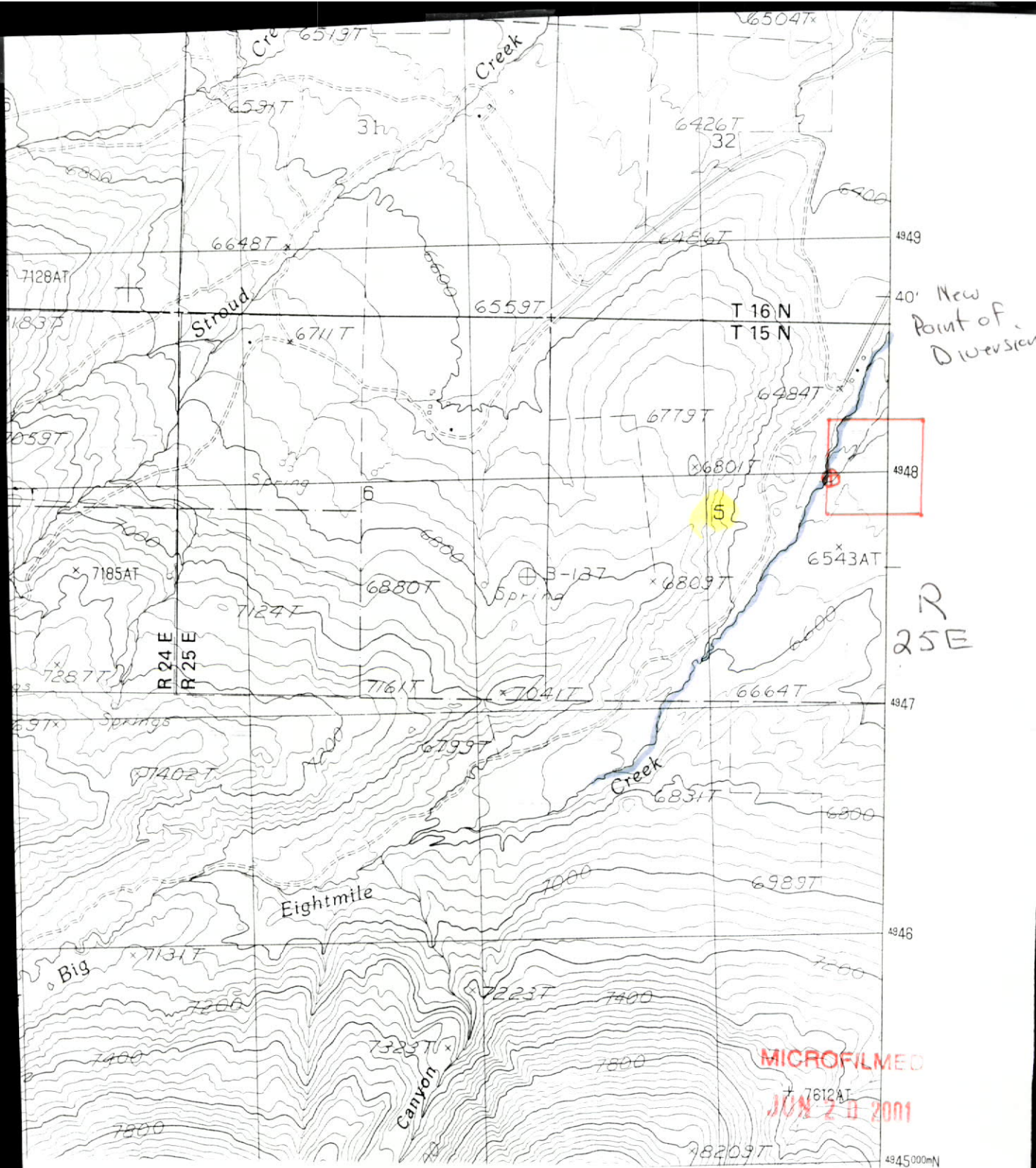
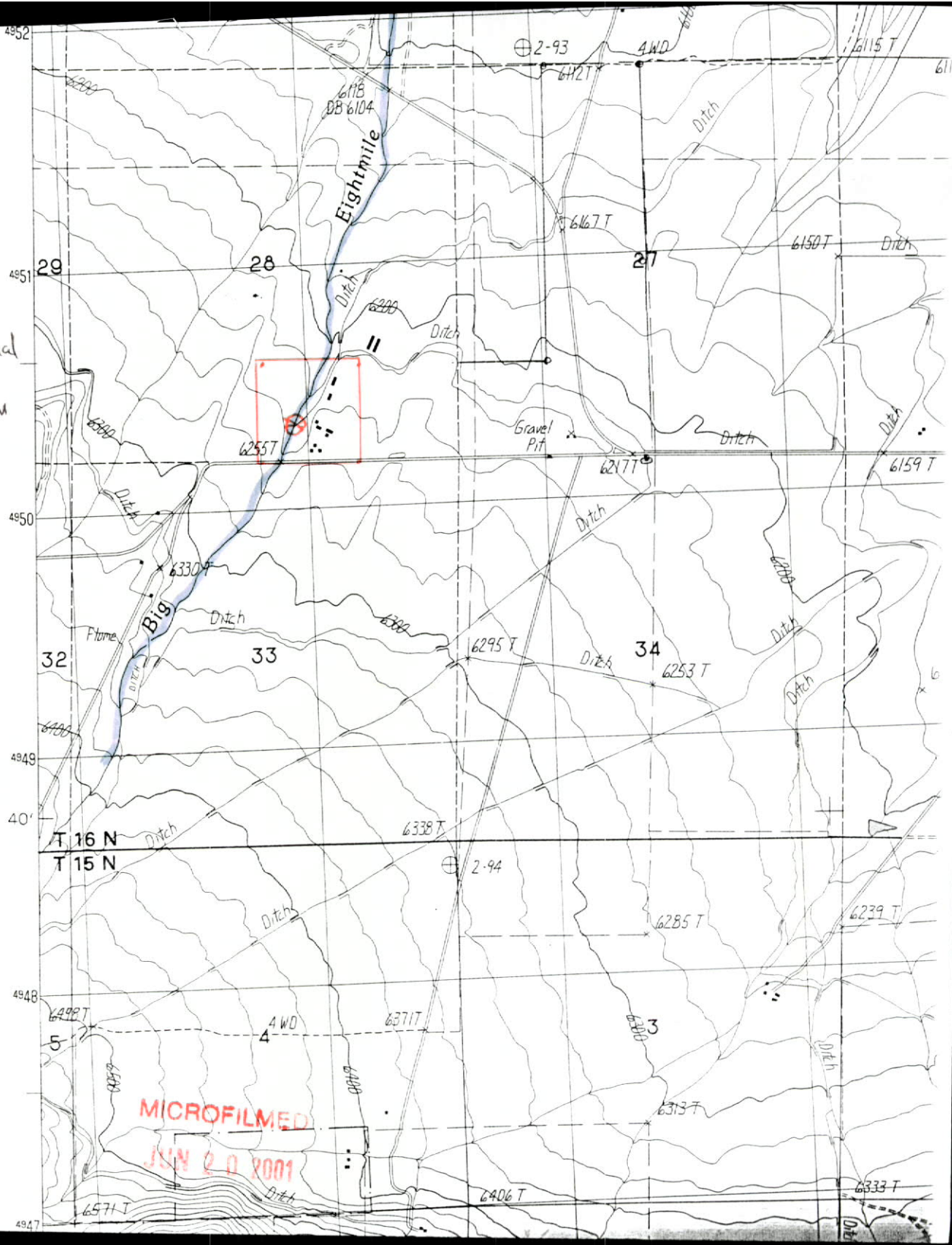




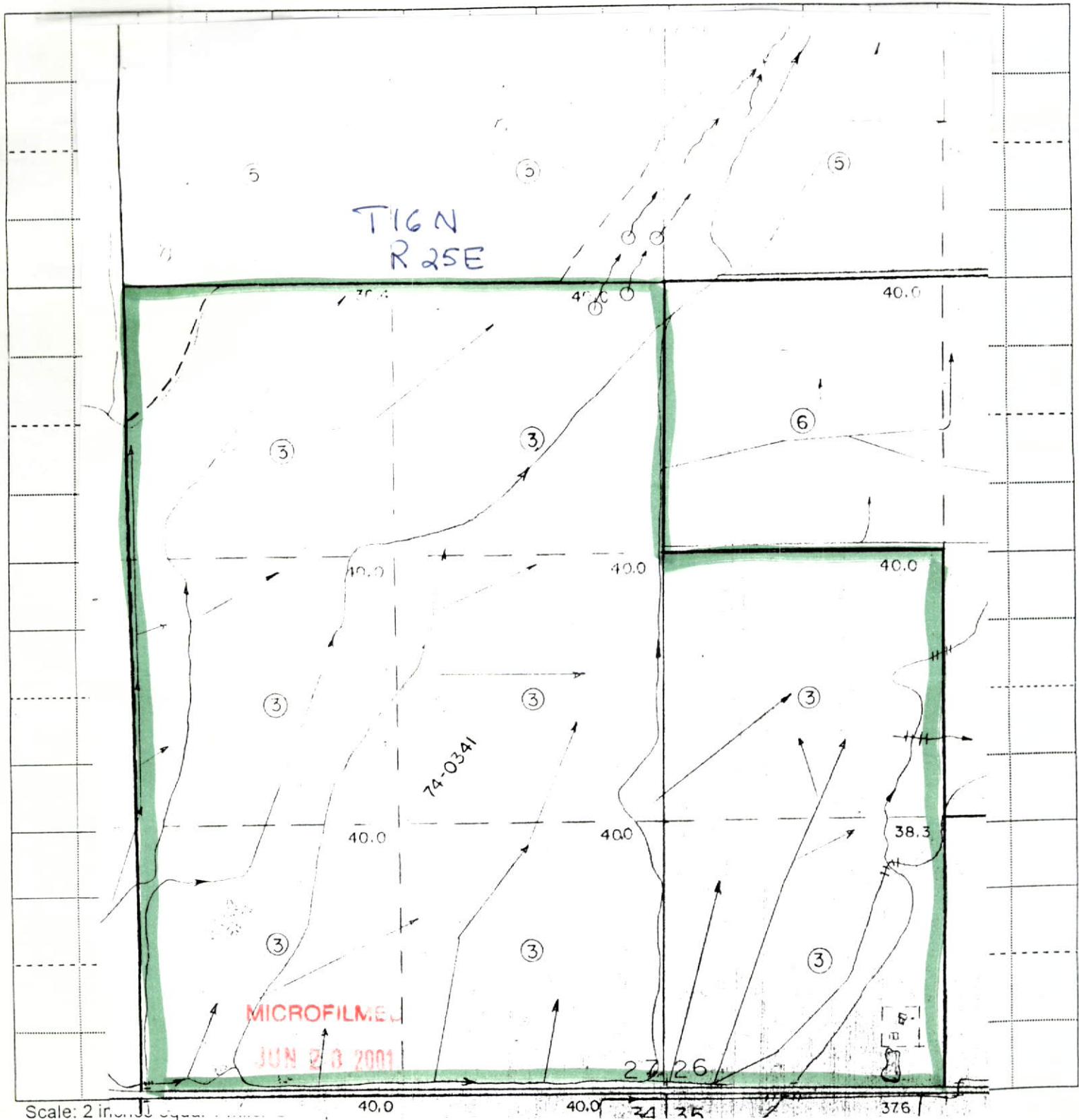
Original
point of
diversion



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches = 40.0 feet

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT TRANSFER
NO. T5867**

Notice is hereby given that James and Paula Whittaker, PO Box 240, Leadore ID 83464, has applied to the Department of Water Resources to add a point of diversion to a surface water source. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No.: 74-00341 Source: Big Eightmile Creek/Lemhi River Amount: 6.98 cfs Priority: 12/06/1909

Point(s) of Diversion: SWSE SEC 28 T16N R25E, LEMHI COUNTY
The water is used for irrigation of 341 acres within SEC 26 and 27 T16N R25E.

TO BE CHANGED AS FOLLOWS:
The applicant intends to add a point of diversion in the SENE SEC 5 T15N R25E to assist with a gravity flow sprinkler system.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before December 11, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director
Published in the Recorder Herald on November 22 and 30, 2000.
11-23-21c

Affidavit of Publication

RECEIVED
DEC 11 2000
Department of Water Resources
Eastern Region

STATE OF IDAHO } ss.
County of Lemhi

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **IDAHO DEPT. OF WATER RESOURCES - NOTICE OF PROPOSED CHANGE, NO. T5867**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2) consecutive issue(s)**, commencing with the issue dated **11-23-2000** and ending with the issue dated **11-30-2000**.

STATE OF IDAHO } ss.
County of Lemhi

On this **4th** day of **December** in this year of 2000 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho
Notary Public for Idaho
Susan E. Ziegler

My Commission expires: 9-4-2005

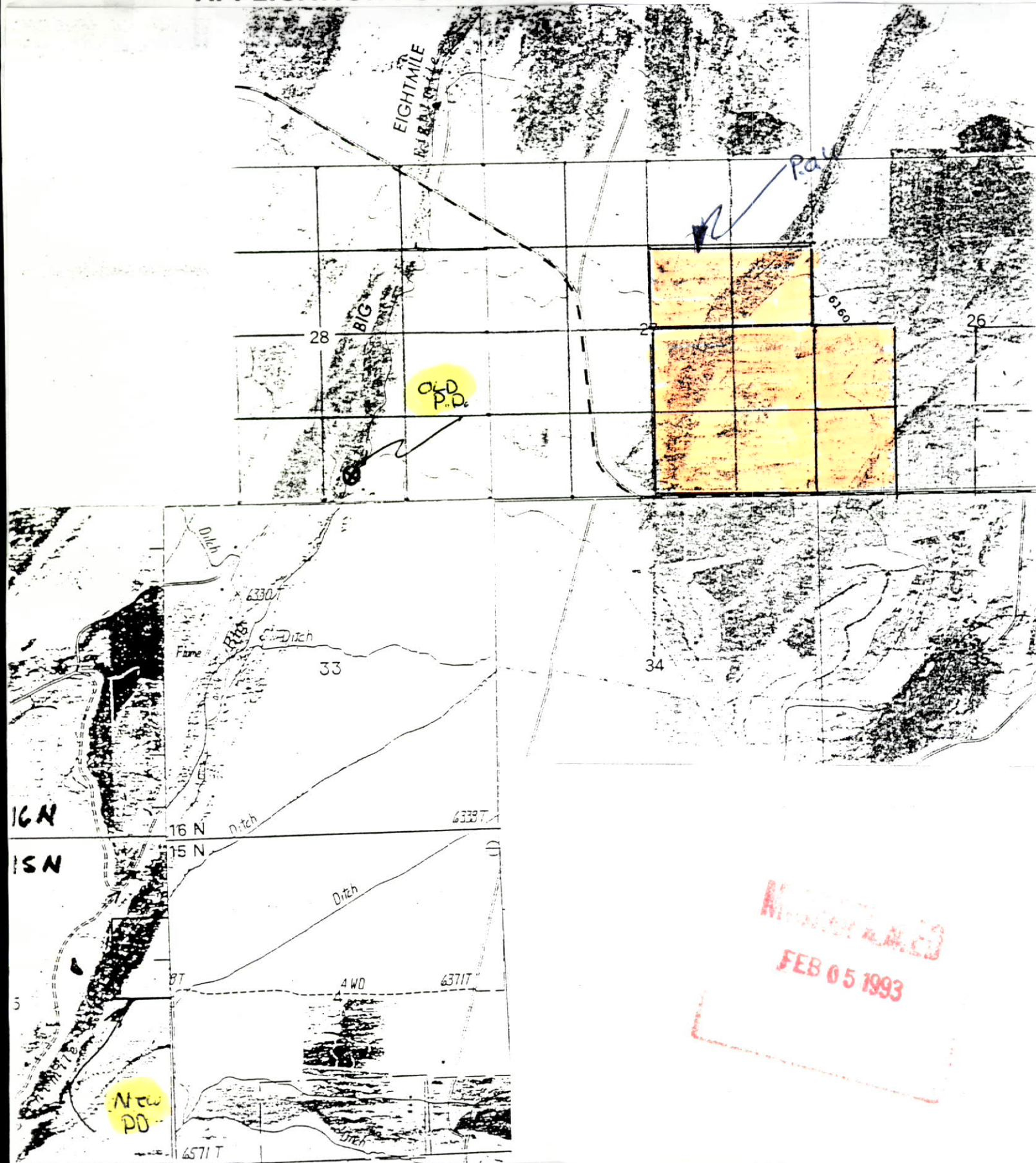
Publication Fee \$58.16



MICROFILMED
JUN 20 2001

SKS

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR TRANSFER OF WATER RIGHT



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68550

This is to certify that: PAULA J WHITTAKER
OR
F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464
(208)768-2491

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
74-341	AJC/Decreed	12/06/1909	6.98 cfs		314.0	314.0	BIG EIGHTMILE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-341	NO	NO	NO	YES	NO	NO

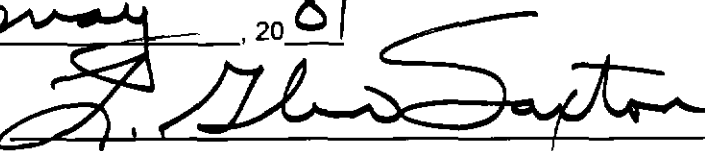
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
74-341	74-341	6.98 cfs	1101.5 af	314.7	314.0		N/A	N/A	N/A	N/A
TOTALS		6.98 cfs	1101.5 af	314.7	314.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

22nd day of May, 2001


Chief, Water Allocation Bureau

MICROFILMED

JUN 20 2001

WATER RIGHT NO. 74-341
As Modified by Transfer No. 68550

In accordance with the approval of Transfer No. 68550, Water Right No. 74-341 is now described as follows.

Right Holder: F JAMES WHITTAKER
 PO BOX 240
 LEADORE ID 83464

Priority Date: 12/06/1909

Source: BIG EIGHTMILE CREEK **Tributary:** LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	- 6.98 CFS	1,101.5 AF
			6.98 CFS	1,101.5 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG EIGHTMILE CREEK SWSE Sec. 28 Twp 16N Rge 25E LEMHI County

BIG EIGHTMILE CREEK SENE Sec. 5 Twp 15N Rge 25E 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	
16N	25E	26									40.0	38.0							78.0
16N	25E	27			36.0	40.0									40.0	40.0	40.0	40.0	236.0

Total Acres: 314

CONDITIONS OF APPROVAL

1. Right 74-341 authorizes the irrigation of 314.7 acres in a single irrigation season.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 74-Z, Big Eightmile and Lee Creeks.
3. Prior to diversion of water under this approval, the right holder shall install measuring devices and lockable controlling works of a type approved by the Department at each point of diversion in a manner that will provide the watermaster suitable control of the diversions.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Approval of Transfer 68550 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

MICROFILMED
 JUN 20 2001

WATER RIGHT NO. 74-341
As Modified by Transfer No. 68550

CONDITIONS OF APPROVAL

6. Use of water under this right may be affected by an agreement between the protestant and the right holder.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this

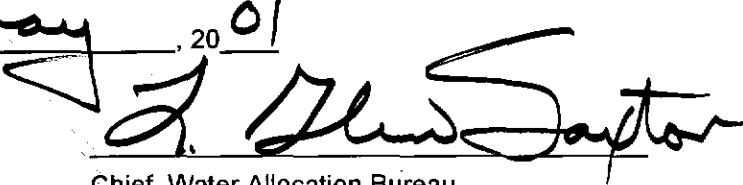
22nd

day of

May

20

01


Chief, Water Allocation Bureau

MICROFILMED

JUN 20 2001

\$490 fee

Transfer No. 5867

68550

Name of Applicant JAMES OR PAULA WHITTAKER Phone (208) 768-2491

Post Office address P.O. Box 240 Leadore, ID 83464

RECEIVED

MAR 01 2001

Department of Water Resources

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 It would allow me to get enough drop, to run in a gravity system and sprinkle the ground

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>74-00341</u>	<u>12/06/1909</u>	<u>6.98 cfs</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 6.98 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Eightmile Creek tributary to Lemhi River

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 314

T68550

PART 1

6. General Information:

a. Description of diversion system

Headgate, weir and open
ditch to head of pipe

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

NA. NA. Yes NA. 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:

NA. NA.

d. Remarks:

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 _____

MICROFILMED

JUN 20 2001

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00341

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	6.98 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG EIGHTMILE CREEK	LEMHI RIVER

Priority: 12/06/1909

LOCATION OF POINT(S) OF DIVERSION: SWSE, Sec. 28, Township 16N, Range 25E
LEMHI County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE					
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
16N	25E	26	:									40	38							:	78.0
16N	25E	27	:			36	40									40	40	40	40	:	236.0
																			TOTAL ACRES	314.0	

CONDITIONS/REMARKS:

1. AC. IRR.=314.7.

Describe any other water rights used for the same purpose as described above:

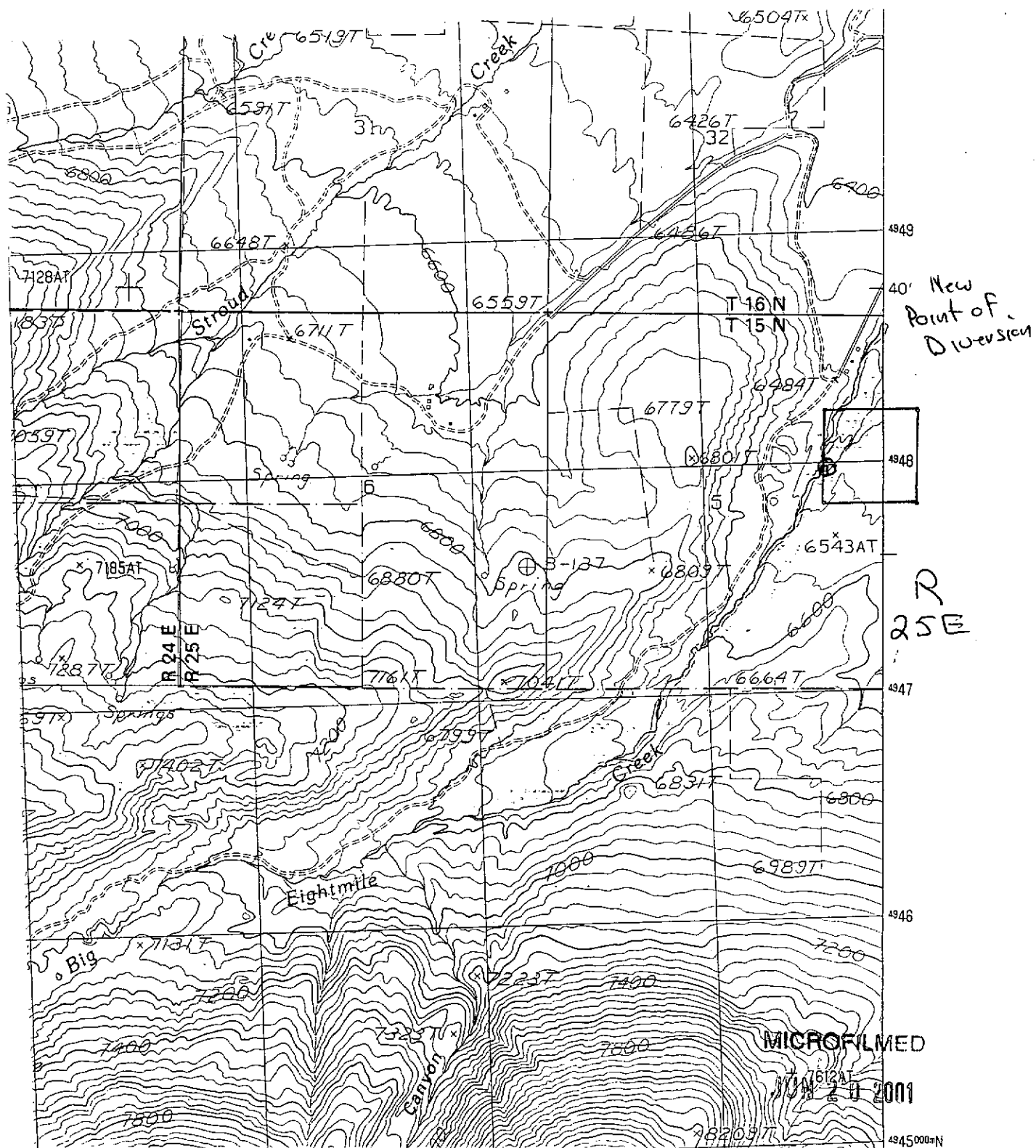
None

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

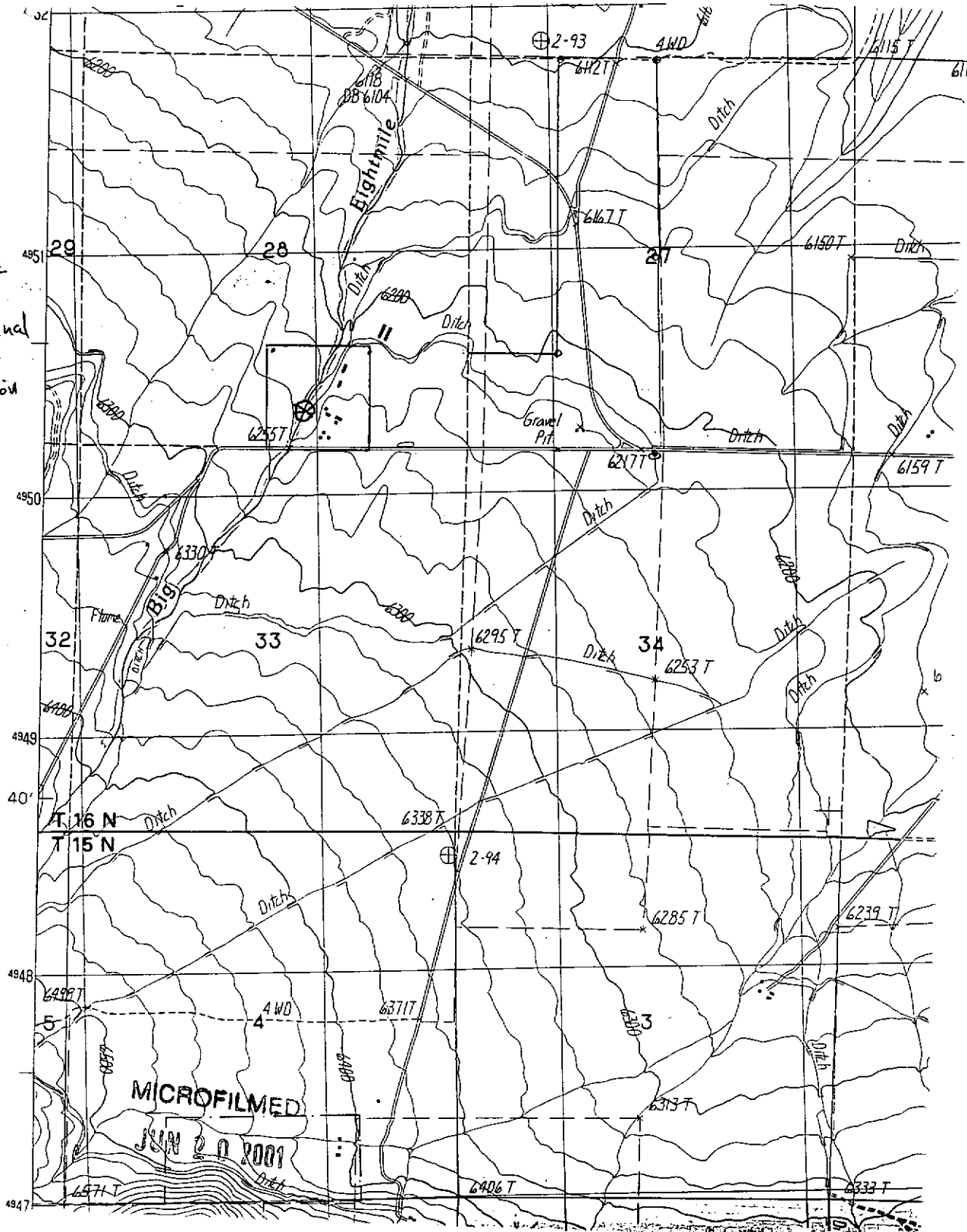
Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other

MICROFILMED
JUN 20 2001

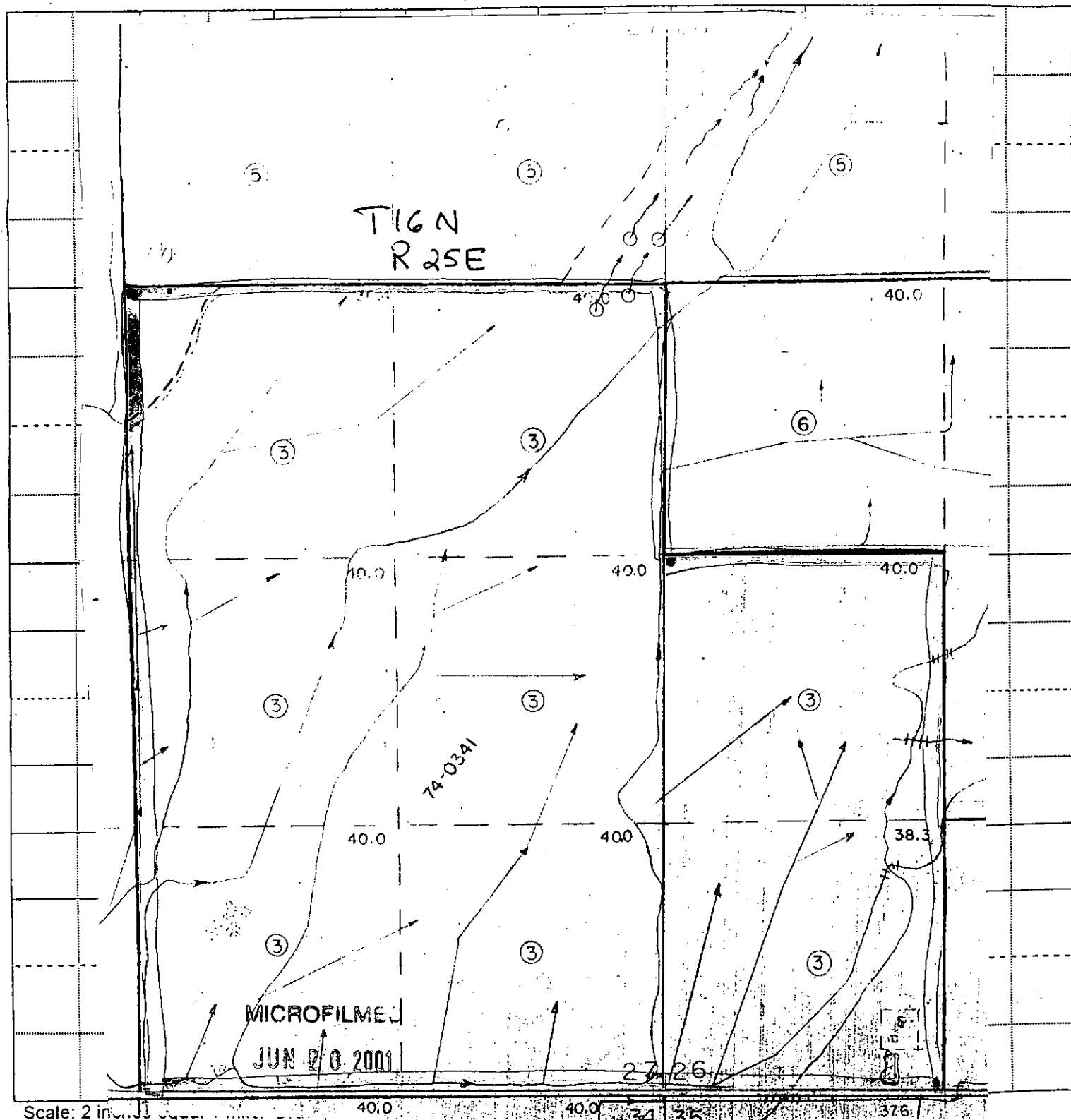


R
25E
Original
Point of
diversion



APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

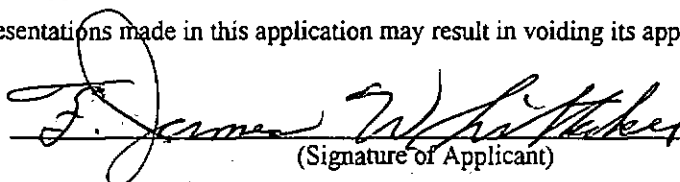
1.

<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:

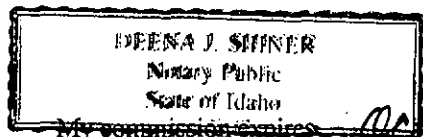
3. Describe effects on other water uses resulting from the proposed change:

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.


(Signature of Applicant)

Subscribed and sworn to before me this 5th day of November, 20 00




(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$490.00

Received by HWD #E026309 Date _____

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates Nov 23 & 30, 2000 Hearing held by _____ Date _____

Watermaster recommendations requested on 11/15/00 Recommended for ☒ approval ☐ denial

_____ received 12/12/00 by SC

Copy of transfer sent to lien holder _____

MICROFILMED

JUN 20 2001

DIANE GRAY
1 LEMHI COUNTY ASSESSOR
206 COURTHOUSE DR
SALMON ID 83467

ASSESSMENT NOTICE

1999

Exhibit A

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION

1 IRRGTD AG
5 DRY GRAZING
10 RURAL HOMESIT
19 WASTE

Tax Code

LOTS/ACRES

3.00

MARKET VALUE

56.181 AC
22.061 AC
1.000 AC
.758 AC

32,754
816
8,700

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE
JUNE 30, 1999

TOTAL:

80.000

42,270

PARCEL #
RP 16N25E265400 A

W2SW4

26 16 25

F JAMES 100%

PROPERTY ADDRESS

VALUE:

PRIOR YEAR

40,765

CURRENT YEAR

42,270

Mail To:

WHITTAKER F JAMES

TAX:

PRIOR YEAR

252.08

ESTIMATED

261.38

BOX 240
LEADORE

ID 83464

See back for details.

DO NOT PAY ESTIMATE

DEANNE GRAY
LEMHI COUNTY ASSESSOR
206 COURTHOUSE DR
SALMON ID 83467

ASSESSMENT NOTICE

1999

Exhibit A

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION

1 IRRGTD AG
19 WASTE

Tax Code

LOTS/ACRES

3.00

MARKET VALUE

237.000 AC
3.000 AC

138,171

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE
JUNE 30, 1999

TOTAL:

240.000

138,171

PARCEL #
RP 16N25E271200 A

SE4 S2NE4

27 16 25

F JAMES 100%

PROPERTY ADDRESS

VALUE:

PRIOR YEAR

132,009

CURRENT YEAR

138,171

Mail To:

WHITTAKER F JAMES

TAX:

PRIOR YEAR

816.34

ESTIMATED

854.44

BOX 240
LEADORE

ID 83464

See back for details.

DO NOT PAY ESTIMATE

MICROFILMED

JUN 20 2001

T 5867
ATTACHMENT 1 OF 1

INDICATES TOTAL

SOURCE: BIG EIGHTMILE CREEK

TRIBUTARY TO LEWEL RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
--------------	------------------	---------------	-------------	---------------------	-----------------	--------------------------	-----------------

74-0339A

PETERSON, ALBERT
ANDERSON, DARE K.
LEADURE

ID B3464

10-14-1901 IRRIGATION 03-15 11-15

1.72 CFS

MSSE S09 NAWM(12)
T15N R25E S10 T15N R25E
SWNE S09 NENE(34) SENE(40)
T15N R25E S09 T15N R25E
* 86 ACRES*

DECREED

74-0341

WHITTAKER, FLOYD JAMES
P.O. BOX 177
LEADURE

ID B3464

12-06-1909 IRRIGATION 03-15 11-15

6.98 CFS

MSSE S28 SANE(36) SENE(40)
T16N R25E NESE(40) MSSE(40)
SASE(40) SESE(40)
S27 T16N R25E
NMSW(40) SWSM(39)
S26 T16N R25E

DECREED

REMARKS: AC. IRR.=314.7.

* 314 ACRES*

74-0345

PETERSON, DONALD U.
PETERSON, BILLIE
P.O. BOX 144
LEADURE

ID B3464

12-06-1909 IRRIGATION 03-15 11-15

7.04 CFS

MSSE S28 NENE(40) SENE(40)
T16N R25E SENE(40) SENE(40)
SENE(40) NENE(40)
NESE(32) MSSE(39)
S26 T16N R25E
* 311 ACRES*

DECREED

74-0350

NEF, DARRELL J.
NEF, VERA M.
STAR RT.
LEADURE

ID B3464

05-11-1910 IRRIGATION 03-15 11-15

7.04 CFS

SWM S33 NANE(36) NENE(02) DECREED
T16N R25E NANE(01)
S29 T16N R25E
NENE(14) SWSM(05)
SESW(38) MSSE(39)
MSSE(40)
S20 T16N R25E

REMARKS: CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.

* 175 ACRES*

74-0351

PETERSON, HARVEY E.
P.O. BOX 46
LEADURE

ID B3464

05-11-1910 IRRIGATION 03-15 11-15

6.84 CFS

SWM S33 NAWM(17) SWM(39) DECREED
T16N R25E NAWM(40)
S21 T16N R25E
NENE(40) NANE(20)
SENE(31) SENE(25)
NESE(39)
S20 T16N R25E

REMARKS: AC. IRR.=250.6.

FEB 05 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A74-00341
Date Received: / /
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. JAMES WHITTAKER 208-768-2491
Address: TWO DOT : RANCH
BOX 240
LEADORE, ID 83464

AND/OR

Name: PAULA J. WHITTAKER 208-768-2491
Address: TWO DOT : RANCH
BOX 240
LEADORE, ID 83464

2. Date of Priority: DEC 6, 1909

3. Source: BIG EIGHTMILE CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	25E	28	SW	SE			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.980		

7. Total Quantity Appropriated is:
6.980 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	25E	26	NW	SW		IRR	40.0
			SW	SW		IRR	38.0
					Section Acres		78.0
		27	SW	NE		IRR	36.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		236.0
					Total Acres		314.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=314.7.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

RECEIVED

FEB 05 1993

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

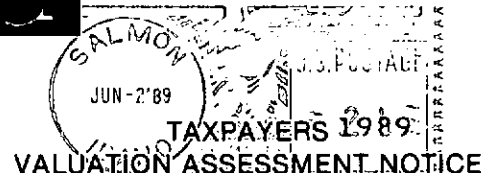
3
FEB 08 1991

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

THIS IS NOT A BILL

PRESORTED

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	79.000 AC	18,083
19 WASTE	1.000 AC	



Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 19, 1989

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

TOTALS 80.000

Mail To:
WHITTAKER, JAMES
BOX 240
18,083 LEADORE, IDAHO 83464

W2SW4
26 16 25

MAILED

FEB 05 1993

PROPERTY ADDRESS

PARCEL NO. RP 16N25E265400 A

TAX CODE

3-00

ANY PROTEST REGARDING THE MARKET VALUE ASSESSMENT OF PROPERTY MUST BE FILED TIMELY WITH THE COUNTY BOARD OF EQUALIZATION AS PROVIDED BY STATE LAW.

TO BE ELIGIBLE FOR A HARDSHIP EXEMPTION A CLAIM MUST BE FILED WITH THE COUNTY BOARD OF EQUALIZATION BETWEEN JANUARY 1 AND JUNE 20. SEE IDAHO CODE, SECTION 63-105BB.

TO BE ELIGIBLE FOR TAX REDUCTION (CIRCUIT BREAKER) A CLAIM MUST BE FILED IN THE OFFICE OF THE COUNTY ASSESSOR BETWEEN JANUARY 1 AND APRIL 15. SEE IDAHO CODE, SECTION 63-117 THROUGH 63-125.

TO PROTEST ACTION OF THE COUNTY ASSESSOR DISAPPROVING OR MODIFYING A CLAIM FOR TAX REDUCTION (CIRCUIT BREAKER) AN APPEAL MUST BE FILED WITH THE COUNTY BOARD OF EQUALIZATION PRIOR TO MAY 15.

FAILURE TO OBSERVE THE ABOVE DEADLINES WILL RESULT IN FORFEITURE OF THE RIGHT OF PROTEST AND APPEAL. CONTACT THE COUNTY ASSESSOR OR COUNTY COMMISSIONERS AS TO WHERE THE BOARD OF EQUALIZATION MEETS.

Meeting of the Board of County Commissioners for the purposes of equalizing assessments and allowing exemptions and rebates:

** The board of county commissioners must meet as a BOARD OF EQUALIZATION AT LEAST ONCE EVERY MONTH THROUGH THE FOURTH MONDAY IN JUNE AND DAY TO DAY THROUGH THE SECOND MONDAY OF JULY at which time it must adjourn, for the purposes of equalizing the assessment of real and personal property; allowing or disallowing claims for hardship exemptions; and hearing protests regarding the assessment of property. See Idaho Code, Section 63-401 and 63-402.

The board of county commissioners must meet as a board of equalization on or before May 15, and shall approve all claims for tax reduction (circuit breaker), approved by the county assessor, and shall approve the action of the county assessor in modifying or disapproving all other claims unless an appeal has been filed with the board prior to May 15. See Section 63-121, Idaho Code. Contact the county assessor for the precise date of the aforementioned meeting.

** The board of county commissioners of each county shall meet as a BOARD OF EQUALIZATION FROM THE FOURTH MONDAY OF NOVEMBER THROUGH THE FIRST MONDAY OF DECEMBER for the purposes of equalizing the assessment of all property entered upon the subsequent property assessment rolls, allowing or disallowing exemptions and rebates claimed, and hearing protests regarding such assessments. If other personal or real property is discovered and assessed after the board has adjourned, the taxpayer may appeal that assessment to the county board of equalization during the monthly meeting in January of the following year. See Section 63-1904, Idaho Code.

The board of county commissioners may, at any time when in session, cancel or refund any double or illegal tax, or any tax based on a double or erroneous assessment. See Idaho Code, Section 63-2202. However, taxpayers must file all protests regarding property assessment with the board of equalization as provided above.

REAL PROPERTY (Land)

1. Investment Irrigated Agricultural
2. Investment Irrigated Pasture
3. Investment Non-irrigated Agricultural
4. Investment Meadow
5. Investment Dry Grazing
6. Productivity Value-Forest Land
7. Bare Forest Land Value
8. Reforestation
9. Mineral
10. Homestead Value on Rural Investment Land Categories 1-9
11. Recreational Sites
12. Rural Residential Tracts
13. Rural Commercial Tracts
14. Rural Industrial Tracts
15. Rural Subdivisions Residential Lots and/or Acreages
16. Rural Subdivisions Commercial Lots and/or Acreages
17. Rural Subdivisions Industrial Lots and/or Acreages

18. Other Rural Land
19. Waste (acreage only (public rights of way))
20. Residential Lots and/or Acreages - (inside city limits)
21. Commercial Lots and/or Acreages - (inside city limits)
22. Industrial Lots and/or Acreages - (inside city limits)
23. Common Areas, Condominiums, Townhouses, etc.

IMPROVEMENTS

30. Non Residential Imp. Cat 20
31. Improvements on Category 10
32. Improvements other than Residential on Category 1-12, 15
33. Improvements on Category 11
34. Improvements on Category 12
35. Improvements on Category 13
36. Improvements on Category 14
37. Improvements on Category 15
38. Improvements on Category 16

PROPERTY CATEGORY NUMBERS

39. Improvements on Category 17
40. Improvements on Category 18
41. Improvements on Category 20
42. Improvements on Category 21
43. Improvements on Category 22
44. Improvements on Partially Exempt Land
45. Utility Systems (locally assessed)
46. Manufactured Housing
47. Improvements to Manufactured Housing

PERSONAL PROPERTY

55. Boats
56. Construction Machinery Tools and Equipment
57. Equines in Stalls Land (payment in 2 inst. Sec. 63-1302)
58. Farm Machinery Tools and Equipment
59. Furniture and Fixtures
60. Improvements on Railroad Rights of Way
61. Improvements by Lessee other than Category 62.

62. Leasehold Improvements Exempt Land (payment in 2 installments Sec. 63-1302 & 63-1223)
63. Logging Machinery Tools and Equipment
64. Mining Machinery Tools and Equipment
65. Manufactured Housing
66. Net Profit of Mines
67. Operating Property (assessed by STC assessor identification only)
68. Other Miscellaneous Machinery Tools and Equipment
69. Recreational Vehicles
70. Reservations and Easements
71. Signs and Signboards
72. Tanks, Cylinders, Storage Vessels (Kegs, Vats, etc.)

EXEMPT PROPERTY

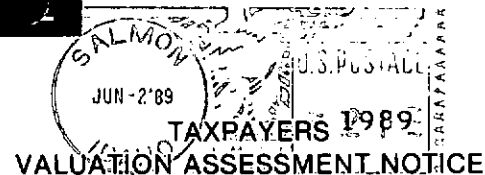
81. Real and/or Personal

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, IDAHO 83487

THIS IS NOT A B

PRESORTED

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	237.000 AC	56,259
19 WASTE	3.000 AC	



Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 19, 1989

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

TOTALS 240.000

Mail To:
WHITTAKER, F JAMES
BOX 240
56,259 LEADORE, IDAHO 83464

SE4 S2NE4
27 16 25

MICROFILMED

FEB 05 1993

PROPERTY ADDRESS

PARCEL NO. RP 16N25E271200 A TAX CODE 3-00

ANY PROTEST REGARDING THE MARKET VALUE ASSESSMENT OF PROPERTY MUST BE FILED TIMELY WITH THE COUNTY BOARD OF EQUALIZATION AS PROVIDED BY STATE LAW.

TO BE ELIGIBLE FOR A HARDSHIP EXEMPTION A CLAIM MUST BE FILED WITH THE COUNTY BOARD OF EQUALIZATION BETWEEN JANUARY 1 AND JUNE 20. SEE IDAHO CODE, SECTION 63-105BB.

TO BE ELIGIBLE FOR TAX REDUCTION (CIRCUIT BREAKER) A CLAIM MUST BE FILED IN THE OFFICE OF THE COUNTY ASSESSOR BETWEEN JANUARY 1 AND APRIL 15. SEE IDAHO CODE, SECTION 63-117 THROUGH 63-125.

TO PROTEST ACTION OF THE COUNTY ASSESSOR DISAPPROVING OR MODIFYING A CLAIM FOR TAX REDUCTION (CIRCUIT BREAKER) AN APPEAL MUST BE FILED WITH THE COUNTY BOARD OF EQUALIZATION PRIOR TO MAY 15.

FAILURE TO OBSERVE THE ABOVE DEADLINES WILL RESULT IN FORFEITURE OF THE RIGHT OF PROTEST AND APPEAL. CONTACT THE COUNTY ASSESSOR OR COUNTY COMMISSIONERS AS TO WHERE THE BOARD OF EQUALIZATION MEETS.

Meeting of the Board of County Commissioners for the purposes of equalizing assessments and allowing exemptions and rebates:

REAL PROPERTY (Land)

1. Investment Irrigated Agricultural
2. Investment Irrigated Pasture
3. Investment Non-Irrigated Agricultural
4. Investment Meadow
5. Investment Dry Grazing
6. Productivity Value-Forest Land
7. Bare Forest Land Value
8. Reforestation
9. Mineral
10. Homestead Value on Rural Investment Land Categories 1-9
11. Recreational Sites
12. Rural Residential Tracts
13. Rural Commercial Tracts
14. Rural Industrial Tracts
15. Rural Subdivisions Residential Lots and/or Acreages
16. Rural Subdivisions Commercial Lots and/or Acreages
17. Rural Subdivisions Industrial Lots and/or Acreages

18. Other Rural Land
19. Waste (acreage only (public rights of way))
20. Residential Lots and/or Acreages - (inside city limits)
21. Commercial Lots and/or Acreages - (inside city limits)
22. Industrial Lots and/or Acreages - (inside city limits)
23. Common Areas, Condominiums, Townhouses, etc.

IMPROVEMENTS

30. Non Residential Imp, Cat 20
31. Improvements on Category 10
32. Improvements other than Residential on Category 1-12, 15
33. Improvements on Category 11
34. Improvements on Category 12
35. Improvements on Category 13
36. Improvements on Category 14
37. Improvements on Category 15
38. Improvements on Category 16

PROPERTY CATEGORY NUMBERS

39. Improvements on Category 17
40. Improvements on Category 18
41. Improvements on Category 20
42. Improvements on Category 21
43. Improvements on Category 22
44. Improvements on Partially Exempt Land
45. Utility Systems (locally assessed)
46. Manufactured Housing
47. Improvements to Manufactured Housing

PERSONAL PROPERTY

55. Boats
56. Construction Machinery Tools and Equipment
57. Equities in State Land (payment in 2 inst. Sec. 63-1302)
58. Farm Machinery Tools and Equipment
59. Furniture and Fixtures
60. Improvements on Railroad Rights of Way
61. Improvements by Lessees other than Category 62.

62. Leasehold Improvements Exempt Land (payment in 2 installments Sec. 63-1302 & 63-1223)
63. Logging Machinery Tools and Equipment
64. Mining Machinery Tools and Equipment
65. Manufactured Housing
66. Net Profit of Mines
67. Operating Property (assessed by STC assessor identification only)
68. Other Miscellaneous Machinery Tools and Equipment
69. Recreational Vehicles
70. Reservations and Easements
71. Signs and Signboards
72. Tanks, Cylinders, Storage Vessels (Kegs, Vats, etc.)

EXEMPT PROPERTY

81. Real and/or Personal

** The board of county commissioners must meet as a BOARD OF EQUALIZATION AT LEAST ONCE EVERY MONTH THROUGH THE FOURTH MONDAY IN JUNE AND DAY TO DAY THROUGH THE SECOND MONDAY OF JULY at which time it must adjourn, for the purposes of equalizing the assessment of real and personal property; allowing or disallowing claims for hardship exemptions; and hearing protests regarding the assessment of property. See Idaho Code, Section 63-401 and 63-402.

The board of county commissioners must meet as a board of equalization on or before May 15, and shall approve all claims for tax reduction (circuit breaker), approved by the county assessor, and shall approve the action of the county assessor in modifying or disapproving all other claims unless an appeal has been filed with the board prior to May 15. See Section 63-121, Idaho Code. **Contact the county assessor for the precise date of the aforementioned meeting.**

** The board of county commissioners of each county shall meet as a BOARD OF EQUALIZATION FROM THE FOURTH MONDAY OF NOVEMBER THROUGH THE FIRST MONDAY OF DECEMBER for the purposes of equalizing the assessment of all property entered upon the subsequent property assessment rolls, allowing or disallowing exemptions and rebates claimed, and hearing protests regarding such assessments. If other personal or real property is discovered and assessed after the board has adjourned, the taxpayer may appeal that assessment to the county board of equalization during the monthly meeting in January of the following year. See Section 63-1904, Idaho Code.

The board of county commissioners may, at any time when in session, cancel or refund any double or illegal tax, or any tax based on a double or erroneous assessment. See Idaho Code, Section 63-2202. However, taxpayers must file all protests regarding property assessment with the board of equalization as provided above.

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**

No. 74-2075A

Notice is hereby given that Helen G. &/or James E. Smith have applied to the Department of Water Resources to Change Point of Diversion & Place of Use of the waters of Kirtley Creek tributary to the Lemhi River. The right sought to be changed is evidenced by a DECREE, and recorded as follows:

Decree No. 74-2075A Decreed to Raymond Young in case of Lemhi River Adjudication - Lemhi County #4948 dated December 30, 1982 in District Court county of Lemhi.

AMOUNT: 39 cfs

PRIORITY: January 18, 1910

POINT OF DIVERSION: LOT 2, SEC 1, T 21N, R 22E, BM

The water is used from March 15 to November 15 to irrigate 20 acres within the S1/2 SE, SEC 12, T 21N, R 22E, B.M.

TO BE CHANGED

AS FOLLOWS

The water will be diverted from the NENW (LOT 3), SEC 1, T 21N, R 22E, and used to irrigate 19.5 acres within the S1/2 SE, SEC 11, T 21N, R 22E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before APRIL 8, 1991.

R. Keith Higginson

Director

Published in the RECORDER-HERALD on MARCH 21 and 28, 1991

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**
No. 74-000341

Notice is hereby given that F. James Whittaker has applied to the Department of Water Resources to Add a Point of Diversion of the waters of Big Eightmile Creek tributary to the Lemhi River. The right sought to be changed is evidenced by a Decree and recorded as follows:

Decree No. 74-00341 Decreed to Floyd James Whittaker in case of State of Idaho vs. Mary Adams, et al, dated December 30, 1982 in District Court.

AMOUNT: 6.98

PRIORITY: 12-30-1982

POINT OF DIVERSION: SWSE, SEC 28, T 16N, R 25E, LEMHI COUNTY.

The water is used from March 15 to November 15 to irrigate 314 acres within the W1/2NW1/2, SEC 26, S1/2NE1/4, SE, SEC 27, T 16N, R 25E, B.M.

TO BE CHANGED
AS FOLLOWS

The water will be diverted from the SWSE, SEC 28, T 16N; SENE, SEC 5, T 15N, R 25E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before APRIL 8, 1991.

R. Keith Higginson

Director

Published in the RECORDER-HERALD on MARCH 21 & 28, 1991.

3-21-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

APR 03 1991

Department of Water Resources
Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Change of Water Right 74-2075A 74-000341

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for two (2) consecutive issues, commencing with the issue dated March 21, 1991 and ending with the issue dated March 28, 1991.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this 28th day of March in the year of 1991, before me, A Notary Public, personally appeared RICKY G. HODGES known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Rachel E. Snoch

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 10/15/91
Publication Fee \$ 98.28



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PAULA J WHITTAKER
F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464-0240

RE: Transfer No.: 68550 - Water Right 74-341 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camela S. Shaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

MICROFILMED

JUN 20 2001

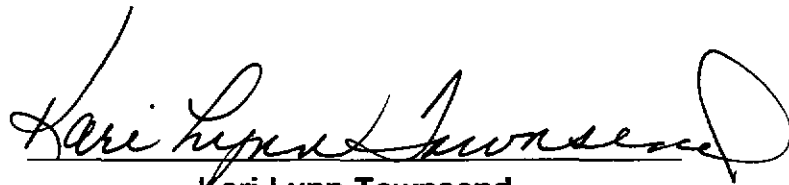
JP:klt
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on May 24, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68550 - WATER RIGHT 74-341

**PAULA J WHITTAKER
F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464-0240**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 20 2001**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICHARD MOLL
WATERMASTER
PO BOX 153
LEADORE ID 83464-0153

RE: Water Right 74-341 - Transfer 68550

Dear Richard:

Enclosed is a copy of the recently issued Transfer for the above referenced water right in the name of Paula J. Whittaker and F. James Whittaker.

If you have any questions, please call me at 208-327-7940.

Sincerely,

Camela S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure

MICROFILMED
JUN 20 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

JUN 20 2001

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 68550
5847

DATE REVIEWED 5-22-01

SPLIT ___ POD ___ ADD POD ☒ POU ___ PERIOD ___ or NATURE ___ of USE

ALL OF RIGHT(S) W=Water Right ☒ SRBA Claim R=SRBA Recommendation

<u>C/ 74-341</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season 3-15 to 11-15

Standard Volume 3.5/2.5

(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☒ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) 74-2 Water District (12) NO Pertinent Conditions (13) NO Expansion
w/ Comment Rev'd. 12-12-00

(5) Standard Vol = $314.7 \times 3.5 = 1101.5 \text{ ac-ft}$
(7) Add 2nd P/D in SENE, SE, SE, 2SE.

Conditions/Remarks 020, R04, Modified R43, R59, W57, T07, T08, T09
R+74-341 authorized for the irrigation of 314.7 acres each yr.

WRs for Update Comments 74-341

Database Updated to Reflect Final Action 5-22-01 CR

RECEIVED

MAR 6 1 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

11-8-00
T5867
ID# 68550

INITIAL REVIEW BY: PRN

1. Right number 74-00341 Applicant Whittaker

2. Type of right: ☒ Decree ☐ License ☐ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s)
☐ Change place of use ☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☒ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments _____

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 74-2

Sand Copy to Water Master
+ Fish & Game - Salmon

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By PRN Date 2/20/01



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

02/09/2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES OR PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

Application for Transfer No. 5867 or 68550 - Withdrawal of Protest

Dear Applicant(s):

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawal has been received from Dave and Joyce Anderson.

There are no remaining protests against this application, so normal processing will continue in this office. The application will then be forwarded to our State Office in Boise for final processing.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ: sc

MICROFILMED
JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

February 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVE AND JOYCE ANDERSON
16615 N 28TH PLACE
PHOENIX, AZ 85032-2603

Application for Transfer No. 5867 or 68550 - Withdrawal of Protest

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

There are no remaining protests against this application, so normal processing will continue in this office. The application will then be forwarded to our State Office in Boise for final processing.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED
JUN 20 2001

RECEIVED

FEB 07 2001

Department of Water Resources
Eastern Region

Phoenix, Az.

Feb 2, 2001

Department of Water Resources
900 Skyline Drive
Hatch, N.M. 88402

MICROFILMED

JUN 20 2001

Attention: Harold H. Jones

Dear Mr. Jones,

We are withdrawing our protest to the transfer of diversion point filed for by James or Paula Whittaker no 5867 because he has agreed to the conditions set forth by our lawyer, Ralph McRae.

If however, he abuses the privilege of the granting of the second point of diversion, we will certainly be contacting your office in the future. As one of our water rights is kept in line that he is changing, that could be detrimental to our rights.

Also we are not protesting the other granting of a second point of diversion no 68803 at this time, but if he abuses this privilege

then we will certainly be in contact
with you about it also. Decree # 74-00354
This decree also follows one of ours.
We would like you to keep the protest
on file for future reference.

Sincerely,

Dale R. Anderson

Joyce Anderson

16615 N. 28th Place

Phoenix, Az. 85032-2603

MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 10, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES WHITTAKER
BOX 240
LEADORE ID 83464

RE: Withdrawal of protest on Application for Transfer No. 5867

Dear Sir:

This Department has received a withdrawal of protest from Ralph McRea.

Our office will continue to hold your application.

If you have any questions, please call our office.

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W Jones
Water Rights Supervisor

HWJ/sc

MICROFILMED
JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 10, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RALPH MCREA
BOX 21
LEADORE ID 83464

RE: Withdrawal of protest on Application for Transfer No.: 5867

Dear Protestant:

This Department has received your withdrawal of protest against the application for James Whittaker. We will continue to hold this application due to other protests.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Harold W. Jones
Water Rights Supervisor

HWJ/sc

MICROFILMED

JUN 20 2001

January 4, 2001
Leadore, Idaho 83464

RECEIVED

JAN 08 2001

Department of Water Resources
Eastern Region

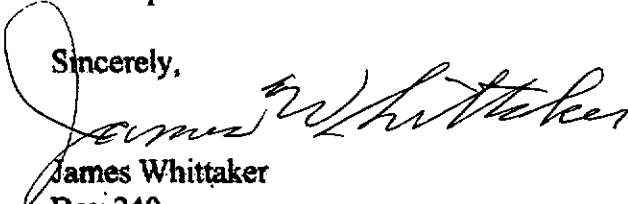
State of Idaho
Department of Water Resources
Eastern District Office
900 Skyline Dr.
Idaho Falls, Idaho 83402-1718

Attn: Harold Jones

Dear Mr. Jones:

Regarding Water Right Transfer No. T 5867, I agree to move the weir to the headgate when I put the new weir in.

Sincerely,



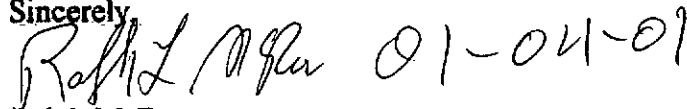
James Whittaker
Box 240
Leadore, Idaho 83464

Dear Mr. Jones:

We wish to withdraw our protest to Water Right Transfer No. T 5867 of James and Paula Whittaker.

Thank you.

Sincerely,



Ralph McRea

Box 21
Leadore, Idaho 83464

MICROFILMED

JUN 20 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 2000

James Whittaker
P.O. Box 240
Leadore, Idaho 83464

Mr. Whittaker:

I have met with Ralph McRea over his protest of transfer #5867. Mr. McRea is concerned about the new point of diversion.

With the potential for an additional 6.98-cfs in this ditch there is a concern about ditch losses. This specifically focuses on the distance between the diversion structure on Big Eight-Mile Creek and the measuring devise down the ditch.

The protestant would request an on-site visit to determine if there is a weir site closer to the diversion structure that would alleviate potential losses. Perhaps measurement at the headgate and weir site to determine losses would be advisable.

Another option mentioned by Mr. McRea that would satisfy his concerns was to move the weir half the distance back to the diversion structure.

Mr. McRea stated that he could not withdraw the protest filed by his mother-in-law Mrs. Anderson if his needs were satisfied. She will have to do that herself.

If you have additional questions, please contact Mr. McRea.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ/ck

MICROFILMED
JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

December 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES OR PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

RE: Application for Transfer No.: 5867

Dear Applicant:

Enclosed please find copies of the protests filed against the above referenced application for transfer of a water right. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the four items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR State Office

MICROFILMED
JUN 20 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

December 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEER PARK RANCH
BOX 21
LEADORE ID 83464

RE: Application for Transfer No. 5867

Dear Protestant:

This letter acknowledges receipt of the protest filed by you against the above referenced applications for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question. The address is as follows:

JAMES OR PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

MICROFILMED

JUN 20 2001

Page 2

If we may be of further assistance, please contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR - State Office

MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

December 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOYCE ANDERSON
16615 N 28TH PLACE
PHOENIX ARIZONA 85032-2603

RE: Application for Transfer No. 5867

Dear Protestant:

This letter acknowledges receipt of the protest filed by you against the above referenced applications for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question. The address is as follows:

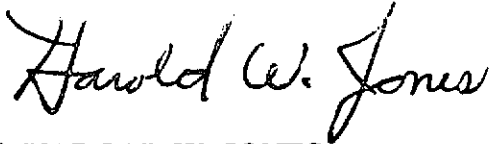
JAMES OR PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

MICROFILMED
JUN 20 2001

Page 2

If we may be of further assistance, please contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR - State Office

MICROFILMED
JUN 20 2001

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 5867

RECEIVED

DEC 12 2000

Department of Water Resources
Eastern Region

WATER DISTRICT:

WATERMASTER:

DATE: 9 DECEMBER 2000

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES ☒ NO ☐

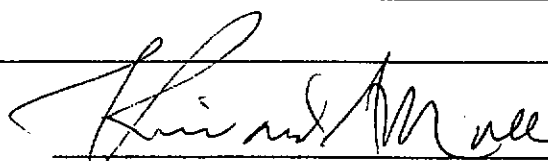
COMMENTS:

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

HAVING TALKED WITH JAMES WHITTAKER ABOUT THIS CHANGE,
I AM SATISFIED WITH HIS PLANS AND INTENTIONS AS
OUTLINED TO ME - AND REFERRED TO IN HIS APPLICATION


Watermaster

MICROFILMED

JUN 20 2001

EO 26373

Phoenix, Arizona
December 4, 2000Department of Water Resources
900 N. Skyline Drive

Sedona Falls, Sedona 83402

To: Whom it May Concern: In Re T 5867

We are protesting the application of James
and Paula Whittaker, P.O. Box 240, LeadonSedona 83464 to add a second point of
diversion for decree number 74-00341source Big Eight Mile Creek, tributary to
the Lunkin River in the amount of 6.98 cubic
feet per second, priority December 6, 1909on the grounds that it would be detrimental
to the agriculture and ecology of the area.Also it would enable the Whittakers to
use the water on land that it is not
deeded for.

MICROFILMED

JUN 20 2001

We are enclosing the \$25.00 fee for this
protest and are sending a copy to
the Whittakers

We have a vested interest in this

matter because we own land in the
area and receive the water for our
irrigation from the same water district.

Sincerely

Joyce Anderson

Dore R. Anderson

P.O. Box 95

Leadon, Idaho 83464-0095

P.S. The can be contacted at the following
address 16615 N 28th Place

Phoenix, Az. 85032-2603

Phone # 602-867-1695

RECEIVED

DEC 11 2000

Department of Water Resources
Eastern Region

MICROFILMED

JUN 20 2001

Receipt # E-26372

RECEIVED

DEC 11 2000

Department of Water Resources
Eastern Region

December 10, 2000

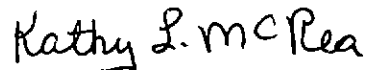
Mr. Dreher,

We are protesting water right transfer No. T5867. It will adversely affect the water rights on the ranch that we are leasing from Dare and Joyce Anderson. The reason for this affect is that Mr. Whittaker's weir on this ditch is to far from the point of diversion on the creek making it hard to measure the decree accurately. We also believe this weir is too small to carry the water that he wants to add to this point of diversion with what is already diverted.

Ralph L. McRea



Kathy L. McRea



Deer Park Ranch

Box 21

Leadore, Idaho 83464

MICROFILMED

JUN 20 2001

E026372

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT TRANSFER
NO. T5867**

Notice is hereby given that James and Paula Whittaker, PO Box 240, Leadore ID 83464, has applied to the Department of Water Resources to add a point of diversion to a surface water source. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No.: 74-00341 Source: Big Eightmile Creek/Lemhi River Amount: 6.98 cfs Priority: 12/06/1909

Point(s) of Diversion: SWSE SEC 28 T16N R25E, LEMHI COUNTY The water is used for irrigation of 341 acres within SEC 26 and 27 T16N R25E.

TO BE CHANGED AS FOLLOWS:

The applicant intends to add a point of diversion in the SENE SEC 5 T15N R25E to assist with a gravity flow sprinkler system.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before December 11, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in the Recorder Herald on November 22 and 30, 2000. 11-23-21c

Affidavit of Publication

DEC 11 2000

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the IDAHO DEPT. OF WATER RESOURCES - NOTICE OF PROPOSED CHANGE, NO. T5867, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for TWO (2) consecutive issue(s), commencing with the issue dated 11-23-2000 and ending with the issue dated 11-30-2000.

STATE OF IDAHO }
County of Lemhi } ss.

On this 4th day of December in this year of 2000 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

My Commission expires: 9-4-2005

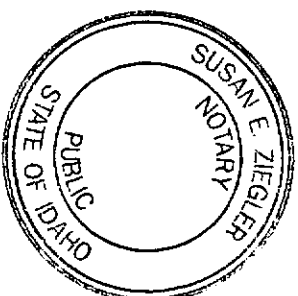
Notary Public for Idaho

Susan E. Ziegler

MICROFILMED

JUN 20 2001

Publication Fee \$58.16



SKS



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

November 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES OR PAULA WHITTAKER
PO BOX 240
LEADORE ID 83464

RE: Applications for Transfer #5867

Dear Applicant:

This office is currently in the process of advertising the application in the Recorder Herald on November 23 and 30, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

JUN 20 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

November 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Id Fish & Game
PO Box 1336
Salmon ID 83467

RE: Application for Transfer #5867

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is December 11, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

November 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD MOLL
WATERMASTER #74-Z
PO BOX 153
LEADORE ID 83464

RE: Application for Transfer #5867

Dear Richard:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by December 11, 2000.

If you have any questions, please feel free to contact us. Thank you for your cooperation in this matter.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 15, 2000

RECORDER HERALD
PO BOX 310
SALMON ID 83467

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

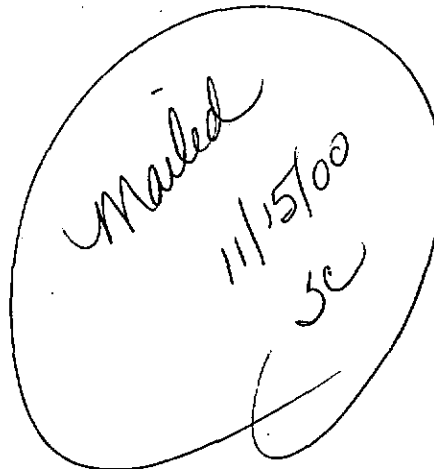
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before December 11, 2000.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.



MICROFILMED

JUN 20 2001

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT TRANSFER NO. T5867

Notice is hereby given that James and Paula Whittaker, PO Box 240, Leadore ID 83464, has applied to the Department of Water Resources to add a point of diversion to a surface water source. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No.: 74-00341 Source: Big Eightmile Creek / Lemhi River
Amount: 6.98 cfs Priority: 12/06/1909
Point(s) of Diversion: SWSE SEC 28 T16N R25E, LEMHI COUNTY
The water is used for irrigation of 341 acres within SEC 26 and 27 T16N R25E.

TO BE CHANGED AS FOLLOWS:

The applicant intends to add a point of diversion in the SENE SEC 5 T15N R25E to assist with a gravity flow sprinkler system.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before December 11, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Recorder Herald on November 23 and 30, 2000.

MICROFILMED
JUN 20 2001

08-Dec-1992

F JAMES WHITTAKER
PO BOX 240
LEADORE ID 83464

RE: Application for transfer of water right No.: 74-00341

Dear Mr. Whittaker:

This letter acknowledges receipt of withdrawal of the above referenced application. The Department has taken the steps necessary to void the application from our files.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,


HAROLD W. JONES
Water Right Supervisor

HWJ/rb

RECEIVED

FEB 05 1993

ALLAN PURCELL
PO BOX 15
LEADORE ID 83464

Dear Mr. Purcell:

If you have any questions, please call our office.

Harold Jones
HAROLD JONES *rb*
Water Right Supervisor
HJ/rb
enc

MICROFILMED

FEB 05 1993

RECEIVED

DEC 08 1992

Department of Water Resources
Eastern District Office

Leadore, Idaho 83464
December 7, 1992

Mr. Harold Jones
State of Idaho
Department of Water Resources
Eastern District Office
150 Shoup Suite 15
Idaho Falls, Idaho 83402

Dear Harold:

This is to inform you that I withdraw my application
for transfer of water right Identification No. 7400341.

Sincerely,

F. James Whittaker
F. James Whittaker
P.O. Box 240
Leadore, Idaho 83464

RECEIVED

FEB 05 1993

Leadon, Idaho
April 1, 1991

RECEIVED

APR 02 1991

Department of Water Resources
Eastern District Office

R. Keith Higginson
Idaho Department of State Resources
150 Shoy's Avenue
Idaho Falls, Idaho 83402

Dear Sir;

I am protesting the addition of a point of diversion of the waters of Big Eight mile Creek that F. James Shittaker has applied for on Decree number 74-00341 on the grounds that to do so will be a detriment to other rights decreed in this watershed.

Sincerely yours,

Dave R. Anderson
P.O. Box 95
Leadon, Idaho
83464-0095
(208) 768-2475

RECEIVED

FEB 05 1993

Leadore, Idaho
March 25, 1991

RECEIVED

MAR 25 1991

Department of Water Resources
Eastern District Office

Department of Water Resources
150 Shoup Ave.,
Idaho Falls, Idaho 83402
R. Keith Higginson Director

Dear Mr Higginson,

As published in the Recorder Herald of Lemhi County
by your Office for Mr. James Whittaker of Leadore, Idaho
I wish to protest This Change of use of Water Decree
No 74-00341 until I better understand what is being
done.

I have been informed that this may affect the ability
of the watermaster to deliver the water right I have
in Big Eightmile to me.

Very Truly Yours
Allan Small

RECEIVED
FEB 05 1991

50 Fred

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3821

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant F. James Whittaker Phone 768-2492
Post Office address 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 Water availability dictates which point of diversion is best to use. Therefore, I wish to add a pd to allow greater versatility.

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 |
|--|-----------|-----------------------|---|---------------|
| 74-00341 | 12-6-1909 | 6.98 | Irrigation | 3-15 to 11-15 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred | | 6.98 | cubic feet per second and/or _____ acre-feet per annum. | |
| 3. Source of water | | Big Eightmile Creek | tributary to Lemhi River | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 314

PART 1**6. General Information:**a. Description of diversion system 2 headgates & ditches to pipeline and ditch delivery system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N.A. Yes _____ 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:

This will allow more efficient use of the water on the same ground.No change in P.O.U.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

WITHDRAWN 12-7-1992

Witness my hand this _____ day of _____, 19 _____

MICROFILMED
INTDFEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-00341 Decreed to Floyd James Whittaker
in case of State of Idaho vs. Mary Adams et al
dated Dec. 30, 1982 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Big Eightmile Creek tributary to Lemhi River

4. Date or priority _____

5. Water is used for the following purpose:

amount 6.98 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.98 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	28	16N	25E	Lemhi	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	25E	26						40	38										78
		27			36	40									40	40	40	40	236

Total acres 314

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

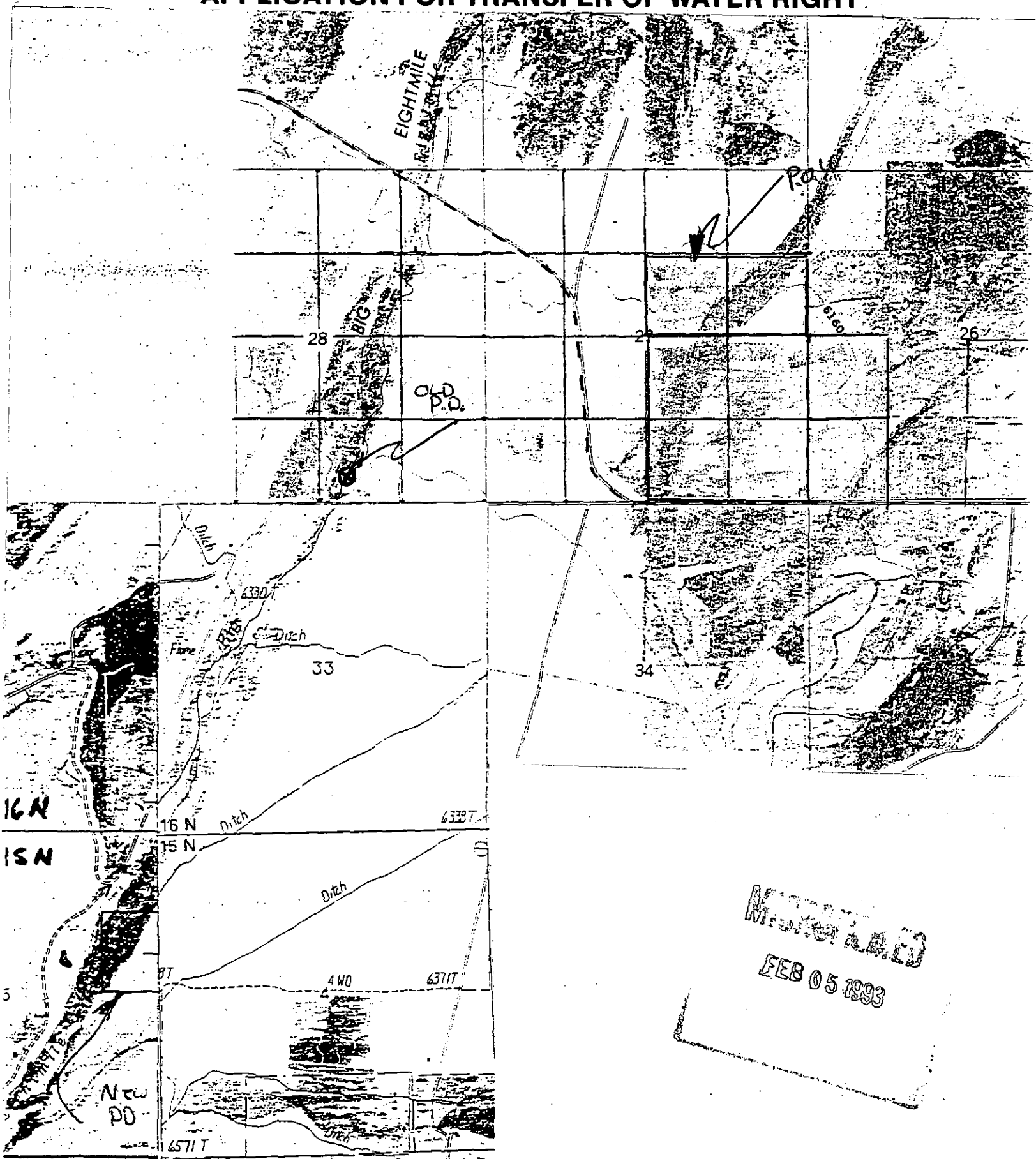
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-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.

Subscribed and sworn to before me this _____

Floyd James White
(Signature of Applicant)
15th day of Feb, 1991

Clark E. Ellis
(Notary Public)

My commission expires _____

5-1-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by OWDate 2-19-91

Protest filed by _____

Prelim. check by _____

Fee \$50.00 #E015699Received by AWDate 2-19-91Published in Recorder-Herald

Copies of protest forwarded by _____

Pub. dates March 21 & 28, 1991

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd.

by _____

Copy of transfer sent to lien holder _____

MICROFILMED

FEB 05 1993

IN THE MATTER OF PROTEST AGAINST THE)
TRANSFER OF WATER RIGHTS 74-00341 &)
74-00340B FILED IN THE NAME OF JAMES)
WHITTAKER)

STIPULATION
and
WITHDRAWAL OF PROTEST

The protestants are concerned about the effects of moving these two water rights between the upper (SW4SE4 Sec 28 TWP 16N RGE 24E) and the lower point of diversion (SE4NE4 Sec 5 TWP 15N RGE 25E). Because of the way water rights on Big Eightmile Creek are filled protestants Dare Anderson and David Udy agree to withdraw their protest if the applicant agrees, and the Department imposes as a condition of approval, a requirement that water right 74-0340B can only be diverted at the lower point of diversion until May 15 of each year.

Signed at Salmon Idaho this 12th day of June 1991.

Protestants

Dare R Anderson
Dare Anderson

David Udy
David Udy

Applicant

James Whittaker
James Whittaker

FILED

JUN 05 1993

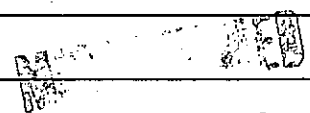
Conference

T 74-0340B & T 74-0341 - Whittaker

Wednesday, June 12, 1991 - 1:00 p.m.
Commissioner's Room, Lemhi County Courthouse
Salmon, ID

Hearing Officer: Bob Fleenor & Ron Carlson

Name	Representing	Address
David Gady		Leadore, Idaho
Lethy M. Russell	Box 15	Leadore, Idaho
Allan Russell	Box 15	Leadore, Idaho
Dave R. Anderson	Box 95	Leadore, Idaho
Joyce Anderson	P.O. Box 95	Leadore, Idaho 83464
Kenneth J. Peterson	Box 58	Leadore, Idaho 83464
James G. Whittaker	Box 240	Leadore, Id 83464



FEB 05 1993

● **SENDER:** Complete items 1 and 2 when additional services are desired and complete items 3 and 4.

Put your address in the RETURN TO space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Alan Purcell
to Box 15
Madore, Id 83464
FEB 05 1993

4. Article Number

0711

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☒ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature, Addressee

X *Alan Purcell*

6. Signature - Agent

X *Danley Way* PMLR

7. Date of Delivery

5-30-91

8. Addressee's Address (ONLY if requested and fee paid)

74-0341

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

MAY 31 1991

Department of Water Resources
Eastern District Office



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE. #15

IDAHO FALLS, IDAHO 83402

FEB 05 1993



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the RETURN TO space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

James/Paula Whittaker
Box 240
Deadore, Ill. 82464

4. Article Number

0709

Type of Service:

- ☒ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee.

X Paula Whittaker

6. Signature - Agent

X

7. Date of Delivery

6-1-91

8. Addressee's Address (ONLY if requested and fee paid)

74-0341

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO

RECEIVED

Print Sender's name, address, and ZIP Code in the space below.

JUN 3 1991

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE. #15

Department of Water Resources
Eastern District Office

IDAHO FALLS, IDAHO 83402

NAME AND ADDRESS OF SENDER
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

Indicate type of mail
☐ Registered
☐ Insured
☒ COD
☐ Certified
☐ Express Mail

Check appropriate block for
☐ Registered Mail
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as
 certificate of mailing or for
 additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (if Regs.)	Insured Value	Due Sender if C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	0 104	Phonetic (Merrill) 306 Broadway St.											75-7494
2	0 105	Martin Whitaker 306 Broadway St.											75-7494
3	0 106	Mustache 308 5th St. 97423											74-7236
4	0 107	Mustache 308 5th St. 97423											"
5	0 108	Mustache 308 5th St. 97423											74-7236
6	0 109	Mustache 308 5th St. 97423											74-00341
7	0 110	Mustache 308 5th St. 97423											74-03408
8	0 111	Mustache 308 5th St. 97423											74-00341
9	0 112	Mustache 308 5th St. 97423											74-03408
10													
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.								



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 28, 1991

ATTN: DeAnn
Lemhi County Courthouse
Magistrate Court
206 Courthouse Drive
Salmon, ID 83467

Dear DeAnn:

This is to confirm the use of the Commissioner's Room for water right hearing/conferences to be held by this Department beginning at 1:00 p.m. on Tuesday, June 11 and all day on Wednesday, June 12 1991, beginning at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Assistant

RECEIVED
MAY 29 1991

FEB 05 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
TRANSFERS NOS. 74-0340B AND 74-00341)
F. JAMES OR PAULA WHITTAKER) NOTICE OF CONFERENCE
_____)

On April 2, 1990, and on February 19, 1991, F. James and Paula Whittaker, Leadore, Idaho filed the above referenced applications to transfer the public waters of the State of Idaho. On March 25, 1991 the Department received received protests against approval of Transfer No. 74-0340B from Dare K. Anderson and David V. Udy. On March 5, 1991, a protest was received against Transfer No. 74-00341 from Allan Purcell and on April 2, 1991 from Dare K. Anderson.

The Department has set the matter of protests for conference for 1:00 p.m., Wednesday, June 12, 1991, in the Commissioners Room, Lemhi County Courthouse, Salmon, Idaho. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67 of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Date this 28th day of May, 1991.



RONALD D. CARLSON
Eastern Regional Manager

RECEIVED
FEB 05 1993

April 22, 1991

RE: Application for Transfer No. 74-00341 & 74-00340B

F. James or Paula Whittaker
Box 240
Leadore, ID 83464

Dear Applicants:

Enclosed please find a copy of a protest filed against the above referenced applications. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the three items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office

REC 05 1993

April 11, 1991

RE: App. for Transfer No. 74-00341 F. JAMES WHITTAKER

Allan Purcell
P.O. Box 15
Leadore, ID 83464

Dear Mr. Purcell:

This letter acknowledges receipt of the protest filed against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfers?
2. Does the change constitute an enlargement in the use of the original rights?
3. Will the proposed use under these transfers conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing. We appreciate your support in this matter.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office

RECEIVED

FEB 05 1993

April 11, 1991

RE: App. for Transfer No. 74-00341 F. JAMES WHITTAKER

Allan Purcell
P.O. Box 15
Leadore, ID 83464

Dear Mr. Purcell:

This letter acknowledges receipt of the protest filed against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfers?
2. Does the change constitute an enlargement in the use of the original rights?
3. Will the proposed use under these transfers conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing. We appreciate your support in this matter.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office

RECEIVED
FEB 05 1993

April 11, 1991

RE: App. for Transfer No. 74-0340B F. JAMES OR PAULA WHITTAKER
74-00341 F. JAMES WHITTAKER

Dare R. Anderson
P.O. Box 95
Leadore, ID 83464-0095

Dear Mr. Anderson:

This letter acknowledges receipt of the protest filed against the above referenced applications for transfers. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfers?
2. Does the change constitute an enlargement in the use of the original rights?
3. Will the proposed use under these transfers conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing. We appreciate your support in this matter.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office

RECEIVED

FEB 05 1993

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. 74-00341

RECEIVED

APR 02 1991

Department of Water Resources
Eastern District Office

WATER DISTRICT

742

WATERMASTER

RICHARD A. MOLL

DATE:

1 APRIL 1991

COMMENTS:

I SEE NO PROBLEM WITH

THIS CHANGE FROM A WATERMASTER
STANDPOINT.

☒

I do endorse approval of this change.

☐

I do not endorse approval of this change.

I recommend the following conditions of approval:

AS STATED

Richard A. Moll
Watermaster

RECEIVED

FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

2-25-91
2-27-91 -HWS

INITIAL REVIEW BY: Denise M. Dunn

1. Right number 74-00341 Applicant E. James Whittaker
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☐ Check for expansion in use of right. Comments _____
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 74-04014
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 74-2 Send copy to WMA

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 8-19-91 Received on 4-2-91
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

40P 4-8-91
RECEIVED
DEC 17 1992

Department of Water Resources

4. By [Signature] Date FEB 05 1993

19-Mar-1991

RICHARD MOLL
WATER DIST 74-Z
PO BOX 153
LEADORE ID 83464

RE: Application No. 74-00341

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is April 8, 1991, and we are required to take action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold Jones
Water Rights Supervisor

HJ/rb
Enclosure

MICROFILMED

FEB 05 1993

19-Mar-1991

F. JAMES WHITTAKER
BOX 240
LEADORE ID 83464

RE: Application No. 74-00341

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the RECORDER-HERALD on March 21 & 28, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb


FEB 05 1993

13-Mar-1991

RECORDER HERALD
PO BOX 310
SALMON ID 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before April 8, 1991.

Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

RECEIVED

05 1991

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 74-~~7~~00341

Notice is hereby given that F. James Whittaker has applied to the Department of Water Resources to Add a Point of Diversion of the waters of Big Eightmile Creek tributary to the Lemhi River. The right sought to be changed is evidenced by a Decree and recorded as follows:

Decree No. 74-00341 Decreed to Floyd James Whittaker in case of State of Idaho vs. Mary Adams, et al, dated December 30, 1982 in District Court.

AMOUNT: 6.98 PRIORITY: 12-30-1982

POINT OF DIVERSION: SWSE, SEC 28, T 16N, R 25E, LEMHI
COUNTY.

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 314 acres within the W1/2NW1/⁴/₂, SEC 26; S1/2NE1/4, SE, SEC 27, T 16N, R 25E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the SWSE, SEC 28, T 16N;
SENE, SEC 5, T 15N, R 25E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before APRIL 8, 1991.

R. Keith Higginson
Director

Published in the RECORDER-HERALD on MARCH 21 & 28, 1991.

FEB 05 1993