

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: A24-04011
Date Received: 1/26/1990
Receipt No: M005605
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARIAM M. BAKER
Address: P.O. BOX 188
FREEDOM, WY 83210
208-873-2632

2. Date of Priority: JAN 01, 1938

3. Source: TIN CUP CREEK
LUTHI CREEK
UNNAMED STREAM
Trib. to: SALT RIVER
TIN CUP CREEK
TIN CUP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	45E	1	SE	SW			CARIBOU
		12	NE	NE			CARIBOU
			NW	NE			CARIBOU
			NE	NW			CARIBOU
			NW	NW			CARIBOU

5. Description of diverting works:
5 PUMP STATIONS AND ONE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	1.400		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 172.5 Acre Feet Per Annum.

9. Non-irrigation uses:

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Date: 01/26/90

MICROFILMED

NOV 6 1990

A2404011



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	45E	1	SE	SW		IRR	20.0
			SE	SW		STOCK	
			Section Acres				20.0
		12	NE	NE		IRR	20.0
			NE	NE		STOCK	
			NW	NE		IRR	20.0
			NW	NE		STOCK	
			NE	NW		IRR	9.0
			NE	NW		STOCK	
			Section Acres				49.0
			Total Acres				69.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

2 P/D IN NENE & 2P/D IN NENW, S12, T5S, R45E.
SOURCES ARE LUTHI CK. & UNNAMED STREAM; TRIB. TIN CUP CK.
TIN CUP CK.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Mariam M. Baber Date: 1-26-90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of January 19 90

Seal

Anthony S. Church
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/94

34

35

36

BONNEVILLE CO

CARIBOU CO

LUTHI CREEK
UNNAMED

3

2

HWY

10

11

TIN CUP

12

MICROFILMED

NOV 06 1992

Log for claim 24-04011

Spatial Dynamics BTD

4/4/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s45e	1		69	104	GCDB is Irregular/All acreages included/Indiscernib
Totals:			69	104	

CLAIM TO A WATER RIGHT

(7) If you are claiming water as a member of an organization, list name of organization:

A hand-drawn map on a grid background. The map shows a creek system. 'LUTHER CREEK' is labeled vertically on the left. 'UNNAMED CREEK' is labeled vertically next to it. Both flow into 'TIN OUP CREEK', which flows horizontally to the right. A dashed line runs horizontally below the creek confluence. A solid line runs diagonally from the bottom left towards the confluence. Several dots are marked along the creek lines. The number '6' is at the top right, '7' is at the bottom right, and '12' is at the bottom center.

Received by Paul Date 5-24-78 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Paul Date 4-14-78 _____
\$10.00 fee received by Paul Date 4-14-78 claimant by: _____
Approved for publication by Paul 6-22-78 \$15.00 _____
Published in 12/1/78 (Sunday) News _____
Dates March 24 (week) 19, 1978 _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Mariam M. Baker

(name of claimant)

of P. O. Box 188, Freedom, Wyoming 83120, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

1 location from Iuthi Creek a

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) tributary of Tin Cup Creek,
1 location from un-named tributary of Tin Cup Creek and
4 locations from Tin Cup Creek a , tributary to, Salt River

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount 1.4 cfs Use Irrigation Period of Use: From May 1 To October 31

Amount ⁵⁶⁴² 10 gpm Use Stock Water Period of Use: From Jan 1 To December 31

Amount	Use	Period of Use: From _____ To _____ (both dates inclusive)
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	

- (3) Total quantity of water claimed: 1.4 cubic feet per second, or _____ acre feet per annum, and/or 10 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) May 1, 1948 for irrigation & January 1,

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 1 Twp. 5 so. Rge. 45 E. B. M. County of Caribou

Additional points of diversion: NW¹/NE¹, NE¹/NE¹, NE¹/NW¹, NW¹/NW¹ Sec. 12,

Twp. 5 South, Range 45 E.B.M., County of Caribou

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Pump & pipeline, 6 inch main line, checks, 4 inch laterals; gravity flow from two points, where water is picked up by temporary check gates & pipelines; stock water is piped to barn.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

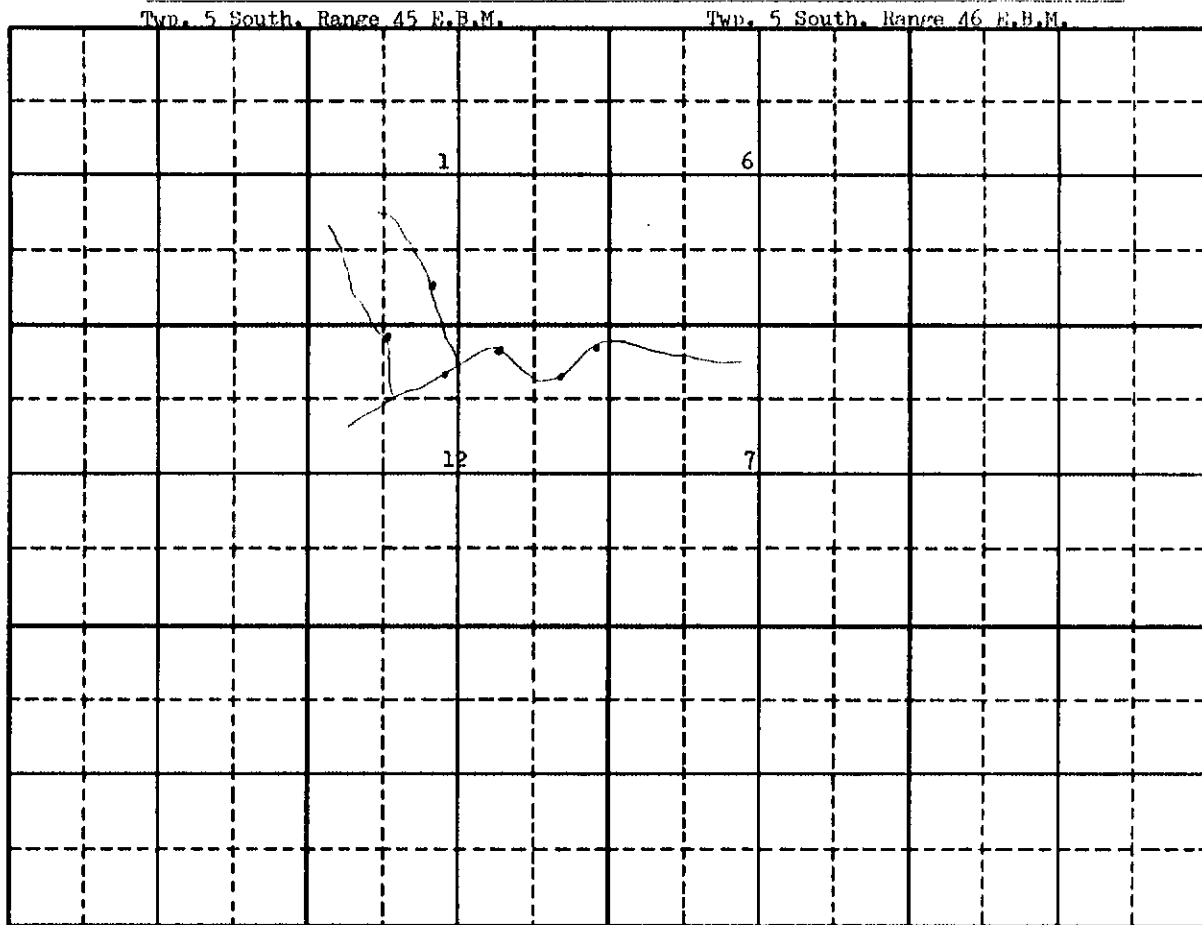
Total No. of acres 69

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:**

Approximately 10 gpm of water is used for stock watering purposes. This has been piped from Tin Cup Creek to barn for many years.

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 15th day of April, 1976.

Mariam M. Beber
(Claimant)

Donald R. Tucker
Notary Public

Residing at Idaho Falls, Idaho

My commission expires June 1, 1976

For Department Use Only

Received by <u>CW</u>	Date <u>4-19-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KDC</u>	Date <u>4-19-76</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>4-19-76</u>			
Approved for publication by <u>#1525</u>				
Published in _____				
Dates _____				