

Transfer No. 75355

Receipt No. ~~E034729~~ E034729

E035500

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information F JAMES WHITTAKER
 83 BIG EIGHT MILE RD
 PO BOX 240
 LEADORE ID 83464
 (208)768-2491

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
74-341	WR/Decreed	6.98			314.7	BIG EIGHTMILE CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
74-341	NO	YES	NO	YES	NO	NO

Describe the reason for the proposed changes

Adding the point of diversion at higher elevation will increase the gravity pressure used for the pivots greatly reducing the energy consumption required for irrigation. This transfer will also change the point of diversion. The proof report for water right 74-341 describes one of the points of diversion to be located in Lot 8, SENE of 15N, 25E, Section 5. The spatial location of the point of diversion is in the NENE of 15N, 25E, Section 5.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
74-341	6.98 cfs		314.7	
TOTAL	6.98 cfs		314.7	

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.


(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 74-341

Priority Date: December 06, 1909
Origin: Water Right
Basis: Decreed
Status: Active

Source: BIG EIGHTMILE CREEK **Tributary:** LEMHI RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/15 03/14	0.04 CFS		
IRRIGATION	03/15 11/15	6.98 CFS		
	Total Diversion	6.98 CFS		

Source and Point(s) of Diversion:

BIG EIGHTMILE CREEK SENE Sec. 5 Twp 15N Rge 25E LEMHI County

BIG EIGHTMILE CREEK SWSE Sec. 28 Twp 16N Rge 25E LEMHI County

PLACE OF USE: STOCKWATER

Twp	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	26										X	X						
16N	25E	27			X	X									X	X	X	X	

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	
16N	25E	26										40.0	38.3						78.3
16N	25E	27			36.4	40.0									40.0	40.0	40.0	40.0	236.4

Total Acres: 314.7

Conditions/Remarks:

1. 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.

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2. Use of water under this water right will be regulated by the watermaster of State Water District No. 74-Z, Big Eightmile and Lee Creeks.
3. The right holder shall install and maintain measuring devices and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The rights listed below are limited to the irrigation of a combined total of 314.7 acres in a single irrigation season. Combined Right Nos.: 74-341 and 74-15196.
6. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described. The quantity diverted to deliver .040 cfs to the place of use for winter stockwater purposes cannot exceed the authorized rate of diversion, 6.980 cfs.
7. The use of water before March 15 for stockwater under this remark is subordinate to all water rights having no subordinated early or late use and a priority date earlier than the date a partial decree is entered for this right.

Documentation of Ownership of the Current Place of Use

Owner Per Idwr Record ; 2009 Taxlot data

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The place of use will not change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-341

Priority Date: December 06, 1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: BIG EIGHTMILE CREEK

Tributary: LEMHI RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/15 03/14	0.04 CFS		
IRRIGATION	03/15 11/15	6.98 CFS		
	Total Diversion	6.98 CFS		

Source and Point(s) of Diversion:

BIG EIGHTMILE CREEK	NENE	Sec. 5 Twp 15N Rge 25E LEMHI County
BIG EIGHTMILE CREEK	SWNE	Sec. 8 Twp 15N Rge 25E LEMHI County
BIG EIGHTMILE CREEK	SWSE	Sec. 28 Twp 16N Rge 25E LEMHI County

Describe the proposed diversion system

Point of Diversion # 1 Headgate to ditch

Point of Diversion # 2 Headgate to ditch

Point of Diversion # 3 Headgate to ditch

PLACE OF USE: STOCKWATER

Twp 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 26											X	X					
16N 25E 27			X	X										X	X	X	X

PLACE OF USE: IRRIGATION

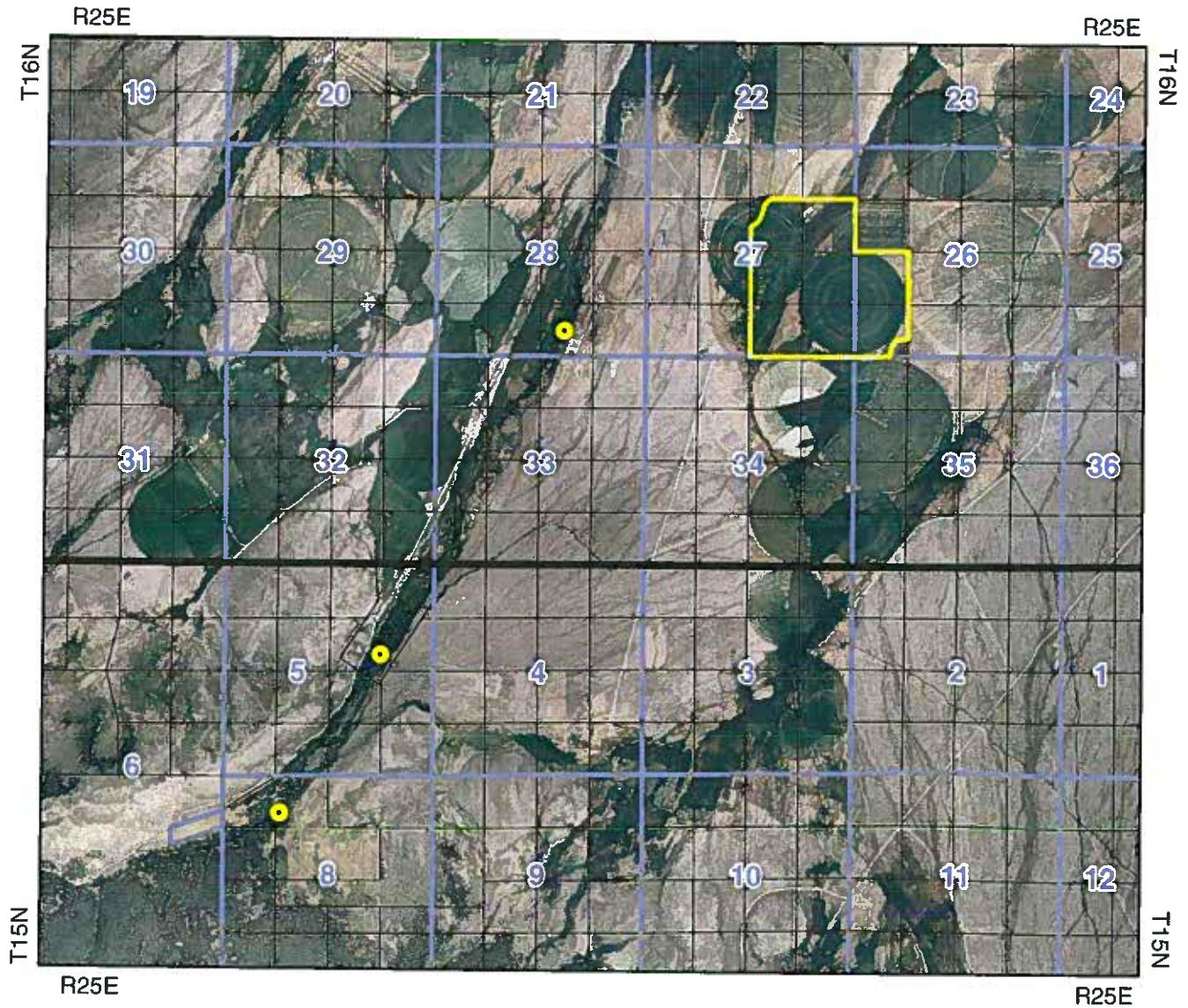
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 25E 26										40.0	38.3						78.3
16N 25E 27			36.4	40.0									40.0	40.0	40.0	40.0	236.4

Total Acres: 314.7

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 75355

Water Service Area Boundary for F James Whittaker
Rights: 74-341



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.5 1 2 Miles



75355