

12/12/2005

**NOTICE OF ERROR
REPLY**

RECEIVED

OCT 18 2006

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7174

BAKER FARMS INC
C/O THOMAS BAKER
6501 E 2000 N
SUGAR CITY ID 83448
Telephone Number: (208)458-4265

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-9-06 SIGNATURE: Roy H Baker

Please print your name: ROY H. BAKER

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

AUG 08 2007

KWJ
10/20

Water Right No(s). A22-7174 + A22-7326

GPS data - 2699257
1414127

GPS File - 227174
1

GPS DATA:

Tag # A0015982 Location: on power panel post

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: GE Model: _____ Hp: 500
SN: EPJS24018

PUMP

Make: Layne + Bouler Model: _____ Disch: _____
SN: N.A.

NOTES:

I met with Kay + Tom Baker. P.O. verified. Also address should
be; 6501 E. 2000 N. Sugar City, ID 83448, Phone # should
be 208-458-4265. All correspondence c/o Tom Baker.
System is well + pump to pivots + handlines.

Field Exam Date: 11-21-2005 Agent: D. W. Jones

SCANNED

AUG 08 2007

SCANNED
AUG 08 2007

A22-7174 + A22-7326, Loadings West



Gas
Tag

227174

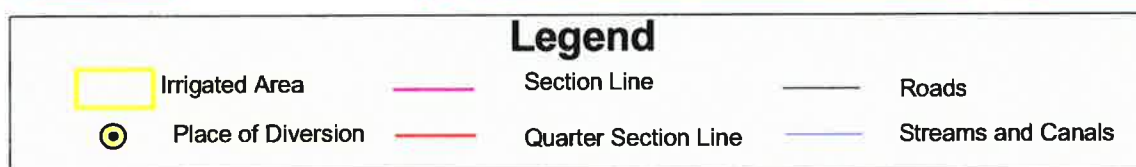
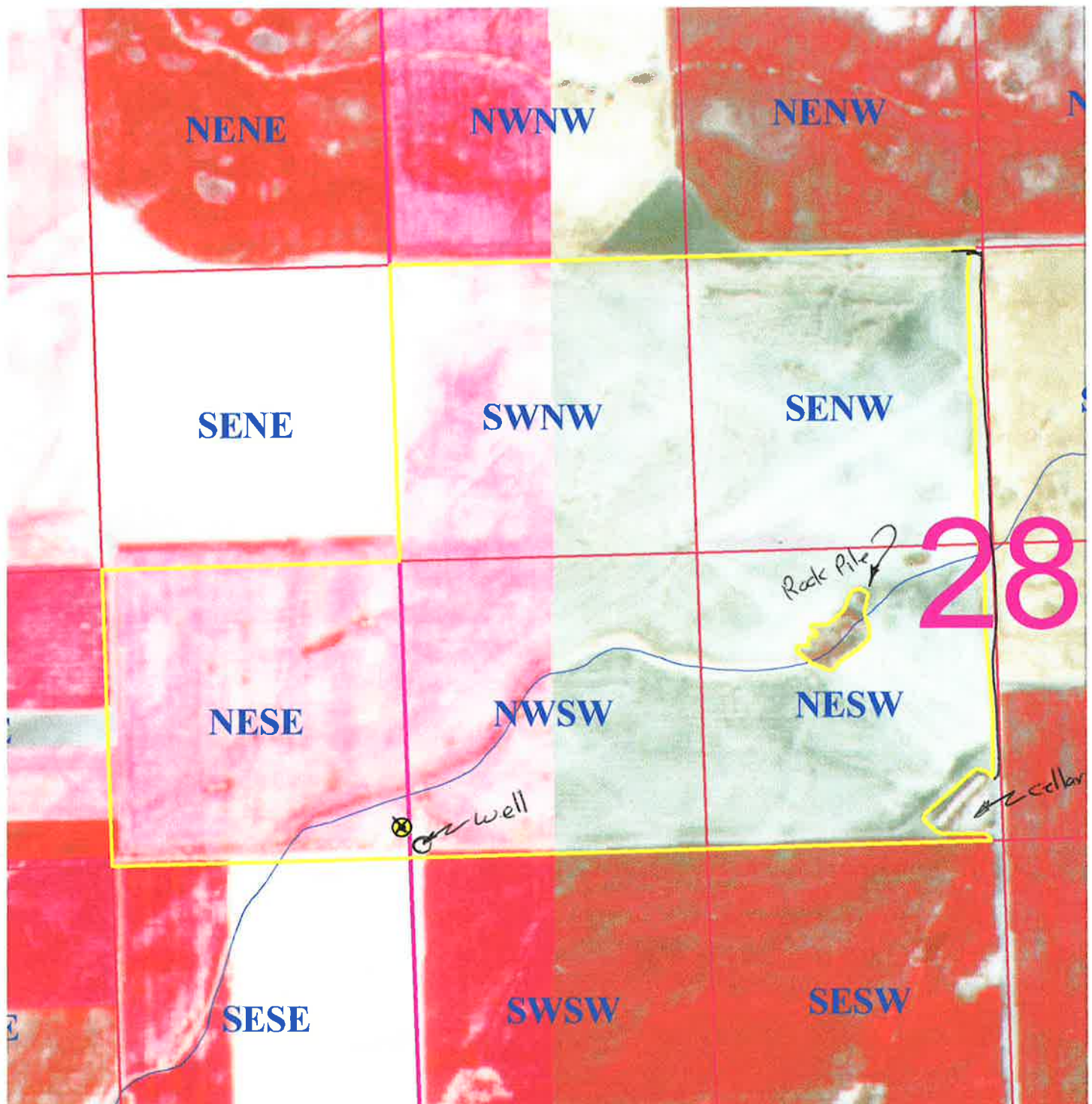
07N42E28

AUG 08 2007

SCANNED

Water Right Claim Number 22-07174
Township , 7N42E

08/14/2001



SCANNED
AUG 08 2007

SPATIAL
DYNAMICS



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7174 Priority January 23, 1976 Amount 3.88 cfs

THIS IS TO CERTIFY, that T. Kay Baker
of Sugar City, Idaho, has complied with the terms and conditions of Permit
No. 22-7174 issued pursuant to Application for Permit dated January 23, 1976,
and has submitted proof to the Department of Water Resources on May 28, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.31 cfs of water from groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>3.88</u> cfs and	<u>679.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.88 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
679.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29,
Twn 7N, Rge 42E in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	42E	28							39	39	39	39							156
		29													38				38

Total number of acres irrigated 194

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26th day of
February, 19 82.

For the Director

Norman C. Young

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 22-7174

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: 06/01/1900
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>
Ground Water	
Teton River	Snake River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	3.88 CFS	679 AFA
Total Diversion			3.88 CFS	

Location of Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 28 Township 07N Range 42E 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>
07N	42E	28		SWNW	40		SENE	39						
				NESW	36		NWSW	40			SWSW	2		
		29		NESE	39		SESE	25						
		32		NENE	40		NWNE	40			SWNE	40		
				NENW	32		SENE	31						
		33		NWNW	40									

Total Acres: 444

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 Canyon Creek Canal Company 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.

1.C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

2.C18 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.

3.F05 Right No. 22-7174 is also diverted through point of diversion described above.

4.E61 The rights listed below are limited to a total combined diversion rate of 4.11 cfs and to a total combined annual diversion volume of 1,554 AF. Combined Right Nos.: 22-7174

and 22-7326.

5.E56 The rights listed below are limited to the irrigation of a combined total of 444 acres in a single irrigation season. Combined Right Nos.: 22-7174 and 22-7326.

6.K06 This right is limited to the irrigation of 194 acres within the place of use described above in a single irrigation season.

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)

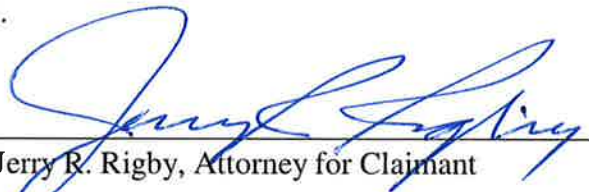
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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.

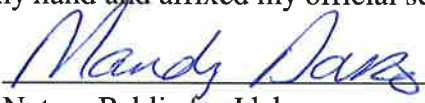
DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)
ss.
County of Madison.)

On this 17th 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.


Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

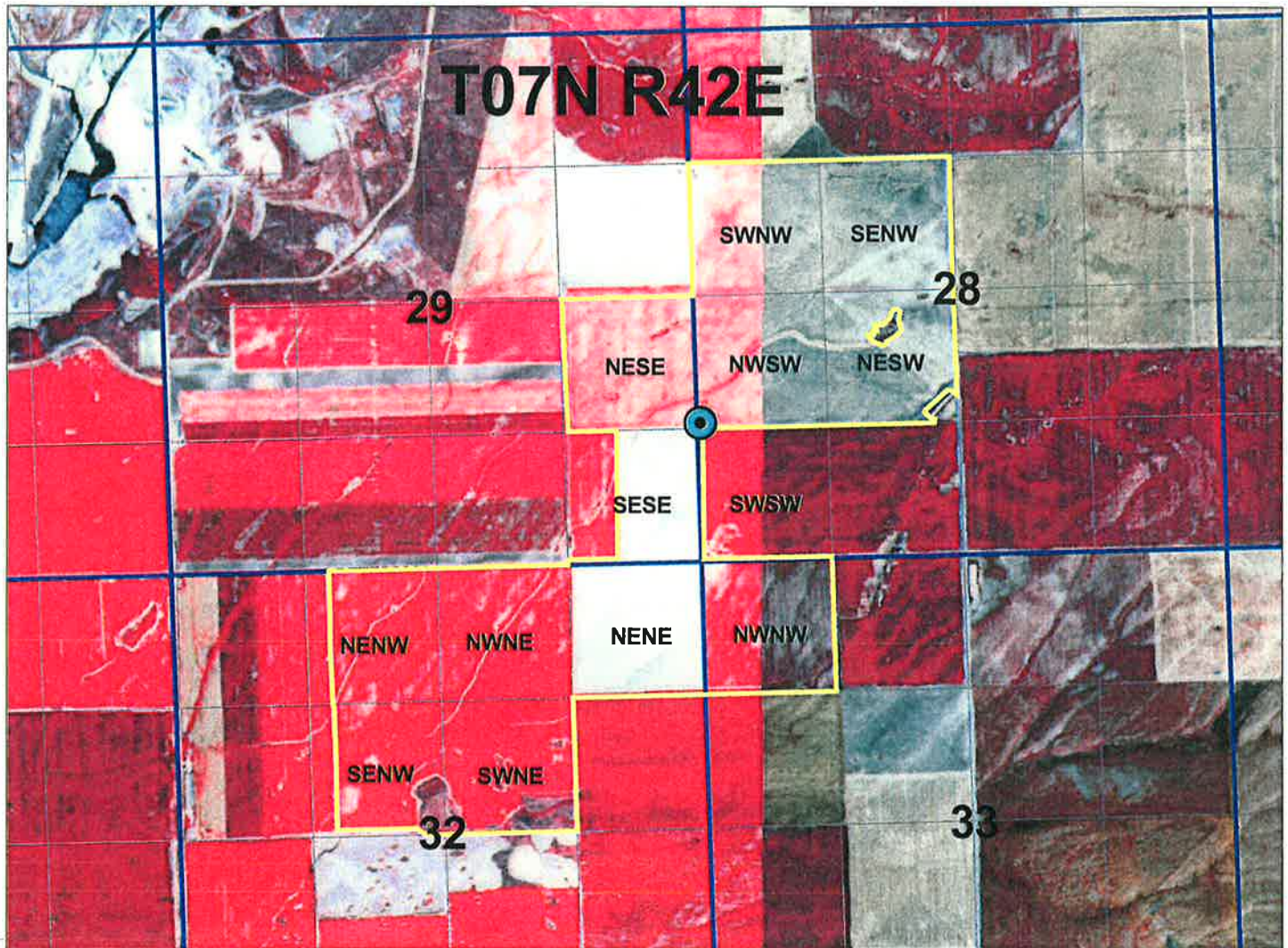




Department of Water Resources

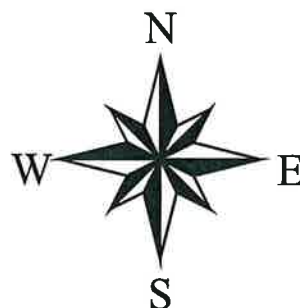
Eastern Region

Claim No.: 22-7174 and 22-7326



0 0.25 0.5 0.75 1 Miles

-  Point of Diversion
-  Place of Use
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: 30th DEC 2005

AUG 03 2007

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: A22-07174
Date Received: 8/18/1988
Receipt No: E001421
Received By: EPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BAKER FARMS, INC. 208-458-4230
Address: 6509 E. 2000 N.
SUGAR CITY, ID 83448

2. Date of Priority: JAN 23, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	42E	29	SE	NE	SE		MADISON

5. Description of diverting works:
WELL, PUMP, CENTER PIVOT AND HAND LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	04/01	11/01	3.880	

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

8. Total consumptive use is 485.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	28	SW	NW		IRR	39.0
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	39.0

Section Acres 156.0

A22-07174

Page 1

Date: 08/18/88

SCANNED
AUG 08 2007

MICROFILMED
OCT 29 1992

A2207174



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	29	NE	SE		IRR	38.0
Section Acres							38.0
Total Acres							194.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am President of _____

Title

BAKER FARMS INC., that I have signed the foregoing
Organization

document in the space below as President of _____

Title

BAKER FARMS INC. and that the statements contained in the
Organization
foregoing document are true and correct.

T. H. Baker
Signature of Authorized Agent

Baker Farms Inc.
Title and Organization

8-18-88
Date

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 18 day

of Aug 19 88

Ernest Calver
Notary Public

Seal

Residing at Alto Falls, ID

My Commission Expires 14 June 1994

TRANSFERRED TO
FREMONT
COUNTY

1148

R42E1

ROBERT RICKS

988

1453

A22-07174

TRANSFERRED TO FREMONT COUNTY

Well

BAKER FARMS EUS

sec 1-10

988

A22-07326

1454

18.5
2

Maxine Briggs

TRANSFERRED TO

H2

SCANNED
2002 08 08