

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73146

This is to certify that: F JAMES WHITTAKER And/Or
PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE ID 83464

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-97	AJC/Decreed	06/01/1904	0.96 cfs	N/A	N/A	69.0	TEXAS CREEK
74-139	AJC/Decreed	05/14/1920	1.25 cfs	N/A	N/A	69.0	TEXAS CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-97	NO	NO	YES	NO	NO	NO
74-139	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
74-97	74-97	0.96 cfs	N/A	N/A	69.0		N/A	N/A	N/A	N/A
74-139	74-139	1.25 cfs	N/A	N/A	69.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.21 cfs	N/A	N/A	69.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31ST day of October, 20 07

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 74-97

WATER RIGHT NO. 74-97
As Modified by Transfer No. 73146

In accordance with the approval of Transfer No. 73146, Water Right No. 74-97 is now described as follows.

Right Holder: F JAMES WHITTAKER And/Or
 PAULA J WHITTAKER
 83 BIG EIGHT MILE RD
 PO BOX 240
 LEADORE ID 83464

Priority Date: June 01, 1904

Source: TEXAS CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.96 CFS
			0.96 CFS

LOCATION OF POINT(S) OF DIVERSION:

TEXAS CREEK SESE Sec. 11 Twp 14N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	26E	11	34.0			22.0									12.0			1.0	69.0

Total Acres: 69

WATER RIGHT NO. 74-97
As Modified by Transfer No. 73146

CONDITIONS OF APPROVAL

1. This right authorizes the irrigation of 69.2 total acres.
2. Use of this right with Right No 74-139 is limited to the irrigation of a combine total of 69.2 acres in a single irrigation season.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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.
5. 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.
6. Right 74-139 is also diverted through the point(s) of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31ST day of October, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-139
As Modified by Transfer No. 73146

In accordance with the approval of Transfer No. 73146, Water Right No. 74-139 is now described as follows.

Right Holder: F JAMES WHITTAKER And/Or
 PAULA J WHITTAKER
 83 BIG EIGHT MILE RD
 PO BOX 240
 LEADORE ID 83464

Priority Date: May 14, 1920

Source: TEXAS CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/15	11/15	1.25 CFS
			1.25 CFS

LOCATION OF POINT(S) OF DIVERSION:

TEXAS CREEK SESE Sec. 11 Twp 14N Rge 26E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	26E	11	34.0			22.0									12.0			1.0	69.0

Total Acres: 69

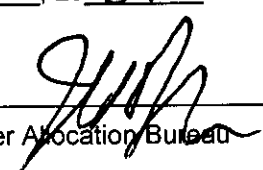
WATER RIGHT NO. 74-139
As Modified by Transfer No. 73146

CONDITIONS OF APPROVAL

1. This right authorizes the irrigation of 69.2 total acres.
2. Use of this right with Right No 74-97 is limited to the irrigation of a combine total of 69.2 acres in a single irrigation season.
3. 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.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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.
6. Right 74-139 is also diverted through the point(s) of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31ST day of October, 20 07



Chief, Water Allocation Bureau