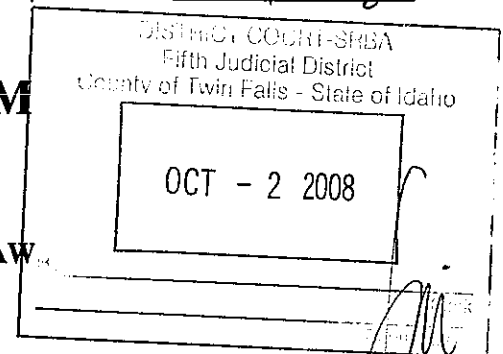


RECEIVED

JAN 14 2010

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Indent. Number 72-16778Date Received 1-14-2010Receipt Number C089858LATE
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) Eddie Baker Jr., Eddie E. Baker Phone (208) 838-2318
Mailing Address HC 68 Box 375, Clayton, Idaho Zip 83227
2. Date of Priority only (1) per claim) April 1, 1948
3. Source of water supply (a) Big Boulder Creek
which is tributary to (b) Salmon River East Fork
4. a. Location of existing point of diversion is: Township 09N Range 17E Section 15,
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ NE $\frac{1}{4}$, Govt. Lot, 1 B.M., County of Custer (aka BBC-1)
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____
_____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, etc.).
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as constructed and as
enlarged and the depth of each well. The BBC-1 diversion has a headgate in Big Boulder Creek. BBC-1 diverts water into a
ditch that has a fish screen installed by the Idaho Department of Fish and Game. The BBC-1 diversion is described in
greater detail in the Affidavit of Edwin E. Baker Jr. in Support of Motion to File Late Notices of Claims.
6. Water is claimed for the following purposes:

	(both dates are inclusive)	(cfs)	(acre feet)
For <u>Irrigation</u> purposes from <u>4/1</u> to <u>10/31</u> amount <u>.42</u> or _____			
For _____ purposes from _____ to _____ amount _____ or _____			
For _____ purposes from _____ to _____ amount _____ or _____			

Last Name Baker Ident. Number 72-16778

Form No. 42-1409 (2) a 9/88 (Internet)

7. Total quantity claimed (a) .42 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is N/A acre fee per annum.
9. Non-Irrigation uses; describe fully (e.g. Domestic: Give number of households served; Stockwater Type and number of livestock etc.) _____
10. Description of place of use:
 a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	17E	10													3			7.86	13.86

Total number of acres irrigated 13.86

11. In which county(ies) are lands listed above as place of use located? Custer
12. Do you own the property listed above as place of use? Yes _____ No X
13. Describe any other water rights used a the same place and for the same purposes as described above.
 _____ or None ()
14. Remarks:

Last Name Baker Ident. Number 72-16778

Last Name Baker Ident. Number 72-16778

Decree ____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1 (3 PAGES)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing documents are true and correct.

Signature or Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title organization
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 20____

Notary Public _____

SEAL

Residing at _____

My Commission Expires _____

16. Notice of Appearance:

Notice is hereby given that I, Daniel V. Steenson will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address P.O. Box 2773, Boise, Idaho 83701

Date _____

Last Name Baker Ident. Number 72-16778

Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1 (3 PAGES)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing documents are true and correct.

Signature or Claimant (s) Eddie E. Baker Date 9-15-08
Eddie Baker Jr. Date 9-15-08

For Organizations: I do solemnly swear or affirm that I am _____

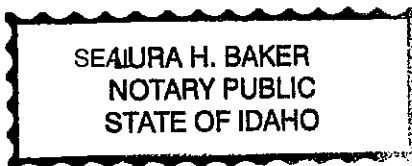
_____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title organization
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 15th day of September 20 08



Notary Public Seaira H. Baker

Residing at Clayton, Idaho

My Commission Expires 12-12-09

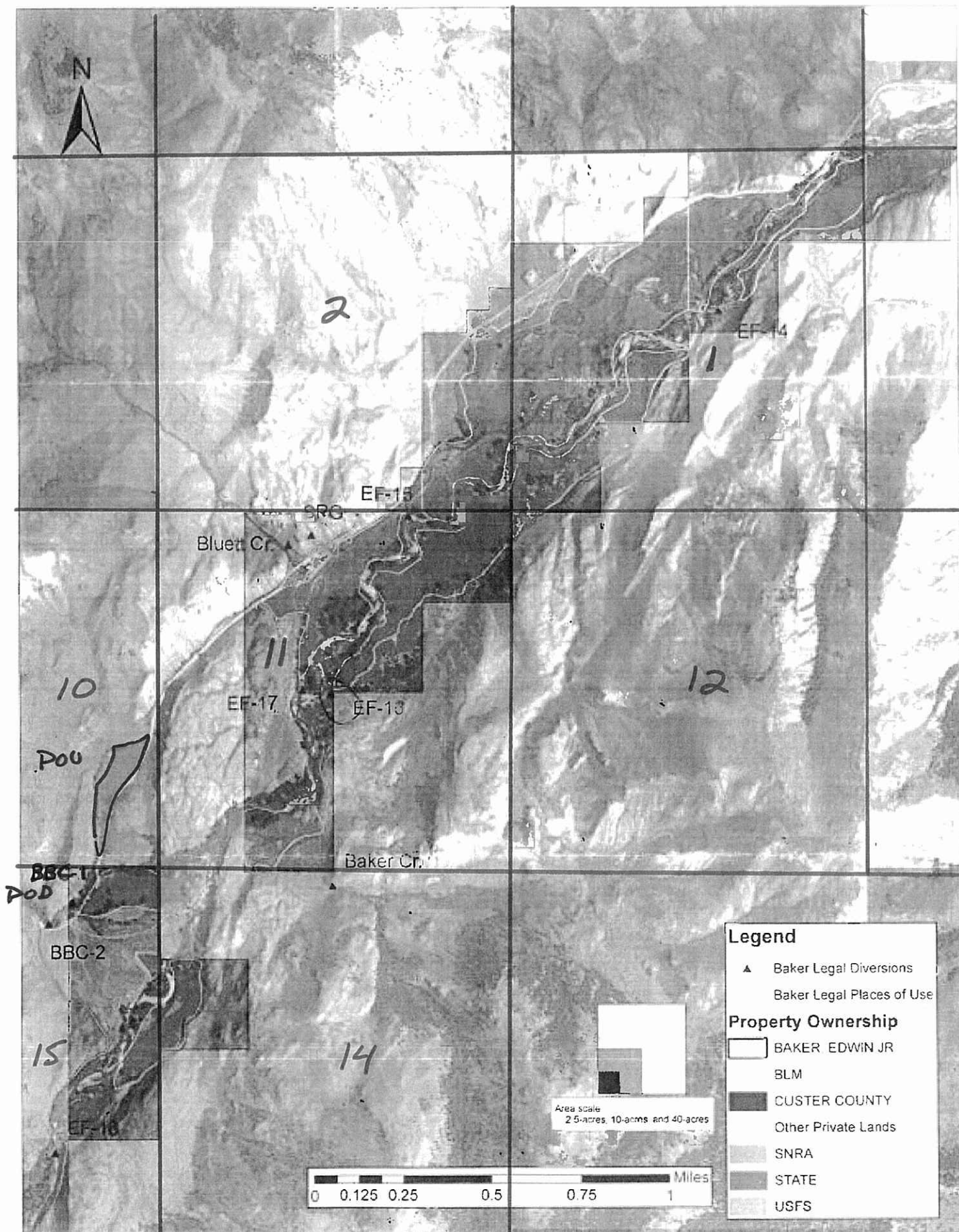
16. Notice of Appearance:
Notice is hereby given that I, Daniel V. Steenson will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Daniel Steenson

Address P.O. Box 2773, Boise, Idaho 83701

Date 9-30-08

Last Name Baker Ident. Number 72-16778



Attachment A

3

2

10

11

POU

POB

15

14

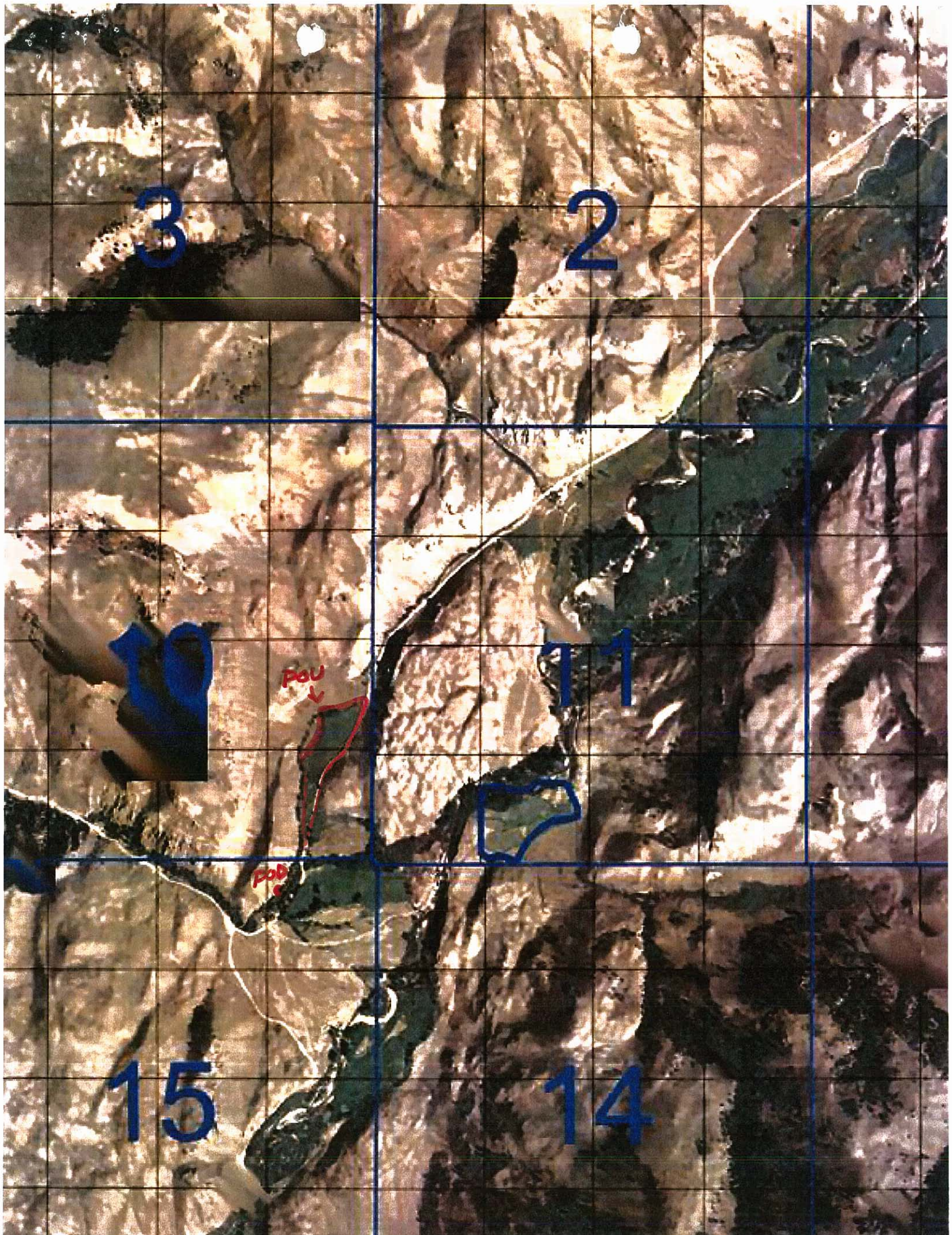
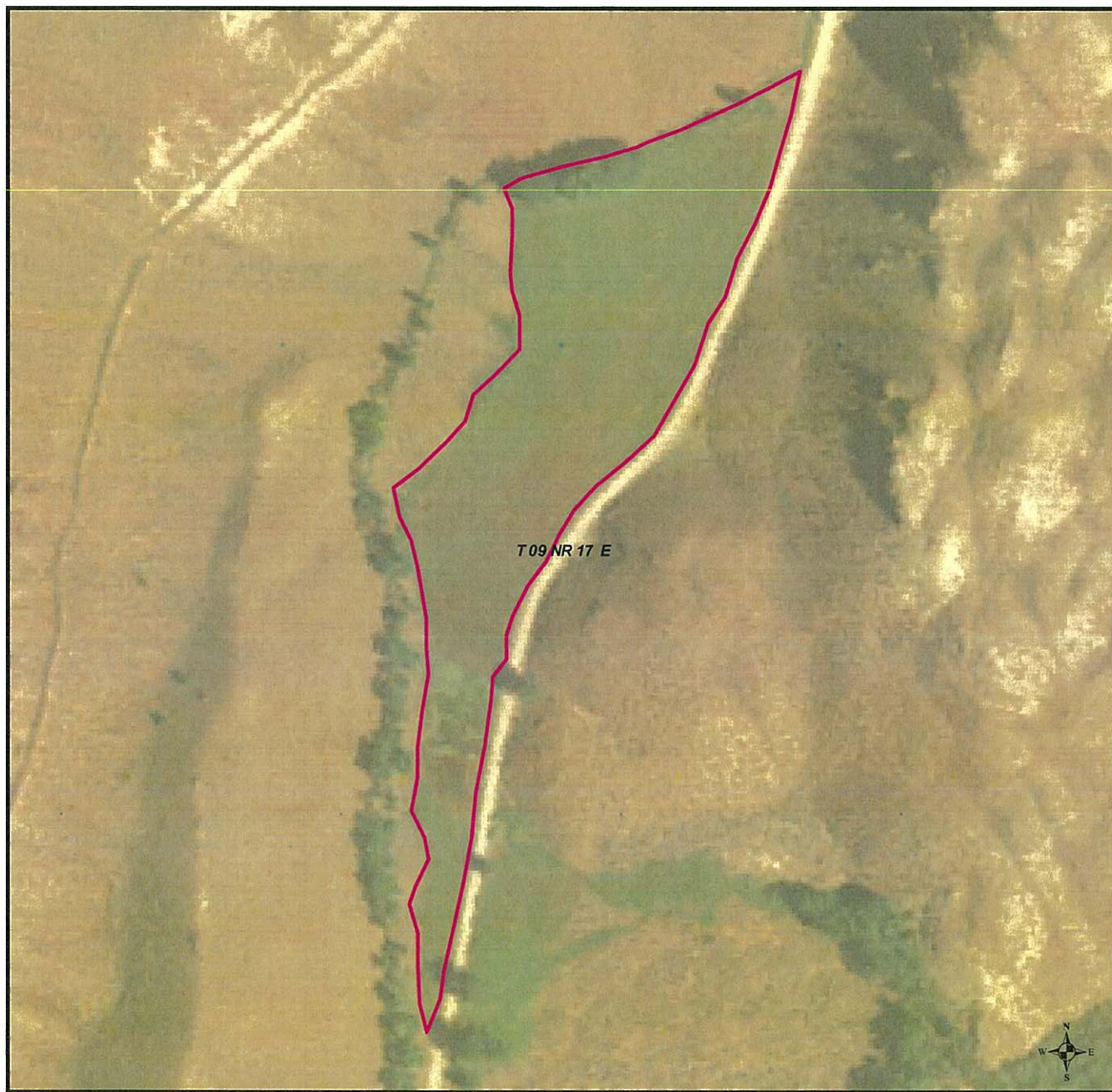


Exhibit A
Eddie Baker Jr., Land Use Permit
IDI-25476
B.M., T, 9 N., R. 17 E., sec. 10, lot 6



Legend

- PRIVATE
- BLM
- USFS
- STATE

This map represents.... agricultural harvest, vicinity
Boulder Creek within the Challis Field Office,
Idaho BLM.

The sources of the data are from Idaho-
BLM Corporate Data, and the USGS.

No warranty is made by the Bureau of Land
Management (BLM). The accuracy, reliability,
or completeness of these data for individual
use or aggregate use with other data is
not guaranteed.

