10472

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JUN 08 2001
Department of Water Resources
Southern Region

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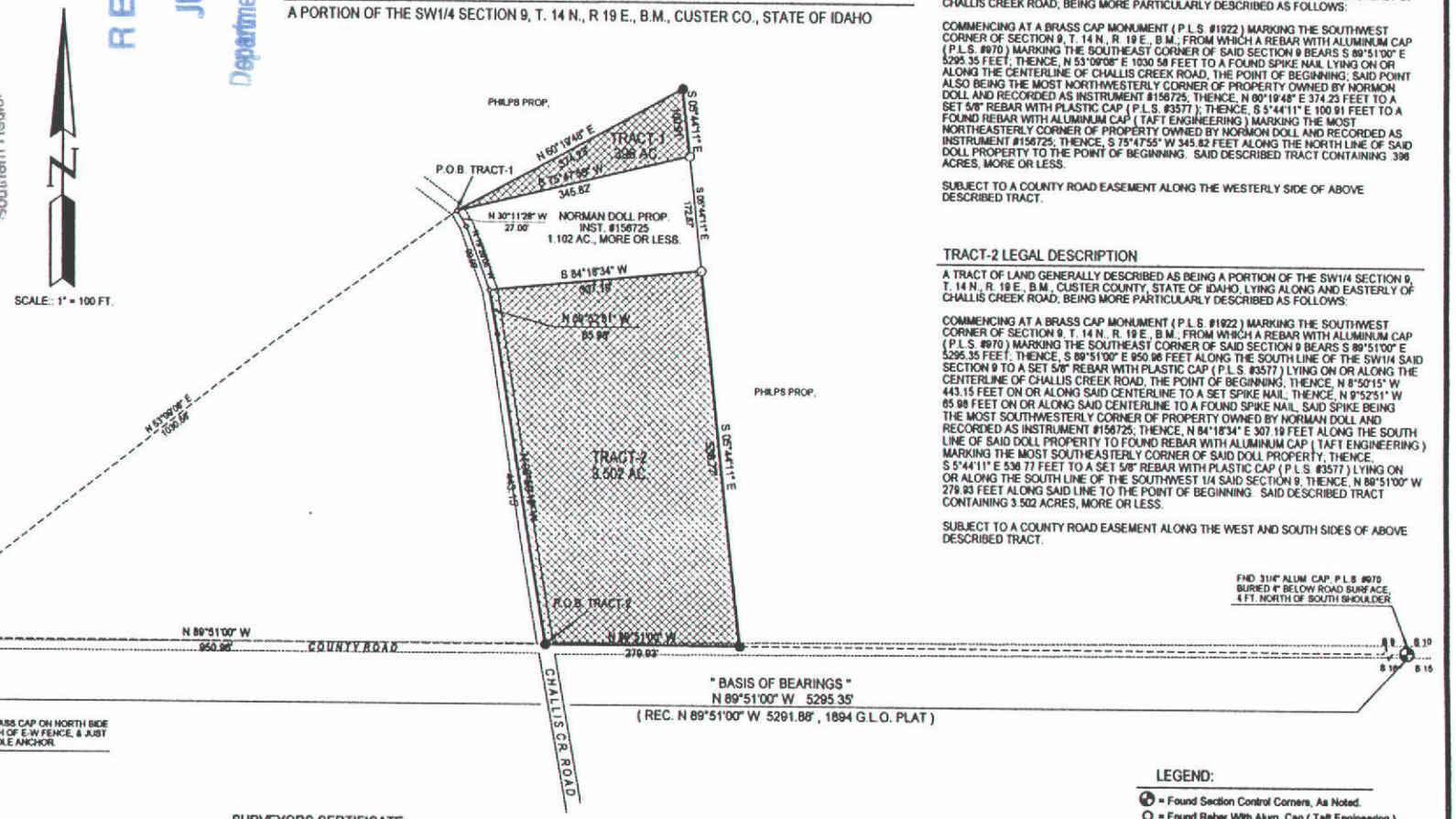
Department of Water Resources

RECORD OF SURVEY

A PORTION OF THE SW1/4 SECTION 9, T. 14 N., R 19 E., B.M., CUSTER CO., STATE OF IDAHO



TRACT-1 LEGAL DESCRIPTION

A TRACT OF LAND GENERALLY DESCRIBED AS BEING A PORTION OF THE SW1/4 SECTION 9, T. 14 N., R. 19 E., B.M., CUSTER COUNTY, STATE OF IDAHO, LYING ALONG AND EASTERLY OF CHALLIS CREEK ROAD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT (P.L.S. #1922) MARKING THE SOUTHWEST CORNER OF SECTION 9, T. 14 N., R. 19 E., B.M., FROM WHICH A REBAR WITH ALUMINUM CAP (P.L.S. #970) MARKING THE SOUTHEAST CORNER OF SAID SECTION 9 BEARS S 89°51'00" E 5295.35 FEET; THENCE, N 53°09'08" E 1030.58 FEET TO A FOUND SPIKE NAIL LYING ON OR ALONG THE CENTERLINE OF CHALLIS CREEK ROAD, THE POINT OF BEGINNING; SAID POINT ALSO BEING THE MOST NORTHWESTERLY CORNER OF PROPERTY OWNED BY NORMON DOLL AND RECORDED AS INSTRUMENT #156725; THENCE, N 60°19'48" E 374.23 FEET TO A SET 5/8" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE, S 5°44'11" E 100.91 FEET TO A FOUND REBAR WITH ALUMINUM CAP (TAFT ENGINEERING) MARKING THE MOST NORTHEASTERLY CORNER OF PROPERTY OWNED BY NORMON DOLL AND RECORDED AS INSTRUMENT #156725; THENCE, S 75°47'55" W 345.82 FEET ALONG THE NORTH LINE OF SAID DOLL PROPERTY TO THE POINT OF BEGINNING. SAID DESCRIBED TRACT CONTAINING .398 ACRES, MORE OR LESS.

SUBJECT TO A COUNTY ROAD EASEMENT ALONG THE WESTERLY SIDE OF ABOVE DESCRIBED TRACT.

TRACT-2 LEGAL DESCRIPTION

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SUBJECT TO A COUNTY ROAD EASEMENT ALONG THE WEST AND SOUTH SIDES OF ABOVE DESCRIBED TRACT.

SURVEYORS CERTIFICATE:

I, William B. Erickson, A Certified Surveyor, Registered In The State Of Idaho, Do Hereby Certify That This Survey Was Made Under My Supervision, And That This Plat Is An Accurate Representation Of Said Survey.

Idaho License No. 3577

LEGEND:

- = Found Section Control Corners, As Noted.
- = Found Rebar With Alum. Cap (Taft Engineering).
- = Found Spike Nail (Taft Engineering).
- = Set Spike Nail Centerline Challis Cr. Road.
- = Set 5/8" x 30" Reb. & Plastic Cap.

PHILPS SURVEY

A PART OF THE SW1/4 SECTION 9,
T. 14 N., R. 19 E., B.M., Custer County, State of Idaho

DRAWN BY: BILL ERICKSON	MARCH 2001
SCALE: 1" = 100 Ft.	FILE; RPHILPSNPCS

ERICKSON SURVEYING SERVICES
P.O. BOX 8606, MACKAY, IDAHO 83251

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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JUN 08 2001
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
72-00001	72-16626 - PHILPS 72-16627 - DOLL	X			

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2. The following **REQUIRED** information must be submitted with this form:

   A. The appropriate **FILING FEE**. See instructions for fee amounts.

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

   C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
   PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
   OR
   If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): CHERYL and RICK PHILPS
   HC 63 BOX 1630, CHALLIS, ID 83226

4. New Owner/Claimant(s): NORMAN D. and/or NIKKI L. DOLL
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: P.O. BOX 154

   City, State and ZIP Code: CHALLIS, ID 83226

   New Telephone Number: (208) 879-2271

5. Date you acquired the property: May 25th, 2001

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6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 72-00001

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	0.0689 cfs	3.898 acres
Stock		
Domestic		
Other		
Total	0.0689 cfs	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) (include title if applicable) Norman D. Doll
Nikki L Doll

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
Received by [illegible] Date 6/11/01 Fee 100.00
Receipted by [illegible] Date 6/14/01 Receipt No. 5024037
Processed by AJ Date WR Date

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0222784

WARRANTY DEED

For Value Received RICHARD ALLEN PHILPS AND CHERYL D. PHILPS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto NORMAN D. DOLL AND NIKKI L. DOLL, husband and wife, the Grantees, whose current address is P.O. Box 154, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

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TRACT I:

A tract of land generally described as being a portion of the SW¼, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho, lying along and Easterly of Challis Creek Road; being more particularly described as follows:

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Commencing at a brass cap monument (P.L.S. #1922) marking the Southwest corner of Section 9, Township 14 North, Range 19 East, Boise Meridian; from which a rebar with aluminum cap (P.L.S. #970) marking the Southeast corner of said Section 9 bears South 89°51'00" East, 5295.35 feet; thence North 53°09'08" East, 1030.58 feet to a found spike nail lying on or along the centerline of Challis Creek Road, THE POINT OF BEGINNING; said point also being the most Northwesterly corner of property owned by Norman Doll and recorded as instrument No. 156725; thence North 60°19'48" East, 374.23 feet to a set 5/8" rebar with plastic cap (P.L.S. #3577); thence South 5°44'11" East, 100.91 Feet to a found rebar with aluminum cap (Taft Engineering) marking the most Northeasterly corner of property owned by Norman Doll and recorded as instrument No. 156725; thence South 75°47'55" West, 345.82 feet along the North line of said Doll property to THE POINT OF BEGINNING.

Subject to a County Road Easement along the Westerly side of above described tract.

TRACT II:

A tract of land generally described as being a portion of the SW¼, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, State of Idaho, lying along and Easterly of Challis Creek Road; being more particularly described as follows:

Commencing at a brass cap monument (P.L.S. #1922) marking the Southwest corner of Section 9, Township 14 North, Range 19 East, Boise Meridian; from which a rebar with aluminum cap (P.L.S. #970) marking the Southeast corner of said Section 9 bears South 89°51'00" East, 5295.35 feet; thence South 89°51'00" East, 950.96 feet along the South line of the SW¼ said Section 9 to a set 5/8" rebar with a plastic cap (P.L.S. #3577) lying on or along the centerline of Challis Creek Road, THE POINT OF BEGINNING; thence North 8°50'15" West, 443.15 feet on or along said centerline to a set spike nail; thence North 9°52'51" West, 65.98 feet on or along said centerline to a found spike nail, said spike being the most Southwesterly corner of property owned by Norman Doll and recorded as instrument No. 156725; thence North 84°18'34" East, 307.19 feet along the South line of said Doll property to found rebar with aluminum cap (Taft Engineering) marking the most Southeasterly corner of said Doll property; thence South 5°44'11" East, 536.77 feet to a set 5/8" rebar with plastic cap (P.L.S. #3577) lying on or along

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the South line of the Southwest ¼ said Section 9; thence North 89°51'00" West, 279.93 feet along said line to THE POINT OF BEGINNING.

Subject to a County Road Easement along the West and South sides of above described tract.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 18 day of May, 2001.

Richard Allen Philps
RICHARD ALLEN PHILPS

Cheryl D. Philps
CHERYL D. PHILPS

STATE OF IDAHO)
: ss
County of: Custer)
On this 18 day of May, 2001 before me, a Notary Public, personally appeared RICHARD ALLEN PHILPS AND CHERYL D. PHILPS known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that the y executed the same.

Patsy Kindt
Notary Public for Idaho
Residing at Challis
Commission Expires 3/12/04

PATSY KINDT NOTARY PUBLIC STATE OF IDAHO

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instrument was filed for record at the request of Custer County Title at 8 minutes past 4 o'clock P .M., this 25th day of May 200 1, in my office.

Ethel M. Peck
Ex-Officio Recorder

BY Janet Yangis
Deputy

Fee: $ 21.00
Mail to:

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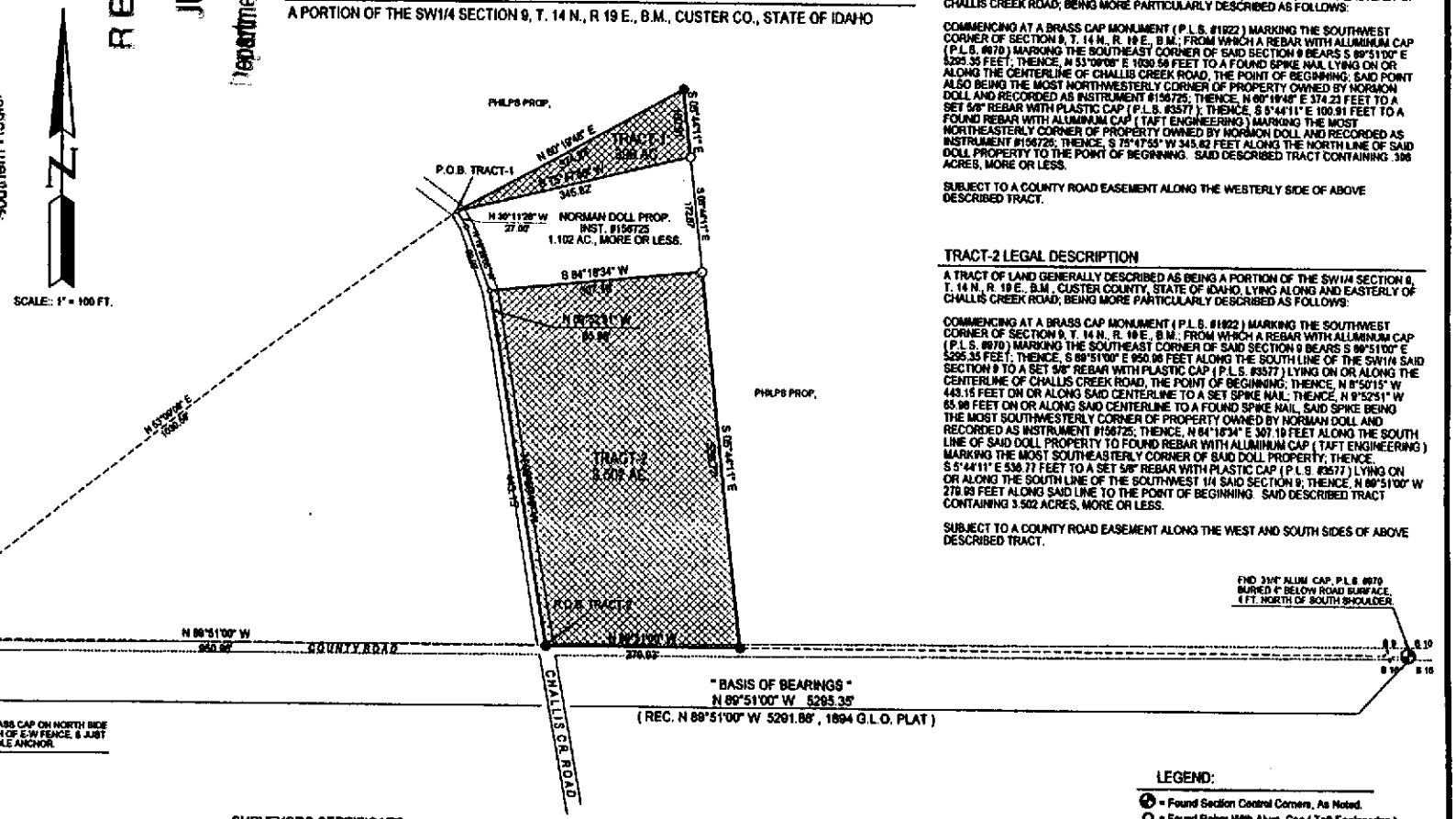
A PORTION OF THE SW1/4 SECTION 9, T. 14 N., R 19 E., B.M., CUSTER CO., STATE OF IDAHO



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Idaho License No. 3577

LEGEND:

- ⊕ = Found Section Control Corners, As Noted.
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PHILPS SURVEY

A PART OF THE SW1/4 SECTION 9, T. 14 N., R. 19 E., B.M., Custer County, State of Idaho

DRAWN BY: BILL ERICKSON	MARCH 2001
SCALE: 1" = 100 Ft.	FILE: RPHILPSPCS

ERICKSON SURVEYING SERVICES
P.O. BOX 8808, MACKAY, IDAHO 83251

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-16627

WATER RIGHT NUMBER: 72-16627 DRAFT

Owner Type	Name and Address
Original Owner	CHERYL PHILPS HC 63 BOX 1630 CHALLIS, ID 83226 (208) 879-2720
Original Owner	RICK PHILPS HC 63 BOX 1630 CHALLIS, ID 83226 (208) 879-2720
Current Owner	NIKKI L DOLL PO BOX 154 CHALLIS, ID 83226 208 879-2271
Current Owner	NORMAN D DOLL PO BOX 154 CHALLIS, ID 83226 208 879-2271

Priority Date: 05/01/1879

Basis: Decreed

Status: Active DRAFT

Source	Tributary
CHALLIS CREEK	SALMON RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.110 CFS	
	Total Diversion:	0.110 CFS	

Location of Point(s) of Diversion

CHALLIS CREEK CUSTER County	SW1/4SW1/4SE1/4 (Rediversion)	Sec. 8,	Twp 14N,	Rge 19E, B.M.
CHALLIS CREEK CUSTER County	L10 (SW1/4NW1/4NW1/4)	Sec. 7,	Twp 14N,	Rge 19E, B.M.

Place of Use

IRRIGATION Within CUSTER County

T14N R19E S09 SWSW 4.0

Total Acres: 4

Conditions of Approval:

1. C18 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.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-16627

Remarks:

1.	Place of Use - Irrigation	USE OF THIS RIGHT WITH RIGHT NO. 72-04049 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 159 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2.	General	THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

Comments:

1. scurtis 10/21/2002 Ownership Change
Comment: This right was created by a split of Right 72-1. Right 72-1 was split into 72-16626 and 72-16627 by an ownership change.

Dates and Other Information:

Decreed Date: 11/17/2000

Water District Number: 72C

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 21, 2002

NORMAN D DOLL
NIKKI L DOLL
PO BOX 154
CHALLIS ID 83226

RE: Change of Ownership for Water Right 72-16627

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Karl Dreher

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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