

(Internet)

T69690

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

SECOND AMENDED (2-13-02)

PART 1

FEB 14 2002

838-2271

Department of Water Resources
Southern RegionName of applicant Betty and Dick Baker Phone _____Post Office address HC 68 Box 370, Clayton, ID 83227

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes moving POD upstream to use piping rather than open ditch
will result in a more efficient conveyance which in turn will leave additional
water in Pine Creek at times which will in turn contribute to flows in the
Salmon River.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
72-00201A	5-1-1888	.56 cfs	Irrigation	4-1 to 10-31
72-00201E	5-1-1888	.27 cfs	Irrigation	4-1 to 10-31
72-00201H	5-1-88	.93 cfs	Irrigation	4-1 to 10-31
				to _____

2. Total amount of water being transferred 1.76 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Pine Creek tributary to Salmon River, East Fork

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	5	9N	18E	Custer	**may include the SW SW of Sec. 5 also. SWSESW

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9N	18E	6	S	S			19												19.0
9N	18E	6					8.8												8.8
9N	18E	6	7.3	24															31.3

59.1

(Internet)

Revised J.F. RECEIVED

FEB 12 2002

Page 1 of 11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED 2-08-02

PART 1

Name of applicant Betty and Dick Baker Phone

Post Office address HQ 68 Box 370, Clayton, ID 83227

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes moving POD upstream to use piping rather than open ditch
will result in a more efficient conveyance which in turn will leave additional
water in Pine Creek at times which will in turn contribute to flows in the
Salmon River.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
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72-00201E	5-1-1888	.27 cfs	Irrigation	4-1 to 10-31
72-00201H	5-1-88	.93 cfs	Irrigation	4-1 to 10-31

2. Total amount of water being transferred 1.76 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Pine Creek tributary to Salmon River, East Fork

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 59.1

Page 1 of 11

Transfer No. _____

69690
No. ~~RECEIVED~~

SEP 28 2001

Department of Water Resources
Southern Region

PART 1

Post Office address HC 68 Box 370, Clayton, ID 83227

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

- ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes moving POD upstream to use piping rather than open ditch
will result in a more efficient conveyance which in turn will leave additional
water in Pine Creek at times which will in turn contribute to flows in the
Salmon River.

8. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
72-00201A	5-1-1888	.56 cfs	Irrigation	4-1 to 10-31
72-00201E	5-1-1888	.27 cfs	Irrigation	4-1 to 10-31
72-00201H	5-1-88	.93 cfs	Irrigation	4-1 to 10-31
				to

2. Total amount of water being transferred 1.76 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Pine Creek tributary to Salmon River, East Fork

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 59.1

PART 1

6. General Information:

a. Description of diversion system Diversion will be into screened 10" pipe, much of which
will be buried, including in the ditch route from the old POD.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Will not change.

d. Remarks:

none

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 72-00201A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Pine Creek tributary to Salmon River, East Fork4. Date or priority 5-1-1888

5. Water is used for the following purpose:

amount .56 cfs for Irrigation purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .56 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW		5	9N	18E	Custer	
	NE	NW	SW	5	9N	18E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9N	18E	6					19												19

Total acres 19

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for n/a purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW		5	9N	18E	Custer	
	NE	NW	SW	5	9N	18E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 72-00201E on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Pine Creek tributary to Salmon River, East Fork4. Date or priority 5-1-1888

5. Water is used for the following purpose:

amount .27 for Irrigation purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .27 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW		5	9N	18E	Custer	
	NE	NW	SW	5	9N	18E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9N	18E	6					8.8												8.8

Total acres 8.8

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for no purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW		5	9N	18E	Custer	
	NE	NW	SW	5	9N	18E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: N/A

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED 2-08-02

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED
1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 72-00201H on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

- ☐ Tax Notice
 ☐ Warranty Deed
 ☐ Other Pine Creek Snake River, East Fork

3. Source of water _____ tributary to _____

4. Date or priority 5-1-1888

5. Water is used for the following purpose:

amount .93 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .02 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .93 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NW	5	9N	18E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9N	18E	6	7.3																7.3
9N	18E	6		24															24.
9N	18E	6	S	S															

Total acres 31.3

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 72-00201H on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Pine Creek tributary to Snake River, East Fork

4. Date or priority 5-1-1888

5. Water is used for the following purpose:

amount .93 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft) amount .02 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .93 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NW	5	9N	18E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9N	18E	6	7.3																7.3
9N	18E	6		24															24

Total acres 31.3

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for N/A purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NW	5	9N	18E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: N/A

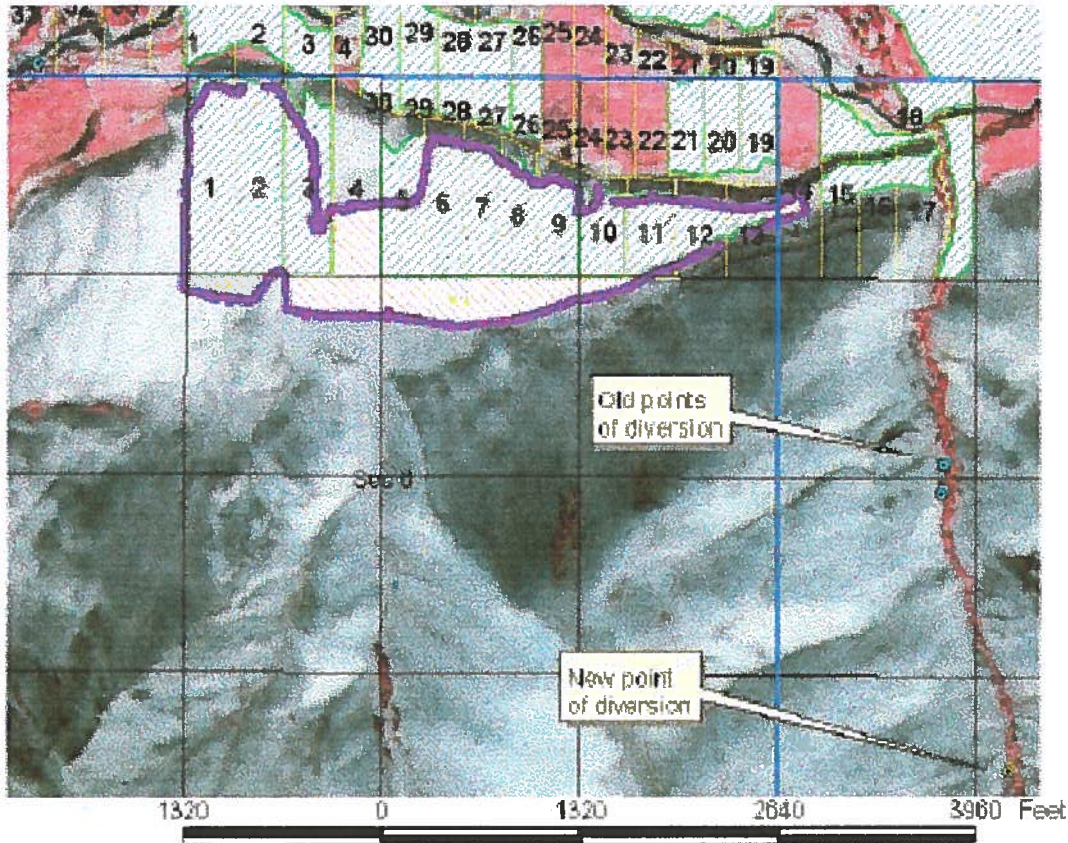
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

Potential Illegal Irrigation Pine Creek Subdivision Area



Section 6 and 5
T09N, R18E

- T09N18Esec.chp
- T09N18Eqa.chp
- N071118a.tbl
- T10N18E.chp
- T09N18E.chp
- W1872-pas.chp
- Baker potential illegal.chp
- W1872-pas.chp
- N071118a.tbl

By: ADM
8/2/01

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

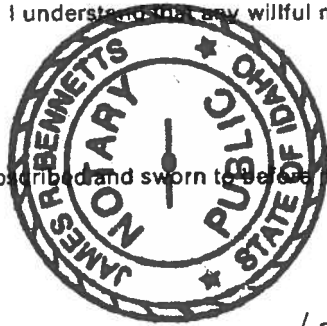
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Power of Attorney for Betty & Dick Baker (see attached)
Melodie Baker
 (Signature of Applicant)

Subscribed and sworn to before me this

27th

day of

September 2001

James R. Bennetts
 (Notary Public)

My commission expires

1-13-2005

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 4 attachmentsReceived by JF Date 9-28-01

Protest filed by _____

Prelim. check by JF Fee 290 - ck for 390 - 5024338 - 2 transfersReceipted by JF Date 9-28-01Published in The Challis Messenger

Copies of protest forwarded by _____

Pub. dates 3/7 & 3/14/02

Hearing held by _____ Date _____

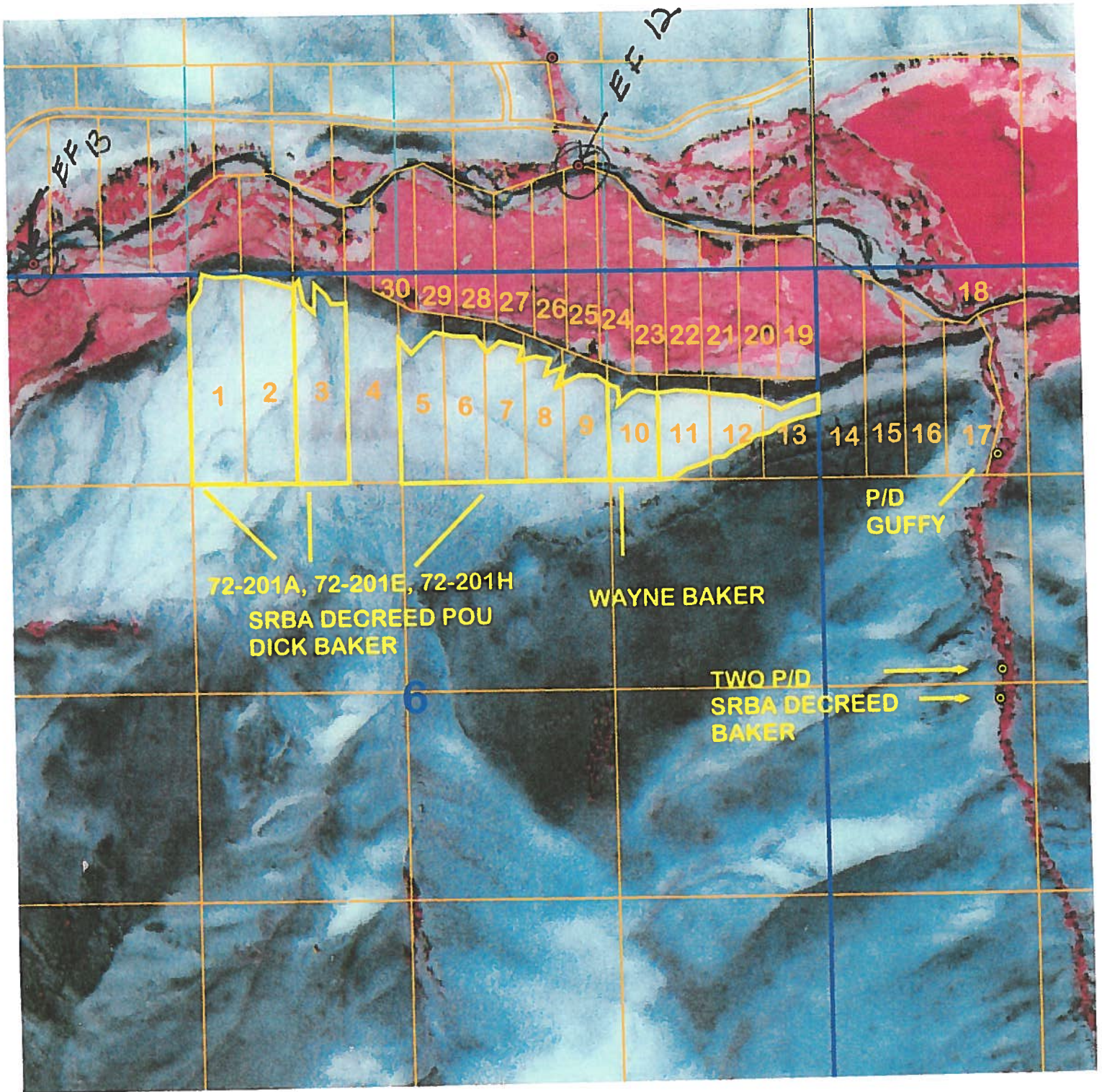
Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

rec'd. _____

by _____

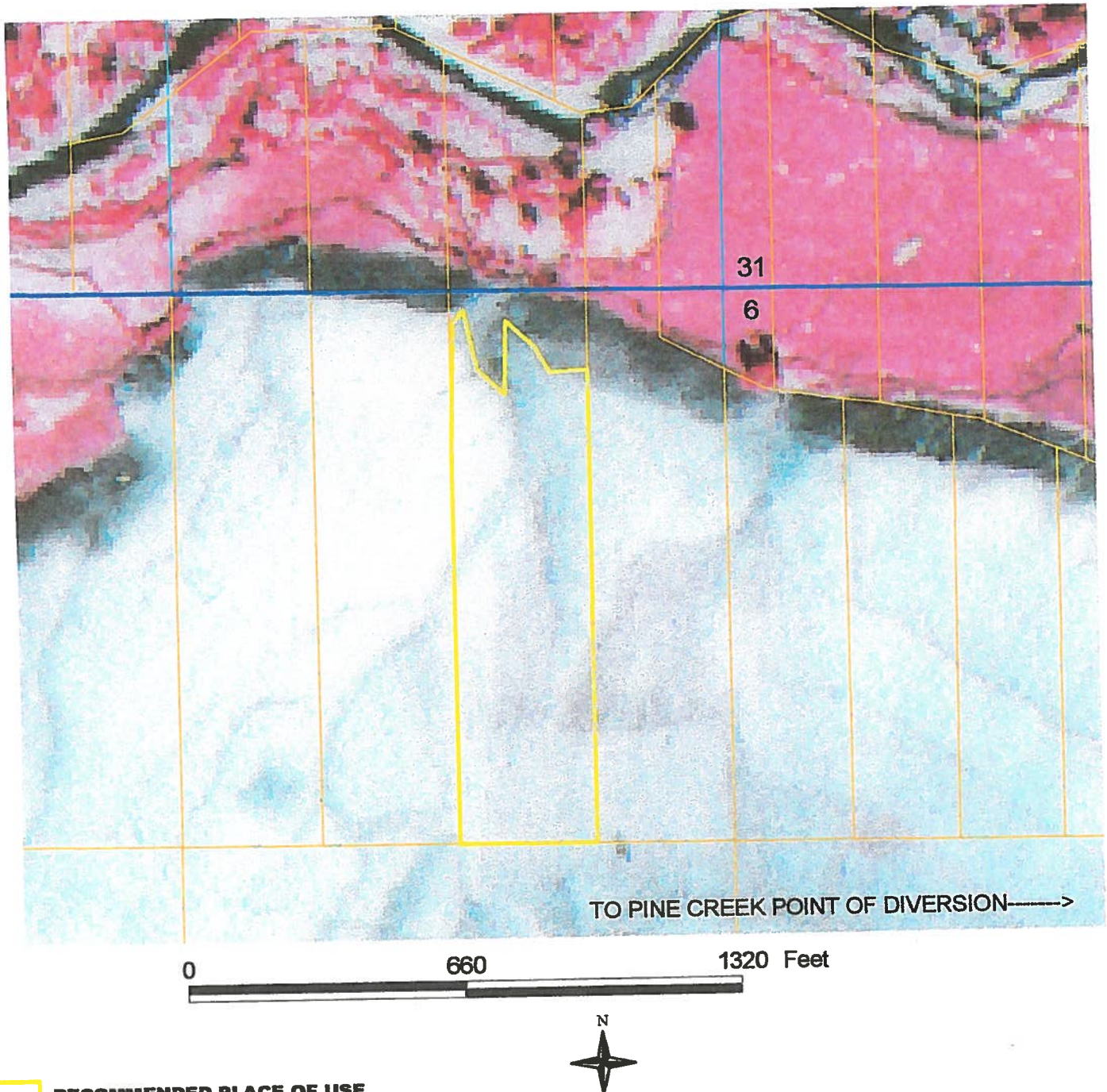
Copy of transfer sent to lien holder _____

T 09N, R 18E



1987 NAPP AERIAL PHOTOGRAPHY

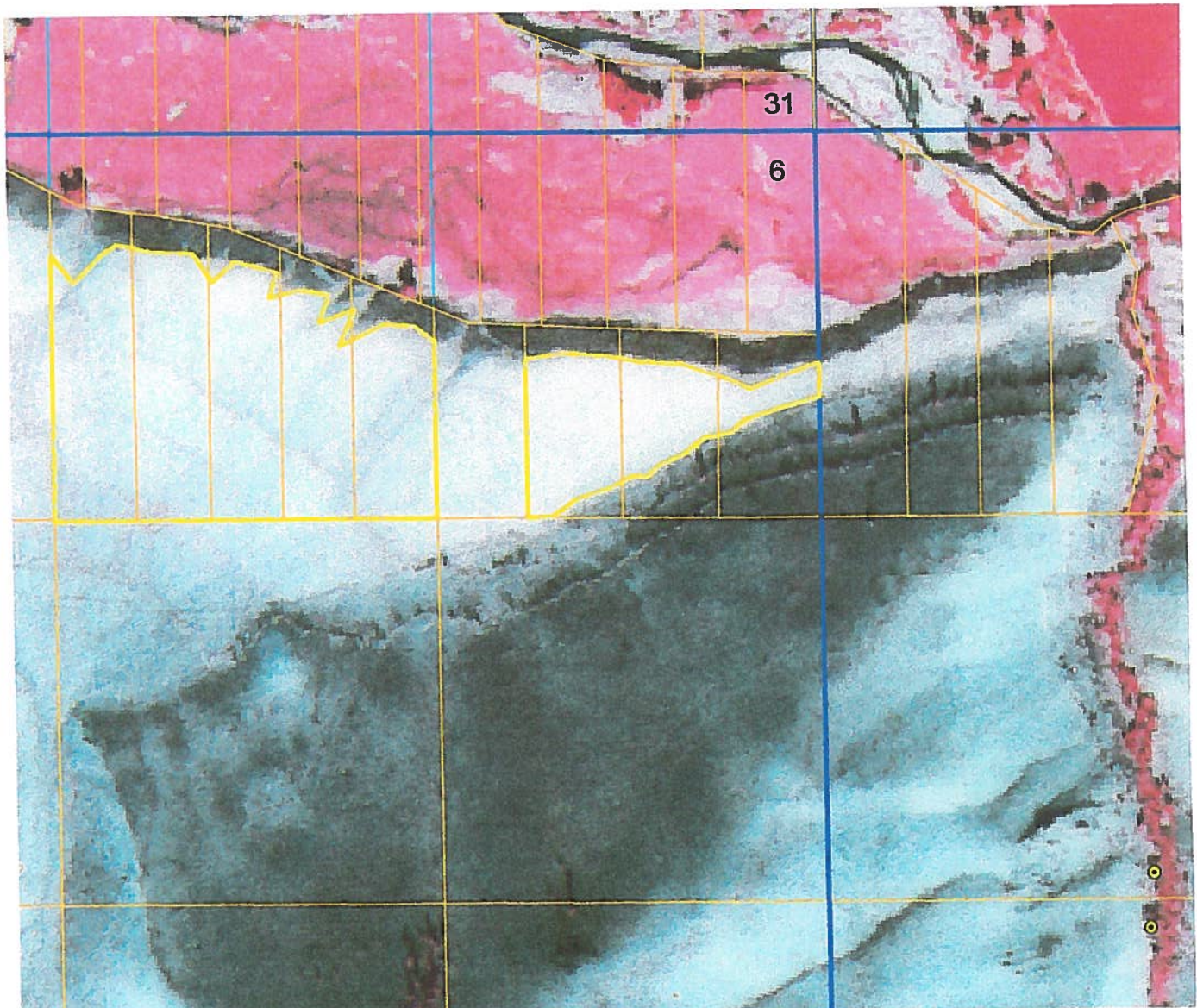
Revised Map from claim file
for 72-201A
inserted by John Freitag

RIGHT 72-00201E**RECOMMENDED PLACE OF USE
TWP 09N, RNG 18E, SEC 6
data entry on October 27, 1998**

- RECOMMENDED PLACE OF USE**
- RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

*Recommendation Map for 72-201E
inserted by John Freestag*

RIGHT 72-00201H**RECOMMENDED PLACE OF USE
TWP 09N, RNG 18E, SEC 6
data entry on October 27, 1998**

0 660 1320 1980 2640 Feet



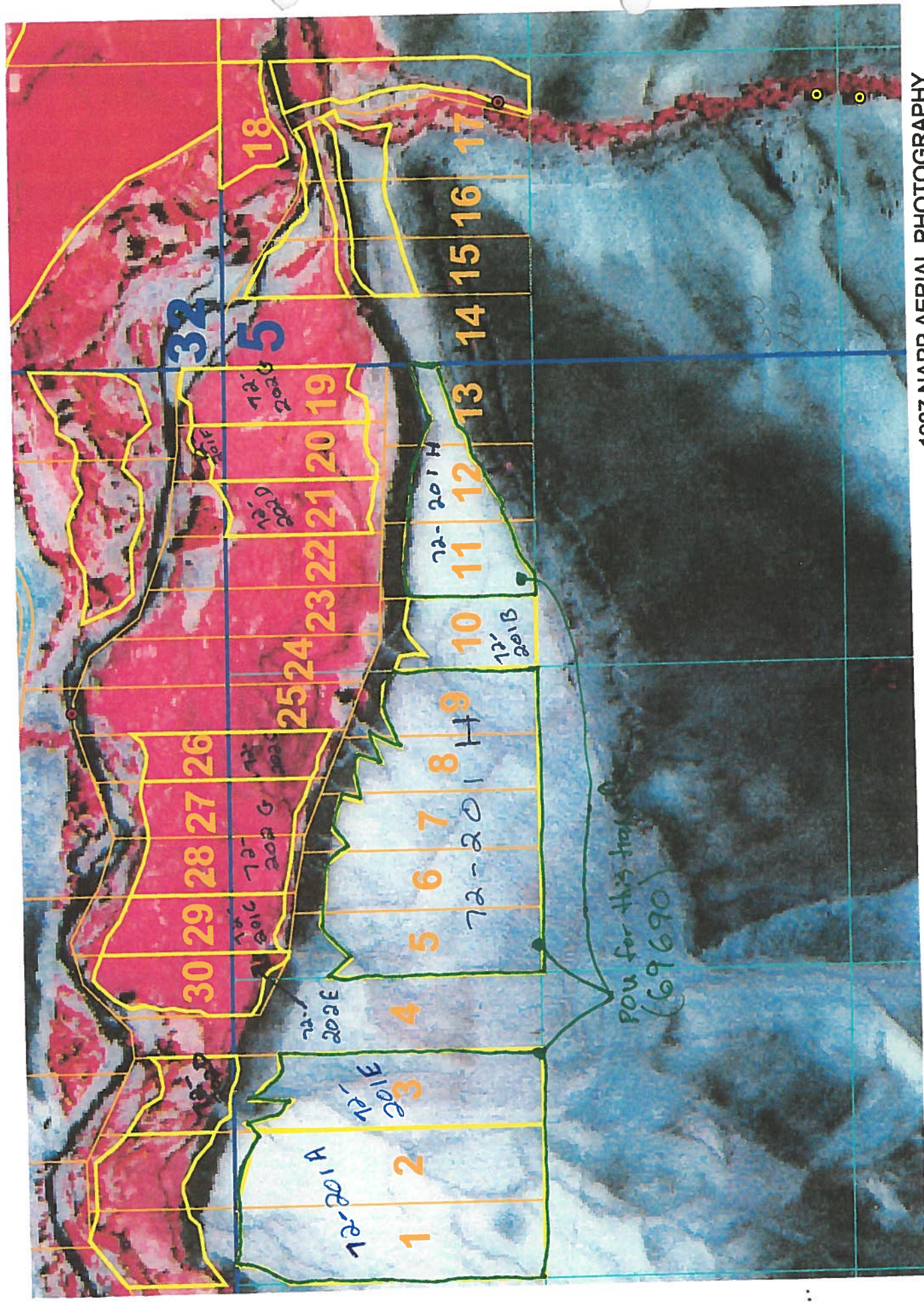
- RECOMMENDED PLACE OF USE**
- RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

*Recommendation Map Br 72-201H
inserted by John Freer*

PINE CREEK SUBDIVISION *Overlap Review Map* J.F.

TWP 09N RNG 18E SEC 5, 6
TWP 10 N RNG 18E SEC 31



POA for this tract
(69690)

V. HANCOCK

1987 NAPP AERIAL PHOTOGRAPHY

T69690

T69690

SPECIAL POWER OF ATTORNEY

I, BETTY L. BAKER, HC 68 Box 304, Clayton, Idaho 83227, do hereby make, constitute, and appoint WAYNE BAKER and MELODIE L. BAKER, of Custer County, Idaho, my true and lawful attorneys for me and in my name, place, and stead in the following matter:

Taking care of all legal matters concerning the transfer of the point of diversion and securing rights of way for water rights No. 72-201A, 72-201E, and 72-201 H.

My attorney(s) shall exercise this special power of attorney as I may direct from time to time or as my attorney, in his/her sole and complete judgment and discretion, shall deem necessary, wise, proper, or appropriate for my benefit. Each has full power and need not obtain the consent of the other to act on my behalf.

This special power of attorney shall remain in full force and effect until the receipt by my attorney(s) of a written revocation signed by me. This special power of attorney shall not be affected by my disability or incompetence.

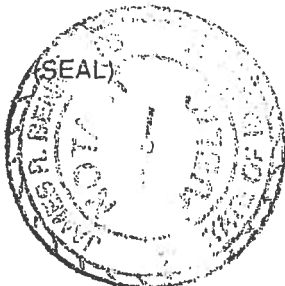
All persons dealing with my attorney(s) shall rely on a photo static copy hereof without requiring the production of this original special power of attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of September, 2001, at Challis, Idaho.

Betty L. Baker
BETTY L. BAKER

On the 17th day of September, 2001, before me the undersigned notary public, personally appeared BETTY L. BAKER, known to me to be the person whose name is subscribed to the foregoing instrument, and she acknowledged to me that she executed the same.

17th IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day of September, 2001.



James R. Bennett
Notary Public for Idaho
Residing at: Challis Idaho
My Commission Expires: 1-13-05

Post-It™ brand fax transmittal memo 7671		# of pages ▶ <u>2</u>
To	From <u>Mel Baker</u>	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

T69690

SPECIAL POWER OF ATTORNEY

I, DICK L. BAKER, HC 68 Box 304, Clayton, Idaho 83227, do hereby make, constitute, and appoint WAYNE BAKER and MELODIE L. BAKER, of Custer County, Idaho, my true and lawful attorneys for me and in my name, place, and stead in the following matter:

Taking care of all legal matters concerning the transfer of the point of diversion and securing rights of way for water rights No. 72-201A, 72-201E, and 72-201 H.

My attorney(s) shall exercise this special power of attorney as I may direct from time to time or as my attorney, in his/her sole and complete judgment and discretion, shall deem necessary, wise, proper, or appropriate for my benefit. Each has full power and need not obtain the consent of the other to act on my behalf.

This special power of attorney shall remain in full force and effect until the receipt by my attorney(s) of a written revocation signed by me. This special power of attorney shall not be affected by my disability or incompetence.

All persons dealing with my attorney(s) shall rely on a photo static copy hereof without requiring the production of this original special power of attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of September, 2001, at Challis, Idaho.

Dick L. Baker
DICK L. BAKER

On the 17th day of September, 2001, before me the undersigned notary public, personally appeared DICK L. BAKER, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same.

17th IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 17th day of September, 2001.

(SEAL)



James R. Bennett
Notary Public for Idaho
Residing at: Challis, Idaho
My Commission Expires: 1-13-05

4-21

T69690

AMENDED DIRECTOR'S REPORT

Subcase Nos. 72-00201A & 72-00201E

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

**Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief**

April 29, 1999

B-1

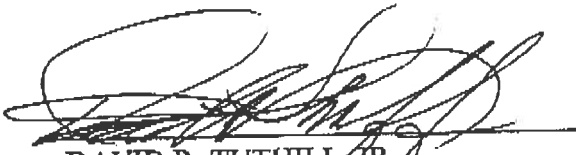
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the SRBA Court's verbal order of April 23, 1999, granting the claimants' *Motion to File Amended Notices of Claim* dated February 25, 1999, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcases.

Respectfully submitted this 22 day of APRIL, 1999.


for DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

AJ5856HP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-29-1999
PAGE: A-1

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201A

NAME & ADDRESS: BETTY BAKER
DICK BAKER
HC 68 BOX 370
CLAYTON ID 83227

SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

QUANTITY: 0.56 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T09N R18E S05 SWNW Within CUSTER County
NENWSW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.56 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T09N R18E S06 Lot 3 (NENW)19
19 ACRES TOTAL

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

AJ5856NP

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

DATE: APR-29-1999
PAGE: A-2

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201A (CONT)

EXPLANATORY MATERIAL: (CONT)

PROPERTY IS ALSO KNOWN AS LOTS 1 & 2 BLK 1, PINE CREEK SUBD.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.
___INCIDENTAL STOCKWATER 30 COWS

AJ5856NP

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

DATE: APR-29-1999

PAGE: A-1

 RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

 RIGHT NUMBER: 72-00201E
 NAME & ADDRESS: BETTY L BAKER
 DICK L BAKER
 HC 68 BOX 370
 CLAYTON ID 83227
 SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK
 QUANTITY: 0.27 CFS
 PRIORITY DATE: 05/01/1888
 POINT OF DIVERSION: T09N R18E S05 SWNW Within CUSTER County
 NENWSW
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 0.27 CFS
 PLACE OF USE: IRRIGATION Within CUSTER County
 T09N R18E S06 Lot 3 (NENW) 8.8
 8.8 ACRES TOTAL

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
 PURSUANT TO SECTION 42-1425, IDAHO CODE.

AJ5856NP

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

DATE: APR-29-1999
PAGE: A-2

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201E (CONT)

EXPLANATORY MATERIAL: (CONT)

PROPERTY IS ALSO KNOWN AS LOT 3, BLK 1, PINE CREEK SUBDIVISION
INCIDENTAL STOCKWATER

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E,
72-00201H, 72-00201J.

CERTIFICATE OF MAILING

I certify that on 4-29-99, 1999, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Custer County Clerk
801 Main St.
Challis, ID 83226

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Dick & Betty Baker
HC 68 Box 370
Clayton, ID 83227

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Sandy Egbert
Signature of person delivering form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-607

RIGHTS FROM: SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

RIGHT NUMBER: 72-00201H

NAME & ADDRESS: BETTY L BAKER
DICK L BAKER
HC 68 BOX 370
CLAYTON ID 83227

SOURCE: PINE CREEK TRIBUTARY: SALMON RIVER, EAST FORK

QUANTITY: 0.93 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T09N R18E S05 SESWNW Within CUSTER County
NENWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.93 CFS
	STOCKWATER	04-01 10-31	0.02 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T09N R18E S06 NENE 7.3 NWNE 24
31.3 ACRES TOTALSTOCKWATER Within CUSTER County
T09N R18E S06 NENE NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

BOX 597
ALLIS ID 81226

TURN SERVICE REQUESTED

CATEGORY DESCRIPTION

IRRSTD AG

Tax Code 24-01
LOTS/ACRES 13.755 AC
MARKET VALUE 5,505

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 23, 2000

13.796 5,505

TOTAL:

1 LOT 3
PINE CREEK SUBDIVISION

PARCEL #
RP 000570010030 A

PROPERTY ADDRESS

DATE: 5,505
PRIOR YEAR 34.54

CURRENT YEAR

BAKER, DICK L
BAKER, BETTY L
HC 68 BOX 370
CLAYTON

IO 83227

See back for details.

DO NOT PAY ESTIMATE

CHRIS JAMES
CLAY COUNTY ASSESSOR
BOX 597
ALLIS ID 81226

TURN SERVICE REQUESTED

CATEGORY DESCRIPTION

IRRSTD AG

Tax Code 24-01
LOTS/ACRES 14.723 AC
MARKET VALUE 5,874

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 23, 2000

14.723 5,874

TOTAL:

1 LOT 2
PINE CREEK SUBDIVISION

PARCEL #
RP 000570010020 A

PROPERTY ADDRESS

DATE: 5,874
PRIOR YEAR 36.54

CURRENT YEAR

BAKER, DICK L
BAKER, BETTY L
HC 68 BOX 370
CLAYTON

IO 83227

See back for details.

DO NOT PAY ESTIMATE

A-1

ASSESSMENT NOTICE

2000

Tax Code 24-00

MARKET VALUE 6,691

LOTS/ACRES 16.770 AC

RETURN SERVICE REQUESTED

CHALLIS ID 83226

CHRIS JAMES
CLAY COUNTY ASSESSOR
PO BOX 597

CATEGORY DESCRIPTION
IRRSTD AG

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 23, 2000

PARCEL #
RP 000570010010 A

16.770

6,691

BLK 1 LOT 1
PINE CREEK SUBDIVISION

PROPERTY ADDRESS

PRIOR YEAR

6,691

PRIOR YEAR 41.96

TAX:

See back for details.

DO NOT PAY ESTIMATE

CURRENT YEAR

6,691

ESTIMATED 41.96

Mail To:

BAKER, DICK L
BAKER, BETTY L
HC 68 BOX 370
CLAYTON

IO 83227

275:01 10 47 des

JAMES K BENNETTS

8474-6/818071

2.0

069690T

Transfer No. 69690
Receipt No.S024338

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information BETTY BAKER
HC 68 BOX 350
CLAYTON ID 83227
(208)838-2271

DICK BAKER
HC 68 BOX 370
CLAYTON ID 83227
(208)838-2271

Will this transfer result in an ownership change? _____ Yes _____ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
72-201E	WR/Decreed	0.27 cfs		8.8		PINE CREEK
72-201A	WR/Decreed	0.56 cfs		19.0		PINE CREEK
72-201H	WR/Decreed	0.93 cfs		31.3		PINE CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-201E	NO	YES	NO	NO	NO	NO
72-201A	NO	YES	NO	NO	NO	NO
72-201H	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Moving POD upstream to use piping rather than open ditch will result in a more efficient conveyance which in turn will leave additional water in Pine Creek at times which will in turn contribute to flows in the Salmon River.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

NA

B. Describe the effects on other water uses resulting from the proposed change

NA

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
72-201E	0.27 cfs		59.1	
72-201A	0.56 cfs		59.1	
72-201H	0.93 cfs		59.1	
TOTAL	1.76 cfs	59.1	59.1	

Transfer No. 69690
Receipt No.S024338

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20_____.

(Notary Public)

My commission expires _____

Transfer No. 69690
Receipt No.S024338

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 72-201E

Priority Date: 05/01/1888
Origin: Water Right
Basis: Decreed
Status: Closed

Source: PINE CREEK

Tributary: EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.27 CFS		
	Total Diversion		0.27 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
PINE CREEK	09N	18E	5	SWNW		CUSTER
PINE CREEK	09N	18E	5	NENWSW		CUSTER

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09N	18E	6					8.8												8.8
							L 3												

Total Acres: 8.8

Conditions/Remarks:

1. 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. PROPERTY IS ALSO KNOWN AS LOT 3, BLK 1, PINE CREEK SUBDIVISION INCIDENTAL STOCKWATER THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E, 72-00201H, 72-00201J.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Page 5

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NA

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 69690
Receipt No. S024338

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 72-201A

Priority Date: 05/01/1888
Origin: Water Right
Basis: Decreed
Status: Closed

Source: PINE CREEK

Tributary: EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	0.56 CFS		
	Total Diversion	0.56 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
PINE CREEK	09N	18E	5	SWNW		CUSTER
PINE CREEK	09N	18E	5	NENWSW		CUSTER

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09N	18E	6					19.0												19.0
							L 3												

Total Acres: 19

Conditions/Remarks:

- 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.
- PROPERTY IS ALSO KNOWN AS LOTS 1 & 2 BLK 1, PINE CREEK SUBD. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00201A, 72-00201B, 72-00201E, 72-00201H, 72-00201J.
___INCIDENTAL STOCKWATER 30 COWS
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Page 7

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NA

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 72-201H

Priority Date: 05/01/1888
Origin: Water Right
Basis: Decreed
Status: Closed

Source: PINE CREEK

Tributary: EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	4/01 10/31	0.02 CFS		
IRRIGATION	4/01 10/31	0.93 CFS		
Total Diversion		0.93 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
PINE CREEK	09N	18E	5	SESWNW		CUSTER
PINE CREEK	09N	18E	5	NENWSW		CUSTER

PLACE OF USE: STOCKWATER

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09N	18E	6	X	X															

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09N	18E	6	7.3	24.0															31.3

Total Acres: 31.3

Conditions/Remarks:

- 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.

Page 9

2. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PROPERTY IS ALSO KNOWN AS LOT 3, BLK 1, PINE CREEK SUBDIVISION INCIDENTAL STOCKWATER THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS T9N R18E S5 SESWNW: 72-00201A, 72-00201B, 72-00201E, 72-00201H, 72-00201J.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NA

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-201E

Priority Date: 05/01/1888
Origin: Water Right
Basis: Decreed
Status: Closed

Source: PINE CREEK**Tributary:** EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	0.27 CFS		
Total Diversion		0.27 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
PINE CREEK	09N	18E	5	NWSESW		CUSTER
PINE CREEK	09N	18E	5	SWSESW		CUSTER

Describe the proposed diversion system

Point of Diversion # 1 Only one POD - Right on line of NWSESW and SWSESW. Diversion will be into

10 inch pipe, much of which will be buried, including in the ditch route from the old POD.

Point of Diversion # 2 Only one POD - Right on line of NWSESW and SWSESW. Diversion will be into

10 inch pipe, much of which will be buried, including in the ditch route from the old POD.

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09N	18E	6	7.3	24.0			27.8												59.1
							L 3												

Total Acres: 59.1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-201A

Priority Date: 05/01/1888

Origin: Water Right

Basis: Decreed

Status: Closed

Source: PINE CREEK

Tributary: EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.56 CFS		
	Total Diversion	0.56 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
PINE CREEK	09N	18E	5	NWSESW		CUSTER
PINE CREEK	09N	18E	5	SWSESW		CUSTER

Describe the proposed diversion system

Point of Diversion # 1 Only one POD - Right on line of NWSESW and SWSESW. Diversion will be into

10 inch pipe, much of which will be buried, including in the ditch route from the old POD.

Point of Diversion # 2 Only one POD - Right on line of NWSESW and SWSESW. Diversion will be into

10 inch pipe, much of which will be buried, including in the ditch route from the old POD.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	18E	6	7.3	24.0			27.8												59.1
							L 3												

Total Acres: 59.1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 72-201H

Priority Date: 05/01/1888

Origin: Water Right

Basis: Decreed

Status: Closed

Source: PINE CREEK**Tributary:** EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	4/01	10/31	0.02 CFS		
IRRIGATION	4/01	10/31	0.93 CFS		
Total Diversion			0.93 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
PINE CREEK	09N	18E	5	NWSESW		CUSTER
PINE CREEK	09N	18E	5	SWSESW		CUSTER

Describe the proposed diversion system

Point of Diversion # 1 Only one POD - Right on line of NWSESW and SWSESW. Diversion will be into

10 inch pipe, much of which will be buried, including in the ditch route from the old POD.

Point of Diversion # 2 Only one POD - Right on line of NWSESW and SWSESW. Diversion will be into

10 inch pipe, much of which will be buried, including in the ditch route from the old POD.

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	18E	6	X	X															

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	18E	6	7.3	24.0			27.8											59.1	

Total Acres: 59.1