

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: **A72-02095**
Date Received: 12/18/1989
Receipt No: E011345
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: RICHARD DOUGLAS BAKER 208-838-2269
Address: HC 68 BOX 350
CLAYTON ID 83227
AND/OR
Name: CHERYL KAY BAKER 208-838-2269
Address: HC 68 BOX 350
CLAYTON ID 83227

2. Date of Priority: JUN 22, 1951

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	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

5. Description of diverting works:
DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

8. Total consumptive use is 55.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING OF 100 HEAD OF RANGE CATTLE/100 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	35	SE	NW		IRR	4.0
			NE	SW		IRR	1.0
			SE	SW		IRR	17.0
					Section Acres		22.0
					Total Acres		22.0

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:
72-00193, 00194

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22211

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Address: C/O HC 68 BOX 350
CLAYTON ID 83227
AND/OR
Name: CHERYL KAY BAKER 208-838-2269
Address: C/O HC 68 BOX 350
CLAYTON ID 83227

2. Date of Priority: JUN 22, 1951

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	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

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Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

A.F.A.

8. Total consumptive use is 55.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING OF 100 HEAD OF RANGE CATTLE/100 SHEEP

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10N	18E	35	SE	NW		IRR	4.0
			NE	SW		IRR	1.0
			SE	SW		IRR	17.0
						Section Acres	22.0
						Total Acres	22.0

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:

72-00193, 00194

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22211

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
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CIVIL CASE NUMBER: 39576

Ident. Number: **A72-02095**
Date Received: 12/18/1989
Receipt No: E011345
Received By: _____

AMENDED

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

AMENDED

1. Name: RICHARD DOUGLAS BAKER 208-838-2271
Address: C/O HC 68 BOX 350
CLAYTON ID 83227
AND/OR
Name: CHERYL KAY BAKER 208-838-2271
Address: C/O HC 68 BOX 350
CLAYTON ID 83227

2. Date of Priority: JUN 22, 1951

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	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

5. Description of diverting works:
DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

7. Total Quantity Appropriated is:
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8. Total consumptive use is 55.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING OF 100 HEAD OF RANGE CATTLE/100 SHEEP

RECEIVED

JUL 17 1995

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	35	SE	NW		IRR	4.0
			NE	SW		IRR	1.0
			SE	SW		IRR	17.0
						Section Acres	22.0
						Total Acres	22.0

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:
72-00193, 00194

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22211

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 y 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): Henry K. Baker Date: July 12, 1903
Date: _____

State of Idaho)
County of TWIN FALLS) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of AUGUST 19 95

Laurin A. Hitchcock
Notary Public

Seal

Residing at TWIN FALLS, ID
My Commission Expires 10-1-2000

08-17-1993

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

-00190 .40 overlap -00193, -ALL HATED CR.
-00191* .20 " ALL -00192, 2A; -00193, ALL NLDONALD CA
-00192* .20 " -ALL -00191, 2A; -00193, ALL FOX CR.
-00193 .520 -ALL E.F.
-00194 .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 .32 LICENSE - ALL E.F.
-00201E 1/4th .45 PINE CR SWRD PINE CR.
-00202D 1/4th .52 PINE CR SWRD E.F.
✓ -02095 ① ALL .44 LICENSE NLDONALD CA
-00202E ② 1/4th .22 PINE CR. SWRD. E.F.

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

- ① missed in Cheryl's listing / OWN. CHANG.
- ② recd: 01-27-95; 2 specm yet. SWT DRT: 2/29.

NOTE: this was changed in the 1950's.

COPY

RECEIVED

MAY 30 1995

72-02095
1.5 cfs (75")

Department of Water Resources
Southern Region

East Fork

- ✓ 1. Delete Dick L. and/or Betty L. Baker from the ownership.
2. OK
- ✓ 3. Delete McDonald Creek from source
4. OK
5. OK
6. OK
- * 7. ~~ex~~ change to 1.5 cfs.
8. OK
9. OK
- ✓ 10. Change: Section 35, NESW Irr 1.0 acres *claimed 17.0 acre*
Section 35, SESW Irr 17.0 acres *claimed 1.0 acre*
11. OK
- ✓ 12. Change to Yes
13. 00193B, 00194B ?
- ✓ 14. Delete remarks
15. OK

check original

* NOTE:

per our discussion re: div. amt. @
BAKERS, 06-16-95, mailed TOM COATES
a cc of microfilm record, 72-02095,
license from showing licensed amt. to
be .44 cfs. Mailed 06-28-95. Confirmed
by phone. **COPY**
06-26-95, all fill note - 02095 claim.

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 05-15-94

LEGAL DESCRIPTION OF PROPERTY: Township Attached Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
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) Assigned by IDWR: A72-00190, A72-00191, A72-00192, A72-00194, A72-02095, A72-10085,
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Richard L. and/or Betty L. Baker and/or Richard Douglas and/or Cheryl Kay Baker
HC 68 Box 350
Clayton, Idaho 83227
- ☐ New Owner/Claimant (Purchaser): Richard Douglas Baker and/or Cheryl Kay Baker
- ☐ New Mailing Address: HC 68 Box 350
Clayton, Idaho 83227
- ☐ New Telephone Number: (208) 838 - 2269
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: Warranty Deed
(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) Cheryl K Baker Date 6-16-95
Date _____
- ☐ Signature of Former Owner/Claimant(s) Betty L Baker Date 6-16-95
Date _____

(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 By: TH

Further Action Needed: YES

Further Action Taken

Date: 07-13-95 By: TH

Final Review and Data-Entry

Date: 07-13-95 By: TH

Claim Numbers of Split, if any:

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

WARRANTY DEED

FOR VALUE RECEIVED, 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, Grantors do hereby Grant, Bargain, Sell and Convey unto RICHARD DOUGLAS BAKER and CHERYL KAY BAKER, husband and wife, the Grantees, whose current address is HC 68, Box 350, Clayton, Idaho 83227, the following described premises, in Custer County, Idaho, to-wit:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART
HEREOF.

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

Dated: May 15, 1994.

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

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

STATE OF IDAHO)
) : ss.
 County of Custer)
 On this 31st day of
May, 1994, before
 me, a Notary Public, per-
 sonally 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 or identified to me
 to be the person(s) whose
 name(s) are subscribed to
 the within instrument, and
 acknowledged to me that
 they executed the same.

[Signature]
 Notary Public
 Residing at Challis, Idaho
 Commission Expires 1-21-99

STATE OF IDAHO, COUNTY OF
 I hereby certify that this instru-
 ment was filed for record at the
 request of Custer County Title
 at 15 minutes past 2
 o'clock P.M., this 8th day of
September, 1994, in my office,
 and duly recorded in Book _____
 of Deeds at page _____.

Ethel M. Pech

Ex-Officio Recorder

BY

Wanda Murphy
 Deputy

Fee: \$ 9⁰⁰
 Mail to:

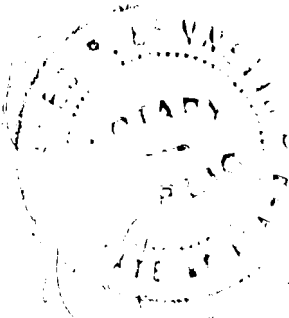


EXHIBIT "A"

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

SECTION 3: Lots 1 and 2.

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

SECTION 35: That portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and West of Herd Creek Road and South of the East Fork Road.

That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and West of Herd Creek Road.

That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying South and West of Herd Creek Road.

E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

SW $\frac{1}{4}$ SW $\frac{1}{4}$.

E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

SECTION 34: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

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

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Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	RICHARD L. BAKER	208-838-2271
Address:	C/O HC 68 BOX 350	
	CLAYTON ID	83227
AND/OR		
Name:	BETTY L. BAKER	208-838-2271
Address:	C/O HC 68 BOX 350	
	CLAYTON ID	83227
AND/OR		
Name:	RICHARD DOUGLAS BAKER	208-838-2271
Address:	C/O HC 68 BOX 350	
	CLAYTON ID	83227
AND/OR		
Name:	CHERYL KAY BAKER	208-838-2271
Address:	C/O HC 68 BOX 350	
	CLAYTON ID	83227

2. Date of Priority: JUN 22, 1951

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

4. Point of Diversion:

*B.M. Under/bm
@ MC DONALD
irrig. - 3.5*

1/4 of 1/4 of 1/4	Lot	County
SW NE SW		CUSTER
NE SW SW		CUSTER

orks:
THROUGH DITCHES FOR FLOOD IRR.

owing purposes:

From	To	C.F.S	(or)	A.F.A.
04/01	11/01	0.440		

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

A.F.A.

8. Total consumptive use is 55.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING OF 100 HEAD OF RANGE CATTLE/100 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	35	SE	NW		IRR	4.0
			NE	SW		IRR	17.0
			SE	SW		IRR	1.0

Section Acres 22.0

Total Acres 22.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
72-00193, 00194

14. Remarks:

SOURCES FOR THIS RT. ARE MC DONALD CREEK , TRIB. SALMON RIVER;
SALMON R., EAST FORK, TRIB. SALMON R.

MR. TAPPAN HAS A LEASE AGREEMENT WITH OWNERS TO FARM THIS
PROPERTY. HE IS FILING NOTICE AS LESSOR OF LAND.

OWNERSHIP CHANGE TO CORRECT OMISSION OF THIS CLAIM TO A LICENSE
NOT PART OF NEW OWNER'S REQUEST MADE IN 10-1990 FOR CHANGE IN THE
OWNERSHIP OF CLAIMS FILED FOR THE PROPERTY BY THE PREVIOUS TENANT
TAPPAN FOR LASSITER, JOHNSON ET AL. SEE FILE A72-00190 FOR THE
CORRESPONDENCE BETWEEN THE BAKERS AND SOUTHERN REGION. FH
3-18-1994.

15. Basis of Claim: LICENSE

Water Right Number: 22211



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
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) Assigned by IDWR: 472-02095

☐ Name and Address of Former Owner/Claimant(s)(Seller): SCOT TAPPAN - LESSOR (orig.)
HC 68 BOX 360 MAINTAINANT as
CLAYTON, ID. TENANT

☐ New Owner/Claimant (Purchaser): RICHARD L. BAKER, BETTY L. BAKER,

☐ New Mailing Address: RICHARD DOUGLAS BAKER, MERYL
KAY BAKER c/o HC 68 BOX 350
CLAYTON, ID. 83227

☐ New Telephone Number: (208) 838-2271

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: cc of warranty deed attached

(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) Richard L. Baker Date 3/11/94
Betty L. Baker Date 3/11/94

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
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) _____
Assigned by IDWR: A72-02095

☐ Name and Address of Former Owner/Claimant(s)(Seller): SCOT TAYLOR - LESSOR (orig)
HC 68 BOX 360 MAINTAINING AS
CLAYTON, ID. TENANT

☐ New Owner/Claimant (Purchaser): RICHARD L. BAKER, BETTY L. BAKER,

☐ New Mailing Address: RICHARD DOUGLAS BAKER, CHEVEL
KAY BAKER 40 HC 68 BOX 350
CLAYTON, ID. 83227

☐ New Telephone Number: 808-838-2271

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: CC of Warranty deed attached

(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) Richard L. Baker Date 3/11/99
Betty L. Baker Date 3/11/99

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

Legal Description: A72-00193, A72-00191, A72-00190, A72-10084,
[] Water Right Number(s): A72-00194, A72-10085, A72-00192, A72-02142

[] Name and Address of
Former Claimant(s): Lassiter, Johnson & Kitz
c/o 505 S. Fagler Drive, Suite 1300
West Palm Beach, Florida 33401

[] New Claimant(s): Richard L. or Betty L. Baker
Richard Douglas or Cheryl Kay Baker

[] New Mailing Address: c/o HC 68, Box 350
Clayton, ID 83227

New Telephone Number: (208) 838 - 2271

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Warranty Deed
(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 claimant.)

[] Signature of New Claimant(s): Richard L. Baker

Date: _____

-COPY-
03-09-94

-02095
LICENSE
TAPPAN?

UNRECORDED

MAR 18 1993

*COPY of CC in
A72-00190...*

TRACT 1:

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

Section 3: Lots 1 and 2.

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

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 34: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 35: E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT the following described tract of land more particularly described as follows:

A portion of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ being further described by metes and bounds as beginning on the East boundary line of a county road at a point 1,100 feet, more or less, North, and 594 feet, more or less, East from the Southwest corner of said Section 35; thence North 55°28' East, 216 feet, and North 58°34' East 162.71 feet, more or less, along the East boundary line of said road to the North boundary line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°53' East 210.46 feet, more or less, along said North boundary line to the West bank of the East Fork of the Salmon River; thence South 48°18' West, 113.83 feet and South 61°07' West 130 feet and South 81°51' West, 175 feet and South 71°40'47" West, 80.62 feet and South 76°23' West, 81 feet, more or less, along the West bank of said river to the Point of Beginning.

*COPY of AC in
A72-00190....*

TRACT 1:

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

Section 3: Lots 1 and 2.

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

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 34: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 35: E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT the following described tract of land more particularly described as follows:

A portion of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ being further described by metes and bounds as beginning on the East boundary line of a county road at a point 1,100 feet, more or less, North, and 594 feet, more or less, East from the Southwest corner of said Section 35; thence North 55°28' East, 216 feet, and North 58°34' East 162.71 feet, more or less, along the East boundary line of said road to the North boundary line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°53' East 210.46 feet, more or less, along said North boundary line to the West bank of the East Fork of the Salmon River; thence South 48°18' West, 113.83 feet and South 61°07' West 130 feet and South 81°51' West, 175 feet and South 71°40'47" West, 80.62 feet and South 76°23' West, 81 feet, more or less, along the West bank of said river to the Point of Beginning.

The above described land is also known as:

SALMON FORK SUBDIVISION, as shown by the Official Plat thereof, on file in the office of the Custer County Recorder, recorded December 18, 1979, as instrument No. 152485, records of Custer County, Idaho.

EXHIBIT "A"

JUL 18 1980

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

[Signature]
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded thru Troy Fahn - Insurance Inc.



STATE OF Fla)
County of Palm Beach) SS

On this 18th day of July, 1990, before me, Patricia L. Kasnik, a notary public in and for said State, personally appeared Richard M. Johnson and Patsy S. Johnson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within 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 in this certificate first above written.

[Signature]
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded thru Troy Fahn - Insurance Inc.



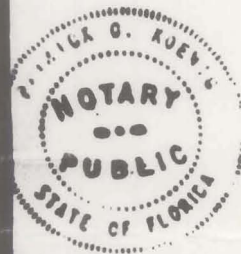
STATE OF Fla)
County of Palm Beach) SS

On this 18th day of July, 1990, before me, Patricia L. Kasnik, a notary public in and for said State, personally appeared James P. Kitz, aka James P. Kintz and Sarah J. Kintz, husband and wife, known or identified to me to be the persons whose names are subscribed to the within 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 in this certificate first above written.

[Signature]
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded thru Troy Fahn - Insurance Inc.



On this 19th day of July, 1990, before me, Patrick C. Freeman, a notary public in and for said State, personally appeared William G. Lassiter, individually, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



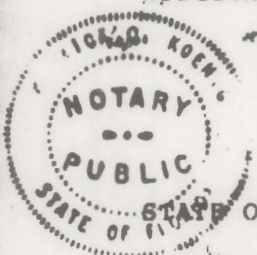
Patrick C. Freeman
Notary Public for
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Banded This Tray from Insurance Inc.

STATE OF Fla)
County of Palm Beach) : 55

On this 19th day of July, 1990, before me, Patrick C. Freeman, a notary public in and for said State, personally appeared Richard A. Johnson, individually, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Patrick C. Freeman
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Banded This Tray from Insurance Inc.

STATE OF Fla)
County of Palm Beach) : 55

On this 19th day of July, 1990, before me, Patrick C. Freeman, a notary public in and for said State, personally appeared James P. Kitz, aka James P. Kintz, individually, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Patrick C. Freeman
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Banded This Tray from Insurance Inc.

STATE OF Fla)
County of Palm Beach) : 55

On this 19th day of July, 1990, before me, Patrick C. Freeman, a notary public in and for said State, personally appeared William G. Lassiter and Aniece R. Lassiter, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

James P. Kitz
JAMES P. KITZ, aka JAMES
P. KINTZ

Sarah A. Kintz
SARAH A. KINTZ

STATE OF FLA.)

County of Polk) : 55

On this 19th day of July, 1990, before me,
Patricia C. Kintz, a notary public in and for said
State, personally appeared William G. Lassiter, as Trustee, known
or identified to me to be the person whose name is subscribed to
the within instrument, and acknowledged to me that he executed the
same.

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



Patricia C. Kintz
Notary Public for:
Residing at:
Commission Expires:

STATE OF FLA)

County of Polk) : 55

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded thru Fidelity Insurance Co.

On this 19th day of July, 1990, before me,
Patricia C. Kintz, a notary public in and for said State,
personally appeared Richard M. Johnson, as Trustee, known or
identified to me to be the person whose names is subscribed to the
within instrument, and acknowledged to me that he executed the
same.

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



Patricia C. Kintz
Notary Public for:
Residing at:
Commission Expires:

STATE OF FLA)

County of Polk) : 55

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded thru Fidelity Insurance Co.

On this 19th day of July, 1990, before me,
Patricia C. Kintz, a notary public in and for said
State, personally appeared James P. Kitz, aka James P. Kintz, as
Trustee, known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

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



Patricia C. Kintz
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded thru Fidelity Insurance Co.

WARRANTY DEED

For Value Received WILLIAM G. LASSITER, RICHARD H. JOHNSON AND JAMES P. KITZ, AKA JAMES P. KINTZ AS TRUSTEES; WILLIAM G. LASSITER, individually; RICHARD H. JOHNSON, individually; JAMES P. KITZ, AKA JAMES P. KINTZ, individually; WILLIAM G. LASSITER and ANIECE R. LASSITER, husband and wife; RICHARD H. JOHNSON and PATSY S. JOHNSON, husband and wife; and JAMES P. KITZ, AKA JAMES P. KINTZ and SARAH J. KINTZ, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto RICHARD L. BAKER and BETTY L. BAKER, husband and wife, the grantees, whose current address is HC68 Box 370, Clayton, Idaho 83227, the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A", attached hereto and incorporated by reference herein as though fully set forth.

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

Dated: This 19 day of July, 1990.

WILLIAM G. LASSITER, RICHARD H. JOHNSON AND JAMES P. KITZ, aka JAMES P. KINTZ, AS TRUSTEES

William G. Lassiter
WILLIAM G. LASSITER

Richard H. Johnson
RICHARD H. JOHNSON

James P. Kitz
JAMES P. KITZ, aka JAMES P. KINTZ

William G. Lassiter
WILLIAM G. LASSITER, individually

Richard H. Johnson
RICHARD H. JOHNSON, individually

James P. Kitz
JAMES P. KITZ, aka JAMES P. KINTZ, individually

William G. Lassiter
WILLIAM G. LASSITER

Aniece R. Lassiter
ANIECE R. LASSITER

Richard H. Johnson
RICHARD H. JOHNSON

Patsy S. Johnson
PATSY S. JOHNSON

196616

CUSTER COUNTY
REQUEST OF

Custer County Title

'90 JUL 24 PM 4 15

THE NOTARY CLERK
Barbara D. Doolittle
FFES 15.00

1990 JUL 24

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: A72-02095
Date Received: 11/15/1989
Receipt No: 604345
Received By: SN

RECEIVED

COPY

DEC 20 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SCOT TAPPAN 208-838-2355
Address: HC 68 BOX 360
SALMON FORK SUBDIVISION
CLAYTON, ID 83227

AND/OR

Name: LASITTER, JOHNSON AND KITZ 407-659-4422
Address: 505 S. FLAGLER DR.
SUITE 1300
WEST PALM BEACH, FL 33401

2. Date of Priority: JUN 22, 1951

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	18E	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

5. Description of diverting works:
DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

8. Total consumptive use is 55.0 Acr Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING OF 100 HEAD OF CATTLE/100 SHEEP

A72-02095

Page

11, 16/89

RECEIVED
MICROFILMED
MAR 18 1993
Department of Water Resources
Eastern District Office

509

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: A72-02095
Date Received: 11/15/1989
Receipt No: 6011345
Received By: SN

RECEIVED

COPY

DEC 20 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SCOT TAPPAN 208-838-2355
Address: HC 68 BOX 360
SALMON FORK SUBDIVISION
CLAYTON, ID 83227

AND/OR

Name: LASITTER, JOHNSON AND KITZ 407-659-4422
Address: 505 S. FLAGLER DR.
SUITE 1300
WEST PALM BEACH, FL 33401

2. Date of Priority: JUN 22, 1951

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	18E	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

5. Description of diverting works:
DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

8. Total consumptive use is 55.0 Acr Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING OF 100 HEAD OF CATTLE/100 SHEEP

A72-02095

Page

11/16/89

RECEIVED

MICROFILMED

Department of Water Resources
MAR 18 1993
Eastern District Office

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	35	SE	NW		IRR	4.0
			NE	SW		IRR	17.0
			SE	SW		IRR	1.0
						Section Acres	22.0
						Total Acres	22.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
72-00193, 00194

14. Remarks:
SOURCES FOR THIS RT. ARE MC DONALD CREEK , TRIB. SALMON RIVER;
SALMON R., EAST FORK, TRIB. SALMON R.
MR. TAPPAN HAS A LEASE AGREEMENT WITH OWNERS TO FARM THIS
PROPERTY. HE IS FILING NOTICE AS LESSOR OF LAND.

15. Basis of Claim: LICENSE
Water Right Number: 22211

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.

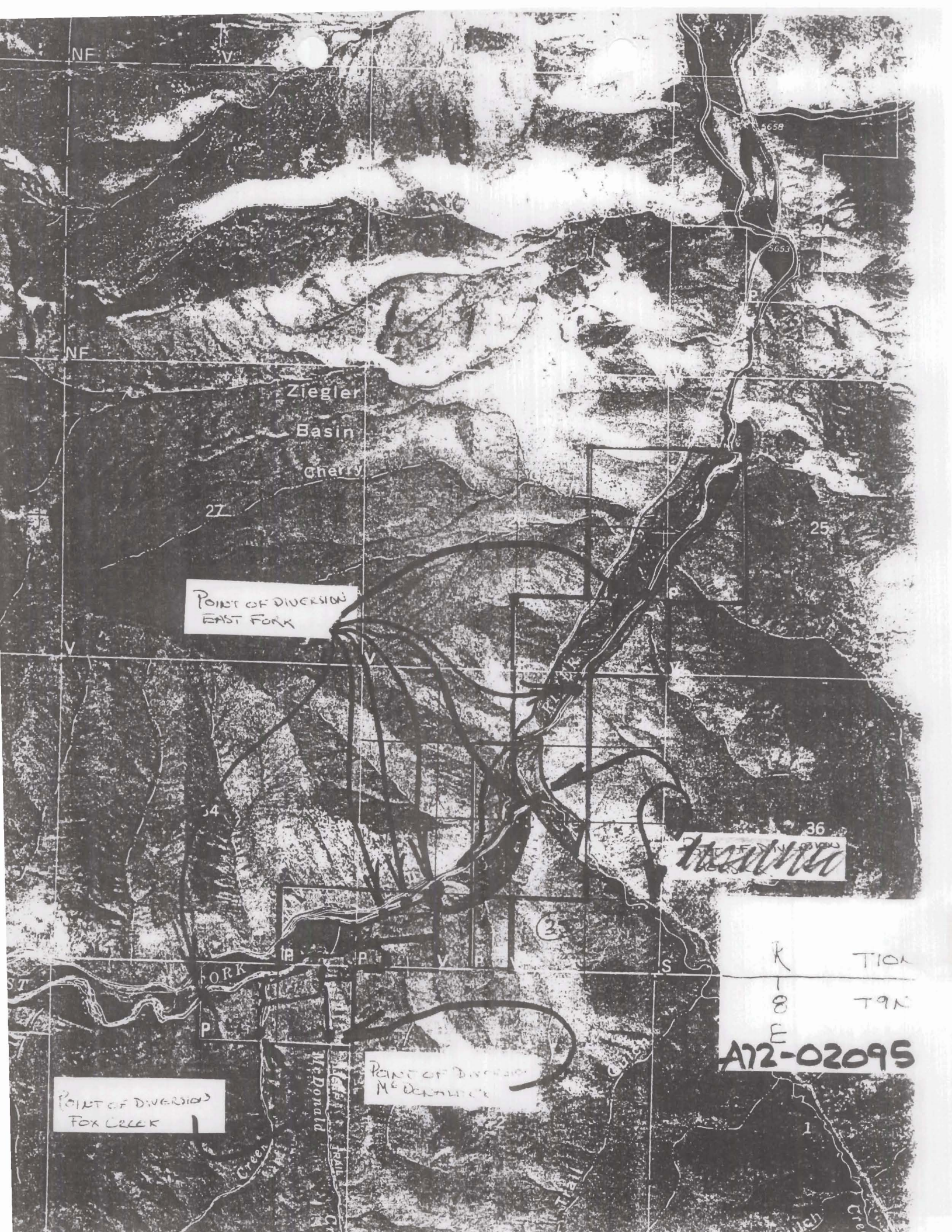
Signature of Claimant(s): Ent J. J. J. Date: 12-15-89
_____ Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Dec 1989
_____ Notary Public

Seal

Residing at D. Chalkley, Jr.
My Commission Expires June 1992



NF

V

5658

5653

NF

Ziegler
Basin
Cherry

27

25

POINT OF DIVERSION
EAST FORK

V

V

[Handwritten signature]

36

34

2

ST

P

S

R

TICK

8

TAN

E

A12-02095

POINT OF DIVERSION
FOX CREEK

POINT OF DIVERSION
McDONALD

1

McDonald
Trail
Creek

Trail
Creek

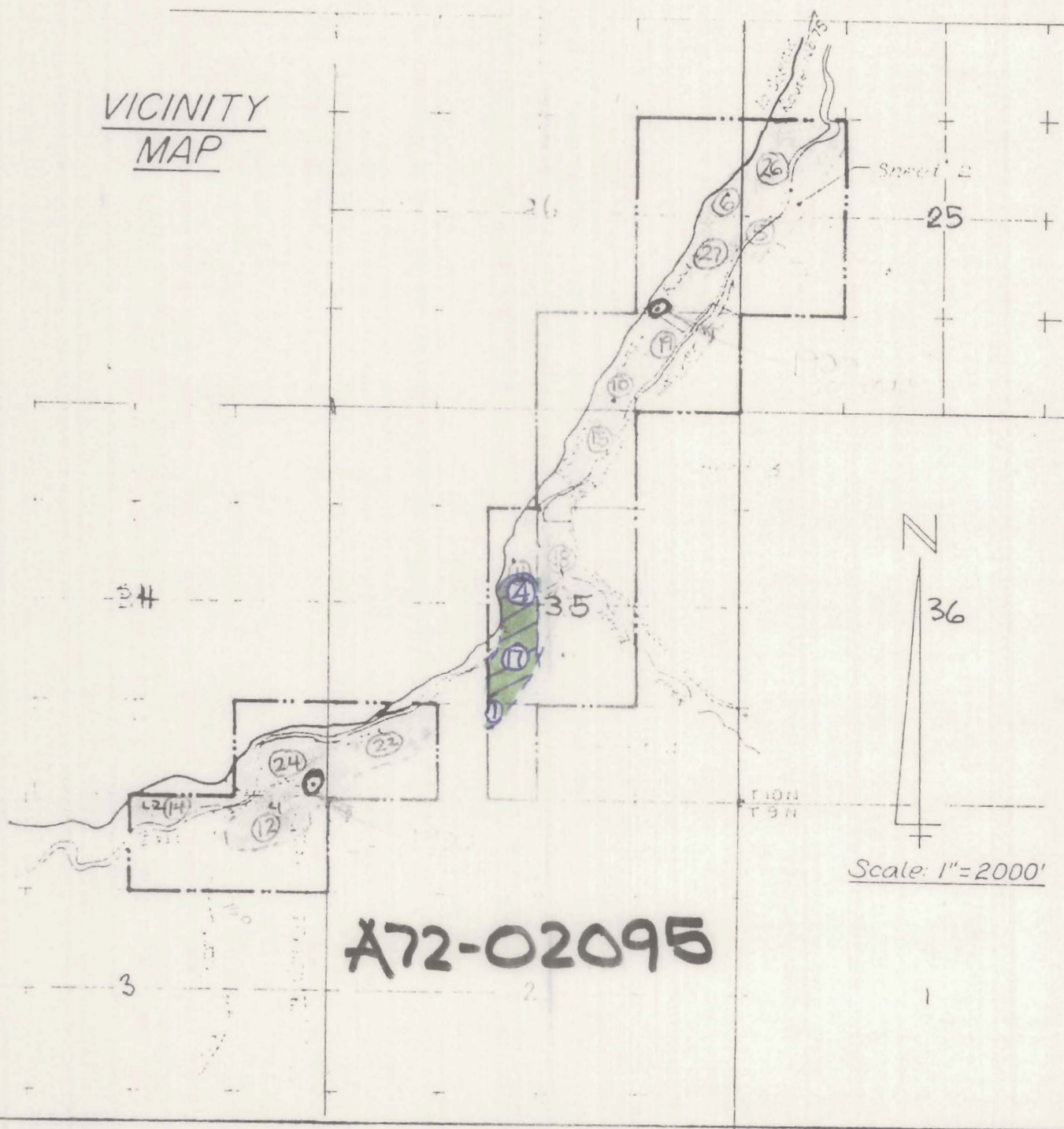
Trail
Creek

to the possession of the purchaser a copy of the SANITARY
REGULATIONS AND RECOMMENDATIONS as attached hereto and
hereby made a legal and binding instrument upon all
portions of this subdivision.

By: _____ Title _____

Date _____

VICINITY
MAP



Salmon Fork Sheet 1 of 5

R18E

MICROFILMED
MAR 18 1993

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.

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

Returning Call

150

TO:

Chris

DATE:

03-09-91

FROM:

H

FILE:

FILE NO:

SUBJECT:

A72-02095 POV

Ownership?

✓✓ as per fill

REMARKS:

E1/2

219. AC

. BBD SATHOFF

03-1991 dead - TAPPAN

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

COMMUNICATION DOCUMENTATION

Claim No.

PARKER
Family
00190 It'sy.

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

H

Date

06-26-95

Contact Person(s)

TOM COATES, L.A., TIM BRENNERTS
879-4488

Nature of Contact

confirm review of all charges -
confirm his reviewing cc of -02085 LC.
ok - ok to send claims direct to BS

Substance of Communication

cover letter -

make a cc to TOM
S. H. Ordan - &ok - send forms to PARKER directly for
signature on amendments

COPY

COMMUNICATION DOCUMENTATION

Claim No.

A72-00190 et al
(-02095)

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

H

Date

04-19-95

Contact Person(s)

JIM BRENNERTS

Nature of Contact

BAKER, Cheryl - Ownership
Change (?), water rights licensed status
DuPont place

Substance of Communication

what status?
done last August?

Reviewed, called his secretary, found
what I thought would show status
- asked him to call for further info.

Failed to 879-4248

9H
91711²⁵
11²⁷11⁴⁶

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: KATHY TEL 879-4248
JIM BRANNETT'S OFFICE
CHAULIS

TOTAL PAGES SENT: 6 per tel con w/

DOCUMENT DESCRIPTION: BAKER WATER RIGHTS - esp.
the "TAPPAN" LICENSE; correspondence -
please note dates esp. 04-22-1994 letter.
& record of any ownership change

FROM: IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE AVE E
TWIN FALLS ID 83301

PHONE: 736-3033

FAX: 736-3037

SENDER: FRANK HITCHCOCK

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: 0

Please remit to the above address.

JIM:
COMMENTS: Please call for further information...

Best wishes to your wife.
7H



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL R. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

March 31, 1995

CHERYL BAKER
H-C 68 BOX 350
CLAYTON, ID 83227

RE: SRBA CLAIMS

DEAR MS BAKER:

HERE ARE THE PROOFS OF THE SRBA WATER RIGHT CLAIMS YOU HAVE REQUESTED. IF YOU NEED FURTHER INFORMATION OR HAVE ANY QUESTIONS PLEASE CALL THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

Cheryl Baker
H-C 68 Box 350
Clayton, Idaho 83227
Tel. 208-838-2269

March 27, 1995

Dear Sirs:

I would like to obtain copies of the following water rights.

Numbers: A72-00193.

A72-00191

A72-00190

A72-00184

A72-00194

A72-00192

A72-10085

A72-02142

Thank you for your prompt response.

Cheryl Baker

Cheryl Baker

RECEIVED

MAR 29 1995

Department of Water Resources
Southern Region



te of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 22, 1994

Ms. Cheryl Baker
H-C 68 Box 350
Clayton, ID 83227

Dear Cheryl:

Thank you for your note regarding the "Tappan" right. I'm suprised to hear the news of the pending sale of the ranch by Betty and Dick.

When I visited with them I pointed out that we would change the names on the claim pending my review of the usage as I found it last summer. You can amend the claim to reflect the actual usage as it has been for some time in the past as Dick and Betty described it. We discussed the fact that it has been a very long time since the water was diverted and used in the way it was licensed for Shindurling.

As to the sale of the property we will simply change the ownership of the claims that are sold with the property. I still haven't gotten to the completion of East Fork claims due to the many upsets and reversals in the case that you may have read about since I last saw you.

I/we are heading out for the season into the area south of Oakley down to the Utah border around Raft River and the Rockland area. I won't be coming up your way again on any Salmon-related exams ...as far as I know as of this moment.

My review of the "Tappan" usage would describe the water as it has actually been used as I saw it last summer and my reccomendation would describe it as you do it or did it last season. Please call me as soon as you get this with any questions so you can feel confident about the status of the claims before you get to the point of selling.

Please remember me to Doug as well as Dick and Betty since I am sending this letter to you directly. I am enclosing a copy for you to share with them rather than copying to them directly so you can discuss this together. Again, please let me know ASAP with any of your concerns so that we can have everything lined out for you. Best wishes.

Sincerely,

INTER-DEPARTMENT MEMO

TO: DICK & BETTY
 FROM: FRANK

SUBJECT: THE "TAPPAN" CLAIM
 DATE: 03-18-1994

Here's the changed-over license that wasn't picked up in your request to change all the claims when you bought the Shindlerling place.

I'm sending Doug and Cheryl a separate claim copy also for their records.

Thank you as usual for your help in getting all this correctly lined out. Best wishes

() For your information

() Response required

CC: DOUG & CHERYL

Frank
signature

AND/OR

Name: CHERYL KAY BAKER
 Address: C/O HC 68 BOX 350
 CLAYTON ID

208-838-2271

83227

2. Date of Priority: JUN 22, 1951

3. Source: MC DONALD CREEK
 SALMON RIVER, EAST FORK

Trib. to: SALMON RIVER
 SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	18E	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

5. Description of diverting works:

DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

Idaho Dept of Water Resource
222 Shoshone St. E.
Twin Falls, Idaho 83301

R F

W E D

APR 20 1994

Department of Water Resources
Southern Region Office

April 20, 1994

Dear Frank;

Thank you for sending us a copy of the "Tappan" Claim. Dick and Betty are in the process of selling the ranch, and we have been trying to get the water rights straight. Something is still not right. On the copy of the claim A72-02095 you name the source as McDonald Creek for the field above Herd Creek that Betty showed you. This is not possible. Betty also said that you were confused as to where it listed the Shindurling fields. In checking the water rights, they are listed on A72-00194 and A72-00193. We are thoroughly confused.. We would appreciate you coming up and we could all get together and straighten this out. I have tried to keep all of these straight and match the Adjudication numbers with the ditch diversions. This will all need to be changed anyway, as our name will be on the upper ranch and Dick and Bettys on the lower one. Looking forward to hearing from you.

Thanks,



Cheryl Baker

H-C 68 Box 350

Clayton, Idaho 83227

208-838-2269

Idaho Dept of Water Resource
222 Shoshone St. E.
Twin Falls, Idaho 83301

R E W E D

APR 20 1994

Department of Water Resources
Southern Region Office

April 20, 1994

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Thank you for sending us a copy of the "Tappan" Claim. Dick and Betty are in the process of selling the ranch, and we have been trying to get the water rights straight. Something is still not right. On the copy of the claim A72-02095 you name the source as McDonald Creek for the field above Herd Creek that Betty showed you. This is not possible. Betty also said that you were confused as to where it listed the Shindurling fields. In checking the water rights, they are listed on A72-00194 and A72-00193. We are thoroughly confused.. We would appreciate you coming up and we could all get together and straighten this out. I have tried to keep all of these straight and match the Adjudication numbers with the ditch diversions. This will all need to be changed anyway, as our name will be on the upper ranch and Dick and Bettys on the lower one. Looking forward to hearing from you.

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Idaho Dept of Water Resource
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Twin Falls, Idaho 83301



APR 24 1994

April 20, 1994

Department of Water Resources
Southern Region Office

Dear Frank;

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Thanks,



Cheryl Baker

H-C 68 Box 350
Clayton, Idaho 83227
208-838-2269

ORIGINAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 22, 1994

Ms. Cheryl Baker
H-C 68 Box 350
Clayton, ID 83227

Dear Cheryl:

Thank you for your note regarding the "Tappan" right. I'm surprised to hear the news of the pending sale of the ranch by Betty and Dick.

When I visited with them I pointed out that we would change the names on the claim pending my review of the usage as I found it last summer. You can amend the claim to reflect the actual usage as it has been for some time in the past as Dick and Betty described it. We discussed the fact that it has been a very long time since the water was diverted and used in the way it was licensed for Shindurling.

As to the sale of the property we will simply change the ownership of the claims that are sold with the property. I still haven't gotten to the completion of East Fork claims due to the many upsets and reversals in the case that you may have read about since I last saw you.

I/we are heading out for the season into the area south of Oakley down to the Utah border around Raft River and the Rockland area. I won't be coming up your way again on any Salmon-related exams ...as far as I know as of this moment.

My review of the "Tappan" usage would describe the water as it has actually been used as I saw it last summer and my recommendation would describe it as you do it or did it last season. Please call me as soon as you get this with any questions so you can feel confident about the status of the claims before you get to the point of selling.

Please remember me to Doug as well as Dick and Betty since I am sending this letter to you directly. I am enclosing a copy for you to share with them rather than copying to them directly so you can discuss this together. Again, please let me know ASAP with any of your concerns so that we can have everything lined out for you. Best wishes.

Sincerely,

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

INTER-DEPARTMENT MEMO

TO: DICK & BETTY
 FROM: FRANK

SUBJECT: THE "TAPPAN" CLAIM
 DATE: 03-18-1994

Here's the changed-over license that wasn't picked up in your request to change all the claims when you bought the Shindwiling place.

I'm sending Doug and Cheryl a separate claim copy also for their records.

Thank you as usual for your help in getting all this correctly lined out. Best wishes!

() For your information

() Response required

CC: DOUG & CHERYL

AND/OR

Name: CHERYL KAY BAKER
 Address: C/O HC 68 BOX 350
CLAYTON ID

208-838-2271

83227

2. Date of Priority: JUN 22, 1951

3. Source: MC DONALD CREEK
SALMON RIVER, EAST FORK

Trib. to: SALMON RIVER
SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	18E	35	SW	NE	SW		CUSTER
			NE	SW	SW		CUSTER

5. Description of diverting works:

DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

Village Inn
Challis, ID

08-04-1993

MR. SCOTT TAPPAN
HC 68 Box 360
SALMON FORK SUBDIVISION
CLAYTON, ID. 83227

Dear Mr. Tappan:

Please contact me at once regarding
your water claim - copy enclosed.

I have been unable to reach you
by phone to schedule a field exam of
licensed water right A72-02095.

I am finishing field exams of claims
this month in East Fork. Please
call me @ the Village Inn in Challis at
879-2239.

Frank Hitchcock

enclosures

cc: Lasiter, Johnson and Kitz
505 S. Flagler Dr.
Suite 1300
West Palm, Beach, FL 33401

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call 840

Returning Call

TO:

SCOT TAPPAN 838-2355

DATE:

07-26-1993

FROM:

H

FILE:

-02095

FILE NO:

SUBJECT:

Field Exam

REMARKS:

bank -

DISCONNECTED. Recording - 2 phone

07-27-93

R+B, BAKER

E2SE4NW4

635

D+C, "

E2E2SW4

NW4SE4

W2NE4 total 1575

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

1200R
HAYSTACK
222 SHOSHONE
TWIN FALLS, ID.
83301



ATTEMPTED - NOT KNOWN

MR. SCOTT TAPPAN
HE 68 Box 360
SHAMON Fork SUBDIVISION
CARTON, ID.

83227

Department of Water Resources
Southern Region Office
AUG 09 1993

RECEIVED



Water Right Number - R72-02095

Prefix Translation: RESEARCH

Old (D) Number - 22211

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

*** C - CURRENT OWNER ***
BAKER

RICHARD DOUGLAS

1 - HC 68 BOX 350
2 -
3 -

State- ID Zip- 83227

BAKER

CHERYL KAY

City- CLAYTON
Phone - 208-838-2269
1 - HC 68 BOX 350
2 -
3 -

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
BAKER

RICHARD L

1 - C/O HC 68 BOX 350
2 -
3 -

State- ID Zip- 83227

BAKER

BETTY L

City- CLAYTON
Phone - 208-838-2271
1 - C/O HC 68 BOX 350
2 -
3 -

State- ID Zip- 83227

SHINDURLING

ANNA M

City- CLAYTON
Phone - 208-838-2271
1 -
2 -
3 -
City- CLAYTON
Phone - 208-000-0000

State- ID Zip- 00000

+ - - Priority Date - - +
06/22/1951

+ - - - 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

35

SW NE SW
NE SW SW

(37) CUSTER
(37) CUSTER

EF-8
PUMP

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

01 - IRRIGATION

04/01

11/01

0.440

+ - Total Div. Rate - + + - Total Div. Volume - +
0.440

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

Water right number - R72-02095

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
10N	18E	35	SE NW		6.4	01	IRRIGATION	(37) CUSTER
10N	18E	35	NE SW		3.9	01	IRRIGATION	(37) CUSTER
10N	18E	35	SE SW		0.2	01	IRRIGATION	(37) CUSTER

Total Acres: 10.5

- - - Diversion Means - DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-00193B, 72-00194

- - - - - Remarks - - - - -

POU1 RIGHT NOS. 72-00193B, 72-00194 AND 72-02095 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 55.3 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF WATER IN THE FOLLOWING 1/4 1/4 SECTIONS OF T10N, R18E, SEC 35 IS LIMITED AS FOLLOWS: E1/2 SENW, E1/2 NESW, E1/2 SESW.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00193A, 72-00193B.
INCIDENTAL STOCKWATER FOR 100 HEAD RANGE CATTLE, 100 SHEEP

- - - - - 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.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE 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 - - - + - - - - Decree Defendant - - - + - - - Decree Date - +
00/00/0000

- - - - - Comments - - - - -

Prefix Translation: RESEARCH

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E011345	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

R C E I V E D

DEC 6 1999

Department of Water Resources

DISTRICT COURT SRBA FIFTH JUDICIAL DISTRICT COUNTY OF TWIN FALLS, STATE OF IDAHO	
NOV 30 1999	
BY _____	CLERK
_____	DEPUTY CLERK

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 <u>72-02098</u>
	)	(Insert Water Right Number)
Case 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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin 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.

Date: 11-30-99

Richard H. Parker
(Claimant)
Cheryl A. Baker

Larry C. Brown
(Objector) Fwp

Jeanie Robertson 11/30/99
IDWR Concurrence St. Water Res. Agent

AS TO FORM
St. Water Res. Agent
Attorney for IDWR

AJ5856NP
1999

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-17-

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PAGE: A-219

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

RIGHT NUMBER: 72-02095

NAME & ADDRESS: RICHARD DOUGLAS BAKER
CHERYL KAY BAKER
HC 68 BOX 350
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.44 CFS

PRIORITY DATE: 06/22/1951

POINT OF DIVERSION: T10N R18E S35 SWNESW Within CUSTER County
NESWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 11-01	0.44 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R18E S35 SENW 6.4 NESW 3.9 SESW 0.2
10.5 ACRES TOTAL

RIGHT NOS. 72-00193B, 72-00194 AND 72-02095 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 55.3 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF WATER IN THE FOLLOWING 1/4 1/4 SECTIONS OF T10N. R18E. S35 IS LIMITED AS FOLLOWS: E 1/4 SENW, E 1/4 NESW, E 1/4 SESW.

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 - LICENSE
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: 72-00193A, 72-00193B.
INCIDENTAL STOCKWATER FOR 100 HEAD RANGE CATTLE, 100 SHEEP

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on 11-30, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

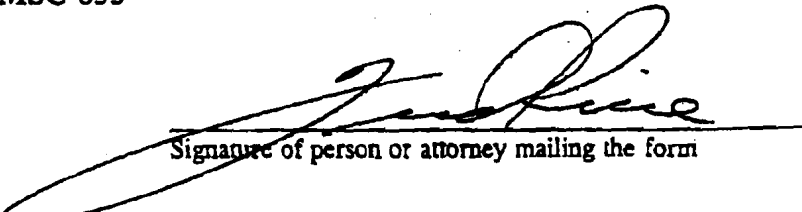
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Adjudication Team
550 W Fort St., MSC 033
Boise, ID 83724

RICHARD & CHERYL BAKER
HC 68 BOX 350
CLAYTON, ID. 83227

PATRICK D. BROWN, PC
109 S. ADAMS ST.
JEROME, ID. 83338


Signature of person or attorney mailing the form

RECEIVED

JUN 29 1999

Department of Water Resources
Sewage Division

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 72-02095

(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: Richard D & Cheryl K Baker

Address: HC 68 Box 350 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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

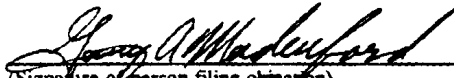
State of Idaho)

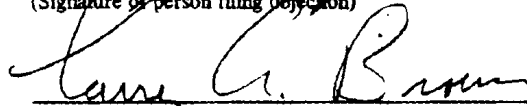
) ss.

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:

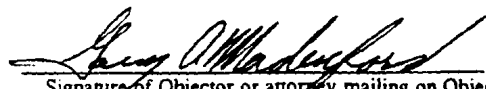
Name: Richard D & Cheryl K Baker
Address: HC 68 Box 350 Clayton, ID 83227
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-877-----
RIGHTS FROM: SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-02095

NAME & ADDRESS: RICHARD DOUGLAS BAKER
CHERYL KAY BAKER
HC 68 BOX 350
CLAYTON ID 83227

MIXED OWNERSHIP

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.44 CFS

PRIORITY DATE: 06/22/1951

POINT OF DIVERSION: T10N R18E S35 SWNESEW BLM Within CUSTER County
NESWSW ✓PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 11-01 0.44 CFSPLACE OF USE: IRRIGATION Within CUSTER County
T10N R18E S35 SENW 6.4 BLM/PVT NESW 3.9 BLM/PVT SESW 0.2 BLM/PVT
10.5 ACRES TOTAL
USE IS LIMITED TO THE EAST 1/2 OF CLAIMED 1/4 1/4.
RIGHT NOS. 72-00193B, 72-00194 AND 72-02095 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 55.3 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 NONETHE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:WATER RIGHT NO. SOURCE
NONE NONEALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

SENW = E 1/2 = PVT
W 1/2 = BLMNESW = E 1/2 = PVT
W 1/2 = BLMSESW = E 1/2 = PVT
W 1/2 = BLM

AJ5856NP

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

DATE: JAN-26-1999
PAGE: A-878

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

RIGHT NUMBER: 72-02095 (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: 72-00193A, 72-00193B.

INCIDENTAL STOCKWATER FOR 100 HEAD RANGE CATTLE, 100 SHEEP

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

April 27, 1999

Regarding:

Customer

EAST FORK SALMON RIVER CLAIMS

CHERYL BAKER

[illegible]

SHE CALLED REGARDING THE POSSIBLE OBJECTIONS ON HER CLAIMS. SHE WANTED TO KNOW IF ANYTHING HAD ALREADY BEEN CHANGED, OR IF SHE HAD TO OBJECT TO CHANGE THINGS. I TOLD HER THAT IF SHE DID NOT OBJECT, THE CLAIMS WOULD ALL BE DECREED AS DESCRIBED IN THE PAPERS SHE GOT LAST WHICH WERE TITLED *DIRECTORS REPORT*. SHE SAID THAT SHE MAY NOT CHANGE THE ACRES ON 72-00193B & 72-02095, AS THEY FELT THAT THOSE ACRES HAD BEEN HISTORICALLY IRRIGATED. SHE ALSO INDICATED THAT THEY WERE GOING TO OBJECT TO 72-00190 ON HERD CREEK TO INCLUDE THE SOUTHERN PART OF THE FIELD. SHE DIDN'T THINK THAT IT WAS BLM, BUT WAS GOING TO CHECK. I REMINDED HER THAT THE OBJECTION PERIOD ENDED ON JUNE 2, 1999, AND THAT THEY WOULD HAVE AN OPPORTUNITY TO PRESENT EVIDENCE TO THE COURT IN SUPPORT OF ADDING ACRES TO THE POU. I ASKED IF SHE NEEDED ANY PHONE NUMBERS FOR BLM, AND SHE SAID THAT THEY HAD A GOOD WORKING RELATIONSHIP WITH THEM UP THERE, AND THAT HER COUSIN WAS THE ASSESOR, SO SHE WOULD CHECK OUT OWNERSHIP OF THE FIELD.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

April 9, 1999

KARL J. DREHER
DIRECTOR

Cheryl K. Baker
HC 68 Box 350
Clayton, Idaho 83227

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: 72-00190, 72-00191, 72-00192, 72-00193B,
72-00194, 72-02095, 72-07095

Dear Cheryl,

I wanted to reaffirm the conclusions we came to yesterday regarding you claims on the East Fork, and also to inform you of my findings about the field on Herd Creek.

I believe that you concluded that claims 72-07095 (the one at your house), 72-00191 (McDonald Creek), 72-00192 (Fox Creek), and 72-00194 (1936 priority water from East Fork), are correct as recommended, and good to go for decree.

According to my notes, the field on the south side of the East Fork Salmon River in the SW $\frac{1}{4}$ of section 35 needs to be deleted from claims **72-00193B and 72-02095**, as there is no diversion of water to that side of the river into that area. This would leave a total of 1.2 acres remaining in the NE SW Section 35, along with the 6.3 acres in the SE NW.

In addition, the point of diversion described in the SW SW NE of Section 35 should be deleted from claim **72-00193B**, as that diversion served Wayne's part of the ranch only, and in any case has been removed since the claims were originally filed. Diversions remaining would be those in the SE NW NW Section 3 (Mormon Camp), and the SW NE SW Section 35, and NE SW SW Section 35 (pump).

Also, the point of diversion at the pump described as in the NE SW SW Section 35 should be deleted from **72-02095** which is based on the Shinderling license, leaving only the point of diversion located in the SW NE SW Section 35.

I did some investigating on the Herd Creek field, and according to the maps we have in the office, the southeastern half of that field goes into BLM ground. If you believe this is incorrect, your local BLM office may have additional information to the contrary, or perhaps there is a land use agreement on record for that parcel. In any case, you may still wish to claim this portion of the field as part of your irrigated place of use. With some documentation that the field was historically irrigated before commencement of the SRBA in 1987, along with the pictures of the irrigated field which exist in our file, IDWR

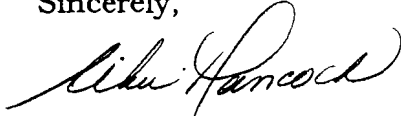
may agree to add those acres to your irrigated place of use. Be aware, however, that the BLM has been objecting to water rights claimed upon their land in the SRBA.

I am enclosing the forms you will need to object to your claims in order to correct them in any manner that you see fit. You will need one objection form for each claim, therefore I am sending you three, in case you should decide to object to 72-00190. You can also make copies, if you need more. These forms need to be sent to the SRBA Court in Twin Falls. They will inform IDWR when the official objection has been filed, and the process will go on from there. The period for filing an objection extends only until June 2, 1999, so I urge you to proceed with this in a timely manner.

I really enjoyed meeting you yesterday, and wish I could have spent more time up on the East Fork. If I can be of any help, please don't hesitate to call, however since this is now in the hands of the Court, my role is limited. I do have the number of the BLM Attorney in Boise, if you find you need that, and any information we have in our files is always available to you.

Bet you didn't get much of a tan while you were in Twin.

Sincerely,

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

Vikie Hancock
Water Resource Agent

CLAIM NUMBER 72-02095 DATE U. Hancock TRANSFER NUMBER —
 AGENT 4-8-99 CLAIMED ACRE TOTAL 22
 GIS ACRE TOTAL 7.5

	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>10N</u>	<u>18E</u>	<u>35</u>								<u>4</u>	<u>1</u>			<u>17</u>				
GIS											<u>6.3</u>	<u>1.2</u>			<u>8</u>				<u>7.5</u>
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP _____

SHAPE NOS. _____

366 7.5 ac

B72-DBPOD.SHP _____

NOS. DESCRIPTION _____

243 EF-8 SW NE SW Sec 35 10N 18E

DBF TABLES UPDATED _____

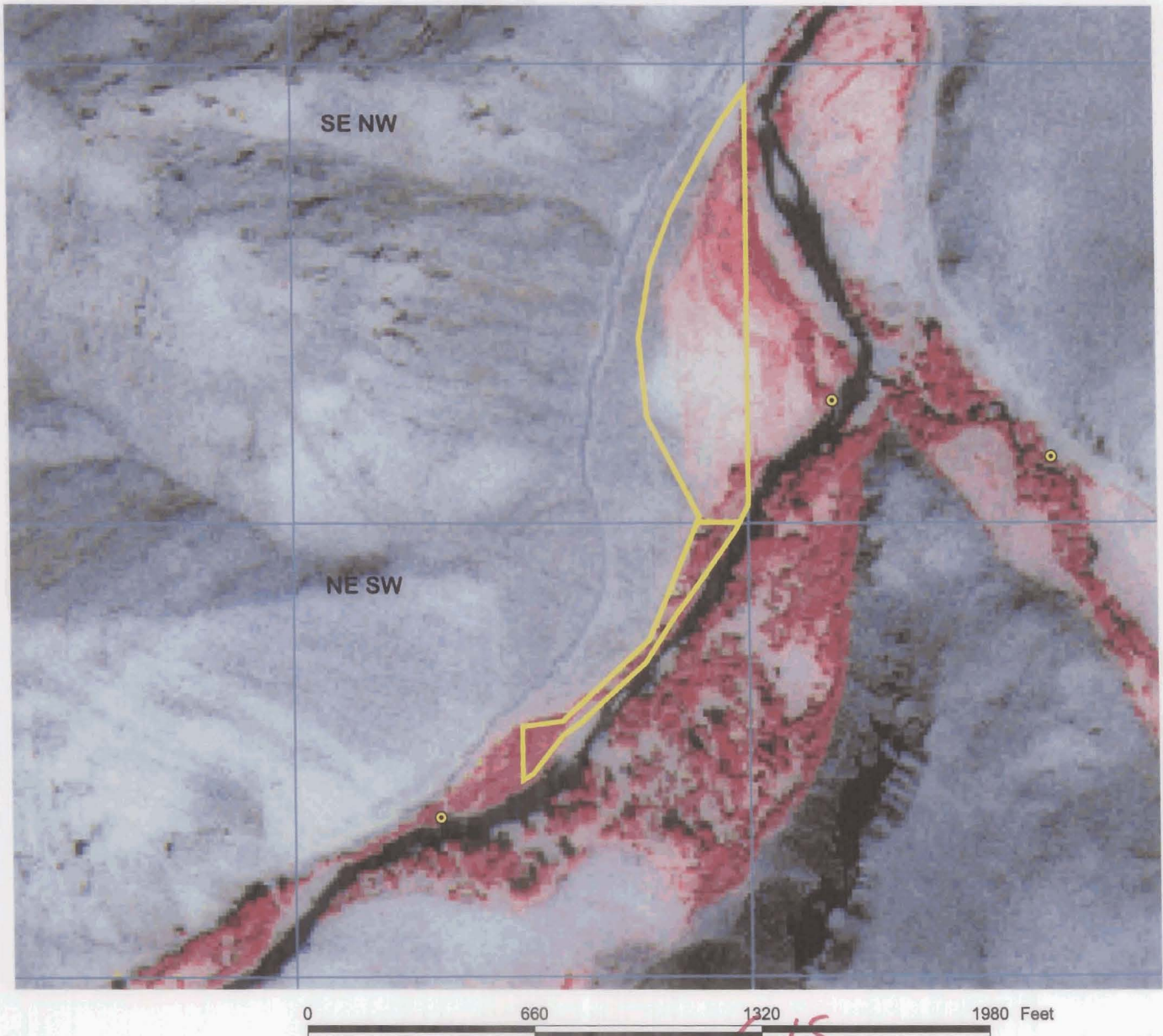
B72-DBPOU.DBF _____

B72-DBPOD.DBF _____

615

RIGHTS 72-02095

RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 35
data entry on April 8, 1999



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



GIS
 Per discussion 4-8-99
 Changes to claim not
 made, however. See
 communication 4-27-99
GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

SEE GIS dated 12-30-98

COMMUNICATION DOCUMENTATION

April 8, 1999

Regarding:

72-02095

Customer:

Cheryl Baker

From: Vikie Hancock

[illegible]

Cheryl Baker came into the office this date to discuss the recommendation of her claims on the East Fork Salmon River.

Regarding the above claim: she found that the irrigated acreage to be included in this claim was located on the northwest bank of the East Fork only. The diversion identified as #219 on the GIS log is not correct. The only diversion to these acres is located at SWNESE Sec 35, T10N, R18E, and conveys water only to the north side of the river.

See corrected GIS log and layout.

AJ0749NP
No. R72-02095

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

DATE: 12/31/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD DOUGLAS BAKER	06/22/1951	IRRIGATION	04-01 11-01	0.44 CFS	
C	CHERYL KAY BAKER					
	HC 68 BOX 350					
	CLAYTON ID 83227					
	(208) 838-2269					
				TOTAL DIVERSION:	0.44 CFS	

Water Source: SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER

Stage: LICENSE

Point(s) of Diversion:

T10N R18E S35

SWNESW

NESWSW

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
10N	18E	35	:									06				03				:	10.5
																				TOTAL ACRES	10.5

POU County: CUSTER

Other Rights: 72-00193B, 72-00194

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE 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 RIGHT NOS. 72-00193B, 72-00194 AND 72-02095 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 55.3 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00193A, 72-00193B.

AJ0749NP
No. R72-02095

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

DATE: 12/31/98
PAGE: 2

=====

Remarks: INCIDENTAL STOCKWATER FOR 100 HEAD RANGE CATTLE, 100 SHEEP

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

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

RECEIVED

FEB 16 1999

Department of Water Resources
Southern Region

Richard D. & Cheryl K. Baker

Telephone 208-838-2269

HC 68 Box 350
Clayton, ID 83227

State of Idaho- Dept of Water Resources Attention: Vickie Hancock
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

February 12, 1999

Re: Claims # 72-00194,00190-00192-00191-07095-02095-00193B

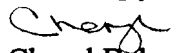
Dear Vickie,

I want to apologize for the slowness of my reply. What jolted me into action was the latest SRBA papers mailed from Karl Dreher. I noticed that all was the same- which is my own fault for not replying to you sooner.

I believe that it would be the best to get together in person if that is possible. I realize that the best would have been to be at your December 8th meeting, but the weather was a factor that night. If at any time you are going to be in Challis I would be happy to go there, if not possibly we could set up an appointment in Twin Falls at your office.

Once again- I am sorry for my slowness. It seems like time escapes me - most likely procrastination.....

Thanking you in advance,


Cheryl Baker



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 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Richard Douglas and Cheryl Baker
HC 68 Box 350
Clayton, Idaho 83227

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A72-00190, -00191, -00192, -00193B, -00194
-02095, -007095

Dear Mr. and Mrs. Baker:

I am writing in response to your Notice of Error replies to the above mentioned Adjudication claims. I would first like to answer your most asked question regarding stockwater, and then go on to address each specific claim.

All of the above claims were filed for Irrigation use only, with stockwater mentioned as incidental, and thus not an element of your water right. The *non-irrigation use* field found on the original claim form was not intended to be part of the actual recommendation. As a general provision, Idaho does consider de minimus stockwater incidental to any irrigation right. I can add an explanatory remark concerning stockwater that will be included in the recommendation, however, if you want it included as an element, you will need to amend your claims. Let me know if you wish to amend them and I can send you the forms needed.

Also, be aware that our recommendations for the number of acres included in the place of use is for irrigated acres only, and does not always match the total number of acres in the parcel. The number of areas outlined in yellow, which shows the recommended place of use, has been calculated by a computer program known as Arc View, which has greatly improved the accuracy of determining area. The exact shape of the field is still subject to human interpretation, however, so with that in mind:

Concerning claim 72-00190: You indicate that a point of diversion is wrong. I believe that I recommended the legal for the downstream diversion that was on the claim as filed, but it does look like it is more in the SESWNE on the GIS image. Is that what you are referring to? I can certainly change the legal description, or if you know the "dot" on the GIS image is wrong, indicate where it should be on the creek and I will correct it. Regarding the irrigated place of use, it would be helpful if you marked the acreage you feel should be included in the recommendation and send it to me. I partially relied on information in the file from former agent Frank Hitchcock, and may have misinterpreted some of his notes.

Claim number 72-00191: It is difficult for me to know what irrigated acres you feel should be included. Please indicate which additional acres are irrigated from McDonald creek, and the diversion works.

Claim number 72-00192: As you can see from your copy, there were not many distinguishing marks to go by when finding the irrigated boundary for acres watered by Fox Creek. Please show where you feel the additional acres should be added, and the diverting works.

Claim number 72-00193B: It would be very beneficial to talk to you about this claim. Considering the location of the various fields claimed under this right, I was unsure of how you were delivering water to all of them, and completely missed any diversion works in lot 2 Section 3. Are you indicating that all the acres are irrigated from the two points of diversion listed on your Notice of Error? We also received information from Melodie and D. Wayne Baker that the 8.8 acre field in the NWNE of Section 35 belonged to them, and after investigating the Warranty Deed, found that right A72-00193 had been split wrong back in 1995. This changed the acres and diversion amount claimed on both the A and B portions (see enclosed).

Claim 72-00194: Please indicate on the GIS image the exact location of this point of diversion in the NWNWNE and the diversion works from it. Also please show the location of additional irrigated acres.

Claim 72-07095: This claim is based on a license for 0.04 cfs for Irrigation. Stockwater can be included as a use in the SRBA Decree, but the diversion amount for stockwater must be included in the original amount licensed for irrigation. If you wish to file a separate claim for 0.02 cfs for stockwater, based on beneficial use, please let me know. Regarding the point of diversion, I tried to match the location of the pump as it was drawn on your application for permit included with the license. Please indicate the correct location on the GIS image if I'm way off.

Claim 72-02095: I have omitted the acres in the SWNE Section 35 from the place of use (see enclosed). Please indicate if there are other acres that you feel should be included in the irrigated place of use, and if so, the ditches or pipelines to them from the points of diversion recommended.

I have made the changes indicated above, but hesitate to do any more until I hear further from you. It would have been fortunate, had you been able to attend the meeting in Challis on December 8th, to have had the opportunity to sit down with you and go over all these claims. Perhaps a phone conversation, with both of us looking at the same map or GIS image, would suffice. Please feel free to call me anytime during business hours to discuss this further. We appreciate your prompt and continuing participation in the SRBA.

Sincerely,



Vikie Hancock
Water Resource Agent

November 20, 1998

**NOTICE OF ERROR
REPLY**

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: 72-02095

RICHARD DOUGLAS BAKER
CHERYL KAY BAKER
HC 68 BOX 350
CLAYTON ID 83227

Daytime Telephone Number: 208-838-2269
Evening Telephone Number: same

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

A. Place of use

2. Describe the changes you wish to make in the proposed recommendation:

A omit SWNE. acreage not correct.
Total acres 13.8

3. Give a brief explanation as to why you disagree with these portions:

not correct

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

DATE: 12/18/98 SIGNATURE: Cheryl K Baker
Please print your name: Cheryl K Baker

CLAIM NUMBER 22-02095
DATE 11-13-98 DJ
TRANSFER NUMBER _____

AGENT DJ
CLAIMED ACRE TOTAL 22

GIS ACRE TOTAL 13.8
16.5

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	10N	18E	35			2					4	1			17					22
GIS						3.3					6.4	.2			3.9					
RECOM						3.3					6.4	.2			3.9					13.8
																				16.5
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.

363

366

451

B72-DBPOD.SHP

NOS. DESCRIPTION

213 EF8 SW NE SW Sec 35 10N 18E

219 Pump NE SW SW Sec 35 10N 18E

DBF TABLES UPDATED

B72-DBPOU.DBF

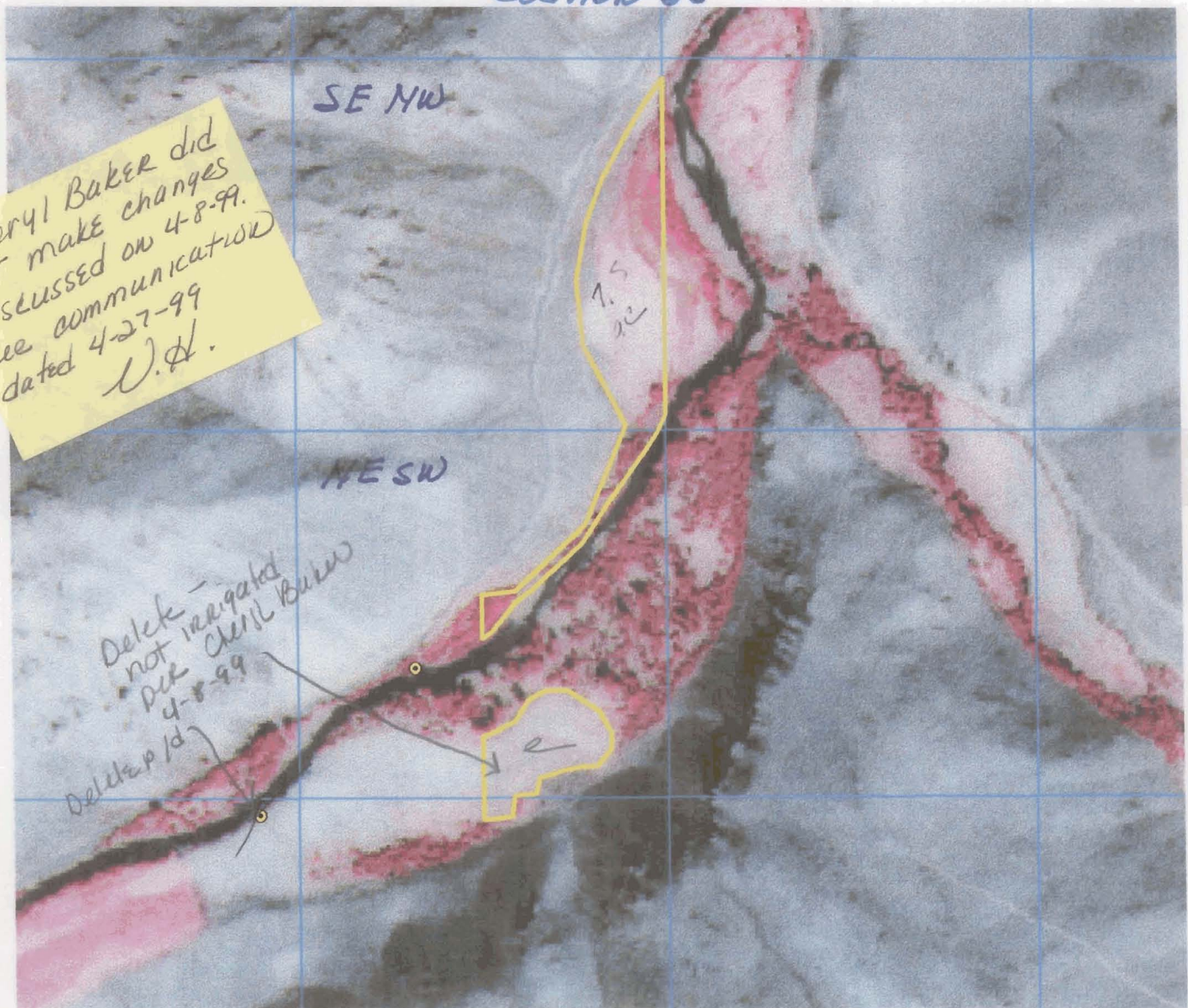
B72-DBPOD.DBF

~~SUPERSEDED GIS 4/8/99~~

RIGHTS 72-02095

RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 35
data entry on December 30, 1998

SECTION 35



0 1320 2640 Feet



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

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

~~**SUPERCEDED 4-8-99**~~

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

Water Right Number - R72-02095

Prefix Translation: RESEARCH

Old (D) Number - 22211

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

*** C - CURRENT OWNER ***

BAKER

RICHARD DOUGLAS

1 - HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2269

BAKER

CHERYL KAY

1 - HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2269

*** O - ORIGINAL OWNER ***

BAKER

RICHARD L

1 - C/O HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2271

SHINDURLING

ANNA M

1 -

2 -

3 -

City- CLAYTON

State- ID Zip- 00000

Phone - 208-000-0000

BAKER

BETTY L

1 - C/O HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2271

+ - - Priority Date - - +
06/22/1951

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

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

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

10N

18E

35

SW NE SW
NE SW SW

(37)

CUSTER

(37)

CUSTER

EF-8

PUMP

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

01 - IRRIGATION

04/01

11/01

0.440

+ - Total Div. Rate - + + - Total Div. Volume - +
0.440

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

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

Water right number - R72-02095

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10N	18E	35	SW NE		3.3	01	IRRIGATION	(37) CUSTER
10N	18E	35	SE NW		6.4	01	IRRIGATION	(37) CUSTER
10N	18E	35	NE SW		3.9	01	IRRIGATION	(37) CUSTER
10N	18E	35	SE SW		0.2	01	IRRIGATION	(37) CUSTER

Total Acres: 13.8

+ - - Diversion Means - DITCH HEADINGS IN RIVER THROUGH DITCHES FOR FLOOD IRR.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00193B, 72-00194

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

POU1 RIGHT NOS. 72-00193B, 72-00194 AND 72-02095 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 55.3 ACRES IN A SINGLE
IRRIGATION SEASON.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - - Decree Date - +

00/00/0000

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

Date: 11/13/1998 User Id: DJONES Subject: COPIED FROM REMARKS

SOURCES FOR THIS RT. ARE MC DONALD CREEK, TRIB. SALMON RIVER;
MR. TAPPAN HAS A LEASE AGREEMENT WITH OWNERS TO FARM THIS*****
NOT PART OF NEW OWNER'S REQUEST MADE IN 10-1990 FOR CHANGE IN THE
TAPPAN FOR LASSITER, JOHNSON ET AL. SEE FILE A72-00190 FOR THE
3-18-1994.

OWNERSHIP CHANGE ENTERED 07-13-1995 BY FH WITH AMENDMENTS. SEE THE FILE FOR A COPY OF CHANGES MADE.

SALMON R., EAST FORK, TRIB. SALMON R.
PROPERTY. HE IS FILING NOTICE AS LESSOR OF LAND.OWNERSHIP CHANGE TO CORRECT OMISSION OF THIS CLAIM TO A LICENSE.
OWNERSHIP OF CLAIMS FILED FOR THE PROPERTY BY THE PREVIOUS TENANT
CORRESPONDENCE BETWEEN THE BAKERS AND SOUTHERN REGION. FH

+ - - Audit Fields - - +

11/17/98 DJONES

+ - - - - - 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	- 11/17/1998	Old Judicial District	-

AJ0743NP
(00-124)

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

11/17/98 16:06:12
Page 3

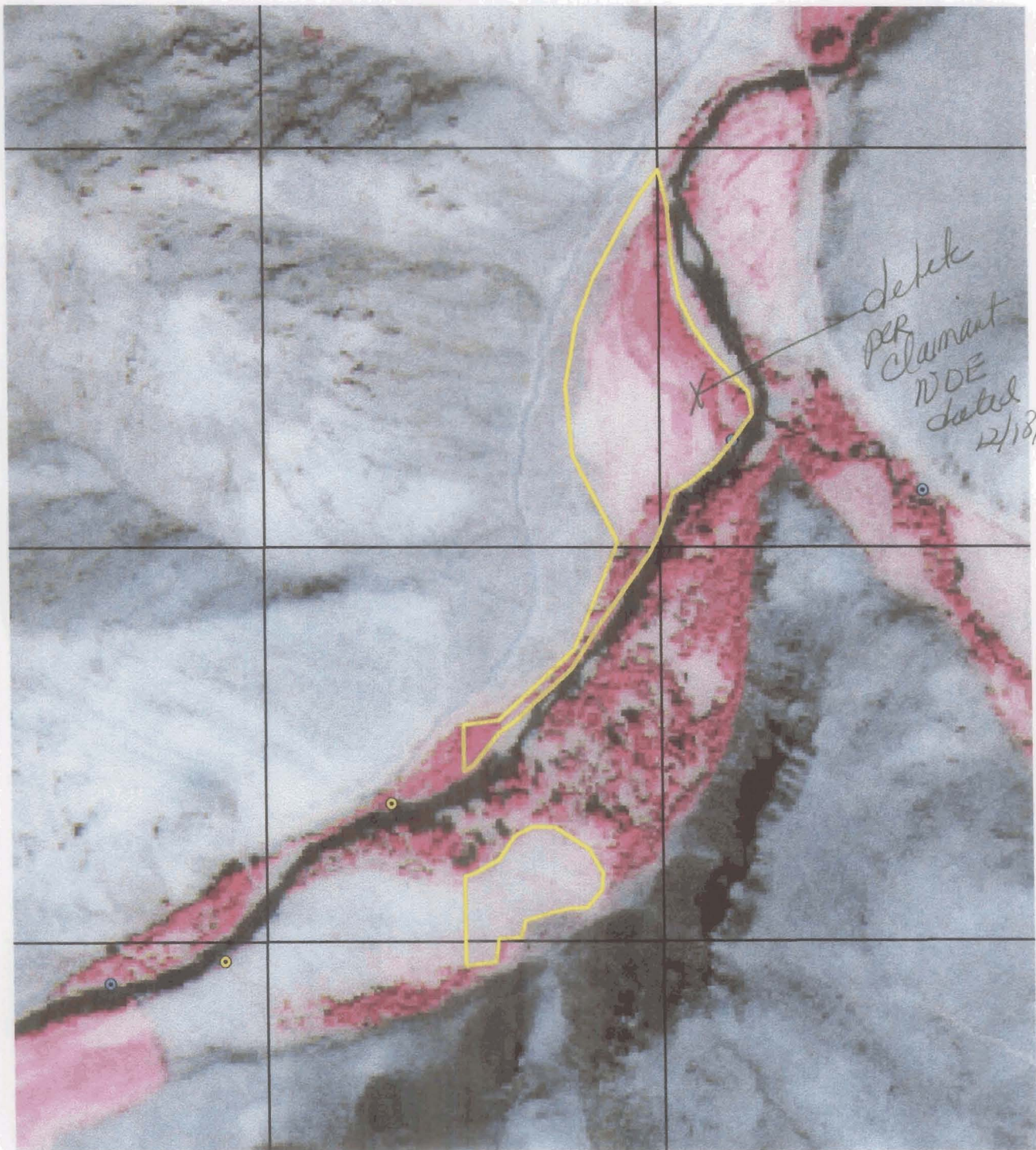
Water right number - R72-02095

Prefix Translation: RESEARCH

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

Claim Received Date	- 12/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E011345	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

72-02095



1320 0 1320 Feet

-  Section Lines
-  Quarter/Quarter Lines
-  Recommended Place of Use
-  Recommended Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAPP
DATA ENTRY: NOV., 1998
DOUGLAS JONES

SUPERCEDED 12/30/98

RE-EVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-02095

DATE: 11-12, 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
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
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
CP1	2.61	—	114	.36	4.10 CFS
—	/	—	*	*	— CFS
—	/	—	*	*	— CFS
—	/	—	*	*	— CFS

TOTAL ACRES

DECREED RATE = .44

CLAIMED DIVERSION RATE = .44

MEASURED DIVERSION RATE = —

HUBBLE

Basin	72	IRIGATION	DIV. RATE	IFAG #
JP RANCH		SALMON, E.F.	6.37	EF-1
"		"	15.40	EF-2
BAKER WAYNE		INGRAM CR.	18.57	EF-3
ANDERSON		SALMON, E.F.	14.75	EF-4
BRADSHAW		ROAD CR.	.90	N/A
E.F. SUBD 1-7		"	1.105	N/A
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
PENNETTS		HEED CR.	2.12	HC-3
BAKER, D+B		SALMON, E.F.	4.42	HC-2
"		"	4.67	HC-1
"		MCDONALD CR.	N/A	N/A
"		FOX CR.	N/A	N/A
"		SALMON, E.F.	8.42	EF-10
"		"	17.67	EF-11
"		"	15.89	EF-12
* GUFFEV		PINE CR. #2	.34	N/A
"		" #2	1.37	N/A
PINE CR. SUBD		SALMON, E.F.	13.73	EF-13
BAKER, D+B		"	14.97	EF-15
" , EDDIE		"	12.99	EF-16
"		"	6.26	EF-17
"		BIG 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

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AUG 31 1995

Department of Water Resources
Southern Region

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 22 1993

Department of Water Resources
 Southern Region Office

River at—

Angle cor- rected	Dist. from initial point	Width	Depth	Obs- ervation depth	Revol- utions	Time in sec- onds	VELOCITY		Adjusted for hor. angle or	Area	Discharge	
							At point	Mean in ver- tical				
	1.0	-	-				-	Below Screen				
	1.5	50	.80				1.54			400	0.616	
	2.0	50	1.0				2.12			500	1.060	
	2.5	50	1.0				2.04			500	1.020	
	3.0	50	.9				1.99			450	0.895	
	3.5	50	.8				1.08			400	0.432	
	4.0	50	-				-				4.023	
	4.5	50	-				-				4.023	
	5.0	50	-				-				4.023	
	5.5	50	-				-				4.023	
	6.0	50	-				-				4.023	
	6.5	50	-				-				4.023	
	7.0	50	-				-				4.023	
	7.5	50	-				-				4.023	
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	80.0	50	-				-				4.023	
	80.5	50	-				-				4.023	
	81.0	50	-				-				4.023	
	81.5											

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07
01/13/96

PAGE: 1
GENERAL INFORMATION

161
CLAIM NUMBER: A72-02095

LAST: BAKER FIRST: RICHARD DOUGLAS
ADDRESS: HC 68 BOX 350
CITY: CLAYTON STATE: ID ZIP: 83227
PHONE NUMBER: 208-838-2269

OWNER CODE: C

LAST: BAKER FIRST: CHERYL KAY
ADDRESS: HC 68 BOX 350
CITY: CLAYTON STATE: ID ZIP: 83227
PHONE NUMBER: 208-838-2269

OWNER CODE: C

LAST: SHINDURLING FIRST: ANNA M
ADDRESS:
CITY: CLAYTON STATE: ID ZIP: 00000
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: BAKER FIRST: BETTY L
ADDRESS: C/O HC 68 BOX 350
CITY: CLAYTON STATE: ID ZIP: 83227
PHONE NUMBER: 208-838-2271

OWNER CODE: O

LAST: BAKER FIRST: RICHARD L
ADDRESS: C/O HC 68 BOX 350
CITY: CLAYTON STATE: ID ZIP: 83227
PHONE NUMBER: 208-838-2271

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

PAGE: 2
FIELD EXAMINATION INFORMATION

162
CLAIM NUMBER: A72-02095

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Field Exam by F. Hitchcock. See File 72-00190

See photos of pump in 72-00194.

A. AJ CLAIM: # A72-02095 PRIORITY DATE: 06-22-1951 STAGE: L

B. WR RECORD: # 72-02095 PRIORITY DATE: 06-22-1951 STAGE: L

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☐) Y(☐) N(☐)

LICENSE ISSUED N/A(☐) Y(☐) N(☐)

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

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

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

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

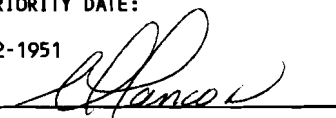
NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

06-22-1951

REVIEWED BY



DATE 11-24-98

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
A72-02095	10N	18E	35	SW	NE	SW			CUSTER		
A72-02095	10N	18E	35	NE	SW	SW			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A72-00193B	R72-00193
A72-04084	R72-00193B
A72-10301	R72-00194
A72-16011	R72-04084
	R72-10301
	R72-10491

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
72-02095	10N	18E	34		SE	SE			CUSTER		
72-02095	10N	18E	35		NE	SW			CUSTER		

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A72-10085	R72-10085
A72-16011	R72-10491

SOURCE: MC DONALD CREEK
SALMON RIVER, EAST FORK

TRIB: SALMON RIVER
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 10-16-98) 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: Licensed for 1 diversion on EFK and one on McDonald Creek
on according to letter from Cheryl Baker. There is no diversion from
McDonald creek. No other ^{PROV} method of conveyance to south
fields found. North fields irrigated from Pld at EFK
Pump determined to be pld for South fields

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
10N	18E	35	SW	NE	SW	<u>8</u>			<u>EFK</u>	
10N	18E	35	NE	SW	SW					
<u>9N</u>	<u>18E</u>	<u>3</u>	<u>NE</u>	<u>SW</u>	<u>SW</u>			☒	<u>pump</u>	

SOURCE: E. FK Salmon River TRIB: Salmon River

REVIEWED BY: Harner DATE: 11-24-98

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

See file 72-00140 for system description

A. ROOT WATER RIGHT NUMBERS: A72-02095
R72-02095

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	18E	35	SE	NW		BAKER, RICHARD DOUGLAS	A72-02095 / 4.0	72-02095 / 7.0	1.0	6.8	
			SE	NW		BAKER, RICHARD DOUGLAS	A72-00193B / 11.0	- /		6.4	
			SE	NW		BAKER, CHERYL KAY	R72-00193B / 11.0	- /			
			SE	NW		STATE OF IDAHO	A72-10491 /	- /			
			SE	NW		BAKER, RICHARD DOUGLAS	R72-00194 / 11.0	- /			
			SE	NW		BAKER, RICHARD DOUGLAS	R72-02095 / 4.0	- /			
			SE	NW		FISH & GAME	R72-10491 /	- /			
10N	18E	35	NE	SW		BAKER, RICHARD DOUGLAS	A72-02095 / 1.0	72-02095 / 5.0	13.0	.2	
			NE	SW		BAKER, RICHARD DOUGLAS	A72-00193B / 17.0	- /			
			NE	SW		BAKER, CHERYL KAY	R72-00193B / 17.0	- /			
			NE	SW		BAKER, RICHARD DOUGLAS	R72-02095 / 17.0	- /			
			NE	SW		US DEPT OF INTERIOR	A72-16011 /	- /			
			NE	SW		BAKER, RICHARD DOUGLAS	R72-00194 / 17.0	- /			
10N	18E	35	SE	SW		BAKER, RICHARD DOUGLAS	A72-02095 / 17.0	72-02095 / 10.0	8.0	3.4	
			SE	SW		BAKER, RICHARD DOUGLAS	A72-00193B / 1.0	- /			
			SE	SW		BAKER, CHERYL KAY	R72-00193B / 1.0	- /			
			SE	SW		BAKER, RICHARD DOUGLAS	R72-00194 / 1.0	- /			
			SE	SW		BAKER, RICHARD DOUGLAS	R72-02095 / 1.0	- /			

ADDITIONAL POU FOUND

NW NE

3.3

TOTAL ACRES A72-02095 22.00 22.00 22.00

POU COUNTY: CUSTER

13.8

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
A72-02095	SALMON RIVER, EAST FORK	BAKER, RICHARD DOUGLAS	0.440	0.020		
R72-00193	SALMON RIVER, EAST FORK	BAKER, RICHARD DOUGLAS	5.200	0.023		
A72-00193B	SALMON RIVER, EAST FORK	BAKER, RICHARD DOUGLAS	3.016	0.023		
R72-00193B	SALMON RIVER, EAST FORK	BAKER, CHERYL KAY	3.016	0.023		
R72-00194	SALMON RIVER, EAST FORK	BAKER, RICHARD DOUGLAS	0.300	0.001		
R72-02095	MC DONALD CREEK	BAKER, RICHARD DOUGLAS	0.440	0.020		
	SALMON RIVER, EAST FORK					

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10491	FISH PROPAGATION	STATE OF IDAHO	FROM 03-15 TO 11-15	0.800 CFS	
R72-10491	FISH PROPAGATION	FISH & GAME	FROM 04-15 TO 10-15	0.800 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	

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

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 72-00193, 00194

Roll 1 - overlapping claim 72-00193 - see Hubble

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: (X) ORTHOPHOTOQUAD, IDWR NO. V24; (X) TOPOGRAPHIC QUAD, IDWR NO. V24;
(X) NAPP, IDWR NO. V24 SE; () ASCS PHOTO; () OTHER _____

NOTES:

Imagined acres located & calculated by
ARC VIEW GIS using 1988 Napp Aerial photography
and quarter/quarter overlays. Acres found by GIS
differ from acres found during October 1958 licensing
exam. Recommended as found by GIS

RECOMMENDATIONS:

TOTAL ACRES: 13.8 N/A()

REVIEWED BY: [Signature]

DATE: 11-24-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-02095 IRRIGATION	FROM 04-01 TO 11-01 10-31	0.440 CFS	
TOTAL DIVERSION RATE/VOLUME		0.440 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-02095 IRRIGATION	FROM TO	0.440 CFS	
TOTAL DIVERSION RATE/VOLUME		0.440 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 in license. Recommend to current
lower standards for basin 72

AJ CLAIM TOTAL DIVERSION RATE: 0.440 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.440 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 Swiffer 2100, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE *
ACRES 13.8 x 0.02 CFS/ACRE = .276 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

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

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 55.0 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE AF/A

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

1b. CALCULATIONS

*Decree awarded 0.03/ac

-00193B = .05 cfs/ac

-02095 = .03 cfs/ac

.08 cfs/ac

NOTES: *Bubble analysis indicates requirement ~~is~~
greater than combined diversion rate per acre
of 72-00193B & 72-02095. Recommend as claimed*

WR RECORD CONDITIONS/REMARKS:

SOURCES FOR THIS RT. ARE MC DONALD CREEK , TRIB. SALMON RIVER;
SALMON R., EAST FORK, TRIB. SALMON R.

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 10-31	DATABASE 0.440	EXAMINER ✓	DATABASE	EXAMINER	DATABASE 55.0	EXAMINER
TOTAL FOR THIS RIGHT			0.440	✓			55.0	✓

NON-IRRIGATION USES CLAIMED: INCIDENTAL STOCKWATERING OF 100 HEAD OF RANGE CATTLE/100 SHEEP

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

REVIEWED BY:

DATE: 11-24-98

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

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: 72-02095

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.440	EXAMINER <u>✓</u>	CFS
-----------------------------------	-------------------	----------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A72-02095	0.440	R72-02095	0.440	72-02095	0.440
TOTAL CFS		0.440		0.440		0.440

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: 11-24-98

NAME OF FIELD EXAMINER: WIKIE 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 _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
(X) SYSTEM DESCRIPTION	DATE DRAWN _____	_____	See -00190 By F Hitchcock
(X) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	Also see 72-00194 for Pump
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
(X) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	D. Duncan
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
(X) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	724-96
(X) OTHER Licence _____	DATE _____	_____	5-13-65
() OTHER Licence Exam _____	DATE _____	_____	10-16-58

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07
01/13/96

PAGE: 16
QUICKLOOK INFORMATION

176
CLAIM NUMBER: A72-02095

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								
POINT OF DIV								
SOURCE	Y							
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



Roll 33
 5.20 "Sandwiching" ground from above Frame 13
 junction box @ HC Road looking No towards 12
 bend double-lined
 25 AGAIN - 1/2 mile closer 11

Roll 33

PIX 11, 12, 13

BAKER

PHOTOS BY F. HITCHCOCK

NHE LOW

5 days on 4
4 days on another

2 134 barrel
3 men barrel

1 below barrel
3 sets Cherry G

3 " along r.

3 sets C.G.

main
ditch
along
road

currents

water - 6 sets
open headgate
2 settings

26 25
35 36

57

POD

EF-B

VC-1

POD

3.5

VC-2

Pump

POD

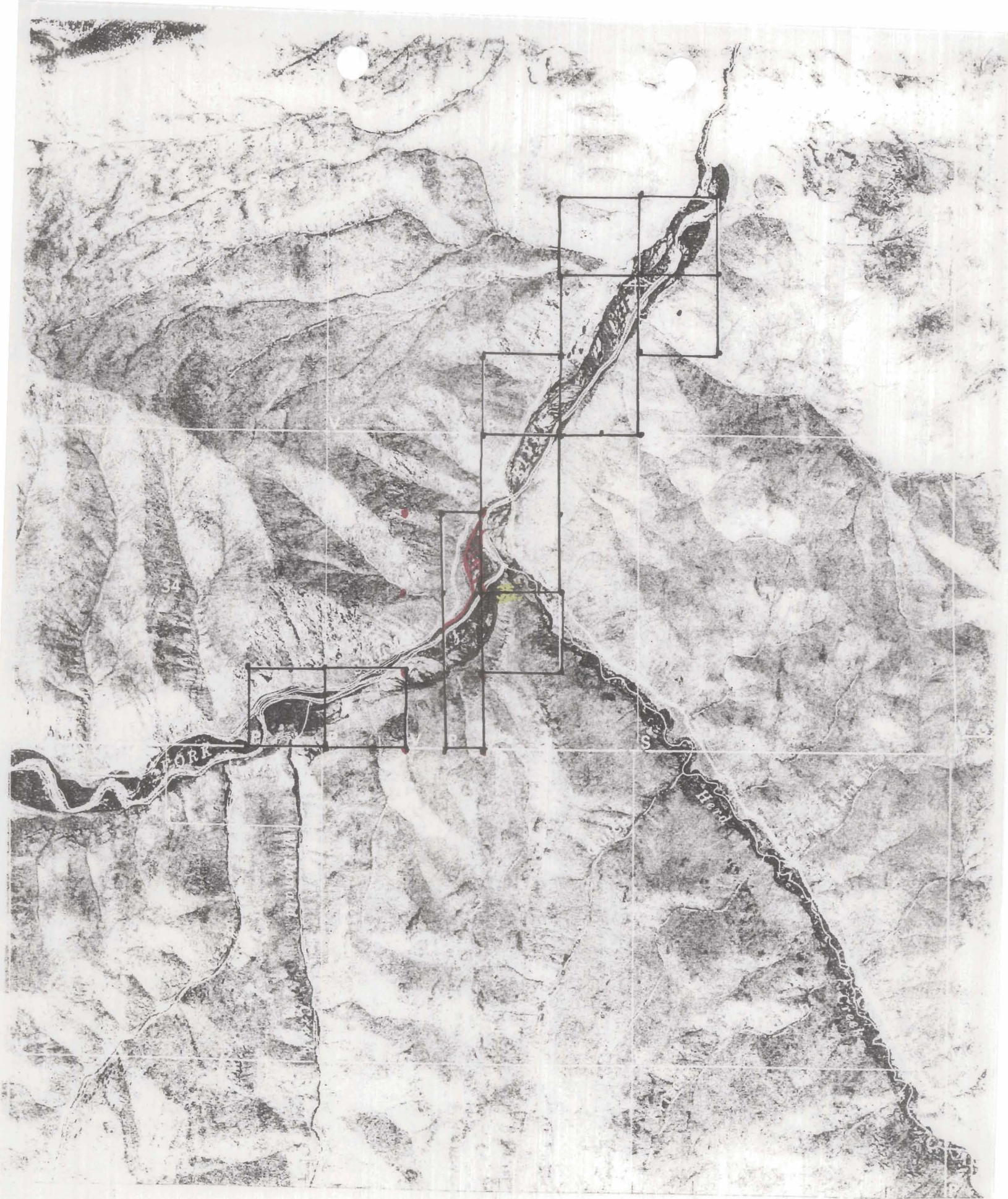
NHE

CW 03-11-94
DICK/BEETV
STATE THIS IS
AVERAGE / POD

A72-02095

MARS

BAKER, R+B



CLAIM _____ INIT _____
T. R. S. Q/Q

P/D _____
PHOTO ID. V 24 (SE)
7-24-74

CLAIM _____ INIT _____

NO ACRES
CLAIMED
BUT...
CLAIMED
ON MAP

T
10
N

POU
AS CLAIMED

T
9
N

R18E | R19E

CLAIMED
SOURCE

NO DIVERSION
CLAIMED OR SHOWN

SCALE 1:24 000



Change in Pod:
 when?
 Code per page
 58.

Change in Pou:
 more than 5
 years before
 commitment



LICENSE:

10N 18E POD(S) §35 NESW
 §34 SESE
 POU §35 SENN 7
 NESW 5
 SE 1/4 1A

LICENSE CLAIM:

10N 18E §35 POD(S) SWNESW
 NESWSW
 §35 POU SENW 4
 NESW 17
 SE 1/4 1A
 22 ACRES

DEONERL RTS.

-00190
-00191
-00192
-00193
-00194

Ziegler

Basin

Cherry

Culch

26

25

T
10
N

RIBE

34

36

35

FORK

3

2

T
9
N

\$35
SWSW
W 1/2 NE
NWSE

CLAIM _____ INIT _____
T. R. S. Q/Q
P/D _____
PHOTO V 24 OPQ
DT. & ID. 7-14-74

\$3, lots 1 & 2 - NWSW, SWNW, - \$25 - E 1/2 SE \$26 - SESE \$34 -

State of Idaho License and Certificate of Water Right

Water License No. 22211

Amount 0.44 c.f.s.

Water District No.

Priority June 22, 1951

THIS IS TO CERTIFY that ANNA M. SHINDURLING
of Clayton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 22, 1951; that Permit No. 22211
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.4 second feet, was issued thereunder on September 4, 1958, showing that said works
were completed on the 27th day of July, 1958; and that on the 4th
day of September, 1958,

ANNA M. SHINDURLING

of Clayton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of McDonald Creek &
East Fork Salmon a tributary of Salmon River, for the purpose of irrigation
under Use Permit No. 22211 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8152, on the 13 day of May, 1965:
The right hereby confirmed dates from June 22, 1951:

The Point of Diversion is located SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, McDonald Creek; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, East Fork
in the --- 14 --- 14 Sec ---, Tp. 10 N., R. 18 E., B. M. Custer County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	19 E.	35	SE $\frac{1}{4}$ NW $\frac{1}{4}$	20	7
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	30	5
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	30	10
Total number of acres to be irrigated:					22

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of May, 1965.

/s/ CARL E. TAPPAN

State Reclamation Engineer.

(SEAL)

72 2095

LICENSE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

72-02095

Permit No. 22211

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Anna M. Spindurling
2. Source of water supply: East Fork Salmon River
3. Location of point of diversion: Is in the # 2 - NE, SW of Section 35
T. 10 N. R. 18 E.B.M. County of Custer
4. Describe works as they exist, giving dimensions and capacities of same: The water is taken from McDonald Creek close by the house. Both ditches will carry water much in excess of this filing. Not much dam is needed.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4, E 1/4, Section 35, Township 10 N., Rge. 18 E.B.M. - 80 acres

This is a desert entry in which the filing was split right down the middle in order to keep a part of the stream open to fishermen. Also the balance of the place is steep hillside outside cattle range.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

See Permit # 22210

This examination was made on the 16 day of Oct, 1928

(Signed)

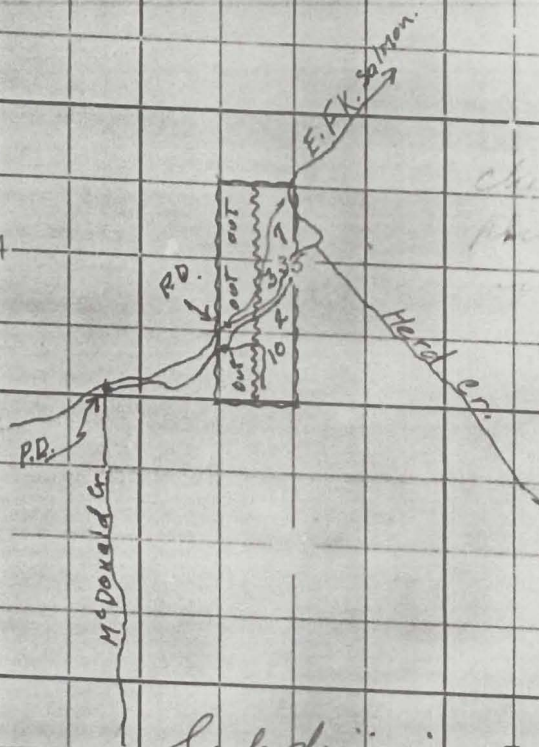
E. H. Humphrey
Examiner.

22211

R-18E.

T.
10
N.

34



Subdivision = 3.

Area = 22 acres

$Q = 22 \text{ inches}$
 $= .44 \text{ cfs.}$

Proof of Application of Water to Beneficial Use

Deposition of Witness ~~and Completion of Form~~

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Ray Kappner, age 41, residence is Clayton and occupation is farming and livestock and P. O. Address is Clayton, Idaho.

Ques. 2. Are you acquainted with Anna M. Shindlerling, the holder of Permit No. 22211? How long have you known him and where does he reside?

Ans. have known her 12 years and know that she lives 16 miles southeast of Clayton, Idaho

Ques. 3. Have you read or heard read said Permit No. 22211, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. From McDonald Ck. Pt. diversion in SESE¹ Sec. 34 and from East Fork Salmon and Pt. Diversion in NESE¹ Sec. 35, T 10 N - R 18 E. The diversion in East Fork of Salmon is a ditch taking out, an rock and earth diversion. This ditch is 1/2 mile long, 3' bottom, 2' deep and 4' top and will carry 200". The diversion in McDonald Creek is a small rock and earth dam, 3' high, 18' top and the ditch is 1/2 mile long, 2' bottom, 3' top and 2' deep and will carry 200".

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. The north ditch will carry 200" and the South ditch 200".

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. The gravity water has gone 200" in each ditch, but only a part of it is applied to this land.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Irrigation only.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. I need at least 1" to the acre, in fact this is a pretty small head and I can use more at times.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person that originally applied for this permit.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. This has been put on the North 10 acre field in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and about 1 acre in E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ probably has been irrigated for over 60 years under an old decree water. The south field in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 13 acres has only been irrigated the last 2 years, but the works were started immediately when the permit was allowed.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There has never been any other waters diverted on this land except in mingling and with my father and mother's decree water right. This decree was in the name of Fred Cossi and Rosa A. Cossi which has a decree from the East Fork of the Salmon River dated by the Court February 14th, 1938. The waters were not applied to this subdivision. Only they were mingled with them when irrigating other adjacent land belonging to my father and mother.

(Sign)

Anna M. Shindusling

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Boise, County of Ada

State of Idaho, on this 4th day of September, A. D. 1958.

Harley W. McDaniel

My commission expires 10-11-59

Notary Public for Idaho.

Proof of Application of Water to Beneficial Use

~~and Completion of Works~~

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Anna M. Shindurling, residence is 16 miles SE Clayton, Idaho, occupation is housewife and P. O. Address is Clayton, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Individual

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. #22211, date of permit is June 23, 1951 and the priority date is June 22, 1951

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. From McDonald Creek, Ft. Diversion is SE $\frac{1}{4}$ Sec. 34 and from East Fork Salmon and Ft. Diversion is NE $\frac{1}{4}$ Sec. 35, T 10 N - R 18 E.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. A small rock and earth dam placed in McDonald Creek probably 3' high, 18' top and 2' top. The diversion in East Fork of Salmon is a ditch taking out an rock and earth diversion for a short distance across the creek to divert enough water into the ditch. The south ditch out of McDonald Creek is 1/2 mile long, 2' bottom, 3' top and 2' deep and will carry 200". The north ditch is 1/2 mile long, 3' bottom, 2' deep and 4' top and will carry 200". All irrigation is by gravity.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of crops. In the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres irrigated, in the E $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8 acres and in the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, 6 acres. There is no natural meadow land here, and I have spent here on improvements around \$700.00 as a direct result of this use.

Sec 25, 10 N - 18 E

Sec 25, 10 N - 18 E

Notary Public, Residing at
Challis, Idaho

3/17/59

Water Right Number - 72-02095

Prefix Translation: WATER RIGHT

Old (D) Number - 22211

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

*** C - CURRENT OWNER ***
SHINDURLING

ANNA M.

1 -
2 -
3 -City- CLAYTON
Phone -

State- ID Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/22/1951 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
MC DONALD CREEK SALMON RIVER
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 34 SE SE (37) CUSTER
35 NE SW (37) CUSTER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION .0.440+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.440+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 18E 35 SE NW 7.0 01 IRRIGATION (37) CUSTER
10N 18E 35 NE SW 5.0 01 IRRIGATION (37) CUSTER
10N 18E 35 SE SW 10.0 01 IRRIGATION (37) CUSTER

Total Acres: 22.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
SOURCES FOR THIS RT. ARE MC DONALD CREEK , TRIB. SALMON RIVER;
SALMON R., EAST FORK, TRIB. SALMON R.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

WR BASE RIGHT

Water right number - 72-02095

Prefix Translation: WATER RIGHT

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

+ - - Audit Fields - 02/11/85 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 - 02/11/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 07/10/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

R PROOF

CVR

MAPS

PHOTOS

MISC

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X

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X

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TRANSMISSION VERIFICATION REPORT

TIME : 11/17/1999 12:39
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE, TIME	11/17 12:38
FAX NO./NAME	912083733805-540044
DURATION	00:00:37
PAGE NO.	02
RESULT	OK
MODE	STANDARD
	ECM

To: Fred Price, BLM

From: Vikie Hancock, Water Resource Agent
Southern Regional Office, Twin Falls, Idaho
Phone: 208-736-3033, FAX: 208-736-3037

Fred,

In response to the BLM objection to water right number **72-02095**, I propose the following clarifying language to be included in the water right as a remark:

The use of water within T10N, R18E Sec 35 described above is limited to the E¹/₂ SE¹/₄ NW¹/₄ , the E¹/₂ NE¹/₄ SW¹/₄, and the E¹/₂ SE¹/₄ SW¹/₄.

There was no other objection to this right.

In response to the BLM objection to water right number **72-00193B**, I propose the following clarifying language to be included in the water right as a remark:

The use of water described above in T10N, R18E, Sec 35 does not included any federal public land.

The BLM also has an objection to the location of the Point of Diversion in Section 3.

If the above remarks are satisfactory to the agency, please contact Sara Denniston at our State Office in Boise.

Thanks, Vikie