

CLAIM NUMBER: A33-02057

RECOMMENDED
TW3. REV.

[illegible]

100

1

[illegible]

trial:

DATE: 9-15-94

SYSTEM DESCRIPTION:



NO Pump Data

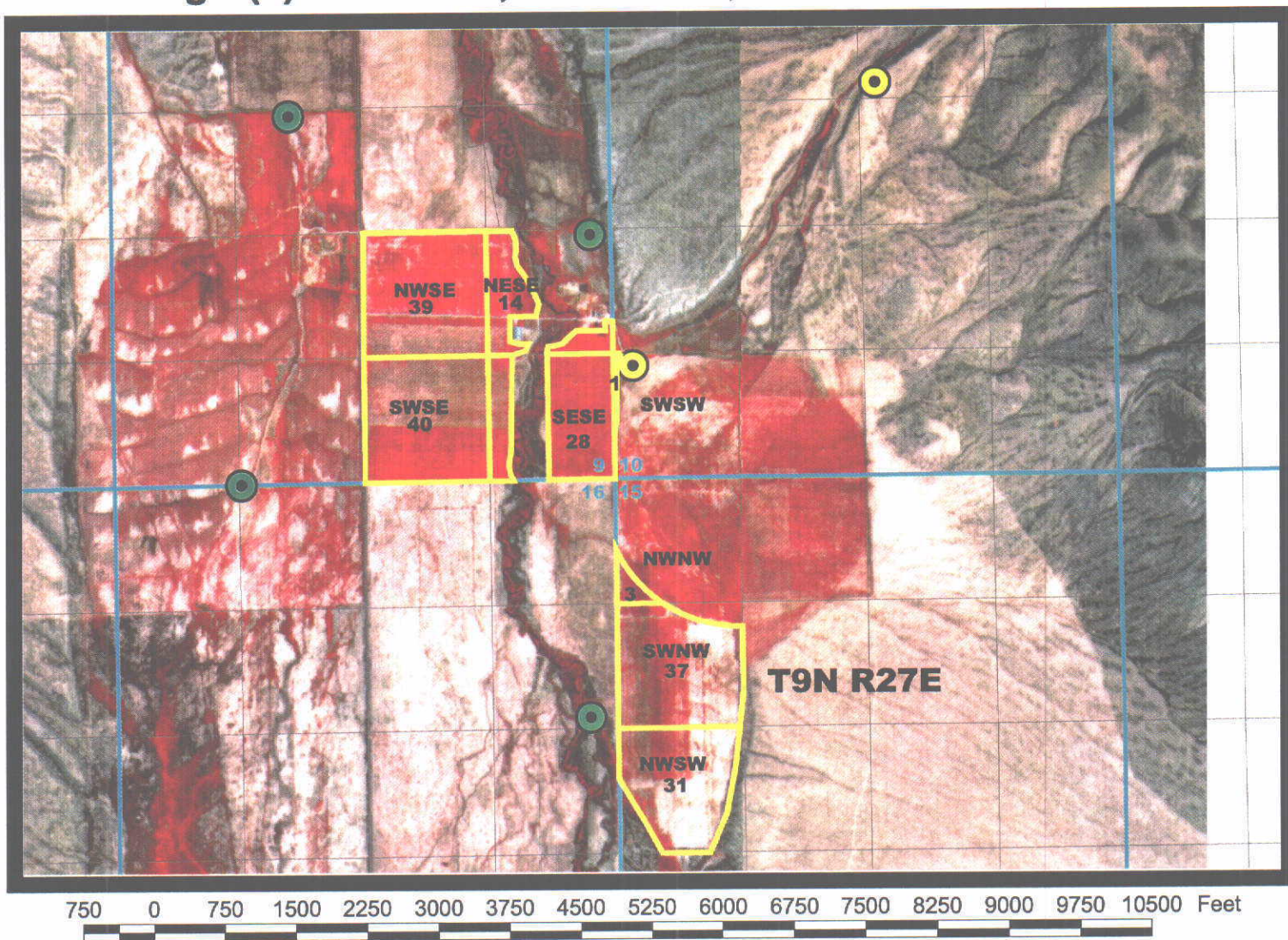
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Don Phillips

Water Right(s): 33-00041, 33-02110B, 33-02067, 33-10937



LEGEND



Point of Diversion



Place of Use



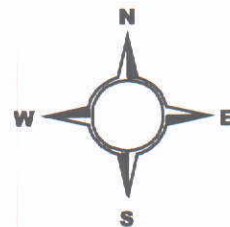
Section Line



Quarter-section line

Legal Description: T10N, R27E
(parts of) Sec. 9 SE,
Sec. 10 SWSW,
Sec. 15 W2NW, NWSW

Point(s) of Diversion: T9N, R27E
Sec. 10 SWNWNE (surface)
NWSWSW (well)



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2000



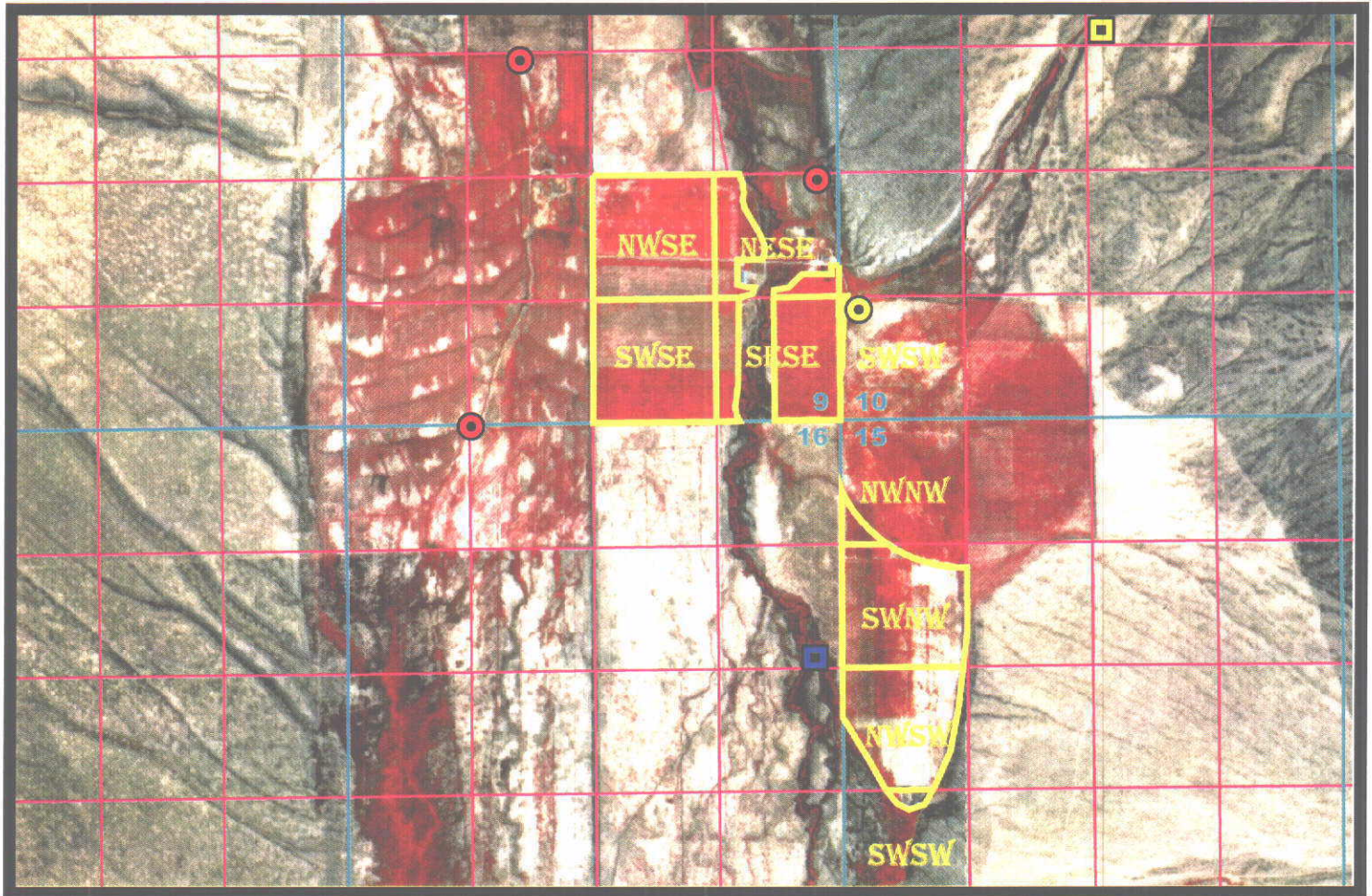
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Donald & Billie Phillips

Water Right(s): 33-00041, 33-02110B, 33-02067, 33-10937



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 Feet

LEGEND



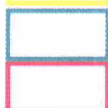
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line



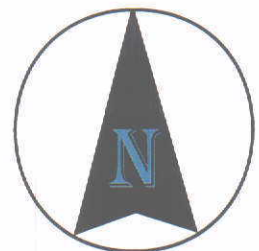
Quarter-section line

Place(s) of Use: T.9N., R.27E.

**Sec. 9 (parts of) SE,
Sec. 10 (part of) SWSW,
Sec. 15 (parts of) W2**

Point(s) of Diversion: T.9N., R.27E.

**Sec. 10 NWSWSW (well)
SNNWNE (surface)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: September 1999



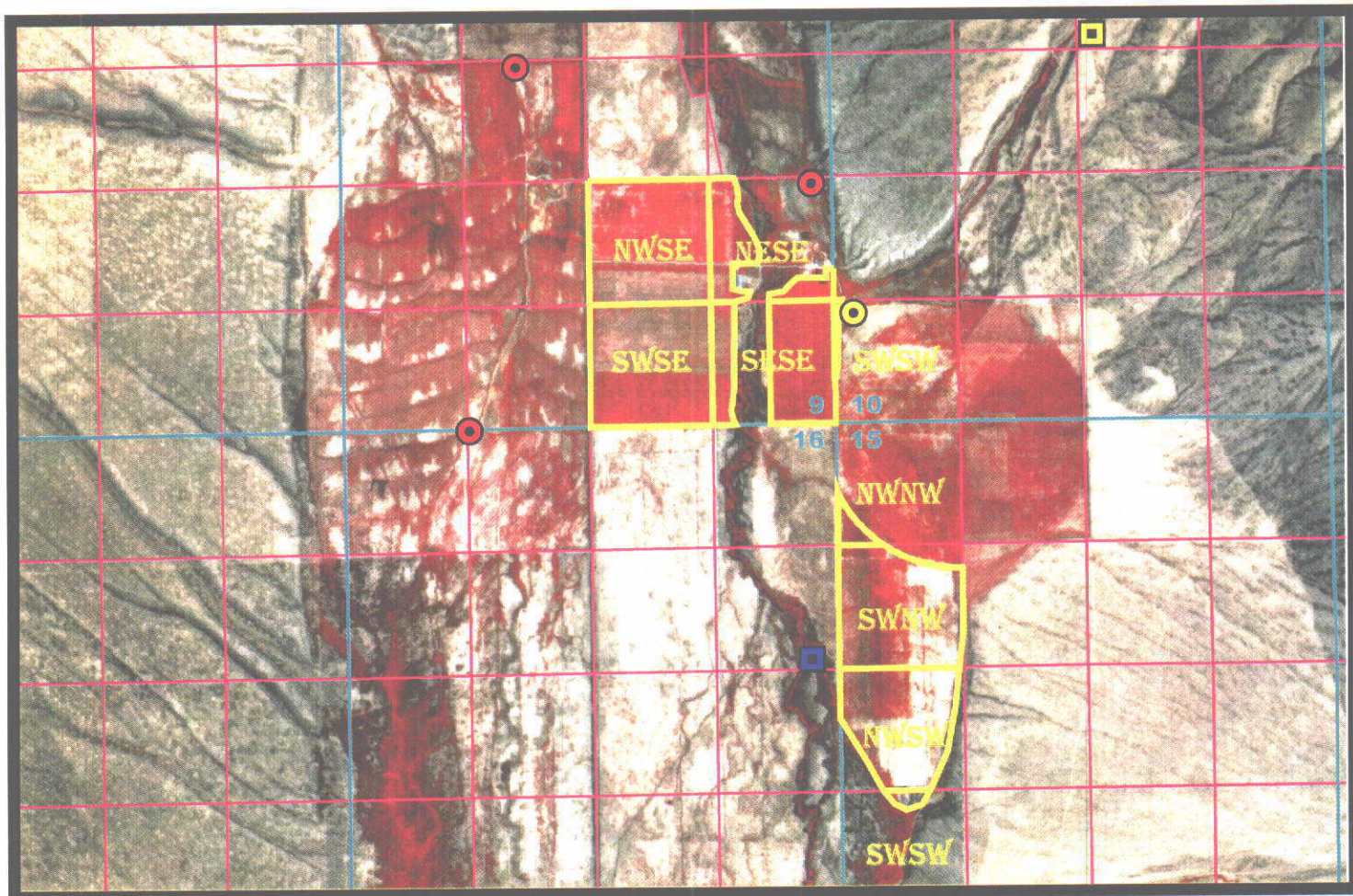
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Donald & Billie Phillips

Water Right(s): 33-00041, 33-02110B, 33-02067, 33-10937



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 Feet

LEGEND



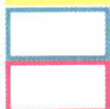
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

**Place(s) of Use: T.9N., R.27E.
Sec. 9 (parts of) SE,
Sec. 10 (part of) SWSW,
Sec. 15 (parts of) W2**

**Point(s) of Diversion: T.9N., R.27E.
Sec. 10 NWSWSW (well)
SWNWNE (surface)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: September 1999

11/08/2000

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

RIGHT NUMBER: 33-2067

NAME AND ADDRESS: BILLIE PHILLIPS
DONALD R PHILLIPS
PO BOX 5
HOWE, ID 83244

SOURCE: GROUND WATER

QUANTITY: 2.8 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF (3-9) 3.86 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF (662-5) 675.5 AF.
COMBINED RIGHT NOS.: 33-02110B, 33-00041, AND 33-10937

PRIORITY DATE: 11/28/1952

POINT OF DIVERSION: T09N R27E S10 NWSWSW Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-15 10-31	2.80 CFS

PLACE OF USE:

IRRIGATION Within BUTTE County

T09N R27E S9	NESE	14	T09N R27E S9	NWSE	39
T09N R27E S9	SWSE	40	T09N R27E S9	SESE	28
T09N R27E S10	SWSW	1	T09N R27E S15	NWNW	3
T09N R27E S15	SWNW	37	T09N R27E S15	NWSW	31
~~T09N R27E S15~~	~~SWSW~~	~~2~~			
195 ACRES TOTAL					
193					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF (195) 193 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02110B, 33-
00041, AND 33-10937

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 33-10937 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-02110B, 33-10937

APR 17 2000

Department of Water Resources
Eastern Region

RECEIVED

APR 10 2000

Department of Water Resources

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

A. Subcase 33-02067

(Insert water right number)

Case No. 39576

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice: Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Donald R. & Billie Phillips

Address: P.O. Box 5 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

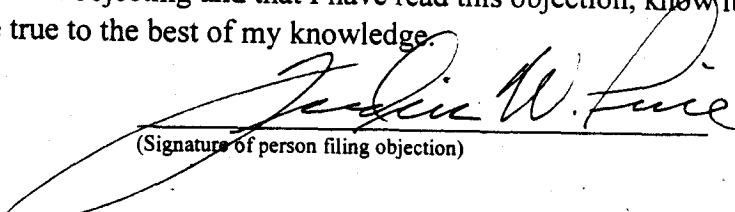
State of Idaho)

) ss.

County of Ada)

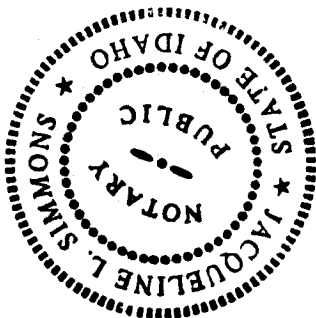
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

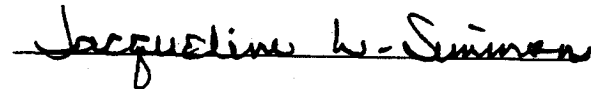
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 7, 2000





Jacqueline L. Simmons

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 04-07-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

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

2. One copy to the claimant of the water right at the following address:

Name: Donald R. & Billie Phillips
Address: P.O. Box 5 Howe, ID. 83244

Name:
Address:

Name:
Address:

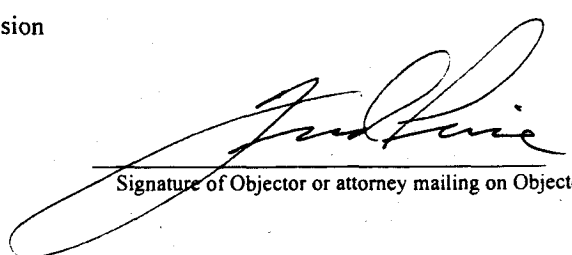
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 33-02067

NAME & ADDRESS: DONALD R PHILLIPS
BILLIE PHILLIPS
PO BOX 5
HOWE ID 83244

SOURCE: GROUNDWATER

QUANTITY: 2.8 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.9 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 682.5 AF. COMBINED RIGHT
NOS.: 33-02110B, 33-00041, AND 33-10937.

PRIORITY DATE: 11/28/1952

POINT OF DIVERSION: T09N R27E S10 NWSWSW Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-31	2.8 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County			
	T09N R27E S09	NESE 14	NWSE 39	SWSE 40	SESE 28
	S10	SWSW 1			
	S15	NWNW 3	SWNW 37	NWSW 31	<u>SWSW 2</u> BLM
	195 ACRES TOTAL				

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 195 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02110B, 33-00041, AND
33-10937.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

Issue:

Place of use on BLM

→ Farming on public land is not authorized

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 33-02067 (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NO. 33-10937 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-02110B, 33-10937.

A33-02067
DONALD R PHILLIPS
BILLIE PHILLIPS
PO BOX 5
HOWE

ID 83244



A3302067

☒ PRESUMPTION FLAG 'C'

System with 18 S.W. - Box

☒ CO-MING-183 WITH SOURCES (S.W.) OR 33-000413

Fairbanks Morse Weldon & Pump Base

☒ WHEN WAS SYSTEM CHANGED?

2-1983 BY Dave Anarson

FILMS 2005 PV

No. F161091

75 hp

November 23, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-02067

DONALD R PHILLIPS
BILLIE PHILLIPS
PO BOX 5
HOWE ID 83244

Daytime Telephone Number: 208 767-3528
Evening Telephone Number: Same

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-9-99 SIGNATURE: Billie E Phillips Don Phillips
Please print your name: Billie E. Phillips Don Phillips

A33-02067

QUALITY REVIEW CHECKLIST FOR REPORT READY FOR RBA CLAIMS

	N/A	YES	NO	*
1. Does the name and address meet the USPS and our data entry standards?		☒		
2. Does the CVR contain information as to how the priority date was determined?		☒		
If the claim is based on beneficial use, is there an analysis of the evidence of priority submitted?	☒			
Is the stage code correct?		☒		
Did the reviewer initial the recommendation of the priority date ?		☒		
3. Does the CVR contain information as to how the point of diversion was determined?		☒		
Did the reviewer initial the recommendation of the point of diversion and the source and tributary ?		☒		
Does the CVR contain a description of the system that includes information as to how the source and/or tributary were determined?		☒		
4. Does the CVR contain information as to how the place of use and number of acres (for irrigation rights) were determined?		☒		☒
<i>PRESUMPTION FLAG 'C' - Accomplished change in P.O.U.</i> Did the reviewer initial the recommendation of the place of use ?		☒		
5. Does the CVR contain information as to how the nature of use and the season of use were determined?				☒
<i>4-15 to 10-15</i> Does the CVR contain information as to how the diversion rate was determined?				☒
<i>reduce to 2.47 cfs.</i> Does the CVR contain information as to how the diversion volume was determined?		☒		
Does the CVR contain information as to how the consumptive use volume was determined?		☒		
Did the reviewer initial the recommendation of the nature of use , the season of use , the rate of diversion , the diversion volume and the consumptive use volume ?				☒
6. If the claim is based on a right recorded with IDWR, was the total diversion rate claimed?		☒		
If the total diversion rate was not claimed, is a review sheet attached?	☒			
7. If the claim is based on a right that has conditions/remarks , have these conditions/remarks been considered in the recommendation?		☒		
Are all appropriate conditions/remarks included in the recommendation?		☒		
8. If remarks are included, are the remarks consistent with the " standard remarks " described in Adjudication Memo 32?				
9. If this claim is not being recommended, is the status code correct?	☒			
10. Did the reviewer sign the CVR ?				
11. Has the " quicklook " page been completed?			☒	
12. If additional documents were used in the investigation of this right, are copies of those documents included in the file, or is there a reference to the identity and location of the documents?				
13. Does the file contain a copy of the recommended right ?				

* See attachment for additional information or explanation.

BAC 12 Oct 94

Quality control review by _____ date _____ Data entry changes by _____ date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JANUARY 30, 1992

DONALD R PHILLIPS
PO BOX 5
HOWE ID 83244

RE: CHANGE IN OWNERSHIP FOR A33-02110, A33-00041B,
A33-02067, AND A33-10078

Dear Mr. Phillips:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

File: "P"

MICROFILMED
NOV 18 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

LAVE - WE HESID

To RENUMBER
A33-00041 To

A33-00041B

41A IS CURRENTLY RANCHER

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A 33-02110, A33-00041^B-A33-02067
A33-10078
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JAMES L. GRILL
HC 65 BOX 3166
HOWE ID 83244
- ☐ New Owner/Claimant (Purchaser): DONALD R PHILLIPS AND/OR
- ☐ New Mailing Address: BILLIE PHILLIPS
PO BOX 5
HOWE ID 83244
- ☐ New Telephone Number: () 767-3023
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: WARRANTY Deed EXHIBIT A
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Billie Phillips Date 1-29-92
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

NOV 18 1992

WARRANTY DEED

THIS INDENTURE, made this 6th day of June, 1991, between BRADY GREEN and CHRIS GREEN, of Jackson, County of Teton, State of Wyoming, the Party of the First Part, and DONALD PHILLIPS and BILLIE PHILLIPS, of Box 5, Howe, County of Butte, State of Idaho, the Party of the Second Part,

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to Party of the First Part in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said Party of the Second Part, and to Party of the Second Part's heirs and assigns, forever, all the following described real estate, grazing permits and privileges, pipeline easements, and water rights situated in the County of Butte, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT A

Subject to a note(s) and mortgage(s) in favor of the FmHA (Farmers Home Administration) which Grantees have assumed and agreed to pay.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Party of the Second Part, and to Party of the Second Part's heirs and assigns forever. And the said Party of the First Part, and said Party of the First Part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Party of the Second Part, and Party of the Second Part's heirs and assigns, against the said Party of the First Part, and Party of the First Part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

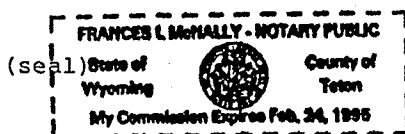
IN WITNESS WHEREOF, the said Party of the First Part hereunto has set his hand.

Chris Green
Chris Green

STATE OF Wyoming)
County of Teton) ss

On this 6th day of June, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared BRADY GREEN and CHRIS GREEN, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Frances L. McNally
Notary Public for: Wyoming
Residing at: Jackson
Commission Expires: 2-24-95

MICROFILMED
NOV 18 1992

I. Real Property (Land)

TRACT 1:

TOWNSHIP 9 NORTH, RANGE 27 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO

Section 9: SE $\frac{1}{4}$, EXCEPT a parcel of land 1700' x 1900' deeded to GREG SMITH by Warranty Deed Instrument No. 10451, records of Butte County, Idaho.

Section 10: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

TRACT 2

A portion of the SE $\frac{1}{4}$ of Section 9, Township 9 North, Range 27, East, Boise Meridian, Butte County, Idaho, described as follows:

Beginning at the SW corner of the SE $\frac{1}{4}$ of said Section 9, and running thence North 1700 feet; Thence East 1900 feet; Thence South 1700 feet to the South line of said Section 9; Thence West 1900 feet to the Point of Beginning.

Containing a total of approximately 400 acres.

Together with all water and ditch rights appurtenant thereto.

II. GRAZING PERMITS/PRIVILEGES

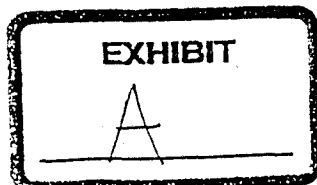
1. U.S Department of Interior Bureau of Land Management.
155 Cattle, Williams Creek, 2014 allotment, 05/16 to 06/30.
2. U.S Department of Interior Bureau of Land Management.
120 Cattle, Williams Creek, 2014 allotment, 11/16 to 12/15.
3. U.S. Department of Agriculture, Forest Service, 95 head of cattle, Sawmill Allotment.

III. DITCH, PIPELINE EASEMENTS/ PERMITS

1. U.S. Forest Service Easement/Permit for Irrigation Ditch.
2. U.S. Forest Service Easement/Permit for Irrigation Water Pipeline.

IV. WATER RIGHTS

1. Ground Water License, Identification No. A-33-02110, for 3.640 CFS, from a well priority, 06/07/1962. Irrigation Right.



MICROFILMED
NOV 18 1992

2. Surface Water Decree, Identification No. A33-00041, for 3.100 CFS from Williams Spring and Cedar Run, priority 11/15/1911. Irrigation Right.
3. Ground Water License, Identification No. A33-02067, for 2.800 CFS from a Well, priority: 11/28/1952. Irrigation Right.
4. Ground Water, based upon beneficial use, Identification No. A33-10078, for 0.040 CFS for domestic use and 0.050 for stockwater use, Total 0.090 CFS, Priority: 06/01/1952.

MICROFILMED

NOV 18 1992

State of Idaho

License and Certificate of Water Right

Water License No. G-23278

Amount 2.8 second feet

Water District No. _____

Priority November 28, 1952

THIS IS TO CERTIFY that RALPH BLESSINGER of Howe, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 28, 19 52; that Permit No. G-23278 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.8 second feet, was issued thereunder on September 10, 19 56, showing that said works were completed on the 17th day of May, 19 55; and that on the 17th day of May, 19 55.

RALPH BLESSINGER

of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

~~existing~~ subterranean flow (subterranean flow), for the purpose of irrigation and domestic, under Use Permit No. G-23278 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5796, on the 10th day of September, 19 56;

The right hereby confirmed dates from November 28, 19 52;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 10, Tp. 9 N., R. 27 E., B. M. Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N	27 E	9	NE _{1/4} SE _{1/4}	15	10
			SE _{1/4} SE _{1/4}	40	30
		10	SW _{1/4} SW _{1/4}	—	—
		16	NE _{1/4} NE _{1/4}	20	—
		15	NW _{1/4} NW _{1/4}	25	20
			SW _{1/4} SW _{1/4}	30	40
			NW _{1/4} SW _{1/4}	30	40
Total Number of Acres Actually Irrigated					140

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Idaho, this

10th day of September, 19 56.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

Application For Transfer of Water Right

RECEIVED
NOV 30 1952

STATE OF IDAHO

County of Butte

ss.

Department of Reclamation

Ralph Blessinger

being first duly sworn, deposes and says:

That his name is Ralph Blessinger; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Star Route, Howe, Idaho

That he is the owner and using a certain water right, bearing date of priority of Nov. 28, 1952 for 2.8 cubic feet per second of the waters of a well

County of Butte, State of Idaho. ~~located in~~~~located in the County of Butte, State of Idaho, to-wit:~~~~located in the County of Butte, State of Idaho, to-wit:~~~~located in the County of Butte, State of Idaho, to-wit:~~

(or obtained by virtue of License No. G-23278, issued by the State Department of Reclamation of the State of Idaho, dated September 10, 1956, bearing date of 19

for the purpose of irrigating the following described lands situate, lying and being in ~~Water District~~ Butte in the County of Butte and State of Idaho, to-wit:

~~E 1/2 Sec. 9., W 1/2 NW 1/4, NW 1/4 Sec. 15., Twp. 9 N., Rge. 27 E.B.M.~~E 1/2 Sec. 9., W 1/2 NW 1/4, NW 1/4 Sec. 15., Twp. 9 N., Rge. 27 E.B.M.~~E 1/2 Sec. 9., W 1/2 NW 1/4, NW 1/4 Sec. 15., Twp. 9 N., Rge. 27 E.B.M.~~

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. purchased deeded land

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said ~~well~~ well in the SW 1/4 SW 1/4 of Section 10, Township 9 North, Range 27 E., B. M., and conducted to the above described lands through private ditch

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 2.8 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Butte and State of Idaho, to-wit:

S 1/2 SW 1/4 Sec. 10., Twp. 9 N., Rge. 27 E.B.M.E 1/2 NW 1/4 Sec. 15., Twp. 9 N., Rge. 27 E.B.M.

That reasons for desiring to make such transfer are as follows:

We have a new well that will irrigate this land and can then use the water from the well in the SW 1/4 SW 1/4 of Sec. 10 on other land that can not otherwise be watered.

That he intends to divert and convey said 2.8 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

Private pipe and ditch

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section , Township , Range and thereafter conduct same to the above described land through the ditch, as per map appended.

That his reasons for desiring to make such change are as follows:

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Mr. Ralph B. Blum
Applicant.

Subscribed and sworn to before me this 30th day of November, 19 62

Kenneth R. Blum
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Subterranean

Where is the diversion point located? SW 1/4 Sec. 10., Twp. 9 N., Rge. 27 E.B.M.

Through what ditch is it now conducted? Private ditch

How much land is now irrigated by the water sought to be transferred? 140

Give the description: E 1/2 Sec. 9., W 1/2, NW 1/4 Sec. 15., Twp. 9 N., Rge. 27 E.B.M.

What is the total amount of water in inches, or second feet, dedicated to said land? 2.8 cfs

What kind of crops are being raised? alfalfa and grain

How much water per acre is now required to irrigate said land? 1 inch

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Will not be affected as we have water from the new well

Give location of new point of diversion, if change is to be made No change is to be made

Through what ditch will it be conducted after transfer? Private ditch and pipe

How much water will be required per acre to irrigate the land to which this water is transferred?

1 inch

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source Permit No. G30519 . 5.8 cfs., June 11, 1962., a well

Is there another water right for the land to which you seek to make this transfer? If so, give amount,

date and source 155 inches from Williams Springs and Cedar Run. 1911 Decree But we sold a get 20 inches when we need it most.

Signed *Ralph P. Blum*
Applicant
By Mrs. Ralph P. Blum

STATE OF IDAHO,

County of

ss.

I,

Watermaster of

Water District No. , County of , State of Idaho, whose postoffice address

is , have read or heard read the foregoing affidavit and petition

and on my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of

transfer prayed for) for the following reasons:

Watermaster, District No.

Dated at , Idaho, this day of , 19

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

33-02067

Certificate of Water Right
Transferred Right No. 1005

THIS IS TO CERTIFY, That Ralph Blessinger of Star Route, Howe, Idaho, is the owner of and using a certain water right of 2.8 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-23278, issued by the State of Idaho, Department of Reclamation, dated September 10, 1956, bearing date of November 28, 1952, for the purpose of irrigating the following described lands situate, lying and being in the County of Butte, State of Idaho, to-wit:

E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9; W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 15, Township 9 North,
Range 27 E. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 9 of Licenses, at Page 5796 thereof;

And that Ralph Blessinger has become the owner of said right by appropriation;

And that now, upon the application of Ralph Blessinger for the transfer of 2.8 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 2.8 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become apportioned for irrigation and domestic purposes, is described as follows, to-wit:

S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10, Township 9 North,
Range 27 E. B. M.; E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15,
Township 9 North, Range 27 E. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.8 cubic feet per second of the waters of
subterranean source with priority of November 28, 1952;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 9 North, Range 27 E. B. M., and conducted through private ditch to place of use;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well, with no change in point of diversion;

T-1005

33-0067

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of February, 1963.

GEO. N. CARTER
State Reclamation Engineer
By

(SEAL)

s/ RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1005

33-2067

00:03:54
03/31/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

1581
CLAIM NUMBER: A33-12067

LAST: CRILL
ADDRESS: MC 65 BOX 3165
CITY: HOME
PHONE NUMBER: 208-767-3015
OWNER CODE: 0

FIRST: JAMES L.
STATE: ID ZIP: 83244

LAST: PHILLIPS
ADDRESS: PO BOX 5
CITY: HOME
PHONE NUMBER: 208-767-3023
OWNER CODE: C

FIRST: DONALD R
STATE: ID ZIP: 83244

LAST: PHILLIPS
ADDRESS: PO BOX 5
CITY: HOME
PHONE NUMBER: 208-767-3023
OWNER CODE: C

FIRST: BILLIE
STATE: ID ZIP: 83244

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE: N
FIELD EXAMINER

CONTACT PERSON: Mr. P. B. Brey PHONE NUMBER: (208) 267-3528
DATE OF FIELD EXAM: 9/15/94 APPOINTMENT MADE: Y(X) N() P()
TIME: 11:00 A(X) P()
ACCOMPANIED BY: Don Phillips PHONE NUMBER: () - - -
RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

Met Mr. Phillips AT THE APPOINTED TIME. A REVIEW OF THE ASSES. photo WAS DONE
WITH RESPECT TO PROPERTY BOUNDARIES (EAGLE LINES) AND WATER SEWER LINES. I WAS
AND WILLIAMS CREEK. I VISITED THE WELLS SITES, PHOTOGRAPHED THEM AND
RECORDED DATA FROM Meters/Pumps.

21 June 99 Tereon of David Anderson, Dist. 33 Watermaster. He says the
IRrig. System was changed to its present configuration in about 1983. aps

A. AJ CLAIM: # A33-02067 PRIORITY DATE: 11-28-1952 STAGE: L
B. WR RECORD: # 53-02067 PRIORITY DATE: 11-28-1952 STAGE: L
C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

NOTES: *PRIORITY DATE CLAIMED PATENTS ~~REMOVED~~ Priority*

RECOMMENDED PRIORITY DATE: *As claimed*
11-28-1952
REVIEWED BY: *ABP* DATE: *20 Sept 94*

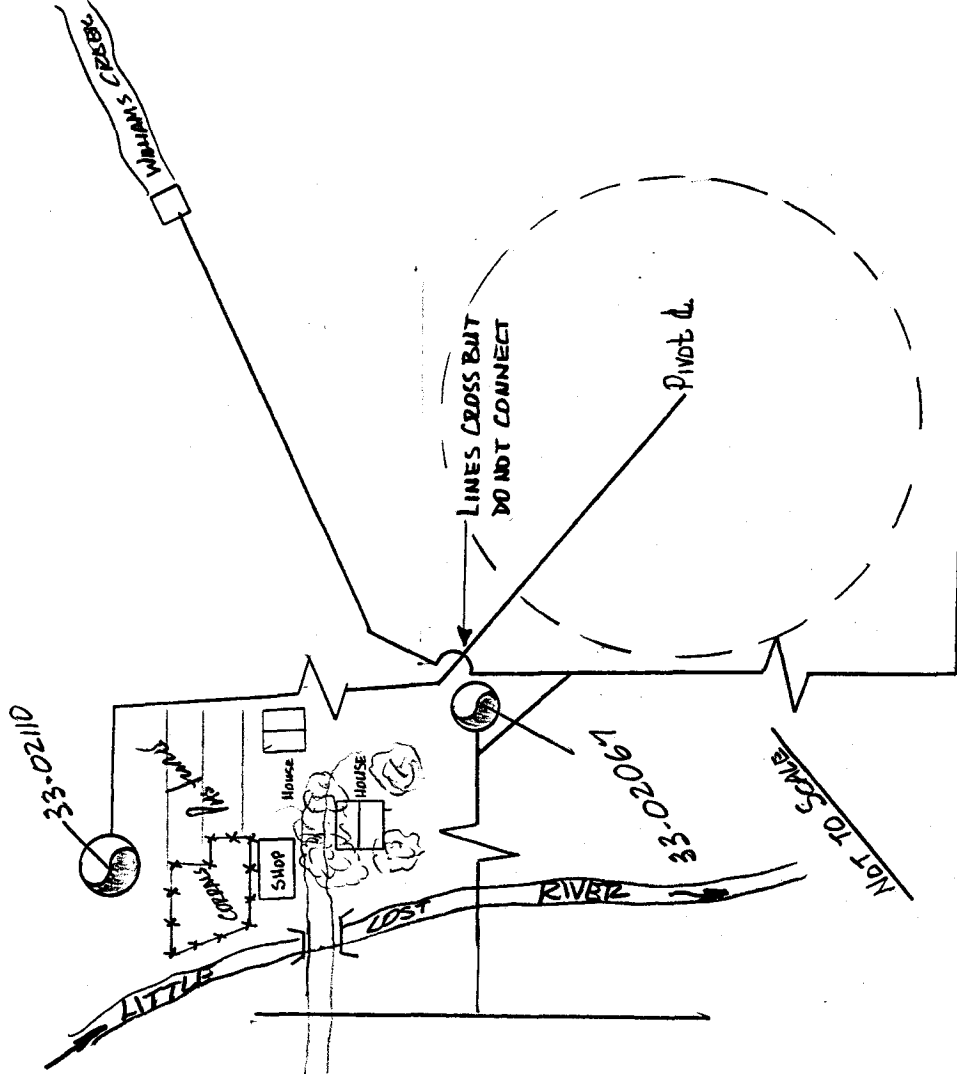
RECOMMENDED POINT
TW. RGE. SEC.

श्री

SECRET

[Signature]

SYSTEM DESCRIPTION:



Pump SN: A2D6823

POINT OF DIVERSION REVIEW SHEET

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A33-02067	07N	27E	10	SW	SW	SW		BUTTE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

NR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
33-02067	07N	27E	10	SW	SW	SW		BUTTE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
NONE NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

FIELD EXAMINER	DATABASE	Y	N

NOTES:

VISITED WELL SITE WITH MR. PHILLIPS. ASES PHOTO SHOWS POD AS DISCLOSED
See 10 - No change to POD location - Only to 10AC Tract

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
THP. RSE. SEC. 1/4 1/4

9N 27E 10

NW SW

LOT

COUNTY

DIVERSION NAME

Butte

SOURCE: GROUNDWATER

TAIB:

REVIEWED BY: *AB Carney* DATE: 9-15-94

SYSTEM DESCRIPTION:



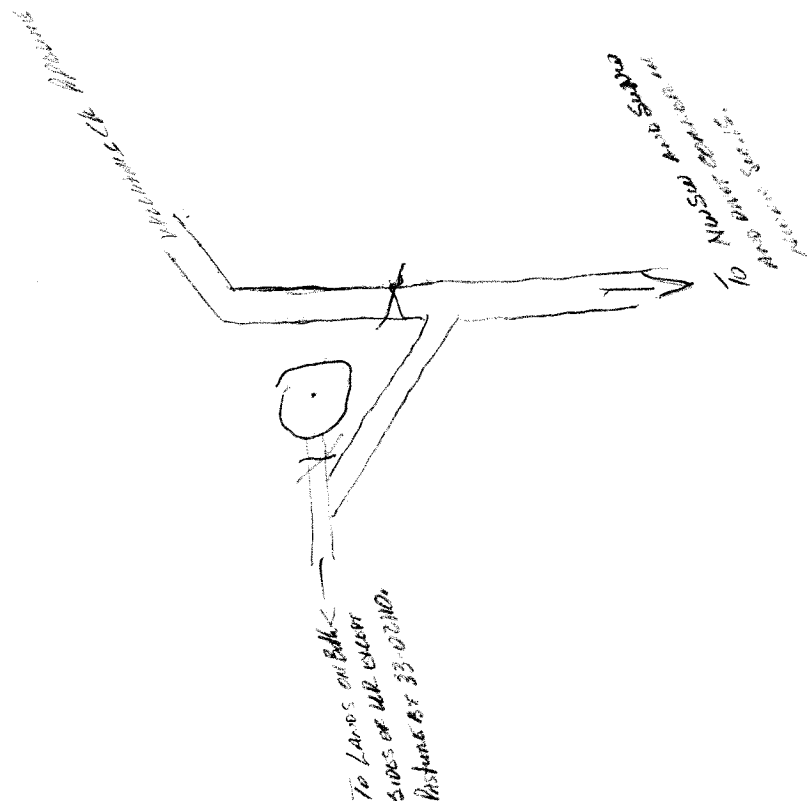
FAIRBANKS MOOSE MOKE AND PUMP

75 hp.

REAME: 2005 PV

NO: F161091

NO Pump Data



D & B Phillips

As PDU

Place of Use Overlap Attachment

[illegible]

Water Right Number: _____ Date: ____/____/____

A. ROOT WATER RIGHT NUMBERS: A33-02057

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	IR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	27E	9	NE	SE		PHILLIPS, DONALD R	A33-02057 / 730.0	-	-	-	-
			NE	SE		PHILLIPS, DONALD R	A33-02110 / 8.0	53-02110	133.0 → SEE FILE A33-02110	-	14.8
			NE	SE		PHILLIPS, BILLIE	A33-10078 /	-	-	-	-
			NE	SE		PECK, ROY	-	33-00041	-	-	-
09N	27E	9	N4	SE		PHILLIPS, DONALD R	A33-02057 / 740.0	-	39.0	-	39.0
			N4	SE		PHILLIPS, DONALD R	A33-00041B / 40.0	-	-	-	-
			N4	SE		SMITH, LEONARD	-	33-02110	125.0	-	-
09N	27E	9	S4	SE		PHILLIPS, DONALD R	A33-02057 / 740.0	-	39.0	-	39.0
			S4	SE		PHILLIPS, DONALD R	A33-00041B / 40.0	-	-	-	-
09N	27E	9	SE	SE		PHILLIPS, DONALD R	A33-02057 / 730.0	-	40.0	-	30.8
			SE	SE		PECK, ROY	-	33-00041	-	-	-
			SE	SE		SMITH, LEONARD	-	33-02110	122.0	-	-
TOTAL ACRES							A33-02057	140.00	160.00	123.6	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

FIELD EXAMINER

POU COUNTY: BUTTE

PRESUMPTION FLAG:

NOTES:

LAYOUT OF PIPELINES AND FIELD BOUNDARIES SHOWN BY MR. PHILLIPS DURING FIELD EXAM.
ASCS SHOWS 126.6 AC IN SGT SUR. 9.
LANDS SHOWN IN THESE ARE TWO SEPARATE SYSTEMS. E. OF RIVER IS FROM 02110 E. W. OF RIVER.
IS 02067 PART FIELD AT SUSE AND NESE E. OF RIVER WHICH FANS W/ 33-02067.

RECOMMENDATIONS:

TOTAL ACRES: 123.6

REVIEWED BY: AB [Signature]

DATE: 20 Sept. 94

CP5

SEE ATTACHMENT FOR POU
AS RECOMMENDED
1950 AC
→ POU w/

021105, 10237
00041B

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A33-02067 IRRIGATION	FROM 04-11 TO 11-01	2,800 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	2,800 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
33-02067 IRRIGATION	FROM TO	2,800 CFS
33-02067 DOMESTIC	FROM TO	2,800 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	2,800 CFS

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

Irrigation season is normally April 1 to November 1. -> Dept Hd. if not by 4/1-10/31

Dept Hd. 4/15-10/31

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.800 CFS
NR ROOT RIGHT TOTAL DIVERSION RATE: 2.300 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD See, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A33-02110

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGES:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. VOL.	DIV. VOL./ACRE
A33-02057	GROUNDWATER	PHILLIPS, DONALD R	2.300		0.020
A33-000418	WILLIAMS SPRINGS	PHILLIPS, DONALD R	3.100		0.019
A33-02110	CEDAR RUN	PHILLIPS, DONALD R	3.540		0.023

LIST ALL RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A33-10078	DOMESTIC	PHILLIPS, BILLIE	FROM 01-01 TO 12-31	.040 CFS	
A33-10078	STOCKWATER	PHILLIPS, BILLIE	FROM 01-01 TO 12-31	.050 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 123.6 X 0.02 CFS/ACRE = 2.472 CFS
(TAKEN FROM P/U REVIEW)
DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()
*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

1B. CALCULATIONS

2.472 cfs calc.
2.80 cfs claimed

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 350.0 AF/A
ACRES 123.6 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 3090 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 123.6 X DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 432.6 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
P/U INCOMPLETE. SEE FILE. TRANS. 1005.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
* 12216.	4-1 to 10-31	EXAMINER ck	DATABASE EXAMINER	DATABASE EXAMINER

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED
NEEDS REVIEW

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-02067
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 2.800
EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-32067	2.800	-		33-02067	2.800
TOTAL CFS		2.800				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE Y
FIELD EXAMINER _____

NOTES:

NO SPLITS OR THIS RIGHT- CLAIMED IN-FULL AS LIE.

AUTHENTICATION:

SIGNATURE: DATE: 20 Sept 94

NAME OF FIELD EXAMINER: TITLE: SA Asst

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 12
QUICKLOOK INFORMATION

1596
CLAIM NUMBER: A33-92057

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE	Y							
PLACE OF USE								
PLA.E OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

- TOPO MAP/ORTHOPHOTO = 1
- ISCS MAP = 2
- WATERMASTER RECORDS = 3
- WAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

CLAIM NUMBER: A33-12057

DIVERSION VOLUME

04-01 11-01

TOTAL DIVERSION:
CONSUMPTIVE USE:

STAGE: LICENSE

BUTTE COUNTY

35

OTHER RIGHTS: 133-02110 → SEPARATE SYSTEM

VERIFIED DATE:

Actual Accruals
NSES-14 Sec. 9
SSES-28
GASW-1 Sec. 10
NNWN-3 Sec. 15
SWNW-37

300

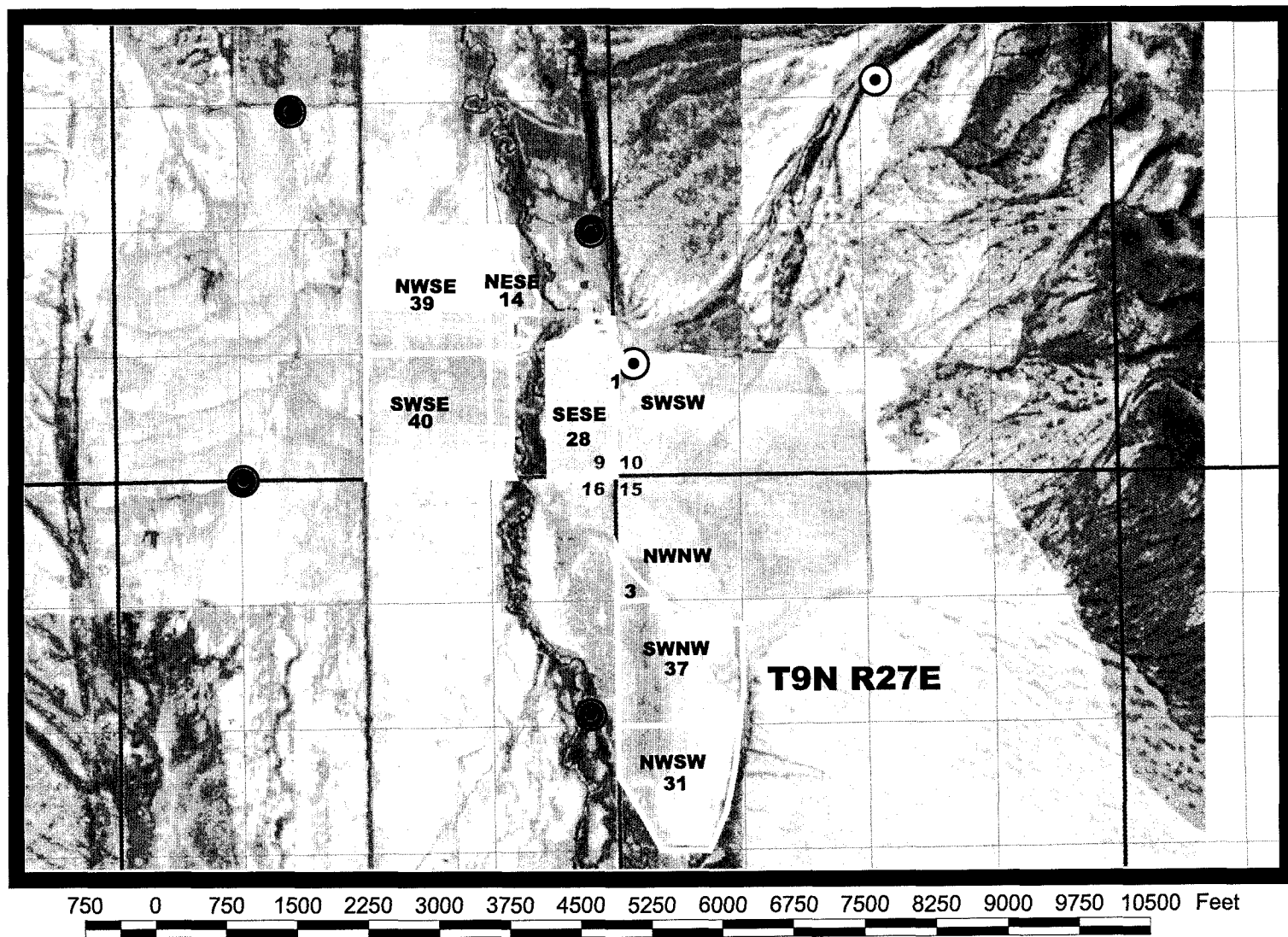
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Don Phillips

Water Right(s): 33-00041, 33-02110B, 33-02067, 33-10937



LEGEND



Point of Diversion

Place of Use

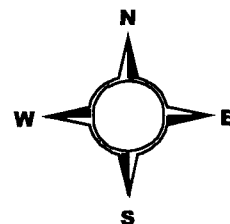


Section Line

Quarter-section line

Legal Description: T10N, R27E
(parts of) Sec. 9 SE,
Sec. 10 SWSW,
Sec. 15 W2NW, NWSW

Point(s) of Diversion: T9N, R27E
Sec. 10 SWNWNE (surface)
NWSWSW (well)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2000



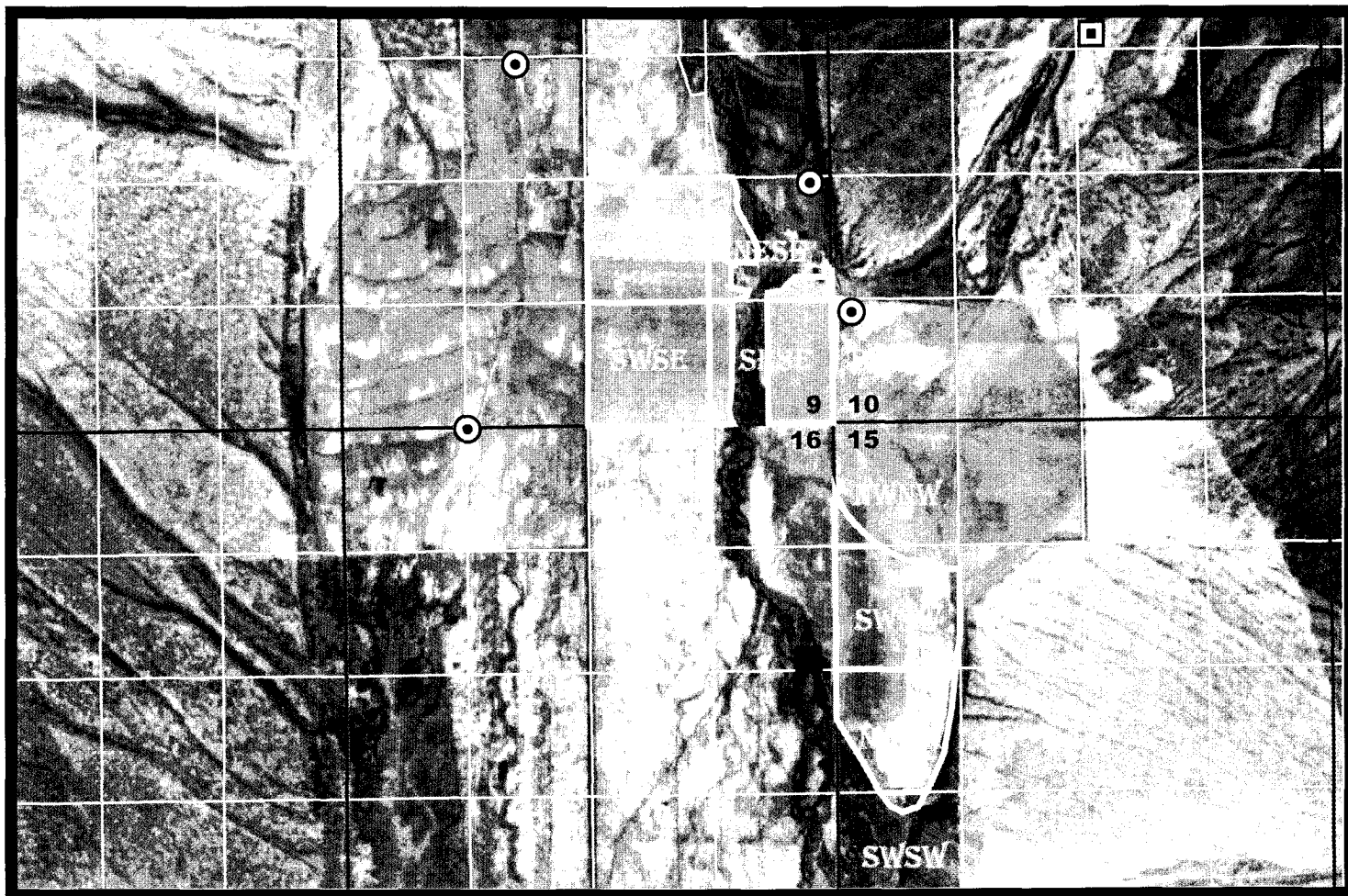
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Donald & Billie Phillips

Water Right(s): 33-00041, 33-02110B, 33-02067, 33-10937



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 Feet

LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

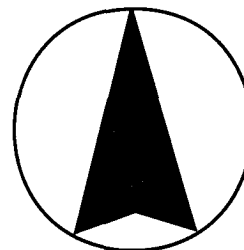
Quarter-section line

Place(s) of Use: T.9N., R.27E.

**Sec. 9 (parts of) SE,
Sec. 10 (part of) SWSW,
Sec. 15 (parts of) W2**

Point(s) of Diversion: T.9N., R.27E.

**Sec. 10 NWSWSW (well)
SWNWNE (surface)**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: September 1999

11/08/2000

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

RIGHT NUMBER: 33-2067

NAME AND ADDRESS: BILLIE PHILLIPS
DONALD R PHILLIPS
PO BOX 5
HOWE, ID 83244

SOURCE: GROUND WATER

QUANTITY: 2.8 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.86 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 675.5 AF. COMBINED RIGHT
NOS.: 33-02110B, 33-00041, AND 33-10937

PRIORITY DATE: 11/28/1952

POINT OF DIVERSION: T09N R27E S10 NWSWSW
Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-15 10-31	2.80 CFS

PLACE OF USE:

<u>IRRIGATION Within BUTTE County</u>					
T09N R27E S10	SWSW	1	T09N R27E S15	NWNW	3
T09N R27E S15	SWNW	37	T09N R27E S15	NWSW	31
T09N R27E S9	NESE	14	T09N R27E S9	NWSE	39
T09N R27E S9	SWSE	40	T09N R27E S9	SESE	28

193 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 193 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02110B, 33-00041,
AND 33-10937

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 33-10937 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE

AJ0749NP
No. R33-02067

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/23/99
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C BILLIE PHILLIPS 11/28/1952 IRRIGATION 04-15 10-31 2.800 CFS
C DONALD R PHILLIPS PO BOX 5 HOWE ID 83244 (208) 767-3023 TOTAL DIVERSION: 2.800 CFS

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T09N R27E S10 NWWSW BUTTE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE		SUM					
		NENE NWNE SWNE SENE		NNWN NWNW SWNW SENW		NWSW NWWSW SWSW SESW		NESE NWSE SWSE SESE							
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N 27E	9	:	:	:	:	:	:	:	14	39	40	28	:	:	121.0
09N 27E	10	:	:	:	:	:	:	:	:	:	:	:	:	:	1.0
09N 27E	15	:	:	:	:	:	:	:	:	:	:	:	:	:	73.0
														TOTAL ACRES	195.0

POU County: BUTTE

Other Rights: 33-021108, 33-00041, 33-10937.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A33-02067 A33-10937 R33-021108 R33-10937

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.9 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 682.5 AF. COMBINED RIGHT
NOS.: 33-021108, 33-00041, AND 33-10937.

POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 195 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-021108, 33-00041, AND
33-10937.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP

RIGHT NO. 33-10937 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-021108, 33-10937.

POU PO # 21

POU PO # 31

AJ0749NP
No. R33-02067

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/23/99
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
Audit:	09/23/99 ARUBERRY	Presumption Flag:	C

=====

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: R33-02067
Date Received: 1/10/1990
Receipt No: E011578
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DONALD R PHILLIPS 208-767-3023
Address: PO BOX 5
HOWE ID 83244
AND/OR
Name: BILLIE PHILLIPS 208-767-3023
Address: PO BOX 5
HOWE ID 83244

*Original
Sent to
Court.*

2. Date of Priority: NOV 28, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

4-20-00

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	27E	10	NW	SW	SW		BUTTE

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.-A.
IRRIGATION	04/15	10/31	2.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	9	NE	SE		IRR	14.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	27E	9	NW		SE		IRR	39.0
			SW		SE		IRR	40.0
			SE		SE		IRR	28.0
							Section Acres	121.0
		10	SW		SW		IRR	1.0
							Section Acres	1.0
		15	NW		NW		IRR	3.0
			SW		NW		IRR	37.0
			NW		SW		IRR	31.0
			SW		SW		IRR	2.0
							Section Acres	73.0
							Total Acres	195.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
33-02110B, 33-00041B, 33-10937.

14. Remarks:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 682.5 AF. COMBINED RIGHT NOS.: 33-02110B, 33-00041B, AND 33-10937..

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 195 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02110B, 33-00041B, AND 33-10937.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NO. 33-10937 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-02110B, 33-10937.

15. Basis of Claim: LICENSE

Water Right Number: 23278

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

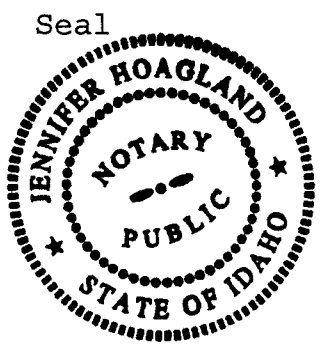
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Donald A. Phillips Date: 9-9-99
Billie Phillips Date: 9-9-99

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Sept 19 99

Jennifer Hoagland
Notary Public



Residing at Idaho Falls Idaho
My Commission Expires 9-23-03

21	22
----	----

CLAIM NO(S). A33-00041B, 02067, 02110
 DATE: 14 SEPT 94 T 9N R 27E
 SOURCE OF DOC: ASCS

SIGNATURE: *SP. [Signature]*

NHEL ③ 10.7
 NHEL ④ 18.9
 ⑦ NHEL 2.6

43
 910

⑨ NHEL 24.4

⑧ NHEL 28.5

⑩ NHEL 38.9

⑪ NHEL 16.4

195
 T-223 NHEL
 31.2

WELL
 A33-02110
 7.3

Deer Lic	Deer Lic. Ac	Actual
2110	364 182	156 Ac
2067	2.8 140	194 Ac
00041	3.1 200	194 Ac

00041 + 02067 = 5.9 ds on 194 Ac.
 02110 = 364 ds on 156

3 WHEEL
 72076

WELL
 A33-02067

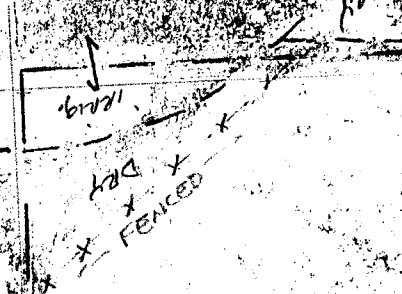
30.8
 3177 7274M

⑤ 24.7

90
 165

1740
 Lic. 140

156²
 Lic. 132² @ 364



POINT OF
 DIVERSION

PIPELINES
 CONNECT

RIVER

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A33-02067**
Date Received: 1/10/1990
Receipt No: E011578
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DONALD R PHILLIPS
Address: PO BOX 5
HOWE ID 83244

208-767-3023

AND/OR

Name: BILLIE PHILLIPS
Address: PO BOX 5
HOWE ID 83244

208-767-3023

2. Date of Priority: NOV 28, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
09N	27E	10	SW	SW		

County
BUTTE

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

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

A.F.A.

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	9	NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	30.0
Section Acres							140.0
Total Acres							140.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
A33-02110

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 23278

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED

NOV 18 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

RECEIVED

JAN 10 1990

CIVIL CASE NUMBER: 39576

Ident. Number: A33-02067
Date Received: 1/03/1990
Receipt No: E011578
Received By: _____

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES L. CRILL
Address: HC 65 BOX 3166
HOWE, ID

208-767-3015

83244

*Original
Sent to
Court.*

2. Date of Priority: NOV 28, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	27E	10	SW	SW	SW		BUTTE

420-00
County
BUTTE

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

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

A.F.A.

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	9	NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

A33-02067

Page 1

Date: 01/03/90

MICROFILMED
NOV 18 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	9	SE	SE		IRR	30.0

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
A33-02110

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 23278

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X James Z. T. [Signature] Date: X 1-3-90
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of Jan 19 90

Betty J. Thompson
Notary Public

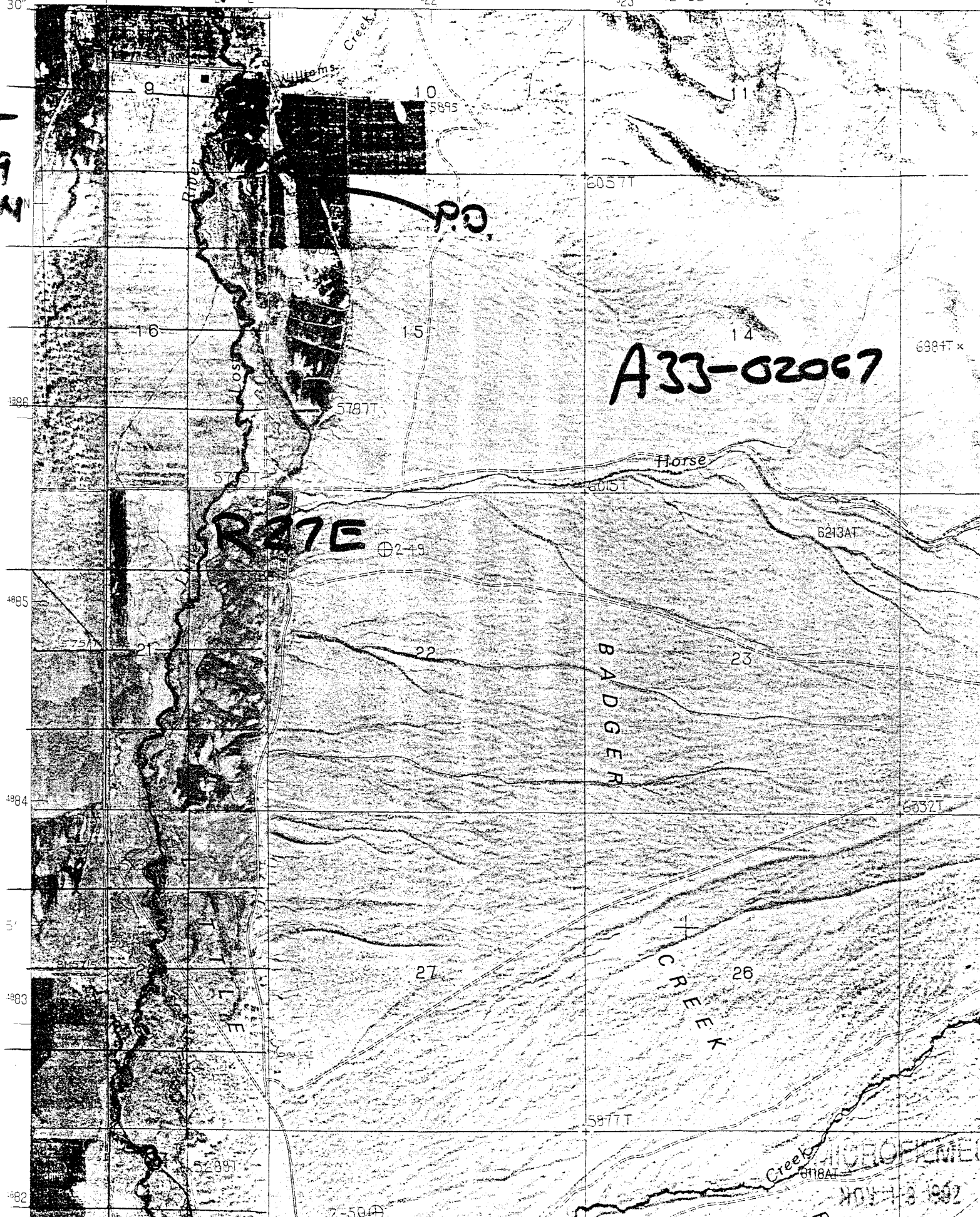
Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

113° 15' 30" P.O.U. 12° 30" 324

1962



NOV 13 1962