

11/15/2006

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

RIGHT NUMBER: 75-14197

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

SOURCE: IRON CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 3.000 CFS

PRIORITY DATE: 04/22/1931

POINT OF DIVERSION:

T18N R21E S7 NWNW Lot 1 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 07/01

3.000 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T18N R21E S07

SENE

11.00

T18N R21E S07

NESE

4.00

15 ACRES TOTAL

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

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: 75-14197

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 14 2006

11/20/2006

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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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

75-14197

4-1-05

C077327

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
APR - 1 2005

Department of Water Resources

RECEIVED
3-29-05
R. Foster

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

834672. Date of Priority (Only one (1) per claim) APRIL 22, 1931

3. Source of water supply (a)

IRON CREEK

which is tributary to (b)

SALMON RIVER4. a. Location of existing point of diversion is: Township 18 N Range 21 E Section 71/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of LEMHIAdditional points of diversion if any: NONE

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

Township Range Section 1/4 of 1/4 of 1/4 of 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 of5. 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 dam to ditch
for flood irrigation, gravel

SCANNED

APR - 8 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 3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3 (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	7				D													15

Total number of acres irrigated 15

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.
0.61 CFS from 04-01 to 11-01 or None (X)

14. Remarks: I am applying for high water rights on
water rights #154406. I base the right on Fish &
Game measurements on 06-02-2004.

Last Name Phillips Ident No. 75-14197

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APR - 8 2005

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-4406
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 _____

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

19 2005

Notary Public

Robert E Foster

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

75-14197

SCANNED
APR - 8 2005

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Phillips, C. de L. CLAIM IDENT. NO. 75-14191

DATE RECEIVED 4-1-2005 CK # C077327 AMOUNT \$ 450.00 (9 claims)

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered? Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒ ☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒ N/A	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒ N/A	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒ N/A	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒ Exempt	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: p. sherman Date: 4-8-05

Claim must be returned to claimant: (Yes) ☒ (No)

Claimant must be notified of modifications: (Yes) ☐ (No)

Receipt Prepared by: P. McGarity Date: 4-1-05
Claim data entered by: P. Sherman Date: 4-8-05 Checked by: _____ Date: _____
Sent to claimant by: _____ Date: _____

Comments: HZ ok cause is hi-flow.