

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 72-16779
Date Received: 5/7/2010
Receipt No: C090756
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EDDIE E BAKER Phone: (208)838-2232
HC 68 BOX 375
CLAYTON ID USA 83227

EDDIE BAKER JR Phone: (208)838-2318
HC 68 BOX 375
CLAYTON ID USA 83227

2. Date of Priority: 04/01/1928

3. Source: SALMON RIVER EAST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	17E	1	SW SW NE	CUSTER	
09N	17E	11	NE NW NE	CUSTER	
09N	17E	11	NE NE SW	CUSTER	
09N	17E	11	SE SE NW	CUSTER	
09N	17E	15	SW SE	CUSTER	

5. Description of diverting works:

There are five (5) diversion works covered by this claim, designated as EF-14, EF-15, EF-16, EF-17 and EF-18. EF-14, EF-15, EF-16 and EF-17 each have a headgate in the East Fork of the Salmon River. EF-18 diverts water from the East Fork through a pipe. Each diverts water into a ditch that has a fish screen installed by the Idaho Department of Fish and Game. Each 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 used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
04/01 10/31 56.9

(or) A.F.A

(Σ - Q = 10.985)

7. Total Quantity Appropriated is:
56.9 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09N	17E	1	NE	NE	1	IRRIGATION	20
			NW	NE	2	IRRIGATION	19
			SW	NE		IRRIGATION	16
			NE	NW	6	IRRIGATION	5
			SW	NW		IRRIGATION	19
			SE	NW		IRRIGATION	35
			NE	SW		IRRIGATION	18
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	27
					Section Acres	198	
09N	17E	2	NE	SE		IRRIGATION	20
			SW	SE		IRRIGATION	25
						Section Acres	45
09N	17E	11	NE	NE		IRRIGATION	28
			NW	NE		IRRIGATION	26
			SW	NE		IRRIGATION	16
			NE	NW		IRRIGATION	8
			SE	NW		IRRIGATION	10
			SE	SW		IRRIGATION	17
						Section Acres	105
09N	17E	14	SW	NW		IRRIGATION	13
						Section Acres	13
09N	17E	15	SE	NE	5	IRRIGATION	3.9
			NE	SE	6	IRRIGATION	5.4
						Section Acres	9.3
					Total Acres	370.3	

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:

14. Remarks:

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: 72-10302A, 72-10302B, 72-1030C, 72-10303, 72-10304, 72-204 and 72-2048.

The maximum combined diversion for irrigation and conveyance loss for each point of diversion under all applicable water rights is limited as follows:

EF-14: this claim, 72-10303 and 72-2048 = 9.6 cfs

EF-15: this claim, 72-10302A, 72-10303, 72-10304 and 72-2048 = 9.2 cfs 19.2

EF-16: this claim, 72-10302C, 72-10303, 72-10304 and 72-2048 = 20 cfs

EF-17: this claim, 72-10302A, 72-10303 and 72-10304 = 10.0 cfs

EF-18: this claim, 72-10302B, 72-10304 and 72-204 = 9.0 cfs

Attachments include Table entitled 'Eddie Baker, Jr., Water Rights, Late Claims & Measurements from Salmon River, East Fork (EF) and Big Boulder Creek (BBC)'; Affidavit of Edwin E. Baker, Jr.; Affidavit of Edwin E. Baker; Affidavit of Larry Weeks; Affidavit of Brian Hamilton.

This water right is for conveyance losses (CL) in conveying water from the points of diversion to the places of use. There is no consumptive use associated with this claim.

15. Basis of Claim: Beneficial Use

05/24/2012

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

RIGHT NUMBER: 72-16779

NAME AND ADDRESS: EDDIE E BAKER
HC 68 BOX 375
CLAYTON ID 83227EDDIE BAKER JR
HC 68 BOX 375
CLAYTON ID 83227

SOURCE: EAST FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 56.900 CFS

The maximum combined diversion for irrigation and conveyance loss for each point of diversion under all applicable water rights is limited as follows:

EF-14: this claim, 72-10303 and 72-2048 = 9.6 cfs

EF-15: this claim, 72-10302A, 72-10303, 72-10304 and 72-2048 = ^{17.2}~~15.2~~ cfs

EF-16: this claim, 72-10302C, 72-10303, 72-10304 and 72-2048 = 20 cfs

EF-17: this claim, 72-10302A, 72-10303 and 72-10304 = 10.0 cfs

EF-18: this claim, 72-10302B, 72-10304 and 72-204 = 9.0 cfs

The flow rates described at each diversion represent peak measured values during maximum discharge periods in the Springtime. Actual authorized diversion flow rates vary seasonally through the year and are proportional to river stage.

The actual place of use for this right is dependent on the place of use limits authorized under each described consumptive irrigation water right.

PRIORITY DATE: 04/01/1938

POINT OF
DIVERSION:

T09N R17E S1 SWSWNE Within CUSTER County
T09N R17E S11 NENWNE Within CUSTER County
T09N R17E S11 SESENW Within CUSTER County
T09N R17E S11 NENESW Within CUSTER County
T09N R17E S15 SWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PLACE OF USE:	PURPOSE OF USE		PERIOD OF USE		QUANTITY	
	IRRIGATION		04/01	10/31		56.900 CFS
	<u>IRRIGATION in CUSTER County</u>					
	T09N R17E S01 Lot 1 NENE	20.00		T09N R17E S01 Lot 2 NWNE	19.00	-1
	T09N R17E S01 SWNE	16.00		T09N R17E S01 Lot 6 NENW	5.00	-1
	T09N R17E S01 SWNW	19.00		T09N R17E S01 SENW	35.00	
	T09N R17E S01 NESW	18.00		T09N R17E S01 NWSW	39.00	
	T09N R17E S01 SWSW	27.00		T09N R17E S02 NESE	20.00	
	T09N R17E S02 SWSE	25.00		T09N R17E S11 NENE	28.00	+2
	T09N R17E S11 NWNE	26.00		T09N R17E S11 SWNE	16.00	-2
	T09N R17E S11 NENW	8.00		T09N R17E S11 SENW	10.00	-2.8
10302B	T09N R17E S11 SESW	17.00		T09N R17E S14 SWNW	13.00	-1.7
	T09N R17E S15 Lot 5 SENE	3.90		T09N R17E S15 Lot 6 NESE	5.40	

370.3 ACRES TOTAL

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

This water right is for conveyance losses (CL) in conveying water from the points of diversion to the places of use. There is no consumptive use associated with this claim.

386.5
- 2
394.5

205, 210, 214

Working

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

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: 72-10302A, 72-10302B, 72-10302C, 72-10303, 72-10304, 72-204 and 72-2048.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 17, 2010

DANIEL V STEENSON
RINGERT LAW CHARTERED
PO BOX 2773
BOISE ID 83701

Re: Snake River Basin Adjudication (SRBA)
Late Notice of Claim to a Water Right Nos. 72-16779, 72-16780, 72-16782,
72-16783, 72-16784, 72-16785, 72-16786, 72-16787, 72-16788, 72-16789

Dear Mr. Steenson:

The Notices of Claim you filed on behalf of your clients were received from the SRBA Court. I have enclosed Receipt No. C090756 for the filing fees paid. Please retain the receipt for your records.

The Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. If you have any questions, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section

LH:I
Enclosure