

RECEIVED
SEP 21 2007
DEPARTMENT OF
WATER RESOURCES

EXHIBIT A (F. JAMES WHITTAKER)

Subcase Nos:

74-00071
74-00073A
74-00073B
74-00075
74-00076
74-00096
74-00099

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 74-00071

FILED

2007 SEP 20 PM 12 34

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: PURCELL CREEK TRIBUTARY: TEXAS CREEK

QUANTITY: 0.50 CFS

PRIORITY DATE: 06/01/1879

POINT OF DIVERSION: T14N R26E S10 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.50 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R26E S03 SWSE 40.0 SESE 30.0	
	70.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 74-76 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70.0 ACRES IN A SINGLE
IRRIGATION SEASON.

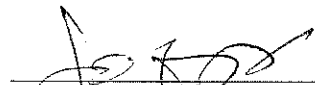
USE OF THIS RIGHT WITH RIGHT NO. 74-76 AND 74-120 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 99.7 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
FILED
2007 SEP 20 PM 12 34

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 74-00073A

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: PURCELL CREEK TRIBUTARY: TEXAS CREEK

QUANTITY: 2.36 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T14N R26E S10 SWNE Within Lemhi County
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.36 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R26E S02	SWNW 8.0 NWSW 14.0
	S03	SWSW 15.0 SENE 28.0 SESW 9.0
	S10	NESE 17.0 NWSE 40.0
	S11	NENE 40.0 SENE 23.0
	222.0 Acres Total	NWNW 27.0 SWNW 1.0

USE OF THIS RIGHT WITH RIGHT NO. 74-117A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 224.0 ACRES IN A SINGLE
IRRIGATION SEASON.

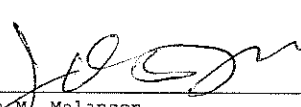
This right authorizes the irrigation of 222.6 total acres.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 74-00073B

2007 SEP 20 PM 12 34

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: TEXAS CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.94 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T14N R26E S11 NWSE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.94 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R26E S02	NESW 31.0
		NWSW 26.0
		SWSW 1.0
	88.0 Acres Total	

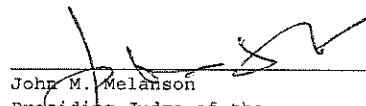
USE OF THIS RIGHT WITH RIGHT NO. 74-117B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 191.4 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS CO, IDAHO

FILED

2007 SEP 20 PM 12 34

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00075

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: COLD SPRING CREEK TRIBUTARY: TEXAS CREEK

QUANTITY: 0.23 CFS

PRIORITY DATE: 08/17/1901

POINT OF DIVERSION: T14N R26E S03 SESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-15 TO 11-15	0.23 CFS

PLACE OF USE: Irrigation Within Lemhi County
T14N R26E S03 LOT 2 (NWNE)10.0 LOT 3 (NENW)34.0
LOT 4 (NWNW) 5.0
49.0 Acres Total

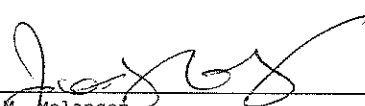
USE OF THIS RIGHT WITH RIGHT NO. 74-99, 74-119 AND 74-142 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48.1 ACRES IN A
SINGLE IRRIGATION SEASON.
This right authorizes the irrigation of 48.1 total acres.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 74-00076

FILED
2007 SEP 20 PM 12 34

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: PURCELL CREEK TRIBUTARY: TEXAS CREEK

QUANTITY: 0.65 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T14N R26E S10 NENE Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.65 CFS

PLACE OF USE: Irrigation Within Lemhi County
T14N R26E S03 SWSE 40.0 SESE 30.0
70.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 74-71 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70.0 ACRES IN A SINGLE
IRRIGATION SEASON.

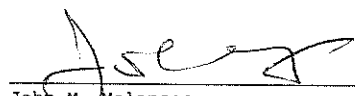
USE OF THIS RIGHT WITH RIGHT NO. 74-71 AND 74-120 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 99.7 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2007 SEP 20 PM 12 34

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00096

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: PURCELL CREEK TRIBUTARY: TEXAS CREEK

QUANTITY: 0.16 CFS
61.60 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above. The total instantaneous diversion of water from all points of diversion under Rights 74-96 and 74-106 shall not exceed 0.44 cfs, nor total combined annual volume of 111 af.

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T14N R26E S10 NENE Within Lemhi County
SWNE

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-15 TO 11-15	0.16 CFS 61.60 AFY

PLACE OF USE: Irrigation Within Lemhi County
T14N R26E S11 SWNW 31.7
31.7 Acres Total

This right is limited to the irrigation of 17.6 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

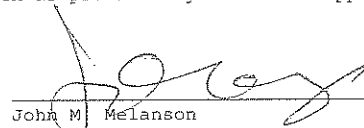
Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74W.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00099

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 SEP 20 PM 12 34

NAME AND ADDRESS: F JAMES WHITTAKER
PAULA J WHITTAKER
PO BOX 240
LEADORE, ID 83464

SOURCE: COLD SPRING CREEK TRIBUTARY: TEXAS CREEK

QUANTITY: 0.50 CFS

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION: T14N R26E S03 SESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.50 CFS

PLACE OF USE: Irrigation Within Lemhi County
T14N R26E S03 LOT 2 (NWNE) 10.0 LOT 3 (NENW) 34.0
LOT 4 (NWNW) 5.0
49.0 Acres Total

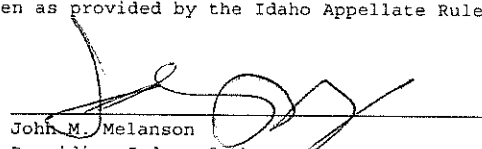
USE OF THIS RIGHT WITH RIGHT NO. 74-75, 74-119 AND 74-142 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48.1 ACRES IN A
SINGLE IRRIGATION SEASON.
This right authorizes the irrigation of 48.1 total acres.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on September 20, 2007, with sufficient first-class postage to the following:

F JAMES WHITTAKER
PAULA J WHITTAKER
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.