

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 72-2147A
Date Received: 11/16/89
Receipt No: M005227
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERTA H GREEN
PO BOX 213
CHALLIS ID USA 83226

Phone: (208)879-2320

2. Date of Priority: 07/18/1946

3. Source: CHALLIS CREEK LAKES

Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
14N	19E	17	SW	NW	NE	CUSTER	R ✓
14N	19E	17	NW	NW	NE	CUSTER	R ✓
14N	19E	7	SW	NW	NW	10 CUSTER	R ✓
14N	17E	33	SE	NW	NE	CUSTER	R ✓
14N	17E	34	NW	NE	NW	CUSTER	R ✓
14N	19E	28	NW	NW	NW	CUSTER	R ✓
14N	17E	7	SE	SW	SW	CUSTER	✓
14N	19E	17	NE	NW	SE	CUSTER	R ✓

5. Description of diverting works:

EARTH DAM WITH HEADGATE, CHALLIS CREEK TO HIGH LINE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		126
IRRIGATION FROM STORAGE	04/01	10/31	0	126

7. Total Quantity Appropriated is:
126 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
14N	17E	27	SE	NE	IRRIGATION FROM STORAGE	4 -
			NE	SW	IRRIGATION FROM STORAGE	0.2 -
			SW	SW	IRRIGATION FROM STORAGE	4.3 -
			SE	SW	IRRIGATION FROM STORAGE	29 -
			NW	SE	IRRIGATION FROM STORAGE	23 -
			SW	SE	IRRIGATION FROM STORAGE	29 -
			SE	SE	IRRIGATION FROM STORAGE	0.7 -
			NE	SE	IRRIGATION FROM STORAGE	30 -
					Section Acres	120.2
14N	17E	34	NE	NW	IRRIGATION FROM STORAGE	10 -
			NW	NW	IRRIGATION FROM STORAGE	6.5 -
					Section Acres	16.5
14N	19E	17	NE	NE	IRRIGATION FROM STORAGE	7.9 -
			SE	NE	IRRIGATION FROM STORAGE	9.4 -
			NE	SE	IRRIGATION FROM STORAGE	2.1 -
					Section Acres	19.4
14N	19E	28	NE	NW	IRRIGATION FROM STORAGE	40 -
			NW	NW	IRRIGATION FROM STORAGE	15 -
			SE	NW	IRRIGATION FROM STORAGE	5 -
					Section Acres	60
					Total Acres	216.1

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK LAKE WATERS
(189.0 X 0.6667 = 126.0)

AMENDED CLAIM TO ADD PLACES OF USE FOR ALL THREE PROPERTIES AND POINTS OF
DIVERSION APPURTENANT TO THEM. 3/23/01 jr

15. Basis of Claim: License

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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: A72-02147A
Date Received: 11/16/1989
Receipt No: M005227
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERTA H. GREEN 208-879-2320
Address: P.O. BOX 213
CHALLIS, ID 83226

2. Date of Priority: JUL 18, 1946

3. Source: CHALLIS CREEK LAKE Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
14N	17E	7	NW		SE		SW		CUSTER
	19E		NW		SW		SW	R	CUSTER

5. Description of diverting works:
EARTH DAM WITH HEADGATE, CHALLIS CREEK TO HIGH LINE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			126.00
IRRIGATION FROM STORAGE	04/01	11/01			126.00

5125

7. Total Quantity Appropriated is:
C.F.S. (and/or) 126.00 A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	19E	17	SE		NE		IRR S	20.0
			NE		SE		IRR S	4.0

Section Acres 24.0

A72-02147A

Page 1

Date: 11/16/89

MICROFILMED
MAR 18 1993

10. Place of Use: Continued

Total Acres 24.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04024, A72-00020E

14. Remarks:
THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK
LAKE WATERS (189.0 X 0.6667 = 126.0)

15. Basis of Claim: LICENSE
Water Right Number: R762

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): Roberta H. Green Date: Nov 16-1989

Date: _____

State of Idaho)
County of Custer) ss.

Subscribed and sworn (or affirmed) before me this 16th day
of November 19 89
Steve Allen
Notary Public

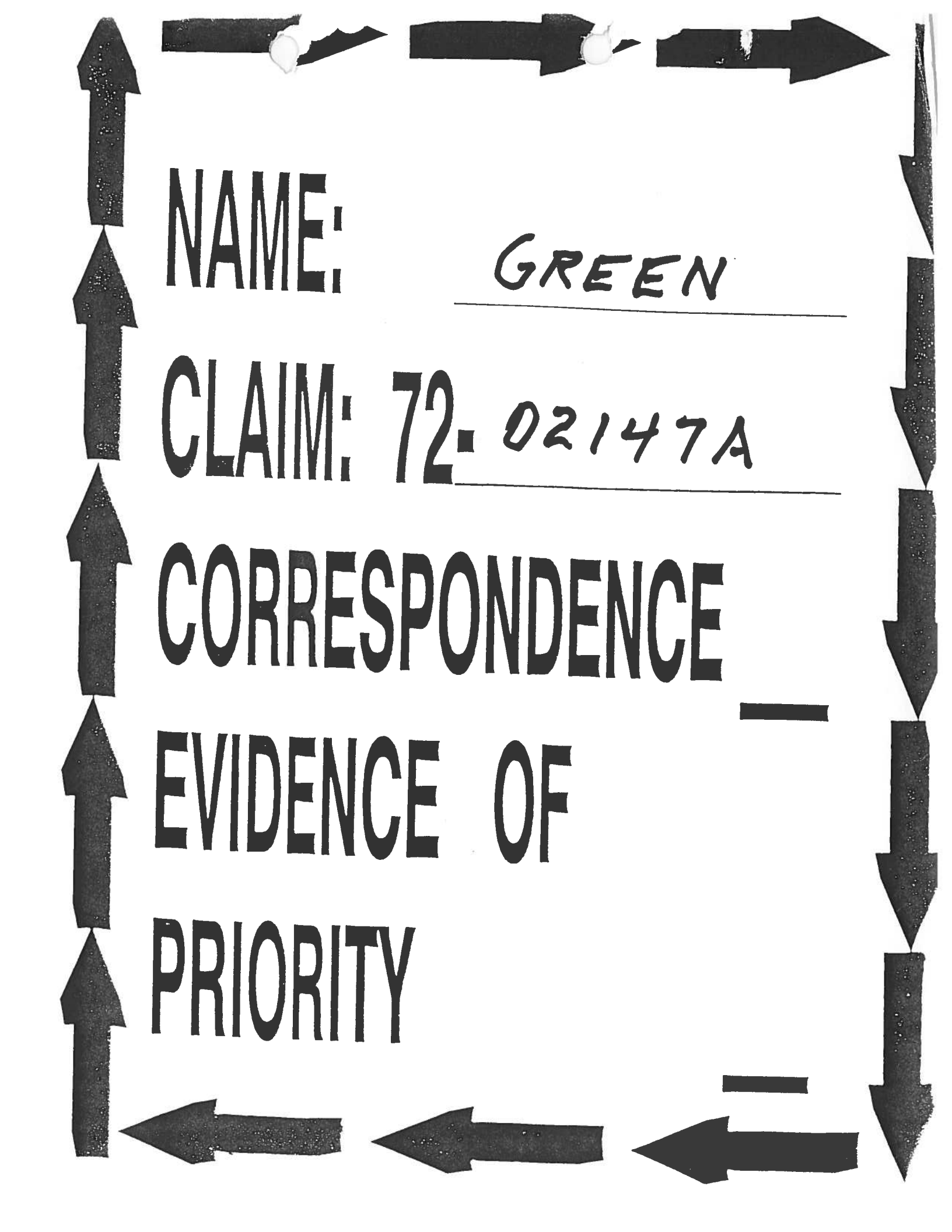
Seal

Residing at T Twin Falls, Idaho

My Commission Expires December 7, 1994



A72-02147A



NAME:

GREEN

CLAIM: 72- 02147A

CORRESPONDENCE

EVIDENCE OF

PRIORITY

RECEIVED

AUG - 2 2001

Department of Water Resources

2001 AUG 01 AM 10:09
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

RECEIVED

SEP 21 2001

Department of Water Resources
Snake River Basin

In Re SRBA) ORDER SETTING STATUS
Case No. 39576) CONFERENCE
_____) SUBCASE NOS: 72-02147A 72-02147B
72-02147C 72-02149E

Please be advised that Special Master THOMAS R CUSHMAN
has set a Status Conference in the above subcase(s)
as follows:

FRIDAY, SEPTEMBER 21, 2001 at 11:30 AM

FEDERAL BUILDING
BORAH POST OFFICE
CORNER OF 8TH & BANNOCK
BOISE, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to SEPTEMBER 17, 2001.

IT IS SO ORDERED.

Dated: AUGUST 01, 2001

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 8/01/01

RECEIVED

AUG -2 2001

Department of Water Resources

2001 AUG 01 AM 10:09
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

South

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

RECEIVED

SEP 21 2001

Department of Water Resources
Southern Region

In Re SRBA

Case No. 39576

) ORDER SETTING STATUS
) CONFERENCE

) SUBCASE NOS: 72-02147A
72-02147C 72-02149E

72-02147B

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Page 1 8/01/01

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South

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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RECEIVED

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Department of Water Resources
Southern Region

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RECEIVED

AUG - 2 2001

Department of Water Resources

2001 AUG 01 AM 10:09
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RECEIVED

SEP 21 2001

Department of Water Resources
Snake River Basin

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

Case No. 39576

) ORDER SETTING STATUS
) CONFERENCE

) SUBCASE NOS: 72-02147A 72-02147B
72-02147C 72-02149E

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IT IS SO ORDERED.

Dated: AUGUST 01, 2001

/S/ THOMAS R CUSHMAN

Special Master

Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Robertson, Jean

From: Robertson, Jean
Sent: Friday, August 24, 2001 11:16 AM
To: Spencer, Nick
Cc: Music, Vicky
Subject: 72-2147A,B,&C (GREEN, BUTTS, & PHILPS)

Hi Nick,

I've created new recommendations for 72-2147B (BUTTS) and 72-2147C (PHILPS). I changed the storage volume for Butts to the 15.75 AFA everyone agreed upon at the meeting and put in C18. All I needed to do for Philps was to change the Condition Code to C18 from C16, as the storage volume of 47.25 was what was originally claimed and recommended. I didn't need to make any changes to Green's version 3 recommendation.

(One thing you might want to run by Don is whether he wants to take out the other Remarks in Butts and Philps about **the storage is in Challis Creek Lakes** and being **controlled by the watermaster of district 72C** because he took them out of Roberta's when we did her version 3 recommendation.)

Otherwise, these are ready for SF5's!

Thanks,
Jeanie



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

AUG 14 2001

Department of Water Resources
Southern Region

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-5400

DATE: 8-14-01

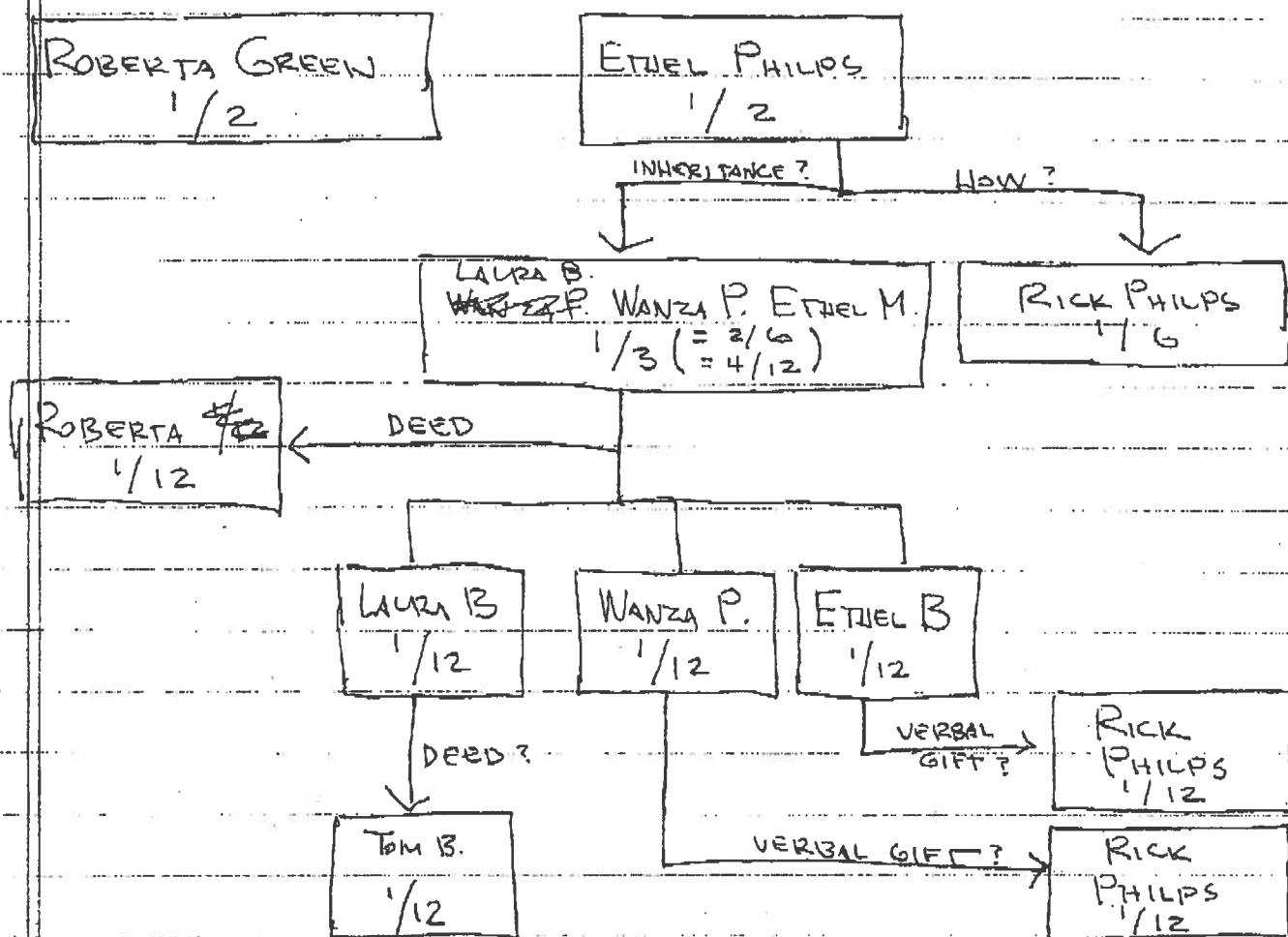
TO: JEANIE ROBERTSON FROM: NICK SPENCER
@ SOUTHERN

DOCUMENT DESCRIPTION: ALTERNATIVE FLOW CHARTS
FOR GREEN/PHILPS/BUTTS

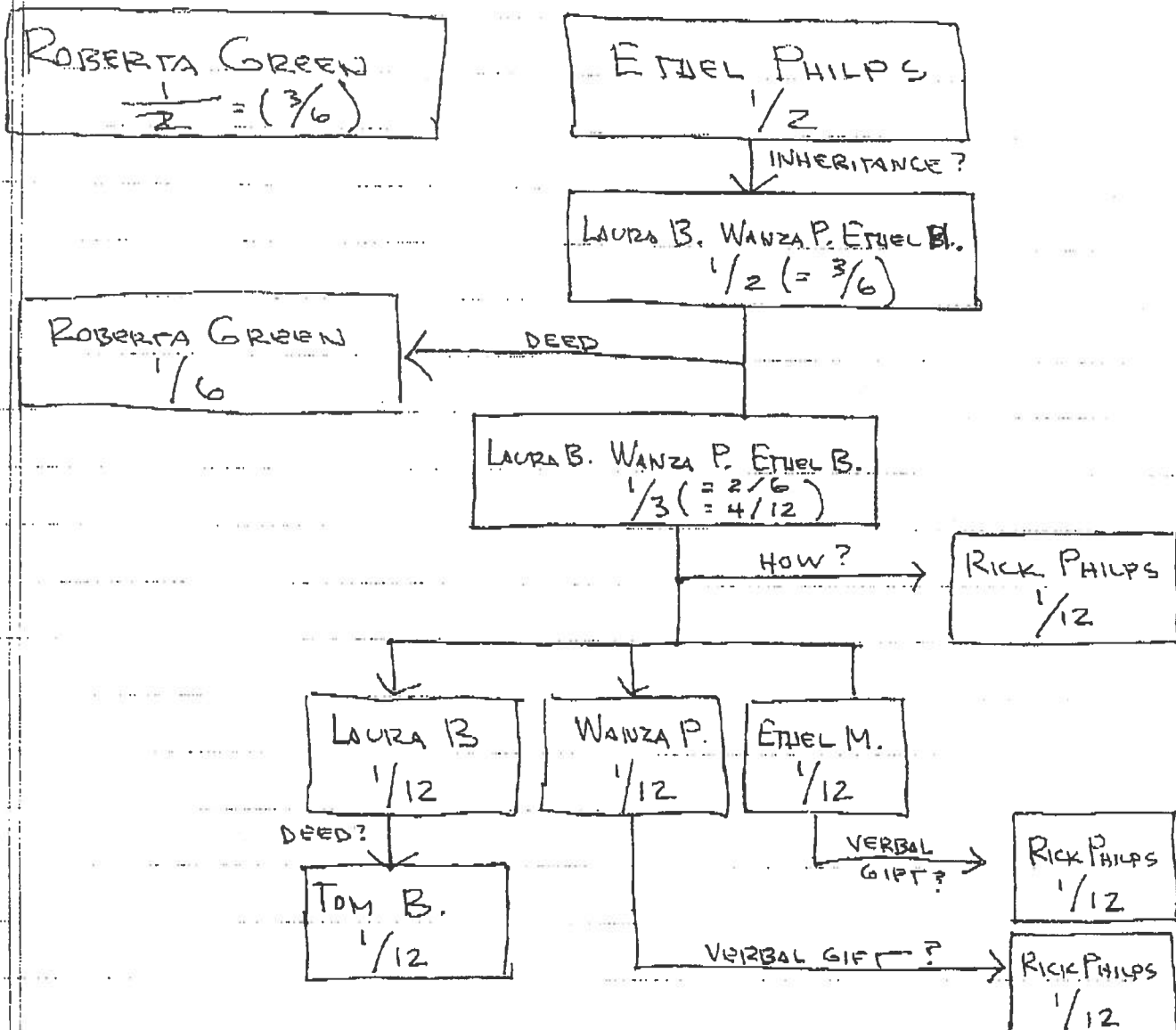
COVER SHEET + 2 PAGES

CONTACT: 327-7930 IF YOU DO NOT RECEIVE ALL THE PAGES.

THANK YOU!

TOTAL ROBERTA $\frac{2}{12}$ TOM $\frac{1}{12}$ RICK $\frac{4}{12}$

SCENARIO SHOWING HOW THREE PARTIES
ARRIVE AT FRACTIONAL INTERESTS ASSERTED
BY RICK PHILIPS (ROBERTA = $\frac{2}{12}$; RICK = $\frac{1}{3}$; TOM = $\frac{1}{12}$)



ROBERTA $8/12 (= 2/3)$ TOM $1/12$

RICK $3/12 (= 1/4)$

SCENARIO SHOWING HOW THREE PARTIES
ARRIVE AT FRACTIONAL INTERESTS ASSERTED
BY ROBERTA GREEN (ROBERTA = $2/3$; RICK = $1/4$; TOM = $1/12$.)



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

August 7, 2001

Roberta Green
P.O. Box 213
Challis, ID 83226

Rick Philps
HC 63 Box 1630
Challis, ID 83226

Thomas Butts
P.O. Box 6
Challis, ID 83226

Post-it* Fax Note	7671	Date	8-7-01	# of pages	1
To	JEANNIE ROBERTSON		From	VICKY MUSIC	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #			Fax #		

Re: Subcase Nos. 72-02147A et al

Dear Ms. Green, Mr. Philps and Mr. Butts:

Pursuant to your conversations in the past few weeks with Nick Spencer, IDWR attorney, we have scheduled a meeting with the parties and IDWR on August 16, 2001, Thursday, at 7:00 p.m. The meeting will be held in the meeting room at the public library in Challis, located at 6th and Main.

Nick asks that you bring to the meeting all documents relevant to the water rights or property in question, including deeds, wills, handwritten notes, or other documents that pertain to how the property and water rights were divided and conveyed.

Please do not hesitate to call me at (208) 327-7928 if you have questions.

Sincerely,

Vicky Music
Paralegal
Idaho Department of Water Resources

cc: Jeannie Robertson, IDWR Southern Regional Office (via facsimile)

Robertson, Jean

From: Music, Vicky
Sent: Tuesday, August 07, 2001 1:45 PM
To: Robertson, Jean
Subject: FW: meeting in Challis week of 8/13

Hey, Jeannie. Am forwarding this info to you. Nick is out this week but asked that I write letter to all participants telling them of the arrangements and asking that they bring all documentation of their property interests. Will call them also. later.

-----Original Message-----

From: McGourty, Patsy
Sent: Tuesday, August 07, 2001 1:13 PM
To: Music, Vicky; Spencer, Nick
Subject: RE: meeting in Challis week of 8/13

The meeting room is reserved for 8-16 at 7:00 p.m. Please have someone pick up the key from the library by 6:00 p.m. The contact person is Jo Whitman. The library is located at Main and 6th Streets, phone number 879-4267.

-----Original Message-----

From: Music, Vicky
Sent: Friday, August 03, 2001 3:57 PM
To: McGourty, Patsy
Subject: RE: meeting in Challis week of 8/13

Sounds good. will you please call Monday and reserve for the 16th? Please e mail me and Nick Spencer the name of the contact person, address of the library, and phone number. Nick Spencer or Jeannie Robertson will be picking up the key. Thanks, Patsy.

-----Original Message-----

From: McGourty, Patsy
Sent: Friday, August 03, 2001 3:30 PM
To: Music, Vicky
Subject: RE: meeting in Challis week of 8/13

Yes, we can reserve by phone. They closed at 3:00 p.m. today so I will need to call Monday.

-----Original Message-----

From: Music, Vicky
Sent: Friday, August 03, 2001 3:17 PM
To: McGourty, Patsy
Subject: RE: meeting in Challis week of 8/13

Thanks, Patsy. Nick may have a potential conflict on the 15th, is it available all of that week? He is looking at the 16th now. Can we just reserve the library by phone?

-----Original Message-----

From: McGourty, Patsy
Sent: Friday, August 03, 2001 10:51 AM
To: Music, Vicky
Subject: RE: meeting in Challis week of 8/13

The library will close at 6:00 p.m. that day. Someone would need to be there by then to get a key to the back door which would be left on a table when the meeting is over.

-----Original Message-----

From: Music, Vicky
Sent: Thursday, August 02, 2001 4:17 PM
To: McGourty, Patsy
Subject: RE: meeting in Challis week of 8/13

what time does the library close?

-----Original Message-----

From: McGourty, Patsy
Sent: Thursday, August 02, 2001 3:56 PM

To: Music, Vicky
Subject: RE: meeting in Challis week of 8/13

Vicky, I have come up with a meeting room at the Challis Library for 7 people on the 15th of Aug at 7:00 p.m.

Other options I have would either cost money (one had no bathroom facilities!). Does that sound okay? I'll get the address etc, when I confirm.

-----Original Message-----

From: Music, Vicky
Sent: Thursday, August 02, 2001 2:42 PM
To: McGourty, Patsy
Subject: FW: meeting in Challis week of 8/13

Nick Spencer gave me the names of some potential meeting places. He prefers the 15th, 7 pm, for 2-3 hours, 7 participants at max.

Challis Telephone Co-op
North Custer [he thinks] Rural Electric Assn
American Legion/VFW Hall
N. Custer Joint School District #181

Thanks !

-----Original Message-----

From: Music, Vicky
Sent: Thursday, August 02, 2001 10:30 AM
To: McGourty, Patsy
Subject: RE: meeting in Challis week of 8/13

nope - Anita Warntjes - she is Dave Tuthill's assistant. She is in the 1st cube when you head to the breakroom.

-----Original Message-----

From: McGourty, Patsy
Sent: Thursday, August 02, 2001 10:27 AM
To: Music, Vicky
Subject: RE: meeting in Challis week of 8/13

OK. Who is Anita or do you mean Juanita?

-----Original Message-----

From: Music, Vicky
Sent: Thursday, August 02, 2001 9:10 AM
To: McGourty, Patsy
Subject: meeting in Challis week of 8/13

Good morning Patsy! will you please begin gathering some info re places to hold a small meeting of about 6-12 people in Challis, ID? Anita may be a good resource as she sets up public meetings and probably knows whether there is a senior center, community center, etc., in Challis. She may even have contacts and phone #s. Anyway, at this point please identify places, costs, availability for that week. I let you know next week the night the parties have available. thanks!!

Vicky Music
Paralegal - IDWR
327-7928

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message.
Thank You

05/25/2001

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

RIGHT NUMBER: 72-2147A

NAME AND ADDRESS: ROBERTA H GREEN
PO BOX 213
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

126 AFY

PRIORITY DATE: 07/18/1946

POINT OF DIVERSION:	T14N R17E S7	SESWSW		Within CUSTER County
	T14N R17E S33	SENWNE	Rediversion	Within CUSTER County
	T14N R17E S34	NWNENW	Rediversion	Within CUSTER County
	T14N R19E S7	SWNWNW	Rediversion	Within CUSTER County
	T14N R19E S17	NWNWNE	Rediversion	Within CUSTER County
	T14N R19E S17	SWNWNE	Rediversion	Within CUSTER County
	T14N R19E S17	NENWSE	Rediversion	Within CUSTER County
	T14N R19E S28	NWNWNW	Rediversion	Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01-01 12-31	126.00 AFY
IRRIGATION FROM STORAGE	04-01 10-31	126.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within					
CUSTER County					
T14N R17E S27	SENE	4	T14N R17E S27	NESW	0.2
T14N R17E S27	SWSW	4.3	T14N R17E S27	SESW	29
T14N R17E S27	NESE	30	T14N R17E S27	NWSE	23
T14N R17E S27	SWSE	29	T14N R17E S27	SESE	0.7
T14N R17E S34	NENW	10	T14N R17E S34	NWNW	6.5
T14N R19E S17	NENE	7.9	T14N R19E S17	SENE	9.4
T14N R19E S17	NESE	2.1	T14N R19E S28	NENW	40
T14N R19E S28	NWNW	15	T14N R19E S28	SENW	5

216.1 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 19.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-20E, 72-2149E, 72-4024, & 72-4087.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 60 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-32C, 72-56, 72-2149E, & 72-4085.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 136.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-26, 72-27, 72-4086, 72-10247, 72-10248, 72-10250, 72-10251, 72-10253, & 72-10254.

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

05/23/2001

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

RIGHT NUMBER: 72-2147A

NAME AND ADDRESS: ROBERTA H GREEN
 PO BOX 213
 CHALLIS, ID 83226

SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

126 AFY

PRIORITY DATE: 07/18/1946

POINT OF DIVERSION:	T14N R17E S7	SESW		Within CUSTER County
	T14N R17E S33	SEWNE	Rediversion	Within CUSTER County
	T14N R17E S34	NWNENW	Rediversion	Within CUSTER County
	T14N R19E S7	SWNNWN	Rediversion	Within CUSTER County
	T14N R19E S17	NWNWNE	Rediversion	Within CUSTER County
	T14N R19E S17	SWNWNE	Rediversion	Within CUSTER County
	T14N R19E S17	NENWSE	Rediversion	Within CUSTER County
	T14N R19E S28	NWNWNW	Rediversion	Within CUSTER County

PURPOSE AND
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01-01 12-31	126.00 AFY
IRRIGATION FROM STORAGE	04-01 10-31	126.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within
 CUSTER County

T14N R17E S27	SENE	4	T14N R17E S27	NESW	0.2
T14N R17E S27	SWSW	4.3	T14N R17E S27	SESW	29
T14N R17E S27	NESE	30	T14N R17E S27	NWSE	23
T14N R17E S27	SWSE	29	T14N R17E S27	SESE	0.7
T14N R17E S34	NENW	10	T14N R17E S34	NWNW	6.5
T14N R19E S17	NENE	7.9	T14N R19E S17	SENE	9.4
T14N R19E S17	NESE	2.1	T14N R19E S28	NENW	40
T14N R19E S28	NWNW	15	T14N R19E S28	SENW	5

216.1 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
 TO THE IRRIGATION OF A COMBINED TOTAL OF 136.7 ACRES IN A
 SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-26, 72-27,
 72-4086, 72-10247, 72-10248, 72-10250, 72-10251, 72-10253, &
 72-10254.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
 TO THE IRRIGATION OF A COMBINED TOTAL OF 19.4 ACRES IN A
 SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-20E, 72-
 4024, & 72-4087.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
 TO THE IRRIGATION OF A COMBINED TOTAL OF 60 ACRES IN A SINGLE
 IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-32C, 72-56, & 72-
 4085.

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.

~~THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

~~IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES~~

RECEIVED

APR 19 2001

Department of Water Resources

RECEIVED

MAY 15 2001

Department of Water Resource
Southern Region

South

2001 APR 17 AM 11:15

DISTRICT COURT-SREA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 39576

Subcases: 72-02147A and 72-02149E

ORDER GRANTING MOTIONS TO
FILE AMENDED NOTICES OF CLAIM
AND SETTING SUBCASE DEADLINES

On March 28, 2001, *Motions to File Amended Notice Claim* were filed in the above subcases. A hearing on the *Motion* was held April 17, 2001. No opposition to the *Motions to Amend Claims* has been filed. IT IS ORDERED that the *Motions to File Amended Notices of Claim* are **granted**.

IT IS FURTHER ORDERED that deadlines are set for proceeding in these subcases:

5/25/01 5:00 pm Amended Director's Reports due.

6/28/01 5:00 pm Objections to Amended Director's Reports due.

7/27/01 5:00 pm Responses to Objections due.

IT IS SO ORDERED.

DATED April 17, 2001.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

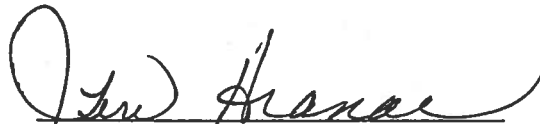
I certify that a true and correct copy of ORDER GRANTING MOTIONS TO FILE AMENDED NOTICES OF CLAIM AND SETTING SUBCASE DEADLINES was mailed on April 17, 2001, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Roberta Green
PO Box 213
Challis, ID 83226

Rick & Cheryl Philps
HC 63 Box 1630
Challis, ID 83226

Thomas A Butts
PO Box 6
Challis, ID 83226


Deputy Clerk

Robertson, Jean

From: Robertson, Jean
Sent: Monday, March 26, 2001 11:34 AM
To: Spencer, Nick
Cc: Music, Vicky
Subject: RE: more on the Roberta Green matter...

Howdy Nick,

The deal with Roberta's objections is that these objections are to the "places of use" for her two storage rights (72-02147A & 72-02149E). The diversion rates have not changed from her original claims. I **may** have recommended the diversion rate incorrectly on 72-02147A, which I guess will be resolved during this hearing or settlement process with Butts and Philps, but she has always claimed these amounts. The place of use thing is that she originally claimed one storage right to one of her places on the Highline, and the other storage right to the other place on the Highline. She said she had always been flexible in the past as to where she **actually** put the storage water (at any or either of the places), depending on dry years, and that it **never mattered before**. She didn't realize it would until recently when the watermaster said she could only put the water where it was recommended. So she objected to the places of use. I realized that in order to add places of use, I also had to add their corresponding points of diversion, or we'd have more problems, hence my question to Steve. I'll be out of town for quite awhile next month, so I wanted to get a jump on this stuff before I left. (It's confusing enough for me without trying to make someone else figure it out!) I've attached a copy of the letter I sent her with the proposed amended claims, which are classified as TEMP, by the way. I also sent her reports of recommendations showing the three places of use and their points of diversion, (72-20E, 72-27, & 72-2149E), to show where she came up with her acres, etc. Hope this makes some kind of sense to you and that I haven't overstepped my duties! Give me a call when you get back...Jeanie



roberta green amended
claims (...)

-----Original Message-----

From: Spencer, Nick
Sent: Friday, March 23, 2001 6:12 PM
To: Robertson, Jean
Cc: Music, Vicky
Subject: RE: more on the Roberta Green matter...

Hi Jeanie. I'm late in getting involved in this as usual. What's up with Roberta making all these changes now? Are all these latest changes something that she has historically done? If so, how did she get her claims all screwed up the first time around? Anyway, these are mostly rhetorical questions since if she wants to file motions to amend she has that right. However, I think we need to be sensitive to how these latest amendments might affect the Philps/Butts situation. I haven't studied their objections in detail, and I think probably the two objectors are simply confused as to how the rights have been split, but we need to be careful not to create an impression that we're doing Roberta any special favors. Once the response period on their objections has closed we will need to review the objections in detail and see if we need to set up a meeting to thrash out the dispute. I'm pretty sure we'll need to have a settlement meeting. So, I guess my advice is just try to make sure we don't get caught in the middle of the existing dispute. As to these latest amendments, yes, she will need to file motions to amend. And once the court has granted the motions, then we need to investigate and prepare recommendations of the amended claims. I'm not sure what Steve was referring to when he said we can change anything we want to once the motion to file an amended claim is granted. We are still confined by the contents of the amended claim, just as we are by any other claim. For instance, if Roberta claims 1 cfs to irrigate 50 acres in the north half of section x, and we find that her water right really is for 2 cfs to irrigate 100 acres in the south half of section x, we can't just recommend what we find; we have to stay within the limits of the claim. Anyway I don't know if any of this helps any, but I'll talk further with you late next week if you want. I'm taking my daughter to Seattle for an appointment with a headache super-specialist on Monday, and won't be back in the office until Thursday. But let's talk further then. Thanks. NBS

-----Original Message-----

From: Robertson, Jean

Sent: Friday, March 23, 2001 8:45 AM
To: Music, Vicky
Cc: Spencer, Nick
Subject: more on the Roberta Green matter...

I talked to Steve and he said that once the court has accepted the motion to amend, we can change anything we need to, so that answers that question. Now, the question is, I assume she needs to file SF4's (Motion to Amend) with each of these two amended claims? (I have prepared amended claims showing the different properties she wants to be able to divert the storage water to, and the points of diversion servicing the properties.) I thought I'd send them to her today and wanted to make sure about the SF4's and also if this was appropriate at this time or if I should wait till after another status conference or something? Thanks again...Jeanie

RECEIVED

MAR 29 2001

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

CIVIL CASE NUMBER: 39576

Ident. Number 72-2147A
Date Received: 11/16/89
Receipt No: M005227
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERTA H GREEN
PO BOX 213
CHALLIS ID USA 83226

Phone: (208)879-2320

2. Date of Priority: 07/18/1946

3. Source: CHALLIS CREEK LAKES

Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	19E	17	SW NW NE	CUSTER	R
14N	19E	17	NW NW NE	CUSTER	R
14N	19E	7	SW NW NW 10	CUSTER	R
14N	17E	33	SE NW NE	CUSTER	R
14N	17E	34	NW NE NW	CUSTER	R
14N	19E	28	NW NW NW	CUSTER	R
14N	17E	7	SE SW SW	CUSTER	
14N	19E	17	NE NW SE	CUSTER	R

5. Description of diverting works:

EARTH DAM WITH HEADGATE, CHALLIS CREEK TO HIGH LINE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		126
IRRIGATION FROM STORAGE	04/01	10/31	0	126

15. Basis of Claim: License

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:

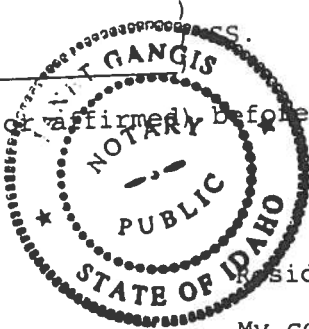
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Roberta H Green Date: 3/26/01
3/26/01 Date: _____

State of Idaho

County of Custer

Subscribed and sworn (or affirmed) before me this
of 3/26 2001



Janet Dangles
Notary Public
Residing at Challis
My commission Expires 4/30/04



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 23, 2001

ROBERTA GREEN
PO BOX 213
CHALLIS ID 83226

RE: AMENDED CLAIMS 72-02147A, 72-02149E

Dear Roberta,

As promised, here are the amended claims. I have amended 72-02147A (source Challis Creek Lakes) to include the places of use for all three properties; the cabin at Mosquito Flat, and the "Home" and "Gossi" places. I have also added the points of diversion appurtenant to each place, where necessary.

As for 72-02149E (source Mosquito Flat Reservoir), I have included the places of use for the "Home" and "Gossi" places only, along with the points of diversion appurtenant to each property, where necessary.

Please look these amended claims over carefully and sign and notarize them if you agree with the amendments. There are two SF4 forms included, one for each right. Please follow the instructions with the forms and send the originals to the court and copies to all parties. (I have included some address labels for your convenience).

Please call if you have any questions or I can be of any further assistance.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

72-02147

Clyde Green (Roberta's husband) originally filed for permit and then assigned $\frac{1}{2}$ interest to Philps (Roberta's parents.)

Licensed issued for 189 AF & 209 Ac.
stating $\frac{1}{2}$ interest to each party

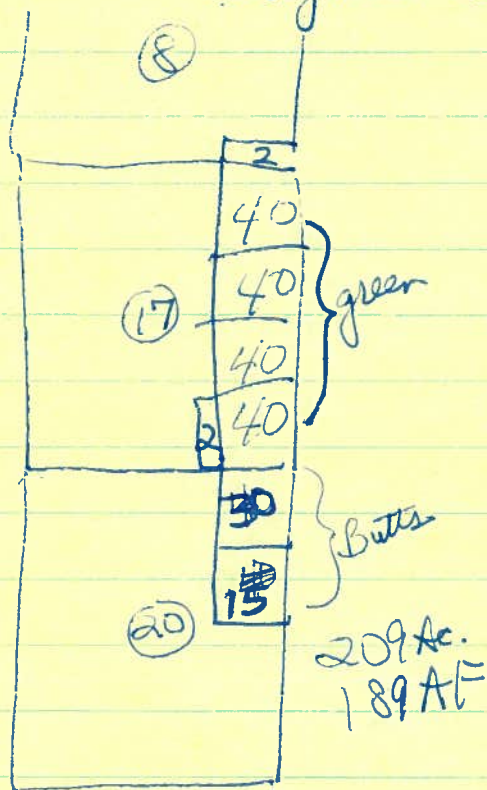
Roberta's Mom (Ethel Philps) died and left $\frac{1}{3}$ of her half interest to each of three daughters
- therefore Roberta owns $\frac{1}{2}$ plus $\frac{1}{3}$ of other half

- she will be down Aug. 21st with paperwork to prove this and will file late objection with court to quantity on her ~~and~~ other two portions
- also will file objection to Poll on this and 72-02149, so she can amend claims to show both farms for each right. Says in the past she always used either storage right on either place - wherever needed. Didn't claim that way so wants to amend claims to give her flexibility on storage rights...

1/2 Challis Crk Lake Belonged
to Ethel Philps

3 daughters
Roberta Green
Ethel ~~Philps~~ McFARLAND
Laura Bishop

Clyde Green originally filed for permit
 - then assigned $\frac{1}{2}$ interest to Philps



Lic issued for 189 AF $\frac{1}{2}$ int.
 to Clyde ^{husband} Green & Ethel Philps ^{sa.}
 209 Ac. folks

mother $\leftarrow \frac{1}{3}$ Roberta
 $\frac{1}{3}$ Laura
 1/3 Ma Blend

Ethel & Clyde $\leftarrow \frac{1}{2}$ of $\frac{1}{3}$
 $\frac{1}{2}$ of $\frac{1}{2}$

50%

A72-02147B 94.5 AFA on 80 Ac.

- original claim ⁽¹⁹⁸⁸⁾ by Corrigan was for 40 Ac. in SENE of S. 17
~~and 40 Ac. in NENE of S. 20~~

- in '92, Corrigan amended claim to move 40 Ac. in S. 17
to 40 Ac. in SENE of S. 20

- in '92, Corrigan sold to Dubois, w/ all appurtenances

- in '94, Dubois sold to Tom Butts (no deed sub.
must have w/h this right specifically
for it not to go)

- was recommended @ 27.5 for 66 Ac.

Corrigan claimed ⁹

(25%)

~~A72-02147C~~ 47.25 AF

Phelps only had 2 Ac. in original licensed area
(accomplished transfer his 25%?)

A72-02147A

SD-0611-2 Basin: 72 Starting Water Right: 02147

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N		Source		S
--	72-02147	GREEN, CLYDE A.	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S WR
--		PHILPS, ETHEL B.	C				IRR FS
--					189.50 AFA - 209 Ac.		
--	72-02147A	GREEN, ROBERTA H	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S AJ
--							IRR FS
--	72-02147B	BUTTS, THOMAS A	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S AJ
--							IRR FS
--	72-02147C	PHILPS, CHERYL	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S AJ
--		PHILPS, RICK	C				IRR FS
--	A72-02147	SPLIT RIGHT	C	07/18/1946	/Z	CHALLIS CREEK LA	IRR S AJ
--						SPLIT RIGHT	IRR FS
--	A72-02147A	GREEN, ROBERTA H	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S AJ
--							IRR FS
--	A72-02147B	BUTTS, THOMAS A	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S AJ
--							IRR FS
--	A72-02147C	PHILPS, CHERYL	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S AJ
* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)							
{Enter=Continue} {G1=Print Screen Query} {G7=This Query} (Menu _____)							

A 72-02147A
126 AFA
24 Ac.

72-02147A
47.25 AFA
19.4 Ac.

A 72-02147B
94.5 AFA
80 Ac.

72-02147B
94.5 AFA
66 Ac.

A 72-02147C
47.25
185 Ac.

72-02147C
47.25 AFA
180 Ac.

Roberta says s/b:

72-02147A	126 AF	126
72-02147B	31.5 AF	15.75
72-02147C	31.5 AF	47.25
	189 AF	189.00

TOTAL DIVERSION:	126.00 AFA
CONSUMPTIVE USE:	60.00 AFA

Point(s) of Re-Diversion:	Point(s) of Diversion:	Point(s) of Re-Diversion:	Point(s) of Diversion:
T14N R19E S07	T14N R17E S07	MWSESH	CUSTER County
T14N R19E S07		MWSESH	CUSTER County

MEM

14N 19E 17 :	20 :	:	:	04	:	24.0
--------------	------	---	---	----	---	------

Place of use (location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION STORAGE

POU County: CUSTER

Other Rights: A72-04024, A72-00020E

Remarks: GEN THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK LAKE WATERS (189.0 X 0.6667 = 126.0)

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

Misc: Water District Number: 72C Field Inspection Flag: C
Presumption Flag:

Audit:	11/16/89	MOBILE4	07/12/94	SHAFF	03/30/95	POST-STD
--------	----------	---------	----------	-------	----------	----------

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 8

TOTAL DIVERSION:
CONSUMPTIVE USE:

Stage: LICENSE

CUSTER County
CUSTER County

ME

80.0

SE

2-02149H, A72-00032E.

O/C FROM DUBOIS TO BUTTS. 11/9/09 jr

Objection Filed Date:

Field Inspection Flag: C
Presumption Flag: C

12/05/89	MOBILE4	02/27/92	CHRISTEN	03/10/93	CLELLAND	07/12/94	SHAFF
03/30/95	POST-STD	11/09/98	JROBERTS				

DATE: 07/31/00
PAGE: 9

CUSTER County
CUSTER County
CUSTER County

Stage: LICENSE

SE

1

SE

TOTAL ACBES

Other Rights: A72-00001, A72-04049, A72-02149G

LAKE WATERS (189.0 X 0.25 = 47.25)

Objection Filed Date:

Presumption Flag:

03/30/95 POST-STD

AJ5809NP
No. 72-02147A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERTA H GREEN PO BOX 213 CHALLIS ID 83226 (208) 879-2320	07/18/1946	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01-01 12-31 04-01 10-31		47.25 AFA 47.25 AFA
TOTAL DIVERSION:						47.25 AFA

Water Source: CHALLIS CREEK LAKES

Tributary to: CHALLIS CREEK

Stage: LICENSE

Point(s) of Diversion:

T14N R17E S07
T14N R19E S07 Lot10(SHMMW)
S17

SESHW
SHENE

NESENM
MMWME

CUSTER County
CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION FROM STORAGE

NE	NE	SE	SW	SE
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
14N 19E 17	: 07	: 09	: 02	: 02
TOTAL ACRES				19.4

POU County: CUSTER

Other Rights: 72-04024, 72-00020E

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF

WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

Dates: Exam Made Date: 01/13/1999 Verified Date: 01/13/1999 Objection Filed Date:

Misc: Water District Number: 72C

Field Inspection Flag: C

Presumption Flag:

126 AFA

AJ5809NP
No. 72-02147A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 2

Comments:

Date: 11/12/1992 User-ID: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK
LAKE WATERS (189.0 X 0.6667 = 126.0)

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 01/13/1999 User-ID: JROBERTS Subject: CHANGED POU
PER NOE ON 72-00020E, ADDED ACRES.

Audit:

10/28/92	WORSTELL	11/12/92	WORSTELL	07/26/94	WORSTELL	03/30/95	POST-STD
05/06/96	RMCCARTH	11/09/98	JROBERTS	11/21/98	AJU10-DS	01/13/99	JROBERTS
01/17/99	CPDSHAFF	02/04/99	ADT-DSHA				

AJ5809NP
No. 72-021478

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS A BUTTS PO BOX 6 CHALLIS ID 83226 (208) 879-2239	07/18/1946	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01-01 12-31 04-01 10-31		94.50 AFA 94.50 AFA 94.50 AFA

Water Source: CHALLIS CREEK LAKES

Tributary to: CHALLIS CREEK

Stage: LICENSE

Point(s) of Diversion: T14N R17E S07 SESMSW
Point(s) of Re-diversion: T14N R19E S07 Lot10(SHNMHW)
S20 NESENE

CUSTER County
CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION FROM STORAGE

NE	NW	SW	SE	TOTAL ACRES
14N 19E 20 : 34	32 :	:	:	66.0
				66.0

POU County: CUSTER

Other Rights: 72-02149H, 72-00032E & 72-04158.

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

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

Misc: Water District Number: 72C Field Inspection Flag: C
Presumption Flag: C

31.5 AFA
15.75

AJ5809NP
No. 72-021478

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 4

Comments: Date: 02/24/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
AMENDED CLAIM ON 2-27-92 TO CHANGE THE 40 ACRES ORIGINALLY
CLAIMED IN SEC 17 TO SEC 20. INFORMATION PER JIM BENNETTS,
LAWYER FOR CLAIMANT. KKC

Date: 03/10/1993 User-ID: CLELLAND Subject: CHANGE OF OWNERSHIP
FORM AND WARRANTY DEED FILED PERSONALLY BY MELISSA S. DUBOIS THIS
DAY IN OFFICE.

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 10/28/92 WORSTELL 02/24/93 WORSTELL 03/10/93 CLELLAND 04/30/94 WORSTELL
03/30/95 POST-STD 11/04/98 JROBERTS 11/09/98 JROBERTS 11/21/98 AJU10-DS
01/17/99 CPD SHAFF 02/04/99 ADT-DSHA

DATE: 07/31/00
PAGE: 5

DIVERSION
VOLUME

47.25 AFA
47.25 AFA

~~47.25 AFA~~

Stage: LICENSE

CUSTER County
CUSTER County
CUSTER County

SE

TOTAL ACRES

Other Rights: 72-00001, 72-04049 & 72-021496

C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER

- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:

WATER RIGHT NO.

NONE

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

- RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
1	1
2	2
3	3
4	4
5	5
6	6
7	7
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87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Response	Percentage
NONE	0.00
NONE	0.00

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

- CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

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

Misc:	Field Inspection Flag:
Water District Number:	

Field Inspection Flag: C
Presumption Flag:

AJ5809NP
No. 72-02147C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 6

Comments: Date: 12/29/1992 User-ID: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 25% OF THE WR 72-02147 OF THE CHALLIS CREEK
LAKE WATERS (189.0 X 0.25 = 47.25)

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 10/28/92 WORSTELL 12/29/92 WORSTELL 03/30/95 POST-STD 11/09/98 JROBERTS
11/21/98 AJU10-DS 01/17/99 CPDASHAF 02/04/99 ADT-DSHA

Robertson, Jean

From: Robertson, Jean
Sent: Friday, February 16, 2001 10:39 AM
To: Music, Vicky
Subject: RE: Roberta Green (72-02147 et al)

Sorry, Vicky, my mistake...it is the **Challis Creek Lake** right that we're talking about here. It eventually flows into Mosquito Flat Reservoir, but that's not the issue here. Thanks for the info...I will call Roberta. She is scheduled for open heart surgery on Monday and maybe this information will ease her mind a bit!

-----Original Message-----

From: Music, Vicky
Sent: Friday, February 16, 2001 10:24 AM
To: Robertson, Jean
Subject: RE: Roberta Green (72-02147 et al)

Firstly, I am a little confused. In your original e-mail, you refer to the Mesquito Flats Reservoir. Roberta's objection is to Rick's Challis Cr Lake rights. Rick's response to Roberta's objection did not mention the Mesquito Flats Reservoir... see in the conveyance documents there is a reference to Mesquito Flats Reservoir. What is the relationship between it and Challis Cr Lake?

The documents indicate that Roberta is entitled to her original 50% of the licensed 189 afa of Challis Cr Lake, + an **undivided 1/6 interest** in Challis Cr Lake conveyed by her mother, Ethel Philps. Rick misunderstood the deed to mean 1/6 of the 50% remaining but that is not correct. Therefore, Roberta is entitled to $94.5 + 31.5 \text{ afa} = 126 \text{ afa}$. I have no idea what Rick and T Butts are entitled to because we do not have the claims files or the deeds, however, it cannot be more than $33 \frac{1}{3}\%$ because Roberta owns the remainder.

Please reassure Roberta that just because Rick responded to her objection, it doesn't mean she is going to lose anything. Nick expects we will all have to sit down and discuss/ explain to Rick what the documents mean. Nick thought that Rick understood the percentages when Nick talked to him a few weeks ago, but evidently not. Let me know if you need more info...thanks!

-----Original Message-----

From: Robertson, Jean
Sent: Wednesday, February 14, 2001 5:05 PM
To: Music, Vicky
Subject: RE: Roberta Green (72-02147 et al)

Friday is soon enough cause I'm off tomorrow...thanks!

-----Original Message-----

From: Music, Vicky
Sent: Wednesday, February 14, 2001 4:32 PM
To: Robertson, Jean
Subject: RE: Roberta Green (72-02147 et al)

Hey Jeannie - I'll look in to it, and get back to you...probably tomorrow morning.

-----Original Message-----

From: Robertson, Jean
Sent: Wednesday, February 14, 2001 4:23 PM
To: Music, Vicky
Subject: FW: Roberta Green (72-02147 et al)

Hi Vicky,
Never heard from Nick, maybe he's not there or just really busy or something... Roberta keeps calling me so I thought I'd just forward this to you so you at least know what's going on...Thanks, Jeanie

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, February 13, 2001 8:17 AM
To: Spencer, Nick
Subject: Roberta Green (72-02147 et al)

Hi Nick,

Got a phone call from Roberta this morning all upset that Rick Philps is objecting to the distribution of the Mosquita Flat Reservoir right and is contending that he has 25% of the right. Did what I sent you confirm that she was entitled to $1/2$ plus $1/3$ and Butts and Philps each get $1/6$? Please let me know when you get a chance, before I call her back...Thanks, Jeanie

RECEIVED

FEB 06 2001

Department of Water Resources
Southern Region

RECEIVED

JAN 29 2001

Department of Water Resources

2001 JAN 25 PM 4:06

DISTRICT COURT-SPEA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 39576

Subcase: 72-02147A

ORDER GRANTING MOTION TO
ALTER OR AMEND; WITHDRAWING
SPECIAL MASTER'S REPORT AND
RECOMMENDATION; GRANTING
MOTION TO FILE LATE OBJECTION

On August 15, 2000, a *Special Master's Report and Recommendation* was issued in the above water right based on an *Amended Director's Report* (June 30, 2000) to which there was no objection. On August 21, 2000, the claimant of this water right, Roberta Green submitted an Objection. The clerk's office lodged the Objection and corresponded with Ms. Green, requesting a written Motion to File a Late Objection. Ms. Green complied with the request by sending a letter to the court which was received on September 11, 2000. The clerk docketed the letter as a Motion to File Late Objection.

However, because a *Special Master's Report and Recommendation* had been issued for this water right, no further "pre-recommendation" pleadings were permitted. Rather, this Special Master deemed the lodged letter as a *Motion to Alter or Amend*. A hearing on the *Motion to Alter or Amend* was held January 24, 2001, in conjunction with a hearing for *Motions to File Late Objections* in subcases 72-02147B, 72-02147C, and 72-02149E. There was no opposition to the *Motion to Alter or Amend* at hearing. Because these water rights are interrelated and it appears that further investigation by IDWR may be necessary, IT IS ORDERED that:

1. The *Motion to Alter or Amend* is **granted**.
2. The *Special Master's Report and Recommendation* issued on August 15, 2000, is hereby **withdrawn**.

3. The Objection that was previously lodged (and deemed a *Motion to Alter or Amend*) shall be filed as of January 24, 2001.
4. Responses to the Objection filed on January 24, 2001, shall be due on or before **February 28, 2001.**
5. A Telephone Status Conference shall be set as follows:
Date: March 27, 2001 at 1:30 pm
Location: SRBA District Court
253 Third Avenue North
Twin Falls, Idaho

DATED January 25, 2001.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

RECEIVED

MAR 29 2001

Department of Water Resources

RECEIVED

APR 04 2001

Department of Water Resources
Southern Region

Southern

JR

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

Case 39576

Subcase

72-02147A

(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Rebecca Green

My address is Box 213

Challis Idaho 83226

My phone number is: Work _____ Home 208-879-4255

I am an attorney representing N/A

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

N/A

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

- ☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on April 6 2001
Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

the point of diversion needed to be added

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

Recommendation of water right

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Butte

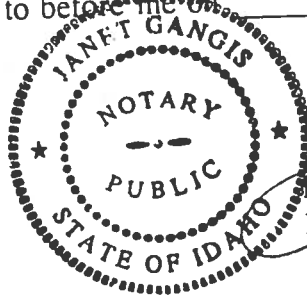
Roberta Green, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Roberta H Green
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 3/26/01
(Insert Date)



Janet Gangis
Notary Public for Idaho
Residing at: Challis
My Commission expires: 4/30/04

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on 27th of March, 1992 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

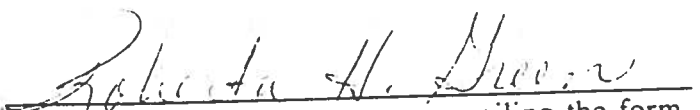
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert names/addresses of parties)


Signature of person or attorney mailing the form

CERTIFICATE OF MAILING

I certify that a true and correct copy of ORDER GRANTING MOTION TO ALTER OR AMEND was mailed on January 25, 2001, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Roberta H Green
PO Box 213
Challis, ID 83226

Thomas Butts
PO Box 6
Challis, ID 83226

Rick & Cheryl Philps
HC 63 Box 1630
Challis, ID 83226


Deputy Clerk

Robertson, Jean

From: Robertson, Jean
Sent: Thursday, January 25, 2001 4:30 PM
To: Music, Vicky
Subject: RE: Roberta Green objections

I just faxed you a copy of the old license...two different copies, actually. Maybe one will be readable...the original is there in the vault, if you'd rather **make a copy of it**...what I'm using is something off the micro-fische...

-----Original Message-----

From: Music, Vicky
Sent: Thursday, January 25, 2001 12:44 PM
To: Robertson, Jean
Subject: Roberta Green objections

Hi Jeannie! Will you please fax or send me [whatever you think based on quality of copy] the "old license " you and Nick talked about? I will be sending letter w/documents, including license, to Butts and Philps in case they want to become respondents by the 2/28 deadline. Thanks.

Vicky Music
Paralegal - IDWR
327-7928

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

TRANSMISSION VERIFICATION REPORT

TIME : 01/25/2001 17:16
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMITTAL COVER SHEET

DATE, TIME TO: Vicky Musi 01/25 17:12
FAX NO./NAME IDWR SO
DURATION 00:03:33
PAGE(S) 03
RESULT OK
MODE STANDARD

TOTAL PAGES SENT: 2 + 1 cover
(including cover sheet)

DOCUMENT DESCRIPTION: License 72-2147 showing
Clyde Green + Ethel Phelps both owing 1/2 interest
(2 copies)

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER: Jeanie

COMMENTS: _____

State of Idaho License and Certificate of Water Right

Water License No. R-762

Amount 189 acre feet

Water District No.

Priority July 18, 1946

THIS IS TO CERTIFY that Clyde A. Green of Challis, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 18, 1946; that Permit No. R-762 was issued under said application; that Certificate of Completion of works, with a storage capacity of 189 acre feet per annum, was issued thereunder on September 13, 1952, showing that said works were completed on the 27th day of June, 1951; and that on the 8th day of July, 1955,

Clyde A. Green & Ethel B. Phillips (owner of 1/2 interest) of Challis, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Challis Creek Lake, a tributary of , for the purpose of Irrigation, under Use Permit No. R-762 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 5658, on the 28th day of February, 1956; The right hereby confirmed dates from July 18, 1946; The Point of ^{Outlet} ~~Diversion~~ is located

In the SE 1/4 SW 1/4, Sec. 18, Tp. 14 N, R. 17 E, B. M. Custer 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 189 acre ~~feet~~ ^{feet} per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 N.	19 E.	8	SE 1/4 SE 1/4	5	2
		17	NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			SW 1/4 SE 1/4	--	2
			SE 1/4 SE 1/4	--	40
		20	NE 1/4 SE 1/4	--	40
			NW 1/4 NE 1/4	--	30
			SE 1/4 NE 1/4	--	15
Total Number of Acres Irrigated				- - 189	

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 Boise, Idaho, this 28th day of February, 1956.

(SEAL)

State Reclamation Engineer

State of Idaho License and Certificate of Water Right

Water License No. R-762Amount 189 acre feet

Water District No. _____

Priority July 18, 1946

THIS IS TO CERTIFY that Clyde A. Green
of Challis, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 18, 1946; that Permit No. R-762
was issued under said application; that Certificate of Completion of works, with a storage capacity
189 acre feet per acum, was issued thereunder on September 13, 1952, showing that said works
were completed on the 27th day of June, 1951; and that on the 8th
day of July, 1955,

CLYDE A. GREEN & ETHEL B. PHILIPS (owner of 1/2 interest)
of Challis, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Challis Creek
Lake, a tributary of _____, for the purpose of Irrigation
under Use Permit No. R-762 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
of Licenses at page 5658, on the 8th day of February, 1956;
The right hereby confirmed dates from July 18, 1946;
The Point of Outlet is located

in the SE 1/4, SW 1/4, Sec. 18, Twp. 14 N, R. 17 E, B. M. Custer 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 189 acre feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 N.	19 E.	8 17	SE 1/4	5	2
			NE 1/4	40	40
			SW 1/4	40	40
			SW 1/4	--	2
			SE 1/4	--	40
		20	NE 1/4	--	40
			NE 1/4	--	40
			SE 1/4	--	30
			SE 1/4	--	15
			Total Number of Acres Irrigated		

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 Boise, Idaho, this
28th day of February, 1956.

(SEAL)

MARK R. KULP

State Reclamation Engineer.

State of Idaho License and Certificate of Water Right

Water License No. R-762

Amount 189 acre feet

Water District No. _____

Priority July 18, 1946

THIS IS TO CERTIFY that Clyde A. Green
of Challis, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 18, 1946; that Permit No. R-762
was issued under said application; that Certificate of Completion of works, with a storage capacity
189 ~~second~~ ^{acre} ~~feet~~ ^{per annum} was issued thereunder on September 13, 1952, showing that said works
were completed on the 27th day of June, 1951; and that on the 8th
day of July, 1955,

Clyde A. Green & Ethel B. Hillis (owner of 1/2 interest)
of Challis, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Challis Creek
Lake, a tributary of _____, for the purpose of Irrigation
under Use Permit No. R-762 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 5658, on the 20th day of February, 1956;
The right hereby confirmed dates from July 18, 1946;
The Point of ~~Location~~ ^{Outlet} is located

In the SE 1/4 S 14, Sec. 18, Twp. 14 N. R. 17 E., B. M. Custer 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 189 ~~acre~~ ^{acre} ~~feet~~ ^{feet} per ~~second~~ ^{second}.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>14 N.</u>	<u>19</u>	<u>8</u>	<u>SW 1/4</u>	<u>5</u>	<u>2</u>
		<u>17</u>	<u>NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>2</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
		<u>10</u>	<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
			<u>NE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SE 1/4</u>	<u>--</u>	<u>40</u>
			<u>SW 1/4</u>	<u>--</u>	<u>40</u>
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GRANT OF EASEMENT

THIS GRANT OF EASEMENT, Made and entered into this 30th day of April, 1980, by and between ROBERTA GREEN, a single woman, dealing with her sole and separate property, of County of Custer, State of Idaho, hereinafter referred to as "Green", and WILLIAM THOMAS GAMMACHE, an unmarried man and ANTHONY D. GAMMACHE, an unmarried man, of County of Custer, State of Idaho, hereinafter referred to as "Gammaches".

W I T N E S S E T H:

WHEREAS, Gammaches desire to install and maintain a certain irrigation pipeline across lands owned by Green for their use and benefit on adjacent lands, and

WHEREAS, Green is willing to grant a perpetual easement for the purposes and to the extent stated herein, and

WHEREAS, The parties wish to set their understandings and agreements out herein in full.

NOW THEREFORE, In consideration of \$1.00 in hand paid each party to the other and in further consideration of the agreements and understandings herein contained, it is understood and agreed as follows, to-wit:

1. Green hereby grants, gives and conveys to Gammaches a perpetual easement 8 feet in width for the purpose of the installation, inspection and maintenance of an irrigation pipeline 9 inches (or less) in diameter. The described easement shall run approximately 215 feet in length across Green's lands within the SE1/4NE1/4, Sec. 17 Township 14 N., R. 19 E., B.M., Custer County, Idaho. More particularly, the centerline of the described easement shall commence approximately 25 feet North of the Southwest Corner of the W1/2NW1/4, Sec. 16, Township 14 N., R. 19 E., B.M., Custer County, Idaho, and run thence in a westerly direction across the

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TEL. (208) 879-2488

described Green tract to the West boundary the same. Lands to be irrigated are described as follows:

All that part of the NW1/4NW1/4 and SW1/4NW1/4, Section 16, Township 14 North, Range 19, East of the Boise Meridian, lying West of the County Highway right-of-way, containing approximately 70 acres.

2. Gammaches shall further have the right to bury the pipeline by machine or by hand, but shall have the duty or obligation to properly grade and level the surface when finished and shall remove all rocks or debris from the surface and shall reseed the surface with the crop disturbed. Gammaches shall keep the pipeline in a fair state of repair and have the right to enter upon the Green's lands as customary to perform the usual and needed maintenance or repair and further to secure or obtain the normal usage of the system during the period of the normal irrigation season. Pipe to be buried at least 4 feet in depth.

3. The easement, both benefit and burden, shall run with the lands above described.

4. It is further understood and agreed that the agreements and understandings herein contained shall be binding upon and inure to the benefit of the heirs, executors, administrators and assigns of all parties hereto.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals the day and year first above written.

Roberta A. Green
Roberta Green

William Thomas Gammache
William Thomas Gammache

Anthony D. Gammache
Anthony D. Gammache

STATE OF IDAHO)
: ss.
County of Custer)

On this 6th day of May, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTA GREEN, a single woman, dealing with her sole and separate property, WILLIAM THOMAS GAMMACHE, an unmarried man, and ANTHONY D. GAMMACHE, an unmarried man, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TEL. (208) 879-2488

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

Dian M. Lacy
Notary Public for Idaho
Residing at Challis
My Commission Expires: Life

WATER USE AGREEMENT
AND
CONFIRMATION OF EASEMENT

THIS WATER USE AGREEMENT AND CONFIRMATION OF EASEMENT, made and entered into this 8th day of August, 1995, by and between WILLIAM THOMAS GAMMACHE, an unmarried man, and ANTHONY D. GAMMACHE, an unmarried man, whose current address is P. O. Box 146, Challis, Idaho 83226, hereinafter referred to as "Gammache," and ROBERTA GREEN, a single woman, whose current address is P. O. Box 213, Challis, Idaho 83226, hereinafter referred to as "Green;"

W I T N E S S E T H:

WHEREAS, in April of 1980 Green granted to Gammache a certain perpetual easement appurtenant for installation and maintenance of an underground irrigation pipeline; and

WHEREAS, such easement ran across lands owned by Green within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; and

WHEREAS, the dominant lands owned by Gammache are located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; and

WHEREAS, the parties wish to set forth their understandings and agreements in regard to the use of water from the system by Green; and

WHEREAS, the parties wish to further identify their agreements herein in full;



NOW, THEREFORE, in consideration of \$5.00 in hand paid each party to the other, and in further consideration of the understandings and agreements herein contained, it is understood and agreed as follows, to-wit:

1. That the easement above referred to is hereby confirmed.

2. That Gammache agrees that Green shall have the right to use from the system sufficient water to supply seven (7) rainbirds or sprinkler heads, but not exceeding five (5) miner's inches of water to be used upon her lands adjacent to the easement. All expense connected with such use shall be borne by Green.

3. That the use of the water is consensual and subject to the terms of this agreement. Further, the rights granted hereby are personal to Green and to her daughter, MELISSA DuBOIS. These rights do not run with the land and will terminate upon the first of the following occurrences:

- a) sale or transfer of the lands to a third party, or
- b) upon the death of the survivor of Green or her daughter, MELISSA DuBOIS.

4. Should the delivery system or the water right fail by reason of Act of God, court decree, or for whatever reason or cause whatever, Gammache will not be liable to Green for damages, it being agreed that Green's right to the agreed-upon flow is on an "as available basis" only.

5. That this Agreement will be placed of record in the records of Custer County, Idaho.

IN WITNESS WHEREOF, the parties have executed this Water Use Agreement and Confirmation of Easement, effective the day and year first above written.

William Thomas Gammache
William Thomas Gammache

Roberta A. Green
Roberta Green

Anthony D. Gammache
Anthony D. Gammache

GAMMACHE

GREEN

STATE OF IDAHO)
: ss.
County of Custer)

On this 7th day of Sept, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM THOMAS GAMMACHE and ANTHONY GAMMACHE, unmarried men, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Kathryn M. Swindell
Notary Public for Idaho
Residing at: Challis ID
My Comm. Expires:

11/17/2000

STATE OF IDAHO

)

: ss.

County of Custer

)

On this 7th day of ^{Sept}~~August~~, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTA GREEN, a single woman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

Kathryn M. Furdell

Notary Public for Idaho

Residing at: Challis ID

My Comm. Expires: 11/17/2000

TRANSMITTAL COVER SHEET

TO: Bob Piva

879-5258

TOTAL PAGES SENT: 6 trans
(including cover sheet)

DOCUMENT DESCRIPTION: agreements between
Green & Dobb, and Green & Gammack

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

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DATE, TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	MODE

TIME : 07/26/2000 12:16
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMISSION VERIFICATION REPORT

Robertson, Jean

From: Robertson, Jean
Sent: Monday, August 07, 2000 4:39 PM
To: 'ccrgo@cyberhighway.net'
Cc: Foster, Bob; Luke, Tim
Subject: Roberta Green claim 72-02147A

Jack,

I received your letter today and all I can say is that she asked the court for permission to amend her claims, which they granted, and I made a new recommendation. I believe that the Department's recognition of "accomplished transfer" before the commencement of the adjudication allows her to divert her other rights through this point of diversion, as long as the agreement is in place. She has only claimed 10 1/2 inches from the Piva point of diversion all along, and according to the agreement, that is all she is allowed. I checked the court's webpage, and there have been no objections filed as of this date.

Just to let you know, I will be out of the office for the next week or so...

Jeanie

WATER DISTRICT 72-C
CHALLIS CREEK
P. O. BOX 910
CHALLIS, IDAHO 83226-0910

August 4, 2000

RECEIVED
AUG - 7 2000
Department of Water Resources
Southern Region

Ms. Jeanie Robertson
Senior Water Resource Agent
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Reference: Roberta H. Green
Water Right Nos. 72-00020E & 72-02147A

Dear Jeanie:

In your E-mail of July 26th pertaining to the subject rights, you state, "She was not changing or adding a point of diversion as a 'new use', she was merely correcting the claim to show how it had historically been used, but had been claimed incorrectly." While I agree with "claimed incorrectly" and application upon 72-00020E is now obvious, I do not believe the same is true with regard to 72-02147A. Let me explain.

The 1981 Pipeline Agreement (Custer County Document No. 161086) that was finally found and confirms the right to divert ten and one-half (10½") miners inches (not 15 " as previously claimed) from a single four inch (4") riser (not multiple risers as have been used in the past) on the Green property clearly states, "Green's shall have the right to divert and deliver ten and one-half inches of Green's decreed water into", etc., etc. Again, this is Green's **decreed** water as is the case with 72-00020E. 72-02147A is a **License - Basis of Claim** storage right and not a **decreed** right. Thus I cannot see how this right would be covered in this agreement nor, as Watermaster, would I see any obligation to deliver 72-02147A without prior written approval of such delivery and diversion from the then current owner of the original Dobb's property who would be bound as successor only by this specific agreement.

Robertson, Jean

From: Robertson, Jean
Sent: Wednesday, July 26, 2000 4:17 PM
To: 'Jack Challis'
Subject: RE: 72-00020E & 72-02147A

On the Roberta Green matter, Watermasters are not asked for comments on adjudication claims and recommendations, only on transfers. She was not changing or adding a point of diversion as a "new use", she was merely correcting the claim to show how it had historically been used, but had been claimed incorrectly.

YOU have claims in the adjudication, so you have the option of filing an objection if you want to and feel the recommendations are impacting your water rights.

On the Van Kampen matter, we have the paperwork to complete the ownership change, but there are a couple of issues I'm looking for guidance on from our attorneys. Go ahead and deliver water to them in the meantime. They will get all of the White Valley Right (72-00029B) and probably a proportionate share of the other right (72-10044A). Mr. Van Kampen mentioned asking you to walk his place of use to see if the existing ditches could also irrigate the middle portion of his land, which was excluded from the recommended place of use. Rankin never objected and now the new owner is wondering if the place of use is wrong. That's probably what he needs from you. If he does decide to object, he would have your opinion to include. Hope this helps.
Jeanie

-----Original Message-----

From: Jack Challis [mailto:ccrgo@cyberhighway.net]
Sent: Wednesday, July 26, 2000 8:53 AM
To: Jeanie Robertson
Cc: Tim Luke; Robert E. Foster
Subject: 72-00020E & 72-02147A

Jeanie, Roberta Green has filed for additional points of diversion to be added to these two rights. Why was the Watermaster NOT asked for comments on these filings as I normally am? Frankly, one of the two diversion points I oppose. Can/should I, as Watermaster, file an Objection? The objection period is Friday so I need an answer fast, please.

Also, are you sending me something on Van Kampen (bought part of the Rankin place)? He says he talked to you and you need some written input from me.
What?

Jack

RECEIVED

JUL 05 2000

**Department of Water Resources
Southern Region**

AMENDED DIRECTOR'S REPORT

Subcase No. 72-02147A

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

June 29, 2000

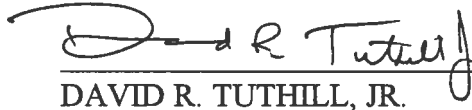
DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to Special Master Cushman's *Verbal Order Granting Motion to File Amended Claim* issued May 19, 2000 and *Order Setting Subcase Deadlines* issued May 26, 2000, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase.

Respectfully submitted this 30th day of June, 2000.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

RIGHTS FROM: SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

RIGHT NUMBER: 72-02147A

NAME & ADDRESS: ROBERTA H GREEN
PO BOX 213
CHALLIS ID 83226

SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

QUANTITY: 47.25 AFY

PRIORITY DATE: 07/18/1946

POINT OF DIVERSION: T14N R17E S07 SESWSW Within CUSTER County
R19E S07 LOT 10 (SWNWNW) (REDIVERSION)
S17 NWNWNE (REDIVERSION)
SWNWNW (REDIVERSION)
NENWSE (REDIVERSION)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	47.25 AFY
	IRRIGATION FROM STORAGE	04-01 10-31	47.25 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within CUSTER County
T14N R19E S17 NENE 7.9 SENE 9.4 NESE 2.1
19.4 ACRES TOTAL

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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

CERTIFICATE OF MAILING

I certify that on 6-30, 2000, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

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

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

2. Copies to:

Office of the Attorney General
Peter J. Ampe
Box 83720
Boise, ID 83720-0010

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

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

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

Custer County Clerk
801 Main St.
Challis, ID 83226

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

Patrick D. Brown
Patrick D. Brown, P.C.
109 S. Adams
Jerome, ID 83338

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

Sandy Egbert
Signature of person delivering form

HP LaserJet 3100
Printer/Fax/Copier/Scanner

ND CONFIRMATION REPORT for
IDAHO DEPT OF WATER RESOURCES
2083275400
Jun-30-00 9:55AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
56	6/30 9:51AM	3'03"	12087362121	Send.....	16/16	EC144	Completed.....
Total		3'03"	Pages Sent: 16	Pages Printed: 0			

AMENDED DIRECTOR'S REPORT

Subcase No. 72-04024

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

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

June 29, 2000

TRANSMITTAL COVER SHEET

TO: Nick Spencer

TOTAL PAGES SENT: _____
(including cover sheet)

DOCUMENT DESCRIPTION: "Quit Claim Deed"/Roberta
Green - 72-02147

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER: Jeanie

COMMENTS: _____

DATE, TIME	01/24 15:15
FAX NO./NAME	IDWR SD
DURATION	00:02:22
PAGE(S)	05
RESULT	OK
MODE	STANDARD

TIME : 01/24/2001 15:18
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMISSION VERIFICATION REPORT

Robertson, Jean

From: Music, Vicky
Sent: Wednesday, November 29, 2000 12:21 PM
To: Robertson, Jean
Subject: RE: 72-02147A, 72-02147B, 72-02147C, & 72-02149E

Deadlines will be set either at or soon after the hearing on mtn for late objs in 12/00, so we will know then when the amd DRs for all the rights are due. When I calendar the deadlines here, I will also calendar for you. This is something I have been doing for the agents in Eastern and it has been working better than an e mail. Later and thanks for the info - that is exactly what Nick will need at the hearing!!

-----Original Message-----

From: Robertson, Jean
Sent: Wednesday, November 29, 2000 12:13 PM
To: Music, Vicky
Subject: RE: 72-02147A, 72-02147B, 72-02147C, & 72-02149E

She didn't notice the diversion rate problems at that time, not until Butts showed her his recommendation giving him more water than her (his predecessor had claimed too much). She is not related to Butts but the property he now owns was owned by an aunt. Philps is a cousin, I believe. I have no problem with her objections and will change the diversion rates accordingly as she explained the split to me and gave me some documentation when she was in. She and her late husband and her parents developed the right. She was entitled to 1/2 and then when her parents died, she inherited another 1/3 of the remaining half. Butts now has 1/3 of the remaining half and Philps the last 1/3 of the remaining half. Got that? Anyway, I believe it's true and neither Butts nor Philps has responded so they probably know it's true also...guess eventually I'll have to change my recommendations on all of them, but when? Please let me know when something is due in plenty of time so I can fit it in! Thanks...

-----Original Message-----

From: Music, Vicky
Sent: Wednesday, November 29, 2000 12:01 PM
To: Robertson, Jean
Subject: RE: 72-02147A, 72-02147B, 72-02147C, & 72-02149E

Hi Jeannie!! No, there is nothing you need to do, however, would like your input for our legal files. Do you have any problem with her objections, or how she wants to amend her claims? I see she amended 2147A in 3/00. What is her relationship to Butts [2147B] and Philps [2147C]? Why didn't she do them all together in 3/00? Thanks!!

-----Original Message-----

From: Robertson, Jean
Sent: Wednesday, November 29, 2000 10:37 AM
To: Music, Vicky
Subject: 72-02147A, 72-02147B, 72-02147C, & 72-02149E

Hi Vicky,

Roberta Green filed late objections on the first three of these rights (cause the split of the diversion rate was wrong and she wants the PoU to include all three of her different parcels in case she needs the water at any of them)) and on the last one because she wants the PoU to include all of her parcels. I see on IWTRS that there is a **hearing on motion to file late objection** on December 19th. Is this anything that I will need to be involved in? She will need to amend her claims but I know what she wants and needs to do...just wondering when this might be due?? Thanks, Jeanie

RECEIVED

AUG 22 2000

Department of Water Resources

ORIGINAL

COPY

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

Case No. 39576

A. Subcase

72-02147A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

RECEIVED

SEP 01 2000

Department of Water Resources
Southern Region

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Robert Green

Address:

Box 213

Challis, Idaho 83226

Daytime Phone:

208-879-2320

Name & Address of Attorney, if any:

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

Name:

Robert Green

Address:

Box 213

Challis, Idaho 83226

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 *RB*
Should be: *126.0 AFA*
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 *T14N R19E S28 NENW 40 NWNW 15 SENW.*
Should be: *T14N R19E S17 NENE 7.9 SENE 9.4 NESE 2.*
11. I object because: *T14N R19E S27 SENE 04 ~~SW~~ NESW 2 SWSW 0.*
SESW 29 NESE 30 NWSE 23 SWSE 29 SESE 07
☐ This water right should not exist. *T14N R19E S34 NENW 10 NWNW 06.*
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

#3 I already owned 1/2 of Challis Creek Lake water or 94.5 AFA and I inherited 31.5 AFA from my mother, Ethel Philips in 1977. My husband, Luke Green, I along with my parents, R.W. Philips & Ethel B. Philips developed the Challis Creek Lake.

#9 Historically I have always used my Challis Creek Lake water on all three of these properties.

COPY
ORIGINAL

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

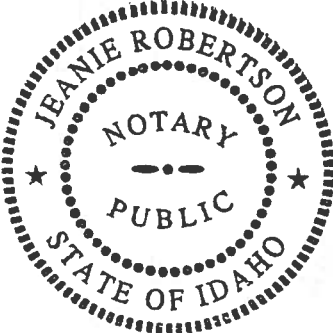
Roberta H. Green , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Roberta H. Green
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Aug. 21, 2000



Jeanie Robertson
Notary Public for State of Idaho / IDWR
Residing at: Twin Falls, Idaho
My Commission Expires: 9-23-2006

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 August 21st, ~~1999~~ 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name:

Address:

Roberta H. Green
Box 213
Challis, Id 83226.

3. Copies to:

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

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

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

Roberta H. Green
Signature of Objector or attorney mailing on Objector's behalf

Robertson, Jean

From: Robertson, Jean
Sent: Monday, August 21, 2000 4:47 PM
To: Spencer, Nick
Cc: Music, Vicky
Subject: 72-02147A, 72-02147B, 72-02147C, & 72-02149E

Roberta Green was in today to file Objections on the above mentioned rights.

I know that we had just finished a new recommendation on 72-02147A, but she then realized that the "diversion rate" was wrong and she had never noticed that before. She provided documentation that showed she owned 126 AFA. She then had to object to the B and C portions' diversion rates as well.

She also objected to the Place of Use on 72-02147A and 72-02149E, claiming that historically, the different storage rights had been used on either of her properties, as needed...

Anyway, I kept copies of the Objections for my files and sent her to the court with the originals and copies to mail to the other parties. I just wanted to let you they'll be coming.

RECEIVED

AUG 21 2000

Department of Water Resources
Southern Region

~~ORIGINAL~~

COPY

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

Case No. 39576

A. Subcase 72-02147A
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Robert Green

Address: Box 213

Challis, Idaho 83226

Daytime Phone: 208-879-2320

Name & Address of Attorney, if any:

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

Name: Robert Green

Address: Box 213

Challis, Idaho 83226

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** *RM*
Should be: 126.0 AFA
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** *T14N R19E S28 NENW 40 NW 1/4 SENE 1/4*
Should be: *T14N R19E S17 NENE 7.9 SENE 9.4 NESE 2.*
11. **I object because:** *T14N R17E S27 SENE 04 SW 1/4 SENE 29 NESE 30 NW 1/4 SENE 23 SW 1/4 SENE 29 SESE 07*
 - ☐ This water right should not exist *T14N R17E S34 NENW 10 NW 1/4 06*
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

#3 I already owned 1/2 of Challis Creek Lake water or 94.5 AFA and I inherited 31.5 AFA from my mother, Ethel Philips in 1977. My husband, Clyde Green, along with my parents, R.W. Philips & Ethel B. Philips developed the Challis Creek Lakes.

#9 Historically I have always used my Challis Creek Lake water on all three of these properties.

COPY

~~ORIGINAL~~

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

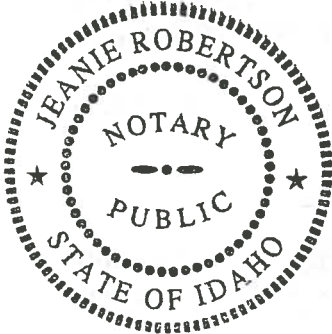
Robert H. Green, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Robert H. Green
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Aug. 21, 2000



Jeanie Robertson
Notary Public for State of Idaho / IDWR
Residing at: Twin Falls, Idaho
My Commission Expires: 9-23-2006

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 August 21st, ~~1999~~ 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name:

Address:

Robert H. Green
Box 313
Challis, Id 83226.

3. Copies to:

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

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

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

Robert H. Green
Signature of Objector or attorney mailing on Objector's behalf

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DAM AND RESERVOIR

CERTIFICATE OF APPROVAL

This is to certify that

CHALLIS LAKE

Dam and Reservoir, located in

SW $\frac{1}{4}$, Section 7, Township 14N, Range 17E, B.M., Custer County,

State of Idaho has been inspected by the Department of Water Resources of the State of Idaho, as provided in

Title 42 Chapter 17, Idaho Code, and approval is hereby given to impound water in accordance with and subject

to the following terms and conditions: COMPLETE REPAIR(S) TO OUTLET INTAKE ON/BEFORE
THE NEXT (1995) IRRIGATION SEASON.

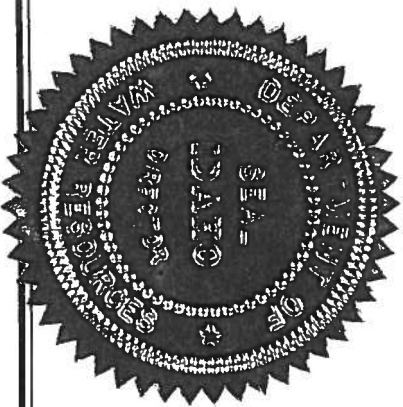
This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the

1st day of November 19 95

*This certificate has been issued and the seal of the
Director affixed at Boise, Idaho this*

28 day of September 19 94.

for Administrator-Water Management Div.



State of Idaho **License and Certificate of Water Right**

Water License No. R-762
Water District No. _____

Amount 189 acre feet
Priority July 18, 1946

THIS IS TO CERTIFY that Clyde A. Green
of Challis, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 18, 1946; that Permit No. R-762
was issued under said application; that Certificate of Completion of works, with a ^{returning capacity} ~~amount~~ of
189 ^{acre feet} ~~acres~~ per annum, was issued thereunder on September 13, 1952, showing that said works
were completed on the 27th day of June, 1951; and that on the 8th
day of July, 1955.

CLYDE A. GREEN & ETHEL B. PHILIPS (owner of 1/2 interest)
of Challis, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Challis Creek
Lake, a tributary of _____, for the purpose of Irrigation,
under Use Permit No. R-762 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 5658, on the 28th day of February, 1956;

The right hereby confirmed dates from July 18, 1946;

The Point of ^{Outlet} ~~Diversion~~ is located

in the SE 1/4 SW 1/4, Sec. 18, Twp. 14 N R. 17 E, B. M. Custer 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 189 acre x cubic feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>14 N.</u>	<u>19 E.</u>	<u>8</u>	<u>SE 1/4</u>	<u>40</u>	<u>2</u>
		<u>17</u>	<u>NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SW 1/4</u>	<u>—</u>	<u>2</u>
			<u>SE 1/4</u>	<u>—</u>	<u>40</u>
		<u>20</u>	<u>NE 1/4</u>	<u>—</u>	<u>40</u>
			<u>NE 1/4</u>	<u>—</u>	<u>30</u>
			<u>SE 1/4</u>	<u>—</u>	<u>15</u>
Total Number of Acres Irrigated				- - <u>209</u>	

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 Boise, Idaho, this
28th day of February, 1956.

(SEAL)

MARK R. HULF

State Reclamation Engineer.

72 2147

August 9, 1950

Re: Permit No. R-762

Mr. R. W. Philips
Challis, Idaho

Dear Mr. Philips:

We enclose herewith the Assignment of one-half interest in Permit No. R-762 from Clyde A. Green and wife to yourself, which has been duly recorded in this Department.

We also enclose Departmental Receipt No. 22550 for the fifty cent (\$.50) recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh
Enc.

CC: Mr. Clyde A. Green.

R-762

July 13, 1949

Re: Permit No. R-762

Mr. Clyde A. Green
Box 103
Challis, Idaho

Dear Mr. Green:

We have received the Assignment of one-half
of your interest in Permit No. R-762 to R. W. Philips
of Challis, Idaho.

There is a fee of fifty cents (\$0.50) for
recording this Assignment, as mentioned in office letter
addressed you on August 20, 1949.

Very truly yours,

MA. E. H. KULP
State Reclamation Engineer
By

A:bn

C. J. Clark

R 120

K-762
✓
July 22, 1949

Mr. Clyde A. Green
Challis, Idaho

Dear Mr. Green:

Our idea in a joint filing by you and Phelps and Giampetraglia was that you could divide the Permit according to your previous agreement, i. e., that you were to have the first catch of a certain amount above your present Permit and the remaining catch to the others. This was explained to me by Paul, but in the absence of accurate data as to the capacity of the reservoir both above and below the present lake level, it was impossible to make an accurate estimate of the part of the Permit each is entitled to.

Pending a survey by the Department which was requested, the alternatives are:

1. That you (Green) make an application for a Permit ahead of the others and the others then make application either jointly or individually. (The priorities are dated from the time the application is received in the office with the proper filing fee.)

2. That you three sign an agreement as to the relative rights in the Permit as among yourselves and make a joint application as filled out here.

The amount of storage space and height of the dam were made large enough to cover probable maximums and can be amended when accurate figures are known.

We are sending you three application forms in case you wish to make individual filings.

I assume you three are in agreement as to what you intend to do.

Very truly yours,

MARK E. KULP
State Reclamation Engineer

MEK:hh
Enc.

R 762

#146762

(Optional)
Recorded
Microfilmed
Indexed

☐
☐
☐

ed
Deed Card
Compared

☐
☐
☐

Key Punched
Master File
Abstracted

☐
☐
☐

No Treasurer

☐
☐

QUITCLAIM DEED

THIS INDENTURE, Made this 12th day of May

in the year of our Lord one thousand nine hundred and seventy eight between
LAURA BISHOP, dealing with her sole and separate property, of Challis,
Idaho, WANZA PHILPS, dealing with her sole and separate property of Challis,
Idaho, and ETHEL MCFARLAND, dealing with her sole and separate property,
of Carmen County of Lemhi

State of Idaho, the parties of the first part, and ROBERTA GREEN, dealing
with her sole and separate property,
of Challis, County of Custer

State of Idaho, the part y of the second part.

WITNESSETH That the said parties of the first part, for and in consideration of the sum of

EXCHANGE OF LAND
lawful money of the United States of America, to them in hand paid by the said party of
the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release
and forever QUITCLAIM, unto the said part y of the second part, and to her heirs and
assigns all those certain lot s, pieces or parcel s of land, situate, lying and being in
, County of Custer, State of Idaho, bounded and particularly
described as follows, to-wit:

An undivided 1/6 interest in and to the Philps Ranch interest
in the Mosquito Flat Reservoir located on Challis Creek

AND ALSO an undivided 1/6 interest in and to the Philps Ranch
interest in the Challis Creek Lake located on Challis Creek.

Location of above described property _____ House No. _____ Street _____

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name _____

Address _____

City & State _____

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

_____ [Seal]
_____ [Seal]
_____ [Seal]
_____ [Seal]

STATE OF IDAHO
County of Lemhi } ss.
On this 12th day of May

in the year 1978, before me

the undersigned a Notary Public
in and for said State, personally appeared LAURA BISHOP, WANZA PHILPS and
ROBERTA 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.

Fred Smith
Notary Public for the State of Idaho.
Residing at Salmon, Idaho.

No. 146762

QUITCLAIM DEED

—TO—

Dated _____, 19____

STATE OF IDAHO, } ss.
County of _____

I hereby certify that this instrument was filed
for record at request of *Roberta*
Green

at _____ minutes past _____
o'clock _____ M., this _____ day
of _____, A.D. 1978

_____ y office, and duly recorded in Book _____
of _____ at page _____

By *Maria Sullivan* Ex-Officio Recorder.
By *Diana Phibbs* Deputy.
Fees, \$ 2.00

Mail to *Roberta Green*

SYNOPSIS COMPANY, BOISE

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the part y of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their hand s and seal s the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Ethel M. Farland [Seal]
Laura Bishop [Seal]
Wanza Philips [Seal]
[Seal]

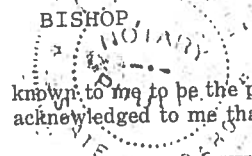
STATE OF IDAHO

County of Lemhi

ss.

On this 12 day of May in the year 19 78 before me

the undersigned a Notary Public
in and for said State, personally appeared ETHEL MCFARLAND, WANZA PHILPS and LAURA



known to me to be the person s whose name s 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.

Fred Shool
Notary Public for the State of Idaho.
Residing at Salmon, Idaho.

No. #146761

QUITCLAIM DEED

-TO-

Dated _____, 19____
STATE OF IDAHO, }
County of Custer ss.

I hereby certify that this instrument was filed
for record at request of Roberta Green

at 30 minutes past 8
o'clock A. M., this 19 day
of May, A.D. 19 78

in my office, and duly recorded in Book

of _____ at page _____

Marie Sullivan
Ex-Officio Recorder.

By Diana Ottwood
Fees, \$ 2.00 Deputy.

Mail to Roberta Green

SRBA

SUBCASE SUMMARY REPORT 72-02147A

[Return to SRBA Home Page](#)

SRBA
08-21-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-02147A FILE#: 00455
CLAIMANT: GREEN, ROBERTA H
STATUS: M/R/R FILED
WATER SOURCE: CHALLIS CREEK LAKES, CHALLIS CREEK

****** PARTIES INVOLVED ******

ROBERTA H GREEN

C PRO SE

****** ROA ENTRIES ******

03-09-2000	MOTION TO FILE AMENDED NOTICE OF CLAIM ADD POINTS OF DIVERSION	MG	05-19-2000
03-14-2000	NOTICE SETTING HEARING MOTION TO FILE AMENDED NOTICES OF CLAIM	HS	05-19-2000 0900
05-19-2000	HEARING HELD ON MOTION TO AMEND CLAIM	HH	05-19-2000 0900
05-19-2000	MINUTES FILED		
05-19-2000	VERBAL ORDER GRANTING MOTION TO AMEND CLAIM		
05-26-2000	ORDER SETTING SUBCASE DEADLINES AMENDED DIRECTOR'S REPORT DUE 6/30/00 OBJECTIONS TO AMENDED DIR RPT DUE 7/28/00 RESPONSES TO OBJECTIONS DUE 8/21/00		
06-30-2000	AMENDED DIRECTOR'S REPORT - AMENDED CLAIM CHG PODS; OBJECTIONS TO AMENDED DIR RPT DUE 7/28/00 RESPONSES TO OBJECTIONS DUE 8/21/00		
06-30-2000	STIPULATION (WITHDRAWAL OF COUNSEL)		
06-30-2000	MOTION TO WITHDRAW AS ATTORNEY OF RECORD	MG	07-07-2000
07-07-2000	ORDER ALLOWING WITHDRAWAL AS ATTORNEY OF RECORD		
07-13-2000	CORRESPONDENCE FROM ROBERTA GREEN - WILL BE REPRESENTING HERSELF		
07-18-2000	CERTIFICATE OF SERVICE OF ORDER ALLOWING WITHDRAWAL		
08-15-2000	REPORT & RECOMMENDATION OF MASTER	CB	09-28-2000
08-15-2000	NOTICE OF ISSUANCE - MASTERS R&R		
08-15-2000	CERTIFICATE OF MAILING - MASTER R&R		

[Return to SRBA Home Page](#)

DATE: 06/15/00
PAGE: 1

DIVERSION
VOLUME

47.25 AFA
47.25 AFA

47.25 AFA

Stage: LICENSE

CUSTER	County
CUSTER	County
CUSTER	County

SE

USE	SWSE	SESE	:
AC	Lt	Ac	:
---	---	---	:
TOTAL ACRES			:

Other Rights: 72-00020E, 72-04024, 72-04087

- 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

WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

Exam Made Date:

Water District Number: 720

Field Inspection Flag: C
Presumption Flag:

Memorandum

To: 72-00020E, 72-02147A, 72-04024, 72-04087

CC: Files

From: Jeanie Robertson

Date: 06/15/00

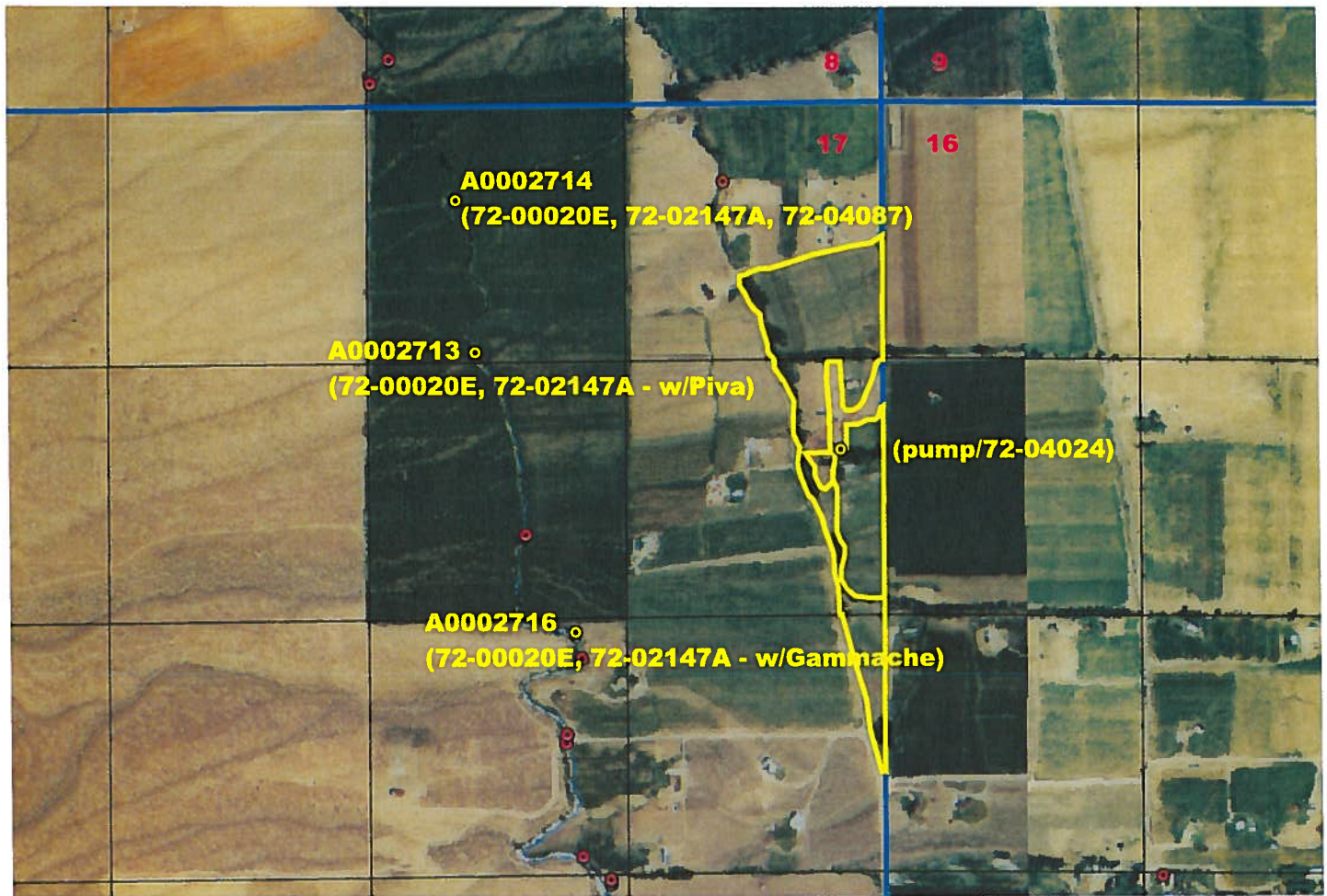
Re: Recommendations

I met with Mrs. Green while in Challis last summer. We went over her Director's Report Recommendations and she told me that the Points of Diversion were incorrect. We drew a little map and she explained that she gets her Highwater (72-04087 – filed as a late claim) out of a diversion which she shares with several neighbors, represented by GPS tag A0002714 and located in the NWNWNE of Section 17. When the highwater has been cut off, she then uses two additional points of diversion through agreements she has with Mr. Piva for a diversion in the SWNWNE of Section 17 and represented by GPS tag #A0002713, and with Mr. Gammache for a diversion in the NENWSE of Section 17, represented by GPS tag # A0002716. I made my new Recommendations based on this information. She had also requested adding pods to 72-04024. It is for a well so I didn't add the surface water diversions to that right, just changed the Remarks a little.

Had some questions as to whether I should show the Piva and Gammache diversions on 72-00020E because it seemed Mrs. Green said these were mostly used for the Challis Creek Lake Right (72-02147A) **after** her decreed water had been shut off. I was also not sure if the diversion in the NWNWNE of Section 17 (tag # A0002714) should be included in the recommendation for 72-02147A. I made my recommendations to include them because it seemed she intended that by her amendments **and** it gives greater flexibility in water delivery...

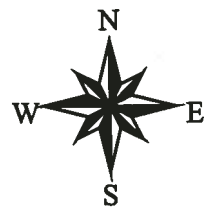
IDAHO DEPARTMENT OF WATER RESOURCES

72-00020E, 72-02147A, 72-04024, and 72-04087



0 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JUNE 15, 2000
TWP 14N, R19E, SEC . 17

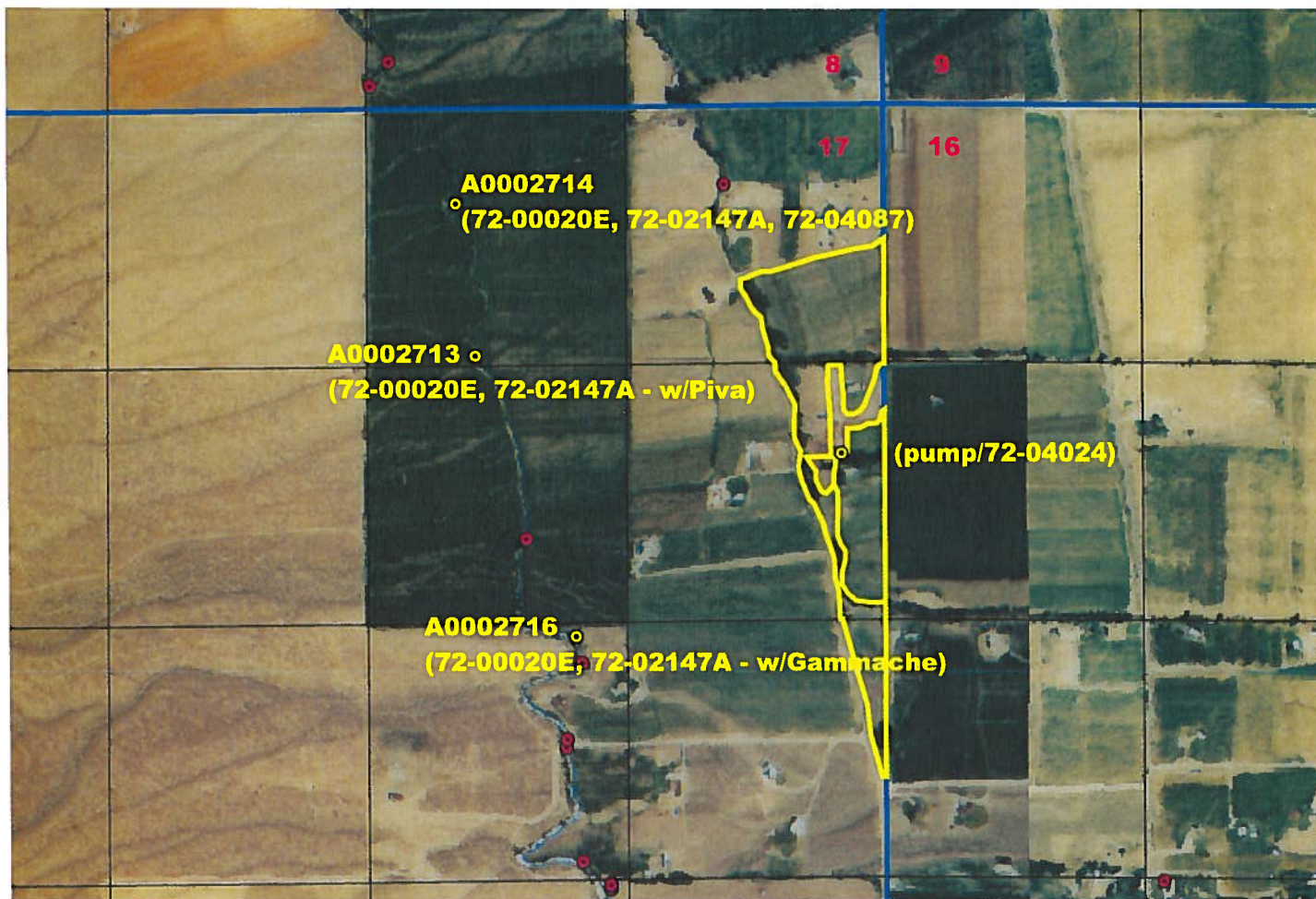


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

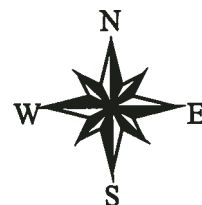
IDAHO DEPARTMENT OF WATER RESOURCES

72-00020E, 72-02147A, 72-04024, and 72-04087



0 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JUNE 15, 2000
TWP 14N, R19E, SEC . 17



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

Water Right Number - R72-02147A

Prefix Translation:

RESEARCH

Old (D) Number - R762

Last Name - + First Name - +

Address - +

*** C - CURRENT OWNER ***
GREEN

ROBERTA H

1 - PO BOX 213
2 -
3 -
City- CHALLIS
Phone - 208-879-2320

State- ID Zip- 83226

Priority Date - +
07/18/1946

Region - +
17 SOUTHERN

Stage - +
L - LICENSE

Source - +
CHALLIS CREEK LAKES

Tributary - +
CHALLIS CREEK

Point of Diversion - +

Twn	Rng	Sec	Tract	Lot	Rflg	County
14N	17E	7	SE SW SW	10	R	(37) CUSTER
	19E	7	SW NW NW		R	(37) CUSTER
		17	NW NW NE		R	(37) CUSTER
			SW NW NE		R	(37) CUSTER
			NE NW SE		R	(37) CUSTER

CHALLIS CREEK LAKES
HIGH LINE CANAL
A0002714
A0002713 (PIVA)
A0002716 (GAMMACHE)

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31			47.25
03	IRRIGATION FROM STORAGE	04/01	10/31			47.25

Total Div. Rate - + Total Div. Volume - +
47.25

Total Consumptive Use - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	17	NE NE		7.9	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	17	SE NE		9.4	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	17	NE SE		2.1	03	IRRIGATION FROM STORAGE	(37) CUSTER

Total Acres: 19.4

- - - Diversion Means - EARTH DAM WITH HEADGATE, CHALLIS CREEK TO HIGH LINE DITCH.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-00020E, 72-04024, 72-04087

Remarks - +

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

Water right number - R72-02147A

Prefix Translation: RESEARCH

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

7202147 Old Water Right Numbers

C18 - 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.

Decree Plaintiff Decree Defendant Decree Date
00/00/0000

Comments
Date: 11/12/1992 User Id: WORSTELL Subject: COPIED FROM REMARKS LAKE WATERS (189.0 X 0.6667 = 126.0)
THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK
Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
Date: 01/13/1999 User Id: JROBERTS Subject: CHANGED POU
PER NOE ON 72-00020E, ADDED ACRES.
Date: 06/14/2000 User Id: JROBERTS Subject: CHANGED PODS
AMENDED CLAIM WAS FILED WHICH ADDED TWO POINTS OF DIVERSION, ONE SHARED WITH PIVA (SWANNE) AND THE OTHER WITH GAMMACHE (NENWSE).
ALSO ADDED CONDITION CODE C18. (ORIGINAL PODS WERE INCORRECT.)

Audit Fields
06/15/00 JROBERTS

Adjudication Rights Dates and Flags Area
Court Report Filing - 01/29/1999 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District - P
Claim Received Date - 11/16/1989 Last Amended Date - 00/00/0000 Temporary Right - 72C
Receipt Number - M005227 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Notice of Error Flag - C

AJ5809NP
No. 72-02147A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/14/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERTA H GREEN	07/18/1946	IRRIGATION STORAGE	01-01 12-31		47.25 AFA
			IRRIGATION FROM STORAGE	04-01 10-31		47.25 AFA
TOTAL DIVERSION:						47.25 AFA

Water Source: CHALLIS CREEK LAKES

Tributary to: CHALLIS CREEK

Stage: LICENSE

Point(s) of Diversion: T14N R17E S07 ~~SESWW~~ *Challis C. Lakes #73* CUSTER County
Point(s) of Re-diversion: T14N R19E S07 Lot10(SWNWNW) ~~NESENE~~ *#3 Hi-Line* ~~SWENE~~ *NE NWSE #13 (Gannock)* CUSTER County
S17 ~~SWENE~~ *SW NWNE #74* CUSTER County
SW NWNE #45 (Pipe)

Place of use Legal Description for: IRRIGATION FROM STORAGE

NE				NW				SW				SE						
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
14N	19E	17	: 07				: 09				: 02							19.4
TOTAL ACRES																	19.4	

POU County: CUSTER

Other Rights: 72-04024, 72-00020E *+ 72-04087*

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

C18

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

Dates: Exam Made Date: Verified Date: 01/13/1999 Objection Filed Date:

Misc: Water District Number: 72C Field Inspection Flag:
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 SRBA

Case 39576

)
)
)
)
)
)
)

Subcase 12-02147A

STANDARD FORM 4

MOTION TO FILE AMENDED
NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase". You must use a **separate form for each** late or amended Notice of Claim.

By filing a *Motion to File Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

X I have read SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996).

My name is: Roberta H. Green

My address is: P.O. Box 213, Challis, ID 83226

My phone number is: Work: (208)

Home: (208)

I am an attorney representing: Roberta H. Green

My name is: Patrick D. Brown, P.C.

My address is: 109 South Adams Street
Jerome, ID 83338

My phone number is: (208) 644-1967

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires:

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

As originally claimed and described, the right accurately reflects my prior decreed right, but when the total amount of water is low, I conserve water by sharing points of diversion with my neighbors. That way we can rotate, and each of us ends up getting better use of the water. This is the way we have always watered our property. IDWR told me in November of 1999 that in order to continue this practice, we should get our decree(s) changed so that it reflects that we use those alternate points of diversion when the water is low.

☒ I am providing legal and factual documentation to support my amended Notice of Claim. (You must describe these documents and attach a readable copy.)

1. IDWR Recommended Water Rights Acquired Under State Law.

I have attached:

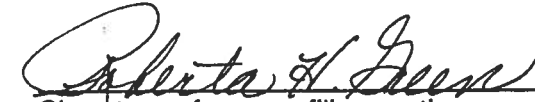
1. An amended Notice of Claim (available from IDWR).
2. IDWR Recommended Place of Use Map for 72-00020E and 72-02147A which has in red the two new points of diversion and my property outlined in white.

VERIFICATION (Must be completed)

State of Idaho)
:ss
County of Twin Falls)

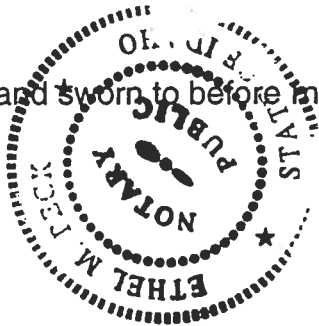
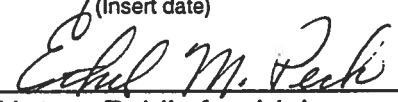
PATRICK D. BROWN, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.



Signature of person filing motion


PATRICK D. BROWN
Attorney signing in representative capacity

Subscribed and sworn to before me on March 6, 2000
(Insert date)



Notary Public for: Idaho
Residing at: ~~Twin Falls~~ Challis
My commission expires: ~~11-09-04~~
3-19-04

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on March 8th, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postabe prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

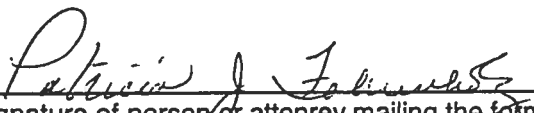
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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



3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you may serve a copy on all parties to that subcase.

(Insert Names/address(es) of parties)


(Signature of person or attorney mailing the form.)

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 72-02147 A

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Roberta H. Green Phone () _____Mailing Address P.O. Box 213, Challis, Id Zip 832262. Date of Priority (Only one (1) per claim) 7-18-19463. Source of water supply (a) Challis Creek Lakes
which is tributary to (b) Challis Creek4. a. Location of existing point of diversion is: Township 14 Range 17 Section 07.SE 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ClusterAdditional points of diversion if any: R 19 E S07 Lot 10 SWNW NW (E) NE SENW (E)
R 19 E S17 SW NE NE (E) NW NW NE (E)
T 14 N R 19 E S07 Lot 10 SW NW NW S17 NE NW SE Gammache
T 14 N R 19 E S07 Lot 10 SW NW NW S17 SW NW NE Piva

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation Storage purposes from 01-01 to 12-31 amount _____ or 47.25

For Irrigation from Storage purposes from 04-01 to 10-31 amount _____ or 47.25

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 47.25 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>14</u>	<u>17</u>	<u>67</u>	<u>7.9</u>			<u>2.1</u>												<u>9.4</u>	<u>19.4</u>

Total number of acres irrigated 19.4

11. In which county (ies) are lands listed above as place of use located? Custer

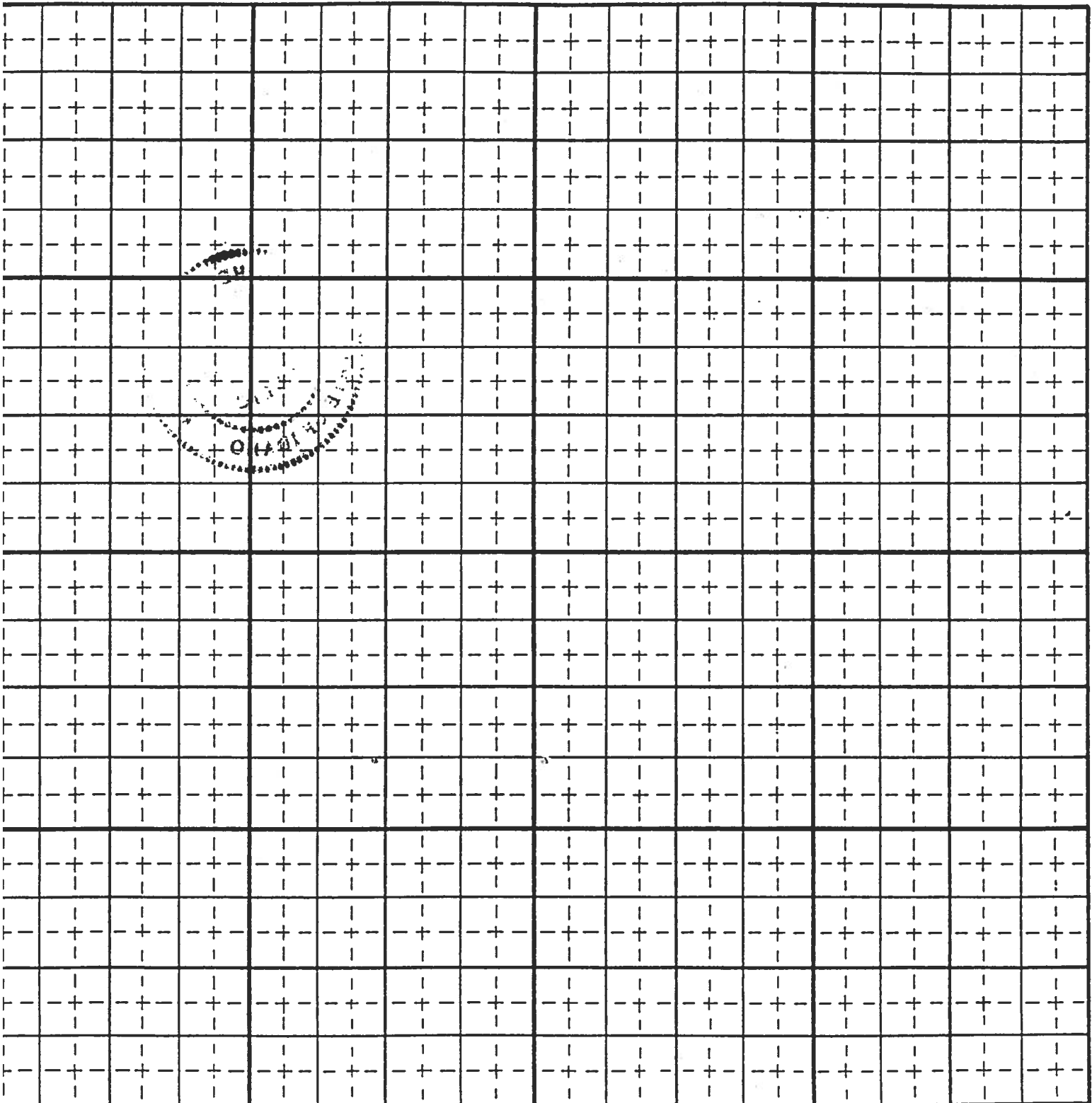
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
72-00020E and 72-04024 or None ()

14. Remarks:

Map of Project: show clearly the po. of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile See attached IDWR recommended use map,



Last Name GREEN

Ident No. 72-02147 A

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 72-C2147A

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) *Patricia A. Green* Date 3-6-00

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____ SS.

County of _____

Subscribed and sworn (or affirmed) before me this 6th day of March 192000

Notary Public *Ethel M. Peck*

Residing at Challis

My Commission Expires 3-19-2004

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Patrick D. Brown, P.C. will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address 109 So Adams Street, Jerome Id 83336

Date _____

Last Name Green Ident. Number 72-02147A

Copies White-State, Yellow-Claimant

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

DATE: FEB-16-2000
PAGE: A-1

RIGHTS FROM: SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

RIGHT NUMBER: 72-02147A

NAME AND ADDRESS: ROBERTA H. GREEN
P.O. BOX 213
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK LAKES TRIBUTARY: CHALLIS CREEK

QUANTITY: 47.25 AFY

PRIORITY DATE: 7/18/1946

POINT OF DIVERSION:	T14N R17E S07 R19E S07 S17	LOT 10	SESWSW (SWNWNW) NESENW SWNENE NWNWNE	Within CUSTER County (R) (R) (R) (R)
	T14N R19E S07 S17	LOT 10	SWNWNW NENWSE	
	T14N R19E S07 S17	LOT 10	SWNWNW SWNWNE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	47.25 AFY
	IRRIGATION FROM STORAGE	04-01 10-31	47.25 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within CUSTER County
T14N R17E S07 NENE 7.9 SESE 9.4 NESE 2.1 *

19.4 ACRES TOTAL

CONSUMPTIVE USE:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM – LICENSE

IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

High Lin
Canada

IDAHO DEPARTMENT OF WATER RESOURCES

Robert Green

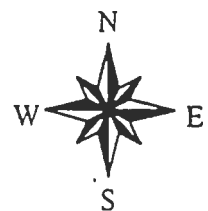
72-00020E & 72-02147A

↓ property outlined in white



0 660 1320 1980

RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN.20, 1999
TWP 14N, R19E, SEC 17



RECOMMENDED PLACE OF USE

RECOMMENDED POINT OF DIVERSION

SECTION LINES

QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

Robertson, Jean

From: Robertson, Jean
Sent: Monday, March 06, 2000 3:31 PM
To: Ball, Dayna M.
Cc: Luke, Tim
Subject: Challis Creek right questions...

In answer to your questions:

72-00004D

I found no ownership change records from Don and Cori Henderson to Don Odom

72-00020E, 72-02147A

I found a letter I had sent to Mrs. Green last September telling her she needed to file a late objection in order for me to be able to make any changes to the point of diversion. I guess she never did...

72-00029B

I sent a letter to Mr. Rankin last September telling him he needed to file a transfer to reduce the place of use to 32.5 acres, which would match right 72-10044A. Apparently he has not done so. This right was originally recommended with 43 acres in the place of use. The 'R' record in this case is how it should look IF and WHEN a transfer is filed. We filed a Notice of Administrative Proceeding on 12-27-1999 with the court in hopes Mr. Rankin would contact us...

72-02104B

I found no ownership change records showing Jolley has sold this...

Hope this helps...Jeanie



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 22, 1999

ROBERTA GREEN
PO BOX 213
CHALLIS ID 83226

RE: 72-02147A

Dear Roberta,

I did some checking on the **Points of Diversion** for this right, from **Challis Creek Lakes**, in my recommendation. I also reviewed the documents you provided regarding easements and agreements with Gammache and Dobbs. According to the **Pipeline Agreement with Mr. Dobbs** (now the Bob Piva property), it appears you have the right for delivery of 10 ½ inches of water from the pipeline.

The other **Grant of Easement with the Gammaches**, however, appears to be an easement allowing their pipeline to cross your property. I saw no mention of an agreement, which gave you the right to convey the 7 inches of water you talked about. Is there another agreement for that? ?

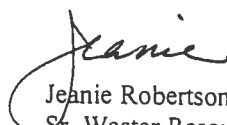
In order to make any changes to the Director's Report, an **Objection** must be filed with the **SRBA Court**. I have enclosed an (SF1) Standard Form 1, for this purpose. As the deadline for filing Objections in Basin 72 has already passed, a **MOTION** to file a **LATE OBJECTION** should be included. This can be in the form of a letter to the court, attached to your Objection, asking permission to file a late objection. It should mention the Water Right Number (72-02147A), explaining **WHY** it is late, and **ASKING** the court to accept your late objection. You may or may not wish to include any evidence to help persuade the court to accept your motion. Follow the instructions with the form and be sure to mail copies of everything to all those listed on page 4. (I have included some pre-addressed labels for your convenience.)

I am not an attorney and can't give you legal advice. I'm merely trying to give some direction as to what the court generally requires in these instances. You may wish to contact your attorney in this matter.

(As for right number 72-00032N, formerly Udy and now owned by Enzenauer, which you questioned me about; our records show there was an approved transfer in 1985 which moved the place of use for this 1910 water and allowed water to be pumped to the location above the Highline Canal.)

If you have any questions, feel free to contact me at the office or call the SRBA court at 736-3011.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent

980191

161086
PIPELINE AGREEMENT

*now owned
by Bob Piva
C.D.
Piva*

AGREEMENT by and between GRANT W. DOBBS and BORIS DOBBS, husband and wife ("Dobbs"), and ROBERTA GREEN, a married woman ("Green");

WHEREAS Dobbs is the owner of an irrigation main pipeline (the "line") located in Section 17, T. 14 N., R. 19 E., B.M., Custer County, Idaho, extending from the highline canal where the same crosses the North boundary of the SW1/4 NE1/4 of said Section 17 extending thence East along the North line of the S1/2 NE1/4 of said Section 17, and

WHEREAS Green desires to utilize said line for the transmission of ten and one-half (10 1/2) inches of water belonging to Green to be withdrawn by Green at a point where the line intersects the West boundary of Green's property on the North line of the SE1/4 NE1/4 of said Section 17, and the parties wish to document their agreement, NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

1. Green shall have the right to divert and deliver ten and one-half (10 1/2) inches of Green's decreed water into the inlet of the line at the intersection of the highline canal and the North line of the SW 1/4 NE1/4 of said Section 17, and transmit said water through the line to a point where the West boundary of Green's property in the SE1/4 NE1/4 of said Section 17 intersects with the North boundary line of said SE1/4 NE1/4, at which location Green shall have the right to withdraw said ten and one-half (10 1/2) inches of Green's water through a vertical four (4) inch pipe installed by Green into the line.

2. Green shall have the right to install a pump at the vertical four (4) inch pipe in order to withdraw the ten and one-half (10 1/2) inches of Green's water. Withdrawal of said water by Green from the line shall be under the control of the Challis Creek Water District Watermaster, and Green shall not withdraw more than ten and one-half (10 1/2) inches of water from the line. If Green diverts and delivers less than ten and one-half (10 1/2) inches of Green's water into the inlet of the line, Green shall withdraw only that amount from the vertical four (4) inch pipe.

3. Green shall be liable for one-twentieth (1/20) of all costs and expenses incurred in the installation, maintenance and repair of that segment of the line extending from the highline canal East to the vertical four (4) inch pipe on the West boundary of Green's property, and shall forthwith pay her

share of said costs and expenses upon presentation by Dobbs of written receipts evidencing such costs and expenses. Green shall bear all costs and expenses in connection with the vertical pipe, including but not limited to the connection thereof to the line.

4. Dobbs and Green shall be responsible for obtaining all required permits and approvals for delivery and distribution of their respective water rights through the line.

5. This agreement shall be binding upon and shall inure to the respective heirs, assigns and successors in interest of the respective parties hereto.

6. The effective date of this agreement is the date indicated immediately below, regardless of whether the parties executed this agreement before or after this date.

DATED: 7-27, 1980.

Roberta Green
Roberta Green

Grant W. Dobbs G.D.
Grant W. Dobbs G.D.

Doris Dobbs
Doris Dobbs

G.D.

STATE OF IDAHO)
COUNTY OF CUSTER) ss.

This instrument was filed for record
at the request of Grant W. Dobbs
9:41 a.m. July 9 1980
and duly filed and indexed in the Records of Custer
County.

HOWARD A. RAXTER
Ex-Officio Recorder

Barbara A. Raxter Deputy

STATE OF IDAHO)
) ss.
County of Custer)

On this ^{November} / day of December, 1980, before me, a notary *PH*, public in and for the said state, personally appeared Robert Green, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

(SEAL)

Mac Kopp
Notary Public for Idaho
Residing at Challis, Idaho
My Commission Expires: *Life time*

STATE OF IDAHO)
) ss.
County of Custer)

On this ^{November} 9 day of December, 1980, before me, a notary *G.D.*, public in and for the said state, personally appeared Grant W. Dobbs and Doris Dobbs, 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.

(SEAL)

Mac Kopp
Notary Public for Idaho
Residing at Challis, Idaho
My Commission Expires:

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, Made and entered into this 30th day of April, 1980, by and between ROBERTA GREEN, a single woman, dealing with her sole and separate property, of County of Custer, State of Idaho, hereinafter referred to as "Green", and WILLIAM THOMAS GAMMACHE, an unmarried man and ANTHONY D. GAMMACHE, an unmarried man, of County of Custer, State of Idaho, hereinafter referred to as "Gammaches".

W I T N E S S E T H:

WHEREAS, Gammaches desire to install and maintain a certain irrigation pipeline across lands owned by Green for their use and benefit on adjacent lands, and

WHEREAS, Green is willing to grant a perpetual easement for the purposes and to the extent stated herein, and

WHEREAS, The parties wish to set their understandings and agreements out herein in full.

NOW THEREFORE, In consideration of \$1.00 in hand paid each party to the other and in further consideration of the agreements and understandings herein contained, it is understood and agreed as follows, to-wit:

1. Green hereby grants, gives and conveys to Gammaches a perpetual easement 8 feet in width for the purpose of the installation, inspection and maintenance of an irrigation pipeline 9 inches (or less) in diameter. The described easement shall run approximately 215 feet in length across Green's lands within the SE1/4NE1/4, Sec. 17 Township 14 N., R. 19 E., B.M., Custer County, Idaho. More particularly, the centerline of the described easement shall commence approximately 25 feet North of the Southwest Corner of the W1/2NW1/4, Sec. 16, Township 14 N., R. 19 E., B.M., Custer County, Idaho, and run thence in a westerly direction across the

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TEL. (208) 879-2488

described Green tract to the West bounda... of the same. Lands to be irrigated are described as follows:

All that part of the NW1/4NW1/4 and SW1/4NW1/4, Section 16, Township 14 North, Range 19, East of the Boise Meridian, lying West of the County Highway right-of-way, containing approximately 70 acres.

2. Gammaches shall further have the right to bury the pipeline by machine or by hand, but shall have the duty or obligation to properly grade and level the surface when finished and shall remove all rocks or debris from the surface and shall reseed the surface with the crop disturbed. Gammaches shall keep the pipeline in a fair state of repair and have the right to enter upon the Green's lands as customary to perform the usual and needed maintenance or repair and further to secure or obtain the normal usage of the system during the period of the normal irrigation season. Pipe to be buried at least 4 feet in depth.

3. The easement, both benefit and burden, shall run with the lands above described.

4. It is further understood and agreed that the agreements and understandings herein contained shall be binding upon and inure to the benefit of the heirs, executors, administrators and assigns of all parties hereto.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals the day and year first above written.

Roberta A. Green
Roberta Green

William Thomas Gammache
William Thomas Gammache

Anthony D. Gammache
Anthony D. Gammache

STATE OF IDAHO)
 : ss.
County of Custer)

On this 16th day of May ~~April~~, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTA GREEN, a single woman, dealing with her sole and separate property, WILLIAM THOMAS GAMMACHE, an unmarried man, and ANTHONY D. GAMMACHE, an unmarried man, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TEL. (208) 879-2488

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

Diane M. Lacy
Notary Public for Idaho
Residing at Challis
My Commission Expires: Life

WATER USE AGREEMENT
AND
CONFIRMATION OF EASEMENT

THIS WATER USE AGREEMENT AND CONFIRMATION OF EASEMENT, made and entered into this 8th day of August, 1995, by and between WILLIAM THOMAS GAMMACHE, an unmarried man, and ANTHONY D. GAMMACHE, an unmarried man, whose current address is P. O. Box 146, Challis, Idaho 83226, hereinafter referred to as "Gammache," and ROBERTA GREEN, a single woman, whose current address is P. O. Box 213, Challis, Idaho 83226, hereinafter referred to as "Green;"

W I T N E S S E T H:

WHEREAS, in April of 1980 Green granted to Gammache a certain perpetual easement appurtenant for installation and maintenance of an underground irrigation pipeline; and

WHEREAS, such easement ran across lands owned by Green within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; and

WHEREAS, the dominant lands owned by Gammache are located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; and

WHEREAS, the parties wish to set forth their understandings and agreements in regard to the use of water from the system by Green; and

WHEREAS, the parties wish to further identify their agreements herein in full;

NOW, THEREFORE, in consideration of \$5.00 in hand paid each party to the other, and in further consideration of the understandings and agreements herein contained, it is understood and agreed as follows, to-wit:

1. That the easement above referred to is hereby confirmed.

2. That Gammache agrees that Green shall have the right to use from the system sufficient water to supply seven (7) rainbirds or sprinkler heads, but not exceeding five (5) miner's inches of water to be used upon her lands adjacent to the easement. All expense connected with such use shall be borne by Green.

3. That the use of the water is consensual and subject to the terms of this agreement. Further, the rights granted hereby are personal to Green and to her daughter, MELISSA DuBOIS. These rights do not run with the land and will terminate upon the first of the following occurrences:

- a) sale or transfer of the lands to a third party, or
- b) upon the death of the survivor of Green or her daughter, MELISSA DuBOIS.

4. Should the delivery system or the water right fail by reason of Act of God, court decree, or for whatever reason or cause whatever, Gammache will not be liable to Green for damages, it being agreed that Green's right to the agreed-upon flow is on an "as available basis" only.

5. That this Agreement will be placed of record in the records of Custer County, Idaho.

IN WITNESS WHEREOF, the parties have executed this Water Use Agreement and Confirmation of Easement, effective the day and year first above written.

William Thomas Gammache
William Thomas Gammache

Roberta A. Green
Roberta Green

Anthony D. Gammache
Anthony D. Gammache

GAMMACHE

GREEN

STATE OF IDAHO)
) ss.
County of Custer)

On this 7th day of Sept, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM THOMAS GAMMACHE and ANTHONY GAMMACHE, unmarried men, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Kathryn M. Swindell
Notary Public for Idaho
Residing at: Challis ID
My Comm. Expires:

11/17/2000

STATE OF IDAHO

)

: ss.

County of Custer

)

On this 7th day of Sept, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTA GREEN, a single woman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

Kathryn M. Swindell

Notary Public for Idaho

Residing at: Challis ID

My Comm. Expires: 11/17/2000

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: T14N, R19E, Section 17 (Gammache) (Piva) NENWSE, SWNWNE
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: _____
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.

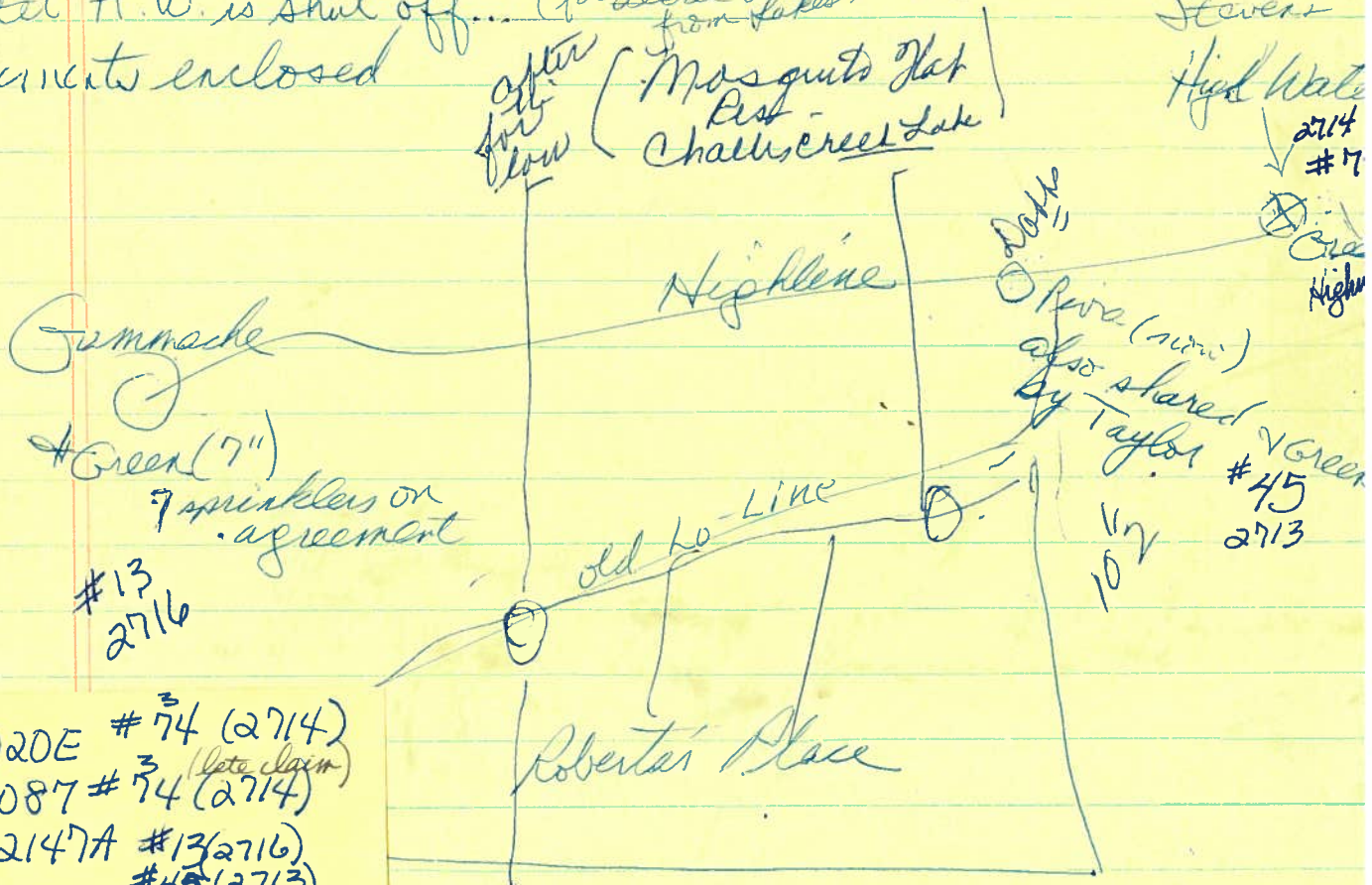
E. REASONS SUPPORTING OBJECTION(S):

* Look into "amending" res. & Ch. Lakes rights to make appurtenant to both places

72-02147A

uses H.W. div., then uses River Dam.
after H.W. is shut off... (for ~~decree~~ water from lakes via Highline)
agreements enclosed

Longfellow
Houder
Stevens
High Water
2714
#17
Cra
High



72-00020E #74 (2714)
72-04087 #74 (2714)
72-02147A #13 (2716)
#45 (2713)
(Pipeline agreements
w/ River & Gammache)
(plus Challis Lakes
& Hi-Line) 3

Udy's Lab. thinks he doesn't have a right
to come out of Baister Lake to Mill Cr.
into a ditch) 72-00032N

Robertson, Jean

From: Denniston, Sara
Sent: Thursday, September 23, 1999 9:14 AM
To: Robertson, Jean
Subject: RE: 72-02147A (Green)

It is up to her to decide what she is going to submit to the court or other parties on the mailing list. She is free to send whatever she wants to the parties and the court. You're not her lawyer, nor am I, so I'm a little uncomfortable telling her not to submit something that she wants to submit to the court. We have to be careful in dealing with claimants in the SRBA that we don't cross the line into giving legal advice. Of course, you have free reign to tell a claimant that you will need certain forms, certain evidence, etc in order for IDWR to take some action. My discomfort comes when we're telling the claimant what the court or other parties will want.

With the above proviso in mind, in a normal litigation, the only time that parties will submit evidence to the court is through a trial or an evidentiary hearing on a motion. Typically prior to the trial the parties will show their evidence just to the opposing parties in an effort to get the opposing party to change their position so a settlement can be reached. On the other hand, she may wish to submit the evidence she has in order to support her request to file a late objection.

So....that's a long winded way of saying that I'm not going to give you a definitive answer. I know this isn't that big of a deal, but it's a very slippery slope and I think that many of us are not always as vigilant as we could be about minding the line between helping out a confused claimant and giving out legal advice.

-----Original Message-----

From: Robertson, Jean
Sent: Thursday, September 23, 1999 8:45 AM
To: Denniston, Sara
Subject: 72-02147A (Green)

When I was up in Challis doing the field exam for Ron Green's amended claim for the Amended Director's Report due at the court, he asked me to stop and see his mother, Roberta, for a few questions she had...

She has this **right** out of Challis Creek Lakes and explained that she had old agreements with two parties for delivery of the water. (She provided me with copies of the agreements.) The watermaster informed her that he will not permit her to receive water from those headgates next year without a change in the Director's Report. This will require her to file a Late Objection with the court in order for me to make these changes in the point of diversion. My question is whether she should send copies of the agreements with her objection and to everyone on the list getting copies, or is it sufficient for me to have the copies only, which is what I'm basing my recommendation changes on???

Thanks,
Jeanie



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

March 3, 1999

KARL J. DREHER
DIRECTOR

ROBERTA GREEN
PO BOX 213
CHALLIS ID 83226

RE: 72-04087

Dear Roberta,

You had questioned whether there was a "High Water Right" for your property in Township 14N, Range 19E, Section 17 (the Home Place).

I found no claim in the adjudication filings but I did find this statutory claim (72-04087) in our water right files. It appears to be the usage you were referring to. In order for this type of water right or claim to be included in the adjudication, it was required to be "reclaimed" in the adjudication. Evidently this one was somehow overlooked.

It is not too late to file a claim, but because a Director's Report has already been filed for your area, the process becomes a little more complicated and involves the SRBA court. A Standard Form 4 (SF4), MOTION TO FILE A LATE CLAIM, must be filed with the court along with a completed claim form and check for \$50.00 (filing fee) made out to IDWR (Idaho Department of Water Resources). Note the mailing requirements for copies on page 6 of the SF4.

I have included the necessary forms. Assuming you agree with the other recommendations for this property (72-00020E and 72-02147A), you may wish to use some of the information from those recommendations in completing your claim form, such as location of the Point of Diversion and acres in the Place of Use. Please remember to sign the claim and have your signature notarized.

If I can be of further assistance, please feel free to give me a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 21, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERTA H GREEN
PO BOX 213
CHALLIS ID 83226

RE: 72-00020E, 72-02147A; 72-00056, 72-02149E, 72-04085; 72-00026,
72-00027, 72-04086, 72-10247, 72-10248, 72-10250, 72-10251,
72-10253, 72-10254

Dear Mrs. Green,

This letter is in response to the Notices of Error (NOEs) you recently filed with IDWR regarding the Director's proposed recommendations of the claims listed above. Your NOEs questioned the size of the Places of Use, and being able to use your storage rights at either location (Section 17 or 28).

I have re-drawn the areas on the GIS maps as we discussed. This allowed me to change my recommendations and include some additional acreage.

As for your storage rights, they were not claimed showing both properties so could not be recommended that way. After the Director's Report is issued, you can file a motion with the court (SF4 enclosed) to amend the claims and we may be able to change our recommendations after the amendments are filed. (If this will be a new use and hasn't been used this way before, you may be able to accomplish the same thing by filing a transfer.)

I have enclosed new GIS print-outs for your records and also copies of profile reports showing the changes. You should be receiving the actual Director's Reports around the first part of February, which will reflect these corrections.

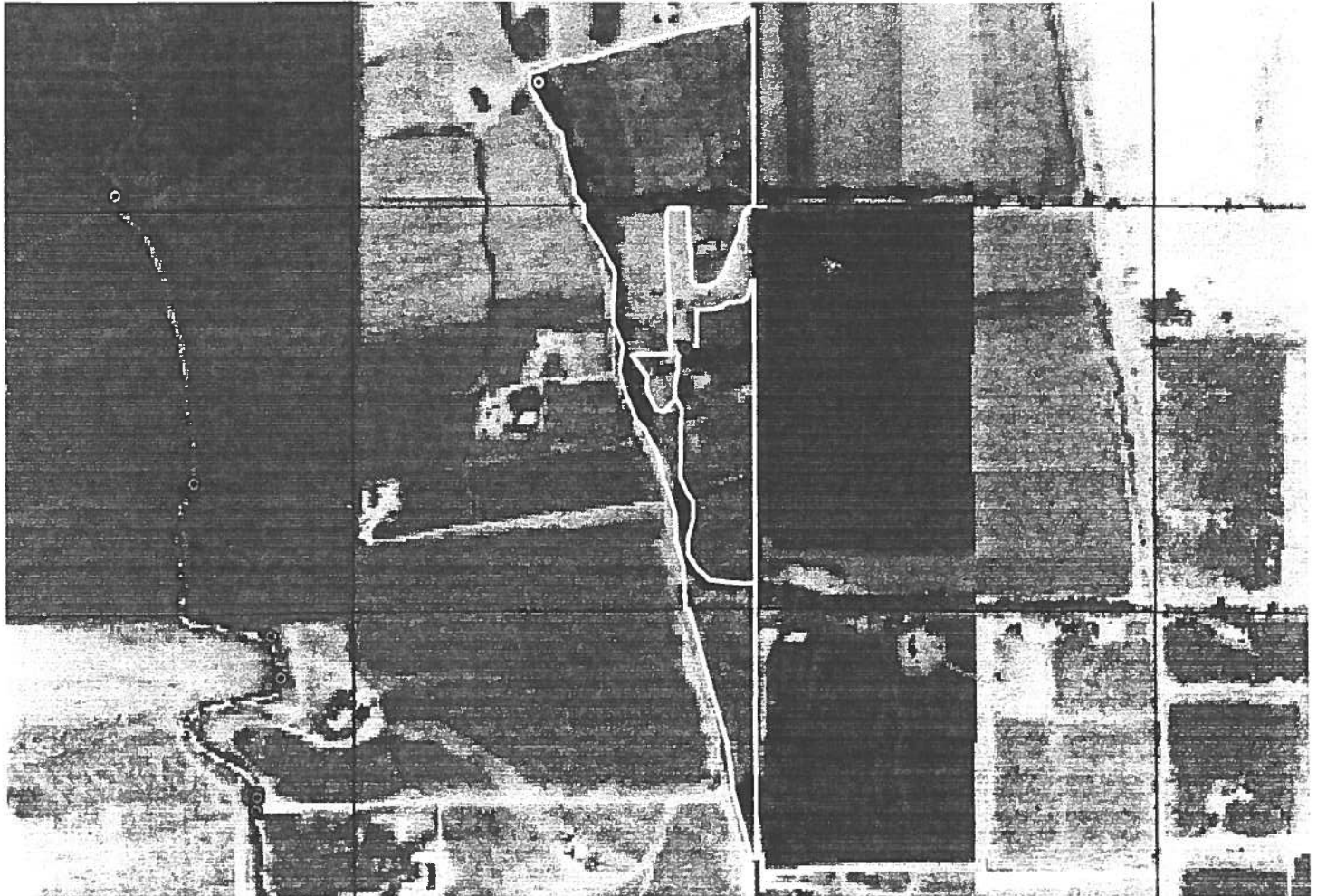
The two springs up at Mosquito Flat (72-10249 and 72-10252) are still being recommended for disallowal. If you disagree with any of our recommendations to the court, you may file an objection. The process will be explained with your Final Recommendation.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES

72-00020E & 72-02147A



0 660 1320 15

RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN.20, 1999
TWP 14N, R19E, SEC.17



RECOMMENDED PLACE OF USE

○ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

DATE: 01/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERTA H GREEN	07/18/1946	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01-01 12-31 04-01 10-31		47.25 AFA 47.25 AFA

Stage: LICENSE

CUSTER	County
CUSTER	County
CUSTER	County

Place of use Legal Description for: IRRIGATION FROM STORAGE

		NE			NW			SW			SE		
		NAME	NAME	SENE	NAME	NAME	NAME	SESW	NAME	NAME	NAME	SESE	
T	R	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	
14N	19E	07		09						02			
												TOTAL ACRES	
												19.4	
												19.4	

POU County: CUSTER

Other Rights: 72-04024, 72-00020E

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

Dates:	Exam Made Date:	Verified Date:	01/13/1999	Objection Filed Date:
--------	-----------------	----------------	------------	-----------------------

Misc: Water District Number: 72C Field Inspection Flag: C
Presumption Flag:

AJ0749NP
No. R72-02147A

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

DATE: 01/13/99
PAGE: 2

Comments:

Date: 11/12/1992 User-ID: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK
LAKE WATERS (189.0 X 0.6667 = 126.0)

Date: 11/21/1998 User-ID: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AUJ10.

Date: 01/13/1999 User-ID: JROBERTS Subject: CHANGED POU
PER NOE ON 72-00020E, ADDED ACRES.

Audit: 01/13/99 JROBERTS

November 20, 1998

**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 18, 1998

Water right number: 72-02147A

ROBERTA H GREEN
PO BOX 213
CHALLIS ID 83226

Daytime Telephone Number:

Evening Telephone Number:

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:

Sec 28 - I am asking for the H₂O to be able to apply either Ord 17 - (Home place or Gossi.

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

Because in draught years, I might have to forgo the pasture for the hay.

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

DATE: 12-9-98

SIGNATURE:

M Du Bois for R. Green

Please print your name:

Melissa DuBois

DATE: 11/09/98
PAGE: 1

TOTAL DIVERSION:

Stage: LICENSE

CUSTER	County
CUSTER	County
CUSTER	County

NE

TOTAL ACRES

Other Rights: 72-04024, 72-00020E

WATER DISTRICT 72-C.

EXP IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

Dates: **ExAm Made Date:**

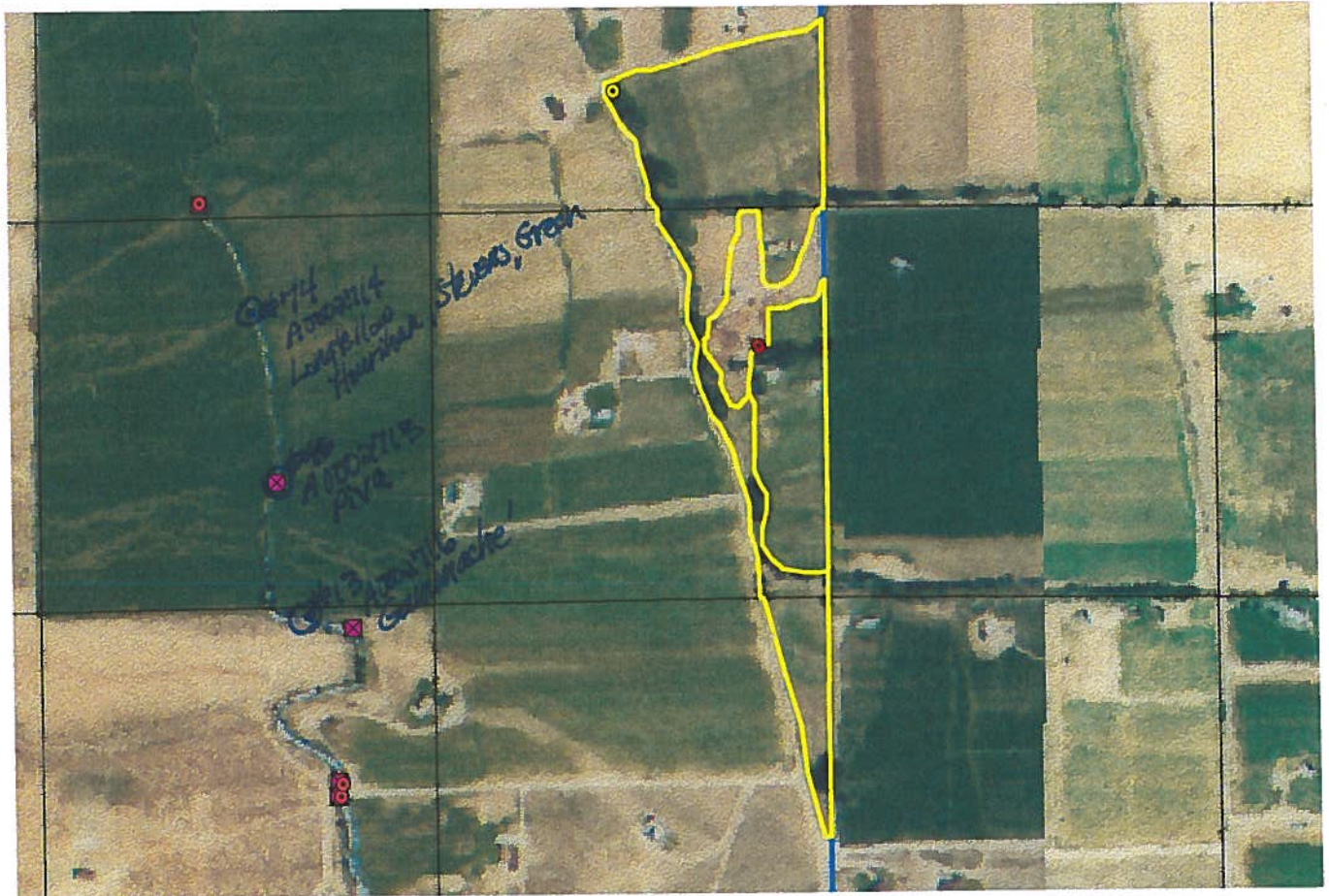
Misc: Water District Number: 720

Field Inspection Flag: C
Presumption Flag: C

IDAHO DEPARTMENT OF WATER RESOURCES

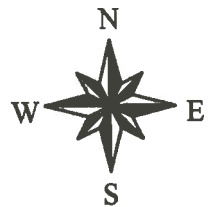
72-00020E & 72-02147A

ROBERTA GREEN



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 10, 1998
TWP 14N, 19E, SEC . 17



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

CLAIM NUMBER 72-00020E
72-02147A

DATE 10/10/98
AGENT 

TRANSFER NUMBER
CLAIMED ACRE TOTAL 24
GIS ACRE TOTAL 18.8

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	17				20									4				5
GIS	14N	19E	17	7.9			8.8									2.1				1
RECOM	14N	19E	17	7.9			8.8									2.1				18
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.
36 = 14 Ac. 14.8
37 = 4.6 Ac.

B72-DBPOD.SHP

NOS. DESCRIPTION
3 14N, 19E, 7 SWNW NW (10) (Hi-Line)
74 14N, 19E, 17 NW NW NE 13 NENWSE (17) ADD 2716 Gammache
76 14N, 19E, 07 NESE NW (Lo-Line) 45 SWNW NE (17) ADD 2713 Piva
77 14N, 19E, 17 SW NE NE
73 14N, 17E, 07 SESE SW (Challin Creek Lake)

DBF TABLES UPDATED

B72-DBPOU.DBF 

B72-DBPOD.DBF 

jpeg 

(Master updated 6-15-00)

5/6: HL 3, 73 CCL
13, 45 (2716) Gamm Piva (2713)

72-02147 Split Analysis
AGENT: Jeanie Robertson
DATE: November 9, 1998

MEMO TO FILE: 72-02147A
72-02147B
72-02147C

Original License was for 189 AF in Challis Creek Lake. Appears Clyde Green and Ethel Philps each owned half of the right, or 94.5 AF each. Then Philps assigned half interest back to Green, leaving 47.25 AF for Philps (as claimed in part C) and 141.75 AF to Green (or three-quarters of the right.) At some point, Corrigan (part B) or a predecessor must have been assigned half of the original right (or 94.5 AF), leaving Green (part A) with 47.25 AF.

LAST: GREEN
ADDRESS: P.O. BOX 213
CITY: CHALLIS
PHONE NUMBER: 208-879-2320

FIRST: ROBERTA H.
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE Y FIELD EXAMINER

REMARKS: THIS CLAIM IS FOR 2/3 OF THE WR 72-02147 OF THE CHALLIS CREEK LAKE WATERS (189.0 X 0.6667 = 126.0)

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y () N ()

TIME: : A () P ()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

I did not get to the ^{view} storage site (at approx 9000' elev. - over a trail approx. 5 miles long in steep terrain). I consulted with Doug Jones, IDWR Dam Safety Engineer in the Southern Regional Office who showed me the past records of this storage site on Challis Creek Lakes. The water from the lakes flows thru the Challis Creek channel to Mosquito Flat Reservoir and then again to the Challis Creek channel to the diversion into the High Line Canal to the place of use.

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A. AJ CLAIM: # A72-02147A

PRIORITY DATE: 07-18-1946

STAGE: L

B. WR RECORD: # 72-02147

PRIORITY DATE: 07-18-1946

STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

FIELD
EXAMINER

N

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

REMARKS:

Priority date based on license priority date.

RECOMMENDED PRIORITY DATE:

07-18-1946

REVIEWED BY

A.V. 24

DATE

11/12/1992

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NOV 01 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-02147A	14N	17E	7	NW	SE	SW		CUSTER
A72-02147A	14N	19E		NW	SW	SW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX NONE

WR RECORDS IN SAME 40 ACRE TRACT NONE

A72-00001
A72-00004E
A72-00004G
A72-00004H
A72-00013A
A72-00020E
A72-00020P
A72-00032E
A72-02147B
A72-02147C
A72-02149E
A72-02149F
A72-02149G
A72-02149H
A72-04049
A72-04088

FOI High Line Canal

SOURCE: CHALLIS CREEK LAKE

TRIB: CHALLIS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-02147	14N	17E	18		SE	SW		CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: CHALLIS CREEK LAKE

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
FIELD EXAMINER
Y
N

Examined Dam Safety Records from
Douglas Jones, Dam Safety Engr
Southern Region IDWR

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REMARKS:

Points of Diversion description Plotted on USGS Maps, US Forest Service Map

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4

14N

17E

7

NW

SE

SW

LOT

COUNTY

19E

7

NW

SW

NW

2

R

Custer

17 Challis Co. Lake

SW

NW

Challis Co. Salmon River

R

Custer

SOURCE:

REVIEWED BY:

DATE:

A.V. 28

4/9/93

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A. ROOT WATER RIGHT NUMBERS:

A72-02147A
A72-02147B

A72-02147C

B. POUL LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ	WR	LANDSAT	Desk	FIELD	REMARKS
14N	19E	17	NE	NE			#/ACRES	#/ACRES	DATA	Review	EXAM.	
14N	19E	17	NE	NE		GREEN, ROBERTA H.	A72-02147A / 20.0	-	40.0	11	119	
			SE	NE		GREEN, ROBERTA H.	A72-00020E / 20.0	-				
			SE	NE		WODYGA, PATRICK ALLEN	A72-10027 /	-				
			SE	NE		WODYGA, PATRICK ALLEN	A72-10051 / 5.0	-				
			SE	NE		GREEN, ROBERTA H.	A72-04024 / 5.0	72-04024 / 5.0				
			SE	NE		INSKEEP, OLIVER R.	A72-00020E / 5.0	-				
			SE	NE		INSKEEP, OLIVER R.	A72-10123 /	-				
			SE	NE		POLSON, FRANKIE J.	A72-10204 / 5.0	-				
			SE	NE		POLSON, FRANKIE J.	A72-10205 /	-				
			SE	NE		GILMAN, DELMER W.	A72-10446 / 7.0	-				
			SE	NE		SHANNON, MICHAEL D.	A72-00004K / 5.0	-				
			SE	NE		GILMAN, DELMER W.	A72-00020R / 2.0	-				
			SE	NE		JAMES, DENNIS L.	A72-10059 /	-				
			SE	NE		JAMES, DENNIS L.	A72-10060 /	-				
			SE	NE		3 S INC.		72-00004B / 7.0				
			SE	NE		STRAND, DANNIE A.		72-00020E / 8.0				
			SE	NE		WILKINSON, ARTHUR		72-00020C / 32.0				
			SE	NE		GREEN, CLYDE A.		72-02147 / 40.0				
			SE	NE		GREEN, ROBERTA HELEN		72-04087 / 7.0				
14N	19E	17	SE	SE		GREEN, ROBERTA H.	A72-02147A / 4.0	-	35.0	2.5		2.0
			SE	SE		GREEN, ROBERTA H.	A72-00020E / 4.0	-				
			SE	SE		SULLIVAN, JOE	A72-10039 / 3.0	-				
			SE	SE		SULLIVAN, JOE	A72-04141 / 3.0	72-04141 / 3.0				
			SE	SE		SULLIVAN, JOE	A72-10040 /	-				
			SE	SE		LOCKE, RALPH EUGENE	A72-11732 /	-				
			SE	SE		KNOX, JERRY W.	A72-00020P / 2.5	-				
			SE	SE		KNOX, JERRY W.	A72-10406 /	-				
			SE	SE		SHANNON, MICHAEL D.	A72-00004K / 11.0	-				
			SE	SE		SHANNON, MICHAEL D.	A72-00004L / 4.0	-				
			SE	SE		3 S INC.		72-00004B / 15.0				
			SE	SE		STRAND, DANNIE A.		72-00020E / 11.0				
			SE	SE		WILKINSON, ARTHUR		72-00020C / 2.0				
			SE	SE		GREEN, CLYDE A.		72-02147 / 40.0				
			SE	SE		LEWIS, MIKE		72-07248 / 5.0				

TOTAL ACRES

A72-02147A

24.00

75.00

17.0

E 12 72-00020E, 72-04024

Kob

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NOV 01 1994
+ 455ac in NE NE
7.0

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

C. FIELD EXAM REQUIRED?

DOE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
X

POB COUNTY: CUSTER

PRESUMPTION FLAG: C

REMARKS:

See CIR for 472-00020E for Place of Use Review

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RECOMMENDATIONS:

TOTAL ACRES:

17

REVIEWED BY:

B.L. St.

DATE:

7/26/94
4/9/93

Claimed P/O of 24 acres was for total acres owned
Field exam showed 17 acres irrigated after areas
of farmstead and rights of way for ditches and county
Roads was deleted.

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY
A72-02147A IRRIGATION STORAGE	FROM 01-01 TO 12-31
A72-02147A IRRIGATION FROM STORAGE	FROM 04-01 TO 11-01

DIVERSION QUANTITY

126.00 AE/A

126.00 AE/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

126.00 AE/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY
72-02147 IRRIGATION STORAGE	FROM TO
72-02147 IRRIGATION FROM STORAGE	FROM TO

DIVERSION QUANTITY

189.00 AE/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

189.00 AE/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

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

DATABASE EXAMINER

N

N

Y

N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(✓)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

New standard period of use.

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Y() N()

N/A

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NOV 0 1 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

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

CFS
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 remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
N

MEASUREMENT METHOD

FLOW MEASUREMENT

, SEE ATTACHED CALCULATIONS.

No flow was being used from this source at the time this claim was reviewed

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

OTHER RIGHTS LISTED IN CLAIM: A72-04024, A72-00020E

LIST ALL RIGHTS WITH A SAME FOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-02147A	CHALLIS CREEK LAKE	GREEN, ROBERTA H.	0.360	0.020	126.00	5.25
A72-00004K	CHALLIS CREEK	SHANNON, MICHAEL D.	0.180	0.020		
A72-00004L	CHALLIS CREEK	SHANNON, MICHAEL D.	0.180	0.020		
A72-00020E	CHALLIS CREEK	GREEN, ROBERTA H.	0.480	0.020		
A72-00020F	CHALLIS CREEK	INSKEEP, OLIVER R.	0.100	0.020		
A72-00020P	CHALLIS CREEK	KNOX, JERRY W.	0.100	0.020		
A72-00020R	CHALLIS CREEK	GILMAN, DELMER W.	0.100	0.020		
A72-04024	GROUNDWATER	GREEN, ROBERTA H.	0.780	0.156		
A72-04141	CHALLIS CREEK	SULLIVAN, JOE	0.110	0.018		
A72-10039	CHALLIS CREEK	SULLIVAN, JOE	0.110	0.018		
A72-10051	DRAIN DITCH (HIGHLINE CANAL)	WODYGA, PATRICK ALLEN	0.100	0.020		
A72-10059	CHALLIS CREEK	JAMES, DENNIS L.	0.040	0.020		
A72-10204	CHALLIS CREEK	POLSON, FRANKIE J.	0.100	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10027	DOMESTIC	MODYGA, PATRICK ALLEN	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE $\times 0.02 \text{ CFS/ACRE} = \text{0.34 CFS}$
 ACRES ~~20~~ 17 (Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y (☒) N (☒) ~~NA~~

Claimed a diversion volume of 126 AF

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 60.0 AF/A

ACRES ~~40~~ 17 $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =TOTAL CONSUMPTIVE USE ~~50~~ 42.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 126.00 AF/A

ACRES ~~20~~ 17 $\times$ DIVERSION VOL. AF/A FOR AREA 3.5 =TOTAL DIVERSION VOLUME ~~70~~ 59.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

This storage water is relied upon for use after decreed
 water (A72-00020E) from Challis Creek is not available
 Roberta Green to R.V. Worstell
 3/29/93

MICROFILMED

NOV 01 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREIGN/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-02147
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A72-02147A	-	-	-	-	-
-	A72-02147B	-	-	-	-	-
-	A72-02147C	-	-	-	-	-
TOTAL CFS						
					72-02147	

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

FIELD
EXAMINER

N

REMARKS:

This storage right is over claimed - see WR record and attached page.

Check on Corrigan Claim

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED

NOV 1 1984

DATA NAME: A77-A77A

TIME

DE

NOV 01 1995

Stage: LICEN

CUSTER County

CT

24 = 0
24 = 0

KAGE

NOV 01 1994

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 WHOM/DATE
PRIORITY DATE				N				
POINT OF DIV	Y		R/W	Y A	1, 6			
SOURCE	Y			N				
PLACE OF USE	Y			Y A	1, 4 4, 5			
DIV. AMOUNT CFS/VOLUME				Y	1, 2, 6			
CONSUMPTIVE USE	-			Y	4, 5			
PURPOSES				N				
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM				N				
REMARKS	Y			Y	6			

* VERIFIED BY * CODES

TOPO MAP/ORTHO-PH = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

ID 88AC 5-8C-15 7/1/1988

CUSTER Co. Assessor's Record

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

MICROFILMED
NOV 01 1994

72-02147A

17
16
20 21

T14N
R19E

Base Map - part of
Enlarged Copy of
BLM Aerial Photo
24 ID 88-AC
5-8C-15
7/1/88

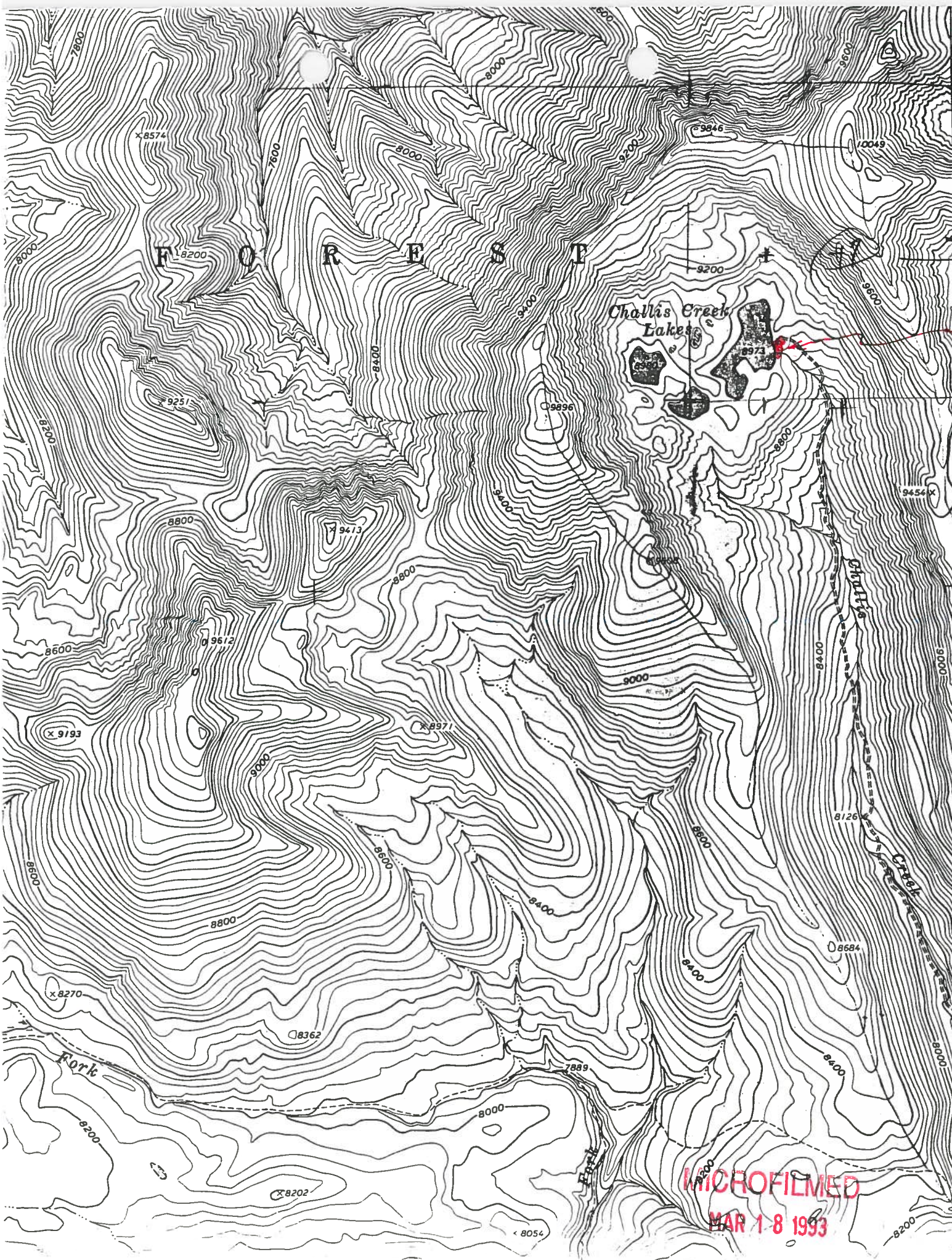
Approx Scale
1" = 1100'

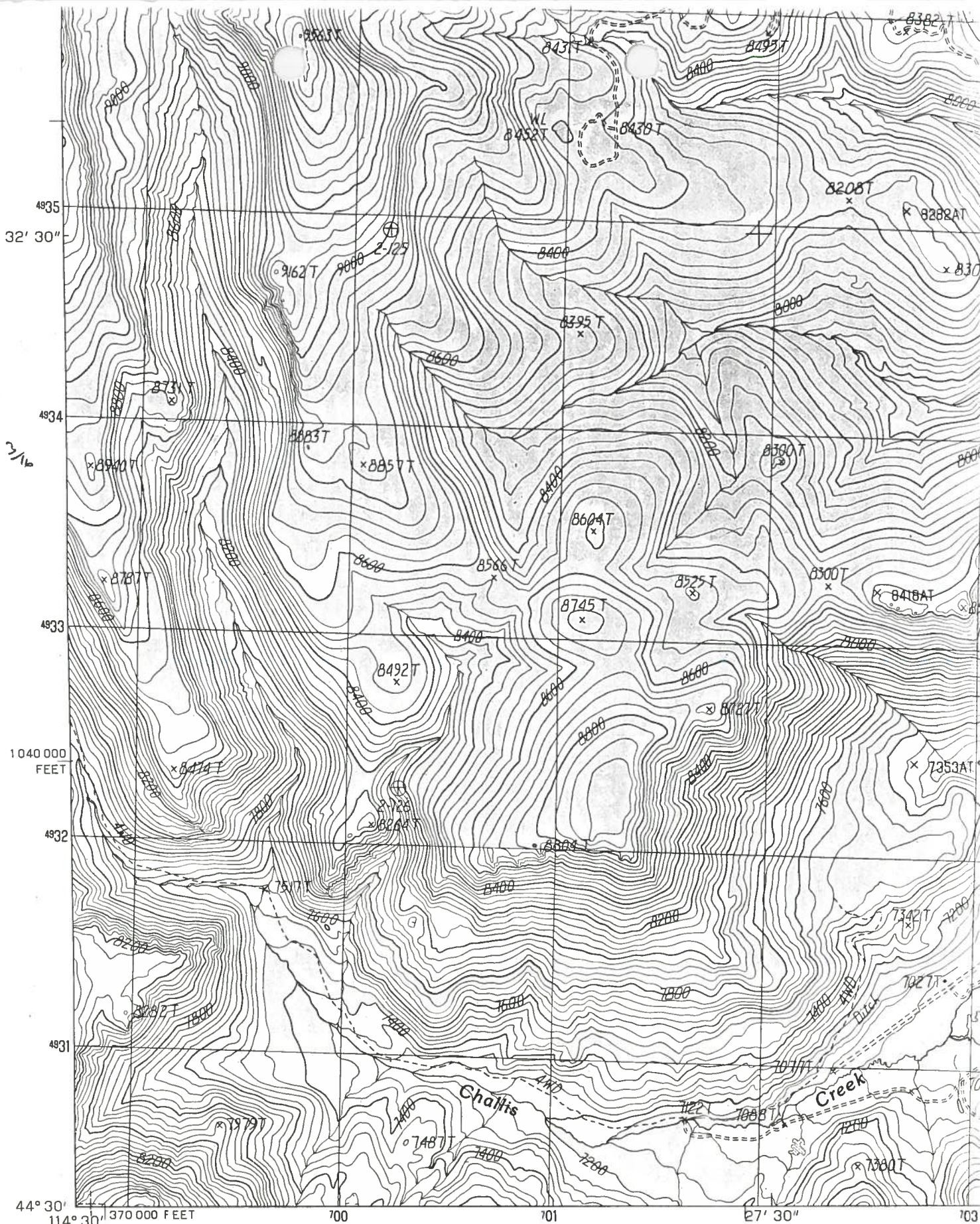


W 11
P/U

POOR ORIGINAL

NOV 01 1991



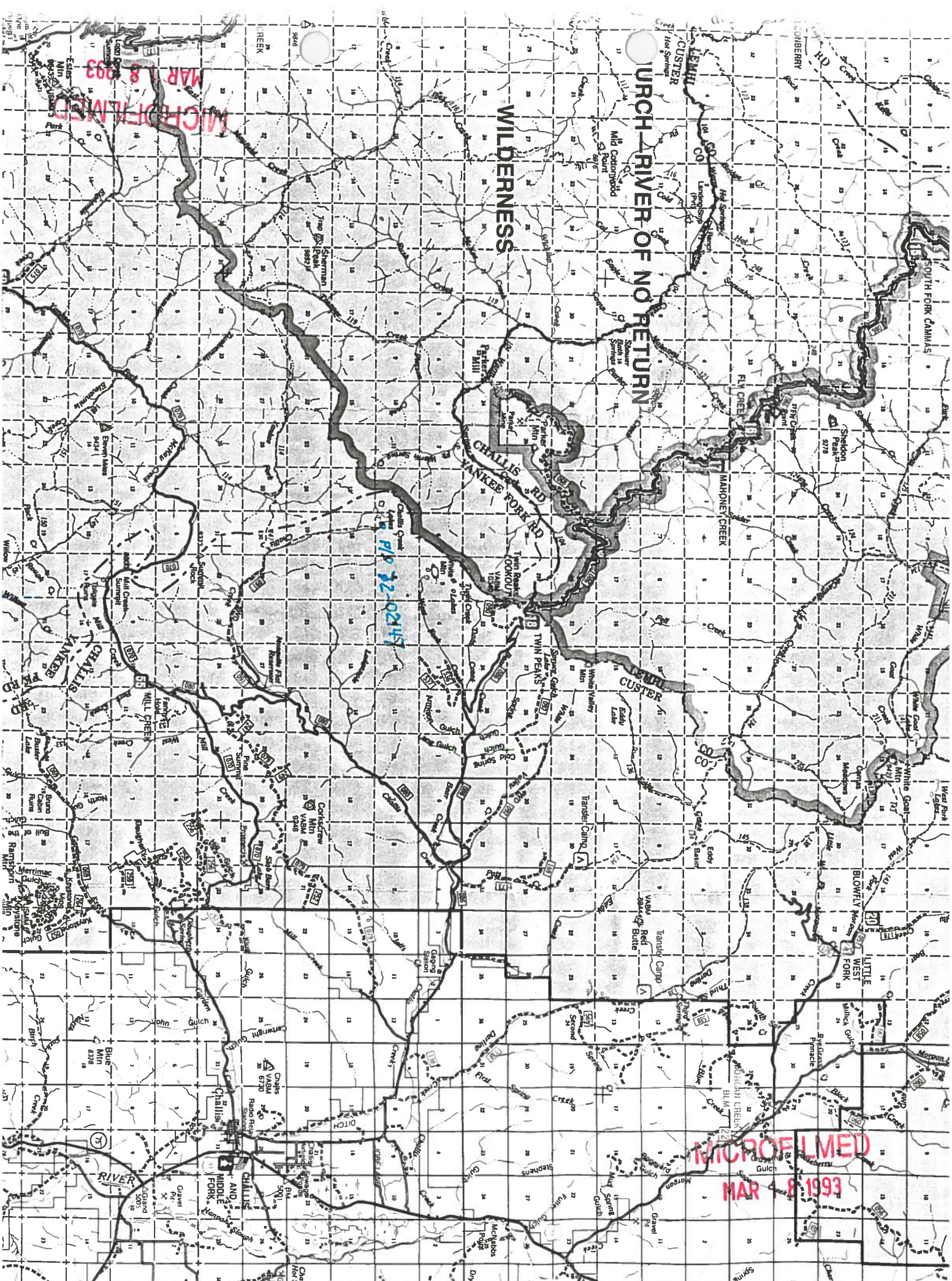


NORTH

MICROFILMED

MAR 18 1993





URCH RIVER OF NO RETURN

WILDERNESS

CHALLIS RD
YANKEE FORK RD

P/P 12-02147

MICROFILMED
MAR 18 1993

GRADED BORDER EVALUATION

Job name: 72-00020E, 72-04024
By: RVW 72-02147A

Location: DB1 SOIL, 17.5 ACRES
Date: Jul 23, 1994

Roughness coefficient (n)= 0.250

Intake family (If)=2.00

Slope (S)= 0.0340 ft/ft

Border width (W)= 72 ft

Net application (Fn)= 1.67 inches

Border length (L)= 322 ft

Inflow time (Ti)= 8 hours, 0 minutes

0.53 ac/border

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
1.06	Gross depth is less than required gross application depth					
1.07	Gross depth is less than required gross application depth					
1.08	Gross depth is less than required gross application depth					
1.09	Gross depth is less than required gross application depth					
1.10	0.015	16.40	14.61	0.11	10.2	
1.11	0.015	16.55	14.61	0.26	10.1	
1.12	0.016	16.70	14.61	0.41	10.0	
1.13	0.016	16.84	14.61	0.56	9.9	
1.14	0.016	16.99	14.61	0.71	9.8	

CLAIM NO. --- 72-00020E, 72-04024 Lotus Program:
 AGENT ----- RVW 872-02147A IRR-PRAC.WK3
 DATE ----- 07/23/94 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = DB1; DAWTONIA...GRAVELLY LOAM
 Source of Soils Data = Printout From SCS State Office

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family
lower	upper	lower	upper	lower	upper	lower	upper			flood furrow
0	4	0.11	0.13	6.6	7.8	1	2	1	1.67	2 0.55
4	11	0.14	0.18	7.9	9			2	1.74	
11	60	0.05	0.09	7.9	9			3	3.35	
								4	4.19	alternate
								5	5.03	method
										NA NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD	FIELD NOTES AND CALCULATIONS			
				FIELD 1	FIELD 2	FIELD 3	FIELD 4
				FIELD WIDTH	2368	0	
				IRRIGATION DAYS	11		
				DRY DAYS	0		
				SET TIME(hours)	8		
				CALCULATED RUN (run = acres*43560/width)			
				RUN =	322		
				CALCULATED BORDER WIDTH (ditch length/irr days * cha			
				WIDTH =	72		
				THEORETICAL ROTATION (mad/net irr req in inches per			
				SELECTED MAD =	1.67		
				ROTATION =	7.2 DAYS		

 PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

crop	acres	system	recomm. eff.	Net Irrigation Requirement (mm/day)							
				mar	apr	may	jun	jul	aug	sep	oct
PASTURE	17.5	FLOOD			1.47	3.84	4.87	5.86	4.56	3.23	2.07
ALFALFA		FLOOD	10.9		1.28	4.51	5.65	6.25	4.45	2.52	0.7

Summary 17.5 1.47 3.84 4.87 5.86 4.56 3.23 2.07
 Peak Net Irrigation Requirement (mm/day) = 5.86

 Program Operation based upon "GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"
 HUBBLE ENGINEERING INC. OCTOBER 1991
 Soil Characteristics based upon SOIL CONSERVATION SERVICE STUDIES
 Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983

Water Right Number - 72-02147

Prefix Translation: WATER RIGHT

Old (D) Number - R762

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
GREEN

CLYDE A.

1 -

2 -

3 -

City- CHALLIS

Phone -

State- ID Zip-

PHILIPS

ETHEL B.

1 -

2 -

3 -

City-

Phone -

State- Zip-

*** 0 - ORIGINAL OWNER ***
GREEN

CLYDE A.

1 -

2 -

3 -

City-

Phone -

State- Zip-

+ - - Priority Date - - +
07/18/1946+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +
CHALLIS CREEK LAKE

+ - - Tributary - - - - +

Trn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
14N	17E	18	SE SW		(37)	CUSTER				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE					189.00
03	IRRIGATION FROM STORAGE					

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
189.00

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	8	SE SE		2.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	NE NE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SE NE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SE SE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SW SE		2.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SE SE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	20	NE NE		30.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	20	SE NE		15.0	02	IRRIGATION STORAGE	(37) CUSTER

Total Acres: 209.0

WATER RIGHT

- Field Exam Fee
- Swan Falls
- Temporary Right
- P DLE/Carey Act
- Water District
- Transfer/Amended
- POU Ownership Flag-

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 01/26/93
Time: 09:07:42

Water Right Number: A72-02147

FIRST PAGE

13. Remarks: THIS IS A SPLIT RIGHT. THIS CLAIM IS FOR REFERENCE ONLY.

A72-02147A (FOR 2/3 OF THE RIGHT) 126.0 AC-FT. R.H. GREEN

A72-02147B (FOR 200 AC.-FT) MITCH CORRIGAN

A72-02147C FOR 47.25 AC-FT. (25%) RICK PHILPS

belong changed
3/1/93

15.75 remain Total Vol = 189 ac. ft.

$$189 - 126 - 47.25 = 15.75$$

$$189 - 126 - 47.25 = 15.75$$

60 81.75

↑ R.H. Green Beneficial use on 24 ac. (A72-02147A)

17 3.5

$$(24 \text{ ac}) \times 2.5 \text{ AF/ac} = 60 \text{ AF}$$

59.5

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD7=Copy to Comments) (GOLD8=Cancel)

*Now
Dennis or Melissa
DuBois*

*Ch. Cr. Channel 5 mi to Mos Flat
9 mi Mos Fl to High Line Canal
14*

Water Right Number - 72-02147

Prefix Translation: WATER RIGHT

Old (D) Number - R762

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GREEN CLYDE A. 1 -
2 -
3 -
City- CHALLIS State- ID Zip-
Phone -

PHILPS ETHEL B. 1 -
2 -
3 -
City- State- Zip-
Phone -

*** O - ORIGINAL OWNER ***

GREEN CLYDE A. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - +

07/18/1946

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

L - LICENSE

+ - - Status - - - - +

+ - - - - Source - - - - - +

CHALLIS CREEK LAKE

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
14N	17E	18	SE SW			(37) CUSTER			

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE				189.00
03	IRRIGATION FROM STORAGE				

+ - Total Div. Rate - +

+ - Total Div. Volume - +

189.00

+ - Total Div. Capacity - +

+ - Total Consumptive Use - +

0.0

+ - KW Usage - +

+ - - - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	8	SE SE		2.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	NE NE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SE NE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	NE SE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SW SE		2.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	17	SE SE		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	20	NE NE		30.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	20	SE NE		15.0	02	IRRIGATION STORAGE	(37) CUSTER

Total Acres: 209.0

Water right number - 72-02147 Prefix Translation: WATER RIGHT

- - - Diversion Means -
- - - Non-Irrigation Use -
- - - Other Rights for Same Use -

- - - - - Remarks - - - - -
No Remarks found.

- - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

- - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

- - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

- - - - - Comments - - - - -
No Comments Found

- - - Audit Fields - 02/11/85 05/28/88 CONVERT

- - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 02/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 07/10/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

R PROOF



CVR



MAPS



PHOTOS

MISC



MICROFILMED

MAR 18 1982

Water Right Number - R72-02147A

Prefix Translation: RESEARCH

Old (D) Number - R762

*** C - CURRENT OWNER ***
GREEN

ROBERTA H.

1 - P.O. BOX 213
2 -
3 -City- CHALLIS
Phone - 208-879-2320

State- ID Zip- 83226

+ - - Priority Date - - +
07/18/1946+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

Source - - - - -
CHALLIS CREEK LAKE+ - - Tributary - - - - -
CHALLIS CRK/SALMON RIVER

+ - - TwN Rng Sec Tract Lot Rflg County Point of Diversion - - - - -

14N 17E 7 NW SE SW (37) CUSTER
19E 7 SW NW NW (37) CUSTER HIGH LINE CANAL

+ - - Code Description Period From Water Use To Diversion Rate Diversion Volume

02 - IRRIGATION STORAGE 01/01 12/31 126.00
03 - IRRIGATION FROM STORAGE 04/15 10/15 126.00+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
70.00 42.5

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	17	NE NE		7.0	02	IRRIGATION STORAGE	(37) CUSTER	
14N	19E	17	SE NE		8.0	02	IRRIGATION STORAGE	(37) CUSTER	
14N	19E	17	NE SE		2.0	02	IRRIGATION STORAGE	(37) CUSTER	

Total Acres: 17.0

+ - - Diversion Means - EARTH DAM WITH HEADGATE, CHALLIS CREEK TO HIGH LINE DITCH.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-04024, 72-00020E

+ - - Remarks - - - - -

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.1 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 42.5 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 17 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00020E & 72-04024

MICROFILMED
NOV 01 1994MICROFILMED
NOV 01 1994

Water right number - R72-02147A

Prefix Translation: RESEARCH

Remarks

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 17 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00001, 72-00004F, 72-00004G, 72-00004H, 7200013A, 72-00020E, 72-00020P, 72-00032F, 72-02147B, 72-02147C, 72-02149E, 72-02149F, 72-02149G, 72-02149H, 72-04049 AND 72-04088. WATER IS DELIVERED THROUGH THE HIGH LINE CANAL WITH ITS POINT OF DIVERSION AS DESCRIBED ABOVE. THE APPROPRIATOR IS ENTITLED TO THE AMOUNT DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN SW1/4, NW1/4, NE1/4, SEC. 17, T14N, R19E. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 72-00004D, 72-00004E, 72-00014, 72-00032B, 72-00032C, 72-00032E, 72-00032K, 72-00032N, 72-00056, 72-02044, 72-02149B, 72-04085, 72-04179A, 72-04179B, 72-04180A, 72-04180B, 72-04180C, 72-10063, 72-10483.

No Old Water Right Numbers Found

Conditions of Approval

Decree Plaintiff

Decree Defendant

Audit Fields

Adjudication Rights Dates and Flags Area

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 11/16/1989
Field Inspection Made - 00/00/0000
Field Inspection Flag - 07/26/1994
Verified Date - 00/00/0000
Last Amended Date - M005227
Receipt Number - Y
POU Ownership Flag - Y
Name Connector -
Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District - 72C
Federal/State Indicator - S
Presumption Flag - C
Notice of Error Flag -

MICROFILMED
NOV 11 1984