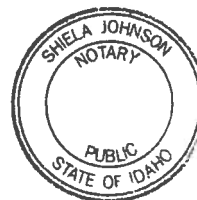
On this 28th day of August in this year of 2006 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheila Johnson
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 01-02-2007

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SEP 05 2006

DEPARTMENT OF
WATER RESOURCES