

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: A72-07048
Date Received: 11/29/1989
Receipt No: M005274
Received By: su

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PHYLLIS W MCDOWELL 208-879-2374
Address: HC 67 BOX 2030
CHALLIS ID 83226

AND/OR
Name: LARRY L MCDOWELL 208-879-2374
Address: HC 67 BOX 2030
CHALLIS ID 83226

2. Date of Priority: JUL 28, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	19E	16	NW	SW	SE	6	CUSTER

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	19E	16	SE	SW	6	IRR	10.0
			SW	SE	6	IRR	2.0
Section Acres							12.0
Total Acres							12.0

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:
NONE

14. Remarks:
STOCKWATER AS LICENSED NOT USED.
AMENDMENT SUBMITTED TO CHANGE OWNERSHIP (DEED ATTACHED) AND
TO CORRECT POINT OF DIVERSION AND PLACE OF USE DESCRIPTIONS
CONFIRMED BY IDWR INVESTIGATION.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Phyllis H. McDowell Date: 8/9/96

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of August 19 96

Steve C. C. C.
Notary Public

Seal

Residing at Twin Falls
My Commission Expires 12/7/2000



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A72-07048 & A72-10132
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): PHYLLIS E. WILLIAMS
PHYLLIS W. McDOWELL
- ☐ New Owner/Claimant (Purchaser): PHYLLIS W. McDOWELL
- ☐ New Mailing Address: & LARRY L. McDOWELL
HC 67 Box 2030
CHALLIS ID 83226
- ☐ New Telephone Number: (208) 879-2374
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner.

- ☐ Attach proof of ownership, describe proof attached: WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Phyllis W. McDowell Date 8/9/96
Larry L. McDowell Date _____
- ☐ Signature of Former Owner/Claimant(s): Phyllis W. McDowell Date _____
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5/9/96 By: 8/9/96

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

AMENDED CLAIMS TO CORRECT
LEGAL DESCRIPTIONS ALSO;
ADDED HUSBANDS NAME.

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

DEC 13 1996

WARRANTY DEED

For Value Received

PHYLLIS E. WILLIAMS, a widow,

the grantor, does hereby grant, bargain, sell and convey unto

PHYLLIS W. McDOWELL, a married woman,

the grantee, whose current address is, HC 67, Box 2030, Challis, ID 83226, the following described premises, to-wit:

ALL OF GRANTOR'S REAL PROPERTY IN CUSTER COUNTY, IDAHO, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that s/he is the owner in fee simple of said premises; that said premises are free from all incumbrances

and that s/he will warrant and defend the same from all lawful claims whatsoever.
Dated: March 6, 1992.

Phyllis E. Williams
Phyllis E. Williams

STATE OF IDAHO, COUNTY OF CUSTER

On this 11th day of March, 1992, before me, a Notary Public in and for said State, personally appeared PHYLLIS E. WILLIAMS, a widow

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that s/he executed the same.

James H. Benoit
Residing at Challis, Idaho
Comm. Expires 1-13-93

Notary Public

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County, Title

at 15 minutes past 1 o'clock pm, this 9th day of March, 1992, in my office, and duly recorded in Book of Deeds at page

Eric H. Reed

Ex-Officio Recorder

By E. W. Murphy Deputy.
Fees \$ 6.00
Mail to: Custer County Title

DEC 03 1992

EXHIBIT "A"

The following described premises in Custer County, Idaho, to-wit:

A portion of Lot 6, Section 16, Township 13 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows: COMMENCING at the intersection of the North Boundary line of Lot 5, said Township and Range with the Easterly Right-of-Way line of State Highway No. 75 (formerly U.S. Highway No. 93); thence 1,542 feet Southerly along said Right-of-Way line to the TRUE POINT OF BEGINNING; thence continuing along said Right-of-Way line 586.4 feet, more or less, to the Northwest corner of the land described in the Deed of Lewis E. McClelland, et. ux., recorded April 10, 1973, as Instrument No. 35224, records of Custer County, Idaho; thence North 89°55' East along the North boundary line of said McClelland land 950 feet, more or less, to the Westerly meander line of the Salmon River; thence Northerly along said meander line 590.0 feet, more or less, to a point which is 906.0 feet North 89°58' East from the Point of Beginning, thence South 89°58' West, 906.0 feet to the Point of Beginning;

and

A fraction of Lot 6, Section 16, Township 13 North, Range 19 East, Boise Meridian, more particularly described as follows, to-wit: BEGINNING at the intersection of the Southerly boundary of said Section 16 and the Easterly Right-of-Way line of State Highway No. 75 (formerly U. S. Highway No. 93), run thence Northeasterly along said Right-of-Way line 541.5 feet; thence North 89°55' East 950.0 feet, more or less, to a point on the Westerly bank of the Salmon River, thence Southwesterly along the Westerly bank of the Salmon River 663.0 feet, more or less, to a point on the Southerly boundary of Section 16, thence South 89°55' West along the Southerly boundary of Section 16 a distance of 666.9 feet to the point of beginning. Containing approximately 10.0 acres,

with all appurtenances.

P. E. H.

DEC 03 1996

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: APRIL 29, 1996

STATE FILE NUMBER: 96-02439

DECEDENT: PHYLLIS EVANS WILLIAMS

DATE OF DEATH: APR. 21, 1996 PLACE OF DEATH: CHALLIS, IDAHO

DATE OF BIRTH: APR. 03, 1910 PLACE OF BIRTH: KANSAS

AGE: 86 YEARS SEX: FEMALE VETERAN? NO

MARITAL STATUS: WIDOWED

SOCIAL SECURITY NUMBER: ~~110-40-1896~~ RESIDENCE: CHALLIS, IDAHO

FATHER: ROY JARVIS EVANS
FATHERS BIRTHPLACE: KANSAS
MOTHER (MAIDEN): ESTELLA WITTINGTON
MOTHERS BIRTHPLACE: KANSAS

MORTUARY: JONES & CASEY FUNERAL HOME
MORTICIAN: DOUGLAS C. CASEY

SALMON, IDAHO
DISPOSITION: REMOVAL

CERTIFYING PHYSICIAN: JOHN A. ELLIS, DO

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

CEREBRAL HYPOXEMIA
CARDIO-RESPIRATORY FAILURE
ALPHA 1 ANTI-TRYPSIN DEFICIENCY

IMMEDIATE
MINUTES
YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

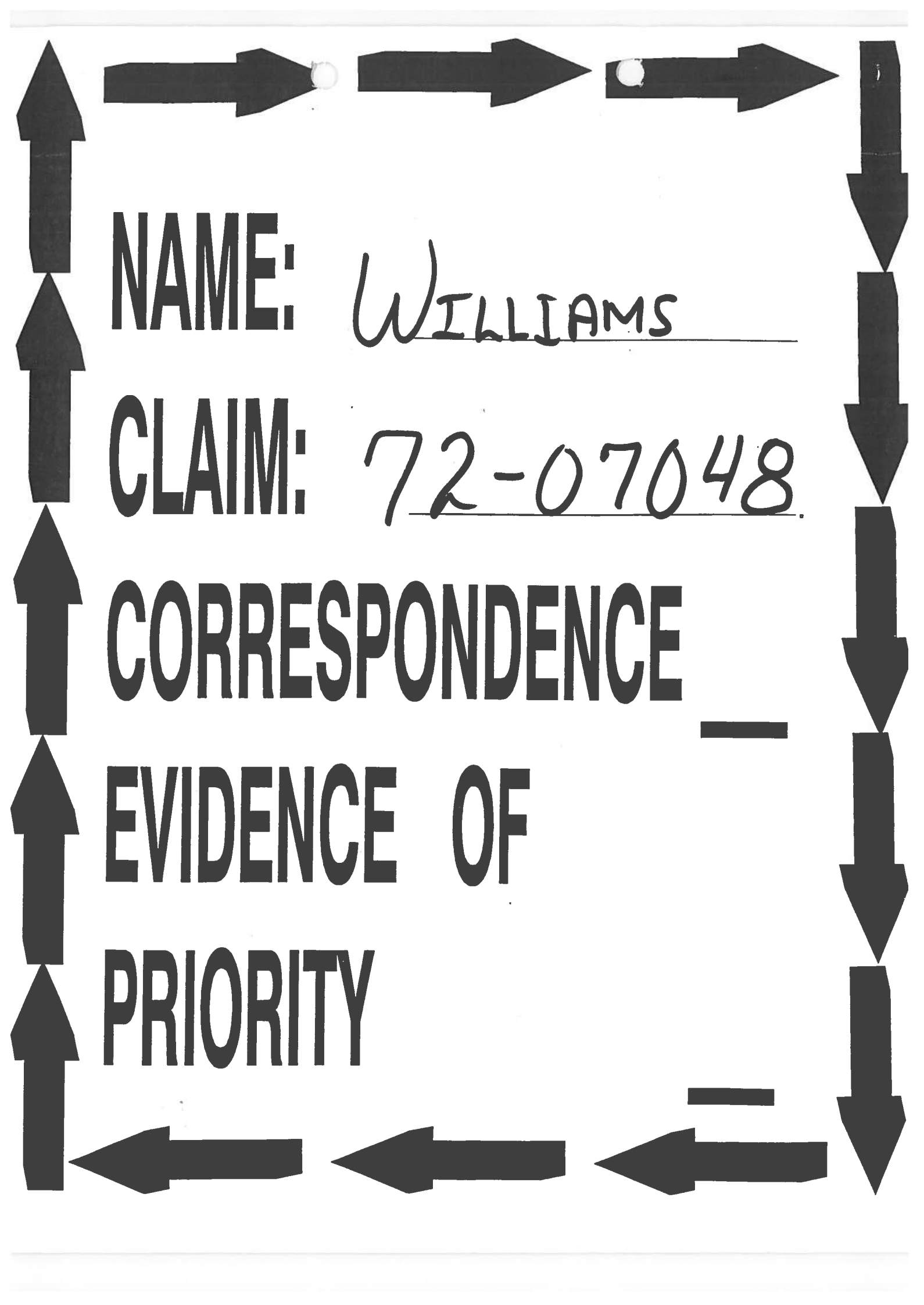
I certify that this is a true and correct reproduction or abstract of an official record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

DATE ISSUED: APRIL 30, 1996

JANE S. SMITH
State Registrar

DEC 03 1996

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



NAME: WILLIAMS

CLAIM: 72-07048

CORRESPONDENCE

EVIDENCE OF

PRIORITY

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: A72-07048
Date Received: 11/29/1989
Receipt No: M005279
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHYLLIS E. WILLIAMS 208-879-2374
Address: HC 67 BOX 2030
CHALLIS, ID 83226

AND/OR

Name: PHYLLIS W. MCDOWELL 315-683-5361
Address: RT. 1 BOX 30
FABIUS, NY 13063

2. Date of Priority: JUL 28, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	19E	16	SW	NE			CUSTER

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A72-07048

Page 1

Date: 11/29/89

MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	19E	16	SW NE		IRR	12.0
Section Acres						12.0
Total Acres						12.0

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:
NONE

14. Remarks:
STOCKWATER AS LICENSED NOT USED.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 2 M2ps

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): Phyllis E. Williams Date: Nov. 29, 1989

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of Nov. 19 89
[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

A72-07048

A72-10132

Place of Use

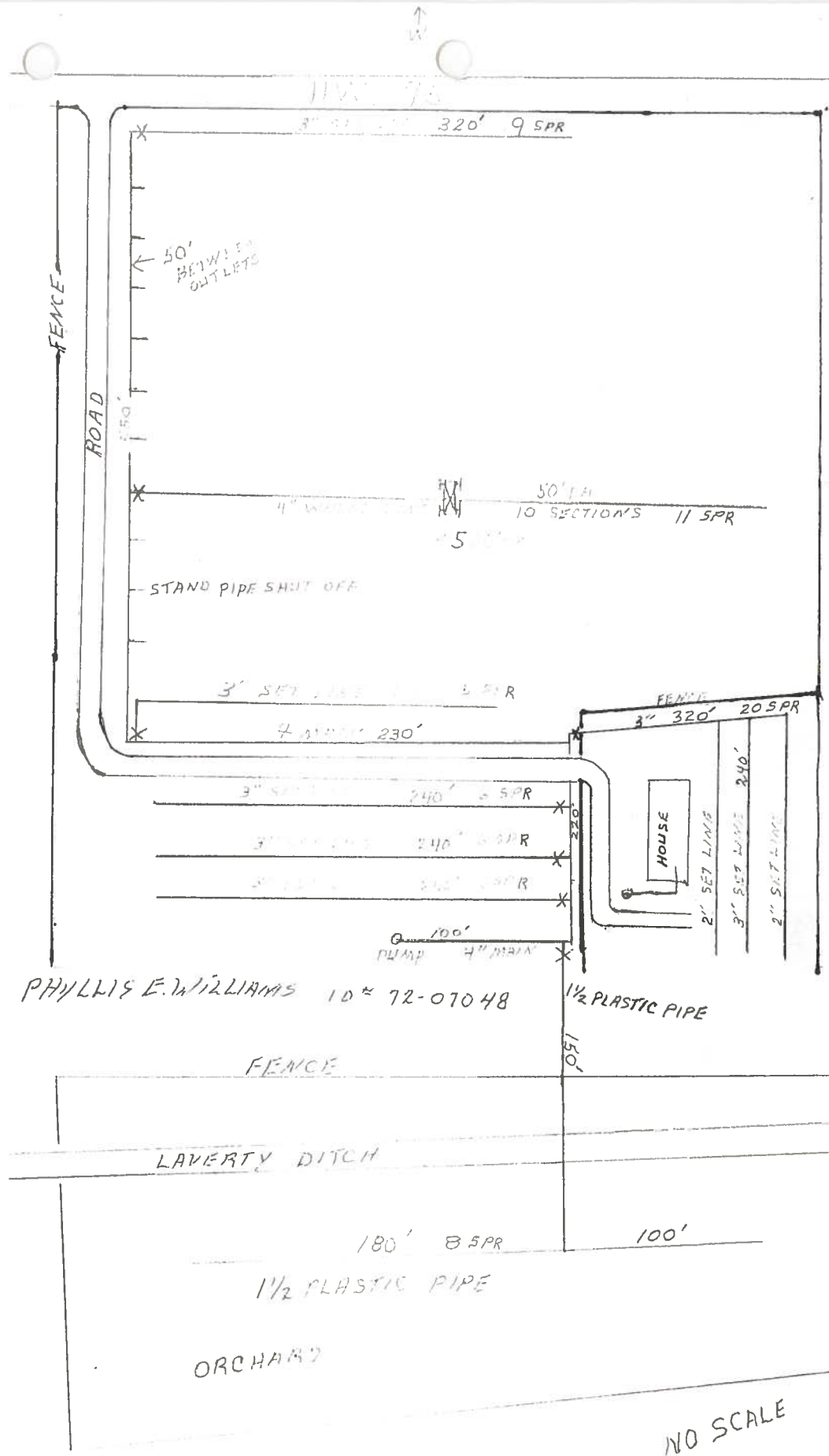
77

~~AA~~

Twp 13N Rgc. 19E

MICROFILMED

MAR 18 1993



PHYLLIS E. WILLIAMS ID# 72-07048

MICROFILMED

MAR 18 1993

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 16 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: 72-07048

PHYLLIS W MCDOWELL
LARRY L MCDOWELL
HC 67 BOX 2030
CHALLIS ID 83226

Daytime Telephone Number: 208-879-2374
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: Phyllis W. McDowell
Please print your name: Phyllis W. McDowell

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

DATE: 11/14/98
PAGE: 1

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T13N R19E S16 Lot06(NWSMSE)

CUSTER County

Place of use Legal Description for: IRRIGATION

NE.

NE

MS

SE

[illegible]

TOTAL ACRES	10.0
-------------	------

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

Dates: Exam Made Date: 09/20/1993 Verified Date: 11/14/1998 Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: C
Presumption Flag:

CLAIM NUMBER

A72-7048

DATE

10/28/98

TRANSFER NUMBER

AGENT

SCC

CLAIMED ACRE TOTAL

12

GIS ACRE TOTAL

10.2

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	13N	19E	16												10			2	12
GIS															8.3			1.9	10.2
RECOM															8			2	10.2
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

* incorrectly licensed at wrong property.

SHAPE NOS.

POU - both Q-Q are in Lot 6. ✓

390

B72-DBPOD.SHP

NOS. DESCRIPTION

24A

3rd Season 4/1 10/31

Q = .02 x 10 = .21

Vol = 30

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

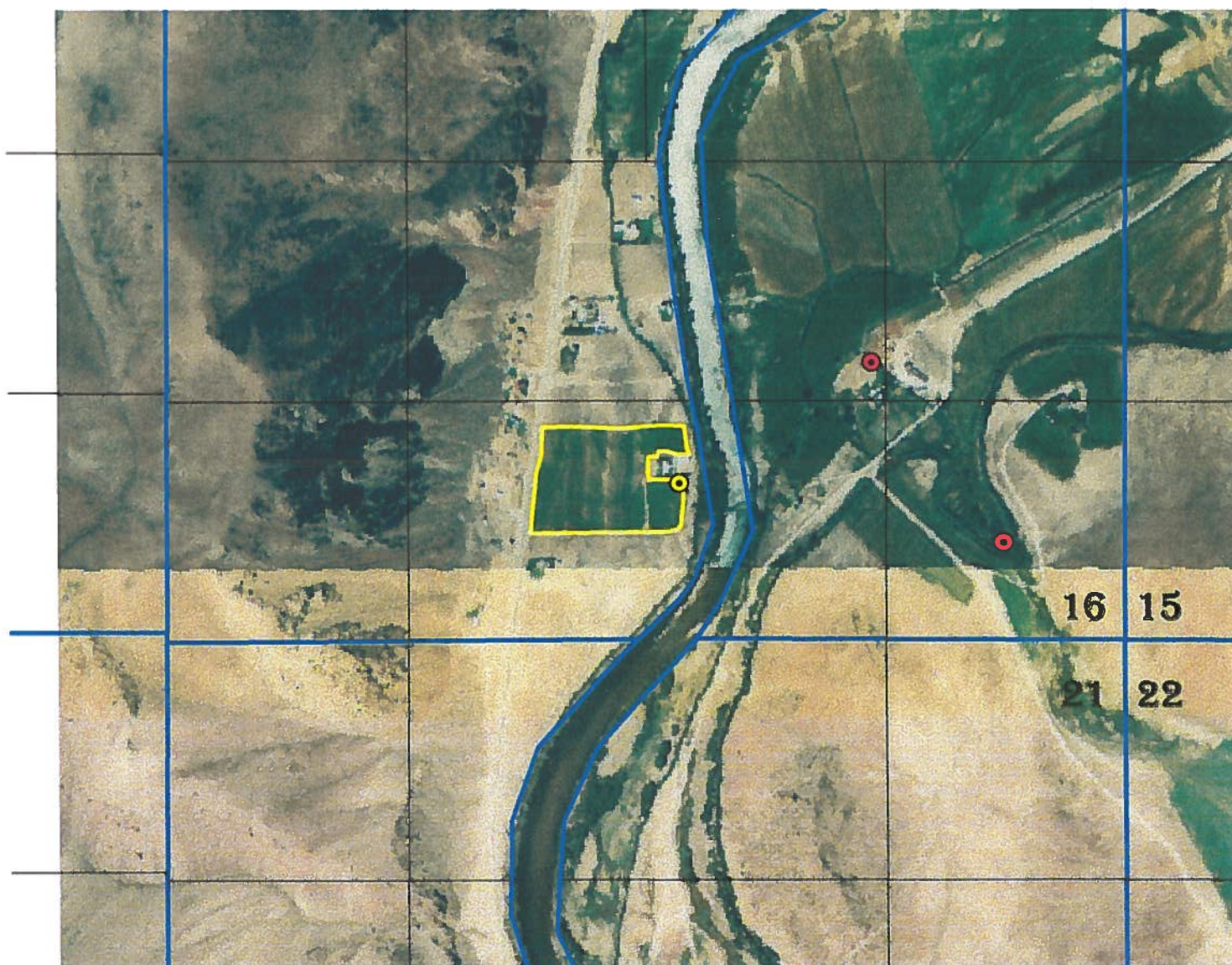
JPEG LAYOUT

11/9/98
SCC

72-07048.jpg

IDAHO DEPARTMENT OF WATER RESOURCES

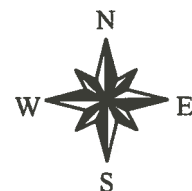
72-07048



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 13N
RNG: 19E
SEC: 16
SWSE & SESW



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: OCT. 28, 1998

From: DWR60::KCHRISTE 10-MAR-1998 16:59:00.42
To: DWR06"mitzim@cyberhighway.net"
CC: KCHRISTE
Subj: status of A72-07048

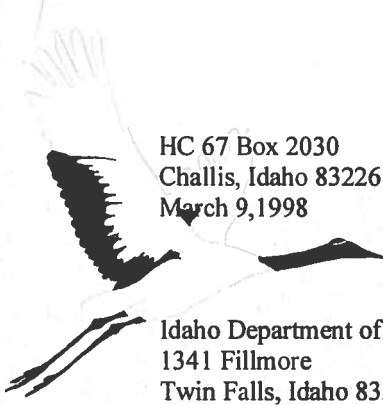
Water rights for domestic and/or stockwater are being processed through the adjudication process on a different time table than irrigation rights and other consumptive use rights.

Irrigation rights for the Stanley basin are tentatively scheduled to be reported to the Snake River Basin Adjudication court (the court) by early to mid summer with irrigation claims from the Challis area to follow. There has not been a court filing date established for this area at this time, however, it is expected to be sometime this coming fall or mid winter. Your irrigation right should be part of that recommendation.

The general process will be for the department to complete the field review of all basin 72 rights and then mail out a preliminary directors report which will allow claimants to notify the department of errors in the recommendation or to question the basis of the recommendation. This will be followed by the department submitting a directors report to the court. Claimants will then have the opportunity to object to any or all of the elements of the recommended right. The objections will be settled through negotiations and/or trial and the court will eventually issue a decreed right.

If you have additional questions please contact this office.

Kelly K Christensen
Sr Water Resource Agent



HC 67 Box 2030
Challis, Idaho 83226
March 9, 1998

Idaho Department of Water Resources
1341 Fillmore
Twin Falls, Idaho 83301

2015 03 10 11 17 AM

MAR 10 1998

Department of Water Resources
Southern Region

Dear Board Members:

My name is Phyllis McDowell, and I am writing to you in order to check on the status of a claim filed on August 8, 1996. The claim number is A72-07048 and it was filed for the purpose of: 1) to correct the description and the irrigation well location and 2) to place the water rights in both of our names—i.e. Larry and Phyllis McDowell. A representative from your office, Mr. Clelland, assisted us with our application.

We have received word from the Snake River Basin Adjudication Court about our domestic well but as yet nothing about our irrigation well. We would appreciate any information you may have about the status of this claim.

We can be reached at the address above, or phone # 208-879-2374, or e-mail mitzim@cyberhighway.net.

Thank you for your consideration of this matter.

Sincerely,

Phyllis W. McDowell

Phyllis W. McDowell



COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Steve Clelland

DEC 03 1996

See

Water Right Number - R72-07048

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
MCDOWELL

PHYLLIS W

1 - HC 67 BOX 2030
2 -
3 -

State- ID Zip- 83226

MCDOWELL

LARRY L

City- CHALLIS
Phone - 208-879-2374
1 - HC 67 BOX 2030
2 -
3 -
City- CHALLIS
Phone - 208-879-2374

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/28/1975 17 SOUTHERN L - LICENSE

+ - - Source - - - - - + + - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
13N 19E 16 NW SW SE 6 (37) CUSTER

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.240 36.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.240 36.00 30.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
13N 19E 16 SE SW 6 10.0 01 IRRIGATION (37) CUSTER
13N 19E 16 SW SE 6 2.0 01 IRRIGATION (37) CUSTER

Total Acres: 12.0

+ - - Diversion Means - WELL, PUMP & SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

Water right number - R72-07048 Prefix Translation: RESEARCH

Old Water Right Numbers - - - - -
Old Water Right Numbers - - - - -
7207048

Conditions of Approval - - - - -
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

Comments - - - - -
Date: 12/15/1993 User Id: CLELLAND Subject: COPIED FROM REMARKS
STOCKWATER AS LICENSED NOT USED.
Date: 12/15/1993 User Id: CLELLAND Subject: RECOMMENDATION
POD & POU WERE INCORRECTLY DESCRIBED IN THE LICENSE AND CLAIM. THE ACTUAL LEGALS ARE SHOWN IN THIS RECORD AS CONFIRMED BY MANY
SOURCES.
Date: 08/09/1996 User Id: SCLELLAN Subject: CHANGE OF OWNERSHIP & AMENDMENT
CLAIMANTS AMENDED CLAIMED POD AND POU TO CORRECT LEGALS ON THIS DAY AND UPDATED OWNERSHIP TO CURRENT NAMES.

Audit Fields - - - - -
08/09/96 SCLELLAN

Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 09/20/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 08/09/1996 Old Judicial District -
Claim Received Date - 11/29/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - M005274 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag - C
Notice of Error Flag -

DEC 03 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

NOV 01 1994

DATE: 12/15/93

DIVERSION
VOLUME

36.0

36.0 AFA
30.0 AFA

(315) 683-5361

Stage: LICENSE

CUSTER County

2

12.0

Other Rights: NONE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION

- PURSUANT TO IDAHO CODE 42-1416A.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.

Dates: **Exam Made Date:** 09/20/1993 **Verified Date:** 12/15/1993

Misc:	Water District Number:	Field Inspection Flag:

Comments: Date: 12/15/1993 User-ID: CLELLAND Subject: COPIED FROM REMARKS STOCKWATER AS LICENSED NOT USED.

Date: 12/15/1993 User-ID: CLELAND Subject: RECOMMENDATION
POD & POU WERE INCORRECTLY DESCRIBED IN THE LICENSE AND CLAIM.
THE ACTUAL LEGALS ARE SHOWN IN THIS RECORD AS CONFIRMED BY MANY
SOURCES.

Audit: 12/15/93 CLELLAND

MICROFILMED
NOV 01 1994

POOR ORIGINAL

R 19E

(INCORRECT)
CLAIMED
POU

T
13
N

17

LOT
2
(SWNE)

16

LOT
6

15

(INCORRECT)
CLAIMED
POD

CORRECT
POD & POU
confirmed
by GLOM
9-20-73
SCU

20

POU
AS ACTUALLY
FOUND
& OWNED
12.0 Ac.

21

POD
FOUND

(NWSWSE)
LOT 6

22

CLAIM A72-07048 INIT su
T. R. S. Q/Q
P/D 13N 19E 16 NWSWSE Lot 6
PHOTO U25
DT.&ID. 7-24-74

MICROFILMED

NOV 0 1 1994

88

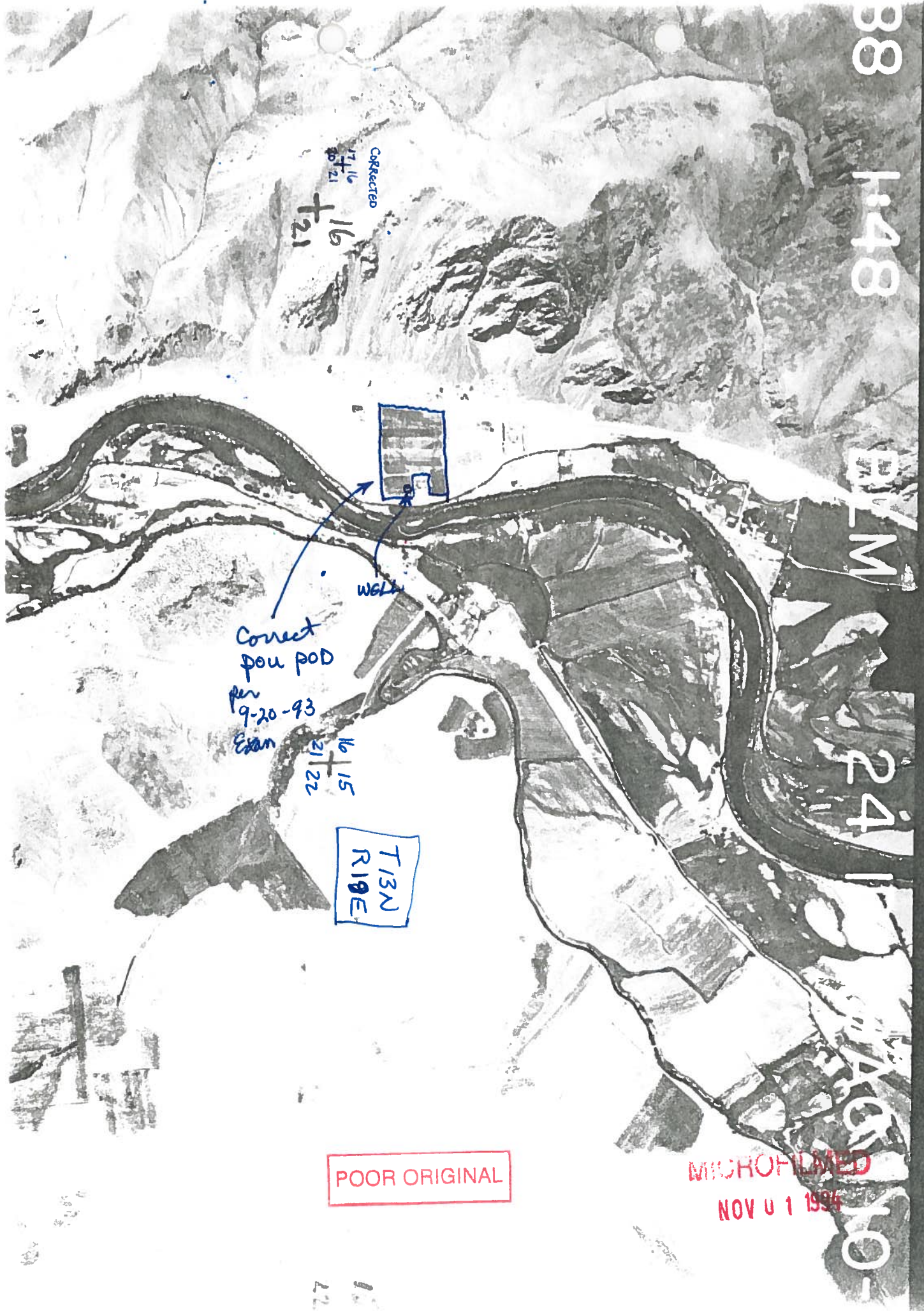
1:48

24-M

24

10-11-66

10-11-66



POOR ORIGINAL

MICROFILMED
NOV 01 1994

VERTY

POOR ORIGINAL
16037-178

21-R

Z-14

ASCS map
from Carter Co. Assessor's
Office (1978)

T
13
N



R19E

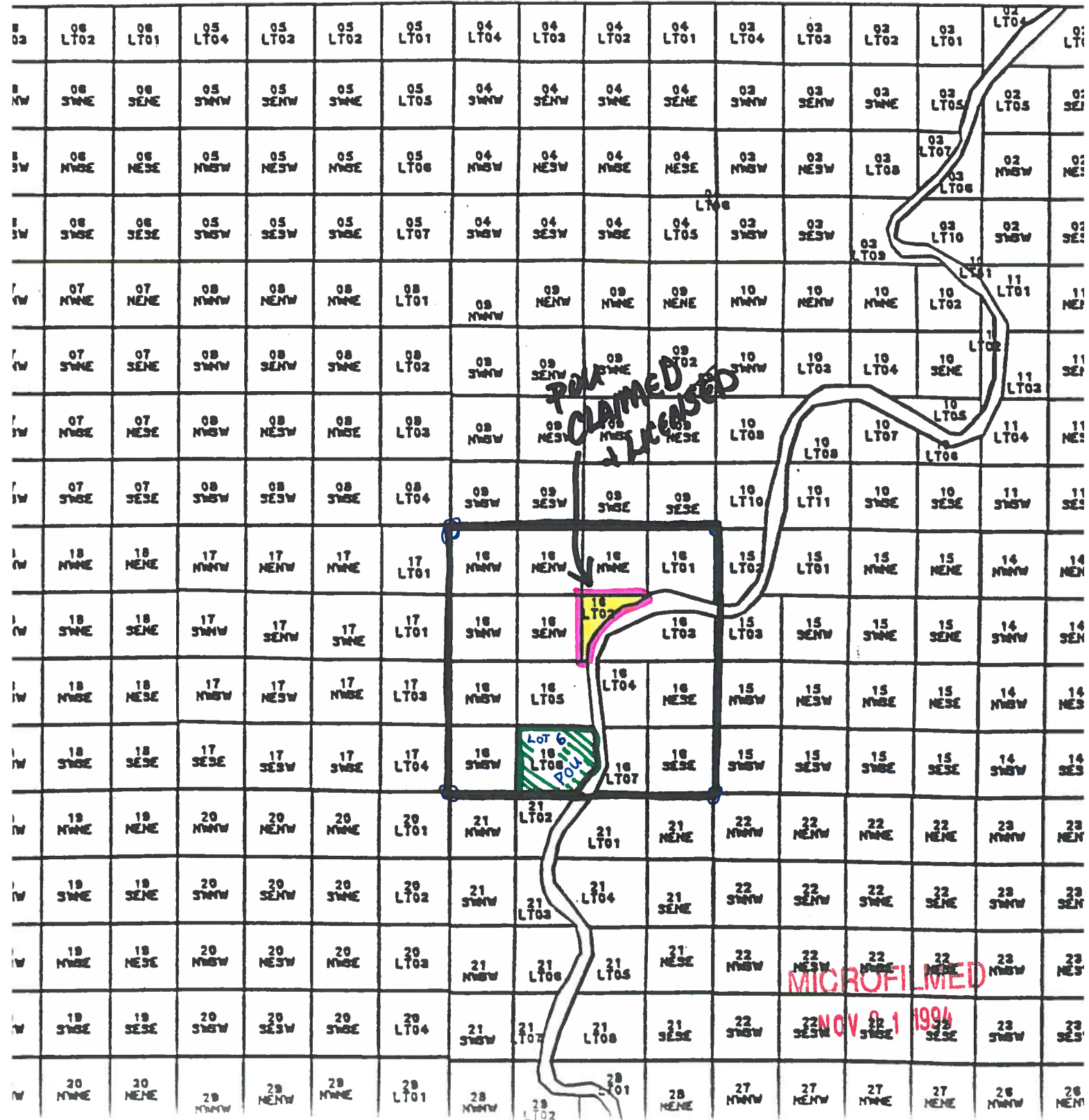
CLAIMANT
PROPERTY

XEROFILMED
NOV 01 1994

AMERICAN

13N19E

A72-7048



LAST: WILLIAMS
ADDRESS: HQ 67 BOX 2030
CITY: CHALLIS
PHONE NUMBER: 208-879-2274
OWNER CODE: C
FIRST: PHYLLIS E.
STATE: ID ZIP: 83226

FIRST: MCDOWELL
ADDRESS: RT. 1 BOX 30
CITY: FABIOUS
PHONE NUMBER: 315-683-5361
STATE: NY ZIP: 13063

OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: STOCKWATER AS LICENSED NOT USED.
DATABASE
FIELD EXAMINER

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NOV 0 1 1994

CONTACT PERSON:

DATE OF FIELD EXAM:

9/20/93

APPOINTMENT MADE: Y () N (X)

PHONE NUMBER: () -
TIME: : A () P ()

ACCOMPANIED BY:

Mr. McDonald

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

I explained the incorrect licensing and he showed me the old temporary tag. It shows the poll description as found in lot 6, S16. I told him we can adjust this under the presumption law and correct the error.

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A. AJ CLAIM:	# A72-07048	PRIORITY DATE:	07-28-1975	STAGE:	L
B. WP RECORD:	# 72-07048	PRIORITY DATE:	07-28-1975	STAGE:	L

DATE TO PRIORITY DATE DISCREPANCY? (Y/N) N

APP THERE OVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
TE YES EXPLAIN.

REMARKS

РЕКОМЕНДОВАНО

07-28-1975

1-1-73
DATE
AT
RECEIVED
BY

MICROFILMED

NOV 6 1 1954

A. AT CLAIM POINT OF DIVERSION AND SOURCE:

DIGIT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
472-07048	12N	19E	16		SW	NE		CUSTER

OTHER AT CLAIMS WITH SAME AT POD
A PREFIX R PREFIX
A72-04080H
A72-10132
A72-10506

NE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07048	13N	19E	16		SW	NE		CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE
A72-04080H
A72-10132
A72-10506
NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
FIELD EXAMINER

REMARKS:

(NESH NE) Lot 2 WRON'S POB as claimed and claimed.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. 1/4 1/4 1/4



NE SW NE 2

COUNTY

SOURCE: GROUNDWATER

TRIP:

REVIEWED BY:

Sec

DATE:

9-1-93

13N 19E 16

NW SWSE

LOT 6

P.O.D. Well location shown on license Exam map
and on map with the claim.

Sec
9-1-93

Field Exam 9-20-93 by Sec

Well was incorrect as located and claimed
so also is the P.O.D. in Exam.
Correct P.O.D. is shown above.

Sec 12-15-93

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A. ROOT WATER RIGHT NUMBERS: A72-07048
 B. FOU LISTING

TRP	PNR	SEC	1/4	1/4	LOT	NAME
13N	19E	16	~~SW~~	~~NE~~		WILLIAMS, PHYLLIS E.
			~~SW~~	~~NE~~		LAVERTY, GLADYS
			~~SW~~	~~NE~~		WILLIAMS, PHYLLIS E.
			~~SW~~	~~NE~~		BENNETT, JAMES R.
			~~SW~~	~~NE~~		BENNETT, JAMES R.
			~~SW~~	~~NE~~		JENSON, CHARLES B.
			~~SW~~	~~NE~~		LAVERTY, RAY

TOTAL ACRES A72-07048

IF YES SEE ATTACHED SHEET: ~~YES~~

C. FIELD EXAM REQUIRED? ☐
 DUE TO FOU DISCREPANCY? (Y/N) Y

PRESUMPTION FLAG:

REMARKS:

FOU lot shown on DPO doesn't match the boundaries shown on the maps.
 also appears less than 12 Acres irrigated. see 9-1-93
 field exam confirms discrepancy found - DPO was incorrectly licensed and named.
 Verified with field exam, voluntarily sold, DPO, ACS photo, Ben aerial photo.

RECOMMENDATIONS:

TOTAL ACRES: 12.0

REVIEWED BY: *See*

DATE: 12-15-93

Correct
 14-14
 SE SW (6)
 SW SE (6)
 10.0
 3.0
 12.0
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 1994

(425) (16037-178) (10-9C-1)
 (7-24-74) (21-R) (7-16-88)
 1978 425

A. A1 CLAIMED USES:

PURPOSES
A72-07049 IRRIGATION

15 MONTH/DAY
FROM 04-01 TO 10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
" 240 CFS
" 250 CFS

B. WR RECORDED USES:

PURPOSES
72-07049 IRRIGATION
72-07049 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
" 240 CFS 36.00 AF/A
" 020 CFS 24 AF/A
" 250 CFS 36.34 AF/A

C. PRESUMPTION FLAG:

D. FIELD BYAM REQUIREMENT?

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

DATABASE FIELD
Y Y Y
Y Y Y

E. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND NO WR STANDARDS OR OTHER?

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

Explain in remarks, below.

REMARKS:

add season
Stock was not claimed.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (X) N ()

AI TOTAL CLAIMED DIVERSION RATE: 0.250 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.250 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?

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

FIELD DATABASE EXAMINER
Y

MEASUREMENT METHOD

FLOW MEASUREMENT
SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME FOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DTU. VOL.	DIV. VOL./ACRE
A77-07048	GROUNDWATER	WILLIAMS, PHYLLIS E.	0.250	0.020		
A77-00184	SALMON RIVER	BENNETTS, JAMES R.	4.050	0.032		
A77-04020	SALMON RIVER	BENNETTS, JAMES R.	4.200	0.033		
A77-10096	SALMON RIVER	LAVERTY, GLADYS	17.000	0.102		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10132	DOMESTIC	WILLIAMS, PHYLLIS E.	FROM 01-01 TO 12-31	.040 CFS	

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0.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 12 X 0.02 CFS/ACRE = 0.24 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

4a. IF YES ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y () N () ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 30.0 AE/A

ACRES 12 X CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 30 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 12 X DIVERSION VOL. AE/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 42 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

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

→ limited on claims to 36.0 AFA

claim is for Total 0.25 AFA
as claimed but stock use was
not claimed so limit is
for beneficial use of irrig. only.

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RECOMMENDATIONS:

DEPT.
PURPOSES

REC. PERIOD
FROM TO

REC. TIV
RATE CFS

REC. TIV
VOL. AF/A

REC. CONC
DBP

IRRIGATION

4-15 10-15

0.24

36

30

TOTAL FOR THIS RIGHT

0.24

REVIEWED BY:

sw

DATE:

12-15-93

pro. pay: C

C03
C05

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
CORRECT/APPROPRIATE
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
()

NEEDS
REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-07048

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.250

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"P" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

A72-07048

0.250

-

72-07048

0.250

TOTAL CFS

0.250

0.250

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:

N/A

AUTHENTICATION:

SIGNATURE:

Jim O'Connell

DATE:

12-15-93

NAME OF FIELD EXAMINER:

TITLE:

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DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-07048

06/05/93

FILE ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEWED WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		2-20-93	N				
SOURCE				N				
PLACE OF USE	Y			N	12456	See 12-15-93	See 12-15-93	
MTU AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM								
REMARKS	Y							

VERIFIED BY CODES

- TOPO MAP/ORTHO-PH = 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.

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 12-15-93
 1991

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NOV 01 1994

DIVERSITY

20

26

307

R

C

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M

100

100

[illegible]

52

8cc
12-15-93

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 72-7048 Priority July 28, 1975 Amount 0.25 cfs

THIS IS TO CERTIFY, that ELLEIOTT &/or PHYLLIS WILLIAMS
of Challis, Idaho, has complied with the terms and conditions of Permit
No. 72-7048 issued pursuant to Application for Permit dated July 28, 1975
and has submitted proof to the Department of Water Resources on March 5, 1979
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 0.25 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>November 1</u> at <u>.24</u> cfs and				<u>36 acre feet</u>
<u>Stockwater</u> from <u>January 1</u> to <u>December 31</u> at <u>.02</u> cfs and				<u>34 acre feet</u>
_____ from _____ to _____ at _____ cfs and				
(both dates inclusive)				

Subject, however, to the condition that no more than 0.25 cfs of water be used at any one time, and that the amount of water to be diverted and to which such right is entitled and beneficial is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 36.34 acre feet per year, said waters to be diverted within the SW 1/4 Sec. 16, Twp. 13N, Rge. 19E, B.M. in the County of Custer

Description and location of place of use:

[illegible]

Total number of acts targeted 12

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of December 19 80

Director *Stephen C. Mitchell* MICROFILMED
NOV 01 1994

NOV 01 1994

Legals
are
incorrect
as
licensed.

Claimant
don't own
this parcel
and never
has.

DATE OF EXAM 5-23-79 2:00 P.M.

ACREAGE

Found 12.0 ✓
Recommended 12.0 ✓

Irrigation Requirement 3.0 Ac Ft/Ac

POOR ORIGINAL

USE

Irrigation Q = 0.25 cfs V = 36.0 AF/Ann from 4-1 to 11-1
Domestic Q = 0.00 cfs V = AF/Ann from to
Livestock Q = 0.02 cfs V = 33.5 AF/Ann from 1-1 to 12-31

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 113.28 gpm 0.25 cfs capacity Method of measurement PRESSURE GAUGE

Total Q recommended 0.25 cfs Meter No. ✓ Type ✓ Condition good

Total V recommended 36.335 AcFt/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

MEAS. 5/30 Nozzle's w/ average 88.1 45 lbs 24 Hds = 113.8 gpm ÷ 448.8 gpm = 0.25 cfs
4.72 gpm/Hd ALLOWED 0.25 cfs Volume 36.0 AcFt/Ann ✓
25 Hd LIVESTOCK 0.02 cfs Volume 25 Hd x (1.0134) = 33.5 AcFt/Ann ✓
 $V = .25 \times 19835 \times 214 \text{ days} = 101.87$

SYSTEM DESCRIPTION:

FRANKLIN ELECTRIC MOTOR 7 1/2 Hp. Serial # M282-2012-201
2 LINES @ 12 Hd ea line. 5/32 Nozzle's 4" MAIN LINE
25 Hd LIVESTOCK. IS POSSIBLE USE
only 8 Hd WAS PRESENT @ THIS TIME.

REMARKS

MR. WILLIAMS WAS PRESENT DURING EXAM.

Examiner's Signature

Gay Funderburg

Date 1/22/80

Checked by

J E Stanton

Date 5-6-80

Approved by

Stanton

Date 12/18/80

CONVERSATION MEMORANDUM

EMPLOYEE: KKC

FILE A72-074/8

RE: _____

DATE 6-11-93

NAME OF PARTY

quick look @ BLM Photo 10-9C-3
(425 □)

indicates possible inv. of 5 acres only

P/U on Hwy 75 just west of junction about 1 1/2 mi.

Possible reduced P/U.
ortho with claim
P/U west of Challing/
Stanley junction 1 1/2 mi.

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