

to be reported in
Fall 2008 late claims report
MVB

05/13/2008

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

RIGHT NUMBER: 74-15662

NAME AND ADDRESS: F JAMES WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

SOURCE: BASIN CREEK

TRIBUTARY: BIG TIMBER CREEK

QUANTITY: 1.170 CFS

Right Nos. 74-2088, 74-15663 and 74-15662 are limited to a total combined diversion rate of 2.00 cfs.

Right Nos. 74-2095, 74-15662 and 74-15663 are limited to a total combined diversion rate of 2.50 cfs.

Right Nos. 74-2148, 74-15662 and 74-15663 are limited to a total combined diversion rate of 0.60 cfs.

The rights listed below are limited to a total combined diversion rate of 5.1 cfs.

Combined Right Nos.: 74-2088, 74-2095, 74-2148, 74-15662, and 74-15663

PRIORITY DATE: 03/15/1983

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:

T14N R25E S1 NWSW Within LEMHI County
T14N R25E S2 SENE Within LEMHI County
T14N R25E S2 NENW Within LEMHI County
T14N R25E S2 NWSE Within LEMHI County
T15n R25E S35 SESE Within LEMHI County
T15n R25E S36 SENE Within LEMHI County
T15n R25E S36 NWSW Within LEMHI County
T15n R25E S36 SWSW 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	1.170 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R25E S01	NWNW	27.00	T14N R25E S01	SWNW	22.00
T14N R25E S02	NENE	32.00	T14N R25E S02	NWNE	32.00
T14N R25E S02	SWNE	12.00	T14N R25E S02	SENE	24.00
T14N R25E S02	NENW	7.00	T15N R25E S25	SWSE	25.00
T15N R25E S25	SESE	30.00	T15N R25E S35	SESW	14.00

T15N R25E S35	SWSE	30.00	T15N R25E S36	NENE	2.00
T15N R25E S36	NWNE	5.00	T15N R25E S36	NESW	2.00
T15N R25E S36	NWSW	35.00	T15N R25E S36	SWSW	35.00
T15N R25E S36	SESW	6.00			

340 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 340 acres in a single irrigation season. Combined Right Nos.: 74-2088, 74-2095, 74-2148, 74-15662, and 74-15663

Right Nos. 74-2088, 74-15662 and 74-15663 are limited to the irrigation of a combined total of 216 acres in a single irrigation season.

Right Nos. 74-2095, 74-15662, and 74-15663 are limited to the irrigation of a combined total of 243 acres in a single irrigation season.

Right Nos. 74-2148, 74-15662, and 74-15663 are limited to the irrigation of a combined total of 159 acres in a single irrigation season.

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. 74-2088, 74-2095, and 74-2148 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 78 acres within the place of use described for this right.