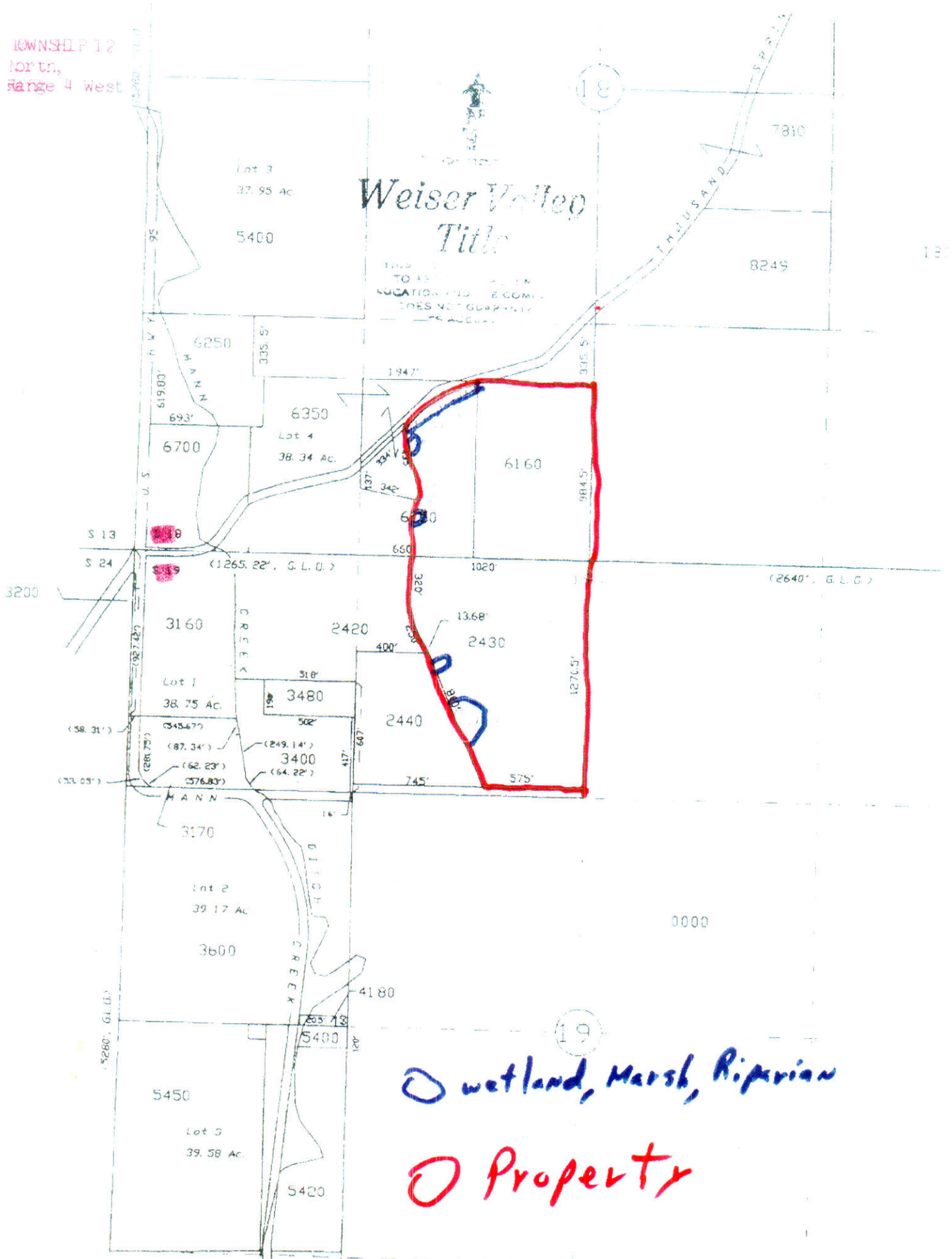
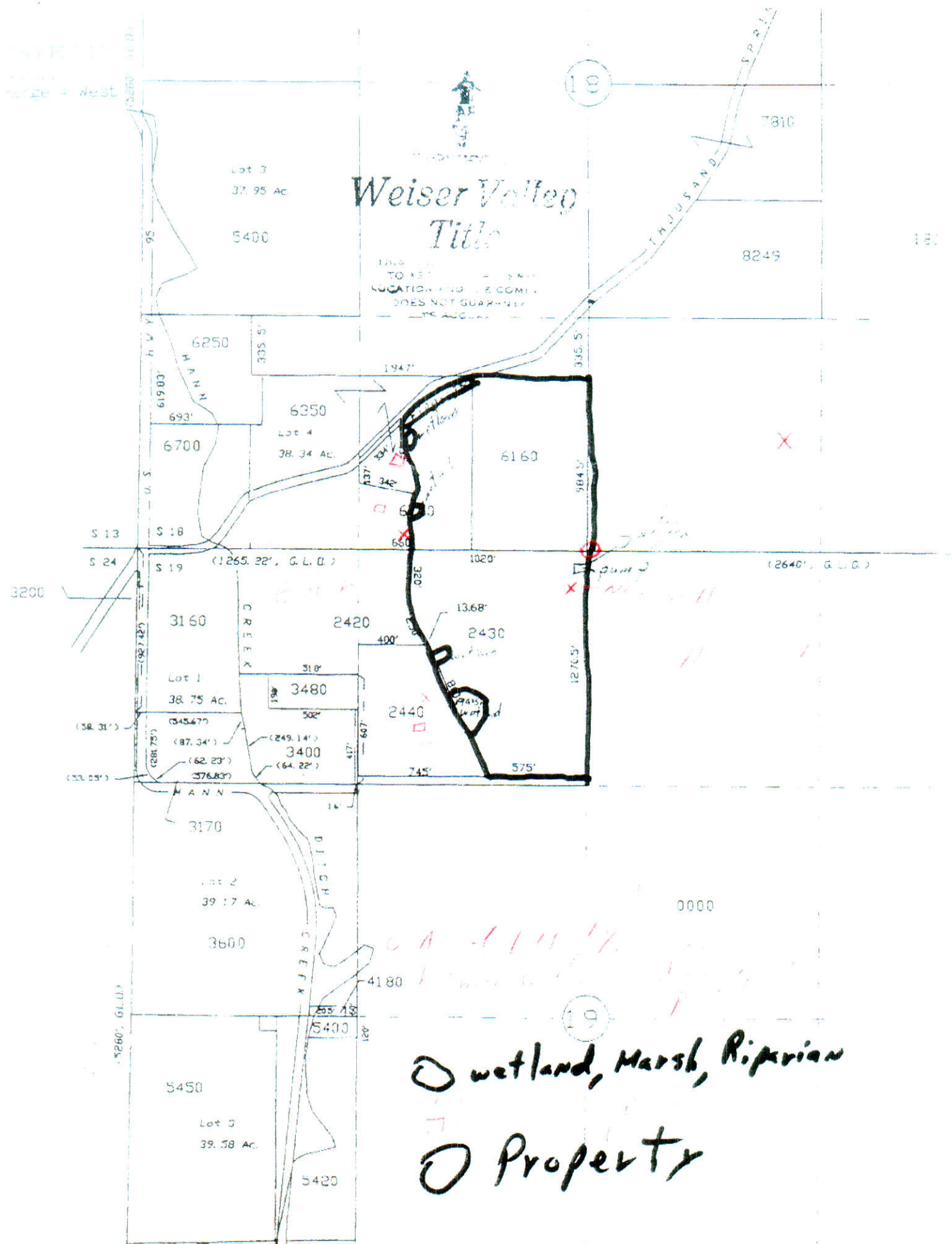


TOWNSHIP 12  
North,  
Range 4 West





SWNW

SENW

SWNE

SENE

18

NWSW

NESW

NWSE

NESE

SWSW

SESW

SWSE

SESE

21 acres

NWNW

NENW

NWNE

NENE

25 acres

SWNW

SENW

SWNE

SENE

19

NWSW

NESW

NWSE

NESE

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 67-14259  
Date Received: 10/2/89  
Receipt No:  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): JUDY A PHILLIPS  
1226 MANN CREEK RD  
WEISER ID USA 83672

Phone:

CHARLES A PHILLIPS  
1226 MANN CREEK RD  
WEISER ID USA 83672

Phone:

2. Date of Priority: 03/29/1913

3. Source: MANNS CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County     | Type |
|----------|-------|---------|-----------------------|------------|------|
| 12N      | 05W   | 11      | SE SE NE              | WASHINGTON |      |

5. Description of diverting works:

JOSLIN DITCH W/HEADGATE & PUMP FOR SPRINKLER AND FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 12N      | 04W   | 18      | SE SW      |     | IRRIGATION    | 20    |
|          |       |         |            |     | Section Acres | 20    |
| 12N      | 04W   | 19      | NE NW      |     | IRRIGATION    | 25    |
|          |       |         |            |     | Section Acres | 25    |
|          |       |         |            |     | Total Acres   | 45    |

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 67-14113. DB 6/8/2001

15. Basis of Claim: Decreed

**STATE OF IDAHO**  
**IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED

MAY 17 1999

WATER RESOURCES  
WESTERN REGION

**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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

1. Water Right No(s):

Adjudication Claim No(s):

67-14113      67-632A

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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Steve & Linda RamezThousand Springs Road Weiser ID

4. New Owner/Claimant(s)

Charles A. and Judy A. PhillipsName Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

1226 Mann Cir. Pl.

City, State and ZIP Code

Weiser, ID 836072

New Telephone Number

( ) N/A

5. Date you acquired the property

23 August 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate

40wildlife  
Number and type of stock 1 pond, 3 wetlands, Riparian

Diversion rate in CFS

Number of homes

Other uses

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.

7. Signature of New Owner or Claimant(s)

Charles A. Phillips 12 May 1999  
Judy A. Phillips

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

8. For Snake River Basin Adjudication Claims: Please attach 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..

67-14113

1.5 cfs  
81 acres 0.0185

67-14258

Gomez

Sec 18 SWSW 3

Sec 19 NW NW 20

NE NW 13  
36  
==

.7 cfs  
==

67-14259

Phillips

Sec 18 SESW 20

Sec 19 NENW 25  
45  
==

.8 cfs  
==

## WARRANTY DEED

For Value Received

STEVE GOMEZ AND LINDA J. GOMEZ, husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto

CHARLES A. PHILLIPS, a married person as a sole and separate property

the grantee , whose current address is

6201 TIGNER, CASHMERE, WA 98815

the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

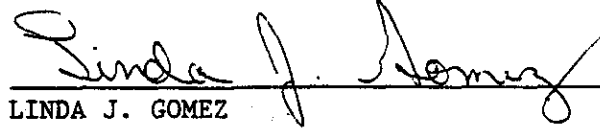
Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedicaitions, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee , that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: AUGUST , 1996

  
STEVE GOMEZ

  
LINDA J. GOMEZ

STATE OF IDAHO, COUNTY OF WASHINGTON  
On this day of AUGUST , 19 96 ,  
before me, a notary public in and for the said State, personally  
appeared

STATE OF IDAHO, COUNTY OF  
I hereby certify that this instrument was filed for record at the  
request of  
at minutes past o'clock M.,

INSTRUMENT

EXHIBIT "A"

RECEIVED

MAY 15 2001

WATER RESOURCES  
WESTERN REGION

FILE NO.: 100-96-5532

IN TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 18: All that part of the South 984½ feet of the SE¼SW¼ lying southerly of the County Road, SAVE AND EXCEPT the West 660 feet, AND ALSO

EXCEPTING THEREFROM the following described tract:

Beginning at a point in the center of Highway No. 95 where the County Road known as Thousand Springs Valley Road intersects said highway;

Thence Easterly and Northerly along the center of said County Road 1400 feet to a point, the TRUE POINT OF BEGINNING;

Thence Southerly 137 feet to a point;

Thence Easterly 342 feet to a point;

Thence Northerly 435 feet, more or less, to the center of said County Road;

Thence Southwesterly along the center of said County Road 334 feet to the TRUE POINT OF BEGINNING.

SECTION 19: A portion of the NE¼NW¼ described as follows:

Beginning at the northeast corner of said NE¼NW¼;

Thence South along the East line of said NE¼NW¼ a distance of 1270.50 feet;

Thence West parallel to the South line of said NE¼NW¼ a distance of 575 feet;

Thence North 24°20'30" West 800 feet;

Thence South 63°14'26" West a distance of 13.68 feet;

Thence North 24°20'30" West a distance of 250 feet;

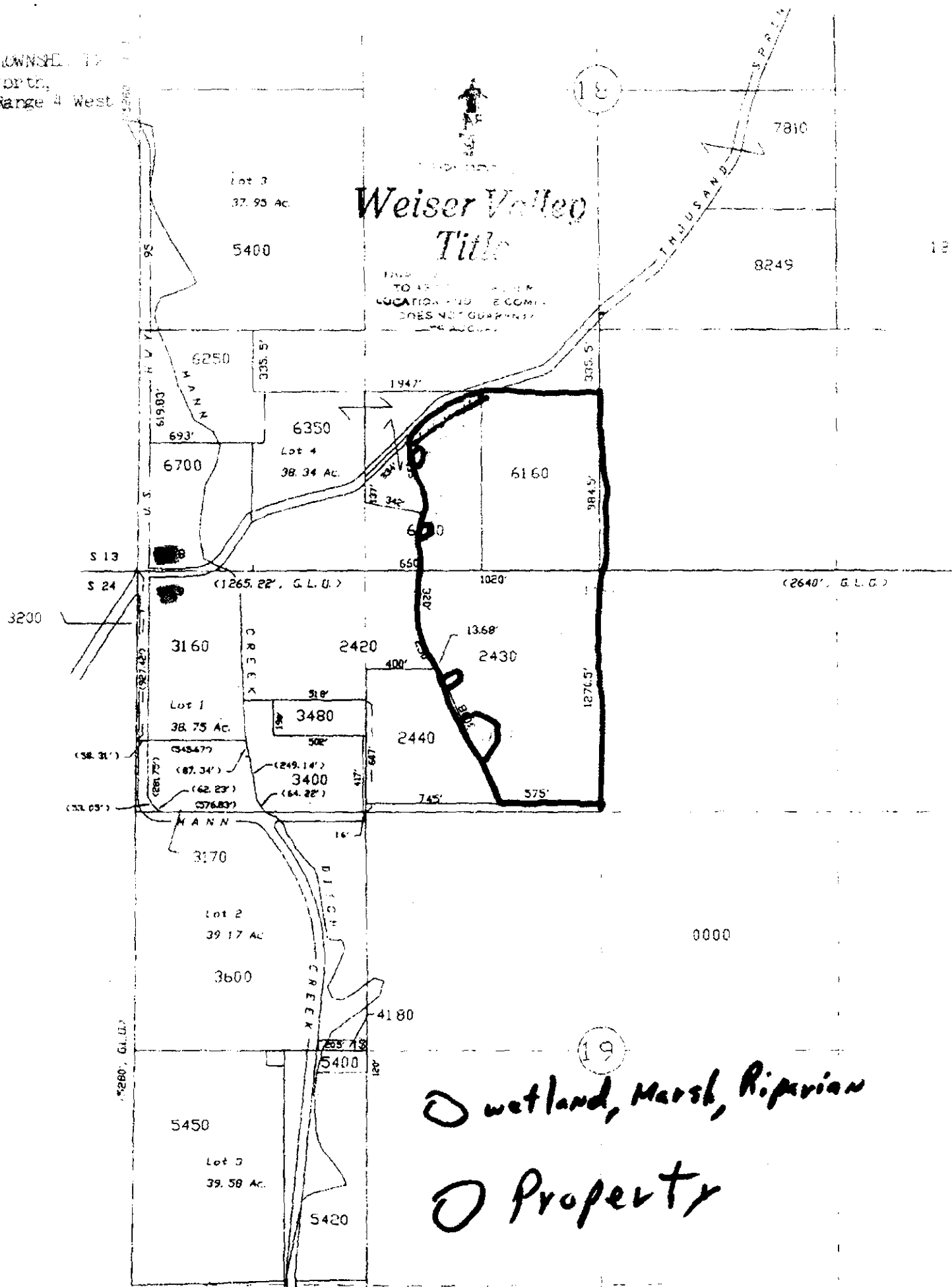
Thence North parallel to the East line of said NE¼NW¼ a distance of 320 feet, to a point on the North line of said NE¼NW¼;

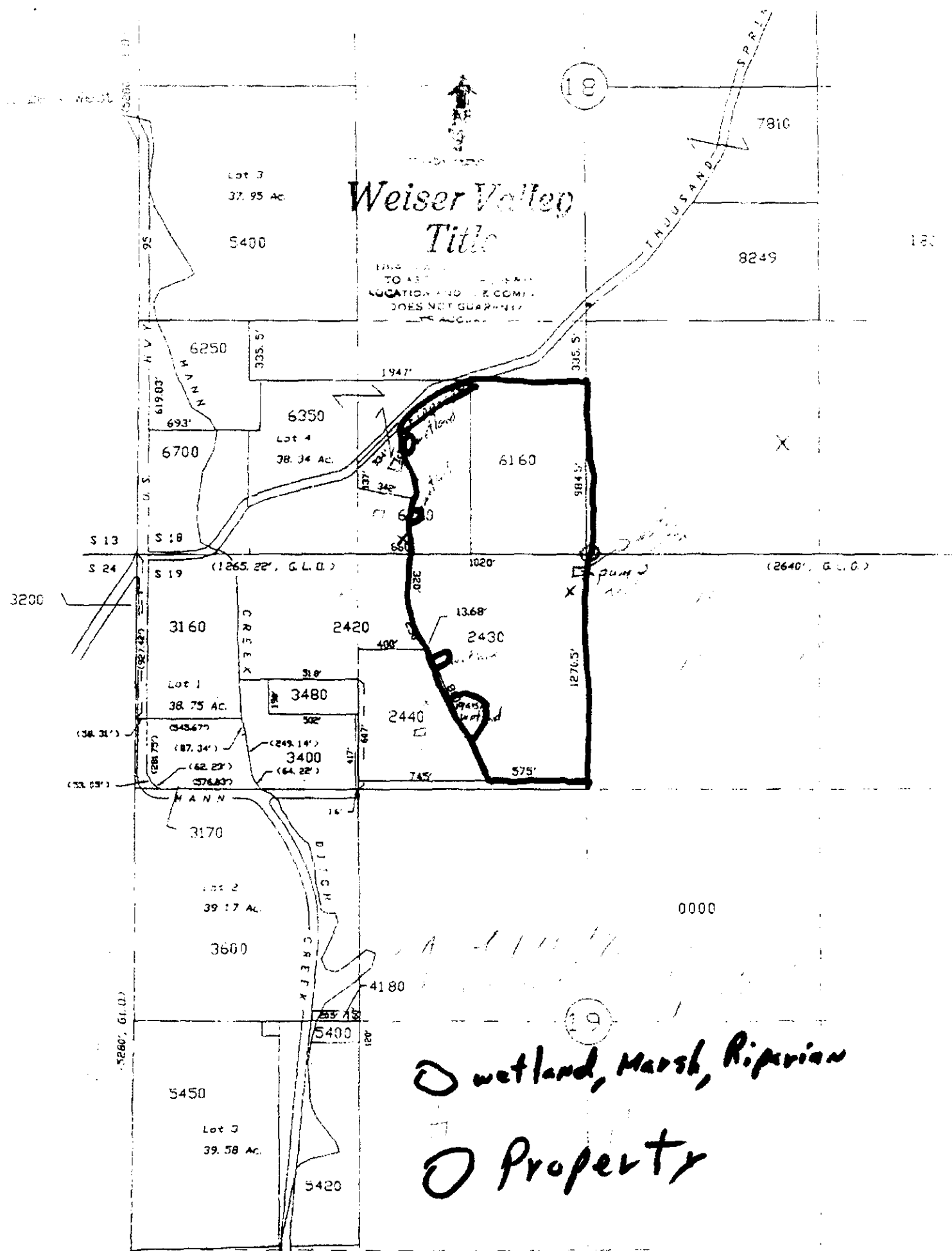
Thence East along the North line of said NE¼NW¼, a distance of 1020 feet to the TRUE POINT OF BEGINNING.

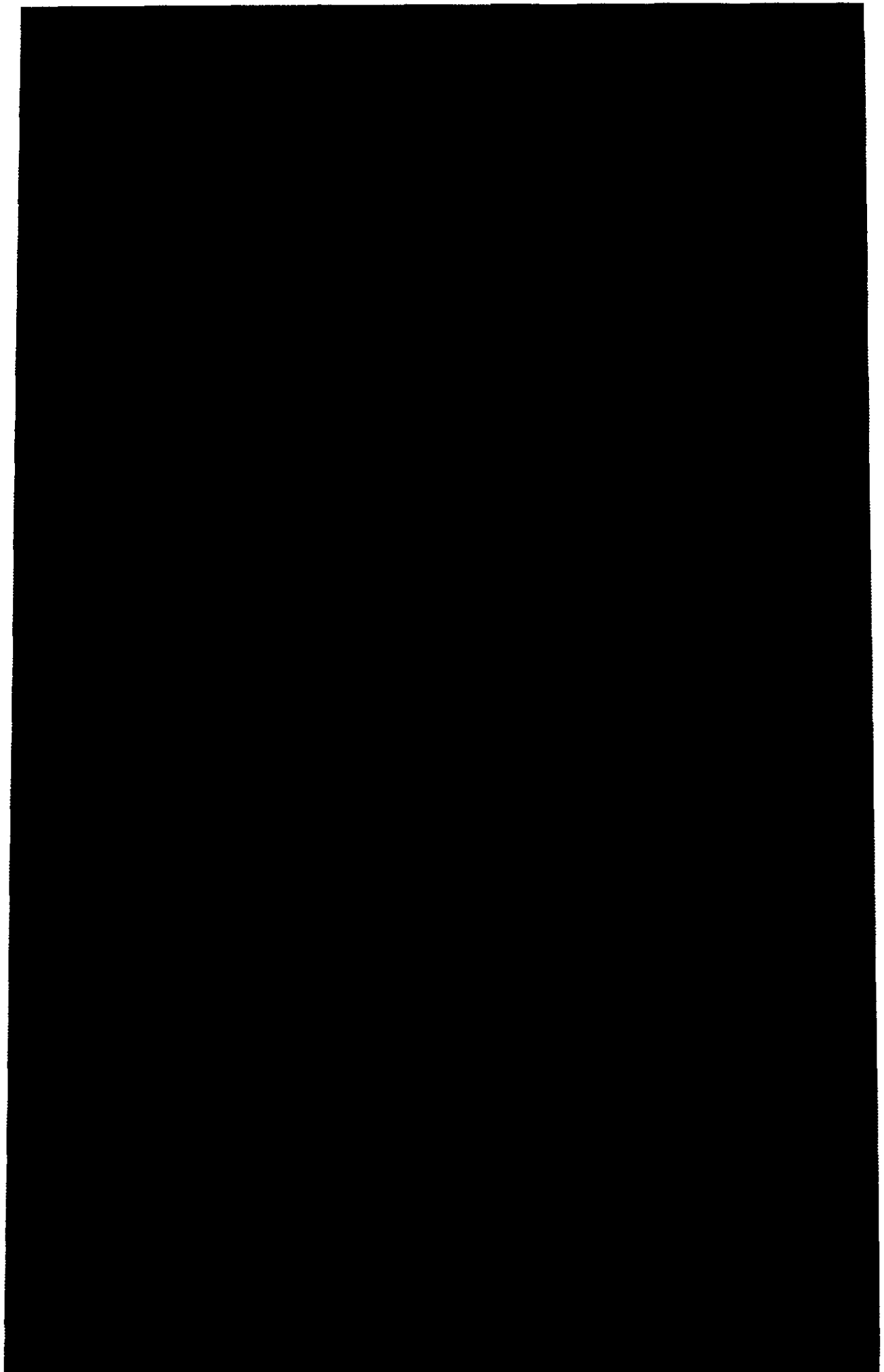
TOGETHER WITH a 15 foot wide easement for ingress and egress along the South 15 feet of the NE¼NW¼ of Section 19, Township 12 North, Range 4 West.

Grantor reserves a 15 foot wide easement for the construction, operation and maintenance of an underground irrigation pipeline along the North side of the existing buried mainline, extending from the Canal along the East boundary in a Westerly direction to the West boundary of the above described parcel.

TOWNSHIP 7 N  
RANGE 4 W







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: **A67-14113**  
Date Received: 10/ 2/1989  
Receipt No: M004764  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**COPY FOR  
YOUR FILES**

1. Name: STEVE GOMEZ  
Address: 1506 THOUSAND SPRINGS RD  
WEISER ID 83672  
OR  
Name: LINDA J GOMEZ  
Address: 1506 THOUSAND SPRINGS RD  
WEISER ID 83672  
208-549-0651  
208-549-0651
2. Date of Priority: MAR 29, 1913
3. Source: MANNS CREEK Trib. to: WEISER RIVER
4. Point of Diversion:  
Township Range Section 1/4 of 1/4 of 1/4 Lot County  
12N 05W 11 SE SE NE WASHINGTON
5. Description of diverting works:  
JOSLIN DITCH W/HEADGATE & PUMP FOR SPRINKLER AND FLOOD IRRIGATION
6. Water is used for the following purposes:  
Purpose From To C.F.S. (or) A.F.A.  
IRRIGATION 03/15 11/15 1.500
7. Total Quantity Appropriated is:  
1.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 12N      | 04W   | 18      | SW     | SW     | 4   | IRR | 3.0   |

A67-14113

Page 1

Date: 03/18/96  
~~MICROFILMED~~  
001 22 1996

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 12N      | 04W   | 18      | SE     | SW  |     | IRR           | 20.0  |
|          |       |         |        |     |     | Section Acres | 23.0  |
|          |       | 19      | NE     | NW  |     | IRR           | 38.0  |
|          |       |         | NW     | NW  | 1   | IRR           | 20.0  |
|          |       |         |        |     |     | Section Acres | 58.0  |
|          |       |         |        |     |     | Total Acres   | 81.0  |

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:  
A67-00632

14. Remarks:  
THIS CLAIM IS A COMBINATION OF WATER RIGHT NO. 67-00625 AND 67-00626 SINCE BOTH HAVE THE SAME PRIORITY DATE AND BOTH ARE FROM THE SAME SOURCE. BOTH RIGHTS ARE SECONDARY RIGHTS DELIVERED THRU THE JOSLIN EXT. DITCH. THE LOW WATER RIGHT IS .7 OF THE FLOOD WATER RIGHT SHOWN ON THIS CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.  
Decree Plaintiff

THOMAS HIGGENBOTHAM ET. AL.  
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

DEC 17 2001

Department of Water Resources

July 6, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CHARLES A PHILLIPS  
JUDY A PHILLIPS  
1226 MANN CREEK RD  
WEISER ID 83672-5528

RECEIVED

DEC 20 2001

WATER RESOURCES  
WESTERN REGION

RE: Snake River Basin Adjudication (SRBA)  
Water Rights #67-8061, 67-10882, 67-14259, 67-14261

Dear Water Right Holders:

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. We received the returned mail on July 2. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by July 31, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosure:  
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

*Sorry this is so late  
Dec 2001*

*Charles A Phillips*

*208 549-1638*



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 6, 2001

CHARLES A PHILLIPS  
JUDY A PHILLIPS  
1226 MANN CREEK RD  
WEISER ID 83672-5528

Q5-01  
response  
-ms

RE: Snake River Basin Adjudication (SRBA)  
**Water Rights #67-8061, 67-10882, 67-14259, 67-14261**

Dear Water Right Holders:

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. We received the returned mail on July 2. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by July 31, 2001. Thank you for your help.

**If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.**

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosure:  
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

STATE OF IDAHO  
District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

NAME AND ADDRESS:

CHARLES A PHILLIPS  
JUDY A PHILLIPS  
6201 TIGNER RD  
CASHWERE, VA 90815

67-80619 V.A.  
67-14259  
67-1426  
67-1426



PHILLIPS 908152010 1699 05 12/19/00  
FORWARD TIME EXP RTN TO SEND  
PHILLIPS  
1220 MAIN CREEK RD  
WEISER ID 83672-5520

RETURN TO SENDER

00015203

|||||



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 8, 2001

CHARLES A PHILLIPS  
JUDY A PHILLIPS  
1226 MANN CREEK RD  
WEISER ID 83672

Re: Original Notice of Claim to a Water Right No. 67-14113

Renumbered Notice of Claim to a Water Right No. 67-14259

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington  
Office Specialist I  
Adjudication Section  
Western Region

DB:db

Enclosure



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

May 7, 2001

Mr. and Mrs. Phillips  
1226 Mann Creek Rd  
Weiser, ID

Re: Change of water right ownership.

You submitted a change of water right ownership to our office quite some time ago. I apologize for the delay in responding to you. Before we can proceed with a change, we will need additional information from you.

You submitted a warranty deed conveying property from Gomez to yourself and a map; however, we also need a copy of the "Exhibit A" showing the legal description for the property. Based on our search of the database, it appears there may be five water rights associated with the property you purchased from Gomez, 67-632A, 67-7781, 67-10478, 67-10479, and 67-14113..

In your cover letter you reference water right 67-10882. This water right is in your name for domestic use from groundwater. The legal description is many miles away from the property you purchased from Gomez. If this right is to be changed also, we will need further information.

Please submit the legal description for your property as soon as possible. Call us if you have any questions. Once again I apologize for the delay in responding to you.

Sincerely,

Adjudication Section  
Western Region

SB

May 11, 2001

Mr. and Mrs. Charles A. Phillips  
1226 Mann Cr. Rd.  
Weiser, ID 83672

Depart. of Water Resources  
Western Region, Adjudication Section  
2735 Airport Way  
Boise, Idaho 83705-5082

RECEIVED

MAY 15 2001

WATER RESOURCES  
WESTERN REGION

Re: Change of water right ownership.

This letter is in response to the letter from SB written May 7, 2001. I am attaching a copy of "Exhibit A" which is a written description, as requested. I am also attaching a map which shows the boundaries and some other wells or spring developments in the area that I know about. I hope some of these explain the other water rights on this property.

Taking a long time to process the water right changes leads to some interesting changes. Sometime between when we bought this property and now (about 2 years ago) it was discovered that the original title had been in error as what the Gomez's and ourselves had agreed to. So Mr. Gomez (now deceased) made changes at the courthouse to add in the section west of lot 6160 from lot 6770 on the map (about 7-8 acres). I do not know how all that transpired but it is listed now as Phillips property in the Washington Co. records. So the dark lines on the attached map is approximately where the boundary is. This is a copy of the map Mr. Gomez used to make the changes at the court house.

Since I sent in for water right changes the  $\frac{1}{4}$  corner between section 18 and 19 has been marked with a official looking post (about 1 May 2001). So this information could help resolve exactly where the all the water rights are.

Since sending in for the water right changes I have learned the location of other wells or springs that may be listed and I have shown those also on the attached map. I have shown those outside my property and on the ground they are outside the fence, but the fence may not be where it should be.

If I knew who, what and where these other water rights are, maybe I could gather some more information to help with resolution.

Due to my investing a great deal of money in orchards on this site and the potential for water problems, I need to know AS SOON AS POSSIBLE of any additional problems or changes I need to make. Everyday my investment increases and potentially the problems. On the other hand to stop would mean the loss of a lot of money. Water is a KEY item for my management. If there are significant problems that may lead to court action and costs, the sooner those actions can be settled the sooner we will have peace and lower costs. Water rights are a majority of the value of land and changing values can get people very upset. So PLEASE resolve this as quickly as possible. I will be calling regularly to see how this is coming along.

Again taking a long time to resolve the water issues can be a blessing or increase the problems. I sold the property the other well is on at 1080 Cove road in early July 2000 to Lance and Angie Phillips. They are the new owners of the well and some irrigation water rights. As soon as the irrigation company reissues the certificates for this I will see about a submission for change.

Sincerely,

*Charles A. Phillips*

Charles A. Phillips  
Owner

*Reference 67-10882*

RECEIVED  
MAY 17 1999  
WATER RESOURCES  
WESTERN REGION

13 May, 1999

Idaho Dept. of Water Resources  
1301 North Orchard Street  
PO Box 83720,  
Boise, Idaho 83720-0098

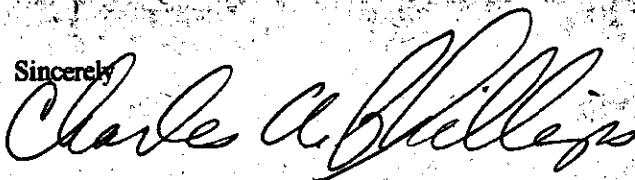
Water Right number 67-10882.  
Charles A. and Judy A. Phillips  
6201 Tigner Rd  
Cashmere, WA 98815

I am enclosing three "Notice of Change of Water Right Ownership" forms with a map of location of project and a copy of deed for each. I have not answered # 1 on these forms as I do not know what these are. I assume you folks know how to do that. I have included the marshes, wetlands and ponds that exist in this request. I assume you will let me know the results of these Notices of Change. Then I can move to the next step.

A question or concern is that on the Cove Road property Mr. Green is shown to have 3 acres of water. I do not understand what this means? Could you explain to me how this is so? I would appreciate knowing so I can work out any details with Mr. Green. Thank You for helping me with this process.

If there is anything else I need please let me know. My office phone is 509 662 4232. My address for the next two month will be 620 Tigner, Cashmere, WA 99615. After that it will be as on the Change Notices enclosed.

Sincerely



Charles A. Phillips