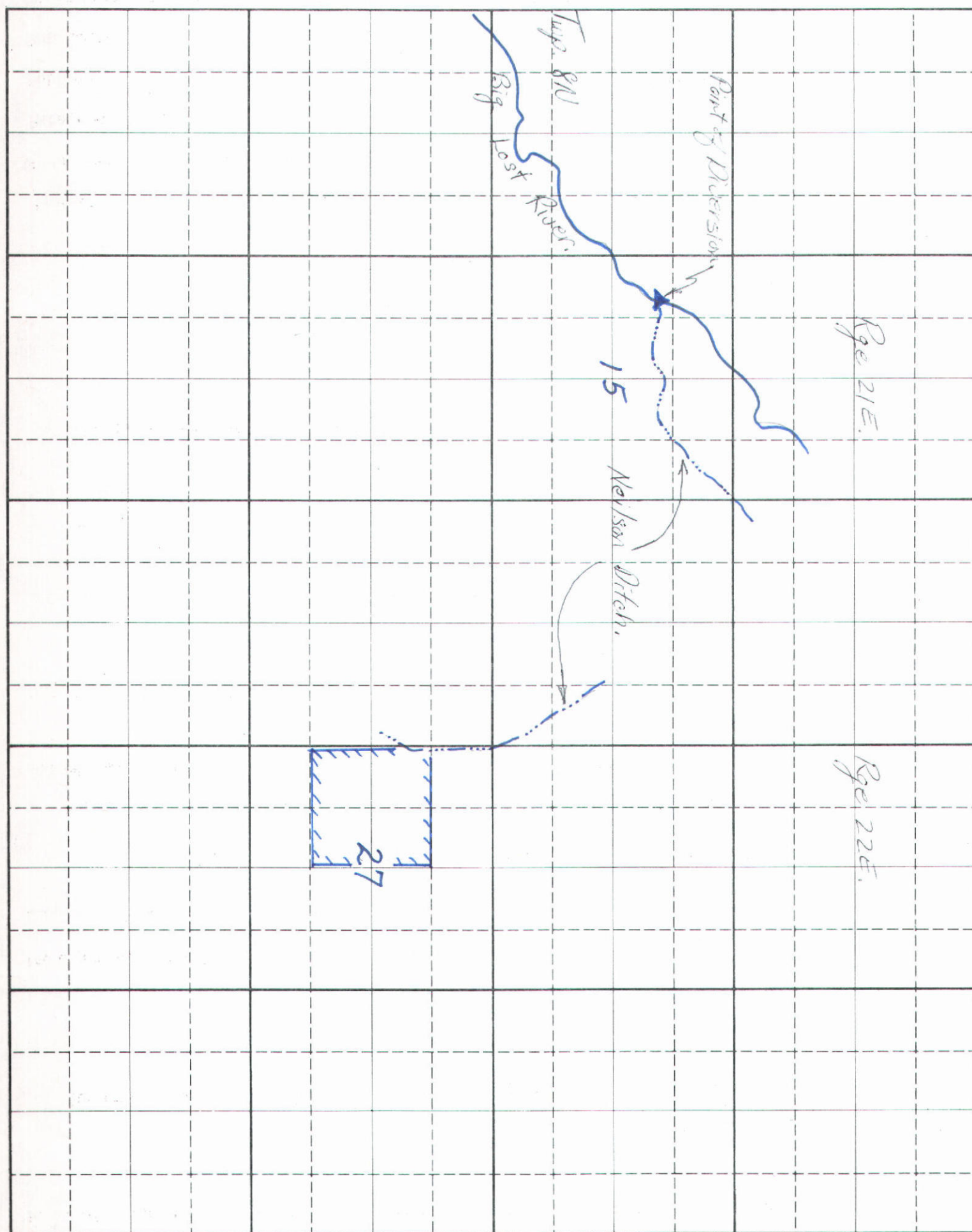


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

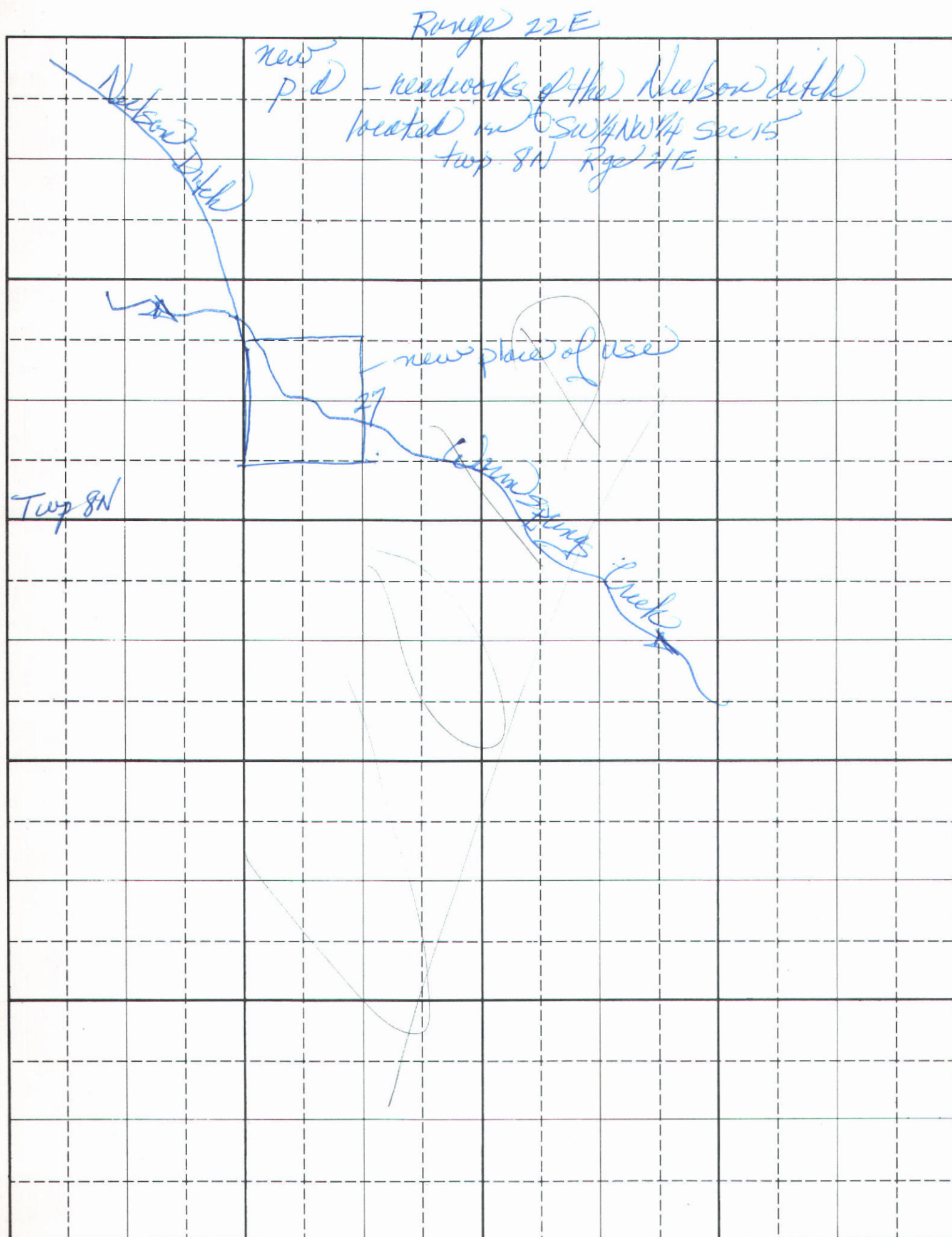


SCALE: 2 inches equal 1 mile. Draw plan in ink.

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DEC 15 1992

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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400 acres

Section 27

O. Baker 40 40	
O. Baker 40 40	
* O. Baker 40 40	

* 6 acres SWSW Sec. 27
26 ac. NE¹ SE¹ Sec. 28
6 ac. NW¹ SE¹ Sec. 28
17 ac. NE¹ NW¹ Sec. 34
25 NW¹ NW¹ Sec. 34
80"

10"
30" per transfer 878 Sec. 248

Section 28

O. Baker 40 40	

NE¹ SE¹ 26 acres
NW¹ SE¹ 6 acres

80" per transfer 866 Sec. 248

Section 34

O. Baker 40 40	

10"
30"
* 80"

per transfer 878 Sec. 248
permit 34-7010 8/26/68

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DEC 15 1992

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FEB 10 1993

Department of Water Resources
Eastern District Office

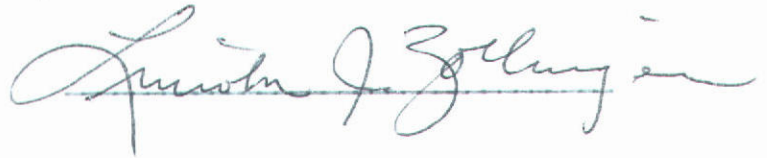
RELINQUISHMENT

I, Lincoln Zollinger, do hereby relinquish any rights to the following water as described in Decree #531, Section (b):

160" 12/6/1913 water appurtenant to SE/4NW/4, S/4NE/4, Sec. 6, SW/4NW/4, ^{Deceased and his} ^{Wife's interest in} ^{the above} ^{by Maria G. Goshard} Sec. 5, Twp. 7 N., R. 23 E. and the SE/4NE/4, Sec. 31, S/4NW/4, SW/4NE/4, ^{Goshard} Sec. 32, Twp. 8 N., R. 23 E. to:

Orlin Baker and the property described as follows:

S/4NW/4, N/4SW/4, Sec. 27, Twp. 8 N., R. 22 E.



State of Idaho

County of Custer

SS.

On the 22 day of January, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Lincoln J. Zollinger known to me to be the person who executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.


Notary Public for Idaho
Residing at Maekay
My commission expires 3/15/81



DEC 15 1992



FEB 19 1980

Department of Water Resources
Eastern District Office

Alvin J. Zollinger

✓ (a) 1893-May 1 ✓ 3.2 c.f.s.

34 0868

SE⁴ NW⁴, S² NE⁴, sec 6
SW⁴ NW⁴, sec 5 T7N R23E
SE⁴ NE⁴, sec 31 T8N R23E
S² NW⁴, SW⁴ NE⁴ sec 32 " "

To be diverted from Big Lost River through a private ditch having its point of diversion in the Northeast quarter of Section 31, Township 8 North, Range 23 East, B.M., for the irrigation of the following described land, to-wit:

The Southeast quarter of the Northwest quarter and the South half of the Northeast quarter of Section 6, and the Southwest quarter of the Northwest quarter of Section 5, Township 7 North, Range 23 East, B.M., the Southeast quarter of the Northeast quarter of Section 31, South half of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 32, Township 8 North, Range 23 East, B. M., and

✓ (b) 1913-December 6 ✓ 3.2 c.f.s.

Trans 2379 34 0868

To be diverted from Big Lost River through the Davidson ditch having its point of diversion in the Northwest quarter of Section 12, Township 8 North, Range 21 East, B.M., for the irrigation of the land last above described.

✓ (c) 1914-October 13 ✓ 1.6 c.f.s.

34 0868

To be diverted from Warm Springs Creek through a private ditch having its point of diversion in the Southwest quarter of the Northwest quarter of Section 35, Township 8 North, Range 22 East, B.M., for the irrigation of the land last above described.

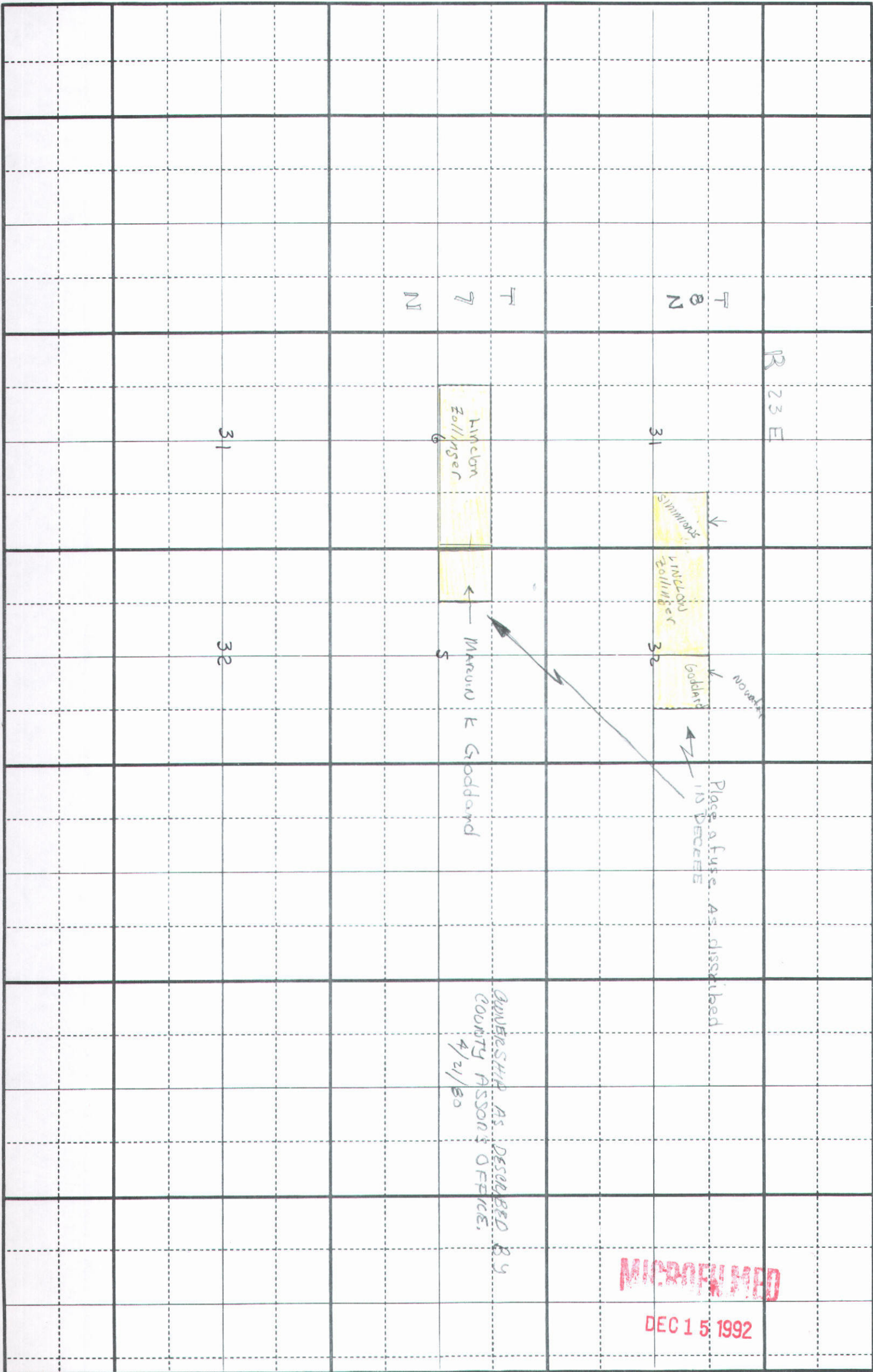
No. 531.

MICROFILMED
JUN 24 1992

DEC 15 1992

NAME OF APPLICANT.....

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
34-00868	ZOLLINGER, ALVIN J.	C	12/06/1913	D/	BIG LOST RIVER	IRR	WR
X34-00868	BROKEN RIVER RANCH LP	C	12/06/1913	D/	BIG LOST RIVER	IRR	WR

34-00868	BROKEN RIVER RANCH	C	12/06/1913	D/	BIG LOST RIVER	P DECR	AJ
A34-00868	BROKEN RIVER RANCH	C	12/06/1913	D/	BIG LOST RIVER	IRR	AJ
R34-00868	BROKEN RIVER RANCH	C	12/06/1913	D/	BIG LOST RIVER	P DECR	AJ

MICROFILMED

MAR 13 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5552
WATER RIGHT NO(S). 34-00398/34-00399/34-00861A/34-00868/34-07010

This is to certify that: **BROKEN RIVER RANCH LP**
C/O ROY E CRAWFORD
5660 W 4920 N
MACKAY ID 83251

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00398 :			
Priority: 08/30/1909			
IRRIGATION	05/01 to 10/15	2.00 CFS	350.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.0 AF
		2.00 CFS	354.0 AF
Right No. 34-00399 :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	1.20 CFS	210.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.0 AF
		1.20 CFS	214.0 AF
Right No. 34-07010 :			
Priority: 08/28/1968			
IRRIGATION	05/01 to 10/15	1.60 CFS	276.8 AF
		4.34 CFS *	599.2 AF *
Right No. 34-00861A :			
Priority: 05/01/1894			
IRRIGATION	05/01 to 10/15	2.98 CFS	455.0 AF
Right No. 34-00868 :			
Priority: 12/06/1913			
IRRIGATION	05/01 to 10/15	3.20 CFS	484.8 AF
		10.52 CFS **	1539.0 AF **

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MAY 1 1988

TRANSFER NO. 5552
WATER RIGHT NO(S). 34-00398/34-00399/34-00861A/34-00868/34-07010

SOURCETRIBUTARY OF

Right Nos. 34-00398/34-00399/34-00861A :
WARM SPRINGS CREEK BIG LOST RIVER

Right Nos. 34-00868 :
BIG LOST RIVER SINKS

Right Nos. 34-07010 :
GARDEN CREEK SINKS

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 34-00398/34-00399/34-00861A :
NWNESEW , Sec. 27, Township 08N, Range 22E
CUSTER County

Right Nos. 34-00868 :
Injection NESWNW , Sec. 15, Township 08N, Range 21E
Rediversion SWSWNW , Sec. 27, Township 08N, Range 22E
NWNESEW , Sec. 27, Township 08N, Range 22E
CUSTER County

Right Nos. 34-07010 :
Injection SWSE , Sec. 28, Township 08N, Range 22E
Rediversion SWNE , Sec. 28, Township 08N, Range 22E
NWNESEW , Sec. 27, Township 08N, Range 22E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	22E	27	SWNW 31.0	SENW 32.0	NESW 34.4	
			NWSW 36.0	SWSW 32.0	SESW 32.0	
			SWSE 32.0	SESE 32.0		261.4
	28		NESE 40.0	NWSE 40.0		80.0
	34		NWNE 32.0	NENW 32.0	NWNW 32.0	96.0
Total number of acres irrigated:						*** 437.4

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
08N	22E	27	SWNW	SENW	NESW
			NWSW	SWSW	SESW
			SWSE	SESE	
	28		NESE	NWSE	
	34		NWNE	SWNE	NENW
			NWNW		

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MAR 22 1977

TRANSFER NO. 5552
WATER RIGHT NO(S). 34-00398/34-00399/34-00861A/34-00868/34-07010

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. The total instantaneous diversion of water from all points of diversion under Transfer 5552 shall not exceed 10.52 cfs, nor total combined annual volume of 1539.0 af.
7. Prior to the diversion and use of water under Rights 34-00868 and 34-07010, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and the point of redirection from Warm Springs Creek.
- *** 8. Right 34-00398 is limited to the irrigation of 100.0 acres in the place of use described above in a single irrigation season.
- *** 9. Right 34-00399 is limited to the irrigation of 60.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 34-07010 is limited to the irrigation of 79.1 acres in the place of use described above in a single irrigation season.
- * 11. Rights 34-00398, 34-00399 and 34-07010 when combined shall not exceed a total diversion rate of 4.34 cfs, a total annual maximum diversion volume of 599.2 af at the field headgate, for the irrigation of 168.9 acres and stockwater use.
- *** 12. Right 34-00861A is limited to the irrigation of 130.0 acres in the place of use described above in a single irrigation season.
- *** 13. Right 34-00868 is limited to the irrigation of 138.5 acres in the place of use described above in a single irrigation season.
- ** 14. Rights 34-00398, 34-00399, 34-00861A, 34-00868 and 34-07010 when combined shall not exceed a total diversion rate of 10.52 cfs, a total annual maximum diversion volume of 1539.0 af at the field headgate, for irrigation of 437.4 acres and stockwater use.

MICROFILMED
MAR 22 1979

TRANSFER NO. 5552

WATER RIGHT NO(S) . 34-00398/34-00399/34-00861A/34-00868/34-07010

CONDITIONS OF APPROVAL AND REMARKS

15. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
16. Diversion from Warm Springs Creek under Rights 34-00398 and 34-00399 is limited to those times water is available for diversion under these rights and priorities from the original source, Hamilton Springs.
17. The quantity of water under Rights 34-00398 and 34-00399 for stockwater use is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.
18. Water is diverted by pumps and a headgate diversion within the NWNESW, S27, T08N, R22E.

Dated this 21st day of March, 2000.


Chief, Water Allocation Bureau

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MAR 22 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
TRANSFER NO. 2399 OF WATER RIGHT)	
NO. 34-00868 IN THE NAME OF ORLIN)	ORDER
D. &/OR CLARA J. BAKER)	
_____)	

This matter having come before the Idaho Department of Water Resources (department) as a result of the review of pending applications for transfer and review of Snake River Adjudication claims filed in the Big Lost River Drainage, the department makes the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. On February 19, 1980, Orlin D. Baker (applicant) filed Application for Transfer No. 2399 (application) with the department in connection with water right no. 34-00868.

2. A review of the Snake River Adjudication claim filed in connection with the above captioned water right shows that the proposed transfer does not agree with the later in time adjudication claim.

3. The adjudication claim has been filed pursuant to Section 42-1416A, Idaho Code, as if the change(s) proposed on the pending application can be approved and decreed without the necessity of filing for a change as provided in Sections 42-108 and 42-222, Idaho Code.

4. On October 11, 1990, the department corresponded with the applicant to determine continued interest of the applicant and requested appropriate information from the applicant to justify separate consideration of the application from the more recently filed Snake River Adjudication claim.

5. The applicant has not responded to the department and has not shown any reason why the application should be considered separately from the adjudication claim.

CONCLUSIONS OF LAW

1. Section 42-1416A, Idaho Code, provides in part that:

(1) If any person entitled to the use of water has made a change in point of diversion, place of use, period of use or nature of use of all or a part of the water, including a change as part of an exchange as defined in section 42-105, Idaho Code, prior to the entry of an order commencing a general adjudication pursuant to section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of

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DEC 15 1992

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JUN 24 1992

sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is not required to be filed pursuant to section 42-222, Idaho Code, and

(b) the water right may be determined by the director in the director's report pursuant to section 42-1411, Idaho Code, and decreed by the district court pursuant to section 42-1412, Idaho Code, as changed, if the change meets the substantive criteria of section 42-222, Idaho Code, for approval of such changes, provided that the change may be approved subject to conditions necessary to satisfy the substantive criteria of section 42-222, Idaho Code, for approval of such changes.

2. The department should set aside Application for Transfer No. 2399 and should consider the change(s) proposed in the application which have been claimed in the related adjudication claim(s) as being combined with and included in the review and recommendation of the adjudication claim in the Director's report as required by Section 42-1411, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 2399 in connection with water right no. 34-00868 is set aside and will not be separately considered by the department.

IT IS FURTHER, HEREBY ORDERED, that the change(s) proposed in the application for transfer which have been claimed on the related Snake River Adjudication claim(s) be included in and considered by the department in the Director's report required by Section 42-1411, Idaho Code.

Dated this 23rd day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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DEPT. OF AGRICULTURE
REFILES

JUN 24 1992

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Orlin D. Baker &/or Clara J. Baker

Phone 588-2509

Post office address Star Route, Mackay, ID 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Alvin J. Zollinger (34-0868)

(Name)

in case of Utah Construction Co. vs John F. Abbott, et al.

U. S. District Court

dated 3/15/1923 in District of Idaho county of Eastern Division

(Name of court)

b. License No. issued by the Idaho Department of Water Resources

c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

Applicant purchased the water right but not the land the water was appurtenant to.
3. Source of water Big Lost River tributary to sinks
4. Date of priority Dec. 6, 1913
5. Water is used for the following purposes:

amount 3.20 for irrigation purposes from May 1 to Oct. 15

amount for purposes from to

amount for purposes from to

(month/day – both dates inclusive)
6. Total amount of water under right:

a. 3.20 cubic feet per second

&/or

b. acre feet per annum
7. Location of original point of diversion is * ¼ of NW ¼ of Section 12

Township 8N Range 21E, B.M., in Custer County

Additional points of diversion, if any
8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	23E	5							40										40
		6			40	40				40									120
8N	23E	31				40													40
		32			40				40	40									120

Total number of acres to be irrigated 320

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

*Not stated in decree - original point of diversion is actually the headworks of the Davidson Ditch.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ % _____ %, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 3.20 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SW % NW %, Section 15 Township 8N
Range 21E, B.M., Custer County
Additional points _____

- * c. Description of diverting works New point of diversion is headworks of the Neilson ditch. Water is diverted from the Neilson into a private ditch. Acreage is flood irrigated.
- d. Describe the reasons for applying for a change in the point(s) of diversion Although the water right was sold and the point of diversion and place of use changed, the Department's records were never updated.

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

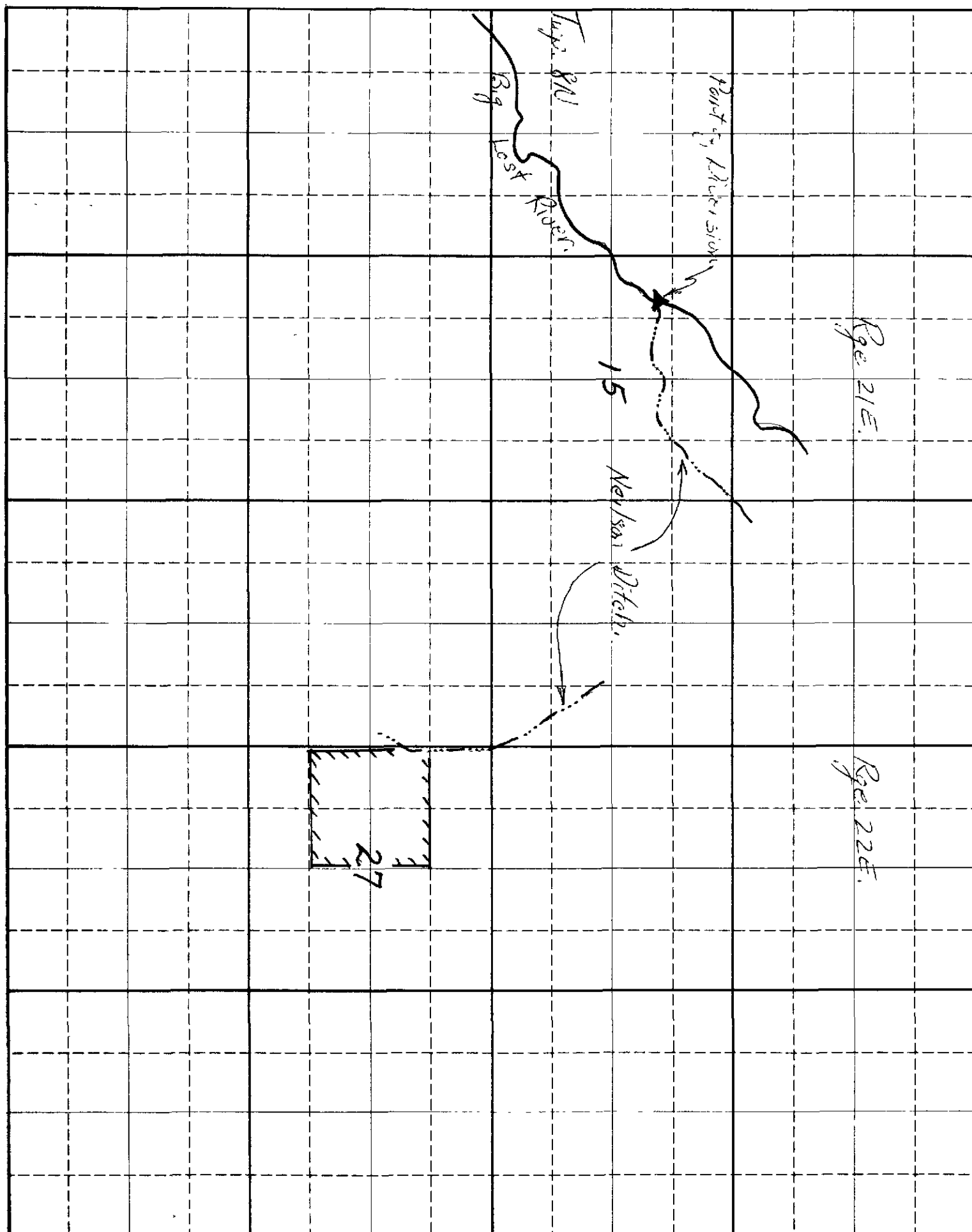
TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8N	22E	27							40	40	40	40							160

Total number of acres to be irrigated 160

*Note water from Nielson ditch is co-mingled with Warm Springs Creek for a short distance before it is diverted into the applicant's private ditch.

DEC 15 1992

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

DEC 15 1992

4. Remarks See attachment - Lincoln Zollinger relinquishment of his interest in and to the decreed right. Zollinger sold the water right to Otto Johnson who has used the water right on the property that he sold to Orlin Baker. The water right was understood to accompany the sale of the land.

I hereby assert that no one will be injured by such change and 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.

Orlin D. Baker
(Signature of applicant)

Subscribed and sworn to before me this 12 day of March, 19 80.

Rita M. Lundberg
(Notary public)

My commission expires 3/15/1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0868 and said application is hereby approved, subject to the following limitations and conditions:

(1) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. (2) Use of water under this right is subject to control by the watermaster of State Water District # 34, Big Lost River

Witness my hand this _____ day of April, 19 80.

NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by kw Date 2/19/80

Protest filed by _____

Prelim. check by ARK Fee 35.00

Receipted by kw Date 2/20/80 #13805

Published in Custer County Publishing Co.

Copies of protest forwarded by _____

Pub. dates 2/28 & 3/6/80

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

_____ rec'd. _____

by Ernest Carlson

DEC 15 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Olin Baker and/or Clara J. Baker Phone 588-2509
Post office address Star Route, Mackay, 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to Alvin J. Zollinger (34-0868) #5316
P 198
in case of Utah Construction Co. (Name) vs John F. Abbott, et al
dated 3-15-1923 in United States District Court (Name of court) county of Eastern
Division
b. License No. _____ issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant purchased the water right not the land; the water was appurtenant to

3. Source of water Big Lost River tributary to Sinks

4. Date of priority Dec 6, 1913

5. Water is used for the following purposes:

amount 320 for irrigation purposes from May 1 to Nov 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 320 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is * $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12
Township 8N Range 4E, B.M., in Custer county County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	23E	5							40										40
7N	23E	6			40	40				40									120
8N	23E	31				40													40
8N	23E	32			40				40	40									120

DEC 15 1982

Total number of acres to be irrigated 320

* Not stated in decree - original p.d. is actually the headworks of the Davidson ditch

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 3.20 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW ¼ NW ¼, Section 15 Township 8N
Range 21E, B.M., Custer County _____
Additional points _____

- * c. Description of diverting works now P.D. is headworks of the Nelson ditch
water is diverted from the Nelson into a private
ditch. Ditchage is flood irrigated
- d. Describe the reasons for applying for a change in the point(s) of diversion.
Although the water right was sold and
the P.D. & P.U. changed, Dept. records were
never updated.

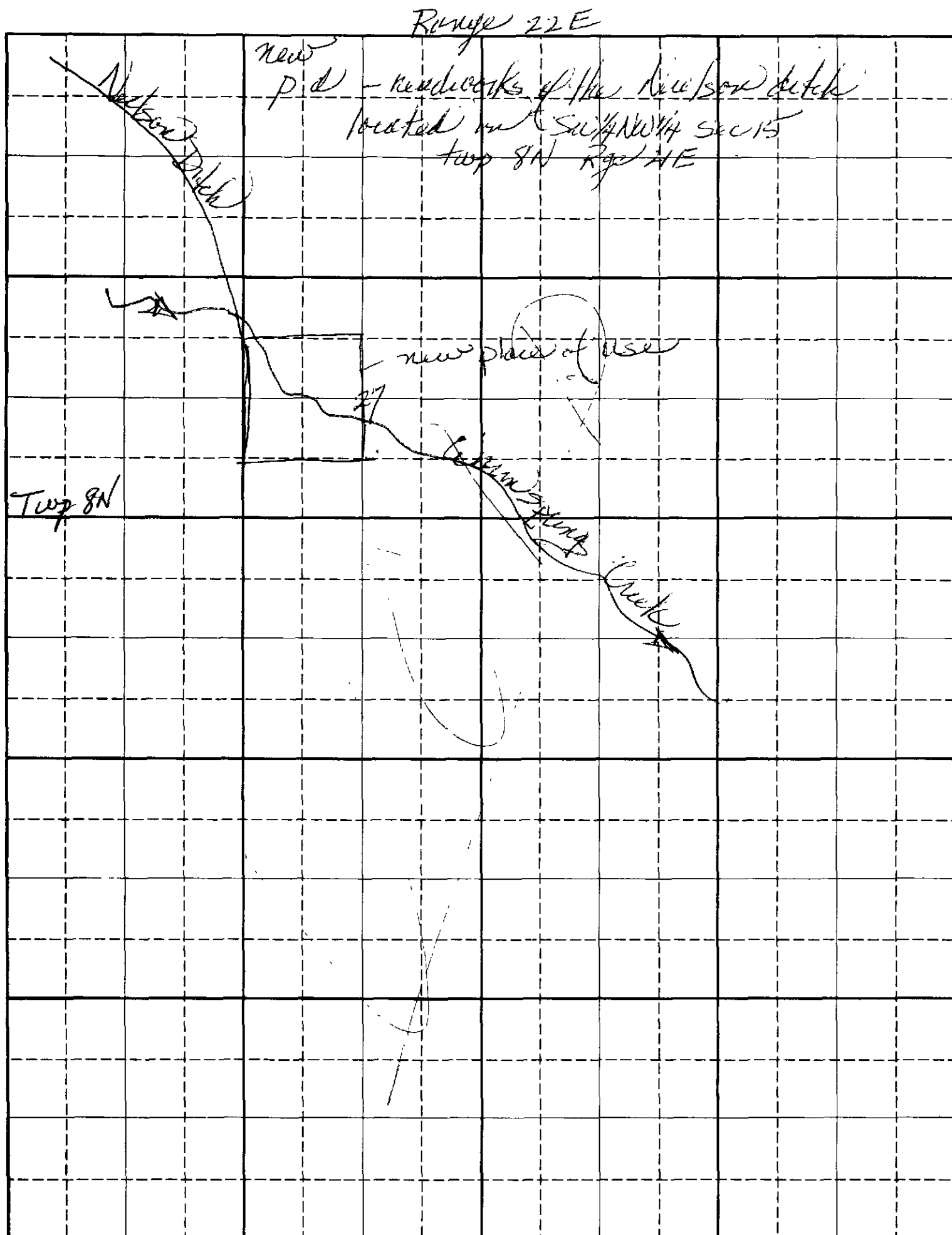
2. Change in place of use
- a. Describe the lands or place of use to which the right will be transferred:

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	22E	27							40	40	40	40							160a

Total number of acres to be irrigated 160a

* Note water from Nelson ditch is commingled with warm springs creek for a short distance before it is diverted into the applicant's private ditch

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PAID

DEPT 187

3. Remarks

See attachment - Lincoln Zollinger relinquish-
ment of his interest in and to the decreed
right. Zollinger sold the water right to Otto
Johnson who has used the water right on the
property that he sold to Orlin Baker. The water
right was understood to accompany the sale of the land

I hereby assert that no one will be injured by such change and 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.

Orlin D. Baker

(Signature of applicant)

Clara J. Baker

Subscribed and sworn to before me this 15 day of January, 19 80.

Larry D. Silver
(Notary public)

My commission expires

Life

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 ____.

FOR DEPARTMENT USE ONLY

Received by KW Date 2/19/80
KW 1/31/80

Protest filed by _____

Prelim. check by ARK Fee 35.00

Receipted by _____ Date _____

Copies of protest forwarded by _____

Published in _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval _____ denial _____

_____ rec'd. _____

by _____

RECEIVED

DEC 15 1992

THE FREDERICK POST CO. CHICAGO, ILL.

2 1/2" x 20 20x20 PER INCH

400 acres

Section 27

O. Baker	
40 40	
O. Baker	
40 40	
O. Baker	
40 40	

* 6 acres SW 1/4 Sec 27
26 40' NE 1/4 SE 1/4 Sec 28
6 40' NW 1/4 SE 1/4 Sec 28
17 40' NE 1/4 NW 1/4 Sec 31
25' NW 1/4 NW 1/4 Sec 31
80'

10' 30' per transfer 878 acres 248

Section 28

O. Baker	
40 40	

NE 1/4 SE 1/4 26 acres
NW 1/4 SE 1/4 6 acres

30' per transfer 866 acres 248

Section 31

O. Baker	
40 40	

10' 30' per transfer 878 acres 248
* 80' permit 34-7010 8/26/65

MISSOURI

RECEIVED

FEB 10 1966

DEC 15 1962

Department of Water Resources
Eastern District Office

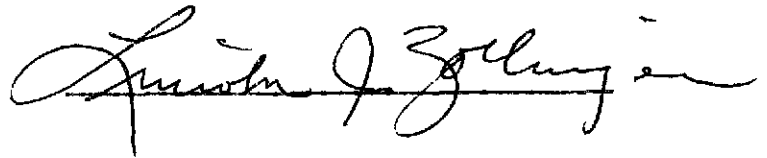
RELINQUISHMENT

I, Lincoln Zollinger, do hereby relinquish any rights to the following water as described in Decree #531, Section (b):

160" 12/6/1913 water appurtenant to SE/4NW/4, S/4NE/4, Sec. 6, SW/4NW/4, Sec. 5, Twp. 7 N., R. 23 E. and the SE/4NE/4, Sec. 31, S/4NW/4, SW/4NE/4, Sec. 32, Twp. 8 N., R. 23 E. to:

Orlin Baker and the property described as follows:

S/4NW/4, N/4SW/4, Sec. 27, Twp. 8 N., R. 22 E.



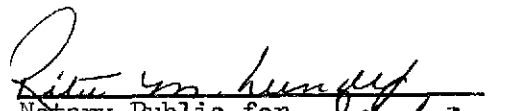
State of Idaho

County of Custer

SS.

On the 22 day of January, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Lincoln J. Zollinger known to me to be the person who executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.


Notary Public for Idaho
Residing at Mackay
My commission expires 3/15/81

DEC 15 1992

RECEIVED

FEB 19 1980

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1, *MARGARET PARKS*

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2
consecutive weeks, commencing with
the issue dated *FEB 28*, ,

19 *80* and ending with the issue
dated *MAR 6* , 19 *80*.

Margaret Parks...

Subscribed and sworn to before
me this *24* day of *March* ,
19 *80*.

Shirley M. James...

Notary Public, residing at Challis,
Idaho. My commission expires on

April 30, 1983

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 31 9868

Notice is hereby given that Orlin D
&/or Clara J. Baker, Mackay, Idaho,
have applied to the Department of
Water Resources for a change in the
point of diversion and place of use of
the waters of the Big Lost River. The
right sought to be changed is
evidenced by decree to Alvin J.
Zollinger in case of Utah
Construction Co. vs John F. Abbott,
et. al dated March 15, 1923 in U S
District Court, Eastern Division and
is recorded as follows:

AMOUNT: 320 cfs PRIORITY
December 6, 1913

DECREED POINT OF DIVER-
SION Within the NW $\frac{1}{4}$, Sec 12, T.
8N. R 21E, Custer County

The water is used to irrigate 320
acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 5:
S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 6, T 7N,
R 23E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 31:
SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 32, T 8N,
R 23E, B.M

TO BE CHANGED AS FOLLOWS

The water will be diverted within
the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 15, T 8N, R 21E,
B.M., Custer County: to be used for
the irrigation of 160 acres within the
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, T. 8N, R
22 E, B.M

Any protest against approval of the
above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before March 17,
1980

C. STEPHEN ALLRED

Director

Published in the Challis Messenger
2/28 & 3/6/1980

000

RECEIVED

MAR 25 1980

Department of Water Resources
Eastern District Office

DEC 15 1992

IN EQUITY NO. 222

DECREE

IN THE UNITED STATES DISTRICT COURT, IN
AND FOR THE DISTRICT OF IDAHO, EASTERN
DIVISION

THE UTAH CONSTRUCTION COMPANY, a corporation, Plaintiff,

vs.

John F. Abbott, William Adams, A. P. Adair, Esther L. Adair (successor in interest of A. P. Adair, Eugene A. Ahern, Andreas Aikele (or A. Aiken), Calvin S. Allen, Frank A. Allen, Gladys Allen, L. C. Allen, Richard Roe Alson, George L. Ambrose, Charles B. Anderson, Francis G. Anderson (or Francis C. Anderson, F. Gus Anderson (or F. G. Anderson or Gus Anderson), H. W. Anderson, Hyrum Anderson, James E. Anderson, Jas. Earl Anderson, J. L. Anderson, James P. Anderson, Josephine Anderson, J. Wesley Anderson, Jos. W. Anderson (or J. W. Anderson), N. A. Anderson, Niels R. Anderson, Peter C. Anderson (or P. C. Anderson), S. W. Anderson, W. W. Anderson, Louis Andreason (or Lewis Andreson), H. W. Angelo (or Wallace Angelo), Frank Anthony, Marie L. Anthony, Arco Townsite Company, an unincorporated Association; Eleazer Asay, Ernest W. Asay, Emma M. Ashton, Askew, Anna Atha (or Annie Atha), Ivan J. Atwood, J. H. Augustine.

Mrs. Hannah Babcock (or Mrs. Albern Babcock, A. Rowley Babcock (or R. Babcock), William Babcock (now deceased), Jaacob F. Baird, Bank of Nyssa, an Oregon Banking corporation; John L. Bardsley, Josie Bardsley, Jerome K. Bartlett (or J. K. Bartlett), A. H. Bascom, E. W. Bascom, Pete Basick, Harlow Bassett (or H. Bassett), Clara M. Bate, J. M. Bate (or Joseph M. Bate), Ralph Bate, E. J. Bates, Leslie Bates, Erin Beal (or Aron Beal) or C. Beal, Eldon E. Beck; J. W. Beck and John Doe (or John Pingree) and Richard Roe (or F. S. Lack,) as statutory trustees of Beck Land/Livestock Company, a defunct Idaho Corporation; William Beck, Beck Land and Livestock Company, an Idaho corporation; A. W. Bell, Lee Bell, John C. Bell, J. L. Bell, George Bennett (or George Bennetts), James Bennetts, F. S. Bernard, John Bernard (successor in part to New World Life Insurance Company); Gus Bertsch, Agnes T. Best (or Agnes Best), Harold C. Best (or Harold Best), Alexander Beverland, Francis Beverland (successor in interest of James Beverland), George Beverland, Effie Beverland (or Mrs. George Beverland), James Beverland, as executor of the estate of Charles Beverland, deceased; James Beverland, Joana Beverland, Henry Bews (or Harry Bews), Peter Bidegain, Lota C. Billings, Elizabeth Bills, John L. Bills, Norman Bills, Ole Bills, Albert F. Bischoff (or A. F. Bischoff), Lewis A. Bitton (or John Doe Britton), Nina Bitton (or Zina Britton), B. Bjornson (or B. Bjornsen), Blackfoot City National Bank, an Idaho Banking corporation (successor in interest to Haber G. Johnson); Charles H. Black, Mary E. Black, Nils S. Bladh (successor in interest of Ole Bills), John L. Blosser (or John L. Blasser), Henry Blattner, Lulu E. Bliss, Phillip R. Bliss, Arthur L. Bodine, John J. Bodine, Oscar Bodine, William T. Bodine, Joseph A. Boillin, Rhoda Boling, Rachael Boone, Wm. A. Boone, David S. Boyack (or D. Boycock or David D. Boycock, Jr.), Sylvanus Boyack (or S. Boycock), Robert G. Boyd (successor in interest to ...)

JUN 24 1992

DEC 15 1993

Alvin J. Zollinger

✓ (a) 1893-May 1 ✓ 3.2 c.f.s.

SE⁴ NW⁴, S² NE⁴, SEC 6
SW⁴ NW⁴, SEC 5 T⁷N R²³E
SE⁴ NE⁴, SEC 31 T⁸N R²³E
S² NW⁴, SW⁴ NE⁴ SEC 32 " "

To be diverted from Big Lost River through a private ditch having its point of diversion in the Northeast quarter of Section 31, Township 8 North, Range 23 East, B.M., for the irrigation of the following described land, to-wit:

The Southeast quarter of the Northwest quarter and the South half of the Northeast quarter of Section 6, and the Southwest quarter of the Northwest quarter of Section 5, Township 7 North, Range 23 East, B.M., the Southeast quarter of the Northeast quarter of Section 31, South half of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 32, Township 8 North, Range 23 East, B. M., and

✓ (b) 1913-December 6 ✓ 3.2 c.f.s.

Trans 2379 34 0868

To be diverted from Big Lost River through the Davidson ditch having its point of diversion in the Northwest quarter of Section 12, Township 8 North, Range 21 East, B.M., for the irrigation of the land last above described.

✓ (c) 1914-October 13 ✓ 1.6 c.f.s.

34 0868

To be diverted from Warm Springs Creek through a private ditch having its point of diversion in the Southwest quarter of the Northwest quarter of Section 35, Township 8 North, Range 22 East, B.M., for the irrigation of the land last above described.

No. 531.

RECORDED
JUN 24 1992

DECEMBER 1992

MEMORANDUM

TO: FILE 34-00868

FROM: PAM SKAGGS

RE: TRANSFER # 5552

DATE: 9/23/99

=====

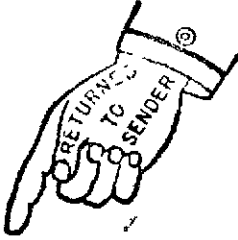
Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 34-00398.

MICROFILMED
MAR 22 2000

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

North Orchard Street
Boise, Idaho 83706-2237



ESTATE

22626 NE 20 Place
Redmond, WA 98053

deceased

ORLIN D BAKER
CARLA J BAKER
STAR ROUTE
MACKAY ID 83251

1

*Send to this
address 11-30-90
... ..*

RECEIVED
JUN 24 1992

NOV 20 1990

Department of Water Resources

RECEIVED
DEC 15 1992

34-00874

W. L. ...

November 26, 1990

Orlin D. and/or Clara J. Baker
Star Route
Mackay, ID 83251

Dear Mr. and Mrs. Baker:

Re: Application for Transfer No. 2399 of
Water Right No. 34-00868

Enclosed is a copy of the Order which sets aside the above referenced transfer. The change(s) proposed in the application for transfer which have been claimed on the related Snake River Adjudication claim(s) will be included in and considered by the department in the Director's report required by statute.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure: Order

RECEIVED

JUN 24 1992

DEC 15 1992

refined



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 11, 1990

Orlin D. Baker
Star Route
Mackay, ID 83251

RE: APPLICATION FOR TRANSFER NO. 2399 OF RIGHT NO. 34-00868

Dear Mr. Baker:

On February 19, 1980, you submitted to the department the above referenced application for transfer which is still pending in department files. Final action to either approve or deny the application has not occurred.

A review of department records shows that the Snake River Basin adjudication claim which was filed on this water right by Broken Arrow Ranch claims the right differently than the original right and differently from the pending application for transfer.

Since the adjudication claim is likely the more current representation of the water right than the application for transfer, the department intends to void the application for transfer and allow the adjudication claim to be the document to represent the water right unless you can show within thirty (30) days why the application for transfer should be considered separately by the department.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region - Water rights
- Adjudication
- Harold Jones

MAILED 11/20/90

JUN 24 1992

DEC 20 1992
refiled

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Ernst

1. Right number 34-0868 Applicant Baker
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use change to May 1 to Oct 15
see 3/4/80 Letter
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments Relinquishment by Lincoln Zollinger.
usage reduction changes
water to land ratio to 1 inch/acre. This is acceptable. ok
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) previous right transferred off of proposed place of use. - No other
rights recorded
 - j. ☐ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 34 Love Gebiet.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 2/23 Received on 3/3/80
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* ① Measuring Device ② Subject to Watermaster control, W.D. 34
01 05 (34, Big Lost River)

4. By Ernst Date 3/24/80

Jim 4/8/80
* All uses within Watermaster Districts require special conditions.

23

102

7-15

Winkler
Zollinger

31

23

Students

2011/10/18
LINDA

Gustaf

Place a fuse As described:
1) Vertical

QUINCY AS DESCRIBED BY
COUNTY ASSESSOR'S OFFICE.
4/21/80

DEC 15 1992

SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

March 18, 1980

RE: Application for Transfer No. 34-0868 BAKER

Custer Publishing Co.
P.O. Box 405
Challis, Idaho 83226

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on February 28 and March 6, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

DEC 15 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

March 4, 1980

Orlin D. &/or Clara J. Baker
Star Route
Mackay, ID 83251

Dear Mr. and Mrs. Baker:

The Department of Water Resources has receipted your application for transfer of the water right originally decreed to Alvin J. Zollinger, Receipt No. 13805 is enclosed. However, in order to provide a neater copy for our records we have taken the liberty of typing a duplicate of the original application and have enclosed it for you to sign in the presence of a notary. The only change on the typed application is a reduction in the period of use from April 1 - November 1 to May 1 - October 15, which is the period of use specified in the court decree.

Since your application is presently being advertised, we request that the typed copy be returned to this office by March 17th, 1980, which will be the last date of protest.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

DEC 15 1992

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 34-0868

RECOMMENDATION OF WATERMASTER

I, Eugene H. Gabert, watermaster of Big Lost River,
of Water District No. 34, County of Butte & Custer, State of Idaho,
whose address is Box 206 Mackay, Idaho 83251
have read the attached copy of the application for transfer of water right for _____
Orlin D. Baker &/or Clara J. Baker, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Mackay, Idaho, this 28 day of February 1980.

Eugene H. Gabert
(signature)

RECEIVED
MAR 3 1980

DEC 15 1992

Department of Water Resources
Eastern District Office

Please use reverse side if needed.

February 23, 1980

RE: Application for Transfer of Water Right No. 34-0868

Eugene Gabert
413 Elm
Mackay, ID 83251

Dear Mr. Gabert:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before March 17.

Thank you for your cooperation in this matter.

Very truly yours,

ERNES^T, CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

DEF: . 6

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

FEBRUARY 21, 1980

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 17, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECORDED

DEC 15 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-0868

Notice is hereby given that Orlin D. &/or Clara J. Baker, Mackay, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Big Lost River. The right sought to be changed is evidenced by decree to Alvin J. Zollinger in case of Utah Construction Co. vs John F. Abbott, et al. dated March 15, 1923 in U. S. District Court, Eastern Division and is recorded as follows:

AMOUNT: 3.20 cfs

PRIORITY: December 6, 1913

DECREED POINT OF DIVERSION: Within the NW $\frac{1}{4}$, Sec. 12, T. 8N, R. 21E, Custer County.

The water is used to irrigate 320 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6; T. 7N, R. 23E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32; T. 8N, R. 23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 8N, R. 21E, B.M., Custer County; to be used for the irrigation of 160 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, T. 8N, R. 22E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 17, 1980.

C. STEPHEN ALLRED

Director

Published in the Custer County Publishing Co. 2/28 & 3/6/1980.

DEC 11



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 6, 1980

Orlin D. Baker
Star Route
Mackay, ID 83251

Dear Mr. Baker:

I recently received your application for transfer. A review of our records show that there is a License No. 34-2090 for 3.2 cfs of the water of Warm Springs Creek appurtenant to the same lands you are transferring Zollinger's Big Lost River water right to. This transfer would put an excessive amount of water on these lands. Therefore, you need to either justify the use of additional water for the 160 acre tract in question or you need to transfer the Zollinger right to other lands under your ownership that have insufficient or no water right appurtenant to them.

You can discuss this problem with Gene Gabert and he can tell you how much water you have on your other lands and he can help you complete a new transfer if you decide to.

I am returning to you your application for transfer and your Check No. 92-298/440 for the statutory filing fee. Also please find enclosed a new application.

If you have any further questions please feel free to call me.

Sincerely,

Anthony R. Kozlowski

ANTHONY R. KOZLOWSKI
Sr. Resource Agent

ARK:kw
Enclosures

RECEIVED

FEB 19 1980

Department of Water Resources
Eastern District Office

DEC 15 1992

*Hi Tony -
Tacked to Ralston -
34-2090 was
surrendered by
deed (#248 - that's 866-878)
OKay to complete transfer
as noted.
any questions
call me.
Rita*