

11/10/2006

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

RIGHT NUMBER: 75-13943
NAME AND ADDRESS: ROBERT E BAKER
1301 MAIN ST UNIT #4
SALMON ID 83467

WILLIAM T BAKER
8245 N CORNERSTONE
HAYDEN ID 83835

SOURCE: SPRINGS TRIBUTARY: POISON CREEK
QUANTITY: 1.600 CFS
PRIORITY DATE: 06/18/1930
POINT OF DIVERSION:

T18N R21E S13 SESWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	1.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T18N R21E S13	SESW	19.00	T18N R21E S13	SWSE	32.00
T18N R21E S13	SESE	6.00	T18N R21E S24	NWNE	23.00

80 ACRES TOTAL

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: BASIS OF CLAIM - Beneficial Use



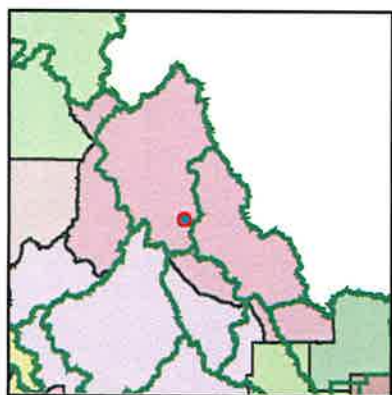
Idaho Department of Water Resources

Adjudication Claim:

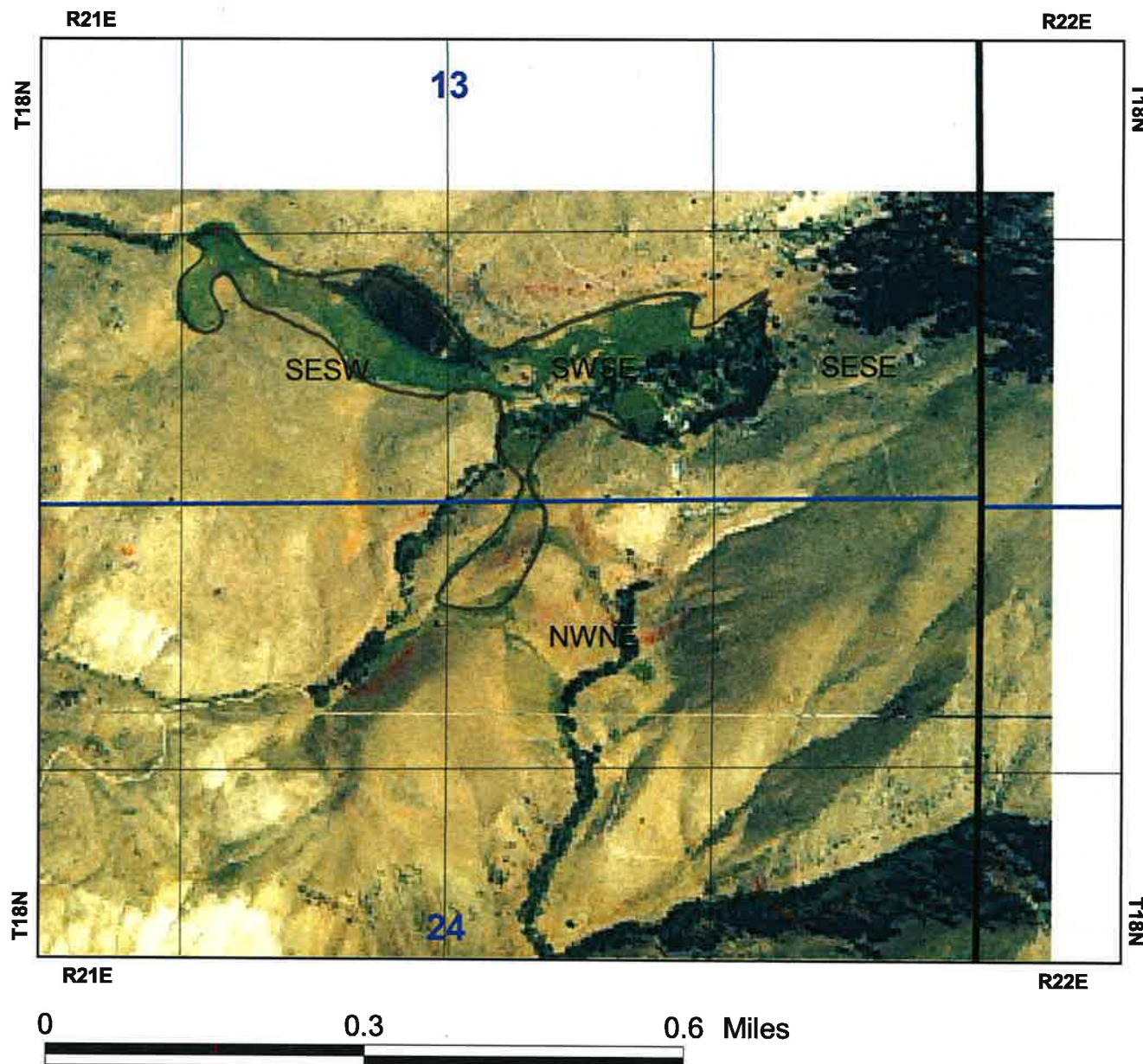
75-13943

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Friday, March 3, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 75-13943 _____

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017226

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Springs with ditches to pond

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

no water being diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-16-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

PAUL B. WITHERS, ESQ
WITHERS LAW OFFICE, Chartered
1301 Main Street, Suite 6
Salmon, Idaho 83467
Telephone: (208) 756-2009
Facsimile: (208) 756-2046

RECEIVED
OCT 17 2005
Department of Water Resources

October 14, 2005

Roxanne Brown
IDWR
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right # 75-13943
Robert E. Baker & William T. Baker – Current Owners

Dear Roxanne:

This letter is in response to IDWR's request for information related to water right # 75-13943.

The source of this water right is several springs located on the real property located in Lemhi County, Township 18 N., Range 21 East, Sections 13 and 24. A sketch outlining the location of the property is attached to the Affidavit of Elizabeth Hutchison, which is included. The springs form a natural creek from which the diversions were created. All of the irrigation is done by gravity flow. Approximately 80 acres has at some point been irrigated by either the Bakers or their predecessors. Mr. Baker informs me that he currently irrigates somewhere between 40 and 50 acres of ground from the spring.

I have included with this packet a copy of the original Notice of Claim, which gives you the legal descriptions, points of diversions, etc. I have also included herewith a copy of the original Homestead HES document which is related to the property and subsequent Quitclaim transferring the property and an aerial photo of Baker's property. Finally, as referenced above, I have enclosed Ms. Hutchison's affidavit with attached map of the subject property.

I appreciate your review of these documents and if you have any questions or concerns, please feel free to contact me. If I can provide anything else, I would be happy to do so.

Sincerely Yours,



Paul B. Withers
PBW/l
c. client

SCANNED

OCT 18 2005

RECEIVED

OCT 17 2005

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-13943

Date Received: 5/24/1999

Receipt No: E025012

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM T BAKER 208-756-4832
Address: PO BOX 2055
SALMON ID 83467

AND/OR

Name: ROBERT E BAKER 208-756-4832
Address: PO BOX 2055
SALMON ID 83467

2. Date of Priority: JUN 18, 1930

3. Source: SPRINGS Trib. to: POISON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	13	SE	SW	SE		LEMHI

5. Description of diverting works:
DITCHES FROM SPRING SOURCES TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

7. Total Quantity Appropriated is:
1.600 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
18N	21E	13	SE	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	13	SW	SE		IRR	30.0
			SE	SE		IRR	10.0
Section Acres							70.0
		24	NW	NE		IRR	10.0
Section Acres							10.0
Total Acres							80.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

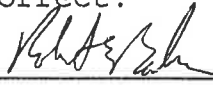
16. Signature(s)

(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: 5-30-99
 _____ 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 _____

248

Instrument No. 53700

4--1003

Blackfoot 039194

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of David Lambeth has been established and duly consummated, in conformity to law, for the

southeast quarter of the southwest quarter and the south half of the southeast quarter of Section thirteen and the northwest quarter of the northeast quarter of Section twenty-four in Township eighteen north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred sixty acres,

according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described;

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Herbert Hoover, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Eighteenth day of June in the year of our Lord one thousand nine hundred and Thirty and of the Independence of the United States the one hundred and Fifty-Fourth

By the President: Herbert Hoover

By Viola B. Fugh, Secretary

John O'Connell
Acting Recorder of the General Land Office.

((SEAL))

RECORDED: Patent Number 1036256

Recorded at the request of David Lambeth May 27 1940 at 45 minutes past 10 o'clock A. M. in Book 35 of Deeds page 248 Records of Lemhi County, Idaho.

W. W. Sirmonds
County Recorder

By *Margaret B. Sirmonds* Deputy

Fee: \$1.00

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Reco:
-M.,

Fee: \$2

SCANNED

OCT 18 2005

608--QUITCLAIM DEED

QUITCLAIM DEED

THIS INDEMTURE, Made this sixth day of April, in the year of our Lord one thousand nine hundred and forty-six, between DAVID LAMBETH and CLARISSA B. LAMBETH, husband and wife, of the County of Lemhi, State of Idaho, the parties of the first part, and WILLIAM V. PRENDERGAST, an unmarried man, of the County of Lemhi, State of Idaho, the party of the second part.

WITNESSETH That the said parties of the first part, for and in consideration of the sum of ONE AND NO/100 Dollars, and other valuable consideration, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the, County of Lemhi, State of Idaho, bounded and particularly described as follows, to-wit:

The southeast quarter of the southwest quarter and the south half of the southeast quarter of Section thirteen and the northwest quarter of the northeast quarter of Section twenty-four in Township eighteen north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

Together with all water and water rights, ditches and ditch rights appurtenant thereto or used in connection therewith.

DOCUMENTARY STAMPS \$.55 CANCELLED 4/17/46 W. V. P.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

David L. Lambeth (Seal)
Clarissa B Lambeth (Seal)

STATE OF Oregon)
) ss.
County of Malheur)

On this 13th day of April in the year 1946, before me, the undersigned, a Notary Public in and for said State, personally appeared David Lambeth and CLARISSA B. Lambeth, husband and wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

(SEAL)

Verl W. Dowers
Notary Public for the State of Oregon,
Residing At VALE, Oregon
My commission expires August 13, 1948

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

I hereby certify that this instrument was filed for record at request of William V Prendergast at 57 minutes past 9 o'clock A. M., this 17th day of April, A. D. 1946 in my office, and duly recorded in Book 39 of Deeds at page 110.

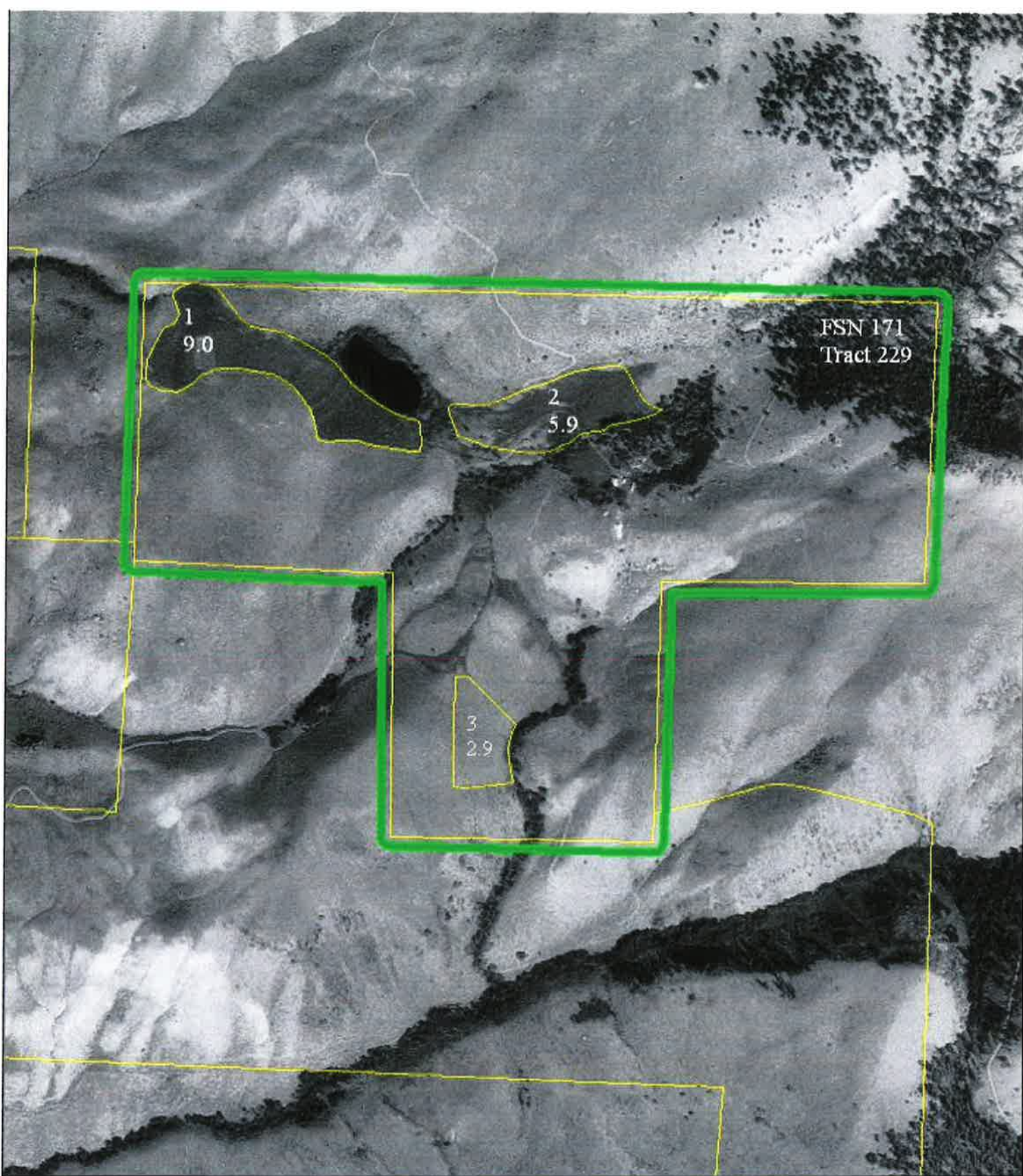
W. W. Simmonds
Ex-Officio Recorder

By Anthony M. McIndrick
Deputy.

Fees, \$1.00 Paid

SCANNED

OCT 18 2005



1
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2
5.9

3
2.9

FSN 171
Tract 229

Map of FSN 171 T 229

CLALJ000.shp

Map Printed: 1, 2004

0.06 0 0.06 0.12 0.18 0.24 Miles



SCANNED

OCT 18 2005



Affidavit of Elizabeth Hutchison
Poison Creek Water Rights
Re: Water Right # 75-13943

STATE OF IDAHO)
)ss.
County of Lemhi)

COMES NOW YOUR AFFIANT, ELIZABETH HUTCHISON, being first duly sworn
upon oath, deposes and says:

I.

Your affiant has personal knowledge of the facts set forth herein.

II.

Your affiant is 81 years of age, having been born September 6, 1924, in Lemhi County, Idaho. Further, that your affiant has resided her entire life on real property located on Poison Creek, in Lemhi County.

III.

That your affiant's residence is located on real property adjacent to real property currently owned by Robert Baker and Thomas Baker. Attached to this affidavit as Exhibit A is a map that includes the quarter-sections in Sections 13 and 24 that are owned by the Bakers.

IV.

That your affiant has highlighted on Exhibit A the quarter-sections owned by the Bakers and also highlighted the portions of the sections which your affiant has personally seen hay cultivated on since the mid-1930's. Your affiant's father farmed the vast majority of the acreage in the Poison Creek drainage and from the time your affiant was six (6) years old she would accompany him when he was involved in haying, irrigating or simply traveling in the Poison Creek area. The

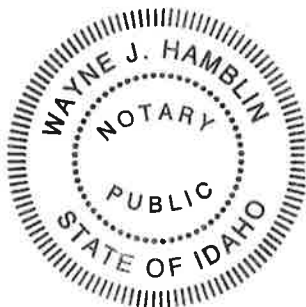
portions of the sections on which hay is still cultivated have also been highlighted by your affiant. Further, that your affiant is aware that the water source for the irrigation of the subject property is several springs located on the uppermost quarter-section of section 13 and your affiant has noted that source location on Exhibit A.

FURTHER, YOUR AFFIANT SAYETH NAUGHT.

DATED this 09 day of October, 2005.

Elizabeth Hutchison
ELIZABETH HUTCHISON

SUBSCRIBED AND SWORN to me this 09 day of October, 2005.



Wayne J. Hamblin
NOTARY PUBLIC FOR IDAHO
Residing at Salmon, Idaho
My Commission Expires: 3/8/2010

Snake River Basin Adjudication

Change in Address of Notice Claim

Water Right Number

75-13943

Previous Mailing Address:

William T. Baker
P.O. Box 2055
Salmon, ID 83467

New Mailing Address:

William T. Baker
8245 N. Cornerstone
Hayden, ID 83835

Telephone Number:

208-762-9737

Signature of Claimant



William T. Baker

change previously made 9-2-05.
JS

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SEP 07 2005

Department of Water Resources

SCANNED

SEP 28 2005

SCANNED

SEP 08 2005

Snake River Basin Adjudication

Change in Address of Notice Claim

Water Right Number

75-13943

Previous Mailing Address:

William T. Baker
P O Box 2055
Salmon, ID 83467

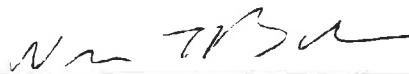
New Mailing Address:

William T. Baker
8245 N. Cornerstone
Hayden, ID 83835

Telephone Number:

208-762-9737

Signature of Claimant



William T. Baker

SCANNED

SEP - 2 2005

WM. THOMAS BAKER P.A.
866 W. HAYDEN
HAYDEN, IDAHO 83835

PHONE (208)762-9737
FAX (208)762-9438

September 2, 2005

This facsimile contains confidential information. Unless you are the addressee named above, or are authorized to receive for the addressee, you may not copy, use or distribute it. If you receive it in error, please advise us immediately by telephone or fax and return it promptly by the US Postal service. Thank You.

Adjudication Bureau
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

FAX - 208-287-6701

pages

2

Change of Address for Water Right number 75-13943

Claimant William T. Baker

*Re cond modified 9-2-05
- ps*

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SEP - 2 2005

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SEP 01 2005

Department of Water Resources

Snake River Basin Adjudication
Change in Address of Notice of Claim

Water Right Number(s): 75-13943

Previous Mailing Address: P.O. Box 2055 (Robert E. Baker)

Salmon, ID. 83467

New Mailing Address:

Robert E. Baker
1301 Main Unit #4

Salmon, ID. 83467

Telephone Number: (208) 756-4832

Signature of all Claimant(s):

Robert E. Baker

Please print your name below your signature.

Robert E. Baker

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

cx
Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

Attn: Sally

SCANNED

SEP - 1 2005

THIS INDENTURE, Made this 18th day of October, in the year of
 our Lord one thousand nine hundred and forty-six between
 J. E. POLLARD, and JANE POLLARD, husband and wife,
 of Salmon, County of Lemhi, State of Idaho,
 the parties of the first part, and
 WILLIAM E. BAKER, a married man,
 of the, County of Lemhi, State of Idaho,
 the party of the second part.

(WITNESSETH, That the said parties of the first part, for and in consideration
 of the sum of

FIVE THOUSAND and NO/100 ----- DOLLARS,

lawful money of the United States of America,

to them in hand paid by the said
 party of the second part, the receipt whereof is hereby acknowledged, have
 granted, bargained and sold, and by these presents do grant, bargain, sell, convey
 and confirm unto the said party of the second part, and to his heirs and as-
 signs forever, all of the following described real estate, situated in the
 County of Lemhi, State of Idaho, to wit:

The Southeast Quarter of the Southwest Quarter
 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), and the South Half of the Southeast
 Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$), of Section Thirteen (13);
 The Northwest Quarter of the Northeast Quarter
 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), of Section Twenty-four (24); all in
 Township Eighteen (18) North of Range Twenty-one
 (21) East of the Boise Meridian, Idaho,
 containing one hundred sixty acres;

Together with all water, water rights, ditches,
 ditch rights, (and range rights) appertaining
 thereto or used in connection therewith.



TOGETHER, With all and singular the tenements, hereditaments and appurtenances
 thereunto belonging or in anywise appertaining, the reversion and reversions, remainder, and
 remainders, rents, issues and profits thereof; and all estate, right, title and interest in and
 to the said property, as well in law as in equity, of the said parties of the first
 part.

LEARN TITLE AND ABSTRACT COMPANY
SALAMAN, IDAHO 83426 U.S.A.

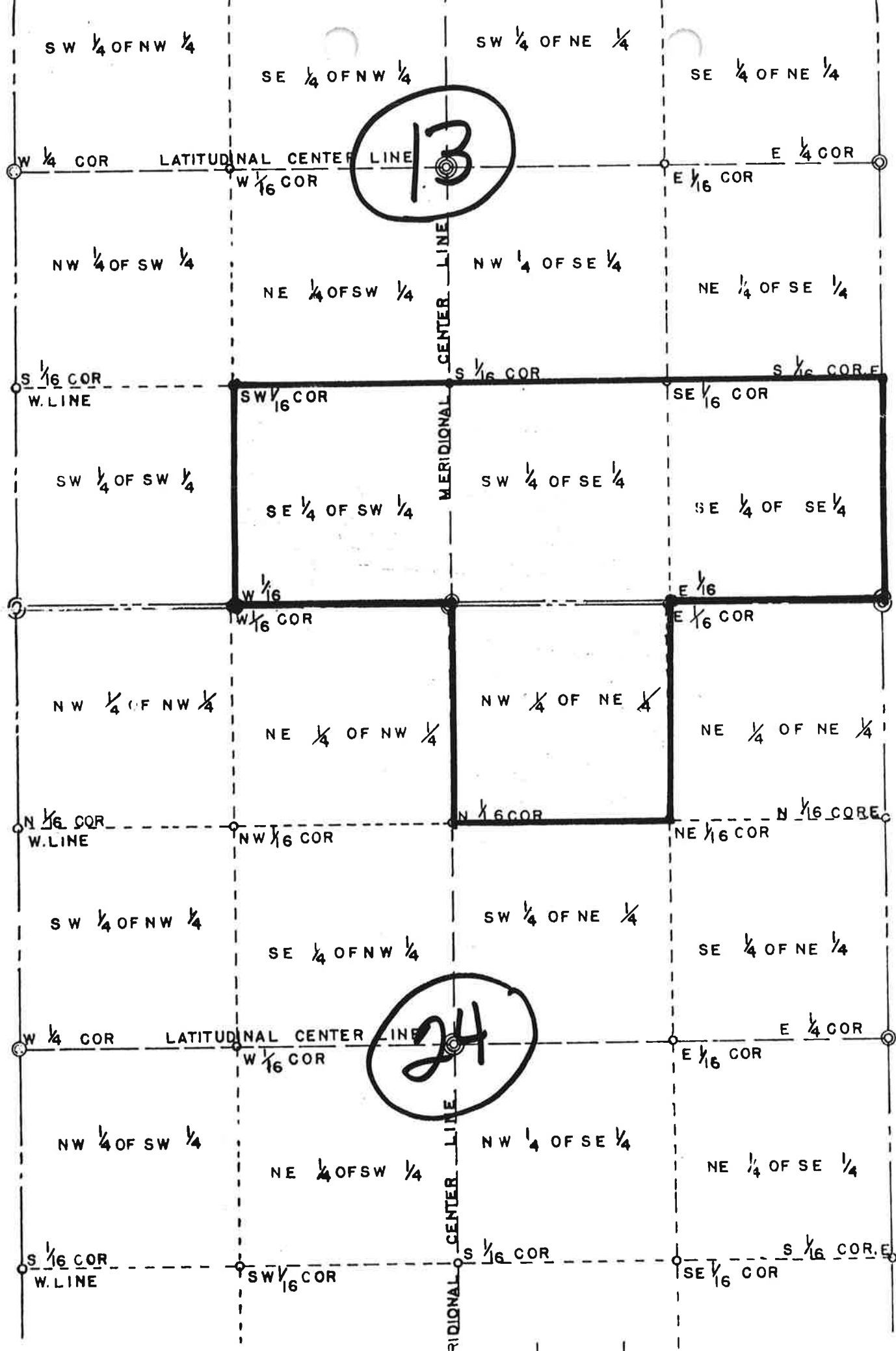
LANDS INCLUDED IN THIS ABSTRACT

IN LEMHI COUNTY, IDAHO: May 25, 1960

NEW YORK CO. PRINTERS & BINDERS 5010 57241

10554 88-10 18335E & 18335W © 1988-89





DESCRIPTION:

The SE⁴SW⁴, S¹/₂ SE⁴ of Section 13 2nd NW⁴NE⁴ Section 24, T18N-R2E.ORDER NO. NONE

INSTRUMENT	BOOK	PAGE	GRANTOR	GRANTEE	DATE	
Patent	35	248	The United States of America	David Lambeth	6 18-30	
			J. E. Pollard and	\$250. ⁰⁰	5 27-40	
Mortgage	N	180	Jane Pollard n/w	David Lambeth	5 27-40	Released
					9 13-40	C/344
Quit. Claim Deed	39	110	David Lambeth and Clarissa B. Lambeth n/w	William V. Prendergast	4 6-46	
Warranty Deed	39	510	David Lambeth and Clarissa Lambeth n/w	J. E. Pollard	4 17-46	
					5 27-40	
Quit Claim Deed	39	523	William V. Prendergast	J. E. Pollard	10 18-46	
Warranty Deed	39	561	J. E. Pollard and Jane Pollard n/w	William E. Baker	5 7-46	
					10 23-46	
Mortgage	P	576	William E. Baker and Gladys K. Baker n/w	\$5,000. ⁰⁰	10 18-46	
Warranty Deed	41	428	William E. Baker and Gladys K. Baker n/w	John E. Baker	11 2-46	
				Baker & Son, a Partnership consisting of William E. Baker and William N. Baker	11 1-46	Released
Warranty Deed	119468		William E. Baker and Gladys K. Baker n/w	William N. Baker	11 12-46	9-1-47
					4 10-48	
					12 30-48	
					12 31-71	
					1 3-72	

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: A75-13943

Date Received: 5/24/1999

Receipt No: E025012

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM T BAKER 208-756-4832
Address: PO BOX 2055
SALMON ID 83467
AND/OR
Name: ROBERT E BAKER 208-756-4832
Address: PO BOX 2055
SALMON ID 83467

A7513943



2. Date of Priority: JUN 18, 1930

3. Source: SPRINGS Trib. to: POISON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	13	SE	SW	SE		LEMHI

5. Description of diverting works:
DITCHES FROM SPRING SOURCES TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

7. Total Quantity Appropriated is:
1.600 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
18N	21E	13	SE	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	13	SW	SE		IRR	30.0
			SE	SE		IRR	10.0
						Section Acres	70.0
		24	NW	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	80.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 175-13943Date Received 5/20/99Receipt Number E025012

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 20 1999

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) William T. +/or Robert E. Baker Phone (208) 756-4832Mailing Address PO Box 2055 Salmon ID. Zip 834672. Date of Priority (Only one (1) per claim) 6-18-19303. Source of water supply (a) Springs
which is tributary to (b) Poison Creek4. a. Location of existing point of diversion is: Township 18N Range 21E Section 13,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LemhiAdditional points of diversion if any: NWSW SE
SW SE SE T18N R21E S13

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

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

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. ditches from spring sources toplace of use.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-01 to 11-01 amount 1.6 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 cfs (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.) _____

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	
<u>18N</u>	<u>21E</u>	<u>13</u>											<u>300</u>				<u>300</u>	<u>10.0</u>	<u>70.0</u>
		<u>24</u>		<u>10.0</u>															<u>10.0</u>

Total number of acres irrigated 80.0

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

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:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The lines are oriented horizontally and vertically, creating a plus sign shape. The grid is composed of 16 columns and 16 rows of these squares.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
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) Robert E. Foster Date 5-18-99

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 _____ of _____
Title Organization

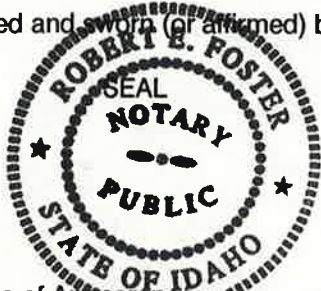
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 18th day of May 19 99



Notary Public Robert E. Foster

Residing at Salmon Idaho

My Commission Expires 02-16-2001

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

