

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: **A72-00190**
Date Received: 12/18/1989
Receipt No: E011345
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CHERYL KAY BAKER
Address: HC 68 BOX 350
CLAYTON ID

208-838-2269

83227

AND/OR

Name: RICHARD DOUGLAS BAKER
Address: HC 68 BOX 350
CLAYTON ID

208-838-2269

83227

2. Date of Priority: MAY 1, 1885

3. Source: HERD CREEK

Trib. to: SALMON RIVER, EAST FORK

4. Point of Diversion:

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

5. Description of diverting works:

DITCH HEADING IN STREAM TO CANAL/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	0.400		

7. Total Quantity Appropriated is:

0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 310.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING FOR 100 HEAD CATTLE/SHEEP

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	18E	35	NW		NE		IRR	4.0
			SW		NE		IRR	10.0
			NW		SE		IRR	6.0
							Section Acres	20.0
							Total Acres	20.0

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:
72-00191, 00193, 00194, 02095

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.

Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.

vs Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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AND/OR

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CLAYTON ID

208-838-2269

83227

2. Date of Priority: MAY 1, 1885

3. Source: HERD CREEK

Trib. to: SALM

*Phone #
Converted...*

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			NE	SE	SE		CUSTER

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Receipt No: E011345
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RICHARD DOUGLAS BAKER 208-838-2271
Address: C/O HC 68 BOX 350
CLAYTON ID 83227
AND/OR
Name: CHERYL KAY BAKER 208-838-2271
Address: C/O HC 68 BOX 350
CLAYTON ID 83227
2. Date of Priority: MAY 1, 1885
3. Source: HERD CREEK Trib. to: SALMON RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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			NE	SE	SE		CUSTER
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7. Total Quantity Appropriated is:
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9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 100 HEAD CATTLE/SHEEP

RECEIVED

JUL 31 1995

Department of Water Resources
Southern Region

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	35	NW	NE		IRR	4.0
			SW	NE		IRR	10.0
			NW	SE		IRR	6.0
						Section Acres	20.0
						Total Acres	20.0

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:
72-00191, 00193, 00194, 02095

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.
Decree Plaintiff

DRAGLIA, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments:

For Individuals:

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

ements contained in the

Signature of Claimant(s): Cheryl K Baker Date: July 25, 1995
Date:

State of Idaho)
County of TWIN FALLS) SS.

Subscribed and sworn (or affirmed) before me this 1ST day
of AUGUST 19 95

Francis J. Hitchcock
Notary Public

Seal

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

08-17-1993

ALL {BATTER, R+B
BATTER, D+C

DELETED
EX-02142
-02005

-00190 40 OYVLAOL-00193-ALL HAD AC.

-00191* 20 "ALL-00192, 2A; -00193, ALLMOUNTED AC.
-00192* 20 "ALL-00191, 2A; -00193, ALL FOX AC.

-00193 5.20-ALL E.F.

-00194 30-ALL E.F.

-00196 R+B 1.20 E.F.

-00197 R+B 1.20 E.F.

-00198 R+B 1.50 E.F.

-00199 R+B 1.50 BGLARE AC

-00200 R+B 1.30 E.F.

-02142 32 KLANSE - ALL E.F.

-00201E KTH. 45 PINE AC SURD PINE AC.

-00202D KTH. 52 PINE AC SURD E.F.

-02005 44 KLANSE E.F.

-00202E KTH. 22 PINE AC SURD E.F.

* Springs-unclaimed... should... 500 data

- need directions to Rd @ Fox AC.

① moved in Chang's listing / own thing.

② med: 01-27-95! & open up. unit det: 2/9/95

ORIGINAL

RECEIVED

MAY 30 1995

72-00190
.40 cfs (20")

Department of Water Resources
Southern Region

Herd Creek

- ✓ 1. Delete Richard L. and/or Betty L. Baker from ownership. Keep Richard Douglas and/or Cheryl Kay Baker as owners.
- ✗ 2. through 9. all OK
- ✓ 10. POU - Delete all use in Sections 25 and 26. Amend use in Section 35 as follows:
- | | | |
|-------|----------------|------------------------------|
| SWNE | 10 acres | <i>as claimed originally</i> |
| NWSE | 6 acres | <i>as claimed originally</i> |
| NWNE | <u>4 acres</u> | <i>from 15</i> |
| Total | 20 acres | |
- ✗ 11. OK
- ✓ 12. Delete NO - Add YES
- ✓ 13. Other water rights used: 72-00191, 00193, 00194, 02095
- ✓ 14. Remarks: Delete *from A record* reference to Mr. Tappan, and enter ownership change - Warranty Deed dated May 15, 1994. *add to R*
- ✗ 15. OK

COPY



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 05-15-94

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A72-00190, A72-00191, A72-00192, A72-00194,
Assigned by IDWR: A72-02095, A72-10085,
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Richard L. and/or Betty L. Baker and/or
Richard Douglas and/or Cheryl Kay Baker
HC 68 Box 350
Clayton, Idaho 83227
- ☐ New Owner/Claimant (Purchaser): Richard Douglas Baker and/or Cheryl Kay Baker
- ☐ New Mailing Address: HC 68 Box 350
Clayton, Idaho 83227
- ☐ New Telephone Number: (208) 838 - 2269
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes 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: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 06-09-95 By: TH

Further Action Needed: YES

Further Action Taken

Date: 07-13-95 By: TH

Final Review and Data-Entry

Date: 07-13-95 By: TH

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department
Copies to Former Owner and New Owner

A

WARRANTY DEED

FOR VALUE RECEIVED, RICHARD L. BAKER and BETTY L. BAKER, individually, and as Co-Trustees of the RICHARD L. BAKER AND BETTY L. BAKER TRUST, under Trust Agreement dated May 1, 1991, Grantors do hereby Grant, Bargain, Sell and Convey unto RICHARD DOUGLAS BAKER and CHERYL KAY BAKER, husband and wife, the Grantees, whose current address is HC 68, Box 350, Clayton, Idaho 83227, the following described premises, in Custer County, Idaho, to-wit:

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

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

Dated: May 15, 1994.

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

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

0207341

STATE OF IDAHO)
) : ss.
County of Custer)

On this 31st day of
May, 1994, before
me, a Notary Public, per-
sonally appeared RICHARD
L. BAKER and BETTY L.
BAKER, individually, and
as Co-Trustees, of the
RICHARD L. BAKER AND BETTY
L. BAKER TRUST, under Trust
Agreement dated May 1, 1991,
known or identified to me
to be the person(s) whose
name(s) are subscribed to
the within instrument, and
acknowledged to me that
they executed the same.

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

STATE OF IDAHO, COUNTY OF

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

Ethel M. Pech

Ex-Officio Recorder

BY

Wanda Murphy
Deputy

Fee: \$ 9⁰⁰
Mail to:

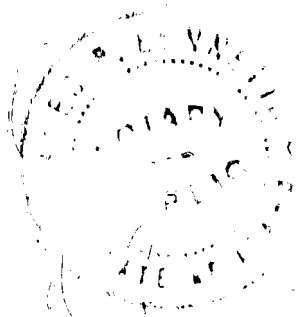


EXHIBIT "A"

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

SECTION 3: Lots 1 and 2.

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

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

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

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

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

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

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

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

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

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

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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 68 BOX 350
CLAYTON, ID 83227
AND/OR
Name: RICHARD DOUGLAS BAKER 208-838-2271
Address: C/O HC 68 BOX 350
CLAYTON, ID 83227
AND/OR
Name: CHERYL KAY BAKER 208-838-2271
Address: C/O HC 68 BOX 350
CLAYTON, ID 83227
2. Date of Priority: MAY 01, 1885
3. Source: HERD CREEK Trib. to: SALMON RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	18E	35	SW	SW	NE		CUSTER
			NE	SE	SE		CUSTER
5. Description of diverting works:
DITCH HEADING IN STREAM TO CANAL/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	0.400		
7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 310.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING FOR 100 HEAD CATTLE/SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	25	SW	NW		IRR	26.0
			NW	SW		IRR	5.0
					Section Acres		31.0
		26	SE	NE		IRR	6.0
			NE	SE		IRR	27.0
			SW	SE		IRR	10.0
			SE	SE		IRR	19.0
					Section Acres		62.0
		35	NW	NE		IRR	15.0
			SW	NE		IRR	10.0
			NW	SE		IRR	6.0
					Section Acres		31.0
					Total Acres		124.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

72-00193, 00194, 02142

14. 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.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GOSSI, ET. AL.

Decree Plaintiff

vs

GIAMPEDRAGLIA, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



te 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'.

Judy Givens
Secretary

/jg

Enclosures

*this round of
changes:*

MICROFILMED

MAR 18 1993

RECEIVED

NOV 21 1990

Department of Water Resources
Southern Region Office

Nov. 19, 1990

H.C. 68 Box 350

Clayton Oda 83301

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

Re: Adjudication Claims # A72-00193, 00191, 00190, 10084
A72-00194, 10085, 00192, 02142

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 2 - #14. Remarks: Mr. Jappen 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 Baker

MICROFILMED

MAR 18 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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AND/OR
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CLAYTON, ID 83227
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			SW	SE		IRR	10.0
			SE	SE		IRR	19.0
					Section Acres		62.0
		35	NW	NE		IRR	15.0
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			NW	SE		IRR	6.0
					Section Acres		31.0
					Total Acres		124.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
72-00193, 00194, 02142

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

OWNERSHIP CHANGED 10/16/90 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GOSSI, ET. AL.

Decree Plaintiff

vs

GIAMPEDRAGLIA, ET. AL.

Decree Defendant

16. Signature(s)

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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)
County of _____) SS.

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

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

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: _____

*Review WP Pool
based on SAGAN
Folk SUBD land.
compare to claim #3*

MICROFILMED

MAR 18 1993

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/29/90 By: JC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10/29/90 By: JC

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY

BOISE, IDAHO 83705

(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOUP SUITE #15

IDAHO FALLS, IDAHO 83402

(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.

STATEHOUSE MAIL

BOISE, IDAHO 83720

(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST

TWIN FALLS, ID 83301

(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210

COEUR D'ALENE, IDAHO 83814

(208) 765-4639

WARRANTY DEED

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

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

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

Dated: This 19 day of July, 1990.

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

William G. Lassiter
WILLIAM G. LASSITER

Richard H. Johnson
RICHARD H. JOHNSON

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

William G. Lassiter
WILLIAM G. LASSITER, individually

Richard H. Johnson
RICHARD H. JOHNSON, individually

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

William G. Lassiter
WILLIAM G. LASSITER

Aniece R. Lassiter
ANIECE R. LASSITER

Richard H. Johnson
RICHARD H. JOHNSON

Patsy S. Johnson
PATSY S. JOHNSON

196616

CUSTER COUNTY

REQUEST OF

Custer County Title

*90 JUL 24 PM 4 15

LTHS H. DECK, CLERK

Barbara D. Dandrea CLERK

FEES \$ 15.00

NOV 18 1993

RECORDED

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

Sara A. Kintz
SARA A. KINTZ

STATE OF Fla.)
County of Polk) SS

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

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



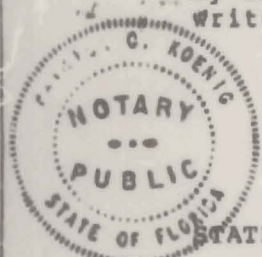
Patricia C. Kintz
Notary Public for:
Residing at:
Commission Expires:

STATE OF Fla.)
County of Polk) SS

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

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

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



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

STATE OF Fla.)
County of Polk) SS

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

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

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



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

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

1990 JUL 18 1993
MICROFILMED

On this 10th day of July, 1990, before me, Patrick C. Keane, a notary public in and for said State, personally appeared William G. Lassiter, individually, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



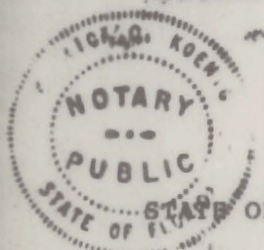
Patrick C. Keane
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded Three Day Term Insurance Inc.

STATE OF Fla)
County of Palm Beach) SS

On this 10th day of July, 1990, before me, Patrick C. Keane, a notary public in and for said State, personally appeared Richard M. Johnson, individually, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



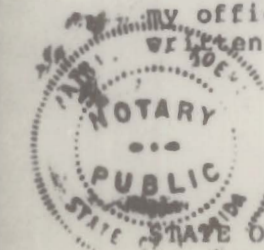
Patrick C. Keane
Notary Public for:
Residing at:
Commission Expires:

Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded Three Day Term Insurance Inc.

STATE OF Fla)
County of Palm Beach) SS

On this 10th day of July, 1990, before me, Patrick C. Keane, a notary public in and for said State, personally appeared James P. Kitz, aka James P. Kintz, individually, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



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

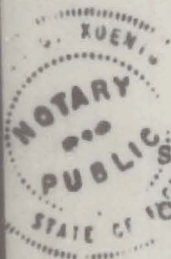
Notary Public, State of Florida
My Commission Expires Jan. 8, 1994
Bonded Three Day Term Insurance Inc.

STATE OF Fla)
County of Palm Beach) SS

On this 10th day of July, 1990, before me, Patrick C. Keane, a notary public in and for said State, personally appeared William G. Lassiter and Aniece R. Lassiter, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

REV 8 1 8 1993
MICROFILMED

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



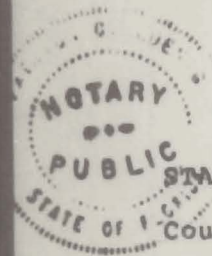
STATE OF Fla)
County of Palm Beach) SS

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

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

On this 18th day of July, 1990, before me, Patricia C. Koenig, a notary public in and for said State, personally appeared Richard W. Johnson and Patsy S. Johnson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



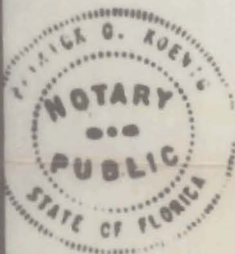
STATE OF Fla)
County of Palm Beach) SS

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

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

On this 18th day of July, 1990, before me, Patricia C. Koenig, a notary public in and for said State, personally appeared James P. Kitz, aka James P. Kintz and Sarah J. Kintz, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



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

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

MAK 18 1990

TRACT 1:

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

Section 3: Lots 1 and 2.

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

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

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

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

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

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

The above described land is also known as:

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

EXHIBIT "A"

WVJ 18 1993

UNRECORDED

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

RECEIVED

DEC 20 1989

Ident. Number: A72-00190
Date Received: 11/15/1989
Receipt No: 2011349
Received By: SSA

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: MAY 01, 1885

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

4. Point of Diversion:

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

5. Description of diverting works:
DITCH HEADING IN STREAM TO CANAL/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	0.400		

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

8. Total consumptive use is 310.0 Acre Feet Per Annum.

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

A72-00190

Page

11/16/89

DEPT. OF WATER RESOURCES
EASTERN DISTRICT
MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	25	SW	NW		IRR	26.0
			NW	SW		IRR	5.0
			Section Acres				31.0
		26	SE	NE		IRR	6.0
			NE	SE		IRR	27.0
			SW	SE		IRR	10.0
			SE	SE		IRR	19.0
			Section Acres				62.0
		35	NW	NE		IRR	15.0
			SW	NE		IRR	10.0
			NW	SE		IRR	6.0
			Section Acres				31.0
			Total Acres				124.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
72-00193, 00194, 02142

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

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

GOSSI, ET. AL.

Decree Plaintiff

vs

GIAMPEDRAGLIA, ET. AL.

Decree Defendant

(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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Individuals:

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

me this 15th day
[Signature]
Notary Public

Residing at Challis, ID.
My Commission Expires June 1992

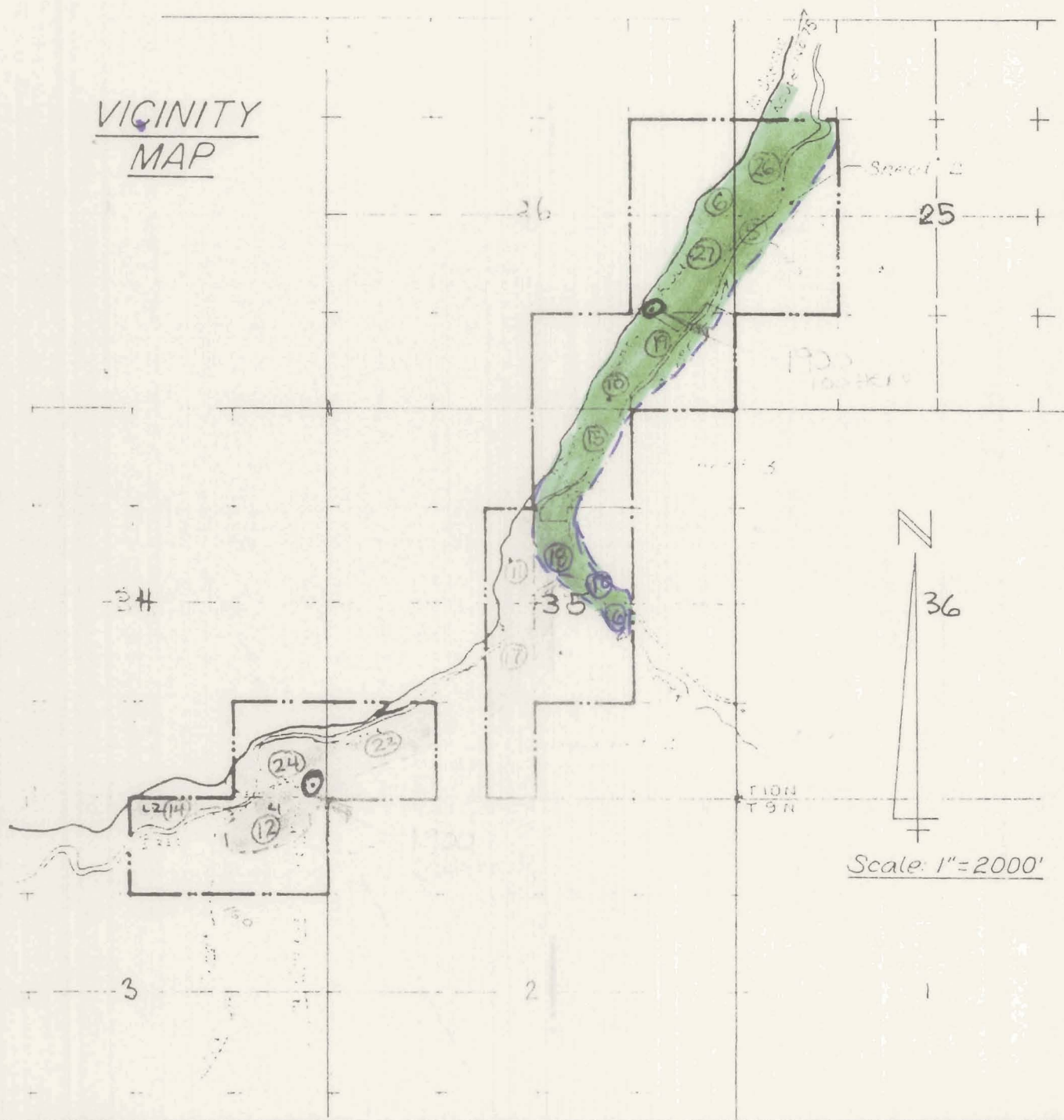
to the possession of the purchaser a copy of the SANITARY
REGULATIONS AND RECOMMENDATIONS as attached hereto and
hereby made a legal and binding instrument upon all
portions of this subdivision.

By: _____

Title: **A72-00190**

Date: _____

VICINITY
MAP



Salmon Fork Sheet 1 of 5

R18E

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).

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. BAKER, BASIN 72

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

IDWR Employee/Agent Frank Hitchcock

February 9, 1996 4:15pm

NAME:
BAKER CLAIMS-BASIN 72-AMENDED

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

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

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

SIGNED:

FRANK HITCHCOCK
WATER RESOURCES AGENT SR.

MEMORANDUM

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

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

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

As per Brent King, October 24, 1995.

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 13, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MR AND MRS DOUG BAKER
HC 68 BOX 350
CLAYTON, ID 83227

RE: MAKING YOUR NAME THE SAME ON ALL YOUR CLAIMS

Dear Doug and Cheryl:

Just as it says I'm writing to get your signatures on the enclosed claims just as your names are shown as the owners.

This will make all your claims read the same in the computer database when we put in your name. This way all the claims that you amended this summer now match these two.

If you will sign the claim forms just as your names are shown as the owners please. We have to do it this way as any amendment to a claim in the adjudication must be amended.

I'll notarize the signatures when I receive the copies from you and send you back copies as we usually do.

Please call with any questions about this or anything else related to your claims. Best wishes for the holidays and good luck in 1996.

Sincerely,

Francis G. Hitchcock
Water Resources Agent Sr.

enclosures

A72-07095
A72-10382

COPY

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET AL

BAKER CLAIMS

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

IDWR Employee/Agent Frank Hitchcock

August 7, 1995 4:10pm

NAME:
TOM COATES, BENNETTS OFFICE

RE:
A72-00190 ET AL-BAKER(S)

TF-RETURNED MY MSG-TCW-RECIEVED D&C BAKER'S SIGNED AMENDED CLAIMS BACK. REVIEWED MAILING BACK TO THEM OF CCS: 1) NOTARIZED SIGNATURES ON THE CLAIMS; 2) CORRECTED (NOT AMENDED) CLAIMS THAT HAD THE WRONG PHONE NUMBER FOR D&C.

DISCUSSED NO WORD BACK FROM MELODIE AND WAYNE...SAID I WOULD SEND THEM A REMINDER TO RETURN SO WE DON'T ALL FORGET. TOM WILL BE AROUND FOR TWO MORE WEEKS BEFORE RETURNING TO LAW SCHOOL.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 1, 1995

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

RE: YOUR LETTER OF 07-28-1995-CORRECT PHONE NUMBER & QUESTIONS

DEAR CHERYL:

Thank you for the return of the amended claim forms with your signatures.

I have corrected the phone number as you requested to your number of 208-838-2269 for yourself and Doug in the ownership part of each claim. The enclosed copies show the correction as described and you don't have to sign again because the change doesn't change any part of the water usage or amend it.

Note that I have put the Amended claim copies with your signature into the claim files here after notarizing them as I promised.

In your letter you added that you had no copy of A72-00193B to sign and there is a simple reason. When the claim was split with Wayne and Melodie there was no change to any part of the usage or its description so no amendment was made...therefore, no signature is required.

I made only the changes requested by Tom Coates in his papers sent to me. I mention this because that is how the phone number didn't get changed and why you see water right numbers listed in Other rights just as they were claimed originally. I can't change any part of the claim because it isn't mine to alter since I don't sign off on it as my affidavit.

I think that identifying the split portion that you now have in Other rights would be more accurate but it isn't really needed as I will be reviewing the claims in view of all the water rights used on the acres claimed. As always, you can change any part of your claim to make it reflect how the water is used that you feel comfortable with. Let me know.

On the last part of the forms you checked "yes" to the question about receiving the monthly docket sheet. I'm enclosing an order form that also tells about the information you would get. If you



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

want to know more about the contents you can call the court and ask for Diana Delaney. I used to work with her there and she will be glad to answer any questions about how the subscription works and when it needs to be renewed, etc.

Since you get into town due to school, etc, you can always look at the file of the docket reports and something called the status report which might be more helpful but its kept at the Custer County Clerk's office. You can check with Ethel Peck or her staff...be sure to call it the "SRBA Depository". They get copies of everything each month. There is not cost to you as it is a public document. They will charge for copies as usual.

Thats about it. I think you've done a good job despite your feeling that this is all Greek. It is pretty different but I think we've got the papers where they/you need to be. Again, let me hear from you with any questions. If I'm out I'll call you back. Tell Doug hello. Thank you again for your help with all of this.

Sincerely,

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

Francis G. Hitchcock
Water Resources Agent, Sr.

enclosures

Date: 06/09/95

Cheryl Baker



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

July 28, 1995

Frank Hitchcock
State of Idaho Dept of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301-6105

RECEIVED

JUL 31 1995

Department of Water Resources
Southern Region

Dear Frank,

Sorry that I am so slow in responding to your letter of July 14 and getting the completed changeovers for the water rights.

After going through them- this is what I found.

1. The telephone number is wrong on all of them. Our telephone number is 208-838-2269. The one listed is Dick and Betty's.
2. On A72-00194 under # 13 you state that water right # 02142 as one of the other rights used. 02142 belongs to Wayne- so is this correct.
3. Also on all of them under # 13 where you list other rights used you name 72-00193. This is the one that was split and ours is B. I don't know whether that makes a difference or not.

My last question is how is it determined what other water rights listed as used? Is it that they are also used on that piece of land or what? Like on the one for Fox Creek you list the domestic use for the house and McDonald Creek and vice versa on McDonald. So just wondered whether this is right or not as most of this water stuff still remains Greek to me.

I went ahead and signed these. Let me know if I can do anything else. And thanks a bunch for all your assistance and working with us so closely.

Sincerely,

Cheryl Baker

*I cannot find a copy to sign for A72-00193-
only one marked copy.*

Cheryl Baker

▲▼▲▼▲▼▲▼▲▼
H-C 68 Box 350 • Clayton, Idaho 83227 • Telephone 208-838-2269

July 28, 1995

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I went ahead and signed these. Let me know if I can do anything else. And thanks a bunch for all your assistance and working with us so closely.

Sincerely,


Cheryl Baker

*I cannot find a copy to sign for A72-00193-
only one marked as copy!*

COPY

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-10084_____

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 9, 1995 4:06pm

NAME:
BAKER DOMESTIC CLAIM

RE:
A72-10084

WHILE DOING A CHANGE OF OWNERSHIP FOR THE BAKER FAMILY BETWEEN FAMILY MEMBERS I FOUND ORIGINAL MAP COPIES USED DURING CLAIMING THAT WOULD BE BE MORE VALUABLE DURING RECCOMENDATION STAGE IF THEY WERE LOCATED IN THE LOWEST NUMBER IRRIGATION CLAIM FILE A72-00190. I HAVE MOVED THE TWO ORIGINALS TO THAT FILE AND PLACED COPIES AND MARKED THEM AS COPIES IN THE DOMESTIC CLAIM FILE TO SHOW THE TRAIL OF THE ORIGINALS. THIS MEMO WILL BE PLACED IN BOTH FILES FOR AUDIT TRAIL.

COPY

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

July 19, 1995 11:41am

NAME:
BAKER CLAIMS-TT/TCW TOM COATES

RE:
A72-00190 ET AL

I HAD LEFT A MESSAGE FOR TOM 07-12 RE: CONTACT ME ON STATUS OF THE CHANGES TO THE CLAIMS. TOLD HIM THAT I HAD JUST FINISHED THE R RECS AND THAT I WAS LOOKING FORWARD TO THE RETURN OF THE SIGNATURE PAGES FROM THE BAKER "KIDS". WE HAD AGREED WHEN WERE AT THE BAKER HOME THAT MY DEALING WITH THE YOUNGER BAKERS WAS OKAY.

WE ALSO AGREED THAT WE WOULD CONTACT EACH OTHER IF THERE WAS ANY NEED TO CORRECT ERRORS AFTER THE FACT OR THOSE THAT CAME UP DURING THE REVIEW OF THE CLAIMS PRIOR TO SIGNATURE. TOM WILL BE LEAVING FOR OREGON TO CONTINUE SCHOOL ABOUT MID-AUGUST.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 14, 1995

MR. AND MRS. D. WAYNE BAKER
HC 68 BOX 304
CLAYTON, ID 83227

RE: OWNERSHIP CHANGES/WATER RIGHT SPLIT OF SRBA CLAIMS

DEAR WAYNE AND MELODIE:

Here, at last, are the completed changeovers in their new form with you two as the owners. You will need to sign on the signature page for those claims that were amended. I have marked those claims with a yellow Post-It for your convenience. May I suggest that you have Melodie sign and that way you won't have to get her signature notarized up there. Since I have her signature on file I will use that example to notarize from.

The claims that were not amended don't require anything else to be done by you. The copy that is enclosed is for your records.

Please!...Review each claim to be sure that the changes requested by Tom Coates have been made and that the claims represent the usage the way you want it on file. This was a lot of detail work and even though I did it all myself and checked over and over is no guarantee that I didn't miss something. We can make changes easily at this point but if you discover a mistake in the usage after we turn in our report to the court you have to go to the court to try to make the change.

Return the signed copies to me in the enclosed mailers. As always, do call me if you have any question at all about these changes or the process. If I'm not here I will call you back as soon as I am in the office. **Please!**...Don't deal with anyone else in the office as they won't have any idea about your claims. Let me call you back at a time thats convenient for you even if it is after hours.

I'll be looking for your return of the signed claims for your files here in the office. Best wishes.

Sincerely,

cc: enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 14, 1995

MR. AND MRS. RICHARD DOUGLAS BAKER
HC 68 BOX 350
CLAYTON, ID 83227

RE: OWNERSHIP CHANGES/WATER RIGHT SPLIT OF SRBA CLAIMS

DEAR DOUG AND CHERYL:

Here, at last, are the completed changeovers in their new form with you two as the owners. You will need to sign on the signature page for those claims that were amended. I have marked those claims with a yellow Post-It for your convenience. May I suggest that you have Cheryl sign and that way you won't have to get her signature notarized up there. Since I have her signature on file I will use that example to notarize from.

The claims that were not amended don't require anything else to be done by you. The copy that is enclosed is for your records.

Please!...Review each claim to be sure that the changes requested by Tom Coates have been made and that the claims represent the usage the way you want it on file. This was a lot of detail work and even though I did it all myself and checked over and over is no guarantee that I didn't miss something. We can make changes easily at this point but if you discover a mistake in the usage after we turn in our report to the court you have to go to the court to try to make the change.

Return the signed copies to me in the enclosed mailers. As always, do call me if you have any question at all about these changes or the process. If I'm not here I will call you back as soon as I am in the office. **Please!**...Don't deal with anyone else in the office as they won't have any idea about your claims. Let me call you back at a time thats convenient for you even if it is after hours.

I'll be looking for your return of the signed claims for your files here in the office. Best wishes.

Sincerely,

cc: enclosures

COMMUNICATION DOCUMENTATION

Claim No. A7Z-00190 et al

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IDWR Employee/Agent H Date 07-12-95Contact Person(s) TOM COATESNature of Contact follow-up on letter re: changes to claimsSubstance of Communication Call me

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET AL

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IDWR Employee/Agent Frank Hitchcock

July 12, 1995 11:52am

NAME:

TOM COATES, LA, BENNETTS OFFICE

RE:

BAKER CLAIM AMENDMENTS

I'VE TRIED TO REACH TOM APPROX. FIVE OR SIX TIMES THIS WEEK W/O ANY LUCK DUE TO SOME SORT OF PHONE GLITCH. THERE IS NO URGENCY BUT I WANTED TO CONFIRM THE LETTER(S) I SENT TO THE FAMILY RE: THE CHANGES IN OWNERSHIP AND THE AMENDMENTS THAT NEED TO BE SIGNED.

IF I STILL CAN'T GET THROUGH AGAIN TODAY I'LL SEND HIM A NOTE.

TO: DOUG AND JHERYL BAKER
WAYNE AND MELODIE BAKER

FROM: FRANK HITCHCOCK

DATE: JULY 5, 1995

RE: LETTER (ATTACHED)

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

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

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

BEST WISHES TO YOU ALL.

DICK & BETTY:

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

*Regards,
Frank*

COMMUNICATION DOCUMENTATION

~~PARKER~~
 Family
 Claim No. 00190 It sy.

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10 11
 0 19
 IDWR Employee/Agent 7H

Date 06-26-95

Contact Person(s) TOM COATES, L.A., JIM BRENNERTS
879-4488

Nature of Contact

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

Substance of Communication

cover letter -

make a cc to TOM
S. H. Ordan - &

OK - send forms to PARKER directly for
signature on amendments

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 et seq

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 7H Date 06-16-95Contact Person(s) DICK + BETTY BAKERNature of Contact met to change ownership of
claims appurtenant to their ranch -
Marine Park CR subd. lot - late claim.

Substance of Communication

W/ BENTON'S legal asset and Dick/Betty,
Cheryl to review & TOM COATES amendments
to claims originally filed by Tappan who
leased much of the ground.
We reviewed all the changes and the
split of -00193 into two parts.

I will: ① send Cheryl all of my cas. for
her records.
② review all own. cases made @
the office and call TOM to confirm.

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

TELEPHONE
(208) 879-4488

FAX
(208) 879-4248

June 16, 1995

RECEIVED

JUN 23 1995

Frank Hitchcock
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region

RE: Baker Water Rights Transfer

Dear Frank:

As per our conversation at the Baker ranch today, I am enclosing the signed change of ownership documents.

I sincerely hope these are correct. Thank you very much for your needed assistance. Please notify Jim or me if there are any further problems concerning these claims that we may not have addressed.

Very truly yours,

Tom Coates

Tom Coates, Paralegal

TC/k

Enclosure

ORIGINAL

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 of seq.

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

IDWR Employee/Agent H Date 06-13-95Contact Person(s) DICK + BETTY BAKERNature of Contact mt on county roadSubstance of Communication confirm FRI AM - then
go to PINE CR Rural lot (late claim)

COMMUNICATION DOCUMENTATION

Claim No A72-10085

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 7H Date 06-12-95Contact Person(s) TOM COATES - legal asst. for the BRANNETTS firm in Chatter.Nature of Contact msg. left re: omitted this claim from list of amendments as recd in office 05-30-95; on 06-09-95 (all COMM DOC)

Substance of Communication

@ office - turned over copy of his changes as recd w/ my notations as found and any difference as found on-line.

included CC of -10085; printed out that PD review indicated that PD sign should be SE SE SE - TOM reviewed and 06-16-95 agreed on the change. He then went over the change/judge w/ Betty and Cheryl during our mtg this date @ BAKER'S (D+B) home. I warned the claimed PD and send the claim along to BAKER'S, R.D. + C.K.

COMMUNICATION DOCUMENTATION

Claim No. 177-00190

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 77 Date 06-12-95Contact Person(s) BRANNERTS LAW OFFICENature of Contact confirm re: in Challis - as
promised - re: BAKER property ownership
changeSubstance of Communication have TOM COATES contact
me re: mtg w/ BAKERS re discussed.

9³⁵ TF COATES - TCM - set FRI AM
on the river - re w/ call if needed
to change.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190

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 9, 1995 3:56pm

NAME:

JIM BENNETS OFFICE

RE:

BAKER CLAIMS

CALLER FOR TOM COATES-HE HADN'T RETURNED FROM OREGON SO I LEFT WORD FOR HIM TO CALL ME IF HE GOT IN RE: -10085 THE DOM. CLAIM THAT I FOUND WHEN I DID AN AJQ1 REVIEW-HOW TO TREAT SINCE HE DIDN'T SEND ME A CHANGE SHEET FOR THAT USAGE AT THE DUPONT PLACE. TOLD HER I WOULD CHECK IN MONDAY WHEN WE GOT THERE.

CALLLED AGAIN ABOUT 3 PM AND GOT THE MACHINE; LEFT A MESSAGE THAT I HAD SOME QUESTIONS ON CHANGES THAT I WOULD TAKE UP WITH HIM WHEN I CAME UP ON MONDAY AND THAT THEY WERE NOT CRUCIAL.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190

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IDWR Employee/Agent Frank Hitchcock

June 6, 1995 11:49am

NAME:

JIM BENNETTS OFFICE

RE:

A72-00202E
cc to: PINE CREEK LATE CLAIM

I CALLED HIS OFFICE TO LEAVE WORD FOR TOM COATES THAT I HAD WRITTEN TO THE BAKERS ON ANOTHER MATTER NOT THE OWNERSHIP CHANGE. I ALSO TOLD KATHY THAT EARLIER IN NEXT WEEK WAS WHAT I MENTIONED TO THE BAKERS IN MY LETTER FOR THE WHOLE FAMILY MEETING. TOM IS DUE IN AT THE END OF THE WEEK FROM ORE. AND WILL CALL ME IF HE NEEDS TO ABOUT THE MEETING W/BAKERS.

ORIGINAL

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET AL

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IDWR Employee/Agent Frank Hitchcock

June 1, 1995 1:37pm

NAME:

JIM BENNETTS OFFICE

RE:

FIELD TIME COMING UP

I CALLED HIS OFFICE TO LET THEM KNOW THAT I PLAN/HOPE TO BE IN THE CHALLIS AREA THE WEEK OF JUNE 12TH TO THE 16TH. WE HAD TALKED OF GETTING TOGETHER WITH THE BAKERS DURING THAT WEEK WHEN WE LAST WERE ON THE PHONE TOGETHER. MESSAGE LEFT WITH KATHY AT THE OFFICE.

TO: MR. TOM COATES, LEGAL ASSISTANT
FROM: FRANK HITCHCOCK
DATE: 05-30-1995
RE: BAKERS-OWNERSHIP CHANGES PER YOUR 05-25-1995 LETTER

THANKS FOR YOUR LETTER AND THE AMENDMENTS FOR THE BAKER'S CLAIMS AS WELL AS THE NOTED OWNERSHIP CHANGES INDICATED ON EACH LISTING PER WATER RIGHT CLAIM.

AS WE DISCUSSED DURING OUR LAST PHONE CONVERSATION THE DEPARTMENT HAS A FORM AS YOU MIGHT EXPECT AND I ENCLOSE A BUNCH FOR YOUR USE IN THIS PRESENT MATTER AND IN THE FUTURE.

THERE IS ALSO A BROCHURE FOR DISTRIBUTION TO THE PUBLIC THAT I HAVE COPIED AND ENCLOSE FOR YOUR REVIEW AND USE ALSO. NOTE THE HIGHLIGHTED PARAGRAPH REGARDING PROOF OF OWNERSHIP TO INCLUDE IN THE MAILING BACK TO THE DEPARTMENT. ANY OF THE BAKER FAMILY LISTED ON THE CLAIMS MAY SIGN OVER TO THE CHILDREN BUT IT MAY LOOK CLEARER FOR AUDITING BY A THIRD PARTY TO SHOW DICK AND BETTY AND HAVE THEM SIGN AS THE PREVIOUS OWNERS ON THE FORM. ANY OR ALL OF THE FOUR PARTIES IN THE OWNERSHIP AS SHOWN AT TIME OF CLAIMING MAY SIGN AS THE PREVIOUS OWNERS IT SEEMS TO ME.

IF YOU'LL LIST THE WATER RIGHTS ON A SEPERATE SHEET AND ID IT AS EX. A BOTH ON THE SHEET AND ON THE FORM THAT WILL MAKE IT CLEANER ON THE FORM. WE WILL MAKE THE OWNERSHIP CHANGE(S) ELECTRONICALLY AND RETURN THE UPDATED CLAIMS TO YOU ONCE THE AMENDMENTS HAVE BEEN MADE AND THE SPLIT DONE...IT MAY TAKE AWHILE DUE TO LACK OF STAFF HERE AND OUR BEING IN THE FIELD FOR THE SEASON UNTIL LATE FALL.

AS SUGGESTED, WE CAN DO THIS WHEN WE MEET WITH THE FAMILY AND ALL THE CHANGES CAN GO/COME INTO THE DEPARTMENT AT THE SAME TIME KEEPING IN MIND MY CAUTION REGARDING TIME TO RETURN THE COMPLETED CHANGES TO YOU.

I'M STILL SHOOTING (POOR WORD CHOICE) ANTICIPATING BEING UP THERE IN THAT WEEK JUNE 12TH THROUGH THE 16TH BASED ON WHAT I KNOW I HAVE TO GET DONE BY WAY OF FIELD EXAMS FOR LATE CLAIMS LIKE THE PINE CR. CLAIM WE GOT FROM DICK AND BETTY AND REMEASUREMENT OF STREAMS THAT I COULDN'T GET IN 1993.

I'LL BE IN THE RAFT RIVER VALLEY DOING FIELD WORK BUT YOU CAN ALWAYS LEAVE ME A MESSAGE HERE BY PHONE OR FAX. AS A SMALL CONVENIENCE TO YOU YOU CAN ALWAYS LEAVE WORD ON OUR HOME PHONE RECORDER AT 733-4870.

BEST WISHES.



COPY

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. BOX 36

CHALLIS, IDAHO 83226-0036

TELEPHONE

(208) 879-4488

FAX

(208) 879-4248

May 25, 1995

RECEIVED

MAY 30 1995

Department of Water Resources
Southern Region

Mr. Frank Hitchcock
Idaho Department of Water Resources
222 Shoshone Avenue East
Twin Falls, Idaho 83301

Dear Frank:

Here are the "possible" corrections to water rights claims for the Bakers. I have made some changes, mostly concerning ownership; however, if I came across discrepancies in descriptions, I attempted to correct them also.

As I understand, you will be coming to this area mid-June. If you look these over now and note any errors or possible conflicts with IDWR, please let me know and we can correct again before you come up.

If these are adequate, then we can fill out the proper transfer papers and have Bakers sign them when you are here.

Thanks again for all the information, and I look forward to seeing you in June.

Very truly yours,

Tom Coates, Paralegal

Tom Coates

TC:k

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET SEQ

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IDWR Employee/Agent Frank Hitchcock

May 18, 1995 4:22pm

NAME:
TOM COATS

RE:
A72-00190 ET SEQ, BAKER

MR.COATS CALLED TO DISCUSS CHANGE OF OWNERSHIP AND AMENDING THE CLAIMS OF THE BAKERS, DICK AND BETTY WHO ARE SELLING THE RANCH TO THEIR CHILDREN. WE DISCUSSED MEETING IN JUNE, IN CHALLIS, TO GO OVER THE AMENDMENTS WHEN I AM UP THERE MEASURING. HE WILL CLERK THE CLAIM COOPIES I SENT TO JIM BENNETTS EARLIER AND HAVE EACH POU THE FAMILY WANTS TO AMEND NOTED WITH THE CHANGE. TOLD HIM TO BE SURE AND CALL WITH ANY QUESTIONS AND OFFERED MAPS FROM CLAIMS IF NEEDED.

HELLO JIM:

05-15-1995

I TAKE THE LIBERTY OF SENDING YOU "OUR" PROOF SHEET FORMAT FOR EACH ADJUDICATION CLAIM TO HELP OUT THE PERSON REVIEWING WHAT WAS CLAIMED.

I NOTE THAT THE CLAIMS STILL AREN'T CORRECT IN TERMS OF OWNERSHIP IN THAT OUR CLERK DIDN'T UPDATE THE QUESTION REGARDING OWNERSHIP OF THE PROPERTY. I WILL BE MAKING A REVIEW OF EACH CLAIM PRIOR TO OUR MEETING IN JUNE SHORT OF A RECCOMENDATION OF THE CLAIM SO THAT I CAN TEASE OUT ANY MORE ERRORS AND/OR SHOW GRAPHICALLY ON A MAP HOW THE CLAIM RELATES TO THE GROUND.

THE LICENSE A72-02095 WAS LEFT OFF THE ORIGINAL OWNERSHIP CHANGE AND GOT FOLLOWED UP ON BE ME SEPARATELY WHICH AT LEAST DOCUMENTS THAT TAPAN NO LONGER HAS AN INTEREST IN THE PROPERTY.

I AM SCHEDULED TO COME UP IN JUNE AS WE DISCUSSED. I WILL MEET WITH THE FAMILY AT THEIR CONVENIENCE AS ALWAYS. MY TIME IS THEIRS UNTIL THEY'RE SATISFIED WITH THE FORM OF THE CLAIMS AND I CAN BE SATISFIED THAT I CAN SEE THE USAGE ON THE GROUND ENOUGH TO MAKE MY RECCOMENDATION FOR THE COURT'S DECREE OF SAME SUBJECT TO ANY OBJECTIONS BY ANOTHER PARTY.

PLEASE LET ME KNOW IF YOU OR THEY NEED ANY OTHER MATERIALS FROM THIS END. I DON'T FEEL SHY ABOUT CONTACTING THEM DIRECTLY BUT WOULD RATHER KEEP THIS MOST RECENT BUSINESS SIMPLE SO NOBODY FEELS THAT THEY ARE NOT GETTING THE WHOLE PICTURE.

AS MENTIONED, MY THOUGHTS HAVE BEEN WITH YOU. I NEVER FORGET A KINDNESS NOR THE OPPOSITE. YOU AND THE BAKERS HAVE BEEN A VERY GOOD EXPERIENCE AND I'M NEVER FAR FROM THE EAST FORK IN MY MIND. SHOULD I WEAR MY CUSTER COUNTY FUND-RAISING T-SHIRT WHEN I COME UP?

BEST WISHES TO YOU AND JOANN.

SINCERELY,

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00190 ET AL

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IDWR Employee/Agent Frank Hitchcock

May 15, 1995 11:39am

NAME:

RE:

JIM BENNETS, ESQ, CHALLIS

BAKER CLAIMS

TF AT 2:10 PM ON 05-10-1995 WHILE IN FIELD. RETURNED CALL AT 8:30 ON 05-11-1995, LEFT MESSAGE, RECIEVED CALL BACK AT 9:10-TCW. JIM FEELS THAT THERE ARE CORRECTIONS NEEDED IN THE CLAIMS FILED BY THE BAKER TENANT, TAPPAN, THAT WERE LATER CHANGED INTO THE NAME OF BAKER BY OWNERSHIP CHANGE REQUEST. HE WANTS A PRINTOUT OF ALL THE RIGHTS THAT WERE CLAIMED. HE REQUESTED MEETING WITH ME AND THE BAKERS TO REVIEW ALL THE CLAIMS TOGETHER IN THE NEAR FUTURE. I SAID THAT I WOULD BE UP FOR MEASUREMENT REVIEWS SOMETIME IN JUNE WHEN THE TURNOUT BEGAN ON THE EAST FORK. HE SAID THAT WOULD DO AND I HAVE TICKLED MY SCHEDULE FOR 06-01-1995 TO CALL JIM AND CONFIRM. HE ADDED THAT TAPPAN DIDN'T CLAIM THE USAGE(S) CORRECTLY. THERE IS SOME CONCERN ABOUT THE USAGES IN VIEW OF SOME PROPOSAL BY IF&G TO DO SOMETHING WITH HERD CREEK WATERS VERSUS THE CLAIMED USAGE OUT OF HERD CREEK.

05-11-1995

9¹⁰

TCN: JIM BENNETTS - Return call
TT: Return @ 8:30.

BAKER

mud conversions

send print out - of all sts

TAPPAN drain A72-00190 - He

be up in JUNE -

get resolved w/ BAKERS - ALL -
short of E.F. water

TAPPAN drifted out - LA LA land
F&G, soil conservation, mitigate He
Pipeline?

CFS - total diversion -

June 1 - call Jim

9¹⁷

INTER-DEPARTMENT MEMO

TO: JIM BENNETTS
FROM: FRANK

SUBJECT: BAKER Claims
DATE: 05-04-94

Since there has been some confusion re: Claims especially the A72-02095 License I'm enclosing all the IRIG claims and the domestic @ the "home" place... w/ maps, as filed.

I enclose the recent correspondence re: the above and hope that it clarifies the usage as claimed - as reviewed.

Let me know if I can be of help...

() For your information

() Response required

subject to the
yet-to be issued
gag order.

signature

Frank

In the case that you may have read about since I last saw you.

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

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

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

Sincerely,

Frank

TELEPHONE MEMORANDUM

Incoming Call

✓
Outgoing Call

Returning Call

11:20

TO:

JIM BENNETTS RM KKC TOW

DATE:

05-02-94

FROM:

H

FILE:

BAKER, D+B, C+D.

FILE NO:

SUBJECT:

DUPONT - ~~property~~

home above - that place
to (Wayne)

claims w/ mps

REMARKS:

3³⁰ Can't get it out today - w/ mail Wed.
IT MRS @ office.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

TR JSMITTAL COVER SHEET

OMNIFAX G66

TO: JIM BRANNFETTS, ESQ.

OTTAU, ID.

1-208-879-4248

04-19-94 (?)

TOTAL PAGES SENT: 9

DOCUMENT DESCRIPTION: BAKERS - SRBA CLAIMS - UPPER
RANCH - PINE CR. SUBD. - 2 CLAIMS.

A72-00201E

" -00202D

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

PHONE: 736-3033

FAX: 736-3037

SENDER: 7H-SRBA

CHARGES:

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

Please consider this document as a billing statement.

The charge for your fax copies is: 0
Please remit to the above address.

COMMENTS: As stated: simply an error in collecting
and copying - sorry to bother... best
wishes.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dear Dick and Betty:

Feb 23, 1994

Thank you for the update (as usual) re:
Rine Creek usage.

I have to come up in the next couple of
weeks to review, again, the Rine Creek
Subdivision & E.F. Subdivision.

Do you have some time you could spend
with me going over both subdivisions and
your claims? I've got some excellent
color aerial photos of the ranch and we
could go over the surrounding claims as
well as the "TAPPAN" Livestock.

Please use the enclosed envelope to let me
know won't you? best, Frank

1991: last
use - nurse
in 1994

2-21-94
I called the water
Pete Cr. in 1991 &
asked
Did you find out
about the water right
on our lower place
Herd Cr.? The
Shindeling Place.
Let us know. Thanks.
Dick & Betty

ORIGINAL
CLAIM A72-00201E INIT 7H
T. R. S. Q/Q
P/D
PHOTO BLM LN79-RN2
DT. & ID. 06-23-81 81164

RECEIVED

FEB 23 1994

Department of Water Resources
Southern Region Office

COPY

ACTION REQUIRED

FROM:

Frank

TO:

Mrs. Betty Baker

10-12-93

As promised, the measurement figure for
BIG LAKE CR on Wed 09-08-93, was approx.
4 cts. This hasn't been through the computer
yet so is only approx. Just back from a cruise
in S.F. bay area - good to be back. Still not
used to being any where but on the E. Frk.

Best to all, Frank

TELEPHONE MEMORANDUM

Incoming Call

✓
Outgoing Call

Returning Call

TO:

DICK BAKER

838-2271

DATE:

09-29-93

FROM:

7H

FILE:

PINE CR SUBD CLAIMS

FILE NO:

SUBJECT:

Locate POD (S)

7:45 busy

:50 "

:55 get after 9 AM - go to Pine Cr.
and Plomin's

REMARKS:

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

TELEPHONE MEMORANDUM

Incoming Call

✓ Outgoing Call

8:15

Returning Call

TO:

DICK/BETTY BAKER 838-2271

DATE:

09-22-93

FROM:

7H

FILE:

SAME

FILE NO:

SUBJECT:

POU/POD system review
remember to mention having Doug &
Cheryl there also...

REMARKS:

per CW Dick on the road @
3:55 PM - call tonight after he has a
chance to talk w/ wife - N/A.

840

N/A

" 57

N/A

910

N/A

" 30

N/A

09-23-93: met w/: try for MON mtg

ROUTING
INSTRUCTIONS:

09-27-93

CALENDAR
DATES:

09-26-93: 8:50 N/A circuits busy

9:00

N/A answer

09-27-93

7:00

tonight - ask w: PINE
CR.

TELEPHONE MEMORANDUM

Incoming Call

✓
Outgoing Call

Returning Call

*8:30
PM*

TO:

Betty Baker

838-2271

DATE:

09-13-63

FROM:

H

FILE:

FILE NO:

SUBJECT:

*go together to Road Creek and
King Cr. subdivisions for review of lots
she inherits...*

REMARKS:

*stop by the house around 1pm -
leave note if she isn't there and
stop by on the way back -*

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

THE HILLMAN
HILLMAN, ID.

08-21-1993

MRS. BETTY BAKER:

We talked briefly the other day about
the lots in East Fork and Pine Creek
Subdivisions that you irrigate for out
of the area users.

Would you pull up the list you said
you had and have ready for review
sometime this month (actually, SEPT.?)

Thanks.

Frank Hitchcock



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 220 Shoreline St. East, Twin Falls, Idaho 83301 (208) 735-2000

COLE D. ANDRUS

Letter No. 6-9-2231

W. KEITH HIESINGER
Director

08-17-1993

@ RVM in Twin Falls, 735-4870
RECORDER

MR. & MRS. RICHARD L. BAKER
MR. RICHARD DOUGLAS BAKER
MS. CHARVLE KAY BAKER
40 HE 63 BOX 350
CRAWTON, ID. 83227

Re: SRBA CLAIMS
REVIEW

I would like to review your claim on your property next week starting TUESDAY morning, August 17, 1993 as we have discussed previously.

The review, at this time, will include mapping and photographing the system on the acreage. We then need to meet in the near future to review my work and to have you describe your irrigation in terms of time, frequency of sets, etc.

Please call me if this time isn't satisfactory. If you don't contact me I will stop @ the house on the morning of my review to confirm with you. Thank you.

Yours truly,

Frank Hiesinger

F.H.

You don't need to be with me...

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call 517

Returning Call

TO:

Betty Baker

DATE:

07-19-1993

FROM:

H

FILE:

-10493 FEF10

FILE NO:

SUBJECT:

POD Exam

REMARKS:

9ish - go on property to see
POD for FEF10 -
check @ her home first

get to their in my crime rept mo.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

~~Keith Hutchins~~

(Head Clerk)

A72-00190



Five claims

00194

Keith Hutchins

Fisheries Dept.

Shoshone-Bannock Tribes

P.O. Box 306

Fort Hall 83203

copies of these
files sent to:
(and charge 5¢ each) (87)



Department of Water Resources
222 Shoshone Street E.
Twin Falls, ID 83301

Date April 29, 1992

Name Keith Kutchins
Fisheries Dept.
Address Shoshone Bannock Tribes
PO Box 306
No. of Fort Hall ID 83203

Copies	Material	Cost
87	Copies of Claims: A72-00190 through	\$
	A72-00194 @ .05 ea.	4.35
TOTAL		\$ 4.35

Please find enclosed the form(s) and/or information you requested. The charge, if any, is indicated above.

If we may be of further assistance, please contact us.

Sincerely,

RECEIVED

JAN 31 1992

Department of Water Resources
Southern Region Office

1/31/92

Phones & talked to Cheryl.
She will call to make
appointment when ready.

January 29, 1991

Dear Sirs

I have been examining our water
right that belong to the ranch we
purchased a year & 1/2 ago. I wrote once
regarding Mr Tappers name being included
& upon closer examination I think there
are more discrepancies. Another thing
that needs to be changed is the answer
to question #12. We are the owners
of these properties. Also on # A72-00190
& # A72-00191 - I think they are not
correct. Both places have more than one
point of diversion. I also question
as to why there are 2 for the same
diversions # A72-00194 & A72-00193
The C.F.S. is only difference I can find: why?
Says start with converting #12 to Yes
Then I would like to meet with one of
your people at your earliest convenience.

Thank you -

Cheryl Baker

H-Cb 8 Box 350

Clayton Id 83007

838-2269

Re: # A72-00193

A72-00192

A72-00191

A72-10084

A72-00194

A72-00192

A72-10085

A72-00190

MAR 18 1993

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

April 27, 1999

Regarding:

Customer

EAST FORK SALMON RIVER CLAIMS

CHERYL BAKER

[illegible]

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

April 9, 1999

KARL J. DREHER
DIRECTOR

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

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

Dear Cheryl,

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

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

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

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

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

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

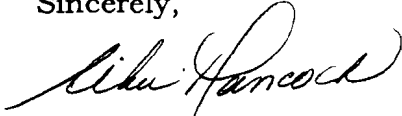
may agree to add those acres to your irrigated place of use. Be aware, however, that the BLM has been objecting to water rights claimed upon their land in the SRBA.

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

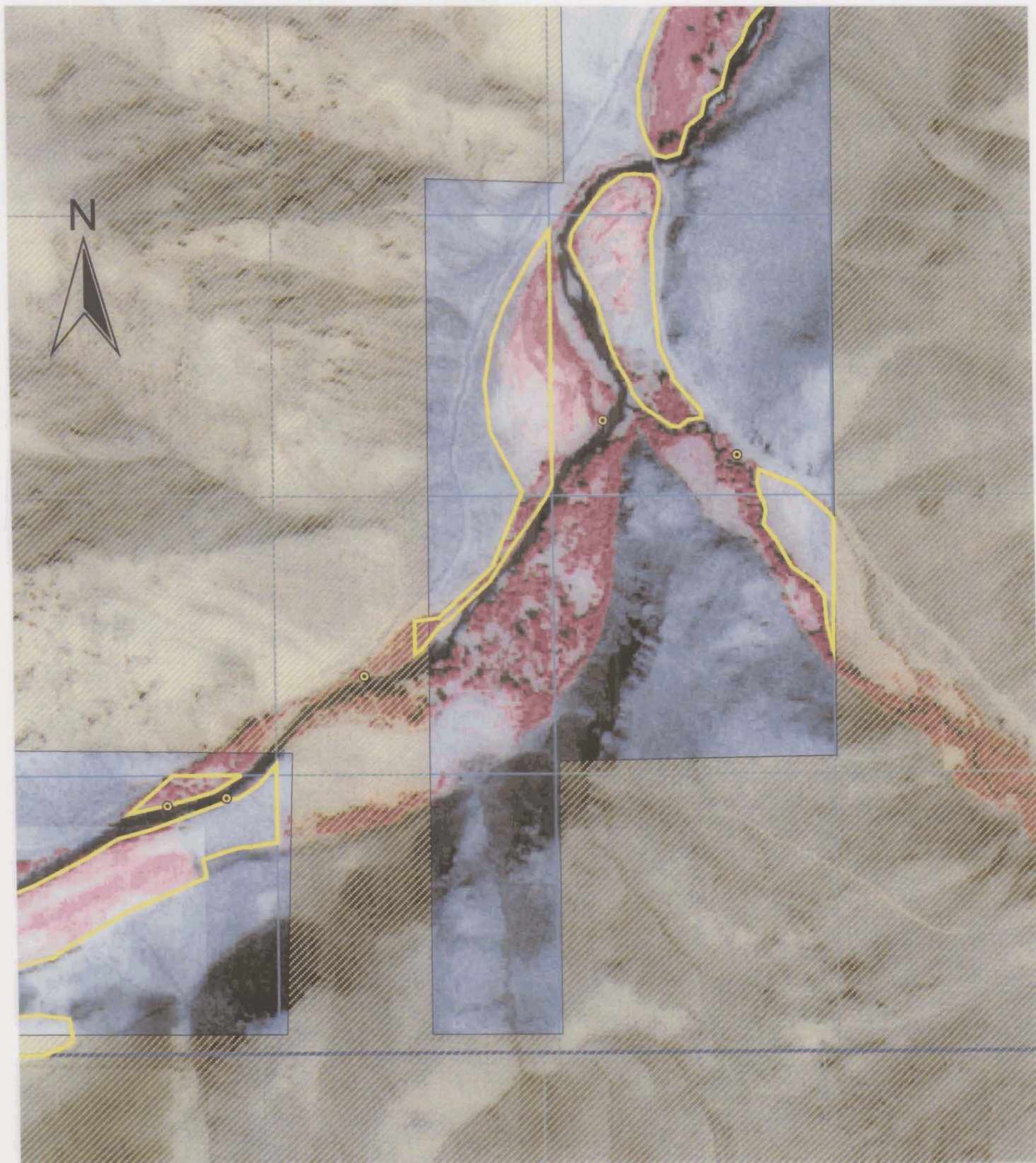
I really enjoyed meeting you yesterday, and wish I could have spent more time up on the East Fork. If I can be of any help, please don't hesitate to call, however since this is now in the hands of the Court, my role is limited. I do have the number of the BLM Attorney in Boise, if you find you need that,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

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

Sincerely,

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

Vikie Hancock
Water Resource Agent



1987/1988 NAPP AERIAL PHOTOGRAPHY

 BLM OWNERSHIP

AJ5809NP
No. 72-00190

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/08/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHERYL KAY BAKER	05/01/1885	IRRIGATION	04-01 10-31	0.40 CFS	
C	RICHARD DOUGLAS BAKER					
	HC 68 BOX 350			TOTAL DIVERSION:	0.40 CFS	
	CLAYTON ID 83227					
	(208) 838-2269					

Water Source: HERD CREEK

Tributary to: SALMON RIVER, EAST FORK

Stage: DECREED

Point(s) of Diversion: T10N R18E S35 SESWNE NESESE CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10N	18E	35	:			01		06	:									02		:	10.4
																			TOTAL ACRES		10.4

POU County: CUSTER

Conditions of Approval:

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

Remarks: EXP INCIDENTAL STOCKWATER FOR 100 CATTLE/SHEEP

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

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

RECEIVED

FEB 16 1999

Department of Water Resources
Southern Region

Richard D. & Cheryl K. Baker

Telephone 208-838-2269

HC 68 Box 350
Clayton, ID 83227

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

February 12, 1999

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

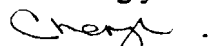
Dear Vickie,

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

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

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

Thanking you in advance,


Cheryl Baker



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Mr. and Mrs. Baker:

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

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

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

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

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

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

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

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

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

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

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

Sincerely,



Vikie Hancock
Water Resource Agent

November 20, 1998

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 72-00190

CHERYL KAY BAKER
RICHARD DOUGLAS BAKER
HC 68 BOX 350
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):

A. Point of diversion
B. Non irrigation uses
C. Place of use

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

A. SW 1/4 SW 1/4 NE
B. Incidental stock watering for 100 head cattle 150 sheep
C. Acreage wrong 20.0

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

not correct
you left off one half of the field

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

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

Water Right Number - R72-00190

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***			
BAKER	CHERYL KAY	1 - HC 68 BOX 350 2 - 3 - City- CLAYTON Phone - 208-838-2269	State- ID Zip- 83227
BAKER	RICHARD DOUGLAS	1 - HC 68 BOX 350 2 - 3 - City- CLAYTON Phone - 208-838-2269	State- ID Zip- 83227
*** O - ORIGINAL OWNER ***			
BAKER	BETTY L	1 - HC 68 BOX 350 2 - 3 - City- CLAYTON Phone - 208-838-2271	State- ID Zip- 83227
GOSSI	FRED	1 - 2 - 3 - City- N/A Phone - 208-000-0000	State- ID Zip- 00000
LASSITER JOHNSON AND KITZ		1 - 505 S FLAGLER DR 2 - SUITE 1300 3 - City- WEST PALM BEACH Phone - 407-659-4422	State- FL Zip- 33401
BAKER	RICHARD L	1 - HC 68 BOX 350 2 - 3 - City- CLAYTON Phone - 208-838-2271	State- ID Zip- 83227
GOSSI	ROSA A	1 - 2 - 3 - City- N/A Phone - 208-000-0000	State- ID Zip- 00000
TAPPAN	SCOT	1 - HC 68 BOX 360 2 - SALMON FORK SUBDIVISION 3 - City- CLAYTON Phone - 208-838-2355	State- ID Zip- 83227
+ - - Priority Date - - +	+ - - Region - - - +	+ - - Stage - - - +	+ - - Status - - - +
05/01/1885	17 SOUTHERN	D - DECREED	
+ - - - - Source - - - - +		+ - - - - Tributary - - - - +	
HERD CREEK		SALMON RIVER, EAST FORK	

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
10N	18E	35	SW SW NE			(37) CUSTER	HC-1
			NE SE SE			(37) CUSTER	HC-2

			Water Use			
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 - IRRIGATION		04/01	11/01	0.400		
			10/31			
			done			
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +
0.400				0.0		

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
	10N	18E	35	NW NE		1.2	01	IRRIGATION	(37) CUSTER
	10N	18E	35	SW NE		6.6	01	IRRIGATION	(37) CUSTER
	10N	18E	35	NW SE		2.6	01	IRRIGATION	(37) CUSTER

Total Acres: 10.4

+ - - Diversion Means - DITCH HEADING IN STREAM TO CANAL/FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00191, 00192, 00193B, 00194, 02142

+ Remarks

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.816 CFS. COMBINED RIGHT NOS.:
72-00191, 72-00192, 72-001938, 72-00194.

EXP ~~INCIDENTAL STOCKWATERING FOR 100 HEAD CATTLE/SHEEP~~

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ Conditions of Approval

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

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

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

+ - Decree Date - +
00/00/0000

+Comments.....

Date: 11/09/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS

MR. TAPPAN NO LONGER HAS A LEASE OR ANYTHING ELSE WITH THIS

IN COMPUTER SYSTEM 10/22/90 BY JG.

RANCH.

WARRANTY DEED WAS DATED JULY 19, 1990. OWNERSHIP CHANGE ENTERED

THE FILE FOR A COPY OF CHANGES MADE.

CLAIM NUMBER72-00190DATE10-15-92TRANSFER NUMBER
AGENTLPHCLAIMED ACRE TOTAL20
GIS ACRE TOTAL104

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	10N	18E	35		4	10											6		20
GIS					1.2	6.6											2.6		10.4
RECOM					1.2	6.6											2.6		10.4
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

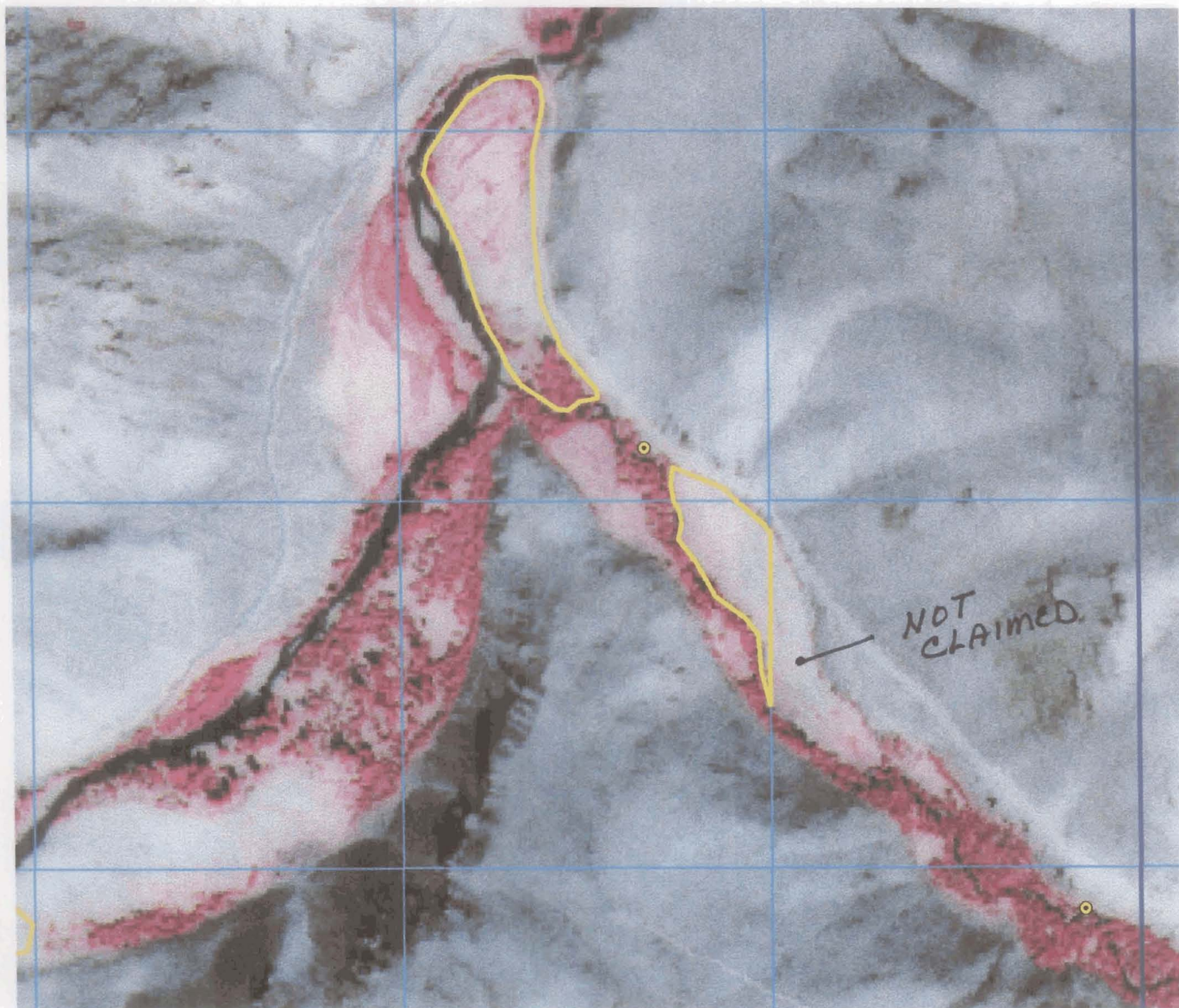
B72-DBPOU.SHPac. alluvial derived tracks
SHAPE NOS.
3633.0
3647.6

B72-DBPOD.SHP
NOS. DESCRIPTION
221 HC1 SW SW-NE Section 35 TION RIBE
220 HC2 NE SE SE " " "

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

RIGHT 72-00190 HERD CREEK DIVERSION

RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 35
data entry on October 29, 1998



0 1320 2640 Feet



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

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

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

22-00190

DATE: 11-9, 1998

REVIEWED BY

OK

CHALLIS AREA SOIL REVIEW

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

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

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

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

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
<u>WC1</u>	/		* <u>6.4</u>	* <u>.07</u>	= <u>.448</u> CFS
<u>CP1</u>	/		* <u>4.0</u>	* <u>.36</u>	= <u>1.44</u> CFS
	/		*	*	= CFS
	/		*	*	= CFS

TOTAL ACRES

104

DECREED RATE

= .4

CLAIMED DIVERSION RATE

= .4

MEASURED DIVERSION RATE

= 9.0 cfs

HUBBLE

NAME OF STREAM OR DITCH HERD CREEK
 LOCATION ----- 30 YDS. UPSTREAM FROM HC-1
 PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS
 IF YOU ARE USING A PYGMY METER ENTER ----- 1
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ---- = 1
 FOLLOWING THE LAST ENTRY IN:
 "DISTANCE FROM INIT PT" ENTRY MUST = "END"

WATER RIGHT NUMBER IF APPLICABLE ----- A72-00190
 AGENT CONDUCTING MEASUREMENT & DATE -- BB 09-07-93
 ACCOMPANIED BY ----- FH
 PREMEASUREMENT SPIN TEST (MIN/SEC) ---
 POST MEASUREMENT SPIN TEST (MIN/SEC) -
 DATE REPORT PREPARED ----- 10-Feb-94

ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
				1ST MEASUREMENT REVS TIME/SEC	2ND MEASUREMENT REVS TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	
INITIAL POINT	2.00		0.33								
	2.50	0.65		16	30.0		0.25	0.081		0.27	0.02
	2.80	0.65		19	30.0		0.40	0.260	0.53	0.53	0.14
	3.20	0.75		27	30.0		0.35	0.228	0.63	0.63	0.14
	3.60	0.83		38	30.0		0.40	0.300	0.90	0.90	0.27
	4.00	0.90		43	30.0		0.40	0.332	1.27	1.27	0.42
	4.40	0.90		53	30.0		0.40	0.360	1.43	1.43	0.52
	4.80	0.93		54	30.0		0.40	0.372	1.77	1.77	0.66
	4.80	0.90		54	30.0		0.45	0.405	1.80	1.80	0.73
	5.30	0.88		53	30.0		0.50	0.440	1.77	1.77	0.78
	5.80	0.88		37	30.0		0.50	0.440	1.23	1.23	0.54
	6.30	0.88		21	30.0		0.50	0.440	0.70	0.70	0.31
	6.80	0.70		12	30.0		0.50	0.350	0.40	0.40	0.14
	7.30		0.35				0.25	0.088		0.20	0.02
END											4.68

MEASUREMENTS

Spin Test O.K. Before ✓
After ✓

L.S.W = 2.0

R.S.W = 7.3

L.S.W = 2.0'

1st = 2.5'

D = 0.65'

1st = 16 rev in 30 s

2nd = 2.8'

D = 0.65'

19 rev in 30 s

3rd = 3.2'

D = 0.75'

27 rev in 30 s

4th = 3.6'

D = 0.825'

38 rev in 30 s

5th = 4.0'

D = 0.90'

43 rev in 30 s

6th = 4.4'

D = 0.925'

53 rev in 30 s

7th = 4.8'

D = 0.90'

54 rev in 30 s

8th = 5.3'

D = 0.875'

53 rev in 30 s

9th = 5.8'

D = 0.875'

37 rev in 30 s

10th = 6.3'

D = 0.875'

21 rev in 30 s

11th = 6.8'

D = 0.70'

12 rev in 30 s

R.S.W = 7.3'

From Silty Bottom

9-7-93

2:36 P.M.

Measurement Rating is good

Measurement Taken Approximately
30 yds upstream from HC-7

HC 7

FOLLOWING THE LAST ENTRY IN:
 "DISTANCE FROM INIT PT" ENTRY MUST = "END"

DATE REPORT PREPARED ---- 10-Feb-94

INITIAL POINT

L.E.W. = 6.3'

3.3'

Spin Test O.K. ✓ before
✓ after

R.E.W. = 3.0'

L.E.W. = ~~5.9~~^{6.3}

1 st =	5.9'	D = 0.575'	30 rev in 30 s
2 nd =	5.7'	D = 0.60'	47 rev in 30 s
3 rd =	5.4'	D = 0.675'	59 rev in 30 s
4 th =	5.1'	D = 0.725'	70 rev in 30 s
5 th =	4.8'	D = 0.725'	84 rev in 30 s
6 th =	4.5'	D = 0.725'	94 rev in 30 s
7 th =	4.2'	D = 0.725'	94 rev in 30 s
8 th =	3.9'	D = 0.65'	83 rev in 30 s
9 th =	3.6'	D = 0.60'	57 rev in 30 s
10 th =	3.4'	D = 0.60'	43 rev in 30 s

R.E.W. = 3.0'

Cobbled Medium

Uniform Bottom

Meas. Reading 2 Fair

9-7-92

Baker 72-00190

2:05 P.M.

75

Approx 100 yds (upstream) from
HC-2 fish screen

HC2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07
01/13/96

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A72-00190

LAST: BAKER
ADDRESS: HC 68 BOX 350
CITY: CLAYTON
PHONE NUMBER: 208-838-2269

FIRST: CHERYL KAY
STATE: ID ZIP: 83227

OWNER CODE: C

LAST: GOSSI
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000

FIRST: ROSA A
STATE: ID ZIP: 00000

OWNER CODE: O

LAST: BAKER
ADDRESS: HC 68 BOX 350
CITY: CLAYTON
PHONE NUMBER: 208-838-2269

FIRST: RICHARD DOUGLAS
STATE: ID ZIP: 83227

OWNER CODE: C

LAST: GOSSI
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000

FIRST: FRED
STATE: ID ZIP: 00000

OWNER CODE: O

LAST: BAKER
ADDRESS: C/O HC 68 BOX 350
CITY: CLAYTON
PHONE NUMBER: 208-838-2271

FIRST: RICHARD L
STATE: ID ZIP: 83227

OWNER CODE: O

LAST: BAKER
ADDRESS: C/O HC 68 BOX 350
CITY: CLAYTON
PHONE NUMBER: 208-838-2271

FIRST: BETTY L
STATE: ID ZIP: 83227

OWNER CODE: O

LAST: TAPPAN
ADDRESS: HC 68 BOX 360
SALMON FORK SUBDIVISION
CITY: CLAYTON
PHONE NUMBER: 208-838-2355

FIRST: SCOT
STATE: ID ZIP: 83227

OWNER CODE: O

LAST: LASSITER JOHNSON AND KITZ

FIRST:

CVR

SUITE 1300
CITY: WEST PALM BEACH
PHONE NUMBER: 407-659-4422

STATE: FL ZIP: 33401

OWNER CODE: 0

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: 2/22/93

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Field exam conducted by Frank Detchcock

A. AJ CLAIM: # A72-00190 PRIORITY DATE: 05-01-1885 STAGE: D

B. WR RECORD: # 72-00190 PRIORITY DATE: 05-01-1885 STAGE: D

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

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

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

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

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

FIELD EXAM COMPLETED N/A(☐) Y(☐) N(☐)

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

LICENSE ISSUED N/A(☐) Y(☐) N(☐)

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

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

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

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

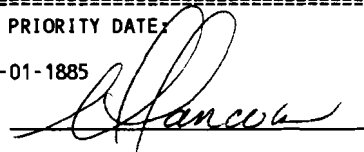
NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-01-1885

REVIEWED BY



DATE

11-23-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-00190	10N	18E	35	SW	SW	NE			CUSTER	HC1	
A72-00190	10N	18E	35	NE	SE	SE			CUSTER	HC2	

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A72-00193A

A72-02142

A72-10464

A72-10514

A72-10541

A72-12351

A72-12352

** 16 R PREFIX CLAIMS WITH THIS POD

WR RECORDS IN SAME 40 ACRE TRACT

72-00193

72-00194

72-02142

SOURCE: HERD CREEK

TRIB: SALMON RIVER, EAST FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
72-00190	10N	18E	35		NW	SE			CUSTER		
72-00190	10N	18E	35		SE	SE			CUSTER		
72-00190	10N	18E	35		SW	NE			CUSTER		

OTHER WR RECORDS WITH SAME WR POD

72-00193

72-00194

72-02142

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A72-00193A

A72-02142

A72-10464

A72-10513

A72-10514

A72-10541

A72-12351

A72-12352

***** 16 R PREFIX CLAIMS WITH THIS POD

SOURCE: HERD CREEK

TRIB: SALMON RIVER, EAST FORK

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

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

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

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

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

N/A() Y(☒) N()

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

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

Y() N(☒)

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

Y(☒) N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 8-17-93 NAME OF EXAMINER F. Hutchcock) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CUSTER CUSTER	DIVERSION NAME	DIVERSION NBR
10N	18E	35	SW	SW	NE				HC1	
10N	18E	35	NE	SE	SE				HC2	
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: HERD CREEK

TRIB: SALMON RIVER, EAST FORK

REVIEWED BY: [Signature]

DATE: 11-24-98

=====

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

See map in file.

A. ROOT WATER RIGHT NUMBERS: A72-00190
R72-00190

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	18E	35	NW	NE		BAKER, CHERYL KAY	A72-00190 / 4.0	72-00190 /	14.0		
			NW	NE		BAKER, RICHARD DOUGLAS	A72-00193B / 15.0	- /			
			NW	NE		BAKER, CHERYL KAY	R72-00193B / 15.0	- /			
			NW	NE		BAKER, CHERYL KAY	R72-00190 / 15.0	- /			
			NW	NE		BAKER, RICHARD DOUGLAS	R72-00194 / 15.0	72-00194 /		1.2	
			NW	NE		STATE OF IDAHO	R72-10541 /	- /			
			NW	NE		US DEPT OF INTERIOR	A72-16011 /	- /			
			NW	NE		STATE OF IDAHO	A72-10541 /	- /			
			NW	NE		GOSSI, ROSA A.		72-00191 /			
			NW	NE		GOSSI, ROSA A.		72-00192 /			
			NW	NE		GOSSI, ROSA A.		72-00193 /			
10N	18E	35	SW	NE		BAKER, CHERYL KAY	A72-00190 / 10.0	72-00190 /	20.0		
			SW	NE		BAKER, RICHARD DOUGLAS	A72-00193B / 8.0	- /			
			SW	NE		BAKER, CHERYL KAY	R72-00193B / 8.0	- /			
			SW	NE		BAKER, CHERYL KAY	R72-00190 / 10.0	- /		6.6	
			SW	NE		BAKER, RICHARD DOUGLAS	R72-00194 / 8.0	72-00194 /			
			SW	NE		STATE OF IDAHO	R72-10514 /	- /			
			SW	NE		STATE OF IDAHO	A72-10514 /	- /			
			SW	NE		GOSSI, ROSA A.		72-00191 /			
			SW	NE		GOSSI, ROSA A.		72-00192 /			
			SW	NE		GOSSI, ROSA A.		72-00193 /			
10N	18E	35	NW	SE		BAKER, CHERYL KAY	A72-00190 / 6.0	72-00190 /	14.0		
			NW	SE		BAKER, RICHARD DOUGLAS	A72-00193B / 5.0	- /			
			NW	SE		BAKER, CHERYL KAY	R72-00193B / 5.0	- /			
			NW	SE		BAKER, CHERYL KAY	R72-00190 / 6.0	- /		2.6	
			NW	SE		BAKER, RICHARD DOUGLAS	R72-00194 / 5.0	72-00194 /			
			NW	SE		STATE OF IDAHO	A72-10513 /	- /			
			NW	SE		GOSSI, ROSA A.		72-00191 /			
			NW	SE		GOSSI, ROSA A.		72-00192 /			
			NW	SE		GOSSI, ROSA A.		72-00193 /			

ADDITIONAL POU FOUND

35 NE SE

4 *

*NOT CLAIMED

TOTAL ACRES

A72-00190

20.00

48.00

10.4 Recommended

+4.0

14.4

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
A72-00190	HERD CREEK	BAKER, CHERYL KAY	0.400	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		
A72-00193B	SALMON RIVER, EAST FORK	BAKER, RICHARD DOUGLAS	3.016	0.023		
R72-00193B	SALMON RIVER, EAST FORK	BAKER, CHERYL KAY	3.016	0.023		
R72-00194	SALMON RIVER, EAST FORK	BAKER, RICHARD DOUGLAS	0.300	0.001		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R72-10541	FISH PROPAGATION	STATE OF IDAHO	FROM 04-15 TO 10-15	0.800 CFS	
A72-16011	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
A72-16011	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
A72-16011	RECREATION	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	0.010 CFS	
A72-10541	FISH PROPAGATION	STATE OF IDAHO	FROM 03-15 TO 11-15	0.800 CFS	
R72-10514	FISH PROPAGATION	STATE OF IDAHO	FROM 04-15 TO 10-15	0.730 CFS	
A72-10514	FISH PROPAGATION	STATE OF IDAHO	FROM 03-15 TO 11-15	0.800 CFS	
A72-10513	FISH PROPAGATION	STATE OF IDAHO	FROM 03-15 TO 11-15	0.800 CFS	

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

Y(☐) N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 72-00191, 00193, 00194, 02095

no overlapping claims

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

NOTES:

WR file lists irrigation in additional tracts
but no specific acres.

Irrigated acres located and calculated by
Arc view GIS using 1988 Napp aerial
photography with quarter / quarter overlap. Recommend
acres all within decreed tracts.

RECOMMENDATIONS:

TOTAL ACRES: 10 N/A(☐)

REVIEWED BY: W. Hancock

DATE: 11-24-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-00190 IRRIGATION	FROM 04-01 TO 11-01	0.400 CFS	
TOTAL DIVERSION RATE/VOLUME		0.400 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00190 IRRIGATION	FROM TO	0.400 CFS	
TOTAL DIVERSION RATE/VOLUME		0.400 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES:

*No season of use in decree. Recommend
current IDWR Standards for Basin 72.*

AJ CLAIM TOTAL DIVERSION RATE: 0.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 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 Pygmy meter, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE *
ACRES 10 x 0.02 CFS/ACRE = .2 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME 2 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 310.0 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE 310 AF/A

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

1b. CALCULATIONS

* Decree awarded
0.03 cfs per acre.

NOTES: Bubble analysis indicates requirement greater
than diversion amount claimed. Recommend as
claimed.

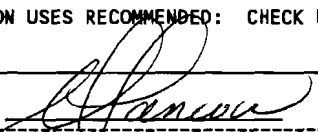
WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-01	11-01	0.400	☒			310.0	
TOTAL FOR THIS RIGHT			0.400				310.0	

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

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

REVIEWED BY: 

DATE: 11-24-98

FLAG: D

STANDARD CONDITIONS (CODE):

CQ 3

STANDARD REMARKS (CODE):

E04 3.816 cfs
191, 192, 193B, 194

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00190

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.400 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A72-00190	0.400	R72-00190	0.400	72-00190	0.400
TOTAL CFS		0.400		0.400		0.400

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 Y FIELD EXAMINER Y() N()

NOTES:

no splits

AUTHENTICATION:

SIGNATURE: _____

DATE: 11-24-98

NAME OF FIELD EXAMINER: VIKIE HANCOCK

TITLE: Water Resource Agent

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
(☒) ORTHOPHOTOQUAD	DATE OF PHOTO <u>9-24-74</u> IDWR ID NO. <u>V24</u>	Y(☒) N(☐)
(☒) TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. <u>V24</u>	Y(☒) N(☐)
(☒) NAPP	DATE OF PHOTO <u>9-18-88</u> IDWR ID NO. <u>V24 NE</u>	Y(☒) N(☐)
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☐) N(☐)
(☒) SCS SOIL SURVEY MAP	DATE ISSUED <u>GIS FILE</u>	Y(☐) N(☐)
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
() OTHER _____	DATE _____	Y(☐) N(☐)
() OTHER _____	DATE _____	Y(☐) N(☐)
() OTHER _____	DATE _____	Y(☐) N(☐)

GIS FILE

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
(☒) SYSTEM DESCRIPTION	DATE DRAWN <u>By F. Hitchcock</u>	_____	_____
(☒) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>By F. Hitchcock</u>	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
(☒) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED <u>11-9-93</u>	_____	<u>By D.H.</u>
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
(☒) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>9-7-93</u>	_____	<u>By F.H.</u>
(☒) OTHER <u>Deed</u>	DATE <u>1938</u>	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:07
01/13/96

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A72-00190

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			FH 9-22-98		VA 11-24-98	VA 11-24-98	VA 11-24-98	
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:12:53
01/13/96
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A72-00190

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHERYL KAY BAKER	05/01/1885	IRRIGATION	04-01 11-01	0.40 CFS	
C	RICHARD DOUGLAS BAKER				0.40 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:						310.00 AFA

Water Source: HERD CREEK

Tributary to: SALMON RIVER, EAST FORK

Stage: DECREED

Point(s) of Diversion:

T10N R18E S35

SWSWNE

NESESE

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	:	SUM	
10N	18E	35	:	04		10								:	20.0	
															20.0	
															TOTAL ACRES	

POU County: CUSTER

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 100 HEAD CATTLE/SHEEP

Other Rights: 72-00191, 00193, 00194, 02095 00192

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: D

C&3

E04 3.816 cfs
-00191, -00192
-00193 B, - 00194

See log

LAST: TAPPAN
ADDRESS: HC 68 BOX 360
CITY: SALMON FORK SUBDIVISION
CLAYTON
PHONE NUMBER: 208-838-2355
OWNER CODE: 0

FIRST: SCOT

STATE: ID ZIP: 83227

LAST: LASSITER, JOHNSON AND KITZ
ADDRESS: 505 S. FLAGLER DR.
CITY: SUITE 1300
WEST PALM BEACH
PHONE NUMBER: 407-659-4422
OWNER CODE: 0

FIRST:

STATE: FL ZIP: 33401

LD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM 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.

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 / REMARKS:

boundary line on aerials aren't correct per Hwy Bureau.
6 diff sets on ea field - then begin again...
used on the 2 fields - going to be combined in future

13 AC-190

AS
CLAIMED

124 AC

26

25

10

\$85: PD-SWNE
#2

7 SWNE

RIBE

POD

#2

POD

#1

\$35: PD-SESE
#1

2 NENWSE-6

3 SE SWNE-10

6 AC

CLAIM A72-00190 INIT 7H
T. R. S. Q/Q

P/D
PHOTO V 24 OPQ
DT. & ID. 7-24-74

MAPS

- HEED AC. -

BAKED

A72-00190

AS CLAIMED

124 AC.

T
10
N

R 18 E

POD

POD

T
9
N

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

by SEC

A72-00190

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	

TRACT 1:

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

Section 3: Lots 1 and 2.

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

Section 25: ☒ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 26: ☒ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

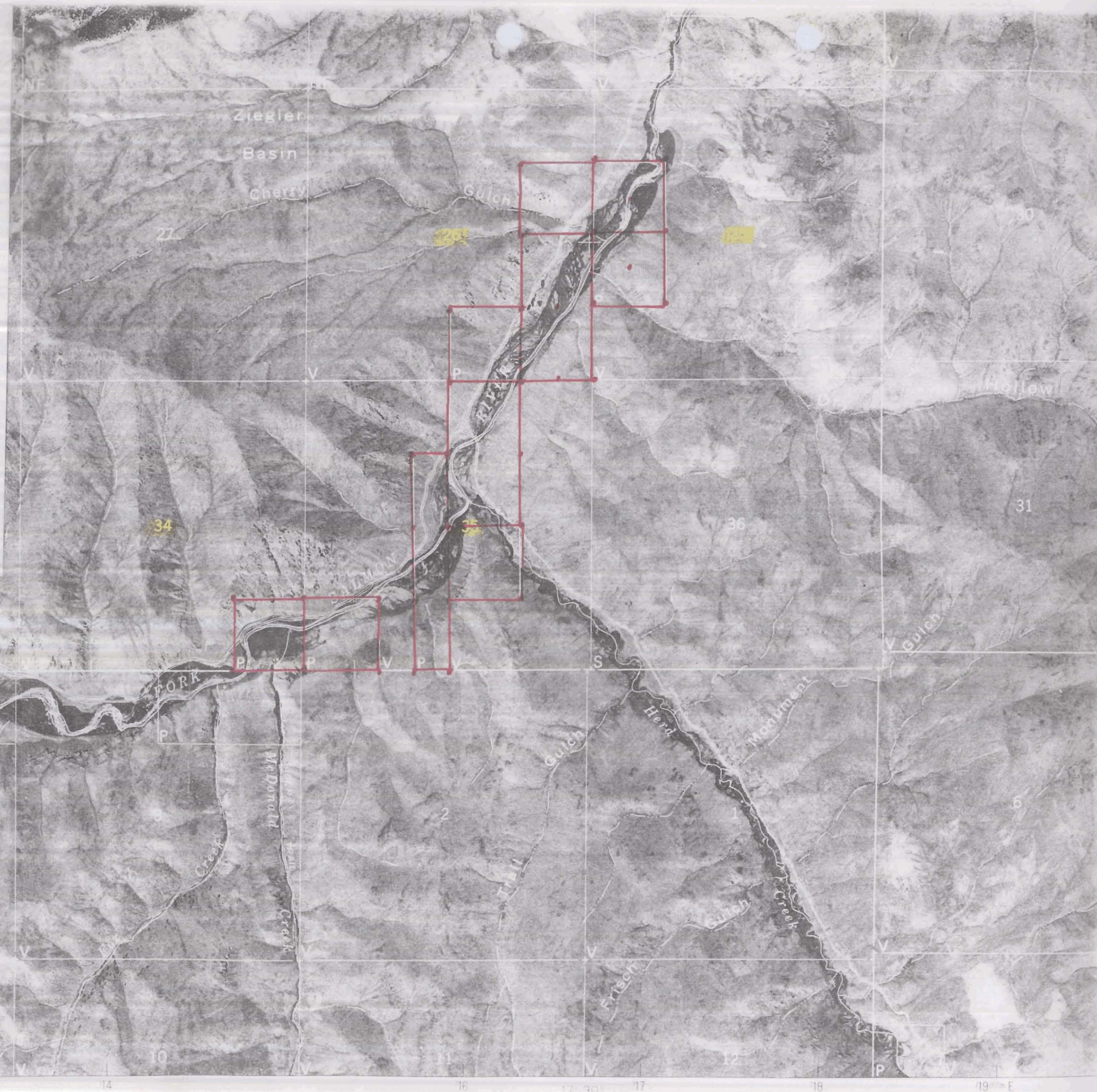
Section 34: ☒ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

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

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

The above described land is also known as:

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



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

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

SCALE 1:24 000





"OVERLOOKING TOWARDS TURNOFF FOR HERO CREEK. EF SWINGS
AROUND TO POD FROM EF 8."

PHOTOS AND NARRATIVE BY F. HITCHCOCK

PHOTOS

BAKER

HC 1

Roll 10

Pix 9



←
Looking East
UP DIVERSION TO
HERD CREEK.



↑ LOOKING SOUTH OVER BAKERS' HERD CREEK FIELD AFTER HAYING ↑

PHOTOS TAKEN BY F. HITCHCOCK

PHOTOS
A72-00190

PHOTOS

MEMO

February 6, 1985

FROM: Southern Region *AM*

TO: Decree File 72-G
Gossi et al vs. Giampedraglia et al.

RE: Analysis of Diversion Points for Rights 72-0190 thru 0194

The rights are combined in one finding in the decree, giving several sources and points of diversions. Platting the water rights on a map indicates that two of the tracts given as points of diversion are not on the streams, and that no point of diversion given is on Fox Creek.

The rights are coded as follows, with all possible tracts as diversion points, a tract assumed for Fox creek, and impossible points not used.

	RIGHT #	SOURCE	POINTS OF DIVERSION
	✓ 72-0190	Herd Creek	SWNE, NWSE, SESE, Sec. 35, T10N, R18E
cc:	72-0191	McDonald Creek	SENE, Sec. 3 T9N, R18E
cc:	72-0192	Fox Creek	NWNE, Sec. 3, T9N, R18E (w/remark)
cc:	72-0193	East Fork, Salmon River	NWNE, SWNE, SESW Sec. 35, T10N, R18E; NENW, Sec. 3, T9N, R18E.
cc:	72-0194	East Fork, Salmon River	do

COPY

22

23

Ziegler

Basin

Cherry

Gulch

27

26

34

35

SALMON

EAST

FORK

McDonald

Gulch

Hard

Rights

72-0140

0191

0192

0193

0194

* = Center of Tract where P/D given

⊙ = Assumed P/D Coded.

Trail

Gulch

Model watershed committees take tour of East Fork

Ralph Swift, Coordinator for the Model Watershed Project, reported that the technical committee and advisory committee toured the East Fork River on May 13. The group viewed firsthand the river and the concern for anadromous fish in this basin.

The first stop on the tour was at a typical diversion point on the East Fork River. The diversion was wooden with a wiper type screen. Chuck Keller, Idaho Fish and Game Coordinator for the fish screen program, reported on the criteria used for the screen program that had been developed by National Marine Fisheries. The new screens are designed to do a couple of key things: 1. Provide irrigators with their historical water use; 2. Protect anadromous fish throughout their life cycle. This includes very small fry as they emerge from the gravel and are swept downstream. This has caused the screens to become larger and more costly to build. He also stated that he hired two people to measure water in the Salmon and Challis areas to document these historic flows. The only purpose of this water measurement is to determine maximum flows in the ditch so the screen can be designed accordingly.

Swift told the group that the headgate was also being designed to assist operators in making irrigation water diversion with a minimum of disturbance to the river channel and to protect the screen. Assistance for this is from the Soil Conservation Service and the Agricultural Stabilization and Conservation Service.

Swift reported the next stop on the tour was to look at a proposed consolidation of three diversions at the mouth of Herd Creek. Doug Baker, land owner and irrigator, reviewed the plan that would eliminate two diversions and the need for two fish screens. These would be replaced by a flume and an inverted siphon out of the top diversion. Benefits of this project would be the elimination of portable dams from the Herd Creek diversions and the reduction of the cost of building and operation of two additional fish screens. Other benefits would be improved passage of both adult

and juvenile salmon in Herd Creek. Cost of the proposed project would be spread over several sources.

Jim Bennetts' private land followed the Baker project stop. This property is sandwiched between public lands. Swift read a letter prepared by Bennetts that outlined the history of the work on his place. The work included some fencing of riparian areas to improve streamside vegetation with overhanging cover. Bennetts has worked with the Shoshone-Bannock Tribes and the Idaho Fish and Game on this project. Bennetts stated that he wanted to improve the cover for fish but at the same time do it so that it was cost effective with tax and ratepayer money. Work was done with volunteer labor.

Betty Baker gave a history of the East Fork River and stated that the Baker family has been in the basin since about 1880. Currently there is a sixth generation of Bakers growing up on the ranch. She stated they were in support of maintaining and improving the salmon run to the East Fork. The family has been brought up with a conservative ethic to protect the bighorn sheep and the salmon. She also expressed a concern that while the bureaucracy probed and studied the issue and dealt with inconsequential issues such as cattle grazing in the East Fork, the salmon would become extinct. Her concern is that the cattle rancher would also become extinct as they receive the blame. She challenged the agency people to look closely at what the real issues are and to spend the majority of the money where it could make a difference. She felt that ranchers are willing to take care of problems when direct benefits can be seen for both the fish and the rancher.

The group then traveled to Eddie Baker's to look at some typical streambank erosion problems. These banks don't do the fish or the rancher any good. Streambank work needs to be done in a way that treats the problem while creating some fish habitat. Swift went over a plan for rock barbs that would deflect the current from the bank. Large cottonwoods would be cabled between the barbs to provide protection and some

overhanging bank cover while willows become re-established.

The final stop was spent looking at some rock weirs installed to provide grade control to a diversion structure and viewing the East Fork satellite hatchery facility.

Swift reported this was a very good tour that gave a general review of problems and alternatives. The next step would be to make a more detailed survey of these and to quantify the needs. This will be completed this summer.

The technical work group met in the afternoon to discuss what they had seen in the East Fork and the Lemhi. They are meeting on an every-other-month basis. It was decided to meet only quarterly. Smaller groups will meet on an "as-needed" basis to deal with specific issues. Gary Steinbach of the Bureau of Reclamation (BOR) reported that the pre-drawings of the five diversions from L-3A to L-7A were complete and that the BOR will be in Salmon the first week of June to review these with the diversion owners.

Raft Rentals



2 mile
Jct. I

Shuttles

Summer

Now

—

Bud • Bud
Coors • Coors
Miller G

12 pack \$5.99

Ice — 9

Pepsi & Co

Bartles & Ja

Wine Cool

Do You Remember What You Gave Dad Last Year?

Chances Are, He Doesn't Either
This year, make a lasting impression with the gift of Action Furniture by Lane?



Water Right Number - 72-00190

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
GOSSI

ROSA A.

1 -
2 -
3 -City-
Phone -

State- Zip-

GOSSI

FRED

1 -
2 -
3 -City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/01/1885 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
HERD CREEK SALMON RIVER, EAST FORK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)10N 18E 35 SW NE (37) CUSTER
NW SE (37) CUSTER
SE SE (37) CUSTER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.400

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

09N	18E	3	NE NE	1		01	IRRIGATION	(37) CUSTER
09N	18E	3	NW NE	2		01	IRRIGATION	(37) CUSTER
10N	18E	25	SW NW			01	IRRIGATION	(37) CUSTER
10N	18E	25	NW SW			01	IRRIGATION	(37) CUSTER
10N	18E	26	NE SE			01	IRRIGATION	(37) CUSTER
10N	18E	26	SE SE			01	IRRIGATION	(37) CUSTER
10N	18E	34	SE SE			01	IRRIGATION	(37) CUSTER
10N	18E	35	NW NE			01	IRRIGATION	(37) CUSTER
10N	18E	35	SW NE			01	IRRIGATION	(37) CUSTER
10N	18E	35	SW SW			01	IRRIGATION	(37) CUSTER
10N	18E	35	NW SE			01	IRRIGATION	(37) CUSTER

+ - - Diversion Means -

+ - - Non-Irrigation Use -

WR BASE RIGHT

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Tested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 01/28/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 02/14/1938	Presumption Flag	-		