

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 37-2644A
Date Received: 8/8/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES A WHITTAKER

Phone: (208) 544-2574

498 E 670 S

DIETRICH ID USA 83324

2. Date of Priority: 10/31/1960

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	18E	11	NW NE	LINCOLN	

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	3.78	

7. Total Quantity Appropriated is:
3.78 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
07S	18E	10	SE	NE	IRRIGATION	7
					Section Acres	7
07S	18E	11	SW	NE	IRRIGATION	29
			NE	NW	IRRIGATION	37
			NW	NW	IRRIGATION	12
			SW	NW	IRRIGATION	38
			SE	NW	IRRIGATION	39
			NW	NE	IRRIGATION	29
					Section Acres	184
					Total Acres	191

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR 37-02558, 37-07232 & 37-07231. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80 FT DEEPER AND REBOLTED PUMP 6-1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

12/12/95, tf, CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4656.

12-28-01 CLAIM IS AMENDED BACK TO ORIGINAL DATA - TRANS 4656 WAS RESCINDED ON MAY 1, 1996.

15. Basis of Claim: License

Claim amended
to match original
claim due to

Recorded Transfer.

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: A37-02644A

Date Received: 8/08/1990

Receipt No: 777777

Received By: _____

Address to
Remain
as given
on most
recent contacts
& Transfer.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES A. WHITTAKER
Address: 550 E. 535 S.
DIETRICH, ID

498E 670S

208-544-7731

93324

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER

Trib. No:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of	Lot	County
07S	18E	11	1/4 of 1/4 of 1/4 NW NE		LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.780		

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

A.F.A.

8. Total consumptive use is 573.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	18E	10	SE NE		IRR	7.0
					Section Acres	7.0
		11	NW NE		IRR	29.0

A37-02644A

Page 1

Date: 08/08/90

12/28/01
SEC

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
075	181	11	SW	NE	IRR	29.0
			NE	NW	IRR	37.0
			NW	NW	IRR	12.0
			SW	NW	IRR	38.0
			SE	NW	IRR	39.0

Section Acres 184.0

Total Acres 191.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR # 37-02558, 37-07232 & 37-07231. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80' DEEPER AND REBOLTED PUMP 6/1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

15. Basis of Claim: LICENSE

Water Right Number: 29110

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: _____

*Claim Signature is in A37-2644
then the claim was split.*



See file A37-2644A

to be claimed as a domestic P.M.
with canal shares.

A second license 37-8063 also is within
the P.M. but had a proof after Nov 19, 1987
no act filing made on this claim.

MEMORANDUM TO FILE

TO: TRANSFER APPLICATION FILE 37-02644A
JAMES A. WHITTAKER

FROM: MEL SCHULTE *MS*

DATE: APRIL 19, 1995

1. THE APPLICATION PROPOSES TO TRANSFER LICENSED GROUNDWATER USED TO SUPPLEMENT CANAL WATER.

2. THE GROUNDWATER SUPPLEMENTS AMERICAN FALLS RESERVOIR DISTRICT #2 WATER AT THE CURRENT LOCATION AND WOULD SUPPLEMENT MAGIC RESERVOIR WATER AT THE NEW LOCATION.

3. A FIELD INSPECTION OF BOTH PLACES OF USE WAS CONDUCTED ON APRIL 17TH WITH THE ASSISTANCE OF THE APPLICANT.

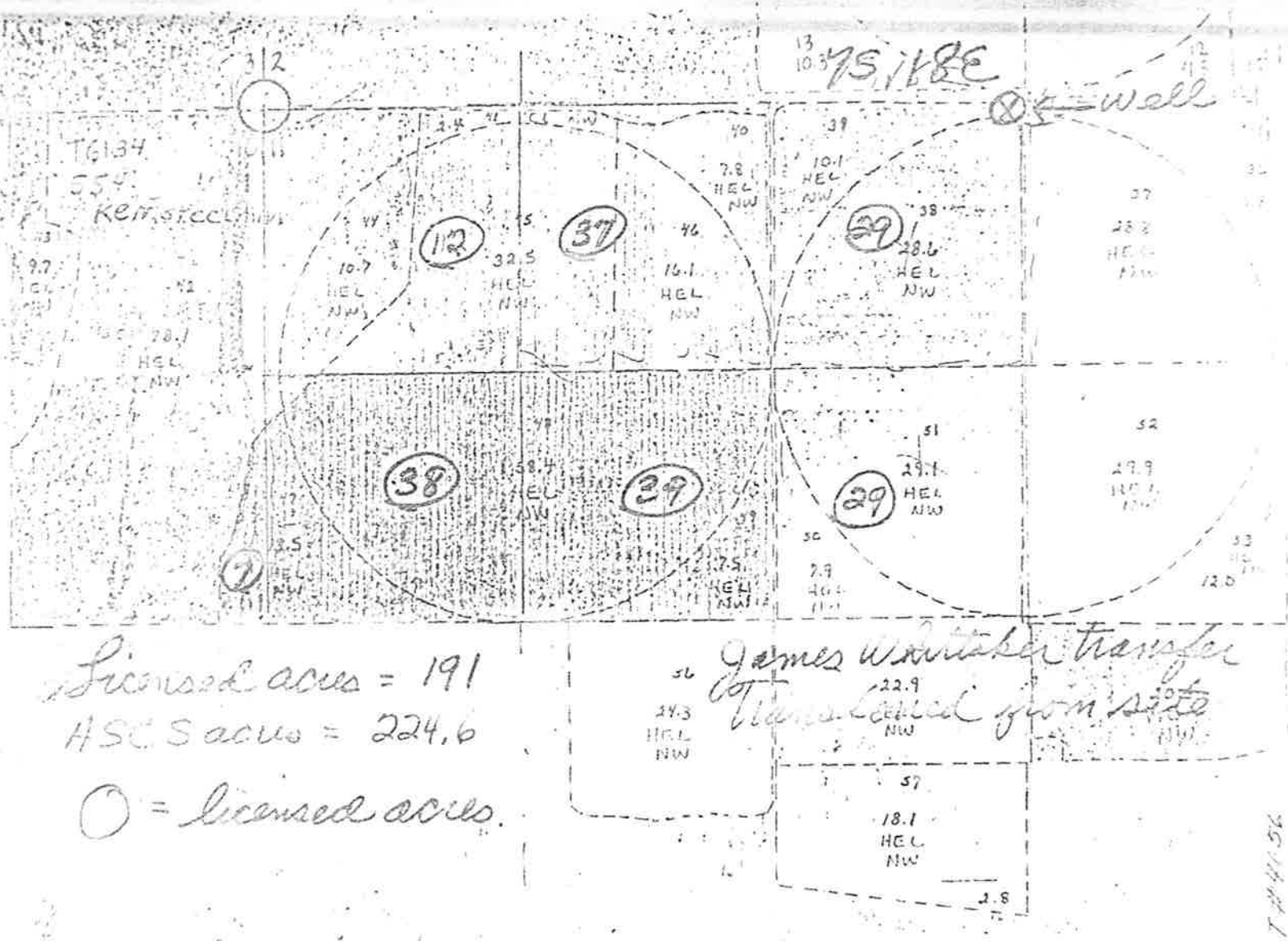
4. APPROVAL OF THE TRANSFER WOULD ALLOW THE APPLICANT TO REDUCE HIS IRRIGATION LABOR TIME BY INSTALLING A QUARTER SECTION PIVOT AND TWO SMALLER PIVOTS. NONE OF THE PIVOTS WOULD HAVE END GUNS. THE LARGER PIVOT IS DESIGNED TO COVER 120 ACRES AND THE TWO SMALLER PIVOTS 30 ACRES EACH.

5. THE IRRIGATION SYSTEM AT THE TRANSFERRED FROM SITE COVERS 224.6 ACRES ACCORDING TO ASCS. THE GROUNDWATER LICENSE COVERS 191 ACRES WITHIN THE 224.6 ACRES, PART OF WHICH (58 ACRES), ARE UNDER A CENTER PIVOT SERVICED BY THE SUBJECT WELL WHICH ALSO OVERLAPS 37-08063. 37-08063 COVERS THE EAST HALF OF THE PIVOT THAT ALSO COVERS THE 58 ACRES SUBJECT TO THIS TRANSFER. IF THE WELL WOULD BE USED TO SUPPLEMENT THIS PIVOT IT COULD DISBURSE WATER ON THE 58 ACRES TO BE DRIED UP OF GROUNDWATER UNDER THIS TRANSFER.

6. AMERICAN FALLS WATER IS GENERALLY MORE RELIABLE THAN MAGIC RESERVOIR WATER. ACCORDING TO THE APPLICANT HE RECEIVES AMERICAN FALLS WATER ABOUT 80% OF THE TIME BUT MAGIC RESERVOIR WATER LESS THAN 80% OF THE TIME. CONSEQUENTLY, THE GROUNDWATER RIGHT WOULD PROBABLY BE USED MORE AT THE NEW SITE THAN THE OLD ONE.

7. RECOMMENDATION IS TO APPROVE THE APPLICATION IF IT CAN BE CONDITIONED PROPERLY TO COVER THE PROBLEM MENTIONED IN #5 ABOVE.

MTM



COPY

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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: A37-02644A
Date Received: 8/ 8/1990
Receipt No: X777777
Received by: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES A WHITTAKER 208-544-2574
Address: 498 E 670 S
DIETRICH ID 83324

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	19E	11	NW	NW			LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.780		

7. Total Quantity Appropriated is:
3.780 C.F.S. (and/or) 764.00 A.F.A.

8. Total consumptive use is 573.0 Acre Feet Per Annum.

9. Non-irrigation use:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	19E	2	NE	SW		IRR	30.
			NW	SW		IRR	30.
			SW	SW		IRR	30.
			SE	SW		IRR	30.

A37-02644A

Page 1

Date: 12/12/95

25x10

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	120.0
		11	SW	NE	IRR	11.0
			NE	NW	IRR	30.0
			SE	NW	IRR	30.0
					Section Acres	71.0
					Total Acres	191.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR # 37-02558, 37-07232 & 37-07233. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80' DEEPER AND REBOLTED PUMP 6/1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

12/12/95, If: CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4656;

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.
2. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.
4. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SHAKE RIVER BASIN ADJUDICATION.
7. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT

14. Remarks: Continued

SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.

8. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR EXCEED A COMBINED ANNUAL DIVERSION VOLUME OF 764.0 AF FOR THE LANDS ABOVE.

9. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.

10. THE USE OF GROUNDWATER FOR IRRIGATION PURPOSES ON THE LANDS TO WHICH RIGHT NO. 37-02644A WAS APPURTENANT PRIOR TO THIS APPROVAL SHALL CEASE.

15. Basis of Claim: LICENSE

Water Right Number: 29110

S-103

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 4656
WATER RIGHT NO. 37-02644A

VOID
RECEIVED

OCT 05 1995

Department of Water Resources
Southern Region

This is to certify that: JAMES A WHITTAKER
499 E 670 S
DIETRICH ID 83324

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	3.70 CFS	764.0 AF

4 AF/A

SOURCE

GROUNDWATER

Priority: 12/1/1968

LOCATION OF POINT(S) OF DIVERSION:

NW1/4, Sec. 21, Township 06S, Range 19E
LINCOLN County

PLACE OF USE: IRRIGATION

TWN. RGP. SEC.

06S 19E 2

"

ACRES		ACRES		ACRES		TOTAL
NESW	30	NWSW	30	SWSW	30	190
SESW	30					
SWNE	11	NENW	30	SENW	30	71
Total number of acres irrigated:						191

0.0198 cfs/Ac

7S 18E
Sec. 10 & 11

CONDITIONS OF APPROVAL AND REMARKS

1. The holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. At any specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Trans: VOIDED & RESENTED:
May 1, 1996

All documents are in WR file
Reviewed 12/27/01 sec

⊛ Supplemental
GW Right

TRANSFER NO. 4656
WATER RIGHT NO. 37-02644A

CONDITIONS OF APPROVAL AND REMARKS

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 764.0 af for the lands above.
9. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
10. The use of groundwater for irrigation purposes on the lands to which Right No. 37-02644A was appurtenant prior to this approval shall cease.

Dated this 28th day of

September, 1995

J. New J. pte
Chief, Water Alloc. Bureau

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

JAN 10 1992

DATE OF CLOSING: 3-20-1989

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township see attached warrant Range 1/4 of 1/4 of 1/4 Govt. Lot 1 BM.
 Lot 1 Block 1 Subdivision/Townsite 1
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A20-02644A
- ☐ Name and Address of Former Owner/Claimant(s) (Seller): James A. Whitaker
Rt 1 Box 52
Dietrich, ID 83324
- ☐ New Owner/Claimant (Purchaser): Kenneth & Terry Steelman
- ☐ New Mailing Address: 304 7th Ave. N.
Twin Falls, ID
83301
- ☐ New Telephone Number: () 734 - 3262
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Kenneth Steelman Date: 1/9/92
- ☐ Signature of Former Owner/Claimant(s): _____ Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/25/92 By: KL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 1/23/92 By: KL

Claim Numbers of Spill, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES A WHITTAKER 208-544-2574
Address: 498 E 670 S
DIETRICH ID 83324

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	19E	11	NW	NW			LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.780		

7. Total Quantity Appropriated is:
3.780 C.F.S. (and/or) 764.00 A.F.A.

8. Total consumptive use is 573.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	19E	2	NE	SW		IRR	30.0
			NW	SW		IRR	30.0
			SW	SW		IRR	30.0
			SE	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	120.0
		11	SW	NE	IRR	11.0
			NE	NW	IRR	30.0
			SE	NW	IRR	30.0
					Section Acres	71.0
					Total Acres	191.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

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15. Basis of Claim: LICENSE

Water Right Number: 29110

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Ident. Number: **A37-02644A**
Date Received: 8/ 8/1990
Receipt No: X777777
Received By: _____

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

1. Name: KENNETH STEELMAN 208-734-3262
Address: 304 7TH AVE. N.
TWIN FALLS ID 83301

AND/OR

Name: TERRY STEELMAN 208-734-3262
Address: 304 7TH AVE. N.
TWIN FALLS ID 83301

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.780		

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

8. Total consumptive use is 573.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	18E	10	SE	NE		IRR	7.03

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	7.0
		11	NW	NE	IRR	29.0
			SW	NE	IRR	29.0
			NE	NW	IRR	37.0
			NW	NW	IRR	12.0
			SW	NW	IRR	38.0
			SE	NW	IRR	39.0
					Section Acres	184.0
					Total Acres	191.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR # 37-02558, 37-07232 & 37-07231. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80' DEEPER AND REBOLTED PUMP 6/1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

15. Basis of Claim: LICENSE

Water Right Number: 29110

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: _____

MICROFILMED
FEB 23 1993

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 23 1993

RECEIVED

JAN 10 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 3-20-1989

LEGAL DESCRIPTION OF PROPERTY: Township see attached warrant deed Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A37-02644A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
James A. Whittaker
Rt 1 Box 52
Dietrich, ID 83324
- ☐ New Owner/Claimant (Purchaser):
Kenneth & Terry Steelman
- ☐ New Mailing Address:
304 7th Ave. N.
Twin Falls, ID
83301
- ☐ New Telephone Number: () 734 - 3262
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Kenneth Steelman Date 1/9/92
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1/23/92 By: LC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 1/23/92 By: LC

Claim Numbers of Split, if any:

MICROFILMED
FEB 23 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received

JAMES A. WHITTAKER, a widower

the grantor , do es hereby grant, bargain, sell and convey unto

KENNETH DANELL STEELMAN AND TERRY LEE STEELMAN, husband and wife

the grantee , whose current address is 304 7th Ave North
Twin Falls, Idaho 83301

the following described premises, in . Lincoln County Idaho, to-wit:

Township 7 South, Range 18 East of the Boise Meridian, Lincoln County, Idaho,

Section 10: E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 11: N $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12: NW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$

TOGETHER WITH 480 shares of Big Wood Canal Company water stock

EXCEPTING and reserving an easement for ingress and egress over and across said
Section 12 as follows:

BEGINNING at the North quarter corner of Section 12 where County
Road turns West; West along the South side of the county road
30 feet;
Thence South 200 feet;
Thence East 30 feet to the Westerly boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 12;
Thence North 200 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
heirs and assigns forever. And the Grantor does hereby covenant to and
with the said Grantee s , that he is the owner in fee simple of said premises; that they are free from all
encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 20, 1989

James A. Whittaker
James A. Whittaker

STATE OF IDAHO, COUNTY OF Twin Falls
On this 20th day of March , 19 89
before me, a notary public in and for said State, personally
appeared

James A. Whittaker, a widower

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that executed the same.

Residing at Twin Falls, Idaho
Comm. Expires 1-22-91

STATE OF IDAHO, COUNTY OF Lincoln
I hereby certify that this instrument was filed for record at the request
of First American Title Co.

at 40 minutes past 10:00 o'clock A. M.,
this 21st day of March
19 89, in my office, and duly recorded in Book
of Deeds at page Film # 152886 INDEXED

DANA THURMON

Ex-Officio Recorder

By *Marilyn Harris*

Fees \$ 3.00

Deputy

Mail to: P.O. Box 446
Grading, ID-83330



First American Title Company of Idaho

INSTRUMENT NO.

152886

MICROFILMED
FEB 23 1993

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: A37-02644A
Date Received: 8/08/1990
Receipt No: X777777
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES A. WHITTAKER
Address: 550 E. 535 S.
DIETRICH, ID 83324 208-544-7731

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	18E	11	NW	NE			LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.780		

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

8. Total consumptive use is 573.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	18E	10	SE	NE		IRR	7.0
						Section Acres	7.0
		11	NW	NE		IRR	29.0

A37-02644A

Page 1

Date: 08/08/90

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	18E	11	SW	NE		IRR	29.0
			NE	NW		IRR	37.0
			NW	NW		IRR	12.0
			SW	NW		IRR	38.0
			SE	NW		IRR	39.0
Section Acres							184.0
Total Acres							191.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR # 37-02558, 37-07232 & 37-07231. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80' DEEPER AND REBOLTED PUMP 6/1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

15. Basis of Claim: LICENSE

Water Right Number: 29110

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A37-02644
Date Received: 7/07/1988
Receipt No: S000784
Received By: lw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES A. WHITTAKER
Address: 550E 535S
DIETRICH, ID 83324 208-544-7731

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	18E	11	NW	NE			LINCOLN

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			4.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	18E	10	SE	NE		IRR	7.0

Section Acres 7.0

11 NW NE IRR 37.0

A37-02644

Page 1

Date: 11/16/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	18E	11	SW	NE		IRR	39.0
			NE	NW		IRR	37.0
			NW	NW		IRR	12.0
			SW	NW		IRR	38.0
			SE	NW		IRR	39.0
						Section Acres	202.0
						Total Acres	209.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

IRRIGATES 209 ACRES OF 1400 ACRES. 958 CANAL CO SHARES
ALSO USED TO IRRIGATE FARM AS WELL AS WR#37-02558, 37-7232,
37-7231. CLAIMANT FILED ON ADDITIONAL WATER THAT HE IS
CURRENTLY USING...37-8063, APP IN SWAN FALLS HOLD. DRILLED
WELL 80' DEEPER AND REBOLTED PUMP 6/1982.

15. Basis of Claim: LICENSE

Water Right Number: 29110

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):

James A. Whitehead

Date: Nov. 16, 1988

Date:

State of Idaho

County of TF

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 16th day

of Nov 19 88

Loni White
Notary Public

Seal

Residing at TF

My Commission Expires 5/95

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: A37-02644
Date Received: 7/07/1988
Receipt No: S000784
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES A. WHITTAKER 208-544-7731
Address: 550E 535S
DIETRICH, ID 83324

2. Date of Priority: OCT 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	18E	11	NW	NE			LINCOLN

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			4.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	18E	10	SE	NE		IRR	7.0
						Section Acres	7.0
		11	NW	NE		IRR	37.0

A37-02644

Page 1

Date: 07/07/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	18E	11	SW		NE		IRR	39.0
			NE		NW		IRR	37.0
			NW		NW		IRR	12.0
			SW		NW		IRR	38.0
			SE		NW		IRR	39.0
							Section Acres	202.0
							Total Acres	209.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

IRRIGATES 209 ACRES OF 1400 ACRES. 958 CANAL CO SHARES
ALSO USED TO IRRIGATE FARM AS WELL AS WR#37-02558, 37-7232,
37-7231.

15. Basis of Claim: LICENSE

Water Right Number: 29110

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): James A. Whittaker Date: 7/7/88
Date:

State of Idaho)
County of T. F.) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of July 19 88 Don White
Notary Public

Seal

Residing at T. F.
My Commission Expires 5/95

Clelland, Steve

From: Hancock, Vikie
Sent: Monday, July 22, 2002 2:23 PM
To: Clelland, Steve
Subject: 37-2644A

Heads up,

James Whittaker came in to see why he didn't get anything from you regarding 37-8063. I gave him a copy of his license that had proof due in 1989 and explained the Adjudication. So then we looked at his recommendation for 37-2644A. He thought it was just fine but mentioned that when he mixed the groundwater with the American Falls Res water he also irrigated a couple of more fields to the east. I told him he'd best give you a call to discuss that.

Vikie

7/23/02 8 am (calls to VM.)

544 - 2574

Does not qualify for enlargement since transfer #4656 was rescinded in 1986 establishing irrigated acres as licensed. Any change in POU will require a transfer.

7/23/02
SCC

Callout: 7/23/02 10:30

- Wants to use well across all lands irrigated. ($\approx 600 + \text{Ac.}$)
- will meet w/ Jim Stanton to review issues.
- believes well water can be used to supplement all his surface water irrigation.

I told him he is limited to this mapped (GIS) POU and can only supplement 191 acres per season; not the entire system POU. Suggest he file a transfer to enlarge the system if possible.

06/22/2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 23, 2002

Water right number: 37-2644A

JAMES A WHITTAKER

498 E 670 S

DIETRICH ID 83324

Telephone Number: (208) 544-2574

RECEIVED

JUL 22 2002

Department of Water Resources

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

7-15-02

SIGNATURE:

James A. Whittaker

Please print your name:

James A. Whittaker

IDWR State Office, PO Box 83720, Boise ID 83707-9815

03/14/2002

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

RIGHT NUMBER: **37-2644A**

NAME AND ADDRESS: JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.78 CFS
764.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-8063 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.95 CFS.

PRIORITY DATE: 10/31/1960

POINT OF DIVERSION:

T07S R18E S11 NENWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.780 CFS 764.00 AFY

PLACE OF USE: IRRIGATION Within LINCOLN County

T07S R18E S10	SENE	7.0	T07S R18E S11	NWNE	29.0
T07S R18E S11	SWNE	29.0	T07S R18E S11	NENW	37.0
T07S R18E S11	NWNW	12.0	T07S R18E S11	SWNW	38.0
T07S R18E S11	SENW	39.0			

191 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.

EXPLANATORY MATERIAL: License

RIGHT NO. 37-8063 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

11-16-89

(Priority advance
on B-J splits)

Split Analysis

37-2644

3/14/02 see

A 3.78

B .04

C .07

D .02

E .07

G .06

H .06

J .08

0.40 cfs

* <No AJ>

→ should be
filed!

4.18 cfs

37-8063

37-2644

2.0

4.18

~~6.18~~

{1989
1991}

(c. 1960)

* limit to 5.35 cfs

3/14/02 I spoke w/ Shelley Keen and he agreed that in 1989 the new license was developed AND the transfer was approved. The new license was developed with the limitation of the well capacity at 5.35 cfs. Then the owner sold off the pieces and transferred them to the North pool. No limits were listed on the new splits, that would indicate the limit remained with the original well & those remaining rights - 8063 & 2644A.

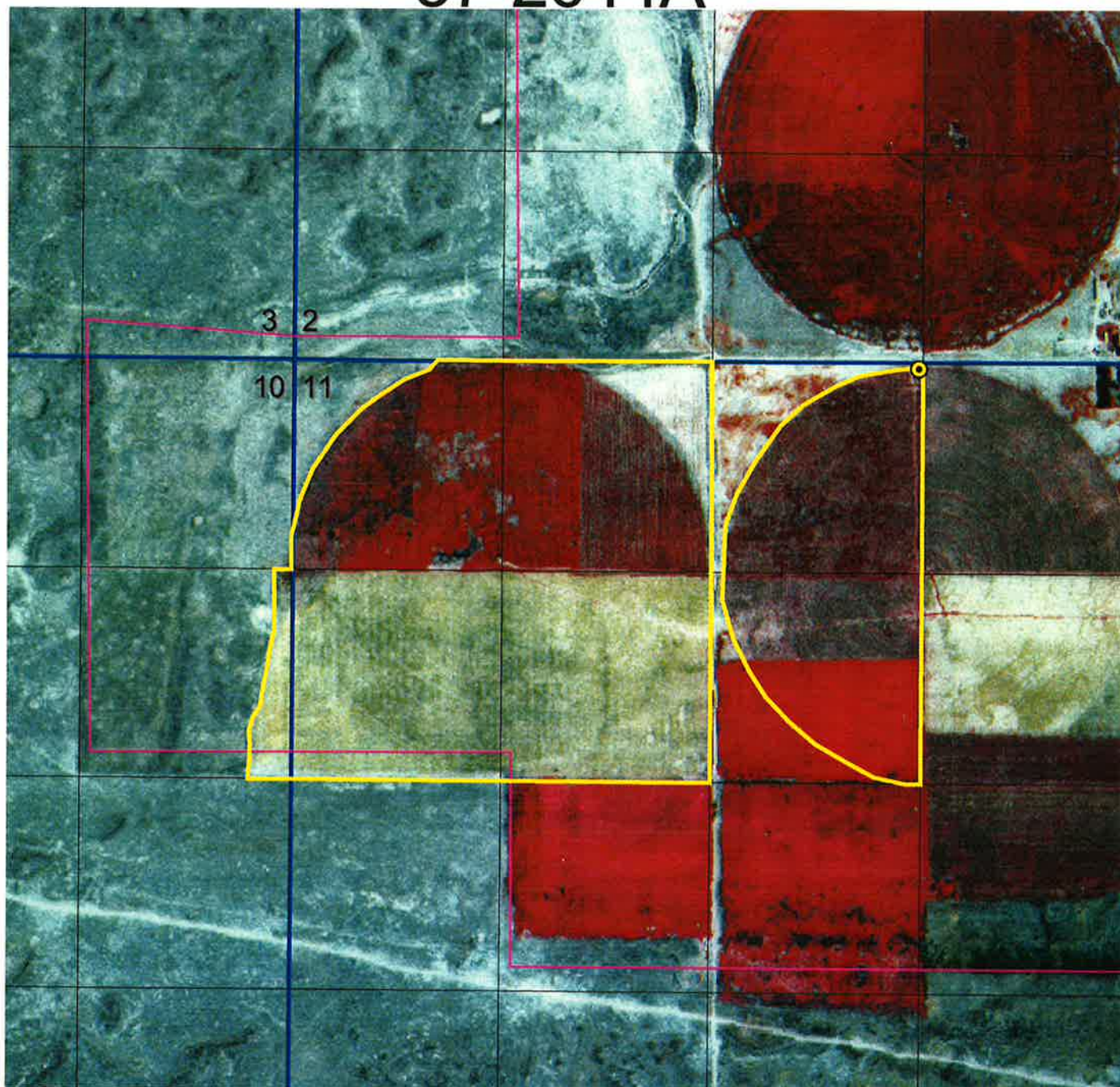
$$\begin{pmatrix} 5.35 - 0.40 \\ = 4.95 \text{ cfs} \end{pmatrix}$$

→ Correct Q limit
at well with
both licenses

I met with Nick Spencer and explained this split right story... he agreed the water right can not result in an expansion of the original right. Since the only rights still used in combination are 2644A & 8063, the limit must be accountable to those two rights. The smaller portions moved to the North cannot be administered in combination with the original rights to be limited.

IDAHO DEPT OF WATER RESOURCES

37-2644A



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 7S
RNG: 18E
SEC: 10 & 11



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: MARCH 14, 2002

12/28/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8063

WATER RIGHT NUMBER: 37-8063

Owner Type Name and Address
 Current Owner JAMES WHITTAKER
 RT 1 BOX 52
 DIETRICH, ID 83324
 (208)544-7731

Priority Date: 01/06/1983

Basis: License

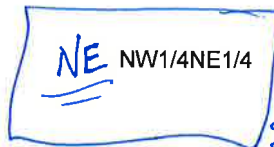
Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.000 CFS	1,124.00 AF
<u>Total Diversion:</u>		2.000 CFS	1,124.00 AF

Location of Point(s) of Diversion

GROUND WATER
 LINCOLN County



Sec. 11, Twp 07S, Rge 18E, B.M.

Same POD well

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	
07S	18E	10	40.0			33.0													73.0
07S	18E	11	40.0			40.0		28.0		20.0				40.0	40.0				208.0

Total Acres: 281

* GIS shows this Lic. maybe irrig.
 more ac. than lic.; unless due to
 canal shares.

Conditions of Approval:

1. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Remarks:

1. General * The maximum combined rate of diversion under this right & Right No. 37-2644 shall not exceed 5.35 cfs.

Comments:

AFRD#2

* These Rights (2) are Supplemental
 to the Canal Shares.

Dates and Other Information:

Total Ac. 472 Ac. and 5.35 cfs

= 0.011 cfs/Ac.

* Does Not Support
 use of Enlargement
 in POU

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-8063

Dates and Other Information:

Licensed Date: 11/15/1991

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

3 2

10 11

DRAFT



26 Jul 1992
TERRASERVER

37-2644A

Need to file
an
Enlargement
for Claim 2
for 29 AC. Corners?

* Assume CORNERS
COVERED w/CANAL
WATER

~~POD?~~

Pod

CANAL
WATER
ONLY
29

29
LIGHTED
P
PIVOT
ONLY
CANAL
WATER
ONLY

37-2644A
RECINDED TRANSFER
POU
* file review 12/28/01 scc

OVERLAP: 37-8063

(281 ac)

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2644A

WATER RIGHT NUMBER: 37-2644A

Owner Type Name and Address
 Current Owner JAMES A WHITTAKER
 498 E 670 S
 DIETRICH, ID 83324
 (208)544-2574
 Original Owner CLIFF M DEVANEY

, ID

Priority Date: 10/31/1960

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 / to / 11/15

Diversion Rate

3.780 CFS

Annual Volume

764

Total Diversion:

3.780 CFS

Location of Point(s) of Diversion

GROUND WATER

LINCOLN County

NE

NW1/4NE1/4

Sec. 11, Twp 07S, Rge 18E, 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	
07S	18E	10				7.0													7.0
07S	18E	11		29.0	29.0		37.0	12.0	38.0	39.0									184.0

Total Acres: 191

other Ac.
under 37-8063

Conditions of Approval:Remarks:

Combined Q limit:
 - 8063 & 2644 = 5.35 cfs
 all splits of 2644
 limited with 8063

Vol.

$$3.78 \times 246 \text{ days} \times 1.98 = 1841.2 \text{ AF}$$

- OR -

★

$$191 \times 4 \text{ AF} =$$

764 AF

Review &
 Data entry
 3/14/02
 see

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-2644A

Comments:

1. SCURTIS 7/10/1995 TRANSFER NO. 4656

Comment: Trans. #4656 was filed to change the point of diversion and place of use under Right 37-02644A.

2. KWALKER 5/19/2000 Transfer 4656

Comment: **Transfer 4656 was rescinded on May 1, 1996, per request of right holder. Today I updated data base to show the right as it was prior to transfer approval per request of Jim Stanton.**

Dates and Other Information:

Licensed Date: 5/15/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False



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

May 17, 2000

North Snake Groundwater District
C/o Steelhead Engineering
152 E Main
Jerome, ID
83338

RE: Water Right 37-02644A, James Whittaker

Dear Mr. Martin;

37-02644A

Jim Whittaker has contacted me concerning an error in records for the above-referenced water right. This right originally applied to a well in Sec. 11 T. 7S R. 18E. In 1995, he got an approved water transfer to move the right to a new well to be drilled in Sec. 11 T. 6S R. 19E. But he was not able to drill the new well, so asked that the transfer be rescinded in 1996. We did issue an order rescinding the transfer, but never changed our records to put the water right back on the original property. I will notify our Boise office of this oversight so that our records can be corrected. We will then show that Mr. Whittaker has only one irrigation well, located in the NW/NE Sec. 11 T. 7S R. 18E. License 37-08063 also covers this well, which supplements American Falls Reservoir District #2 shares if and when it is needed. Jim had received bills for two different wells, so hopefully this letter will solve that problem. If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Shelley Keen, IDWR



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 1999

JAMES A WITTAKER
498 E 670 S
DIETRICH ID 83324

8-12-99

Response.

Re: Snake River Basin Adjudication (SRBA)
Water Rights #37-10458 & A37-02644A
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by July 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

December 12, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324

RE: Amendment of SRBA Claim A37-02644A

Dear Claimant:

Pursuant to the approval of Transfer No. 4656, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED
NOV 27 1995

S-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4656
WATER RIGHT NO. 37-02644A

RECEIVED

OCT 05 1995

Department of Water Resources
Southern Region

This is to certify that: **JAMES A WHITTAKER**
498 E 670 S
DIETRICH ID 83324

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.78 CFS	764.0 AF

SOURCE

GROUNDWATER

Priority: 10/31/1960

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 11, Township 06S, Range 19E
LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	19E	2	NESW 30	NWSW 30	SWSW 30	
			SESW 30			120
		11	SWNE 11	NENW 30	SENE 30	71
Total number of acres irrigated:						191

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

MAILED
NOV 27 1995

TRANSFER NO. 4656
WATER RIGHT NO. 37-02644A

CONDITIONS OF APPROVAL AND REMARKS

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 764.0 af for the lands above.
9. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
10. The use of groundwater for irrigation purposes on the lands to which Right No. 37-02644A was appurtenant prior to this approval shall cease.

Dated this 28th day of

September, 1995.



Chief, Water Alloc. Bureau

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NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4656APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant James A. Whittaker Phone 544-2574
Post Office address 498 E. 670 S., Dietrich, ID

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Well is needed to supplement Magic Reservoir water, which is always short in dry years

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 37-02644A Priority 10-31-1960 Amount (cfs/ac-ft) 3.78 cfs Nature of Use Irrig. Period of Use 4-1 to 10-31
2. Total amount of water being transferred 3.78 cubic feet per second and/or 764 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	11	65	~~20E~~ 19E	Lincoln	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
65	19E	2									30	30	30	30					120
		11			11		30		30										71

PART 1

6. General Information:

a. Description of diversion system Well & pump, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ~~Yes~~ Yes ✓ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated with American Falls Reservoir District
#2 shares

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

[Red Stamp]
NOV 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-02644A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3514 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 10-31-1960

5. Water is used for the following purpose:

amount 3.78 cfs for Irrig. purposes from 4-1 to 10-31
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 3.78 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	11	75	18E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
75	18E	10				7													7
		11		29	29		37	12	38	39									184

Total acres 191

9. Describe any other water rights used for the same purpose as described above

NOV 27 1996

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

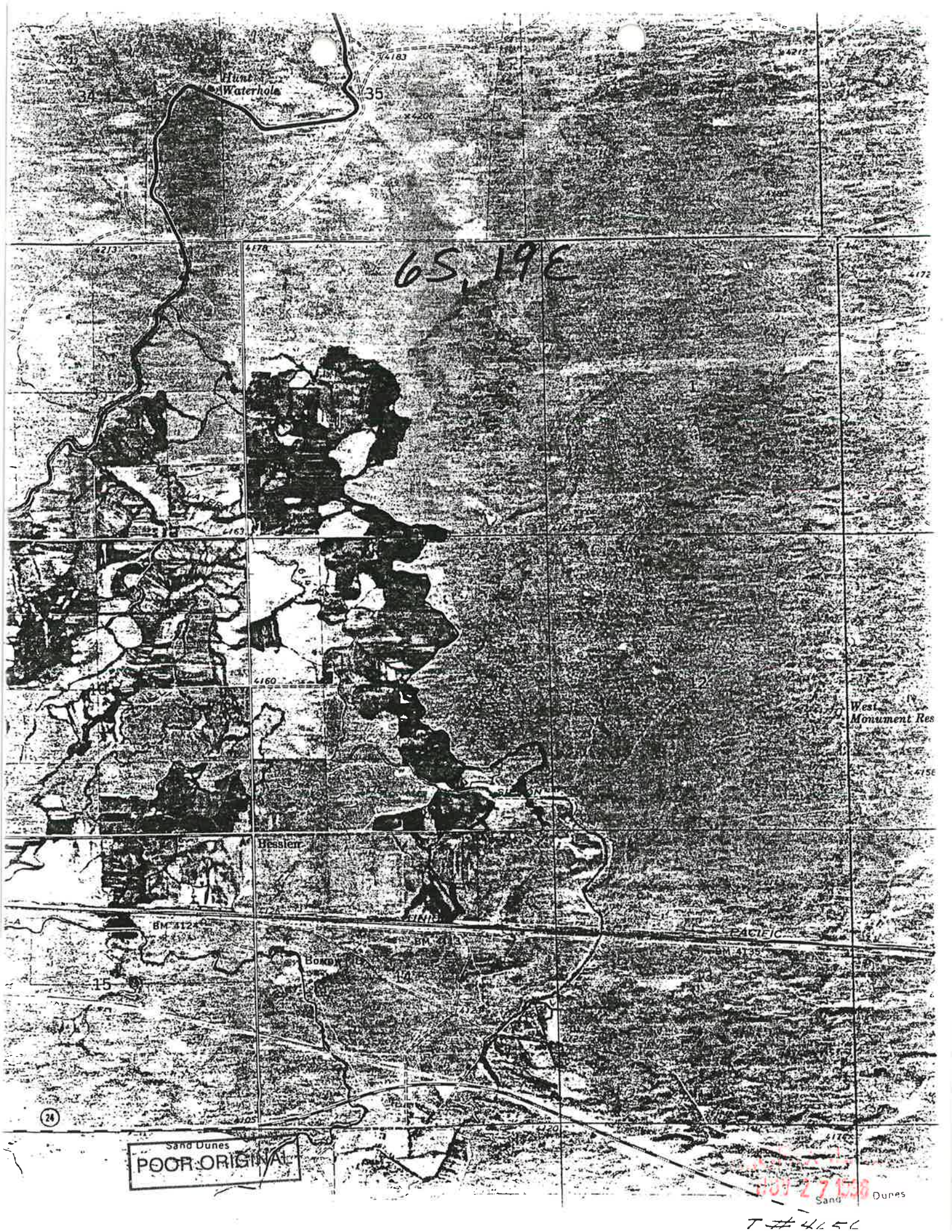
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

WATER RIGHT
 JUL 27 1995



Hunt
Waterhole

65,196

West
Monument Res

Dessler

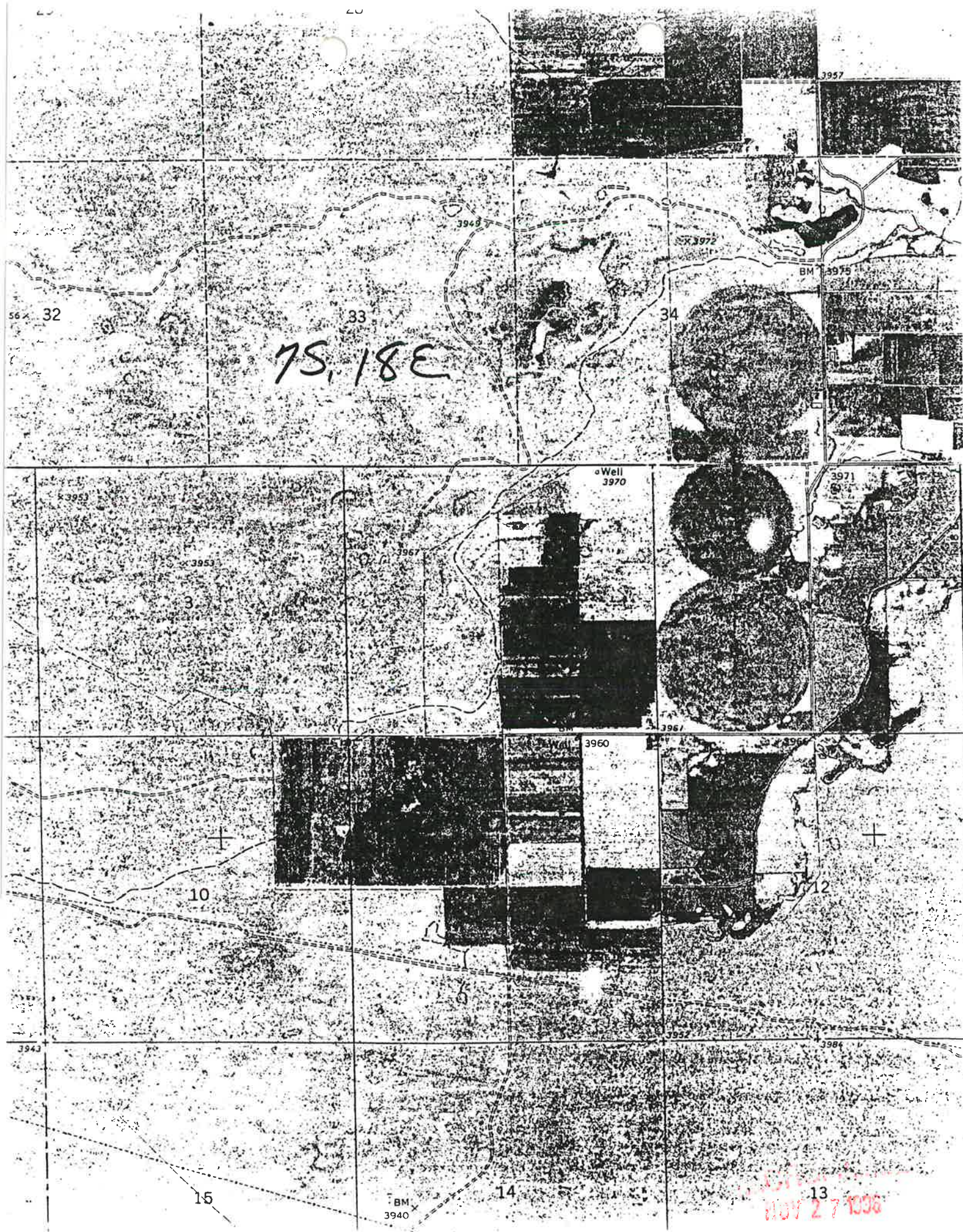
Borden

Sand Dunes
POOR ORIGINAL

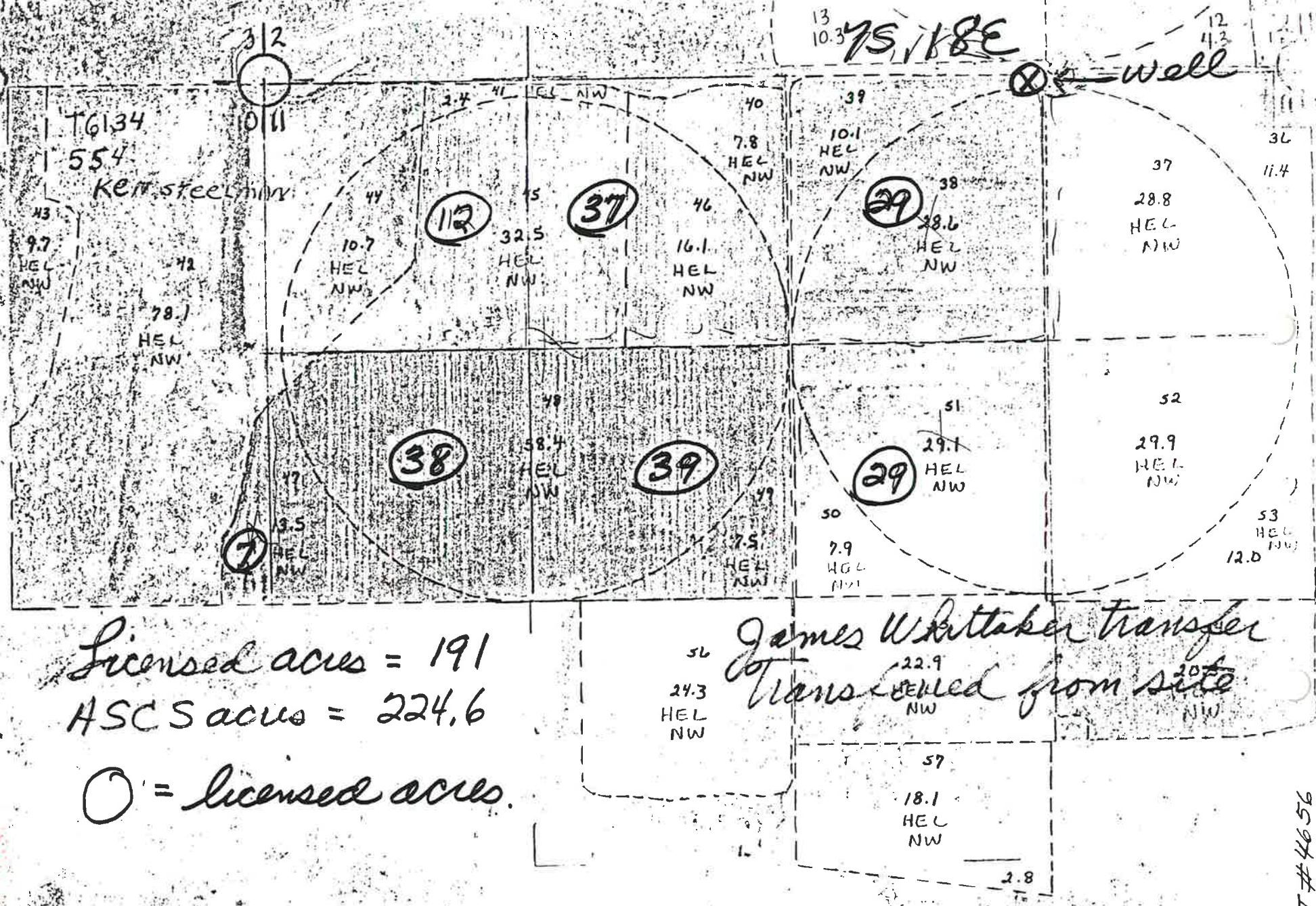
301 27153

Sand Dunes

T # 4151



T# 4656



Licensed acres = 191
 ASCS acres = 224.6

○ = licensed acres.

T # 4656

James Whittaker transfer
transfer to site
6S, 19E

Pipeline
from ditch

in line
Booster pump

J. CHRISTIAN

New Well X
100 hp diesel

cont
30 See M-N

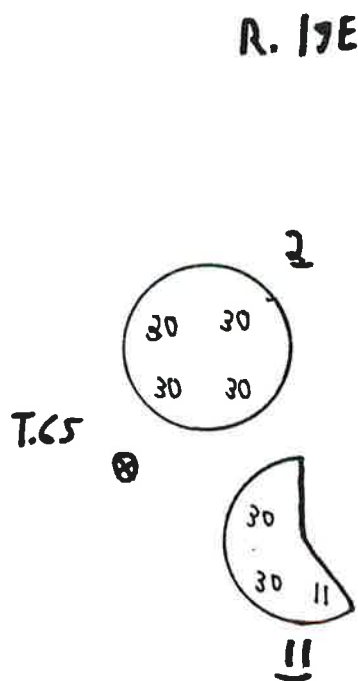
Cont.
See
M-11

NOV 27 1958

T # 11451

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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 NOV 27 1998

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 24th day of February, 19 95

James A. Whittaker
(Signature of Applicant)

J. F. Stanton
(Notary Public)

My commission expires 10-25-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by J. F. Stanton Date 2-24-95

Protest filed by _____

Prelim. check by _____ Fee \$100, SD/7792

Receipted by JS Date 2-24-95

Published in Lincoln Co. Journal

Copies of protest forwarded by _____

Pub. dates 8/2 + 8/9/95

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

RECEIVED

FEB 24 1995

Department of Water Resources
Southern Region

RECEIVED
FEB 27 1995

MEMORANDUM TO FILE

TO: TRANSFER APPLICATION FILE 37-02644A
JAMES A. WHITTAKER

FROM: MEL SCHULTE *MSD*

DATE: APRIL 19, 1995

1. THE APPLICATION PROPOSES TO TRANSFER LICENSED GROUNDWATER USED TO SUPPLEMENT CANAL WATER.
2. THE GROUNDWATER SUPPLEMENTS AMERICAN FALLS RESERVOIR DISTRICT #2 WATER AT THE CURRENT LOCATION AND WOULD SUPPLEMENT MAGIC RESERVOIR WATER AT THE NEW LOCATION.
3. A FIELD INSPECTION OF BOTH PLACES OF USE WAS CONDUCTED ON APRIL 17TH WITH THE ASSISTANCE OF THE APPLICANT.
4. APPROVAL OF THE TRANSFER WOULD ALLOW THE APPLICANT TO REDUCE HIS IRRIGATION LABOR TIME BY INSTALLING A QUARTER SECTION PIVOT AND TWO SMALLER PIVOTS. NONE OF THE PIVOTS WOULD HAVE END GUNS. THE LARGER PIVOT IS DESIGNED TO COVER 120 ACRES AND THE TWO SMALLER PIVOTS 30 ACRES EACH.
5. THE IRRIGATION SYSTEM AT THE TRANSFERRED FROM SITE COVERS 224.6 ACRES ACCORDING TO ASCS. THE GROUNDWATER LICENSE COVERS 191 ACRES WITHIN THE 224.6 ACRES, PART OF WHICH (58 ACRES), ARE UNDER A CENTER PIVOT SERVICED BY THE SUBJECT WELL WHICH ALSO OVERLAPS 37-08063. 37-08063 COVERS THE EAST HALF OF THE PIVOT THAT ALSO COVERS THE 58 ACRES SUBJECT TO THIS TRANSFER. IF THE WELL WOULD BE USED TO SUPPLEMENT THIS PIVOT IT COULD DISBURSE WATER ON THE 58 ACRES TO BE DRIED UP OF GROUNDWATER UNDER THIS TRANSFER.
6. AMERICAN FALLS WATER IS GENERALLY MORE RELIABLE THAN MAGIC RESERVOIR WATER. ACCORDING TO THE APPLICANT HE RECEIVES AMERICAN FALLS WATER ABOUT 80% OF THE TIME BUT MAGIC RESERVOIR WATER LESS THAN 80% OF THE TIME. CONSEQUENTLY, THE GROUNDWATER RIGHT WOULD PROBABLY BE USED MORE AT THE NEW SITE THAN THE OLD ONE.
7. RECOMMENDATION IS TO APPROVE THE APPLICATION IF IT CAN BE CONDITIONED PROPERLY TO COVER THE PROBLEM MENTIONED IN #5 ABOVE.

MTS

RECEIVED
APR 27 1995

T # 4656

6/9/94

COPY

COMMUNICATION DOCUMENTATION

FOR YOUR FILES

Claim No. A37-02644A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

- original COMM. FILE -

IDWR Employee/Agent 7H Date 10-11-94

Contact Person(s) KEN STEELMAN - CLAIMANT - &

paperwork - see WHITTAKER, S+L FAXES - ?

Nature of Contact define status of claim and another
& CES usage - both GIV in area of impact
but claim & mailing of A+B call to share

Substance of Communication

established status of licensed (1989 prop-
11-15-1991 lic) usage; reviewed above claim
ownership; gave claimant print CES of
all screens, license and SRBA claim
prop.

TT check w/ above claim # and normal
- & procedure known as yet for late
or unidentified usage such as this
one.

Went over mailings like Notice of Individual
Claims - says he got those.

EX-100-11111
OCT 27 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)12/12/95 16:55:59
Page 1

Water Right Number - R37-02644A

Prefix Translation: RESEARCH

Old (D) Number - 29110

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

*** C - CURRENT OWNER ***

WHITTAKER

JAMES A

1 - 498 E 670 S

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-544-2574

*** O - ORIGINAL OWNER ***

STEELMAN

KENNETH

1 - 304 7TH AVE N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-3262

WHITTAKER

JAMES A

1 - 550 E 535 S

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-544-7731

STEELMAN

TERRY

1 - 304 7TH AVE N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-3262

+ - - Priority Date - - +
10/31/1960+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06S 19E 11 NW NW (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

3.780

+ - Total Div. Rate - + + - Total Div. Volume - +
3.780 764.00+ - Total Consumptive Use - + + - KW Usage - +
573.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06S	19E	2	NE SW	30.0	01	IRRIGATION	(63) LINCOLN
06S	19E	2	NW SW	30.0	01	IRRIGATION	(63) LINCOLN
06S	19E	2	SW SW	30.0	01	IRRIGATION	(63) LINCOLN
06S	19E	2	SE SW	30.0	01	IRRIGATION	(63) LINCOLN
06S	19E	11	SW NE	11.0	01	IRRIGATION	(63) LINCOLN
06S	19E	11	NE NW	30.0	01	IRRIGATION	(63) LINCOLN
06S	19E	11	SE NW	30.0	01	IRRIGATION	(63) LINCOLN

NOV 27 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R37-02644A

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 191.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - - Remarks - - - - -

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR # 37-02558, 37-07232 & 37-07231. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80' DEEPER AND REBOLTED PUMP 6/1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

- 12/12/95, tf: CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4656:
1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.
 2. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
 3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.
 4. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
 5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
 6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.
 7. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.
 8. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR EXCEED A COMBINED ANNUAL DIVERSION VOLUME OF 764.0 AF FOR THE LANDS ABOVE.
 9. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.
 10. THE USE OF GROUNDWATER FOR IRRIGATION PURPOSES ON THE LANDS TO WHICH RIGHT NO. 37-02644A WAS APPURTENANT PRIOR TO THIS APPROVAL SHALL CEASE.

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NOV 27 1995

AJ0743NP
(0D-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/12/95 16:56:00
Page 3

Water right number - R37-02644A

Prefix Translation: RESEARCH

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

+ - - - - Old Water Right Numbers - - - - - +
A3702644

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 07/23/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE RECEIVED 1/10/92 ORIGINAL OWNER JAMES A. WHITTAKER NEW OWNER KENNETH &/OR TERRY STEELMAN. COPY OF
WARRENTY DEED SUBMITTED WITH FORM.

Date: 12/12/1995 User Id: TFAWCETT Subject: AMENDED/TRANSFER
CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4656. TRANSFER ALSO USED TO CHANGE OWNERSHIP BACK TO WHITTAKER PER INSTRUCTIONS FROM
D JONES.

+ - - Audit Fields - - +
12/12/95 TFAWCETT

+ - - - - 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	- 08/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

12/12/95 16:56:00

SD-33

Last Name: WHITTAKER

STATE

SE L	First Name	ON	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	WHITTAKER						
-	JAMES A.	O	A37-02644	10/31/1960	GROUNDWATER	4.180	01 IRR
-	JAMES A.	C	A37-02644A	10/31/1960	GROUNDWATER	3.780	01 IRR
-	JAMES A.	C	A37-10458	01/01/1927	GROUNDWATER	0.090	43 DOMEST
-							04 STOCK
-	JAMES A.	O	A37-02517	12/04/1950	GROUNDWATER	1.500	01 IRR
-	JAMES A.	O	A37-02558	10/01/1954	GROUNDWATER	3.000	01 IRR
-							43 DOMEST
-	JAMES	O	A37-07231	05/24/1973	GROUNDWATER	3.200	01 IRR
-	JAMES	O	A37-07232	05/24/1973	GROUNDWATER	4.320	01 IRR
-	JAMES A.	O	A37-10455	01/01/1930	GROUNDWATER	0.140	04 STOCK
-	JAMES A.	O	A37-10456	01/01/1928	GROUNDWATER	0.080	43 DOMEST
-							04 STOCK
-	JAMES A.	O	A37-10457	01/01/1925	GROUNDWATER	0.070	43 DOMEST
-							04 STOCK

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(Menu _____)

MICROFILMED
 FEB 23 1993

SD-0604-2 Township: 07S			Range: 18E		Section: 11		Tract:		Lot:	
S	L	Water	Name	O	S	Max #	Records	15		
E	O			W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
—	NWNW		A37-02644A	DEVANEY, CLIFF M.	O	12	L	10/31/1960	01	IRR
—	SWNW		A37-02644	WHITTAKER, JAMES A.	C					
—	SWNW		A37-02644A	WHITTAKER, JAMES A.	O	38		10/31/1960	01	IRR
—	SWNW		A37-02644A	SPLIT CLAIM	C					
—	SWNW		A37-02644A	DEVANEY, CLIFF M.	O	38	L	10/31/1960	01	IRR
—	SENW		A37-02644	WHITTAKER, JAMES A.	C					
—	SENW		A37-02644	WHITTAKER, JAMES A.	O	39		10/31/1960	01	IRR
—	SENW		A37-02644A	SPLIT CLAIM	C					
—	SENW		A37-02644A	DEVANEY, CLIFF M.	O	39	L	10/31/1960	01	IRR
—	SENW		A37-02644A	WHITTAKER, JAMES A.	C					
—	NWSE		A01-00006	AMERICAN FALLS RESERVO	C	6	D	03/30/1921	01	IRR
—				ROSHOLT ROBERTSON & TU	A					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
FEB 23 1993

SD-0604-2 Township: 07S			Range: 18E		Section: 11		Tract:		Lot:	
S	L		STATE		O	S	Max # Records	15		
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	NENE		A37-00867Z2	LARGE CLAIM	C	22	D	01/01/1901	39	GWR FS
---	NWNE		A37-02644	WHITTAKER, JAMES A.	O	37		10/31/1960	01	IRR
---				SPLIT CLAIM	C					
---	NWNE		A37-02644A✓	DEVANEY, CLIFF M.	O	29	L	10/31/1960	01	IRR
---				WHITTAKER, JAMES A.	C					
---	SWNE		A37-02644	WHITTAKER, JAMES A.	O	39		10/31/1960	01	IRR
---				SPLIT CLAIM	C					
---	SWNE		A37-02644A✓	DEVANEY, CLIFF M.	O	29	L	10/31/1960	01	IRR
---				WHITTAKER, JAMES A.	C					
---	SENE		A37-00867Z2	LARGE CLAIM	C	39	D	01/01/1901	39	GWR FS
---	NENW		A37-02644	WHITTAKER, JAMES A.	O	37		10/31/1960	01	IRR
---				SPLIT CLAIM	C					
---	NENW		A37-02644A✓	DEVANEY, CLIFF M.	O	37	L	10/31/1960	01	IRR
---				WHITTAKER, JAMES A.	C					
---	NWNW		A37-02644	WHITTAKER, JAMES A.	O	12		10/31/1960	01	IRR
---				SPLIT CLAIM	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
FEB 23 1993

SD-0604-2 Township: 07S Range: 18E Section: 10			Tract:		Lot:		
S	L	STATE	O	S	Max # Records	2	
E	O	Water	W	T	Priority	Use	
L Tract T	Right No.	Name	N	AC	G	Date	Code Desc
		Last, First					
SENE	A37-02644	WHITTAKER, JAMES A.	O	7		10/31/1960	01 IRR
		SPLIT CLAIM	C				
SENE	A37-02644A	DEVANEY, CLIFF M.	O	7	L	10/31/1960	01 IRR
		WHITTAKER, JAMES A.	C				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
FEB 23 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

R. KEITH HIGGINSON
Director

23-Jul-1992 14:04

KENNETH STEELMAN
TERRY STEELMAN
304 7TH AVE N
TWIN FALLS ID 83301

Re: Ownership Change for Adjudication Claim(S) NO. A37-02644A -
- JAMES A. WHITTAKER

Dear Mr. & Mrs. Steelman:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claim(s) is appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

c.c James A. Whittaker

MICROFILMED
FEB 23 1993

Water Right Number - R37-02644A

Prefix Translation: RESEARCH

Old (D) Number - 29110

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

*** C - CURRENT OWNER ***

STEELMAN

KENNETH

1 - 304 7TH AVE. N.

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-3262

STEELMAN

TERRY

1 - 304 7TH AVE. N.

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-3262

*** O - ORIGINAL OWNER ***

WHITTAKER

JAMES A.

1 - 550 E. 535 S.

2 -

3 -

City- DIETRICH

State- ID Zip- 83324

Phone - 208-544-7731

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/31/1960 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 18E 11 NW NE (63) LINCOLN+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.780+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.780 573.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 18E 10 SE NE 7.0 01 IRRIGATION (63) LINCOLN
07S 18E 11 NW NE 29.0 01 IRRIGATION (63) LINCOLN
07S 18E 11 SW NE 29.0 01 IRRIGATION (63) LINCOLN
07S 18E 11 NE NW 37.0 01 IRRIGATION (63) LINCOLN
07S 18E 11 NW NW 12.0 01 IRRIGATION (63) LINCOLN
07S 18E 11 SW NW 38.0 01 IRRIGATION (63) LINCOLN
07S 18E 11 SE NW 39.0 01 IRRIGATION (63) LINCOLN

Total Acres: 191.0

MICROFILMED
FEB 23 1993

Water right number - R37-02644A

Prefix Translation: RESEARCH

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - - Remarks - - - - - +

THIS CLAIM IS THE REMAINING PORTION OF ORIGINAL CLAIM A37-02644 WHICH WAS SPLIT BY 5 TRANSFERS. THE ORIGINAL CLAIM IRRIGATED 209 ACRES OF 1400 TOTAL ACRES. 958 CANAL CO. SHARES ALSO USED TO IRRIGATE THE FARM AS WELL AS WR # 37-02558, 37-07232 & 37-07231. CLAIMANT ALSO HAS ADDITIONAL WATER BEING USED UNDER 37-08063 WHICH IS IN SWAN FALLS HOLD. DRILLED WELL 80' DEEPER AND REBOLTED PUMP 6/1982. 18 ACRES WERE TAKEN OUT OF PRODUCTION AS A RESULT OF THE TRANSFERS SO 191 ACRES ARE PRESENTLY COVERED BY THE REMAINING PORTION OF THE ORIGINAL LICENSE.

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

A3702644

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

002 - Measuring devices of a type approved by the Department shall
- be permanently installed and maintained at the point of diversion
- and the point of effluent discharge.
016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 07/23/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE RECEIVED 1/10/92 ORIGINAL OWNER JAMES A. WHITTAKER NEW OWNER KENNETH &/OR TERRY STEELMAN. COPY OF
WARRENTY DEED SUBMITTED WITH FORM.

+ - - Audit Fields - - +
07/23/92 GIVENS

+ - - - - - 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	- 08/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

08-Aug-1990 14:16

James A. Whittaker
550 E. 535 S.
Dietrich, ID 83324

RE: SRBA Claim A37-02644 Splits

Dear Claimant:

Pursuant to the approval of transfers splitting original license 37-02644 the Department has replaced the original Notice of Claim A37-02644 in the Snake River Basin Adjudication with the following notice of claims which take into consideration the recently approved transfers:

NOTICE #	BASIS OF NOTICE	OWNER	CFS	ACRES IRRIG.
A37-02644A	Remaining portion	Whittaker	3.78	191
A37-02644B	Transfer 3514	Engelmann	0.04	2
A37-02644C	Transfer 3515	Whiting	0.07	3.5
A37-02644D	Transfer 3525	Engelmann	0.02	1
A37-02644E	Transfer 3526	Wells	0.07	3.5
A37-02644F	Transfer 3546	Johnston	0.20	10

Please find enclosed a copy of the computer record for your Notice of Claim. Please review the record and if you have any corrections please contact this office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
FEB 23 1993

For file A37-2644A

to be claimed as a Permissible P/U.
with canal shares.

A second license 37-8063 also is within
the P/Pu but had a proof after Nov 19, 1987
no adj filing made on this claim.

MICROFILMED
FEB 23 1995

141