

RECEIVED

JUL 24 2007

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

Case No. 39576

)
)
)
)
)

A. Subcase: 22-7236
(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Ray S. Baker

Address: 78 North 2500 East
Teton, ID 83451

Daytime Phone: 208-458-4344

Name and Address of Attorney, if any:

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

Name: Ray S. Baker

Address: 78 North 2500 East
Teton, ID 83451

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: In addition to present language: Water resulting from irrigation of water under the irrigation works of Claimant and being recovered for further use on lands within Claimant's boundary and to which the shares or rights of Claimant are appurtenant.
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: A note to priority date should provide that the priority date only applies in the event it is shown that water is being diverted that is not recaptured project water.
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Should allow that the place of use of the recaptured project water can be within the service area of Claimant. There should be no other limitation as to the place of use.
10. ☐ **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): See Attachment "A" Also the following: Any groundwater diverted from under the lands of Claimant's shareholders or interest holders and/or within its boundaries is also groundwater resulting from irrigation from water under the irrigation works of Claimant and is recovered by Claimant, its shareholders or interest holders for further use on the lands of Claimant's shareholders or interest holders under the irrigation works of Claimant within which said lands are located and appurtenant. This recaptured project water shall be administered separately from all other water rights within its particular basin and the Snake River basin.

F. VERIFICATION (must be completed)

STATE OF IDAHO,)

SS

County of Fremont.)

Phil Baker 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 objections, know its contents and believe that the statements are true to the best of my knowledge.



Phil Baker
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on July 18, 2007

Ladonna Henman
Notary Public for Idaho
Residing at Rigby
My Commission Expires: 6-01-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing 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 July 20 2007, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: same as objector

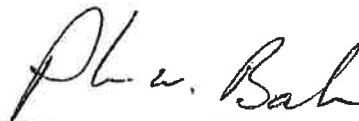
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449



Signator of objector or attorney
mailing on Objector's behalf

ATTACHMENT "A"

REASONS SUPPORTING OBJECTIONS

2. Source: The excavation and opening of wells and withdrawal of water therefrom by Claimant or shareholders and interest holders of Claimant was, among other things, to improve and preserve the utility of lands by draining them and for the withdrawal of water for the purpose of recovering groundwater resulting from irrigation of water under the irrigation works of Claimant within which lands of said shareholders or interest holders are located. Therefore two sources of water exits for these wells: (a) the groundwater source under a particular well's license, and (b) the source which is separate and distinct from the groundwater source diverted under the license but is diverted from these wells and requires no license. It is necessary to identify this second source within the right of Claimant so that in the administration of this water right, it will be recognized that the water diverted from these wells as authorized by Claimant is groundwater to which said well owners are entitled to divert under not only their licenses but also the diversion of groundwater resulting from irrigation of water under the irrigation works of Claimant within which lands said shareholders or interest holders are located, and for which no license is required.
4. Priority Date: As for the groundwater being recovered under wells which resulted from irrigation of storage water under the irrigation works of Claimant within which lands of shareholders or interest holders of Claimant are located and appurtenant, there is no priority date, as the recovery of water resulting from irrigation within a project is a part of the original water supply diverted. This groundwater is part of the project water of Claimant within which said lands are located and appurtenant, and Claimant, its shareholders or interest holders are entitled to the use of said project water until the project water leaves the project.
9. Place of Use: As this is natural flow surface water originally appropriated for all lands within the boundary of Claimant, it is appurtenant to all irrigated acres to which shares of stock (or other interest) of Claimant within which lands Claimant's shareholders or interest holders are located and appurtenant. However, by agreement with its shareholders or interest holders, Claimant's shareholders or interest holders have been authorized to use the storage project water on the same lands as those described herein as the lands of Claimant's shareholders or interest holders.
10. Other Matters Necessary for Definition of Administration of this Water Right:
It should be noted in the definition or administration of this water right, that to the extent water is being diverted and that said water is the recovery of groundwater resulting from irrigation of storage water under the irrigation works of Claimant within which lands of Claimant's shareholders or interest holders are located and appurtenant, such recovery of groundwater shall be administered separately from all other water rights in the Snake River basin, as such rights are not a connected source of water in the Snake River basin. There should also be no reference to remarks limiting the combined use of this right and Basin 01 rights, except as to the acres within the project to which these rights are appurtenant.

JUL 24 2007
DEPARTMENT OF
WATER RESOURCES

STANDARD FORM 1 OBJECTION

Name: Ray S. Baker

Address: 78 North 2500 East
Teton, ID 83451

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: Ground water and water resulting from irrigation under the irrigation works of Enterprise Irrigation District, ("Irrigation Entity"), which by contract also carries Fremont Madison Irrigation District's storage water to its electors, and being recovered for further use on lands within Irrigation Entity's boundary or to which the shares of said Canal Companies and/or rights in Irrigation Districts are appurtenant.
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: A note to priority date should provide that the priority date only applies in the event it is shown that water is being diverted that is not recaptured project water.
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Should allow that the place of use can be within the service area of Irrigation Entity. There should be no other limitation as to the place of use.
10. ☐ **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):** See Attachment "A" Also the following: Water diverted from this point of diversion is also groundwater resulting from irrigation under the irrigation works of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District and is recovered by the shareholders or interest holders of Irrigation Entity and/or Fremont Madison

is recovered by the shareholders or interest holders of Irrigation Entity and/or Fremont Madison Irrigation District for further use on lands within Irrigation Entity's boundary or to which the shares of said Canal Companies and/or rights in Irrigation Districts are appurtenant. This recaptured project water shall be administered separately from all other water rights within its particular basin and the Snake River basin. As to this water right with a source being groundwater and not recaptured project water, the other matters set forth in the recommendation are appropriate.

F. VERIFICATION (must be completed)

STATE OF IDAHO,)

ss

County of Fremont.)

Jim Siddlebury, 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 objections, know its contents and believe that the statements are true to the best of my knowledge.



Jim Siddlebury
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: July 18, 2007

Ladonna Henman
Notary Public for Idaho
Residing at Rigby
My Commission Expires: 6-01-2011

INSTRUCTIONS FOR MAILING

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

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253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

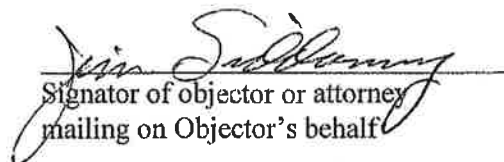
Ray S. Baker
78 North 2500 East
Teton, ID 83451

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IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449


Signator of objector or attorney
mailing on Objector's behalf

ATTACHMENT "A"

REASONS SUPPORTING OBJECTIONS

2. Source: The excavation and opening of this well and withdrawal of water therefrom by Irrigation Entity's shareholders (or interest holders) and Fremont Madison Irrigation District's electors was, among other things, to improve and preserve the utility of lands by draining them and for the withdrawal of water for the purpose of recovering groundwater resulting from irrigation under the irrigation works of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District within which lands of said shareholders or interest holders are located. Therefore two sources of water exits for this well: (a) the groundwater source under the license, and (b) the source which is separate and distinct from the groundwater source diverted under the license but is diverted from this well and requires no license. It is necessary to identify both sources so that in the administration of this water right, it will be recognized that the water diverted from this well is groundwater to which Irrigation Entity's shareholders or interest holders and Fremont Madison Irrigation District's electors are entitled to divert under their license and is also the diversion of groundwater resulting from irrigation under the irrigation works of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District within which lands of said shareholders, interest holders and/or electors are located, and for which no license is required.

4. Priority Date: Under the license, the priority date should be the date as recommended by the Director, to the extent water is being diverted under the license, whether or not the groundwater resulted from irrigation under the irrigation works of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District within which lands of said shareholders, interest holders or electors are located. As for the groundwater being recovered under this well which resulted from irrigation under the irrigation works of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District within which lands of said shareholders, interest holders or electors are located and appurtenant, there is no priority date, as the recovery of water resulting from irrigation within a project is a part of the original water supply diverted. This groundwater is part of the project water of Irrigation Entity and/or Fremont Madison Irrigation District within which said shareholders, interest holders or electors lands are located and appurtenant, and said Claimants, Irrigation Entities and electors of Fremont Madison Irrigation District are entitled to the use of said project water by themselves or by their shareholders (electors) until the project water leaves the project.

9. Place of Use: As this is project water, as well as groundwater originally appropriated for all lands within the boundary of Irrigation Entity and/or Fremont Madison Irrigation District, it is appurtenant to all irrigated acres to which shares of stock or storage water rights of Irrigation Entity and/or Fremont Madison Irrigation District within which lands of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District's electors are located and appurtenant. However, by agreement with Irrigation Entity and Fremont Madison Irrigation District, Irrigation Entity's shareholders or interest holders and Fremont Madison Irrigation District's electors have been authorized to use the project water on the same lands as those described

herein as the lands of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District.

10. Other Matters Necessary for Definition of Administration of this Water Right:

It should be noted in the definition or administration of this water right, that to the extent water is being diverted and that said water is the recovery of groundwater resulting from irrigation under the irrigation works of Claimant, Irrigation Entity and/or Fremont Madison Irrigation District within which lands Claimant, Irrigation Entity shareholders or interest holders and/or Fremont Madison Irrigation District's electors are located and appurtenant, such recovery of groundwater shall be administered separately from all other water rights in the Snake River basin, as such rights are not a connected source of water in the Snake River basin. To the extent water is diverted under this right that is not recaptured project water, such water right may be administered conjunctively. There should also be no reference to remarks limiting the combined use of this right and Basin 01 rights, except as to the acres within the project to which these rights are appurtenant.

RECEIVED

JUL 2 4 2007

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

Case No. 39576

)
)
)
)
)

A.

Subcase 22-7236

(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Fremont Madison Irrigation District

Address: 350 N., 6th W.

St. Anthony, Idaho 83445

Daytime Phone: 208-624-3385

Name and Address of Attorney, if any:

Jerry R. Rigby

P.O. Box 250

Rexburg, Idaho 83440

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

Name: Ray S. Baker

Address: 78 North 2500 East

Teton, ID 83451

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: Ground water and water resulting from irrigation under the irrigation works of Fremont Madison Irrigation District (and/or Canal Companies and Irrigation Districts which by contract carry Fremont Madison Irrigation District's water to its electors) and being recovered for further use on lands within Fremont Madison Irrigation District's district boundary or to which the shares of said Canal Companies and/or rights in Irrigation Districts are appurtenant.
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: A note to priority date should provide that the priority date only applies in the event it is shown that water is being diverted that is not recaptured project water.
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Should allow that the place of use can be within the service area of Fremont Madison Irrigation District or the service area of its contracting Canal Companies and/or Irrigation Districts. There should be no other limitation as to the place of use.
10. ☐ **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):** See Attachment "A" Also the following: Water diverted from this point of diversion is also groundwater resulting from irrigation under the irrigation works of Fremont Madison Irrigation District and the above described contracting irrigation entities and is recovered by the electors of Fremont Madison Irrigation District for further use on the lands of Fremont Madison Irrigation District's electors under the irrigation works of Fremont Madison Irrigation District and/or the said contracting irrigation entities within which the electors of Fremont Madison Irrigation District's lands are located and appurtenant. This recaptured project water shall be administered separately from all other water rights within its particular basin and the Snake River basin. As to this water right with a source being groundwater and not recaptured project water, the other matters set forth in the recommendation are appropriate.

F. **VERIFICATION** (must be completed)

STATE OF IDAHO,)
 ss
County of Fremont)

Jeffery D. Raybould, 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 objections, 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 before me on: July 17, 2007


Notary Public for Idaho
Residing at Rigby
My Commission Expires: 6-01-2011

INSTRUCTIONS FOR MAILING

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G.

CERTIFICATE OF MAILING

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

Ray S. Baker
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United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449



Signator of objector or attorney
mailing on Objector's behalf

ATTACHMENT "A"

REASONS SUPPORTING OBJECTIONS

2. Source: The excavation and opening of this well and withdrawal of water therefrom by Fremont Madison Irrigation District's electors was, among other things, to improve and preserve the utility of lands by draining them and for the withdrawal of water for the purpose of recovering groundwater resulting from irrigation under the irrigation works of the Fremont Madison Irrigation District and the contracting irrigation entities within which lands of Fremont Madison Irrigation District's electors are located. Therefore two sources of water exits for this well: (a) the groundwater source under the license, and (b) the source which is separate and distinct from the groundwater source diverted under the license but is diverted from this well and requires no license. It is necessary to identify both sources so that in the administration of this water right, it will be recognized that the water diverted from this well is groundwater to which Fremont Madison Irrigation District's elector is entitled to divert under its license and is also the diversion of groundwater resulting from irrigation under the irrigation works of Fremont Madison Irrigation District and/or any and all said contracting irrigation entities within which lands of Fremont Madison Irrigation District's electors are located, and for which no license is required.
4. Priority Date: Under the license, the priority date should be the date as recommended by the Director, to the extent water is being diverted under the license, whether or not the groundwater resulted from irrigation under the irrigation works of Fremont Madison Irrigation District and/or of any of the irrigation entities within which lands of Fremont Madison Irrigation District's electors are located. As for the groundwater being recovered under this well which resulted from irrigation under the irrigation works of Fremont Madison Irrigation District and/or all contracting irrigation entities within which Fremont Madison Irrigation District's lands are located and appurtenant, there is no priority date, as the recovery of water resulting from irrigation within a project is a part of the original water supply diverted. This groundwater is part of the project water of Fremont Madison Irrigation District and the contracting irrigation entities within which Fremont Madison Irrigation District's electors lands are located and appurtenant, and said irrigation entities and electors of Fremont Madison Irrigation District are entitled to the use of said project water by themselves or by their shareholders (electors) until the project water leaves the project.
9. Place of Use: As this is project water, as well as groundwater originally appropriated for all lands within the boundary of Fremont Madison Irrigation District and its contracting irrigation entities' projects, it is appurtenant to all irrigated acres to which shares of stock or storage water rights of Fremont Madison Irrigation District and its contracting irrigation entities within which lands of Fremont Madison Irrigation District's electors are located and appurtenant. However, by

agreement with Fremont Madison Irrigation District and its said contracting irrigation entities, Fremont Madison Irrigation District's electors have been authorized to use the project water on the same lands as those described herein as the lands of Fremont Madison Irrigation District's electors.

10. Other Matters Necessary for Definition of Administration of this Water Right:

It should be noted in the definition or administration of this water right, that to the extent water is being diverted and that said water is the recovery of groundwater resulting from irrigation under the irrigation works of Fremont Madison Irrigation District and/or its contracting irrigation entities within which lands of Fremont Madison Irrigation District's electors are located and appurtenant, such recovery of groundwater shall be administered separately from all other water rights in the Snake River basin, as such rights are not a connected source of water in the Snake River basin. To the extent water is diverted under this right that is not recaptured project water, such water right may be administered conjunctively. There should also be no reference to remarks limiting the combined use of this right and Basin 01 rights, except as to the acres within the project to which these rights are appurtenant.

09/14/2006

NOTICE OF ERROR
REPLY

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: 22-7236

RAY S BAKER

78 N 2500 E

TETON ID 83451

Telephone Number: (208)458-4329

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:

10-23-06

SIGNATURE:

Phil W. Baker for Ray S. Baker

Please print your name:

PHIL W. BAKER

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

SCANNED

AUG 08 2007

KM5
10730

Water Right No(s). A22-7236

GPS data -2694019
1415125

GPS file #227219

GPS DATA:

Tag # A0015985 Location: on air unit

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 200
SN: 1275

PUMP

Make: Layman Bowler Model: _____ Disch: _____
SN: NA

NOTES:

This is the Nevada James Larson well (A22-7219) see copy
of exam attached. Used with permission by Ray Baker. New
phone for Ray is 208-458-4344. New address is 78N
2500E, Teton, ID 83451. Ray's son Phil works with Farm.
His phone is 458-4556 H, 356-5888 W.

Field Exam Date: 12-22-05 Agent: J. W. Jones

SCANNED

AUG 08 2007

COPY

Water Right No(s). A22-7219 + A22-4010

P.O.U. verified by Lane Larsen who runs farm. Addresses & phone ok.
Neva & James in Arizona for winter.

GPS data - 2694019
1415125

GPS File # - 227219

GPS DATA:

Tag # A0015985 Location: on air vent

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 200
SN: 1275

PUMP

Make: Layne & Bower Model: _____ Disch: _____
SN: N/A

NOTES:

System is well pump & mainline to wheel lines. I talked to Lane
Larsen, Neva & James' son, & he does not own ground. Neva & James
own the P.O.U. under both claims. Lane's phone is 458-4202.
Ground under A22-4010 irrigated first, then A22-7219 added additional
ground. Ground in A22-4010 was irrigated by Garry Summers from a
well in NW 1/4 of Sect 26, then P.O.U. moved to NW 1/4 Sec 26.

Field Exam Date: 12-5-2005 Agent: J.W. Jones

By License exam well capacity is 2.70 cfs; Lic. at 2.70 cfs permitted.
Q limited to 2.70 w/ 22-4010.

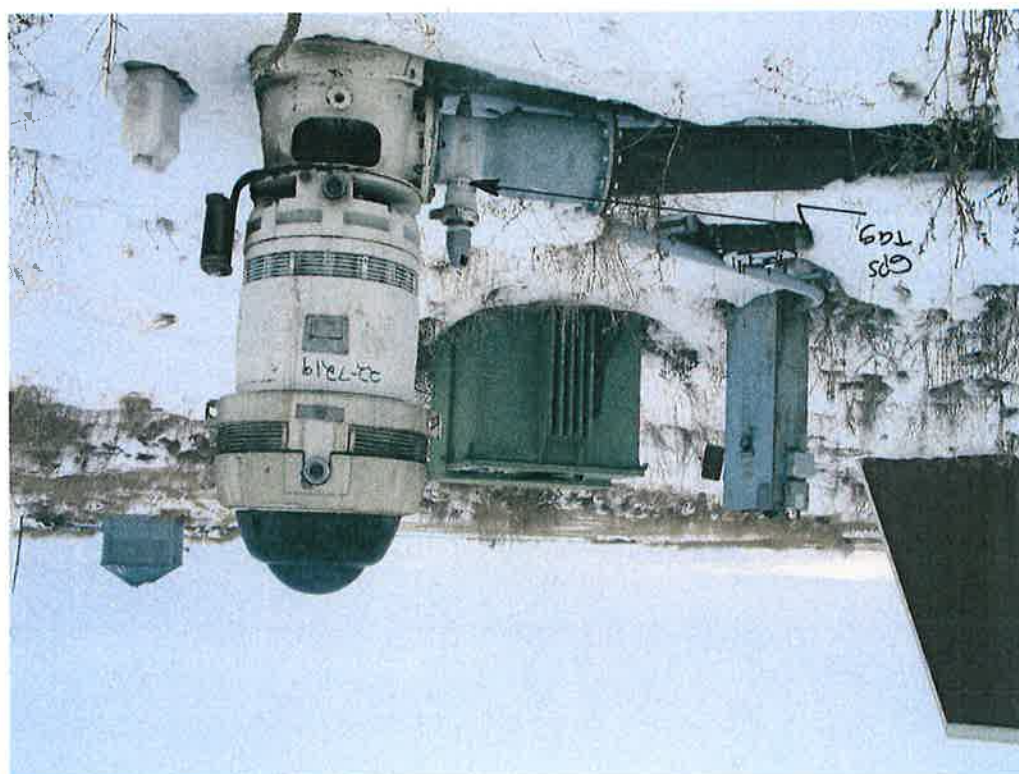
SCANNED
AUG 08 2007

AUG 08 2007

SCANNED

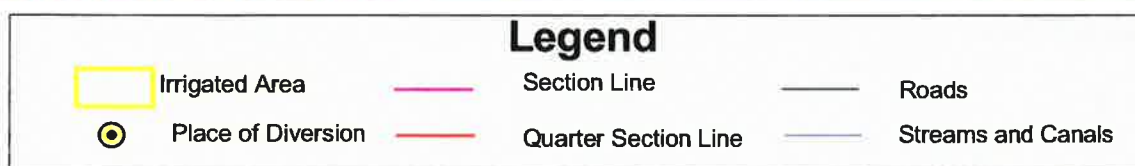
A22-7236 - Same well as above

A22-7219 + A22-4010, Looking West



Water Right Claim Number 22-07236
Township , 7N41E

08/16/2001



400 0 400 800 Feet

SCANNED
AUG 08 2007

SPATIAL
DYNAMICS

227219

07N41E26

SCANNED
JUG 8 2007

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7236 Priority May 13, 1977 Amount 0.80 cfs

THIS IS TO CERTIFY, that Ray S. Baker
of Teton, Idaho, has complied with the terms and conditions of Permit
No. 22-7236 issued pursuant to Application for Permit dated May 13, 1977,
and has submitted proof to the Department of Water Resources on January 24, 1979,
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 1.08 cfs of water from a 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.80</u> cfs and	<u>120.0</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 0.80 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
120.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26 Twp.
7N, Rge. 41E in the County of Fremont

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	41E	26					5		5	30									40

Total number of acres irrigated 40

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 29th day of July, 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 22-7236

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant RAY S BAKER
78 N 2500 E
TETON, ID 83451
(208)458-4329

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	11/01	0.8 CFS	120 AFA	
Total Diversion			0.8 CFS		

Location of Point(s) of Diversion:

GROUND WATER NENWNE Sec. 26 Township 07N Range 41E FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT 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	41E	26		NENW 0.5			SWNW 5.5			SENE 34				

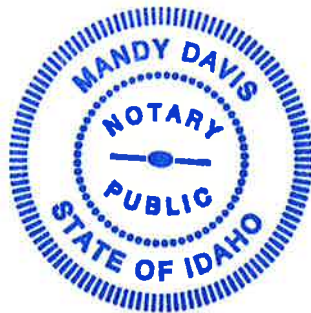
Total Acres: 40

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.

1. 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.
2. F05 Right No. 22-4010, 22-7219, and 22-7236 are also diverted through point of diversion described above.
3. E51 Right Nos. 22-4010, 22-7219, and 22-7236 are limited to a total combined diversion rate of 2.70 cfs.

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





Department of Water Resources

Eastern Region

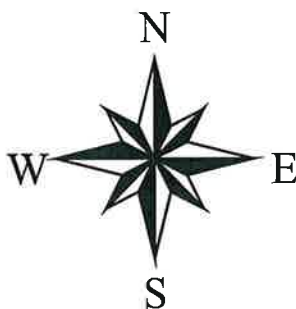


Claim No.: 22-7236



0 0.25 0.5 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: December 2005

SCANNED
AUG 08 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: A22-07236
Date Received: 3/01/1989
Receipt No: E005933
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY S. BAKER
Address: HC 60, BOX 1323
TETON, ID

208-458-4329

83451

NO

A2207236

2. Date of Priority: MAY 13, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	41E	26	NW NE		FREMONT

5. Description of diverting works:
WELL, PUMP, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		120.00

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 120.00 A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	41E	26	NE	NW	IRR	5.0
			SW	NW	IRR	5.0
			SE	NW	IRR	30.0
					Section Acres	40.0

A22-07236

Page

1

Date: 03/01/89

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AUG 08 2007

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OCT 29 1992

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: FREMONT

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ray S Baker Date: 3/1/89

Date: _____

State of Idaho)
County of Bonneville) SS.

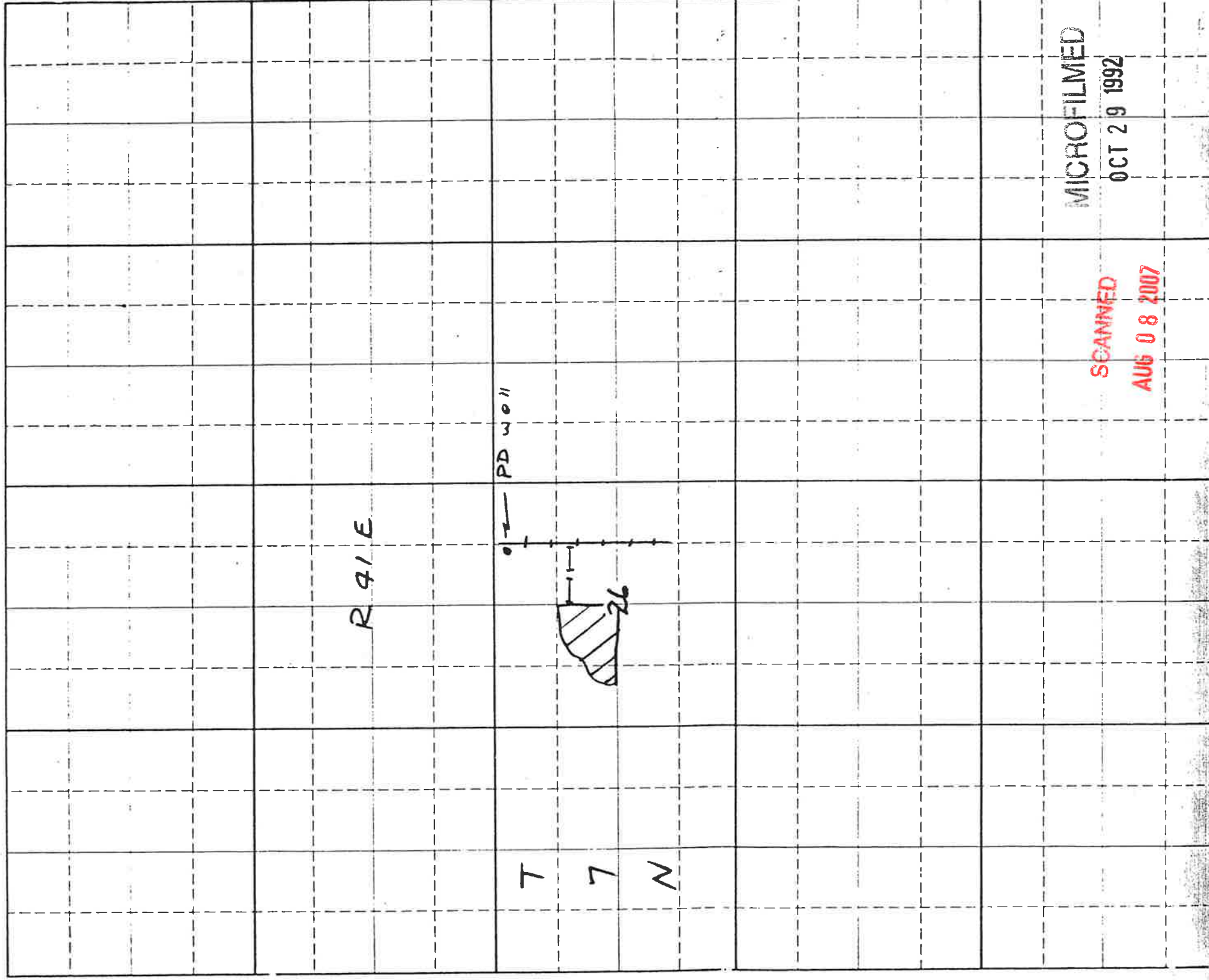
Subscribed and sworn (or affirmed) before me this 7th day
of March 19 89

Anthony S. Olewinski
Notary Public

Seal

Residing at Shosh Falls
My Commission Expires 9/12/1994

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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