

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 43-12978
Date Received: 3/12/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

DENTON WHITAKER Phone: (208)645-2518

2145 S 2350 E
MALTA ID USA 83342

CLETA WHITAKER Phone: (208)645-2518

2145 S 2350 E
MALTA ID USA 83342

2. Date of Priority: 04/01/1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	27E	17	SE SW SW	CASSIA	

5. Description of diverting works:

HEADGATE TO DITCHES & BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/30	07/01	0.348	

7. Total Quantity Appropriated is:
0.348 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
14S	27E	8	NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	10
			SE	SW		IRRIGATION	10
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	NW		IRRIGATION	10
			SE	NW		IRRIGATION	10
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	280
						Total Acres	280

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:

14. Remarks:

THIS CLAIM IS A COMBINATION OF PORTIONS OF THE FOLLOWING RIGHTS:

43-00164	0.048 CFS	04-01-1871	04-30 TO 07-01
43-00165	0.3 CFS	04-01-1871	04-30 TO 07-01

15. Basis of Claim: Decreed

COPY

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 43-10435
Date Received: 6/8/89
Receipt No: S007690
Received By: *J*

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

1. Name of Claimant(s)

DENTON WHITAKER Phone: (208) 645-2518

HC 72 BOX 2192
MALTA ID USA 83342

CLETA WHITAKER Phone: (208) 645-2518

HC 72 BOX 2192
MALTA ID USA 83342

RECEIVED
MAR 02 2001
Department of Water Resource
Southern Region

2. Date of Priority: 04/01/1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	27E	17	SE SW SW	CASSIA	

5. Description of diverting works:

HEADGATE TO DITCHES & BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.395	

7. Total Quantity Appropriated is:
1.395 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
14S	27E	8	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	10
			SE	SW	IRRIGATION	10
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	NW	IRRIGATION	10
			SE	NW	IRRIGATION	10
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
Section Acres						280
Total Acres						280

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:

14. Remarks:

THIS CLAIM IS A COMBINATION OF PORTIONS OF THE FOLLOWING RIGHTS:

43-00164	0.048	CFS	04-01-1871	04-30 TO 07-01
43-00165	0.30	CFS	04-01-1871	04-30 TO 07-01
43-00166	0.30	CFS	04-01-1871	04-01 TO 07-01
43-00167	0.30	CFS	04-01-1871	04-01 TO 07-01
43-00175	0.047	CFS	04-01-1871	
43-00176	0.40	CFS	04-01-1871	04-01 TO 07-01

43-12978

15. Basis of Claim: Decreed

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

Signature of Claimant(s): Delta Whitaker Date: 3/20/01
Wenton Whitaker Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this
of Feb 20 2001

Barbara Andersen

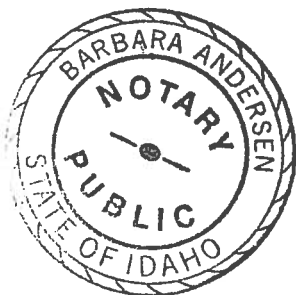
Notary Public

Residing at

Albion, ID

My commission Expires

7-23-05





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,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over a horizontal line.

Jeanie Robertson
Sr. Water Resource Agent

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: A43-10435
Date Received: 6/08/1989
Receipt No: 5007690
Received By: Am

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, 1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot
14S	27E	17	SE	SW	SW	

5. Description of diverting works:
HEADGATE TO DITCHES & BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.010		

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

A.F.A.

8. Total consumptive use is 840.0 Acre ft

9. Non-irrigation uses:
NONE

- 00164A .04
- 00165A .27
- 00166A .27
- 00167 .34
- 00175A .04
- 00176A .36
1.32

What about
different seasons
of use?

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
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

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:
A43-10425, 02294B AND 10433 THRU 10435.

14. Remarks:
THIS CLAIM TO BE AMENDED WHEN PROPER CFS RT. DETERMINED.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

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

Number of attachments: 0

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 6/30/92

Sec 8

~~169B~~
~~170~~
~~173~~
~~178B~~

✓ (164 4/1/1871

165 4/1/1871

166 4/1/1871

167 4/1/1871

✓ [168 4/1/1879

✓ [169A 6/1/1875

✓ [172 4/1/1879

✓ [175 4/1/1871

✓ [176 4/1/1871

✓ [178B 12/12/1911

2296A

2372

2294D

4055

4149

MICROFILMED

MAR 05 1993

RECEIVED

JAN - 8 2003

Department of Water Resources

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

2003 JAN 6 AM 11 29

**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 Rights 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 and 43-12985

On October 9, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights. 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 rights 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 and 43-12985 are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED January 6, 2003

Roger S. Burdick

ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

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
TWIN FALLS CO., IDAHO
FILED

2003 JAN 6 AM 11 29

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-12978

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

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.348 CFS

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S17 SESWSW Within Cassia County

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-30 TO 07-01	0.348 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R27E S08	
	SWNW 6.5	SENE 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.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ISSUING PARTIAL DECREE 43-10434 ET AL was mailed on January 06, 2003, with sufficient first-class postage to the following:

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

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

ORDER ISSUING PARTIAL DECREE

Page 1 1/06/03 FILE COPY FOR 00305

Robbin Hall
Deputy Clerk

OCT 09 2002

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) Subcases 43-10434, 43-10627, 43-12958,
Case No. 39576) 43-12959, 43-12976, 43-12977, 43-12978,
) 43-12979, 43-12980, 43-12981, 43-12982,
) 43-12983, 43-12984 and 43-12985
) (Whitaker)
)
) SPECIAL MASTER REPORT

Findings of Fact

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 above 14 claims to Denton and Clela Whitaker, 2145 South, 2350 East, Malta, Idaho 83342, for diversions from the Raft River to irrigate 300 acres within a 329.3 acre place of use.

No objections were filed to the above 14 claims, but they overlap with contested claims 43-02294D, 43-02294G, 43-10289 and 43-10425. On October 7, 2002, the Whitakers and IDWR filed *Standard Forms 5* agreeing to the overlapping claims as recommended but with amendments to place of use remarks and additional explanatory material.

Conclusions of Law

Denton and Clela Whitaker are entitled to partial decrees adjudicating water rights under claims 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 and 43-12985 as described in the *Standard Forms 5* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 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 and 43-12985*.

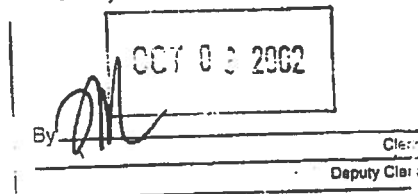
DATED October 9, 2002.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE DISTRICT COURT-SRBA
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-12978



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

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.348 CFS

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S17 SESWSW Within Cassia County

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-30 TO 07-01	0.348 CFS

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.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.

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.

RECOMMENDATION

OCT 09 2002

Thomas A. Burdick
SPECIAL MASTER

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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): 43-10434
(SEE ATTACHED EXHIBIT A)

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.


LETTIE MESSICK
Deputy Clerk

Exhibit A

Subcase Nos:

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

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) : 43-10434
(SEE ATTACHED EXHIBIT A)

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


LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/09/02

Exhibit A

Subcase Nos:

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

Robertson, Jean

From: Kelly, Vicki
Sent: Tuesday, October 08, 2002 4:16 PM
To: Robertson, Jean
Subject: RE: Basin 43 SF5's

Yeah, I didn't notice it either. Lettie says the SM will just issue his SMR with the unrounded amount, and I will mention this occurrence to Don. Thanks -- V

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, October 08, 2002 2:48 PM
To: Kelly, Vicki
Subject: RE: Basin 43 SF5's

This is a rounding problem done automatically by the computer and that we have been complaining about for some time. It depends on what type of report you run as to what comes out and what fields are rounded, but the correct data in this case (45-12978) is 0.348. What does the court want to do? Do they want new SF5's sent around or another ADR generated with this problem taken care of? (Guess I might have looked a little closer when I did these, but there are just so many things to look at that I missed that!) Jeanie

P.S. You might want to point this out to Don...

-----Original Message-----

From: Kelly, Vicki
Sent: Tuesday, October 08, 2002 11:28 AM
To: Robertson, Jean
Subject: FW: Basin 43 SF5's

Well, hi there!!

Hey I got this from Lettie during my absence and didn't know how to answer, so I'm turning to you! Lettie is evidently looking at the quantity amount under the purpose & period of use section and comparing it to the amount shown under quantity. Is the rounding thing normal? Clueless in legal.... Thanks -- V

-----Original Message-----

From: Imessick@srba.state.id.us [mailto:Imessick@srba.state.id.us]
Sent: Monday, October 07, 2002 3:53 PM
To: vKELLY@idwr.state.id.us
Subject: Basin 43 SF5's

Hi Vicki,

I hope this makes sense, here goes.

10/16/2002

Earlier today I called about one of the SF5s filed with 43-2294D *et al* regarding a discrepancy in the quantities listed on the Amended Director's Report. I have found the same type of discrepancies on a number of the SF5s filed in that batch. I think what has happened is: whoever prepared the SF5s, their computer is rounding the amount under quantity. 433-12978 is a good example.

VERIFIED BY

09/06/2002

9/6/02

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

RIGHT NUMBER: 43-12978
NAME AND ADDRESS: DENTON WHITAKER
2145 S 2350 E
MALTA ID 83342
CLETA WHITAKER
2145 S 2350 E
MALTA ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.35 CFS
PRIORITY DATE: 04/01/1871
POINT OF DIVERSION:

T14S R27E S17 SESWSW Within CASSIA County
THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY
DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE
DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE
POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY
WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/30 07/01	0.348 CFS

PLACE OF USE:	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.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
43-12976, 43-12978, 43-12979, & 43-12980.

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

THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
43-00164A, & 43-00165A.

Water Right 43-12978

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

RIGHT NUMBER: 43-12978

NAME AND ADDRESS:

CLETA WHITAKER
2145 S 2350 E
MALTA ID 83342

DENTON WHITAKER
2145 S 2350 E
MALTA ID 83342

SOURCE: RAFT RIVER

Tributary: SNAKE RIVER

QUANTITY: 0.348 CFS
0.000 AFY

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION:

T14S R27E S17 SESWSW Within CASSIA County

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/30 07/01	0.348 CFS

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 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.

~~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.~~

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.~~

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED
BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL
UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 43-00164A, &
43-00165A.

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

SOURCE:	RAFT RIVER	TRIBUTARY: SNAKE RIVER
QUANTITY:	0.35 CFS	
PRIORITY DATE:	04/01/1871	
POINT OF DIVERSION:		

T14S R27E S17 SESSW Within CASSIA County

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

<u>PURPOSE OF USE</u>			<u>PERIOD OF USE</u>		<u>QUANTITY</u>
IRRIGATION			04/30	07/01	0.348 CFS
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

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 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.

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 A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
43-00164A, & 43-00165A.

1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-12978 V2

WATER RIGHT NUMBER: 43-12978 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: 04/01/1871

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAFT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/30 to 07/01	0.348 CFS	
	<u>Total Diversion:</u>	0.348 CFS	

Location of Point(s) of Diversion

RAFT RIVER	SE1/4SW1/4SW1/4	Sec. 17, 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:

1. Point of Diversion THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-12978 V2

2. 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.
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.
4. Explanatory THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 43-00164A, & 43-00165A.

Comments:

1. jroberts 9/6/2002 V2 Recommendation
Comment: New recommendation was created to resolve an Objection, resulting in Pou being limited to 300 acres within a 329.3 ac PPU.

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

3/15/01

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

RIGHT NUMBER: 43-12978

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

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.348 CFS

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S17 SESWSW Within CASSIA County

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATER USER MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASEMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-30 07-01	0.35 CFS

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 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-12976, 43-12978, 43-12979, & 43-12980.

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

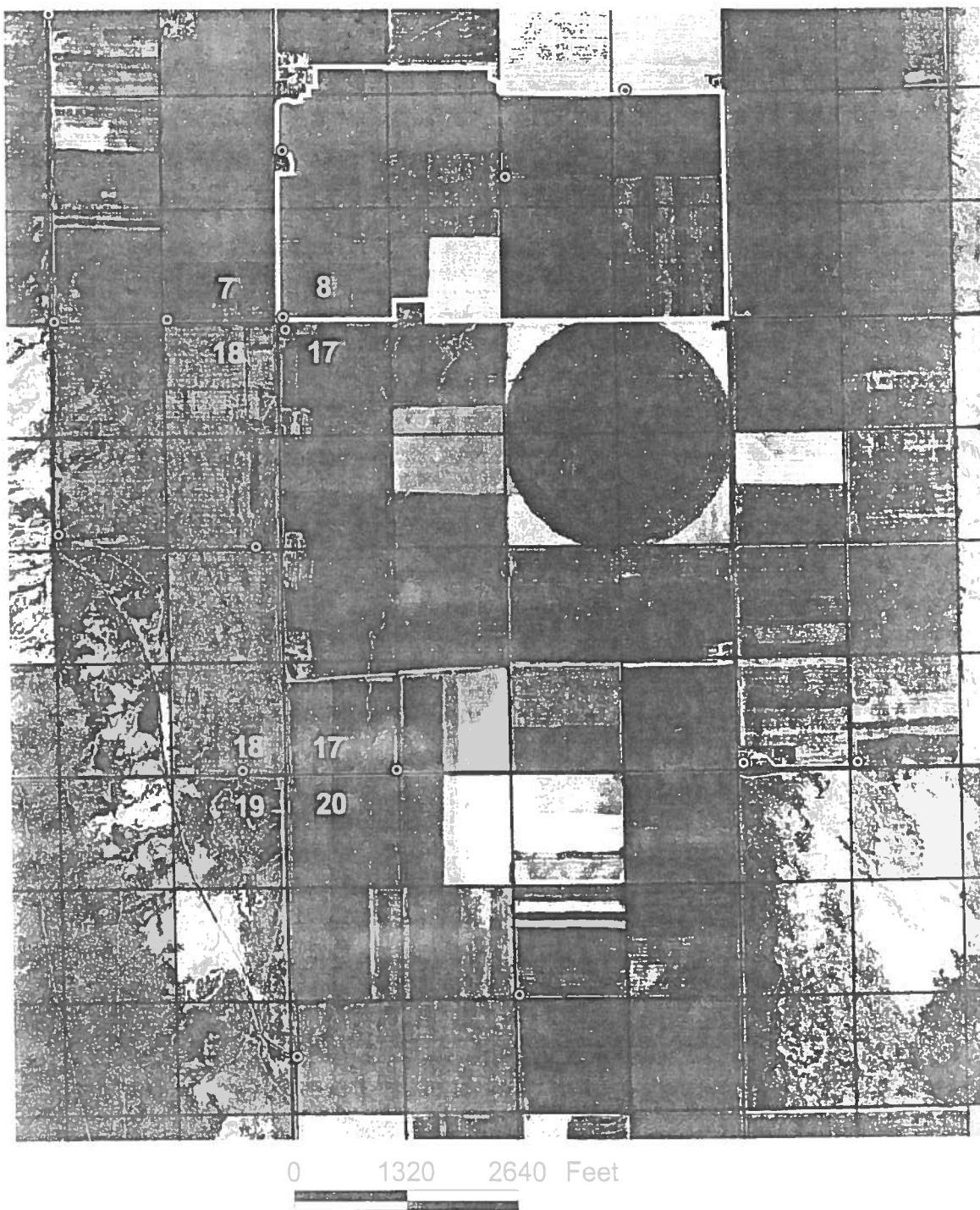
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
43-00164A, & 43-00165A.

*parts of - 164A
- 165A*

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



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



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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:50:25
03/13/01
21

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-10435

12978

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENTON WHITAKER	04/01/1871	IRRIGATION	03-15-11-15	0.010 CFS	
C	CLETA WHITAKER			4/30-7/7/1	0.010 CFS	
TOTAL DIVERSION:					0.010 CFS	
~~CONSUMPTIVE USE:~~					348	~~840.00 AFA~~

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T14S R27E S17

SESWSW

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: A43-10425, 02294B AND 10433 THRU 10435.

120/329.3PP4

Remarks: GEN THIS CLAIM TO BE AMENDED WHEN PROPER CFS RT. DETERMINED.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: D

Comb. of -00164A
-00165A

Cond. Code C18
Remarks:
POU1 E14 120Ac
w/ 12976
12979
12980
E14 329.31
w/old
POD unused
facility
- needs trans
EXP P15
(comb. of)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:49:44
03/13/01

PAGE: 2
QUICKLOOK INFORMATION

20 12978
CLAIM NUMBER: A43-10435

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

HR5809NP
No. 43-00164A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 1

OWNER
NAME & ADDRESS
C CHARLES WARR

PRIORITY
DATE
04/01/1871 IRRIGATION

USE PERIOD
FROM TO
04/30 07/01

DIVERSION
RATE
0.400 CFS

DIVERSION
VOLUME

TOTAL DIVERSION:

0.400 CFS

$\div 1120 \text{ A.C.} = .003571 \times 120 \text{ A.C.}$

$= .04 \text{ CFS}$

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T14S R27E S07
S20

SNME
NMSW

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE		NW		SW		SE		SUM
			NAME	SHME	SENE	NENW	NMSW	SNW	SESW	NESE	
14S 27E 5											
14S 27E 6			02-1	I	I	03-1					
14S 27E 7			I	I							
14S 27E 8											
14S 27E 17											
14S 27E 18			I	I							

113.3
120 A.C. water

Pou County: CASSIA

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

43-00030	43-00032	43-00164B	43-00165A	43-00165B	43-00166A	43-00166B	43-00167	43-00168A	43-00168B
43-00169B	43-00169C	43-00169D	43-00170	43-00171	43-00172A	43-00172B	43-00173	43-00175A	43-00175B
43-00176A	43-00176B	43-00178D	43-00253	43-00255	43-00324	43-00443	43-00444		

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

43-00165A	43-00166A	43-00167	43-00168A	43-00169B	43-00169C	43-00170	43-00172A	43-00175A	43-00176A
43-00178C	43-02294B	43-02294D	43-02294E	43-02295D	43-02296A	43-02296B	43-02324A	43-02331	43-02372
43-02414	43-02419	43-02420	43-02454	43-02527	43-02546	43-02561	43-04005B	43-04034	43-04055
43-04149	43-04208								

Remarks: GEN SEE TRANSFERS #665 & 2505

Dates: App. Received: Priority Date: 04/01/1871
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:

Licensed Date:

Misc: Water District Number: 43B Field Exam Fee:

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140

Transfer 5140 adds a point of diversion under a portion of Rights
43-00164/165/166/168/172/175 & 176, splitting each right into

28 facts x 40 A.C. = 1120 A.C.

WR5809NP
No. 43-00164A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 2

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Parts A & B, and Rights 43-00169A & 178B, splitting each right
into parts C & D.

Audit: 09/18/97 MBALDWIN 02/18/98 PSKAGGS 02/18/98 PSKAGGS

USE PERIOD	DIVERSION	DIVERSION
FROM TO	RATE	VOLUME
04/30 07/01	2.590 CFS	

2.590 CFS

DATE: 03/01/00
PAGE: 3
=====

DIVERSION
VOLUME

120 Ac. + 120 Ac. = 270 Ac.

Stage: DECREED

CASSIA County
CASSIA County

NE

[illegible]

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):			
17 00070	17 00070	17 00070	17 00070
17 00071	17 00071	17 00071	17 00071
17 00072	17 00072	17 00072	17 00072
17 00073	17 00073	17 00073	17 00073
17 00074	17 00074	17 00074	17 00074
17 00075	17 00075	17 00075	17 00075
17 00076	17 00076	17 00076	17 00076
17 00077	17 00077	17 00077	17 00077
17 00078	17 00078	17 00078	17 00078
17 00079	17 00079	17 00079	17 00079
17 00080	17 00080	17 00080	17 00080
17 00081	17 00081	17 00081	17 00081
17 00082	17 00082	17 00082	17 00082
17 00083	17 00083	17 00083	17 00083
17 00084	17 00084	17 00084	17 00084
17 00085	17 00085	17 00085	17 00085
17 00086	17 00086	17 00086	17 00086
17 00087	17 00087	17 00087	17 00087
17 00088	17 00088	17 00088	17 00088
17 00089	17 00089	17 00089	17 00089
17 00090	17 00090	17 00090	17 00090
17 00091	17 00091	17 00091	17 00091
17 00092	17 00092	17 00092	17 00092
17 00093	17 00093	17 00093	17 00093
17 00094	17 00094	17 00094	17 00094
17 00095	17 00095	17 00095	17 00095
17 00096	17 00096	17 00096	17 00096
17 00097	17 00097	17 00097	17 00097
17 00098	17 00098	17 00098	17 00098
17 00099	17 00099	17 00099	17 00099
17 00100	17 00100	17 00100	17 00100
17 00101	17 00101	17 00101	17 00101
17 00102	17 00102	17 00102	17 00102
17 00103	17 00103	17 00103	17 00103
17 00104	17 00104	17 00104	17 00104
17 00105	17 00105	17 00105	17 00105
17 00106	17 00106	17 00106	17 00106
17 00107	17 00107	17 00107	17 00107
17 00108	17 00108	17 00108	17 00108
17 00109	17 00109	17 00109	17 00109
17 00110	17 00110	17 00110	17 00110
17 00111	17 00111	17 00111	17 00111
17 00112	17 00112	17 00112	17 00112
17 00113	17 00113	17 00113	17 00113
17 00114	17 00114	17 00114	17 00114
17 00115	17 00115	17 00115	17 00115
17 00116	17 00116	17 00116	17 00116
17 00117	17 00117	17 00117	17 00117
17 00118	17 00118	17 00118	17 00118
17 00119	17 00119	17 00119	17 00119
17 00120	17 00120	17 00120	17 00120
17 00121	17 00121	17 00121	17 00121
17 00122	17 00122	17 00122	17 00122
17 00123	17 00123	17 00123	17 00123
17 00124	17 00124	17 00124	17 00124
17 00125	17 00125	17 00125	17 00125
17 00126	17 00126	17 00126	17 00126
17 00127	17 00127	17 00127	17 00127
17 00128	17 00128	17 00128	17 00128
17 00129	17 00129	17 00129	17 00129
17 00130	17 00130	17 00130	17 00130
17 00131	17 00131	17 00131	17 00131
17 00132	17 00132	17 00132	17 00132
17 00133	17 00133	17 00133	17 00133

Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):			
43-00030	43-00032	43-00164A	43-00164B
43-001698	43-00169C	43-00169D	43-00170
43-00176A	43-00176B	43-00178D	43-00253
			43-00165B
			43-00166A
			43-00166B
			43-00172A
			43-00172B
			43-00443
			43-00444
		43-00168A	43-00168B
		43-00175A	43-00175B

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

Material	Quantity	Unit	Price	Total
43-00164A	43-00166A	43-00167	43-00168A	43-00169B
43-00178C	43-02294B	43-02294D	43-02294E	43-02295D
43-02414	43-02419	43-02420	43-02454	43-02527
43-04149	43-04208			

of

Priority Date:

04/01/1871

Exam Sent to S.O.:

Field Exam Fee:

Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Transfer 5140 adds a point of diversion under a portion of Rights:
43-00164/165/166/168/172/175 & 176, splitting each right into

WRS809NP
No. 43-00165A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 4

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Parts A & B, and Rights 43-00169A & 1788, splitting each right
into parts C & D.

Audit: 09/18/97 MBALDWIN 02/18/98 PSKAGGS

WR5809NP
No. 43-00166A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES WARR	04/01/1871	IRRIGATION	04/01 07/01	2.590 CFS	

TOTAL DIVERSION:

2.590 CFS

$\div 1120 \text{ Ac} \times$

$= .2785$

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T14S R27E S07
S20 SENE NMSW CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NENE	SENE	NENW	NWNW	SENW	NESE	NWSE	SWSE	SESE	SUM
T R S	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	
14S 27E 5											
14S 27E 6											
14S 27E 7											
14S 27E 8											
14S 27E 17											
14S 27E 18											

Pou County: CASSIA

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

43-00030	43-00032	43-00164A	43-00164B	43-00165A	43-00165B	43-00166B	43-00167	43-00168A	43-00168B
43-00169B	43-00169C	43-00169D	43-00170	43-00171	43-00172A	43-00172B	43-00173	43-00175A	43-00175B
43-00176A	43-00176B	43-00178D	43-00253	43-00255	43-00324	43-00443	43-00444		

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

43-00164A	43-00165A	43-00167	43-00168A	43-00169B	43-00169C	43-00170	43-00172A	43-00175A	43-00176A
43-00178C	43-02294B	43-02294D	43-02294E	43-02295D	43-02296A	43-02296B	43-02324A	43-02331	43-02372
43-02414	43-02419	43-02420	43-02454	43-02527	43-02546	43-02561	43-04058	43-04034	43-04055
43-04149	43-04208								

Remarks: GEN SEE TRANSFERS #665 & 2505

Dates: App. Received: Priority Date: 04/01/1871

Proof Due Date: Exam Made Date: Exam Sent to S.O.:

Licensed Date: Misc: Water District Number: 438 Field Exam Fee:

Comments: Date: 02/18/1998 User-ID: PSKAGS Subject: TRANSFER 5140

Transfer 5140 adds a point of diversion under a portion of Rights
43-00164/165/166/168/172/175 & 176, splitting each right into

WR5809NP
No. 43-00166A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 6

Comments: Date: 02/18/1998 User-ID: PSKAGS Subject: TRANSFER 5140
Parts A & B, and Rights 43-00169A & 1788, splitting each right
into parts C & D.

Audit: 09/18/97 MBALDWIN 02/18/98 PSKAGS

USE PERIOD	DIVERSION	DIVERSION
FROM	RATE	VOLUME
TO		
04/01 07/01	5.200 CFS	

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
04/01 07/01	3.200 CFS	
TOTAL DIVERSION:	3.200 CFS	

$\div 120 \times 120 = 34 \text{ cfs}$

Stage: DECREED

CASSIA County
CASSIA County

NE

[illegible]

Other Water Rights With Same Point(s) of Diversion With Stage (Includes All Sources):	1/7 2007A	1/7 2007B	1/7 2007C	1/7 2007D	1/3-00145A	1/3-00145B	1/3-00145C

Water Rights	With Same Point(s) of Diversion with Stage (Includes All Sources):
43-00030	43-00032 43-00164A 43-00164B 43-00165A 43-00165B 43-00166A 43-00166B 43-00168A 43-00168B
43-00169B	43-00169C 43-00169D 43-00170 43-00171 43-00172A 43-00172B 43-00173 43-00175A 43-00175B
43-00176A	43-00176B 43-00178D 43-00253 43-00255 43-00324 43-00443 43-00444

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

[illegible]

Remarks: GEN SEE TRANSFERS #665 & 2505

04/01/1871

Proof Made Date:
Exam Sent to S.O.:

Exam Fees

Audit:	05/06/85	05/28/88	CONVERT	08/11/89	CURTIS
--------	----------	----------	---------	----------	--------

WR5809NP
No. 43-00175A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 8

OWNER NAME & ADDRESS
CODE C CHARLES WARR

PRIORITY DATE
04/01/1871

WATER USE
IRRIGATION

USE PERIOD FROM TO
04/01 10/31

DIVERSION RATE
0.400 CFS

DIVERSION VOLUME

TOTAL DIVERSION:

0.400 CFS

1120 x 120 = .04 cfs

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T14S R27E S07
S20

SNNE
NMSW

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
T	R S	NENE	NNNE	SNNE	SENE	NENW	NNNW	SNW	SEW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
14S	27E 5 :																		
14S	27E 6 :		02-1	1	1		03-1				1		1		1	1	1		
14S	27E 7 :		1																
14S	27E 8 :							1	1		1	1	1						
14S	27E 17 :							1	1		1								
14S	27E 18 :		1		1														

Pou County: CASSIA

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

43-00030	43-00032	43-00164A	43-00164B	43-00165A	43-00165B	43-00166A	43-00166B	43-00167	43-00168A
43-00168B	43-00169B	43-00169C	43-00169D	43-00170	43-00171	43-00172A	43-00172B	43-00173	43-00175B
43-00176A	43-00176B	43-00178D	43-00253	43-00255	43-00324	43-00443	43-00444		

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	43-00176A
43-00178C	43-02294B	43-02294D	43-02294E	43-02295D	43-02296A	43-02296B	43-02324A	43-02331	43-02372
43-02414	43-02419	43-02420	43-02454	43-02527	43-02546	43-02561	43-04005B	43-04034	43-04055
43-04149									

Remarks: GEN SEE TRANSFERS #665 & 2505

Dates: App. Received: Priority Date: 04/01/1871

Proof Due Date: Proof Made Date: Exam Sent to S.O.:

Licensed Date:

Misc: Water District Number: 438 Field Exam Fee:

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140

Transfer 5140 adds a point of diversion under a portion of Rights
43-00164/165/166/168/172/175 & 176, splitting each right into

URS809NP
No. 43-00175A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 9

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Parts A & B, and Rights 43-00169A & 1788, splitting each right
into parts C & D.

Audit: 09/18/97 MBALDWIN 02/18/98 PSKAGGS

WR5809NP
No. 43-00176A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 10

OWNER
NAME & ADDRESS
C CHARLES WARR

PRIORITY
DATE
04/01/1871 IRRIGATION

USE PERIOD
FROM TO
04/01 07/01

DIVERSION
RATE
3.410 CFS

TOTAL DIVERSION: 3.410 CFS

$\frac{1}{2} \times 120 = 36 \text{ cfs}$

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T14S R27E S07
S20

SNWE
NWSM

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NENE	NWNE	SNWE	SENE	NENW	NWNW	SWNW	SESW	LT Ac	NESE	NWSE	SWSE	
14S 27E	5	:	:	:	:	:	:	:	:	:	:	:	:	:	:
14S 27E	6	:	02-1	1	1	03-1	:	:	:	:	1	1	1	1	:
14S 27E	7	:	1	:	:	:	:	:	:	:	1	1	1	1	:
14S 27E	8	:	:	:	:	:	:	:	:	:	1	1	1	1	:
14S 27E	17	:	:	:	:	1	1	1	1	1	1	1	1	1	:
14S 27E	18	:	1	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: CASSIA

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

43-00030	43-00032	43-00164A	43-00164B	43-00165A	43-00165B	43-00166A	43-00166B	43-00167	43-00168A
43-00168B	43-00169B	43-00169C	43-00169D	43-00170	43-00171	43-00172A	43-00172B	43-00173	43-00175A
43-00175B	43-00176B	43-00178D	43-00253	43-00255	43-00324	43-00443			

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	43-00175A
43-00178C	43-02294B	43-02294D	43-02294E	43-02295D	43-02296A	43-02296B	43-02324A	43-02331	43-02372
43-02414	43-02419	43-02420	43-02454	43-02527	43-02546	43-02561	43-04058	43-04034	43-04055
43-04149	43-04208								

Remarks: GEN SEE TRANSFERS #665 & 2505

Dates:

App. Received: 04/01/1871

Proof Due Date:

Proof Made Date:

Exam Made Date:

Exam Sent to S.O.:

Misc:

Water District Number: 438

Field Exam Fee:

Comments:

Date: 02/18/1998 User-ID: PSKAGS Subject: TRANSFER 5140
Transfer 5140 adds a point of diversion under a portion of Rights
43-00164/165/166/168/172/175 & 176, splitting each right into

WR5809NP
No. 43-00176A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/01/00
PAGE: 11

Comments: Date: 02/18/1998 User-ID: PSKAGS Subject: TRANSFER 5140
Parts A & B, and Rights 43-00169A & 1788, splitting each right
into parts C & D.

Audit: 09/18/97 MBALDWIN 02/18/98 PSKAGS