

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5652

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant James or Paula Whittaker Phone (208) 768-2491
Post Office address P.O. Box 240 Bradore, 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 I need to fill in the Warm Springs
Pivot and adjacent acres

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>74-01102</u>	<u>4/01/1947</u>	<u>6.40 cfs</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>74-003780</u>	<u>6/01/1884</u>	<u>1.27 cfs</u>	<u>"</u>	<u>"</u> to <u>4</u>
				to
				to

2. Total amount of water being transferred 7.67 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Big Timber Creek tributary to Lemhi River4. Point(s) of Diversion: Warm Springs Creek Texas Creek

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	15N	26E	Lemhi	Big Timber Creek
		SE	SE	21	"	"	Lemhi	Warm Springs Creek

5. 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	
15N	26E	21															14		14
		22											37	17					54
		27					25	35	19	40	20				13				142
		28	14																14

74-003780: Limited to 98 acres within the 234 acre

Total acres 234

PART 1

6. General Information:

(a) Description of diversion system Flood irrigation & pipe to
pivot pump irrigation

(b) Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ 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:
It would no longer receive flood water from
these rights.

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:

Witness my hand this _____ day of _____, 19 _____

PART 2

TRANS NO. 5652

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-01102

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	6.40 CFS

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

Priority: 04/01/1947

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 20, Township 15N, Range 26E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15N 26E 22	SWSW 10	SESW 40		50
27	SWNE 40	NENW 40	NWNW 23	
	SENW 36	NESW 8	NWSE 37	184
Total number of acres irrigated:				234

CONDITIONS/REMARKS:

1. AC. IRR.=234.6

PART 2

TRANS NO. 5652

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00378B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	1.27 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WARM SPRING CREEK	TEXAS CREEK

Priority: 06/01/1884

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 21, Township 15N, Range 26E
LEMHI County

PLACE OF USE: IRRIGATION

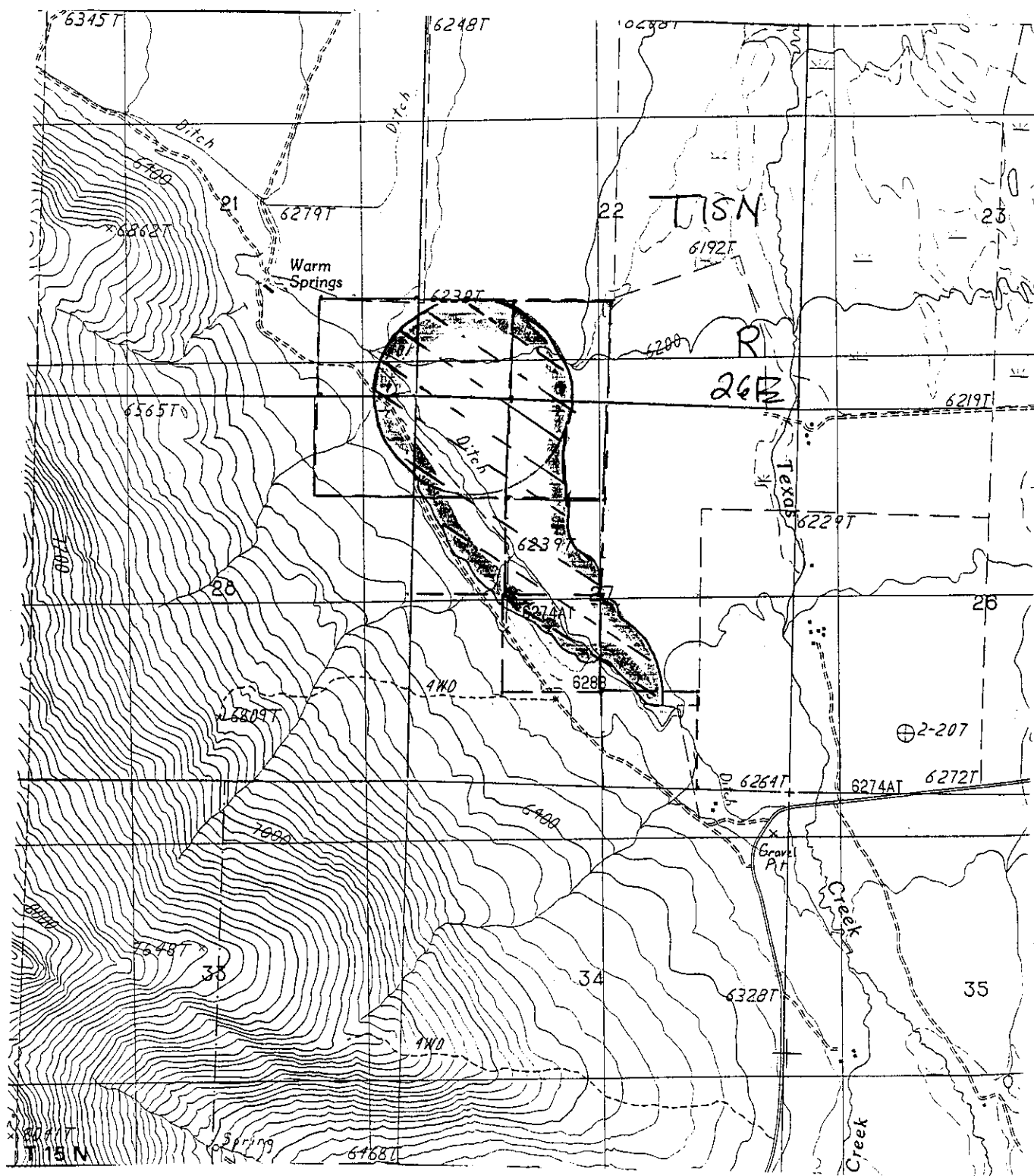
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15N	26E	22	SWSW 10	SESW 40		50
		27	NENW 25	NWNW 23		48
Total number of acres irrigated:						98

CONDITIONS/REMARKS:

1. AC. IRR.= 98.4.

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 rights described in part 1. Clearly depict the land by section, township and range number.



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.

James Whitaker
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of November, 19 99.

DEENA J. SHINER
Notary Public
State of Idaho

MY COMMISSION EXPIRES
October 1, 2005
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Deena J. Shiner
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by HWT Date 11-16-99 Protest filed by _____

Prelim. check by HWT Fee \$100.00

Receipted by HWT #E025475 Date 11-16-99

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates 2-17 & 2-24-00 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____