

RECEIVED

AUG 28 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: A72-00199
Date Received: 12/ 4/1989
Receipt No: M005289
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: MAY 1, 1895

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 of	Lot	County
09N	18E	5	NW	NE	NW		CUSTER
10N	18E	31		SW	SE		CUSTER

5. Description of diverting works:
2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

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

8. Total consumptive use is 395.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 CATTLE AND 20 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	18E	4	NW	NW	4	IRR	3.0
Section Acres							3.0
10N	18E	32	SW	SW		IRR	30.0
			SE	SW		IRR	38.0
			SW	SE		IRR	35.0
			SE	SE		IRR	25.0
Section Acres							128.0
		33	SW	SW	4	IRR	20.0
			SE	SW	5	IRR	5.0
Section Acres							25.0
Total Acres							156.0

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:
72-00198, 72-00200.

14. Remarks:

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Wayne Baker Date: 8-23-95
Melodie F. Baker Date: 8-23-95

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of AUGUST 19 95 Frank J. Hitchcock
Notary Public

Seal

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

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 Kirksey, Id.
My Commission Expires 6/30/92

COPY

NOT RECORDED
FEB 2 1990

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type

(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 05-31-94

JUN 20 1995

LEGAL DESCRIPTION OF PROPERTY: Township Attached Range
Section , 1/4 of 1/4 of 1/4, Govt. Lot Department of Water Resources
Lot , Block , Subdivision/Townsite Southern Region
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A72-00196, A72-00197, A72-00198, A72-00199,
Assigned by IDWR: A72-00200, A72-02142, A72-10084, A72-10174
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Richard Douglas Baker and/or Cheryl Kay Baker and/or
Richard L. Baker and/or Betty L. Baker
HC 68 Box 350
Clayton, Idaho 83227
- ☐ New Owner/Claimant (Purchaser): D. Wayne Baker and/or Melodie L. Baker
- ☐ New Mailing Address: HC 68 Box 304
Clayton, Idaho 83227
- ☐ New Telephone Number: (208) 838 -2440
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Memorandum of Sale
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Melodie L. Baker Date 6-16-95
Date
- ☐ Signature of Former Owner/Claimant(s): Betty L. Baker Date 6-16-95
Cheryl K. Baker Date 6-16-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 06-09-95 74

Further Action Needed: 16-5

Further Action Taken

Date 07-13-95 74

Final Review and Data-Entry

Date 07-13-95 74

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MEMORANDUM OF SALE

THIS MEMORANDUM OF SALE, made and entered into this 31st day of May, 1994, by and between RICHARD L. BAKER and BETTY L. BAKER, individually, and as Co-Trustees of the RICHARD L. BAKER AND BETTY L. BAKER TRUST, under Trust Agreement dated May 1, 1991, whose current address is HC 68, Box 370, Clayton, Idaho 83227, hereinafter referred to as "Sellers," and DAVID WAYNE BAKER and MELODIE L. BAKER, husband and wife, whose current address is HC 68, Box 304, Clayton, Idaho 83227-9601, hereinafter referred to as "Buyers;"

W I T N E S S E T H:

WHEREAS, Sellers wish to sell to Buyers, and Buyers wish to purchase from Sellers certain lands and appurtenances lying and situate in Custer County, Idaho, more particularly described as follows:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART
HEREOF; and

WHEREAS, the parties have agreed upon the terms and conditions of sale, most of which have been set forth within a deed of even date and a Sale Agreement of even date, as well as within certain other related and associated documents, all of which are in escrow with Custer County Title, Inc., of Challis, Idaho; and

WHEREAS, the parties wish to document certain other agreements and understandings within this Memorandum of Sale;

NOW, THEREFORE, in consideration of \$5.00 in hand paid

RECEIVED

JUN 20 1994

Department of Water Resources
Southern Region

each party to a other, and in further consideration of the understandings and agreements herein contained, it is understood and agreed as follows, to-wit:

1. That the documents referred to above, and which are executed concurrently herewith, are hereby confirmed in their entirety.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Richard L. Baker
Richard L. Baker, individually
and as Co-Trustee

David Wayne Baker
David Wayne Baker

Betty L. Baker
Betty L. Baker, individually
and as Co-Trustee

Melodie L. Baker
Melodie L. Baker

SELLERS

BUYERS

206827
Custer County Rec. of
Custer County Title

Time 2:20 P.M.

7-1 19 94
Ethel M. Peck, Clerk

Anna Deputy

\$ 12.00

STATE OF IDAHO

County of Custer

)
: ss.
)

On this 31st day of May, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD L. BAKER and BETTY L. BAKER, individually, and as Co-Trustees of the RICHARD L. BAKER AND BETTY L. BAKER TRUST, under Trust Agreement dated May 1, 1991, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

James P. Bennett
Notary Public for Idaho
Residing at: Charlottesville, Idaho
My Comm. Expires:

1-21-99

STATE OF IDAHO

County of Custer

)
: ss.
)

On this 31st day of May, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID WAYNE BAKER and MELODIE L. BAKER, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

James P. Bennett
Notary Public for Idaho
Residing at: Charlottesville, Idaho
My Comm. Expires:

1-21-99

EXHIBIT "A"

TOWNSHIP 10 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

206827

SECTION 25: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 26: SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$
SECTION 35: That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of Herd Creek Road. And that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of Herd Creek and North and West of the County Road.

TRACT II:

TOWNSHIP 9 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 4: Lot 4.

TOWNSHIP 10 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 32: S $\frac{1}{2}$ S $\frac{1}{2}$.

Section 33: Lot 4, and Lot 5, EXCEPTING THE EASTERLY 777.3 FEET, OF SAID LOT 5

TRACT III:

TOWNSHIP 9 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 4: Lots 1 and 2;

TOWNSHIP 10 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 33: Lot 6 and the Easterly 777.3 feet of Lot 5 EXCEPTING THEREFROM:

A fraction of Lots 1 and 2, in Section 4, Township 9 North, Range 18 East, Boise Meridian, Custer County, Idaho, more particularly described as follows, to-wit:

Commencing at the Northeasterly corner of said Section 4, run thence South 89°45' West along the Northerly boundary of Section 4 at a distance of 1005.8 feet along the North line of said Section 4 to the REAL POINT OF BEGINNING; thence South 89°45' West, 224.3 feet; thence South 25°34' West, 334.2 feet; thence South 87°31' East, 210.3 feet; thence North 26°57' East, 349.6 feet, more or less to the Point of Beginning.

This deed subject to Pine Creek Easement reserving and subject, however, to a private Easement or right-of-way for the use and benefit of Grantors or any lineal descendants of Grantors so long as they or their descendants hold interests in lands in Section 31, Township 10 North, Range 18 East, Boise Meridian, Custer County, Idaho, or Sections 5 or 6, Township 9 North, Range 18 East, Boise Meridian, Custer County, Idaho, that may be reasonably served by such Easement. The Easement is described as that certain existing roadway commencing some 100 feet more or less, East of the intersection of the East Fork County Road and the West boundary line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 10 North, Range 18 East, Boise Meridian, Custer County, Idaho, thence continuing Southerly through the described SW $\frac{1}{4}$ SW $\frac{1}{4}$ to other lands across the East Fork River within the Pine Creek Subdivision or the sections described. This Easement is private, not public, and shall only be for the benefit of the parties named above and may be only used by those parties in that group who hold lands in the above described sections.

850

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: A72-00199
Date Received: 12/04/1989
Receipt No: M005289
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DICK L. BAKER 208-838-2271
Address: HC-68, BOX 370
CLAYTON, ID 83227
AND/OR
Name: BETTY L. BAKER 208-838-2271
Address: HC-68, BOX 370
CLAYTON, ID 83227

2. Date of Priority: MAY 01, 1895
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 of	Lot	County
09N	18E	5	NW	NE	NW		CUSTER
10N	18E	31		SW	SE		CUSTER

5. Description of diverting works:
2 HEADGATE/DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.500 | | |
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 395.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/400 CATTLE AND 20 HORSES

MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	18E	4	NW	NW	4	IRR	3.0
						Section Acres	3.0
		5	NE	NW		IRR	2.0
						Section Acres	2.0
10N	18E	32	SW	SW		IRR	30.0
			SE	SW		IRR	38.0
			SW	SE		IRR	35.0
			SE	SE		IRR	25.0
						Section Acres	128.0
		33	SW	SW	4	IRR	20.0
			SE	SW	5	IRR	5.0
						Section Acres	25.0
						Total Acres	158.0

11. Place of use in counties: CUSTER

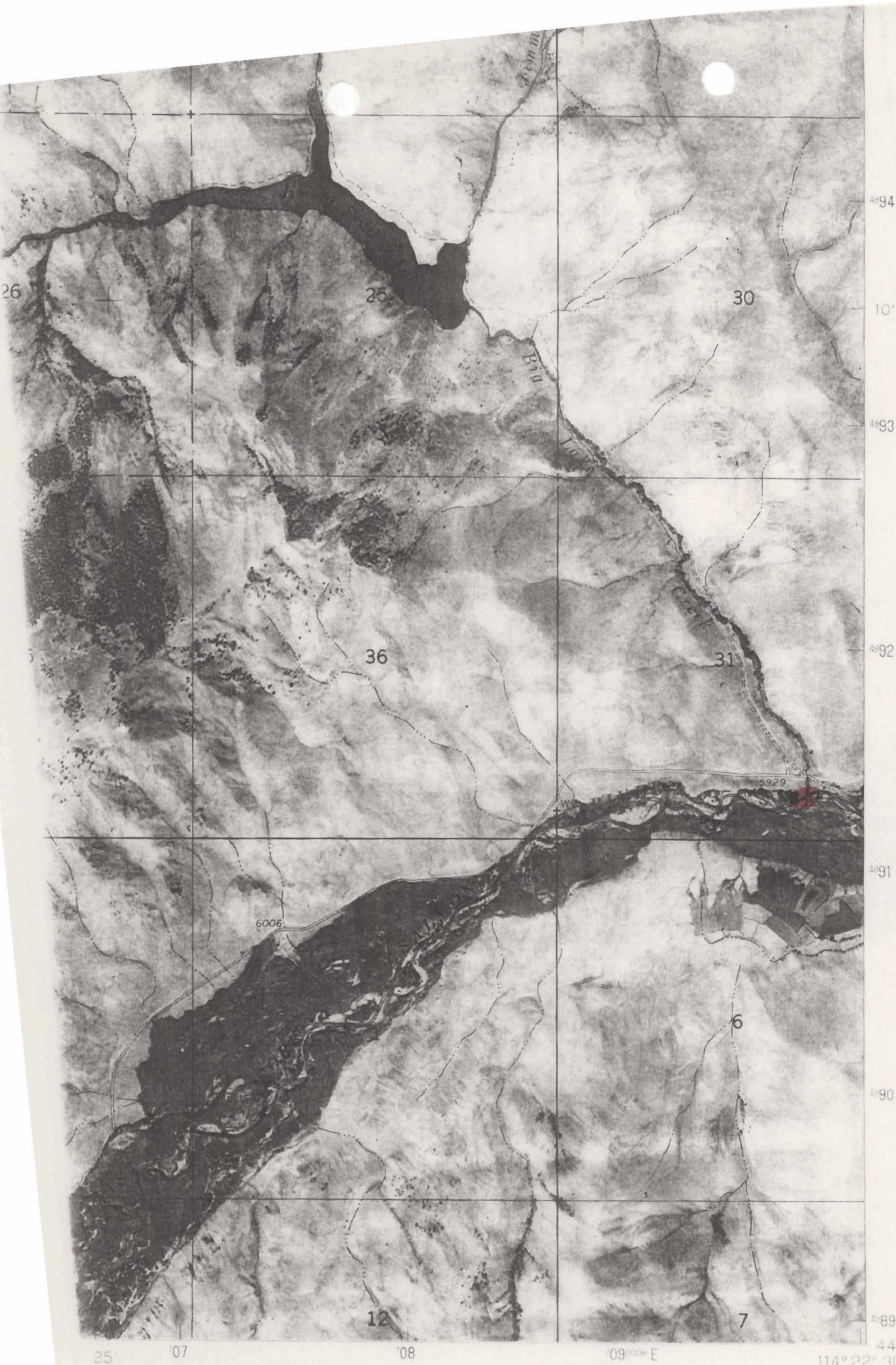
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
72-00198, 72-00200.

14. Remarks:
PLACE OF USE IN NENW OF SECTION 5, T9N, R18E, LEASED FROM BLM.

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

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

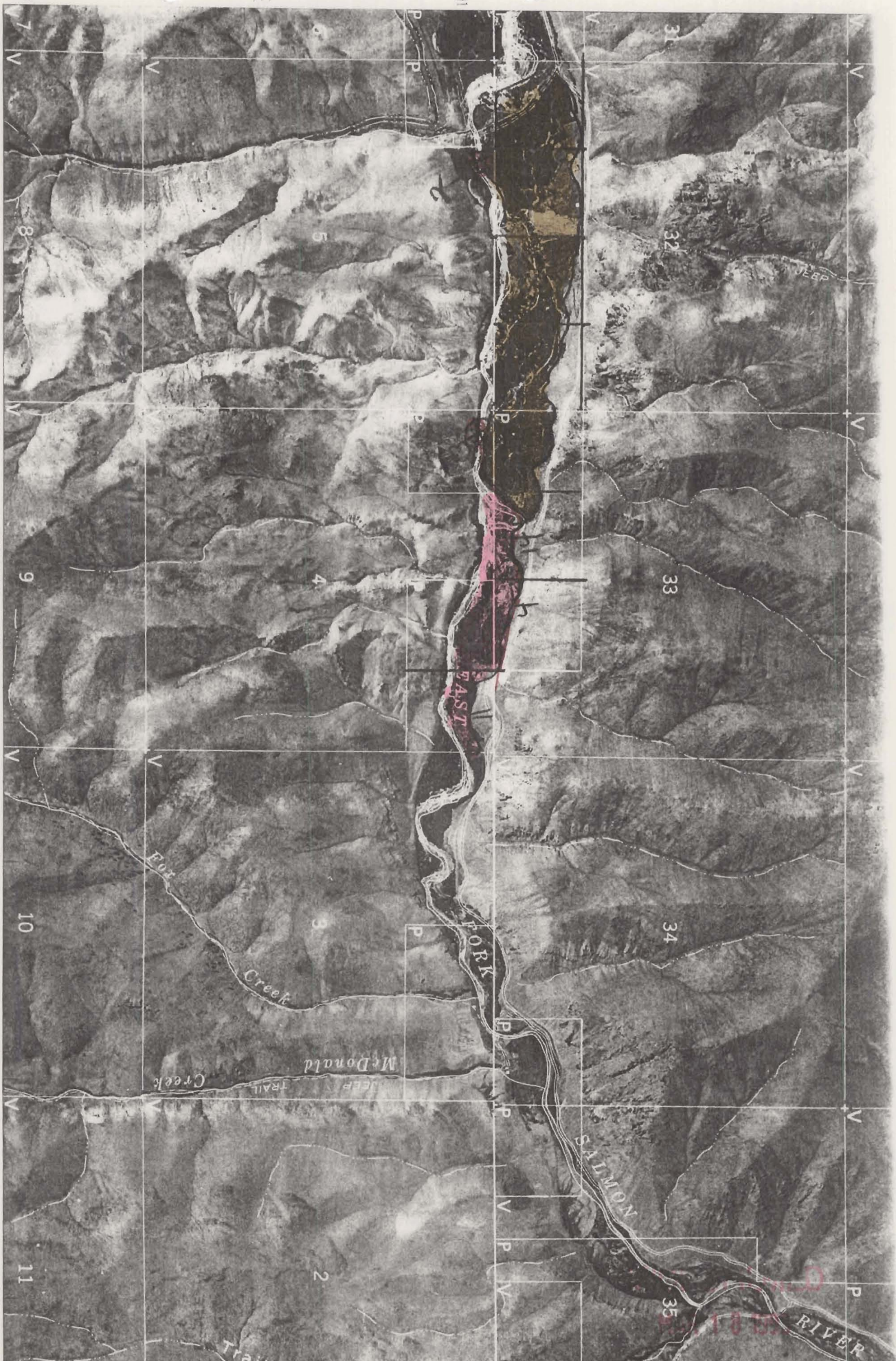


TION
T9N

1 MILE

MICROFILMED

MAR 18 1993



07° 30' 11.4" 22' 30"

Produced by the Geological Survey
in cooperation with the U. S. Forest Service

Orthophotograph prepared from 1:80 000-scale
aerial photographs taken July 24, 1974

Projection and 10,000-foot grid ticks: Idaho coordinate
system, central zone

(transverse Mercator)
1 000-meter Universal Transverse Mercator grid ticks, zone 11

112

4,000 FEET

113

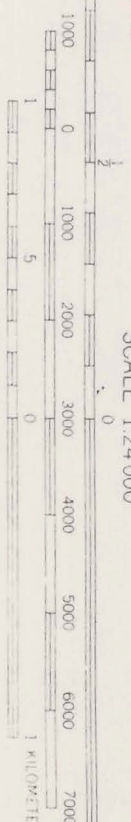
20'

114

10

116

SCALE 1:24 000



A72-00198, 00199, 00200
A72-00196, 00197.

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): K Dick L. Baker Date: 12/4/89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of December 19 89

Anthony J. Obenbach
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 9/12/1994

6/9/94

COMMUNICATION DOCUMENTATION

Claim No.A72-00198 ET AL

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

August 28, 1995 2:41pm

NAME:
WAYNE AND MELODIE BAKER

RE:
AMENDED CLAIMS RETURNS

WHEN THE COVER LETTER CAME IN WITH THE SIGNED CLAIMS I NOTICED THE LETTERHEAD SAID YL RANCHES. I CALLED SEVERAL TIMES BEFORE MELODIE ANSWERED AND I ASKED IF THE CLAIMS SHOULD BE IN THE NAME OF YL RANCHES.

SHE SAID NO AND I SAID I WOULD GO AHEAD AND NOTARIZE THE SIGNATURES AND SEND HER COPIES FOR THEIR FILES.

I WILL ALSO SEND THEM AN ORDER FOR THE DOCKET SHEET PER THE COURT'S ORDER FORM SINCE THEY CHECKED THAT THEY DID WANT TO ORDER.

YL RANCHES

WAYNE AND MELODIE BAKER
H-C 68 BOX 304
CLAYTON, IDAHO 83227-9601

Frank Hitchcock
Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83301

RECEIVED
AUG 28 1995
Department of Water Resources
Southern Region

Dear Frank,

Sorry this took us so long. You know how summer is. It rained here today, so we sat down and signed our names.

I put a check on one of the sheets that I do want a monthly copy of the Snake River Basin Adjudication docket sheet. I didn't think I needed to put a yes check on every one.

Earlier in the year I received notice that I needed to respond to any claims on our water rights before October. Is this still necessary? I have not heard back from Jim Bennetts and so am assuming this is on hold again, hopefully.

I have been to Twin once this summer and am going down to school shop over Labor Day. I am amazed at the changes in the area every time I go down.

Thank you for all of your help on these water rights.

Sincerely,

Melodie Baker

RECEIVED

MAY 30 1995

Department of Water Resources
Southern Region

East Fork

72-00199

1.5 cfs (75")

- ✓ 1. Delete Dick L. and/or Betty L. Baker from the ownership. Change to D. Wayne and/or Melodie L. Baker, HC 68 Box 304, Clayton, Idaho 83227, Telephone (208)838-2440 as owners.
2. OK
3. OK
4. OK
- ✗ 5. Change to: 2 headgates/ditches *as found on-line photo of 2nd P/D?*
6. OK
7. OK
8. OK
9. OK
- ✓ 10. Delete all use in Section 5, Township 9 North, Range 16 East (2.0 acres). Change total acres to: 156.0. *OK*
11. OK
12. OK
13. OK
- ✓ 14. Delete all remarks *description of legal leased from BLM.*
15. OK

COPY

08-17-1993

ALL { PAXER, R+B DACKRED
PAXER, D+C EX-02142
-02095

-00190 [REDACTED] .40 OVERLAP -00193, ALL HED CR.
-00191* [REDACTED] .20 " ALL -00192, 2A; -00193, ALL NEDWARD CA
-00192* [REDACTED] .20 " -ALL -00191, 2A; -00193, ALL FOX CR.
-00193 [REDACTED] 5.20 -ALL E.F.
-00194 [REDACTED] .30 -ALL E.F.
-00196 R+B 1.20 E.F.
-00197 R+B 1.20 E.F.
-00198 R+B 1.50 BIG LAKE CR
✓ -00199 R+B 1.50 E.F.
-00200 R+B 1.30 E.F.
-02142 [REDACTED] .32 LICENSE - ALL E.F.
-00201E MTH. 45 PINE CR SWRD PINE CR.
-00202D MTH. 52 PINE CR SWRD E.F.
-02095 ① ALL .44 LICENSE NEDWARD CA
-00202R MTH. 22 PINE CR. SWRD. E.F.

* Springs - unclaimed... should... SOU data
- need directions to POD @ FOX CR.

① missed in Cheryl's listing / OWN. CHNG.

② recd: 01-27-95; & exam yet. SMT DET: 2/28/95

COPY

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.

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. R72-00199

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

DATE: 12/29/98
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C MELODIE L BAKER    05/01/1895    IRRIGATION    04-01 10-31    1.50 CFS
C D WAYNE BAKER
  HC 68 BOX 304
  CLAYTON ID 83227
  (208) 838-2440
                                TOTAL DIVERSION:    1.50 CFS
=====
```

Water Source: SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T09N R18E S05
T10N R18E S31

NENW
SWSE

CUSTER County
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											
09N	18E	4	:							04-02										:	2.1											
10N	18E	32	:											15	18			20	22	:	75.0											
10N	18E	33	:											04-15	05-.6					:	15.6											
																				TOTAL ACRES												92.7

POU County: CUSTER

Other Rights: 72-00198, 72-00200.

Conditions of Approval:

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

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00200 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 93 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHT NO. 72-00200 IS ALSO DIVERTED THROUGH POINTS OF

AJ0749NP
NO. R72-00199

IDAH0 DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/29/98
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE.

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

Misc: Water District Number: Field Inspection Flag:
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 (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.

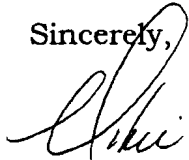
The department uses "Arc View", a computer program also used by Custer County, to locate and calculate the irrigated acres, based on aerial photography. The exact shape of the fields is sometimes subject to human interpretation, therefore I also used notes that former agent Frank Hitchcock took during 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: 72-00199

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 on our original read T09N R18E S05 NWNE NW, by your GIS, the point of div. looks to be in the T10 R18E S32 SESESW. The original shows NWNENW, by your GIS it's closer to NENENW. (2) Purpose of Use 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: 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 "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)

11/16/98 09:17:18
Page 1

Water Right Number - R72-00199

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
Phone - 208-838-2440
1 - HC 68 BOX 304
2 -
3 -
City- CLAYTON
Phone - 208-838-2440

State- ID Zip- 83227

BAKER

D WAYNE

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
YACOMELLA

NETTA C

1 -
2 -
3 -
City- -
Phone - 208-000-0000
1 -
2 -
3 -
City- -
Phone - 208-000-0000

State- ID Zip- 00000

YACOMELLA

MARY C

State- ID Zip- 00000

BAKER

DICK L

State- ID Zip- 83227

BAKER

BETTY L

City- CLAYTON
Phone - 208-838-2271
1 - HC-68 BOX 370
2 -
3 -
City- CLAYTON
Phone - 208-838-2271

State- ID Zip- 83227

YACOMELLA

GEORGE M

State- ID Zip- 00000

+ - - Priority Date - - +
05/01/1895

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

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

+ - - Tributary - - - - - +
SALMON RIVER

+	Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	+
09N	18E	5	NW NE NW				(37) CUSTER	EF-11	
10N	18E	31	NW SW SE				(37) CUSTER	EF-12	

105-00200

Water right number - R72-00199

Prefix Translation: RESEARCH

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	1.500	
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - + + - KW Usage - +	
1.500				0.0	

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09N	18E	4	NW NW	4	2.1	01	IRRIGATION	(37) CUSTER
10N	18E	32	SW SW		15.0	01	IRRIGATION	(37) CUSTER
10N	18E	32	SE SW		18.0	01	IRRIGATION	(37) CUSTER
10N	18E	32	SW SE		20.0	01	IRRIGATION	(37) CUSTER
10N	18E	32	SE SE		22.0	01	IRRIGATION	(37) CUSTER
10N	18E	33	SW SW	4	15.0	01	IRRIGATION	(37) CUSTER
10N	18E	33	SE SW	5	0.6	01	IRRIGATION	(37) CUSTER

Total Acres: 92.7

+ - - Diversion Means - 2 HEADGATES/DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00198, 72-00200.

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

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00200 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 93 ACRES IN A SINGLE
IRRIGATION SEASON.

+ - - - - - 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.	00/00/0000

+ - - - - - Comments - - - - -

Date: 12/22/1995 User Id: FHITCHCO Subject: COPIED FROM REMARKS
PLACE OF USE IN NENW OF SECTION 5, T9N, R18E, LEASED FROM BLM.
OWNERSHIP CHANGE ENTERED 07-13-1995 BY FH WITH AMENDMENTS. SEE THE FILE FOR A COPY OF CHANGES MADE. BLM LEASE NO LONGER EXISTS.
***** S/400 CATTLE AND 20 HORSES *****

+ - - Audit Fields - - +
11/16/98 VHANCOCK

CD3 done DPL 11/16/98

AJ0743NP
(00-124)

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

11/16/98 09:17:19
Page 3

Water right number - R72-00199

Prefix Translation: RESEARCH

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 11/16/1998	Old Judicial District	-
Claim Received Date	- 12/04/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M005289	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

CLAIM NUMBER 72-00199
72-00200

DATE 10-19-98
AGENT D4

TRANSFER NUMBER
CLAIMED ACRE TOTAL 156
GIS ACRE TOTAL 92.7

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	9N	18E	4						3											3
GIS									2.1											
RECOM									2.1											2.1
CLAIM	10N	18E	32											30	38			35	25	128
GIS														15	18			20	22	
RECOM														15	18			20	22	75
CLAIM	10N	18E	33											20	5					25
GIS														15	0.6					
RECOM														15	0.6					15.6

B72-DBPOU.SHP

SHAPE NOS.
359

B72-DBPOD.SHP

NOS. DESCRIPTION
216 EF11 T09N R18E Sec 5 NW NE NW
175 EF12 T10N R18E Sec 31 NW SW SE

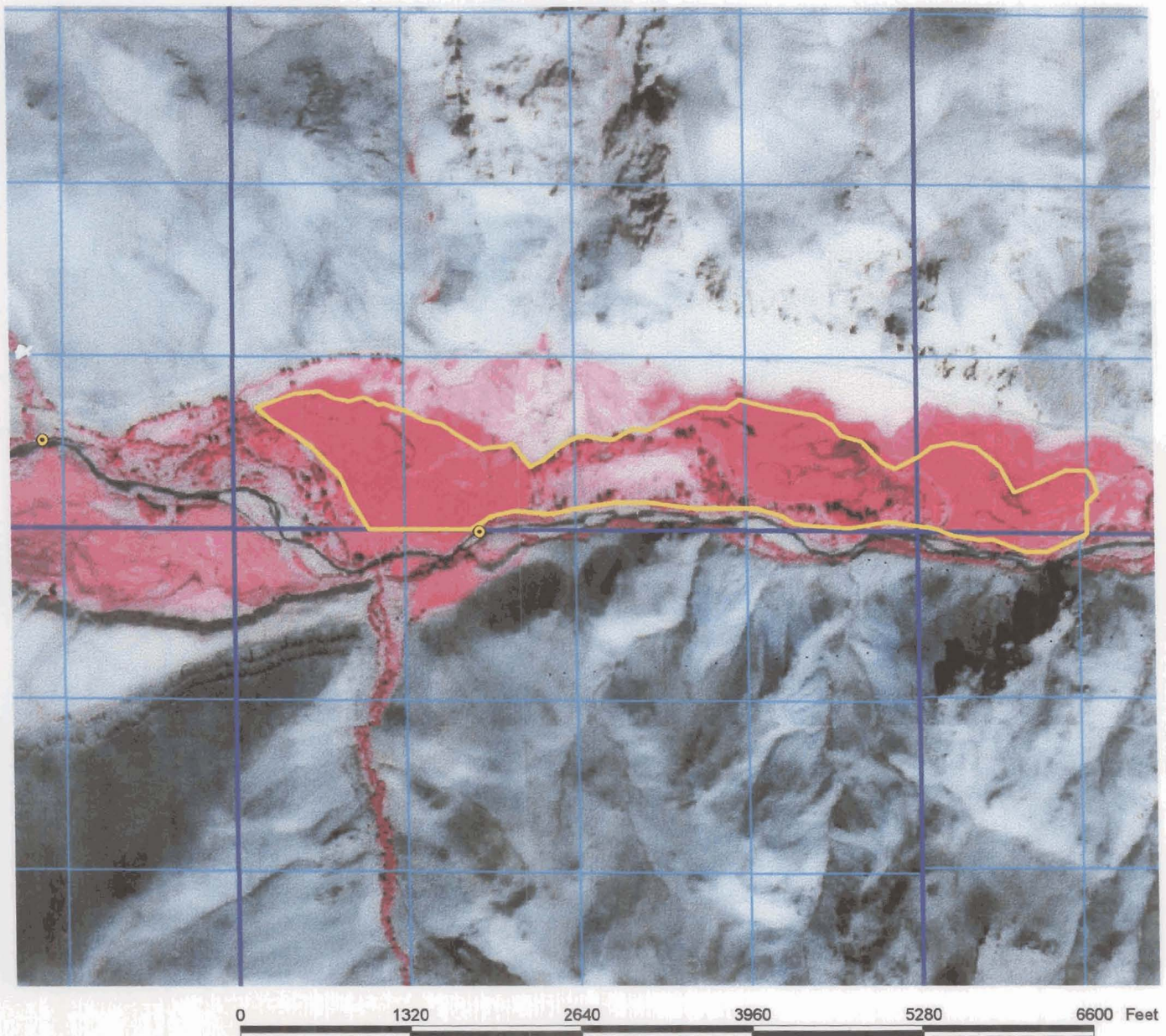
DBF TABLES UPDATED

B72-DBPOU.DBF ✓

B72-DBPOD.DBF ✓

**RIGHTS 72-00199
and 72-00200**

**RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 32, 33
TWP 09N, RNG 18E, SEC 4, 5
data entry on December 28, 1998**

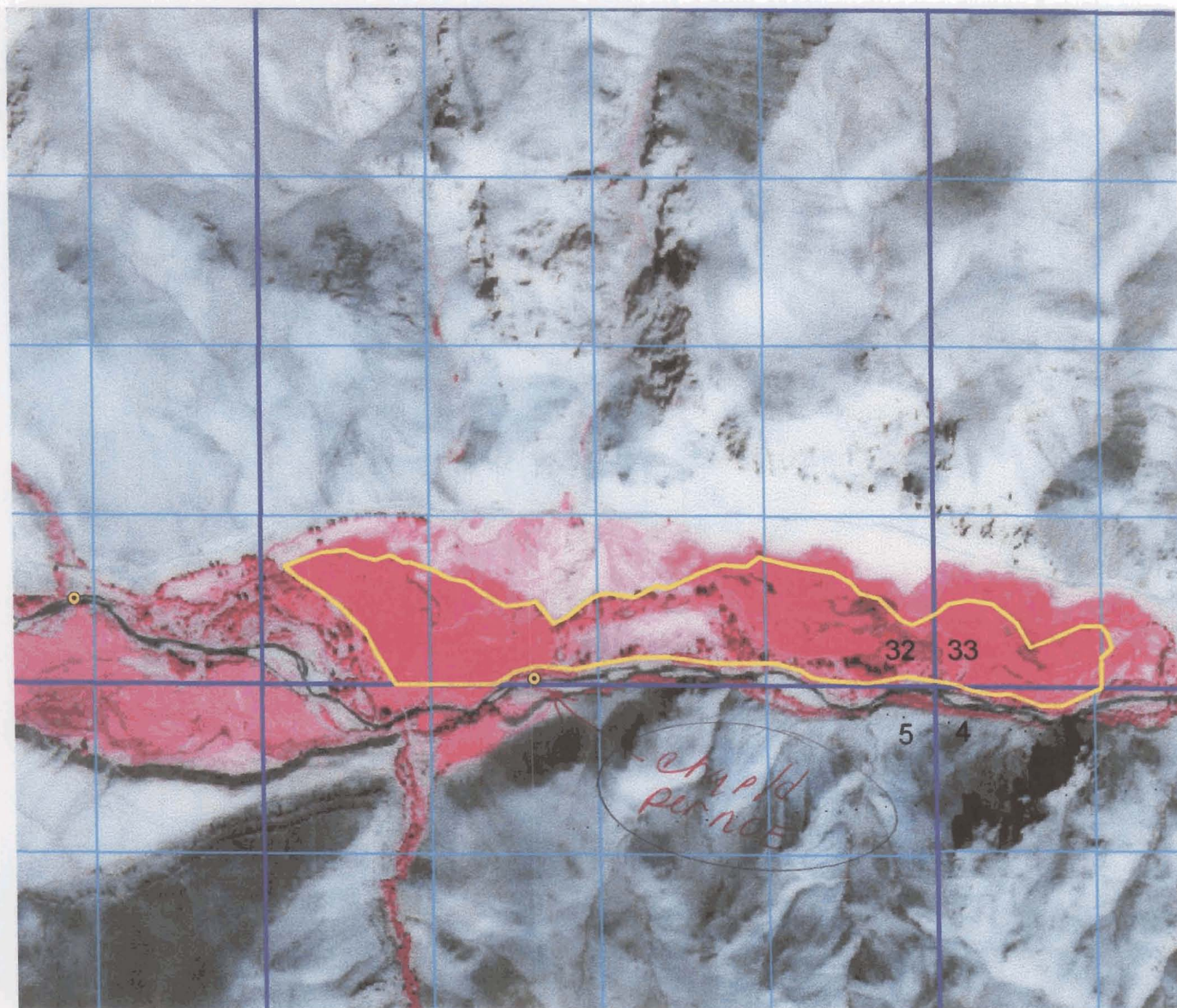


-  **RECOMMENDED PLACE OF USE**
-  **RECOMMENDED POINT OF DIVERSION**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**
-  **SUBDIVISION LOT BOUNDARIES**

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

**RIGHTS 72-00199
and 72-00200**

**RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 32, 33
TWP 09N, RNG 18E, SEC 4
data entry on October 28, 1998**



0 1320 2640 3960 5280 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**

SUPERCEDED PER NOE 12/28/98

REEV LUATION OF IRRIGATION RES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00199
72-00200

DATE: 11-16, 1998

REVIEWED BY DA

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
<u>H61</u>	/		* <u>70.0</u>	*	= CFS
<u>CP1</u>	/	<u>30</u>	* <u>22.8</u>	* <u>.36</u>	= <u>8.20</u> CFS
	/		*	*	= CFS
	/		*	*	= CFS

TOTAL ACRES 92.8

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

HUBBLE

1.3 + 1.5 = 1.8 cfs
Total
200199
72-00200

Basin	72	IRRIGATION	DIV. RATE	IFAG #
JP RANCH		SALMON, E.F.	6.37	EF-1
"	"	"	15.40	EF-2
BAKER WAYNE		INDIAN CANY	18.57	EF-3
ANDERSON		SALMON, E.F.	14.75	EF-4
BRADSHAW		ROAD CR.	.90	NIA
E.F. SUBD 1-7		"	1.105	NIA
E.F. SUBD		SALMON, E.F.	4.30	EF-5
CRESTO		"	3.12	EF-6
BAKER, D+B		"	14.70	EF-7
"	"	"	4.06	EF-8
"	"	"	2.88	EF-9
BENNETTS		HERD CR.	2.12	HC-3
BAKER, D+B		SALMON, E.F.	4.42	HC-2
"	"	"	21.67	HC-1
"	"	McDONALD CR.	NIA	NIA
"	"	FOX CR.	NIA	NIA
"	"	SALMON, E.F.	8.42	EF-10
"	"	"	17.67	EF-11
"	"	"	15.89	EF-12
* GUFFY		PINE CR. #2	.34	NIA
"	"	" #2	1.37	NIA
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 BAULDER 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 31 1995

Department of Water Resources
Southern Region

MEASUREMENT

SEF-07

05/25/93	6.8 Above	-	n/a
07/12/93	13.2	0.6-0.7F	n/a
09/14/93	12.0	0.5-0.6F	n/a
09/07/93	~IDWR 14.75		
08/11/59	12.6	-	-

SEF-08

05/26/93	5.1	1.93	n/a
07/13/93	3.4	1.75	n/a
09/14/93	3.8	-	n/a
09/07/93	~IDWR 4.11 Above		

SEF-09

05/26/93	7.4	98% Sub.	n/a
07/13/93	5.3	97% Sub.	n/a
09/14/93	3.1	None	n/a
09/07/93	~IDWR 3.1 Above		

1958 or 1959 6.4 - -
 Headgate washed out 1958, to rebuild in 1960 for 5.0 cfs. (1959 data)

SEF-10

05/26/93	6.3	1.21	n/a
07/13/93	4.1	1.58	n/a
09/15/93	6.5	1.06	n/a
09/07/93	~IDWR 9.0 Above		
08/24/59	5.5	-	-

SEF-11

05/27/93	14.8	1.66	n/a
07/13/93	17.9	1.75	n/a
09/15/93	13.6	1.58-1.59F	n/a
09/07/93	~IDWR 17.5		
07/17/59	8.8	-	-

SEF-12

05/27/93	16.8	-	n/a
07/13/93	17.7	2.1-2.2F	n/a
09/20/93	13.6	1.96-2.0F	n/a
09/09/93	~IDWR 16.0		
07/17/59	8.4	-	-

RECEIVED

NOV 24 1993

Department of Water Resources
 Sacramento Region Office

1913, with point of diversion in the SE¹NE¹, Section 27, Township 9 North, Range 17, E. B. M.

72-0196 That MARCO YACONELLA is the owner of Lots 1 and 2, Section 4, Township 9 North, Range 18, E. B. M., and Lots 5 and 6, Section 33, Township 10 North, Range 18, E. B. M.; and appurtenant to said land he is entitled to 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, 1895 and he is also entitled to 1.2 cubic feet per second of time of the waters of said East Fork of the Salmon River with date of priority May 1, 1936, with point of diversion in Lot 3, Section 4, Township 9 North, Range 18, E. B. M.

72-0197 That GEORGE M., MARY C., and NETTA C. YACONELLA are the owners of Lot 4, Section 4, Township 9 North, Range 18, E. B. M.; S¹SE¹, S¹SW¹, Section 32, Lot 4, Section 33, all in Township 10 North, Range 18, E. B. M.; and appurtenant to said land they are entitled to 1.5 cubic feet per second of time of the waters of Lake Creek with date of priority May 1, 1895 and with point of diversion in the SE¹NE¹, Section 32, Township 10 North, Range 18, E. B. M.; and are entitled to 1.5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1895 with point of diversion in the SE¹SE¹, Section 31, Township 10 North, Range 18, E. B. M.; and 1.3 cubic feet per second of time of the waters of the East Fork of Salmon River with date of priority May 1, 1936, with point of diversion in the SE¹SE¹, Section 31, Township 10 North, Range 18, E. B. M.

72-0198 That CATHERINE PEDRINI is the owner of Lot 4, Section 5; Lots 1, 2 and 3, Section 6, Township 9 North, Range 18, E. B. M.; Lot 4, SE¹SW¹, S¹SE¹, Section 31, Township 10 North, Range 18, E. B. M.; and appurtenant to said land she is entitled to 4.5 cubic feet per second of time of the waters of the East Fork of Salmon River and Pine Creek, with date of priority May 1, 1888, and 1.5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936, and with points of diversion in Lot 4, Section 31, Township 10 North, Range 18, E. B. M.; and SE¹NE¹, Section 6, Township 9 North, Range 18, E. B. M.

72-0201 That ELLIS M. BAKER and MARY BAKER are the owners of Lot 4, Section 6, Township 9 North, Range 18, E. B. M.; Lots 1 and 2, S¹NE¹, Section 1, Township 9 North, Range 17, E. B. M.; and appurtenant to said land they are entitled to 2.0 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1885 with points of diversion in S¹NE¹, NE¹SW¹, Section 1, Township 9 North, Range 17, E. B. M.

72-0203 That ELLIS M. BAKER and MARY BAKER are the owners of S¹W¹N¹W¹, Section 14; Lots 1, 5, 6 and 7, Section 15, Township 9 North, Range 17, E. B. M.; and appurtenant to said land they are entitled to 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River and Boulder Creek with date of priority May 1, 1911; and .6 cubic feet per second of time of the waters of said East Fork of the Salmon River and Boulder Creek with date of priority May 1, 1936 and with points of diversion in the S¹E¹SE¹, Section 10, S¹W¹SE¹, Section 15 all in Township 9 North, Range 17, E. B. M.

72-0204 That JOE SCIUCHETTI, ANTONIO YACONELLA and MRS. ANTONIO YACONELLA are the owners of E¹NE¹, S¹W¹NE¹, NE¹SW¹, SE¹S¹W¹, Section 11, Township 9 North, Range 17, E. B. M. and appurtenant to said land they are entitled to .3 cubic feet per second of time of the waters of Boulder Creek; .1 cubic feet per second of time of the

72-0206
72-0207
DECEES

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07
01/13/96
125
CLAIM NUMBER: A72-00199

LAST: YACOMELLA
ADDRESS:
CITY: -
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
STATE: ID ZIP: 00000

LAST: YACOMELLA
ADDRESS:
CITY: -
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
STATE: ID ZIP: 00000

LAST: YACOMELLA
ADDRESS:
CITY: -
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
STATE: ID ZIP: 00000

LAST: BAKER
ADDRESS: HC-68 BOX 370
CITY: CLAYTON
PHONE NUMBER: 208-838-2271
OWNER CODE: 0
STATE: ID ZIP: 83227

LAST: BAKER
ADDRESS: HC-68 BOX 370
CITY: CLAYTON
PHONE NUMBER: 208-838-2271
OWNER CODE: 0
STATE: ID ZIP: 83227

LAST: BAKER
ADDRESS: HC 68 BOX 304
CITY: CLAYTON
PHONE NUMBER: 208-838-2440
OWNER CODE: C
STATE: ID ZIP: 83227

LAST: BAKER
ADDRESS: HC 68 BOX 304
CITY: CLAYTON
PHONE NUMBER: 208-838-2440
OWNER CODE: C
STATE: ID ZIP: 83227

CVR

PAGE: 2
GENERAL INFORMATION

126
CLAIM NUMBER: A72-00199

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/17/93

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Field exam conducted by Frank Hetchcock
See description of irrigation & diversion works
in file # 72-00198

- A. AJ CLAIM: # A72-00199 PRIORITY DATE: 05-01-1895 STAGE: D
- B. WR RECORD: # 72-00199 PRIORITY DATE: 05-01-1895 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:

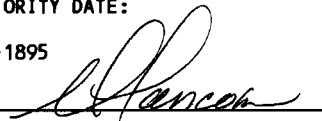
72-00200 is for decreed waters with a priority date of
1936, name POU

=====

RECOMMENDED PRIORITY DATE:

05-01-1895

REVIEWED BY



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
A72-00199	09N	18E	5	NW	NE	NW			CUSTER		
A72-00199	10N	18E	31	NW	SW	SE			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A72-00200	72-16085
A72-16011	72-16167
	72-16247
	R72-00200
	R72-10533

WR RECORDS IN SAME 40 ACRE TRACT

NONE

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
72-00199	10N	18E	31		SE	SE			CUSTER		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
----------	----------

72-00200

A72-10533

NONE

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 8-17-93 NAME OF EXAMINER F. Hitchcock) Y(☒) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Additional point of diversion in T09N R18E Sec 5 NWNE NW
(AKA EF 11) verified by field exam. Easment agreement
between F&G and Yacomella's dates from 1959.

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 CUSTER	DIVERSION NAME	DIVERSION NBR
09N	18E	5	NW	NE	NW				EF 11	
10N	18E	31	NW	SW	SE				EF 12	
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

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 ()

See file 72-00190 for map of system.

A. ROOT WATER RIGHT NUMBERS: A72-00199
R72-00199

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	18E	4	NW	NW	4	BAKER, MELODIE L	A72-00199 / 3.0	72-00199 /			
			NW	NW		STATE OF IDAHO	A72-10493 /	- /		2-1	
			NW	NW	4	BAKER, D WAYNE	R72-00198 / 3.0	72-00198 /			
			NW	NW	4	BAKER, MELODIE L	R72-00199 / 3.0	- /			
			NW	NW	4	BAKER, D WAYNE	R72-00200 / 3.0	72-00200 /			
			NW	NW	4	BAKER, D WAYNE	A72-00200 / 3.0	- /			
			NW	NW	4	BAKER, MELODIE L	A72-00198 / 3.0	- /			
10N	18E	32	SW	SW		BAKER, MELODIE L	A72-00199 / 30.0	72-00199 /	36.0		
			SW	SW		BAKER, D WAYNE	R72-00198 / 30.0	72-00198 /		15	
			SW	SW		BAKER, MELODIE L	R72-00199 / 30.0	- /			
			SW	SW		BAKER, D WAYNE	R72-00200 / 30.0	72-00200 /			
			SW	SW		BAKER, D WAYNE	A72-00200 / 30.0	- /			
			SW	SW		BAKER, MELODIE L	A72-00198 / 30.0	- /			
10N	18E	32	SE	SW		BAKER, MELODIE L	A72-00199 / 38.0	72-00199 /	40.0		
			SE	SW		BAKER, D WAYNE	R72-00198 / 38.0	72-00198 /			
			SE	SW		BAKER, MELODIE L	R72-00199 / 38.0	- /		18	
			SE	SW		BAKER, D WAYNE	R72-00200 / 38.0	72-00200 /			
			SE	SW		DEPT OF FISH & GAME	R72-10534 /	- /			
			SE	SW		BAKER, D WAYNE	A72-00200 / 38.0	- /			
			SE	SW		BAKER, MELODIE L	A72-00198 / 38.0	- /			
			SE	SW		BAKER, D WAYNE	A72-10174 /	- /			
			SE	SW		FISH & GAME	A72-10534 /	- /			
10N	18E	32	SW	SE		BAKER, MELODIE L	A72-00199 / 35.0	72-00199 /	39.0		
			SW	SE		BAKER, D WAYNE	R72-00198 / 35.0	72-00198 /			
			SW	SE		BAKER, MELODIE L	R72-00199 / 35.0	- /		20	
			SW	SE		BAKER, D WAYNE	R72-00200 / 35.0	72-00200 /			
			SW	SE		BAKER, D WAYNE	A72-00200 / 35.0	- /			
			SW	SE		BAKER, MELODIE L	A72-00198 / 35.0	- /			
10N	18E	32	SE	SE		BAKER, MELODIE L	A72-00199 / 25.0	72-00199 /	34.0		
			SE	SE		BAKER, D WAYNE	R72-00198 / 25.0	72-00198 /			
			SE	SE		BAKER, MELODIE L	R72-00199 / 25.0	- /		22	
			SE	SE		BAKER, D WAYNE	R72-00200 / 25.0	72-00200 /			
			SE	SE		BAKER, D WAYNE	A72-00200 / 25.0	- /			
			SE	SE		BAKER, MELODIE L	A72-00198 / 25.0	- /			
10N	18E	33	SW	SW	4	BAKER, MELODIE L	A72-00199 / 20.0	72-00199 /	28.0		
			SW	SW	4	BAKER, D WAYNE	R72-00198 / 20.0	72-00198 /		15	
			SW	SW	4	BAKER, MELODIE L	R72-00199 / 20.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SW	4	BAKER, D WAYNE	R72-00200 / 20.0	72-00200 /			
			SW	SW	4	BAKER, D WAYNE	A72-00200 / 20.0	- /			
			SW	SW	4	BAKER, MELODIE L	A72-00198 / 20.0	- /			
10N	18E	33	SE	SW	5	BAKER, MELODIE L	A72-00199 / 5.0	- /	18.0		
			SE	SW		STATE OF IDAHO	R72-10493 /	- /			
			SE	SW	5	BAKER, D WAYNE	R72-00196 / 9.0	72-00196 /			
			SE	SW	5	BAKER, MELODIE L	R72-00197 / 9.0	72-00197 /			
			SE	SW	5	BAKER, D WAYNE	R72-00198 / 5.0	- /			
			SE	SW	5	BAKER, D WAYNE	R72-00200 / 5.0	- /			
			SE	SW	5	BAKER, MELODIE L	A72-00197 / 9.0	- /			
			SE	SW	5	BAKER, D WAYNE	A72-00200 / 5.0	- /			
			SE	SW	5	BAKER, MELODIE L	A72-00198 / 5.0	- /			
			SE	SW	5	BAKER, D WAYNE	A72-00196 / 9.0	- /			
			SE	SW	5	BAKER, MELODIE L	R72-00199 / 5.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A72-00199	156.00	195.00
		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
A72-00199	SALMON RIVER, EAST FORK	BAKER, MELODIE L	1.500	0.009		
R72-00196	SALMON RIVER, EAST FORK	BAKER, D WAYNE	1.200	0.030		
A72-00196	SALMON RIVER, EAST FORK	BAKER, D WAYNE	1.200	0.030		
A72-00197	SALMON RIVER, EAST FORK	BAKER, MELODIE L	1.200	0.030		
R72-00197	SALMON RIVER, EAST FORK	BAKER, MELODIE L	1.200	0.030		
R72-00198	BIG LAKE CREEK	BAKER, D WAYNE	1.500	0.009		
A72-00198	BIG LAKE CREEK	BAKER, MELODIE L	1.500	0.009		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
R72-00199	SALMON RIVER, EAST FORK	BAKER, MELODIE L	1.500	0.009		
R72-00200	SALMON RIVER, EAST FORK	BAKER, D WAYNE	1.300	0.008		
A72-00200	SALMON RIVER, EAST FORK	BAKER, D WAYNE	1.300	0.008		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10493	FISH PROPAGATION	STATE OF IDAHO	FROM 03-15 TO 11-15	0.800 CFS	
R72-10534	FISH PROPAGATION	DEPT OF FISH & GAME	FROM 04-15 TO 10-15	0.800 CFS	
A72-10174	DOMESTIC	BAKER, D WAYNE	FROM 01-01 TO 12-31	0.020 CFS	
A72-10174	STOCKWATER	BAKER, D WAYNE	FROM 01-01 TO 12-31	0.020 CFS	
A72-10534	FISH PROPAGATION	FISH & GAME	FROM 03-15 TO 11-15	0.800 CFS	
R72-10493	FISH PROPAGATION	STATE OF IDAHO	FROM 04-15 TO 10-15	0.800 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 72-00198, 72-00200.

72-00198 does not overlap

claim for decreed water with 1936 priority, same POU

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

N/A() Y() N() ** see remark*

* 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 POI: (X) ORTHOPHOTOQUAD, IDNR NO. 18241; (X) TOPOGRAPHIC QUAD, IDNR NO. 1824;
(X) NAPP, IDNR NO. 1824 SE; () ASCS PHOTO; () OTHER _____

NOTES:

* O.O. area in SESE section 33 not within
deeded tracts

imagined area created and calculated
using AEC GISL GIS program with 1988 Napp
aerial photography and quarter quarter overlays

RECOMMENDATIONS:

TOTAL ACRES: 93 N/A()
REVIEWED BY: W. Hancock 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
A72-00199 IRRIGATION	FROM 04-01 TO 11-01	1.500 CFS	
TOTAL DIVERSION RATE/VOLUME		1.500 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00199 IRRIGATION	FROM TO	1.500 CFS	
TOTAL DIVERSION RATE/VOLUME		1.500 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

NOTES: No season of use in decree, recommend to
current lower standards for Basin 72.

AJ CLAIM TOTAL DIVERSION RATE: 1.500 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N(☒)

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

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

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(☒) N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD See info from FDFG, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 23 * x 0.02 CFS/ACRE = 1.86 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 = 395.0 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

* Diversion awarded .03 cfs per acre.

22-00199 = 1.5 cfs

22-00200 = 1.3

2.8 cfs

NOTES:

Subtle analysis indicates agreement
greater than combined diversion amounts for
years 73-00199 and 73-00200. Recommend as
cleared

NR RECORD CONDITIONS/REMARKS:



RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-01	11-01	DATABASE 1.500	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 395.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			1.500	_____		_____	395.0	_____

NON-IRRIGATION USES CLAIMED: (S/400 CATTLE AND 20 HORSES)

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

_____ *spendental stockwater* _____
REVIEWED BY: *[Signature]* DATE: *11-23-98*

FLAG: *C*

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

C03

POU 1

(P05-00200)

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 72-00199

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.500	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A72-00199	1.500	R72-00199	1.500	72-00199	1.500
TOTAL CFS		1.500		1.500		1.500

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: *[Signature]* DATE: 11-23-98

NAME OF FIELD EXAMINER: Vikie Hancock 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 SE</u>	Y(☐) N(☐) <u>GIS FILE</u>
☐ 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 file</u>	<u>72-00190</u>	<u>By F Hutchco</u>
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>See file</u>	<u>72-00198</u>	<u>By F Hutchco</u>
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☒ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED <u>11-16-98</u>	_____	<u>By VA</u>
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>PDF & G</u>	_____	<u>Information</u>
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07
01/13/96

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A72-00199

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			FH 9-17-93		FH 8-17-93	VH 11-23-98	VH 11-23-98	
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:32:16
01/13/96
142

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A72-00199

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MELODIE L BAKER	05/01/1895	IRRIGATION	04-01 11-01	1.50 CFS	
C	D WAYNE BAKER				1.50 CFS	
TOTAL DIVERSION:					1.50 CFS	
CONSUMPTIVE USE:						395.00 AFA

Water Source: SALMON RIVER, EAST FORK Tributary to: SALMON RIVER Stage: DECREED

Point(s) of Diversion: T09N R18E S05 NWNEW EF 11
T10N R18E S31 NWSE EF 12

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09N	18E 4	:		:		:		:		:		:		:		:		3.0
10N	18E 32	:		:		:		:		:		:	30	38	:		35	128.0
10N	18E 33	:		:		:		:		:		:	04-20	05-05	:		25	25.0
TOTAL ACRES																	156.0	

POU County: CUSTER

Non-Irrigation Uses: (S/400 CATTLE AND 20 HORSES)

Other Rights: 72-00198, 72-00200.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

CD3

EF 11 93a

See gas log

CLAIM	T. R. S. Q/Q			INIT	—
P/D	V24			OPQ	
PHOTO	7-24-74				
DT. FID.					

R18E

31

31

31

31

31

6

6

6

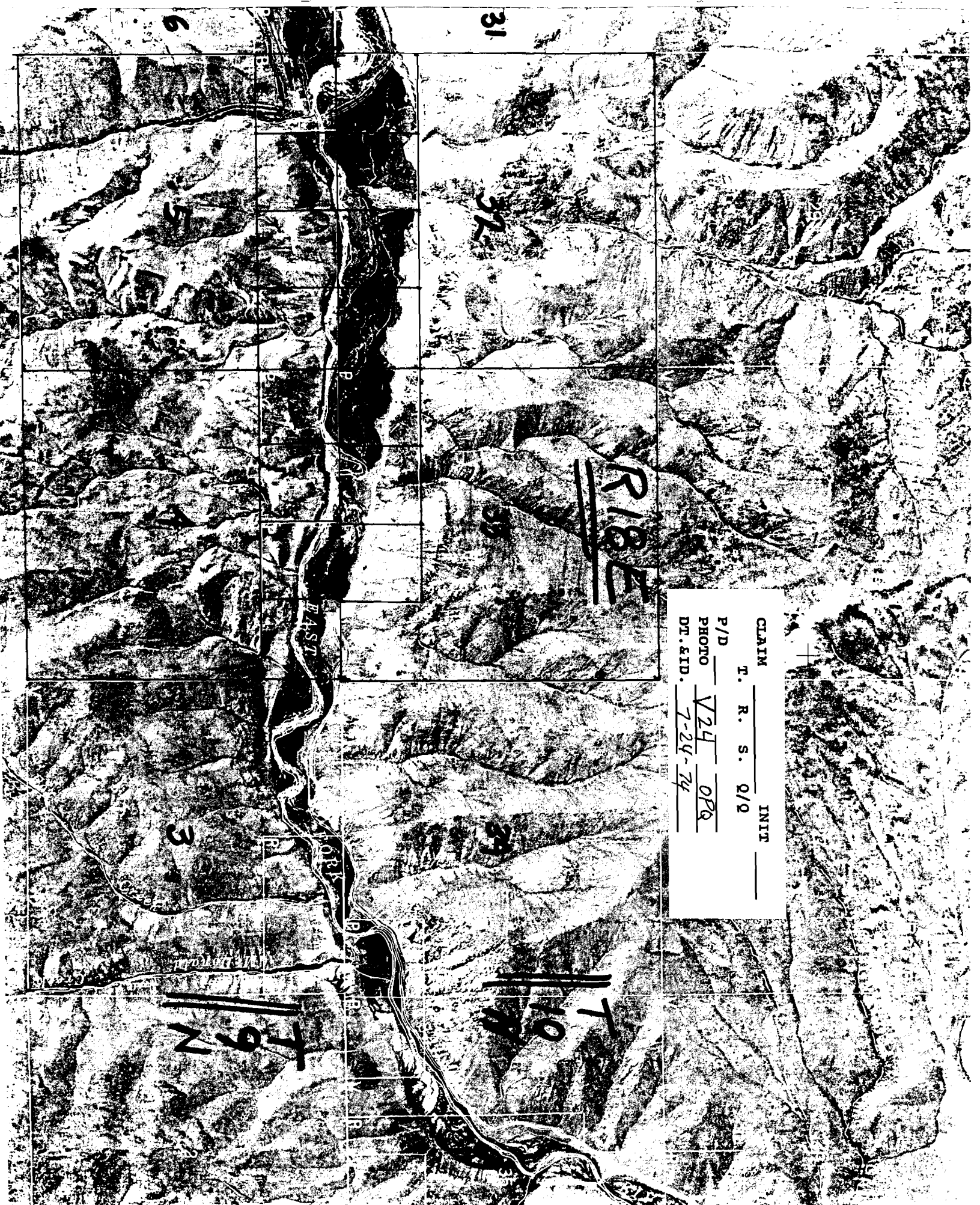
6

6

EAST

PORT

7
9
N



Water Right Number - 72-00199

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - -

+ - - - -

*** C - CURRENT OWNER ***
YACOMELLA

NETTA C.

1 -
2 -
3 -
City-
Phone -

State- Zip-

YACOMELLA

MARY C.

1 -
2 -
3 -
City-
Phone -

State- Zip-

YACOMELLA

GEORGE M.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - +
05/01/1895

+ - - - - Region - - - +
17 SOUTHERN

+ - - - - Stage - - - +
D - DECREED

+ - - - - Status - - - +

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

+ - - - - Tributary - - - - - +
SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
10N	18E	31	SE SE			(37)	CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION					1.500	

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
1.500

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
09N	18E	4	NW NW	4		01	IRRIGATION	(37) CUSTER
10N	18E	32	SW SW			01	IRRIGATION	(37) CUSTER
10N	18E	32	SE SW			01	IRRIGATION	(37) CUSTER
10N	18E	32	SW SE			01	IRRIGATION	(37) CUSTER
10N	18E	32	SE SE			01	IRRIGATION	(37) CUSTER
10N	18E	33	SW SW	4		01	IRRIGATION	(37) CUSTER

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

WR BASE RIGHT

Water right number - 72-00199

Prefix Translation: WATER RIGHT

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

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

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

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

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

+ - Decree Date - +
02/14/1938

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

+ - - Audit Fields - 06/18/85 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

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