

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: A72-02147C
Date Received: 12/05/1989
Receipt No: M005302
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICK PHILPS 208-879-2720
Address: HC 63 BOX 1630
CHALLIS, ID 83226
OR
Name: CHERYL PHILPS 208-879-2720
Address: HC 63 BOX 1630
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 of	Lot	County
14N	17E	7	NW	SE	SW		CUSTER
	19E		NW	SW	SW	R	CUSTER
		8	SW	SW	SE	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			47.25
IRRIGATION FROM STORAGE	04/01	11/01			47.25

7. Total Quantity Appropriated is:
C.F.S. (and/or) 47.25 A.F.A.

8. Total consumptive use is 462.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A72-02147C

Page 1

Date: 12/05/89

MICROFILMED

MAR 1 8 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	17E	7	SE	SW		IRR S	
	19E	8	SE	SE		IRR FS	35.0
						Section Acres	35.0
		9	NE	SW		IRR FS	5.0
			SW	SW		IRR FS	30.0
			SE	SW		IRR FS	40.0
			SW	SE		IRR FS	40.0
			SE	SE		IRR FS	20.0
						Section Acres	135.0
		10	SW	SW		IRR FS	15.0
						Section Acres	15.0
						Total Acres	185.0

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:

A72-00001, A72-04049, A72-02149G

14. Remarks:

THIS CLAIM IS FOR 25% OF THE WR 72-02147 OF THE CHALLIS CREEK
LAKE WATERS (189.0 X 0.25 = 47.25)

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): Rick Phelps Date: 12-5-89

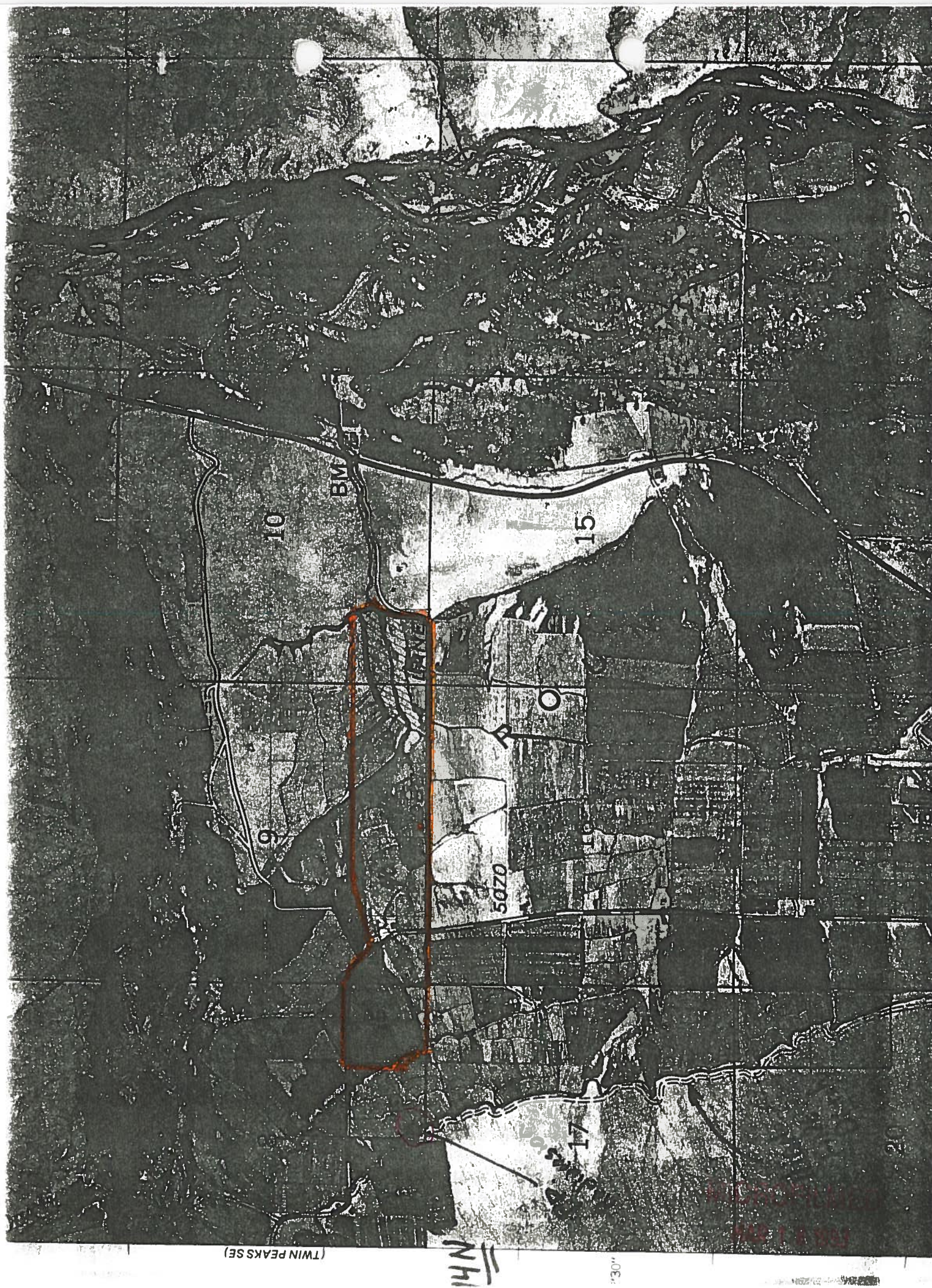
Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of December 19 89 Stuart C. [Signature]
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires December 7, 1994



SCS-CONS-16
OCTOBER 1974

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

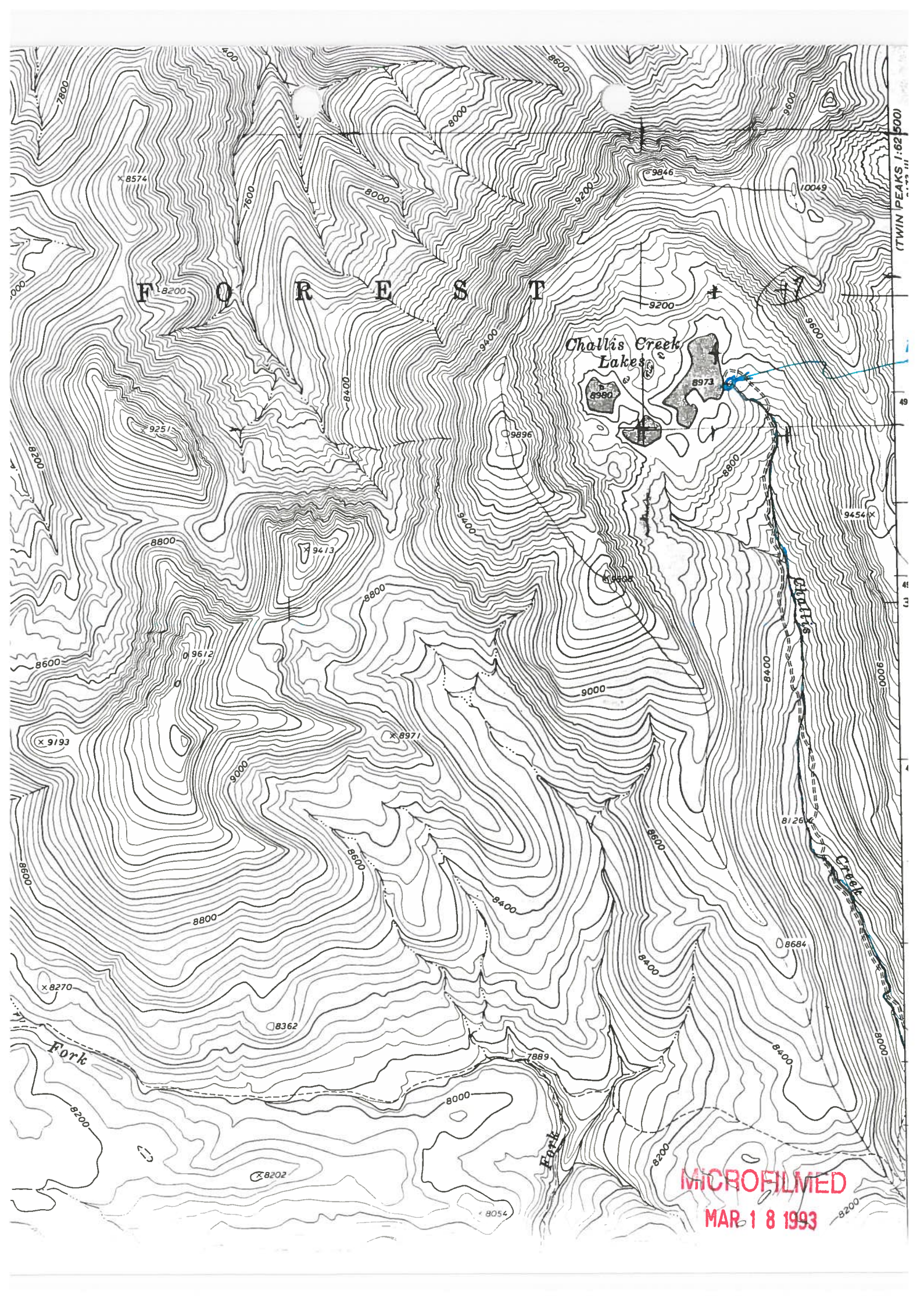
CONSERVATION PLAN MAP

Owner Nick Philips Operator Pick Philips
County Custer State Idaho
Approximate acres 677 Approximate scale 2 inches = 1 mile Date Mar 1980
Cooperating with _____
Plan identification _____
Assisted by Lex Rieck, Range Conservationist Photo number _____
USDA Soil Conservation Service

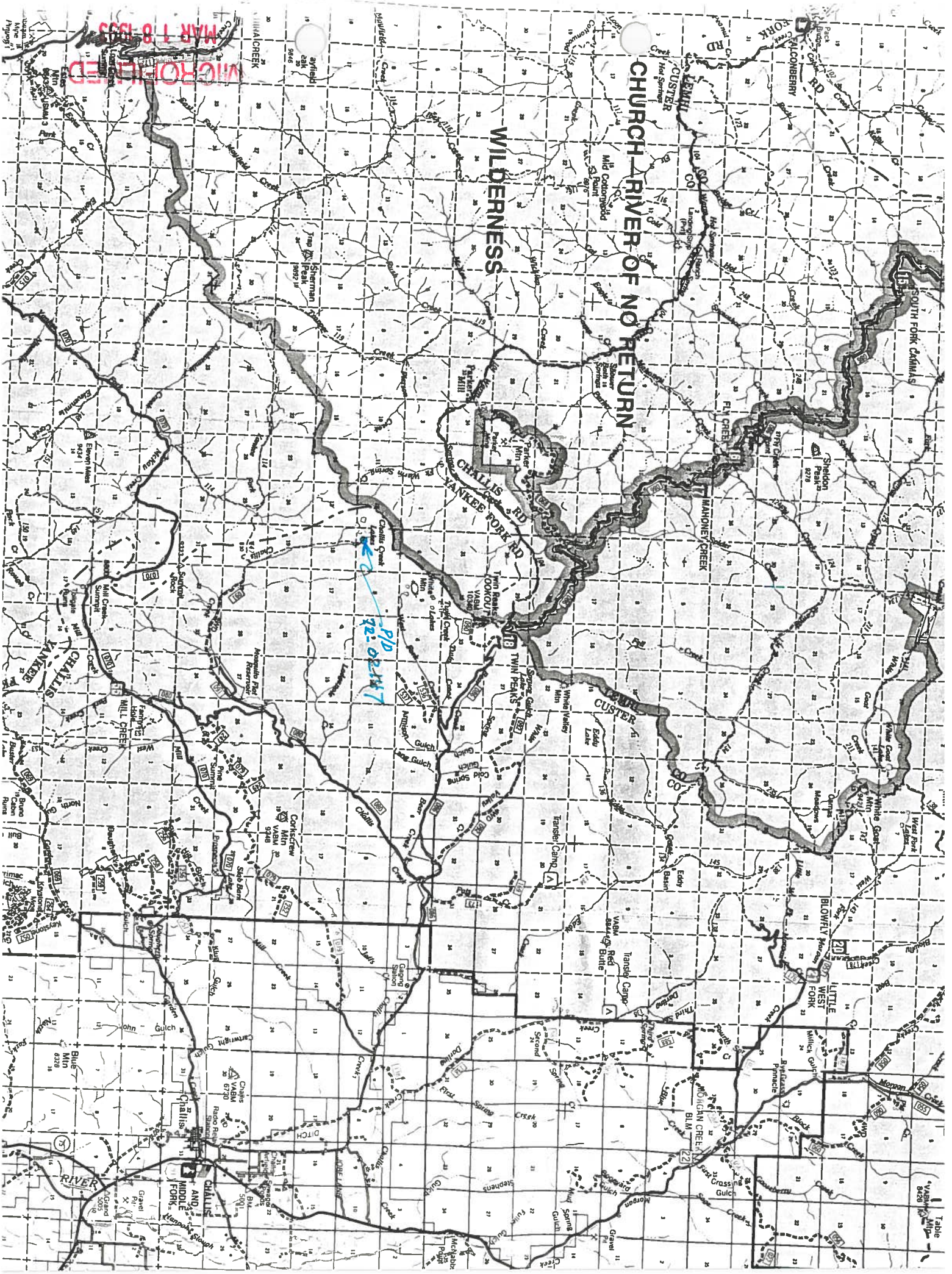


Fields 1-7
Irrigated Hayland
Rangeland

MICROFILM



MICROFILMED
MAR 18 1993



CHURCH RIVER OF NO RETURN

WILDERNESS

MAR 18 1953
MICROFILMED

Table
VAD
848

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 01/26/9
Time: 09:07:4

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

15.75 remain Total Vol = 189 ac. ft.

189 - 126 - 47.25 = 15.75

189 - (84) - 47.25 = 57.75

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

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

MICROFILMED
MAR 18 1993

LAST: PHILPS FIRST: KICK
ADDRESS: HC 63 BOX 1630 STATE: ID ZIP: 83226
CITY: CHALLIS
PHONE NUMBER: 208-879-2720

OWNER CODE: C

LAST: PHILPS FIRST: CHERYL
ADDRESS: HC 63 BOX 1630 STATE: ID ZIP: 83226
CITY: CHALLIS
PHONE NUMBER: 208-879-2720

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS FOR 25% OF THE WR 72-02147 OF THE CHALLIS CREEK
LAKE WATERS (189.0 X 0.25 = 47.25)

A. AJ CLAIM: # 472-02147C 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 N FIELD EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:

07-18-1946

REVIEWED BY

RVW

DATE

8/21/92

A. AD CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-02147C	14N	17E	7	NW	SE	SW		CUSTER
A72-02147C	14N	19E	7	NW	SW	SW		CUSTER
A72-02147C	14N	19E	8	SW	SW	SE		CUSTER

OTHER AD CLAIMS WITH SAME AD POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
A72-00001
A72-00004F
A72-00004G
A72-00004H
A72-00013A
A72-00020E
A72-00020F
A72-00032E
A72-02147A
A72-02147B
A72-02149E
A72-02149F
A72-02149G
A72-02149H
A72-04049
A72-04088
A72-10263
A72-10267

NONE

F 06

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

AD CLAIMS IN SAME 40 ACRE TRACT

NONE

NONE

NONE

SOURCE: CHALLIS CREEK LAKE

TRIB:

C. FIELD EXAM REQUIRED?

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

Y

DATABASE

FIELD EXAMINER

Point of Diversion amended 8/23/1956 after Forest Service Re-Survey of the area.
1963 USGS Map shows Sec 7 SW SW. ?

Challis Nat. Forest

A. ROOT WATER RIGHT NUMBERS:

A72-02147A 126 AFA 24 AC.
 A72-02147B 94.5 80 AC.
 A72-02147C 47.25 185 AC
 TOTALS 267.75 AFA 289 AC
 267.75 AFA = 0.926 AFA per AC.

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	17E	7	SE	30		PHILPS, RICK	A72-02147C /	-	-	-	-
14N	17E	8	SE	SE		PHILPS, RICK	A72-02147C / 73.0	-	-	-	41.0
			SE	SE		BURSTEDT, RAYMOND S.	A72-00020G / 4.5	-	-	-	-
			SE	SE		BURSTEDT, RAYMOND S.	A72-10135 /	-	-	-	-
			SE	SE		PHILPS, RICK	A72-00001 / 35.0	-	-	-	-
			SE	SE		PHILPS, RICK	A72-04049 / 35.0	-	-	-	-
			SE	SE		LONGFELLOW, BRIAN C.	A72-00020H / 3.0	-	-	-	-
			SE	SE		PHILPS, CHERYL	A72-02149G / 35.0	-	-	-	-
			SE	SE		WILKINSON, ARTHUR	72-00020C / 39.0	-	-	-	-
			SE	SE		PLOSS, DOUG	72-00020D / 2.0	-	-	-	-
			SE	SE		GREEN, CLYDE A.	72-02147 / 2.0	-	-	-	-
14N	17E	9	NE	SW		PHILPS, RICK	A72-02147C / 5.0	-	-	-	39.0
			NE	SW		COX, EUGENE M.	A72-10066 / 34.0	-	-	-	-
			NE	SW		COX, MARY E.	A72-10068 /	-	-	-	-
			NE	SW		PHILPS, RICK	A72-00001 / 5.0	-	-	-	-
			NE	SW		PHILPS, RICK	A72-04049 / 6.0	-	-	-	-
			NE	SW		PHILPS, CHERYL	A72-02149G / 5.0	-	-	-	-
			NE	SW		EVANS, RODNEY	72-00018A / 34.0	-	-	-	-
14N	17E	9	SW	SW		PHILPS, RICK	A72-02147C / 30.0	-	-	-	40.0
			SW	SW		PHILPS, RICK	A72-00001 /	-	-	-	-
			SW	SW		PHILPS, RICK	A72-04049 / 30.0	-	-	-	-
			SW	SW		BRADBURY, LESTER W.	A72-10263 / 2.0	-	-	-	-
			SW	SW		BRADBURY, LESTER W.	A72-10267 / 2.0	-	-	-	-
			SW	SW		PHILPS, CHERYL	A72-02149G / 30.0	-	-	-	-
			SW	SW		DOLL, NORMAN	72-07281 / 1.0	-	-	-	-
14N	17E	9	SE	SW		PHILPS, RICK	A72-02147C / 40.0	-	-	-	39.0
			SE	SW		PHILPS, RICK	A72-00001 /	-	-	-	-
			SE	SW		PHILPS, RICK	A72-04049 / 40.0	-	-	-	-
			SE	SW		PHILPS, CHERYL	A72-02149G / 40.0	-	-	-	-
14N	17E	9	SW	SE		PHILPS, RICK	A72-02147C / 40.0	-	-	-	39.0
			SW	SE		PHILPS, RICK	A72-00001 /	-	-	-	-
			SW	SE		PHILPS, RICK	A72-04049 / 40.0	-	-	-	-
			SW	SE		PHILPS, CHERYL	A72-02149G / 40.0	-	-	-	-
14N	17E	9	SE	SE		PHILPS, RICK	A72-02147C / 30.0	-	-	-	37.0

TWP RNG SEC 1/4 1/4 LOT NAME

AI #/ACRES WR #/ACRES LANDSAT DATA FIELD EXAM. RECDY. ACRES

SE SE COX, EUGENE M. A72-10066 713.0 72-00001 / 72-00018A / 14.0
SE SE PHILPS, RICK A72-00001 /20.0 72-04049 /25.0
SE SE PHILPS, RICK A72-04049 /20.0
SE SE PHILPS, CHERYL
SE SE EVANS, RODNEY

14N 10E 10 SW SW PHILPS, RICK A72-02147C 715.0 72-00001 / 72-00018A / 23.0
SW SW COX, EUGENE M. A72-10066 /13.0
SW SW PHILPS, RICK A72-00001 /15.0
SW SW PHILPS, RICK A72-04049 /15.0
SW SW PHILPS, CHERYL A72-02145G /15.0
SW SW EVANS, RODNEY

TOTAL ACRES A72-02147C 185.00 263.00

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

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER PDU COUNTY: CUSTER

DUE TO PDU DISCREPANCY? (Y/N) Y

PRESUMPTION FLAG: C

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY: DATE:

DIVERSION QUANTITY

47-25 AE/A

47-2961-10

100.00 AF/A

189.00 AE/A

185.00 AE/A

FIELD EXAMINER

FIELD EXAMINER

 $\gamma \approx 0.5$

Figure 1 consists of two parts, (a) and (b), illustrating a two-step process. Part (a) shows a stimulus (a red dot) and a response (a green dot) with a green arrow indicating the response. Part (b) shows a stimulus (a red dot) and a response (a green dot) with a green arrow indicating the response.

Explain in Remarks, below.

New Standard Period of use.

New Standard Period of use.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(____) N(____)

A.1 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

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A72-00001, A72-04049, A72-02149G

LIST ALL RIGHTS WITH A SAME PCU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-02147C	CHALLIS CREEK LAKE	PHILPS, RICK				
A72-00001	CHALLIS CREEK	PHILPS, RICK	3.180	0.017	47.25	0.25
A72-00020G	CHALLIS CREEK	BURSTEDT, RAYMOND S.	0.090	0.020		
A72-00020H	CHALLIS CREEK	LONGFELLOW, BRIAN C.	0.060	0.020		
A72-02149G	MOSQUITO FLAT RESERVOIR	PHILPS, CHERYL			200.00	1.08
A72-04049	CHALLIS CREEK	PHILPS, RICK	11.700	0.063		
A72-10066	CHALLIS CREEK	COX, EUGENE M.	3.324	0.018		
A72-10263	CHALLIS CREEK	BRADBURY, LESTER W.	4.850	0.012		
A72-10267	CHALLIS CREEK	BRADBURY, LESTER W.	7.720	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10135	DOMESTIC	BURSTEDT, RAYMOND S.	FROM 01-01 TO 12-31	.040 CFS	
A72-10135	STOCKWATER	BURSTEDT, RAYMOND S.	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES ----- X 0.02 CFS/ACRE = CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 462.0 AF/A
ACRES ----- X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE ----- AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 47.25 AF/A
ACRES ----- X DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME ----- AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on consumptive use for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION STORAGE	01-01	12-31			
IRRIGATION FROM STORAGE	01-01	12-31			
	9/15	10/15			
TOTAL FOR THIS RIGHT				47.25	462.0

REVIEWED BY:

R/W

DATE:

8/21/92

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREST/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

-
-
-

-
-
72-02147

TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM ~~OF~~ ^{WR} 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

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

06/02/92

CLAIM NUMBER: A72-02147C

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

VERIFIED BY CODES

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

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

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 08/24/92
Time: 09:06:33

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 ← NOT included in

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

? Assigned 1/2 to (green)?

Should Be 94.5 AF not 200 (See claim)
1/2 of Right?

Review microfiche records, again
as to assignments

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

Originally Clyde Green + Ethel (+ Robert) Philips owned the reservoir together. (94.5 AF/A each or 189 AF/A together)

Assignment of $\frac{1}{2}$ of Philips share to Green

No record of license share for
Corrigan in Challis Lake Reservoir 72-02147
Only in Mosquito Flat Reservoir 72-02149.

R.V.W. 8/24/92

Robertson, Jean

From: Robertson, Jean
Sent: Friday, August 24, 2001 2:44 PM
To: Shaff, Don
Subject: FW: version 2 recommendations

From: Robertson, Jean
Sent: Friday, August 24, 2001 12:20 PM
To: Shaff, Don
Subject: version 2 recommendations

Hi Don,

I created a couple of version 2 recs for rights 72-2147B and 72-2147C per an agreement reached at a settlement conference in Challis last week. When I went into water right reporting to print off a report for them, the pod and source did not show up. I went back into the ecvr and made sure I'd "saved" those two tabs, yet when I went back into reporting, it still wouldn't print the pods or sources. Any suggestions?

Thanks,
Jeanie

On the same subject...

I went into court reporting for these two recs and the pods show up but not the source...go figure...?

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

VERIFIED BY

08/24/2001

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

RIGHT NUMBER: 72-2147C

NAME AND ADDRESS: CHERYL PHILPS
RICK PHILPS
HC 63 BOX 1630
CHALLIS, ID 83226

47.25 AFY

PRIORITY DATE: 07/18/1946

POINT OF DIVERSION:	T14N R17E S7	SESWSW	Within CUSTER County
	T14N R19E S7	LOT 10 SWNWNW Rediversion	Within CUSTER County
	T14N R19E S8	SWSWSE Rediversion	Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	1-01 12-31	47.25 AFY
IRRIGATION FROM STORAGE	4-01 10-31	47.25 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within					
CUSTER County					
T14N R19E S8	SESE	30	T14N R19E S9	NESW	3
T14N R19E S9	NWSW	1	T14N R19E S9	SWSW	34
T14N R19E S9	SESW	39	T14N R19E S9	SWSE	39
T14N R19E S9	SESE	23	T14N R19E S10	SWSW	11

180 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 -

IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-2147C V2

WATER RIGHT NUMBER: 72-2147C V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICK PHILPS HC 63 BOX 1630 CHALLIS, ID 83226 (208)879-2720
Current Owner	CHERYL PHILPS HC 63 BOX 1630 CHALLIS, ID 83226 (208)879-2720

Priority Date: 07/18/1946

Basis: License

Status: Active

SourceTributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	04/01 to 10/31		47.25 AF
IRRIGATION STORAGE	01/01 to 12/31		47.25 AF
	<u>Total Diversion:</u>		47.25 AF

Location of Point(s) of DiversionPlace of UseIRRIGATION FROM STORAGE Within CUSTER County

T14N R19E S10	SWSW	11.0	T14N R19E S08	SESE	30.0
T14N R19E S09	NESW	3.0	T14N R19E S09	NWSW	1.0
T14N R19E S09	SWSW	34.0	T14N R19E S09	SESW	39.0
T14N R19E S09	SWSE	39.0	T14N R19E S09	SESE	23.0

Total Acres: 180

IRRIGATION STORAGE same as IRRIGATION FROM STORAGEConditions of Approval:

1. 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.

Remarks:

1. General THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.^^
2. Explanatory IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.^^

Comments:

1. jroberts 8/24/2001 NEW RECOMMENDATION
Comment: NEW RECOMMENDATION PER AGREEMENT BETWEEN PARTIES AT SETTLEMENT CONFERENCE IN CHALLIS ON 8/18/01. THE DIVERSION RATE WAS OBJECTED TO BY GREEN BUT THEY HAVE NOW AGREED. (THIS DIVERSION RATE IS WHAT WAS CLAIMED AND ORIGINALLY RECOMMENDED.) C16 WAS CHANGED TO C18.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-2147C V1

WATER RIGHT NUMBER: 72-2147C V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICK PHILPS HC 63 BOX 1630 CHALLIS, ID 83226 (208)879-2720
Current Owner	CHERYL PHILPS HC 63 BOX 1630 CHALLIS, ID 83226 (208)879-2720

Priority Date: 07/18/1946

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
CHALLIS CREEK LAKES	CHALLIS CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	4/01 to 10/31		47.25 AF
IRRIGATION STORAGE	1/01 to 12/31		47.25 AF
<u>Total Diversion:</u>			47.25 AF

Location of Point(s) of Diversion

CHALLIS CREEK LAKES	L10 SW1/4NW1/4NW1/4	Sec. 7, Twp 14N, Rge 19E, B.M.
CUSTER County	(Rediversion)	
CHALLIS CREEK LAKES	SE1/4SW1/4SW1/4	Sec. 7, Twp 14N, Rge 17E, B.M.
CUSTER County		
CHALLIS CREEK LAKES	SW1/4SW1/4SE1/4	Sec. 8, Twp 14N, Rge 19E, B.M.
CUSTER County	(Rediversion)	

Place of UseIRRIGATION FROM STORAGE Within CUSTER County

T14N R19E S08	SESE	30.0	T14N R19E S09	NESW	3.0
T14N R19E S09	NWSW	1.0	T14N R19E S09	SWSW	34.0
T14N R19E S09	SESW	39.0	T14N R19E S09	SWSE	39.0
T14N R19E S09	SESE	23.0	T14N R19E S10	SWSW	11.0

Total Acres: 180

IRRIGATION STORAGE same as IRRIGATION FROM STORAGEConditions of Approval:

1. 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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 72-2147C V1

Remarks:

1. General THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.^^
2. Explanatory IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.^^

Comments:

1. WORSTELL 12/29/1992 COPIED FROM REMARKS
Comment: THIS CLAIM IS FOR 25% OF THE WR 72-02147 OF THE CHALLIS CREEK LAKE WATERS (189.0 X 0.25 = 47.25)
2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

SubCase:

SubCase Number: 7202147c
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Date Filed: 1/24/2001 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 72-2147B V1

SubCase:

SubCase Number: 7202147b

Class: 1

SF5 Filed Date:

Special Master Recorn Signed Date:

Attorney Assigned:

Date Filed: 1/24/2001 Objection Status: Active

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

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	72-02147	GREEN, CLYDE A. PHILPS, ETHEL B.	C	07/18/1946	L/	CHALLIS CREEK LA	IRR S	WR
-			C	189.50 AFA - 209 Ac.			IRR FS	
-	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
72 - 02147B	31.5 AF
72 - 02147C	31.5 AF
	189 AF

03/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-2147C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHERYL PHILPS
Current Owner	RICK PHILPS
	HC 63 BOX 1630
	CHALLIS, ID 83226
	(208)879-2720

Priority Date: 07/18/1946
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
CHALLIS CREEK LAKES	CHALLIS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	1/01	12/31		47.25 AFA	
IRRIGATION FROM STORAGE	4/01	10/31		47.25 AFA	

Total Diversion

47.25 AFA

31.5AF

Location of Point(s) of Diversion:

CHALLIS CREEK LAKES	SESWSW	Sec. 07	Township 14N	Range 17E	CUSTER County
CHALLIS CREEK LAKES	SWNWNW Lt	Sec. 07	Township 14N	Range 19E	CUSTER County
Rediversion	10				
CHALLIS CREEK LAKES	SWSWSE	Sec. 08	Township 14N	Range 19E	CUSTER County
Rediversion					

IRRIGATION STORAGE Use:
Acre Limit: 180

IRRIGATION FROM STORAGE Use:
Acre Limit: 180

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	19E	8		SESE	30									
		9		NESW	3		NWSW	1		SWSW	34		SESW	39
				SWSE	39		SESE	23						
		10		SWSW	11									

Total Acres: 180

Conditions of Approval:

1. 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

Water Right 72-2147C

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:

1. General THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.
2. Explanatory IRRIGATION STORAGE IS IN CHALLIS CREEK LAKES.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
WORSTELL	12/29/92	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)
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates:

Licensed Date:
Claim Received Date: 12/05/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date: 1/24/01
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s): M005302
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log: No log entries

03/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 72-2147C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHERYL PHILPS
Current Owner	RICK PHILPS
	HC 63 BOX 1630
	CHALLIS, ID 83226
	(208)879-2720

Priority Date: 07/18/1946
 Basis: License
 Status: Active

<u>Source</u>	<u>Tributary to</u>
CHALLIS CREEK LAKES	CHALLIS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	1/01	12/31		47.25 AFA	
IRRIGATION FROM STORAGE	4/01	11/01		47.25 AFA	
Total Diversion				47.25 AFA	

Location of Point(s) of Diversion:

CHALLIS CREEK LAKES	NWSESW	Sec. 07	Township 14N	Range 17E	CUSTER County
CHALLIS CREEK LAKES	NWSWSW	Sec. 07	Township 14N	Range 19E	CUSTER County
Rediversion					
CHALLIS CREEK LAKES	SWSWSE	Sec. 08	Township 14N	Range 19E	CUSTER County
Rediversion					

IRRIGATION STORAGE Use:
 Acre Limit: 185

IRRIGATION FROM STORAGE Use:
 Acre Limit: 185

Place(s) of use:

Place of Use Legal Description: IRRIGATION STORAGE CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	17E	7		SESW										

Place of Use Legal Description: IRRIGATION FROM STORAGE CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	19E	8		SESE	35									
		9		NESW	5		SWSW	30		SESW	40			
				SWSE	40		SESE	20						
		10		SWSW	15									

Total Acres: 185

Water Right 72-2147C

Remarks:

1. General THIS CLAIM IS FOR 25% OF THE WR 72-02147 OF THE CHALLIS CREEK LAKE WATERS (189.0 X 0.25 = 47.25)

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): M005302
State or Federal: S
Owner Name Connector: OR
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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MAR 13 2001

Department of Water Resources
Southern Region

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

Subcase 79-02147C

(Insert the Subcase number from the
Objection to which you are responding)

Case 39576

STANDARD FORM 2

RESPONSE TO OBJECTION

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. 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 listed as the "Subcase" on the objection you are responding to must be inserted above as the "Subcase." You may respond to all objections filed against one water right using one response form. But you must use a separate form for each different water right. If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in all the objections.

You must file your response by the deadline shown in the notice that IDWR mailed to you. The response must be received by the court on or before the deadline specified. Instructions for mailing this response are found at Page 5 and must be strictly followed.

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.

Any party physically filing 25 or more responses must contact the Clerk of the SRBA Court no later than 14 days prior to the filing deadline and arrange for an appointment to file multiple responses.

By filing a response form, you are certifying that the response is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase in the cost of litigation.



I. GENERAL INFORMATION

Please fill in the following information:

1. *Party/Claimant responding:*

Name: Rick Philips

Address: HC 63 Box 1630
Chellis Idaho 83226

Phone: Work: 879-2720 Home: 879-2720

Briefly describe your interest in this water right:

I own 33 1/2 % of Chellis Creek Lake
25 % from Ethel Philips estate 8 1/2 % from Ethel
McFarland (1/2 of 1/2) Roberta Green owns 58 1/2 %
50 % her own and 8 1/2 % from Ethel Philips (1/2 of 1/2)
Tom Butts owns 8 1/2 % (1/2 from Lyons Bisher)

If this response is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2. *Party/Claimant who filed objection:*

Name: Roberta Green

Address: Rcr 213
Chellis Idaho 83226

II. STATEMENT OF THE RESPONSE

Please check each box which identifies your response.

1. ☐ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☐ Source: I respond to the objection concerning the source of water.
3. Quantity: I respond to the objection concerning:
 - ☐ a. the total quantity of water used in cubic feet per second; or
 - ☒ b. the total quantity of water stored in acre feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I respond to the objection concerning the priority date.
5. ☐ Point(s) of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
8. ☐ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. Place of Use: I respond to the objection concerning:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each 40-acre subdivision.
10. ☐ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. Water Right Recommendation: I respond to the objection concerning:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.

12. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.
13. ☒ Other: I respond to the objection concerning: percentage of water
given to each owner

REASONS SUPPORTING EACH BOX CHECKED

You must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

- 13: I own 33 1/3% (Ethel Philips 25% and Ethel McFarland 8 1/3%)
 Roberta Green 58 1/3% (50% her own 8 1/3% from Ethel Philips)
 Tom Butts 8 1/3% (from Laura Bishop via land purchase)

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary..

Roberta Green 58 1/3%
Rick Philips 33 1/3%
Tom Butts 8 1/3%

Note: You should attach copies of documents which support your response. Note on each document the box number it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

VERIFICATION (Must be Completed)

State of IDAHO

County of CUSTER

Rick Phelps, duly sworn, upon oath, deposes and says:
(Name of person filing response)

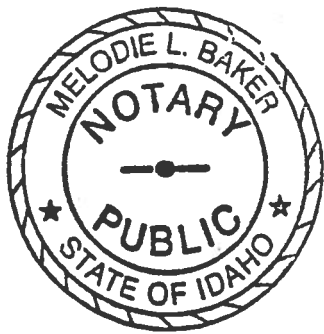
That I am the party/claimant filing this response (as listed on Page 2, Section 1, "Party/Claimant responding"), that I am a water claimant or party in this proceeding as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Rick Phelps
Signature of person filing response

Attorney signing in representative capacity

Subscribed and sworn to before me on: _____

Feb. 9, 2001



Melodie L. Baker
Notary Public for State of Idaho
Residing at: Clayton, Id 83227
My Commission expires: 10/23/06

INSTRUCTIONS FOR MAILING

You must mail the response including all attachments, 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.

CERTIFICATE OF MAILING

I certify that on Feb 09, 1999, I mailed the original and copies of this response, 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. One copy to the claimant of the water right at the following address:

Name: Rebecca Green

Address: Box 213

Challis Idaho 83226

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

Name: Tom Butts

Address: Box 6 Challis Idaho 83226

4. 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
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Bar R. Phelps
Signature of Respondent or attorney
mailing on Respondent's behalf

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FEB 06 2001

Department of Water Resources
Southern Region

RECEIVED

JAN 29 2001

Department of Water Resources

JAN 25 PM 4:12

DEPT. OF WATER RESOURCES
TWIN FALLS, IDAHO
FILE

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: 72-02147B, 72-02147C, and
) 72-02149E

) ORDER GRANTING MOTIONS TO
) FILE LATE OBJECTION
)

On August 21, 2000, *Motions to File Late Objections* were filed for the above water rights. A hearing on the *Motions* was held January 24, 2001. No opposition to the *Motions* has been filed nor was there any opposition to the *Motions* at hearing.

Therefore, based on the file and record herein, IT IS ORDERED that the *Motions to File Late Objections* are **granted**, and the Objections previously lodged shall be deemed filed as of January 24, 2001. Responses to the Objections shall be due on or before **February 28, 2001**. IT IS FURTHER ORDERED that a Telephone Status Conference shall be held 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

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

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 72-02147C

(Insert water right number)

STANDARD FORM 1
OBJECTION

RECEIVED

SEP 01 2000

Department of Water Resources
Southern Region

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Address:

Daytime Phone:

Roberta Green

Box 213

Challis, Idaho 83226

208-879-4320

Name & Address of Attorney, if any:

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

Name:

Address:

Cheryl Philips & Rick Philips

HC 63 Box 1630

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
Should be: 31.5 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
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):

My husband Clyde Green & I developed the Challis Crk Lake along with my parents R.W. Philps & Ethel B. Philps. Therefore, I already own 1/2 of the Challis Crk Lake 94.5 AFA. I inherited 31.5 AFA upon the death of my mother in 1977. This 31.5 AFA of Rick & Cheryl Philps was the inherited share of my sister Ethel McFarland.

COPY

F. VERIFICATION (Must be Completed)

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

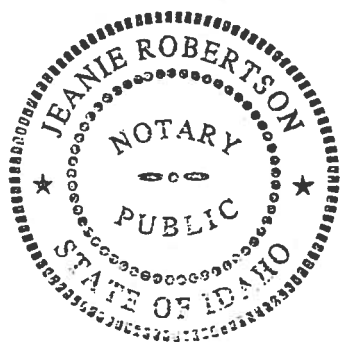
Robert H. Green, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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: 4-23-2006

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 31, 2000, ²⁰⁰⁰~~199~~, 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:

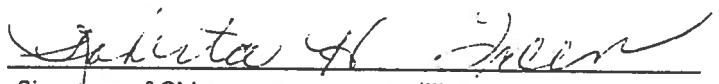
Dick & Cheryl Philps
HC 63, Box 1630
Charlton, Idaho 83226

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


Signature of Objector or attorney mailing on Objector's behalf

Robertson, Jean

From: Robertson, Jean
Sent: Friday, March 02, 2001 3:40 PM
To: Music, Vicky; Spencer, Nick
Subject: 72-00032F & 72-02149F

Just a heads-up! These two rights have now been partially decreed as recommended, but the recommendations were never received by the claimants and **returned to our files**. These are relatives of Roberta Green's and now they have requested I send them the paperwork. I told them that if they disagree, at this point they would have to motion the court to set aside the partial decree. It also sounds like they think 72-02147C should go to this property and not to Rick Philps. So, the plot may thicken...

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

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 72-02147C
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Address:

Daytime Phone:

Roberta Green

Box 213

Challis, Idaho 83226

208-879-4320

Name & Address of Attorney, if any:

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

Name:

Address:

Cheryl Philps & Rick Philps

HC 63 Box 1630

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**
Should be: 31.5 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**
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):

My husband Clyde Green + I developed the Challis Crk Lake along with my parents R.W. Philps + Ethel B. Philps. Therefore, I already own 1/3 of the Challis Crk Lake 94.5 AFA. I inherited 31.5 AFA upon the death of my mother in 1977. This 31.5 AFA of Rick + Cheryl Philps was the inherited share of my sister Ethel McFarland.

F. VERIFICATION (Must be Completed)

COPY

State of Idaho)
County of Twin Falls) ss.

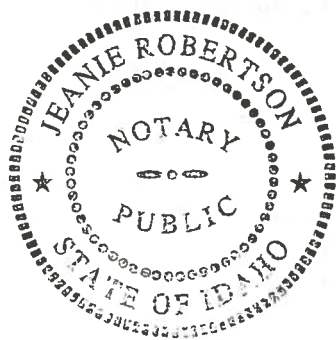
Roberta H. Green, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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: 4-23-2006

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 31, 2000, ²⁰⁰⁰~~199~~, 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:

Rick + Cheryl Philips
HC 63, Box 1680
Challis, Idaho 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

Spencer 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.

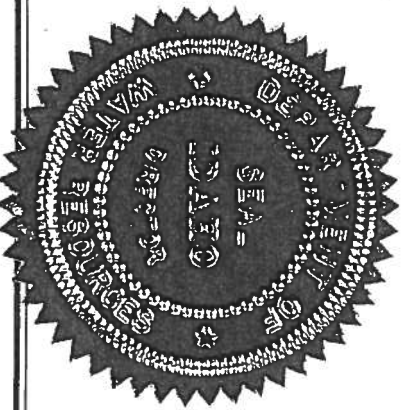
This certificate shall remain valid until revoked or modified by the Department of Water Resources or until the

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.



#146762

(Optional)		Plat	☐	Key Punched	☐	Treasurer	☐
Recorded	☐	Deed Card	☐	Master File	☐		☐
Microfilmed	☐	Compared	☐	Abstracted	☐		
Indexed	☐						

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 ~~DOLLARS~~
 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 _____	

No. 146742

QUITCLAIM DEED

-TO-

Dated _____, 19__

STATE OF IDAHO,

County of Latah } ss.

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

Green

at 30 minutes past 8

o'clock A M., this 19 day

of May, A.D. 1978

my office, and duly recorded in Book _____

of _____ at page _____

Maui Latham Ex-Officio Recorder.

By Anna Wood Deputy.

Fees, \$ 2.00

Mail to Roberta Green

SYNOPSIS COMPANY, MOISE

the undersigned in and for said State, personally appeared LAURA BISHOP, WANZA PHILIPS 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.

STATE OF IDAHO
County of Lemhi
On this 12th day of May, 1978, before me a Notary Public

SIGNED, SEALED AND DELIVERED IN PRESENCE OF
[Seal] Steve M. Bland
[Seal] Anna Wood
[Seal] Maui Latham
[Seal] Kerry L. Wright
IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

TO HAVE AND TO HOLD, 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.

(Optional)						
Recorded	☐	Plat	☐	Key Punched	☐	Treasurer
Microfilmed	☐	Deed Card	☐	Master File	☐	
Indexed	☐	Compared	☐	Abstracted	☐	

QUITCLAIM DEED

THIS INDENTURE, Made this 27th day of October

in the year of our Lord one thousand nine hundred and seventy-seven between
 ETHEL MCFARLAND, dealing with her sole and separate property, WANZA PHILPS
 and LAURA BISHOP, dealing with her sole and separate property,

of Carmen and Challis, respectively, County of Lemhi and Custer, respectively,

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 party of the second part.

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

EXCHANGE OF LAND ~~NOTES~~
 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 party of the second part, and to her heirs and
 assigns all those certain lots, pieces or parcels of land, situate, lying and being in
 County of Custer, State of Idaho, bounded and particularly
 described as follows, to-wit:

A parcel of ground located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10;
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Government Lots 2 and 3, Section 11; all in T. 14 N.,
 R. 19 E., B.M., Custer County, Idaho, more particularly described as
 follows:

Commencing at the Northwest Section Corner of said Section 11, which
 is the REAL POINT OF BEGINNING, a distance of 2000.00 feet on a
 bearing of N. 89°48'00" E. along the north boundary of Section 11 to
 a point on the westerly bank of the Salmon River;

Thence the following courses and distances along said westerly bank:

S. 36°25'00" E., 899.48 feet; S. 3°20'00" W., 730.64 feet;

Thence S. 89°48'00" W., 3246.91 feet to a point on the easterly Right-
 of-Way of U.S. Highway No. 93;

Thence N. 11°46'19" E., 1487.82 feet along said easterly Right-of-Way
 to a point on the north boundary of Section 10;

Thence N. 89°52'00" E., 451.87 feet along said boundary to the REAL
 POINT OF BEGINNING, said parcel contains 100.00 acres.

TOGETHER WITH the following water right: A 1/6 interest in the water rights
 of the Philps Ranch out of the Salmon River and the Philps Slough a/k/a
 the Piva Slough a/k/a the Chivers Slough(s) a/k/a the Bradbury Slough(s)
 less the 40 inches decreed right out of Challis Creek which is hereby
 deeded to Roberta Green for use on the property above described.

Including a 1/6 interest in all ditch and ditch rights.

Together with a 1/6 interest in the Bureau of Land
 Management range rights presently held by the Philps Ranch.

Location of above described property

House No.

Street

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Roberta Green

Address

City & State Challis, Idaho 83226

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 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

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

STATE OF IDAHO

County of Lemhi

ss.

On this

12th

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

BISHOP

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

No. #146761

QUITCLAIM DEED

-TO-

Dated _____, 19____, ss.

STATE OF IDAHO,

County of Custer

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

at 30 minutes past 8 day of May, A.D. 19 78

in my office, and duly recorded in Book _____ at page _____

of Marie Sullivan Ex-Officio Recorder.

By Diana Ottwood Deputy.

Fees, \$ 2.00

Mail to Roberta Green

SYMS-YORK COMPANY, BOISE

SRBA SUBCASE SUMMARY REPORT 72-02147C

[Return to SRBA Home Page](#)

SRBA
08-21-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-02147C FILE#: 00000
CLAIMANT: PHILPS, CHERYL
STATUS: UNOBJECTED TO W/R
WATER SOURCE: CHALLIS CREEK LAKES, CHALLIS CREEK

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

CHERYL PHILPS	C PRO SE
RICK PHILPS	C PRO SE

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

[Return to SRBA Home Page](#)

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
DEC 03 1998
Department of Water Resources
Southern Region

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: 72-02147C

CHERYL PHILPS
RICK PHILPS
HC 63 BOX 1630
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:

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

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

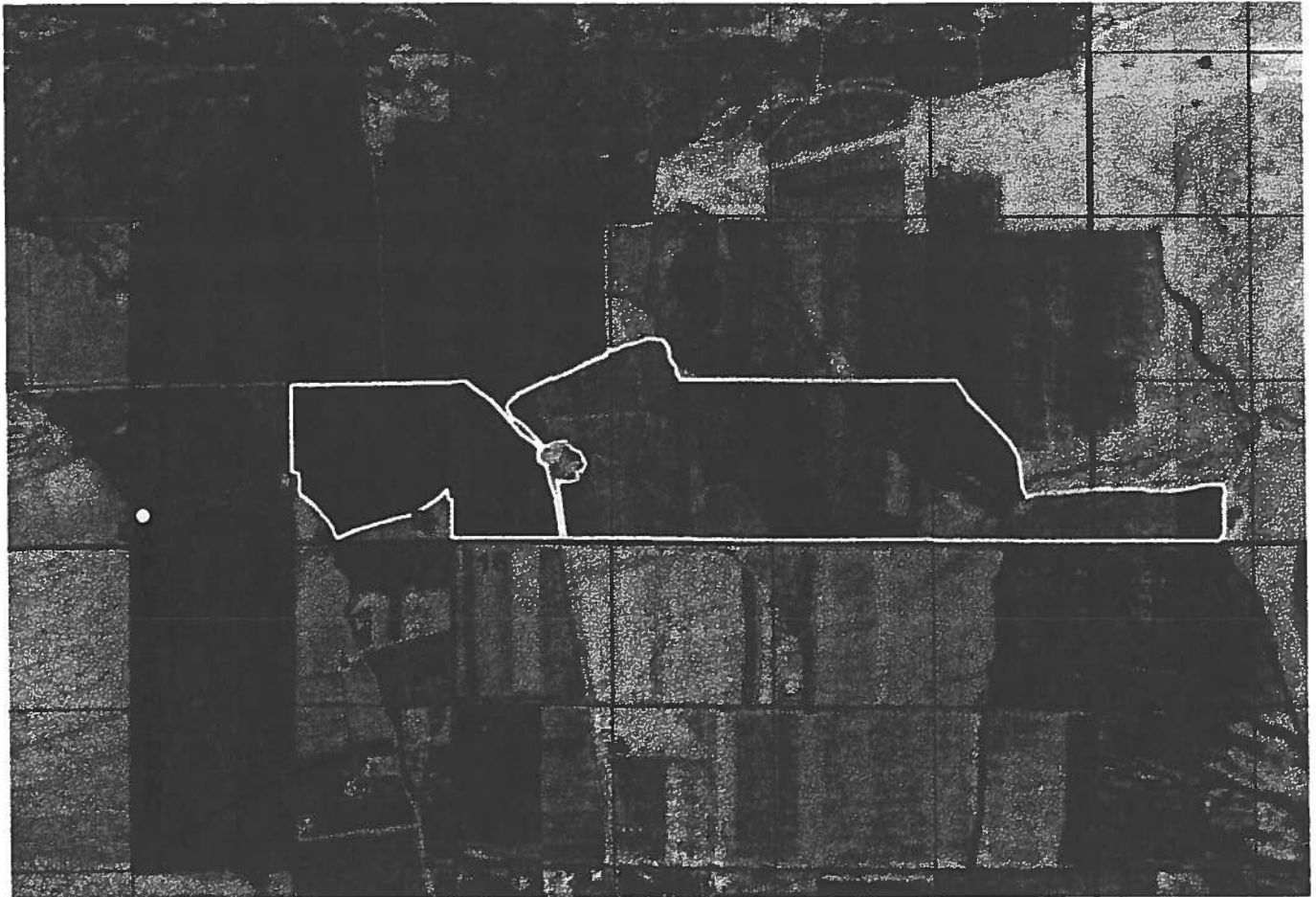
DATE: 12-1-98 SIGNATURE: *Rick Philps*
Please print your name: Rick Philps

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

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

IDAHO DEPARTMENT OF WATER RESOURCES

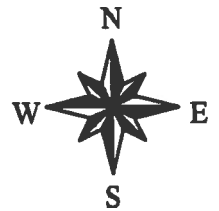
**72-00001, 72-02147C, 72-02149G, 72-04049
RICK & CHERYL PHILPS**



660 0 660 1320 1980 2640 3300 3960 Feet



**RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 6, 1998
TWP 14N, 19E, SEC . 8, 9, & 10**



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**

LAIM NUMBER 72-00001 72-021495 DATE 10/6/98
72-04049 72-021479 AGENT jk

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 185
GIS ACRE TOTAL 180

	TWP	RNG	SEC	NE				NW				SW				SE					
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
LAIM	14N	19E	8																	35	3
GIS	14N	19E	8																	30	3
ECOM	14N	19E	8																	30	3
LAIM	14N	19E	9									5		30	40			40	20	13	
GIS	14N	19E	9									3	1	34	39			39	23	13	
ECOM	14N	19E	9									3	1	34	39			39	23	13	
LAIM	14N	19E	10											15						11	
GIS	14N	19E	10											11						11	
ECOM	14N	19E	10											11						11	

B72-DBPOU.SHP _____
SHAPE NOS. _____
44 49Ac. _____
45 131Ac. _____

B72-DBPOD.SHP _____
NOS. DESCRIPTION _____
3 14N, 19E, 07 SWNW NW (10) _____
50 14N, 19E, 08 SWSW SE _____
53 14N, 17E, 23 SWSW SW (Mosquito Flat Res.) _____
73 14N, 17E, 7 ~~SE~~ ~~SW~~ SW (Challis Cr. Lakes) _____

DBF TABLES UPDATED _____
B72-DBPOU.DBF ☒ _____
B72-DBPOD.DBF ☒ _____

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.

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

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

+ - - - - 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 - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
189.00 0.0

+ - - - - 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

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use -

+ 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 1993

Water Right Number - R72-021470.

Prefix Translation: RESEARCH

Old (D) Number - R762

*** C - CURRENT OWNER ***	PHILPS	RICK	1 - HC 63 BOX 1630	State- ID Zip- 83226
			2 -	
			3 -	
			City- CHALLIS	
			Phone - 208-879-2720	
			1 - HC 63 BOX 1630	
			2 -	
			3 -	
			City- CHALLIS	
			Phone - 208-879-2720	
			State- ID Zip- 83226	

PHILPS

CHERYL

1 - HC 63 BOX 1630
2 -
3 -
City- CHALLIS
Phone - 208-879-2720
1 - HC 63 BOX 1630
2 -
3 -
City- CHALLIS
Phone - 208-879-2720

State- ID Zip- 83226

Priority Date - - - +	07/18/1946	Region - - - +	17 SOUTHERN	Stage - - - +	L - LICENSE	Status - - - +
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Source - - - - - +	CHALLIS CREEK LAKE	Tributary - - - - - +	CHALLIS CREEK
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Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion - - - - - +
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14N	17E	7	NW SE SW			(37) CUSTER
19E	7	NW SW SW			R	(37) CUSTER
	8	SW SW SE			R	(37) CUSTER

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
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02 - IRRIGATION STORAGE	01/01	12/31	47.25
03 - IRRIGATION FROM STORAGE	04/15	10/15	47.25

Total Div. Rate - +	47.25	Total Div. Volume - +	47.25	Total Consumptive Use - +	462.0	KW Usage - +
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Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	17E	7	SE SW		35.0	02 IRRIGATION STORAGE	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	8	SE SE		5.0	03 IRRIGATION FROM STORAGE	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	NE SW		30.0	03 IRRIGATION FROM STORAGE	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SW SW		40.0	03 IRRIGATION FROM STORAGE	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SE SW		40.0	03 IRRIGATION FROM STORAGE	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SE SE		20.0	03 IRRIGATION FROM STORAGE	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	10	SW SW		15.0	03 IRRIGATION FROM STORAGE	03	IRRIGATION FROM STORAGE	(37) CUSTER

Total Acres: 185.0

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

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Water right number - R72-02147C

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00001, 72-04049 & 72-021496

Remarks - - - - -
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF _____ CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF _____ AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF _____ ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00001, 72-021496 & 72-04049.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF _____ 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, 72-00013A, 72-00020E, 72-00020P, 72-00032F, 72-02147A,
72-02147B, 72-02149E, 72-02149F, 72-02149G, 72-02149H, 72-04049,
72-04088, 72-10263 & 72-10267.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

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

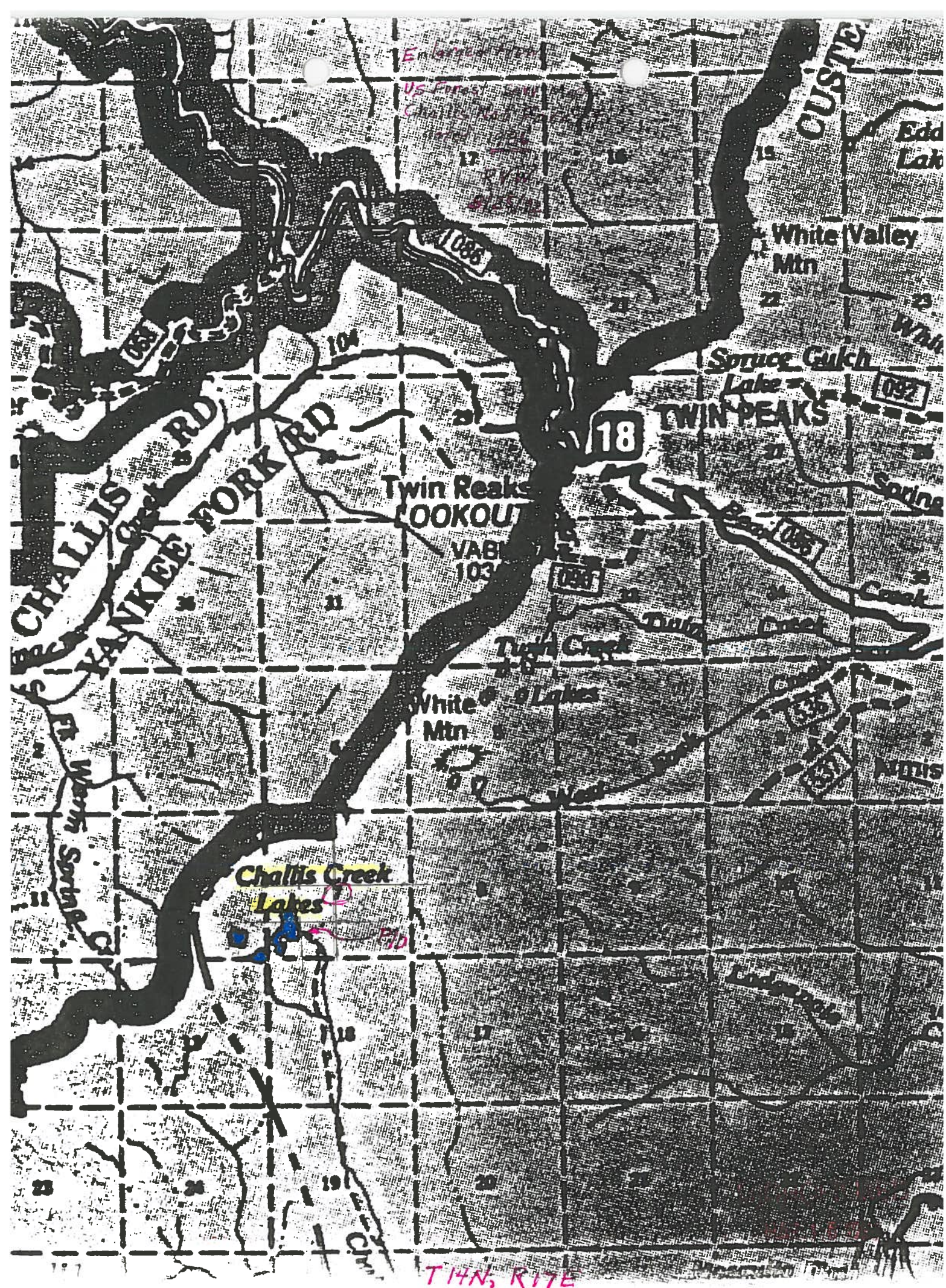
+ - - - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
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)

+ - - Audit Fields - - - +
12/29/92 WORSTELL

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 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 -
Claim Received Date - 12/05/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - M005302 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag - C
Notice of Error Flag -

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MAR 1 8 1993



Enlarged from
US Forest Service
Challis National Forest
Map 1224
1917
\$1.25/12

Edd
Lak

White Valley
Mtn

Spruce Gulch
Lake

TWIN PEAKS

Twin Peaks
LOOKOUT

VAB
103

Twin Creek

White
Mtn

Challis Creek
Lakes

T14N, R17E