

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 74-15613

Priority: April 22, 2005

Maximum Diversion Rate: 4.00 CFS
Maximum Diversion Volume: 700.0 AF

It is hereby certified that F JAMES WHITTAKER And/Or
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated April 22, 2005; and has submitted Proof of
Beneficial Use on October 25, 2011; and a water right has been established as follows:

SOURCE

BIG TIMBER CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

4.00 CFS

**ANNUAL
DIVERSION VOLUME**

700.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK NW¼SE¼ Sec. 8 Twp 15N Rge 26E, B.M. LEMHI County

PLACE OF USE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	25E	25																	200.0

Total Acres: 200

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74W.
2. Prior to diversion of water under this right, the right holder shall install and maintain a locking controlling works, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.
3. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
4. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point(s) of diversion, in accordance with Department specifications.

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5. To determine whether water can be diverted under this right, the right holder and/or the watermaster shall measure the flows in Big Timber Creek at an existing measuring station near the Townsite of Leadore, located in the NENWNW, Section 31, T16N, R22E. The Department retains jurisdiction to require the right holder to install and maintain additional measuring sites to insure required bypass flows are maintained during diversions under this right.
6. At any time the flow rate in Big Timber Creek is greater than 13 cfs at all locations from the confluence of Little Timber Creek and Big Timber Creek down to the confluence of Big Timber Creek and the Lemhi River, the right holder may divert water under this right at a flow rate equal to the difference between the measured flow and 13 cfs, but not exceeding the flow rate authorized by this right.
7. The right holder shall cease diverting water under this right if the flow of Big Timber Creek is 13 cfs or less at any location between the point of diversion and the confluence of Big Timber Creek and the Lemhi River.
8. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 8th day of July, 2014.


for GARY SPACKMAN
Director