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MAY 29 2001

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 68550 5867

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

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

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
74-341	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

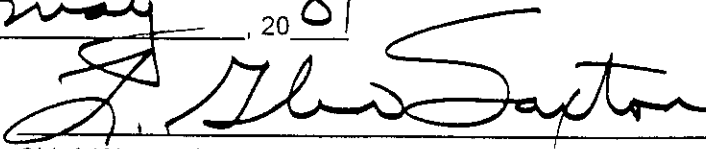
Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
74-341	74-341	6.98 cfs	1101.5 af	314.7	314.0		N/A	N/A	N/A	N/A
TOTALS		6.98 cfs	1101.5 af	314.7	314.0		N/A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

Detailed Water Right Description(s) attached

Dated this

22nd day of

May, 2001


 Chief, Water Allocation Bureau

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

- Right 74-341 authorizes the irrigation of 314.7 acres in a single irrigation season.
- 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.
- 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.
- 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.
- 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.

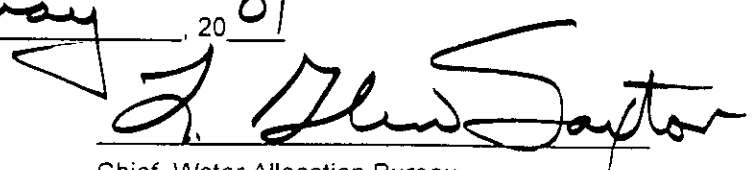
WATER RIGHT NO. 74-341
As Modified by Transfer No. 68550

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 27th day of May, 2001


Chief, Water Allocation Bureau