

11/16/2006

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

RIGHT NUMBER: 75-14196

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

SOURCE: IRON CREEK
SALMON RIVER

TRIBUTARY: SALMON RIVER
TRIBUTARY: SNAKE RIVER

Diversion of water from the Salmon River is limited to those times water is available for diversion under this right and priority from Iron Creek. Availability of water from Iron Creek shall be determined based on the lesser of the flow in Iron Creek at the authorized point(s) of diversion or at the mouth of Iron Creek.

QUANTITY: 0.270 CFS

This right when applied to lands via sprinklers shall be limited to 0.02 cfs per acre and 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/28/1927

POINT OF DIVERSION:

T18N R21E S15 NWNESW Within LEMHI County
T18N R21E S15 NWNWSW Lot 8 Within LEMHI County
T18N R21E S16 NWSENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.270 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T18N R21E S09 Lot 2 NESE	21.00	T18N R21E S09 Lot 3 SESE	28.00
T18N R21E S10 Lot 10 SWSW	12.00	T18N R21E S15 Lot 4 SWNE	18.00
T18N R21E S15 Lot 2 NENW	37.80	T18N R21E S15 SWNW	4.80
T18N R21E S15 Lot 3 SENW	32.00	T18N R21E S15 Lot 8 NWSW	10.00

163.6 ACRES TOTAL

Rights 75-101, 75-102, 75-2093, 75-4003, 75-7031, 75-14196, and 75-14198 when combined shall not exceed the irrigation of 163.6 acres.

Rights 75-101, 75-102, and 75-14196 when combined are limited to the irrigation of 84.6 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 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 - Beneficial Use



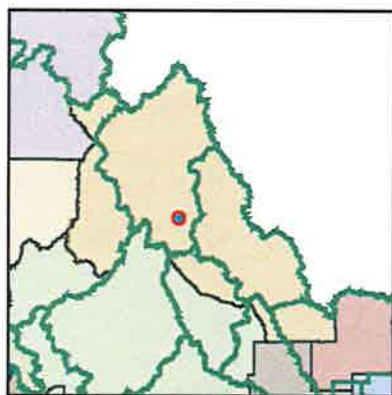
Idaho Department of Water Resources

Adjudication Claims:

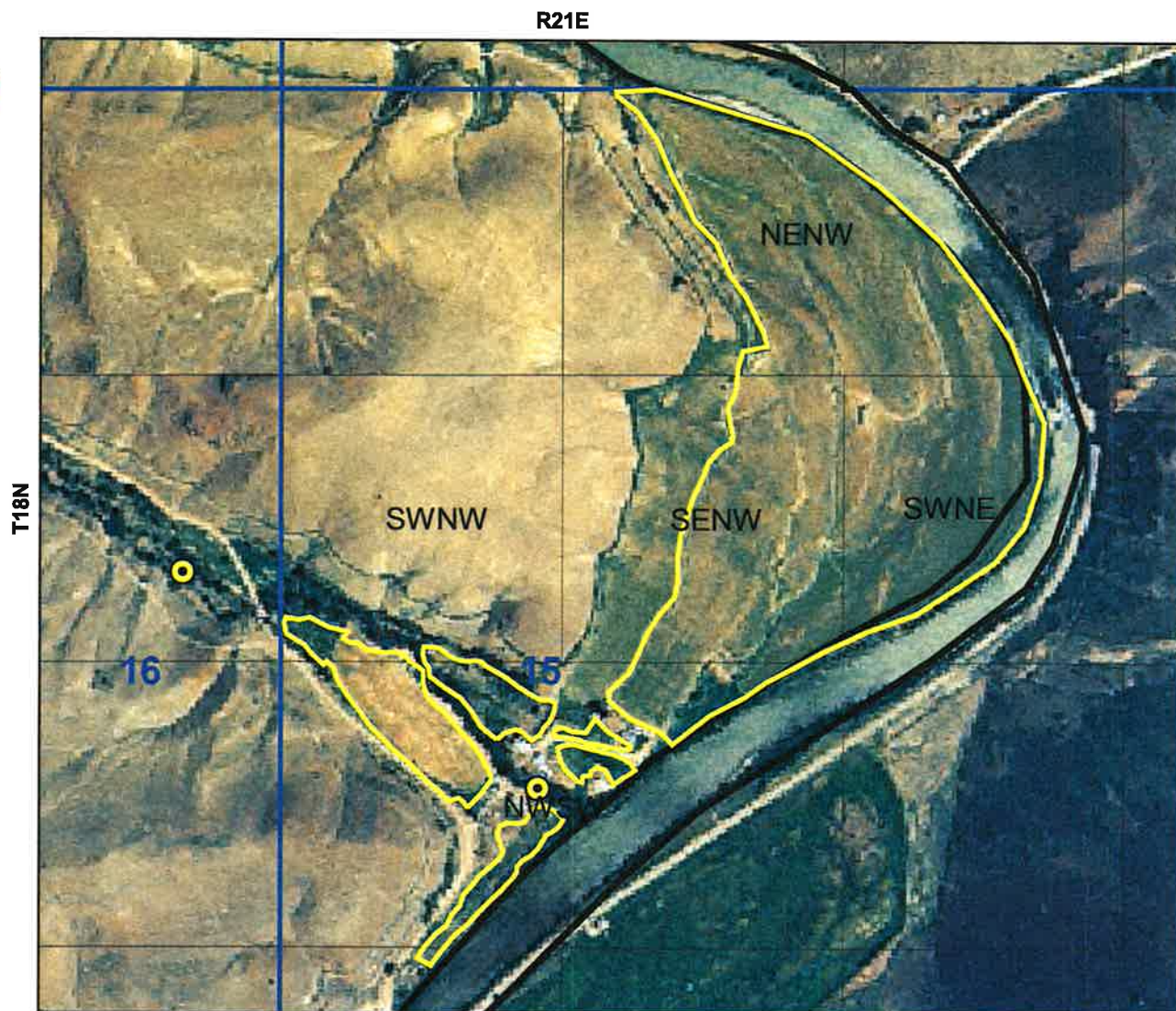
**75-101, 75-102 and
75-14196**

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles

Prepared by R. Brown
On Wednesday, April 5, 2006
1987/88 Aerial Photography

11/20/2006

**NOTICE OF ERROR
REPLY**

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: 75-14196

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:

X 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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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

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DEC 14 2006

Estimating Conveyance Loss using the Worstell Method**Claim No. 75-14196****Formula:** $S = (w)(i)(0.0667)$ **Where:** S = loss in cfs per mile

w = top width of the high water mark in feet

i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet: w = 4 ft

i = 2

ditch length (mi.) = 0.5 mi

Conveyance Loss: S = 0.53

Loss = 0.27 cfs/mile

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:

Ident. Number

Date Received

Receipt Number

39576

75-14196

4-1-05

C077327

RECEIVED

APR 20 2005

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources

RECEIVED

APR - 1 2005

Department of Water Resources

3-29-05
R. Fosterd.p. no
4-21-05

Please type or print clearly

1. Name of Claimant (s)

Clyde L. Phillips

Phone (208)

894-2224

Mailing Address

12 Hussey Lane - Salmon, ID

Zip

83467

2. Date of Priority (Only one (1) per claim)

04-01-1888

C.P.

3. Source of water supply (a)

Iron Creek

which is tributary to (b)

Salmon River

4. a. Location of existing point of diversion is: Township

18N

Range

21E

Section

15

NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot,

B.M., County of

Lemhi

Additional points of diversion if any:

18N 21E SEC 15 SE SE NE + 18N 21E SEC 15 NW NW SW

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 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.

Diversion works are gravel +
straw - with fish screens scheduled for late
2005 or early 2006.

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APR 21 2005

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 03/15 to 07/01 amount 13 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 13 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3.0 acre feet per annum.

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

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	
18N	21E	15		20	8		16	8			15	20							87

Total number of acres irrigated 87

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

12. Do you own the property listed above as place of use? Yes X 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.
2.46 CFS 04-01 to 11-01 # 75-101 or None ()

14. Remarks: I am applying for high water rights for
water right # 75-101. I based the claim on
measurement taken by Fish & Game
personnel on 06-02-04.

Last Name Phillips Ident No. 75-14196

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15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-101
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Clyde L Phillips

Date 3-29-05

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 _____

Title

of _____

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 Lemhi)

SS.

Subscribed and sworn (or affirmed) before me this 29th day of March 192005

Notary Public Robert E. Jost

Residing at Salmon Id.

My Commission Expires 02-16-07

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 75-14196

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APR 21 2005