

RECEIVED

DEC 21 1995

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-00224**
Date Received: 12/26/1989
Receipt No: S010751
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MELODIE L BAKER 208-838-2440
Address: HC 68 BOX 304
CLAYTON ID 83227
AND/OR
Name: D WAYNE BAKER 208-838-2440
Address: HC 68 BOX 304
CLAYTON ID 83227

2. Date of Priority: APR 1, 1881

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	18E	12	SW	NW	NE		CUSTER

5. Description of diverting works:

ROCK DAM W/WOODEN HEADGATE TO DITCH TO FLOOD & 10 H.P. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.600		

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

A.F.A.

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	18E	35	NE		SW		IRR	16.0
			SE		SW		IRR	1.0
			NE		SE		IRR	2.0
			NW		SE		IRR	38.0
			SW		SE		IRR	28.0
			SE		SE		IRR	23.0
							Section Acres	108.0
							Total Acres	108.0

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:
A72-00225

14. Remarks:
LAND IN SESW & NESE SEC. 35 T 11N, R 18E IS OWNED BY B.L.M.
AND ARE IRRIG. IN TRESPASS.

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): David Wayne Baker Date: 12-19-95
Melvin L. Baker Date: 12/19/95

State of Idaho)
County of TWIN FALLS) ss.

Subscribed and sworn (or affirmed) before me this 22ND day
of DECEMBER 19 95

James J. Hitchcock
Notary Public

Seal

Residing at TWIN FALLS, ID
My Commission Expires 10-11-2000

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

COPY

Ident. Number: A72-00224
Date Received: 12/26/1989
Receipt No: SD10751
Received By: to

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

1. Name: DAVID WAYNE BAKER 208-838-2440
Address: H.C. 68 BOX 304
CLAYTON, ID 83227

AND/OR

Name: MELODIE LYNN BAKER 208-838-2440
Address: H.C. 68 BOX 304
CLAYTON, ID 83227

2. Date of Priority: APR 01, 1881

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

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			NW		SE		IRR	38.0
			SW		SE		IRR	28.0
			SE		SE		IRR	23.0
Section Acres								108.0
Total Acres								108.0

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AND ARE IRRIG. IN TRESPASS.

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

<u>GOSSI, ET. AL.</u>		<u>GIAMPEDRAGLIA, ET. AL.</u>
Decree Plaintiff	vs	Decree Defendant

MICROFILMED
MAR 18 1993

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: 1

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): David Wayne Baker Date: 12-26-89
Melodie Lynn Baker Date: 12-26-89

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of Dec. 19 89
[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

TIN RISE

72-022

72-022

20'

TION

16 17' 30"

17

TIN
TION

House well

Pump from
ditch

well
7/1/1957

D/F .04 cfs

A72-10329

A72-10330

.07

NOT RECORDED

1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

February 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MR WAYNE BAKER
HC 68 BOX 304
CLAYTON, ID 83227

RE: YOUR CALL ABOUT THE BLM CONTACT YOU HAD CONCERNING WATER FOR
THE TRESPASS ACRES NOTED IN YOUR CLAIMS IN THE SRBA FOR THE
HOME PLACE A72-00224 AND A72-00225.

Dear Wayne:

Here are copies of your original claims with the map from the
orthophotoquad marked in the original colors. I've included some
extra copies for your use.

Please note that I've included the business card of Bob Foster in
our satellite office up in Salmon. He would be a good contact for
you in that he gets into a lot of stuff with the regulatory
agencies in your area as our department rep.

I'll be curious to see how this unfolds as I'm sure you folks will
be since you are directly involved. Sorry not to be of more help
but as you know I'm not an attorney so I can't say anything that
might even be stretched to be considered legal advice.

Let me know if I can be of help and I'll call you back as usual.
If things break quickly you are always welcome to call me at home
as mentioned before at 733-4870 with recorder.

Best wishes to all the Bakers.

Sincerely Yours,

Francis G. Hitchcock
Water Resources Agent Sr.

enclosures

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. BAKER, BASIN 72

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

February 9, 1996 4:15pm

NAME:
BAKER CLAIMS-BASIN 72-AMENDED

RE:
A72-00190, -00191, -00192, -
-00194, -00198, -00199,
-00200, -02095, -02142,
-10084, -10085, -10174.

THIS DATE: EACH CLAIM FILE NOTED ABOVE RECIEVED A MEMO OUTLINING THE METHOD FOR DEALING WITH THE STATUTE REQUIREMENT OF I.C. 42-1409A(3) PER DON SHAFF OF THE STATE OFFICE SRBA UNIT.

EACH CLAIM THAT THE CLAIMANT(S) REQUESTED BE AMENDED WOULD HAVE BEEN APPROVED PER THE DIRECTION FROM DON SHAFF IF THE CLAIMANT(S) HAD REQUESTED SAME PER THE STATUTE FROM THE DIRECTOR.

SIGNED:



FRANK HITCHCOCK
WATER RESOURCES AGENT SR.

MEMORANDUM

In October of 1995, I asked Brent King to ask the Adjudication unit in the state office how amendments to claims were to be handled in terms of the extension of time forms originally required as a result of I.C. 42-1409 as amended.

See Ownership Change binder in FH cubicle shelving at Amendments, 42-1409A tab in the materials: Steve Clelland memo of phone conversation with Don Shaff "...Form 42-1409(10)-1 required...until further notice...". Memo FYI to AJ Staff from Clelland dated October 27, 1994.

Per conversation with Don Shaff according to Brent King, assistant attorney general, we are to "document the file to show that if we had made him do it we would have OKd it anyway."

As per Brent King, October 24, 1995.

Phone message here October 23, 1995 from Brent. Didn't get the message slip on the 23rd. Found at front on the 24th. Called him at S.O. and left message. He came in to office here later and gave me the information.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00224, -00225

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

February 8, 1996 3:37pm

NAME:
BAKER, WAYNE

RE:
A72-00224, -00225

TF 10:03-TCW-BLM WANTS HIM TO PROVIDE WATER FOR THE ACRES HE HAS IRRIGATED IN TRESPASS ON HIS PLACE. PULLED MAPS AND CLAIMS-TT-TCW-TOLD HIM WOULD SEND HIM WHAT HE CLAIMED FOR METG WITH BLM 03-04. HE ASKED ME SOME LEGAL QUESTIONS WHICH I DISCLAIMED ON AS I AM NOT AN ATTORNEY. CCS OF COVER LETTER AND THIS MEMO TO FILE(S).

10⁰³

Wayne Baker - 3 AC

838-2440

BLM-went

truck with turned
over -
Land Specialist
Salmon Tad
Want to sell?
no answer -

Mark Johnson
hired - guy - Chil
interested in something

met Mark 4 -

copies - claim to him - images.

1/2 are there @ Redwin's

call him today

10¹⁷

Jim Bennett - talk

10¹⁸

TT @ Dick's

20

CW JR - BLM request

10²⁰

TT - Bob A - IV. msg. 756-6644

TO: DOUG AND CHERYL BAKER
WAYNE AND MELODIE BAKER ✓
FROM: FRANK HITCHCOCK
DATE: JULY 5, 1995
RE: LETTER (ATTACHED)

I DON'T MEAN ANY DISRESPECT TO ANY OF YOU BY NOT SENDING YOU EACH A SEPARATE LETTER REGARDING THE CHANGES OF THE WATER RIGHT CLAIMS. I SIMPLY WANT TO GET THE WORD OUT TO ALL OF YOU AS TO THE HOLD-UP.

PLEASE REVIEW THE LETTER TO DICK AND BETTY AND BE ASSURED THAT I WILL GET THE CHANGES DONE AND THE PAPERS BACK TO YOU AS SOON AS I CAN UNDER THE PRESENT DIRECTIONS FROM MY NEW SUPERVISOR.

AS ALWAYS, PLEASE CALL ME WITH ANY QUESTIONS OR COMMENTS AT THE OFFICE NUMBER AND IF I'M OUT I'LL CALL YOU BACK. IF SOMETHING COMES UP SUDDENLY YOU'RE ALWAYS WELCOME TO CALL ME AT HOME AS WE HAVE A RECORDER-733-4870.

BEST WISHES TO YOU ALL.

DICK & BETTY:

*As sent to Doug and Wayne/wives ...
also, cc(s) to Tom Coates*

*regards,
Frank*



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 5, 1995

MR. AND MRS. DICK BAKER
HC 68 BOX 370
CLAYTON, ID 83227

RE: AMENDMENTS/OWNERSHIP CHANGES

DEAR DICK AND BETTY:

As I mentioned when we were together the other day I have been under a directive from my supervisor to get more work done so I haven't gotten the paperwork that we reviewed with Tom finished.

Please remember that these changes will be done by me to be sure that everything gets done as you all wanted them done. That's not to say that I'm not perfectly capable of screwing them up all by myself without any interference from other staff.

I will make an effort to get them off my desk and back to you for your signatures. After you review them and feel comfortable that we have gotten all the ownership and changes just as all the Bakers want them to be return the signature sheets to me for the files.

I've spoken to Tom about this and he says it's alright to forward the papers to you directly. I will of course stay in touch with Tom and you folks to make sure we are all in agreement on the paperwork.

It is going to take awhile longer as I'm being pulled in several different directions at the same time by supervision and my work in progress such as your claims will take longer to do. Please don't think that I have forgotten or have set them aside as I haven't.

This letter then is a courtesy to you folks to keep you informed of what isn't happening as quickly as it would if I were doing my own work according to my own schedule and promises.

I don't know when I'll be able to get up your way again but I will look forward to seeing you all again. Best wishes.

Sincerely,

COMMUNICATION DOCUMENTATION

Claim No. A72-00224

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IDWR Employee/Agent H Date 03-21-95
Contact Person(s) BOB A. FOSTER - SARNOV

Nature of Contact IF+G biologist, MIKE LARKIN,
reports a fish pond, stocked w/ rainbow,
purchased by BAKER.

Substance of Communication & pertinent information available - discussed
possible need for compliance.

couldn't really ID any.

suggested contact w/ BAKER - share
w/ me if necessary.

TELEPHONE MEMORANDUM

Incoming Call

✓ Outgoing Call

9:00

Returning Call

TO:

Baker, Wayne R Melrose 838-2440

DATE:

08-02-1993

FROM:

H

FILE:

FILE NO:

-00224 -00225

SUBJECT:

Field Edms

REMARKS:

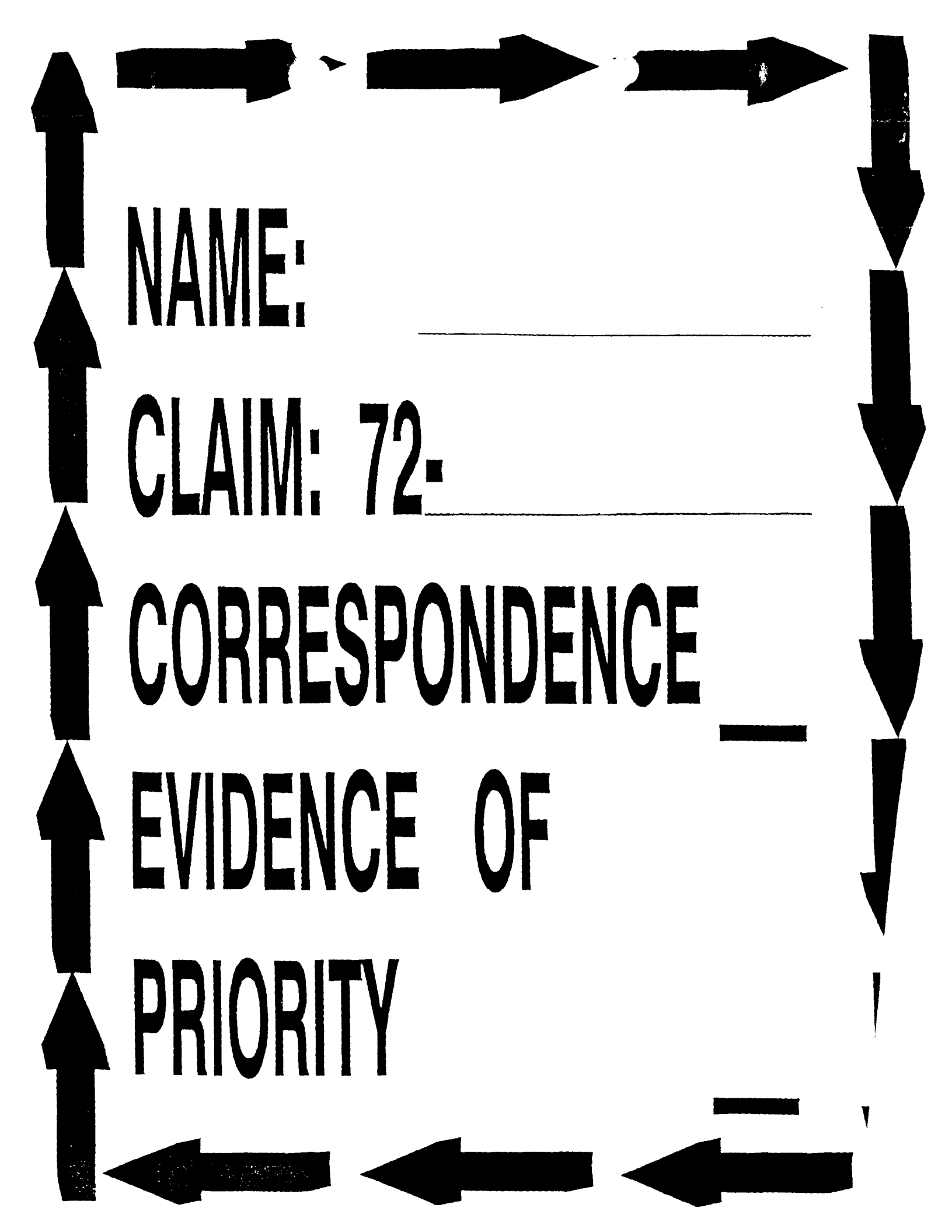
Call THUR's note - to confirm
for Fri afternoon.

08-03-1993

8:25 PM: N/A, 9:00 appt set FRI @ 1 PM

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:



NAME: _____

CLAIM: 72- _____

CORRESPONDENCE _____

EVIDENCE OF

PRIORITY

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 72-225

WATER RIGHT NUMBER: 72-225

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VIRGIL GOSSI
	, ID
Current Owner	D WAYNE BAKER HC 68 BOX 304 CLAYTON, ID 83227-9601 (208)838-2440
Current Owner	MELODIE L BAKER HC 68 BOX 304 CLAYTON, ID 83227 (208)838-2440

Priority Date: 05/01/1936

Basis: Decreed

Status: Closed

<u>Source</u>	<u>Tributary</u>
EAST FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

EAST FORK SALMON RIVER	SW1/4NW1/4NE1/4	Sec. 12, Twp 10N, Rge 18E, B.M.
CUSTER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	18E	35									16.0			1.0	2.0	38.0	28.0	23.0	108.0

Total Acres: 108

Conditions of Approval:

1. LAND IN SESW & NESE SEC. 35 T 11N, R 18E IS OWNED BY B.L.M. AND IS IRRIG. IN TRESPASS.

Remarks:

DBB

752Bb1

752Sh1

35

752Pd2

752XHS

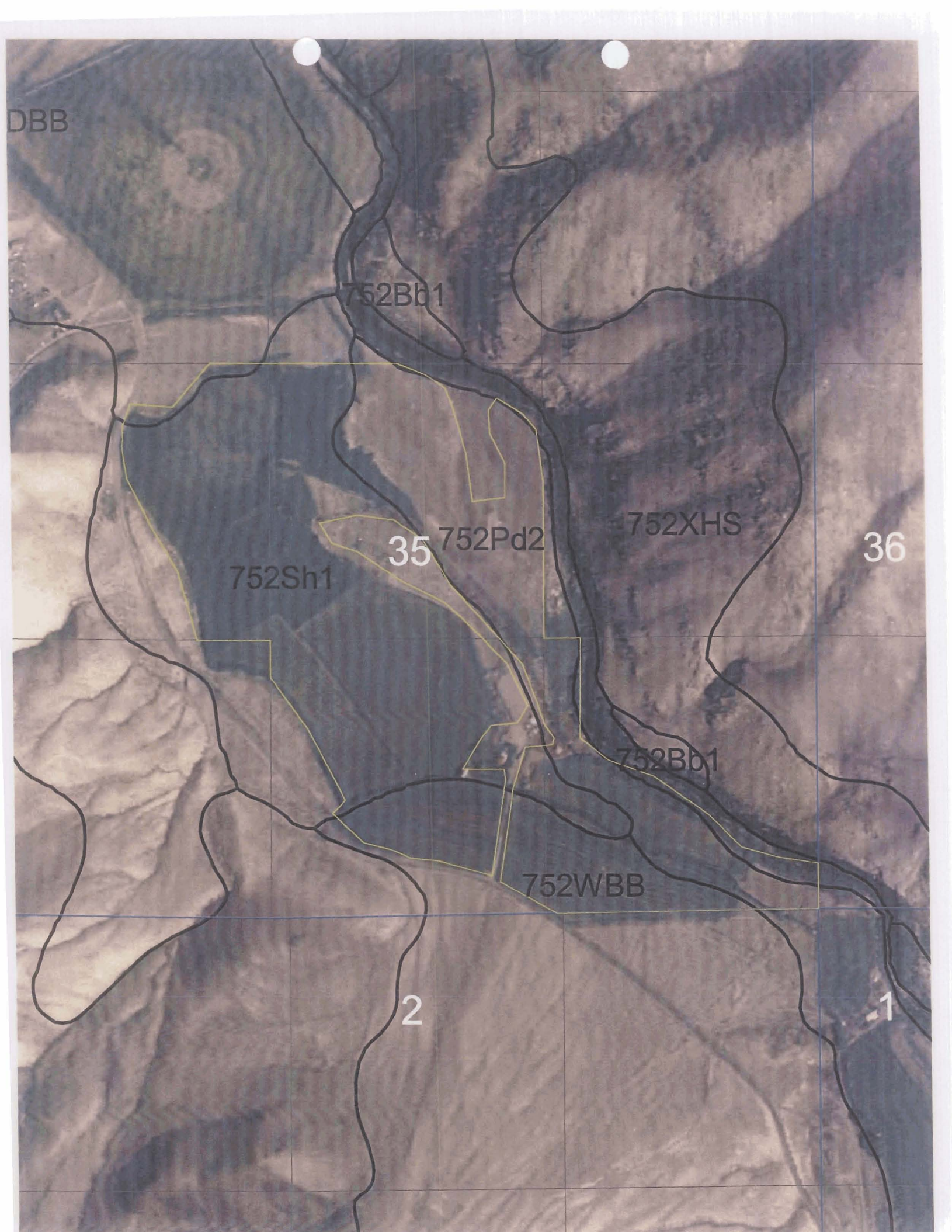
36

752Bb1

752WBB

2

-1



REEVALUATION OF IRRIGATION RESOURCES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00224

 DATE: 11-13, 1998

72-00225

 REVIEWED BY UA

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION		SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA		PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62	PD2	.11	.12			5.15	4.74
BB1	.09	.09			6.09	6.17	RE2	.29	.21			3.15	4.74
BB2							RP1	.19	.21			4.89	4.57
BC1	.16	.17			5.82	5.46	SH1	.06	.05			9.37	12.10
BK1	.07	.06			10.62	11.86	SOC	.08	.07			7.38	8.08
BT1	.18	.16			3.99	4.19	SSA	.15	.14			4.79	5.01
BT2	.41	.32			2.34	2.87	SXF	.12	.11			6.14	6.80
CB1	.06	.06			11.55	13.47	TC1	.06	.06			9.82	9.55
CHA	.21	.21			4.52	4.76	TD1	.04	.03			12.46	16.50
CP1	.36	.36			2.61	2.78	WB2	.13	.13			5.37	5.43
DB1	.13	.11			5.66	6.65	WAA	.19	.16			3.81	4.23
DBB	.13	.11			5.71	6.69	WBB	.17	.14			3.36	3.84
DBC	.13	.11			5.71	6.69	WC1	.07	.06			11.24	13.45
DMF	.18	.21			5.12	4.72	WPT	.19	.15			3.16	3.69
DT2	.05	.04			12.46	16.50	WV1	.07	.06			11.24	13.45
DWA	.14	.14			4.79	5.01	XHS						
G01	.10	.12			12.47	10.51	YN1	.18	.14			5.38	6.92
HAYSE													
KEG	.08	.07			8.73	10.06							
MUG	.15	.14			4.54	4.98							
NDL	.13	.12			5.30	6.06							

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
<u>Sh1</u>	/		* <u>53</u>	* <u>.06</u>	= <u>3.18</u> CFS — F1000
<u>Pd2</u>	/		* <u>26</u>	* <u>.11</u>	= <u>2.86</u> CFS — F1000
	/		*	*	= CFS
<u>WBB</u>	/		* <u>13</u>	*	= CFS — SPRINKLER

 TOTAL ACRES 92

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

3.60%
+ .60%
4.20

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

Water Right Number - R72-00224

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

BAKER

D 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 ***

GOSSI

VIRGIL

1 -

2 -

3 -

City- XXX

State- ID Zip- 000

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1881 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

10N 18E 12 SW NE (37) CUSTER EF-3

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 3.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.600 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

11N 18E 35 NE SW 16.0 01 IRRIGATION (37) CUSTER

11N 18E 35 NW SE 33.4 01 IRRIGATION (37) CUSTER

11N 18E 35 SW SE 25.0 01 IRRIGATION (37) CUSTER

11N 18E 35 SE SE 18.0 01 IRRIGATION (37) CUSTER

Total Acres: 92.4

+ - - Diversion Means - ROCK DAM W/WOODEN HEADGATE TO DITCH TO FLOOD & 10 H.P. PUMP

+ - - Non-Irrigation Use -

Water right number - R72-00224

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 72-00225

+ - - - - - Remarks - - - - - +

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00225 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 92.4 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00225, 72-00226A, 72-00226B,
72-00227A, 72-00227B.

+ - - - - - 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: 12/22/1995 User Id: FHITCHCO Subject: COPIED FROM REMARKS
LAND IN SESW & NESE SEC. 35 T 11N, R 18E IS OWNED BY B.L.M. AND ARE IRRIG. IN TRESPASS.
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: 12/29/1998 User Id: VHANCOCK Subject: CHANGES PER NOE
CHANGED DESCRIPTION OF P/D TO 40 ACRE TRACT PER CLAIMANT REQUEST
Date: 02/04/2000 User Id: VHANCOCK Subject: SF5
CHANGES TO POU SHAPE FILE PER SF5 SIGNED 11-30-1999.

+ - - Audit Fields - - +

02/04/00 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	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010751	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

CLAIM NUMBER 43-00224 DATE 2-4-2000 TRANSFER NUMBER _____
43-00225 AGENT WAT CLAIMED ACRE TOTAL 108
 GIS ACRE TOTAL 92

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	11N	18E	35									16			1	2	38	28	23
GIS												16			0	0	33	25	18
RECOM												16			0	0	33	25	18
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

Revised POL Per SF5 signed
11-30-1999

Acreage deleted from BLM Tracts in
SESW & NESE

B72-DBPOD.SHP

Acreage added to NWSE of shape file

NOS. DESCRIPTION

26 EF3 TION RIBE Ac 2 NE SW NE

DBF TABLES UPDATED

B72-DBPOU.DBF

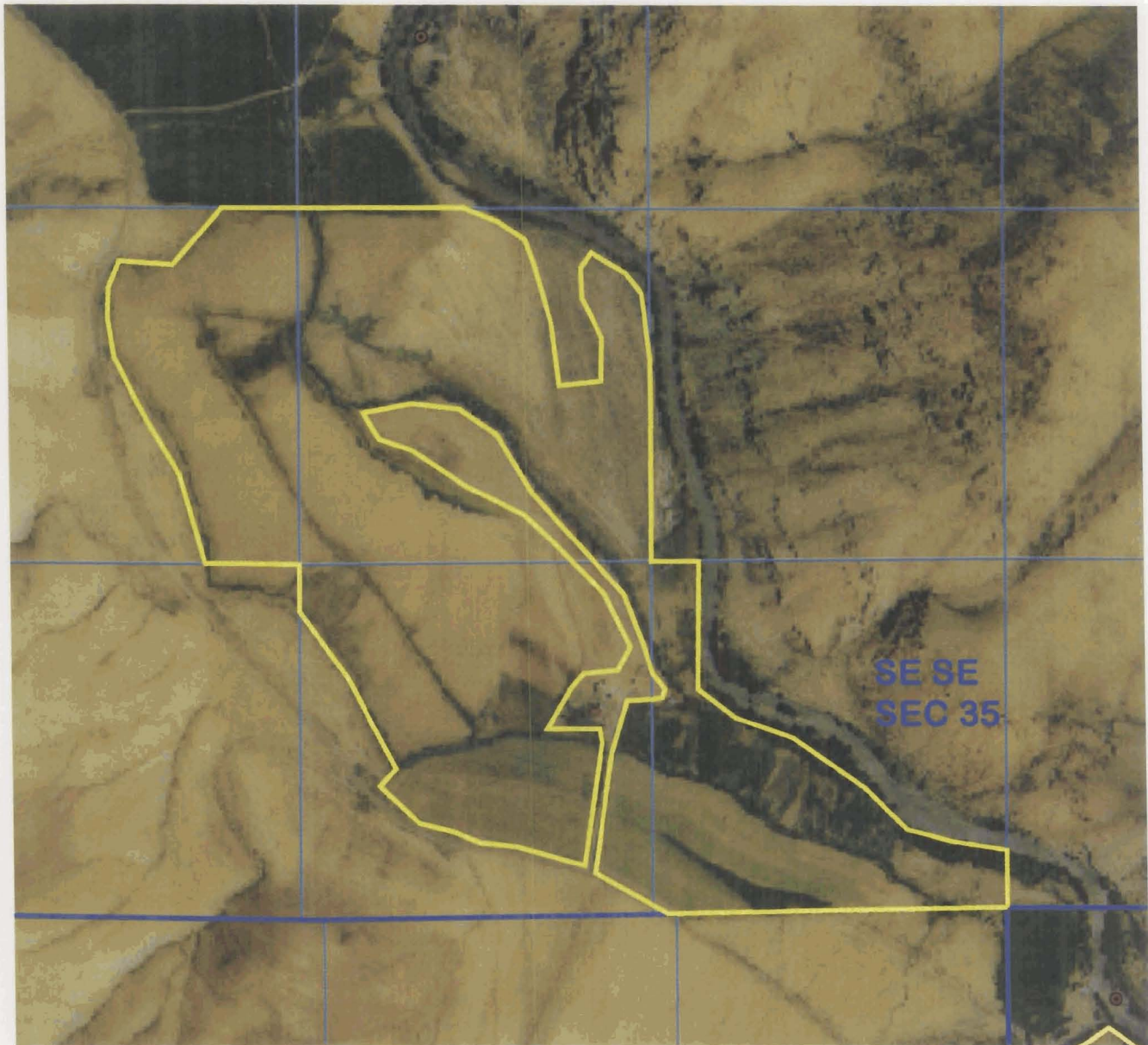
✓

B72-DBPOD.DBF

QPEG 22-00224

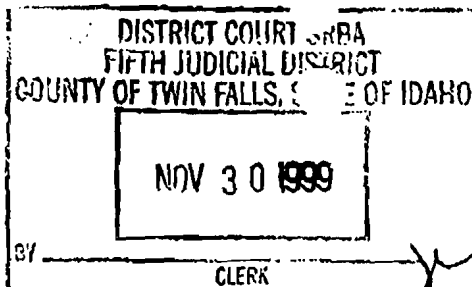
RIGHT 72-00224, 72-00225

RECOMMENDED PLACE OF USE
TWP 11N RNG 18E SEC 35
data entry on February 04, 2000



-  **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



RECEIVED
FEB 04 2000
Department of Water Resources
Bureau of Land Management

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 No. 72-00224

Case No. 39576

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:D. Wayne Baker
Melodie L. Baker**OBJECTOR:**United States on behalf of the
Bureau of Land Management

D. Wayne Baker
D. Wayne Baker

11/30/99
Date

Larry A. Brown
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Melodie L. Baker
Melodie L. Baker

11/30/99
Date

IDWR CONCURRENCE:

James Robertson
Id. Water Res. Agent

11/30/99
Date

IDWR CONCURRENCE:

AS TO Form
[Signature] *11/30/99*
Date

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

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

RIGHT NUMBER: 72-00224

NAME & ADDRESS: D WAYNE BAKER
MELODIE L BAKER
HC 68 BOX 304
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK

TRIBUTARY: SALMON RIVER

QUANTITY: 3.6 CFS

PRIORITY DATE: 04/01/1881

POINT OF
DIVERSION:

T10N R18E S12

SWNE

Within CUSTER County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
3.6 CFS

PLACE OF USE:

IRRIGATION

T11N R18E S35

NESW 16

NESE 1.4

SWSE 25

Within CUSTER County

SESW 1

NWSE 34 33.4

SESE 18

92.4 ACRES TOTAL

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES~~
~~WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION~~
~~SEASON. USE OF THIS RIGHT WITH RIGHT NO. 72-00225 IS LIMITED TO~~
~~THE IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE~~
~~IRRIGATION SEASON.~~
92.4

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.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00225, 72-00226A, 72-00226B,
72-00227A. 72-00227B.

Fwp
LE
R
WB
HCO
MB

CERTIFICATE OF MAILING

I certify that on 11-30, 1999, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

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

2. Copy to:

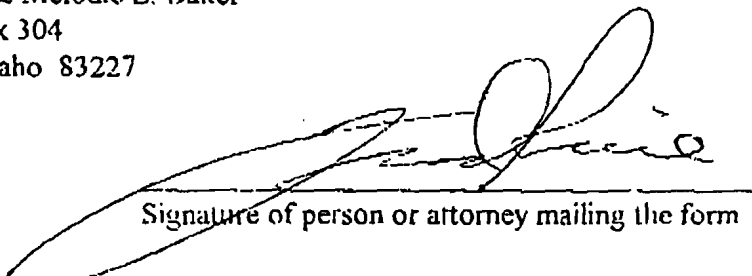
Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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



Signature of person or attorney mailing the form

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.

00201B
~~72-00102B~~

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 } FAX 736-3037
Larry Brown, DOJ-Boise
Gloria Baimbridge, CACI-Boise

FROM: Fred Price, BLM-ISO 373-3831 Phone
373-3805 FAX

RE: 72-00224 Wayne Baker
72-00225 Wayne Baker

I've talked to the claimants and we have agreed to settle one of two ways.

1. Remove the two POU's on BLM (SESW 1.0ac, NESE 1.4 ac). They would stop irrigating the 2.4 acres on BLM. Can you take a look at the shape file to see if there is room to include 2.4 acres (or more) under one or more of the other recommended POU's on private (so that there is no net loss in quantity)? They are concerned about a loss in quantity if we reduce the acres. They have also raised a concern that the quantity was reduced too much from what was decreed to them in a prior decree, can you take a look at that issue while your looking at the 2.4 acres (as they are thinking about filing a late objection)? If you can only find room to interpret the shape file to take care of the 1.4 acre issue, then we will definitely pursue settlement option 2.

2. a. Remove the 1.4 ac POU on BLM in the NESE. This POU is not authorized and won't be. Can you take a look at the shape file to see if there is room to include 1.4 acres (or more) under one of the other recommended POU's (so that there is no net loss in quantity)?

b. Split off the 1 ac POU on BLM in the SESW into BLM's name under a "B" right. The private POU's would be under an "A" right in the Baker's name. This POU is authorized by BLM under an Ag Permit and defines that title to water POU's on BLM will be in BLM's name. The reason I need you to prepare option 1 also is that they are leery of putting anything in BLM's name even though there is a contract that says they will.

In the past, IDWR has sometimes just split one of multiple rights that identify the same POU's rather than splitting all of them. When IDWR has done that, you usually give BLM a piece of the most junior claim. (Ex. find 1.4 acres (or more) to include within 72-00224 and 72-00225A in Baker's name and give BLM one acre of water under 72-00225B, that way BLM ends up with one claim for 1 acre worth of water).

Larry, we need to craft a stipulation for Option 2 that would allow the Baker's to transfer the claim in BLM's name to private land should the Ag Permit be terminated, expire and not be renewed.

OPTION 1:

**REMOVE BOTH POUS ON BLM
AND TRY TO AVOID REDUCTION IN QUANTITY
BY REINTERPRETING THE SHAPE FILE TO
INCLUDE ADDITIONAL ACRES UNDER OTHER
POUS.**

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

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

RIGHT NUMBER: 72-00224 OPTION 1:

NAME & ADDRESS: D WAYNE BAKER
MELODIE L BAKER
HC 68 BOX 304
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 3.6 CFS

PRIORITY DATE: 04/01/1981

POINT OF DIVERSION: T10N R18E S12 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE IRRIGATION PERIOD OF USE 04-01 10-31 QUANTITY 3.6 CFS

PLACE OF USE: IRRIGATION T11N R18E S35 NESW 16 Within CUSTER County
SESW-1
NWSE 31
SESE 18

CAN THE 2.4 ACRES BEING REMOVED
BE ADDED TO ANY OF THE OTHER PDUS?
92.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THIS RIGHT WITH RIGHT NO. 72-00225 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE
IRRIGATION SEASON.

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.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00225, 72-00226A, 72-00226B, 72-
00227A, 72-00227B.

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

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

RIGHT NUMBER: 72-00225

OPTION 1:

NAME & ADDRESS: MELODIE L BAKER
D WAYNE BAKER
HC 68 BOX 304
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 05/01/1936

POINT OF
DIVERSION:

T10N R18E S12

SWNE

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.6 CFS

PLACE OF USE:

IRRIGATION

T11N R18E S35

NESW 16

Within CUSTER County

CAN THE 2.4 ACRES BEING REMOVED
BE ADDED TO ANY OF THE OTHER POLS?
92.4 ACRES TOTAL

NESW 1-4
SWSE 25

SESW-1
NWSE 31
SESE 19

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THIS RIGHT WITH RIGHT NO 72-00224 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE
IRRIGATION SEASON.

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.
NONE

SOURCE
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.
NONE

SOURCE
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.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00224, 72-00226A, 72-00226B, 72-
00227A, 72-00227B.

OPTION 2:

REMOVE 1.4 AC POU IN NESE
AND TRY TO AVOID REDUCTION IN QUANTITY
BY REINTERPRETING THE SHAPE FILE TO
INCLUDE ADDITIONAL ACRES UNDER OTHER
POUS.

SPLIT OFF 1 AC POU IN SESW
INTO BLM'S NAME PURSUANT
TO BLM AG PERMIT.

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

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

RIGHT NUMBER: ~~72-00224~~ 72-00224A

OPTION 2

NAME & ADDRESS: D WAYNE BAKER
MELODIE L BAKER
HC 68 BOX 304
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK

TRIBUTARY: SALMON RIVER

QUANTITY: 3.6 CFS

PRIORITY DATE: 04/01/1981

POINT OF
DIVERSION:

T10N R18E S12

SWNE

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
3.6 CFS

PLACE OF USE:

IRRIGATION
T11N R18E S35

Within CUSTER County

CAN THE 1.4 ACRES BEING REMOVED
BE ADDED TO ANY OTHER POINT?

NESW 16

SESE 1-4 ADD

SWSE 25

SESW 1-4 SPLIT TO BLM

NWSE 31

SESE 18

90.0+1.4 hopefully ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THIS RIGHT WITH RIGHT NO. ~~72-00225~~ 72-00224B,
72-00225A AND 72-00225B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 90 ACRES IN A SINGLE IRRIGATION SEASON.

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.
NONE

SOURCE
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.
NONE

SOURCE
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.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00224B, 72-00225 72-00225A,
72-00225B, 72-00226A, 72-00226B, 72-00227A. 72-00227B.

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

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

RIGHT NUMBER: 72-00224 72-00224B

OPTION 2

NAME & ADDRESS: ~~B WAINWRIGHT BAKER~~ UNITED STATES OF AMERICA, ACTING THROUGH
~~MELODIE L BAKER~~ BUREAU OF LAND MANAGEMENT
~~HC 60 BOX 304~~ IDAHO STATE OFFICE
~~CLAYTON ID 83227~~ 1387 S. VINNELL WAY
BOISE, ID. 83709-1657

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 3.6 0.02 CFS

PRIORITY DATE: 04/01/1881

POINT OF DIVERSION: T10N R18E S12 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE IRRIGATION PERIOD OF USE 04-01 10-31 QUANTITY 3.6 0.02 CFS

PLACE OF USE: IRRIGATION T11N R18E S35 NESE-16 SESW 1
NWSE-34 SESE-16
SWSE-25

92.4 1.0 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92.4 1.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 72-00225 72-00225B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 96 1.8 ACRES IN A SINGLE IRRIGATION SEASON.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00224A, 72-00225 72-00225A, 72-00225B, 72-00226A, 72-00226B, 72-00227A, 72-00227B.

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

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

RIGHT NUMBER: ~~72-00225~~ 72-00225A

OPTION 2

NAME & ADDRESS: MELODIE L BAKER
D WAYNE BAKER
HC 68 BOX 304
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 05/01/1936

POINT OF
DIVERSION: T10N R18E S12

SWNE

Within CUSTER County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.6 CFS

PLACE OF USE: IRRIGATION
T11N R18E S35

NESW 16
NESE 1.4 → ADD
SWSE 25
ACRES TOTAL

Within CUSTER County

SESW 1 SPLIT TO BLM
NWSE 31
SESE 18

CAN THE 1.4 ACRES BEING REMOVED
BE FOUND UNDER ANY OTHER POLY?
92.4 90.0 + 1.4 hopefully

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THIS RIGHT WITH RIGHT NO. ~~72-00224~~ 72-00224A,
72-00224B AND 72-00225B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 90 ACRES IN A SINGLE IRRIGATION SEASON.

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.

NONE

SOURCE

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.

NONE

SOURCE

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.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: ~~72-00224~~ 72-00224A, 72-00224B,
72-00225A, 72-00225B, 72-00226A, 72-00226B, 72-00227A,
72-00227B.

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

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

RIGHT NUMBER: ~~72-00225~~ 72-00225B

OPTION 2

NAME & ADDRESS: ~~MELODIE L BAKER~~ UNITED STATES OF AMERICA, ACTING THROUGH
~~B WAYNE BAKER~~ BUREAU OF LAND MANAGEMENT
~~HC 68 BOX 304~~ IDAHO STATE OFFICE
~~CLAYTON ID 83227~~ 1387 S. VINNELL WAY
BOISE, ID. 83709-1657

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.6 0.02 CFS

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T10N R18E S12 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE IRRIGATION PERIOD OF USE 04-01 10-31 QUANTITY 0.6 0.02 CFS

PLACE OF USE: IRRIGATION T11N R18E S35 Within CUSTER County
NESE-16 SESW 1
NESE 1-4 NWSE 31
SWSE-25 SESE 10

92.4 1.0 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 1.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. ~~72-00224~~ 72-00224B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 90 1.0 ACRES IN A SINGLE IRRIGATION SEASON.

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.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00224 72-00224A, 72-00224B, 72-00225A, 72-00226A, 72-00226B, 72-00227A, 72-00227B.

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.

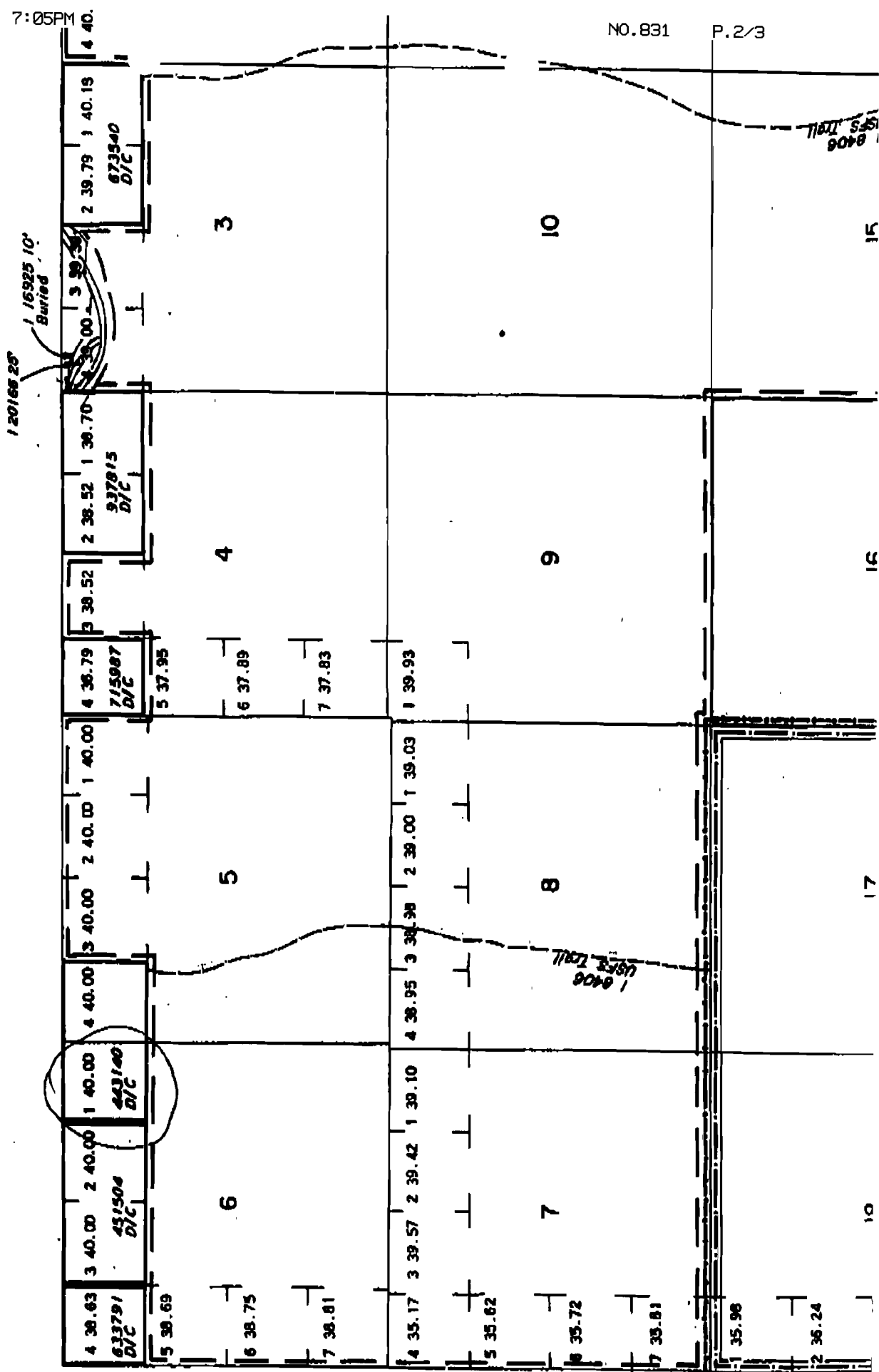
Do you think you might have an NCAP available at the hearing that we could use to attach to an SF-5?

TOWNSHIP 9 NORTH RANGE 18 EAST OF

CUSTER COUNTY 037

NO. 831

P. 2/3



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
NWSWPURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.05 CFSPLACE 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 NONETHE 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 NONEALL 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
SUBDIVISIONTHE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E, 72-
00201H, 72-00201J.

INCIDENTAL STOCKWATER 30 COWS

✓H

RECEIVED

JUN 29 1999

Department of Water Resources
Salem, Oregon

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 72-00224

(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: D. Wayn & 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: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
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 POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

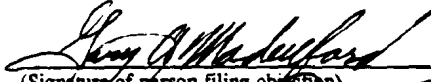
State of Idaho)

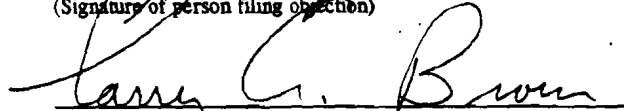
) ss.

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:

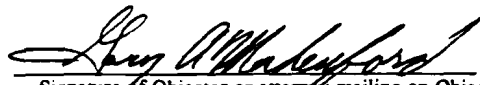
Name: D. Wayn & Melodie L. Baker
Address: HC 68 Box 304 Clayton, ID 83227
Name:
Address:
Name:
Address:
Name:
Address:

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-802-----
RIGHTS FROM: SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00224

NAME & ADDRESS: D WAYNE BAKER
MELODIE L BAKER
HC 68 BOX 304
CLAYTON ID 83227*POL'S ON BLM; Not AUTHORIZED**

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 3.6 CFS

PRIORITY DATE: 04/01/1881

POINT OF DIVERSION: T10N R18E S12 SWNE BLM Within CUSTER CountyPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 3.6 CFSPLACE OF USE: IRRIGATION Within CUSTER County
T11N R18E S35 NESW 16 ☒ LOT 4 (SESW) 1 BLM NESE 1.4 BLM * NWSE 31 ☒
SWSE 25 ☒ SESE 18 ☒
92.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 72-00225 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE
IRRIGATION SEASON.

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

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-803

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

RIGHT NUMBER: 72-00224 (CONT)

EXPLANATORY MATERIAL: (CONT)

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00225, 72-00226A, 72-00226B,
72-00227A. 72-00227B.

JUL 26 1964

RECEIVED

Find owner - Examine
will also require
Foster's signature
for access

SE New York
Sally admitted

1995
1996
1997

Agreed. While from Gato
to view 1st Bridge over the
East River to Sta.

1911
1912

First Fort Rock

To Public
12/10/55

STATE OF MISSISSIPPI
WILDLIFE AND GAME DEPARTMENT
FISHERIES
THE MISSISSIPPI RIVER PROGRAM

SCREEN LOCATION MAP, EF-3

SCALE 1" = 200'.
DATE Sept 1959.

DATE:	BY	MAGBISON
INITIAL	"	MAGBISON
CHECKED	"	

NW 4 NE 4-12

4585' Length of Power Line Tangent From Angle Pole #33 to Angle Pole #64

Salmon River Electric Coop.
Power Line
Idaho 23 Custer

Correct location
of EF-3 to

SW4 NE4-12

T-10N, R-18EBM

SE4NW4-12

21 Feb 1972
J. E. Smith

From
Curt J. Beckwith

- To Angle
Heic w64

36.27.

906

Basiric

Pasture

NE4 NW4-12

NW⁴NE-12 Acres Road
EXISTS - on
+ 0.5 Grant
Anderson Ditch

1

185

Nov 1945

1

1

1. 25

40	LC
41	LC

— — — — —

1

f.

adam

—

—

1

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.

V ↑

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

AJ0749NP
No. R72-00224

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

DATE: 12/29/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MELODIE L BAKER	04/01/1881	IRRIGATION	04-01 10-31	3.60 CFS	
C	D WAYNE BAKER					
	HC 68 BOX 304					
	CLAYTON ID 83227					
	(208) 838-2440					
				TOTAL DIVERSION:	3.60 CFS	

Water Source: SALMON RIVER, EAST FORK Tributary to: SALMON RIVER Stage: DECREED
Point(s) of Diversion: T10N R18E S12 SWNE CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S		NENE	NWNE	SWNE	SENE	: NENE	NWNE	SWNE	SENE	: NENE	NWNE	SWNE	SENE	: NENE	NWNE	SWNE	SENE	: SUM		
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac		Lt	Ac	Lt	Ac		
11N	18E	35	:					:					:	16		01	:	01	31	25	18	:
																				92.4		
																				TOTAL ACRES	92.4	

POU County: CUSTER

Other Rights: 72-00225

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.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 72-00225 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

AJ0749NP
No. R72-00224

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

DATE: 12/29/98
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE: 72-00225, 72-00226A, 72-00226B,
72-00227A, 72-00227B.

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

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: D



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.

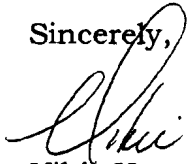
The department uses "Arc View", a computer program also used by Custer County, to locate and calculate the irrigated acres, based on aerial photography. The exact shape of the fields is sometimes subject to human interpretation, therefore I also used notes that former agent Frank Hitchcock took during 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 cursive script, appearing to read 'V. Hancock', written in black ink.

Vikie Hancock

Water Resource Agent

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED

DEC 17 1998

Department of Water Resources
Southern Region

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

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: 72-00224

MELODIE L BAKER
D WAYNE BAKER
HC 68 BOX 304
CLAYTON ID 83227

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
(1) Point of diversion The legal on the preliminary recommendation is different from the original water right, please check for accuracy
(2) Purpose of Use states Irrigation None. This should read Irrigation and Stockwater. Doesn't show stockwater, it does on our original. (3) Place of Use: acreage reading.
2. Describe the changes you wish to make in the proposed recommendation:
(1) Pt of Div: We are concerned that by trying to "pinpoint" the diversion with your GIS, the diversion location may be misread or our legal will now be wrong and we will end up in trespass. Please review these and let us know the correct location.
(2) Purpose of Use: Should state Irrigation and Stock water-take off None & add stockwater
(3) Place of Use: leave the acreages as is on our original decree.
3. Give a brief explanation as to why you disagree with these portions:
(1) The legal description may better be left at the 1/4 of 1/4, instead of the 1/4 of 1/4 of 1/4 of until readings can become more consistent. (2) Our legal reads "Irrigation and Stockwater" and so should the new one. (3) Our original acreages should stand. We may not have water on every acre, but we may put in more ground in the future, do to better equipment, need, more efficient use of water, drain water, etc. Where is your right lowering the number of acres we can use our water on? You have **no** right to "limit" the irrigation to your decided lower acreage, that is a takings and we object. Your maps are also 10 years old, we question their accuracy. What method did you use to determine the acres? My understanding is, that at this time, the equipment used to measure acreage is not consistent and true every time.

 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)

11/14/98 09:22:16
Page 1

Water Right Number - R72-00224

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
BAKER

MELODIE L

BAKER

D WAYNE

*** O - ORIGINAL OWNER ***
GOSSI

VIRGIL

Priority Date - - - +
04/01/1881

Region - - - +
17 SOUTHERN

Stage - - - +
D - DECREED

Status - - - +

Source - - - - - +
SALMON RIVER, EAST FORK

Tributary - - - - - +
SALMON RIVER

Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
10N 18E 12 NE SW NE (37) CUSTER EF-3

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.600

+ - Total Div. Rate - + + - Total Div. Volume - +
3.600

+ - Total Consumptive Use - + + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
11N	18E	35	NE SW	16.0	01	IRRIGATION	(37) CUSTER	
11N	18E	35	SE SW	1.0	01	IRRIGATION	(37) CUSTER	
11N	18E	35	NE SE	1.4	01	IRRIGATION	(37) CUSTER	
11N	18E	35	NW SE	31.0	01	IRRIGATION	(37) CUSTER	
11N	18E	35	SW SE	25.0	01	IRRIGATION	(37) CUSTER	
11N	18E	35	SE SE	18.0	01	IRRIGATION	(37) CUSTER	

Total Acres: 92.4

+ - - Diversion Means - ROCK DAM W/WOODEN HEADGATE TO DITCH TO FLOOD & 10 H.P. PUMP

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-00225

+ - - - - - Remarks - - - - - +

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 72-00225 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 90 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00225, 72-00226A, 72-00226B,
72-00227A, 72-00227B.

```
+-----+----- 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.

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

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
Date: 12/22/1995 User Id: FHITCHCO Subject: COPIED FROM REMARKS
LAND IN SESW & NESE SEC. 35 T 11N, R 18E IS OWNED BY B.L.M.      AND ARE IRRIG. IN TRESPASS.

```

+ - - Audit Fields - - +
11/14/98 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	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 11/14/1998	Old Judicial District	-
Claim Received Date	- 12/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010751	Water District	-
		PQU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

CLAIM NUMBER72-0022472-00225

DATE10-20-98

TRANSFER NUMBER

AGENTNA

CLAIMED ACRE TOTAL108

GIS ACRE TOTAL92

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	11N	18E	35									16			1	2	38	28	23	108
GIS												16			.86	1.4	31	25	18	92.2
RECOM												16			.86	1.4	31	25	18	92.2
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

89.7 Acres within Decreed Tracts

SHAPE NOS.

352

B72-DBPOD.SHP

NOS.	DESCRIPTION
26	EF-3 T10N R18E Sec 12 NE SW NE (at EF 3)

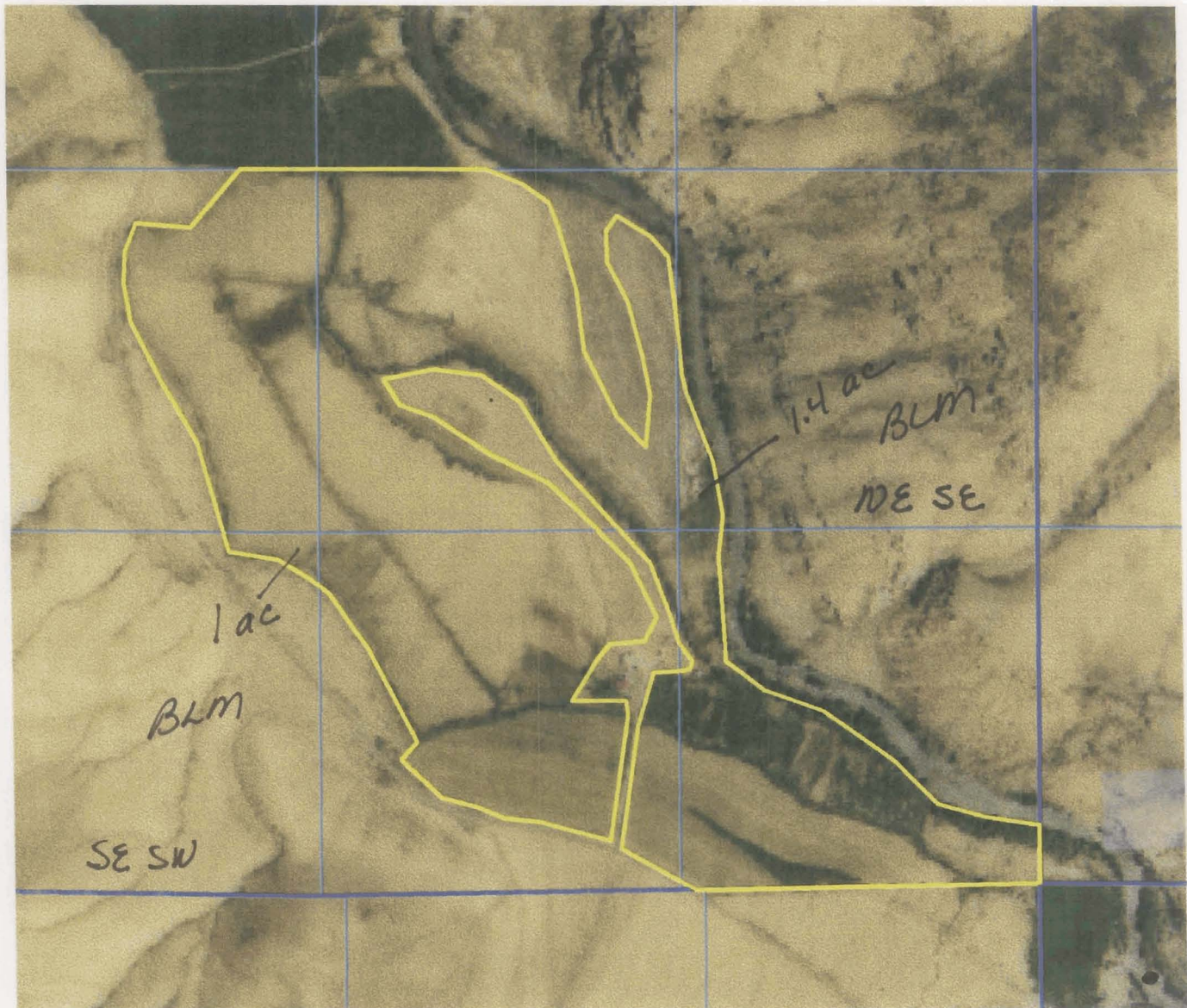
DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

RIGHTS 72-00224 and 72-00225
D. WAYNE and MELODIE BAKER

RECOMMENDED PLACE OF USE
TWP 11N, RNG 18E, SEC 35
data entry on October 20, 1998



0 1320 2640 Feet



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

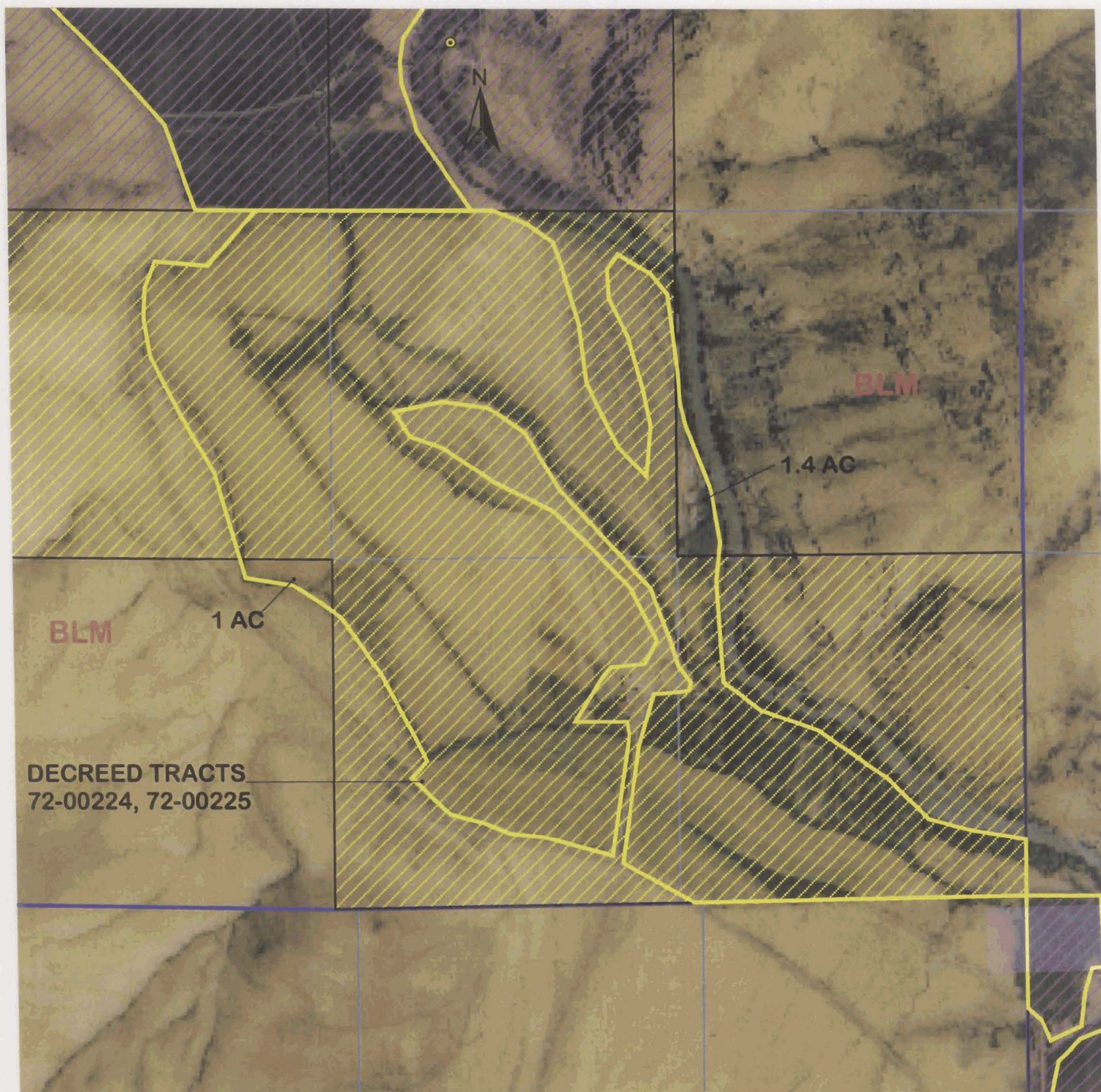
GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK

FILE NOTES

DATE: 11-12-1999

A72-00224, 72-00225

T 11N, R 18E, SEC 35



NOTES:



Decreed Tracts 72-00224 & 72-00225
90 ac shown irrigated within
decreeed Tracts .

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00224

 DATE: 11-13, 1998

72-00225

 REVIEWED BY UA

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BBD						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
-----------	----------------------------	---------------------------	-----------------------------	-----------------------	----------------------

Sh1	/	*	53	*	.06	= 318 CFS - F1000
Pd2	/	*	26	*	.11	= 286 CFS - F1000
	/	*		*		= CFS
WBB	/	*	13	*		= CFS - SPRINKLER

 TOTAL ACRES 92

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

HUBBLE

3.60
+ .60
4.20

Sta.

Comp. by. R.f...

Date 76: 5.6. . 19 95. . . Party Bob Foster / L. Foster West.

Width Area Vel. G. H. Disch.

Method No. secs. G. H. change. in hrs. Susp.

Method coef. Hor. angle coef. Susp. coef. Meter No.

Type of meter 2100 Date rated Tag checked

Meter ft. above bottom of wt. Spin before meas. 39.2 after 39.7

Meas. plots. % diff. from. rating. Levels obtained.

Check bar. chain found changed to at

ading, cable, ice, boat, upstr., downstr., side bridge. . . . feet, mile, above, below gage.

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%); based on the following cond:

Flow. 9000

Cross section Fair

Control ✓

Gage operating Weather SNOWING/overcast

Intake/Orifice cleaned Air °C@ Water °C@

Record removed Extreme Indicator: Max. Min.

Manometer N₂ Pressure Tank Feed Bbl rate per min.

CSG checked Stick reading

Observer _____

HWM	outside	in well
1	1	1
2	1	1
3	1	1
4	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
11	1	1
12	1	1
13	1	1
14	1	1
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97	1	1
98	1	1
99	1	1
100	1	1

Remarks

.....

GPS LAT\LONG

G. H. of zero flow ft Sheet No. of sheets

1. The first part of the paper discusses the importance of the research and the objectives of the study.

LEU

MEASUREMENTS

Basin	72	IRRIGATION	DIV. RATE	IF&G #
JP RANCH		SALMON, E.F.	6.37	EF-1
"	"	"	15.40	EF-2
BAKER WAYNE		INGRAM CANY	18.57	EF-3
ANDERSON		SALMON, E.F.	14.75	EF-4
BRADSHAW		ROAD CR.	.90	N/A
E.F. SUBD 1-7		"	1.65	N/A
E.F. SUBD		SALMON, E.F.	4.30	EF-5
PRESTO		"	3.12	EF-6
BAKER, D+B		"	14.70	EF-7
"	"	"	4.06	EF-8
"	"	"	2.88	EF-9
BENNETTS		HEARD CR.	2.12	HC-3
BAKER, D+B		SALMON, E.F.	4.42	HC-2
"	"	"	4.67	HC-1
"	"	MCDONALD CR.	N/A	N/A
"	"	FOX CR.	N/A	N/A
"	"	SALMON, E.F.	8.42	EF-10
"	"	"	17.67	EF-11
"	"	"	15.89	EF-12
* GUFFY		PINE CR. #2	.34	N/A
"	"	" #2	1.37	N/A
PINE CR. SUBD		SALMON, E.F.	13.73	EF-13
BAKER, D+B		"	14.97	EF-15
" , EDDIE		"	12.99	EF-16
"	"	"	6.26	EF-17
"	"	BIG BLUNDER CR.	4.34	BB-1
"	"	"	3.62	BB-2
"	"	SALMON, E.F.	1.34	EF-18

6.18

* BAKER, D+B BIG LAKE CR. 3.45

RECEIVED

AUG 01 1995

Department of Water Resources
Southern Region

MEASUREMENTS

CANAL FLOW MEASUREMENTS

Revised 10/21/93

SCREEN #	CANAL "Q"	STAFF GAUGE	
<u>SEF-01</u>			
05/25/93	8.2	1.81	
07/14/93	6.5	1.73	
09/14/93	6.5	1.74	
09/02/93 ~IDWR	5.4 Above		
07/24/59	* 5.2	-	-
<u>SEF-02</u>			
05/24/93	16.9 Above	1.3	n/a
07/12/93	16.5 Above	1.25	n/a
07/12/93	10.6	1.25	n/a
09/14/93	13.8	1.34	n/a
09/02/93 ~IDWR	17.74		
07/17/59	23.6	-	-
<u>SEF-03</u>			
05/24/93	19.6	1.75F	n/a
07/12/93	14.7	1.5-1.6F	n/a
09/14/93	17.1	1.65-1.7	n/a
09/02/93 ~IDWR	18.64		
08/27/59	12.5	-	-
1958 or 1959	14.8	-	-
<u>SEF-04</u>			
05/24/93	20.2	2.23	n/a
07/12/93	21.5	1.99	n/a
09/14/93	12.7	1.6-1.61F	n/a
09/02/93 ~IDWR	16.6		
07/24/59	20.3	-	-
<u>SEF-05</u>			
05/26/93	7.0	2.46	n/a
07/13/93	3.6	1.96F	n/a
09/02/93 ~IDWR	1.56		
07/17/59	15.2	-	-

Fink,
As promised.

Phyllis

P.S. Be talking to you
soon re: Water
Rights filed by F+G11-29-93 CRESTO
& SEF-06
#5 10-19-93
TON-#5& EF-27
LEUZINGER
ditch

RECEIVED

NOV 23 1993

Department of Water Resources
Sacramento Region Office

BAKER, 00223
WAVNE 00224

00225

26
27

DECREE

28
29

00230

A72-00231
00232

the Salmon River with date of priority May 10, 1880 and they are also entitled to .4 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 NW¹/₄ NW¹/₄, Section 1, Township 10 North, Range 18, E. B. M., and the NW¹/₄ SE¹/₄, Section 35, Township 11 North, Range 18, E. B. M.

That VIRGIL GOSSI is the owner of NE¹/₄ SW¹/₄, W¹/₂ SE¹/₄, SE¹/₄ SE¹/₄, Section 35, Township 11 North, Range 18, E. B. M., and appurtenant to said land he is entitled to 3.6 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority April 1, 1881 and also .6 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 point of diversion in the NW¹/₄ NW¹/₄, Section 12, Township 10 North, Range 18, E. B. M.

That RAYMOND GOSSI and EVA GOSSI are the owners of Lot 4, S¹/₂ NW¹/₄, NE¹/₄ SW¹/₄, SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄, Section 1, NW¹/₄ NE¹/₄, Section 12, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land they are entitled to 4.8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1980 and also .5 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 NE¹/₄ SE¹/₄, NW¹/₄ NE¹/₄, Section 12 and SE¹/₄ NW¹/₄, Section 13 all in Township 10 North, Range 18, E. B. M.

That ROSA V. CARMON is the owner of SW¹/₄ NE¹/₄, W¹/₂ SE¹/₄, SE¹/₄ SW¹/₄, Section 12 and 28.64 acres in the NE¹/₄ NW¹/₄, Section 13 all in Township 10 North, Range 18, E. B. M., and appurtenant to said land she is entitled to 1.32 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1935 and also .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 and with point of diversion in the SE¹/₄ NW¹/₄, Section 13, Township 10 North, Range 18, E. B. M.

That FREDOLIN KENZINGER is the owner of 11.56 acres in the NE¹/₄ NW¹/₄, all of S¹/₂ NW¹/₄, NE¹/₄ SW¹/₄, Section 13, NW¹/₄, NW¹/₄ NE¹/₄, NE¹/₄ SW¹/₄, Section 24, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land he is entitled to 8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1880 and with points of diversion in the SE¹/₄ NW¹/₄ and NE¹/₄ NW¹/₄, Section 24, Township 10 North, Range 18, E. B. M.

That MARION PEEL and LLOYD PEEL are the owners of SW¹/₄ SE¹/₄, SE¹/₄ SW¹/₄, Section 15, W¹/₂ NE¹/₄, NE¹/₄ SW¹/₄, NE¹/₄ SW¹/₄, Section 22, Township 9 North, Range 17, E. B. M., and appurtenant to said land they are entitled to .6 cubic feet per second of time of the waters of little Boulder Creek with date of priority May 1, 1920 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 and with points of diversion in the SE¹/₄ SE¹/₄, NE¹/₄ NW¹/₄, Section 22, Township 9 North, Range 17, E. B. M.

That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄, Section 4

00:15:18
05/19/95
35

CLAIM NUMBER: A72-00224

270.00 AFA

Stage: DECREED

CUSTER County

SWNNNE
NE SW NE EF-3

See gas log

Other Rights: A72-00225

comments

Verified Date: 02/05/1985

Field Inspection Flag:
Presumption Flag: D

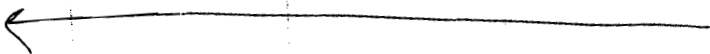
Cd3

~~224~~
 225
 226 A, B
 227 A, B

7108-069

~~10000~~

114 112348 114 1123-88



Sw
1-22-93

BC ✓

212

4/1 -15/10-15
10/31

NE
NE SW DE EF3

* *

* BLM-1XK. IN TRANSFERS

§35: SEEN 1
NESE 2

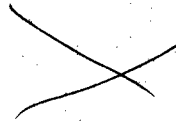
> to comments

<

003: Change in P02

F06: -00225, -00226, -00227

① UNELAPING RTS.



Wayne Baker
680693
claimant

✓
/ 00
M
888 2440

08-02-93 TT/CN ~~usual~~
" 03 " TT/CN ~~usual~~ - set for 08-06-93 1pm

Field exam by F. Hitchcock (10)

continued above - see vi file.

✓

F. Hitchcock

AF

11-23-98

AKA
/NE /SIP

Continued. Name in POP as a result of full search 472-00226
472-00227. Add POP 124-44111 in file.

10N 18E 12

NE NW NE

J. Hitzmark

CUSTER

11-23-98

* BLM question

- ① already discussed by contractor - R word removed.
- ② per discussion with history during full team: NWSE dry spots should change claim area from 38 to 28. The SWSE should change from 28 to 38.

① Just item
② eliminate

DOM -

*GIS

16 16.0

BLM .86 * 1.0

BLM 1.4 * 2.0

31 28.0

25

18

* 92.2 104

Unpatented acres located and calculated by AEC C/ECU GIS
program using 1988 NAPP Aerial Photography with
quarter / quarter overlay. 10/20/98 LJD.

92
Hansen

11-23-98

10/31

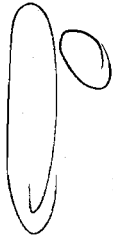
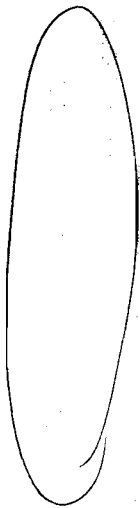
OK

14
14
14

✓
✓

No season & we in Dec. Recommend current
work standards for team to
OK

2100



72-00025 Represents deed water from same source
with priority date of 1936. Same doc. 194

*

* Deere awarded
0.03 gfs per acre.

72-000004 3.6 gfs
72-000005 0.6 gfs

4.2 gfs total

na

ubble analysis indicates requirement greater than
combined amount claimed for 72-000004 & 72-000005.
Recommend as claimed. LRP

Handwritten signature

10-31

✓

11-23-98

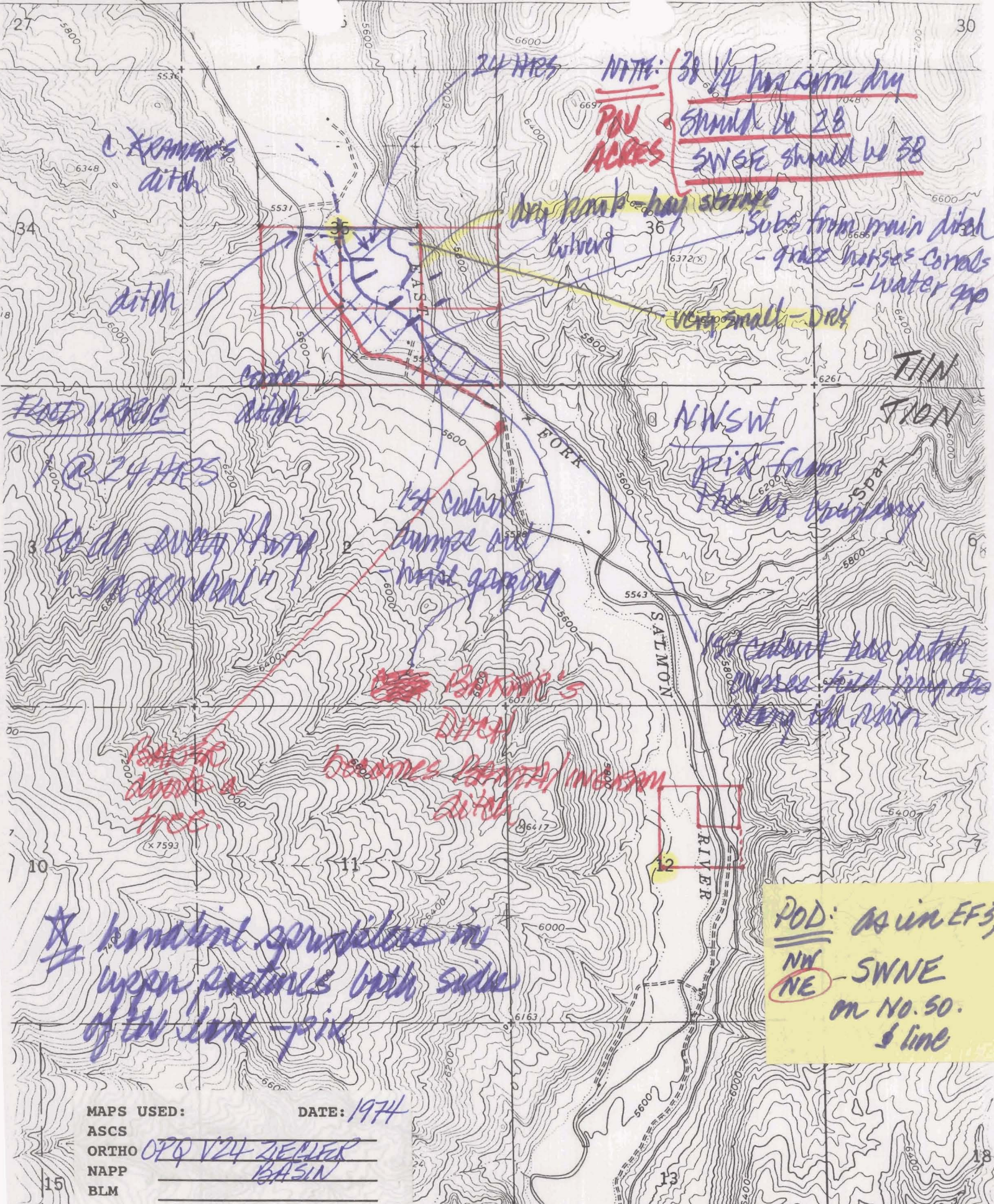
✓

No Spills

DeVance
Vikie Hancock

11-23-98
Water Resource Agent

111



MAPS USED:
ASCS
ORTHO
NAPP
BLM

DATE: 1974

OPQ V24 ZIEGLER BASIN

BAKER, IRVINE FIELD & KAM DATE 01/24/08 25

NOTE: 38 1/4 has some dry
POV ACRES should be 28
SWSE should be 38

dry bank hay storage
Subs from main ditch
- grass horses corral
- water gap
very small - dry

NWSW
rid from
the no boundary

1st culvert has ditch
mosses and irrigation
along the river

BAKER'S
DITCH
becomes BAKER/IRVINE
ditch

Baker
diverts a
tree

* boundary guidelines in
upper pastures both sides
of the road - pick

POD: as in EF3
NW - SWNE
NE on NO. 50.
\$ line

08-06-93

WAYNE BAKER

FALL OF 1989 - previous owner GOSI.
home steaded
irrig. practice wasn't good.

Culverts across KRAMER ditch for
low spots.

better utilization from previous
family development when leased.

rocky prob - elevation above the
main

claimant did irrigation improvement.

1. have recommend due
to Ben acres?
2. review flood v. sink
3. overlay acres on
Powership form?
4. review dry vs irrig
28/38 switch system?
needed

10-27-93

EF-3

orig in IF+G EF-3.

ditto deliver:

- 00224
- 00225
- 00226
- 00227

pull to confirm POD:

1. F+G map in SWNE P 12 - ~~original SWNE~~ ~~between SWNE~~

2. Allie PODS:

- 00224 (NNWNE)
- 00225 (")
- 00226 (NNWSE)
- 00227 (NNWNE)
- SENN

12-07-93 actual POD in EF: NESWNE

update files

cc of Ben aerial w/POU-POD marked
and POD noted

612 - POD ^{FAKER}

SWNNNE

-00224 - his

-00225 OFS
POD

612 INXN

NE SW NE

-00226

613 -00227 (E4)

SWNNNN

72-88225

-00226

-00227

-00228

PARKER CLIMB

POD

SWNNNE

Instant. Stock

ESNNNNNE - start

3NNNNNNN stop

A72-10537

EF-3

ZIEGLER
BASIN V24

BLM

1 SESW

2 NESE

irrigated
in trespass

POV

disc. w/ claimant:

NWSIE does have dry spots; Change from 38 AC to 28. Change SWSIE from 38 to 28.

SPRINKLER IN SE

SWSE: SWSWSE 2
 SESWSE 8
 JWSESE 10
 SESESE 5
 25

POV 11N 1BE \$35

NESE 2 BUM
NWSE 28
SWSE 30
SESE 20
NESW 16
SESW 1 BUM

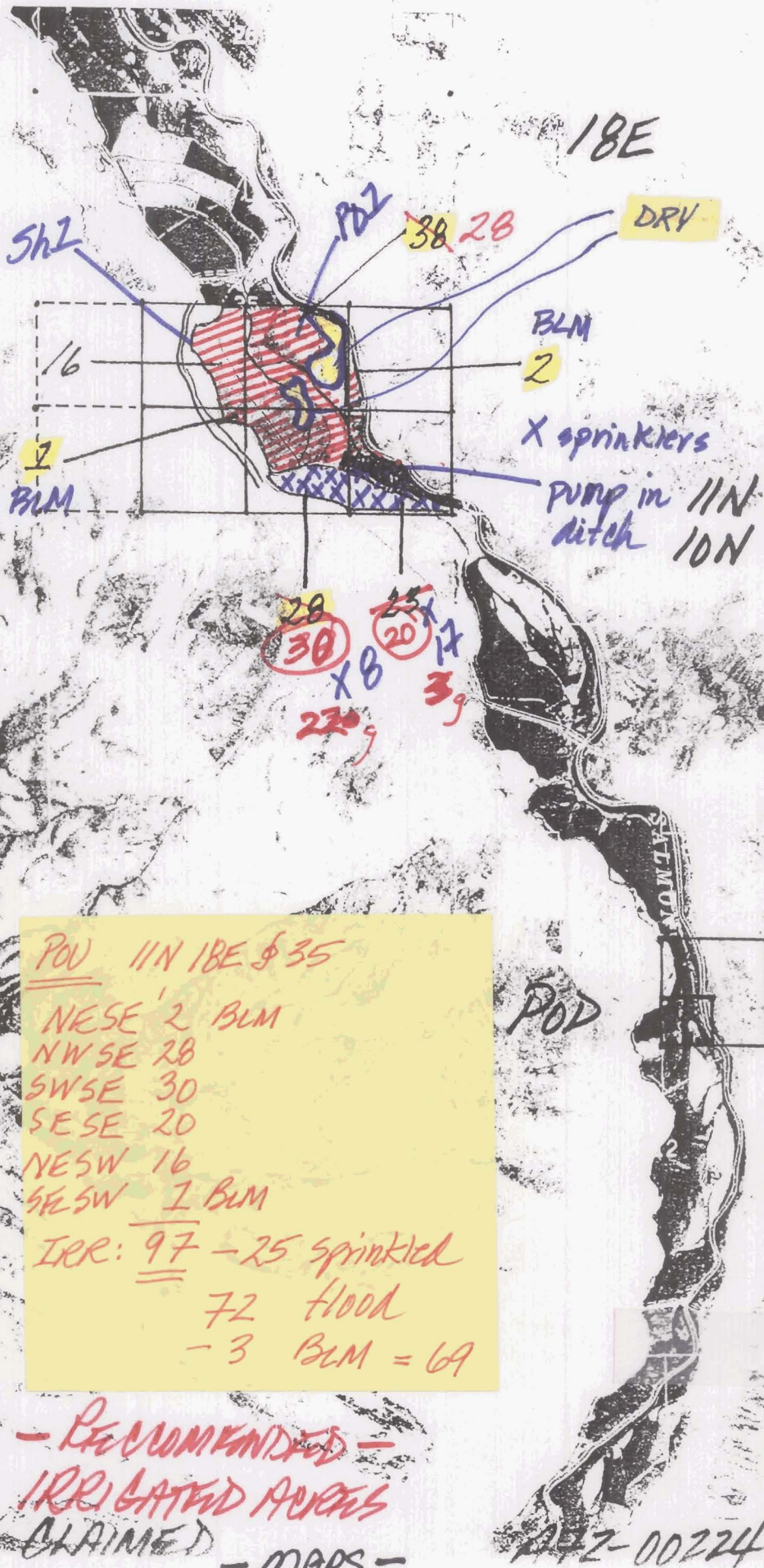
IIR: 97 - 25 sprinkled
 72 flood
 - 3 BLM = 69

- RECOMMENDED -
IRRIGATED AREAS
CLAIMED

BAKER, WAYNE

- MAPS -

107Z-00224



ZIEGLER
BASIN V24

BLM
1 SESW
2 NESE
irrigated
in trespass

POU

18E

11N
10N

POD

MAPS USED:

DATE: 1974

ASCS

ORTHO

NAPP

BLM

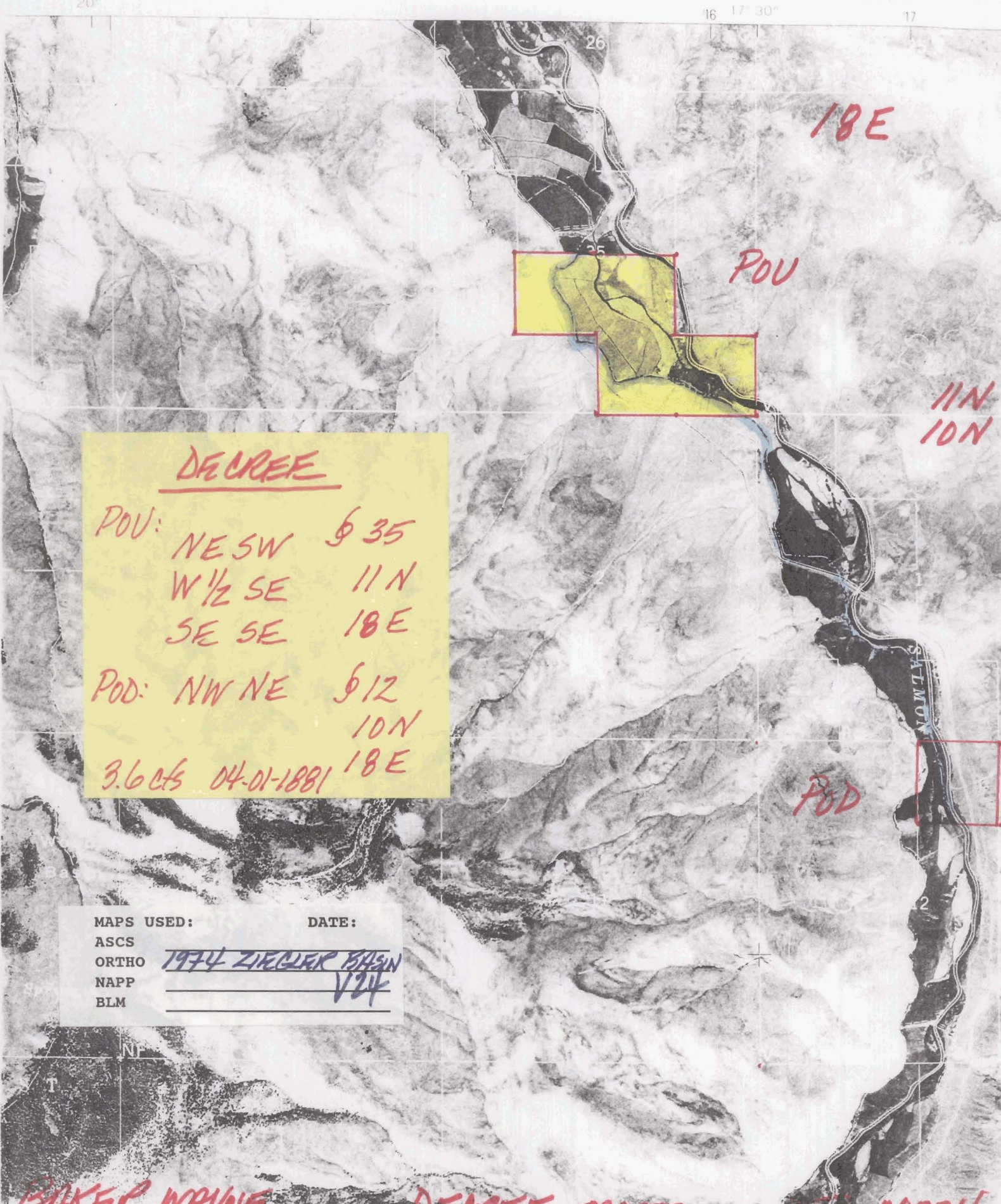
ZIEGLER BASIN V24

BAKER, WAYNE

- AS CLAIMED -

A7Z-00224

ZIEGLER
BASIN V24



DEGREE

POU: NESW \$35
W 1/2 SE 11N
SE SE 18E
POD: NW NE \$12
10N
3.6 cts 04-01-1881 18E

MAPS USED:

DATE:

ASCS

ORTHO

NAPP

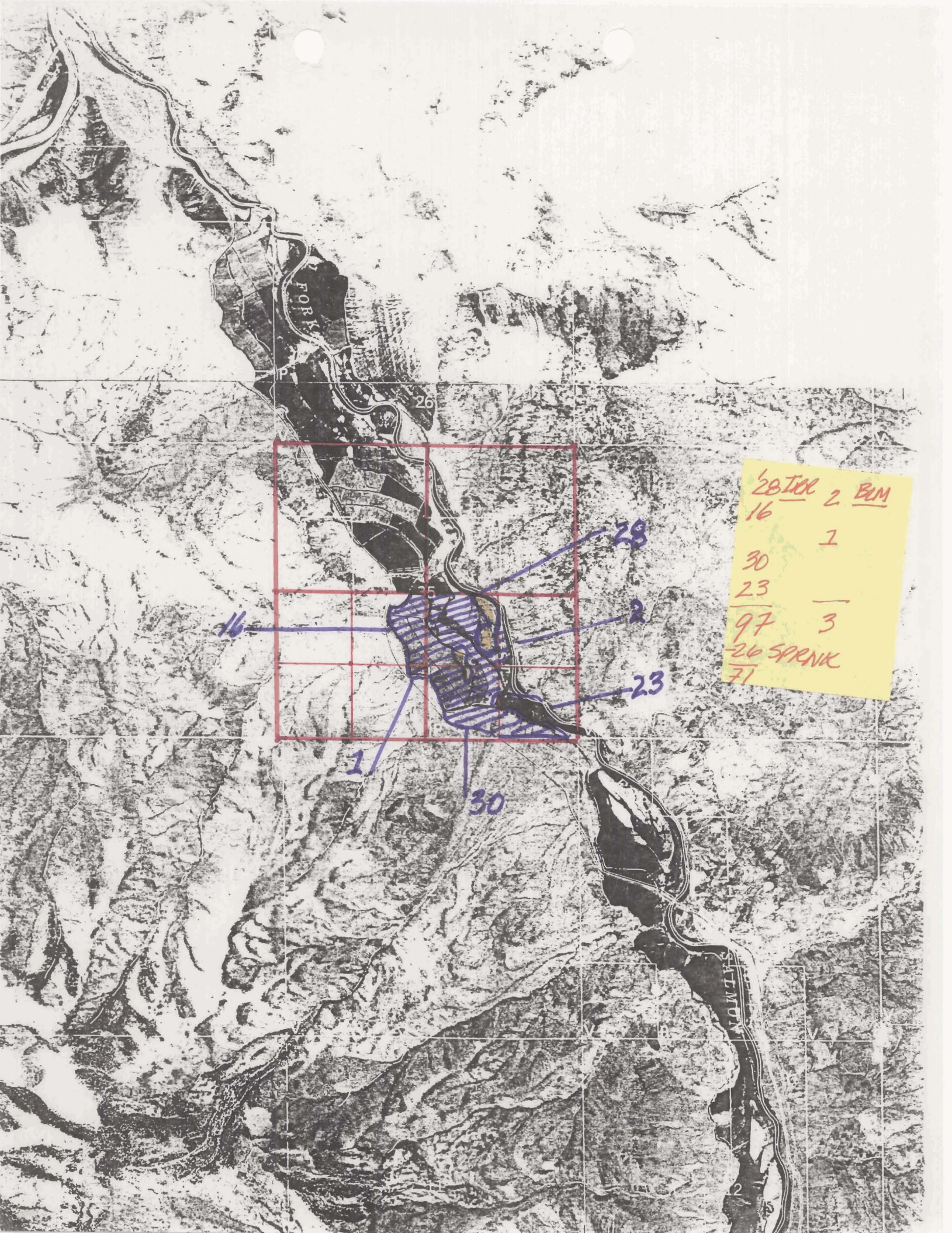
BLM

1974 ZIEGLER BASIN
V24

BAKER, WAYNE

DEGREE TRACTS

ATE 00224



28 DEC 2 BUM
16 1
30
23
97 3
24 SPARK
71



Looking from E-
So. @ Feme line.
Hondaira going.

Pix 1

08-05-93

Roll 20

BAKER, W.

PHOTOS

A7Z-00224



Pump at the line
between the house
and the county road.

09-16-93
PIX 13
Roll 46



pump @ line in the
ditch. Only line pressure
to the set of sprinklers -
everything else is flood
irrigated. Sprinklers on
barrel each side of the line
along the county road

08-06-1993
PIX 3
Roll 22



Looking over place
from Co. Road to
the NO.

PIX 2

08-05-1993

Roll 20



Looking SO, SE
towards BOANTA

PIX 2

08-06-93

Roll 22



Looking towards
gate @ lone-hand
lone sprinkling -
looking SW.

PIX 1

08-06-93

Roll 22

BAKER, W.

A72-00224

Panorama from
E to SO over
dry ground w/
irrigated acreage
along the river
and pasture where
horses graze.

Watered from
the #1 Culvert
and tail waters
from small
pasture.

pix 13-10, Roll 22
08-06-1993

(see next pix
further SO.)



BAKER

A7700224

from the canal
looking looking
SE towards the
BANTA place.

Pix 4-6

08-06-1993

Roll 22



Pix

BAKER, W.

A7Z-00224



Unimproved
pasture-horses
graze here - several
days #1, excellent
and tailwater of
small pasture.

08-06-1993

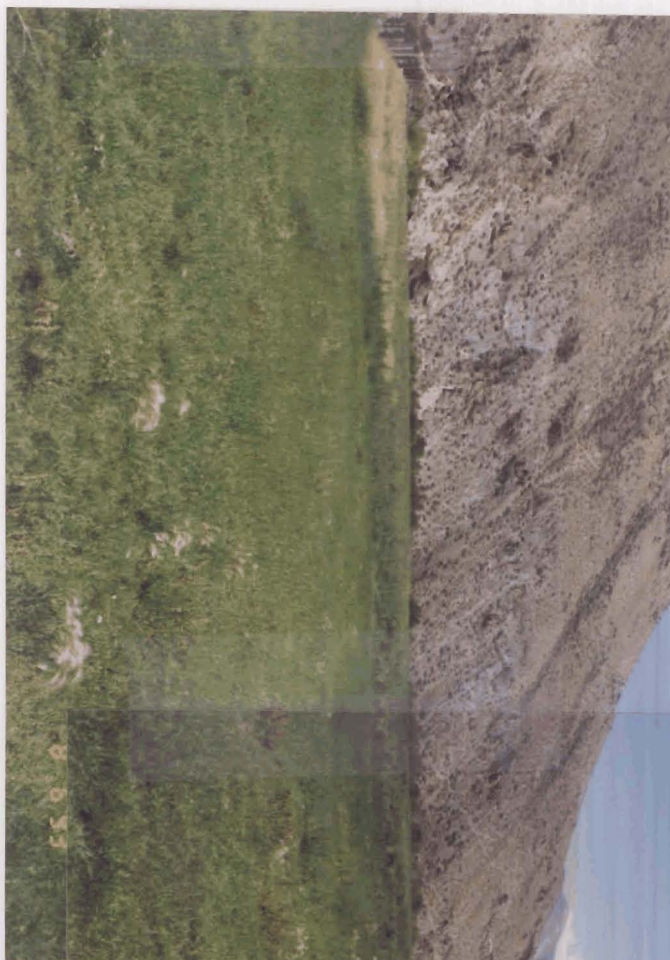
Pix 7-9

Roll 22

BAKER

Looking E towards
the EF from crum
pasture

pix 1
08-06-1993
Roll 21



Looking SE towards
the EF.

pix 2
08-06-1993
Roll 21



BAKER, W.

A72-00224



BAKER, W.



Looking over W. Baker
place / SE from elevation
above the county road
on the W.

Pix 11-13

08-05-1993

Roll 20

BAKER

A72-00224

Water Right Number - 72-00224 Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***
GOSSI VIRGIL 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1881 17 SOUTHERN D - DECREED

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
10N 18E 12 NW NE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 3.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.600

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
11N 18E 35 NE SW 01 IRRIGATION (37) CUSTER
11N 18E 35 NW SE 01 IRRIGATION (37) CUSTER
11N 18E 35 SW SE 01 IRRIGATION (37) CUSTER
11N 18E 35 SE SE 01 IRRIGATION (37) CUSTER

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - 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

WR BASE RIGHT

R PROOF

CVR

MAPS

PHOTOS

MISC

—

X

X

—

—