

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73145APPLICATION 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 4 acres

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>74-1771</u>	<u>04-01-1919</u>	<u>1.360 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred
- 1.360 cfs
- 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
		NE	NE	35	14N	27E	Lemhi	
		NW	NE	35	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	
<u>14N</u>	<u>27E</u>	<u>26</u>												<u>1.0</u>					<u>1.0</u>
<u>14N</u>	<u>27E</u>	<u>27</u>															<u>11.0</u>		<u>11.0</u>
<u>14N</u>	<u>27E</u>	<u>34</u>			<u>20.0</u>	<u>14.0</u>													<u>34.0</u>
<u>14N</u>	<u>27E</u>	<u>35</u>			<u>31.0</u>			<u>15.0</u>	<u>1.0</u>										<u>47.0</u>

RECEIVED

SEP 19 2006

Total Acres 93Department of Water Resources
Eastern Region

73145

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:
~~the~~ Land the right is moved 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

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09/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-1771 V1

WATER RIGHT NUMBER: 74-1771 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: 04/01/1919

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	3/15 to 11/15	1.360 CFS	
	<u>Total Diversion:</u>	1.360 CFS	

Location of Point(s) of Diversion

EIGHTEENMILE CREEK	NE1/4NE1/4	Sec. 35,	Twp 14N,	Rge 27E, B.M.	LEMHI County
EIGHTEENMILE CREEK	NW1/4NE1/4	Sec. 35,	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	26												1.0				4.0	5.0
14N	27E	27															11.0		11.0
14N	27E	34	20.0	14.0															34.0
14N	27E	35		31.0			11.0	1.0											43.0

Total Acres: 93

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 74-1771 V1

Conditions of Approval:

1. E64 This right authorizes the irrigation of 91.4 total acres.
2. 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.

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: 74-1771
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: dsmith
Basis of Claim: Decreed

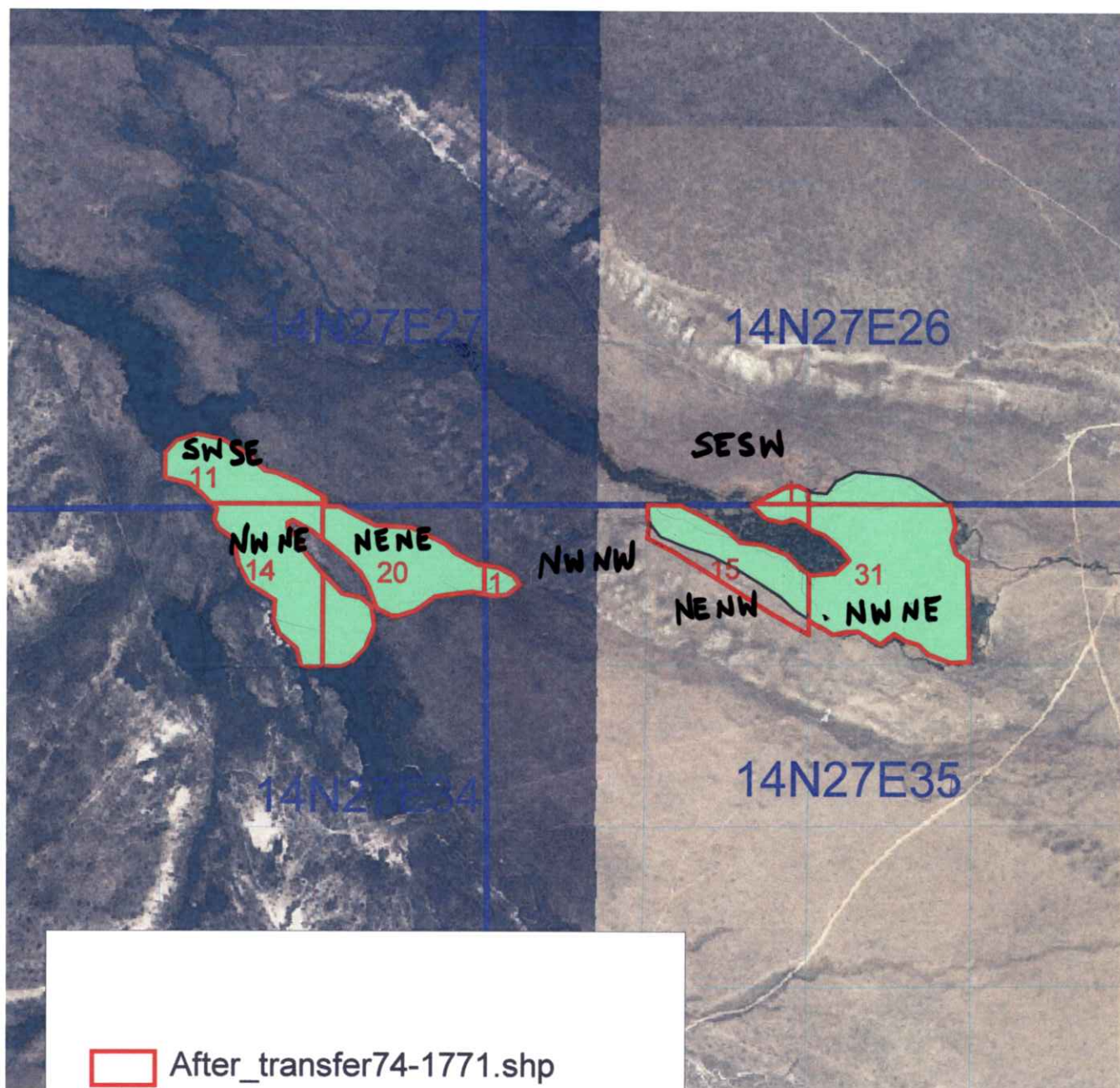
Water Supply Bank:

73145

Map of Proposed Transfer 74-1771

Transfer No. _____

James Whittaker



- After_transfer74-1771.shp
- R74-1771_unmodified.shp
- PLSS Section Lines
- QQ

Map prepared by Water Resources Field Services LLC 208 681 9100

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.



James Whitaker
(Signature of Applicant)

Subscribed and sworn to before me this 19 day of Sept, 2006.

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 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 _____

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

APR-12-2007 12:12

206 COURTHOUSE DRIVE
SALMON, IDAHO 83437
208-756-3116

ASSESSMENT NOTICE

P.03

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

NE4NE4
28 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 14N27E2B0000 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:

SW4NW4 NE4NW4 NW4NE4
35 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 14N27E350600 A

LEWIS COUNTY ASSESSOR
 06 COURTHOUSE DRIVE
 ALMON, IDAHO 83467
 208-756-3116

ASSESSMENT NOTICE

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

LEWIS 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

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