

24-4013

Mariam Baker

No Layout Needed

Domestic

09/08/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 24-4013

NAME AND ADDRESS: MARIAM M BAKER
PO BOX 110
FREEDOM WY 83120

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.010 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION: T05S R46E S7 NWNW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.010 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within CARIBOU County

T05S R46E S07 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED

AUG 05 2001

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: A24-04013
Date Received: 1/26/1990
Receipt No: M005605
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARIAM M. BAKER
Address: P.O. BOX 110
FREEDOM, WY

208-873-2632

83120

2. Date of Priority: JUN 01, 1938

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	46E	7		NW	NW		CARIBOU

5. Description of diverting works:
DEVELOPED SPRING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	09/30	1.000		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 7.5 MB Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	46E	7	NW	NW		IRR	3.0
			NW	NW		STOCK	

Section Acres 3.0

A24-04013

Page 1

Date: 01/26/90

MICROFILMED

NOV 06 1992

A2404013



10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Mariam M. Baker Date: 1-26-90
Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of January 19 90

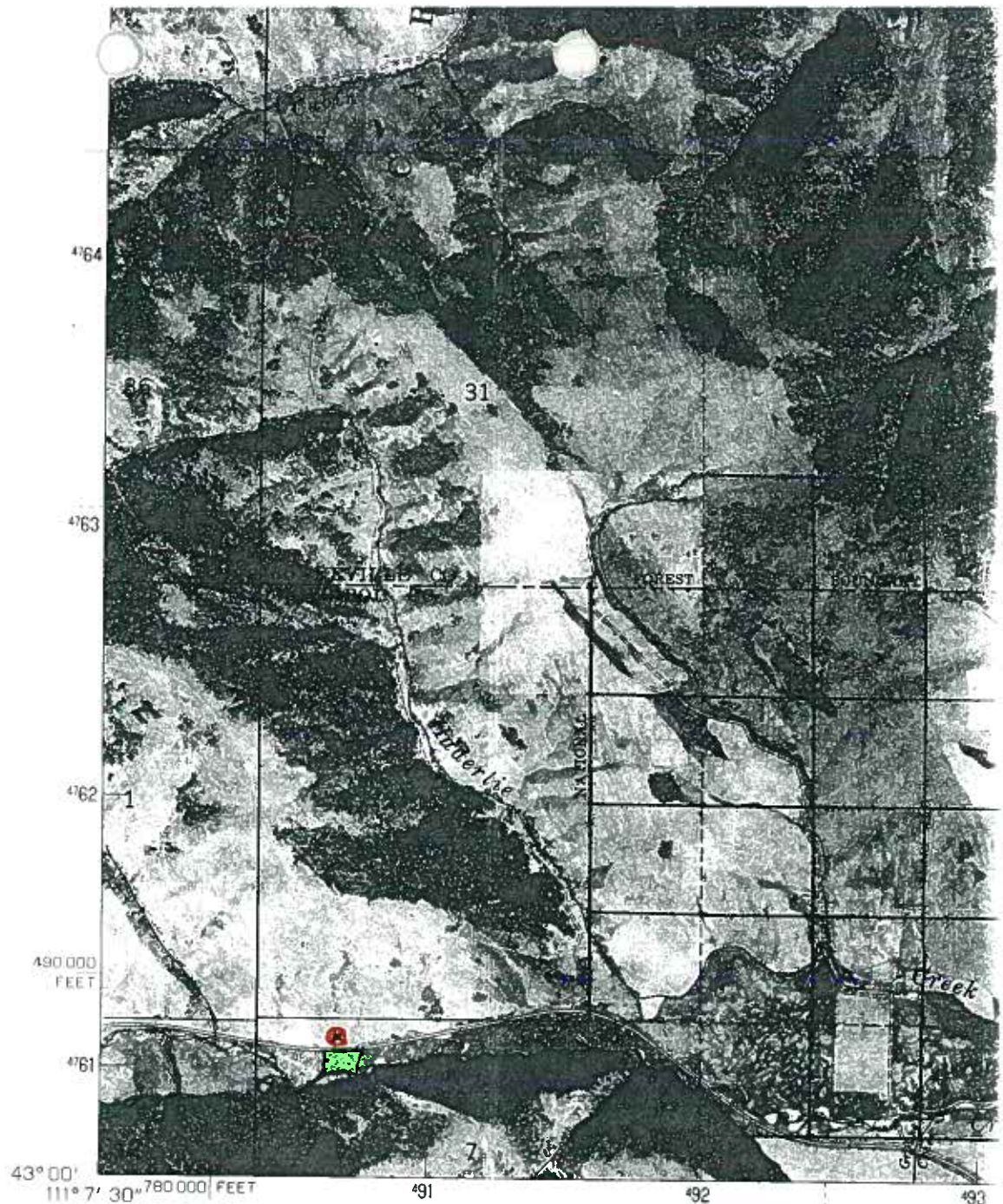
Anthony S. Olmsted
Notary Public

Seal

Residing at Snake Falls

My Commission Expires 9/12/1994

T4S
T5S



Produced by the Geological Survey
in cooperation with the Forest Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken September 1, 1976

Projection: Idaho coordinate system, east zone
(transverse Mercator)

10,000-foot grids based on Idaho coordinate system, east zone
and Wyoming coordinate system, west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.



MICROFILMED

NOV 06 1992

This map has been prepared by the Idaho Department of Water Resources pursuant to Idaho Code §42-1410 to assist claimants in filing notices of claims and objections in the Snake River Basin Adjudication. No warranty, either express or implied, is made and no legal responsibility is assumed by IDWR, its employees, its agents, contractors, and reproduction firms particularly - Bonneville Blueprint Supply Co. Inc. or its employees for the accuracy, completeness, or usefulness of any information set forth herein.

A24-04013

Notes

- 10-18-04 County address CR. BP
- 10-19-04 Letter to claimant re evidence of privacy BP
- 11-15-04 Wayne Baker (873-2632) called asking for a time extension. Told him til 11-29-04 BP
- 2-24-05 Called Baker's this morning. In talking with Mariam I discovered she had the wrong fax number. Gave her the correct one she said she would fax it tomorrow. PB
- 2-25-05 Received fax from claimant. BP
- 2-25-05 Letter to claimant re clarification. BP
- 3-8-05 Maureen called - Told her til 3-15. BP
- 3-21-05 Multi-page fax from claimant BP
- 3-21-05 Letter to claimant re change in use.

4/4/05 recommend domestic only. obligation occurred after the mandatory permit statute. CB

Copy of partial decree in the file. CB

4-5-05 - Child w/ County. They do own this property. BP

Contacts Data Entry Form

[illegible]

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ **Time:** _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: OB

Date: 4/4/05

Contacts Data Entry Form

Claim Number: 29-4013

Claimed Priority Date: _____ Claimed Basis: _____

Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Date: _____

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No ()
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes () No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No ()
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. _____ - _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary: _____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: CBDate: 4/4/05

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No ()

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes () No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No ()

Point of Diversion

Claim No. _____ - _____

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
4. Does the parent right have a Source? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed Source be verified using the water right file? Yes () No ()
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
6. Is the basis of claim a Posted Notice? Yes () No ()
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
7. Is there evidence that there has been a change in the Source? Yes () No ()
If Yes, go to 8
If No, go to 10
8. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
9. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
10. Does the file contain all of the necessary information to verify the Source? Yes () No ()
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
11. Is a Source remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. _____ - _____

Purpose of Use Data Entry Form

Claim Number: _____

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Domestic	1	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 4/4/05

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
4. Does the parent right have a Purpose of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Purpose of Use be verified using the water right file? Yes () No ()
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
6. Is there evidence that there has been a change in the Purpose of Use? Yes () No ()
If Yes, go to 7
If No, go to 11
7. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C04, go to 11
If No, go to 8
8. Does the change include an enlargement of the Purpose of Use? Yes () No ()
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
11. Does the file contain all of the necessary information to verify the Water Use? Yes () No ()
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
12. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
13. Is a Purpose of Use remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Purpose of Use

Claim No. _____ - _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
5S	46E	7	NW	NW	Caruth		-	Domestic

Total Acres _____

Document how the POU was verified:

Statutory claim

Transfers Changing POU _____

Reviewer: CBDate: 4/4/05

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes () No ()

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes () No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.
If No, POU review is complete.

Yes () No ()

Place of Use

Claim No. _____ - _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Domestic	4/1	12/31	0.01	

Overall Diversion Rate 0.01

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Statutory Claim

Reviewer: CBDate: 4/4/05

Period of Use and Quantity Data Entry Form

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes () No ()
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes () No ()
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes () No ()
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes () No ()
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes () No ()
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes () No ()
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes () No ()
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes () No ()
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes () No ()
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
4. Does the parent right have a diversion rate and/or volume? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed diversion rate and/or volume be verified using the water right file? Yes () No ()
If Yes, go to 8
If No, go to 7
6. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7
7. Is a flow measurement required? Yes () No ()
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
8. Does the parent right have an annual diversion volume limit? Yes () No ()
If Yes, go to 10
If No, go to 9
9. Is the source Ground Water and does the purpose of use require a diversion volume limit? Yes () No ()
If Yes, go to 10
If No, go to 11
10. Is irrigation a purpose of use? Yes () No ()
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
11. Has a diversion volume limit for this water use been established by a decree, license or transfer? Yes () No ()
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
12. Is a Quantity remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Quantity

Claim No. _____ - _____

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice? Yes () No ()
 If Yes, go to 2
 If No, go to 3

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? Yes () No ()
 If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
 If No, status will be set as Active. Go to 5

3. Is the water being used for all of the purposes claimed and to the extent claimed? Yes () No ()
 If Yes, status will be set as Active. Go to 5
 If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

4. Is any portion of the claim being recommended? Yes () No ()
 If Yes, status will be set as Active. Go to 5
 If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

5. Does this right have any combined used limits with other rights? Yes () No ()
 If Yes, go to 6
 If No, go to 6

6. Is an additional remark and/or condition required? Yes () No ()
 If Yes, enter the appropriate remark and/or condition. Go to 7
 If No, go to 7

7. Would you like to view the recommended right? Yes () No ()
 If Yes, go to 8
 If No, the review is incomplete. The recommendation must be viewed to complete the review.

8. Is this a "split" or "combined" right? Yes () No ()
 If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
 If No, go to 9

9. Do you have documents you would like to attach or link to the file? Yes () No ()
 If Yes, go to PowerDOCS and profile the documents. Go to 10
 If No, go to 10

10. Would you like to set the verification date? Yes () No ()
 If Yes, the review is complete.
 If No, the review is incomplete. The recommendation must be verified to complete the review.

Summary

Claim No. _____ - _____

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

N13

N17

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

274013

Reviewer

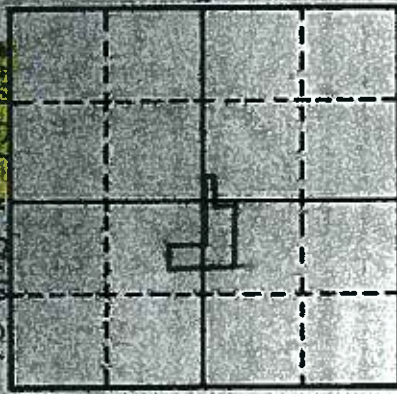
CB

Date

4/4/05

OWNERSHIP RECORD AND DESCRIPTION

75845 M 75846



Well
 Irrigation = o
 Stock = n
 Improvements
 Occupied = x
 Vacant = y

1-2000

PARENT WANTED

WAYNE B. MARIAM

48. ANNUAL ASSESSMENT

Property	Date	Appraised Value	10	87	19	19	19	19	19	19	19	19
Land	11-10	4050		4050								
H3	D3	9624		9624								
103	11-15	5306		5306								
6	(11-15)	2		2								
		18980										
Improvements	11-31	64075		[REDACTED]								
	11-32	1450		1450								
		65525										
TOTAL	11-3	84505		77,993								

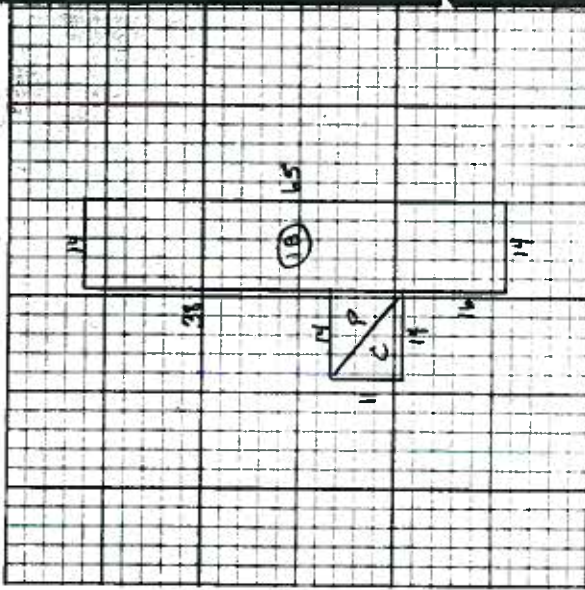
PURCHASE INFORMATION

Price

OWNERSHIP AND DESCRIPTION

RE 1151A WAYNE B RT
BAKER, ~~WILLIAM H~~
PO BOX 170
FREEDOM WY, 83120

TR E1/2NW1/4NW1/4, 2.98 AC
SEC 7 T5S R46E
SHED-SHOP-STORAGE & CURVEY
TINCUP HWAY



GROUND PLAN SKETCH □ = 3

[illegible]

LAND VALUE CALCULATION

LAND VALUE CALCULATION					Improvements
Lot Size	Quantity	Unit Value	Factor	Other	Value
x					1. Paved Street
					2. Gravelled Street
					3. Unimproved
x	4. Public Walks				
	5. Curb and Gutters				
x	6. Alley (Surfaced)				
	7. Alley (Unsurfaced)				
	8. No Alley				
x				Total	\$ 7181

SUMMARY OF LAND AND IMPROVEMENT VALUES

Property	Code	Appraised Value 19	ANNUAL ASSESSMENT					MISCELLANEOUS DATA	VALUES SUMMARY
			19	19	19	19	19		
Land		\$						RESIDENCE 01/14/19 100 (134) GARAGE 85m + 5400 80m 34 1545 CARPORT 47 6	YEAR
Improvements		\$						OTHER IMPROVEMENTS 2920 TOTAL IMPROVEMENTS \$ LAND (12) \$ 7180	MARKET VALUE \$ 5182
TOTAL		\$							

Listed By PH 156 9-7-88

Priced By SK

REMARKS

REMARKS				
9-7-83 1100	1st visit	9-6-83	left call	
9-7-83 1100	1st visit	9-6-83	left call	

PRICE

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 24-10021

NAME AND ADDRESS: MARIAM M BAKER
PO BOX 110
FREEDOM, WY 83120

SOURCE: SPRINGS TRIBUTARY: TIN CUP CREEK
QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1938

POINT OF DIVERSION: T05S R45E S12 SWNWNE Within Caribou County
R46E S07 SWNENE
SWNWNW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 04-01 TO 11-01 0.02 CFS

PLACE OF USE: Stockwater Within Caribou County
T05S R45E S12 NWNE
R46E S07 NWNW NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

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

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



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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 24-10020

NAME AND ADDRESS: MARIAM M BAKER
PO BOX 110
FREEDOM, WY 83120

SOURCE: SPRING TRIBUTARY: SINKS
QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1938

POINT OF DIVERSION: T05S R45E S12 SWNENW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	04-01 TO 11-01	0.02 CFS

PLACE OF USE: Stockwater Within Caribou County
T05S R45E S12 NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

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

B. Wood

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



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/04/2005

WATER RIGHT NO. 24-10021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIAM M BAKER PO BOX 110 FREEDOM, WY 83120 (208)873-2632

Priority Date: 05/01/1938
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	TIN CUP CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	4/01	11/01	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRINGS	SWNENE	Sec. 12	Township 05S	Range 45E	CARIBOU County
SPRINGS	SWNWNE	Sec. 12	Township 05S	Range 45E	CARIBOU County
SPRINGS	SWNWNW	Sec. 07	Township 05S	Range 46E	CARIBOU County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	45E	12		NENE			NWNE							
	46E	7		NWNW										

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1.	Explanatory	UP TO 20 CATTLE 000000011510 00000001151A
----	-------------	---

Dates:

Licensed Date:

Decreed Date: 02/12/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Water Right Report

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/04/2005

WATER RIGHT NO. 24-10020

Owner Type	Name and Address
Current Owner	MARIAM M BAKER PO BOX 110 FREEDOM, WY 83120 (208)873-2632

Priority Date: 05/01/1938
Basis: Decreed
Status: Active

Source	Tributary
SPRING	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	4/01	11/01	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING	SWNENW	Sec. 12	Township 05S	Range 45E	CARIBOU County
--------	--------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	45E	12		NENW										

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1.	Explanatory	UP TO 40 CATTLE 000000011510
----	-------------	------------------------------

Dates:

Licensed Date:

Decreed Date: 02/12/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

21 March 2005

Mariam M. Baker
P. O. Box 110
Freedom, WY 83120

Re: Snake River Basin Adjudication (SRBA)
Claim 24-4013

COPY

Subject: CHANGE IN USE

Response Date: 4 April 2005

Dear Claimant (s):

Thank you for the FAXed documents. When the statutory claim was filed June 19, 1972 it was for only 0.5 acres of land. Claims filed after the mandatory permit statute deadline of May 20, 1971 cannot be changed. Therefore, the department can only recommend to the Court 0.5 acres. The rate of use will be adjusted if the claim is recommended to the Court.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Barbara Payne

changed
to 24-4013

24 4002

Identification No. _____
Claim No. _____
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Melvin Robinson
post office address Freedom, Wyoming

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 7 Township 5 South
Range 46 east B.M. located on a spring. The surplus of which soaks
(name of source)
into the ground in caribou County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

1938 amount: 0.01 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use Irrigation period of use from June 1 to Sept. 30 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of wood plank
box; length is 3' feet; height is 3' feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known The capacity has been about the same since 1938

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

RECEIVED
MAR 2 2005
BT

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is 250 feet; diameter of pipe line is 2" 1 1/2" inches; type of pipe GALVANIZED; grade of pipe per 1000 feet is 25' total head. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____.

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____;
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____.

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 0.5

Explain any significant increase in area irrigated since first use, give dates and acreages if known



24-4002

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____ The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served 1 family
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
This spring and collection box located within the R/W of State Route 34
near the north R/W line. (The home is south of the road.) It taken
from the collection box by 10 ft. of 2" Ø galvanized pipe which carries
the water under the road and over to the house. There is an outside
faucet for watering the lawn.
About 1968 when the road was built, it was discovered that I had built
my home and barns on forest land instead of on my own property. Since
then I have traded some ground to the Forest Service for the ground
where my home and barns are located. In my opinion, right-of-way is
not required for this right.

State of Idaho }
County of _____ } ss.

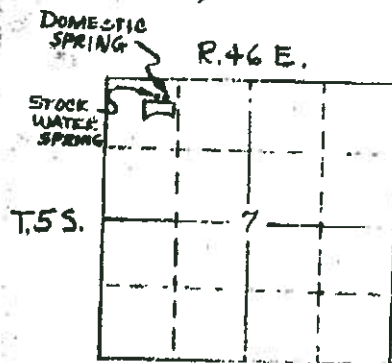
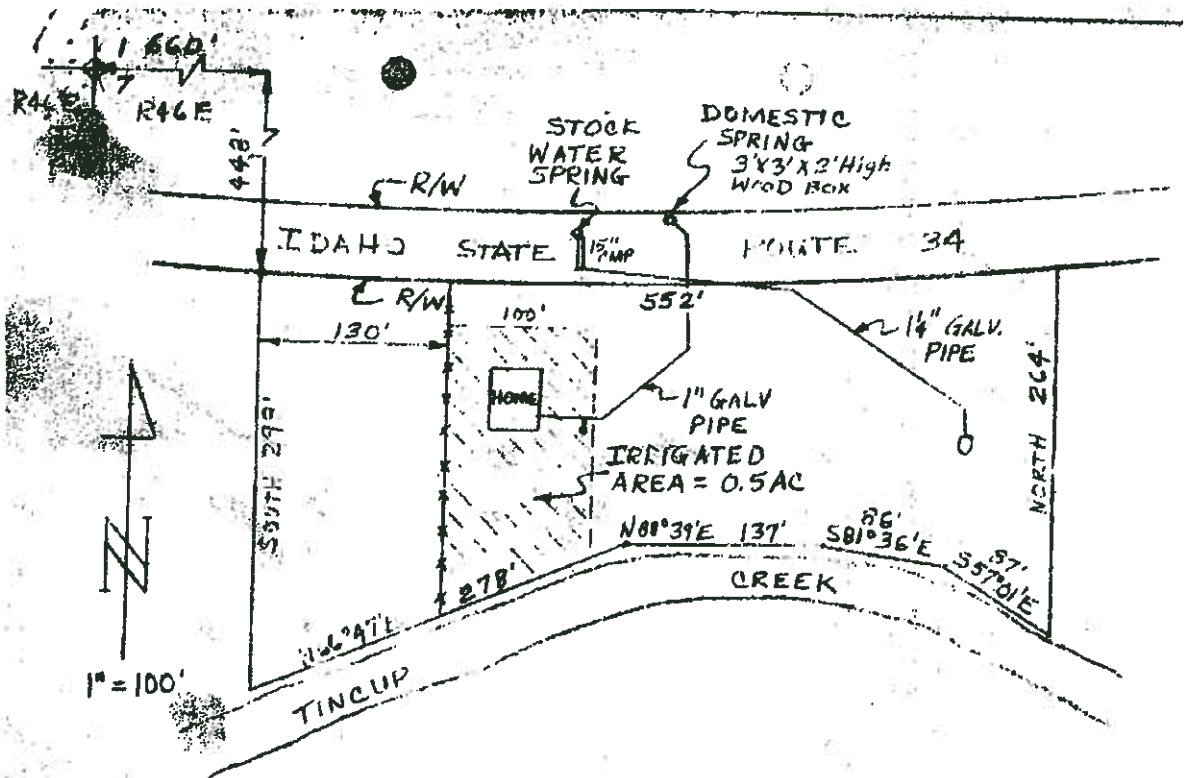
Be It known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiant's knowledge.

Sworn to before me this 19th day of June, 1972
Melvin Robinson Claimant
Marianne M. Baker Notary Public
Residing at Bruc, Idaho
My commission expires 4-23-76

RECEIVED
MAR 21 2005
By BA

For Department Use Only

Received by <u>WJ</u> Date <u>6-26-72</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>D</u> Date <u>6-26-72</u>	_____	_____	_____
Fee received by <u>WJ</u> Date <u>6/26/72</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>NCV</u>	_____	_____	_____
Published in <u>Idaho Springs</u> Dates <u>2-6-72-72</u>	_____	_____	_____



I certify that the above map reasonably shows the existing water works for the Domestic Spring and the Stock Water Spring. The location and sizes of the conveying pipes were described by the man who installed it.

25 MAY 1972

Frederick R. Baker
 STATE OF IDAHO
 DEPUTY CLERK



 b. Underground water diverting works: Is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g.p.m.; name and address of well driller is _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

25 February 2005

Mariam M. Baker
P. O. Box 110
Freedom, WY 83120

Re: Snake River Basin Adjudication (SRBA)
Claim 24-4011, 24-4012 & 24-4013

Subject: EVIDENCE OF PRIORITY CLARIFICATION

Response Date: 11 MARCH 2005

Dear Claimant (s):

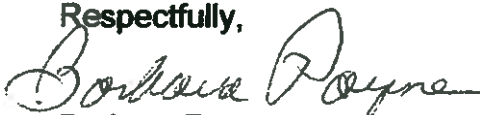
We received today your fax that contained three sheets, a cover letter and affidavits from Bruce R. Robinson and Donald R. McCourt. However, these documents alone do not provide sufficient evidence to support the claimed priority dates on the lands claimed nor for the purposed claimed.

Please note that two of the claims have a priority date of January 1, 1938 and one of June 1, 1967. The usage is for irrigation, stockwater and domestic. The claimed places of use are within Township 5S, Range 45 E, Sections 1 and 12 and Township 5S, Range 46E, Section 7. Evidence needs to support the claimed priority dates, the place of use and the purpose of use. The affidavits submitted do not support the 1938 priority date, the place of use is not specifically mentioned and the purpose of use stated in the affidavits is for irrigation only, not domestic and stockwater.

Please refer to the copies of the Notices of Claim to a Water Right sent to you with our last letter and re-read the Evidence of Priority also sent with our last letter.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,


Barbara Payne

COPY

FAX 208-547-3939

Unknown

Department of Water Resources
15 W. Center Street
Soda Springs, ID 83276

Ph. 208-547-3993
FAX 208-547-3939

Attn: Barbara Payne

Reference your letter of October 19, 2004 and reply extension to November 29, 2004 concerning Snake River Basin Adjudication (SRBA) claims 24-4011, 24-4012 and 24-4013 and the use of water from the same.

Enclosed are notarized statements from the following individuals verifying use of water from the above.

Donald R. McCourt
Dale Luthi
Fred Brog
Bruce Robinson

East Carbon, Utah
Freedom, WY (Id.)
Freedom, WY
Bedford, WY

Sincerely,

Mariam M. Baker

Mariam M. Baker
P.O. Box 110
Freedom, Wyoming 83120

208-873-2632 Ph.
307-883-2005 FAX

November 26, 2004

FEB 25 2005

FD

11/26 13:28
12085473939
00:01:06
05
OK
STANDARD
ECM

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

TIME 11/26/2004 13:24
NAME
FAX
TEL

TRANSMISSION VERIFICATION REPORT

Donald R. McCourt
HC 032 Box 198
East Carbon, Utah 84520

State of Idaho
Department of Water Resources
15 West Center Street
Soda Springs, Idaho 83276

November 14, 2004

Water Department:

I began farming property in Tin Cup Canyon belonging to Wayne and Mariam Baker in 1972. I used water from Tin Cup Creek to irrigate the fields belonging to that property.

Sincerely,

Donald R. McCourt

Donald R. McCourt

State of Utah
County of Carbon
I, Donald R. McCourt
do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Carbon, State of Utah.
Witness my hand and the seal of the County of Carbon, State of Utah, this 15 day of Nov 2004.
Nola Porter
County Clerk

 NOLA PORTER
CLERK, COUNTY OF CARBON, STATE OF UTAH
P.O. BOX 424
EAST CARBON, UT 84520
COMM. EXP. 11-18-2004

FEB 25 2005

FAX 208-677-3701

Unknown

Department of Water Resources
15 W. Center Street
Soda Springs, ID 83276

Ph. 208-547-3993
FAX 208-547-3939

Attn: Barbara Payne

Reference your letter of October 19, 2004 and reply extension to November 29, 2004 concerning Snake River Basin Adjudication (SRBA) claims 24-4011, 24-4012 and 24-4013 and the use of water from the same.

Enclosed are notarized statements from the following individuals verifying use of water from the above.

Donald R. McCourt
Dale Luthi
Fred Brog
Bruce Robinson

East Carbon, Utah
Freedom, WY (Id.)
Freedom, WY
Bedford, WY

Sincerely,

Mariam M. Baker

Mariam M. Baker
P.O. Box 110
Freedom, Wyoming 83120

208-873-2632 Ph.
307-883-2005 FAX

November 26, 2004

FEB 25 2005

FD

11/26 13:23
12085473939
00:01:06
OK
STANDARD
EOM

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

TIME 11/26/2004 13:24
NAME
FAX
TEL

TRANSMISSION VERIFICATION REPORT



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

19 October 2004

COPY

Mariam M. Baker
P. O. Box 110
Freedom, WY 83120

Re: Snake River Basin Adjudication (SRBA)
Claim 24-4011, 24-4012 & 24-4013

Subject: EVIDENCE OF PRIORITY

Response Date: 16 November 2004

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of

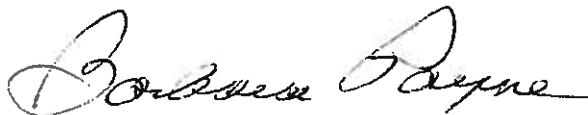
Evidence is Required” and “Some examples of Documents Which May Be Evidence of the Priority Date”.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

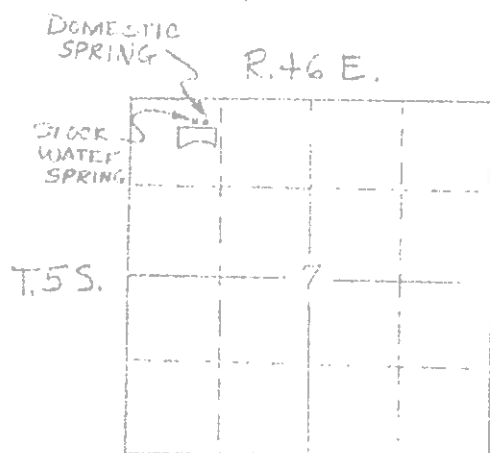
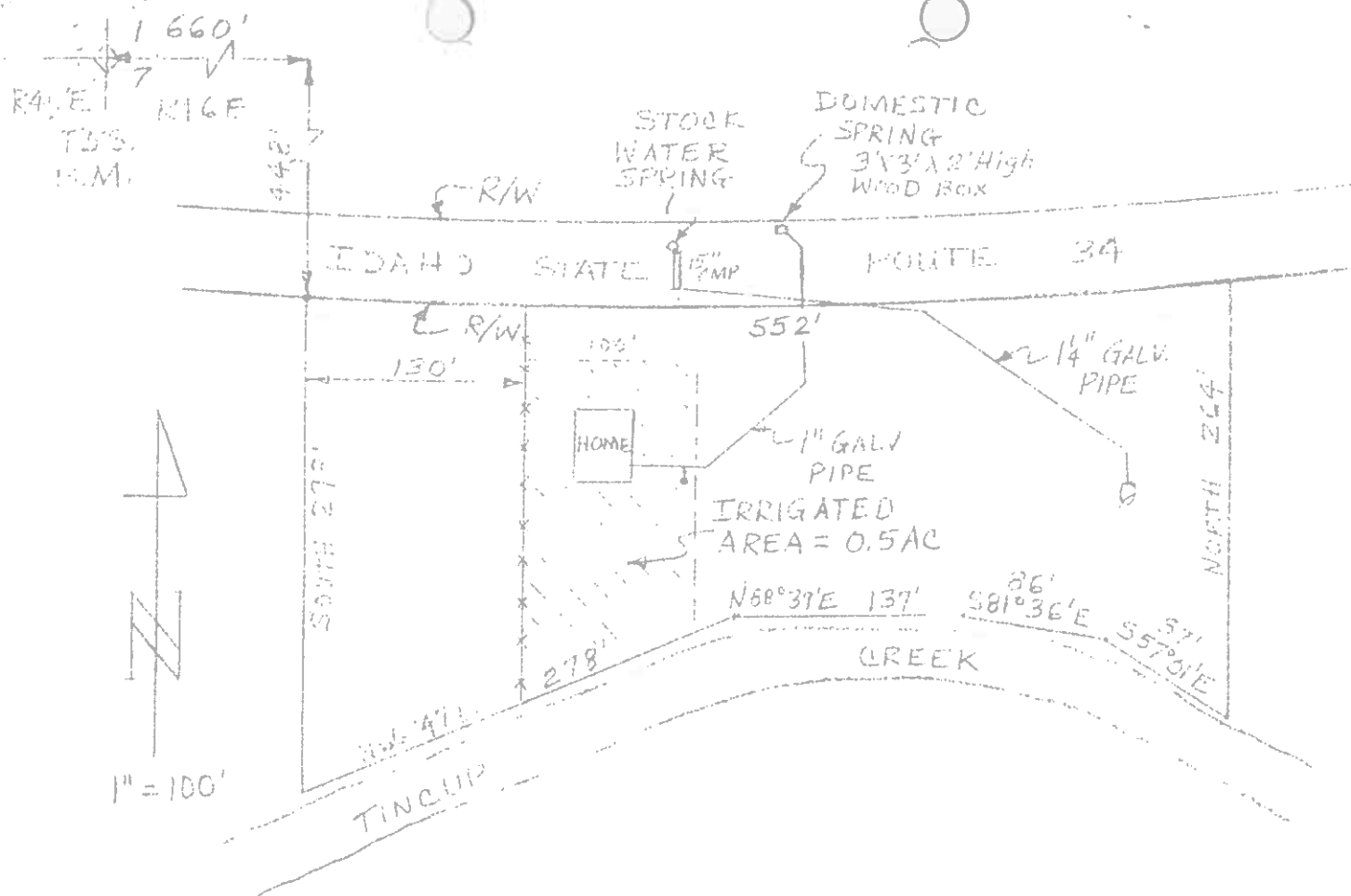
Please submit the documentation supporting the priority date by the above noted response date, referencing **all documents with the corresponding Notice number.** If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Barbara Payne

Enclosure: Brochure on “Evidence of Priority”
Notice of Claim to a Water Rights



I certify that the above map reasonably shows the existing water works for the Domestic Spring and the Stock Water Spring. The location and sizes of the conveying pipes were described by the man who installed it.

25 MAY 1972

Fester [Signature]
 STATE OF IDAHO
 CUSTER D. BAKER

NOTICE OF CLAIM TO A WATER RIGHT

NO. 24-4002

Notice is hereby given that Melvin Robinson, Freedom, Wyoming

has filed a claim to a water right established by diversion and application to
beneficial use of 0.01 cubic feet per second ~~XXXXXX~~ acre feet per annum
of water from an unnamed spring
with point of diversion in the NW 1/4, Sec. 7, T. 5S, R. 46E, B.M., Caribou
County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes
for one family, and from June 1 to Sept. 30 for the irrigation of 0.5 acres
with a priority of 1938

The place of use is within the NW 1/4, Sec. 7, T. 5S, R. 46E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho
on July 6 and July 13, 1972

NCY 24 4002

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 24-40.3
 Old No. _____ New No. _____

Record

1. Original Owner: Melvin Robinson

Present Owner: _____

2. Address: _____

3. City: Freedom State: WY Zip: _____

4. A. Source of Water: Spring

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1938

D. County: 29

E. Total Diversion Rate: 0.1

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank):

H. Water District: _____

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW 1/4</u>	<u>7</u>	<u>55</u>	<u>46E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 6-1 to 9-30 for A purposes. Amount 0.1
 (cfs or AC-yr)

from 1-1 to 12-31 for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

August 2, 1972

Re: Claim to a Water Right No. 24-4001 & 24-4002

Mr. Melvin Robinson
Freedom, WY

Dear Mr. Robinson:

The Department of Water Administration has completed the processing of your claims to water rights and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in either of your claim files, you may have that information or evidence added at any time. Please refer to your claim number(s) when corresponding with this office.

We are enclosing, for your records, a copy of each of your claims. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enc: Copies of claims (2)

✓bc: BOISE OFFICE

24 4002

SCANNED

AUG 05 2001

Log for claim 24-04013

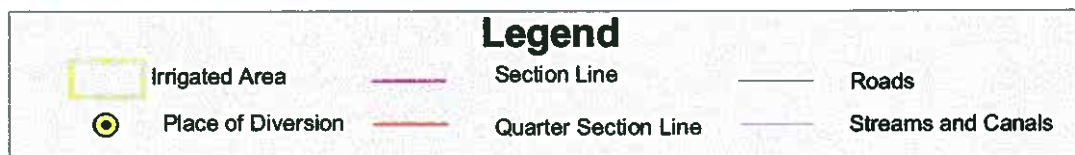
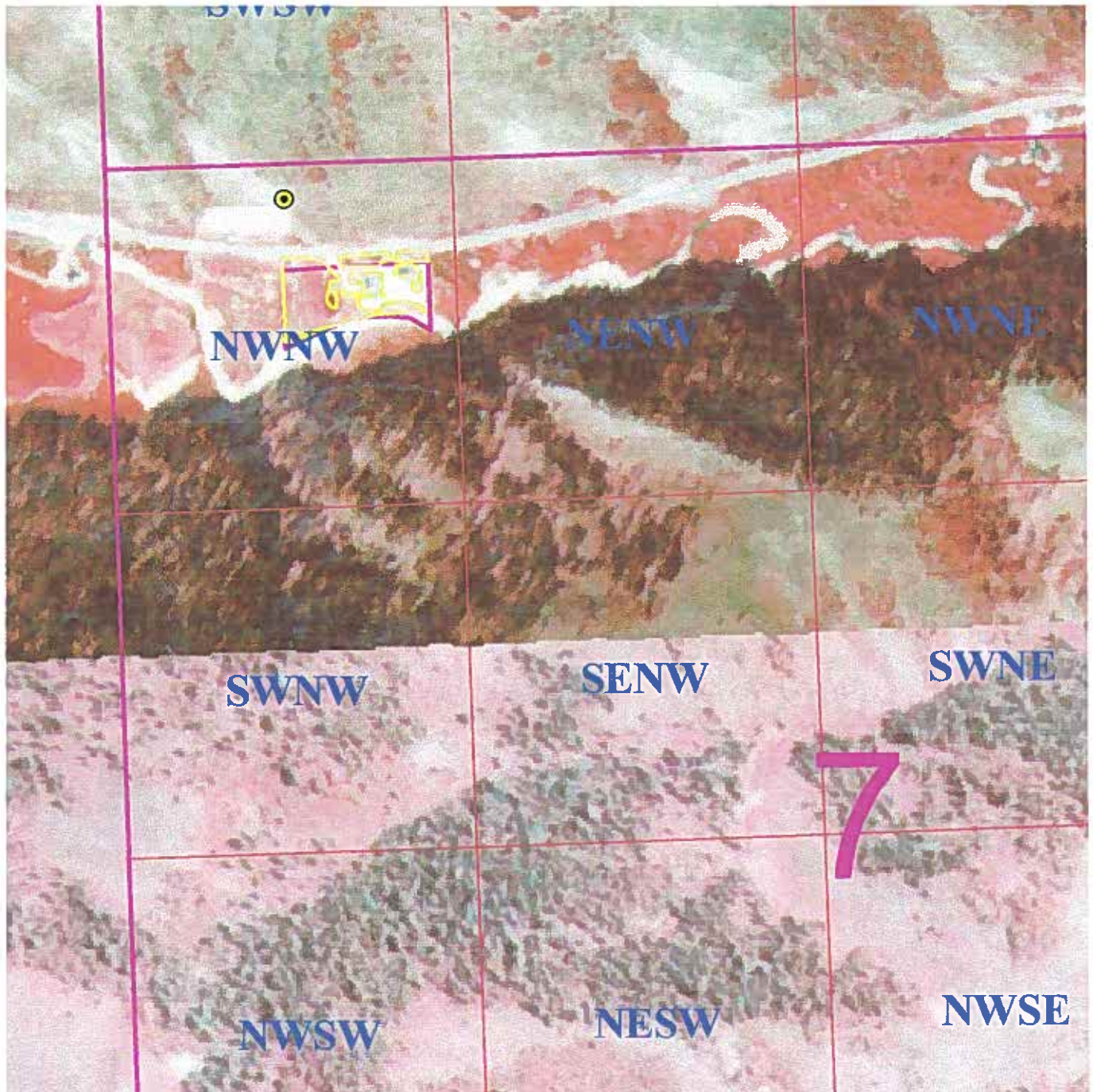
Spatial Dynamics BTD

4/4/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s46e	7	NWNW	3	2.2	
Totals:			3	2.2	

Water Right Claim Number 24-04013
Township , 5S46E

04/04/2001

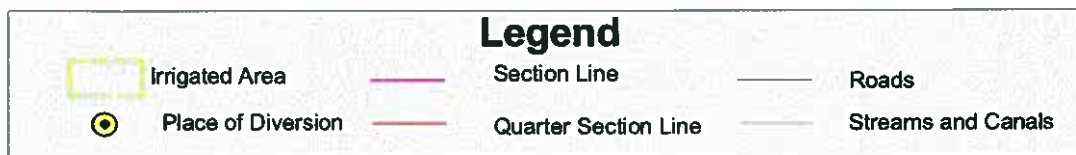
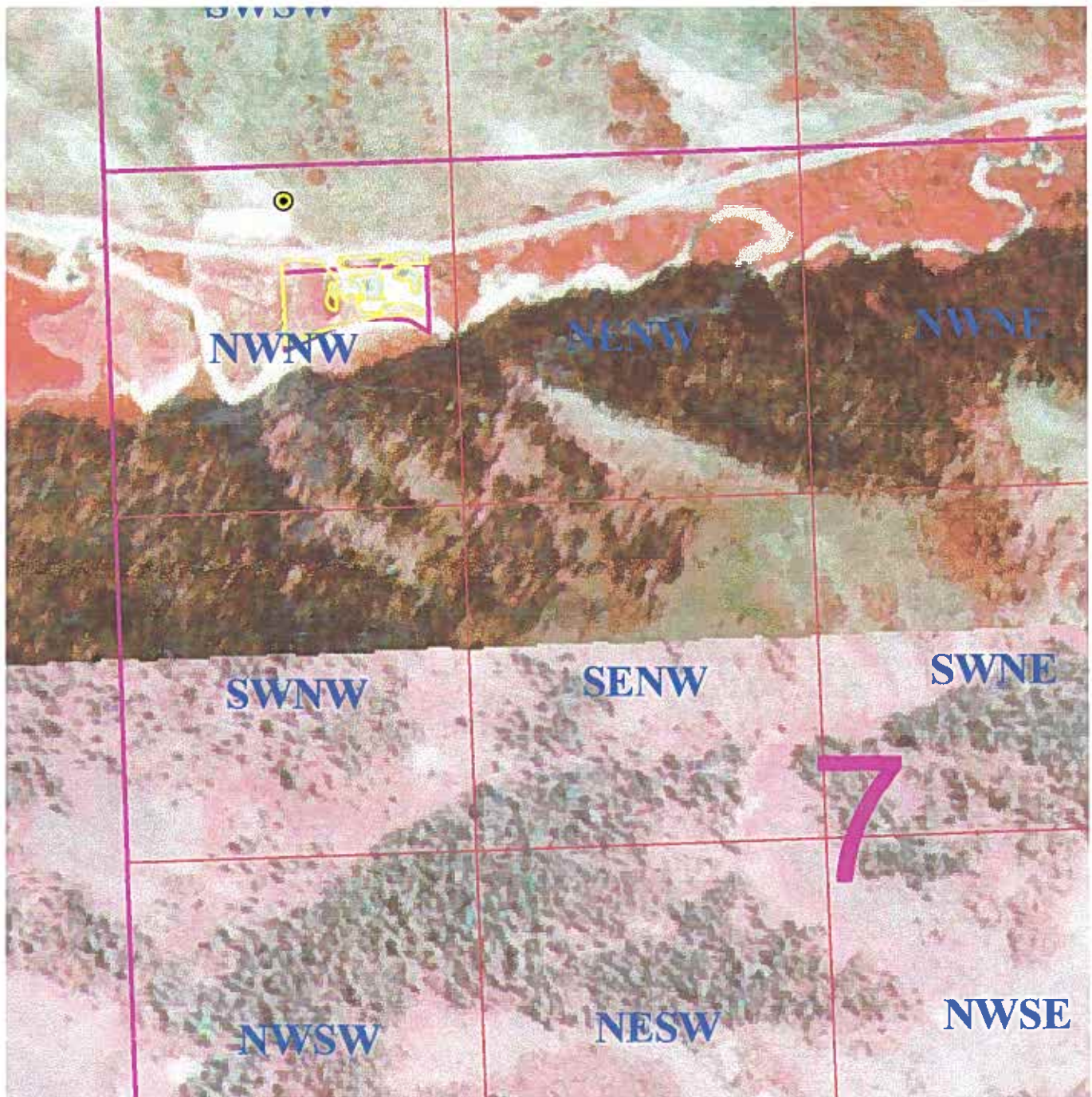


400 0 400 800 Feet



Water Right Claim Number 24-04013
Township , 5S46E

04/04/2001

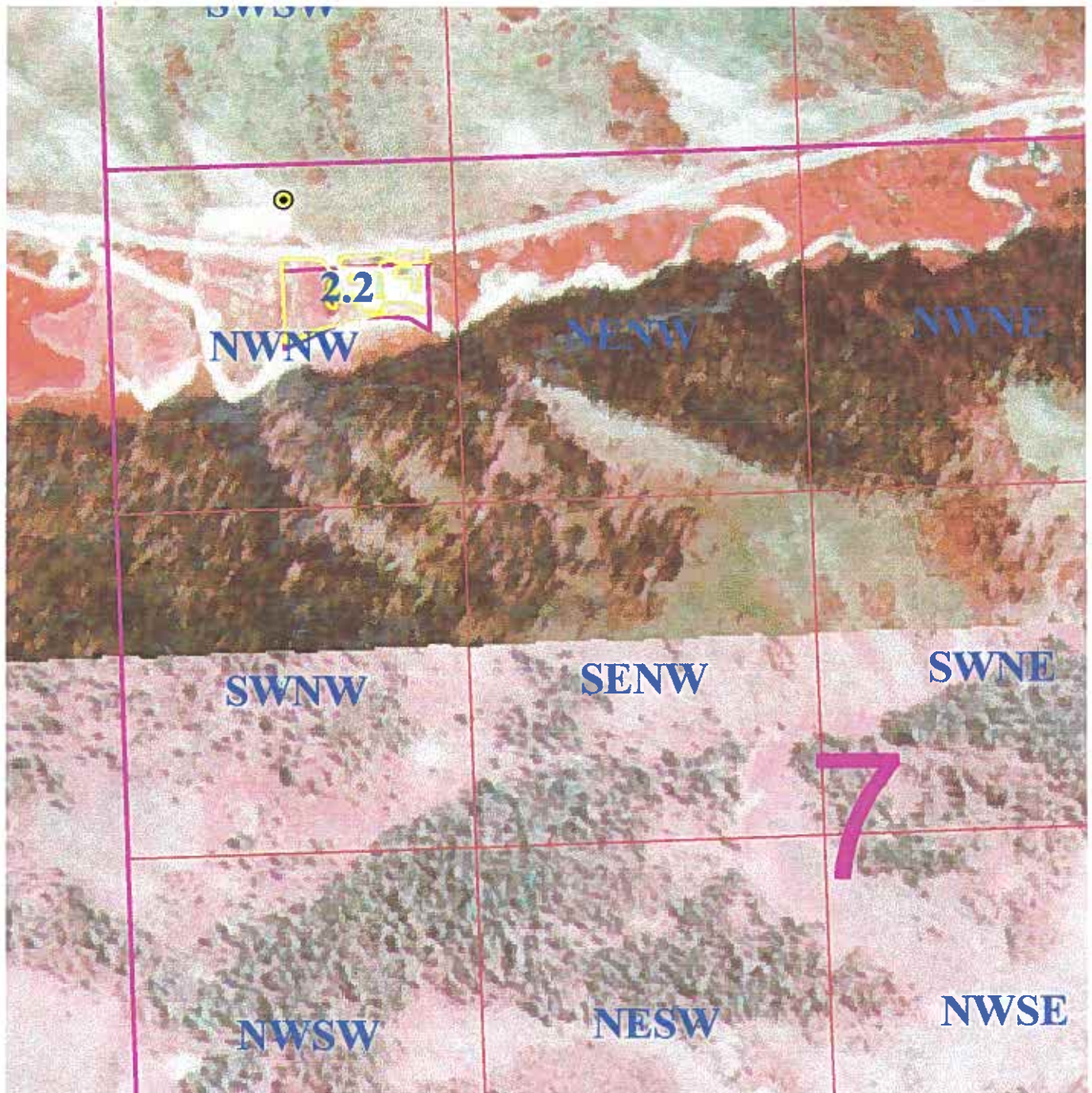


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 24-04013
Township , 5S46E

04/04/2001



400 0 400 800 Feet



 SPATIAL
DYNAMICS

~~27-4006~~
24-4002

Identification No. _____
Claim No. 24-4013
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Melvin Robinson
post office address Freedom, Wyoming

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 7 Township 5 South
Range 46 east B.M. located on a spring. The surplus of which soaks
(name of source)

~~into the ground~~ into the ground in caribou County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

1938 amount: 0.01 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)

use Irrigation period of use from June 1 to Sept. 30 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of wood plank
box; length is 3' feet; height is 3' feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known The capacity has been about the same since 1938

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

24-4002

- c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is 250 feet; diameter of pipe line is 2", 1 1/2" & 1"; type of pipe GALVANIZED; grade of pipe per 1000 feet is 25' total head. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____.

- d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 0.5

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through ditch owned by several users? No If yes, give the name of the ditch _____
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served 1 family
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
This spring and collection box located within the R/W of State Route 34
near the north R/W line. (The home is south of the road.) It taken
from the collection box by 10 ft. of 2" Ø galvanized pipe which carries
the water under the road and over to the house. There is an outside
faucet for watering the lawn.
About 1968 when the road was built, it was discovered that I had built
my home and barns on forest land instead of on my own property. Since
then I have traded some ground to the Forest Service for the ground
where my home and barns are located. In my opinion, right-of-way is
not required for this right.

State of Idaho }
County of _____ } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 19th day of June, 1972
Melvin Robinson
Claimant

Marianne M. Baker
Notary Public
Residing at Price, Utah

My commission expires 4-23-76

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>WJ</u>	<u>6-26-72</u>			
Prelim. check by	<u>1D</u>			
Fee received by	<u>6/26/72</u>			
Approved for publication by	<u>N CV</u>			
Published in	<u>Price, Utah</u>			

6-26-72
Price, Utah

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
		Total claimed:	1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.