

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: **A72-00201B**
Date Received: 1/22/1990
Receipt No: S011033
Received By: _____

COPY

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WAYNE BAKER 208-838-2440
Address: HC 68 BOX 304
CLAYTON ID 83227

AND

Name: MELODIE L BAKER 208-838-2440
Address: HC 68 BOX 304
CLAYTON ID 83227

COPY

2. Date of Priority: MAY 1, 1888

3. Source: SALMON RIVER, EAST FORK Trib. to: SALMON RIVER
PINE CREEK SALMON RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	18E	5	SW	NW			CUSTER
			NW	SW			CUSTER
10N	18E	31	SW	SW	4		CUSTER

5. Description of diverting works:
DAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.050		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	18E	6	NE	NE		IRR	5.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00202B

14. Remarks:

P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS QUAD.

CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS OF DECREE 72-00201 & 72-00202, SEPERATE PRIORITIES. ACTUAL PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.

12-1-98: OWNERSHIP CHANGE PER NOTICE REC'D 11-23-98 KUCKOFF TO BAKER - VH

7-29-99: CLAIM AMENDED TO CORRECT LEGAL DESCRIPTION OF POU FROM SW NE SEC 6 TO NE NE SEC 6 PER BLM OBJECTION - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.

Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.

vs Decree 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 _____ 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
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CIVIL CASE NUMBER: 39576

Ident. Number: **A72-00201B**
Date Received: 1/22/1990
Receipt No: S011033
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: WAYNE BAKER 208-838-2440
Address: HC 68 BOX 304
CLAYTON ID 83227
AND
Name: MELODIE L BAKER 208-838-2440
Address: HC 68 BOX 304
CLAYTON ID 83227
2. Date of Priority: MAY 1, 1888
3. Source: SALMON RIVER, EAST FORK Trib. to: SALMON RIVER
PINE CREEK SALMON RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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			NW	SW			CUSTER
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DAM, DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.050		
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 12.5 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	18E	6	SW	NE		IRR	5.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00202B

14. Remarks:

P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS QUAD.

CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS OF DECREE 72-00201 & 72-00202, SEPERATE PRIORITIES. ACTUAL PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.

12-1-98: OWNERSHIP CHANGE PER NOTICE REC'D 11-23-98 KUCKOFF TO BAKER - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.

Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.

vs Decree Defendant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
NOV 23 1998
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: A72-00201 B A72-00202 B

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: F. Albert & Sherine Kuckhaff
Box 4207 Incline Village, NV 89450

4. New Owner/Claimant(s): Wayne & Melodie L. Baker
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address: HC 68 Box 304
City, State and ZIP Code: Clayton, ID 83227-9601
New Telephone Number: (208) 838-2440

5. Date you acquired the property: 10/30/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres you irrigate 5 acres Number and type of stock 450 Hol cows
 Diversion rate in CFS _____ Number of homes 0 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s):
Wayne Baker
Melodie L. Baker
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Wayne and Melodie L. Baker
HC 68 Box 304
Clayton, Idaho 83227

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A72-00201B and A72-00202B

Dear Mr. and Mrs. Baker:

Enclosed please find copies of the updated claims referenced above, which now show that you are the current owners of lot 10, Pine Creek Subdivision.

As I mentioned on the phone, you just missed getting your update in before our Preliminary Director's report was processed. I have included a copy of the Adjudication "A" record for each claim - this shows each element of the water right as originally filed by Kuckoffs. I have also included copies of the "R" record for each claim, which shows how I recommended the claims in the preliminary report just sent to the previous owner. Please look these claims over carefully. For your convenience, I have also enclosed a computerized aerial image of the place of use. If you have any questions, or disagree with any element of your claim, please contact me here, or at the meeting in Challis on December 8th.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
Water Resource Agent

0214739

WARRANTY DEED

For Value Received F. ALBERT KUCKHOFF AND SHERINE KUCKHOFF, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto WAYNE BAKER AND MELODIE L. BAKER, husband and wife, the Grantees, whose current address is HC 68 Box 304, Clayton, Idaho 83227 the following described premises, in Custer County, Idaho, to-wit:

Lot 10, Block 1, Pine Creek Subdivision, as shown by the Official Plat thereof, recorded June 6, 1979, as instrument No. 150184, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 30th day of October, 1997.

F. Albert Kuckhoff
F. ALBERT KUCKHOFF

Sherine Kuckhoff
SHERINE KUCKHOFF

STATE OF: NEVADA)

: ss

County of: WASHOE)

On this 30th day of
Oct., 1997, before

me, a Notary Public, per-

sonally appeared F. Albert Kuckhoff

and Sherine Kuckhoff

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that they executed the same.

Sharon Lee Cluever
Notary Public for ~~Idaho~~ Nevada

Residing at Incline Village, NV
Commission Expires 2-1-2000

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 10 minutes past 3

o'clock P.M., this 1 day of Dec.
1997, in my office, and duly recorded in Book

_____ of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY Wanda J. Murphy
Deputy

Fee: \$ 3⁰⁰
Mail to:



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: A72-00201B

Date Received: 1/02/1990

Receipt No: 5011033

Received By: LW

COPY

JAN 23 1990

Department of Water Resources
Twin Falls Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. A. KUCKHOFF
Address: P.O. BOX 4207
INCLINE VILLAGE, NV 89450
702-831-0462
2. Date of Priority: MAY 01, 1888
3. Source: SALMON RIVER, EAST FORK
PINE CREEK
Trib. to: SALMON RIVER
SALMON RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	18E	5	SW	NW			CUSTER
			NW	SW			CUSTER
10N	18E	31	SW	SW	4		CUSTER
5. Description of diverting works:
DAM, DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.050		
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 12.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	18E	6	SW	NE		IRR	5.0

Section Acres 5.0

A72-00201B

Page 1

Date: 01/10/90

MICROFILMED

MAR 18 1993

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00202B

14. Remarks:
P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS
QUAD.
CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS
OF DECREE 72-00201 & 72-00202, SEPERATE PRIORITIES. ACTUAL
PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM
EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D
ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

GOSSI, ET. AL.
Decree Plaintiff

vs

GIAMPEDRAGLIA, ET. AL.
Decree Defendant

(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.

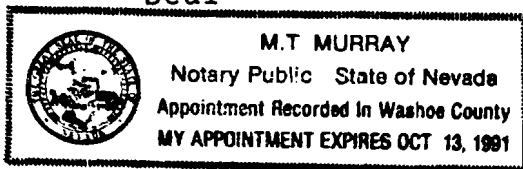
For Individuals:

Signature of Claimant(s): F. Albert Sanchez Date: 1/18/1990
Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of January 19 90 M.T. Mauer
Notary Public

M. T. Murray
Notary Public



Residing at Indine Vlg. Nevada
My Commission Expires October 13, 1991

COUNTY COMMISSIONERS' ACCEPTANCE

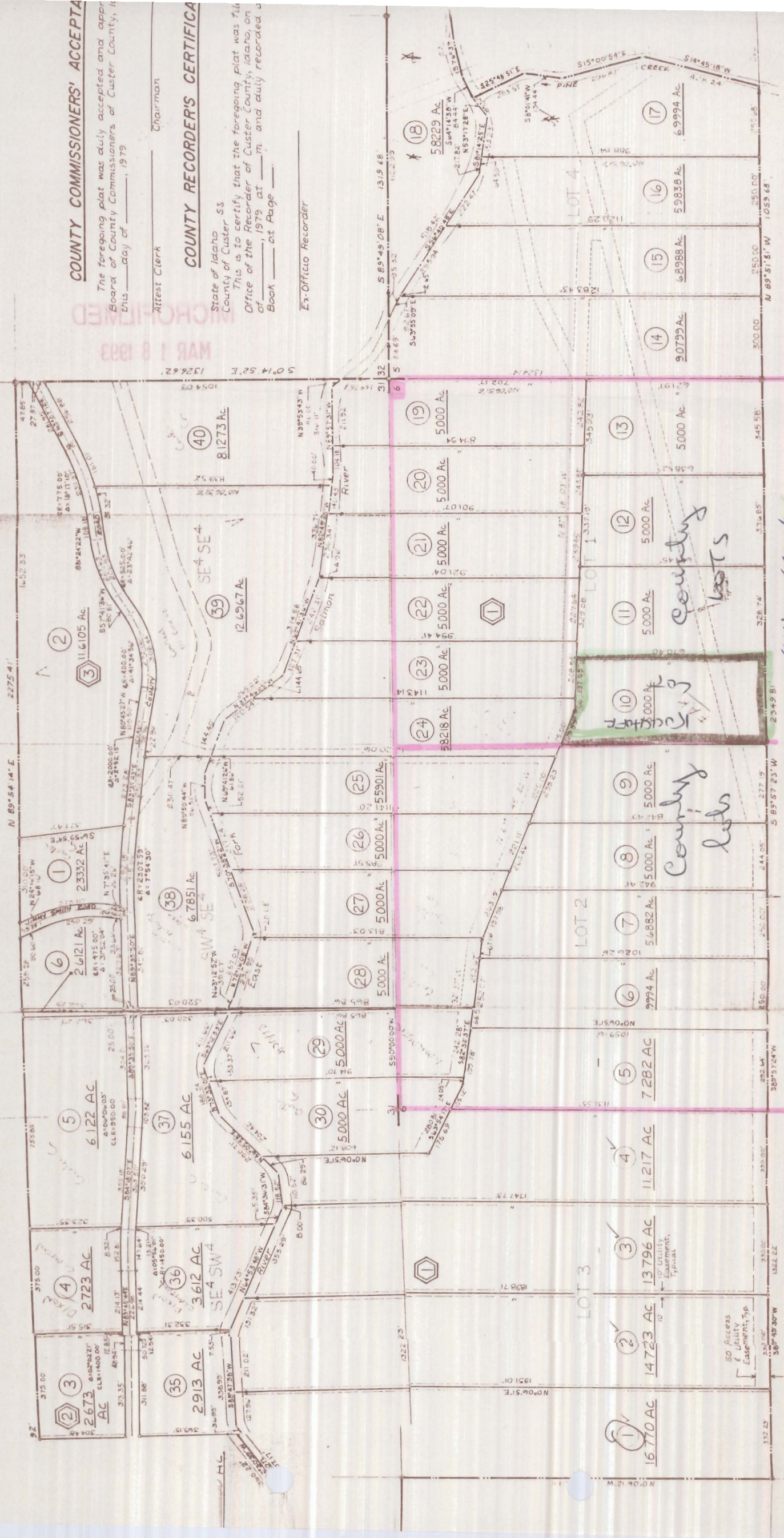
The foregoing plat was duly accepted and approved by the Board of County Commissioners of Custer County, Nebraska, this _____ day of _____, 1979

Attest Clerk _____ Chairman

COUNTY RECORDERS' CERTIFICATE

State of Nebraska
County of Custer SS
This is to certify that the foregoing plat was filed in the Office of the Recorder of Custer County, Nebraska, on _____ of _____, 1979 at _____ m and duly recorded in Book _____ at Page _____

Ex-Officio Recorder _____



SWNE see 6
QN 18E
↑
Incorrect AS Filed NE NE
IT IS SW NE V H 11-20-99

- LEGEND
- Government Corner, Stone Found
 - 5/8" x 3/4" Steel Bar w/ Cap set as Boundary or Section Corner
 - 1/2" x 24" Steel Bar w/ Cap set as Lot Corner
 - Boundary
 - Lot Line
 - Access or
 - (12) Lot Number

Water Right Number - 72-00201

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

*** C - CURRENT OWNER ***
PEDRINI

CATERINA

1 -
2 -
3 -
City-
Phone -
State- Zip-

+ - - - Priority Date - - - + 17 - - - Region - - - + + - - - Stage - - - + - - - Status - - - +
05/01/1888

+ - - - Source - - - + - - - Tributary - - - +
SALMON RIVER, EAST FORK
PINE CREEK
SALMON RIVER
SALMON RIVER, EAST FORK

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
09N	18E	5	SW NW			(37) CUSTER	
09N	18E	5	NW SW			(37) CUSTER	
10N	18E	31	SW SW	4		(37) CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION					4.500	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.500

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
09N	18E	5	NW NW	4		01 IRRIGATION		(37) CUSTER
09N	18E	6	NE NE	1		01 IRRIGATION		(37) CUSTER
09N	18E	6	NW NE	2		01 IRRIGATION		(37) CUSTER
09N	18E	6	NE NW	3		01 IRRIGATION		(37) CUSTER
10N	18E	31	SW SW			01 IRRIGATION		(37) CUSTER
10N	18E	31	SE SW			01 IRRIGATION		(37) CUSTER
10N	18E	31	SW SE			01 IRRIGATION		(37) CUSTER
10N	18E	31	SE SE			01 IRRIGATION		(37) CUSTER

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

MICROFILMED
MAR 1 8 1993

422804MP
(OD-32)

IDaho DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

DATE: 06/22/89
PAGE: 1

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

MAXIMUM
DIVERSION

STAGE

72-00201

CURRENT OWNER:
CATERINA PEDRINI

05/01/1888 IRRIGATION

00-00 00-00

4.50 CFS DECREED

4.50 CFS TOTAL
0.00 AFA TOTAL

SOURCE: SALMON RIVER, EAST FORK
PINE CREEK
OTHER RIGHTS:
CONDITIONS OF APPROVAL:

TRIBUTARY: SALMON RIVER
SALMON RIVER, EAST FORK

REMARKS: P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS
QUAD.

POINT OF DIVERSION:

T09N R18E S05

T10N S31 LOT 4 (SWSW)

PLACE OF USE: IRRIGATION

T09N R18E S05 Lot 4 (NWNW)

S06 Lot 1 (NENE)

S31 SWSW

Lot 2 (NWNE)

SESW

Lot 3 (NENE)

SWSE

SESE

MICROFILMED
MAR 18 1993

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region Office

F. A. Kuckhoff
P.O. Box 4207
Incline Village, NV 89450
(702) 831-1445

January 4, 1990

Department of Water Resources
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301

Attention: Terry Blau
Senior Water Resource Agent

Dear Terry:

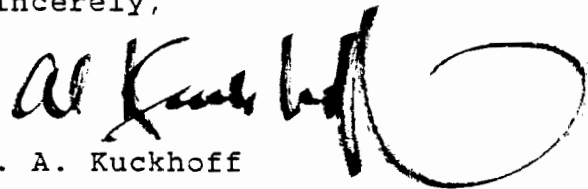
Enclosed please find the "Notice of Claim to a Water Right" for my 2 lots in Custer County.

I have filled it out in so far as I can.

I left blank those items of which I have no knowledge. Perhaps you can help me determine the unknown. Inasmuch as the two virtually identical lots on either side of my lot(s) are County owned I would assume the water rights are also identical. Therefore, if correct, I suggest that my claims be a carbon copy of the County claims. If you will send me a copy of the County applications I will appropriately fill out my applications in full. Alternatively, if my presumption is correct I have no objection to you "carbon copying" these claims on to my application.

Thank you for your help. Please call me at your convenience, (702) 831-1445.

Sincerely,



F. A. Kuckhoff

enc.

MICROFILMED

MAR 1 8 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

. Jan. 26, 1990

Re: A72-00202B
A72-00201B

. F A KUCKHOFF
. P O BOX 4207
. INCLINE VILLAGE NV 89450

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

D. Wayne and Melodie Baker
HC 68 Box 304
Clayton, Idaho 83227

RE: Snake River Basin Adjudication (SRBA)
Claim Number: A72-00201B, A72-00202B

Dear Mr. and Mrs Baker:

Enclosed please find the Change of Ownership form you need to return so that I can update our records to reflect that you are now the current owners of Lot 10, Pine Creek Subdivision, to which the above referenced claims are appurtenant.

We are in the final days of data entry for the East Fork claims before our preliminary Director's Report is sent out to all claimants. It is very probable that your documentation proving change of ownership for the above claims will be received after the deadline is past, and we will be obligated to send our preliminary notice of recommendation to the owner of record, Mr. Kuckoff. You will, of course, be receiving information from us on other claims that you have filed in the Adjudication. If Mr. Kuckoff is unable, or unwilling, to forward the information he receives on the above claims to you, please call, and I will see that you receive a copy of our recommendations.

The preliminary report that we will be sending to you the end of November is designed to give you a chance to review your irrigation claims and inform us of any part of our recommendations that you disagree with. The Department is also scheduling a meeting in Challis in December so that we may meet with you and discuss your claims. If I can be of any assistance before then, please let me know, otherwise, I look forward to the possibility of meeting all of you in December.

Sincerely,

Vikie Hancock
Water Resource Agent

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. PINE CREEK

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

November 1, 1996 8:56am

NAME:
MELODIE L. BAKER

RE:
PINE CREEK SUBDIVISION
USAGES/CLAIMS.

TF RETURNED MSG 10-29-1996 2:50 PM TO 3:15 PM. CLAIMANT TRYING TO DECIDE WHETHER TO PURSUE PURCHASE OF LOTS IN THE PINE CREEK SUBD FOR USE AS PASTURE. REVIEWED THE PEDRINI DECREED RIGHTS AND THE LAST USAGE FROM PINE CREEK ACC. TO OTHER RESIDENTS.

SENT CCS OF WR/AJ PROOFS WITH LETTER-SIZE MAPS OF THE SUBD. LANDS AND MARKING OF THE APPURTENANT DECREE RIGHTS FROM BASIN 72 REFERENCE FILES.

COPIES OF WR 72-00201 AND 72-00202 AND ALL THE SPLITS OF SAME CLAIMED IN THE SRBA.

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

Returning Call

TO:

DATE:

FROM:

FILE:

FILE NO:

SUBJECT:

REMARKS:

Phone msg rec'd while at conf-
groom to JR - taken by me per to
previous contact.

Left msg on recorder...

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

Urgent ☐		
For	Jeanne	
Date	4/13/94	Time 12:30 PM
While You Were Out		
Al Kuckhoff		
M		
Of		
Phone	702-831-1445	
AREA CODE	NUMBER	EXTENSION

TELEPHONE MEMORANDUM

Incoming Call

✓ Outgoing Call

Returning Call

9 PM - msg - 9²⁰ TF

TO:

AL KUCKHOFF 702-831-0462

DATE:

08-04-93

FROM:

H

FILE:

FILE NO:

SUBJECT:

Field Exam - what lawsuit?
explained SERBA -
had letters - 3 yrs ago
agreed

REMARKS:

"negative" man - & name - wanted
to run cattle - tacit agreement - left it
open ended - suppose they did - haven't
seen up there for awhile -
man 2 x 2 1/2 acres piece -

recalls irrig ditches - crossed all parcels -

ROUTING

INSTRUCTIONS:

CALENDAR

DATES:

★ Call him back - exonerate

07-28-93

702-831-1445

AK #

AL Kuckhoff

7-29-93 4:30 p.m.

Frank Hitchcock

Please Call
al Kuckhoff

702-831-1445

al Kuckhoff Called red:

12:00 NOON

702-831-1445

08-04-93

6:15 PM

8-04-93 #38

Al

red 08-04-93
8:40 PM

702-831-0462

8:40 p.m.

TELEPHONE MEMORANDUM

Incoming Call

✓ Outgoing Call 505

Returning Call

TO:

KUCKHOFF

DATE:

07-19-1993

FROM:

H

FILE:

-00201B, -00202B

FILE NO:

SUBJECT:

Field mem

REMARKS:

msg on recorder

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

Water Right Number - R72-00201B		Prefix Translation: RESEARCH	Old (D) Number -	
---------------------------------	--	------------------------------	------------------	--

+ - - - - Last Name - - - +		+ - First Name - - +	+ - - - - Address - - - - - +	
-----------------------------	--	----------------------	-------------------------------	--

*** C - CURRENT OWNER ***				
BAKER		WAYNE	1 - HC 68 BOX 304	
			2 -	
			3 -	
			City- CLAYTON	State- ID Zip- 83227
			Phone - 208-838-2440	
BAKER		MELODIE L	1 - HC 68 BOX 304	
			2 -	
			3 -	
			City- CLAYTON	State- ID Zip- 83227
			Phone - 208-838-2440	
*** O - ORIGINAL OWNER ***				
KUCKHOFF		F A	1 - PO BOX 4207	
			2 -	
			3 -	
			City- INCLINE VILLAGE	State- NV Zip- 89450
			Phone - 702-831-0462	
PEDRINI		CATERINA	1 -	
			2 -	
			3 -	
			City- X	State- ID Zip- X
			Phone - 208-000-0000	

+ - - Priority Date - - +		+ - - - Region - - - +	+ - - - Stage - - - +	+ - - - Status - - - +
05/01/1888		17 SOUTHERN	J - BENEFICIAL USE	

+ - - - - Source - - - - - +		+ - - - - Tributary - - - - - +
PINE CREEK		SALMON RIVER, EAST FORK

+ - - - - Point of Diversion - - - - - +						
TwN	Rng	Sec	Tract	Lot	RFlg	County
09N	18E	5	SW NW		(37)	CUSTER
			NW SW		(37)	CUSTER

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 - IRRIGATION		04/01	10/31	0.050		

+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +	
0.050				0.0			

+ - - - - Place of Use - - - - - +								
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09N	18E	6	NE NE	1	3.9	01	IRRIGATION	(37) CUSTER

Total Acres: 3.9

Prefix Translation: RESEARCH

+ - - Diversion Means - DAM, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A72-002028

[illegible]

EXP PROPERTY IS ALSO KNOWN AS LOT 10, BLK 1, PINE CREEK SUBDIVISION
INCIDENTAL STOCKWATER
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.

```
+-----+----- Old Water Right Numbers -----+
No Old Water Right Numbers Found
```

+ - - - - - Conditions of Approval - - - - -

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

+ - - - - Decree Plaintiff - - - +
GOSSI, ET. AL.

+ - - - - Decree Defendant - - - +
GIAMPEDRAGLIA, ET. AL.

+ - Decree Date - +
00/00/0000

	Comments
+	

Date: 11/11/1998 User Id: VHANCOCK Subject: SOURCE
NO CONVEYANCE POSSIBLE FROM EAST FORK SALMON RIVER TO POU CLAIMED
Date: 11/11/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS QUAD.
CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS OF DECREE 72-00201 & 72-00202, SEPERATE PRIORITIES. ACTUAL
PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D
ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.
Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
Date: 12/01/1998 User Id: VHANCOCK Subject: OWNERSHIP CHANGE
KUCKOFF TO BAKER PER NOTICE REC'D 11-23-98
Date: 12/29/1998 User Id: VHANCOCK Subject: CHANGES PER NOE
CHANGED DESCRIPTION OF P/D TO 40 AC TRACT PER CLAIMANT REQUEST
Date: 07/29/1999 User Id: VHANCOCK Subject: AMENDED CLAIM
AMENDED POU TO CORRECT LEGAL FROM SW NE SEC 6 TO NE NE SEC 6 PER BLM OBJECTION.
Date: 12/17/1999 User Id: VHANCOCK Subject: CONDITION CODE
REPLACED CONDITION COPE C16 WITH C18

+ - - Audit Fields - - +
00/00/0

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/20/99 11:06:26
Page 3

Water right number - R72-00201B

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011033	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- A
				Notice of Error Flag	-

SRBA

SUBCASE SUMMARY REPORT 72-00201B

[Return to SRBA Home Page](#)

SRBA
12-20-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-00201B FILE#: 00358
CLAIMANT: BAKER, MELODIE L
STATUS: AT ISSUE
WATER SOURCE: PINE CREEK, SALMON RIVER, EAST FORK
ISSUES: NAME AND ADDRESS DESCRIPTION
POINT(S) OF DIVERSION DESCRIPTION
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

****** PARTIES INVOLVED ******

MELODIE L BAKER	PRO SE
USDI BLM	ATTY: US DEPARTMENT OF JUSTICE
WAYNE BAKER	PRO SE

****** ROA ENTRIES ******

06-02-1999	OBJ 01 F/B USDI BLM	RB	10-04-1999	0001
10-14-1999	MOTION TO FILE AMENDED NOTICE OF CLAIM	MG	11-30-1999	
	CHG ADDRESS, POU;			
	OBJECTIONS TO CLAIM AMENDED DUE 11/28/99			
10-21-1999	NOTICE SETTING INITIAL HEARING	1S	11-30-1999	0130
11-30-1999	HEARING HELD - INITIAL HEARING	1H	11-30-1999	0130
11-30-1999	MINUTES - INITIAL HEARING			
11-30-1999	ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM			
	AMENDED DIRECTOR'S REPORT DUE 1/20/2000			
	OBJECTIONS TO AMENDED DIR RPT DUE 2/28/2000			
12-06-1999	NOTICE SETTING STATUS CONFERENCE	US	03-07-2000	1000

[Return to SRBA Home Page](#)

Hancock, Vikie

From: Denniston, Sara
Sent: Friday, December 17, 1999 10:05 AM
To: Hancock, Vikie
Subject: Baker Amended Claim

Vikie,

FYI--the special master granted Wayne and Melodie Baker's motion for amended claim on 72-00201B and the amended director's report is due by January 20th. Can you make sure that amended director's report gets done?

Thanks,

Sara

November 26, 1999

Sara,

This FAX was here for me this morning. It seems to me that you are the proper recipient. For your consideration, my input on these claims are as follows:

72-00224 and 72-00225

If the Bakers wish to add additional acres to their recommended place of use within the decreed tracts they need to identify them. It is possible that areas I identified as dry in my recommendation, per Frank Hitchcock's field exam and GIS are indeed irrigated, but I have no information as to which acres they are.

I believe the "quantity" issue refers to acres not diversion rate, as it was recommended at the full decreed rate.

I will brief Steve on the options presented by BLM today.

72-00201B

This mountain was created by a typo molehill that was already addressed by the claimant and myself, so we should be OK on this. The address has been corrected; the POU legal has been corrected to T09N, R18E, SEC 6 NENE Lot 1; the subdivision lot has been correctly identified as lot 10.

Fax

November 24, 1999

TO: Vicki Hancock, IDWR-Southern
Steve Clelland, IDWR-Southern
Larry Brown, DOJ-Boise
Gloria Baimbridge, CACI-Boise

FROM: Fred Price, BLM-ISO

RE: 72-00201B Wayne Baker

The claimant has filed a Motion to Amend their claim to correct the POU to the NENE. The amendment would resolve BLMs objection to the POU element as it describes private land. I only have a small piece of the county plat map and can't tell if the NENE is correct or not. I hope you are able to determine that from the information you received from the SF-4.

I have reviewed our lands records and have found that the NENE is actually Lot 1 (see attached Master Title Plat).

Did you notice that they are referring to a different lot within the subdivision (lot 10 rather than lot 3)? I have seen the deed and they do own Lot 10, Blk 1 of Pine Creek Subd.

Do you think you might have an NCAP available at the hearing that we could use to attach to an SF-5?

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201B

NAME & ADDRESS: D WAYNE BAKER
MELODIE L BAKER
HC 58 BOX 304
CLAYTON ID 83227

SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

QUANTITY: 0.05 CFS

PRIORITY DATE: 05/01/1888

POINT OF
DIVERSION: T09N R18E S05 SWNW Within CUSTER County
NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.05 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County
	T09N R18E S06	
	3.9 ACRES TOTAL	

SWNE 3.9
LOT 1 (NENE) 3.9

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED
SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE
ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROPERTY IS ALSO KNOWN AS LOT 3 10, BLK 1, PINE CREEK
SUBDIVISION

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E, 72-
00201H, 72-00201J.

INCIDENTAL STOCKWATER 30 COWS

AJ0749NP
No. R72-00201B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/26/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE BAKER	05/01/1888	IRRIGATION	04-01 10-31	0.050 CFS	
C	MELODIE L BAKER HC 68 BOX 304 CLAYTON ID 83227 (208) 838-2440					
				TOTAL DIVERSION:	0.050 CFS	

Water Source: PINE CREEK

Tributary to: SALMON RIVER, EAST FORK

Stage: BENEFICIAL USE

Point(s) of Diversion: T09N R18E S05 SWNW NWSW CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
09N	18E	6	:	01-03				:					:					:					:	3.9
																								TOTAL ACRES
																								3.9

POU County: CUSTER

Other Rights: A72-00202B

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: EXP PROPERTY IS ALSO KNOWN AS LOT 10, BLK 1, PINE CREEK SUBDIVISION
INCIDENTAL STOCKWATER
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:

VH

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 72-00201B

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Wayne & Melodie L Baker

Address: HC 68 Box 304 Clayton, ID 83227

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See attached
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD and POU. Claimant's water right should not include this POD and POU.

F.

VERIFICATION (Must be Completed)

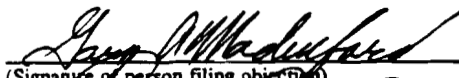
State of Idaho)

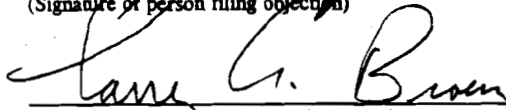
) ss.

County of Ada)

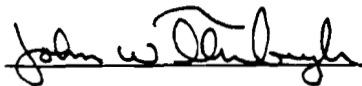
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Wayne & Melodie L Baker
Address: HC 68 Box 304 Clayton, ID 83227

Name:
Address:

Name:
Address:

Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-601

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201B

NAME & ADDRESS: MELODIE L BAKER -POD/POU ON BLM
WAYNE BAKER
HC BOX 304 HLG 8 BOX 304
CLAYTON ID 83227

SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK
QUANTITY: 0.05 CFS
PRIORITY DATE: 05/01/1888
POINT OF DIVERSION: T09N R18E S05 SWNW BLM Within CUSTER County
NWSW BLM
PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.05 CFS
PLACE OF USE: IRRIGATION Within CUSTER County
T09N R18E S06 SWNE 3.9 BLM
3.9 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-26-1999
PAGE: A-602

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201B (CONT)

EXPLANATORY MATERIAL: (CONT)
PROPERTY IS ALSO KNOWN AS LOT 3, BLK 1, PINE CREEK SUBDIVISION
INCIDENTAL STOCKWATER
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

RECEIVED /

OCT 27 1999

Department of Water Resources
Southern Region

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 29, 1999

RECEIVED

OCT 15 1999

Melodie Baker
HC 68 Box 304
Clayton, Idaho 83327

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 72-00201B

Dear Melodie,

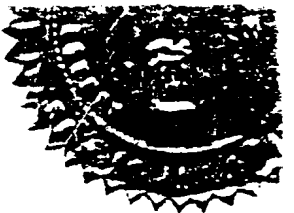
I talked to our legal staff, and it seems the easiest way for you respond to the BLM objection to this claim, is to amend the description of the place of use to the correct tract. Correcting the legal description of the place of use will remove the water right from BLM ground, and this should end their objection to your claim. As we determined during our phone conversation, the correct legal description for the place of use is a part of the NE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 6, Twp 01N, Rng 18E, not in the SW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 6, as it was originally filed and then mistakenly recommended.

I have taken the liberty of printing out an amended claim form, and sending you the papers you need to motion the SRBA court to amend your claim. The original signed and notarized Amended Notice of Claim needs to be sent to the SRBA court, as well as the completed Motion to Amend form. Then copies need to be sent to all the parties listed on the back page of the Motion. You don't need to send anything back to me, however, if you have any questions or concerns, don't hesitate to call.

Sorry I didn't catch this sooner, and save you all this hassle.

Sincerely,

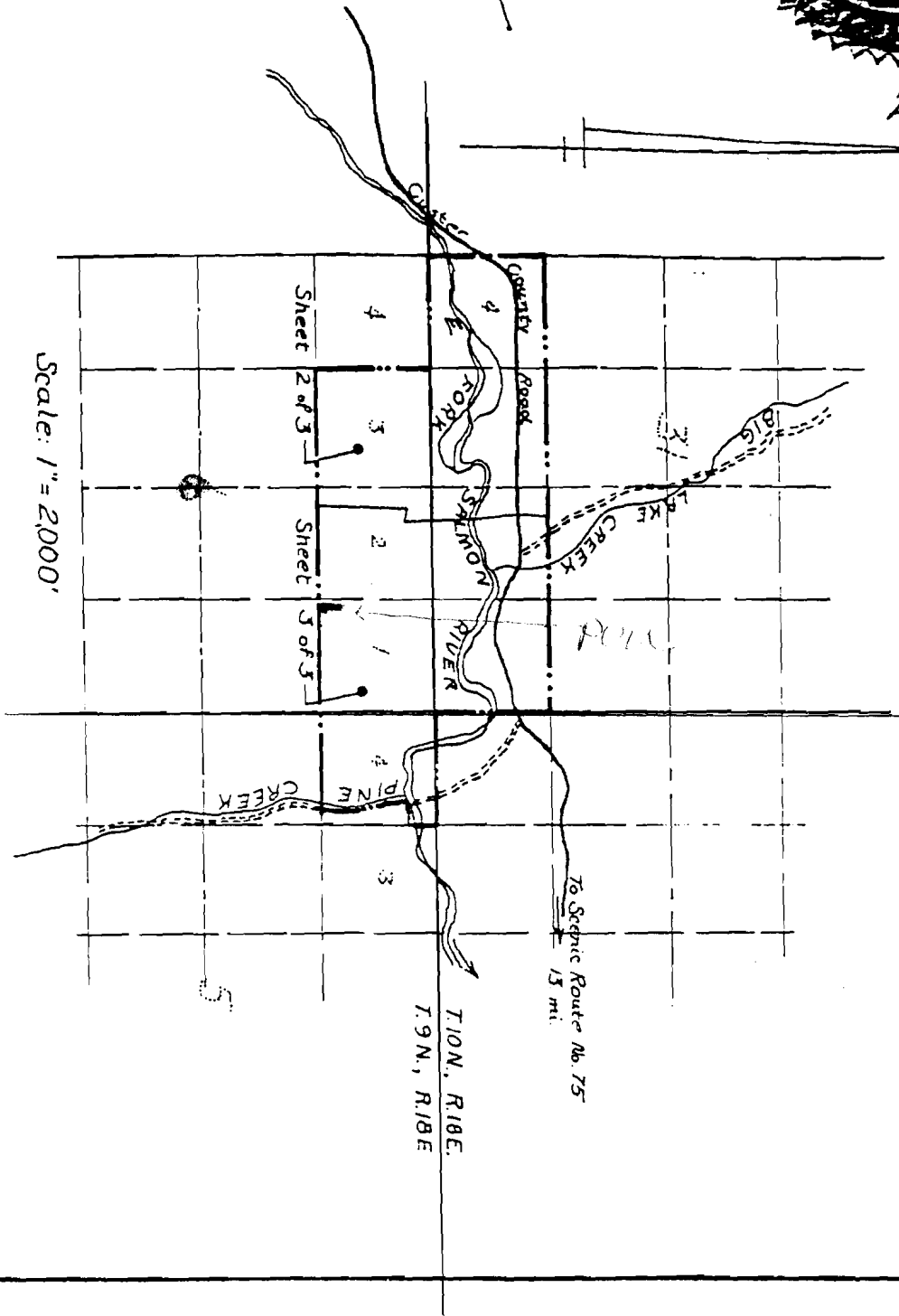
Vikie Hancock
Water Resource Agent



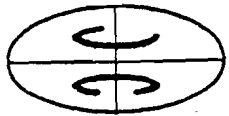
2



NITY MAP

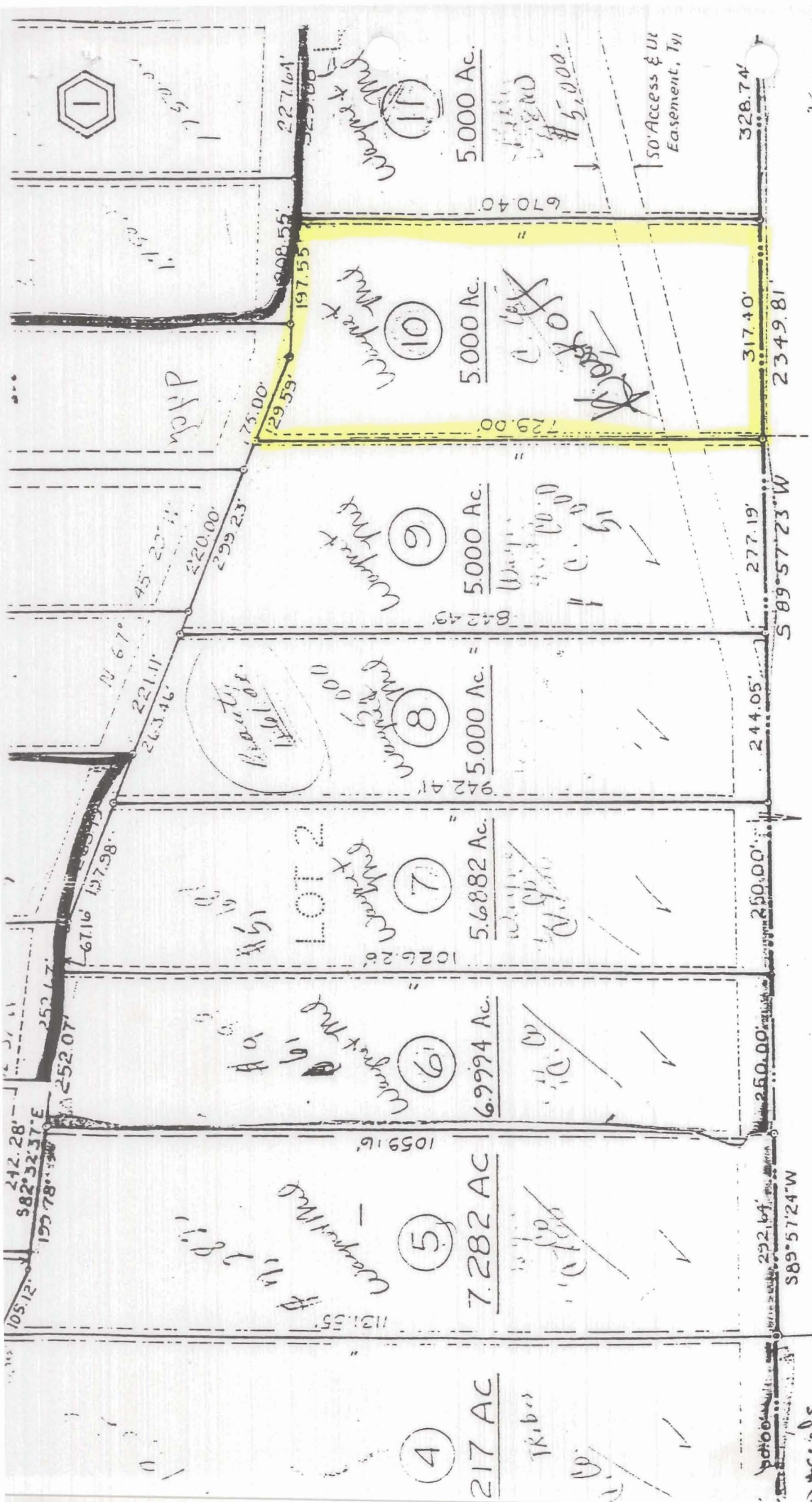


Scale: 1"=2,000'



johnston · couch
engineers · surveyors
salmon · idaho

NE NE



LEGEND

- Boundary Line
- Lot Line
- Access or Utility Easement
- (12) Lot Number
- Lot Corner
- Government Corner, Stone Found
- 5/8" x 30" Steel Bar w/ Cap set as
- Boundary or Section Corner
- 1/2" x 24" Steel Bar w/ Cap set as
- Lot Corner
- 1/2" x 24" Steel Bar w/ Cap set as

Pine Creek Sheet

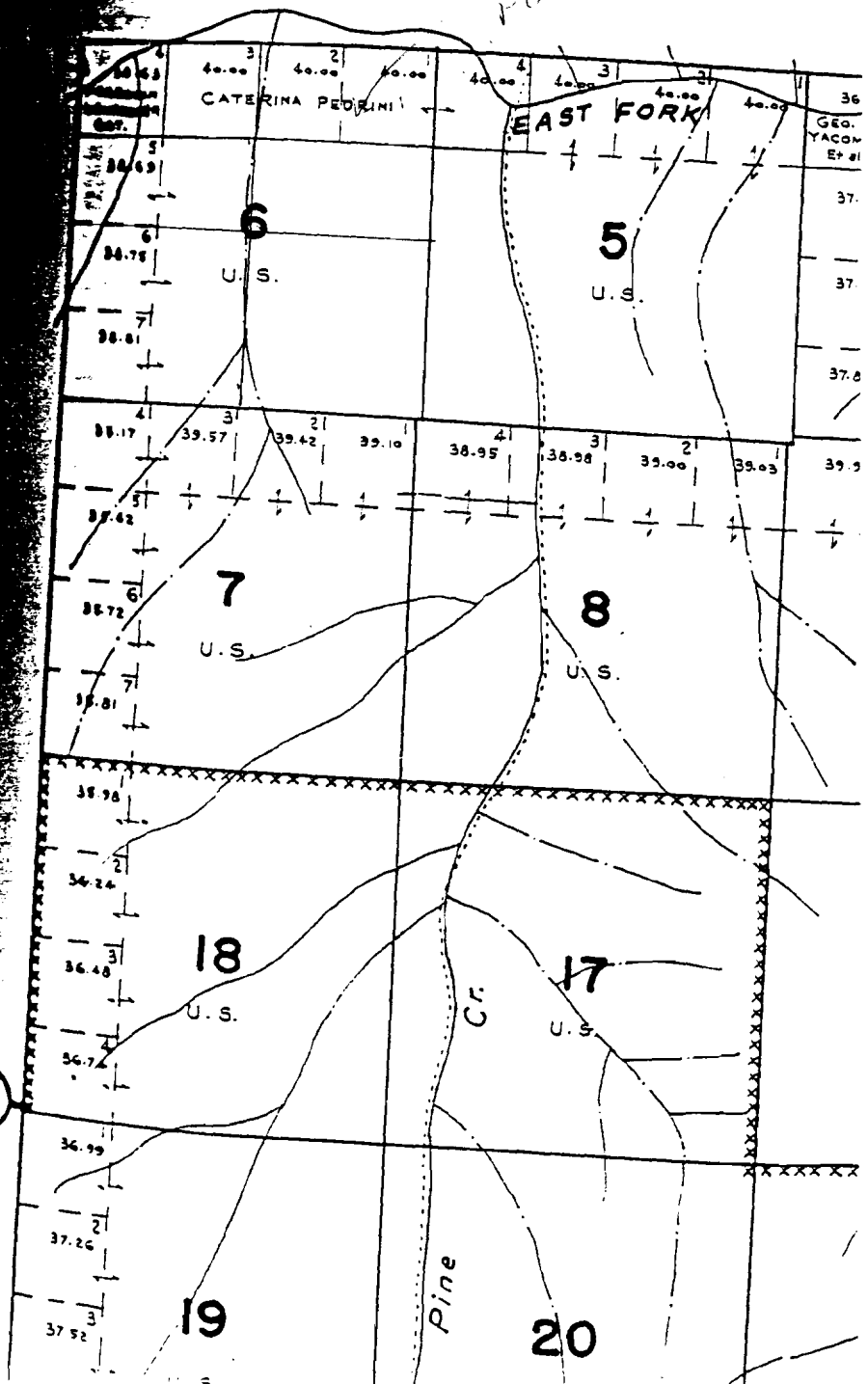
2 IN. - 1 MILE

FOR SALE BY

CHAS. F. METSKER

W. OAK STREET, PORTLAND, OREGON
SOUTH 10TH ST., TACOMA, WASHINGTON
THIRD AVE., SEATTLE, WASHINGTON

TC



WAB
7000

COUNTY COMMISSIONERS' ACCEPTANCE

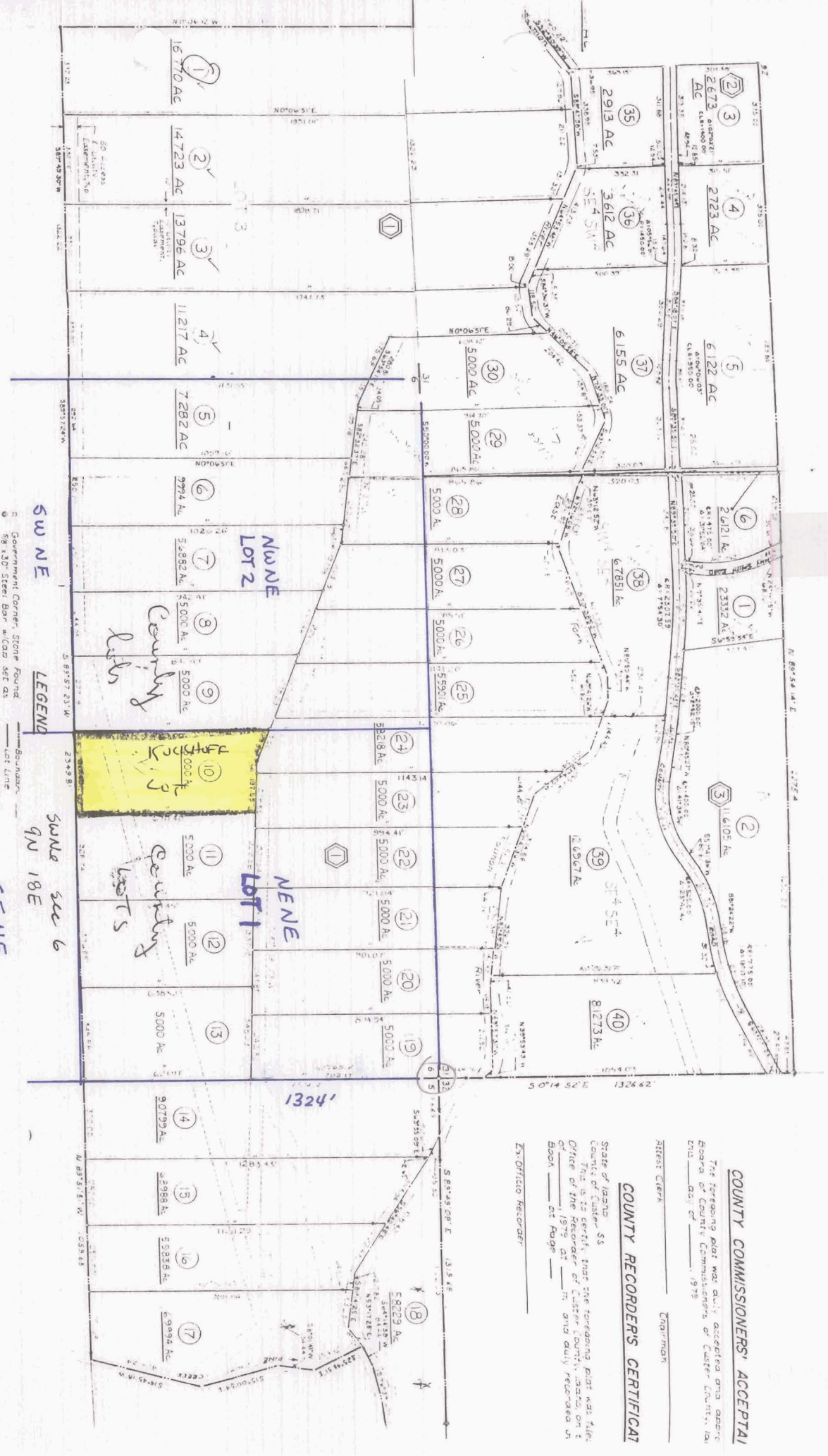
This foregoing plat was duly accepted and approved by the Board of County Commissioners of Custer County, South Dakota, on the _____ day of _____, 1979.

Recorder

COUNTY RECORDER'S CERTIFICATE

I, the undersigned, County Recorder of Custer County, South Dakota, do hereby certify that the foregoing plat was duly filed in the Office of the Recorder of Custer County, South Dakota, on the _____ day of _____, 1979, at _____ m. and duly recorded in Book _____ at Page _____.

County Recorder



Pine Creek Subd.
R18E T9N

RECEIVED

OCT 27 1999

Department of Water Resources
Southern Region

RECEIVED

OCT 15 1999

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase

72-00201 B

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is MELODIE BAKER

My address is HC 68 BOX 304

Clayton, ID 83227-9601

My phone number is: Work 208-838-2440 Home Same

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

- ☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____

(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Address - Should be HC 68 Box 304

~~POU~~ - Within Custer Co **NE NE**

☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

1) letter from IDWR 2) Vicinity Map 3) Subdiv-
ision map showing BLK 1 Lot 10 4) Map Scale
2 in - 1 mile

I have attached:

☒ An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Custer

Melodie L. Baker, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

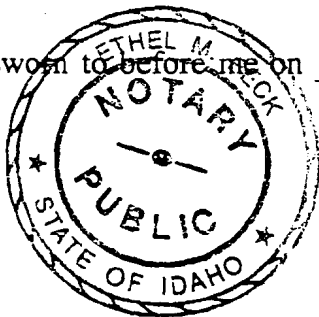
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Melodie L. Baker
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on

October 1, 1999
(Insert Date)



Ethel M. Peck
Notary Public for Idaho
Residing at: Challis
My Commission expires: 3-19-2004

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert names/addresses of parties)



Signature of person or attorney mailing the form



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 29, 1999

Melodie Baker
HC 68 Box 304
Clayton, Idaho 83327

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 72-00201B

Dear Melodie,

I talked to our legal staff, and it seems the easiest way for you respond to the BLM objection to this claim, is to amend the description of the place of use to the correct tract. Correcting the legal description of the place of use will remove the water right from BLM ground, and this should end their objection to your claim. As we determined during our phone conversation, the correct legal description for the place of use is a part of the NE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 6, Twp 01N, Rng 18E, not in the SW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 6, as it was originally filed and then mistakenly recommended.

I have taken the liberty of printing out an amended claim form, and sending you the papers you need to motion the SRBA court to amend your claim. The original signed and notarized Amended Notice of Claim needs to be sent to the SRBA court, as well as the completed Motion to Amend form. Then copies need to be sent to all the parties listed on the back page of the Motion. You don't need to send anything back to me, however, if you have any questions or concerns, don't hesitate to call.

Sorry I didn't catch this sooner, and save you all this hassle.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
Water Resource Agent

DATE: 07/29/99
PAGE: 1

Water Source: PINE CREEK Tributary to: SALMON RIVER, EAST FORK Stage: BENEFICIAL USE

Place of use Legal Description for: IRRIGATION
ME

Other Rights: A72-00202B

003	-	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
C16	-	PURSUANT TO SECTION 42-1425, IDAHO CODE.
	-	THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
	-	IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
	-	RIGHTS IN BASIN 72:
	-	WATER RIGHT NO. SOURCE
-	-	NONE NONE
-	-	THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
-	-	IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
-	-	RIGHTS IN THE SNAKE RIVER BASIN:
-	-	WATER RIGHT NO. SOURCE
-	-	NONE NONE
-	-	ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
-	-	OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
-	-	CONJUNCTIVELY.

REMARKS: EXP PROPERTY IS ALSO KNOWN AS LOT 10, BLK 1, PINE CREEK SUBDIVISION
INCIDENTAL STOCKWATER
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:			
Water District Number:		Field Inspection Flag:	

DATE: 02/19/99
PAGE: 1

CLAYTON ID 83227
(208) 838-2440

Point(s) of Diversion:	T09N R18E S05	SHNM	NHSM	CUSTER County
------------------------	---------------	------	------	---------------

NE

POU County: CUSTER

Conditions of Approval:

Remarks: EXP PROPERTY IS ALSO KNOWN AS LOT 10, BLK 1, PINE CREEK SUBDIVISION
INCIDENTAL STOCKWATER
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.

Misc:	Water District Number:	Field Inspection Flag:
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COMMUNICATION DOCUMENTATION

February 19, 1999

Regarding:

Customer:

Stockwater claims for Wayne and Melodie Baker

From: Vikie Hancock

[illegible]

I called Melodie Baker in reply to her letter to the department dated 1-27-99 regarding claims for stockwater on their ranch along the East Fork. I asked her what her method of stock watering was, and the number and kinds of stock. She told me that they had between 400 and 500 range cattle, and 20 horses. She told me that they watered them year round from the river and creeks and irrigation diversions. She said that there were probably four different "ranches" that they divided the stock up into, and that sometimes all of the cattle were confined to one area, and that sometime the cattle were divided up into several areas, depending on conditions.

I explained that in order to have stockwater included as an element of their existing claims, they could amend each claim to include stock as an element, however, because these claims were based upon the 1938 Decree for irrigation, their stock diversions would be included in the total diversion for irrigation, and limited to the irrigation season of use.

I told her that another option was to file late Beneficial Use claims for stockwater only, with a priority date based on the decreed priority date for irrigation (from 1938 decree). I told her there would be no late fees on de minimus stockwater claims. I gave her our guidelines of 0.02 cfs for instream stock use, and 0.11 cfs for diversion to 500 range cattle. I explained the general process of filing late claims now that recommendations have been reported to the court, and sent her the claim forms needed.

Y A

EAST FORK RANCHES
WAYNE AND MELODIE BAKER
HC 68 BOX 304
CLAYTON, IDAHO 83227-9601

RECEIVED

FEB 10 1999

Department of Water Resources
Southern Region

January 27, 1999

Vikie Hancock
Water Resource Agent
State of Idaho
Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Dear Ms. Hancock,

I appreciate your changing the points of diversion to the forty acre tract, only.

Thanks also for the changes on 72-00193A and moving the "dot" down on the one GIS.

I noticed that on claim 72-00201B, under Explanatory Material, it says: "property is also known as LOT 3, BLK 1, and it should be LOT 10". Must be a typo, it was right on the papers before.

On claims 72-00193A, 72-00198, 72-00197, 72-00196, 72-002142, 72-00200, 72-00199 all show incidental use for 400 cows and 20 horses. This is non-irrigation use, and I understand this is a given as a beneficial use in the Adjudication and thus not an element of the water right, but since there has always been this stated on the claim, why take it off now? The stockwater claims we filed for, are not uses along the river and in our ditches, that the above claims covered under non-irrigation/incidental. We are just concerned that down the road, with all of the environmental pressure and pressure on water for the endangered species, we are going to lose this right if not shown, and where it was already stated on the above claims, would like to see it remain, if that makes sense. We do not want it to take away from the diversion amount allowed for irrigation under our decree.

Thank you for taking care of all of this. I hope I am not making this any more difficult than necessary. We are just gunny when it comes to our water, we just keep getting so much pressure.

Sincerely,

Melodie L. Baker

DATE: 12/29/98
PAGE: 1

Misc: Water District Number: Field Inspection Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

D. Wayne and Melodie Baker
HC 68 Box 304
Clayton, Idaho 83227

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A72-00193A, -00196, -00197, -00198, -00199,
-00200, -00201B, -00224, -00225, -02142

Dear Mr. and Mrs. Baker:

I am writing in response to your reply to our Notice of Error forms for the above adjudication claims. I hope that I can address the comments that you have on the many claims in this letter. I'll tackle the questions which appear most often first, and then move on to more specific items, in the hope that this method will be most understandable, for all of us.

First, I agree with your request that we identify the points of diversion to the forty acre tract, only. It has been Department policy to locate points of diversion to the ten acre tract whenever possible, for accuracy. However, when dealing with surface water, and especially with a river as dynamic as the East Fork, we recognize the benefit of backing that off a bit to allow for changes in the river channel. I have corrected our records per your request.

Next, regarding *stockwater as a Use*. All of the claims referenced above were originally filed for irrigation use only, with stockwater listed as incidental, and thus not an element of the water right. All of the claims, except 72-02142, which is based on a license for irrigation only and originally filed by George Shinderling, are based on decreed rights from a 1938 Court Decree which was silent on stockwater usage. You do, however, have stockwater claims, based on beneficial use, in the Adjudication. You should have received the partial decree for these claims on or around October, 1997. I am sending you copies of the stockwater claims that you filed with the Department. If you now feel that these claims do not accurately represent your stockwater usage, you have a couple of options. You can file additional claims for stockwater based on beneficial use. You can amend the above irrigation claims that are based on decree to include stockwater as a use; however, the diversion amount for stock would be included in the diversion amount allowed for irrigation under your decree, so the total diversion rate would remain the same. Stockwater is considered incidental to your irrigation water right, whether or not it is listed as a use, however, if you wish to proceed with either of the stockwater options outlined, please let me know, and I will forward the appropriate forms.

Next, I will try to explain our method for determining the proposed recommendation of your irrigated *Place of Use*. The Adjudication process was begun in 1987 to determine the status of water rights in Idaho at that time. The Department contracted to have aerial photographs taken then, so that we would have these photos to calculate what was being irrigated at the time the Adjudication was begun. Statutes were enacted by the Idaho Legislature to ensure that all water uses existing at commencement could be included in the process, whether or not the landowner had complied with permit requirements. However, any new uses - including an addition in acres irrigated - require permits, per Idaho law. It has been a Department policy to recommend acres where resumption of irrigation occurred during the process of the Adjudication on acres that may have been dry in 1987, but had been irrigated historically, provided that no injury to other water users is apparent (ie: your claim 72-00201B in Pine Creek Subdivision). We cannot, however, include in our recommendation acres that you may wish to irrigate in the future.

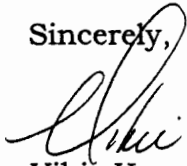
The department uses "Arc View", a computer program also used by Custer County, to locate and calculate the irrigated acres, based on aerial photography. The exact shape of the fields is sometimes subject to human interpretation, therefore I also used notes that former agent Frank Hitchcock took during his field exams of your property. If you see that I have missed acres that you irrigate, please document them by drawing the acres, and the ditches used to irrigate them, on the GIS color images you received in the mail, and send them down to me, so that I can add to my recommendation. This also goes for points of diversion. If you know that a point of diversion wrong as represented on the GIS image, please mark the correct location so that I may change my recommendation. I'll then send you a corrected GIS image back for your approval.

You mentioned specific acres that you wished added to claim number 72-00193A in the NWNE of Section 35. I believe that this field was included in claim 72-00193B for Richard and Cheryl Baker, per instructions to former agent Frank Hitchcock. They didn't mention the discrepancy in their reply to our Notice of Error for 72-00193B, but further checking on my part shows that the field in question seems to be included in your Warranty Deed. I am, therefore, correcting the split of claim 72-00193 so that your "A" portion includes these acres. I'm also glad you caught the error in Explanatory Material - I corrected the EF-8 legal to read NESW.

On claim 72-00224 and -00225 you questioned the legal description for EF-3. Changing the legal to read to the $\frac{1}{4}$ $\frac{1}{4}$ instead of $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ will still not make it match your original claim. Gary Ingram seemed to agree with the legal for EF-3 as I have described it, however, if you strongly disagree, let me know. In regard to the point of diversion for claim numbers 72-00199 and -00200, the point on the GIS image is incorrectly a bit north of section 5 since the river goes right along the section line, but your recommendation reads correct. I will move the "dot" down on our master GIS file to match the legal.

I hope that I have covered all of your concerns. I am sending you a corrected copy of the split claim 72-00193A, showing the change in place of use, and of the other claims with updated point of diversion legals, and other data entry corrections. Please let me know as soon as possible if you still wish to add irrigated acres, change specific points of diversion, or file for additional stockwater uses. The actual Director's Report to the SRBA Court is scheduled to be sent January 12, 1999, and it will be best if we can get things corrected before then. I want to thank you for your cooperation in the SRBA. It has certainly been a complicated process, but hopefully we are nearing the end in your basin. If you have any questions, please don't hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Hancock', written over the word 'Sincerely,'.

Vikie Hancock
Water Resource Agent

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED

DEC 14 1998

Please type or print clearly, fill out this form completely and mail.

Department of Water Resources

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 72-00201B

F A KUCKHOFF
PO BOX 4207
INCLINE VILLAGE NV 89450

Melodie L. Baker
D Wayne Baker
HC 68 Box 304
Clayton, ID 83227

RECEIVED

DEC 17 1998

Department of Water Resources
Southern Region

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree. This should read Irrigation and Stockwater. Doesn't show stockwater on preliminary, it does on our original and has been determined for historical beneficial use (1) Purpose of Use states Irrigation. (2) Place of Use acreage is dropped here to 3.9 from 5.
2. Describe the changes you wish to make in the proposed recommendation. Purpose of Use: Should state Irrigation and Stock water-add stockwater as in the original-historical beneficial use right. (2) Place of Use acreage should remain at 5 acreages.
3. Give a brief explanation as to why you disagree with these portions and Stockwater" and so should the preliminary. It was proven as historical beneficial use and still can. (2) Leave as in the original acreage. We may want to put in more ground either through need, better equipment, better water use, drain water, etc. We have paid for this right and should not have it taken away.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/11/98 SIGNATURE: Melodie L Baker David Wayne Baker
Please print your name: Melodie L Baker David Wayne BAKER

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

11/11/98 09:48:02
Page 1

Water Right Number - R72-00201B

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
KUCKHOFF
F A
1 - PO BOX 4207
2 -
3 -
City- INCLINE VILLAGE
Phone - 702-831-0462
State- NV Zip- 89450

*** O - ORIGINAL OWNER ***
PEDRINI

CATERINA
1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- X

Priority Date - + 05/01/1888 + - - - Region - - - + D - DECREED + - - - Status - - - +

Source - - - - - + PINE CREEK + - - - - Tributary - - - - - SALMON RIVER, EAST FORK

Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - -
09N 18E 5 SE SW NW (37) CUSTER

Code Description Period From Period To Water Use - - - - - Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.050

- Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
0.050 0.0

Twn Rng Sec Tract Lot Acres Code Description County
09N 18E 6 SW NE 3.9 01 IRRIGATION (37) CUSTER
Total Acres: 3.9

- - - Diversion Means - DAM, DITCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - A72-00202B

EXP PROPERTY IS ALSO KNOWN AS LOT 10, BLK 1, PINE CR. SUBDIVISION
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,

Water right number - R72-00201B

Prefix Translation: RESEARCH

72-00201H, 72-00201J. Remarks

No Old Water Right Numbers Found Old Water Right Numbers

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decree Plaintiff - Decree Defendant - Decree Date -
GOSST, ET. AL. GIAMPEDRAGLIA, ET. AL. 00/00/0000

Date: 11/11/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS QUAD.
CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS OF DECREE 72-00201 & 72-00202, SEPERATE PRIORITIES. ACTUAL
PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D
ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.
Date: 11/11/1998 User Id: VHANCOCK Subject: SOURCE
NO CONVEYANCE POSSIBLE FROM EAST FORK SALMON RIVER TO POU CLAIMED

Audit Fields -
11/11/98 VHANCOCK

Adjudication Rights Dates and Flags Area
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag -
Response Filed Date - 00/00/0000 Verified Date - 11/11/1998 Old Judicial District -
Claim Received Date - 01/22/1990 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S011033 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag - A
Notice of Error Flag -

CLAIM NUMBER22-00201BDATE10-23-98TRANSFER NUMBER
AGENTVHLCLAIMED ACRE TOTAL5
GIS ACRE TOTAL3.9

				NE				NW				SW				SE			
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	09N	18E	6			5													5
GIS						3.9													3.9
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP
SHAPE NOS.
284

B72-DBPOD.SHP
NOS. DESCRIPTION
158 T9N R18E Sec 5 SE SW NW (Pine Creek)
No diversion possible from EFK to property

DBF TABLES UPDATED
B72-DBPOU.DBF
B72-DBPOD.DBF
9 peg ✓

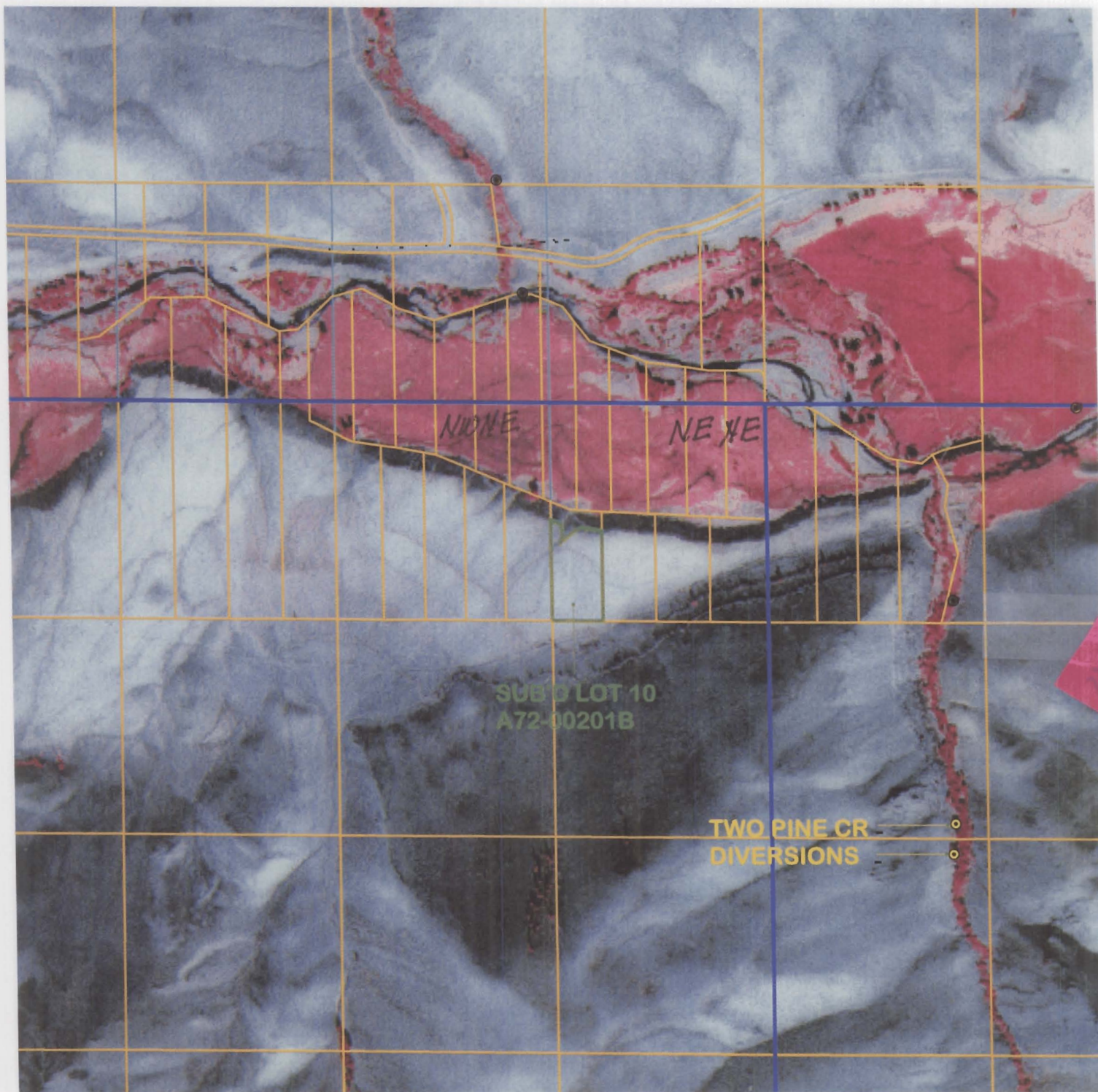
GIS

FILE NOTES

DATE: 11-26-1999

A72-00201B

T 09N, R 18E, SEC 5,6

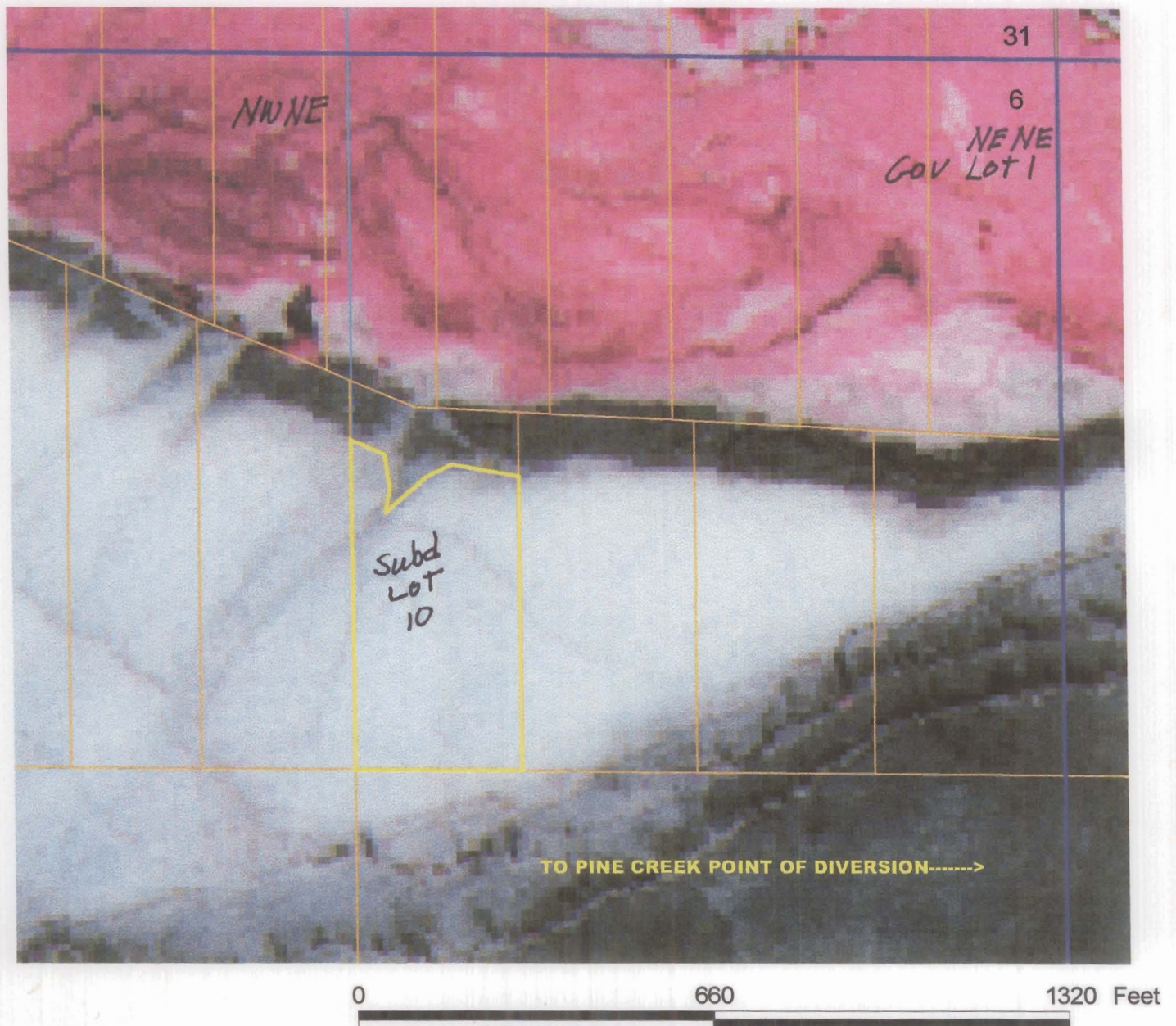


**NOTES: CORRECT POU LEGAL 09N 18E SEC 09 NENE GOV'T LOT 1,
AS AMENDED**

**CORRECT POD LEGALS 09N 18E SEC 05 SWNW AND NWSW
PER ORIGINAL CLAIM**

RIGHT 72-00201B

RECOMMENDED PLACE OF USE
TWP 09N, RNG 18E, SEC 6
data entry on October 27, 1998



-  **RECOMMENDED PLACE OF USE**
-  **RECOMMENDED POINT OF DIVERSION**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**
-  **SUBDIVISION LOT BOUNDARIES**

GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK

That GEORGE W., MARY C., and NETTA C. VACONELLA are the owners of Lot 4, Section 4, Township 9 North, Range 18, E. B. M.; S¹/₂SE¹/₄, S¹/₂SW¹/₄, Section 32, Lot 4, Section 32, all in Township 10 North, Range 18, E. B. M.; and appurtenant to said land they are entitled to 1.5 cubic feet per second of time of the waters of Lake Creek with date of priority May 1, 1895 and with point of diversion in the S¹/₂NE¹/₄, Section 32, Township 10 North, Range 18, E. B. M.; and are entitled to 1.5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1895 with point of diversion in the S¹/₂SE¹/₄, Section 31, Township 10 North, Range 18, E. B. M.; and 1.3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936, with point of diversion in the S¹/₂SE¹/₄, Section 31, Township 10 North, Range 18, E. B. M.

That CETERINA PEDRINI is the owner of Lot 4, Section 5; Lots 1, 2 and 3, Section 6, Township 9 North, Range 18, E. B. M.; Lot 4, S¹/₂SW¹/₄, S¹/₂SE¹/₄, Section 31, Township 10 North, Range 18, E. B. M.; and appurtenant to said land she is entitled to 4.5 cubic feet per second of time of the waters of the East Fork of the Salmon River and Pine Creek, with date of priority May 1, 1888 and 1.5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1926, and with points of diversion in Lot 4, Section 31, Township 10 North, Range 18, E. B. M.; and S¹/₂NE¹/₄, Section 8, Township 9 North, Range 18, E. B. M.

That ELLIS M. BAKER and MARY BAKER are the owners of Lot 4, Section 6, Township 9 North, Range 18, E. B. M.; Lots 1 and 2, S¹/₂NE¹/₄, Section 1, Township 9 North, Range 17, E. B. M.; and appurtenant to said land they are entitled to 2.0 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1885 with points of diversion in S¹/₂NE¹/₄, S¹/₂SW¹/₄, Section 1, Township 9 North, Range 17, E. B. M.

That ELLIS M. BAKER and MARY BAKER are the owners of S¹/₂NE¹/₄, Section 14; Lots 1, 5, 6 and 7, Section 15, Township 9 North, Range 17, E. B. M.; and appurtenant to said land they are entitled to 1.3 cubic feet per second of time of the waters of the East Fork of the Salmon River and Boulder Creek with date of priority May 1, 1911; and .6 cubic feet per second of time of the waters of the East Fork of the Salmon River and Boulder Creek with date of priority May 1, 1936 and with points of diversion in the S¹/₂SE¹/₄, Section 10, S¹/₂SE¹/₄, Section 15, all in Township 9 North, Range 17, E. B. M.

That JOE SCIUCCHETTI, ANTONIO VACONELLA and MRS. ANTONIO VACONELLA are the owners of S¹/₂NE¹/₄, S¹/₂SW¹/₄, S¹/₂SE¹/₄, Section 11, Township 9 North, Range 17, E. B. M. and appurtenant to said land they are entitled to .3 cubic feet per second of time of the waters of Boulder Creek; .1 cubic feet per second of time of the waters from Baker Basin Creek; .1

cubic feet per second of time of the waters of Bluff Creek; and 2.3 cubic feet per second of time of the waters of East Fork of the Salmon River, all with date of priority May 1, 1896 and .8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with points of diversion in the S¹/₂SE¹/₄, Section 15, S¹/₂SE¹/₄, Section 10, S¹/₂NE¹/₄, Section 14, and S¹/₂SW¹/₄, Section 11, all in Township 9 North, Range 17, E. B. M.

are arid in character and will not successfully raise any crops without the artificial application of water thereon by irrigation thereof, and that all of said lands are capable of irrigation from the East Fork of the Salmon River and its tributaries.

✓ 3. That 1 1/2 inches of water per acre, or its equivalent in cubic feet per second of time, is necessary and ample for the proper irrigation of said land.

4. That the dams and diverting works of the several parties to this action were at the time of the several appropriations, and are now, of sufficient size and capacity to carry and convey water so appropriated to and upon the several tracts of land of the several parties for the irrigation thereof, and that each and every of said ^{several} tracts of land are situated in Custer County, State of Idaho.

5. That each of the parties to this action, plaintiffs and defendants hereinafter named, or their predecessors in interest, were at the time of the several appropriations of water, made as hereinafter set forth, the owners respectively of the several tracts of land set forth and described in the complaint, answer and cross-complaint and stipulation on file herein, and that for the irrigation of the same, the said parties, or their predecessors in interest, did respectively appropriate the quantities of water hereinafter stated, and the dates and from the streams respectively hereinafter stated, and set opposite the names of each of said parties, such water being an estimate under a four inch pressure or its equivalent in cubic feet per second of time, and ever since said dates of the said several appropriations, said waters have been so diverted and used on said lands in the irrigations thereof.

6. That the certain decree of this Court made and entered on the third day of August, 1933 and of record in Book 3 of Judgments at page 350³⁵⁰, records of Custer County,

USED:

DECREE

Pine Creek Subdivision Decree # 201, 202

72-201	4.5 cfs	Pine Cr & EF	1888
72-202	1.5 cfs	E Fork	1936

Assumptions:

Intent of Decree was to provide $1\frac{1}{2}$ " per
IRRIGATED ACRE IN DECREEED TRACTS. $61.03 = 200$ ac
GIS indicates ≈ 180 irrigated acres circa 1987
in ~~1987~~ decreed tracts.

84 acres possible to farm in upper tier
of property irrigated only with Pine Creek.

Balance of acres in lower tiers only
watered by East Fork

Preliminary Report attempt to recommend
0.03 cfs per found irrigated acre.

72-00201B - LIMITED TO AMT CLAIMED

11-12-98 ≈ 40 acres claim 1936 EF but not
1888 EF water

≈ 56 acres avail at .03 cfs/ac

≈ 23 acres have not claimed 1936 EF
water. 7 acres are available at .03 cfs

Also see red
Pine Creek Sub working file

UAT
11-12-98

AJ0749NP
No. R72-00201B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/11/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	F A KUCKHOFF PO BOX 4207 INCLINE VILLAGE NV 89450 (702) 831-0462	05/01/1888	IRRIGATION	04-01 11-01	0.05 CFS	1250 AFA

Water Source: SALMON RIVER, EAST FORK
PINE CREEK

Tributary to: SALMON RIVER, EAST FORK

Stage: DECREED

Point(s) of Diversion:

T09N R18E S05
T10N R18E S31 LOT 04 SW 1/4

SW 1/4

SW 1/4

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
09N 18E 6 :	05	:	:	:	:
TOTAL ACRES	5.0	:	:	:	3.9

POU County: CUSTER

Other Rights: A72-00202B

Remarks: GEN

P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS
QUAD.
CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS
OF DECREE 72-00201 & 72-00202, SEPARATE PRIORITIES. ACTUAL
PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM
EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D
ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: no concurrence possible from EFF

201 H
201 E
201 A
201 S

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-002018

00:56:41
05/21/95

LAST: PEDRINI
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: X

OWNER CODE: O

LAST: KUCKHOFF
ADDRESS: PO BOX 4207
CITY: INCLINE VILLAGE
PHONE NUMBER: 702-831-0462
STATE: NV ZIP: 89450

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE
Y
FIELD EXAMINER
Y() N()

CLAIM REMARKS: P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS
QUAD.
CLAIMANT OWNS 5 ACRE LOT IN PINE CREEK SUBDIVISION AND PORTIONS
OF DECREE 72-00201 & 72-00202, SEPERATE PRIORITIES. ACTUAL
PORTIONS OF EACH DECREE UNDETERMINED...CLAIMED .05 CFS FROM
EACH DECREE FOR .10 CFS TOTAL (1" PER ACRE). ACTUAL P/D
ALSO UNDETERMINED...USED THOSE LISTED IN ORIGINAL DECREES.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A72-00201B PRIORITY DATE: 05-01-1888 STAGE: D

B. WR RECORD: # 72-00201 PRIORITY DATE: 05-01-1888 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

05-01-1888

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-002018	09N	18E	5		SW	NW			CUSTER		
A72-002018	09N	18E	5		NW	SW			CUSTER		
A72-002018	10N	18E	31		SW	SW	4		CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

MR RECORDS IN SAME 40 ACRE TRACT

72-00202

A PREFIX R PREFIX

A72-00201A R72-00201E
A72-00201E R72-00202A
A72-00201F R72-00202D
A72-00202A R72-10532
A72-00202D
A72-00202E
A72-10532
A72-11760
A72-12365
A72-12366
A72-12367
A72-12368

SOURCE: SALMON RIVER, EAST FORK

PINE CREEK

TRIB: SALMON RIVER

SALMON RIVER, EAST FORK

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
72-00201	10N	18E	31		SW	SW	4		CUSTER		
72-00201	09N	18E	5		SW	NW			CUSTER		
72-00201	09N	18E	5		NW	SW			CUSTER		

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

72-00202

A72-00201A R72-00201E
A72-00201E R72-00202A
A72-00201F R72-00202D
A72-00202A R72-10532
A72-00202D
A72-00202E
A72-10532
A72-11760
A72-12365
A72-12366
A72-12367
A72-12368

SOURCE: SALMON RIVER, EAST FORK
PINE CREEK

TRIB: SALMON RIVER
SALMON RIVER, EAST FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

POD

SOURCE	SALMON RIVER, EAST FORK	TRIB: SALMON RIVER			
1	1	1	1	1	1
2	1	1	1	1	1
3	1	1	1	1	1
4	1	1	1	1	1
5	1	1	1	1	1
6	1	1	1	1	1
7	1	1	1	1	1
8	1	1	1	1	1
9	1	1	1	1	1
10	1	1	1	1	1
11	1	1	1	1	1
12	1	1	1	1	1
13	1	1	1	1	1
14	1	1	1	1	1
15	1	1	1	1	1
16	1	1	1	1	1
17	1	1	1	1	1
18	1	1	1	1	1
19	1	1	1	1	1
20	1	1	1	1	1
21	1	1	1	1	1
22	1	1	1	1	1
23	1	1	1	1	1
24	1	1	1	1	1
25	1	1	1	1	1
26	1	1	1	1	1
27	1	1	1	1	1
28	1	1	1	1	1
29	1	1	1	1	1
30	1	1	1	1	1
31	1	1	1	1	1
32	1	1	1	1	1
33	1	1	1	1	1
34	1	1	1	1	1
35	1	1	1	1	1
36	1	1	1	1	1
37	1	1	1	1	1
38	1	1	1	1	1
39	1	1	1	1	1
40	1	1	1	1	1
41	1	1	1	1	1
42	1	1	1	1	1
43	1	1	1	1	1
44	1	1	1	1	1
45	1	1	1	1	1
46	1	1	1	1	1
47	1	1	1	1	1
48	1	1	1	1	1
49	1	1	1	1	1
50	1	1	1	1	1
51	1	1	1	1	1
52	1	1	1	1	1
53	1	1	1	1	1
54	1	1	1	1	1
55	1	1	1	1	1
56	1	1	1	1	1
57	1	1	1	1	1
58	1	1	1	1	1
59	1	1	1	1	1
60	1	1	1	1	1
61	1	1	1	1	1
62	1	1	1	1	1
63	1	1	1	1	1
64	1	1	1	1	1
65	1	1	1	1	1
66	1	1	1	1	1
67	1	1	1	1	1
68	1	1	1	1	1
69	1	1	1	1	1
70	1	1	1	1	1
71	1	1	1	1	1
72	1	1	1	1	1
73	1	1	1	1	1
74	1	1	1	1	1
75	1	1	1	1	1
76	1	1	1	1	1
77	1	1	1	1	1
78	1	1	1	1	1
79	1	1	1	1	1
80	1	1	1	1	1
81	1	1	1	1	1
82	1	1	1	1	1
83	1	1	1	1	1
84	1	1	1	1	1
85	1	1	1	1	1
86	1	1	1	1	1
87	1	1	1	1	1
88	1	1	1	1	1
89	1	1	1	1	1
90	1	1	1	1	1
91	1	1	1	1	1
92	1	1	1	1	1
93	1	1	1	1	1
94	1	1	1	1	1
95	1	1	1	1	1
96	1	1	1	1	1

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS:

	A72-00201A
	A72-00201C
	A72-00201B
	A72-00201D
	A72-00201E
	A72-00201F
	R72-00201B
	R72-00201C
	R72-00201D
	R72-00201E

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	18E	6	SW	NE		KUCKHOFF, F A	A72-00201B / 5.0	- /			
			SW	NE		KUCKHOFF, F A	A72-00202B / 5.0	- /			
			SW	NE		KUCKHOFF, F A	R72-00201B / 5.0	- /			
			SW	NE		KUCKHOFF, F A	R72-00202B / 5.0	- /			
			SW	NE		US DEPT OF INTERIOR	A72-15909 /	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A72-00201B	5.00
-------------	------------	------

POU COUNTY: CUSTER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00201B	SALMON RIVER, EAST FORK	KUCKHOFF, F A	0.050	0.010		
	PINE CREEK					
R72-00201B	SALMON RIVER, EAST FORK	KUCKHOFF, F A	0.050	0.010		
	PINE CREEK					
R72-00202B	SALMON RIVER, EAST FORK	KUCKHOFF, F A	0.050	0.010		
A72-00202B	SALMON RIVER, EAST FORK	KUCKHOFF, F A	0.050	0.010		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-15909	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
A72-15909	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-00202B

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDNR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

[illegible]

A. A) CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-002018 IRRIGATION	FROM 06-01 TO 11-01	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.050 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00201 IRRIGATION	FROM TO	4.500 CFS	
TOTAL DIVERSION RATE/VOLUME		4.500 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.050 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.500 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 12.5 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

MR RECORD CONDITIONS/REMARKS:
P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS
QUAD.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 0.050	DATABASE EXAMINER	DATABASE EXAMINER 12.5
TOTAL FOR THIS RIGHT		0.050		12.5

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: D

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED	NEEDS
FORFEIT/ABANDON	AS CLAIMED	REVIEW
ADDITIONAL DIV.		
AMOUNT	()	()
	()	()
	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-0020
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.500

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	R72--00201A	0.820	R72--00201A	0.820	-	-
A72--00201	R72--00201C	0.150	R72--00201C	0.150	72--00201	4.5000
-	R72--00201B	0.050	R72--00201B	0.050	-	-
-	R72--00201D	0.150	R72--00201D	0.150	-	-
-	R72--00201E	0.450	R72--00201E	0.450	-	-
-	-	-	-	-	72--00201	4.5000
-	R72--00201B	0.050	R72--00201B	0.050	-	-
A72--00201	R72--00201C	0.150	R72--00201C	0.150	72--00201	4.5000
-	R72--00201D	0.150	R72--00201D	0.150	-	-
-	R72--00201E	0.450	R72--00201E	0.450	-	-
TOTAL CFS		2.420		2.420		4.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW (____) OR SEE ATTACHMENT (____)?

FIELD	EXAMINER	Y() N()
DATABASE		
N		

NOTES:

=====

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y()	N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y()	N()
☐ MAP	DATE OF PHOTO _____ IDWR ID NO. _____	Y()	N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y()	N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y()	N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y()	N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y()	N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y()	N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y()	N()
☐ OTHER _____	DATE _____	Y()	N()
☐ OTHER _____	DATE _____	Y()	N()
☐ OTHER _____	DATE _____	Y()	N()
=====			
LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

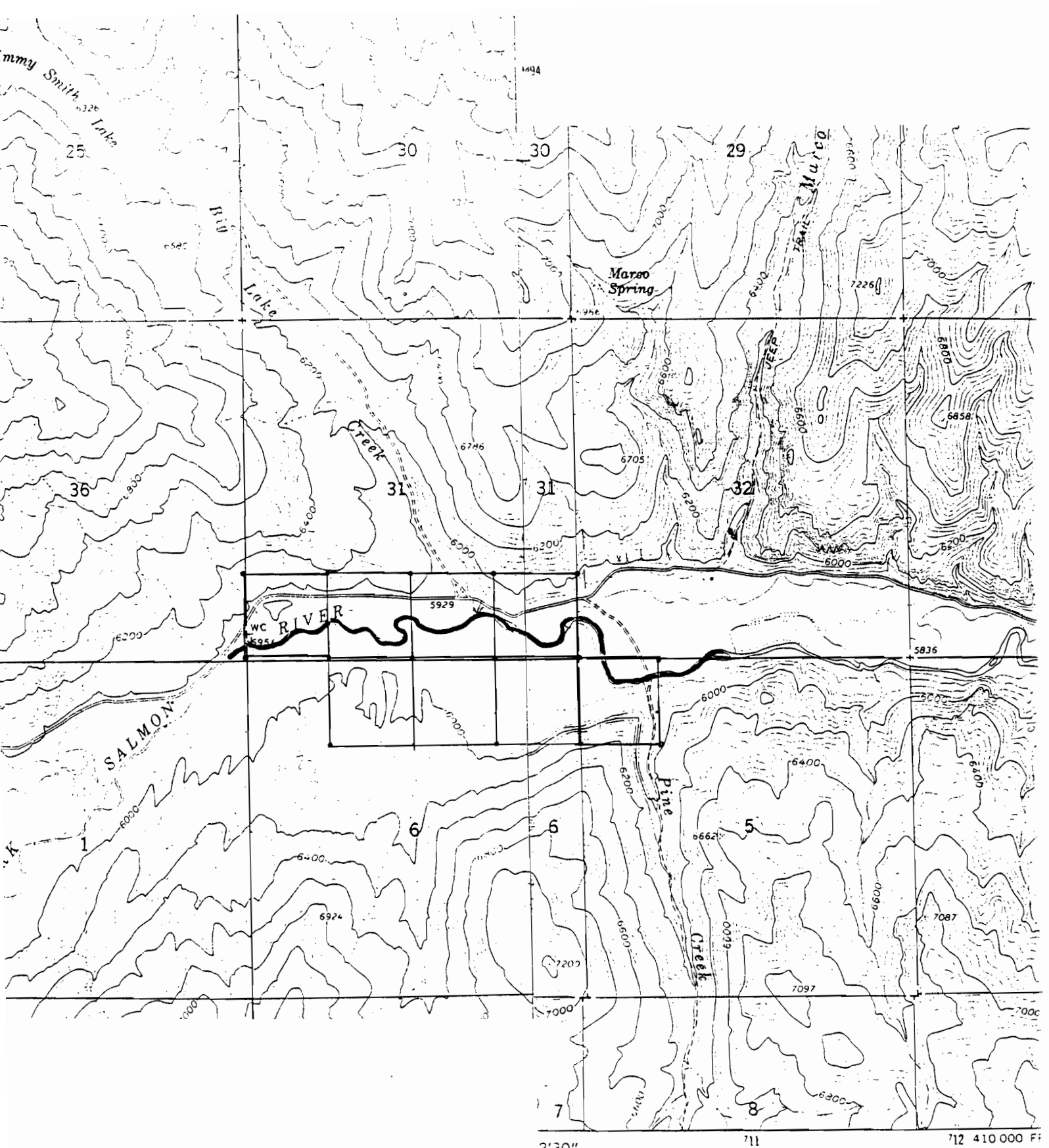
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-002018
18

00:56:41
05/21/95

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE



2'30"

711

712 410 000 F

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1957. Field checked 1963

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, central zone
1000-meter Universal Transverse Mercator grid ticks.

As claimed

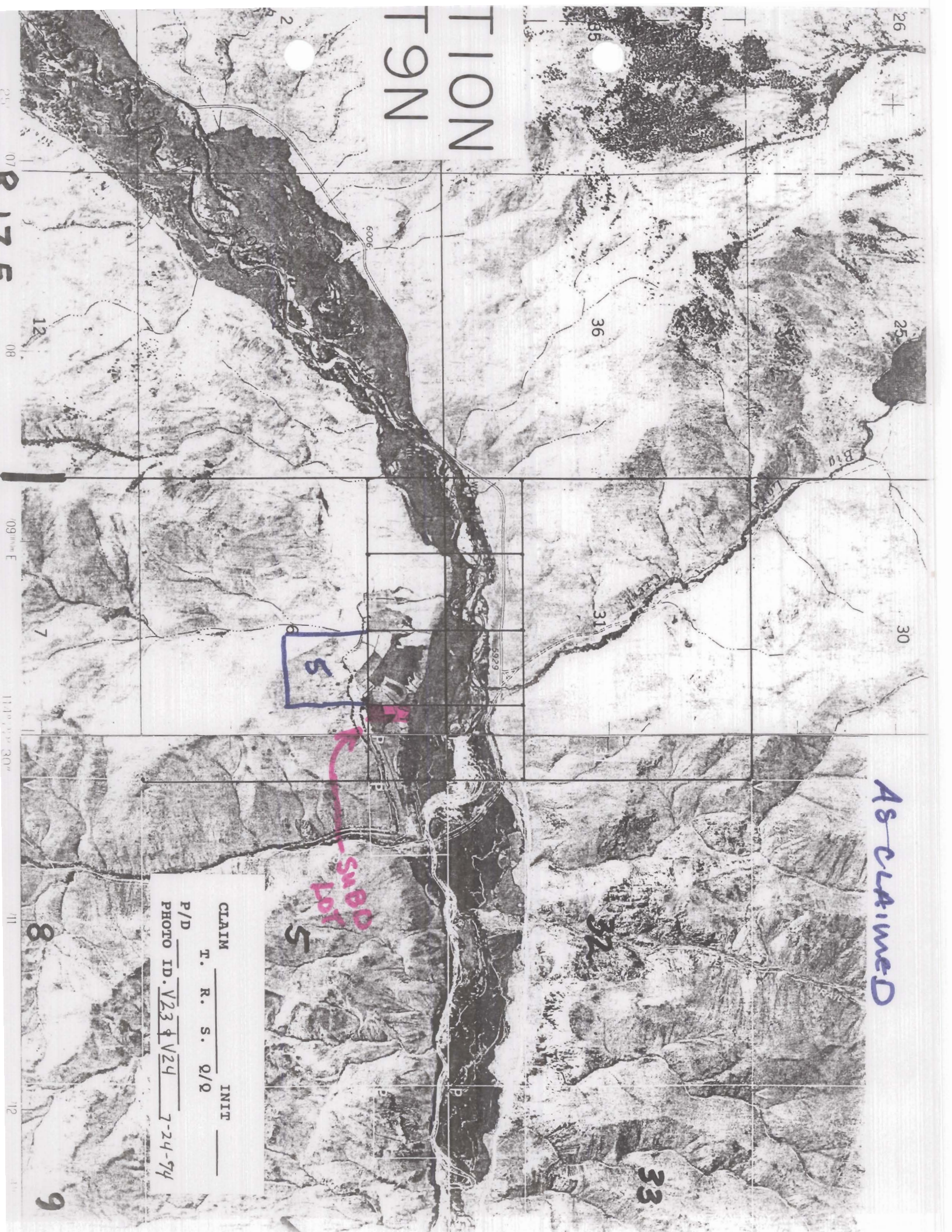
TION
T9N

5

Suod
Lot

5

CLAIM INIT
T. R. S. Q/Q
P/D
PHOTO ID. V23 V24 7-24-74



NOV. 24. 1999

2.



Old (D) Number :

Address

State- Zip-

Phone -

Status - - - +

-- Tributary -- --
SALMON RIVER
SALMON RIVER, EAST FORK

[illegible]

09N	18E	5	SW NW	(37)	CUSTER
			NW SW	(37)	CUSTER
10N	18E	31	SW SW	(37)	CUSTER
				4	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
1	Water Use					

4.500

+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +
4.500					

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
09N	18E	5	NW NW	4		01	IRRIGATION	(37) CUSTER
09N	18E	6	NE NE	1		01	IRRIGATION	(37) CUSTER
09N	18E	6	NW NE	2		01	IRRIGATION	(37) CUSTER
09N	18E	6	NE NW	3		01	IRRIGATION	(37) CUSTER
10N	18E	31	SE SW			01	IRRIGATION	(37) CUSTER
10N	18E	31	SE SW			01	IRRIGATION	(37) CUSTER
10N	18E	31	SW SE			01	IRRIGATION	(37) CUSTER
10N	18E	31	SE SE			01	IRRIGATION	(37) CUSTER

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks
P/D IN SEC. 6 GIVEN IN DECREE IS INCORRECT, DETERMINED FROM USGS QUAD.

Water right number - 72-00201 Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
GOSSI, ET. AL. GIAMPEDRAGLIA, ET. AL. 02/14/1938

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Audit Fields - 06/18/85 05/28/88 CONVERT - - - - - +
+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 06/18/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 02/14/1938	Presumption Flag -	

WR Base Right

R PROOF

CVR

MAPS

PHOTOS

MISC

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~~X~~

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