

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 22-11003

Date Received:  
Receipt Nos:  
Received By:

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

Name of Claimant BAKER FARMS INC  
C/O THOMAS BAKER  
6501 E 2000 N  
SUGAR CITY, ID 83448  
(208)458-4265

Priority Date: 06/12/1903  
Basis: Decreed/License  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| Ground Water  |                  |
| Fall River    | Snake River      |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.29 CFS              | 73.5 AFA      |
| Total Diversion       |             |           | 0.29 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER      NENWSE      Sec. 17      Township 06N      Range 41E      MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 41E          | 17             |            | NENE 35      |              |            | NWNE 34      |              |            | SWNE 40      |              |            | SENE 39      |              |
|                 |              |                |            | NENW 11      |              |            | SENE 17      |              |            |              |              |            |              |              |
|                 |              |                |            | NESW 2       |              |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NESE 20      |              |            | NWSE 18      |              |            |              |              |            |              |              |

Total Acres: 216

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Enterprise Irrigation District irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

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  
1. C18 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 rights listed below are limited to a total combined diversion rate of 2.66 cfs and to a  
2. E61 total combined annual diversion volume of 756 AF. Combined Right Nos.: 22-2171, 22-11003, and 22-11004.

The rights listed below are limited to the irrigation of a combined total of 216 acres in a  
3. E56 single irrigation season. Combined Right Nos.: 22-2171, 22-11003, and 22-11004.

Right Nos. 22-2171, 22-11003, and 22-11004 are also diverted through point of diversion  
4. F05 described above.

5. K09 This right is for an enlargement of 21 acres within the place of use described for this

right.

6.K02 This right is based upon an enlargement of Right No. 22-2171 pursuant to Section 42-1426, Idaho Code.

7.C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

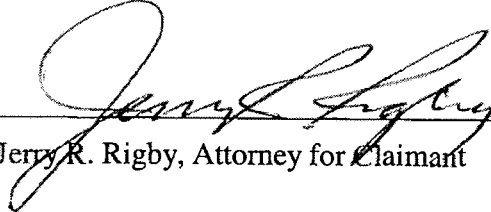
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17<sup>th</sup> day of August, 2010.

  
Jerry R. Rigby, Attorney for Claimant

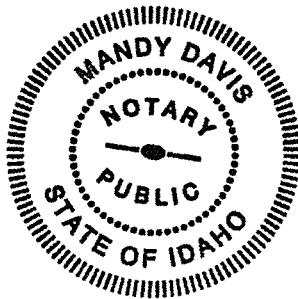
STATE OF IDAHO, )

ss.

County of Madison. )

On this 17<sup>th</sup> day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known 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.



Mandy Davis  
Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011