

04/05/2006

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

RIGHT NUMBER: 75-14198

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

SOURCE: IRON CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.750 CFS

PRIORITY DATE: 04/26/1935

POINT OF DIVERSION:

T18N R21E S16 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.750 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T18N R21E S09 Lot 2 NESE 5.00

T18N R21E S09 Lot 3 SESE 9.00

14 ACRES TOTAL

Right Nos. 75-2093 and 75-14198 are limited to the irrigation of a combined total of 14 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 - Beneficial Use



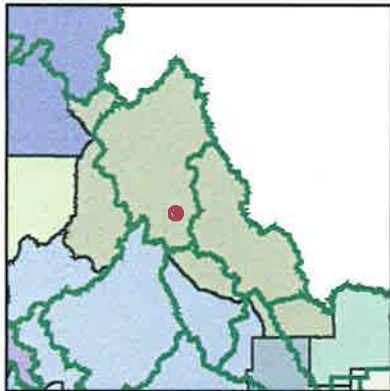
Idaho Department of Water Resources

Adjudication Claim:

75-14198

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**

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: 75-14198

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

NOTICE OF ERROR
REPLY

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Water right number: 75-14198

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

11/16/2006

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

RIGHT NUMBER: 75-14198

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: 0.750 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: 04/26/1935

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	0.750 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 75-2093 and 75-14198 when combined are limited to the irrigation of 14 acres within the place of use described above in a single irrigation season.

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.

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

Estimating Conveyance Loss using the Worstell Method**Claim No. 75-14198****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.) = 1.4 mi

Conveyance Loss: S = 0.53

Loss = 0.75 cfs/mile

Conveyance loss for 75-2093

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

Date Received

Receipt Number

75-14198

4-1-05

C077327

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR - 1 2005

Department of Water Resources

RECEIVED
3-29-05
R. Fink

d.p. m
4-8-05

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 83407

2. Date of Priority (Only one (1) per claim) 4-26-1935

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 16,

1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Lemhi

Additional 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,

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. gravel diversion to ditch

(Scheduled for Screen placement in 2005 or 2006.)

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 1.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.5 (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	9				8												6	14

Total number of acres irrigated 14

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 _____ 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.

.28 CFS from 3-15 to 11-15 or None ()

14. Remarks:

I am applying for high water rights on
water right # 75-2093. I base the right on Fish + Game
measurements on 06-02-2004.

Last Name

Phillips

Ident No.

75-2093
75-14198

SCANNED

APR - 8 2005

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-2093
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 _____

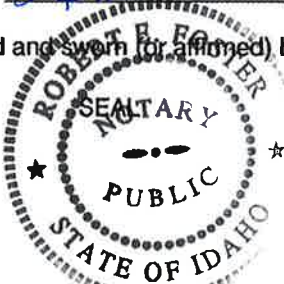
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Lemhi) SS.

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



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 75-2093

SCANNED
APR - 8 2005

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Phillips, C. L. CLAI DE NO. 75-14198

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)	☒	☐	
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?	☒	☐	
Is the consumptive use correct?	☒	☐	
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.	☒	☐	*
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.)	☒	☐	
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.)	☒	☐	
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?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: P. ShernaDate: 4-8-05

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☐Receipt Prepared by: B. McGourdyDate: 4-1-05Claim data entered by: P. ShernaDate: 4-8-05Sent to claimant by: P. ShernaDate: 4-8-05

Checked by: _____ Date: _____

Comments: _____