

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69170

RECEIVED
DEC 19 2001

Department of Water Resources
Eastern Region

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.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
74-39B	AJC/Decreed	06/10/1901	6.00 cfs			195.0	195.0 BIG TIMBER CREEK
74-63	AJC/Decreed	07/18/1911	0.96 cfs			195.0	195.0 BIG TIMBER CREEK
74-72	AJC/Decreed	06/01/1883	0.84 cfs			158.0	158.0 NEZ PERCE CREEK
74-15005	AJC/Decreed	05/14/1920	4.56 cfs			157.7	158.0 NEZ PERCE CREEK

Purpose of Transfer (Changes Proposed)

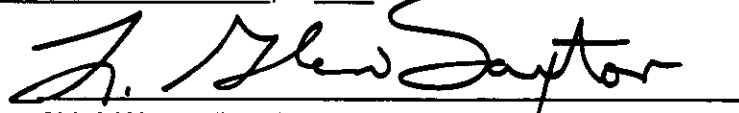
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
74-39B	NO	NO	YES	NO	NO	NO
74-63	NO	NO	YES	NO	NO	NO
74-72	NO	YES	YES	NO	NO	NO
74-15005	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
74-39B	74-39B	6.00 cfs	682.5 af	195.0	353.0		N/A	N/A	N/A	N/A
74-63	74-63	0.96 cfs	468.4 af	195.0	353.0		N/A	N/A	N/A	N/A
74-72	74-72	0.84 cfs	409.9 af	158.0	353.0		N/A	N/A	N/A	N/A
74-15005	74-15005	4.56 cfs	552.0 af	157.7	353.0		N/A	N/A	N/A	N/A
TOTALS		12.36 cfs	1235.5 af	N/A	353.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of December, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 74-39B
As Modified by Transfer No. 69170

In accordance with the approval of Transfer No. 69170, Water Right No. 74-39B is now described as follows.

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

Priority Date: 06/10/1901

Source: BIG TIMBER 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	6.00 CFS	682.5 AF
			6.00 CFS	682.5 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG TIMBER CREEK SWNW Sec. 20 Twp 15N Rge 26E 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		
15N 26E 21	38.0	35.0	35.0	40.0													6.0	154.0
15N 26E 22		.4	3.0		33.0	40.0	40.0	40.0	16.6	26.0								199.0

Total Acres: 353

CONDITIONS OF APPROVAL

1. Rights 74-39B and 74-63 when combined shall not exceed a total diversion rate of 6.96 cfs, a total annual maximum diversion volume of 682.5 af at the field headgate, and the irrigation of 195 acres in the place of use described above in a single irrigation season.
2. Rights 74-39B, 74-63, 74-72 and 74-15005 when combined shall not exceed a total diversion rate of 12.36 cfs, a total annual maximum diversion volume of 1235.5 af at the field headgate, and the irrigation of 353.0 acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 74-W.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 74-39B
As Modified by Transfer No. 69170

CONDITIONS OF APPROVAL

5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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 13th day of December, 2001


Chief, Water Allocation Bureau