

RECEIVED

MAY 07 2010

DEPARTMENT OF
WATER RESOURCES

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

Indent. Number 72-16783

Date Received _____

Receipt Number _____

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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho OCT 29 2008 Clerk Deputy Clerk

Please type or print clearly

1. Name of Claimant(s) D. Wayne Baker, Melodie L. Baker Phone (208) 838-2440
Mailing Address HC 68 Box 304, Clayton, Idaho Zip 83227
2. Date of Priority only (1) per claim) April 1, 1930
3. Source of water supply (a) Big Lake Creek
which is tributary to (b) Salmon River, East Fork
4. a. Location of existing point of diversion is: Township 09N Range 18E Section 31,
_____ 1/4 of NW 1/4 SE 1/4, Govt. Lot, _____ B.M., County of Custer
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 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. This diversion consists of a cut in the bank of Big
Lake creek with a canvas dam, and is described in the Affidavit of D. Wayne Baker 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 Irrigation (conveyance loss) purposes from 4/1 to 10/31 amount 5.30 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.30 (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.) This water right is for conveyance losses in conveying water from the point of diversion to the place of use. There is no consumptive use associated with this claim.

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	
10N	18E	32											7.9	12			11	6.3	37.2
10N	18E	33											10 lot 4	2 lot 4					12.

Total number of acres irrigated 49.211. In which county(ies) are lands listed above as place of use located? Custer12. Do you own the property listed above as place of use? Yes X No _____13. Describe any other water rights used at the same place and for the same purposes as described above.
The following rights are for irrigation from these diversions; 72-198

_____ or None ()

14. Remarks:

The maximum combined diversion for irrigation and conveyance loss is limited to 6.80 cfs

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 (1 page)

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

Signature or Claimant (s) D. Wayne Baker Date 10-22-08

Melodi L Baker Date 10-22-08

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

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ Organization _____ of _____

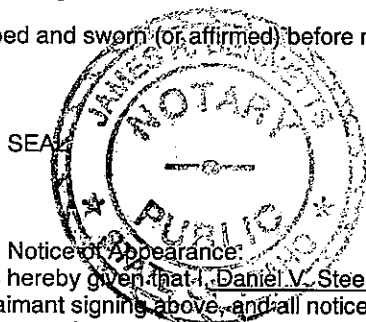
Title _____ organization _____ and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 22nd day of October 20 08



Notary Public James R. Bennett

Residing at Challis, Idaho

My Commission Expires 1-21-11

16. Notice of Appearance

Notice is hereby given that 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

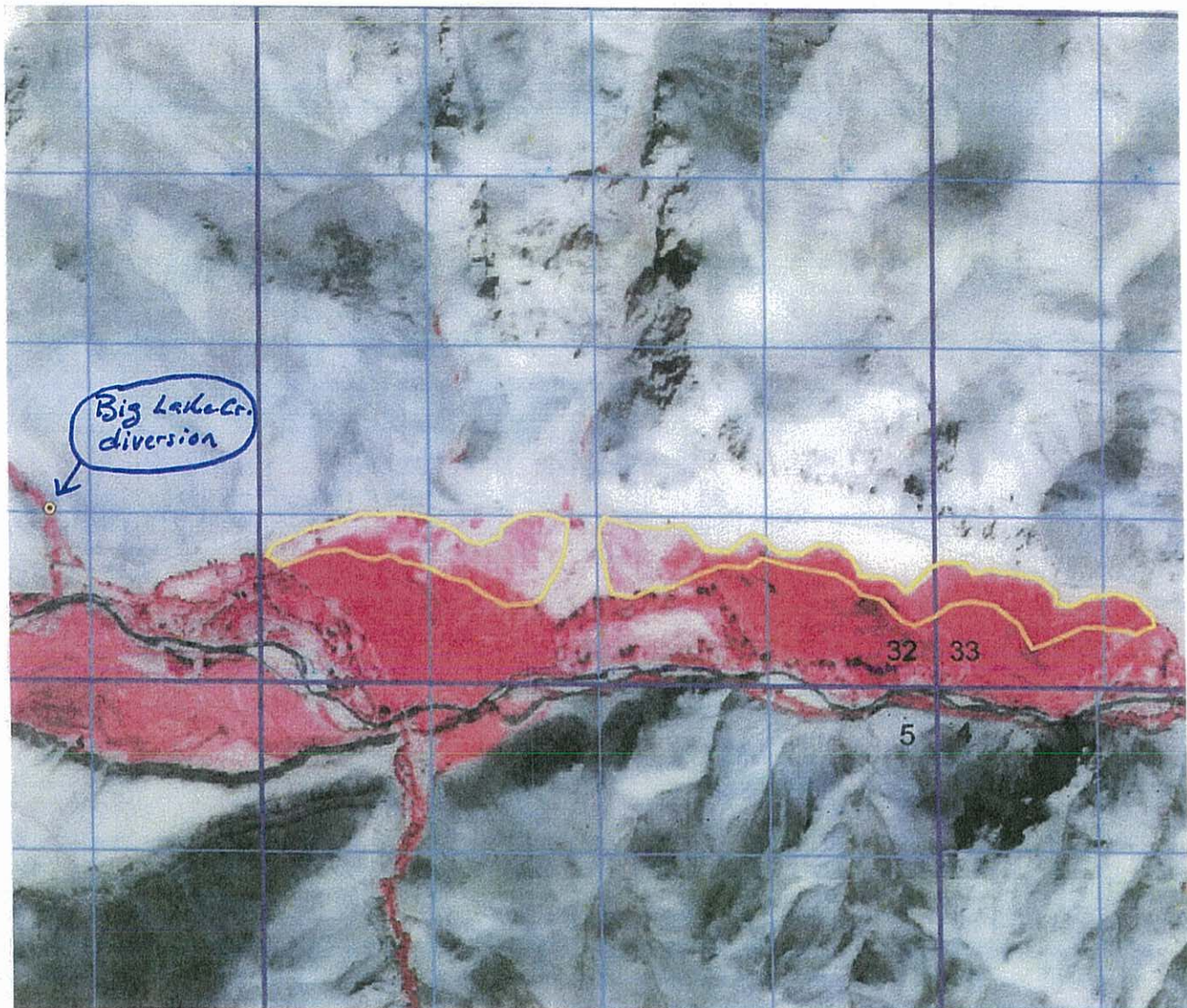
Date 10-27-08

Last Name Baker Ident. Number 72-16783

IDAHO DEPARTMENT OF WATER RESOURCES

RIGHT 72-00198

RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 32, 33
TWP 09N, RNG 18E, SEC 4
data entry on October 28, 1998



0 1320 2640 3960 5280 Feet



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

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

Exhibit A