

RECEIVED

AUG 28 1995

Department of Water Resources  
Southern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-02142**  
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: D WAYNE BAKER 208-838-2440  
Address: HC 68 BOX 304  
CLAYTON ID 83227

AND/OR

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

2. Date of Priority: 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     | SW     | NE  |     | CUSTER |

5. Description of diverting works:  
HEADING IN RIVER INTO CANALS. FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.320  |      |        |

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
INCIDENTAL STOCKWATERING FOR 400 CATTLE AND 20 HORSES

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 10N           | 18E   | 26      | SE     | NE  |     | IRR | 6.0   |
|               |       |         | SW     | SE  |     | IRR | 10.0  |
| Section Acres |       |         |        |     |     |     | 16.0  |
| Total Acres   |       |         |        |     |     |     | 16.0  |

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:  
72-00193A, 00194

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22210

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

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

State of Idaho )  
County of Custer ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> day  
of AUGUST 19 95

Fleming A. Hitchcock  
Notary Public

Seal

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

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MAY 30 1995

Department of Water Resources  
Southern Region

East Fork

72- 02142  
.320 cfs (16")

1. Delete Cheryl K. and/or Richard L. and/or Betty L. Baker and/or Richard Douglas Baker from the ownership. Change to D. Wayne and/or Melodie L. Baker, HC 68 Box 304, Clayton, Idaho 83227, Telephone (208)838-2440 as owners.
2. OK
3. OK
4. OK
5. OK
6. OK
7. OK
8. OK
- ✓9. Change to: S/400 cattle and 20 horses
10. OK
11. OK
- ✓12. Change to Yes
13. Change to: 72-00193A, 00194A *? left in -00194*
- ✓14. Delete remarks
15. OK
16. Delete signatures *?*

COPY

Form 42-1409(7)



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

Please print or type

(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 05-31-94

JUN 20 1995

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

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

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

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

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

**FOR IDWR USE ONLY:**

Initial Review and Data-Entry

Date 06-09-95 7H

Further Action Needed: Yes

Further Action Taken

Date 07-13-95 7H

Final Review and Data-Entry

Date 07-13-95 7H

Claim Numbers of Split, if any:

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

## MEMORANDUM OF SALE

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

## W I T N E S S E T H:

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

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

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

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

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

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JUN 20 1994

Department of Water Resources  
Southern Region

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

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

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

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

David Wayne Baker  
David Wayne Baker

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

Melodie L. Baker  
Melodie L. Baker

SELLERS

BUYERS

# 206827  
Custer County Rec. of  
Custer County Title  
Time 2:20 P. M.  
7-1 19 94  
Ethel M. Peck, Clerk  
Anna Deputy  
\$ 12.00

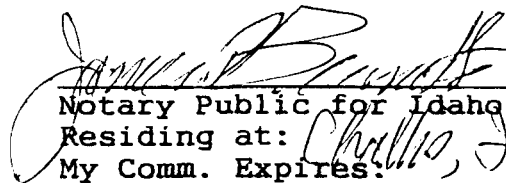
STATE OF IDAHO

County of Custer

)  
: ss.  
)

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

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

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: Challis, Idaho  
My Comm. Expires: 1-21-99

STATE OF IDAHO

County of Custer

)  
: ss.  
)

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

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

  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: Challis, Idaho  
My Comm. Expires: 1-21-99

EXHIBIT "A"

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

206827

SECTION 25: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 26: SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$

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

---

TRACT II:

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

Section 4: Lot 4.

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

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

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

---

TRACT III:

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

SECTION 4: Lots 1 and 2;

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

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

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

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

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

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: [REDACTED]  
Date Received: 12/18/1989  
Receipt No: E011345  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CHERYL KAY BAKER 208-838-2271  
Address: C/O HC 68 BOX 350  
CLAYTON, ID 83227  
AND/OR  
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 BOX 350  
CLAYTON, ID 83227  
AND/OR  
Name: RICHARD DOUGLAS 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 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10N      | 18E   | 35      | SW     | SW     | NE     |     | CUSTER |

5. Description of diverting works:  
HEADING IN RIVER INTO CANALS. FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.320 |      |        |

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

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

19-Dec-1990 09:40

Richard L. Baker/Betty L. Baker  
Richard Douglas Baker/Cheryl Kay Baker  
C/O HC Box 350  
Clayton, ID 83227

Re: Correction of Adjudication Claim(s): A72-00193, 00191, 00190, 10084  
A72-00194, 10085, 00192, 02142

Dear Ms. Baker:

The Department has changed the name of the above-listed adjudication water right(s) as you have requested.

Please review the enclosed copy(s), should you have any questions, please contact this office.

Sincerely,

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

Judy Givens  
Secretary

/jg

Enclosures

MICROFILMED

MAR 1 8 1993

RECEIVED

NOV 21 1990

Department of Water Resources  
Southern Region Office

Nov. 19, 1990  
H.C. 68 Box 350  
Dayton Dda 83307

State of Idaho  
Dept of Water Resources  
Southern Region -  
222 Shoshone St. East  
Twin Falls, Idaho 83301

Re: Adjudication Claims # A72-00193, 00191, 00190, 10084  
A72-00194, 10085, 00192, 02143

Dear Sirs:

In October we received notification from your office informing us that our change of ownership on the above water rights had been done. There are two things that are not correct and I would like changed. The date the ownership changed was July 17, 1990, and on page 3 - #14 - Remarks: Mr. Lappen no longer has a lease or anything else with this ranch. I would appreciate a corrected copy at your earliest convenience.

Thanking you in advance,  
Cheryl Litter

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MAR 18 1993

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: [REDACTED]  
Date Received: 12/18/1989  
Receipt No: E011345  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

4. Point of Diversion:

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

5. Description of diverting works:  
HEADING IN RIVER INTO CANALS. FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.320  |      |        |

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
INCIDENTAL STOCKWATERING FOR 100 HEAD RANGE CATTLE OR SHEEP

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 10N           | 18E   | 26      | SE     | NE  |     | IRR | 6.0   |
|               |       |         | SW     | SE  |     | IRR | 10.0  |
| Section Acres |       |         |        |     |     |     | 16.0  |
| Total Acres   |       |         |        |     |     |     | 16.0  |

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:  
72-00190, 00193, 00194

14. Remarks:  
MR. TAPPAN HAS A LEASE AGREEMENT WITH OWNERS TO FARM/OPERATE  
THIS RANCH. HE IS FILING THIS NOTICE AS LESSOR/OPERATOR.  
\*\*\*\*\*  
OWNERSHIP CHANGE 10/18/90 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 22210

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

## CHANGE IN OWNERSHIP

Page 1

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

☐ Water Right Number(s): A72-00193, A72-00191, A72-00190, A72-10084, 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: \_\_\_\_\_

MICROFILMED

MAR 18 1993



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

22-Oct-1990 10:24

Richard L. or Betty L. Baker  
Richard Douglas or Cheryl Kay Baker  
C/O HC 68 Box 350  
Clayton, ID 83227

Re: Adjudication Claim(s) No. A72-00193, 00191, 00190. 10084  
A72-00194, 10085, 00192. 02142

Dear Claimant(s):

The Department has changed the record of the current owner as you requested on the above listed adjudication water right(s). Please find enclosed a copy(s) of the computer record of the claim(s) noting the change in claimant(s).

Please review the enclosed copies, should you have any questions, please contact this office.

Sincerely,

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

Judy Givens  
Secretary

/jg

Enclosures

MICROFILMED

MAR 18 1993

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: A72-02142  
Date Received: 11/15/1989  
Receipt No: E04345  
Received By: EA

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: LASSITER, 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: SALMON RIVER, EAST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

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

5. Description of diverting works:  
HEADING IN RIVER INTO CANALS. FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.320  |      |        |

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
INCIDENTAL STOCKWATERING FOR 100 HEAD RANGE CATTLE OR SHEEP

A72-02142

Page

16 89

MICROFILMED  
MAR 18 1993  
District Office

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 10N      | 18E   | 26      | SE     | NE  |     | IRR           | 6.0   |
|          |       |         | SW     | SE  |     | IRR           | 10.0  |
|          |       |         |        |     |     | Section Acres | 16.0  |
|          |       |         |        |     |     | Total Acres   | 16.0  |

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:  
72-00190, 00193, 00194

14. Remarks:  
MR. TAPPAN HAS A LEASE AGREEMENT WITH OWNERS TO FARM/OPERATE  
THIS RANCH. HE IS FILING THIS NOTICE AS LESSOR/OPERATOR.

15. Basis of Claim: LICENSE  
Water Right Number: 22210

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): Gert J. Joffe Date: 12-15-89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Custer ) SS.

Subscribed and sworn (or affirmed) before me this 15<sup>th</sup> day  
of Dec 1989  
\_\_\_\_\_  
Notary Public

Seal

Residing at Challis, Id.  
My Commission Expires June 1992

Map is  
WRONG  
should be  
SW SE  
See 12/28

POINT OF DIVERSION  
EAST FORK

POINT OF DIVERSION  
HERD CK.

POINT OF DIVERSION  
FOX CREEK

POINT OF DIVERSION  
McDONALD CK

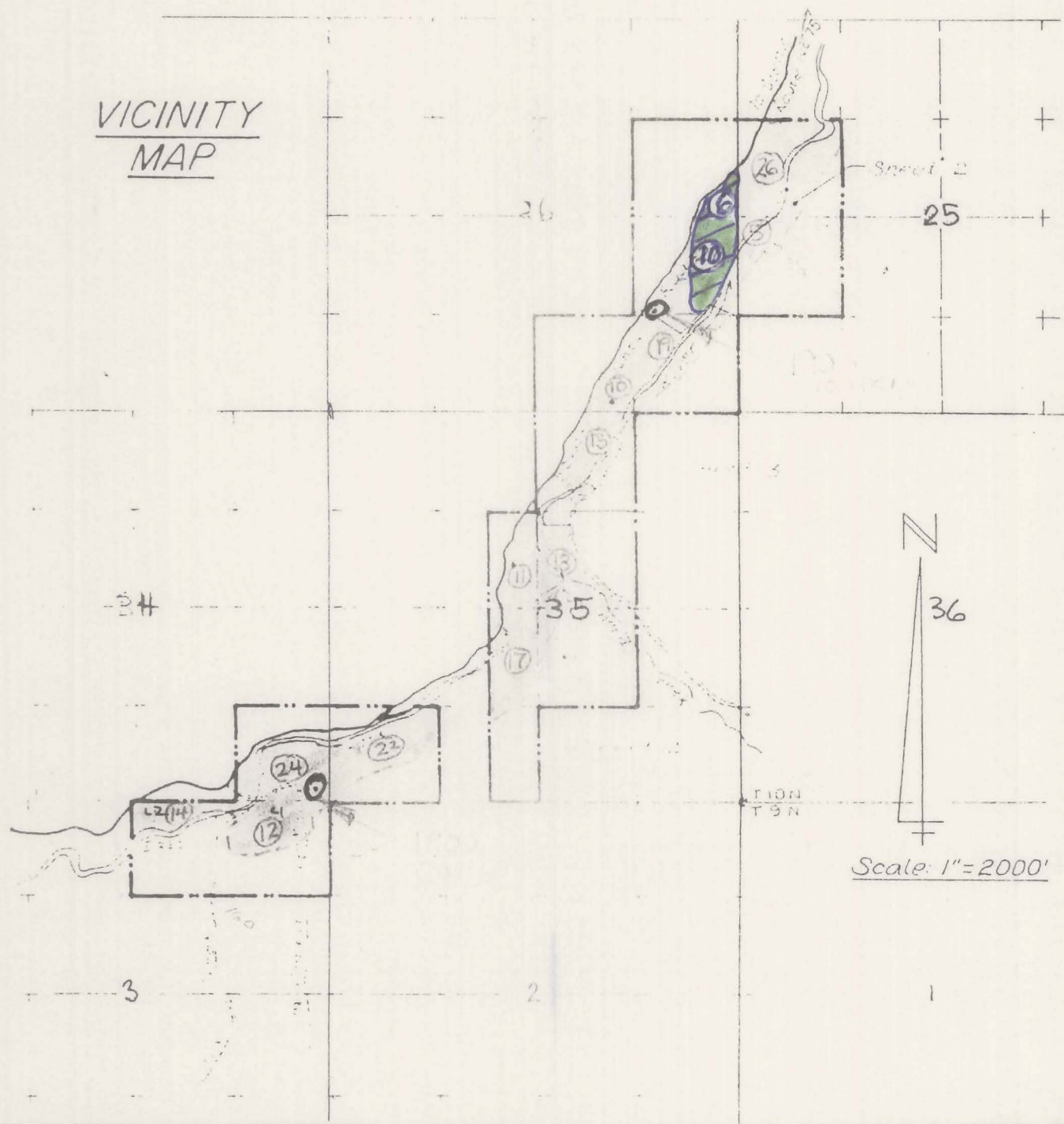
|           |      |
|-----------|------|
| R         | TION |
| 8         | T9N  |
| E         |      |
| A72-02142 |      |

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: \_\_\_\_\_ **A72-02142**

VICINITY  
MAP



Salmon Fork Sheet 1 of 5

R186

**MICROFILMED**

**MAR 18 1993**

6/9/94

# COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET AL

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

IDWR Employee/Agent Frank Hitchcock

June 13, 1997 8:13am

NAME:  
BAKER, DOUG AND CHERYL  
EF-7 AND EF-8 IF&G SCREEN SITES  
DIVERTING THEIR IRR USAGES:  
A72-00190, -00193(SPLIT) AND -00194.

RE:  
DIVERSION POINT REWORK  
CONSOLIDATION OF TWO.

I HAD LUNCH WITH BOB FOSTER OF THE SALMON OFFICE 06-11-1997 IN BOISE AND HE BROUGHT ME UP TO DATE ON EVENTS UP THE EAST FORK.

THE BAKERS HAVE DEVELOPED AN AGREEMENT (COPIES TO BE SENT DOWN BY BOB NEXT WEEK) WITH IF&G TO CONSOLIDATE THE IF&G SCREEN SITES EF-7 AND EF-8 THAT SCREEN THEIR IRRIGATION DIVERSIONS FROM THE SALMON RIVER, EAST FORK.

I FOLLOWED UP WITH BOB AT THE S.O. TO GET THE COPIES SENT DOWN AND TO BE SURE THAT I HAD THE CONVERSATION CORRECTLY IN THIS FILE NOTE.

I WILL REVIEW THE WATER RIGHTS DIVERTED ORIGINALLY THROUGH THESE SITES AND CHECK ON THE PODS CLAIMED FOR POSSIBLE AMENDMENT OR TRANSFER REQUIREMENTS AS THESE CLAIMS HAVEN'T BEEN RECOMMENDED YET.

ADDITIONALLY, THIS FILE NOTE WILL BE PUT INTO BOTH OF IF&G'S CLAIM FILES FOR THE REVIEW OF THEIR CLAIMS WHICH HAVE BEEN RECOMMENDED BASED ON THE PODS CLAIMED.

CC: A72-10541 AND A72-10491 IF&G CLAIMS (EF-7 AND EF-8  
RESPECTIVELY).

# COMMUNICATION DOCUMENTATION

FRANK HITCHCOCK  
WATER RESOURCES AGENT SR.

# MEMORANDUM

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

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

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

As per Brent King, October 24, 1995.

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

6/9/94

## COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET AL

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

IDWR Employee/Agent Frank Hitchcock

January 12, 1996 4:15pm

NAME:  
BAKER FAMILY CLAIMS

RE:  
A72-00190 ET AL

WHILE DOING UPDATED CVRS THIS DATE I FOUND A NOTE IN THE TALLY SHEETS FOR MAKING THE OWNERSHIP/AMENDMENTS CHANGES THAT NEEDS TO BE REVIEWED.

THERE WERE CHANGES TO THE OWNERSHIP THAT WOULD HAVE CHANGED THE CLAIM NUMBER ENTRIES IN THE FIELD "OTHER WATER RIGHTS USED" AS A RESULT.

IN DOING RECCOMENDATIONS A REVIEW OF THE RIGHTS USED SHOULD BE MADE AND THE ENTRIES UPDATED. A COPY OF THIS MEMO WILL GO INTO EACH CLAIM FILE OF THE BAKER'S.



YL RANCHES

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

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

RECEIVED  
AUG 28 1995  
Department of Water Resources  
Southern Region

Dear Frank,

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

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

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

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

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

Sincerely,

*Melodie Baker*

phone 208-838-2440

COPY

## COMMUNICATION DOCUMENTATION

February 19, 1999

**Regarding:**

**Customer:**

## Stockwater claims for Wayne and Melodie Baker

**From: Vikie Hancock**

[illegible]

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

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

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

V ↑

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

RECEIVED

FEB 10 1999

Department of Water Resources  
Southern Region

January 27, 1999

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

Dear Ms. Hancock,

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

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

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

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

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

Sincerely,

Melodie L. Baker

AJ0749NP  
No. R72-02142

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

DATE: 12/29/98  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MELODIE L BAKER<br>HC 68 BOX 304<br>CLAYTON ID 83227<br>(208) 838-2440 | 06/22/1951       | IRRIGATION | 04-01 10-31           | 0.32 CFS          |                     |
| TOTAL DIVERSION: |                                                                        |                  |            |                       | 0.32 CFS          |                     |

C D WAYNE BAKER  
HC 68  
BOX 304  
CLAYTON ID 83227  
(208) 838-2440

Water Source: SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER

Stage: LICENSE

Point(s) of Diversion:

T10N R18E S35

SWNE

CUSTER County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |   |      |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|---|------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | : | SUM  |
| 10N | 18E | 26 | : |    |    |    |    | 06 | :  |    |    |    |    |    |    |    |    |    |             | : | 16.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10          | : | 16.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | : | 16.0 |

POU County: CUSTER

Other Rights: 72-00190, 00193, 00194

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
- RIGHTS IN BASIN 72:  
- WATER RIGHT NO. SOURCE  
- NONE NONE  
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
- RIGHTS IN THE SNAKE RIVER BASIN:  
- WATER RIGHT NO. SOURCE  
- NONE NONE  
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES  
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
- CONJUNCTIVELY.

Remarks: EXP RIGHT NO. 72-00193A IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: 12/29/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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

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

---

December 29, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

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

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

Dear Mr. and Mrs. Baker:

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

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

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

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

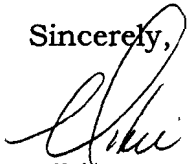
The department uses "Arc View", a computer program also used by Custer County, to locate and calculate the irrigated acres, based on aerial photography. The exact shape of the fields is sometimes subject to human interpretation, therefore I also used notes that former agent Frank Hitchcock took during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

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

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock', written in black ink.

Vikie Hancock

Water Resource Agent

November 20, 1998

NOTICE OF ERROR  
REPLY

RECEIVED  
DEC 17 1998  
Department of Water Resources  
Southern Region

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

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

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

Water right number: 72-02142

D WAYNE BAKER  
HC 68  
BOX 304  
CLAYTON ID 83227

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): (1) Purpose of Use states Irrigation. This should read Irrigation and Stockwater. Doesn't show stockwater on preliminary, it does on our original and has been determined for historical beneficial use

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

(1) Purpose of Use: Should state Irrigation and Stock water-add stockwater as in the original-historical beneficial use right.

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

(1) Our legal reads "Irrigation and Stockwater" and so should the preliminary. It was proven as historical beneficial use and still can

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

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

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: 72-02142

MELODIE L BAKER  
HC 68 BOX 304  
CLAYTON ID 83227

Daytime Telephone Number:  
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): (1) Purpose of Use states Irrigation. This should read Irrigation and Stockwater. Doesn't show stockwater on preliminary, it does on our original and has been determined for historical beneficial use

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

(1) Purpose of Use: Should state  
Irrigation and Stock water-add stockwater as in the original-historical beneficial use right.

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

(1) Our legal reads "Irrigation and Stockwater" and so should the  
preliminary. It was proven as historical beneficial use and still can

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

DATE: 12/11/98 SIGNATURE: Melodie L Baker David W. Baker  
Please print your name: Melodie L Baker David W. Baker

Water Right Number - R72-02142

Prefix Translation: RESEARCH

Old (D) Number - 22210

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

\*\*\* C - CURRENT OWNER \*\*\*  
BAKER

MELODIE L

1 - HC 68 BOX 304

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2440

BAKER

D WAYNE

1 - HC 68

2 - BOX 304

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2440

\*\*\* O - ORIGINAL OWNER \*\*\*  
LASSITER JOHNSON AND KITZ

1 - 505 S FLAGLER DR

2 - SUITE 1300

3 -

City- WEST PALM BEACH

State- FL Zip- 33401

Phone - 407-659-4422

BAKER

RICHARD L

1 - C/O HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2271

SHINDURLING

GEORGE B

1 -

2 -

3 -

City- CLAYTON

State- ID Zip- 00000

Phone - 208-000-0000

TAPPAN

SCOT

1 - HC 68 BOX 360

2 - SALMON FORK SUBDIVISION

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2355

BAKER

RICHARD DOUGLAS

1 - C/O HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2271

BAKER

CHERYL KAY

1 - C/O HC 68 BOX 350

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2271

BAKER

BETTY L

1 - C/O HC 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 - - - +

Water right number - R72-02142

Prefix Translation: RESEARCH

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

+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County  
10N 18E 35 SW SW NE (37) CUSTER EF-7

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 04/01 10/31 0.320

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.320 0.0

+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
10N 18E 26 SE NE 6.0 01 IRRIGATION (37) CUSTER  
10N 18E 26 SW SE 10.0 01 IRRIGATION (37) CUSTER

Total Acres: 16.0

+ - - Diversion Means - HEADING IN RIVER INTO CANALS. FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00190, 00193, 00194

+ - - - - Remarks - - - - - +  
EXP RIGHT NO. 72-00193A IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

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

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

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

+ - - - - Comments - - - - - +  
Date: 12/22/1995 User Id: FHITCHCO Subject: COPIED FROM REMARKS  
MR. TAPPAN NO LONGER HAS A LEASE OR ANYTHING ELSE WITH THIS RANCH.  
\*\*\*\*\* WARRANTY DEED WAS DATED JULY 19, 1990. OWNERSHIP CHANGE ENTERED  
IN COMPUTER SYSTEM 10/22/90 BY JG. \*\*\*\*\*  
OWNERSHIP CHANGE ENTERED 07-13-1995 BY FH WITH AMENDMENTS. SEE THE FILE FOR A COPY OF CHANGES MADE.  
\*\*\*\*\* INCIDENTAL STOCKWATERING FOR 400 CATTLE AND 20 HORSES \*\*\*\*\*



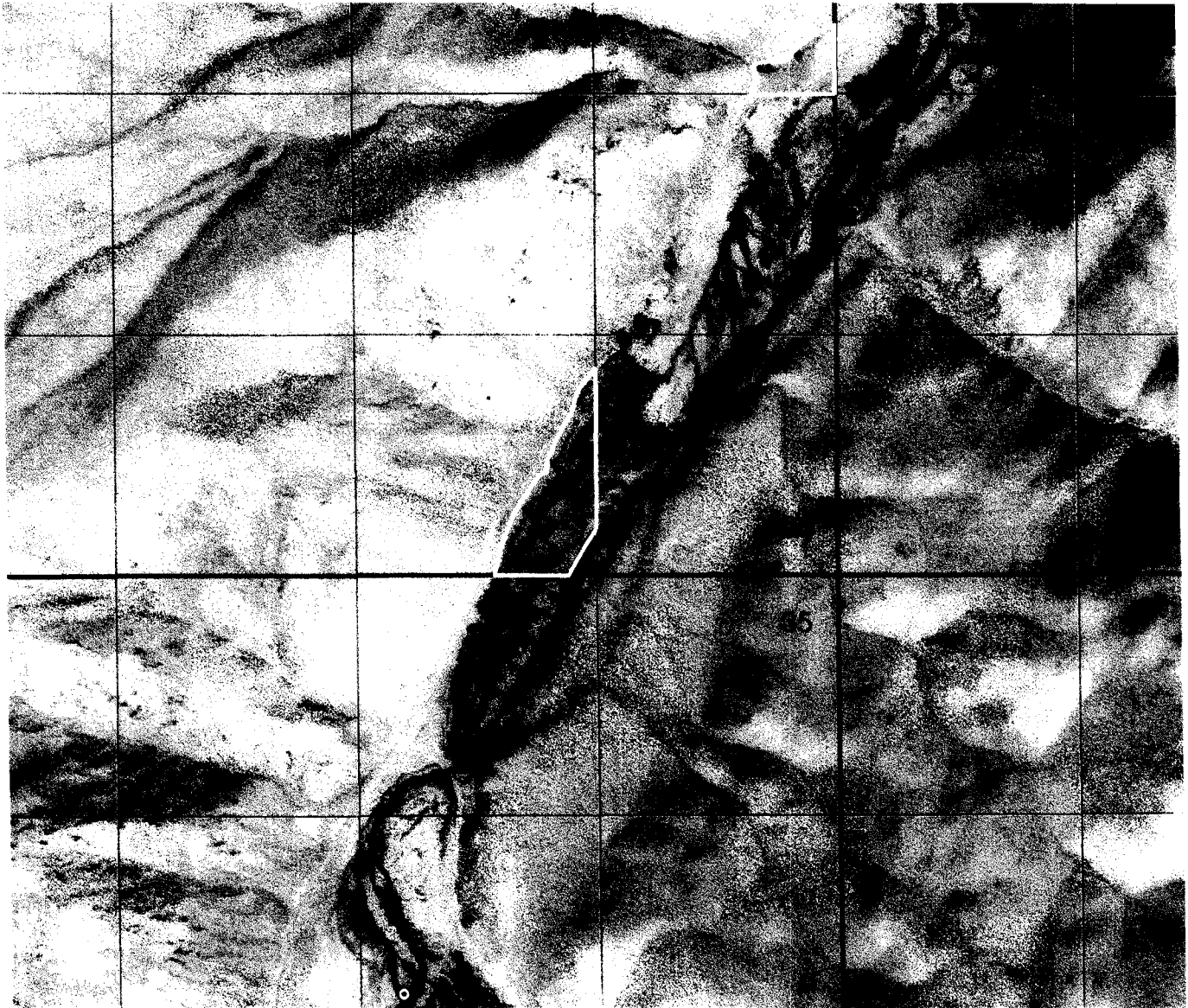
**RIGHT 72-02142**

**D. WAYNE and MELODIE BAKER**

**RECOMMENDED PLACE OF USE**

**TWP 10N, RNG 18E, SEC 26**

**data entry on October 19, 1998**



0 1320 2640 3960 5280 Feet



**RECOMMENDED PLACE OF USE**

⊙ **RECOMMENDED POINT OF DIVERSION**

□ **SECTION LINES**

--- **QUARTER/QUARTER LINES**

--- **SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION**

**1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY**

**DATA ENTRY BY VIKIE HANCOCK**

CLAIM NUMBER72-02142DATE10-19-98TRANSFER NUMBER  
AGENTWATCLAIMED ACRE TOTAL16  
GIS ACRE TOTAL10.2

|       | 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 | 26  |    |    |    | 6   |    |    |    |    |    |    |    |    |    |    | 10  |    | 16   |
| GIS   |     |     |     |    |    |    | 2.6 |    |    |    |    |    |    |    |    |    |    | 7.6 |    | 10.2 |
| RECOM |     |     |     |    |    |    | 6   |    |    |    |    |    |    |    |    |    |    | 10  |    | 16   |
| CLAIM |     |     |     |    |    |    |     |    |    |    |    |    |    |    |    |    |    |     |    |      |
| GIS   |     |     |     |    |    |    |     |    |    |    |    |    |    |    |    |    |    |     |    |      |
| RECOM |     |     |     |    |    |    |     |    |    |    |    |    |    |    |    |    |    |     |    |      |
| CLAIM |     |     |     |    |    |    |     |    |    |    |    |    |    |    |    |    |    |     |    |      |
| GIS   |     |     |     |    |    |    |     |    |    |    |    |    |    |    |    |    |    |     |    |      |
| RECOM |     |     |     |    |    |    |     |    |    |    |    |    |    |    |    |    |    |     |    |      |

B72-DBPOU.SHP  
SHAPE NOS.  
354  
355

Calculations by GIS Arc View program  
found less acres than originally licensed.  
2.6  
7.6

B72-DBPOD.SHP  
NOS. DESCRIPTION  
212 EF-7 SWSW NE Sec 35 T10N R18E

DBF TABLES UPDATED  
B72-DBPOU.DBF  
B72-DBPOD.DBF

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07  
01/13/96

PAGE: 1  
GENERAL INFORMATION

178  
CLAIM NUMBER: A72-02142

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

OWNER CODE: 0

LAST: TAPPAN FIRST: SCOT  
ADDRESS: HC 68 BOX 360  
SALMON FORK SUBDIVISION  
CITY: CLAYTON STATE: ID ZIP: 83227  
PHONE NUMBER: 208-838-2355

OWNER CODE: 0

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

OWNER CODE: 0

✓ LAST: BAKER FIRST: D WAYNE  
ADDRESS: HC 68 BOX 304  
CITY: CLAYTON STATE: ID ZIP: 83227  
PHONE NUMBER: 208-838-2440

OWNER CODE: C

LAST: LASSITER JOHNSON AND KITZ FIRST:  
ADDRESS: 505 S FLAGLER DR  
SUITE 1300  
CITY: WEST PALM BEACH STATE: FL ZIP: 33401  
PHONE NUMBER: 407-659-4422

OWNER CODE: 0

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

OWNER CODE: 0

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: 0

*cvr*

CITY: CLAYTON  
PHONE NUMBER: 208-838-2271

STATE: ID ZIP: 83227

OWNER CODE: O

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

FIRST: MELODIE L  
STATE: ID ZIP: 83227

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE  
N

FIELD  
EXAMINER

FIELD EXAMINATION INFORMATION

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:

*no field exam*

A. AJ CLAIM: # A72-02142 PRIORITY DATE: 06-22-1951 STAGE: L

B. WR RECORD: # 72-02142 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 as licensed*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====

RECOMMENDED PRIORITY DATE:

06-22-1951

REVIEWED BY *L. Hancock*

DATE 11-20-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A72-02142 | 10N  | 18E  | 35   | SW  | SW  | NE  |     |             | CUSTER |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A72-00190 \*\*

A72-00193A

A72-10464

A72-10514

A72-10541

\*\* 15 R PREFIX CLAIMS WITH THIS POD

WR RECORDS IN SAME 40 ACRE TRACT

72-00190

72-00193

72-00194

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<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|------|------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 72-02142 | 10N  | 18E  | 35   |     | SW  | NE  |     |             | CUSTER |                |                  |

OTHER WR RECORDS WITH SAME WR POD

72-00190

72-00193

72-00194

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A72-00190

A72-00193A

A72-10464

A72-10514

A72-10541

\*\*\*\*\*

\*\*\*\*\* 15 R PREFIX CLAIMS WITH THIS POD

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

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

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

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

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y(☒) N( )

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y( ) N(☒)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y(☒) N( )

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 10-16-58)

Y(☒) N( )

AJ FIELD EXAM (DATE OF FIELD EXAM 7-24-96 NAME OF EXAMINER F. Hitchcock) Y(☒) N( )

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Claimed POD AKA EF-7 and screened by IOFB  
fish screen.

=====

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY<br>CLUSTER | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-------------|-------------------|----------------|---------------|
| 10N  | 18E  | 35   | SW  | SW  | NE  |     |             |                   |                |               |
| —    | —    | —    | —   | —   | —   | —   | —           | —                 | —              | —             |
| —    | —    | —    | —   | —   | —   | —   | —           | —                 | —              | —             |
| —    | —    | —    | —   | —   | —   | —   | —           | —                 | —              | —             |
| —    | —    | —    | —   | —   | —   | —   | —           | —                 | —              | —             |
| —    | —    | —    | —   | —   | —   | —   | —           | —                 | —              | —             |
| —    | —    | —    | —   | —   | —   | —   | —           | —                 | —              | —             |

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

REVIEWED BY: [Signature]

DATE: 11-20-98

=====

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

A. ROOT WATER RIGHT NUMBERS: A72-02142  
R72-02142

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                   | AJ<br>#/ACRES     | WR<br>#/ACRES   | LANDSAT<br>DATA       | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|------------------------|-------------------|-----------------|-----------------------|----------------|------------------|
| 10N | 18E | 26  | SE  | NE  |     | BAKER, D WAYNE         | A72-02142 / 6.0   | 72-02142 / 6.0  | GIS<br>2.6            | -              | 6                |
|     |     |     | SE  | NE  |     | BAKER, MELODIE L       | R72-02142 / 6.0   | - /             |                       |                |                  |
|     |     |     | SE  | NE  |     | BAKER, D WAYNE         | R72-00193A / 6.0  | - /             |                       |                |                  |
|     |     |     | SE  | NE  |     | BAKER, CHERYL KAY      | R72-00190 / 6.0   | - /             |                       |                |                  |
|     |     |     | SE  | NE  |     | BAKER, RICHARD DOUGLAS | R72-00194 / 6.0   | - /             |                       |                |                  |
|     |     |     | SE  | NE  |     | US DEPT OF INTERIOR    | A72-12277 /       | - /             |                       |                |                  |
|     |     |     | SE  | NE  |     | US DEPT OF INTERIOR    | A72-12278 /       | - /             |                       |                |                  |
|     |     |     | SE  | NE  |     | BAKER, D WAYNE         | A72-00193A / 6.0  | - /             |                       |                |                  |
| 10N | 18E | 26  | SW  | SE  |     | BAKER, D WAYNE         | A72-02142 / 10.0  | 72-02142 / 10.0 | <del>5.6</del><br>7.6 | -              | 10               |
|     |     |     | SW  | SE  |     | BAKER, MELODIE L       | R72-02142 / 10.0  | - /             |                       |                |                  |
|     |     |     | SW  | SE  |     | BAKER, D WAYNE         | R72-00193A / 10.0 | - /             |                       |                |                  |
|     |     |     | SW  | SE  |     | BAKER, CHERYL KAY      | R72-00190 / 10.0  | - /             |                       |                |                  |
|     |     |     | SW  | SE  |     | BAKER, RICHARD DOUGLAS | R72-00194 / 10.0  | - /             |                       |                |                  |
|     |     |     | SW  | SE  |     | BAKER, D WAYNE         | A72-00193A / 10.0 | - /             |                       |                |                  |

ADDITIONAL POU FOUND

|             |           |       |       |                        |   |    |
|-------------|-----------|-------|-------|------------------------|---|----|
| TOTAL ACRES | A72-02142 | 16.00 | 16.00 | <del>5.6</del><br>10.2 | - | 14 |
|-------------|-----------|-------|-------|------------------------|---|----|

POU COUNTY: CUSTER

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

Y( ) N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO.    | SOURCE                  | NAME                   | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|--------------|-------------------------|------------------------|-----------|----------------|-----------|----------------|
| - A72-02142  | SALMON RIVER, EAST FORK | BAKER, D WAYNE         | 0.320     | 0.020          |           |                |
| - R72-00190  | HERD CREEK              | BAKER, CHERYL KAY      | 0.400     | 0.003          |           |                |
| - R72-00193  | SALMON RIVER, EAST FORK | BAKER, CHERYL KAY      | 5.200     | 0.023          |           |                |
| - A72-00193A | SALMON RIVER, EAST FORK | BAKER, D WAYNE         | 2.184     | 0.023          |           |                |
| - R72-00193A | SALMON RIVER, EAST FORK | BAKER, D WAYNE         | 2.184     | 0.023          |           |                |
| - R72-00194  | SALMON RIVER, EAST FORK | BAKER, RICHARD DOUGLAS | 0.300     | 0.001          |           |                |
| - R72-02142  | SALMON RIVER, EAST FORK | BAKER, MELODIE L       | 0.320     | 0.020          |           |                |

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

| CLAIM NO. | PURPOSES   | NAME                | MONTH/DAY           | RATE      | VOLUME |
|-----------|------------|---------------------|---------------------|-----------|--------|
| A72-12277 | STOCKWATER | US DEPT OF INTERIOR | FROM 01-01 TO 12-31 | 0.010 CFS |        |
| A72-12277 | WILDLIFE   | US DEPT OF INTERIOR | FROM 01-01 TO 12-31 | 0.010 CFS |        |
| A72-12278 | STOCKWATER | US DEPT OF INTERIOR | FROM 01-01 TO 12-31 | 0.010 CFS |        |
| A72-12278 | WILDLIFE   | US DEPT OF INTERIOR | FROM 01-01 TO 12-31 | 0.010 CFS |        |

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

Y(☒) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 72-00193A, 00194

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

N/A( ) Y(☒) N( )

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

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

N/A( ) Y(☒) N( )

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

Y( ) N(☒)

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

Y( ) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDWR NO. V24; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;  
(X) NAAPP, IDWR NO. V24 SE; ( ) ASCS PHOTO; ( ) OTHER \_\_\_\_\_

NOTES:

ARC VIEW GIS PROGRAM USED TO LOCATE p/d and  
locate and calculate IRRIGATED ACRES. LESS  
IRRIGATED ACRES FOUND BY GIS THAN FOUND DURING  
licensing exam. Recommended as licensed.

RECOMMENDATIONS:

TOTAL ACRES: 16 N/A( )  
REVIEWED BY: [Signature] DATE: 11/19-98

## A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A72-02142 IRRIGATION        | FROM 04-01 TO 11-01       | 0.320 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.320 CFS              |                        |

## B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 72-02142 IRRIGATION         | FROM TO                   | 0.320 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.320 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 period of use on license. Recommend to  
current DUR standards 4-01 to 10-31 for Basin 72.*

AJ CLAIM TOTAL DIVERSION RATE: 0.320 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.320 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD \_\_\_\_\_

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 16 x 0.02 CFS/ACRE = .32 CFS  
(Taken from pou review)

1b. CALCULATIONS

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 = 40.0 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 ( )

NOTES:

Hubble analysis indicates diversion amount of  
.32 or more required for 10.2 acres found by  
GIS Arc View. Licensed amount of .32 cfs  
therefore recommended even though found irrigated  
acres differ from licensing exam.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV          |                                                 | REC. DIV |                                     | REC. CONS.       |                                     |
|------------------------|-------------|-------|-------------------|-------------------------------------------------|----------|-------------------------------------|------------------|-------------------------------------|
|                        | FROM        | TO    | RATE              | CFS                                             | VOL.     | AF/A                                | USE              |                                     |
| IRRIGATION             | 04-01       | 11-01 | DATABASE<br>0.320 | EXAMINER<br><input checked="" type="checkbox"/> | DATABASE | EXAMINER                            | DATABASE<br>40.0 | EXAMINER                            |
|                        |             |       |                   |                                                 |          |                                     |                  |                                     |
|                        |             |       |                   |                                                 |          |                                     |                  |                                     |
|                        |             |       |                   |                                                 |          |                                     |                  |                                     |
|                        |             |       |                   |                                                 |          |                                     |                  |                                     |
| TOTAL FOR THIS RIGHT   |             |       | 0.320             | <input checked="" type="checkbox"/>             |          | <input checked="" type="checkbox"/> | 40.0             | <input checked="" type="checkbox"/> |

NON-IRRIGATION USES CLAIMED: INCIDENTAL STOCKWATERING FOR 400 CATTLE AND 20 HORSES

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

REVIEWED BY: *Blanco*

DATE: 11-20-98

FLAG: ☒

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

*FOR EF-7 72-00193A,*

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED                  | NEEDS<br>REVIEW |
|------------------------------|-----------------------------------------|-----------------|
| OWNERSHIP _____              | ( <input checked="" type="checkbox"/> ) | ( )             |
| FORFEIT/ABANDON _____        | ( <input checked="" type="checkbox"/> ) | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( <input checked="" type="checkbox"/> ) | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-02142

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE<br>0.320 | EXAMINER<br><u>          </u> | CFS |
|-----------------------------------|-------------------|-------------------------------|-----|
|-----------------------------------|-------------------|-------------------------------|-----|

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A72-02142                | 0.320             | R72-02142                 | 0.320            | 72-02142            | 0.320             |
| TOTAL CFS            |                          | 0.320             |                           | 0.320            |                     | 0.320             |

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<br>EXAMINER |
|----------|-------------------|
| Y        | Y( ) N( )         |

NOTES:

NO SPLITS

AUTHENTICATION:

SIGNATURE: *[Signature]* DATE: 11-20-98

NAME OF FIELD EXAMINER: DIKIE 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?                                                 |
|------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> ORTHOPHOTOQUAD         | DATE OF PHOTO <u>7-24-74</u> IDWR ID NO. <u>V24</u>    | Y( <input checked="" type="checkbox"/> ) N( <input type="checkbox"/> ) |
| <input type="checkbox"/> TOPOGRAPHIC                       | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input checked="" type="checkbox"/> NAPP                   | DATE OF PHOTO <u>9-18-88</u> IDWR ID NO. <u>V24 SE</u> | Y( <input checked="" type="checkbox"/> ) N( <input type="checkbox"/> ) |
| <input type="checkbox"/> ASCS AERIAL PHOTO                 | DATE OF PHOTO _____                                    | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input type="checkbox"/> ASCS COLOR SLIDE                  | DATE OF PHOTO _____                                    | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input type="checkbox"/> BLM OR USFS AERIAL PHOTO          | DATE OF PHOTO _____                                    | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input type="checkbox"/> TOWNSHIP SURVEY (GOVERNMENT PLAT) | DATE OF SURVEY _____                                   | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input checked="" type="checkbox"/> SCS SOIL SURVEY MAP    | DATE ISSUED <u>ARC VIEW PROGRAM 1998</u>               | Y( <input type="checkbox"/> ) N( <input checked="" type="checkbox"/> ) |
| <input type="checkbox"/> SUBDIVISION PLAT MAP              | DATE OF MAP _____                                      | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input type="checkbox"/> OTHER _____                       | DATE _____                                             | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input type="checkbox"/> OTHER _____                       | DATE _____                                             | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| <input type="checkbox"/> OTHER _____                       | DATE _____                                             | Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |

GIS FILE

| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                           | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF PAGES | NOTES          |
|-------------------------------------------------------------------|---------------------------------------------|--------------|----------------|
| <input checked="" type="checkbox"/> LICENSING FIELD EXAM          | DATE OF FIELD EXAM <u>10-16-58</u>          | <u>5</u>     | <u>in file</u> |
| <input checked="" type="checkbox"/> WATER RIGHT LICENSE           | DATE LICENSE SIGNED <u>5-11-65</u>          | <u>1</u>     | <u>"</u>       |
| <input type="checkbox"/> IDWR APPROVED TRANSFER                   | DATE TRANSFER APPROVED _____                | _____        | _____          |
| <input type="checkbox"/> SYSTEM DESCRIPTION                       | DATE DRAWN _____                            | _____        | _____          |
| <input type="checkbox"/> PHOTOGRAPHS                              | DATE(S) PHOTOS TAKEN _____                  | _____        | _____          |
| <input type="checkbox"/> SPLIT RIGHT REVIEW                       | DATE REVIEW COMPLETED _____                 | _____        | _____          |
| <input checked="" type="checkbox"/> HUBBLE ANALYSIS               | DATE ANALYSIS COMPLETED <u>11-20-98</u>     | <u>1</u>     | _____          |
| <input type="checkbox"/> CONVEYANCE LOSS ANALYSIS                 | DATE ANALYSIS COMPLETED _____               | _____        | _____          |
| <input checked="" type="checkbox"/> FLOW MEASUREMENT CALCULATIONS | DATE SYSTEM MEASURED <u>7-24-96</u>         | <u>1</u>     | _____          |
| <input type="checkbox"/> OTHER _____                              | DATE _____                                  | _____        | _____          |
| <input type="checkbox"/> OTHER _____                              | DATE _____                                  | _____        | _____          |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07  
01/13/96

PAGE: 16  
QUICKLOOK INFORMATION

193  
CLAIM NUMBER: A72-02142

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                            |                                                 |                            |                        | U#<br>11-14-98                     | U#<br>11-20-98                   | U#<br>11-20-98                       |                               |
| POINT OF DIV              |                            |                                                 |                            |                        | FH<br>9-24-96                      |                                  |                                      |                               |
| SOURCE                    |                            |                                                 |                            |                        | 10/19/98                           |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            |                        | 10/19/98                           |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                            |                                                 |                            |                        | -                                  |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            |                        | -                                  |                                  |                                      |                               |
| PURPOSES OF USE           |                            |                                                 |                            |                        | -                                  |                                  |                                      |                               |
| PERIOD OF USE             | Y                          |                                                 |                            |                        | 11-14-98                           |                                  |                                      |                               |
| BASIS OF CLAIM            |                            |                                                 |                            |                        | 10-19-98                           |                                  |                                      |                               |
| REMARKS                   |                            |                                                 |                            |                        | -                                  |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE  
11-17-98

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

01:58:25  
01/13/96  
194

PAGE: 17  
PROFILE REPORT

CLAIM NUMBER: A72-02142

| OWNER<br>CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | NAME & ADDRESS  | PRIORITY<br>DATE           | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------------|------------|-----------------------|-------------------|---------------------|----|----|----|----|----|----|----|----|----|---|------|--|----|--|--|--|--|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|---|-----|-----|-----|----|---|--|--|----|---|--|--|--|--|--|--|--|--|---|------|-------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|------|
| C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | D WAYNE BAKER   | 06/22/1951                 | IRRIGATION | 04-01 11-01           | 0.32 CFS          |                     |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | MELODIE L BAKER |                            |            |                       | 0.32 CFS          |                     |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| TOTAL DIVERSION:<br>CONSUMPTIVE USE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                 |                            |            |                       | 0.32 CFS          | 40.00 AFA           |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| Water Source: SALMON RIVER, EAST FORK                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                 | Tributary to: SALMON RIVER |            | Stage: LICENSE        |                   |                     |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| Point(s) of Diversion: T10N R18E S35                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                 | SWSWNE                     |            | CUSTER County         |                   |                     |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| Place of use Legal Description for: IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                 |                            |            |                       |                   |                     |    |    |    |    |    |    |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| <table><thead><tr><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>SUM</th></tr></thead><tbody><tr><td>10N</td><td>18E</td><td>26</td><td>:</td><td></td><td></td><td>06</td><td>:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>:</td><td>16.0</td></tr><tr><td colspan="17">TOTAL ACRES</td><td>16.0</td></tr></tbody></table> |                 |                            |            |                       |                   |                     | NE |    |    |    | NW |    |    |    | SW |   |      |  | SE |  |  |  |  | T | R | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM | 10N | 18E | 26 | : |  |  | 06 | : |  |  |  |  |  |  |  |  | : | 16.0 | TOTAL ACRES |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 16.0 |
| NE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |                            |            | NW                    |                   |                     |    | SW |    |    |    | SE |    |    |    |   |      |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| T                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | R               | S                          | :          | Lt                    | Ac                | Lt                  | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM  |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| 10N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 18E             | 26                         | :          |                       |                   | 06                  | :  |    |    |    |    |    |    |    |    | : | 16.0 |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |
| TOTAL ACRES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                 |                            |            |                       |                   |                     |    |    |    |    |    |    |    |    |    |   | 16.0 |  |    |  |  |  |  |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |   |     |     |     |    |   |  |  |    |   |  |  |  |  |  |  |  |  |   |      |             |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |      |

POU County: CUSTER

Non-Irrigation Uses: (INCIDENTAL STOCKWATERING FOR 400 CATTLE AND 20 HORSES)

Other Rights: 72-00193A, 00194

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments

NO period of use  
in licence

F06

# REVIEW EVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-02142

 DATE: 11-20 1998

REVIEWED BY

DA

## CHALLIS AREA SOIL REVIEW

| SOIL TYPE | BORDER CFS/AC |      | FURROW CFS/AC |      | OPTIMUM ROTATION |         | SOIL TYPE | BORDER CFS/AC |      | FURROW CFS/AC |      | OPTIMUM ROTATION |         |
|-----------|---------------|------|---------------|------|------------------|---------|-----------|---------------|------|---------------|------|------------------|---------|
|           | PAST          | ALFA | PAST          | ALFA | PASTURE          | ALFALFA |           | PAST          | ALFA | PAST          | ALFA | PASTURE          | ALFALFA |
| ATC       | .15           | .13  |               |      | 6.49             | 7.62    | PD2       | .11           | .12  |               |      | 5.15             | 4.74    |
| BB1       | .09           | .09  |               |      | 6.09             | 6.17    | Q         | .26           | .21  |               |      | 13.2             | 10.4    |
| BC1       | .16           | .17  |               |      | 5.82             | 5.46    | RE2       | .29           | .21  |               |      | 3.15             | 4.74    |
| BK1       | .07           | .06  |               |      | 10.62            | 11.86   | RP1       | .19           | .21  |               |      | 4.89             | 4.57    |
| BT1       | .18           | .16  |               |      | 3.99             | 4.19    | SH1       | .06           | .05  |               |      | 9.37             | 12.10   |
| BT2       | .41           | .32  |               |      | 2.34             | 2.87    | SOC       | .08           | .07  |               |      | 7.38             | 8.08    |
| CB1       | .06           | .06  |               |      | 11.55            | 13.47   | SSA       | .15           | .14  |               |      | 4.79             | 5.01    |
| CHA       | .21           | .21  |               |      | 4.52             | 4.76    | SXF       | .12           | .11  |               |      | 6.14             | 6.80    |
| CP1       | .36           | .36  |               |      | 2.61             | 2.78    | TC1       | .06           | .06  |               |      | 9.82             | 9.55    |
| DAF       | .18           | .15  |               |      | 5.33             | 7.27    | TD1       | .04           | .03  |               |      | 12.46            | 16.50   |
| DB1       | .13           | .11  |               |      | 5.66             | 6.65    | TS1       | .08           | .08  |               |      | 9.82             | 9.55    |
| DBB       | .13           | .11  |               |      | 5.71             | 6.69    | WB2       | .13           | .13  |               |      | 5.37             | 5.43    |
| DBC       | .13           | .11  |               |      | 5.71             | 6.69    | WAA       | .19           | .16  |               |      | 3.81             | 4.23    |
| DMF       | .18           | .21  |               |      | 5.12             | 4.72    | WBB       | .17           | .14  |               |      | 3.36             | 3.84    |
| DRF       | .18           | .19  |               |      | 9.08             | 9.68    | WC1       | .07           | .06  |               |      | 11.24            | 13.45   |
| DT2       | .05           | .04  |               |      | 12.46            | 16.50   | WPT       | .19           | .15  |               |      | 3.16             | 3.69    |
| DWA       | .14           | .14  |               |      | 4.79             | 5.01    | WV1       | .07           | .06  |               |      | 11.24            | 13.45   |
| GO1       | .10           | .12  |               |      | 12.47            | 10.51   | XHS       |               |      |               |      |                  |         |
| KEG       | .08           | .07  |               |      | 8.73             | 10.06   | YN1       | .18           | .14  |               |      | 5.38             | 6.92    |
| MBF       | .15           | .12  |               |      | 7.65             | 5.81    |           |               |      |               |      |                  |         |
| MUG       | .15           | .14  |               |      | 4.54             | 4.98    |           |               |      |               |      |                  |         |
| NDL       | .13           | .12  |               |      | 5.30             | 6.06    |           |               |      |               |      |                  |         |

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

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

| SOIL TYPE  | OPTIMAL / ROTATION (chart) | ACTUAL / ROTATION (field) | ACRES PER SOIL TYPE (field) | RATE PER ACRE (chart) | TOTAL DIVERSION RATE |
|------------|----------------------------|---------------------------|-----------------------------|-----------------------|----------------------|
| <u>WC1</u> | /                          | *                         | <u>5.4</u>                  | <u>.07</u>            | = <u>.39</u> CFS     |
| <u>CP1</u> | /                          | *                         | <u>4.4</u>                  | <u>.36</u>            | = <u>1.58</u> CFS    |
|            | /                          | *                         |                             |                       | = CFS                |
|            | /                          | *                         |                             |                       | = CFS                |

 TOTAL ACRES 10

 DECREED RATE = .32

 CLAIMED DIVERSION RATE = .32

MEASURED DIVERSION RATE =

# HUBBLE

ERROR:  
THIS TRACT  
SHOWN ON  
CLAIM MAP

As  
CLAIMED  
16 Ac

T  
10  
N

R 18 E

POD

T  
9  
N

CLAIM A72-02142 INIT         
T. R. S. Q/Q  
P/D         
PHOTO V24 OPQ  
DT.&ID. 7-24-74

MAP



AS FOUND  
&  
RECOMMENDED

RIBE

T  
10  
N

T  
9  
N

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

MAP

.0      .10      .20      .30      .40      .50      .60      .70      .75

[illegible]

State of Idaho  
Department of Water Resources  
Water District

Meas. No. EF-08  
Comp. by EF01

Sta. No. . . . . **DISCHARGE MEASUREMENT NOTES** Checked by . . . . .

Date 7/24, 19 96 Party R Foster 2 Weeks  
Width . . . . . Area . . . . . Vel. . . . . G. H. . . . . Disch. . . . .  
Method . . . . . No. secs. . . . . G. H. change. . . . . in . . . . . hrs. Susp. . . . .  
Method coef. . . . . Hor. angle coef. . . . . Susp. coef. . . . . Meter No. . . . .  
Type of meter . . . . . Date rated . . . . . Tag checked . . . . .  
Meter . . . . . ft. above bottom of wt. Spin before meas. . . . . after . . . . .  
Meas. plots. . . . . % diff. from. . . . . rating. Levels obtained. . . . .

| GAGE READINGS    |  |        |    |       |         | WATER QUALITY MEASUREMENTS |      |
|------------------|--|--------|----|-------|---------|----------------------------|------|
| Time             |  | Inside | HM | Chart | Outside | No                         | Yes  |
|                  |  |        |    |       |         | Time                       |      |
|                  |  |        |    |       |         | <u>Samples Collected</u>   |      |
|                  |  |        |    |       |         | No                         | Yes  |
|                  |  |        |    |       |         | Time                       |      |
|                  |  |        |    |       |         | <u>Method Used</u>         |      |
|                  |  |        |    |       |         | EDI                        | EWI  |
|                  |  |        |    |       |         | Other.                     |      |
|                  |  |        |    |       |         | <u>SEDIMENT SAMPLES</u>    |      |
|                  |  |        |    |       |         | No                         | Yes  |
|                  |  |        |    |       |         | Time                       |      |
|                  |  |        |    |       |         | <u>Method Used</u>         |      |
|                  |  |        |    |       |         | EDI                        | EWI  |
|                  |  |        |    |       |         | Other.                     |      |
| Weighted M.G.H.  |  |        |    |       |         | <u>BIOLOGICAL SAMPLES</u>  |      |
| G. H. correction |  |        |    |       |         | Yes                        | Time |
| Correct M.G.H.   |  |        |    |       |         | No                         | Type |

Check bar, chain found . . . . . changed to . . . . . at . . . . .  
Wading, cable, ice, boat, upstr., downstr., side bridge. . . . . feet, mile, above, below gage.  
Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%); based on the following cond:  
Flow . . . . .  
Cross section . . . . .  
Control . . . . .  
Gage operating . . . . . Weather . . . . .  
Intake/Orifice cleaned . . . . . Air . . . . . °C@ . . . . . Water . . . . . °C@ . . . . .  
Record removed . . . . . Extreme Indicator: Max. . . . . Min. . . . .  
Manometer N<sub>2</sub> Pressure Tank . . . . . Feed . . . . . Bbl rate . . . . . per min.  
CSG checked . . . . . Stick reading . . . . .  
Observer . . . . .  
HWM . . . . . outside, in well . . . . .  
Remarks . . . . .  
. . . . .  
GPS LAT\LONG . . . . .  
G.H. of zero flow . . . . . ft. . . . . Sheet No. . . . . of . . . . . sheets

State of Idaho  
License and Certificate of Water Right

Water License No. 22210

Amount 0.32 c.f.s.

Water District No.

Priority June 22, 1951

THIS IS TO CERTIFY that GEORGE B. 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. 22210  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
0.8 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.

GEORGE B. 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 East Fork  
Salmon River, a tributary of Salmon River, for the purpose of irrigation

, under Use Permit No. 22210 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 8151, on the 11 day of May, 1965;

The right hereby confirmed dates from June 22, 1951;

The Point of Diversion is located

in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Sec. 35, 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 0.32 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                                                       | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|------------------------------------------------------------------------|----------------------------------|---------------------------------|
| 10 N. | 18 E. | 26   | SE $\frac{1}{4}$ NE $\frac{1}{4}$<br>SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 20<br>20                         | 6<br>10                         |
|       |       |      | Total number of acres to be irrigated:                                 |                                  | 16                              |

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

11th day of May, 1965.

/s/ CARL E. TAPPAN  
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 22210

This proof is for Beneficial Use

In Water District No.

1. Name of applicant: George B. Shindlerling
2. Source of water supply: East Fork of Salmon River
3. Location of point of diversion: Is in the NW 1/4 of Section 26  
T. 10 N. R. 18 E. B. M. County of Custer

4. Describe works as they exist, giving dimensions and capacities of same: This is an adjacent Homestead Entry. Ditch carries much more water than amt of filing. Also irrigates old land. This is part of a cattle ranch on the East Fk of the Salmon. Run 16.5 cws.

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, SW 1/4, Section 26, Township 10 North, Range 18 East, B. M. - 40 acres

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

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

Remarks:

Anna Shindlerling wife of George is daughter of Fred Eakin and will consolidate all of this and Fred Eakin holdings presumably at some future date.

See Permit # 22211

This examination was made on the

16

day of

October

19 58

(Signed)

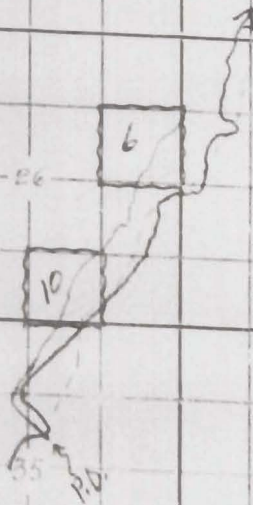
E. M. Humphrey

Engineer

5-22210

R-18 E

T.  
10  
N



Subdivisions - 2

Area = 16 acres

Q = 16 inches

.32 cfs.

Permit No. 22210

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Custer

ss.

George B. Shindurling, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 22210, and that his postoffice address is Clayton

State of Idaho

Second: That the name of the stream from which said water is to be diverted is

East Fork Salmon River

Third: That the point of diversion of said water is T. 10 N. - R. 18 E., Sec. 35,

Range 3

Fourth: That under the terms and conditions of said permit construction thereunder was required to be completed by March 26th, 1959

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or ~~were not~~) fully completed and consisted of the following:

I. Kind of works: Diversion dam, ditch and distribution works.  
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 22 feet, length of dam at bottom 28 feet. Material used in construction Rock and earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet No reservoir

(c) Size of headgate: Width 3 feet, height 4 feet.

(d) Conduit 4 ft width at bottom 4 feet, width at water line 3 feet, depth of water 1 1/2 feet; diameter of pipe None inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 8.8 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: 8 acres in SE 1/4, 12 acres in SW 1/4, Sec. 26, T. 10 N. - R. 18 E.

Ninth: Remarks: That this water and diversion works have been used along with a decreed water right out of the East Fork of the Salmon River by my father-in-law Fred Gossi for many years. They were never specified as decreed upon these lands as they have been in Federal ownership. I have added to these works to complete the provision of my permit.

George B. Shindurling  
(Sign Here)

Subscribed and sworn to before me this 27 day of July, 1959

My commission expires 10/11/59

Harley H. D. Dwyer  
Notary Public.

22210

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
SEP 10 1958  
Department of Reclamation

Permit No. 22210

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. George E. Shindlerling, residence 16 miles SE Clayton, Idaho occupation is farming  
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. #22210, date of permit is June 23, 1951 and priority date June 22, 1951

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

Ans. East Fork of Salmon River and Pt. Diversion is in the NE 1/4, Sec. 35, T 10 N,  
R 35 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. 1 1/4 mile ditch, 3' bottom, 22' deep, 4' top and will carry 250" of water.

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. In the SE 1/4, Sec. 26, 5 1/2 acres irrigated and in the SW 1/4,  
8 acres irrigable. This is in T 10 N - R 18 E., B.M. There is no natural meadow land  
here and I have spent around \$2,200.00 in improvements as a direct result of this  
use.

22210

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 1" to the acre here.

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. I started right after this permit was allowed, and I have irrigated this every year since. As a matter of fact, my father-in-law, Fred Gossel irrigated some of this land in the South 40 (SW 1/4) for many years with his decree of water from the East Fork of the Salmon River. This was by decree which the Court awarded in February, 1938.

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. No other waters appurtenant to this land, but as I mentioned above, it has originally and formerly been mixed with the old decreed water.

(Sign)

Harley L. C. Donnell

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 L. C. Donnell

My commission expires 10-11-59

Notary public for Idaho.

22210

Water Right Number - 72-02142

Prefix Translation: WATER RIGHT

Old (D) Number - 22210

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

\*\*\* C - CURRENT OWNER \*\*\*  
SHINDURLING

GEORGE B.

1 -

2 -

3 -

City- CLAYTON

State- ID Zip-

Phone -

+ - - 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 Stream Index (Blank if no Index Code)

10N 18E 35 SW NE (37) CUSTER

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

01 - IRRIGATION

0.320

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +  
0.320+ - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County

10N 18E 26 SE NE 6.0 01 IRRIGATION (37) CUSTER

10N 18E 26 SW SE 10.0 01 IRRIGATION (37) CUSTER

Total Acres: 16.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +  
No Remarks found.+ - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.+ - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +

+ - - Decree Defendant - - - +

+ - Decree Date - +  
00/00/0000

WR BASE RIGHT

