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FEB 16 2024

DEPT. OF WATER RESOURCES
FORM 202 Rev. 9/21/19 REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) HAROLD DELAY + KERIN BAKER Phone 208-851-8066
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 3755 W. 800 St. City WESTON
 State Idaho ZIP 83286 Email _____
2. Name of representative, if any MIKE PHILLIPS Phone 208-747-3770
 Mailing address 3686 W. 800 St. City WESTON
 State Idaho ZIP 83286 Email Linnrose ranch@gmail.com
- a. ☒ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Spring which is a tributary of Bear River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
15S	38E	36		NW	NE	NW	Franklin	Spring	

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Water is pumped from a sump in the spring up to a small storage tank in the SE corner of the place of use. Water is pumped from the tank into the house.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipted by M. P. Pettit Receipt No. E049812 Date 2-16-24

13-8194

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MAY 17 2024

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist. _____
- d. Domestic; show number of households 1 _____
- e. Other; describe fully. _____

DEPT. OF WATER RESOURCES
EASTERN REGION

AMENDED

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	36					D	D											

Total number of acres to be irrigated: 0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Application is for in-house water use only.

11. a. Who owns the property at the point of diversion? WB Nielsen LLC
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Written agreement with landowner.

12. Describe your **proposal** in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. The home was connected to an existing system.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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 rejection of the application or cancellation of an approval.

Harold DeJoy Baker
Signature of Applicant
Harold DeJoy Baker
Print Name (and title, if applicable)

Kerin Baker
Signature of Applicant
Kerin Baker
Print Name (and title, if applicable)

When recorded mail to:
H. DeLoy Baker & Kerin H. Baker
3755 West 800 South
Weston, ID 83286

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MAY 17 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

EASEMENT

WB Nielsen, LLC

Grantor of Weston, County of Franklin, State of Idaho

hereby grants an easement to:

Harold DeLoy Baker and Kerin H. Baker, Trustees of the H. DeLoy and Kerin Baker Family Living Trust U/A/D January 25, 2000,

Grantees of Weston, County of Franklin, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following: **AN EASEMENT TO USE, ACCESS, MAINTAIN THE SPRING AND ANY WATER LINES OR PIPES RUNNING TO OR FROM SAID SPRING LOCATED IN:**
Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho:
Section 36: The North Half of the Northwest Quarter

Witness, the hand of said Grantor, this May 9th, 2024.

WB Nielsen, LLC

Wynn R. Nielsen
Wynn R. Nielsen, Manager

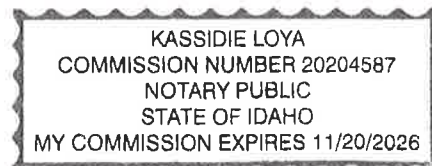
Bonnie S. Nielsen
Bonnie S. Nielsen, Manager

State of Idaho)
)ss:
County of Franklin)

On May 9th, 2024, personally appeared before me **Wynn R. Nielsen** and **Bonnie S. Nielsen**, who, being by me duly sworn, did say that they are the Managers/Members of **WB Nielsen, LLC**, and that said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individuals acknowledged to me that said Company executed the same.

Kassidie Loya
Notary Public

Residing: Preston, ID
Expires: 11/20/2026



Harold & Kerin Baker Domestic Spring

FEB 28 2024

DEPT. OF WATER RESOURCES
EASTERN REGION



Legend

- Point_of_Diversion
- Place_of_Use
- Township/Range
- Sections

AMENDED

13-8194

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DEPT. OF WATER RESOURCES
EASTERN REGION

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 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households ¹ _____
 - Other; describe fully. _____

SUPERCEDED

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	36					D	D											
							↓	↓											
							HB	HB											
							KB	KB											

Total number of acres to be irrigated: 0

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12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. The home was connected to an existing system
13. Time required for completion of works and application of water to proposed beneficial use is ¹ 1 years (minimum 1 year).
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Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

SUPERCEDED

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12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The home was connected to an existing system which also provides domestic water to the property to the west.

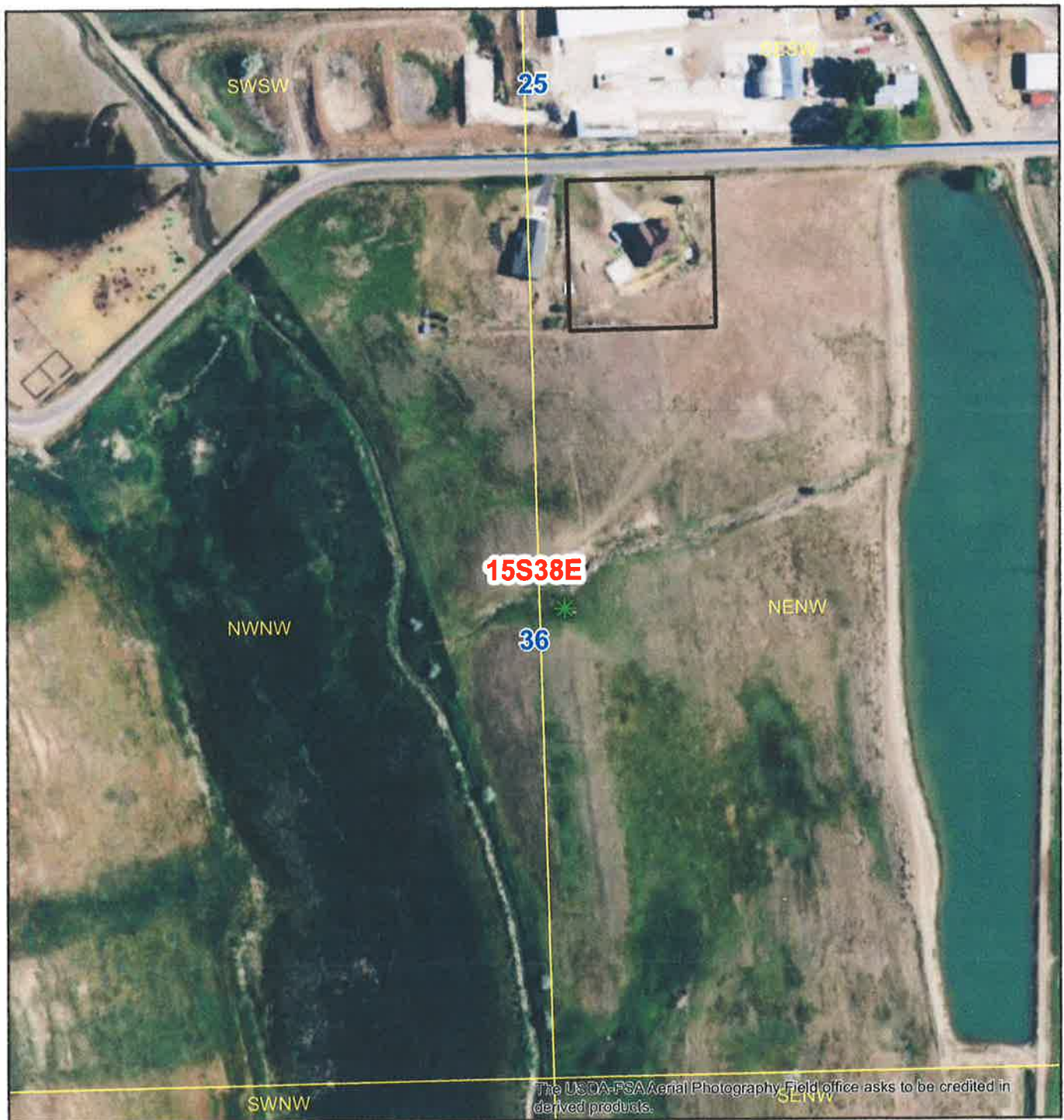
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Harold Delay Baker
 Signature of Applicant
HAROLD Delay BAKER
 Print Name (and title, if applicable)

Kerin Baker
 Signature of Applicant
KERIN BAKER
 Print Name (and title, if applicable)



Legend

-  Point of Diversion
-  Place of Use
-  Township/Range
-  Sections
-  QQ

0 135 270 Feet

1 inch = 200 feet

SUPERCEDED



13-8194



RECEIVED Mike Phillips <linroseranch@gmail.com>

MAY 17 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

Baker application for permit 13-8194

1 message

Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
To: "linroseranch@gmail.com" <linroseranch@gmail.com>

Thu, Apr 11, 2024 at 10:39 AM

Mike,

As we discussed this morning, application 13-8194 is not yet complete. Attached is a partially completed page 2. A few items still need attention before the application is considered complete. Please provide:

1. Any information the applicants would like to add to item #10 regarding the irrigation or non-irrigation of lawn, garden, and landscaping.
2. A copy of the agreement showing legal access to the point of diversion (item #11).
3. Signatures of the applicants on the bottom of the page.

Feel free to contact me if you have any questions.



Michael Holliday | Water Rights Supervisor

900 N Skyline Dr, Ste A, Idaho Falls, ID 83402

(208) 525-7161 | www.idwr.idaho.gov

 baker app.pdf
89K



Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

March 13, 2024

HAROLD DELOY BAKER
KERIN BAKER
3755 W 800 S
WESTON, ID 83286

RE: Application for Permit No. 13-8194

Dear Applicant:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on 3/20/2024 and 3/27/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read "CH", is written over a horizontal line.

Christina Henman
Administrative Assistant

CC:

MIKE PHILLIPS
3686 W 800 S
WESTON, ID 83286-5026

Henman, Christina

From: Henman, Christina
Sent: Wednesday, March 13, 2024 11:24 AM
To: legals@prestoncitizen.com
Subject: Legal Notice for Preston Citizen
Attachments: 13-8194 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Application for Permit No. 13-8194

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 4/8/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
13-8194

HAROLD DELOY & KERIN BAKER, 3755 W 800 S., WESTON, ID 83286

Point of Diversion NWNENW S36 T15S R38E FRANKLIN County

Source SPRING Tributary BEAR RIVER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 02-28-2024

Place Of Use: DOMESTIC

T15S R38E S36

NENW,NWNW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 4/8/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 3/20/2024 and 3/27/2024