

09/30/2005

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

RIGHT NUMBER: 75-99

NAME AND ADDRESS: CLYDE L PHILLIPS
12 HUSSEY LN
SALMON ID 83467

SOURCE: IRON CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.600 CFS

~~Right Nos. 75-99, 75-4403 and 75-14194 are limited to a total combined
diversion rate of 1.5 cfs.~~

PRIORITY DATE: 06/01/1916

POINT OF DIVERSION:

T18N R21E S8 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.600 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T18N R21E S08

NWSE

2.0

T18N R21E S08

SWSE

1.7

T18N R21E S08

SESE

3.1

6.8 ACRES TOTAL

total

Right Nos. 75-99 and 75-14194 are limited to the irrigation of a combined
of 6.8 acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



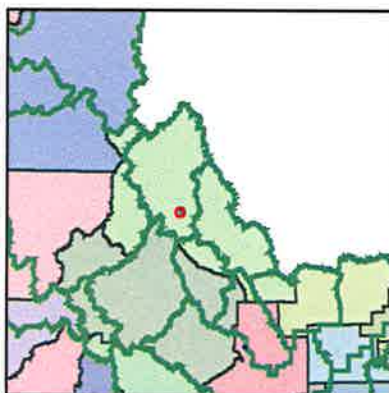
Idaho Department of Water Resources

Adjudication Claim Number: **75-99, 75-4403, 75-14194**

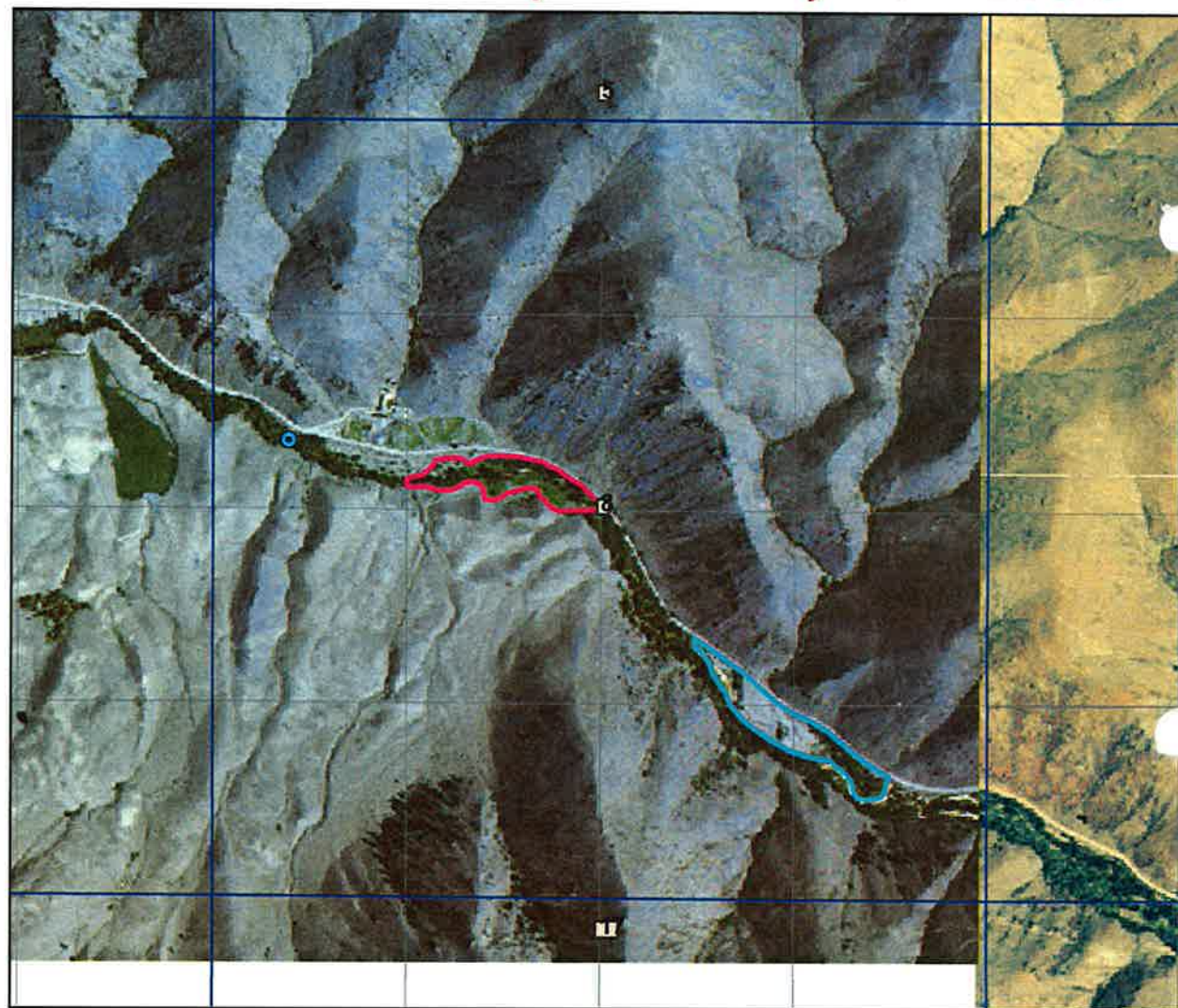
T18N R21E

Legend

- Point of diversion
- 75-4403
- 75-99, 75-14194.shp
- Township/Range
- Sections
- GCDB18N21E GCDB



Lemhi County
IDWR Basin 75



0 0.4 0.8 Miles

A horizontal scale bar with markings for 0, 0.4, and 0.8 miles.

Prepared by R. Brown
On Friday, September 30, 2005
1988 Aerial Photography

11/20/2006

**NOTICE OF ERROR
REPLY**

RECEIVED
DEC 13 2006
DEPARTMENT OF
WATER RESOURCES

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: 12/13/2006

Water right number: 75-99

CLYDE L PHILLIPS
12 HUSSEY LN
SALMON ID 83467

Telephone Number: (208) 894-2224

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: 12-06-06

SIGNATURE:

Clyde L. Phillips

Please print your name:

Clyde L. Phillips

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED ✓
DEC 13 2006

11/20/2006

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CLYDE L. Phillips

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED

12/14/2006

OCT 03 201

NOVEMBER 18, 1992

EUGENE HUSSEY
HC 61 BOX 117
SALMON ID 83467

RE: NOTICE OF CLAIM A75-00099

Dear Mr. Hussey:

While doing the initial comparison between computer generated Notices and hard copy Notices filed by claimants in Basin 75 (Lemhi County), it has come to our attention that a signed and notarized copy of your notice is not in our files.

Although a Notice of Claim to your water right has been data entered in our computer system, it is necessary that we have a signed and notarized Notice before we can process the Notice and make recommendations to the court. Since your name is the only one listed on the Notice, you are the one who must sign it.

I have enclosed for your convenience a typed Notice of Claim that must be signed in the presence of a Notary and returned to this department within 10 days (December 3, 1992). If the signed Notice is not returned by this date, this office will initiate procedures for refunding the filing fee paid in conjunction with the Notice of Claim form you submitted for the Snake River Basin Adjudication (SRBA).

The effect of this action will be to remove this Notice from the Department's records. Should you decide to refile this Notice once the refund has been issued, the new filing will be subject to a late fee of \$50.00

I will keep your Notice of Claim in my office until December 3, 1992. If we have not heard from you, the refund process will be initiated.

MICROFILMED
DEC 15 1992

Eugene Hussey
Page - 2 -

I am sorry for any inconvenience. Please do not hesitate to contact this office if you have any questions regarding this matter (525-7161).

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure

File: TIC

MICROFILMED
DEC 15 1992

OCT 03 2011

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: A75-00099

Date Received: 5/01/1990

Receipt No: 10006819

Received By: D. H. S.

NOV 23 1992

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: EUGENE HUSSEY
Address: HC 61 BOX 117
SALMON, ID

836⁴⁶47

2. Date of Priority: JUN 01, 1916

3. Source: IRON CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

A7500099

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	8	SE	SW	NW		LEMHI

5. Description of diverting works:
ONE HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			0.600		

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

A.F.A.

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	8	NW	SE		IRR	4.0
			SW	SE		IRR	4.0
			SE	SE		IRR	4.0

Section Acres 12.0

A75-00099

Page 1

Date: 05/01/90

MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	9	SW	SW		IRR	3.0
Section Acres							3.0
Total Acres							15.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE IRRIGATION SEASON HAS NOT BEEN STIPULATED UNDER THE DECREE
AS THE LANDS HAVE HISTORICALLY BEEN IRRIGATED AS EARLY AS MID-
FEBRUARY UNTIL AS LATE AS THE FIRST WEEK OF DECEMBER

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

L. SCHULTZ

Decree Plaintiff

vs

F. HUSSEY

Decree Defendant

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): Eugene G Hussey Date: 11-20-92
_____ Date: _____

State of Idaho)
County of LEMHI) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of NOVEMBER 19 92 Ben Allen
Notary Public

Seal

Residing at SALMON
My Commission Expires 2-19-97

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of _____

SS.

Sworn to before me this 20 day of _____

Δηλ.

(Claimant)

19 61

DEC 15 1992

Notary Public

2011-7-24

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Eugene B. Flanagan
(Claimant)

CONFIDENTIAL

66000-574

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-99

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: Clyde L. Phillips

☐ No Change ADDRESS

☒ NEW ADDRESS: 12 Hussey Ln Salmon ID 83467

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: NO TAG SET ON map

Township 18N Range 21E Section 8 1/4 SE 1/4 SW 1/4 NW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

dam in creek, ditch to place of use

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-17-05

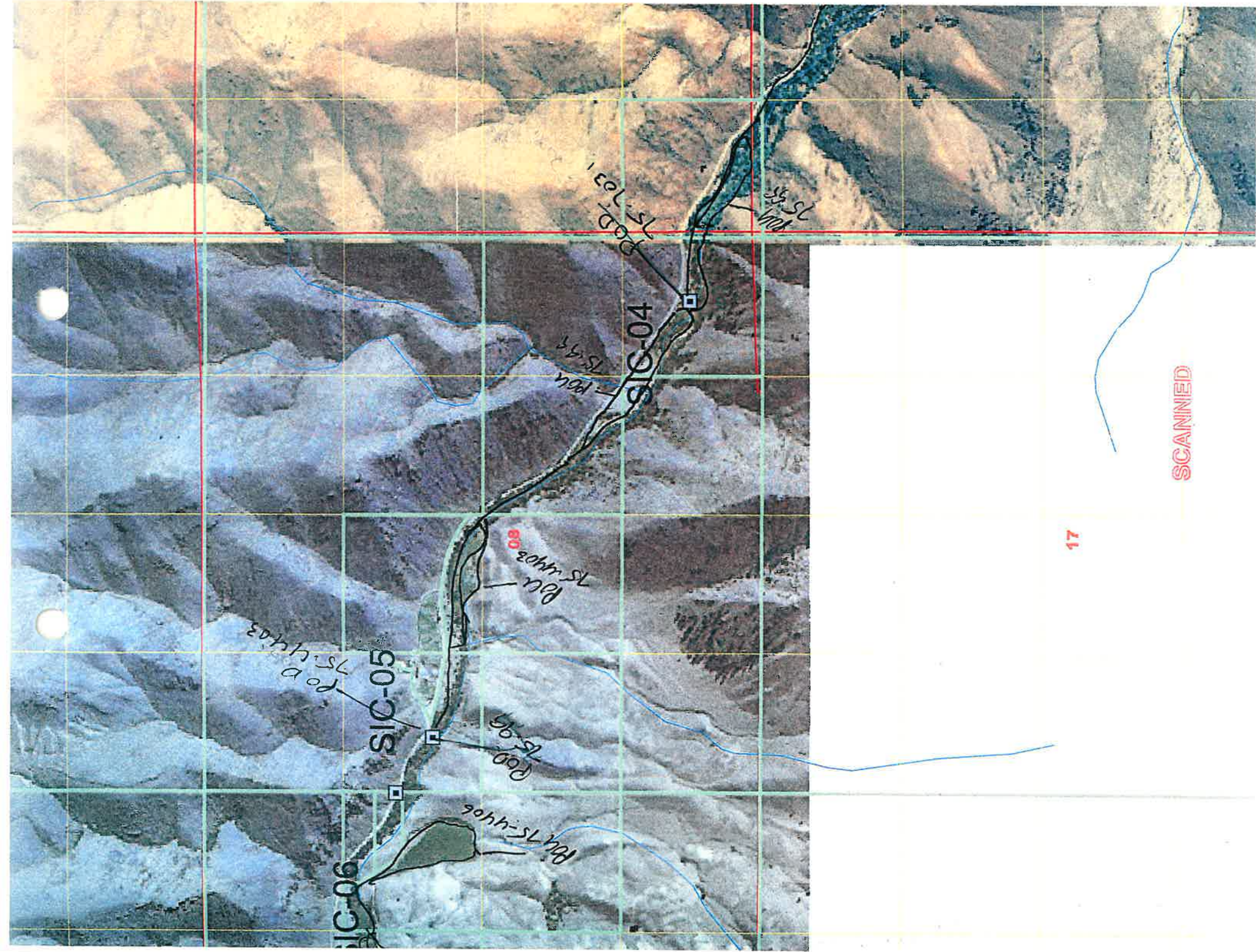
FIELD EXAMINER:

Bob Foster

Print Name

Bob Foster

Signature



SCANNED

File IRON CREEK 5

Jimmy

Start Date and Time ----- 2004/06/02 11:39:52
 Sensor Type ----- FlowTracker Handheld ADV
 SerialNumber ----- P170
 Averaging Time ----- 20 sec
 Units system ----- ENGLISH
 Staff height ----- 0.00 ft
 Gauge height ----- 0.00 ft
 Rated discharge ----- 0.000 cfs
 Starting edge of water ---- LEW
 Number of stations ----- 8
 Total width ----- 2.7 ft
 Total area ----- 0.82 ft^2
 Total discharge ----- 1.572 cfs
 Mean velocity ----- 1.858 ft/s
 Mean SNR ----- 31.9 dB
 Mean std. error of vel. -- 0.09 ft/s
 Mean boundary conditions -- 0 (BEST)
 Boundary condition (Bnd) -- 0: BEST
 1: GOOD
 2: FAIR
 3: POOR

ST.	Loc.	Depth	IceD	MDep	Clock	Npts	Spike	Vel	SNR	Angle	Verr	Bnd	Temp	Corr	MeanV	Area	Flow
(ft)	(ft)	(ft)	(*D)		(ft/s)	(dB)	(deg)	(ft/s)	(degF)	Fact	(ft/s)	(ft^2)	(cfs)				
0	1.0	0.00	0.00	.0	00:00	0	0	0.00	0.0	0	0.0	0	0.00	1.00	0.802	0.00	0.000
1	1.3	0.20	0.00	.6	11:39	20	0	0.802	29.6	1	0.03	0	47.01	1.00	0.802	0.060	0.048
2	1.6	0.20	0.00	.6	11:40	20	0	1.383	31.3	7	0.02	0	46.96	1.00	1.383	0.060	0.083
3	1.9	0.30	0.00	.6	11:41	20	1	2.764	30.5	7	0.07	0	46.87	1.00	2.764	0.090	0.249
4	2.2	0.35	0.00	.6	11:41	20	0	3.227	30.9	5	0.18	0	46.87	1.00	3.227	0.105	0.338
5	2.5	0.40	0.00	.6	11:42	20	0	3.205	31.3	12	0.14	0	46.89	1.00	3.205	0.120	0.384
6	2.8	0.45	0.00	.6	11:43	20	0	2.814	31.3	10	0.09	0	46.89	1.00	2.814	0.135	0.380
7	3.1	0.45	0.00	.6	11:44	20	1	0.665	30.0	-12	0.17	0	46.90	1.00	0.665	0.135	0.090
8	3.4	0.40	0.00	.6	11:45	20	0	0.003	39.9	27	0.00	0	46.94	1.00	0.003	0.120	0.000
9	3.7	0.00	0.00	.0	00:00	0	0	0.00	0.0	0	0.0	0	0.00	1.00	0.003	0.00	0.000

SCANNED