

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71136

This is to certify that: F JAMES WHITTAKER And/Or
PAULA J 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. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

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>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-1105	AJC/Decreed	03/25/1918	4.00 cfs	N/A	N/A	197.0	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>
74-1105	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>
74-1105	74-1105	4.00 cfs	N/A	N/A	197.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.00 cfs	N/A	N/A	197.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of August, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-1105
As Modified by Transfer No. 71136

In accordance with the approval of Transfer No. 71136, Water Right No. 74-1105 is now described as follows.

Right Holder: PAULA J WHITTAKER And/Or
 F JAMES WHITTAKER
 PO BOX 240
 LEADORE ID 83464

Priority Date: March 25, 1918

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	4.00 CFS	
			4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG EIGHTMILE CREEK NWSE Sec. 5 Twp 15N Rge 25E LEMHI County
 BIG EIGHTMILE CREEK NWSW Sec. 33 Twp 16N 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	28							40.0	37.0									77.0
16N	25E	29				40.0									40.0	40.0			120.0

Total Acres: 197

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74-Z
2. 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.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. The total instantaneous diversion of water from all points of diversion shall not exceed 4.0 cfs under right 74-1105
5. The point of diversion located at NWSE, Sec 5, T15N, R25E is located within H.E.S. Lot 146.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 74-1105
As Modified by Transfer No. 71136

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 19th day of August, 2004



Chief, Water Allocation Bureau