

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73150APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant F. James & Paula J. Whittaker Phone (208) 768-2491Post Office address PO 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 To transfer the water from BLM land, to Whittaker's land

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

1. Right Number 74-14980 Priority 06/01/1982 Amount (cfs/ac-ft) 0.97cfs Nature of Use Irrigation Period of Use 3/15 to 11/15

_____ to _____

_____ to _____

_____ to _____

2. Total amount of water being transferred 0.970 cubic feet per second and/or NA acre-feet per annum.3. Source of water Big Timber 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
		SW	NW	20	15N	26E	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	26E	21															120	130	250
15N	26E	22											5.5						5.5
15N	26E	27						3.8	3.8	0.9									8.5
15N	26E	28	3.7																3.7
15N	26E	21													1	13.5	16		30.5

RECEIVED

SEP 19 2006

Total Acres 42.7Department of Water Resources
Eastern Region

73150

PART 1

6. General Information:

a. Description of diversion system Small diversion into open canalb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X 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:

None, we are just transferring water from the federal land to irrigated farm land. No water will be applied to the land from which the water is being tranfered. (??)

d. Remarks:

T15N R26E S27 SWNW contains both federal and private land. The 3.8 acres we are including is the East half of NE SW NW. BLM requests that a remark on the right specify that the water is not used on federal land.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

73150

09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-14980 V1

WATER RIGHT NUMBER: 74-14980 V1

Owner Type

Name and Address

Current Owner

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

Current Owner

PAULA J WHITTAKER
83 BIG EIGHT MILE RD
PO BOX 240
LEADORE, ID 83464
(208)768-2491

Priority Date: 06/01/1982

Basis: Beneficial Use

Status: Active

Source

Tributary

BIG TIMBER CREEK

LEMHI RIVER

Beneficial Use

From	To
------	----

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.970 CFS

Total Diversion: 0.970 CFS

Location of Point(s) of Diversion

BIG TIMBER CREEK SW1/4NW1/4 Sec. 20, Twp 15N, Rge 26E, B.M. LEMHI County

Place of Use

IRRIGATION

[illegible]

Total Acres: 42.7

Conditions of Approval:

1. K09 THIS RIGHT IS FOR AN ENLARGEMENT OF 42.7 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
2. E51 USE OF THIS RIGHT WITH RIGHT NO. 74-15003 AND 74-15004 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.4 CFS.
3. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 74-15003 AND 74-15004 PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. C18 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.

Page 4 of 6

73150

Page 2

09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-14980 V1

5. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
6. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-15003 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 178.9 ACRES IN A SINGLE IRRIGATION SEASON.

Remarks:

Comments:

1. ECarlsen 11/17/2000 recommendation

Comment: At the request of Norm Young, I reviewed the information available in the file. This included aerial photography, NAPP, and affidavits. I did not conduct an on-site investigation.

2. ecarlsen 12/13/2002 enlarged right 74-1102

Comment: transfer 69167 split 74-1102 into 74-15003 and 74-15004. This claim now appears to be associated with 74-15004.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		178.9

Combined Water Rights: 74-14980 , 74-15003

SubCase:

SubCase Number: 74-14980

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

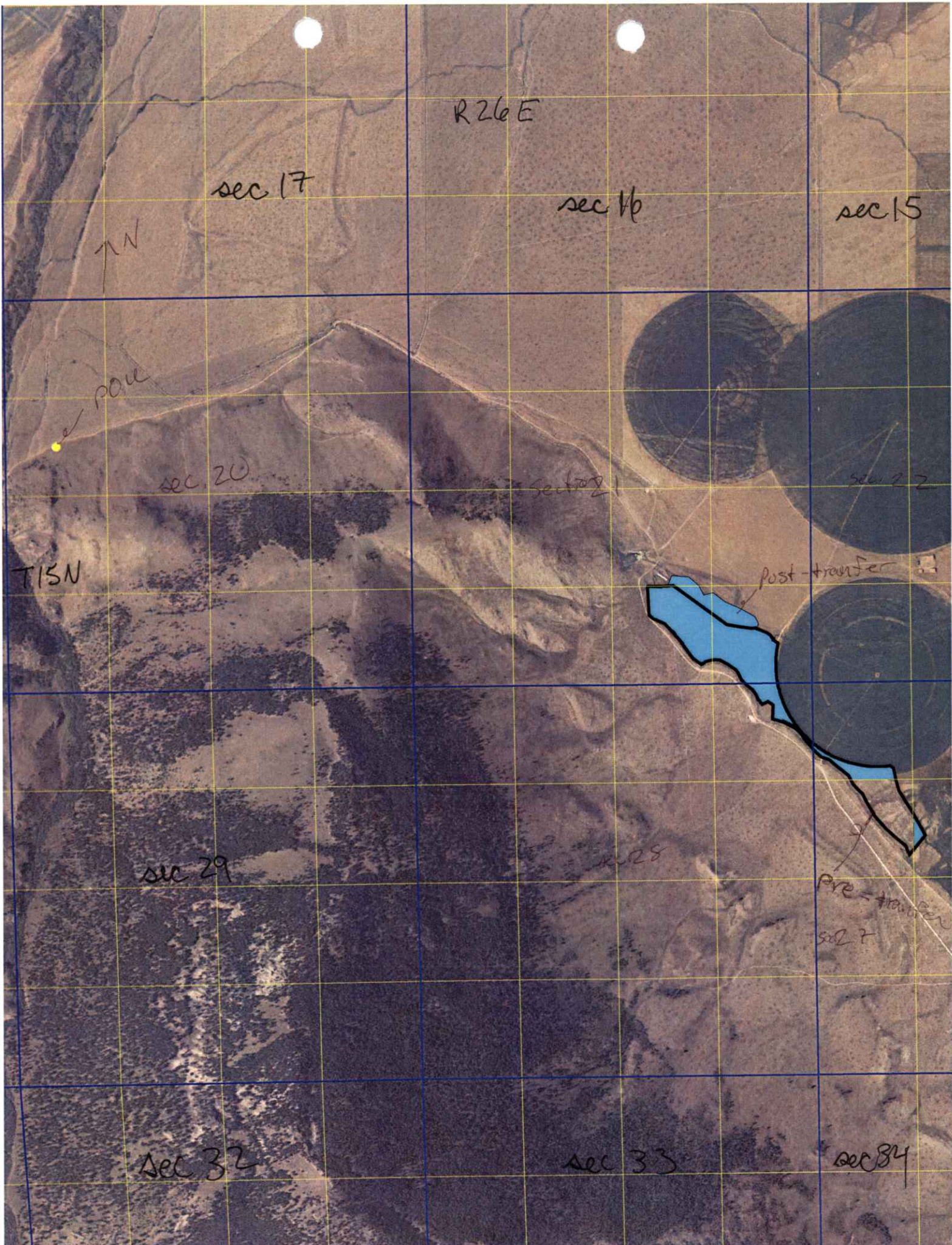
Attorney Assigned:

Adjudication Agent: rbrown

Basis of Claim: Beneficial Use

Water Supply Bank:

73150



PART 3

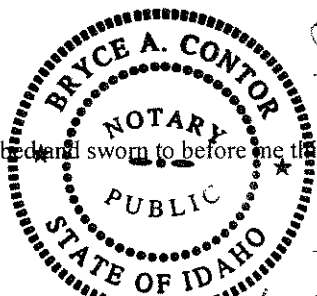
B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
_____ 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.



James Whitaker
(Signature of Applicant)

Subscribed and sworn to before me this 19 day of Sept, 20 06.

Bryce A. Contor
(Notary Public)

My commission expires 14 Oct 2011

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$100.-

Received by _____ Date 9-19-06 E032244 \$750

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

73150

APR-17-2007 16:40

LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

ASSESSMENT NOTICE

P.02
DO NOT PAY.

PARCEL DESCRIPTION:

NE4NE4 NW4NE4 NE4NW4
E2SE4 NE4SW4 NW4SE4
S2NE4 SE4NW4 NW4NW4
27 15 26
SIMMS J 50% P J 25% PAT 25%
BARROWS J 75% PAULA J 25%

WHITTAKER F JAMES
& WHITTAKER PAULA J
BOX 240
LEADORE ID 83464

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 3--0000

Parcel Number: RP 15N26E270000 A

Received Time Apr. 17. 2:35PM

APR-17-2007 16:41

LEHIGH COUNTY, PENNSYLVANIA
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

ASSESSMENT OFFICE

P.03

DO NOT PAY.

PARCEL DESCRIPTION:

E2 E2W2
E8 15 26
F JAMES 75%
PAULA J 25%

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

WHITTAKER F JAMES
& WHITTAKER PAULA J
P O BOX 240
LEADORE ID 83464

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 3-0000

Parcel Number: RP 15N26E280001 A

TOTAL P.03

Received Time Apr. 17. 2:35PM

APR-12-2007 12:12

LEMHI COUNTY ASSESSOR
06 COURTHOUSE DRIVE
ALMON, IDAHO 83467
08-756-3116

ASSESSMENT NOTICE

P.05

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

S2SW4
26 14 27
JAMES 50%
PAULA 50%

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

WHITTAKER JAMES
& WHITTAKER PAULA
BOX 240
LEADORE ID 83464

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 3-0000

Parcel Number: RP 14N27E266000 A

LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

SE4
21 15 26
F JAMES 75%
PAULA J 25%

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

WHITTAKER F JAMES
& WHITTAKER PAULA J
P O BOX 240
LEADORE ID 83464

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 3-0000

Parcel Number: RP 15N26E217200 A