

T3814 WHITTAKER

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 09 1992 Transfer No. 3814

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant F. James or Paula Whittaker Phone 768-2491Post Office address Box 240 Leadore, ID 83464

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 I can water SESW Sect. 26 of this rt. easier by use of the new P.D.

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

1. Right Number 74-0340B Priority 10-03-1887 Amount (cfs/ac-ft) 2.50 Nature of Use Irrigation Period of Use 3-3.5
4/15 to 10/15 SC
3-15 to 11-15 6/15/92
2. Total amount of water being transferred 2.50 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Eightmile Creek tributary to Lemhi River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	5	15N	25E	Lemhi	
		SW	SE	28	16N	25E	Lemhi	

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	
16N	25E	35					40	38											78
		26											40						40

PART 1**6. General Information:**a. Description of diversion system Headgate on ditches to flood irrigation.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA 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:

NA

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 74-00340BAnd said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.Witness my hand this 17th day of June, 19 92.J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

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. 74-0340B Decreed to Ted Whittaker
in case of State of Idaho vs. Mary A. Adams
dated Dec. 20, 1982 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ 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 Big Eightmile Creek tributary to Lemhi River

4. Date or priority 10-03-1887

5. Water is used for the following purpose:

amount 2.50 cfs for Irrigation purposes from 2-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.50 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	5	15N	25E	Lemhi	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	25E	35					40	38											78
		26											40						40

Total acres 118

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

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

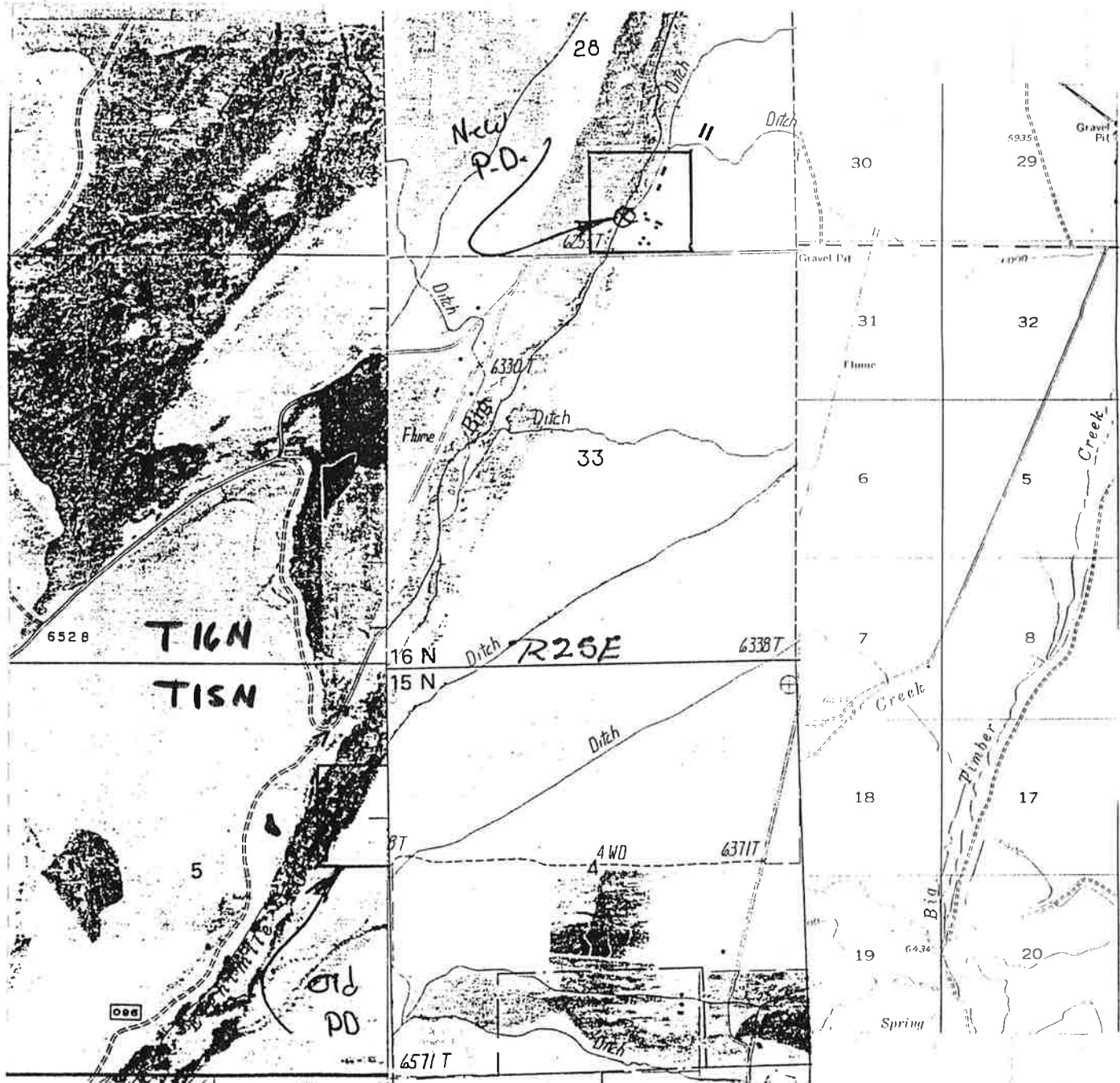
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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.



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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ 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.

T. James W. Little
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of March, 19 90.

Clara E. Ellis
(Notary Public)

My commission expires 5-1-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by AW Date 4-02-90 Protest filed by _____Prelim. check by _____ Fee 50.00 # E012737Receipted by HWS Date 4-3-90Published in Recorder - Herald Copies of protest forwarded by _____Pub. dates 3-7 & 14-91 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

CONDITIONS OF APPROVAL
Transfer of Water Right No. 74-00340B

1. 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.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 74Z.
3. Water may not be diverted from the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 16N, Rge. 25E after May 15 of each year.

Dated this 17th day of June, 1992.

J. Glen Saylor
Chief, Water Alloc. Bureau