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JUN 25 2014
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 SRBA	)	Subcase No. 72-16782
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

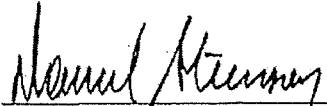
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS/OBJECTORS:

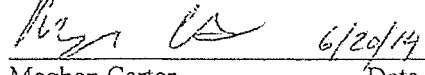
David Wayne Baker
Melodie Baker

 6-11-14

Daniel V. Steenson Date
Attorney at Law

IDWR Concurrence:


Carter Fritschle Date
Manager, Adjudication Section


Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

06/05/2014

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 72-16782

NAME AND ADDRESS: DAVID WAYNE BAKER
HC 68 BOX 304
CLAYTON ID 83227MELODIE L BAKER
HC 68 BOX 304
CLAYTON ID 83227

SOURCE: EAST FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 52.860 CFS

Right nos. 72-224, 72-225 and 72-16782 are limited to a maximum combined diversion rate of 15.00 cfs at the East Fork-3 Diversion in T10N, R18E, S12, SWNE.

Right nos. 72-196, 72-197, 72-199, 72-200 and 72-16782 are limited to a maximum combined diversion rate of 17.00 cfs at the East Fork-11 Diversion in T09N, R18E, S05, NENW, Lot 3.

Right nos. 72-199, 72-200, 72-202F and 72-16782 are limited to a maximum combined diversion rate of 23.80 cfs at the East Fork-12 Diversion in T10N, R18E, S31, SWSE.

Right nos. 72-201C, 72-201F, 72-202A, 72-202D, 72-202E, 72-202G and 72-16782 are limited to a maximum combined diversion rate of 7.84 cfs at the East Fork-13 Diversion in T10N, R18E, S31, SWSW.

~~The diversion rates listed are peak measured values during maximum discharge periods. Actual diversion rates vary seasonally through the year and are proportional to river stage. This right does not authorize diversion of greater quantities than have historically been diverted.~~

PRIORITY DATE: 04/01/1938

POINT OF
DIVERSION: T09N R18E S5 NENW Lot 3 Within CUSTER County
T10N R18E S12 SWNE Within CUSTER County
T10N R18E S31 SWSW Within CUSTER County
T10N R18E S31 SWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	52.860 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T09N R18E S04 Lot 1 NENE	8.80	T09N R18E S04 Lot 2 NWNE	12.00
T09N R18E S04 Lot 4 NWNW	2.10	T09N R18E S04 Lot 4 NWNW	2.40
T09N R18E S06 Lot 1 NENE	6.60	T09N R18E S06 Lot 2 NWNE	4.80
T09N R18E S06 Lot 3 NENW	0.50	T10N R18E S31 SESE	7.00
T10N R18E S31 SWSE	5.70	T10N R18E S31 SESE	12.00
T10N R18E S32 SWSW	15.00	T10N R18E S32 SESE	18.00
T10N R18E S32 SWSE	20.00	T10N R18E S32 SESE	22.00
T10N R18E S33 Lot 4 SWSW	15.00	T10N R18E S33 Lot 5 SESE	10.30
T10N R18E S33 Lot 6 SWSE	8.20	T11N R18E S35 NESW	16.00
T11N R18E S35 NWSE	13.40	T11N R18E S35 SWSE	25.00
T11N R18E S35 SESE	18.00		

262.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 262.8 acres in a single irrigation season. Combined Right Nos.: 72-196, 72-197, 72-199, 72-200, 72-201C, 72-201F, 72-202A, 72-202D, 72-202E, 72-202F, 72-202G, 72-224, 72-225 and 72-16782.

of
re
AVS

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on June 24th, 2014, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

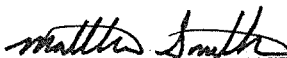
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DAVID WAYNE BAKER
MELODIE L BAKER

Represented by:
DANIEL V STEENSON
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83707



Signature of person or attorney mailing form