

06/16/2003

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

RIGHT NUMBER: 29-13320

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. 29-30 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.84 CFS.

PRIORITY DATE: 08/08/1932

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	04/01 10/31	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

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 29-30 is limited to the irrigation of 192 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

EXPLANATORY MATERIAL: Beneficial Use

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, 29-30 AND 29-13321 IS ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

07/09/2002

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

RIGHT NUMBER: 29-13320

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

USE OF THIS RIGHT WITH RIGHT NO. 29-30 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.84 CFS.

PRIORITY DATE: 08/08/1932

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	04/01 10/31	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

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 29-30 is limited to the irrigation of 192 acres within
the place of use described above in a single irrigation season.

EXPLANATORY MATERIAL: Beneficial Use

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.

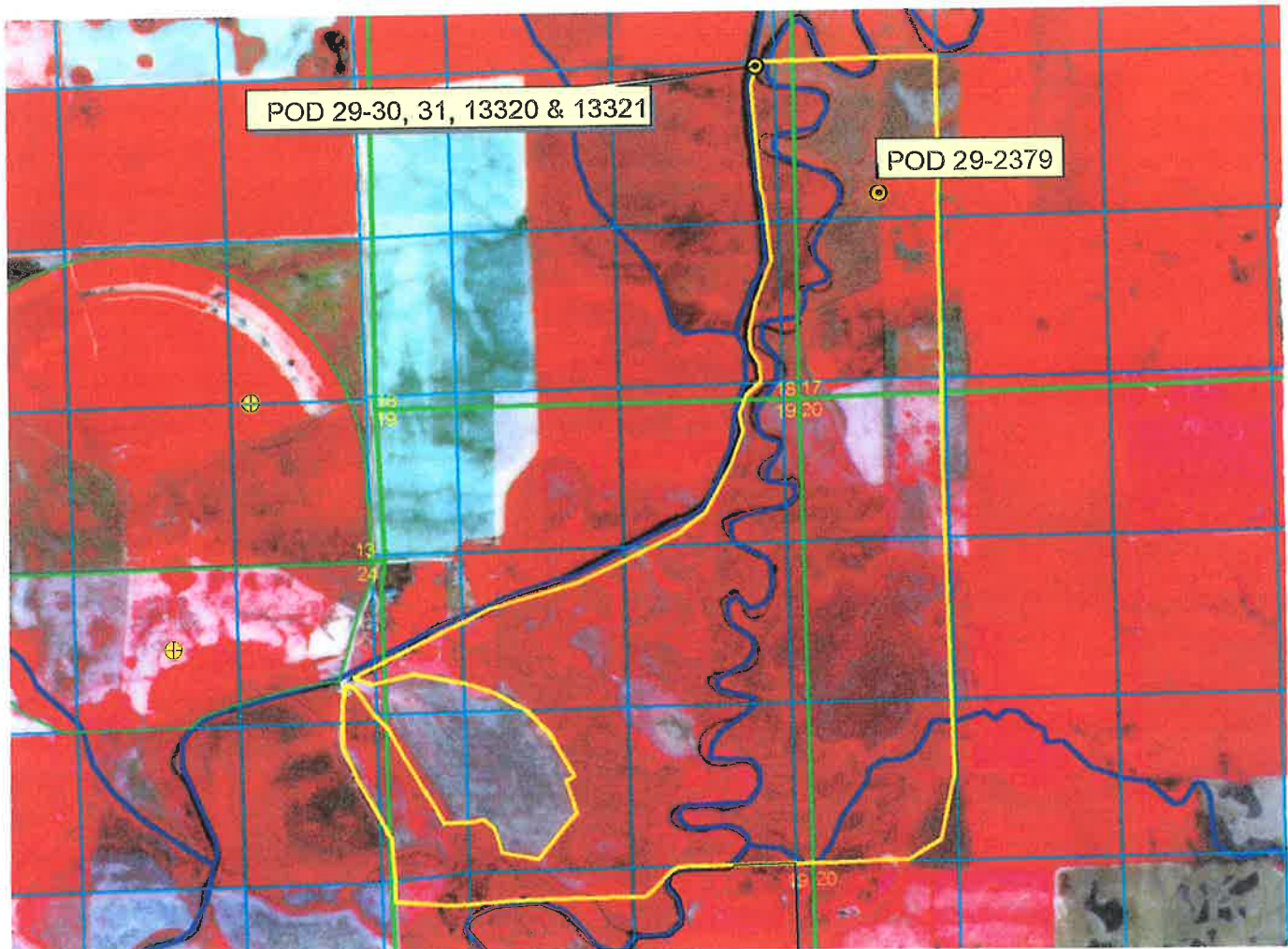
RIGHT NO. 29-31, 29-30 AND 29-13321 IS ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.



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 0.090.18 Miles



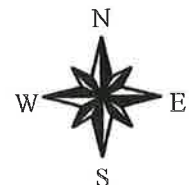
IRRIGATED ACRES: 382.2

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

Priority Date Data Entry Form

Claim Number: A29-13320

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 10/18/1889 Claimed Basis: B.U.Recommended Priority Date: 8/8/1932 Recommended Basis: B.U.☐ 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:

- priority date must be 1 day after the
U.G. & E. decree. This claim is for
the extended season of use.

7/2/02 emailed ernie carlsen to ask if this
is actually an expansion to the decreed
right or if it is a stand alone B.U.
claim?

* extends SOU for 29-30.

Reviewer: CBDate: 7/2/02

Point of Diversion and Source Data Entry Form

Claim Number: 29-13320

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 75, R 39E, Sec. 17, _____, NW, SW, County: CaribouSource: Portneut River Tributary: Snake RiverRecommended Point of Diversion: T 75, R 39E, Sec. 18, NE, NE, SE, County: CaribouSource: Portneut Tributary: Snake
☒ 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? 29-30 ; 29-31 ; 29-13321

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

1987/1988 NAPP PHOTOGRAPHYACCOMPLISHED POU change.Transfers Changing POD NOReviewer: CBDate: 7/2/02

Place Of Use Data Entry Form

Claim Number: 29-13320☐ 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.

Document how the POU was verified:

- 1987/88 NAPP PHOTOGRAPHY
- UG & E decree
- ACCOMPLISHED CHANGE IN POU

Transfers Changing POU NOReviewer: CBDate: 7/2/02See
shape
for

Purpose of Use Data Entry Form

Claim Number: _____

____ 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.				

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:

UG & E decree

Transfers Changing Purpose of Use H/OReviewer: CBDate: 7/2/02

Period of Use and Quantity Data Entry Form

Claim Number: 29-13320☐ 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

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
"01"	4/1	10/31	3.84	

Overall Diversion Rate 3.84

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
"01"	4/1	10/31	3.84	

Overall Diversion Rate 3.84

Overall Diversion Volume _____

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

- extended SOU to administrative SOU.
- No additional flow for decree A29-30

Reviewer: CBDate: 7/2/02

Contacts Data Entry Form

<u>Owner Type</u>	<u>Full Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>
Individual	John Doe	123 Main St	New York	NY	10001	(212) 555-1234
Company	ABC Corp	456 Market St	Los Angeles	CA	90001	(213) 555-5678
Government	Federal Gov	789 Capitol Hill	Washington	DC	20540	(202) 555-9012
Non-Profit	XYZ Foundation	321 Park Ave	Chicago	IL	60601	(312) 555-3456

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: CB

Date: 7/2/02

To Whom It May Concern

My husband, Stanton Cooper, watered the land on the Cooper Ranch early in March and April after the snow was gone. He also watered late in the fall, watering the meadows up to the 1st of November if water was available. This was done by him in the early 1930's.

Signed
Mrs. Stanton Cooper

STATE of Montana
County of Ravalli

Subscribed & sworn to before me this
16th day of April, 2002 by
Mrs. Stanton Cooper.

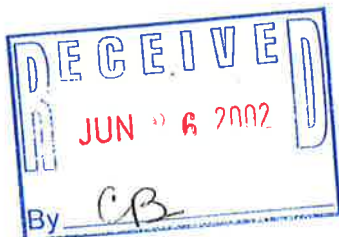


NOTARY PUBLIC - MONTANA

Residing at Hamilton, Montana

My Comm. Expires May 30, 2003

[Signature]
Notary Public
May 30, 2003



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 29-13320
Date Received: 3/11/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NOLA RAE PHILLIPS Phone: (208)397-4690
2884 W 1400 S
ABEERDEEN ID USA 83210

CARL L PHILLIPS Phone: (208)397-4690
2884 W 1400 S
ABERDEEN ID USA 83210

2. Date of Priority: 10/18/1889

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	Type
07S	39E	1718	NW SW NE NE SE	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	10/31	3.84	

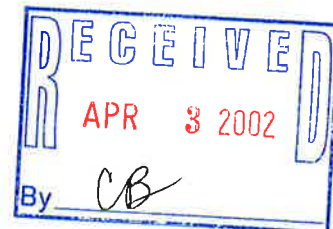
7. Total Quantity Appropriated is:
3.84 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------



07S	39E	17	NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
						Section Acres	80
07S	39E	18	NE	SE		IRRIGATION	6
			SE	SE		IRRIGATION	6
						Section Acres	12
07S	39E	19	NE	NE		IRRIGATION	6
			NW	NE	2	IRRIGATION	8
			NW	NE	3	IRRIGATION	20
			NE	SE		IRRIGATION	38
			NW	SE		IRRIGATION	40
			SW	NE		IRRIGATION	30
			SE	NE		IRRIGATION	38
						Section Acres	180
07S	39E	20	NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			NW	SW		IRRIGATION	40
						Section Acres	120
						Total Acres	392

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:

14. Remarks:

400 RANGE CATTLE

OTHER WATER RIGHTS A29-30, A29-31 AND 29-2379

THIS CLAIM WAS FILED TO EXTEND THE SEASON OF USE FOR DECREED RIGHT A29-30.

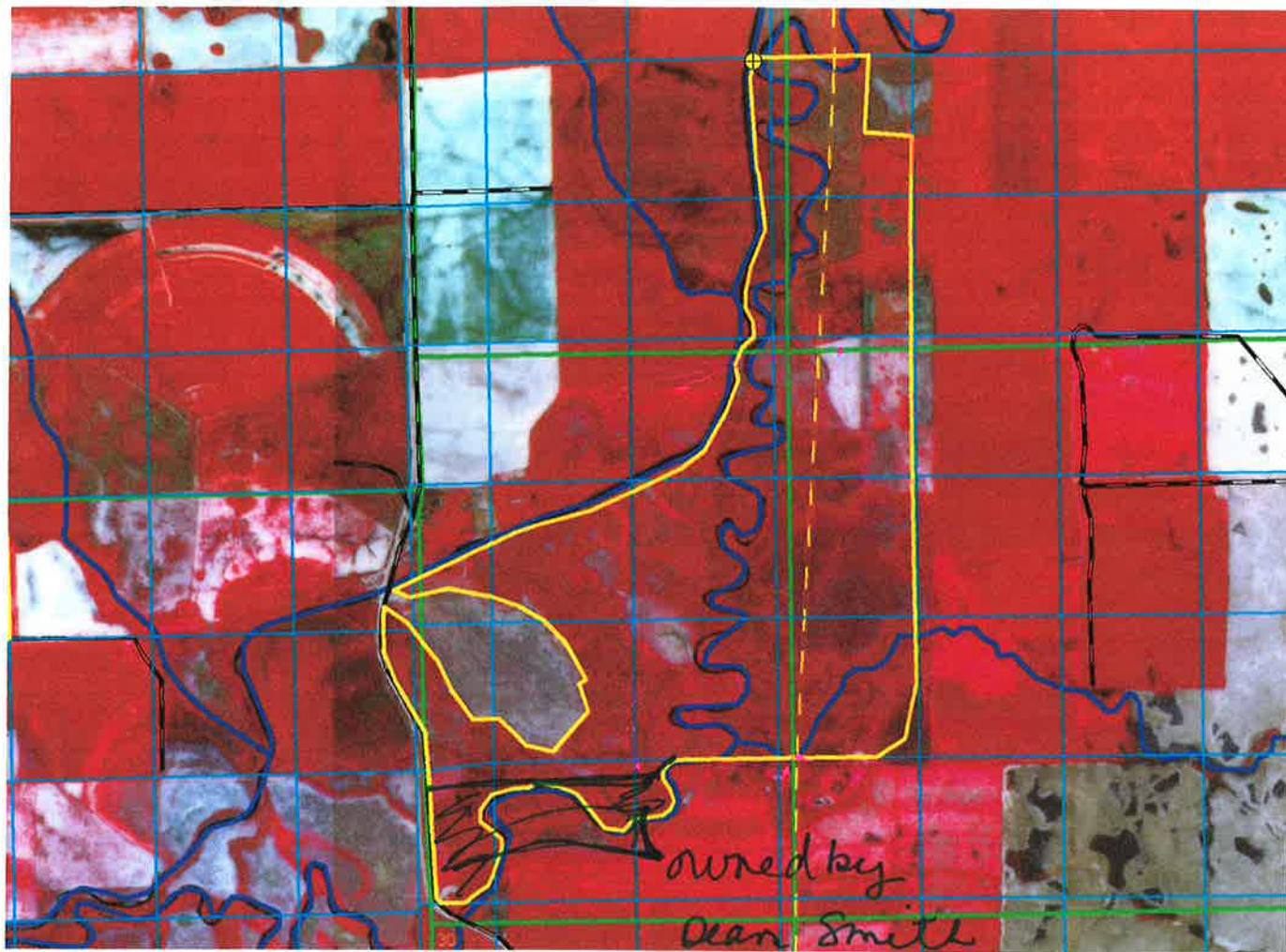
15. Basis of Claim: Beneficial Use



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



6/13/03 *[signature]*
assessors office.



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

RECEIVED

MAR 11 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources
Eastern RegionIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

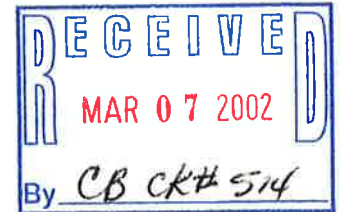
29-13320

Date Received

3-11-02

Receipt Number

EO 27526

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Carl L. & Nola Rae Phillips Phone (208) 397-4690Mailing Address 2884 W. 1400 S. Aberdeen Zip 832102. Date of Priority (Only one (1) per claim) Oct 18, 18893. Source of water supply (a) Portneuf River
which is tributary to (b) Snake River.4. a. Location of existing point of diversion is: Township 07S Range 39E Section 17,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Caribou

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.private ditch.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 4/15 amount 3.84 or _____

For Irrigation purposes from 9/16 to 10/31 amount 3.84 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.84 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 950 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 400 head of range cows.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
07S	39E	17										40	40						80
		18													6			6	12
		19	6	28	30	38									38	40			180
		20						40	40			40							120

Total number of acres irrigated 392

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A29-30, A29-31 & A29-2379 or None ()

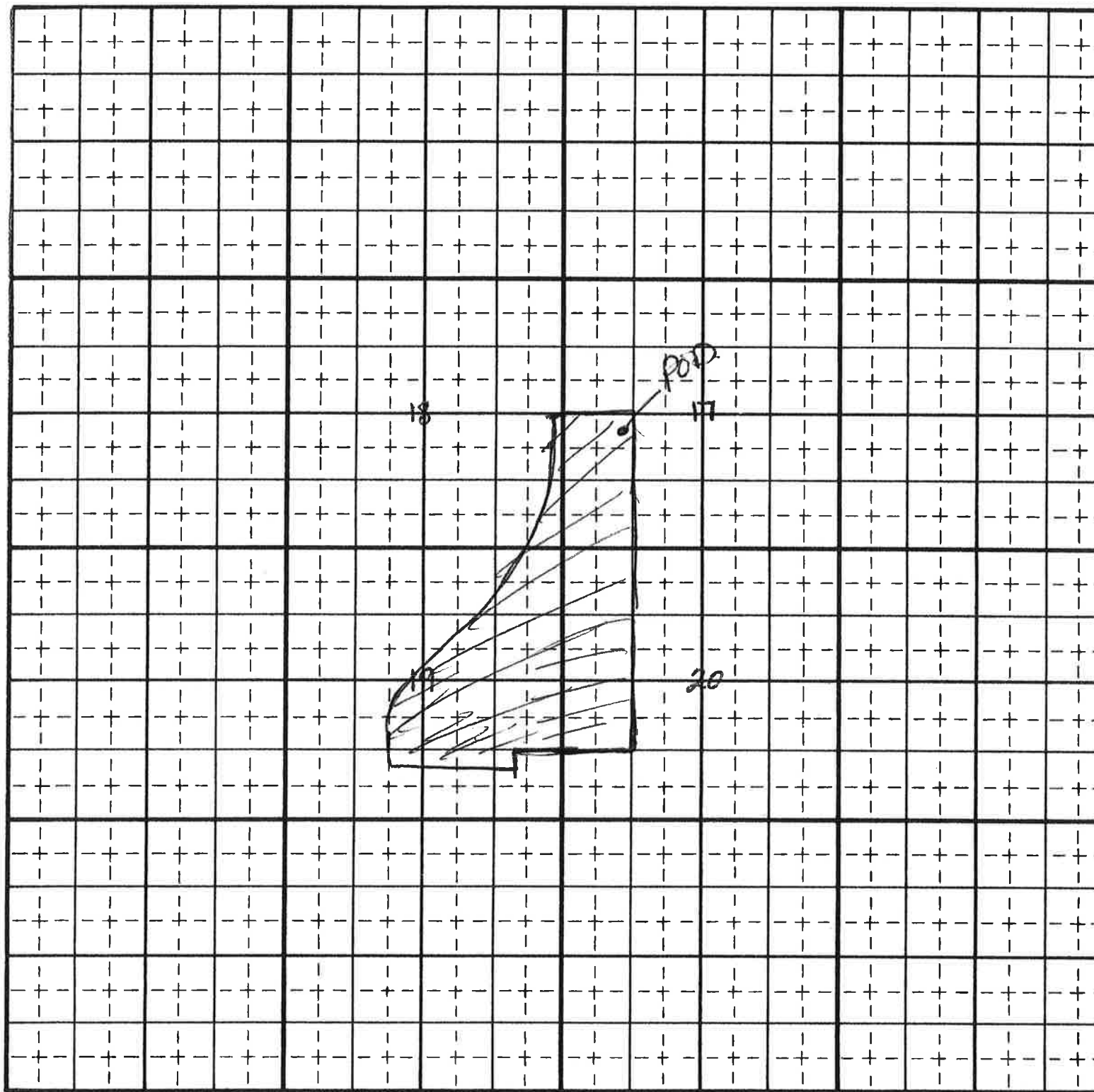
14. Remarks: This claim was filed to extend the season of use for this decreed right A29-30.

Last Name Phillips Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

75 39E



Last Name Phillips. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Carl Phillips Date 3/7/02

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 7th day of March 19 2002



Notary Public Cindy L. Bird

Residing at Lava Hot Springs

My Commission Expires May 1, 2007

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Phillips Ident. Number _____

