

11/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-7806

NAME AND ADDRESS: JAMES W BAKER
1055 SW ENGLEWOOD DR
LAKE OSWEGO OR 97034

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS
1.000 AFY

PRIORITY DATE: 12/10/1985

POINT OF DIVERSION:

T06S R33E S20 SENW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.010 CFS
1.00 AFY

PLACE OF USE: COMMERCIAL Within POWER County

T06S R33E S20 SENW

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

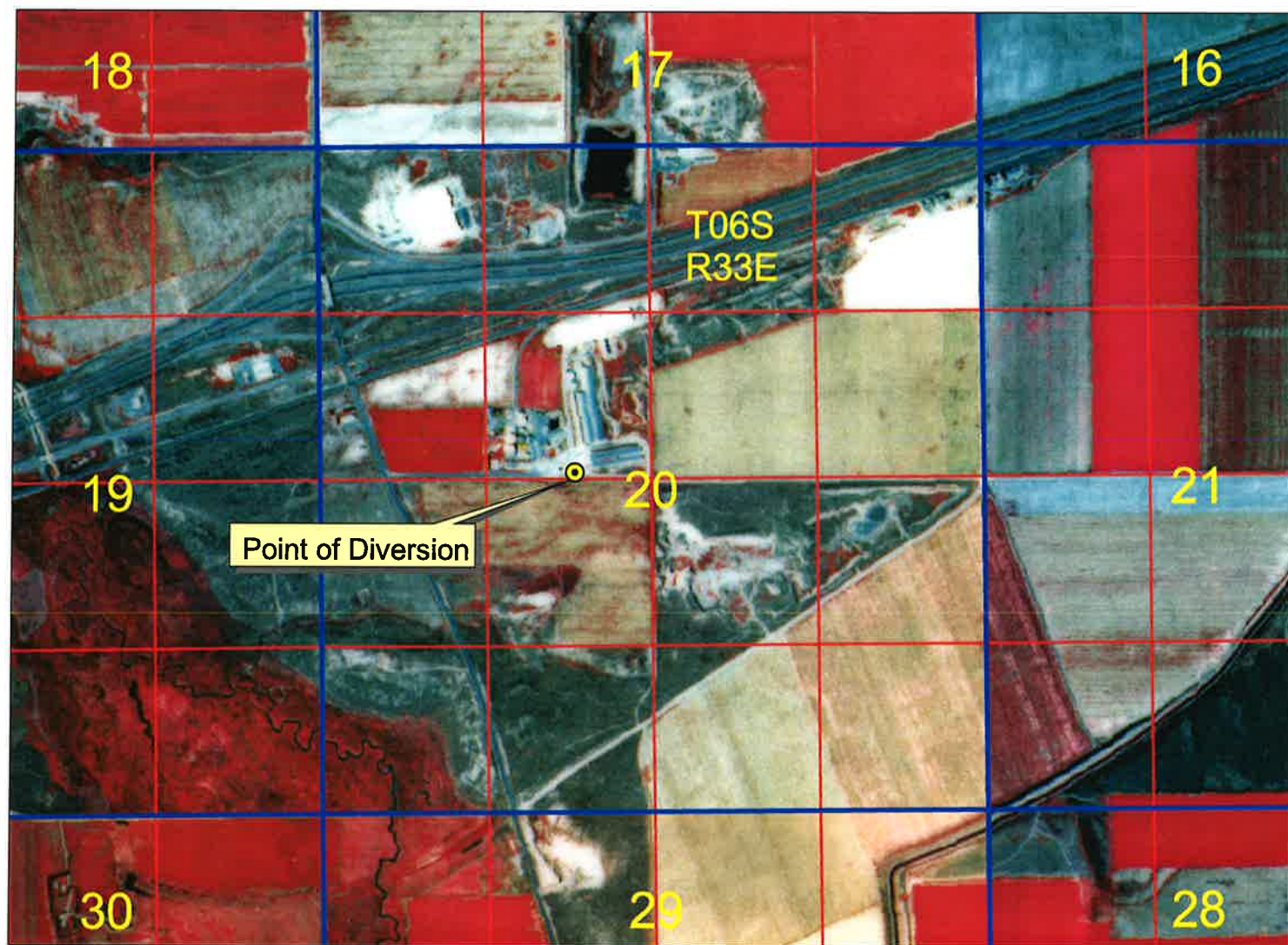
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License



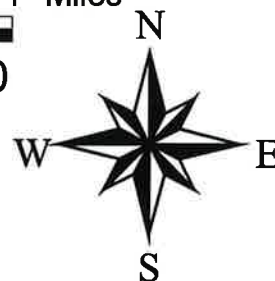
State of Idaho
Department of Water Resources
Eastern Region

Water Right 29-07806



0.5 0 0.5 1 Miles

1:16000



- ⊙ Point(s) of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

PROHIBITED
FROM ALL BOATS

MAY 11 2009

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: November 2002

02/08/2003

foul

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: April 21, 2003

Water right number: 29-7806

JAMES W BAKER
1055 SW ENGLEWOOD DR
LAKE OSWEGO OR 97034
Telephone Number: (503) 244-4164

RECEIVED
APR 14 2003
Department of Water Resources
Eastern Region

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: 4/7/03 SIGNATURE: *Dwight E Baker - POA for James W Baker*
Please print your name: DWIGHT E. BAKER - POA for James W. BAKER

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

PROFILED

MAY 11 2006

RECEIVED

JUL 16 2001

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim. Department of Water Resources Eastern Region

[] Water Right Number(s): 29-7806

[] Old Mailing Address: James W. Baker

DBA Michaud Potato
Blackfoot, Id 83221

[] New Mailing Address: James W. Baker

1055 SW Englewood Drive
Lake Oswego, OR 97034

[] Telephone Number: 503-244-4164

[] Signature of Claimant: J Baker

[] Date: 7/13/01

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

PROFILED

SCANED
MAY 11 2006

JULY 16, 2001

DEAR MR. BAKER:

WATER RIGHT 29-07806 HAS BEEN CHANGED TO REFLECT THE ADDRESS
ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



JAMES W BAKER
1055 SW ENGLEWOOD DR
LAKE OSWEGO OR 97034

MAY 11 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 22, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DR JAMES BAKER
1055 SW ENGLEWOOD
PORTLAND OR 97034

RE: CHANGE OF ADDRESS FOR A29-07806

Dear Mr. Baker:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Dr. James W Baker
DBA Michand Potato
Blackfoot ID 83221

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROTECTED

SCANNED

Contor, Bryce

From: Contor, Bryce
Sent: Friday, June 22, 2001 7:26 AM
To: Vandermeulen, Cheri
Subject: Change of Address

Could you please send a change of address letter to

Dr. James Baker
1055 SW Englewood
Portland, OR 97034

This is for 29-7806. I got the address from Dr. Baker's brother Dwight, an attorney in Blackfoot. I got Dwight's phone number from a lady at the number on the original claim record.

Thanks!

Bryce Contor
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, ID 83402
208 525 7161
bcontor@idwr.state.id.us

SCANNED

MAY 11 2006

6/22/2001

4/11/1989

SRB CLAIM RECEIVING CHECKLIST #2

CLAIMANT'S NAME BAKER CLAIM IDENT. NO. A29-07806
DATE RECEIVED 5/26/89 CK # MAY 14 2001 AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	*
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	*
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	*
8. If required is a consumptive use entered?	☒	☐	*
Is the consumptive use correct?	☒	☐	*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	*
12. Is the ownership of p.u. checked?	☒	☐	*
13. Are other water rights listed or "none" indicated?	☒	☐	*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	*
15. Is the basis of the claim indicated?	☒	☐	*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	*
22. Should this claim be data entered?	☒	☐	*

Claim checked by: TO Date: 7/5/89
Claim must be returned to claimant: (Yes) X (No)
Claimant must be notified of modifications: (Yes) X (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

MICROFILMED

NOV 13 1992

RECEIVED

MAY 26 1989

Formerly
McGRATH & BAKER, CHTD
Department of Water Resources
Stephen J. McGrath, P. C. Eastern District Office
Dwight E. Baker, P. C.
Stevan H. Thompson

BOISE OFFICE

1607 West Jefferson
P. O. Box 739
Boise, Idaho 83702
Telephone (208) 336-6900
Facsimile (208) 336-7031

Law Offices of
IMHOFF & LYNCH

414 Shoup Avenue
Post Office Box 50731
Idaho Falls, Idaho 83405
Telephone (208) 524-0731
Facsimile (208) 529-4166

BOISE OFFICE

Joseph M. Imhoff, Jr., P. A.
James B. Lynch
Michael W. Moore
Alan R. Gardner
Richard A. Cummings
David R. Lombardi
Patrick D. Furey
Scott W. Marotz
Charles R. Clark
Thomas P. Baskin, III
Brad M. Purdy
Paige A. Parker
Kay C. Manweiler
Kirtlan G. Naylor

Office Administrator
Terri L. Bankhead

May 24, 1989

Tony Olenichak
Water Right Agent
State of Idaho, Department
of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

Re: Water Right Claim

Dear Mr. Olenichak:

You will find enclosed Check No. 1030, drawn on the account of Michaud Potato Storage, made payable to the Department of Water Resources for a Notice of Claim to a Water Right for certain Power County property.

We have completed the date of priority pursuant to your instructions. If there is any additional information required, please let me know.

Very truly yours,

Dwight E. Baker
Dwight E. Baker

DEB/mjw

Enclosure

cc: James W. Baker

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NOV 13 1982



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: May 17, 1989

Dwight E. Baker
255 W. 300 N.
Blackfoot, ID 83221

RE: Water Right Claim Returned

Dear Mr. Baker:

The Idaho Department of Water Resources (IDWR) is returning your check #1371 (\$182.00) and Notices of Claim to a Water Right because of incorrect information and/or fees. An approved permit has been required for irrigation and potato storage (commercial) wells since March 25, 1963.

If a "permit to appropriate water" was never granted for the the two Bingham County wells, you must submit an application for permit instead of the claim form for each of the two wells. I have enclosed two permit applications and a set of instructions for you to complete.

Also, the priority date (Item #2) must be entered on the claim form for the Power County potato storage well, described in Permit #29-07806. The priority date listed on the application (date submitted) is 12/10/1985.

The claim fee for the Domestic/Stock well is \$25.00. The claim fee for the Power County potato storage well is \$51.00. The permit application fees for the Bingham County irrigation/stockwater and commercial wells are \$30.00 each.

The Bingham County Notices of Claim to a Water Right must be returned to the IDWR within 30 days of the date of this letter. Failure to return the claims within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

The deadline for submitting Power County claims is 4/5/1990. There is no filing deadline for the permit applications. However, it is to your advantage to return them as soon as possible since the priority date for the permits will be the date the applications are received by the IDWR.

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NOV 13 1992

If you have any questions, or need assistance completing the forms, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

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NOV 13 1994

SCANNED

MAY 14 2001

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: A29-07806
Date Received: 5/26/1989
Receipt No: E008182
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. BAKER 208-524-0731
Address: DBA MICHAEL POTATO
BLACKFOOT, ID 83221

2. Date of Priority: DEC 10, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	20	SE	NW			POWER

5. Description of diverting works:
14" CASING; 160' DEEP; 20 HP PUMP TO 5" LINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POTATO STORAGE/FIRE PROTECTION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	20	SE	NW		COMMER	

11. Place of use in counties: POWER

A29-07806

Page 1

Date: 07/19/89

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NOV 13 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

A PERMIT, 29-7806, WAS ISSUED. THE WELL HAS BEEN IN USE SINCE ABOUT 1967

15. Basis of Claim: PERMIT

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A29-07806

Date Received

5/26/89

Receipt Number

6008182

RECEIVED

MAY 26 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 18 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) JAMES W. BAKER dba Michael Potato Phone (208) 524-0731Mailing Address 255 W. 300 N. BLACKFOOT ID Zip 832212. Date of Priority (Only one (1) per claim) 12-10-853. Source of water supply (a) Ground water

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6 So Range 33 E Section 20,
1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of POWER

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Well casing is 14"; Depth is 160'; 20 hp. pump into closed 5" line to provide water to potato storage and fire protection. Well has been

A2907806



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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from 1-1 to 12-31 amount 0.01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.01 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) water for potato storage and fire protection.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	33E	20								C									

Total number of acres irrigated -0-

11. In which county (ies) are lands listed above as place of use located? POWER

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: A Permit, 29-7806, was issued. The well has been
in use since about 1967.

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NOV 13 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

NOV 19 1952

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) James W. Baker by Dwight E. Baker Date 5-11-89
his attorney at law Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ Title _____ of _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of BONNEVILLE) SS.

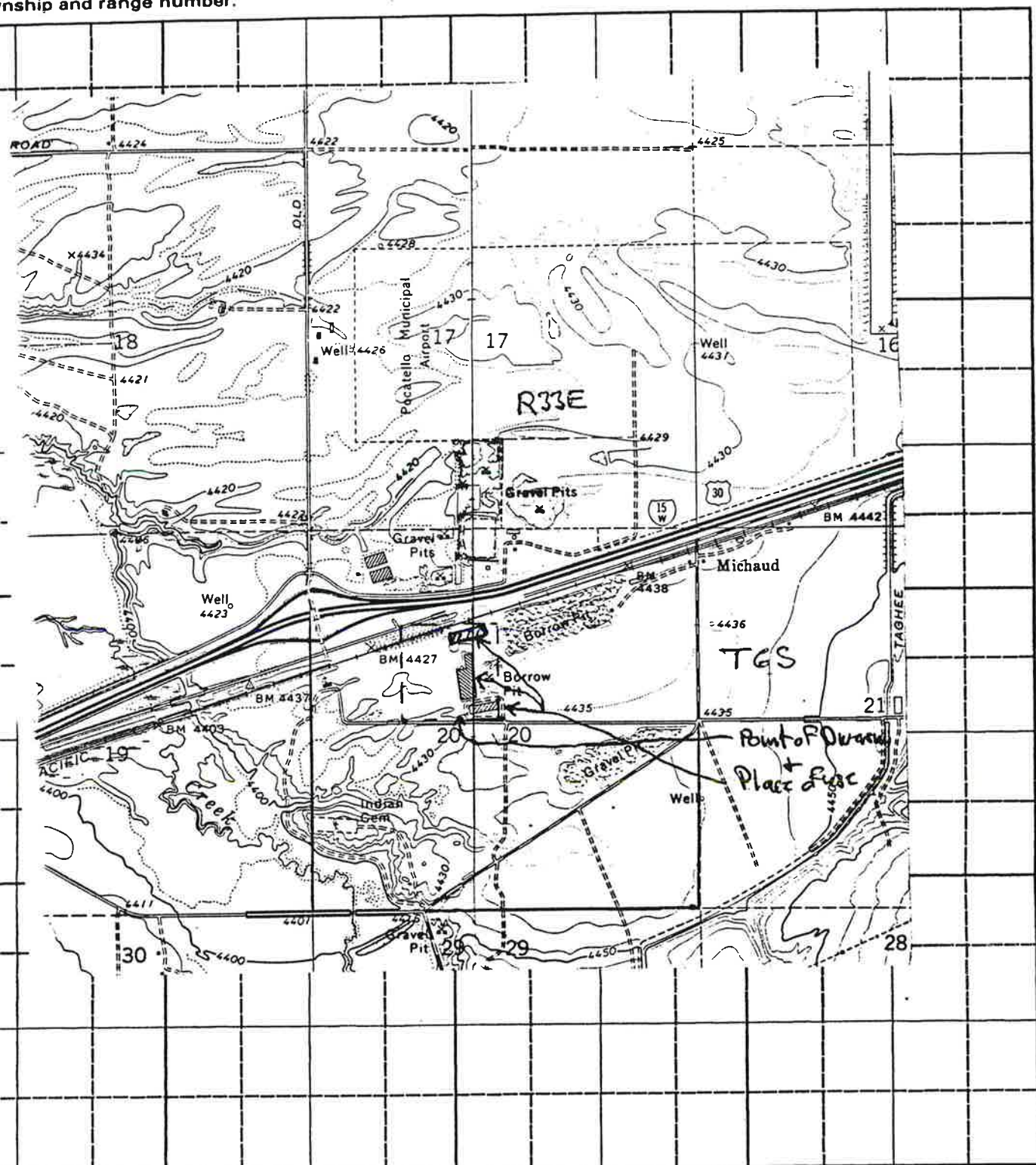
Subscribed and sworn (or affirmed) before me this 12th day of MAY 19 89
SEAL Notary Public Melanie J. Wetzel
Residing at Idaho Falls
My Commission Expires 1/3/92

Please Print Name
17. Notice of Appearance:
Notice is hereby given that I, DWIGHT E. BAKER will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Dwight E Baker
Address _____
Date _____

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NOV 13 1992

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



2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Angus E. Baker
(Applicant)

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NOV 13 1992