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DEC 21 1988

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: A72-00225
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: MAY 1, 1936

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	0.600		

7. Total Quantity Appropriated is:
0.600 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:
A72-00224

14. Remarks:
LAND IN SESW & NESE SEC. 35 T 11N, R 18E IS OWNED BY B.L.M.
AND IS 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
Melodie 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 A. 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: A72-00225
Date Received: 12/26/1989
Receipt No: SD10751
Received By: AM

**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: MAY 01, 1936

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	0.600		

7. Total Quantity Appropriated is:
0.600 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:
A72-00224

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

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

GOSSI, ET. AL.

Decree Plaintiff

vs

GIAMPEDRAGLIA, ET. AL.

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: See Map A72-00224

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 Thiell 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 6/30/94



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

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

Water Right Number - R72-00225

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BAKER

MELODIE L

1 - HC 68 BOX 304

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2440

BAKER

D WAYNE

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 - - +
05/01/1936

+ - - 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 SW NE (37) CUSTER EF-3

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 0.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.600 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 -

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

Water right number - R72-00225

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 72-00224

	Remarks	
--	----------------	--

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00224 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: 72-00224, 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 IS 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 AC TRACT PER REQUEST OF CLAIMANT
Date: 02/04/2000 User Id: VHANCOCK Subject: SF5
CHANGES MADE 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 NA 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	33.4	25	18
ECOM												16			0	0	33.4	25	18
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

372-DBPOU.SHP

SHAPE NOS.

352 922ac

Revised POL Per SF5 signed

11-30-1999

Acreage deleted from BLM Tracks in
SESW & NESE

372-DBPOD.SHP

IOS. DESCRIPTION

Acreage added to nw SE of shape file

26 EF3 TION RIBE Sec 2 NE SW NE

DBF TABLES UPDATED

372-DBPOU.DBF

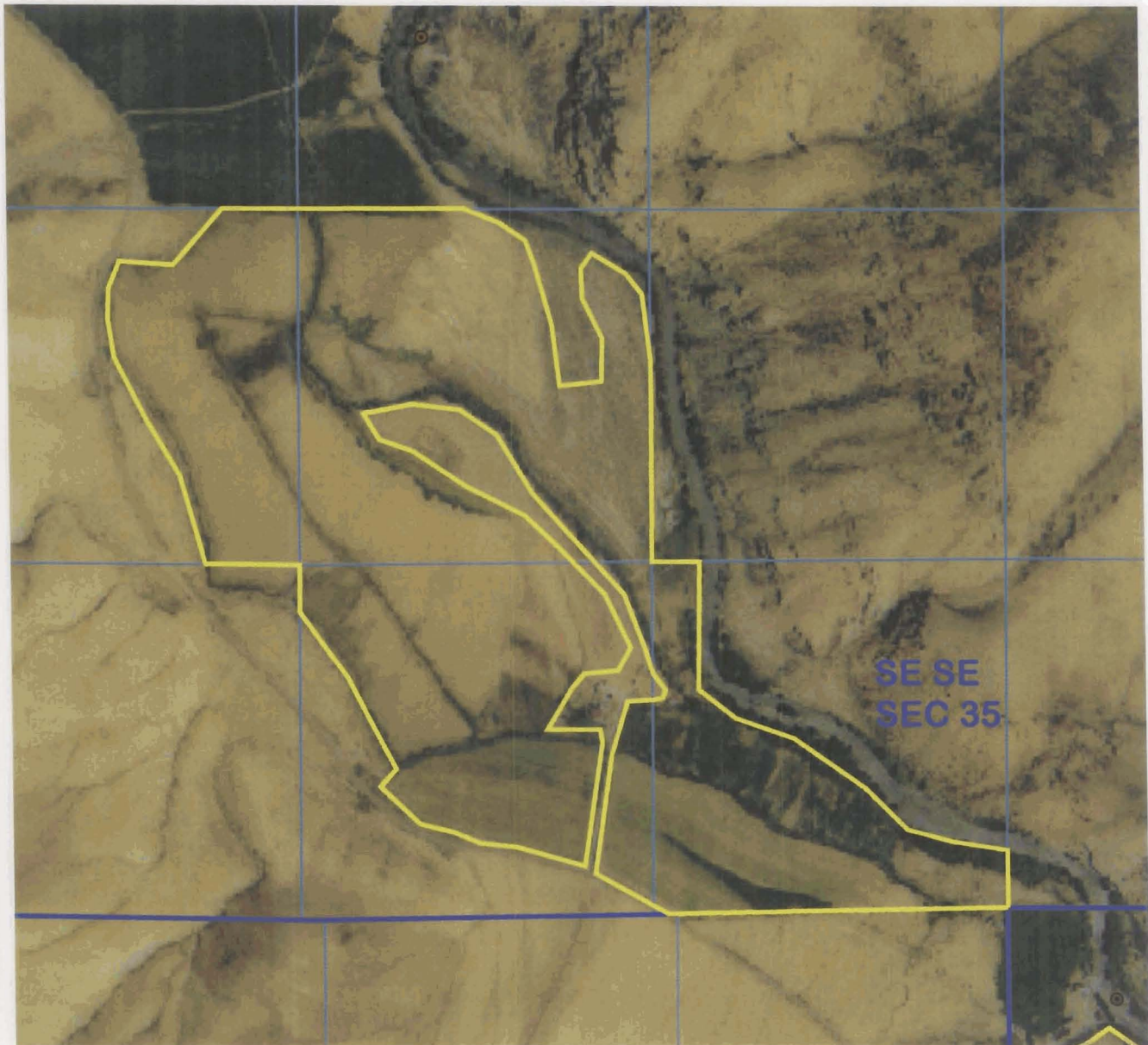
372-DBPOD.DBF

JPEG 72-00224

IDAHO DEPARTMENT OF WATER RESOURCES

RIGHT 72-00224, 72-00225

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

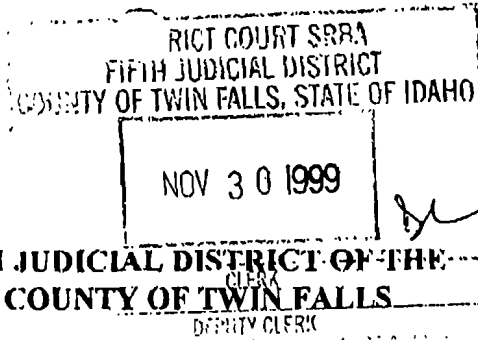


0 2640 Feet



-  **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



**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. 72-00225

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 11/30/99
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:

Jeanie Robertson
Jl. Water Res. Agent

11/30/99
Date

IDWR CONCURRENCE:

AS TO Form
SA

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: 72-00225

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
IRRIGATIONPERIOD OF USE
04-01 10-31QUANTITY
0.6 CFS

PLACE OF USE:

IRRIGATION

T11N R18E S35

NESW 16

NESE 1.4

SWSE 25

Within CUSTER County

SESW 1

NWSE 31 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. 72-00224 IS LIMITED TO~~
~~THE IRRIGATION OF A COMBINED TOTAL OF 90 92.4 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, 72-00226A, 72-00226B,
72-00227A, 72-00227B.

JH
FWF
WB
WB

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:

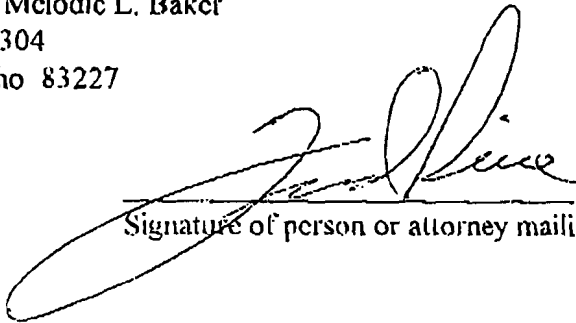
Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 72-00225

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

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.60 CFS

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T10N R18E S12 SWNE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.60 CFS

PLACE OF USE:	Irrigation		Within Custer County
	T11N R18E S35	NESW 16.0	SESW 1.0
		NESE 1.4	NWSE 31.0
		SWSE 25.0	SESE 18.0
	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. 72-00224 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:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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.

72-00102B

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.

*See 72-00224 claim file. FAX dated 11-24-99
From Fred Price, BLM.*

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

VH

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 72-00225

(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. 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: _____
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)

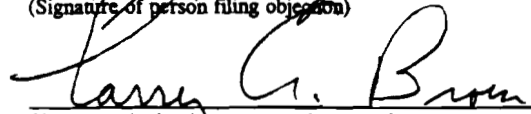
) ss.

County of Ada)

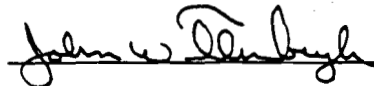
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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. 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

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

 RIGHT NUMBER: 72-00225

 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 BLM Within CUSTER County
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 0.6 CFS

 PLACE 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. 72-00224 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.	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-865

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

RIGHT NUMBER: 72-00225 (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: 72-00224, 72-00226A, 72-00226B
72-00227A, 72-00227B.

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).

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.

RECEIVED

FEB 10 1999

Department of Water Resources
Southern Region

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

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. R72-00225

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	05/01/1936	IRRIGATION	04-01 10-31	0.60 CFS	
C	D WAYNE BAKER HC 68 BOX 304 CLAYTON ID 83227 (208) 838-2440			TOTAL DIVERSION:	0.60 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
11N	18E	35	:				:				:	16			01	:	01	31	25	18	:	92.4
																			TOTAL ACRES	92.4		

POU County: CUSTER

Other Rights: 72-00224

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. 72-00224 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. R72-00225

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

DATE: 12/29/98
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE: 72-00224, 72-00226A, 72-00226B
72-00227A, 72-00227B.

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

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

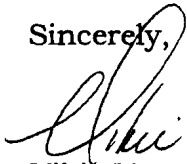
The department uses "Arc View", a computer program also used by Custer County, to locate and calculate the irrigated acres, based on aerial photography. The exact shape of the fields is sometimes subject to human interpretation, therefore I also used notes that former agent Frank Hitchcock took during 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 cursive script, appearing to read 'Vikie 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: 72-00225

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

Water Right Number - R72-00225

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BAKER

MELDIE L

1 - HC 68 BOX 304
2 -
3 -

City- CLAYTON
Phone - 208-838-2440

State- ID Zip- 83227

BAKER

D WAYNE

1 - HC 68 BOX 304
2 -
3 -

City- CLAYTON
Phone - 208-838-2440

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
GOSSI

VIRGIL

1 -
2 -
3 -

City- XXX
Phone - 208-000-0000

State- ID Zip- 000

+ - - Priority Date - - +
05/01/1936

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

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

+ - - Tributary - - - - +
SALMON RIVER

+ - - Point of Diversion - - - - +
Twn Ring 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 0.600

+ - - Total Div. Rate - - + + - Total Div. Volume - - + + - Total Consumptive Use - - + + - KW Usage - - +
0.600 0.0

Twn	Ring	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

025

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-00224

	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. 72-00224 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: 72-00224, 72-00226A, 72-00226B
72-00227A, 72-00227B.

[illegible]

----- 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

-----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 IS 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	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

CLAIM NUMBER 72-00224 DATE 10-20-98 TRANSFER NUMBER _____
72-00225 AGENT UA 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	<u>11N</u>	<u>18E</u>	<u>35</u>									<u>16</u>			<u>1</u>	<u>2</u>	<u>38</u>	<u>28</u>	<u>23</u>	<u>108</u>
GIS												<u>16</u>			<u>.86</u>	<u>1.4</u>	<u>31</u>	<u>25</u>	<u>18</u>	<u>92.2</u>
RECOM												<u>16</u>			<u>.86</u>	<u>1.4</u>	<u>31</u>	<u>25</u>	<u>18</u>	<u>92.2</u>
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 EF3)

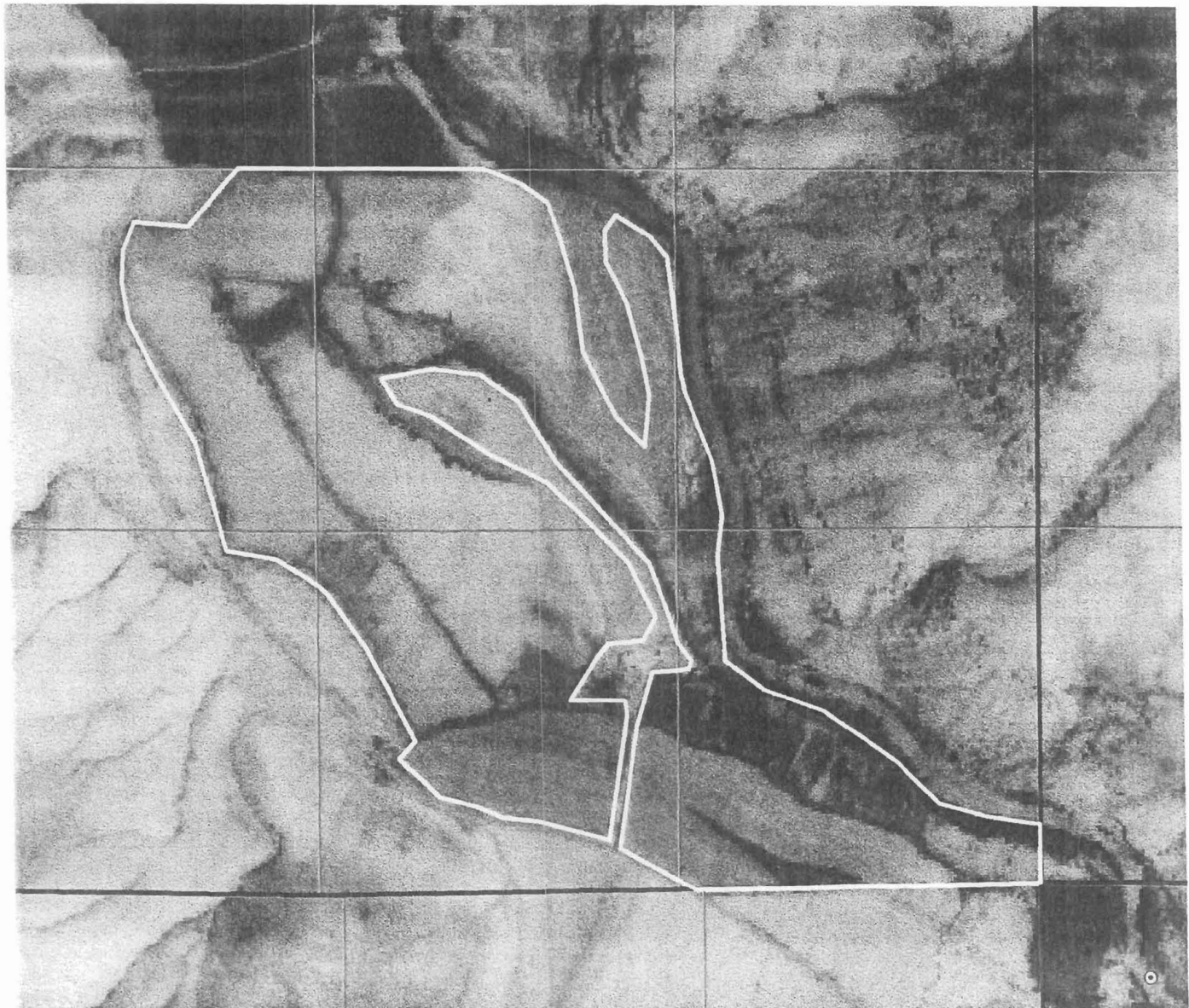
DBF TABLES UPDATED

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 PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

REEV. UATION OF IRRIGATION R. ES BASED UPON 199. 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
GO1	.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

3.609
 + .609

 4.20

-00223 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 NW¹/₄NE¹/₄, Section 1, Township 10 North, Range 18, T. B. M., and the NW¹/₄SE¹/₄, Section 35, Township 11 North, Range 18, T. B. M.

-00224 That VINCEIL GOSSI is the owner of NE¹/₄SW¹/₄, W¹/₂SE¹/₄, SE¹/₄SE¹/₄, Section 35, Township 11 North, Range 18, T. 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 NW¹/₄NE¹/₄, Section 12, Township 10 North, Range 18, T. B. M.

-00225 That RAYMOND GOSSI and EVA GOSSI are the owners of Lot 4, S¹/₂NE¹/₄, NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, SW¹/₄SW¹/₄, Section 1, NW¹/₄NE¹/₄, Section 12, all in Township 10 North, Range 18, T. 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 NW¹/₄SE¹/₄, NW¹/₄NE¹/₄, Section 12 and SE¹/₄NE¹/₄, Section 13 all in Township 10 North, Range 18, T. B. M.

-00226 That ROSA V. CARROLL is the owner of SW¹/₄NE¹/₄, W¹/₂SE¹/₄, SE¹/₄SW¹/₄, Section 12 and 28.64 acres in the NE¹/₄NE¹/₄, Section 13 all in Township 10 North, Range 18, T. 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, 1885 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 SE¹/₄NE¹/₄, Section 13, Township 10 North, Range 18, T. B. M.

-00228 That FREDOLIN EMMINGER is the owner of 11.56 acres in the NE¹/₄NE¹/₄, all of S¹/₂NE¹/₄, NE¹/₄SW¹/₄, SW¹/₄SW¹/₄, Section 13, NW¹/₄, NW¹/₄NE¹/₄, NE¹/₄SW¹/₄, Section 24, all in Township 10 North, Range 18, T. 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 SE¹/₄NE¹/₄ and NE¹/₄NE¹/₄, Section 24, Township 10 North, Range 18 E. B. M.

-00230 That MARION PEEL and LLOYD PEEL are the owners of SW¹/₄SW¹/₄, SE¹/₄SW¹/₄, Section 15, W¹/₂NE¹/₄NE¹/₄, NW¹/₄SE¹/₄, NE¹/₄SW¹/₄, Section 22, Township 9 North, Range 17, T. 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 1.2 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 SE¹/₄SE¹/₄, NE¹/₄NE¹/₄, Section 22, Township 9 North, Range 17, T. B. M.

-00231 That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE¹/₄SW¹/₄, SW¹/₄SE¹/₄, Section 4

Sta.

Comp. by. R.f...

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

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

LEU

— MEASUREMENT —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:04
05/19/95

PAGE: 1
GENERAL INFORMATION

36
CLAIM NUMBER: A72-00225

LAST: GOSSI
ADDRESS:
CITY: XXX
PHONE NUMBER: 208-000-0000

FIRST: VIRGIL
STATE: ID ZIP: 000

OWNER CODE: O

LAST: BAKER
ADDRESS: HC 68 BOX 304
CITY: CLAYTON
PHONE NUMBER: 208-838-2440

FIRST: MELODIE LYNN
STATE: ID ZIP: 83227

OWNER CODE: C

LAST: BAKER
ADDRESS: HC 68 BOX 304
CITY: CLAYTON
PHONE NUMBER: 208-838-2440

FIRST: DAVID WAYNE
STATE: ID ZIP: 83227

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

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

CONTACT PERSON: See 72-00224

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/6/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Wayne Baker

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Claimant

DIRECTIONS TO PROPERTY / NOTES:

Field exam by Frank Hitchcock See 72-00224.

A. AJ CLAIM: # A72-00225 PRIORITY DATE: 05-01-1936 STAGE: D

B. WR RECORD: # 72-00225 PRIORITY DATE: 05-01-1936 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:

*Claim 72-00334 Represents Grand water from
same source with 1881 priority. Same poll.*

RECOMMENDED PRIORITY DATE:

05-01-1936

REVIEWED BY

[Signature]

DATE

11-23-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-00225	10N 18E	12	~~SW~~	~~NW~~	~~NE~~			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A72-00224 R72-00224 72-00224
A72-10401 R72-10401 72-00226
A72-10467 R72-10467 72-00227
A72-10475 R72-10475

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
72-00225	10N 18E	12		NW	NE			CUSTER		

OTHER WR RECORDS WITH SAME WR POD
AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
72-00224 A72-00224 R72-00224
72-00226 A72-10401 R72-10401
72-00227 A72-10467 R72-10467
A72-10475 R72-10475

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

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 8/6/93 NAME OF EXAMINER F. Hitchcock) Y(✓) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Also verified using ARC VIEW GIS

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CUSTER	DIVERSION NAME	DIVERSION NBR
10N	18E	12	SW	NW	NE					
<u>10N</u>	<u>18E</u>	<u>12</u>	<u>NE</u>	<u>SW</u>	<u>NE</u>			<u>✓</u>	<u>EF3</u>	

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

REVIEWED BY: [Signature]

DATE: 11-23-98

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

also see claim file 72-00224

A. ROOT WATER RIGHT NUMBERS: A72-00225
R72-00225

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	* 615 FIELD EXAM.	RECOMM. ACRES
11N	18E	35	NE	SW		BAKER, MELODIE LYNN	A72-00225 / 16.0	72-00225 /	11.0		
			NE	SW		BAKER, MELODIE LYNN	A72-00224 / 16.0	72-00224 /			
			NE	SW		PHILLIPS, GERALDINE	A72-10290 /	- /			
			NE	SW		BAKER, MELODIE LYNN	R72-00224 / 16.0	- /		16	
			NE	SW		BAKER, MELODIE LYNN	R72-00225 / 16.0	- /			
			NE	SW		PHILLIPS, GERALDINE	R72-10290 /	- /			
11N	18E	35	SE	SW		BAKER, MELODIE LYNN	A72-00225 / 1.0	- /			
			SE	SW		BAKER, MELODIE LYNN	A72-00224 / 1.0	- /			
			SE	SW		BAKER, MELODIE LYNN	R72-00224 / 1.0	- /		0.86	
			SE	SW		BAKER, MELODIE LYNN	R72-00225 / 1.0	- /			
11N	18E	35	NE	SE		BAKER, MELODIE LYNN	A72-00225 / 2.0	- /	1.0		
			NE	SE		BAKER, DAVID WAYNE	A72-10330 /	- /			
			NE	SE		BAKER, MELODIE LYNN	A72-00224 / 2.0	- /			
			NE	SE		US DEPT OF INTERIOR	A72-16011 /	- /		1.4	
			NE	SE		BAKER, MELODIE LYNN	R72-00224 / 2.0	- /			
			NE	SE		BAKER, MELODIE LYNN	R72-00225 / 2.0	- /			
			NE	SE		BAKER, DAVID WAYNE	R72-10330 /	- /			
11N	18E	35	NW	SE		BAKER, MELODIE LYNN	A72-00225 / 38.0	72-00225 /	21.0		
			NW	SE		BAKER, DAVID WAYNE	A72-10330 /	- /			
			NW	SE		BAKER, MELODIE LYNN	A72-00224 / 38.0	72-00224 /			
			NW	SE		US DEPT OF INTERIOR	A72-16011 /	- /		31	
			NW	SE		BAKER, MELODIE LYNN	R72-00224 / 38.0	- /			
			NW	SE		BAKER, MELODIE LYNN	R72-00225 / 38.0	- /			
			NW	SE		BAKER, DAVID WAYNE	R72-10330 /	- /			
11N	18E	35	SW	SE		BAKER, MELODIE LYNN	A72-00225 / 28.0	72-00225 /	26.0		
			SW	SE		BAKER, DAVID WAYNE	A72-10329 /	- /			
			SW	SE		BAKER, MELODIE LYNN	A72-00224 / 28.0	72-00224 /			
			SW	SE		BAKER, DAVID WAYNE	R72-10329 /	- /		25	
			SW	SE		BAKER, MELODIE LYNN	R72-00224 / 28.0	- /			
			SW	SE		BAKER, MELODIE LYNN	R72-00225 / 28.0	- /			
11N	18E	35	SE	SE		BAKER, MELODIE LYNN	A72-00225 / 23.0	72-00225 /	21.0		
			SE	SE		BAKER, MELODIE LYNN	A72-00224 / 23.0	72-00224 /			
			SE	SE		BAKER, DAVID WAYNE	A72-10330 /	- /			
			SE	SE		US DEPT OF INTERIOR	A72-16011 /	- /			
			SE	SE		BAKER, MELODIE LYNN	R72-00224 / 23.0	- /		18	
			SE	SE		BAKER, MELODIE LYNN	R72-00225 / 23.0	- /			
			SE	SE		BAKER, DAVID WAYNE	R72-10330 /	- /			

ADDITIONAL POU FOUND

* (92)

TOTAL ACRES

A72-00225

108.00

80.00

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
A72-00225	SALMON RIVER, EAST FORK	BAKER, MELODIE LYNN	0.600	0.005		
A72-00224	SALMON RIVER, EAST FORK	BAKER, MELODIE LYNN	3.600	0.033		
R72-00224	SALMON RIVER, EAST FORK	BAKER, MELODIE LYNN	3.600	0.033		
R72-00225	SALMON RIVER, EAST FORK	BAKER, MELODIE LYNN	0.600	0.005		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10290	DOMESTIC	PHILLIPS, GERALDINE	FROM 01-01 TO 12-31	0.040 CFS	
R72-10290	DOMESTIC	PHILLIPS, GERALDINE	FROM 01-01 TO 12-31	0.040 CFS	
A72-10330	STOCKWATER	BAKER, DAVID WAYNE	FROM 01-01 TO 12-31	0.070 CFS	
A72-16011	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
A72-16011	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
A72-16011	RECREATION	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
R72-10330	STOCKWATER	BAKER, DAVID WAYNE	FROM 01-01 TO 12-31	0.070 CFS	
A72-10329	DOMESTIC	BAKER, DAVID WAYNE	FROM 01-01 TO 12-31	0.040 CFS	
R72-10329	DOMESTIC	BAKER, DAVID WAYNE	FROM 01-01 TO 12-31	0.040 CFS	

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-00224

Overlapping pou. Priority date 4-1-1881

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 POB: (☒) ORTHOPHOTOQUAD, IDWR NO. V24; (☒) TOPOGRAPHIC QUAD, IDWR NO. V24;
(☒) NAPP, IDWR NO. V24 NE; () ASCS PHOTO; () OTHER _____

NOTES:

Irrigated acres located and calculated
by ARC VIEW GIS using NAPP AERIAL photography
with quarter/quarter overlays

Expansion acres in SE SW and NESE section 35 for a
total of 2.26 acres.

Acres within deeded tracts = 90

RECOMMENDATIONS:

TOTAL ACRES: 92 N/A()

REVIEWED BY: [Signature]

DATE: 11-23-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-00225 IRRIGATION	FROM 04-01 TO 11-01	0.600 CFS	
TOTAL DIVERSION RATE/VOLUME		0.600 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00225 IRRIGATION	FROM TO	0.600 CFS	
TOTAL DIVERSION RATE/VOLUME		0.600 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: no season of use in decree. Recommend
current IDWR standards for Basin 12

AJ CLAIM TOTAL DIVERSION RATE: 0.600 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.600 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 Swopper 2100, SEE ATTACHED CALCULATIONS. ☒

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 92 x 0.02 CFS/ACRE = 1.84 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 2 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 270.0 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE 2 AF/A

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

1b. CALCULATIONS

* Decree awards 0.03 cfs per acre.

72-00224 3.6 cfs

72-00225 0.6 cfs

total 4.2 cfs

79 ac flood irr
13 ac sprinkler

NOTES:

Bubble analysis indicates requirement greater
than claimed amount of combined claims 72-00224
and 72-00225. Recommend as claimed.

WR RECORD CONDITIONS/REMARKS:

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 10-31	DATABASE 0.600 EXAMINER ✓	DATABASE EXAMINER	DATABASE 270.0 EXAMINER
TOTAL FOR THIS RIGHT		0.600 ✓		270.0 ✓

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: *[Signature]*

DATE: 11-24-98

FLAG: D

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

C03 K06 904C

E11 00225
904C

EXPLANATORY CONDITIONS (CODE):

F06 225, 226A,B, 227AB

EXPLANATORY REMARKS (CODE):

C05

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00225

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.600	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	R72-00225	0.600	R72-00225	0.600	72-00225	0.600
TOTAL CFS		0.600		0.600		0.600

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

No splits

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

Water Resource Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>9-24-74</u> IDWR ID NO. <u>V24</u>	Y(☒) N(☐)
☒ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. <u>V24</u>	Y(☒) N(☐)
☒ NAPP	DATE OF PHOTO <u>9-18-88</u> IDWR ID NO. <u>V24 NE</u>	Y(☒) N(☐) GIS FILE
☐ 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 <u>GIS FILE</u>	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 <u>See 72-00225 By F. Hitchcock</u>	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>See 72-00225 By F. Hitchcock</u>	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☒ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED <u>11-13-98</u>	<u>1</u>	<u>WA</u>
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>6-6-95</u>	_____	_____
☒ OTHER <u>None</u>	DATE <u>1938</u>	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:04
05/19/95

PAGE: 16
QUICKLOOK INFORMATION

51
CLAIM NUMBER: A72-00225

WR 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			EH 8-6-93		DP 11-23-98	DP 11-24-98	DP 11-24-98	
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

00:21:34
05/19/95
52

CLAIM NUMBER: A72-00225

comments

See log

K06 90 ac
E 11 00225
90 ac

79 ac flood ir
13 ac Sprinkler

FX 6 225
 226 A
 B
 227 A
 B

ZIEGLER
BASIN V24

BLM

SESW

NESE

irrigated
in trespass

§35

18E

POU

16

38

2

1

28

23

11N
10N

POD

MAPS USED:

DATE:

ASCS

ORTHO

NAPP

BLM

BAKER, WAYNE

CLAIMED

WZ-00225

ZIEGLER
BASIN V24

18E

POU

11N
10N

DECREE

POU: NESW \$35
W 1/2 SE 11N
SE SE 18E

POD: NWNE \$12
10N
18E

.6045 05-01-1936

MAPS USED:

ASCS

ORTHO

NAPP

BLM

DATE:

BAKER, WAYNE

DECREEED TRACTS

47E-00225

Bášk

8-23-81

8164

1200

LN77-RN1

38

CLAIM _____ INIT _____
T. R. S. Q/Q
P/D _____
PHOTO _____
DT. & ID. _____

Claimed Pod changed
to NRE SN NRE 512 - ALL EF3 Claim A7Z-10537

10-27-93

EF-3

ditch deliver:

-00224
-00225
-00226
-00227

need to confirm POD:

1. F+G map in SWNE § 12 - ^{on line SWSWNE} ~~between SWSWNE~~

2. ANNU PODS:

-00224 (NWNE)
-00225 (")
-00226 (NWSE)
-00227 (NWNE
SENN)

12-07-93. actual POD in EF: NESWNE

update files cc of Bear aerial w/POD-POD marked
and POD noted ✓

§12 - POD ^{BAKTER}
SWNNNE
-00224 - his
-00225 ^{OPD} POD

§12 INSTREAM
NESWNE
-00226
§13 -00227 (E4)
SWSWNN

BAKTER Claims
POD
SWNNNE

72-88224 ✓
72-88225 ✓
-00226 ✓
-00227 ✓
~~10402~~

Instream Stock
13 SWNNNE - start
1 NNNNNN - stop

A72-10537

EF-3

Water Right Number - 72-00225 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 - - - +
05/01/1936 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 0.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.600

+ - - - - 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

