

06/16/2003

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

**RIGHT NUMBER: 29-31**

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: 3.430 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13321 IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 3.43 CFS.

PRIORITY DATE: 05/01/1887

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          | 3.430 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

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.

This right and right 29-13321 is limited to the irrigation of 172 acres within  
the place of use described above in a single irrigation season.

06/16/2003

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

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EXPLANATORY MATERIAL: Decreed

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

RIGHT NO. 29-30, 29-13320 AND 29-13321 IS ALSO DIVERTED THROUGH  
POINT OF DIVERSION DESCRIBED ABOVE.

07/10/2002

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

**RIGHT NUMBER: 29-31**

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

CARL L PHILLIPS  
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SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 3.43 CFS

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DIVERSION RATE OF 3.43 CFS.

PRIORITY DATE: 05/01/1887

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          | 3.430 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

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.

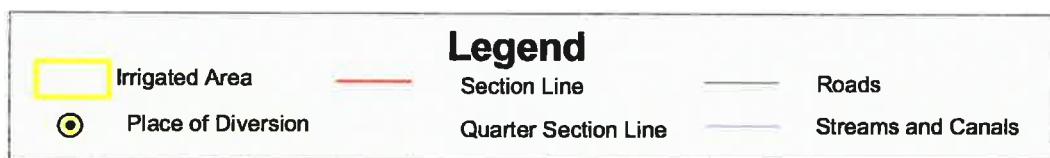
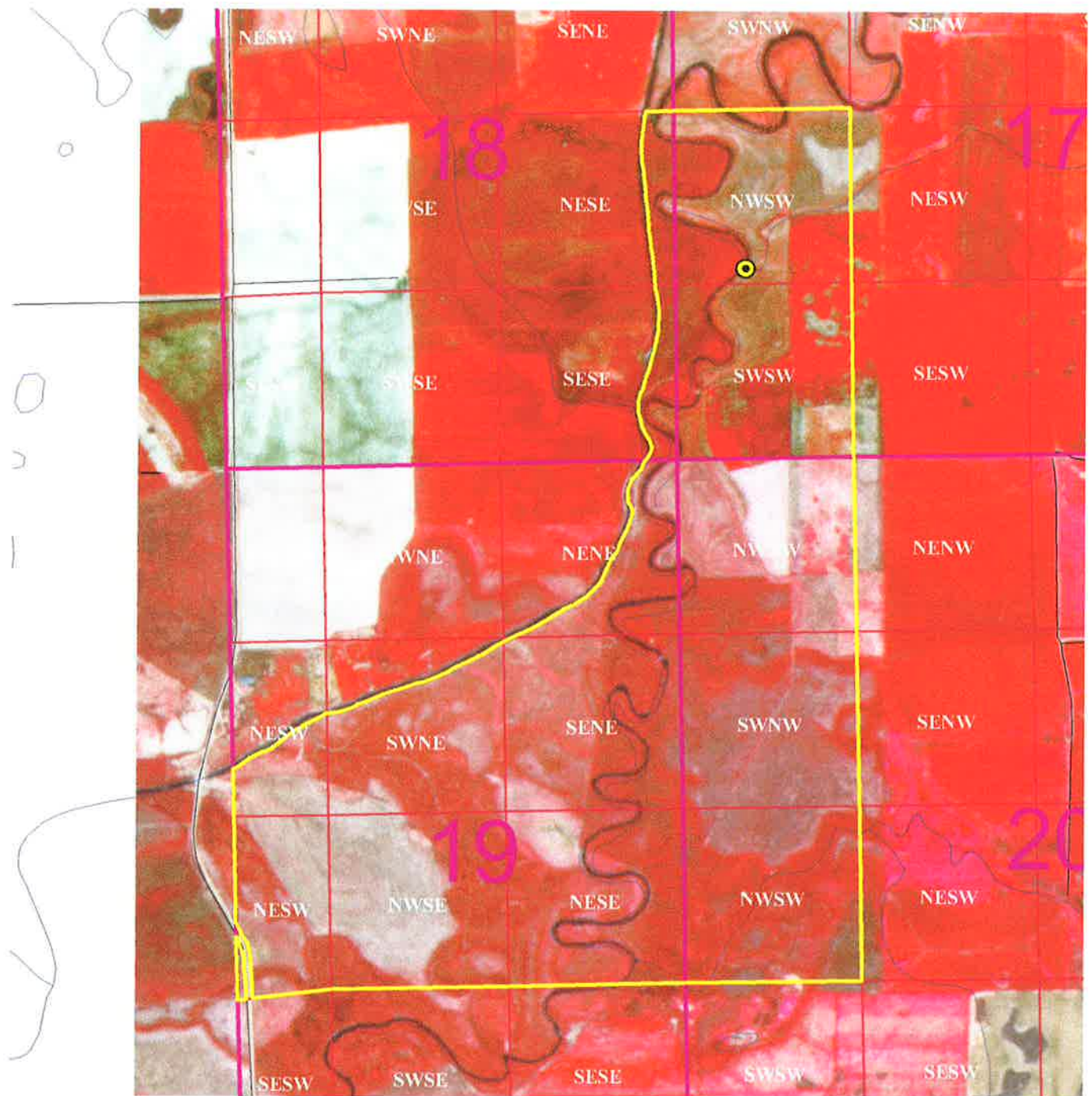
This right and right 29-13321 is limited to the irrigation of 172 acres within  
the place of use described above in a single irrigation season.

EXPLANATORY MATERIAL: Decreed

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

RIGHT NO. 29-30, 29-13320 AND 29-13321 IS ALSO DIVERTED THROUGH  
POINT OF DIVERSION DESCRIBED ABOVE.

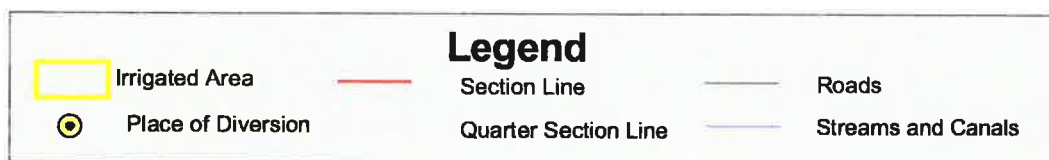
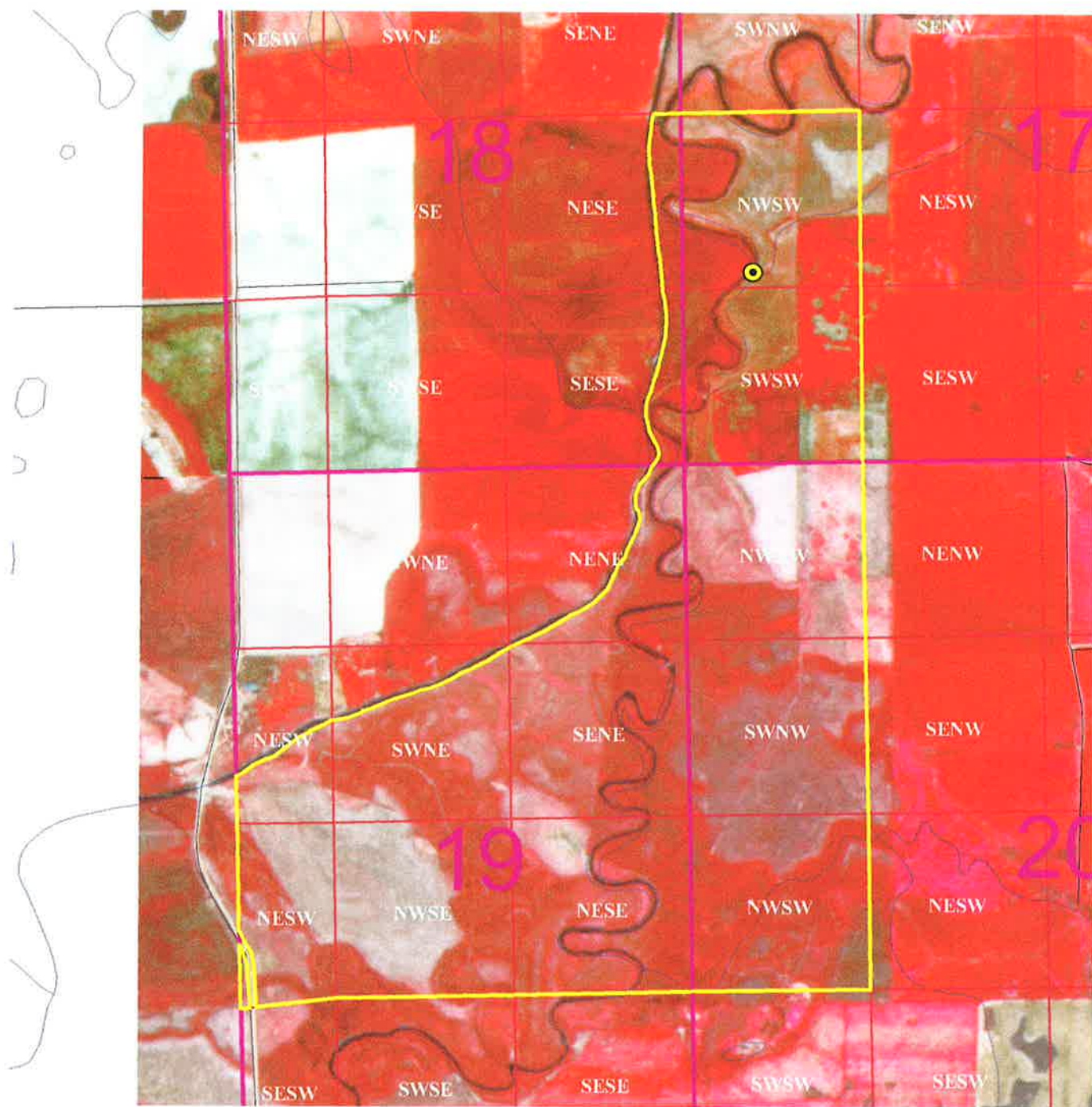
Townships , 7S39E, 7S38E



600 0 600 1200 Feet



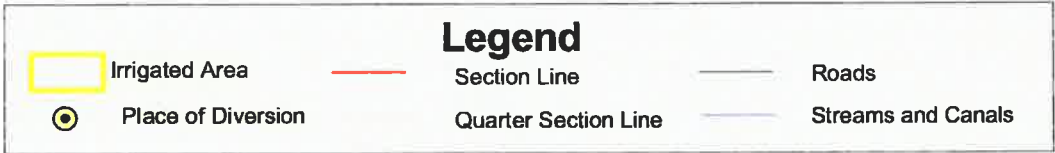
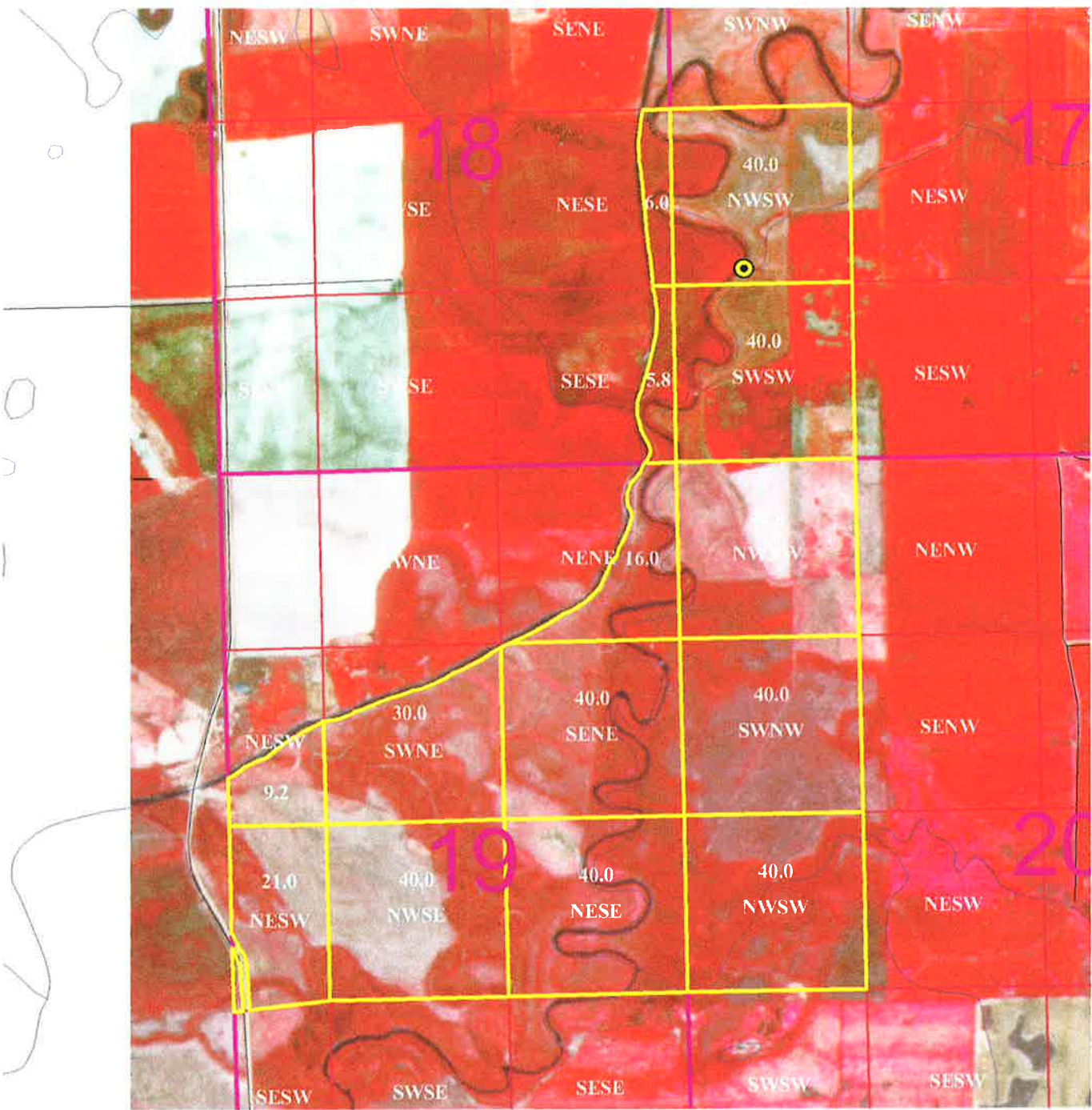
Townships , 7S39E, 7S38E



600 0 600 1200 Feet



Townships , 7S39E, 7S38E

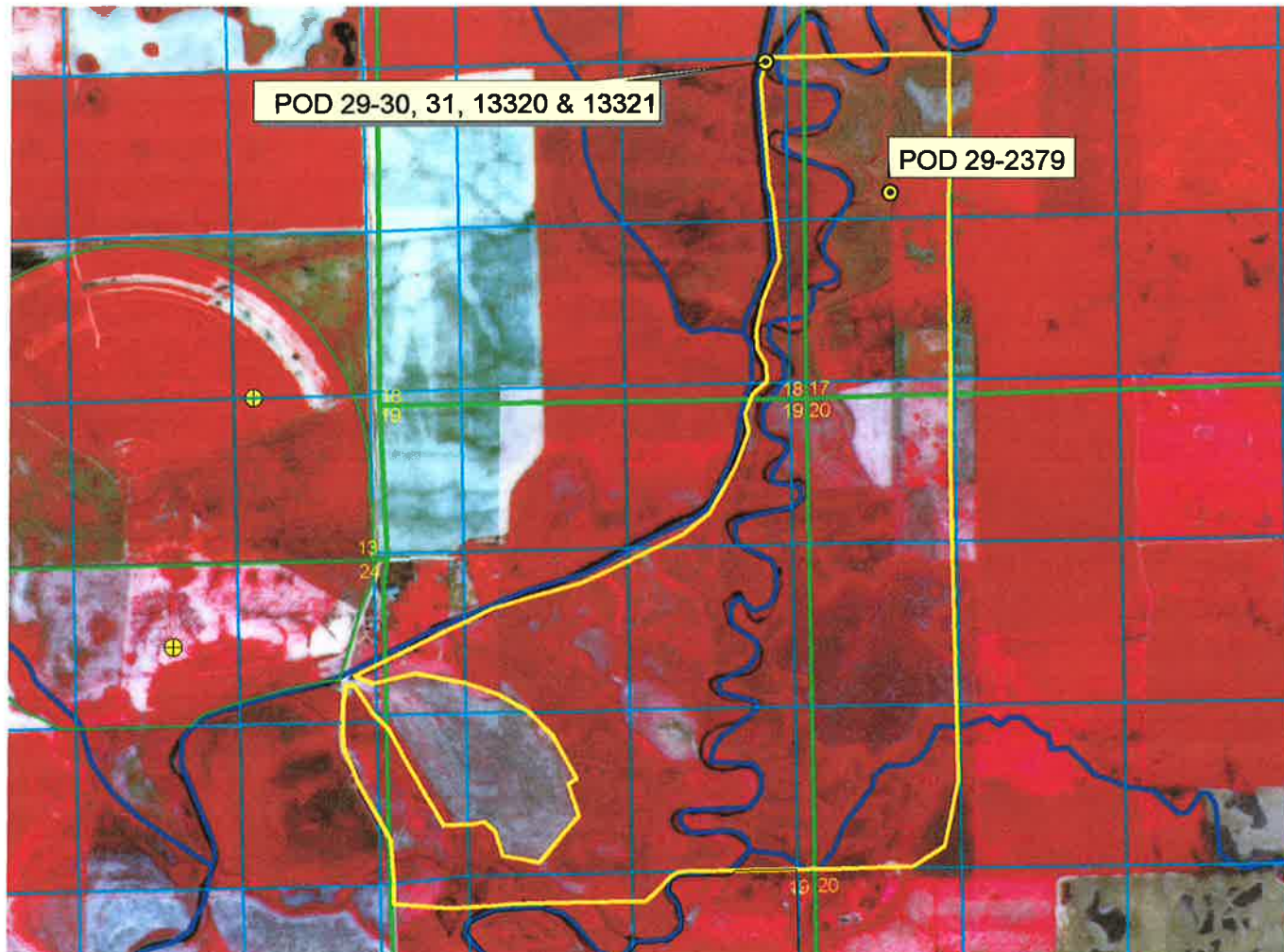




# STATE OF IDAHO

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



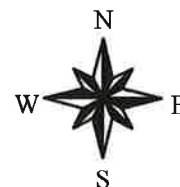
IRRIGATED ACRES: 382.2

### 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

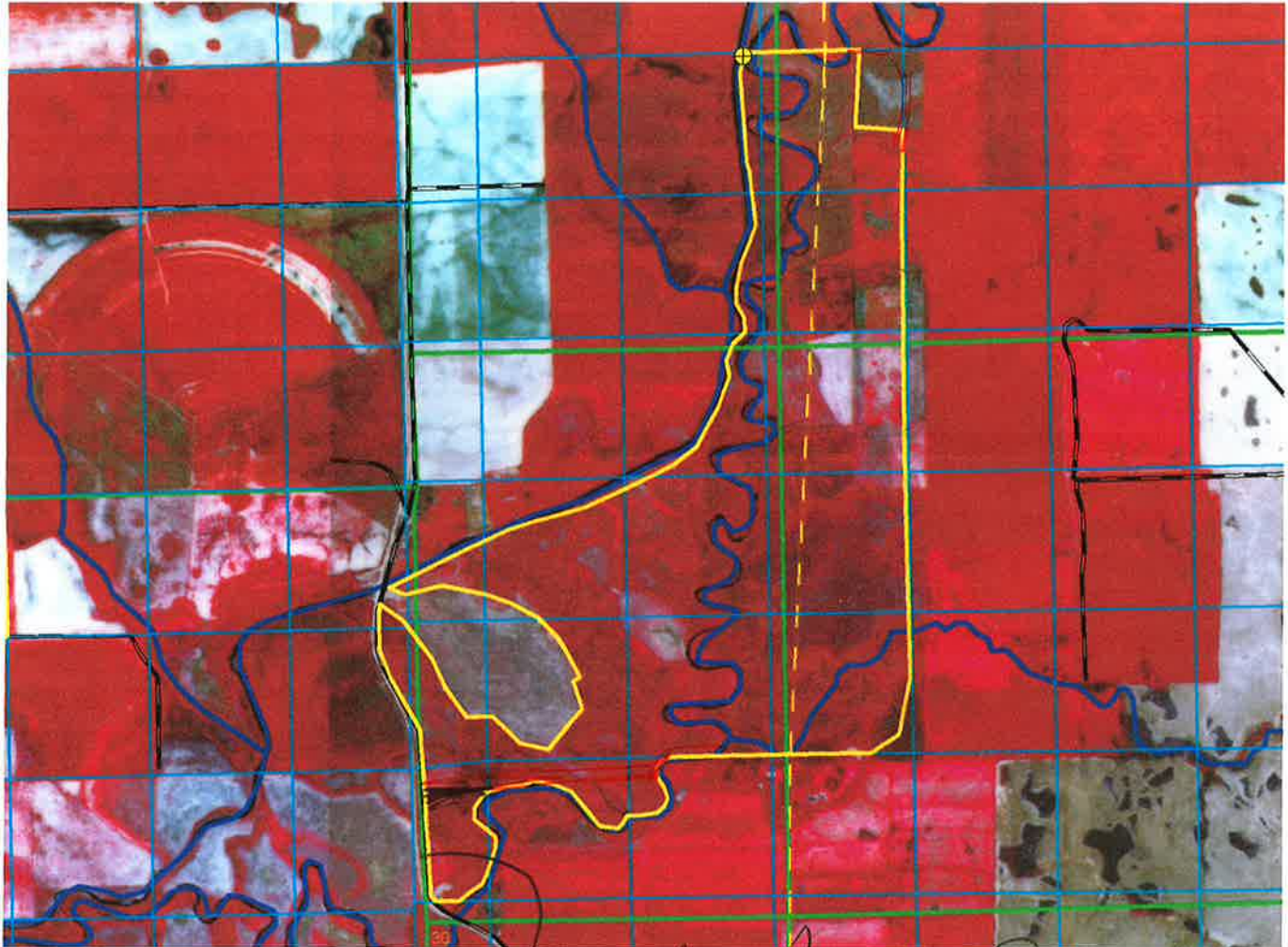
MAY 12 2005



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

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



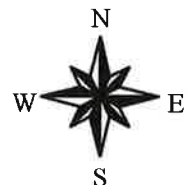
1000 0 1000 2000 3000 Feet

## 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



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](http://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

PROFILED

**Priority Date Data Entry Form**Claim Number: A29-31Water Right Priority Date: 5-1-1887Water Right Basis: decreeClaimed Priority Date: 5-1-1887Claimed Basis: decree

Recommended Priority Date: \_\_\_\_\_ Recommended Basis: \_\_\_\_\_

☒ 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.

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Reviewer: CBDate: 7/2/02

SCANNED

MAY 12 2005

PROFIT

## Point of Diversion and Source Data Entry Form

Claim Number: 29-31Water Right Point of Diversion: T 7S, R 39E, Sec. 17, NW SW, County: Caribou

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

Claimed Point of Diversion: T 7S, R 39E, Sec. 17, NW SW, County: Caribou

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

Recommended Point of Diversion: T 7S, R 39E, Sec. 18, NE NE SE, County: CaribouSource: Portneuf River Tributary: Snake River

Use Claimed POD and Source as Recommended POD and Source

| Twp                    | Rge   | Sec   | Gov Lot | QQQ of QQ of Q | County | Source |
|------------------------|-------|-------|---------|----------------|--------|--------|
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |                |        |        |
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |                |        |        |
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |                |        |        |
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |                |        |        |
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |                |        |        |
| _____                  | _____ | _____ | _____   | _____          | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |                |        |        |

Other rights from this POD? \_\_\_\_\_

Document how the POD and Source were verified and/or Pump and Motor data:

UG & E: decree.

Use 1987/88 imagery and it puts the POD  
across the line into section 18, otherwise  
the POD matches the decree.

Transfers Changing POD NOReviewer: CB

SCANNED

Date:

7/2/02

MAY 12 2005

## Place Of Use Data Entry Form

Claim Number: 29-31☐ Use Claimed POU as Recommended POU

## Claimed Place of Use

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

Total Acres \_\_\_\_\_

## Recommended Place of Use

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

Total Acres ~~443~~ 392

Document how the POU was verified:

1987/88 NAPP Photography.warranty deed.6/24/02 meeting with claimant

- accomplished change in POU - water is conveyed through the old Portneuf River channel and is pumped out of the ditch and can now be used more effectively on the property.

Transfers Changing POU NO-Reviewer: CB

SCANNED

MAY 12 2005

PROCESSED

## Purpose of Use Data Entry Form

Claim Number: 29-31     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 |                 |                 | 171.86     |                 |
|            |                 |                 |            |                 |
|            |                 |                 |            |                 |

## 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 |                 |                 | 171.86     |                 |
|            |                 |                 |            |                 |
|            |                 |                 |            |                 |

(172)

Document how the Purpose of Use was verified:

1987/88 NAPP Photography.  
4/24/02 Meeting with claimant.

~~Accomplished~~

Transfers Changing Purpose of Use

~~NO - accomplished transfer~~Reviewer: CBDate: 7/2/01

PROCESSED

SCANNED

MAY 12 2005

## Period of Use and Quantity Data Entry Form

Claim Number: 29-31☐ 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 |
|-----------|-------|------|------|--------|
| "01"      | 4/15  | 7/15 | 3.43 |        |
|           |       |      |      |        |
|           |       |      |      |        |

Overall Diversion Rate 3.43 Overall Diversion Volume \_\_\_\_\_

## Claimed Period of Use and Diversion Rate

| Water Use | Start | End  | Rate | Volume |
|-----------|-------|------|------|--------|
| "01"      | 4/1   | 11/1 | 3.43 |        |
|           |       |      |      |        |
|           |       |      |      |        |

Overall Diversion Rate 3.43 Overall Diversion Volume \_\_\_\_\_

## Recommended Period of Use and Diversion Rate

| Water Use | Start | End  | Rate | Volume |
|-----------|-------|------|------|--------|
| "01"      | 4/15  | 7/15 | 3.43 |        |
|           |       |      |      |        |
|           |       |      |      |        |

Overall Diversion Rate 3.43 Overall Diversion Volume \_\_\_\_\_

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

~~SOS should remark.~~ No should remark Claimant  
filed B.U. claims for the extended season  
of use.

Reviewer: CBDate: 7/2/02

PROF

SCANNED

MAY 12 2005

| Owner Type | Full Name | Address | City | State | Zip | Phone |
|------------|-----------|---------|------|-------|-----|-------|
|------------|-----------|---------|------|-------|-----|-------|

Name connector: and \_\_\_\_, or \_\_\_\_, and/or \_\_\_\_

Current Owner 1. al

Current Owner J.D. [Signature]

Representing Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Accompanied By: drive by Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

Date of Field Exam: 7/2/02 Time: \_\_\_\_\_

**Directions to Property (if different from above) and/or update owner information:**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Reviewer: CB

Date:

SCANNED

MAY 12 2005

18. Gooch, John O. Jr. 1.77 c.f.s.  
29 00271888. 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 00281888. 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

20. PURVIS BROTHERS .14 c.f.s.  
29 00291888. 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 00301889. Oct. 18.

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.

29 Ac

NW SW Sect. 17

22. NIPPER, Thomas J. 3.43 c.f.s.  
3 00311887 May 1

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

FILED

MAY 15 1900

SCANNED

MAY 12 2005

171.86 Acr.

from the river at the point where the North line of the South half of the South half, Section 17, Township 7, South, Range 39 East, crosses said River, for the irrigation of 20.46 acres of land in the East half of the Southeast quarter of Section 18; 34.04 acres in the East half of the Northeast quarter, Section 19; 35.16 acres in the Southwest quarter of the Northeast quarter; Section 19, 41.3 acres in Lots 2 and 3, Section 19; 40.9 acres in the North half of the Southeast quarter, Section 19, all in Township 7 South, Range 39 East.

23. SYMONS, John W. .30 c.f.s.  
29 0034 1889 July 1

Said water to be diverted through the Dempsey and Topaz Canals. The Dempsey and Topaz Canals have a common heading from the River, the Topaz being a continuation of the Dempsey. The Dempsey Canal diverts in the Northeast quarter of the Southwest quarter of Section 28, Township 8 South, Range 38 East. From the South quarter corner of Section 28, the point of diversion bears North 34 degrees west, 2130 feet, for the irrigation of land described as follows:

Beginning at the Northeast corner of Lot 2, Section 4, Township 9 South, Range 38 East, running thence South 69 rods; thence West at right angles 160 rods to the East bank of Portneuf River; thence running North following the meandering of said East bank of said River to the North line of Lot 3; running thence East on the Township line to the point of beginning, being the North 69 rods of Lots 2 and 3, Section 4, Township 9 South, Range 38 East.

24. WHITWORTH, Geo. A. .40 c.f.s.  
29 0034 1889 July 1.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of 20 acres of land in the West half of the Southeast Quarter, Section 4, Township 9 South, Range 38 East.

25. JOHN, George .70 c.f.s.  
29 0034 1889 May 1

Said water to be diverted through the said Dempsey and Topaz Canals, last above described, for the irrigation of that portion of land of Lot 2, and the Northeast quarter of the Northeast quarter, Section 9, Township 9 South, Range 38 East, lying East of the O.S.L.R.R. right of way.

26. WARNER, Cordelia .10 c.f.s.  
29 0035 1890 April 1

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of 5.3 acres of land lying in Lot 4, the Southwest quarter of the Northeast quarter, Section 4, Township 9 South, Range 38 East, bounded on the East by the Dempsey Canal, and on the West by the right of way of the O.S.L.R.R.

27. DEMPSEY IRRIGATING COMPANY and TOPAZ IRRIGATION COMPANY.  
29 0036 1898 April 18 32 32 c.f.s.  
29 0037 1907 Jan. 14 7.5 c.f.s.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of lands under

see memo of Decision

SCANNED  
MAY 12 2005

MAY 15 1908

WR5809NP  
No. 29-00031

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 05/24/01  
PAGE: 7

| OWNER<br>CODE    | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | THOMAS J. NIPPER | 05/01/1887       | IRRIGATION | 04/15 09/15           | 3.430 CFS         |                     |
| TOTAL DIVERSION: |                  |                  |            |                       | 3.430 CFS         |                     |

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R39E S17

NWSW

SWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |     |  |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|-----|--|
| T   | R   | S  |   | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : | SUM |  |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   |     |  |
| 07S | 39E | 18 | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : | I    |      |      |      | I | :   |  |
| 07S | 39E | 19 | : | I    |      |      | I    | :  |      |      |      | 02-I | : |      | 03-I |      |      | : | I    |      | I    |      |   | :   |  |

Pou County: CARIBOU

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

Other Water Rights Listing Overlapping Place(s) of use:  
29-00030 29-00103 29-00104 29-00105 29-00106 29-02379 29-02529

Remarks: GEN P/U INCOMPLETE, ACRES IRR. 171.86.  
P/D : NIPPER DAM.

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 05/01/1887 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 29 Field Exam Fee:

Audit: 07/15/85 05/22/88 CONVERT

SCANNED

MAY - 4 2001

Log for claim A29-00031

Spatial Dynamics LTD

6/21/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>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. A29-00031

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00  
PAGE: 5

| OWNER<br>CODE | NAME & ADDRESS     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | CARL L PHILLIPS    | 05/01/1887       | IRRIGATION | 04-01 11-01           | 3.430 CFS         |                     |
| C             | NOLA RAE PHILLIPS  |                  |            |                       |                   |                     |
|               | 2884 W 1400 S      |                  |            |                       |                   |                     |
|               | ABEERDEEN ID 83210 |                  |            | TOTAL DIVERSION:      | 3.430 CFS         |                     |
|               | (208) 397-4690     |                  |            | 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: A29-00030/02379

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
29-10299 A29-00030 A29-02379 A29-10299

Other Water Rights Listing Overlapping Place(s) of Use:  
A29-00030 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

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: A29-00031  
Date Received: 1/26/1990  
Receipt No: EQ11865  
Received By: DM

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: MAY 01, 1887

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      | NW 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 | 3.430  |      |        |

7. Total Quantity Appropriated is:  
3.430 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

A2900031



A29-00031

Page 1

Date: 01/26/90

MICROFILMED

NOV 13 1992

10. Place of Use:

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 07S      | 39E   | 17      | NW            | SW  |     | IRR | 40.0  |
|          |       |         | SW            | SW  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 80.0  |
|          |       | 18      | NE            | SE  |     | IRR | 6.0   |
|          |       |         | SE            | SE  |     | IRR | 6.0   |
|          |       |         | Section Acres |     |     |     | 12.0  |
|          |       | 19      |               |     | 2   | IRR | 8.0   |
|          |       |         |               |     | 3   | IRR | 20.0  |
|          |       |         | NE            | NE  |     | IRR | 6.0   |
|          |       |         | SW            | NE  |     | IRR | 30.0  |
|          |       |         | SE            | NE  |     | IRR | 38.0  |
|          |       |         | NE            | SE  |     | IRR | 38.0  |
|          |       |         | NW            | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 180.0 |
|          |       | 20      | NW            | NW  |     | IRR | 40.0  |
|          |       |         | SW            | NW  |     | IRR | 40.0  |
|          |       |         | NW            | SW  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 120.0 |
|          |       |         | Total Acres   |     |     |     | 392.0 |

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:  
A29-00030/02379

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

A29-00031

Page

2

Date: 01/26/90

MICROFILMED

NOV 13 1992

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): Paul Phillips Date: 1-26-90  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of BOONVILLE ) 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

18

Feb 17

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ICROFILMED