

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: A72-02149G
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: JUN 03, 1958

3. Source: MOSQUITO FLAT RESERVOIR Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	17E	23	SW	SW	SW		CUSTER
	19E	7	NW	SW	SW	R	CUSTER
		8	SW	SW	SE	R	CUSTER

5. Description of diverting works:
EARTH DAM TO 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			200.00
IRRIGATION FROM STORAGE	04/01	11/01			200.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 200.00 A.F.A.

8. Total consumptive use is 462.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A72-02149G

Page 1

Date: 12/05/89

MICROFILMED

MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	17E	23	SW	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, A72-02147C, A72-04049

14. Remarks:

THIS IS A PORTION OF THE WR 72-02149C (FOR 25% OF ORIGINAL WR)
SEE REFERENCE RT. A72-02149 FOR DETAILS.

15. Basis of Claim: LICENSE

Water Right Number: R836

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 Stan Caldwell
Notary Public

Seal

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



(TWIN PEAKS SE)

44

30"

SCS-CONS-16
OCTOBER 1974

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

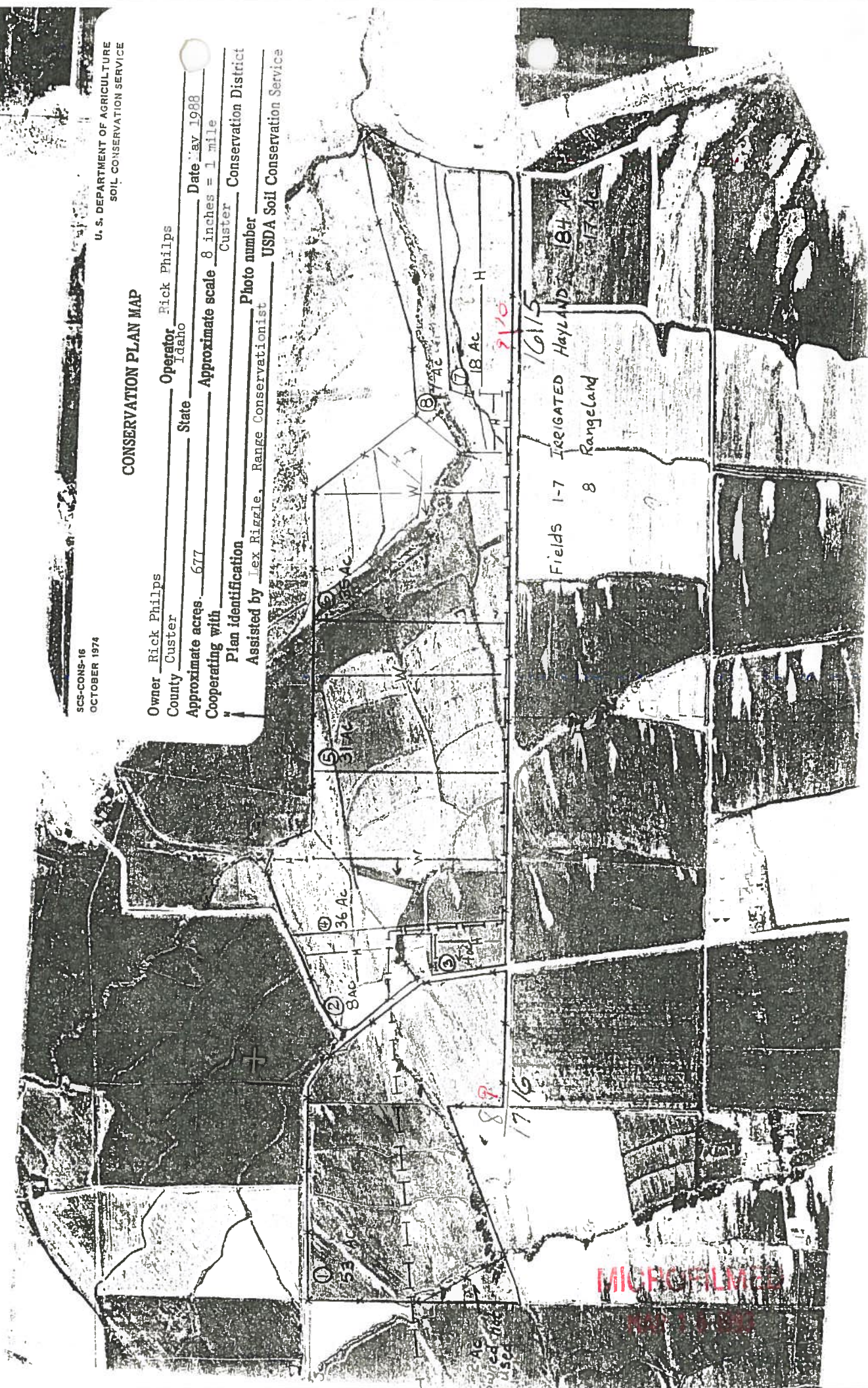
CONSERVATION PLAN MAP

Owner Rick Philips
County Custer State Idaho
Approximate acres 677
Cooperating with

Operator Rick Philips
Idaho

Date May 1988
Approximate scale 8 inches = 1 mile

Plan identification Photo number
Assisted by Lex Riggie, Range Conservationist Custer Conservation District
USDA Soil Conservation Service



MICROFILMED
NOV 1 1988

COPY

200 OCT 19 PM 4: 05

FILED
TWIN FALLS CO., IDAHO

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 NO. 72-02149G

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☐ Split of Water Right

☒ Point of Diversion

☒ Place of Use

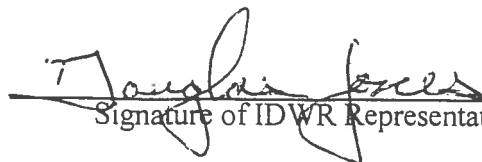
☐ Period of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

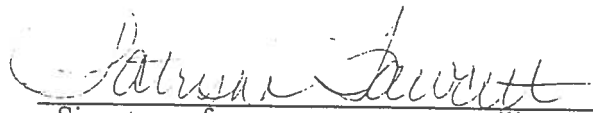
Dated: 10/16/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/19, 2000, I mailed the original and copies of this form to the following persons, 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:
Claimant/Seller for Substitution of Party or attorney of record:
Cheryl Philps
Rick Philps
HC 63 Box 1630
Challis ID 83226
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

09/28/2000

RIGHT NUMBER: 72-2149G

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

SOURCE: CHALLIS CREEK TRIBUTARY: Salmon River

200 AFY

PRIORITY DATE: 06/03/1958

POINT OF DIVERSION: T14N R17E S23 SWSWSW Within CUSTER County
T14N R19E S7 LOT 10 SWNWNW Within CUSTER County
T14N R19E S8 SESESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	200.0 AFY
IRRIGATION FROM STORAGE	04-01 10-31	200.0 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within			
CUSTER County			
T14N R19E S17	NENW	33	T14N R19E S17
T14N R19E S8	SWSW	33	NWNW 33
99 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 MOSQUITO FLAT RESERVOIR



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

October 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHERYL PHILPS
RICK PHILPS
HC 63 BOX 1630
CHALLIS ID 83226

RE: SRBA Claim(s) 72-02149G

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

NCAP
Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5497
WATER RIGHT NO. 72-02149G

RECEIVED

APR 07 2000

Department of Water Resources
Southern Region

This is to certify that: RICK PHILPS
HC 63 BOX 1630
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		200.0 AF
IRRIGATION FROM ST	04/01 to 10/31		200.0 AF
	Totals		200.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CHALLIS CREEK	SALMON RIVER

Priority: 06/03/1958

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	
Rediversion	SWSWSW , Sec. 23, Township 14N, Range 17E
Rediversion	Lot 10 (SWNWNW), Sec. 7, Township 14N, Range 19E
	SESESW , Sec. 8, Township 14N, Range 19E
	CUSTER County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	19E	8	SWSW	33		33
		17	NENW	33	NWNW	66
					Total number of acres irrigated:	99

CONDITIONS OF APPROVAL AND REMARKS

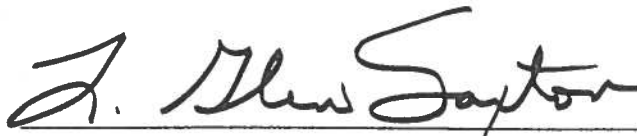
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 72C.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5497
WATER RIGHT NO. 72-02149G

CONDITIONS OF APPROVAL AND REMARKS

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion and redirection. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Irrigation storage is in Mosquito Flat Reservoir.

Dated this 3rd day of April, 2000.


Chief, Water Allocation Bureau

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: 72-02149G

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

SIGNATURE:

Please print your name:

Rick Philps
Rick Philps

DATE: 11/10/98
PAGE: 1

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

CLAIM NUMBER 72-00001 72-02149 DATE 10/6/98
72-04049 72-02147 AGENT JK

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 185
GIS ACRE TOTAL 180

				NE				NW				SW				SE			
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	14N	19E	8																35
GIS	14N	19E	8																30
RECOM	14N	19E	8																30
CLAIM	14N	19E	9									5		30	40			40	20
GIS	14N	19E	9									3	1	34	39			39	23
RECOM	14N	19E	9									3	1	34	39			39	23
CLAIM	14N	19E	10											15					
GIS	14N	19E	10											11					
RECOM	14N	19E	10											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) _____

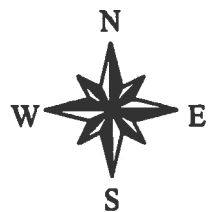
DBF TABLES UPDATED _____
B72-DBPOU.DBF ☒ _____
B72-DBPOD.DBF ☒ _____

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**

SD-4110
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 06/08/95
Time: 10:45:50

Water Right Number: A72-02149C

FIRST PAGE

13. Remarks: TRANS. 3283 CHANGED NATURE OF USE ON 224.0 AF OF STORAGE WATER.
THE 400.0 AF WILL BE USED ON LANDS IDENTIFIED HEREIN.
THIS WATER AKA MOSQUITO FLAT RESERVOIR

|
THIS RIGHT IS SPLIT. THIS CLAIM IS FOR REFERENCE ONLY.
SEE THE ORIGINAL RT. A72-02149 FOR COMPLETE SPLITS.
THIS PART 'C' IS SPLIT THREE WAYS AT THIS TIME.

A72-02149E FOR 66.6 AC-FT. R.H. GREEN

A72-02149F FOR 66.6 AC-FT. ~~ETHEL (MCFARLAND) LONGHURST~~ *Foss, J*

A72-02149G FOR 200 AC-FT. RICK PHILPS

A72-02149H FOR 66.6 AC-FT. MITCH CORRIGAN

|
THIS RIGHT HAS BEEN CLAIMED IN FULL...
SEE REFERENCE RT. A72-02149 FOR MORE DETAILS.

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

Water Right Number - A72-02149C

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - R836

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -
City- N
Phone - 208-000-0000
State- ID Zip- 0

*** O - ORIGINAL OWNER ***
GINI

MIKE

1 -
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
State- ID Zip- 83226

PHILIPS

ETHEL

1 -
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
State- ID Zip- 83226

STARK

CLYDE B.

1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- 0

GIAMPEDRAGLIA

PAUL

1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/03/1958 17 SOUTHERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
CHALLIS CREEK SALMON RIVER
SPLIT RIGHT

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

Twn Rng Sec Tract Lot RFlg County
14N 17E 23 SW SW SW (37) CUSTER
19E 7 NW SW SW (37) CUSTER

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

02 - IRRIGATION STORAGE 01/01 12/31 400.00
03 - IRRIGATION FROM STORAGE 400.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
400.00 400.00 0.0

Water right number - A72-02149C

Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
+ - - - - - Diversion Means - EARTH DAM, CHALLIS CREEK TO HIGH LINE DITCH.								
+ - - - - - Non-Irrigation Use -								
+ - - - - - Other Rights for Same Use - NONE								
+ - - - - - Remarks -								
TRANS. 3283 CHANGED NATURE OF USE ON 224.0 AF OF STORAGE WATER.								
THE 400.0 AF WILL BE USED ON LANDS IDENTIFIED HEREIN.								
THIS WATER AKA MOSQUITO FLAT RESERVOIR								
THIS RIGHT IS SPLIT. THIS CLAIM IS FOR REFERENCE ONLY.								
SEE THE ORIGINAL RT. A72-02149 FOR COMPLETE SPLITS.								
THIS PART 'C' IS SPLIT THREE WAYS AT THIS TIME.								
A72-02149E FOR 66.6 AC-FT. R.H. GREEN								
A72-02149F FOR 66.6 AC-FT. ETHEL (MCFARLAND) LONGHURST								
A72-02149G FOR 200 AC-FT. RICK PHILPS								
A72-02149H FOR 66.6 AC-FT. MITCH CORRIGAN								
THIS RIGHT HAS BEEN CLAIMED IN FULL...								
SEE REFERENCE RT. A72-02149 FOR MORE DETAILS.								
+ - - - - - 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								
+ - - - - - Audit Fields - 11/16/89 MOBILE4 12/05/89 MOBILE3 03/05/92 BAUMHOFF 03/13/92 BAUMHOFF								
+ - - - - - Comments -								
No Comments Found								
+ - - - - - 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 - 11/16/1989 Last Amended Date - 00/00/0000 Temporary Right - P								
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District - 72C								
Licensed Date - 00/00/0000 Receipt Number - X777777 Federal/State Indicator - S								
Claims Tape Error Flag - POU Ownership Flag - Y Presumption Flag -								
Fee Exempt Flag - Name Connector - Notice of Error Flag -								

Water Right Number - 72-02149

Prefix Translation:

WATER RIGHT

Old (D) Number - R836

*** C - CURRENT OWNER ***
PHILIPS

ETHEL

STARK

CLYDE B.

*** 0 - ORIGINAL OWNER ***
GIAMPEDRAGLIA

PAUL

GINI

MIKE

1 -	State- ID	Zip-
2 -		
3 -	City- CHALLIS	
Phone -		
1 -	State-	Zip-
2 -		
3 -	City-	
Phone -		
1 -	State-	Zip-
2 -		
3 -	City-	
Phone -		

Priority Date - 06/03/1958

Region - 17 SOUTHERN

L - LICENSE

Status -

Source - CHALLIS CREEK

Tributary - SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	17E	27	NW SE			(37) CUSTER	

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01		12/31		800.00
03	IRRIGATION FROM STORAGE					

Total Div. Rate - 800.00

Total Div. Volume - 800.00

Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	16	SW SW		39.0	IRRIGATION STORAGE	02		(37) CUSTER
14N	19E	16	SE SW		40.0	IRRIGATION STORAGE	02		(37) CUSTER
14N	19E	16	SW SE		38.0	IRRIGATION STORAGE	02		(37) CUSTER
14N	19E	21	SW SW		40.0	IRRIGATION STORAGE	02		(37) CUSTER

Water right number - 72-02149

Prefix Translation: WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	21	SE SW		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	21	SW SE		39.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	28	NE NW		39.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	28	NW NW		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	28	SW NW		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	28	SE NW		40.0	02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	28	NW SW		40.0	02	IRRIGATION STORAGE	(37) CUSTER

Total Acres: 435.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - P/D INCOMPLETE. SEE FILE. - - - - - Remarks - - - - -

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

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

+ - - - - -Comments- - - - -
No comments Found

+ - - Audit Fields - 00/00/00

+ - - - - - 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 - 72C
Licensed Date - 07/10/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

RECEIVED

JUL 14 1987

MEMORANDUM

Department of Water Resources

Date: July 9, 1987
From: Loren Ho *rh*
To: Glen Saxton
Subject: Transfer 2797/3295/72-2149A
(Idaho Dept. of Fish & Game)

I have reviewed our microfilm of the file and interviewed Gary Funderburg, who did the licensing examination in 1973. Gary has no recollection of details of the exam.

I also got a copy of a 6/30/1961 aerial photo from the Challis SCS office and a copy from an orthophoto based on 1979 aerial photography.

Both the 1961 & 1979 aerial photos indicate irrigation on the lands omitted from the license & show similar patterns of irrigation ditches.

The field report does not have a water measurement made at Mosquito Flat Reservoir & does not discuss how the place of use was determined.

Based on the available information, it appears that all the lands under the permit were under irrigation from Challis Creek prior to the exam.

As a co-holder of the permit Clyde Stark had the right to apply Mosquito Flat stock water to all his lands.

Therefore, the license should be amended to include the NW1/2SW1/4 & NW1/4SE1/4, Sec. 16, T14N, R19E.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

MEMORANDUM

TO: L. Glen Saxton
FROM: Norman C. Young *NCY*
DATE: April 27, 1987
RE: Transfer 2795/3283

Ownership of a valid share of storage is not adequately documented. The gift deed simply disclaims whatever rights the giftors had.

The state's license is prima facie evidence of the water right when issued. The mandatory transfer law predates the license. Therefore, no transfer of right occurred without recording in this office. I can't see the applicability of the recent change in 42-222 allowing expansion of storage rights. Again that must be by recorded transfer.

The bottom line is that I agree with Susan Stanfield's memo of June 9, 1986 suggesting the appropriate solution is to amend the license before approving the transfer. Do this based upon adequate documentation of department error only.

If transfer is ultimately approved, address the concern about added administrative cost.

MEMORANDUM

Date: April 30, 1987
To: Loren Holmes
From: L. Glen Saxton *WLS*
RE: TRANSFER 2797/3295/72-2149A (ID. DEPT. FISH AND GAME)

Perhaps you recall the above referenced application for transfer which involves a portion of the water stored in Mosquito Flat reservoir in Custer county.

State office review of this application concludes that the transfer application should only be approved if the license is amended to include the land to which the stored water was permitted but not licensed. In order to amend the license, the department will have to find there was an error during the examination and licensing process.

Please review the matter using your microfilm, since we have the original file, to determine if the land found during the examination should have included the land to which the storage amount described in the application for transfer supposedly was appurtenant.

I am returning a copy of the application for transfer together with copies of some of the other documents submitted in connection with the application to hopefully assist in the review.

Please call me if you have questions.

MEMORANDUM

DATE: April 14, 1987

TO: Trans File 3283/72-2149

FROM: L. Glen Saxton *LS*

RE: REVIEW/RECOMMENDATION OF TRANS. APPLICATION

The applicant (Idaho Dept of Fish and Game) received a gift deed for a portion of the water stored in Mosquito Flat Reservoir. The application for transfer (application) filed with the Dept. of Water Resources (department) proposes to change the nature of use of a portion of licensed right 72-2149 from irrigation use to fish propagation purposes. The stored water proposed for change of use would not be released from Mosquito Flat reservoir but would be left in storage for fish propagation purposes.

The unique feature of this application is that a review of correspondence and conveyance documents in the file show that the gifted portion of water right 72-2149 purportedly has been used for the irrigation of land which was not included in license 72-2149. This aspect of the claimed use of water under any proposed transfer is carefully reviewed by the department, since a transfer can only be approved if there is no enlargement in use, where there is no injury to other water rights and the transfer is in the public interest.

A lengthy letter of explanation from the applicant dated June 9, 1986, suggests the examination conducted by the dept. and the license ultimately issued by the dept. were in error. A review of water right file 72-2149, however, does not show any error by the dept either in conducting the examination or in issuance of license 72-2149.

Stored water is treated in some respects differently than a natural flow right diverted directly to the place of use. Usually stored water does not comprise the total supply of water for irrigation of land and is generally used to supplement a natural flow right. Amendments to Sec. 42-222 I.C. enacted in 1986 provide that "the transfer of the right to the use of water stored for irrigation purposes shall not constitute an enlargement in use even though more acres may be irrigated". While the proposed transfer does not propose the irrigation of more acres than originally claimed as irrigated, the amended statute serves to show that stored water is considered differently than a similar enlargement involving a natural flow right.

A water right is real property which can be bought, sold, gifted and treated in most respects similar to real estate. The applicant has provided documents to show sufficient title to the

stored water. No evidence has been presented by anyone to show that the right to the stored water has been abandoned or forfeited through non use.

No evidence has been presented to show that the use will be enlarged, other water rights injured or that the transfer is not in the public interest. It is my recommendation that the transfer be approved but should include certain conditions and limitations as shown below:

10010 1. Delivery of water under this transfer is conditioned upon installation and maintenance of measuring devices both above and below Mosquito Flat Reservoir and the installation and maintenance of a staff gage which can be used in conjunction with a stage/capacity curve to be developed by the applicant.

10010 2. The amount of water approved under this transfer is subject to an annual loss due to seepage and evaporation as determined by the Dept. of Water Resources or by the watermaster under the direction of the Department.

MEMORANDUM

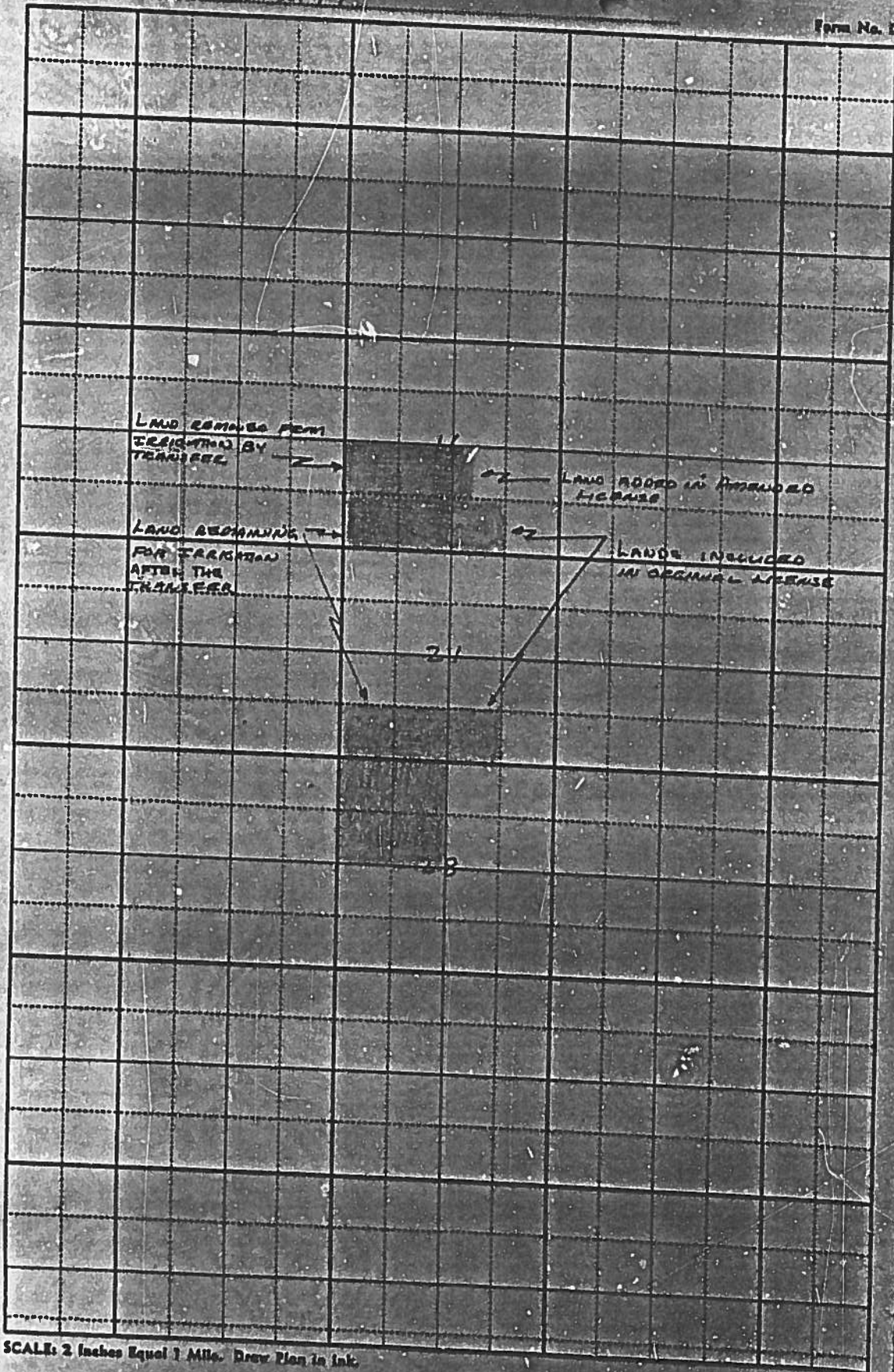
Date: November 30, 1987
To: File 72-2149
From: L. Glen Saxton
RE: SUMMARY OF TITLE CONVEYANCE OF WATER STORED IN MOSQUITO
FLAT RESERVOIR

The permit was originally issued to Paul Giampedraglia and Mike Gini who each owned one-half of the water stored in the reservoir.

The Gini one-half interest was conveyed to Clyde B. Stark, Sr., then to Clyde B. Stark, Jr., then to Mark Stark. Mark Stark conveyed 44% of his one-half interest (22% reservoir capacity) to Hammonds and 56% of his one-half interest (28% reservoir capacity) to Strands and Sullivan who ultimately gift deeded the 28% interest in the reservoir to the Idaho Department of Fish and Game.

NAME OF APPLICANT 72-25-19

Form No. D



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

MEMORANDUM

TO: File 72-2149

FROM: Jim Johnson

DATE: August 20, 1987

RE: Fish & Game Transfer

Background

On December 19, 1985 the Idaho Dept. of Fish & Game filed an application for transfer of a portion of water right No. 72-2149. The purpose of this transfer was to record that they owned 20% of the water right and to change the nature of use from irrigation to remain in Mosquito Flat Reservoir for fishery habitat enhancement (wildlife storage).

Water Right Ownership

Fish & Game obtained the water right ownership from Dannie and Salley Strand and Thomas and Lin Sullivan via a gift deed signed on December 30, 1984.

Included in the gift deed document was a property description of land owned by Strand and Sullivan. This property description identified land totaling 76.15 acres in size. The location of the property, however, was not within the location described as place of use under the water right.

This discrepancy has caused an undue amount of concern.

On June 9, 1986 Susan Stanfield (Matto) from Fish & Game wrote a lengthy response to Loren Holme's telephone request that a legal description be provided of the lands no longer irrigated. Her correspondence provided much of the history of the water right ownership and information supporting the position that the license, when issued, did not include all of the lands using the stored water. She recommended that this be remedied by amending the license.

Recommendation by the Region

The State Office review concurred with the proposed solution provided that the regional personnel could confirm that storage water had in fact been used on the Strand/Sullivan property.

The regional office acquired ASCS aerial photos showing the land was irrigated and since the chain of land ownership can be linked to Strand/Sullivan, the region has recommended that the license should be amended.

Place of Use Discrepancies

The property described in the gift deed to Fish & Game contained 76.15 acres within the N1/2SW1/4 and NW1/4SE1/4, Sec. 16. According to Mrs. Mattos' correspondence, Hammond (who owns 22% of the water right) used the water on the S1/2SW1/4 and SW1/4SE1/4, Sec. 16. This is not true, however, because Hammond filed a transfer application in 1983 placing a portion of the water in the NW1/4SE1/4, Sec. 16. This same tract is included in the location that Strand/Sullivan had told Mrs. Mattos that they owned and upon which they had used water. Therefore, it appears that both parties are claiming the same tract.

In preparing a detailed map of the mean and bounds description of the property described in the Strand/Sullivan gift deed, 8.9 acres were found to be within the NW1/4SE1/4, Sec. 16. This means that all three 40-acre tracts that Mrs. Mattos recommended to be included on the amended license could be included but the land within the NW1/4SE1/4, Sec. 16 should be limited to 8.9 acres. The land not using the stored water then would be confined to land owned by Strand and Sullivan which is a total of 76.15 acres and the amended license should be limited to this amount. The first page of the Fish & Game transfer application would have to be modified to reflect the amended license.

MEMORANDUM

TO: FILE 72-20498
FROM: PAM SKAGGS *ck*
RE: TRANSFER # 4237
DATE: 11-2-93

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 72-000320.

MEMORANDUM

TO: FILES 72-00032D & 72-02149B

FROM: PAM SKAGGS^{EB}/STATE OFFICE

SUBJECT: TRANSFER NO. 4239

DATE: March 29, 1994

=====

Transfer No. 4239 was filed to change the place of use (rearrange the acres within the original QQs) and add rediversion points from Challis Creek and the High Line Canal which are controlled by the watermaster of Water District 72C, under Right Nos. 72-00032D and 72-02149B.

Right No. 72-00032D is for water diverted out of Challis Creek into High Line Canal and rediverted to the place of use. Right No. 72-02149B is for storage water from Challis Creek stored in Mosquito Flat Reservoir, that is released into Challis Creek and rediverted through the High Line Canal to the rediversion ditch in the same manner as 72-00032D.

Review of the file and database for Right No. 72-00032 revealed 4 previously approved transfers that had not been clearly identified nor reflected in the WR database (Parts A-H). The record has been updated and a summary placed in the file. The transfer application describes Part D on the WR database.

Recommended conditions include watermaster control, measuring devices at all points of diversion/rediversion, right-of-way, volume overlaps and standard transfer conditions.

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	72-02149	Paul Giampedraglia Mike Gini	800 AF
Full Assignment	72-02149	Ethel Philips Clyde B. Stark	800 AF

SPLIT INTO PARTS A & B BY TRANSFER #2795

~~Partial Assignment~~	~~72-02149A~~	~~Ethel Philips Clyde B. Stark~~	~~624 AF~~
Partial Assignment	72-02149B	William L Hammond Bessie Hammond	176 AF

PART A SPLIT INTO PARTS C & D BY TRANSFER #3283

Partial Assignment	72-02149C	Ethel Philips Clyde B. Stark	400 AF
Partial Assignment	72-02149D	State of Idaho Fish & Game	224 AF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4239
WATER RIGHT NO(S). 72-00032D/72-02149B

This is to certify that: HAMMOND FAMILY CORP
HC 63 BOX 1544
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-00032D : IRRIGATION	04/15 to 10/15	0.88 CFS	321.2 AF
Right No. 72-02149B : IRRIGATION STORAGE	01/01 to 12/31		176.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		176.0 AF
TOTAL:		0.88 CFS	497.2 AF

DATE OF PRIORITY:

Right No. 72-00032D : 07/22/1910
Right No. 72-02149B : 06/03/1958

SOURCE

CHALLIS CREEK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 72-00032D : Lot 2 (SWNW), Sec. 7, Township 14N, Range 19E
SWSE, Sec. 17, Township 14N, Range 19E
CUSTER County

Right No. 72-02149B :
Rediversion Lot 2 (SWNW), Sec. 7, Township 14N, Range 19E
SWSE, Sec. 17, Township 14N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

TWN RGE SEC
14N 19E 16

ACRES
SESW 35.3

ACRES
NWSE 29.6
SWSE 38.6
Total number of acres irrigated: 103.5

TOTAL
103.5

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 72C.

PAGE 2

TRANSFER NO. 4239
WATER RIGHT NO(S). 72-00032D/72-02149B

CONDITIONS/REMARKS:

2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from diversion/rediversion points from Challis Creek and High Line Canal, which will allow the watermaster suitable control of these rights.
6. The point of diversion under Right No. 72-00032D and the point of rediversion under Right No. 72-02149B located within the SWSE, S17, T14N, R19E identifies the point where water is diverted from the High Line Canal.

Dated this 11th day of

April

1994

J. M. Saptor
Chief, Water Alloc. Bureau

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Ethel Phillips & Clyde B. Stark
of Challis Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. R-886/7-2149 issued pursuant to Application for Permit dated August 4, 1949
and has submitted proof to the Department of Water Administration on June 19, 1948 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 800 acre feet of water from Challis Creek
tributary to the Salmon River
and that the permit holder has applied for a beneficial use
established a right to use water as follows:

Subject, however, to the condition that no more than 8.7 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 800 acre feet per year, said waters to be diverted within the (unsurveyed) Sec. 27, Twp. 14 N, Rge. 17 E B.M.

Description and location of place of occurrence

NOTE: We do not have any information about this listing. Please see the "Other" column for more information. See also 42 CFR 42.101.

Witness the seal and signature of the Director, printed at above. Made this

Blomquist

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Stark, Ethel Philips & Clyde B.~~	~~006 AF~~		~~72-2149~~
2795	Hammond, Wm. L. & Bessie	176 AF		72-2149B
	Stark, Ethel Philips & Clyde B.	624 AF		72-2149A

T
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R

Transfer No. 2795Water Right No. 72-0004A
72-0032
72-2149

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant William L. &/or Bessie Hammond Phone 879-4459 or 4340Post Office address R.C. #63 Box 1544, Challis, ID 83226**A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by: See Enclosuresa. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. _____ cubic feet per second
&/or

b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____

Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B). See Enclosures

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information See Enclosures

- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Description of diverting works _____

- c. Describe the reasons for the proposed changes _____

2. Change in point of diversion

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points, _____

3. Change in place of use No Change

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

DATE OF EXAM 7-24-73

ACREAGE
Found 435
Recommended 435

Irrigation Requirement 3.0 Ar Ft/Ac

USE
Irrigation Q = 8.7 c.f.s. V = 800 g.p.f. AF/Ann. from April-1 to Nov-1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 11.3 ~~8.7~~ c.f.s. Method of measurement Gipeletti Wier

Total Q recommended 8.7 c.f.s. Meter No. _____ Type C Condition good

Total V recommended 800 ~~1305~~ g.p.f. AF/ANN.

Recommended Amendments:

P.D. NO
Place of Use NA
Other NO
None ☒

MEASUREMENT CALCULATION:

$Q = 8.7 \text{ c.f.s.}$ Staff Gauge Read .89 Gt art Reading 11.3 c.f.s.
 $V = (\text{Acres Irrigated } 435) (3.0 \text{ Irr Requirement})$ 1305 But 800 g.p.f. given
Crest of Wier was 4.0'

SYSTEM DESCRIPTION:

Mosquito Flat Reservoir stores water from Challis Cr. This water is then diverted thru a 40' crest Wier (Moss 89) into the creek which is then used to convey the water to the head gate which diverts the water to a ditch that then conveys it to its place of use.

REMARKS:

There is a wier at both ends of the Reservoir, Inlet and outlet.

Examiner's Signature Larry L. Jundberg Date 8-27-73

Checked by Michael L. Smith Date 9-12-73

Approved by _____ Date _____

73 2174

73 21-

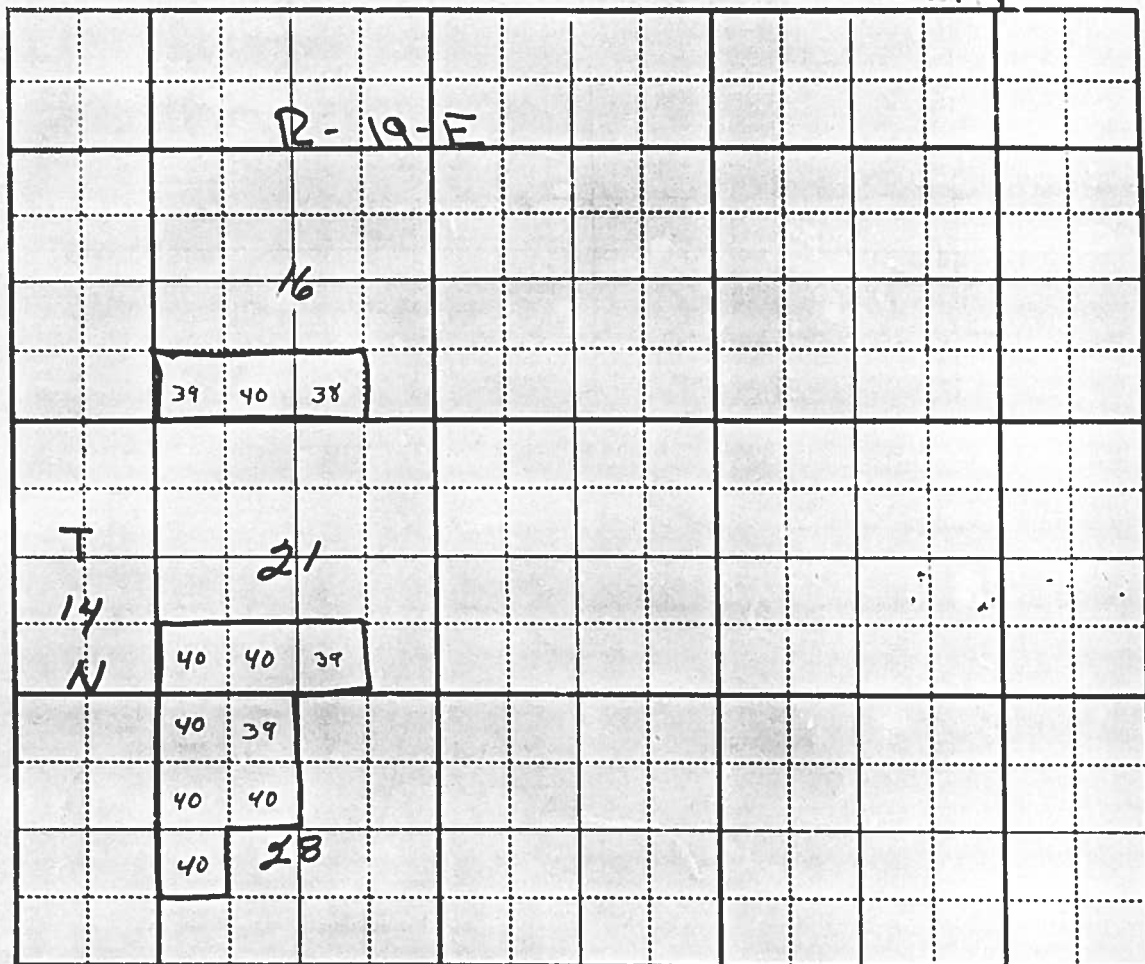
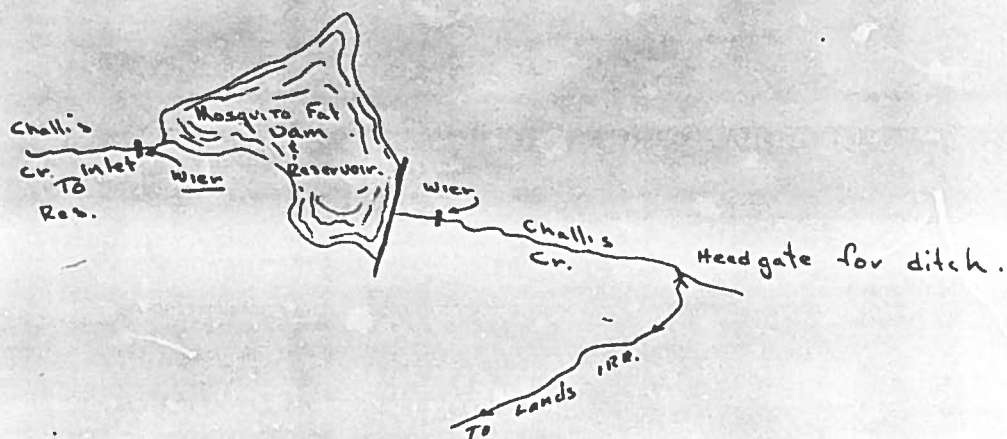


Diagram of System



Transfer No. _____

Water Right No. 72-0004A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**a. Decree No. _____ Decreed to Thomas Chivers

(Name)

in case of John Stephens et al vs C. C. Shaw et aldated in 10-9-1911 in Sixth District county of Custer

(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

purchase of land & water right3. Source of water 34141879 Challis Cr. tributary to Salmon River4. Date of priority 5-1-1879**5. Water is used for the following purposes:**amount 2.35 cfs for Irrigation purposes from Apr 1 to Nov 1*

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
* Standard irrig. season (month/day — both dates inclusive)6. Total amount of water under right: a. 2.35 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is Lot 2 1/4 of _____ 1/4 of Section 7
Township 14N Range 19E B.M. in Custer County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	19E	16									13		40		31	40			124

Total number of acres to be irrigated 124

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water, a. 1.52 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion Lot 2 $\frac{1}{4}$ _____ $\frac{1}{4}$, Section 7 Township 14N
Range 19E, B.M., Custer County
Additional points _____

3. Place of use: Note: Although 1.99 cfs would be appurtenant to these lands, only 1.52 cfs was purchased with the property. Ted Strickler owns rest of water & land.

was purchased with the property. Ted Strickler owns rest

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14N	19E	16																	
														37			30	38	105

Total number of acres to be irrigated 105

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.52 c.f.s. &/or _____ acre feet
- b. Description of diverting works Existing headgate & High Line Canal

- c. Describe the reasons for the proposed changes Tie land & water together as it was purchased by transfer.

2. Change in point of diversion No Change

Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use No Change

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

Trans. J. _____

Water Right No. 72-0032

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to Round Valley Irrigation Co.
(Name)in case of John Stephens et al vs C. C. Shaw et al
correcting orderdated in 11-3-1915 In Sixth District county of Custer
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

purchase of land & water right3. Source of water Challis Creek tributary to Salmon River4. Date of priority 7-22-1910

5. Water is used for the following purposes:

amount 35.6 cfs for Irrigation purposes from Apr 1 to Nov 1*

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
* Standard irrig. season (month/day — both dates inclusive)6. Total amount of water under right: a. 35.6 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is NW % of SE % of Section 12Township 14N Range 18E B.M., in Custer CountyAdditional points of diversion, if any Note: P. D. not decreed, but described in Lic.72-2015 (lic. represents this same right)

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	19E	17																	
		20	X			X												X	
		21		X	X		X	X	X	X	X	X	X			X	X		
		27					X	X				X	X				X		
		28	X	X	X			X			X					X	X		
		33	X	X	X	X									X	X	X	X	
		34		X	X		X	X	X	X		X	X						

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above _____

Decreed rights10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water, 0.88 cubic feet per second
 &/or
 b. _____ acre feet per annum
2. Point of diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12 Township 14N
 Range 18E, B.M., Custer County
 Additional points _____

3. Place of use: Note: ~~Original lands are unknown~~, water has been used on Sec. 16 lands for many years. Some lands on lower end of system are no longer irrigated.

[illegible]

Total number of acres to be irrigated 105

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- ## 1. General Information

- a. Amount of water to be diverted 0.88 c.f.s. &/or _____ acre feet
- b. Description of diverting works Existing headgate & High Line Ditch
- c. Describe the reasons for the proposed changes Show P. D. & P. U. as they have been
for many years

- ## 2. Change in point of diversion

Point of diversion Lot 2 % _____ %, Section 7 Township 14N
Range 19E, B.M., Custer County
Additional points Re-diversion from High Line Canal in NW¹SE¹ Sec. 17 T. 14N
R. 19E

3. Change in place of use No change from above lands

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

Transfer No. _____

Water Right No. 72-2149

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**a. Decree No. _____ Decreed to _____
In case of _____ vs _____ (Name)dated in _____ in _____ county of _____
(Name of court)b. License No. 72-2149 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

purchase of land & water right3. Source of water Challis Creek, tributary to Salmon River4. Date of priority 6-3-1958**5. Water is used for the following purposes:**amount 800 AF for Storage for Irrigation purposes from Jan 1 to Dec 31

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 8.7 cubic feet per second
&/orb. 800 acre feet per annum7. Location of original point of diversion is _____ % of _____ % of Section 27Township 14N Range 17E, B.M., in Custer County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>14N</u>	<u>19E</u>	<u>16</u>											<u>39</u>	<u>40</u>			<u>38</u>		<u>117</u>
		<u>21</u>											<u>40</u>	<u>40</u>			<u>39</u>		<u>119</u>
		<u>28</u>					<u>39</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>								<u>199</u>

Total number of acres to be irrigated 435

9. Describe any other water rights used for the same purpose as described above _____

Decreed water rights from Challis Cr.10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water... a. _____ cubic feet per second &/or
b. 176 acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section 27 Township 14N
Range 17E, B.M., Custer County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>14N</u>	<u>19E</u>	<u>16</u>											<u>17.7</u>	<u>40</u>			<u>33</u>		<u>95.7</u>

Total number of acres to be irrigated 95.7

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted _____ c.f.s. &/or 176 acre feet
 - b. Description of diverting works Existing Mosquito Flat Reservoir & Dam. Flow from dam into Challis Cr., the re-diversion from Challis Cr. thru High Line Canal.
 - c. Describe the reasons for the proposed changes _____
Transfer additional stored water to applicant's land (land & water were purchased together). Correct error in description of P. D. (reservoir is on unsurveyed land).
2. Change in point of diversion

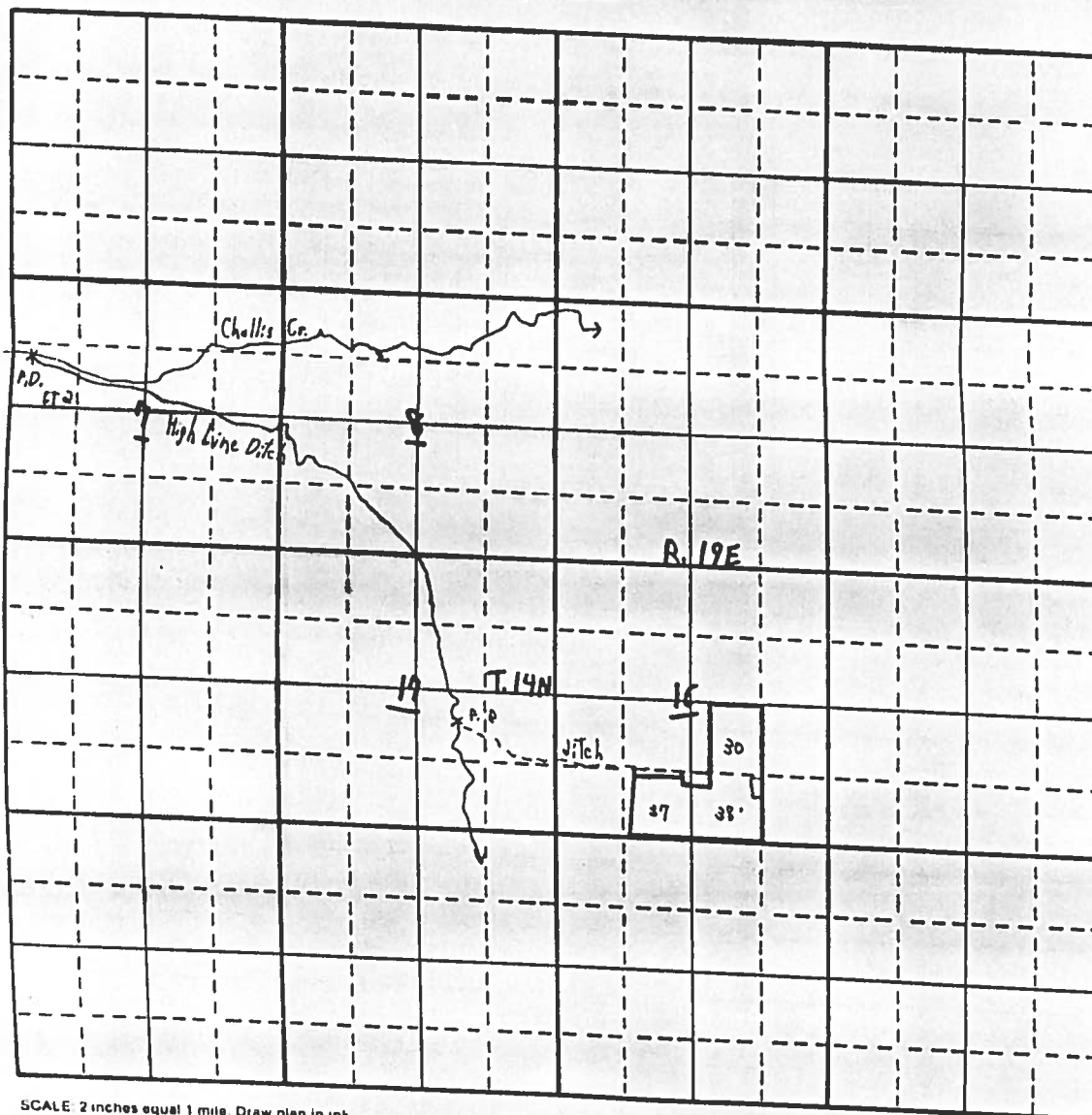
Point of diversion SW 1/4 SW 1/4, Section 23 Township 14N
 Range 17E, B.M., Custer County
 Additional points Re-diverted from Challis Cr. in Lot 2 Sec. 7 T. 14N R. 19E
3. Change in place of use
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Remainder of land in Sec. 16 was purchased without stored water, but has other decreed rights.

c. Describe the land or place of use to which the right will be transferred:

TWP	RANGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	16												37		30	38		105

Total number of acres to be irrigated 105

- Describe any other water rights used for the same purpose as described above.
License 72-2144 (storage right on Challis Cr.)
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

William L. Hammond
(Signature of Applicant)

Subscribed and sworn to before me this 1 day of February, 1983

Loren O. Holmes
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 72-0004D/0032B/2149B and said application is hereby APPROVED, subject to the following limitations and conditions:
1. A measuring device and means of control shall be installed at the point(s) of diversion from Challis Creek. 2. Use of water under these rights is subject to control by the watermaster of State Water District No. 72C, Challis Creek. 3. The total number of acres irrigated under Rt. 72-0032B shall not exceed the total number of acres authorized to be irrigated nor the total rate of diversion determined to exist under decreed Rt. 72-0032 as related to licensed Rt. 72-2015.

Witness my hand this 15th day of August, 1985

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ADW Date 2-1-83 Protest filed by None
Prelim. check by ADW Fee \$50.00
Received by M2V, 2 Date 2/14/83 #26005
Published in 3/24 & 3/31/83 Challis Messenger Copies of protest forwarded by _____
Pub. dates _____ Hearing held by _____ Date _____
Watermaster recommendation requested on 10/27/83 3/1/83
Recommended for approval denial
by ADW Jim
rec'd. none

06:32:51
06/02/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-021496

PAGE: 1
GENERAL INFORMATION

LAST: PHILPS
ADDRESS: HC 63 BOX 1630
CITY: CHALLIS
PHONE NUMBER: 208-879-2720

OWNER CODE: C

FIRST: CHERYL
STATE: ID ZIP: 83226

LAST: PHILPS
ADDRESS: HC 63 BOX 1630
CITY: CHALLIS
PHONE NUMBER: 208-879-2720

FIRST: RICK
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS:

THIS IS A PORTION OF THE WR 72-02149C (FOR 25% OF ORIGINAL WR)
SEE REFERENCE RT. A72-02149 FOR DETAILS.

A. AJ CLAIM: # A72-02149G PRIORITY DATE: 06-03-1958 STAGE: L
B. WR RECORD: # 72-02149 PRIORITY DATE: 06-03-1958 STAGE: L
C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N

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

REMARKS:

RECOMMENDED PRIORITY DATE:
06-03-1958

REVIEWED BY *R.V.R.* DATE *8/28/92*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-02149G	14N	17E	23	SW	SW	SW		CUSTER
A72-02149G	14N	19E	7	NW	SW	SW		CUSTER
A72-02149G	14N	19E	8	SW	SW	SE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
R PREFIX
NONE

72-02149B
72-02149D

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: MOSQUITO FLAT RESERVOIR

TRIB: CHALLIS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-02149	14N	17E	27		NW	SE		CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

NONE

72-02149C

SOURCE: CHALLIS CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

FIELD EXAMINER	DATABASE	Y/N	Y/N
~~---~~	Y	Y	Y

A. ROOT WATER RIGHT NUMBERS:
A72-02149B
A72-02149E

A72-02149F

A72-02149G

A72-02149H

A72-02149D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES	
14N	17E	23	SW	SW		PHILPS, CHERYL	A72-02149G /	-				
			SW	SW		PHILPS, RICK	A72-02149E /	-				
			SW	SW		FISH & GAME	A72-02149D /	-				
14N	19E	8	SE	SE		PHILPS, CHERYL	A72-02149G / 735.0	-	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	A72-02147C / 35.0	-				
			SE	SE		PHILPS, RICK	A72-04049 / 35.0	72-04049	/ 34.0			
			SE	SE		LONGFELLOW, BRIAN C.	A72-00020H / 2.0	-				
			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	19E	9	SW	SW		PHILPS, CHERYL	A72-02149G / 5.0	-	39.0
SW	SW					COX, EUGENE M.	A72-10066 / 34.0	-				
SW	SW					COX, MARY E.	A72-10068 /	-				
SW	SW					PHILPS, RICK	A72-00001 / 5.0	-				
SW	SW					PHILPS, RICK	A72-02147C / 5.0	-				
SW	SW					PHILPS, RICK	A72-04049 / 5.0	72-04049	/ 6.0			
SW	SW					EVANS, RODNEY		72-00018A / 34.0				
14N	19E	9	SW	SW		PHILPS, CHERYL	A72-02149G / 30.0	-	40.0			
			SW	SW		PHILPS, RICK	A72-00001 / 30.0	72-00001	/			
			SW	SW		PHILPS, RICK	A72-02147C / 30.0	-				
			SW	SW		PHILPS, RICK	A72-04049 / 30.0	72-04049	/ 35.0			
			SW	SW		BRADBURY, LESTER W.	A72-10263 / 2.0	-				
			SW	SW		BRADBURY, LESTER W.	A72-10267 / 2.0	-				
			SW	SW		DOLL, NORMAN		72-07281	/ 1.0			
14N	19E	9	SE	SW		PHILPS, CHERYL	A72-02149G / 40.0	-	39.0			
			SE	SW		PHILPS, RICK	A72-00001 / 40.0	72-00001	/			
			SE	SW		PHILPS, RICK	A72-02147C / 40.0	-				

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #	AK #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SE SW PHILPS, RICK											
A72-021496							740.0	72-04049	740.0		
14N	19E	9	SW	SE		PHILPS, CHERYL	A72-021496	740.0			
			SW	SE		PHILPS, RICK	A72-00001	/40.0			39.0
			SW	SE		PHILPS, RICK	A72-02147C	/40.0			
			SW	SE		PHILPS, RICK	A72-04049	/40.0			
SE SW PHILPS, CHERYL											
A72-021496							720.0				37.0
			SE	SE		COX, EUGENE M.	A72-10066	/13.0			
			SE	SE		PHILPS, RICK	A72-00001	/20.0			
			SE	SE		PHILPS, RICK	A72-02147C	/20.0			
			SE	SE		PHILPS, RICK	A72-04049	/20.0			
			SE	SE		EVANS, RODNEY					
SE SW PHILPS, CHERYL											
A72-021496							715.0				28.0
			SW	SW		COX, EUGENE M.	A72-10066	/12.0			
			SW	SW		PHILPS, RICK	A72-00001	/15.0			
			SW	SW		PHILPS, RICK	A72-02147C	/15.0			
			SW	SW		EVANS, RODNEY					
A72-04049							72-04049	/13.0			
A72-00018A							72-00018A	/23.0			
TOTAL ACRES							A72-021496	185.00			263.00

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

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N) DATABASE EXAMINER

PRESUMPTION FLAG: C

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

PURPOSES REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSES	STORAGE	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
A72-02149G	IRRIGATION	FROM	01-01	TO 12-31	200.00 AE/A
A72-02149G	IRRIGATION	FROM	01-01	TO 12-31	200.00 AE/A
			4/15	10/15	200.00 AE/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

2. WR RECORDED USES:

PURPOSES	STORAGE	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
72-02149	IRRIGATION	FROM	01-01	TO 12-31	800.00 AE/A
72-02149	IRRIGATION	FROM			800.00 AE/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

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)

FIELD	EXAMINER
DATABASE	N
	N
	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in remarks, below.

REMARKS:

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

AJ TOTAL CLAIMED DIVERSION RATE: CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 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) N

FIELD DATABASE EXAMINER

FLOW MEASUREMENT

MEASUREMENT METHOD, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A72-00001, A72-02147C, A72-04049

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-02149G	MOSQUITO FLAT RESERVOIR	PHILPS, CHERYL				
A72-00001	CHALLIS CREEK	PHILPS, RICK	3.180	0.017	200.00	1.08
A72-00020G	CHALLIS CREEK	BURSTEDT, RAYMOND S.	0.090	0.020		
A72-00020H	CHALLIS CREEK	LONGFELLOW, BRIAN C.	0.060	0.020		
A72-02147C	CHALLIS CREEK LAKE	PHILPS, RICK			47.25	0.25
A72-02149F	MOSQUITO FLAT RESERVOIR	PHILPS, RICK			66.67	1.11
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 POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-02149D	FISH PROP. STORAGE	FISH & GAME	FROM 01-01 TO 12-31		224.00 AE/A

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

13. IRRIGATION RATE

ACRES

$\times 0.02 \text{ CFS/ACRE} =$

CFS

(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y() N()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE =

462.5 AE/A

ACRES

$\times$ CONSUMPTIVE VOL. AE/A FOR AREA

27.5

=

TOTAL CONSUMPTIVE USE

AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

200.00 AE/A

ACRES

$\times$ DIVERSION VOL. AE/A FOR AREA

3.5

=

TOTAL DIVERSION VOLUME

AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:		REC. PERIOD	REC. DIV	REC. VOL.	REC. CONS.
REC. PURPOSES	FROM	TO	RATE CES	AE/A	USE
IRRIGATION STORAGE	01-01	12-31	DATABASE	EXAMINER	DATABASE
IRRIGATION FROM STORAGE	~~01-01~~	~~12-31~~	200.00	---	462.5
	4/15	10/15	200.00	---	---
TOTAL FOR THIS RIGHT			200.00		
REVIEWED BY:	DATE:				



A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-02149

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
72-02149C	A72-02149E	-	-	-	72-02149B	-
72-02149C	A72-02149E	-	-	-	72-02149C	-
72-02149C	A72-02149G	-	-	-	72-02149C	-
72-02149C	A72-02149H	-	-	-	72-02149D	-
72-02149C	A72-02149D	-	-	-	72-02149	-

TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

STATE OF HAWAII
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A73-021496

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				
TYPE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y			N				
BASIS OF CLAIM								
REMARKS	Y							

VERIFIED BY CODES

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

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

CLAIM NUMBER: A72-02149G

Water Right Number - A72-02149G

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - R836

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

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
PHILPS

CHERYL

1 - HC 63 BOX 1630
2 -
3 -

State- ID Zip- 83226

PHILPS

RICK

City- CHALLIS
Phone - 208-879-2720
1 - HC 63 BOX 1650
2 -
3 -
City- CHALLIS
Phone - 208-879-2720

State- ID Zip- 83226

+ - - Priority Date - - +
06/03/1958+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +
MOSQUITO FLAT RESERVOIR+ - - Tributary - - - - +
CHALLIS CREEK+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County14N 17E 23 SW SW SW (37) CUSTER
19E 7 NW SW SW (37) CUSTER
8 SW SW SE R (37) CUSTER+ - - - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume02 - IRRIGATION STORAGE 01/01 12/31 200.00
03 - IRRIGATION FROM STORAGE 04/01 11/01 200.00+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
200.00 462.5+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County14N 17E 23 SW SW 02 IRRIGATION STORAGE (37) CUSTER
14N 19E 8 SE SE 03 IRRIGATION FROM STORAGE (37) CUSTER
14N 19E 9 NE SW 03 IRRIGATION FROM STORAGE (37) CUSTER
14N 19E 9 SW SW 03 IRRIGATION FROM STORAGE (37) CUSTER
14N 19E 9 SE SW 03 IRRIGATION FROM STORAGE (37) CUSTER
14N 19E 9 SW SE 03 IRRIGATION FROM STORAGE (37) CUSTER
14N 19E 9 SE SE 03 IRRIGATION FROM STORAGE (37) CUSTER
14N 19E 10 SW SW 03 IRRIGATION FROM STORAGE (37) CUSTER

Total Acres: 185.0

+ - - Diversion Means - EARTH DAM TO CHALLIS CREEK TO HIGH LINE DITCH

Water right number - A72-021496

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A72-00001, A72-02147C, A72-04049

Remarks - - - - -
 THIS IS A PORTION OF THE WR 72-02149C (FOR 25% OF ORIGINAL WR)
 SEE REFERENCE RT. A72-02149 FOR DETAILS.

Old Water Right Numbers - - - - -
 7202149C

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

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

Comments - - - - -
 No Comments Found

Audit Fields - - +
 00/00/00

Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	Field Inspection Made	Civil Case Number
Objection Filed Date - 00/00/0000	Field Inspection Flag - 00/00/0000	Old Case Number - 39576
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 - 72C
	POU Ownership Flag - Y	Federal/State Indicator - S
	Name Connector - OR	Presumption Flag - C
		Notice of Error Flag -

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 02/24/93
Time: 16:26:38

Water Right Number: A72-02149

FIRST PAGE

13. Remarks: P/D INCOMPLETE. SEE FILE.

THIS WATER RIGHT IS SPLIT, EVEN BEFORE THE ADJUDICATION FILINGS.
FOR SOME REASON THIS WR DID NOT GET SPLIT CORRECTLY IN THE FILES.

*

THE FOLLOWING IS BELIEVED TO BE THE CORRECT TRACKS OF ALL THE
PARTS. (PER CONVERSATION WITH ROBERTA H. GREEN 11-16-1989 SCC)

ORIGINAL RIGHT: 72-02149 800 AC-FT.

HAMMOND:	72-02149B	176	AC-FT.	(22%)	HAMMOND
SPLIT RIGHT:	72-02149C	{400	AC-FT.}		
A72-02149E		100	AC-FT.	(12.5%)	GREEN
A72-02149F		66.67	AC-FT	(8.33%)	LONGHURST
A72-02149G		200	AC-FT.	(25%)	PHILPS

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

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 02/24/93
Time: 16:26:53

Water Right Number: A72-02149

13. Remarks:	A72-02149G	200	AC-FT.	(25%)	PHILPS
	FISH & GAME:	72-02149D	224	AC-FT.	(28%)
	A72-02149H		66.67	AC-FT (8.33%)	CORRIGAN

*****FILE UPDATE*****

WHEN CORRIGAN AND PHILPS FILED IT SEEMS THE SPLIT OF PART 'C'
IS AS FOLLOWS:

1/2 OF THE 400 AC-FT GOES TO PHILPS.

THE OTHER 1/2 (200 AC-FT) IS SPLIT BETWEEN THREE PARTIES.

THAT PORTION IS EQUAL TO 8.33% OF THE ORIGINAL WR.

ROBERTA GREEN MAY WANT TO AMEND HER CLAIM TO REFLECT THIS CHANGE.

FILE UPDATE 12-07-1989 SCC

A72-02149E CORRECTED TO SHOW 66.67 AC-FT. (8.33%) R. GREEN

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

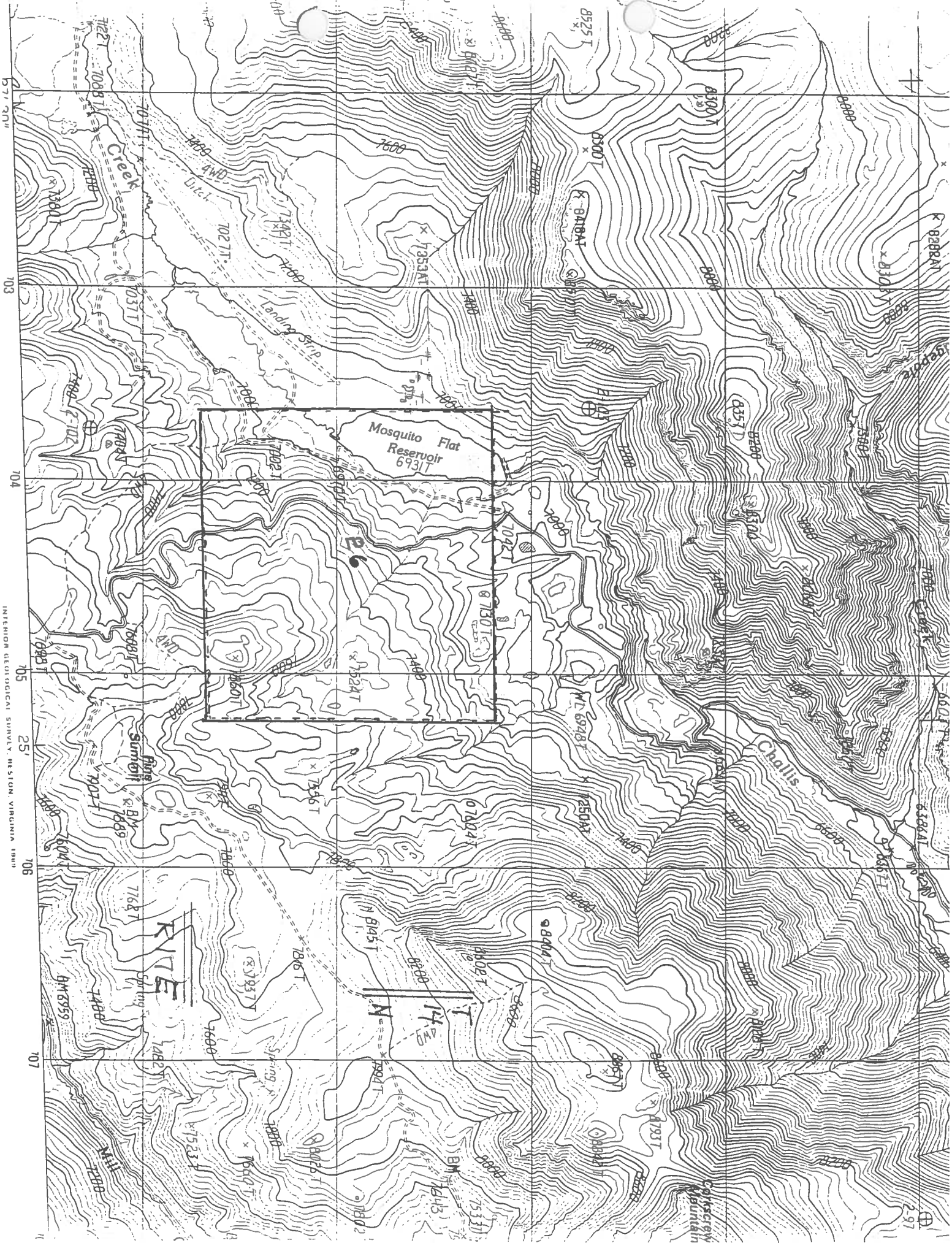
Water Right Number: A72-02149 FIRST PAGE
13. Remarks: P/D INCOMPLETE. SEE FILE.

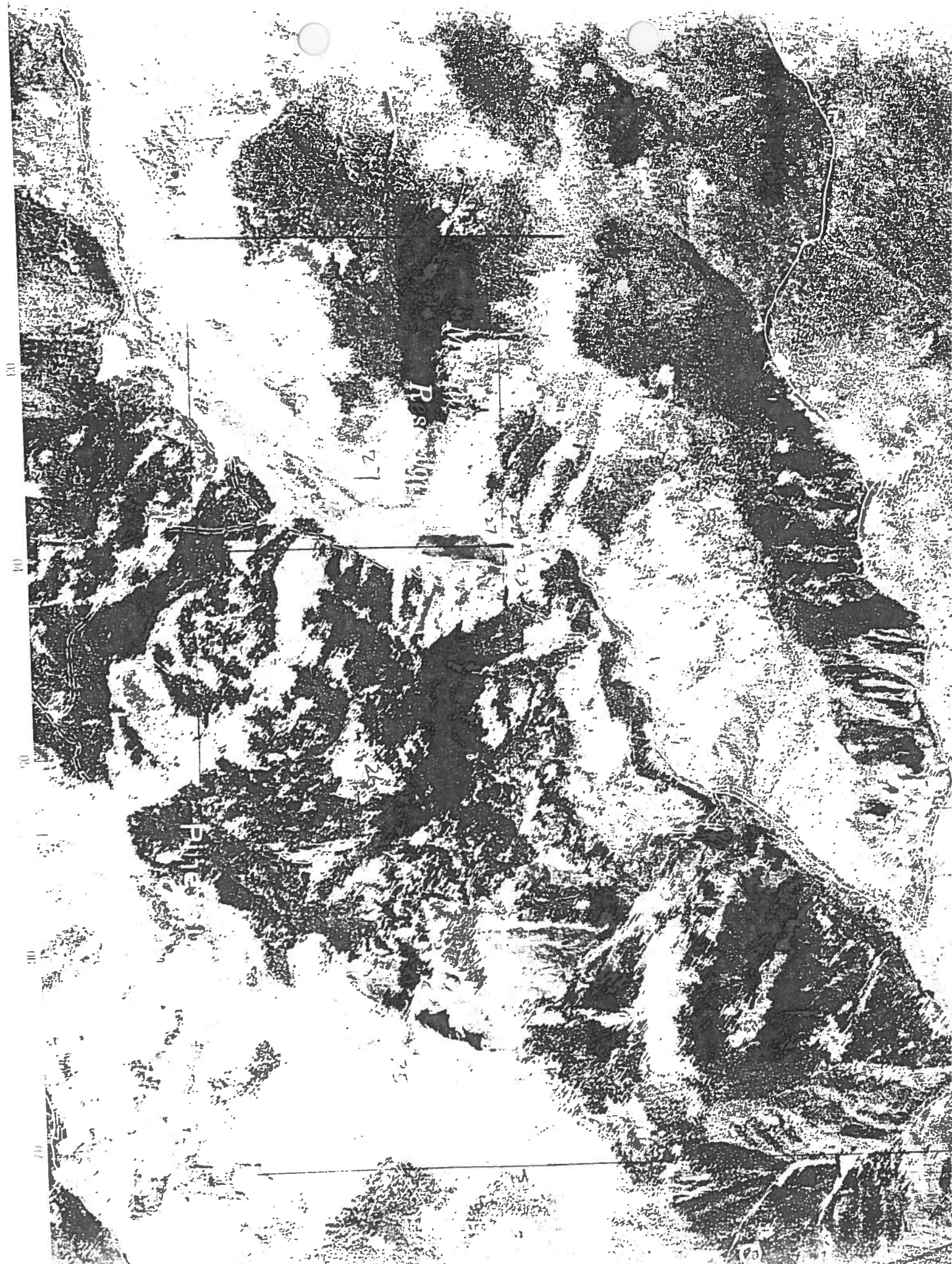
THIS WATER RIGHT IS SPLIT, EVEN BEFORE THE ADJUDICATION FILINGS.
FOR SOME REASON THIS WR DID NOT GET SPLIT CORRECTLY IN THE FILES.

*
THE FOLLOWING IS BELIEVED TO BE THE CORRECT TRACKS OF ALL THE
PARTS. (PER CONVERSATION WITH ROBERTA H. GREEN 11-16-1989 SCC)

ORIGINAL RIGHT:	72-02149	800	AC-FT.	
	=====			
HAMMOND:	72-02149B	176	AC-FT.	(22%) HAMMOND
SPLIT RIGHT:	72-02149C	{400	AC-FT.}	
A72-02149E		100	AC-FT.	(12.5%) GREEN
A72-02149F		66.67	AC-FT	(8.33%) LONGHURST
A72-02149G		200	AC-FT.	(25%) PHILPS

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





0.1

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27

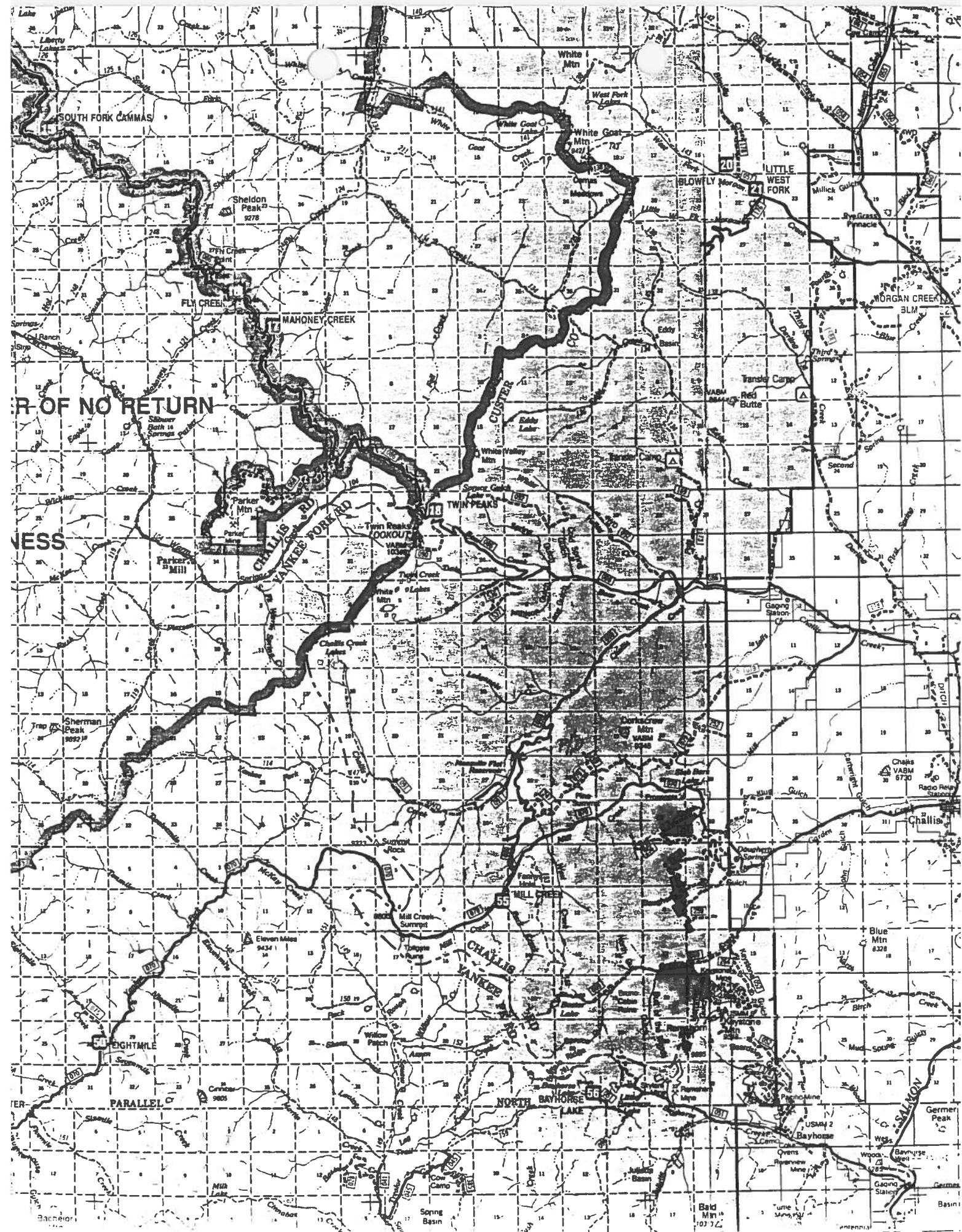
27

23

25

21

20



From US Forest Service Map Challis Nat Forest
1986 $3/8" = 1 \text{ mile}$

Water Right Number - R72-021496 Prefix Translation: RESEARCH Old (D) Number - R836

*** C - CURRENT OWNER ***
PHILIPS CHERYL 1 - HC 63 BOX 1630 State- ID Zip- 83226

PHILIPS RICK 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 - 06/03/1958 Region - 17 SOUTHERN L - LICENSE Stage - Status -

Source - MOSQUITO FLAT RESERVOIR CHALLIS CREEK

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	17E	23	SW SW 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
02	IRRIGATION STORAGE	01/01	12/31			200.00
03	IRRIGATION FROM STORAGE	04/15	10/15			200.00

Total Div. Rate - 200.00 Total Div. Volume - 200.00 Total Consumptive Use - 462.5 KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14N	17E	23	SW SW			02	IRRIGATION STORAGE	(37) CUSTER
14N	19E	8	SE SE		35.0	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	NE SW		5.0	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SW SW		30.0	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SE SW		40.0	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SW SE		40.0	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	9	SE SE		20.0	03	IRRIGATION FROM STORAGE	(37) CUSTER
14N	19E	10	SW SW		15.0	03	IRRIGATION FROM STORAGE	(37) CUSTER

Total Acres: 185.0

- - - Diversion Means - EARTH DAM TO CHALLIS CREEK TO HIGH LINE DITCH

MICROFILMED
MAR 18 1993

Water right number - R72-02149G

Prefix Translation: RESEARCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-00001, 72-02147C & 72-04049

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, 72-02147C & 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, 72-02147C, 72-02149E, 72-02149F, 72-02149H, 72-04049,
72-04088, 72-10263 & 72-10267.

7202149C - - - Old Water Right Numbers - - -

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

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

- - - Comments - - -
Date: 12/29/1992 User Id: WORSTELL Subject: COPIED FROM REMARKS
THIS IS A PORTION OF THE WR 72-02149C (FOR 25% OF ORIGINAL WR) SEE REFERENCE RT. A72-02149 FOR DETAILS.

- - - 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 - 72C
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag - C
Notice of Error Flag -

MICROFILMED
MAR 18 1993

R PROOF



CVR

MAPS

PHOTOS

MISC

MICROFILMED

MAR 1 8 1993