

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73148APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant F. James and or 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 change the place of use of part of the right from federal land to land owned by the Whittakers.Change 15ac

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>74-11772</u>	<u>04/01/1918</u>	<u>1.610 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.610 cubic feet per second and/or NA acre-feet per annum.3. Source of water Eighteen mile 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
		NW	SE	27	14N	27E	Lemhi	
		SE	SE	27	14N	27E	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	
14N	27E	22									12.0	33.0	22.0	14.0					81.0
14N	27E	27			8.0		6.0	20.0	22.0	33.0									89.0
14N	27E	27			1		11	22	22	33									82.0

RECEIVED

SEP 19 2006

Department of Water Resources
Eastern RegionTotal Acres 170

73148

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 from which right is transferred
will not 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

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09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-1772 V1

WATER RIGHT NUMBER: 74-1772 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MAHAFFEY LIVESTOCK INC C/O STEPHEN MAHAFFEY PO BOX 4 TENDON, ID 83468
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: 04/01/1918

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EIGHTEENMILE CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.610 CFS	
	<u>Total Diversion:</u>	1.610 CFS	

Location of Point(s) of Diversion

EIGHTEENMILE CREEK	NW 1/4 SE 1/4	Sec. 27, Twp 14N, Rge 27E, B.M.
LEMHI County		
EIGHTEENMILE CREEK	SE 1/4 SE 1/4	Sec. 27, 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	22							12.0	3.0	12.0	33.0	22.0	14.0					96.0
14N	27E	27					6.0	20.0	22.0	26.0									74.0

Total Acres: 170

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09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 74-1772 V1

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.
2. E64 This right authorizes the irrigation of 168.5 total acres.

Remarks:

Comments:

1. dsmith 2/2/2004 RECOMMENDATION
Comment: Based on Lemhi Decree

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

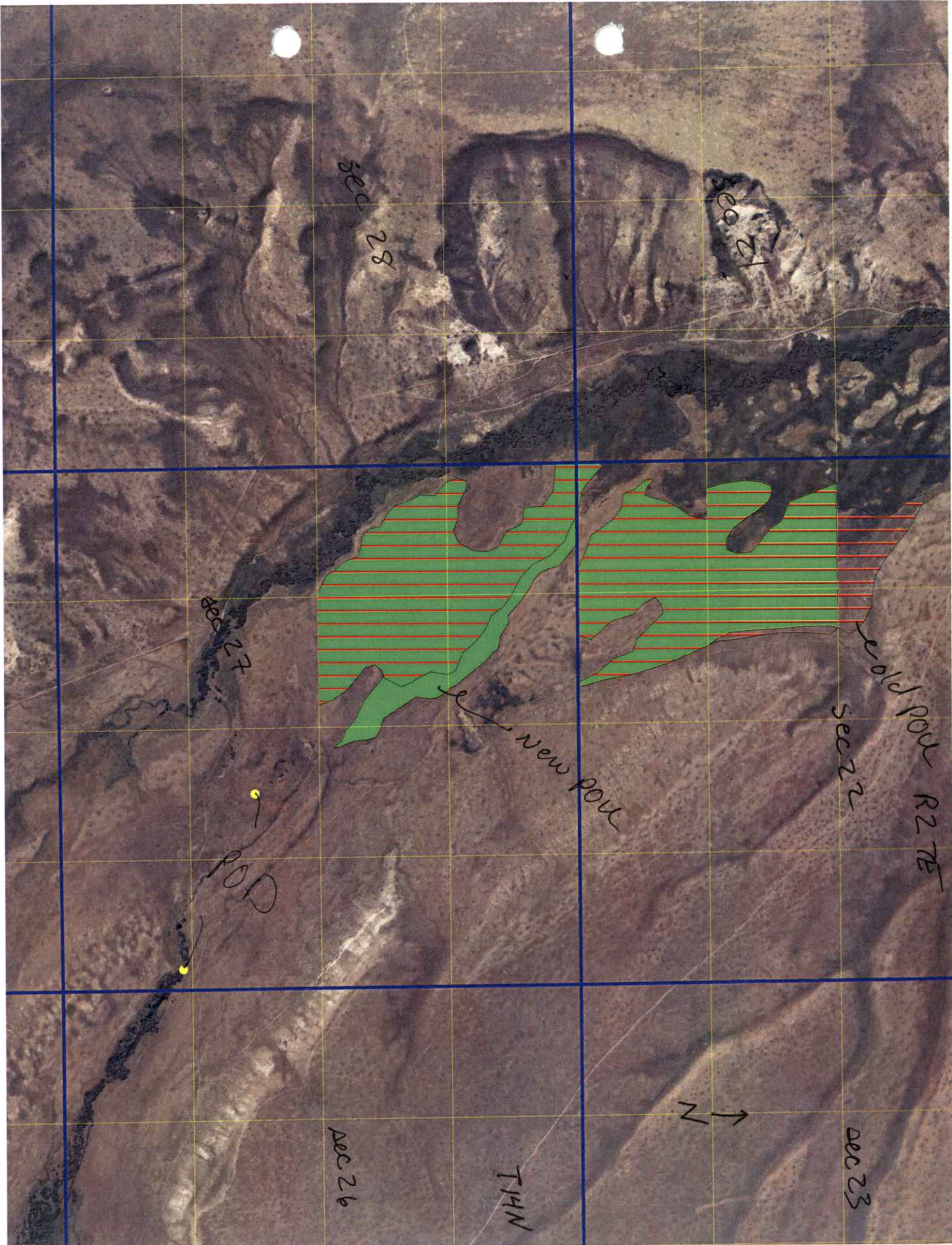
Combined Use Limits:

SubCase:

SubCase Number: 74-1772
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: dsmith
Basis of Claim: Decreed

Water Supply Bank:

73148



sec 28

sec 21

sec 27

old pour R2 TE

sec 22

new pour

POD

sec 26

T14N

sec 23

N

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.



F. James W. H. H. H.
 (Signature of Applicant)

Bryce A. Contor
 (Notary Public)

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

 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 EO 32244
 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 _____

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:

NW4 W2NE4 SE4NE4 SE4
E2SW4
27 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 14N27E272400 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:

SW4 SW4SE4
22 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 14N27E224800 A