



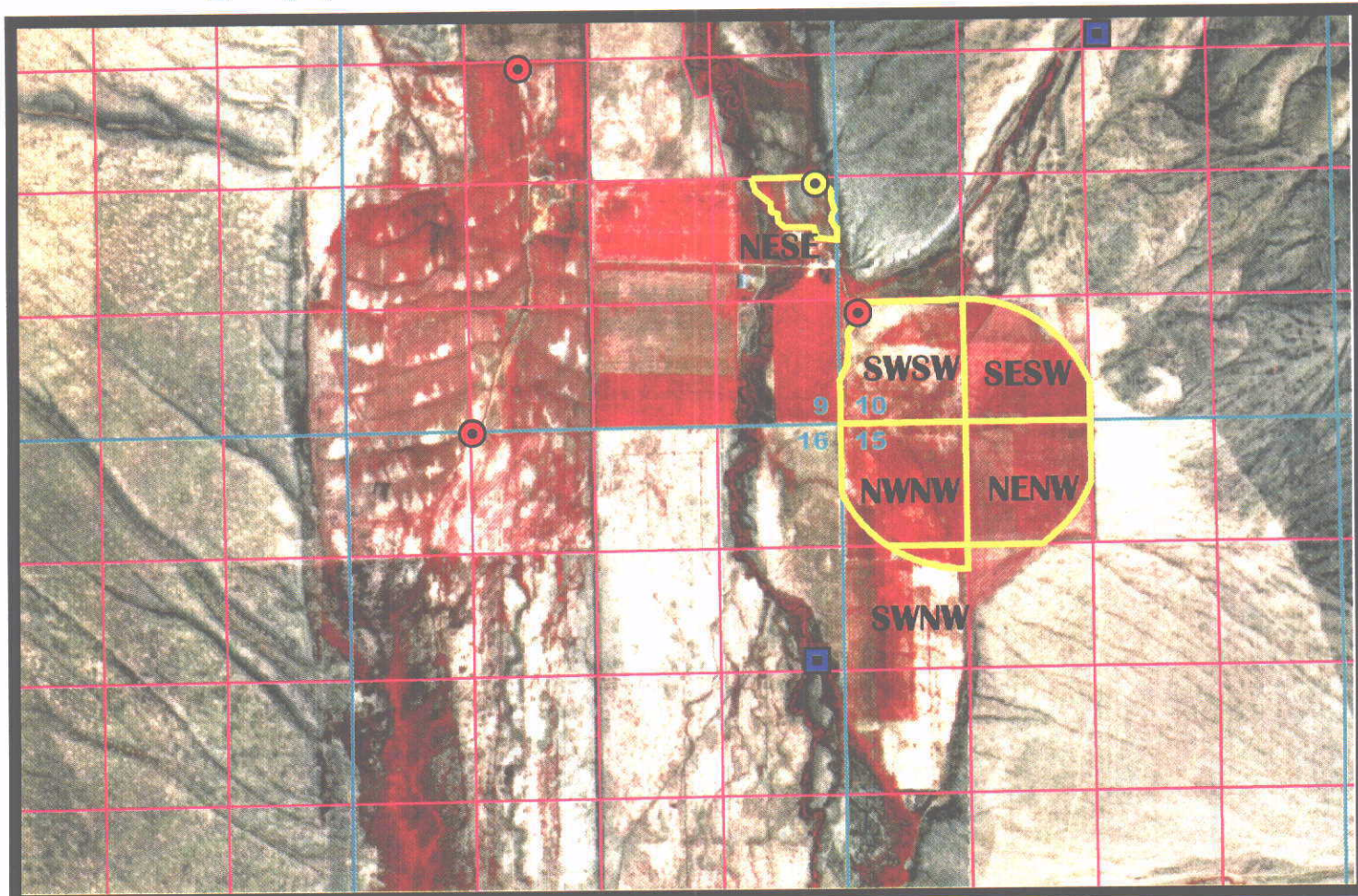
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Donald & Billie Phillips

Water Right(s): 33-02110A



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

LEGEND



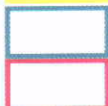
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line



Quarter-section line

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

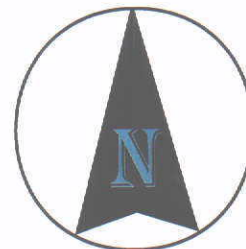
Sec. 9 (part of) NESE,

Sec. 10 (part of) S2SW,

Sec. 15 (parts of) N2NW, SWNW

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

Sec. 9 NESESE



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

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: 33-02110A

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 Phillips Don Phillips
Please print your name: Billie Phillips Don Phillips

MEMORANDUM

29 NOVEMBER 1995

TO: FILE A33-02014
PANCHERI, INC.

FROM: A.B. RUBERRY

SUBJECT: DENIAL OF CLAIM

THIS DATE, MR. NICK SPENCER, IDWR ATTORNEY, RETURNED MY CALL TO LYNN KROUGH. THE CIRCUMSTANCES SURROUNDING THIS CLAIM WERE RELATED TO NICK AND ARE AS FOLLOWS:

33-02014 IS A LICENSE WITH A PRIORITY DATE OF MAY 04, 1911, SIGNED 7 AUGUST 1916. AS LICENSED, THE RIGHT WAS FOR 3.1 CFS (155 INCHES) AND FOR 95 ACRES ON THE FOLLOWING LANDS; 40 ACRES IN SW1/4 OF SW1/4, AND 15 ACRES IN SE1/4 OF SW1/4 SEC. 34, T.6N., R.29E.B.M., AND 40 ACRES IN LOT 2, SEC. 3, T.5N., R.29E.B.M.

{{ SWSW (40), SESW (15) SEC.34 T.6N., R.29E.B.M. }}
{{ LOT 2 (40) SEC. 3 T.5N., R.29E.B.M. }}

THE POINT OF DIVERSION IS LICENSED AS: SW1/4 OF NE1/4 SEC. 11, T.6N., (R.28E.) R.29E. (CORRECTED FROM THE MAP DESCRIPTION WHICH CLEARLY SHOWS R.29E.). A LETTER DATED MAY 26, 1916, J.H. SMITH, STATE ENGINEER TO ROY HAWLEY, CLAIMANT, DISCUSSES A DISCREPANCY OF THE PERMIT AND THE REPORT OF THE ENGINEER. THE SOURCE IS IDENTIFIED BY THE EXAMINER AS "FROM SPRINGS NOS. 5 & 6, ON CEDAR RUN, THERE IS A DITCH ABOUT 3 MILES LONG TO WILLIAMS CREEK. SPRINGS 1,2,&3 FEED INTO THIS DITCH WITHIN 1 MILE OF WILLIAMS CREEK... (DESCRIPTION OF DITCH) CAPACITY - 3.5 CFS. THE TERMINAL POINT OF THIS DITCH IS ABOUT 3 MILES ABOVE THE JUNCTION OF WILLIAMS CREEK AND LITTLE LOST RIVER. SPRING 4 IS TRIBUTARY TO WILLIAMS CREEK ABOUT 1/2 MILE BELOW THE END OF THE DITCH FROM CEDAR RUN. THE CHANNEL OF WILLIAMS CREEK AND THE LITTLE LOST RIVER ARE USED AS CONDUITS TO THE POINT OF DIVERSION." NO FURTHER DISCUSSION OF THE POINT OF DIVERSION EXISTS.. LAST RECORD ENTERED ON THE MICROFILM IS A PHOTO OF THE LICENSE. NO FURTHER RECORD EXISTS.

THEN, ALONG COMES THE 4 MARCH 1927, DECREE OF THE LITTLE LOST RIVER, (BLAINE COUNTY INVESTMENT COMPANY vs R.G. MAYS, et al.). DECREED RIGHT 33-(0)0041 LISTS WILLIAMS SPRINGS AND CEDAR RUN: 155 INCHES, NOVEMBER 15, 1911.

DISCUSSION OF THE STATEMENT:

"(the award from Williams Springs and Cedar Run being ...)"

ON 11 MAY 1938, TRANSFER NO. 587 CHANGED THE POINT OF DIVERSION AND PLACE OF USE FROM THOSE LISTED ON THE LICENSE

PAGE 2
FILE NO. 33-02014
PANCHERI, INC.

AND (OTHERS THAT ARE UNEXPLAINED FROM THE DECREE) TO THE CURRENT PLACE OF USE CLAIMED BY DECREED RIGHT 33-00041B, AT; E1/2SE SEC.9, SWSW SEC. 10, W1/2NW SEC.15 T.9N., R.27E. THE DECREE LISTS THE POINT OF DIVERSION AS: "FROM WILLIAMS SPRINGS AND CEDAR RUN". TRANSFER NO. 587 LISTS THE NEW POINT OF DIVERSION AS NW1/4 SEC.11, T.9N., R.27E.B.M. HOWEVER, SINCE THE DECREE THE POINT OF DIVERSION HAS BEEN MOVED AGAIN (WITHOUT BENEFIT OF A TRANSFER) TO SWNWNE SEC. 10, T.9N., R.27E.B.M. WHERE THE WATERS OF THIS SYSTEM ARE DIVERTED INTO A PIPELINE AND USED ON THE DECREED LANDS. NO WATER FROM THIS SOURCE REACHES THE LITTLE LOST RIVER EXCEPT WHEN EXCESSIVE RUNOFF OCCURS.

ACCORDING TO DEPARTMENTAL RECORDS THERE HAS BEEN NO FORMAL OR RECOGNIZED SPLITTING OF THIS RIGHT.

A TELEPHONE CONVERSATION, 31 OCTOBER 1995, WITH DISTRICT 33 WATERMASTER, DAVID ANDREASON: DAVID TELLS ME THAT HE HAS NEVER, IN HIS 12 YEARS AS WATERMASTER, DELIVERED ANY WATER FOR THE 33-02014 RIGHT. AND, THAT HE HAS NEVER ADMINISTERED THE WATERS OF WILLIAMS CREEK BECAUSE IT NEVER REACHES THE LITTLE LOST RIVER. THESE WATERS ARE CONTAINED IN A PIPELINE TO DON PHILLIPS' FARM AT THE MOUTH OF WILLIAMS CREEK. THE CONTENTS OF THIS TELEPHONE CONVERSATION WERE RECONFIRMED ON 7 DECEMBER 1995.

ACCORDING TO DEPARTMENTAL RECORDS AND THE DISTRICT 33 WATERMASTER THIS RIGHT IS WHOLLY OWNED, WHOLLY CONTAINED, AND WHOLLY USED AT THE PLACE OF USE DESCRIBED BY DECREED RIGHT 33-00041B.

ALTHOUGH THERE IS A CHANGE OF PRIORITY DATE FROM 4 MAY 1911, TO 15 NOVEMBER 1911, THE DIVERSION RATE OF 155 INCHES OR 3.1 CFS REMAINS CONSTANT. FURTHER, THE LICENSE LISTS SOME OF THE SAME LANDS IDENTIFIED BY TRANSFER NO. 587 WHICH DISCUSSES AND INCLUDES THOSE SAME LANDS AS IDENTIFIED BY THE DECREE.

33-00041

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 587

THIS IS TO Certify, that ROY PECK, of Howe, Idaho, is the owner of and using a certain water right, bearing date of priority of November 15, 1911, for 155 inches of the waters of WILLIAMS SPRINGS AND CEDAR RUN, in the County of Butte, State of Idaho, said water being decreed to Roy Hanley and Maude Hanley by Decree of Judge Ralph W. Adair of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT CO., vs. ROBERT J. MATS, et al,

said decree bearing date of March 4, 1927, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 1, in the County of Butte and State of Idaho, to-wit:

E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East of Boise Meridian, S $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3; Lot 2 and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 29 East of Boise Meridian;

E $\frac{1}{2}$ NE, Sec. 4, 4N 29E
S $\frac{1}{2}$ SW, SWSE, Sec. 34
NW NE, Sec. 3
Lot 2, SWNE, SE NW, Sec. 4, S N, 29E

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 86

THAT THE SAID Applicant has become the owner of the said land and water right through deed dated April 2, 1929, Recorded in Butte County, June 6, 1929;

THAT NOW, UPON THE Application of ROY PECK, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 155 inches of the waters of WILLIAMS SPRINGS AND CEDAR RUN, upon the lands above described, is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes, are described as follows:

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 9; S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 10; and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 15; all in Township 9 North, Range 27 East of Boise Meridian,

E $\frac{1}{2}$ SE, Sec. 9.
SW SW, Sec. 10
W $\frac{1}{2}$ NW, Sec. 15 9/27

situate, lying and being in the County of Butte, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

155 inches of the waters of Williams Springs and Cedar Run, with date of priority of November 15, 1911.

155 INCHES
3.1 cfs

THAT THE WATER RIGHT, Hereby transferred has been diverted from the said WILLIAMS SPRINGS and CEDAR RUN at a point in the

NW $\frac{1}{4}$ of Section 11, Township 9 North, Range 27 East of Boise Meridian,

and conducted to the first above described lands through a private ditch and Little Lost River, and will hereafter be diverted from the mouth of Williams Springs and mouth of Cedar Run and will be conducted to the new place of use through a private ditch.

THAT THE RIGHT To the use of the water aforesaid, hereby confirmed, 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 seal of the Department of Reclamation of the State of Idaho, to be affixed at Boise, Idaho, this 11th day of March, 1938.

R. W. FARIS
Commissioner of Reclamation.

By

Supervisor of Water Distribution

NOT A Good Deed
P.D. has moved
now SUPPLINE SEC. 10 7/21
popular name

ROY HAWLEY and MAUDE HAWLEY, husband and wife

From Little Lost River:

80 inches, September 1, 1879; 33 0039
80 inches, June 1, 1891; 33 0040

5653 10017 Pancheri - Super
5653 10015 Pancheri
Comb. 26A/B & 29
Pancheri

Williams Springs and Cedar Run:

155 inches, November 15, 1911. 33 0041

see Trans # 587

A - Pancheri - WITHDRAWN
B - Phillips

Superior Li³ 33-2044 (Pancheri)
per Nick Spence

Points of diversion:

From Little Lost River:

From Williams Springs and Cedar Run:

(the award from Williams Springs and Cedar Run being dependent upon said cross-complainants, and their successors in interest, delivering said water into the natural channel of Williams Creek, a tributary of Little Lost River, and shall be chargeable with transmission losses occurring in carrying said water down Williams Creek and Little Lost River to claimants' point of diversion] to be used upon and appurtenant to:

The East half of the Northeast quarter of Section Four, Township Four North, Range Twenty-nine East of the Boise Meridian; the South half of the Southwest quarter, the Southwest quarter of the Southeast quarter of Section Thirty-four, the Northwest quarter of the Northeast Quarter of Section Three; Lot Two and the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter of Section Four, in Township Five North, Range Twenty-nine East of the Boise Meridian.

CHARLES KYLE and ANN KYLE, hu-

fe:

From Little Lost
From Saw Mill

es, March 25, 1885; 33-0042
nches, May 25, 1891; 33-0043

Points of diversion:

From

ver:

From

all Creek: At the mouth of said stream.

to be used upon and appurtenant to:

The Southwest Quarter of Section Thirty-three, and Lot Three of Section Four, all in Township Five North, Range Twenty-nine East of the Boise Meridian.

DECEMBER

BLT vs R.C. Mays
Pgs. 6 and 7.

10% loss 25%

00041
Nov. 15, 1911
155 acres

34

Lot 2

GN
SN

4

3

DESCRIBED BY DEEDS AS :

→ E2NE4 SEC. 4 S/29

...

→ ..., Lot 2, SWNE, ..., SEC. 4 S/29

MOVED FROM (right) by
TX 587

APPROXIMATES A TOTAL OF 160 AC. (AS CLAIMED).

T. 587 LISTS AS:

E2NE4 SEC. 4 T. 4 N., R. 29 E. ⇒ THIS IS INGL LANDS - NO AGRICULT.

SHOULD READ T. 5 N., R. 29 E.

REQUEST FOR REFUND

Name of Payor:
(Please Print)

Mailing Address:

Amount:

\$ _____ Receipt No.: _____

County of Water Right:

Claim No(s).:

A Request For Withdrawal Of Claim or Relinquishment of Notice of Claim has been submitted for the Notice(s) of Claim to a Water Right which number(s) appear above, if numbers were assigned, and for which I, not the claimant, previously paid a filing fee to the Idaho Department of Water Resources. I request a refund of the filing fee and have attached an explanation of the justification for the refund.

(Signature of Payor)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section

For IDWR Use

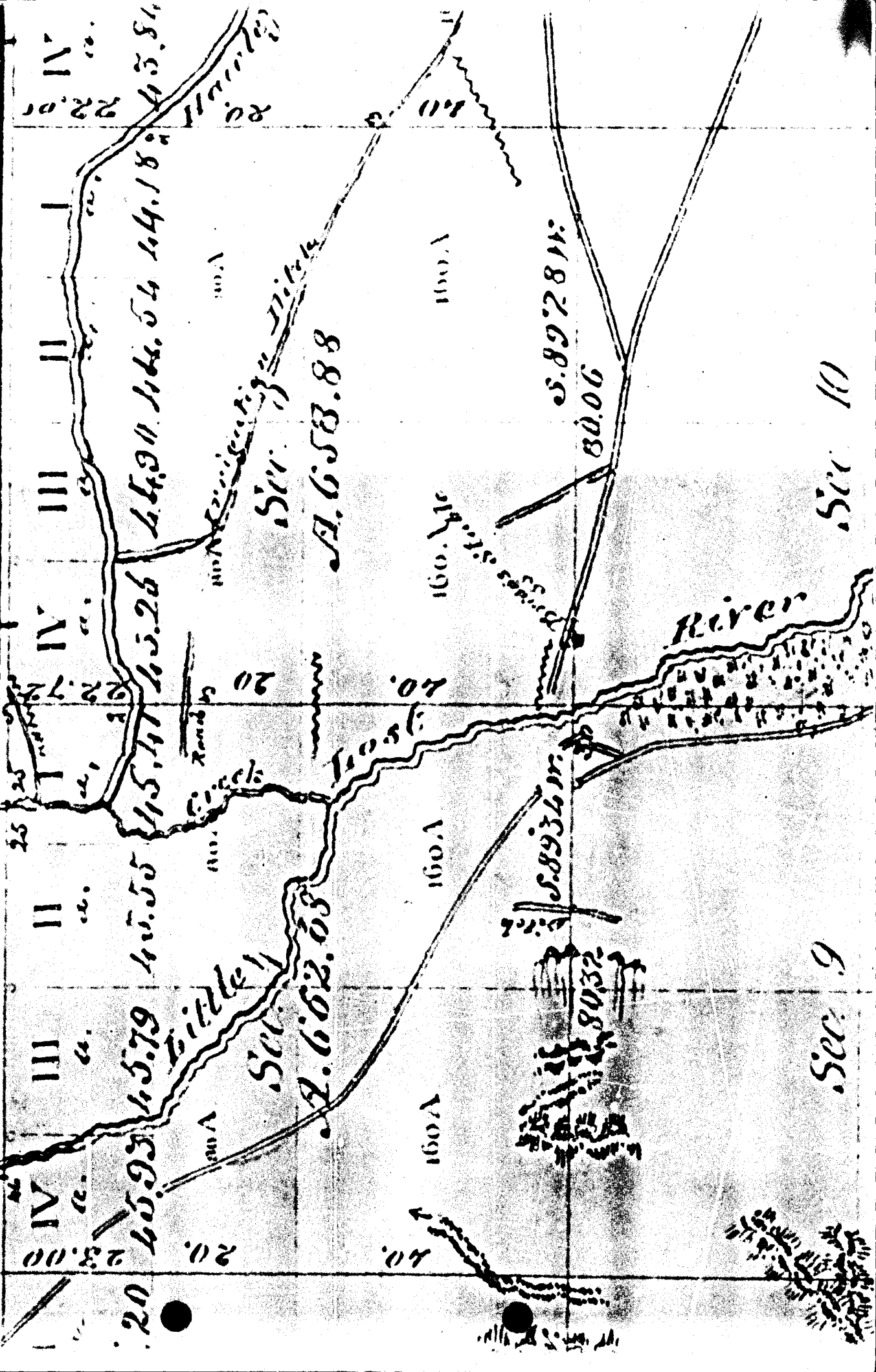
	<u>Initials</u>	<u>Date</u>
Approval Region	_____	_____
Approval State Office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____

E. Parcelled

D North

10.65

12.52



Sec. 9

Sec. 10



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

LAVE - WE NEED
To ReNUMBER
A33-00041 To
A33-00041B

41A IS CURRENTLY PENDING

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
- ☐ Signature of Former Owner/Claimant(s): _____ 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:

MICROFILMED

NOV 18 1992

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

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.

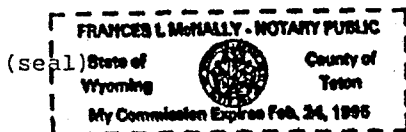
IN WITNESS WHEREOF, the said Party of the First Part hereunto has set his hand.

Brady 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

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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

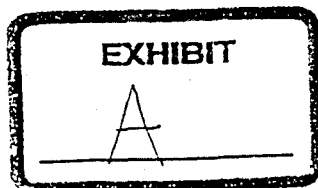
1. U.S Department of Interior Bureau of Land Management.
155 Cattle, Williams Creek, 2014 allotment, 05/16 to 06/30.
2. U.S Department of Interior Bureau of Land Management.
120 Cattle, Williams Creek, 2014 allotment, 11/16 to 12/15.
3. U.S. Department of Agriculture, Forest Service, 95 head of cattle,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



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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.

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NOV 18 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30510/33-2110 Priority June 7, 1902 Amount 3.04 cfs

THIS IS TO CERTIFY, that Leonard Smith, Larry L. Smith & Gene R. Smith
of Roxburg, Idaho, have ~~not~~ complied with the terms and conditions of Permit
No. 30510/33-2110 issued pursuant to Application for Permit dated June 7, 1902
and has submitted proof to the Department of Water Resources on July 8, 1907
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.12 cfs of water from a ground water source
tributary to _____ and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to Nov. 1	at 3.04 cfs and	540 acre feet or
	from _____ to _____	at _____ cfs and	3.0 af per acre
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
540 acre feet per year, said waters to be diverted within the NE 1/4 of Sec. 9,
Twp. 9 N, Rgo. 27 E, B.M. in the County of Blaine

Description and location of place of use

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 N	27 E	9													33	25		22	80
		15					20	30			34								102

Total number of acres irrigated 182

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
February, 19 75.

L. Karl Higin
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

PAGE: 1
GENERAL INFORMATION

2017
CLAIM NUMBER: A33-12110

LAST: CRILL
ADDRESS: HC 55 BOX 3166
CITY: HJME
PHONE NUMBER: 208-767-3015
OWNER CODE: 0
FIRST: JAMES L.
STATE: ID ZIP: 83244

LAST: PHILLIPS
ADDRESS: PO BOX 5
CITY: HJME
PHONE NUMBER: 208-767-3023
OWNER CODE: C
FIRST: DONALD R.
STATE: ID ZIP: 83244

LAST: PHILLIPS
ADDRESS: PO BOX 5
CITY: HJME
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: Ar Ruberry PHONE NUMBER: (208) 267-3528
DATE OF FIELD EXAM: 9/15/94 APPOINTMENT MADE: Y(X) N() TIME: 11:00 A(X) P()
ACCOMPANIED BY: Don Phillips PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: Owner

DIRECTIONS TO PROPERTY / NOTES:

Met with Mrs. Phillips at reported time. Reviewed ASES photo of property
Ben Davis (Fence line) and water sources. Zupas & Williams Co. visited with
sites. Photos recorded data.

21 June 99 Tolson w/ David Anderson, Dist 33 Interagency. He says the
irrigation system was removed about 1983 to its present configuration.

CP5

A. AJ CLAIM: # A33-02110 PRIORITY DATE: 06-07-1962 STAGE: L
B. WR RECORD: # 33-02110 PRIORITY DATE: 06-07-1962 STAGE: L
C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: PRIORITY CLAIMS MATCHES RECORDS

RECOMMENDED PRIORITY DATE: As claimed
06-07-1962

REVIEWED BY ASB/Barney DATE 20 Sept 94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A33-02110	03N	27E	9		NE	SE		BUTTE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A33-10078 NONE
WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIP:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
33-02110	03N	27E	9		NE	SE		BUTTE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
A33-10078 NONE
AJ CLAIMS IN SAME 40 ACRE TRACT
R PREFIX

NONE

A33-10078 NONE

SOURCE: GROUNDWATER

TRIP:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y N	---

NOTES:

VISITED WRAN SITE. ASCS photo shows POD TO BE NE NE SE SEC. 9.

246

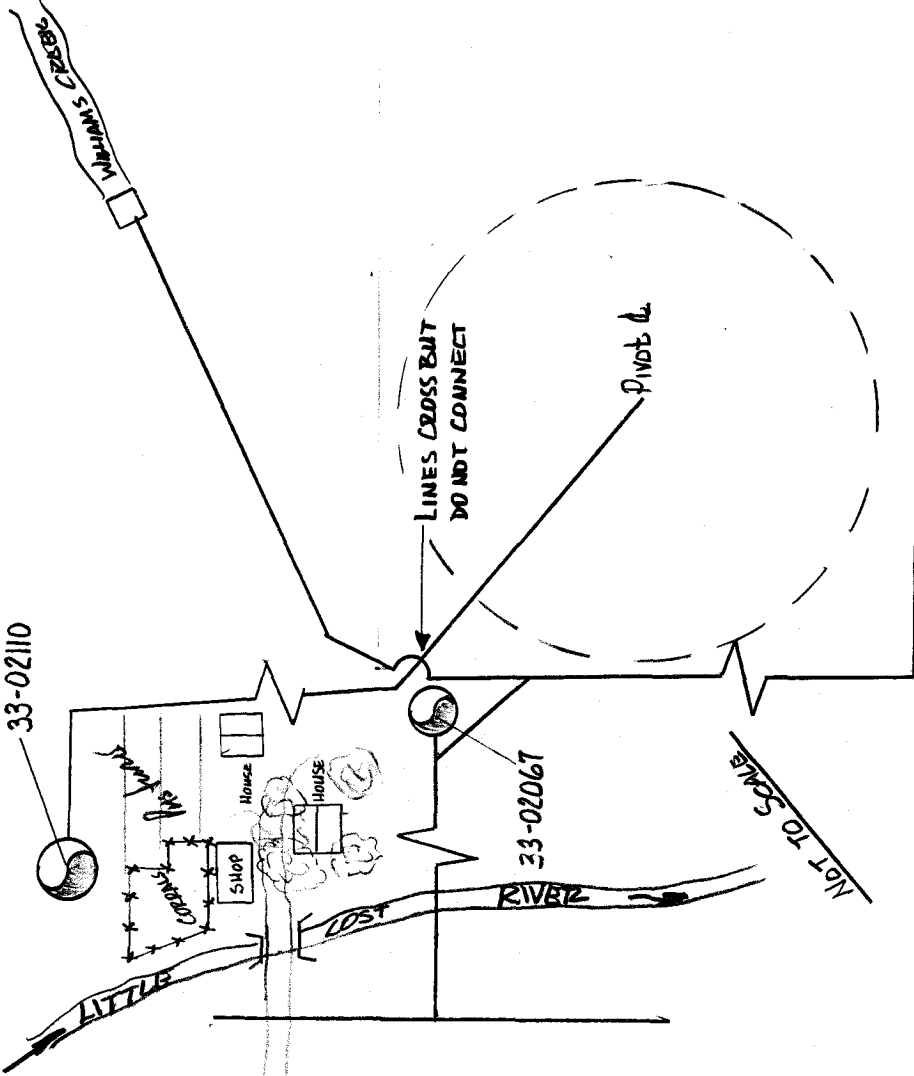
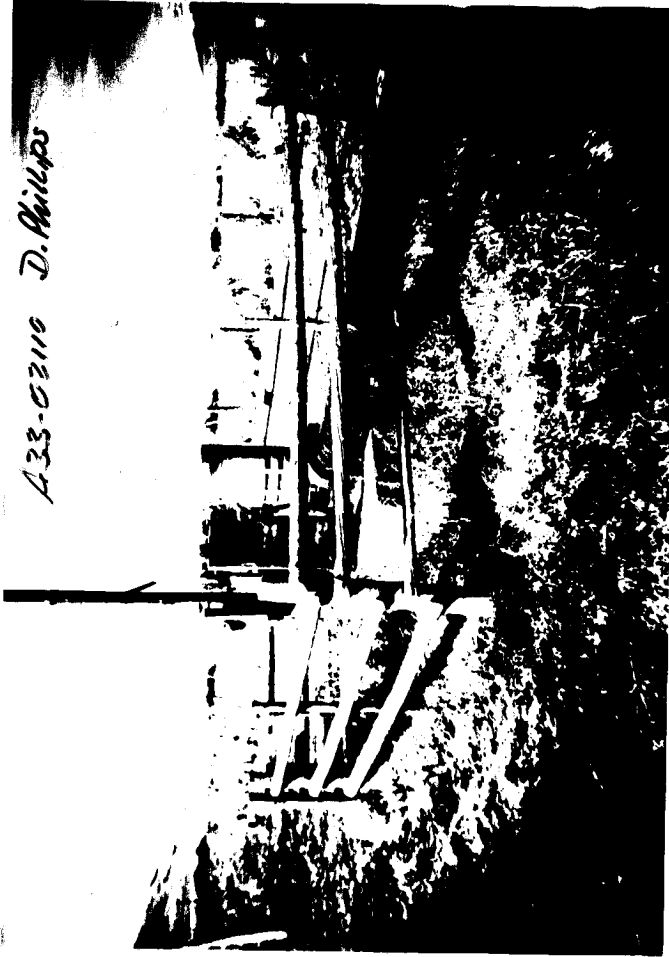
CLAIM NUMBER: A33-02110

[illegible]

WITNESSES:

DATE: 20 Sept 94

SYSTEM DESCRIPTION:



Fairbanks Morse & Mober & Pump
175 HP
Frame 405 up
No. F429513
Pump SN: P2D6823

A. ROOT WATER RIGHT NUMBERS: A33-02110

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	AR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECONNA. ACRES
09N	27E	9	NE	SE		PHILLIPS, DONALD R	A33-02110 78.0	33-02110 733.0	42.0		8.0
			NE	SE		PHILLIPS, DONALD R	A33-02067 730.0				
			NE	SE		PHILLIPS, BILLIE	A33-10078 1				
			NE	SE		PECK, ROY		33-00041 1			
09N	27E	10	SA	SW		PHILLIPS, DONALD R	A33-02110 740.0		40.0		39.0
			SA	SW		PECK, ROY		33-00041 1			
			SA	SW		BLESSINGER, RALPH		33-02067 1			
09N	27E	10	SE	SW		PHILLIPS, DONALD R	A33-02110 733.0		32.0		31.2
			SE	SW		BLESSINGER, RALPH		33-02067 1			
09N	27E	15	NE	NW		PHILLIPS, DONALD R	A33-02110 733.0		37.0		36.0
09N	27E	15	N4	NW		PHILLIPS, DONALD R	A33-02110 740.0	33-02110 729.0	40.0		40.0
			N4	NW		PECK, ROY		33-00041 1			
			N4	NW		BLESSINGER, RALPH		33-02067 1			
TOTAL ACRES							154.30	52.30	191.50		154.2

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

C. FIELD EXAM REQUIRED? FIELD EXAMINER
 DUE TO POU DISCREPANCY? (Y/N) DATABASE Y

*LANDS INDICATED AS IRRIG. BY SOURCES IN NRSE AND TWO SEPARATE SYSTEMS AND
 FIELDS, TO BE TREATED AS TWO SEPARATE SYSTEMS FOR REVIEW, SWS# SEC 10 IS NOT SHOWN
 ACREAGE AS CLAIMED DOES NOT ACCURATELY DESCRIBE TWO ON ANY OF THE LIC. FOR
 IRRIGATION SYSTEMS. THIS RANCH.

T.587 TRACTS OF SWS# SEC 10
 OF DECREASE RIGHTS FROM WILLIAMS
 CK.

NO SWS# SEC. 10
 NO NW 1/4 SEC. 15

NOT INCLUDED IN
 LIC. 02110.

14 1005 33-02067
 14 1005 33-02067
 14 1005 33-02067

PRESUMPTION FLAG:

NOTES:

NO TRANSFER ON ELS. LANDS CLAIMED DO NOT MATCH LICENSED LANDS/ACRES.

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES MONTH/DAY
A33-02110 IRRIGATION FROM 04-01 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.640 CFS
3.640 CFS

B. WR RECORDED USES:

PURPOSES MONTH/DAY
33-02110 IRRIGATION FROM 04-01 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.640 CFS 546.00 AF/A
3.640 CFS 546.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

EXPLAIN IN NOTES, BELOW.

NOTES:

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

AJ TOTAL CLAIMED DIVERSION RATE: 3.540 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.540 CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

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

FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A33-02067

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-02110	GROUNDWATER	PHILLIPS, DONALD R	3.540	0.023		
A33-02067	GROUNDWATER	PHILLIPS, DONALD R	2.300	0.020		

LIST ALL RIGHTS WITH SAME POU 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	

1B. CALCULATIONS

1A. IRRIGATION RATE
ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DJES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 455.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

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
IRRIGATION	04-01 11-01	DATABASE EXAMINER 3.640	DATABASE EXAMINER -----	DATABASE EXAMINER 455.3
TOTAL FOR THIS RIGHT		3.640		455.3

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: 33-02110

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 3.640
EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-02110	3.640	-		33-02110	3.640
TOTAL CFS		3.640				3.640

DIVERSION RATE REVIEW

DATABASE Y

FIELD EXAMINER _____

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)

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

PAGE: 13
QUICKLOOK INFORMATION

2031
CLAIM NUMBER: A33-32110

WR 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	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP 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: A33-32110

GOWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD R PHILLIPS	06/07/1952	IRRIGATION	04-01 11-01	3.64 CFS	
C	BILLIE P HILLIPS PO BOX 5 HOLLE ID 33244 (208) 767-3025			TOTAL DIVERSION: CONSUMPTIVE USE:	3.64 CFS	455.0 AFA
				TRIBUTARY TO:	STAGE:	LICENSE
				TOGN RTE S09	BUTTE COUNTY	
POINT(S) OF DIVERSION:				NESE		
PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION						
I	R S	NENE NAME SAME STONE	NENH MNMH SANH SENH	SM SH SM SH	NESE NMSE SMSE SESE	SUM
		: LT AC LI AC LI AC LI AC	: LT AC LI AC LI AC LI AC	: LT AC LI AC LI AC LI AC	: LT AC LI AC LI AC LI AC	:
09N 27E 3 :						8.0
09N 27E 10 :						73.0
09N 27E 15 :						73.0
TOTAL ACRES						154.0

POW COUNTRY: BUTTE

NON-IRRIGATION USES: NONE

OTHER RIGHTS: A33-02057

DATES:
EXAM MADE DATE:
VERIFIED DATE:

VERIFIED DATE:

MI SC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

Report # EØ1578
2110-20400 # 15442



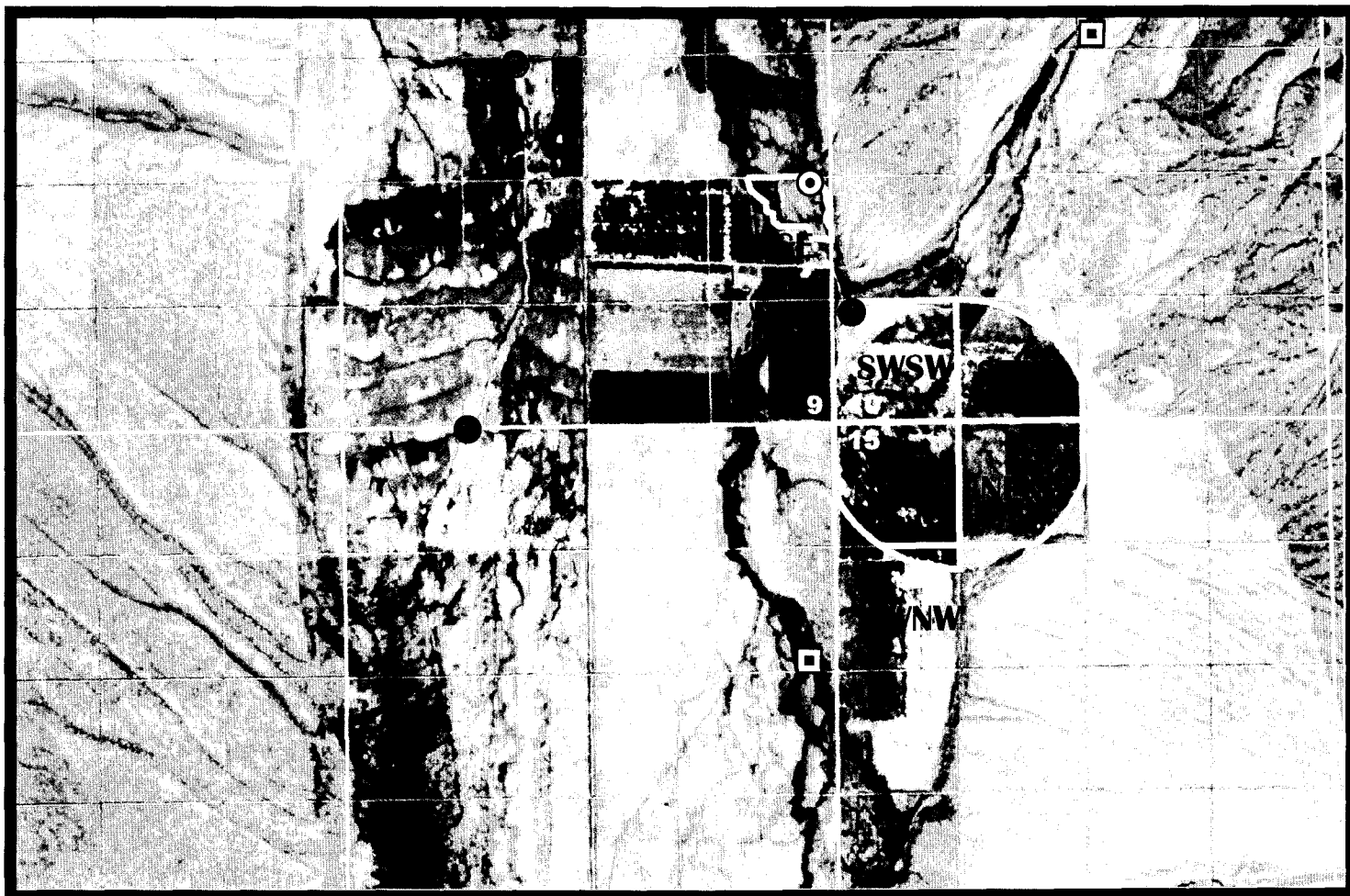
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Donald & Billie Phillips

Water Right(s): 33-02110A



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.

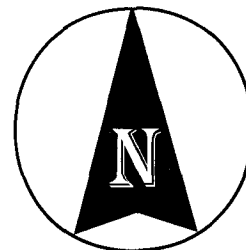
Sec. 9 (part of) NESE,

Sec. 10 (part of) S2SW,

Sec. 15 (parts of) N2NW, SWNW

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

Sec. 9 NESESE



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

AJ0749NP
No. R33-02110A

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

DATE: 09/23/99
PAGE: 1

OWNER
CODE NAME & ADDRESS
C DONALD R PHILLIPS
C BILLIE PHILLIPS
PO BOX 5
HOME ID 83244
(208) 767-3023

PRIORITY
DATE 06/07/1962

WATER USE
IRRIGATION

USE PERIOD
FROM 04-01 TO 11-01

DIVERSION
RATE 3.120 CFS

DIVERSION
VOLUME 546.00 AFA

TOTAL DIVERSION: 3.120 CFS 546.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09N R27E S09

NE NESE

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE									
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N	27E	9	:	:	:	:	:	:	:	:	:	:	:	:	9.0
09N	27E	10	:	:	:	:	:	:	:	:	:	:	:	:	69.0
09N	27E	15	:	:	:	:	:	:	:	:	:	:	:	:	78.0
TOTAL ACRES															156.0

POU County: BUTTE

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

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: C
Presumption Flag:

Comments: Date: 07/30/1999 User-ID: ARUBERRY Subject: SPLIT OF RIGHT
RIGHT IS SPLIT FOR CONVENIENCE OF ADJ. AS:
A33-02110A, 3.12 CFS, 156.0 AC.
A33-021108, 0.52 CFS, 26.0 AC.

TOTAL 3.64 CFS, 182.0 AC. (CLAIMED IN-FULL)
PAID UNDER RECEIPT NO. E011578.

Audit: 00/00/0

Per Po # 22
Po # 34

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: A33-02110A
Date Received: 1/10/1990
Receipt No: E011578
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

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: JUN 7, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	27E	9	NE	SE			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	3.640		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A3302110A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	9	NE	SE		IRR	8.0
						Section Acres	8.0
		10	SW	SW		IRR	40.0
			SE	SW		IRR	33.0
						Section Acres	73.0
		15	NE	NW		IRR	33.0
			NW	NW		IRR	40.0
						Section Acres	73.0
						Total Acres	154.0

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:
A33-02067

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 30519