

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: A29-07806
Date Received: 5/26/1989
Receipt No: E008182
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. BAKER 208-524-0731
Address: DBA MICHAEL POTATO
BLACKFOOT, ID 83221

2. Date of Priority: DEC 10, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	20	SE	NW			POWER

5. Description of diverting works:
14" CASING; 160' DEEP; 20 HP PUMP TO 5" LINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POTATO STORAGE/FIRE PROTECTION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	20	SE	NW		COMMER	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:
A PERMIT, 29-7806, WAS ISSUED. THE WELL HAS BEEN IN USE SINCE
ABOUT 1967

15. Basis of Claim: PERMIT

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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RECEIVED

MAY 26 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 16 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) JAMES W. BAKER dba Michael Potato Phone (208) 524-0731Mailing Address 255 W. 300 N. BLAUPROOF ID Zip 832212. Date of Priority (Only one (1) per claim) 12-10-853. Source of water supply (a) Ground water

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6 So Range 33 E Section 20,
1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of POWER

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Well casing is 14"; Depth is 160'; 20 hp. pump into closed 5" line to provide water to potato storage and fire protection. Well has been

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A2907806



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from 1-1 to 12-31 amount 0.01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.01 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) water for potato storage and fire protection.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
65	33E	20								C									

Total number of acres irrigated -0-

11. In which county (ies) are lands listed above as place of use located? POWER

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: A Permit, 29-7806, was issued. The well has been in use since about 1967.

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of 256 squares. Each square contains a small crosshair pattern consisting of a vertical line, a horizontal line, and a diagonal line from the top-left to the bottom-right. The lines are thin and black, and the squares are separated by thin black borders. The overall pattern is a repeating grid of these crosshair symbols.

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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X

Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James W. Baker by Dwight E. Baker Date 5-11-89
his attorney at law Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 12th day of MAY 19 89

SEAL

Notary Public Melanie J. Wetzel

Residing at Idaho Falls

My Commission Expires 1/3/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, DWIGHT E. BAKER will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Dwight E. Baker

Address _____

Date _____

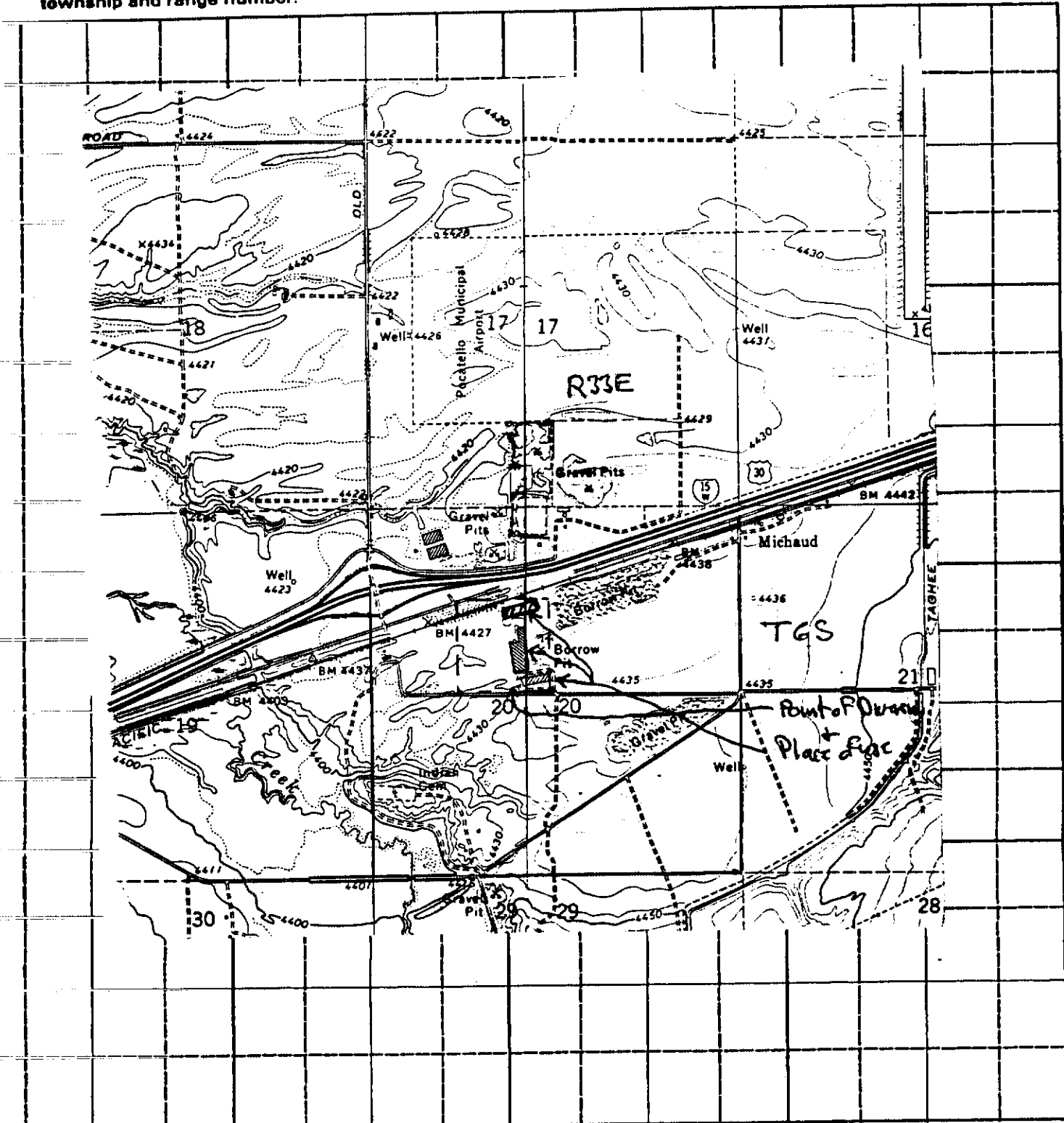
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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

13. Map of proposed project: show clearly the proposed point of diversion, place use, section number, township and range number.



2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Donald E. Baker
(Applicant)

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CLAIMANT'S NAME BAKER CLAIM IDENT. NO. A29-07806
 DATE RECEIVED 5/26/89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|--------------|----------|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | _____ | * |
| 2. Is a priority date entered? | <u>X</u> | _____ | * |
| Is the priority date acceptable in view of mandatory filing dates? | <u>X</u> | _____ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | _____ | * |
| 3. (a) Is a source entered? | <u>X</u> | _____ | * |
| (b) Is a tributary to entered? (if required) | N/A <u>X</u> | _____ | * |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | _____ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | _____ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | _____ | * |
| Is the period of use included? | <u>X</u> | _____ | * |
| Is a quantity claimed for each use? | <u>X</u> | _____ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | _____ | * |
| 8. If required is a consumptive use entered? | N/A _____ | _____ | ? |
| Is the consumptive use correct? | N/A _____ | _____ | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | N/A _____ | <u>X</u> | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | _____ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | _____ | * |
| 12. Is the ownership of p.u. checked? | <u>X</u> | _____ | * |
| 13. Are other water rights listed or "none" indicated? | <u>X</u> | _____ | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A _____ | <u>X</u> | * |
| 15. Is the basis of the claim indicated? | <u>X</u> | _____ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | N/A <u>X</u> | _____ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | _____ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | _____ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | _____ | * |
| 20. Is the fee enclosed correct? | Exempt _____ | <u>X</u> | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | N/A <u>X</u> | <u>X</u> | * |
| 22. Should this claim be data entered? | <u>X</u> | _____ | * |

Claim checked by: TO Date: 7/5/89

Claim must be returned to claimant: _____ (Yes) X (No)

Claimant must be notified of modifications: _____ (Yes) X (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: _____ Date: _____

Comments: _____

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RECEIVED

MAY 26 1989

Formerly
McGRATH & BAKER, CHD
Department of Water Resources
Stephen J. McGrath, P. Eastern District Office
Dwight E. Baker, P. C.
Stevan H. Thompson

BOISE OFFICE

1607 West Jefferson
P. O. Box 739
Boise, Idaho 83702

Telephone (208) 336-6900

Facsimile (208) 336-7031

Law Offices of
IMHOFF & LYNCH

414 Shoup Avenue
Post Office Box 50731
Idaho Falls, Idaho 83405

Telephone (208) 524-0731

Facsimile (208) 529-4166

BOISE OFFICE

Joseph M. Imhoff, Jr., P. A.
James B. Lynch
Michael W. Moore
Alan R. Gardner
Richard A. Cummings
David R. Lombardi
Patrick D. Furey
Scott W. Marotz
Charles R. Clark
Thomas P. Baskin, III
Brad M. Purdy
Paige A. Parker
Kay C. Manweiler
Kirtlan G. Naylor

Office Administrator
Terri L. Bankhead

May 24, 1989

Tony Olenichak
Water Right Agent
State of Idaho, Department
of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

Re: Water Right Claim

Dear Mr. Olenichak:

You will find enclosed Check No. 1030, drawn on the account of Michaud Potato Storage, made payable to the Department of Water Resources for a Notice of Claim to a Water Right for certain Power County property.

We have completed the date of priority pursuant to your instructions. If there is any additional information required, please let me know.

Very truly yours,

Dwight E. Baker
Dwight E. Baker

DEB/mjw

Enclosure

cc: James W. Baker

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State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: May 17, 1989

Dwight E. Baker
255 W. 300 N.
Blackfoot, ID 83221

RE: Water Right Claim Returned

Dear Mr. Baker:

The Idaho Department of Water Resources (IDWR) is returning your check #1371 (\$182.00) and Notices of Claim to a Water Right because of incorrect information and/or fees. An approved permit has been required for irrigation and potato storage (commercial) wells since March 25, 1963.

If a "permit to appropriate water" was never granted for the the two Bingham County wells, you must submit an application for permit instead of the claim form for each of the two wells. I have enclosed two permit applications and a set of instructions for you to complete.

Also, the priority date (Item #2) must be entered on the claim form for the Power County potato storage well, described in Permit #29-07806. The priority date listed on the application (date submitted) is 12/10/1985.

The claim fee for the Domestic/Stock well is \$25.00. The claim fee for the Power County potato storage well is \$51.00. The permit application fees for the Bingham County irrigation/stockwater and commercial wells are \$30.00 each.

The Bingham County Notices of Claim to a Water Right must be returned to the IDWR within 30 days of the date of this letter. Failure to return the claims within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

The deadline for submitting Power County claims is 4/5/1990. There is no filing deadline for the permit applications. However, it is to your advantage to return them as soon as possible since the priority date for the permits will be the date the applications are received by the IDWR.

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If you have any questions, or need assistance completing the forms, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

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