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 22-2117
Date Received: 10/4/1988
Receipt No: E002899
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICHARD H PHILLIPS Phone: (208) 523-0620

C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID USA 83405

2. Date of Priority: 12/10/1926

3. Source: TWIN CREEKS Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
06N	45E	22	SW SE		TETON	

5. Description of diverting works:

2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.8	

7. Total Quantity Appropriated is:
0.8 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
06N	45E	22	SE SW		IRRIGATION	20
			SW SE		IRRIGATION	40

Section Acres	60
Total Acres	60

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

ORIGINAL LICENSE WAS FOR 40 TOTAL IRRIGATED ACRES. CLAIMANT INDICATES APPROXIMATELY 60 TOTAL ACRES HAVE BEEN IRRIGATED SINCE DATE OF PRIORITY

15. Basis of Claim: License

$110.00 X

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: A22-02117
Date Received: 9/09/1988
Receipt No: E002899
Received By: TO

A220217

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HERB PHILLIPS 208-456-2667
   Address: P.O. BOX 62
   TETONIA, ID 83452
   AND/OR
   Name: MARIAN PHILLIPS 208-456-2667
   Address: P.O. BOX 62
   TETONIA, ID 83452

RECEIVED
SEP 15 1988
Department of Water Resources
Eastern District Office

2. Date of Priority: DEC 10, 1926

3. Source: TWIN CREEKS Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	45E	22	SW SE		TETON

5. Description of diverting works:
   2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/15	10/15	0.800	

7. Total Quantity Appropriated is:
   0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

AMENDED
OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06N	45E	22	SE	SW		IRR	20.0
			SW	SE		IRR	40.0
						Section Acres	60.0
						Total Acres	60.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
ORIGINAL LICENSE WAS FOR 40 TOTAL IRRIGATED ACRES. CLAIMANT INDICATES APPROXIMATELY 60 TOTAL ACRES HAVE BEEN IRRIGATED SINCE DATE OF PRIORITY.

15. Basis of Claim: LICENSE
Water Right Number: 16567

OCT 29 1992

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Kent P Phillips Date: Sept 14, 1988

Marian B Phillips Date: Sept 14, 1988

State of Idaho)
) SS.
County of Teton)

Subscribed and sworn (or affirmed) before me this 14th day of September 19 88

Notary Public

Seal

Residing at Tetonia, Ida

My Commission Expires 9/30/92

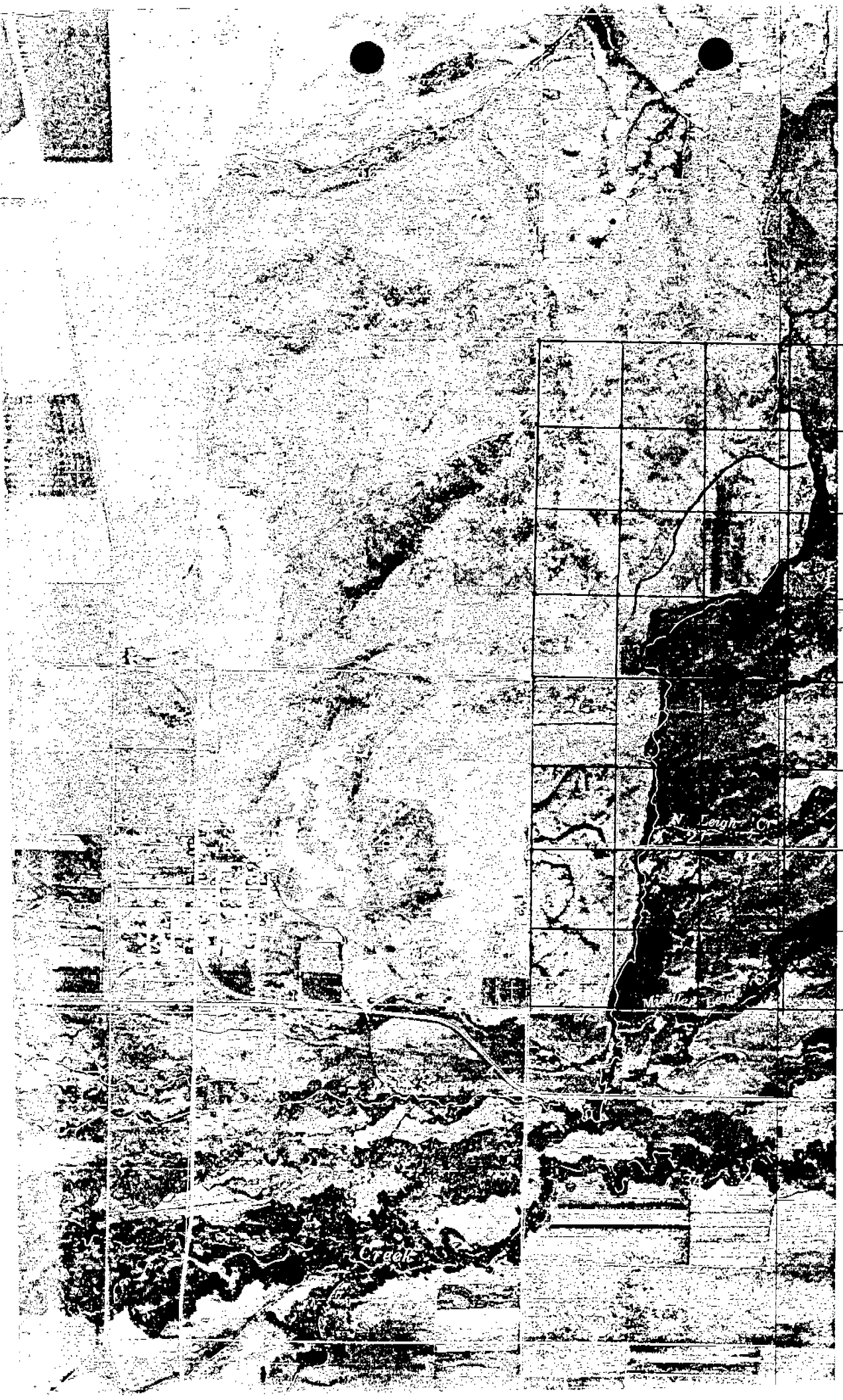
ARCHIVED
OCT 29 1992

A2202117

PLD's

RECEIVED

OCT 29 1992


Creek

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 20, 2001

RICHARD H PHILLIPS
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP FOR A22-00450, A22-00451, A22-02117, A22-11527 AND A22-11528

Dear Sir or Madam:

Enclosed for your records are copies of the amended claims A22-00450, A22-00451 and A22-02117 showing you as the current owner and the amended acreage.

I am also returning the Change in Water Right Ownership form for A22-11527 and A22-11528. These rights are Partially Decreed by the Snake River Basin Adjudication Court and require a Twenty-five dollar ($25.00) filing fee **per right** for a total of Fifty ($50.00) dollars.

Please make check payable to: IDWR and return with the above mention Change in Water Right Ownership form to:

Kari Lynn Townsend
Id Dept of Water Resources
1301 N Orchard St
Boise ID 83706

If you have any questions regarding this matter feel free to contact this office at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosures

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER
SHAN B. PERRY
AMELIA A. SHEETS

U.S. BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

RECEIVED
AUG 17 2001
Department of Water Resources
Eastern Region

August 16, 2001

Eastern Region
Idaho Dept. Of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402

Re: *Water Rights No.'s 22-450, 22-451, and 22-2117, 22-11527, and 22-11528*

Dear Ladies and Gentlemen:

We are enclosing with this letter a Notice of Change of Water Right Ownership for the above numbered rights and two Amended Notices of Claim for Rights No.'s 22-450 and 22-451.

The former owners of these rights were Herb and Marian Phillips. Marion died December 14, 1992 and Herb died on February 18, 2000. There was no probate of Marion's estate because Herb was a surviving spouse and acquired all of her interest under the Intestate Succession Laws. Herb's estate is being probated and Richard H. Phillips, the son, has been appointed the personal representative of the estate. Copy of the Letters Testamentary are enclosed.

The property is being split between two children, Richard and Nancy, but first we need to show ownership in the personal representative and get the two claims amended. It did not appear to us that there was a fee required, but if we are mistaken please contact us and we will do what ever is necessary to get these matters properly filed.

Very truly yours,

Kent W. Foster

Enclosures
G:\WPDATA\KWF\6900\IDWR.03Phillips.ltr.wpd.bfc

Form 42-248/42-1409(6) March 26, 1999

OK DC 8-17-01

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

RECEIVED
AUG 17 2001
Department of Water Resources
Eastern Region

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

1. Water Right No(s).: 22-450, 22-451, 22-2117, 22-11527, 22-11528 -pd -pd
   525 - 505 -

   Adjudication Claim No(s).: same as above

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

   A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   AND

   B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

   OR

   C. If your water rights or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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: Herb and Marian Phillips
   PO Box 62 Tetonia, ID 83452

4. New Owner/Claimant(s): Richard H. Phillips, personal representative
   Name connector (check one): [ ] and [ ] or, [ ] and/or
   New Mailing Address: % Holden, Kidwell, Hahn & Crapo PO Box 50130
   City, State and ZIP Code: Idaho Falls, ID 83405
   New Telephone Number: (208)523-0620 .bfc

5. Date you acquired the property: May 8, 2000 (see attached copy of Letters Testamentary)

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7.** If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners**. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

   Number of acres you irrigated with this water right _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes you acquired _____ Other uses

7. Signature of New Owner(s) Or Claimant(s): Richard H. Phillips

   Corporations or other organizations must submit list of directors and/or officers demonstrating authority to sign form.

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