

Transfer No. 73149

Name of Applicant F. James and or Paula J. Whittaker Phone (208) 768-2491

Post Office address PO Box 240 Leadore, ID 83464

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 change the place of use of part of the right from federal land to land owned by the Whittakers.
change 3 acres

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>74-02125</u>	<u>06/26/1912</u>	<u>0.7 Mcfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 0.700 cubic feet per second and/or NA acre-feet per annum.

3. Source of water Divide Creek tributary to Eighteen mile Creek

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

SEP 19 2006

Total Acres 22.0

Department of Water Resources
Eastern Region

PART 1

6. General Information:

a. Description of diversion system Small diversion into open canal

b. 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:
~~##~~ Land that right is transferred from will
no longer be irrigated

d. Remarks:
We are just fixing the place of use so that it contains only
privately owned 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

pag 3 of 6

73149

Page 1

09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-2125 V1

WATER RIGHT NUMBER: 74-2125 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	F JAMES WHITTAKER 83 BIG EIGHT MILE RD PO BOX 240 LEADORE, ID 83464 (208)768-2491
Original Owner	MAHAFFEY LIVESTOCK INC C/O STEPHEN MAHAFFEY PO BOX 4 TENDON, ID 83468
Current Owner	PAULA J WHITTAKER 83 BIG EIGHT MILE RD PO BOX 240 LEADORE, ID 83464 (208)768-2491

Priority Date: 06/26/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
DIVIDE CREEK	EIGHTEENMILE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.700 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion

DIVIDE CREEK	SE1/4NE1/4	Sec. 34, Twp 14N, Rge 27E, B.M.
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	27E	34					1.0												22.0

Total Acres: 22

Conditions of Approval:

1. 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.

73149

page 4 of 6

73149

Page 2

09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 74-2125 V1

Remarks:

Comments:

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
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:

SubCase:

SubCase Number: 74-2125
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: rbrown
Basis of Claim: Decreed

Water Supply Bank:

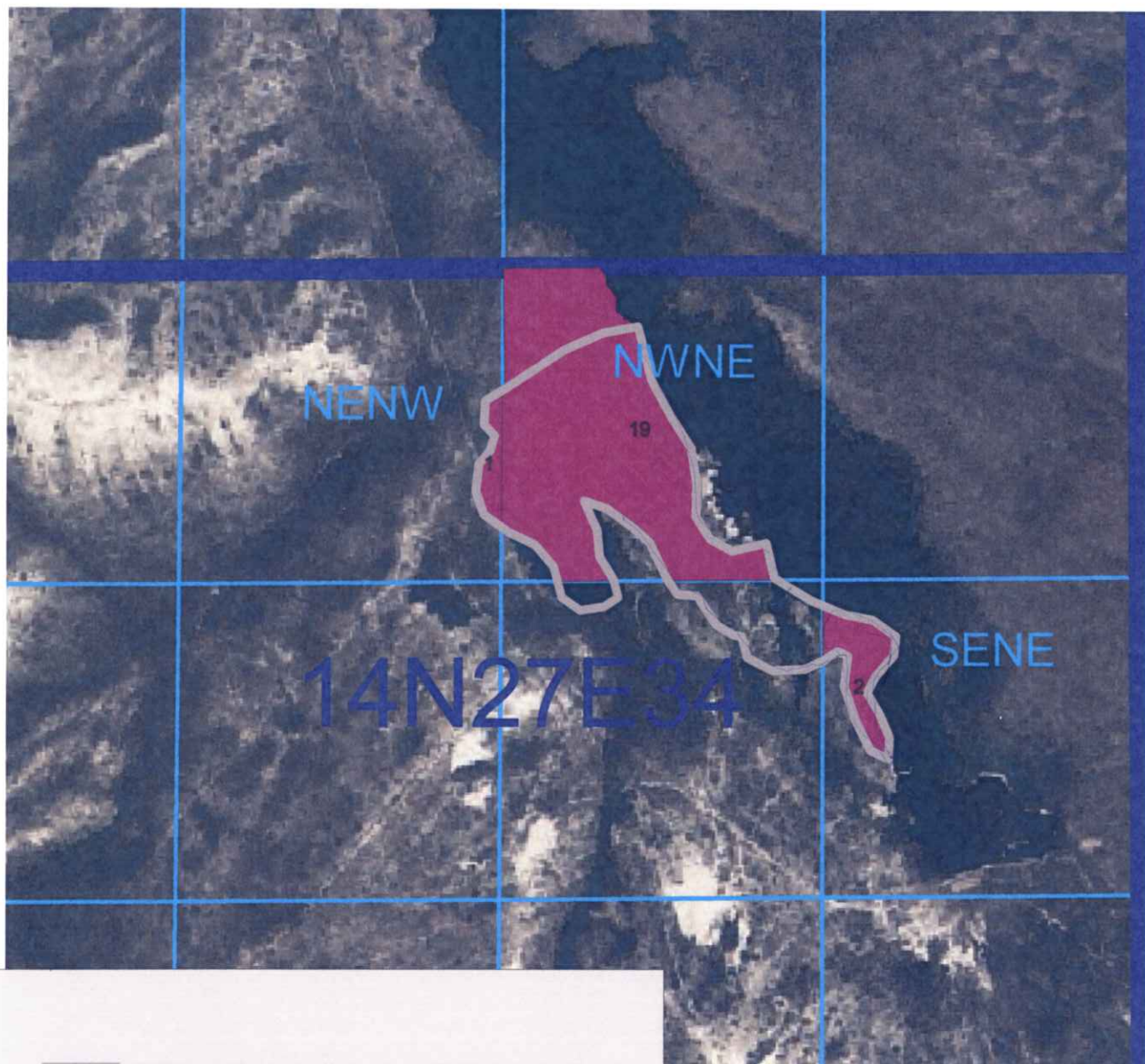
73149

Map of Proposed Transfer 74-2125

73149

Transfer No. _____

James Whittaker



-  R74_2125_unmodified.shp
-  After_transfer74_2125.shp
-  PLSS Section LinesSection
-  QQ

PART 3

B. CHANGES IN NATURE OF USE

1.

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

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

(Signature of Applicant)

Bryce A. Contor
(Notary Public)
My commission expires 14 Oct 2006
2011 Dec

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 ED032244
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 _____

APR-12-2007 12:12

206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

ASSESSMENT NOTICE

P.04

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

ALL
11 14 26
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 14N26E110000 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:

NE4NW4 NW4NE4 E2NE4
34 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 14N27E340000 A

Received Time Apr. 12. 10:06AM