

06/16/2003

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

RIGHT NUMBER: 29-30
NAME AND ADDRESS: NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

CARL L PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 3.840 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13320 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.84 CFS.

PRIORITY DATE: 10/18/1889

POINT OF DIVERSION:

T07S R39E S18 NENESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	3.840 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T07S R38E S24 Lot 1 NENE	1.6	T07S R38E S24 Lot 2 SENE	2.8
T07S R39E S17 NWSW	38.0	T07S R39E S17 SWSW	40.0
T07S R39E S18 NESE	5.6	T07S R39E S18 SESE	4.8
T07S R39E S19 NENE	16.0	T07S R39E S19 SWNE	28.0
T07S R39E S19 SENE	40.0	T07S R39E S19 Lot 2 SENW	4.5
T07S R39E S19 Lot 3 NESW	13.0	T07S R39E S19 Lot 4 SESW	3.3
T07S R39E S19 NESE	37.0	T07S R39E S19 NWSE	21.0
T07S R39E S19 SWSE	7.2	T07S R39E S19 SESE	1.4
T07S R39E S20 NWNW	40.0	T07S R39E S20 SWNW	40.0
T07S R39E S20 NWSW	38.0		

382.2 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 192 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 29.

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.

06/16/2003

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

EXPLANATORY MATERIAL: Decreed

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

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

RIGHT NO. 29-31, 29-13320 AND 29-13321 IS ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

10/04/2002

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

RIGHT NUMBER: 29-30

NAME AND ADDRESS: NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

CARL L PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.84 CFS

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DIVERSION RATE OF 3.84 CFS.

PRIORITY DATE: 10/18/1889

POINT OF DIVERSION:

T07S R39E S18 NENESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	3.840 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T07S R39E S17	NWSW	32.0	T07S R39E S17	SWSW	40.0
T07S R39E S18	NESE	5.0	T07S R39E S18	SESE	5.0
T07S R39E S19 Lot 3	11.0		T07S R39E S19 Lot 4	15.0	
T07S R39E S19	NENE	15.0	T07S R39E S19	SWNE	28.0
T07S R39E S19	SENE	39.0	T07S R39E S19 Lot 2	SWSW	5.0
T07S R39E S19	NESE	40.0	T07S R39E S19	NWSE	20.0
T07S R39E S19	SWSE	12.0	T07S R39E S19	SESE	4.0
T07S R39E S20	NWNW	40.0	T07S R39E S20	SWNW	40.0
T07S R39E S20	NWSW	37.0	T07S R39E S24	NENE	1.0
T07S R39E S24	SENE	3.0			

392 ACRES TOTAL

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ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

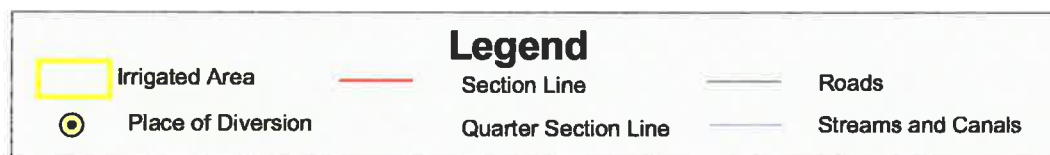
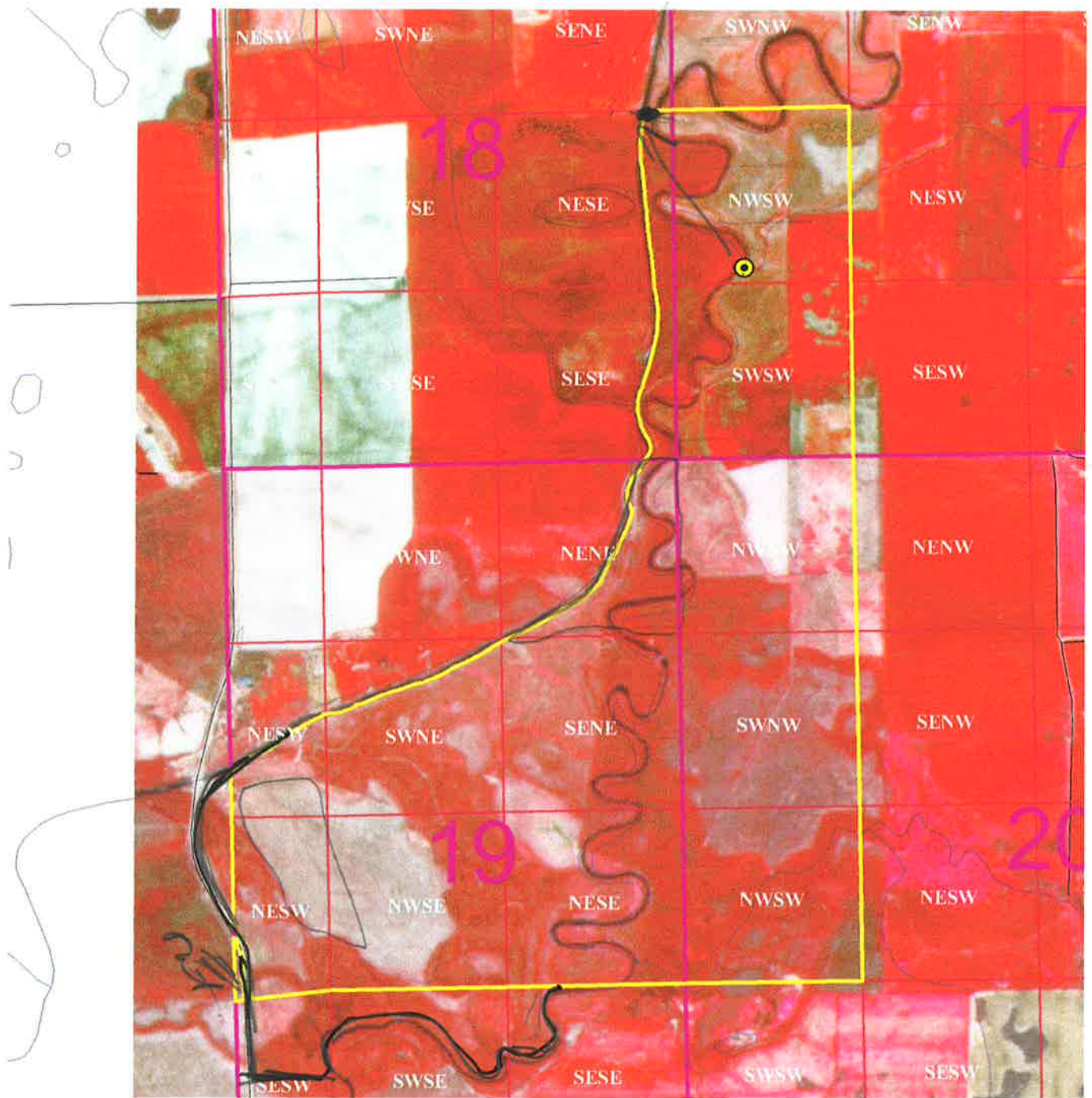
EXPLANATORY MATERIAL: Decreed

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RIGHT NO. 29-31, 29-13320 AND 29-13321 IS ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

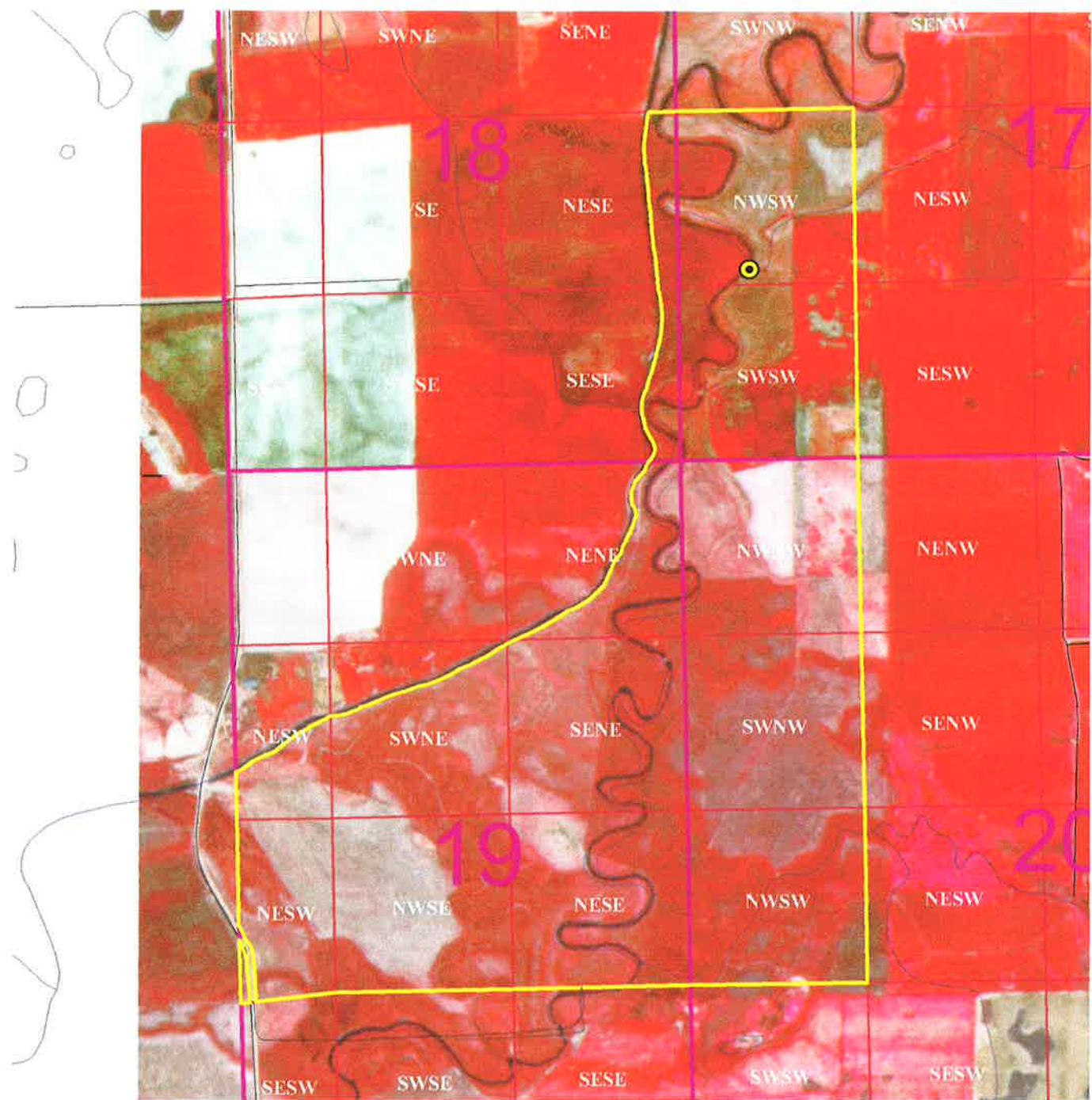
Townships , 7S39E, 7S38E



600 0 600 1200 Feet



Townships , 7S39E, 7S38E





Irrigated Area



Place of Diversion



Section Line



Quarter Section Line



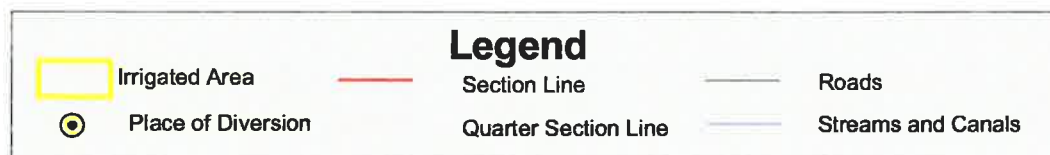
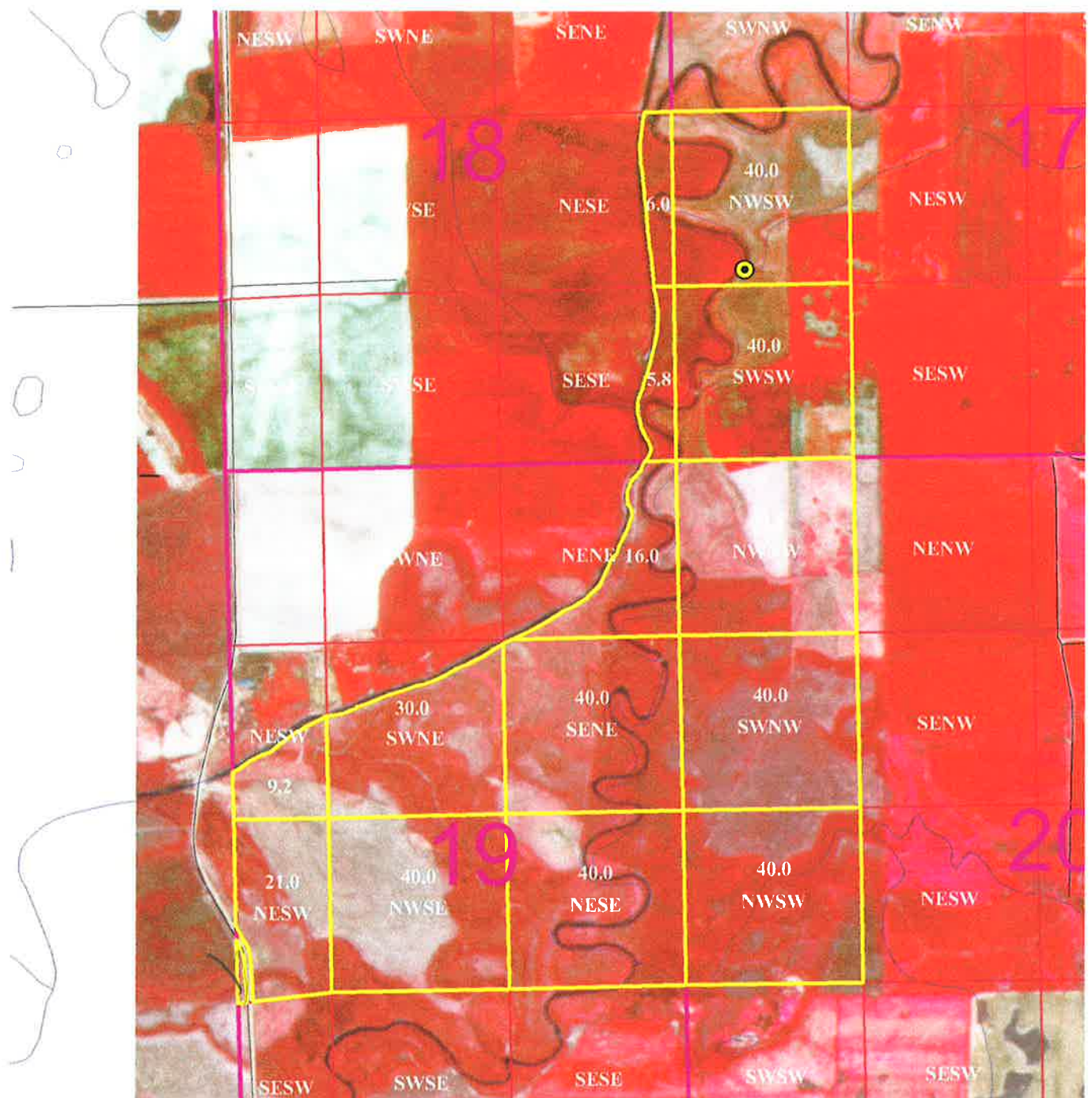
Roads



Streams and Canals



Townships , 7S39E, 7S38E



600 0 600 1200 Feet

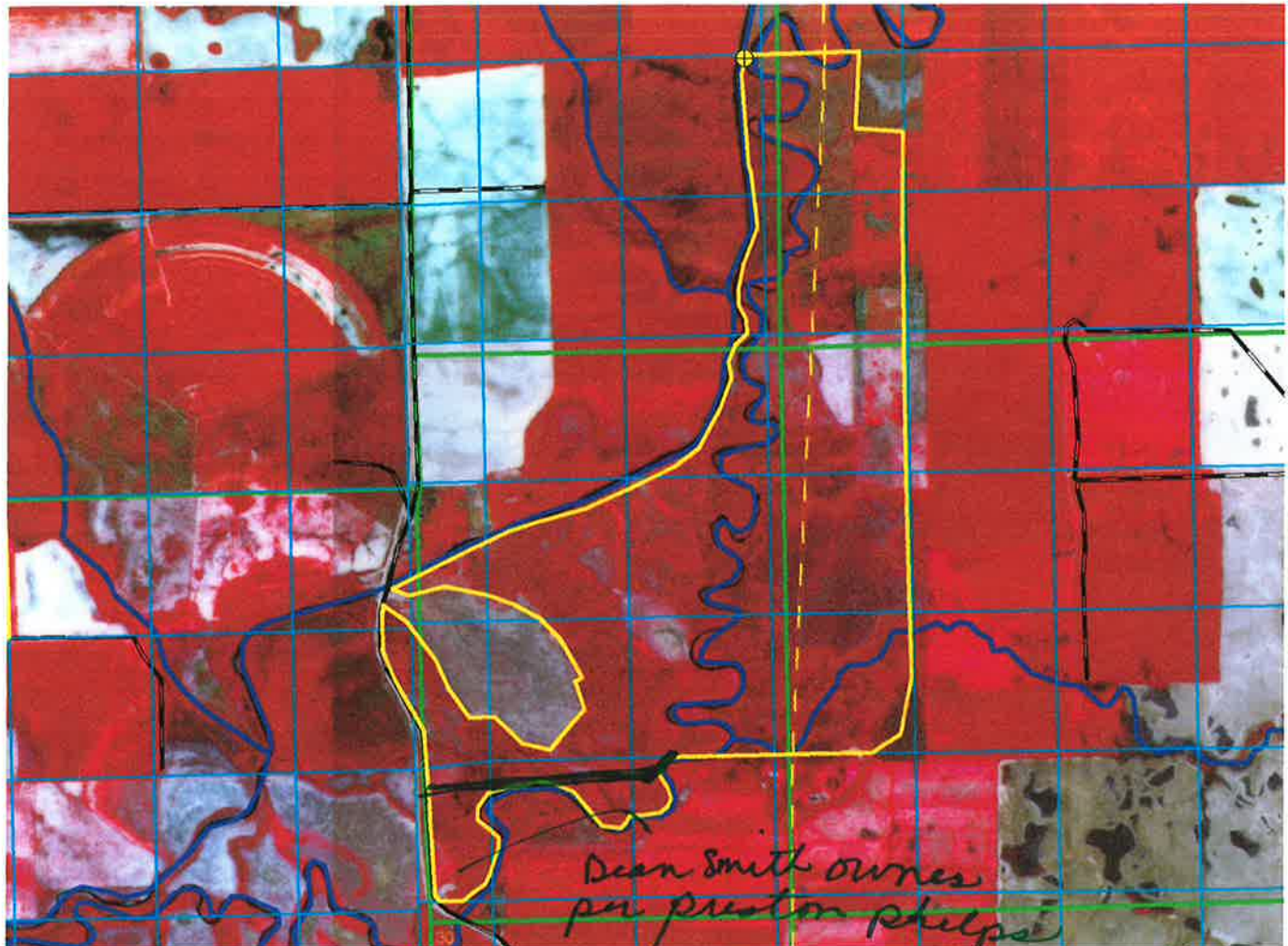




STATE OF IDAHO

Department of Water Resources
Eastern Region

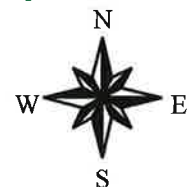
Water Right 29-30, 29-31, 29-13320 and 29-13321



1000 0 1000 2000 3000 Feet



*Carbon assessors office.
6/13/03.*



LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T7S, R39E,
(part of) Sections 17, 18, 19, 20 and 24

Points of Diversion: T7S, R39E
Sec. 18 NENESE

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: July 2002

SCANNED

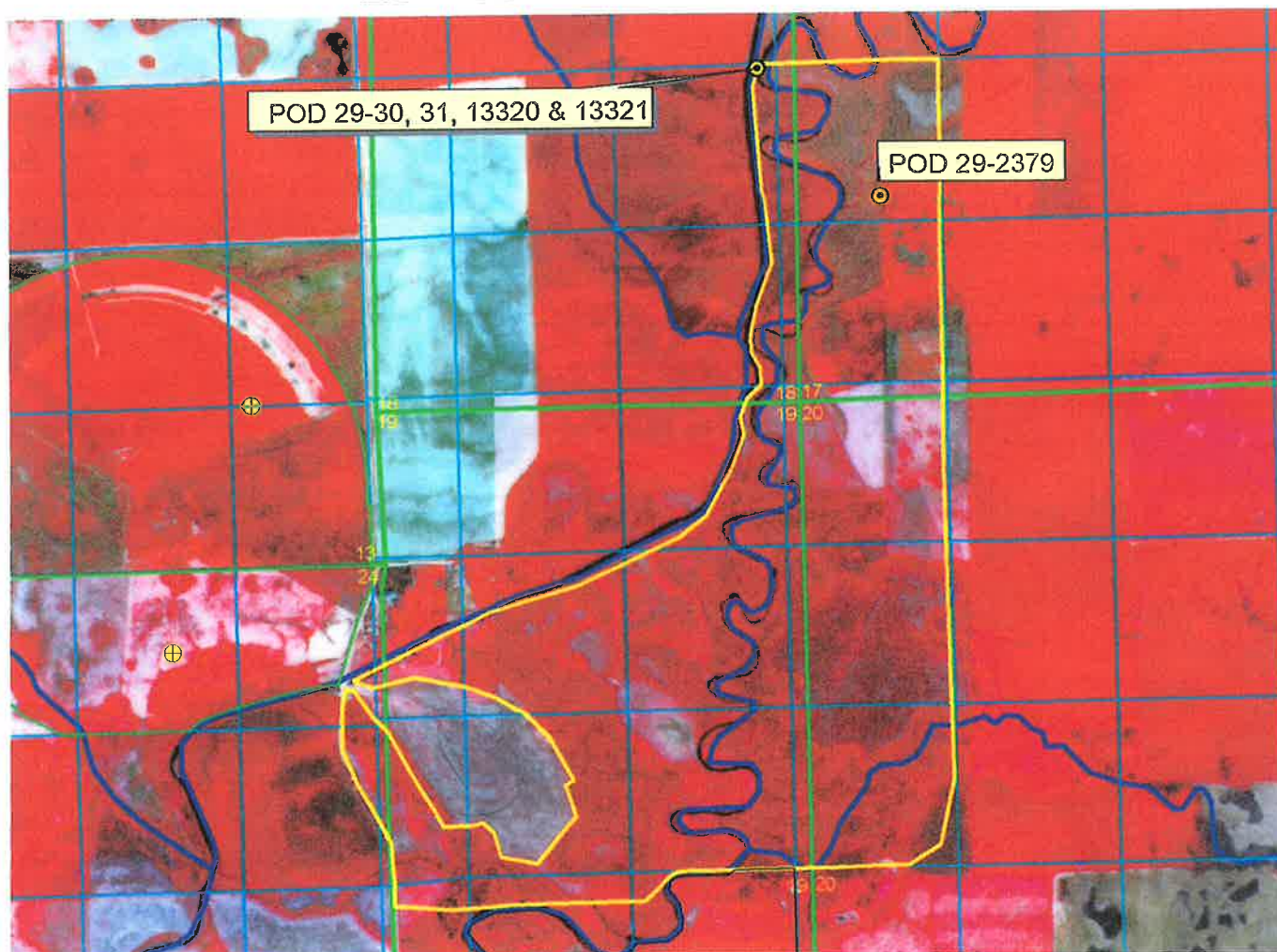
MAY 12 2005



STATE OF IDAHO

Department of Water Resources
Eastern Region

**Water Rights 29-30, 29-31, 29-2379,
29-13320 and 29-13321.**



0.09 0 0.09 0.18 Miles



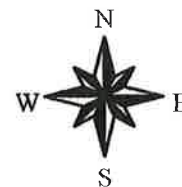
IRRIGATED ACRES: 382.2

LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T7S, R39E,
(part of) Sections 17, 18, 19, 20 and 24

Points of Diversion: T7S, R39E
Sec. 17 SENWSW and Sec. 18
NENESE



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: June, 2003

SCANNED

MAY 12 2005

PROFILE

GEM VALLEY SURVEY

SURE BOUNDARIES
GOOD NEIGHBORS

Gem Valley Survey
1930 Ivins Road
Bancroft, Idaho 83217

Phone 208-425-9035
Fax 208-425-9035
Cell 208-681-1163

November 28, 2006

Ernie Carlson
Program Manager
Idaho Department of Water Resources
900 North Skyline Dr, Suite A
Idaho Falls, Idaho 83402

29 - 30
29 - 31
29 - 2379
29 - 13320
29 - 13321

RECEIVED
NOV 30 2006
Department of Water Resources
Eastern Region

Subject: Carl Phillips Water Right Chesterfield, Idaho.

Greetings Mr. Carlson;

Much of my land surveying work is in Caribou County these days. I have been retained by Mr. Carl Phillips, and have prepared a fence line survey for him. The purpose of this survey is to establish a boundary line by agreement between him and his neighbors. The Idaho Department of Water Resources mapping department does not recognize Mr. Phillips' ownership of the eastern "200 feet" of the lands granted to him under Warranty Deed instrument No. 134386, as recorded in the official records of Caribou County, Idaho. See attached G.I.S. map.

This easterly "200 feet" dimension was obtained by measuring, that is scaling with a ruler or an electronic distancing program, from the conceptual section lines generated in what is known as the Geographic Coordinate Data Base to the easterly limits of Mr. Phillips' lands as depicted on a satellite image, being occupied and maintained to date to a fence line coursing north and south. There is no record of survey on the ground to corroborate the I.D.W.R.'s "200 feet" dimension.

The Bureau of Land Management provides the data mapping of the conceptual depiction of the state of Idaho section lines through the Geographic Coordinate Data Base. The G.C.D.B. has very limited intended uses and explicit disclaimers for inappropriate uses posted on the B.L.M.'s web site at www.id.blm.gov/cadastral/gcdb/index.htm. The introduction of the G.C.D.B. covers some areas in which it is not to be used. **"The G.C.D.B. has NO LEGAL SIGNIFICANCE** and should not be used for purposes ...such as: restoration of lost corners, establishment of direction, trespass resolution, legal descriptions, etc. which require legal boundary surveys by qualified surveyors." To sum up, a B.L.M. Employee Tim Quincy stated, "The G.C.D.B. makes a pretty Picture and is not for measuring distances".

October 6, 2006, I.D.W.R. mapper Mr. Mike Sasell and I discussed the usage of the G.C.D.B. and that measuring from it is not an intended use of the G.C.D.B. by the

Carl Phillips
Job No. 206047
November 28, 2006

Page 1

SCANNED

JAN 08 2006

B.L.M. He said that I.D.W.R. knew this, but had no other way to rectify the G.C.D.B. and bring it in line with true ground locations than to survey the entire state, which was financially prohibitive. In reviewing the G.C.D.B. with Mr. Sasell, we found other landowners east across the entire Chesterfield Valley appear to be off this "200 feet".

Will they in time also be forced to have their lands surveyed to maintain their present water rights?

The preliminary data I have of the area suggests that county roads and fence lines in the area are reasonably located with in the record 5280 feet as set forth in the original survey of 1875 by Deputy Surveyor General George W. Newman.

The acreage on the "face" of the deed granting ownership in the land should count for something.

It would seem that the I.D.W.R. has a "200 foot" misalignment of the G.C.D.B., an electronic mapping system, with the county roads and lines of possession on the ground.

This sets a precedent that bodes ill for the private landholder by unnecessarily creating boundary line and ownership conflict that did not previously exist with adjoining land owners; and, further in causing them to incur considerable time and expense in resolving legal description discrepancies in order to protect the place of use of their water rights. This may bring catastrophic political consequences for the I.D.W.R.

The G.C.D.B. is being miss used by measuring distances from an electronic map as if measuring true distances on the ground in order to check legal descriptions.

Is there some other way the I.D.W.R. can precede without placing such a heavy burden on the private landowners of the state of Idaho?

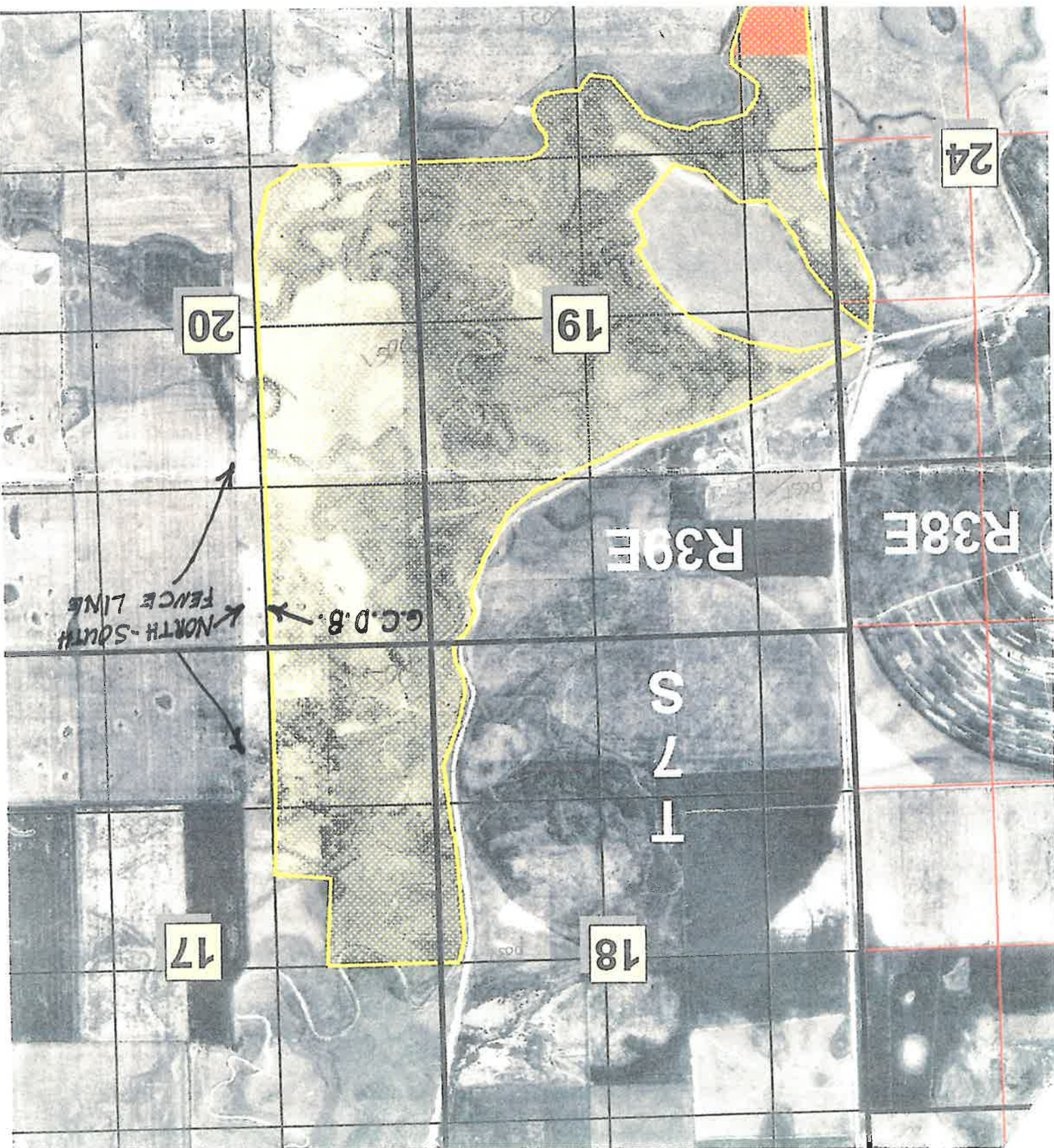
Sincerely,



Wade Olorenshaw
Professional Land Surveyor, PLS 9169

A copy of the forgoing document has been mailed/served on the persons listed below:

Persons:	Method of Service
Randy Budge & T. J. Budge Racine Olsen Nye Budge & Bailey 201 E. Center Street Pocatello, ID 83204-1391	email
Ernie Carlson Program Manager Idaho Department of Water Resources 900 North Skyline Dr, Suite A Idaho Falls, Idaho 83402	U. S. Mail
Carl Phillips 2884 W 1400 S Aberdeen, ID 83210	U. S. Mail
Board of Professional Engineers And Professional Land Surveyors Dave Curtis, Executive Director 55535 W. Overland Road Boise, Idaho 83705-2728	email



NORTH-SOUTH
FENCE LINE

20

19

24

R39E

R38E

T
7
S

17

18

000000

000000

000000

Bird, Cindy

From: Bird, Cindy
Sent: Wednesday, December 01, 2004 11:45 AM
To: Carlsen, Ernie
Cc: McHugh, Candice
Subject: RE: 29-30,31, 2379

The rationale on recommending the 8/8/1932 was just an error on my part. I was thinking the decree date was 8/7 not 8/6 and 8/7 was the extended SOU date not the decree date.

Carl is correct the area in section 24 are in T7S, R38E. They are in the NENE AND SENE of section 24. It's a little tip that crosses the range line.

As far as the additional acres he wants in section 19, that is also news to me.
Cindy

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

From: Carlsen, Ernie
Sent: Tuesday, November 30, 2004 3:16 PM
To: Bird, Cindy
Cc: McHugh, Candice
Subject: FW: 29-30,31, 2379

Cindy since the claim files identified below are not at Eastern I hope you have them at Soda Springs. If you will provide me with the answers to Candice's questions I will complete the data entry.

Thanks
Ernie

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

From: McHugh, Candice
Sent: Tuesday, November 30, 2004 1:47 PM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: 29-30,31, 2379

I spoke with Mr. Phillips. It seems there's a typo in the POU for 29-2379, should be Range 38E Section 24 NOT Range 39E Section 24. Since this water right has been partially decreed, I need to write a letter to the court with a corrected recommendation. I want to first confirm that there's a typo. Second, Mr. Phillips wants more acres in section 19. This issue is unclear to me. He's sending some information that Keith Wilson has apparently sent to him. This would not be a typo and would require Mr. Phillips to file a motion to set aside the partial decree in order to add more acres.

Also, Ernie, Mr. Phillips claimed his decreed priority dates (1889, 1887?) for water right nos. 29-13320, 13321. I was wondering what the rationale was for recommending 8/8/1932 and not 8/7/1932 for his extended season claims. If we made an error and it should be 8/7/1932, we need to correct that.

Thanks

Candice

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

SCANNED
MAY 12 2005

PROFILED

Bird, Cindy

From: Wilson, Keith
Sent: Wednesday, November 17, 2004 4:14 PM
To: Bird, Cindy
Cc: Wilson, Keith
Subject: Phillips 29-0030 transfer

Cindy,

Carl Phillips came into the office today to complete a transfer to add a point of diversion on what appears to be the Downey Canal. It appears that the Downey Canal is being considered the Portneuf River. I talked with Rob Brochu, Army Corps of Engineers, he said the Corps considers the canal as the Portneuf. This would agree with the point of diversion NENESE Sec 18, T07S, R39E that the Adj. recommendations has for 29-0030. Is this correct?

In addition Mr. Phillips said that he had talked with you about the land that is not currently part of the shape file in the S1/2NW & N1/2SW Sec 19, T07S, R39E. Apparently he feels that that area should be included within the POU. I have encludd a photo of how the POU looks in ArcView as of this morning. Is this area going to be included within the POU?

I have no idea of how to proceed with Mr. Phillips transfer. Could you enlighten me as to how you are viewing the Downey Canal in that area, and will you be including the area in Sec 19 as part of the place of use?

Thanks,
Keith



phillips29_0030.jpg

SCANNED

MAY 12 2005

PROFILE

Notes

11-17-04 Email from Keith Nelson on a transfer for this night.

11/19/04 I looked on the Iwster page for the SRBA Court. It appears that The Marsh Valley Canal Co objected on the enlargement claims but Carl didn't object to the pro from what I can tell from the page.

I did email Candice and asked her but she is out until Monday, 22nd of November.

SCANNED

MAY 12 2005

PROFILE

FSA-578 (02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2003

FARM NUMBER: 213

FARM SUMMARY

DATE: 06-17-2003

Operator Name and Address ID

Original: BRSCARL L PHILLIPS 8255
2884 W 1400 S
ABERDEEN, ID 83210-1618

Revision: _____

Cropland: 187.4

Farmland: 440.0

NOTE: The authority for collecting the following information is Pub.L 107-76. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Producer Name	ID	Crop	Share
CARL L PHILLIPS	8255	MIXFG	1.0000

Crop Type	Prac	IU	Reported	Determined	Crop Type	Prac	IU	Reported	Determined
MIXFG	LGM	I GZ	187.4		OFAV	N		.0	

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

Carl Phillips6-17-03

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

PROFILED

SCANNED

MAY 12 2005

FSA-578 (02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2003

FARM NUMBER: 213

FARM AND TRACT DETAIL LISTING

DATE: 06-17-2003

Operator Name and Address ID
 CARL L PHILLIPS 8255
 2884 W 1400 S
 ABERDEEN, ID 83210-1618

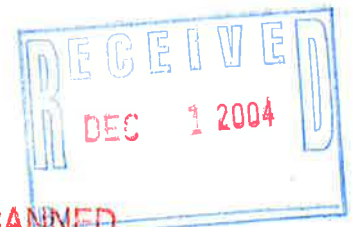
Original: _____
 Revision: _____
 Cropland: 187.4
 Farmland: 440.0

Tract Number	Field Num ID	Irr Prc	Var/ Crop Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID	RMA Unit	Opt Unit
0		Ni	OFAV		F FAV	.00				1.0000	8255		
Crop Type Prac IU Non-Irrig Irrigated OFAV N .0													
Photo Number/Legal Description: None													
Cropland: .0 Reported: .0 Difference: .0 Reported D.S.R: .0													
489	1	Ir	MIXFG LGM	Graze		13.20			I	1.0000	8255		
	2	Ir	MIXFG LGM	Graze		11.60			I	1.0000	8255		
	3	Ir	MIXFG LGM	Graze		1.60			I	1.0000	8255		
	4	Ir	MIXFG LGM	Graze		42.70			I	1.0000	8255		
	5	Ir	MIXFG LGM	Graze		8.70			I	1.0000	8255		
	6	Ir	MIXFG LGM	Graze		16.60			I	1.0000	8255		
	7	Ir	MIXFG LGM	Graze		10.80			I	1.0000	8255		
	8	Ir	MIXFG LGM	Graze		8.70			I	1.0000	8255		
	9	Ir	MIXFG LGM	Graze		23.80			I	1.0000	8255		
	10	Ir	MIXFG LGM	Graze		31.00			I	1.0000	8255		
	11	Ir	MIXFG LGM	Graze		13.10			I	1.0000	8255		
	12	Ir	MIXFG LGM	Graze		.80			I	1.0000	8255		
	13	Ir	MIXFG LGM	Graze		.90			I	1.0000	8255		
	14	Ir	MIXFG LGM	Graze		1.90			I	1.0000	8255		
	15	Ir	MIXFG LGM	Graze		2.00			I	1.0000	8255		
Crop Type Prac IU Non-Irrig Irrigated MIXFG LGM I GZ 187.4													

Photo Number/Legal Description: T 489 7-39-17.19.20 Map B8B

Cropland: 187.4 Reported: 187.4 Difference: .0 Reported D.S.R: .0

PROFILED



SCANNED

MAY 12 2005

IDAHO
CARIBOU
Report ID: FSA-156EZ-R001

U.S. Dept. of Agriculture
Farm Service Agency
Abbreviated 156 Farm Record

Prepared: 01/30/2004
Crop Year: 2004
Page: 1

0150

OPEP	Name & Address	FARMLAND	CROPLAND	DCP CROPLAND	EFF DCP CROPLAND	DBL CROPPED ACRES	FARM DESCRIPTION	STATUS
	CARL L PHILLIPS 2884 W 1400 S ABERDEEN	440.0	187.4	187.4	187.4	.0		ACTIVE
	ID 83210 1618							

FARMS ASSOC. WITH OP: NONE

OTHER PRODUCERS ASSOCIATED WITH FARM:
SHANE PHILLIPS

CRP Cropland: .0 CRP MPL: .0
CRP Contract No.: NONE
RECON. REF. NO.: 00000 FAV/WR HISTORY: N

CROP	BASE ACREAGE	CRP REDUCTION	CRP PENDING	DIRECT PYMT YLD	CC PYMT YIELD
BARLEY	57.9	.0	.0	59	59

No. of Tracts: 1
TRACT NO.: 489
BIA RANGE UNIT NO.:

Year: 2004

FARMLAND	CROPLAND	DCP CROPLAND	CRP ACRES	WBP ACRES	WRP ACRES	STATE CONSRV	OTHER CONSRV	EFF DCP CROPLAND	CRP MPL ACRES	DBL CROP ACRES
.0	187.4	187.4	.0	.0	.0	.0	.0	187.4	.0	.0

CROP NAME	BASE ACRES	DIRECT TRACT YIELD	CC TRACT YIELD	CRP-15 REDUCTION ACRES	CRP TRACT YIELD	CRP PENDING ACRES
BARLEY	57.9	59	59	0.0	0	0.0

Photo Grid Descr: T 489 7-39-17,19,20 Map 88B

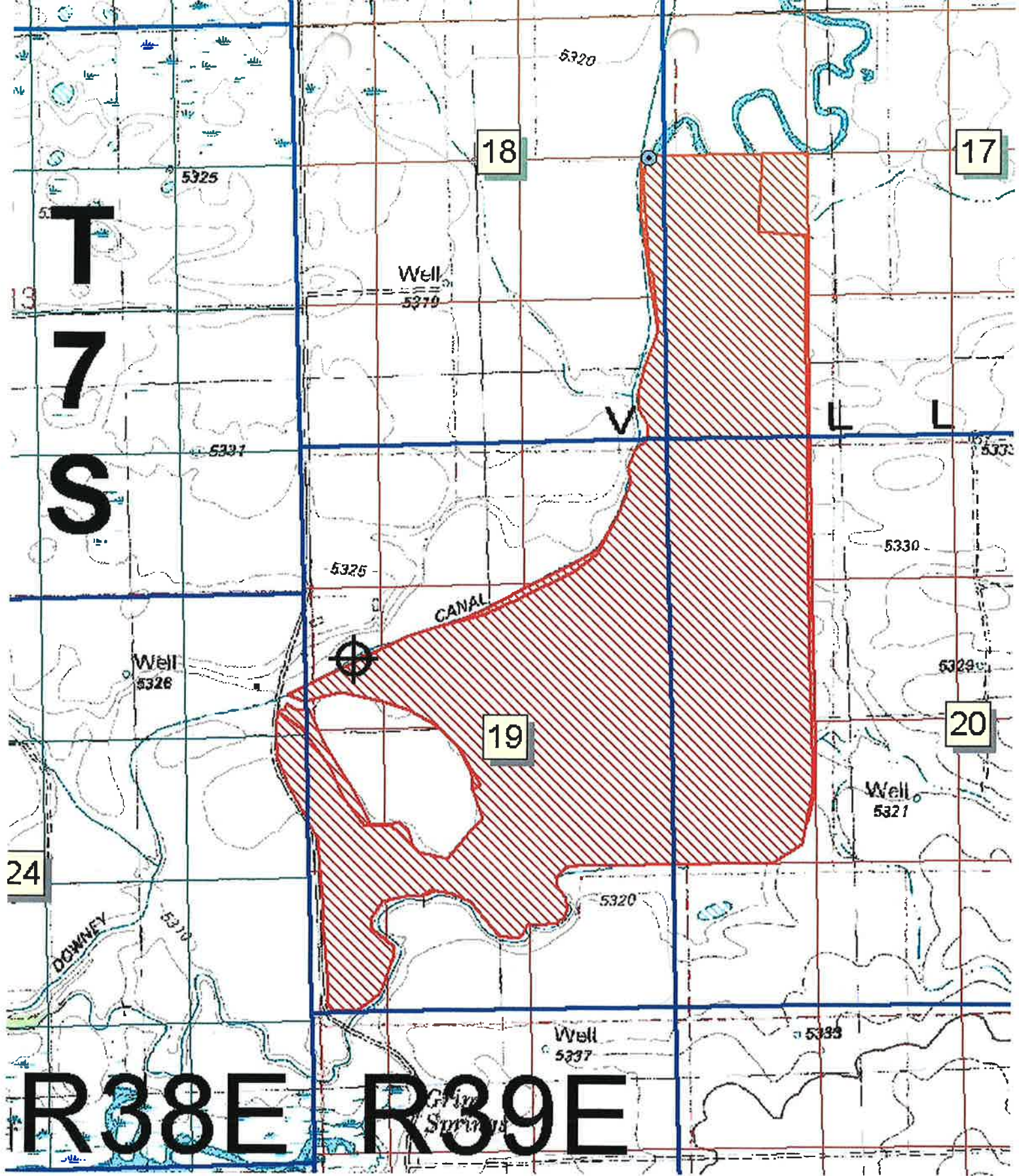
HEL 027 A027 WL CW FW PC AW MW PCW MG RW CWTE CWNA
N N N N N N N N N N N N N N

OWNER 1 - CARL L PHILLIPS

PROFITE

SON

MAY 12 2009



SCANNED

MAY 12 2005

AA93

PROFIT

29-0030

3/3/03

Public Meeting - adj shape

Phillips shape on the D: drive of the server.

6/13/03 Preston Phelps: Carbon Co. Assessors
office. The dog leg in section 19 is
owned by Dean Smith and not Carl
Phillips.

PROFILED

SCANNED
MAY 12 2005

6/26/02 - Noon - Office visit with Carl Phillips.

The POD for the Portneuf Water is on the imaginary line of the SENE & NESE of Section 18, where the old Portneuf channel comes close to the new channel.

Carl owns the property up to the new canal. He has a pump that he moves along the old canal and flood irrigates the land in sec 17, 19 & 20.

Portneuf water 363.5 acres.

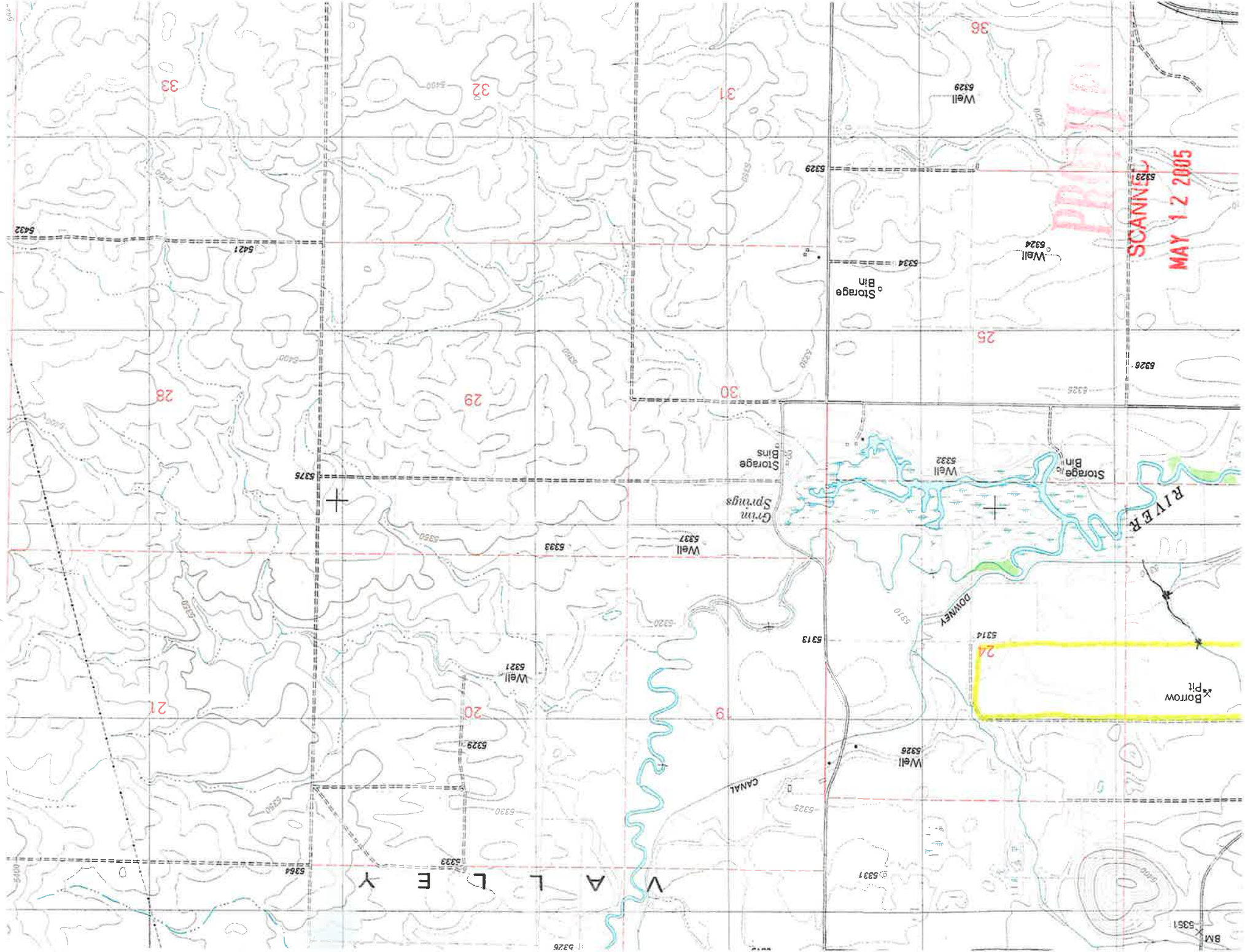
Ground water 400.0 acres licensed ($1\frac{1}{2}$ acre = 128 ac.)
owns 499 acres total.

- Carl will get me a copy of his warranty deed.
- POD change from sec. 8 to sec. 18? Carl will check on it.
- Carl irrigates all of his land with G.W. & river water. PPLS.
- Nothing is in CRP.

SCANNED

MAY 12 2005

PROTECTED



TELEPHONE & VISITOR LOG

Date: 6/28/02

Time: 4:09 pm

Call ☒ Visit ☐

Name:

Carl Phillips

Address:

Phone No.:

Claim No(s):

A29-30, 2379 & 31 & 13320.

RE:

purchase of property.

Conversation:

Lincoln County Court House recorded the deed for the purchase of the property on 5/23/1988. Carl had actually looked at the property 2 yrs prior to the purchase but through negotiation it took 2 yrs to finalize the deal. The pod shown to Carl by the real-estate agent was the one shown on the map.

- The property under the hinged well in sec. 19 was changed to section 24 when Christiansen drilled the well in

Action Required:

PROFILE

SCANNED
MAY 12 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 8, 2002

Carl Phillips
Nola Rae Phillips
2884 W. 1400 S.
Aberdeen, ID 83210

REF: Snake River Basin Adjudication (SRBA) Claims
29-30 and 29-31

Subject: Enlargement Claim

RESPONSE DATE: October 28, 2002

Dear Carl and Nola Rae,

When you filed your original adjudication claims in January of 1990 you claimed the irrigation of 392 acres. License 29-2379 was originally licensed for 400 acres from your ground water source. There is no problem irrigating the 392 acres with the ground water because we have an accomplished change in the place of use (occurred prior to 1987) and it less than the original license.

However, your decreed rights 29-30 and 29-31 were decreed on 192 acres or 364 acres total. If you irrigate the 392 acres claimed in the SRBA with your Portneuf River water then you will need to file an enlargement claim for the additional 28 acres. The filing fee would be \$50.00 if you would like to file in the SRBA. If you can only cover 364 acres with the Portneuf River water then you do not need to file in the adjudication. The enlargement claim would allow you to irrigate the additional 28 acres but would not give you any additional flow.

Your response must be received in my office by the above date. If you have any additional questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

SCANNED

MAY 12 2005

*allen Ruben - link shape.
6/11/03 - 380.83 acres. are view
update per acreage
382.2*

Priority Date Data Entry Form

Claim Number: 29-30Water Right Priority Date: 10-18-1889Water Right Basis: decreeClaimed Priority Date: 10-18-1889Claimed Basis: decreeRecommended Priority Date: 10-18-1889Recommended Basis: decree☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

UG + E decree.

SCANNED

MAY 12 2005

Reviewer: CBDate: 7/2/02

PROFILED

Claim Number: 29-30

Source: Portneuf River. Tributary: Snake River.

Source: Portneuf Tributary: Snake

Source: Portment River Tributary: NE NE SE Snake River

 μ_{CB}

☒ **Use Claimed POD and Source as Recommended POD and Source**

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? ~~None~~ Portneuf River Rights 29-31, 29-13320 & 29-13321

1987/88 NAPP Photography & visit with claimant.
to discuss POD change. The imagery puts the pod across the QQ
line.

Accomplished POD Change. - changed to convey the water down the old Portneuf River Channel.

Transfers Changing POD accomplished

Reviewer: CB

Date: 7/2/02

MAY 12 2005

Place Of Use Data Entry Form

Claim Number: 29-30 Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 392.

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 392.

Document how the POU was verified:

- 6/26/02 discussions with claimants 1987/88 NAPP Photography -
- the water is used throughout the property with a portable pump in the old Portneuf River channel.
 - See changes on imagery map. (392 acres)
- permissible place of use.

ReportTransfers Changing POU X/OReviewer: CBDate: 7/2/02

SCANNED

MAY 12 2005

Purpose of Use Data Entry Form

Claim Number: 29-30☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation.			192.26	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			392	

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation.			192.26	

Document how the Purpose of Use was verified:

decree (UG & E)Shape has 392 acres (RPLS)- COB Remark Accomplished POU change.Transfers Changing Purpose of Use NONE / chg prior to 1987Reviewer: CBDate: 7/2/02SCANNED
MAY 12 2005

Period of Use and Quantity Data Entry Form

 Claim Number: 29-30
☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	9/15	3.84	—

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	3.84	—

Overall Diversion Rate 3.84

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	9/15	3.84	—

Overall Diversion Rate 3.84

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Union Grain & Elevator decree

* no shoulder remark for extended season
because claimant filed B.U. claim for
the extended S.O.U.

Reviewer: CB

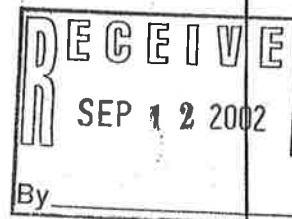
SCANNED

Date: 7/2/02

MAY 12 2005

PROFILED

Warranty Deed



THIS INDENTURE, Made this 2nd day of February
in the year of our Lord One Thousand Nine Hundred and Eighty-two, between
DELMO SMITH and MADA SMITH, husband and wife,
of Bancroft, County of Caribou, State of Idaho,
the part ies of the first part, and

DEAN SMITH and SHERRY SMITH, husband and wife,
of Bancroft, County of Caribou, State of Idaho,
the part ies of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of
SEVENTY THOUSAND AND NO/100----- DOLLARS,
lawful money of the United States of America, to them in hand paid by the said part ies of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part ies
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 7 South, Range 39 East of the Boise Meridian:

A tract of land located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ and Lot 4, of Section 19; and the N $\frac{1}{2}$ NE $\frac{1}{4}$,
and Lot 1 of Section 30, more particularly described as follows, to-wit: -

Sections 19 Beginning at a fence corner which is the accepted Northeast corner
and 30: of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 19, Township and Range aforesaid,

and running

thence South 89°36' West 678.48 feet:

thence South 40°21' West 531.03 feet:

thence South 53°22' West 543.3 feet:

thence North 89°44' West 1892.22 feet to the Easterly right of
way line of a county road;

thence following said right of way South 2°59' East 407.19 feet:

thence following said right of way to a point South 30° East

1543.07 feet, said right of way line consists of a series of
irregular curves:

thence along said right of way South 1°44' West 164.97 feet to
the intersection of the north line of another county road
right of way;

thence North 88°38' East along said right of way 2569.87 feet to

the East line of said Section 30, Township and Range aforesaid:

thence North along said east line 2575.18 feet,

to the point of beginning.

TOGETHER with the water under State License No. G-26192: and all irrigation equipment
of every kind and character, used in the irrigation of the above described premises.
SUBJECT to existing easements for roads, highways, ditches, canals, laterals and
power and transmission lines.

SUBJECT to exceptions and and reservations contained in patents from the United States.
SUBJECT to the burdens incident to the inclusion of the land within the boundaries of
Caribou County, Idaho.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said part ies of the second part, and to their heirs and assigns forever. And the said
part ies of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said part ies of the second part their heirs and assigns against the said part ies of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

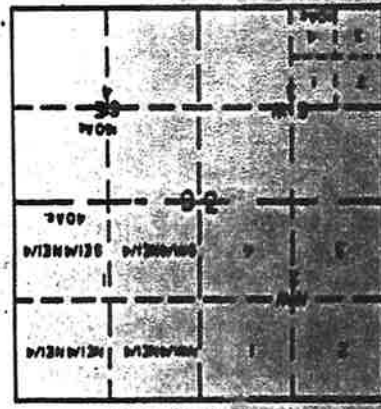
IN WITNESS WHEREOF, The said part ies of the first part have hereunto set their hand 5 and
seal s the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Delmo Smith

[Seal]

THE LAYOUT OF THIS TOWNSHIP WAS MADE FROM THE ORIGINAL OLD TOWNSHIP PLAT OF 1873. A 20 A.C.M. SURVEYED IN 1873 BY

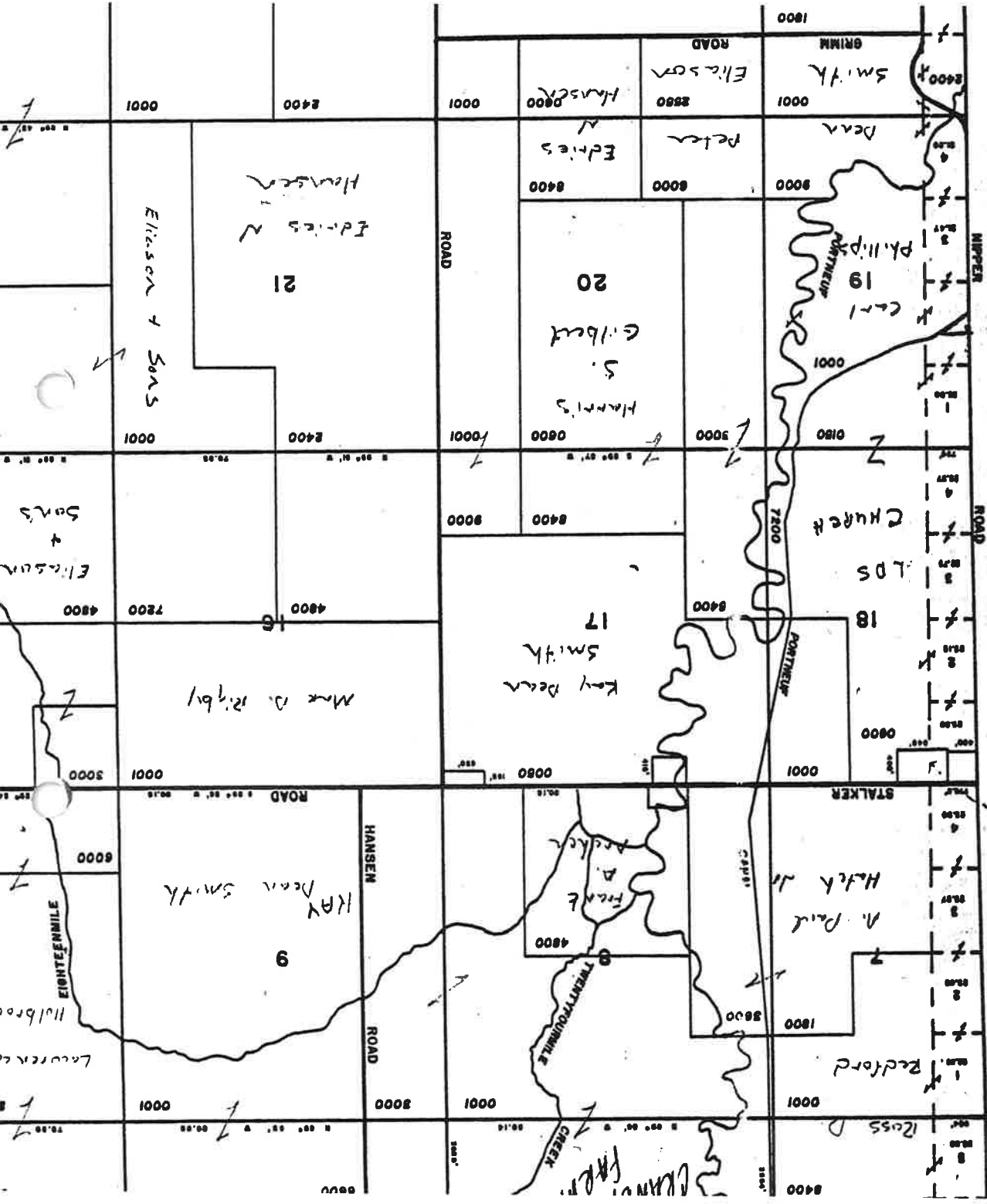
NOTES



CARIBOU COUNTY

1	2	3	4	5	6	7	8	9
10	11	12	13	14	15	16	17	18
19	20	21	22	23	24	25	26	27
28	29	30	31	32	33	34	35	36

RECEIVED
SEP 12 2002
By



Warranty Deed

THIS INDENTURE, Made this 23rd day of May, in the year of our Lord One Thousand Nine Hundred and EIGHTY-EIGHT, between

LADELL HASLAM AND AMARYLIS B. HASLAM, husband and wife, of Bancroft, County of Caribou, State of Idaho, the parties of the first part, and

CARL L. PHILLIPS AND NOLA R. PHILLIPS, husband and wife, 2884 West 1400 South, of Aberdeen, County of Bingham, State of Idaho, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain lot piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded and more particularly described as follows, to-wit:

Township 7 South, Range 39 East of the Boise Meridian:

Section 17: W $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 18: All that portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying East of the Portneuf Marsh Valley Irrigation Company Canal.

Section 19: All that portion of Section 19 lying East of the Portneuf Marsh Valley Irrigation Company Canal and ALSO, Beginning at a point 1300 feet South of the Northwest corner of Section 19 and running thence East 500 feet; thence South approximately 500 feet to the Portneuf Marsh Valley Irrigation Company Canal; thence Southwest along the North side of the Portneuf Marsh Valley Irrigation Company Canal to County Road; thence North along East side of County Road, to the point of beginning.

EXCEPT, any portion of the following described tract lying within Section 19, to-wit: Beginning at a fence corner which is the accepted Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, and running thence South 89°36' West 678.48 feet; thence South 40°21' West 531.03 feet; thence South 53°22' West 343.3 feet; thence North 89°44' West 1892.22 feet to the Easterly right of way of County Road; thence following said right of way South 2°59' East 407.19 feet; thence following said right of way to a point South 30° East 1543.07 feet, said right of way consists of a series of irregular curves;

(CONTINUED OVER)

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal S the day and year first above written. Signed, Sealed and Delivered in the Presence of

Ladell Haslam [Seal]
LADELL HASLAM
Amarylis B. Haslam [Seal]
AMARYLIS B. HASLAM

_____ [Seal]
_____ [Seal]

STATE OF IDAHO,
County of CARIBOU.

ss.

On this 23rd

day of

May

in the year 1988, before me

the undersigned,

a Notary Public

in and for said County and State, personally appeared

LaDell Haslam and Amarylis B. Haslam, husband and wife,

be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Nola Jean Phillips
Notary Public.

Residence and P. O. Address: Soda Springs, Idaho.
My commission expires: August 15, 1991.

134386
WARRANTY DEED

LADELL HASLAM AND AMARYLIS B.
HASLAM, husband and wife,

CARL L. PHILLIPS AND NOLA R. PHILLIPS,
husband and wife,

Dated May 23rd 1988
STATE OF IDAHO,
County of Caribou.

I hereby certify that this instrument was filed for
record at the request of
CARIBOU TITLE

at 50 minutes past 4
o'clock P. M., this 23rd
day of May, A. D. 1988
in my office and duly recorded in Book
of Deeds at page

MYRNA W. ARCHIBALD
Ex-Officio Recorder.
By *Becky Jenkins*
Deputy.
Fee, \$ 6.00

410, PRINTER BOOKS, INC., PHOENIX, ARIZONA

thence along said right of way South 1°44' West 164.87
feet to the intersection of the North line of
another County Road right of way;
thence North 88°38' East along said right of way 2569.87
feet to East line of Section 30;
thence North along East line of Section 30, 2575.18 feet,
to the point of beginning.
Section 20: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
EXCEPT ANY PORTION THEREOF lying within right of way of
County Road.



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2001

A29-30, A29-31, A29-2379

Carl Phillips

2884 West 1400 South

Aberdeen, ID 83210

REF: Snake River Basin Adjudication (SRBA)

SUBJECT: CRP Contract

Dear Claimant(s);

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label has been filed in the Snake River Basin Adjudication (SRBA).

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. A field examination to verify items in the Notice will be conducted by Department personnel as soon as the weather permits. I was able to visit some of you this year before the snow arrived. While waiting for the weather to cooperate again I would like to collect some of the necessary documentation needed to recommend your claim to the SRBA court. The statute (42-104) requires the water be put to beneficial use to have a valid water right. One exception to the statute is if the land has been put into CRP. But evidence must be submitted to the Department of Water Resources to retain the water right otherwise the water right will not be recommended to the SRBA court.

If you have previously irrigated land that has been put into CRP, I would appreciate it if you could send me a copy of the contract when the land was put into CRP for my records, **by March 1, 2002. If you do not have any land in CRP please disregard this notice.** With no response from you, we will assume that you do not have any land in CRP. You may contact either the Farm Service Agency (FSA) or Natural Resource Conservation Service (NRCS) in Soda Springs at 547-4396 for a copy of the contract.

SCANNED

MAY 12 2005

PROFILED

Please feel free to contact me in Soda at (208) 547-3993 if you have any additional questions. Have a safe and happy holiday.

Sincerely;

Cindy E. Bird

Cindy E. Bird
Adjudication Bureau

PROFITLED

SCANNED
MAY 12 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 6, 2001

Carl L Phillips
Nola Rae Phillips
2884 W. 1400 S.
Aberdeen, ID 83210

REF: Snake River Basin Adjudication Claims investigation
A29-30, A29-31 & A29-2379

Subject: field visit to the property

Dear Mr. and Mrs. Phillips,

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify the place of use and point of diversion needs to be conducted by Department personnel. I need to schedule an appointment as soon as possible to discuss your claims and visit the property.

The Snake River Basin Adjudication claims once decreed will supercede any other water right to the property. So, it's important that we make sure your water rights are correct. Please contact me at my office in Soda as soon as possible. The office phone number is (208) 547-3993. I look forward to your call.

Sincerely;

Cindy E. Bird
Adjudication Bureau

PROFILE

SCANNED
MAY 12 2005

18. Gooch, John O. Jr. 1.77 c.f.s.
29 0027 1888. Sept 1

Crandall owns

the Southwest quarter, Section 5, Township 7 South, Range 39 East. From the Northwest corner of Section 5, the point of diversion bear South 34 degrees and 10 minutes East, 2155 feet, for the irrigation of 117.52 acres of land in the Southwest quarter of the Northeast quarter; the East half of the Southwest quarter, the West half of the Southwest quarter, Section 8, Township 7 South, Range 39 East.

Said water to be diverted through Gooch-Eldredge Ditch, last above described, for the irrigation of 88.8 acres of land in the Southwest quarter of Section 5; the Northwest quarter of the Northwest quarter, Section 8; The Southeast quarter of the Northwest quarter, Section 8, all in Township 7, South, Range 39 East.

88.8

NW NW Sect. 8.
SE NW - Sec 8.

19. A. J. KNOLLIN, 1.95 c.f.s.
29 0028 1888. Sept. 1.

Crandall owns

Said water to be diverted through the said Gooch-Eldredge Ditch, last above described, for the irrigation of 97.4 acres of land in the Northeast quarter of the Northwest quarter; the North half of the Northeast quarter, the Southeast quarter of the Northeast quarter Section 8, Township 7 South, Range 39 East.

97.4 AC
NE NW
N 1/2 NE }
SE NE } Sec 8

20. PURVIS BROTHERS .14 c.f.s.
29 0029 1888. Sept. 1.

Crandall owns

Said water to be diverted through the said Gooch-Eldredge Ditch, last above described, for the irrigation of 7.04 acres of land in the Southwest quarter of the Northwest quarter, Section 8, Township 7 South, Range 39 East.

7.04 ac
SW NW.

The above defendants are also allowed the right to maintain a dam across the Portneuf River, located at a point of diversion above described, of sufficient height to divert the water so decreed.

21. NIPPER, Thomas J. 3.84 c.f.s.
29 0030 1889. Oct. 18.

*192.26 AC.
Total.*

Said water to be diverted through Nipper Ditch, which diverts from the Portneuf River in the Southeast quarter of the Southwest quarter, Section 8, Township 7, South, Range 39 East. From the South quarter corner of Section 8, the point of diversion bears North 29 degrees and 15 minutes West, 1130 feet, for the irrigation of 29 acres of land in the Northwest quarter of the Southwest quarter, Section 17; 5 acres in the Southwest quarter of the Southwest quarter, Section 17; 59.52 acres in the West half of the Northwest quarter, Section 20; 27.24 acres in the East half of the Northeast quarter, Section 19; 33.4 acres in the Northwest quarter of the Southwest quarter, Section 20; 38.1 acres in the Northeast quarter of the Southeast quarter, Section 19, all in Township 7, South, Range 39 East.

SE SW Sec 8
29 AC
NW SW Sec 17

22. NIPPER, Thomas J. 3.43 c.f.s.
3 0031 1887 May 1

Said water to be diverted by means of Nipper Dam across Portneuf River, which diverts water

PROFIT

RECEIVED

MAY 15 1900

SCANNED

MAY 12 2005

MAY - 4 2001

Log for claim A29-00030

Spatial Dynamics LTD

6/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s39e	17	NWSW	40	40	
07s39e	17	SWSW	40	40	
07s39e	18	NESE	6	6	
07s39e	18	SESE	6	5.8	
07s39e	19	NENE	6	16	Indiscernible
07s39e	19	SWNE	30	30	
07s39e	19	SENE	38	40	
07s39e	19	NESW	20	21	
07s39e	19	NESW	8	9.2	
07s39e	19	NESE	38	40	
07s39e	19	NWSE	40	40	
07s39e	20	NWNW	40	40	
07s39e	20	SWNW	40	40	
07s39e	20	NWSW	40	40	
Totals:			392	408	

AJ5809NP
No. A29-00030

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL L PHILLIPS	10/18/1889	IRRIGATION	04-01 11-01	3.840 CFS	
C	NOLA RAE PHILLIPS 2884 W 1400 S ABERDEEN ID 83210 (208) 397-4690				3.840 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:		950.00 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R39E S17

NWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	39E	17											40	40					80.0
07S	39E	18														06		06	12.0
07S	39E	19		06			30	38								38	40		152.0
07S	39E	20								40	40			40					120.0
TOTAL ACRES																			392.0

Lots Without 1/4 1/4 Description: IRRIGATION
07S 39E 19 02-08 03-20

SUM
28.0

POU County: CARIBOU

Non-Irrigation Uses: STOCKWATER, 400 CATTLE

Other Rights: A29-00031/02379

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10299 A29-00031 A29-02379 A29-10299

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00031 A29-00104 A29-00105 A29-00106 A29-02379 A29-02529

Remarks: GEN THE WATER IS DIVERTED BY MEANS OF A PRIVATE DITCH AND A TRACTOR
PUMP. THE TRACTOR PUMP IS MOVED ALONG THE RIVER AS NEEDED FROM
T7S R39E S17 NW1/4 OF THE SW1/4 TO T7S R39E S19 LOT 4.

Dates: Exam Made Date: Verified Date: 07/15/1985 Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag: D

Audit: 01/26/90 DUNN 03/29/95 POST-STD

30-200-492

SCANNED

MAY - 4 2001

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: A29-00030

Date Received: 1/26/1990

Receipt No: ED11865

Received By: SMD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL L PHILLIPS 208-397-4690
Address: 2884 W 1400 S
ABEERDEEN, ID 83210

OR

Name: NOLA RAE PHILLIPS 208-397-4690
Address: 2884 W 1400 S
ABEERDEEN, ID 83210

2. Date of Priority: OCT 18, 1889

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07S	39E	17 18	NW NE NE SE	SW	CARIBOU

5. Description of diverting works:
PRIVATE DITCH

6. Water is used for the following purposes:

Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 3.840

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

8. Total consumptive use is 950.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 CATTLE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	39E	17	NW	SW		IRR	40.0 32
			SW	SW		IRR	40.0 -
			Section Acres				80.0 72
		18	NE	SE		IRR	6.0 5.0
			SE	SE		IRR	6.0 5.0
			Section Acres				12.0 10.0
		19			2	IRR	8.0 5.0
					3	IRR	20.0 11.0
			NE	NE		IRR	6.0 15.0
			SW	NE		IRR	30.0 28.0
			SE	NE		IRR	38.0 39.0
			NE	SE		IRR	38.0 40.0
			NW	SE		IRR	40.0 20.0
			Section Acres				180.0 189
		20	NW	NW		IRR	40.0 -
			SW	NW		IRR	40.0 -
			NW	SW		IRR	40.0 37.0
			Section Acres				120.0 117
			Total Acres				392.0

L4 15.0
SWSE 12.0
~~SESW 5.0~~
SESE 4.0

Sec. 24.
NENE 1 SENE 3.

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
A29-00031/02379

14. Remarks:
THE WATER IS DIVERTED BY MEANS OF A PRIVATE DITCH AND A TRACTOR PUMP. THE TRACTOR PUMP IS MOVED ALONG THE RIVER AS NEEDED FROM T7S R39E S17 NW1/4 OF THE SW1/4 TO T7S R39E S19 LOT 4.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

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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): Carl L Phillips Date: 1-26-90
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Jan 19 90

[Signature]
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 9-12-94

R38E

R39E

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RECEIVED

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