

JUL 17 2000

Department of Water Resources

B47

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: **A72-16568**
Date Received: 5/23/2000
Receipt No: C049245
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHERYL KAY BAKER 208-838-2269
Address: HC 68 BOX 350
CLAYTON ID 83227
AND/OR
Name: RICHARD DOUGLAS BAKER 208-838-2269
Address: ~~HC 68~~ BOX 350 *HC 68 CB*
CLAYTON ID 83227

2. Date of Priority: MAY 1, 1885

3. Source: SALMON RIVER, EAST FK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
09N	18E	3		NE		NE	CUSTER
10N	18E	35		NE		SW	CUSTER
Ending Point of Instream Flow							
10N	18E	35		NE		~~NE~~ SW <i>CB</i>	CUSTER
10N	18E	35		NE		~~SW~~ NW	CUSTER

5. Description of diverting works:
INSTREAM LIVESTOCK WATERING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	10/31	04/01	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	18E	3	NE	NE		STOCK	
10N	18E	34	SE	SE		STOCK	
		35	NW	NE		STOCK	
			SW	NE		STOCK	
			SE	NW		STOCK	
			NE	SW		STOCK	
			SW	SW		STOCK	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
72-00193B - IRRIGATION

14. Remarks:
INTENT IS TO PROVIDE FOR STOCKWATER DURING NON-IRRIGATION SEASON
FOR 100 RANGE CATTLE/SHEEP AND 20 HORSES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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 _____ 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): Craig Baker Date: 7/14/00

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of July 20 00 Ethel M. Peck
Notary Public

Seal



Residing at Challis
My Commission Expires 3-19-2004

RECEIVED

JAN 23 2001

Department of Water Resources

RECEIVED

FEB - 1 2001

Department of Water Resource
Southern Region

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

A. Subcase 72-16568

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (208) 331-5941 phone, (208) 387-0842 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Richard Douglas Baker

Address: HC 68 Box 350; Clayton, Idaho 83227

Name: Cheryl Kay Baker

Address: HC 68 Box 350; Clayton, Idaho 83227

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The legal description for element five and nine (POD & POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

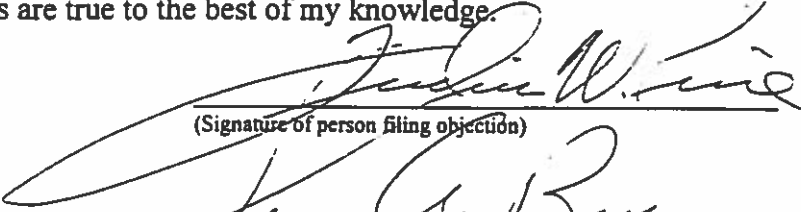
State of Idaho)

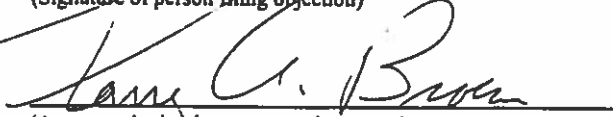
) ss.

County of Ada)

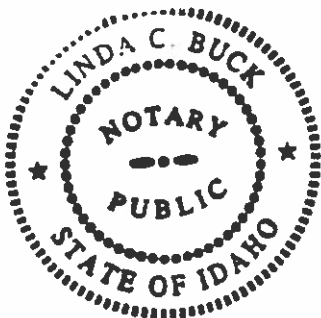
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 22, 2001




Linda C. Buck

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 22, 200~~0~~¹, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Richard Douglas Baker

Address: HC 68 Box 350; Clayton, Idaho 83227

Name: Cheryl Kay Baker

Address: HC 68 Box 350; Clayton, Idaho 83227

Name:

Address: ;

Name:

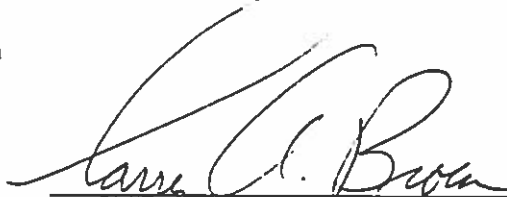
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

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

11/20/2000

RIGHT NUMBER: 72-16568

NAME AND ADDRESS: CHERYL KAY BAKER
RICHARD DOUGLAS BAKER
HC 68 BOX 350
CLAYTON, ID 83227

MIXED OWNERSHIP

THE PLACES OF USE IDENTIFIED BELOW
CONTAIN BOTH PRIVATE AND PUBLIC LANDS.
THE PLACE OF USE & POINTS OF DIVERSION
SHOULD BE DESCRIBED IN SUCH A WAY
THAT IT IS CLEAR ONLY PRIVATE LAND IS
INTENDED.

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION:	T09N R18E S3	<u>LOT 2 (SW NWNE)</u>	Beginning of Stream Flow B1	Within CUSTER County
	T10N R18E S35	<u>NE NWNE</u>	End of Stream Flow E2	Within CUSTER County
	T10N R18E S35	<u>BLM/PUT SE NESW</u>	Beginning of Stream Flow B2	Within CUSTER County
	T10N R18E S35	<u>BLM/PUT NESW</u>	End of Stream Flow	Within CUSTER County
	T10N R18E S35	<u>NE SW SW</u>	<u>END OF STREAM FLOW E1</u>	<u>WITHIN CUSTER COUNTY</u>

PURPOSE AND
PERIOD OF USE:

THE POINTS OF DIVERSION DESCRIBED IN THE DIRECTOR'S REPORT
DO NOT CLEARLY EXCLUDE FEDERAL PUBLIC LAND. THE CORRECTIONS
ABOVE SEEK TO ACHIEVE THAT CLARITY.

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	10-31 04-01	0.02 CFS

PLACE OF USE:

RIVER DOESN'T PASS THROUGH PRIVATE LAND IN S35 SENW, BUT DOES
PASS THROUGH UNCLAIMED PRIVATE LAND (OWNED BY THE CLAIMANT) IN S35 NWSE.

<u>STOCKWATER Within CUSTER County</u>	
T09N R18E S3	<u>LOT 1 (NENE)</u>
T10N R18E S35	<u>SWSW</u>
T10N R18E S35	<u>BLM/PUT SENW</u> <u>no source</u>
T10N R18E S35	<u>NWNE</u>
T10N R18E S35	<u>NWSE</u>
T10N R18E S34	<u>SESE</u>
T10N R18E S35	<u>BLM/PUT NESW</u>
T10N R18E S35	<u>SWNE</u>
T09S R18E S3	<u>LOT 2 (NWNE)</u>

THE USE OF WATER WITHIN NESW, S35. T10N. R18E IS LIMITED TO
THE EYZ OF THAT PLACE OF USE.

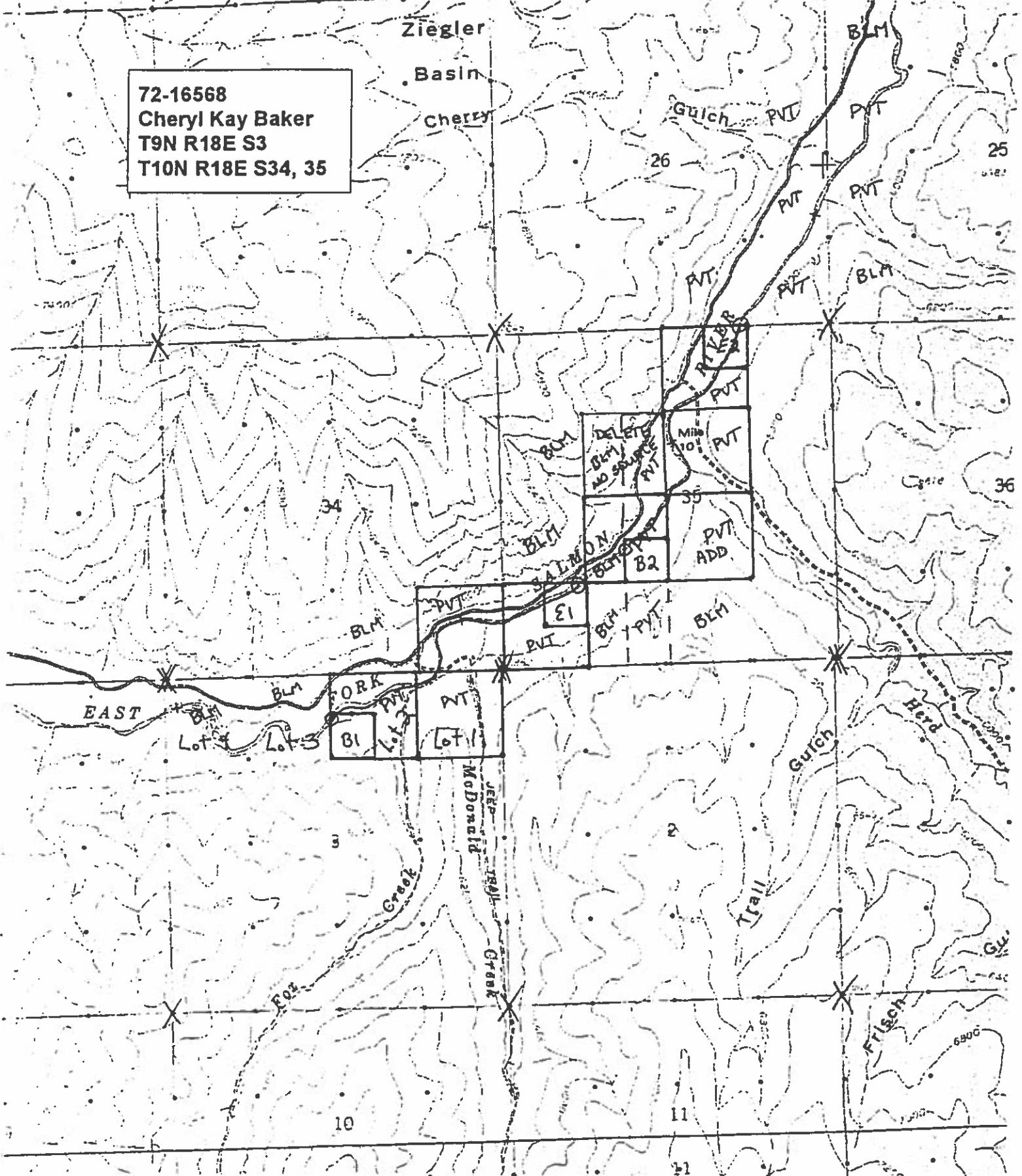
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

72-16568
Cheryl Kay Baker
T9N R18E S3
T10N R18E S34, 35



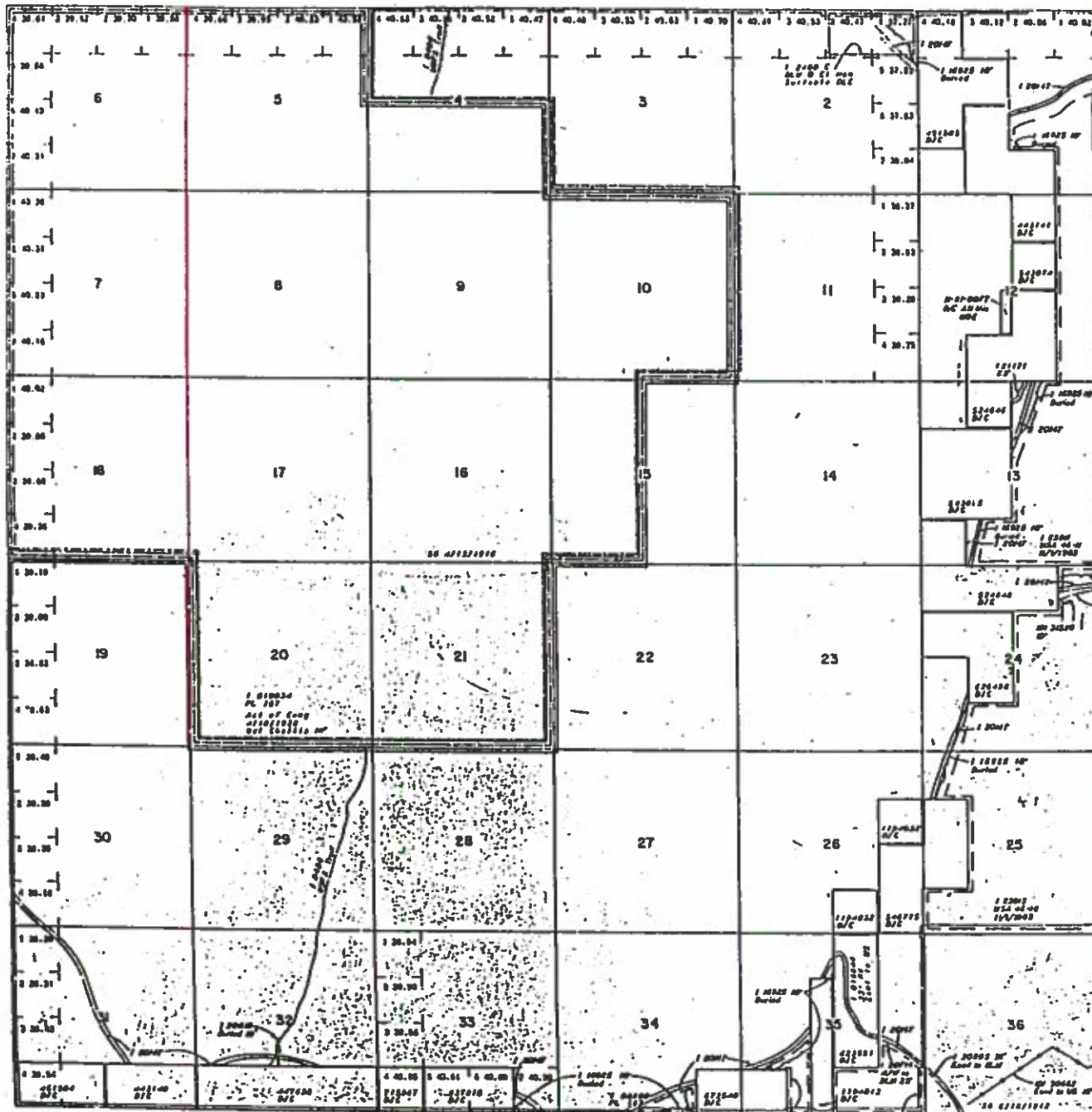
Ziegler Bas.: Quad.

B3 44114

CUSTER COUNTY 037

MT PLAT

CONNECT TO	CONNECT TO
REF - 1 SW	
LINE PLATE	



Lat. 44° 37' N
Long. 114° 14' W

WALTON STALERT

This plea to the Bureau's Record of Title and should be used only to a graphic display of the treasury survey data. Bureau Bureau to use other title changes which are also have

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-