

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 63-33027
Date Received: 3/15/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W NOLAN VICTOR Phone: (208) 733-1359
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

SUSAN L MONTIERTH Phone: (208) 463-8163
825 HEARTLAND DR
NAMPA ID USA 83686

DOLLIE MONTIERTH Phone: (208) 922-4475
RT 1
KUNA ID USA 83634

KATHI L MEYERS Phone: (208) 733-4952
3921 N 3300 E
TWIN FALLS ID USA 83301

RUBY C VICTOR Phone: (208) 733-1359
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

DARLENE E MONTIERTH Phone: (208) 922-4237
2409 W KUNA CAVE RD
KUNA ID USA 83634

EDWARD RAY MONTIERTH Phone: (208) 989-8310
825 HEARTLAND DR
NAMPA ID USA 83686

ROBERT J MEYERS Phone: (208) 733-4952
3921 N 3300 E
TWIN FALLS ID USA 83301

RODNEY K MONTIERTH Phone:
RT 1 BOX 156
KUNA ID USA 83634

HERBERT R MONTIERTH JR Phone: (208) 407-2243
6312 S ZITHER AVE
BOISE ID USA 83709

2. Date of Priority: 08/26/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
05N	02W	25	NE NW SE		CANYON	
05N	01W	31	NW SW NW	2	ADA	
05N	02W	25	SE NW		CANYON	
05N	02W	25	SW SW		CANYON	

5. Description of diverting works:

PUMPS, MOTORS, BURIED PIPES TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.21	112.5

7. Total Quantity Appropriated is:
0.21 C.F.S. and/or 112.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02W	25	SW NE		IRRIGATION	1
			NE SW		IRRIGATION	2
			SW SW		IRRIGATION	22
					Section Acres	25
					Total Acres	25

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

SYSTEM HAS BEEN INTEGRATED SINCE 1987.

This right is a split from former right 63-32823 .

15. Basis of Claim: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32823 V1

WATER RIGHT NUMBER: 63-32823 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	WILLIAM A PARSONS
Current Owner	W NOLAN VICTOR
Current Owner	SUSAN L MONTIERTH
Original Owner	HANK VANDERWEY
Current Owner	DOLLIE MONTIERTH
Current Owner	KATHI L MEYERS
Original Owner	THEA VANDERWEY
Original Owner	NORWEST AGRICULTURAL CREDIT INC
Current Owner	RUBY C VICTOR
Current Owner	DARLENE E MONTIERTH
Original Owner	BYRLE C MORSE
Current Owner	EDWARD RAY MONTIERTH
Current Owner	ROBERT J MEYERS
Current Owner	RODNEY K MONTIERTH
Current Owner	HERBERT R MONTIERTH JR

63-33027

63-33028

Priority Date: 08/26/1968

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

1.030 CFS

Annual Volume

553.50 AF

Total Diversion:

1.030 CPS

553.50 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NW1/4SE1/4

Sec. 25, Twp 05N, Rge 02W, B.M.

GROUND WATER

ADA County

L2 (NW1/4SW1/4NW1/4)

Sec. 31, Twp 05N, Rge 01W, B.M.

GROUND WATER

CANYON County

SE1/4NW1/4

Sec. 25, Twp 05N, Rge 02W, B.M.

GROUND WATER

CANYON County

SW1/4SW1/4

Sec. 25, Twp 05N, Rge 02W, B.M.

Place of Use

IRRIGATION

Phillips 98 ac. / 0.82 cfs / 441.0 AF

Montierth 25 ac. / 0.21 cfs / 112.5 AF

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-32823 V1

IRRIGATION

phillips =

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	02W	25		38.0	1.0			40.0	20.0	2.0			22.0						123.0

montierth

25 = M
98 = P

Total Acres: 123

Conditions of Approval:

1. This right is a split from former right 63-7142 .
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 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.
4. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5. E62 This right when combined with Right No. 63-32817 shall provide no more than .02 cfs per acre.

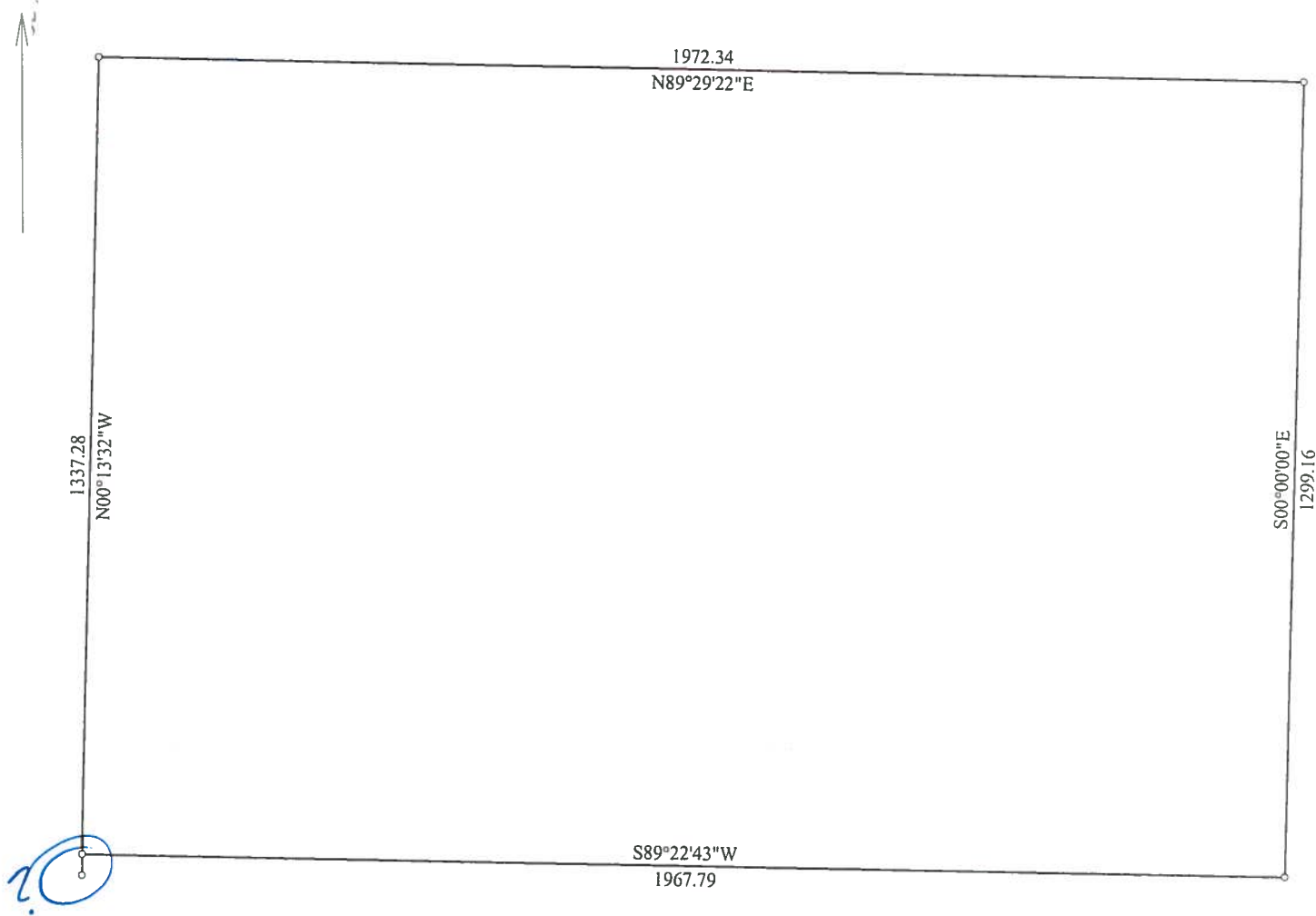
Remarks:

New # plz

Comments:Dates and Other Information:

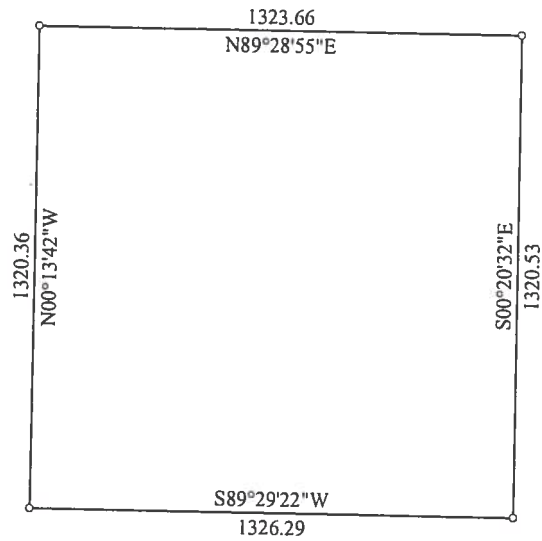
Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:



Title:		Date: 04-17-2008
Scale: 1 inch = 286 feet	File: Parcel 3A Phillips.des	
Tract 1: 24.1241 Hectares: 241240.8 Sq M.: Closure = s00.3214w 10.47 M.: Precision =1/191: Perimeter = 2005 M.		
001=N+1395850.444m E+2296043.477m	004=/N89.3411E 25.00	007=S00.0000E 1299.16
002=Rotate +1.40	005=N00.1332W 1337.28	008=S89.2243W 1967.79
003=/N00.1332W 2625.51	006=N89.2922E 1972.34	

Portion of S $\frac{1}{2}$ NW, S25, 5N, 2W



Title:		Date: 04-16-2008
Scale: 1 inch = 528 feet	File: PARCEL3B PHILLIPS.des	
Tract 1: 16.2538 Hectares: 162537.6 Sq M.: Closure = n41.3409e 0.00 M.: Precision =1/571261: Perimeter = 1613 M.		
001=N+1395850.444m E+2296043.477m	005=/N00.1332W 1337.28	009=S00.2032E 1320.53
002=Rotate +1.40	006=/N89.2922E 2619.00	010=S89.2922W 1326.29
003=/N00.1332W 2652.51	007=N00.1342W 1320.36	
004=/N89.3411E 25.00	008=N89.2855E 1323.66	

NWNE, S25, 5N, 2W

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

RECEIVED

MAR 07 2003

WATER RESOURCES
WESTERN 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
_____	<u>63-32817</u>	<u>Y</u>	_____	_____	_____
_____	<u>63-32823</u>	<u>Y</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) See Attachment A
-
4. New Owner/Claimant(s) Richard M. Phillips and the Staci Phillips Trust (Richard M. Phillips, Trustee)
- New Mailing Address 210 Murray St.
- City, State and ZIP Code Boise, ID 83714
- New Telephone Number (208) 376-4665
- Date you acquired the property 2007

Attachment A - Current Owners

EDWARD RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

ROBERT J MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

DOLLIE MONTIERTH
RT 1
KUNA ID 83634

KATHI L MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA ID 83634

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

Attachment B - Split Analysis**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 63-32817

Water Use	Diversion Rate or Volume	Description
Irrigation	<u>1.16 cfs</u>	<u>100 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>1.16 cfs/100 acres</u>	

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 63-32823

Water Use	Diversion Rate or Volume	Description
Irrigation	<u>0.82 cfs</u>	<u>98 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.82 cfs/98 acres</u>	

Water Right Number: 63-32817
Diversion Rate: 1.39 CFS
Reviewer Name: R. Brown
Date: 14-Mar-07

[illegible]

63-32817

1.39 CFS

Reviewer Name: _____ **R. Brown**

Date: 39155

Summary

[illegible]

Water Right Number: 63-32823
Diversion Rate: 1.03 CFS
Reviewer Name: R. Brown
Date: 13-Mar-07

[illegible]

Water Right Number: 63-32823

Diversion Rate: 1.03 CFS

Reviewer Name: R. Brown

Date: 39154

Split Tree

[illegible]

63-32823
(123.0 ac & 1.03 cfs)

Summary

[illegible]

File No.. 200706717

EXHIBIT A**Parcel 3A**

A portion of the South Half of the Northwest Quarter of Section 25 of Section 25, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of Section 25 Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence

North 00° 13' 32" West 2,625.51 feet to a point; thence

North 89° 34' 11" East 25.00 feet to the REAL POINT OF BEGINNING; thence

North 00° 13' 32" West 1,337.28 feet to a point; thence

North 89° 29' 22" East 1,972.34 feet to a point; thence

South 00° 00' 00" East 1,299.16 feet to a point; thence

South 88° 22' 43" West 1,967.79 feet to the REAL POINT OF BEGINNING.

Parcel 3B

The Northwest Quarter of the Northeast Quarter of Section 25 of Section 25, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of Section 25 Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence

North 00° 13' 32" West 2,625.51 feet to a point; thence

North 89° 34' 11" East 25.00 feet to a point; thence

North 00° 13' 32" West 1,337.28 feet to a point; thence

North 89° 29' 22" East 2,619^{1/8} feet to a 1/16 corner, the REAL POINT OF BEGINNING; thence

North 00° 13' 42" West 1,320.36 feet to a 1/16 corner; thence

North 89° 28' 55" East 1,323.66 feet to a 1/16 corner; thence

South 00° 20' 32" East 1,320.53 feet to a 1/16 corner; thence

South 89° 29' 22" West 1,326.29 feet to the REAL POINT OF BEGINNING.

RECORDED

2007 NOV 8 PM 4 46

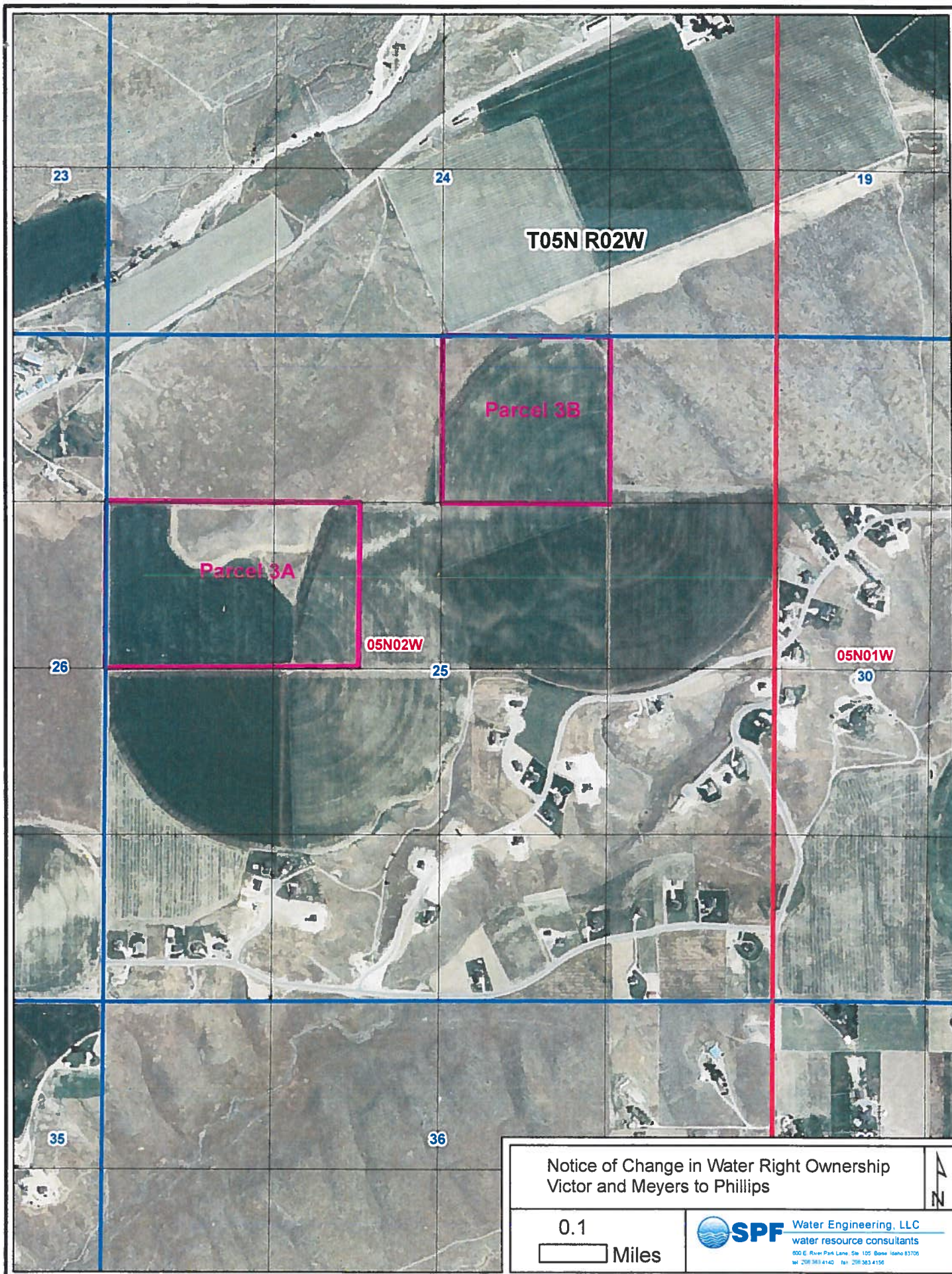
WILLIAM H. HURST
CANYON CNTY RECORDER
BY *J. Hurst*

PIONEER TITLE COMPANY

REQUEST

TYPE *Hand* FEE *9.00*

2007074326



Notice of Change in Water Right Ownership
Victor and Meyers to Phillips

0.1

Miles



Water Engineering, LLC
water resource consultants
800 E. River Park Lane, Ste. 100, Bonanza, Idaho 83709
W: 208.363.4142 F: 208.363.4156



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 63-32823
Date Received: 3/15/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W NOLAN VICTOR Phone: (208) 733-1359
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

SUSAN L MONTIERTH Phone: (208) 463-8163
825 HEARTLAND DR
NAMPA ID USA 83686

DOLLIE MONTIERTH Phone: (208) 922-4475
RT 1
KUNA ID USA 83634

KATHI L MEYERS Phone: (208) 733-4952
3024 WOODRIDGE DR
TWIN FALLS ID USA 83301

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KUNA ID USA 83634

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RT 1 BOX 156
KUNA ID USA 83634

HERBERT R MONTIERTH JR Phone: (208) 407-2243
6312 S ZITHER AVE
BOISE ID USA 83709

2. Date of Priority: 08/26/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05N	02W	25	NE	NW	SE	CANYON	
05N	01W	31	NW	SW	NW	2	ADA
05N	02W	25		SE	NW		CANYON
05N	02W	25		SW	SW		CANYON

5. Description of diverting works:

PUMPS,MOTORS,BURIED PIPES TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.03	553.5

7. Total Quantity Appropriated is:
1.03 C.F.S. and/or 553.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot		Use	Acres		
05N	02W	25	NW	NE	IRRIGATION	38		
			SW	NE	IRRIGATION	1		
			SW	NW	IRRIGATION	40		
			SE	NW	IRRIGATION	20		
			NE	SW	IRRIGATION	2		
			SW	SW	IRRIGATION	22		
Section Acres						123		
Total Acres						123		

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

SYSTEM HAS BEEN INTEGRATED SINCE 1987.

This right is a split from former right 63-7142 .

15. Basis of Claim: License

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

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
	63-3114	Y			
	63-3365	Y			
	63-7056A	Y			
	63-7142	Y			

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) See Attachment A
4. New Owner/Claimant(s) Richard M. Phillips and the Staci Phillips Trust (Richard M. Phillips, Trustee)
- New Mailing Address 210 Murray St.
- City, State and ZIP Code Boise, ID 83714
- New Telephone Number (208) 376-4665
- Date you acquired the property 2005 (Parcel 1), 2006 (Parcel 2)

RECEIVED

JUN 11 2007

WATER RESOURCES
 WESTERN REGION

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.

See Attachment B

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Shelley Phillips Trust by Richard M. Phillips Trustee
Richard M. Phillips (as individual and Trustee)

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 <u>JAL</u>	Date <u>6-11-07</u>	Fee <u>N/A</u>
Receipted by _____	Date _____	Receipt No. _____
Processed by <u>JAL</u> AJ	Date <u>8-15-07</u>	WR _____ Date _____

Attachment A - Current Owners

EDWARD RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

ROBERT J MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

DOLLIE MONTIERTH
RT 1
KUNA ID 83634

KATHI L MEYERS
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DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA ID 83634

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

Attachment B - Split Analysis**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 63-3114

Water Use	Diversion Rate or Volume	Description
Irrigation	<u>1.79 cfs</u>	<u>155 acres</u>
Stock		
Domestic		
Other		
Total	<u>1.79 cfs/155 acres</u>	

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 63-3365

Water Use	Diversion Rate or Volume	Description
Irrigation	<u>0.83 cfs</u>	<u>41.5 cfs</u>
Stock		
Domestic		
Other		
Total	<u>0.83 cfs/41.5 acres</u>	

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 63-7056A

Water Use	Diversion Rate or Volume	Description
Irrigation	<u>0.42 cfs</u>	<u>46 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.42 cfs/46 acres</u>	

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 63-7142

Water Use	Diversion Rate or Volume	Description
Irrigation	<u>1.29 cfs</u>	<u>155 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>1.29 cfs/155 acres</u>	

INSTRUMENT NO.

PTC

Pioneer Title Co.

GOING BEYOND

703 S. Americana, Suite 120 / Boise
Idaho 83702 / (208) 373-3744

184638

REQUEST
PIONEER TITLE COMPANY
BY *[Signature]*
CANYON GREY RECORDER
WILLIAM D. HURST
2007 JUL 24 PM 12 50
RECORDED
2007050870

WARRANTY DEED

For Value Received The Victor Family Living Trust, as to an undivided one-half interest and Robert J. Meyers and Kathi Meyers, husband and wife, as to an undivided one-half interest hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto Richard M. Phillips as Trustee of the Staci Phillips Trust w/va dated January 1st, 1995, as to an undivided 50% interest and Richard M. Phillips, an unmarried man, individually as to an undivided 50% interest hereinafter referred to as Grantee, whose current address is 210 Murray Street, Boise, ID 83714 the following described premises, to-wit:

See exhibit "A", attached hereto and made a part thereof, by reference and which is comprised of one (1) page

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 19, 2007

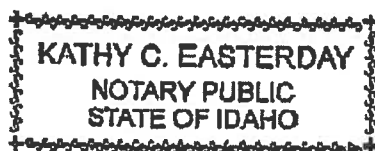
The Victor Family Living Trust

By: *[Signature]*

Steve C. Victor, Trustee

[Signature]
Robert J. Meyers*[Signature]*
Kathi MeyersSTATE OF IDAHO, County of TWIN FALLS ss.

On this 20th day of July, in the year of 2007, before me, KATHY C. EASTERDAY, a notary public personally appeared Steve C. Victor, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee and acknowledged to me that he executed the same as such Trustee.

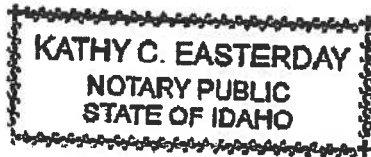


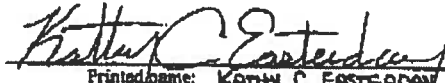
[Signature]
Printed name: KATHY C. EASTERDAY
Notary Public of IDAHO
Residing at PIER
Commission expires: 1-30-13

Re-recorded to correct scrivener errors in legal description.

STATE OF IDAHO, County of Twin Falls, ss.

On this 26th day of July, in the year of 2007, before me KATHY C. EASTERDAY, notary public personally appeared Robert J. Meyers and Kathi Meyers known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Printed name: KATHY C. EASTERDAY
Notary Public of IDAHO
Residing at ETLER
Commission expires: 1-30-13

RECORDER SCAN

JUN 28, 2005

PIONEER TITLE



A Equal Opportunity Company
PIONEER TITLE COMPANY
OF ADA COUNTY
703 S. Americana, Suite 190 / Boise, Idaho 83702
(208) 373-3744

RECORDED
JUL 1 PM 4 49
CANYON CITY REORDER
by Decker Johnson

200538003

WARRANTY DEED

For Value Received The Victor Family Living Trust, a one-half undivided interest; and
Robert J. Meyers and Kathi Meyers, a one-half undivided interest

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Richard M. Phillips, as Trustee of the Straci Phillips Trust, under trust agreement dated January 1, 1995, an
undivided one-half (1/2) interest as Tenants in Common, and Richard M. Phillips, an unmarried man, an
undivided one-half (1/2) interest as Tenants in Common

hereinafter referred to as Grantee, whose current address is 310 Murray Street, Boise, ID 83714
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor
is the owner in fee simple of said premises; that said premises are free from all encumbrances except current
years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record,
and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims
whosoever.

Dated: June 28, 2005

The Victor Family Living Trust

By: [Signature]
Steven Victor, Successor Trustee

[Signature]
Robert J. Meyers

[Signature]
Ruby C. Victor, Trustee

[Signature]
Kathi Meyers

PIONEER - NAMPA
REQUEST
TYPE W-1 FEE 9.00

PN83528

Exhibit "A"

A portion of Section 25, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

Commencing at the Southwest corner of Section 25, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 36° 40' 18" East 3343.21 feet to the POINT OF BEGINNING, thence

North 00° 00' 00" East 1299.16 feet to a point, thence

North 89° 29' 22" East 3300.09 feet to 1/16th corner, thence

South 00° 27' 25" East 593.56 feet to the Northeast corner of Star Ridge Estates Subdivision No. 1, thence along said boundary on a curve to the right whose radius is 1454.92 feet, whose length is 2590.21 feet, whose Delta is 102° 00' 16" and whose long chord bears

South 71° 42' 45" West 2261.44 feet to a point, thence

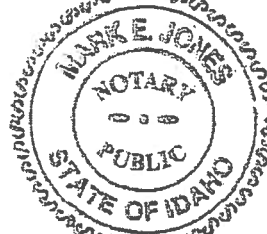
South 89° 59' 02" West 261.60 feet to a point, thence leaving said boundary

South 88° 22' 43" West 896.15 feet to the POINT OF BEGINNING.

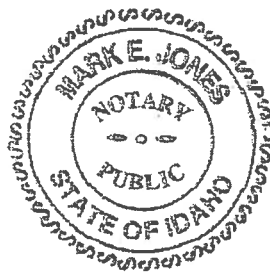
STATE OF IDAHO, County of TWIN FALLS, ss.

On this 30 day of June, in the year of 2005, before me MARK E. JONES
notary public personally appeared Robert J. Meyers and Kathi Meyers known or identified to me to be
the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me
that he/she/they executed the same.

Notary Public: MARK E. JONES
Residing at TWIN FALLS
My Commission expires: 12-1-08

STATE OF IDAHO, County of TWIN FALLS, ss.

On this 30 day of June, in the year of 2005, before me MARK E. JONES, a notary
public personally appeared Steven Victor and Ruby C. Victor, known or identified to me to be the
person whose name is subscribed to the within instrument as Successor Trustee and Trustee and
acknowledged to me that he/she/they executed the same as such Successor Trustee and Trustee.




Notary Public of Idaho
Residing at TWIN FALLS
Commission expires: 12-1-08



Pioneer Title Co.

GOING BEYOND

703 S. Americana, Suite 120 / Boise
Idaho 83702 / (208) 373-3744

PN 200607735

PROJECT
TITLED
FEE
9:

WARRANTY DEED

Page W-D-123

CANON CITY RECORDER
BY: [Signature]

2006 JUN 30 PM 4:40

RECORDED

200652378

For Value Received Victor Family Trust, as to an undivided one-half interest
and Robert J. Meyers and Kathi Meyers, husband and wife, as to an undivided one-half
interest

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Richard M. Phillips as Trustee of the Staci Phillips Trust u/t/a dated January 1st, 1995, as
to an undivided 50% interest, and Richard M. Phillips, an unmarried man, individually,
as to an undivided 50% interest

hereinafter referred to as Grantee, whose current address is 210 Murray Street, Boise, ID 83714
the following described premises, to-wit:

See exhibit "A", attached hereto and made a part thereof, by reference and which is comprised of
one (1) page

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor
is the owner in fee simple of said premises; that said premises are free from all encumbrances except current
years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record,
and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims
whatsoever.

Dated: June 22, 2006

Victor Family Trust

By: [Signature]

[Signature]
Robert J. Meyers

[Signature]
Kathi Meyers

#2 CEM
60 3/4
#2

File No.: 200607735

EXHIBIT A

A portion of the Southwest Quarter of Section 25 and the Northwest Quarter of the Southeast Quarter of Section 25, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of Section 25 Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence

North 00° 13' 32" West 600.35 feet, to the Northwest corner of Star Ridge Estates Subdivision No. 1, according to the plat filed in Book 32 at Page 37, records of Canyon County, Idaho; thence ALONG THE northerly boundary of said Star Ridge Estates No. 1 and Star Ridge Estates No. 2, according to the plat filed on Book 33 of Plats at Page 50, records of Canyon County, Idaho

North 89° 34' 11" East 25.00 feet to the REAL POINT OF BEGINNING; thence

North 89° 32' 05" East 788.10 feet to a point; thence

North 59° 44' 35" East 263.49 feet to a point; thence

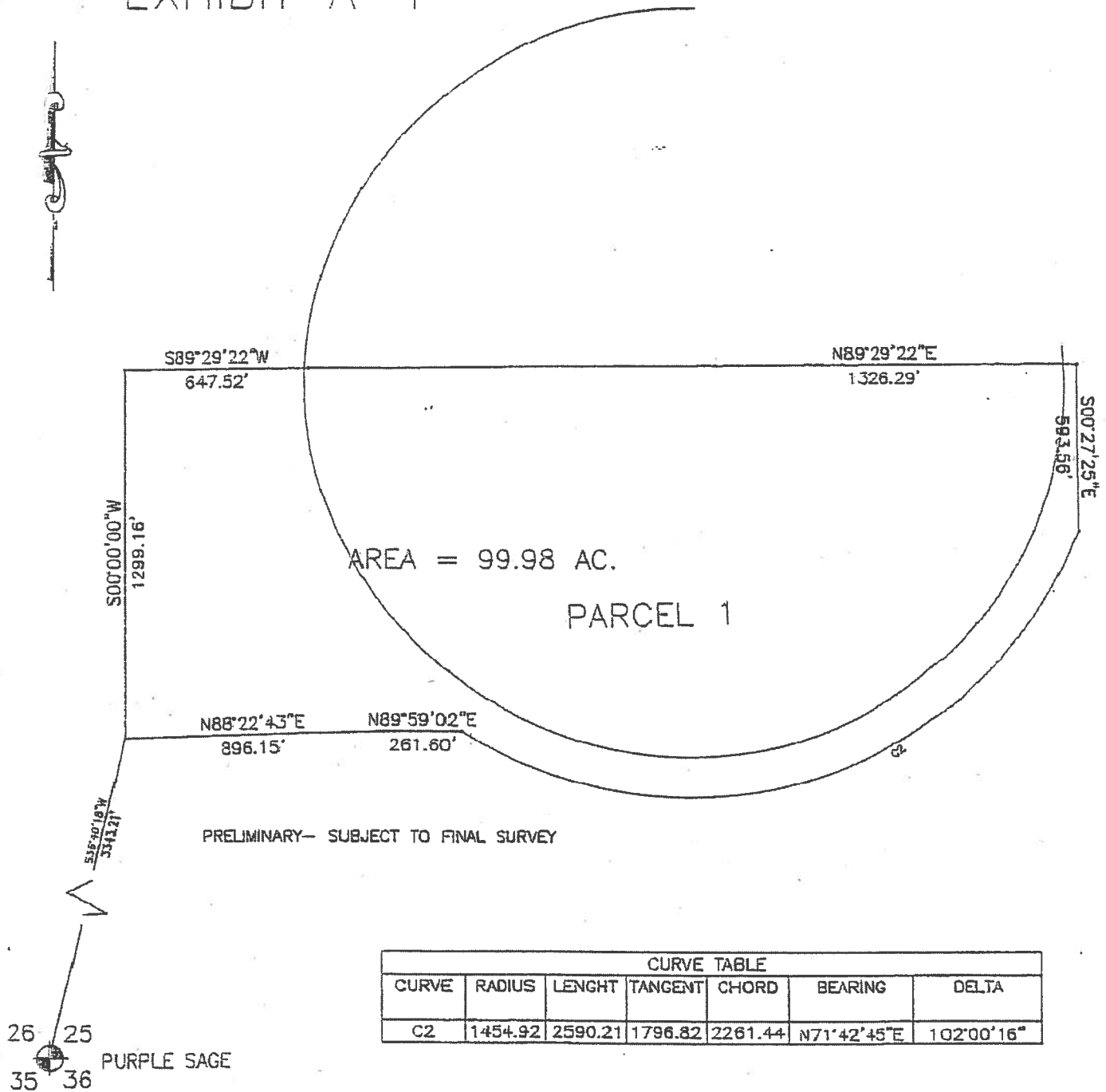
North 11° 07' 35" East 480.02 feet to a point; thence

On a curve to the left with a radius of 1,465 feet, a length a 2,544.27 feet, a delta or central angle of 103°25' 01" and a long chord bearing North 49° 25' 04" East 2,299.66 feet to a point; thence leaving said boundarys

South 88° 22' 43" West 2,863.96 feet to a point; thence

South 00° 13' 32" East 2,025.17 feet to the REAL POINT OF BEGINNING.

EXHIBIT A-1

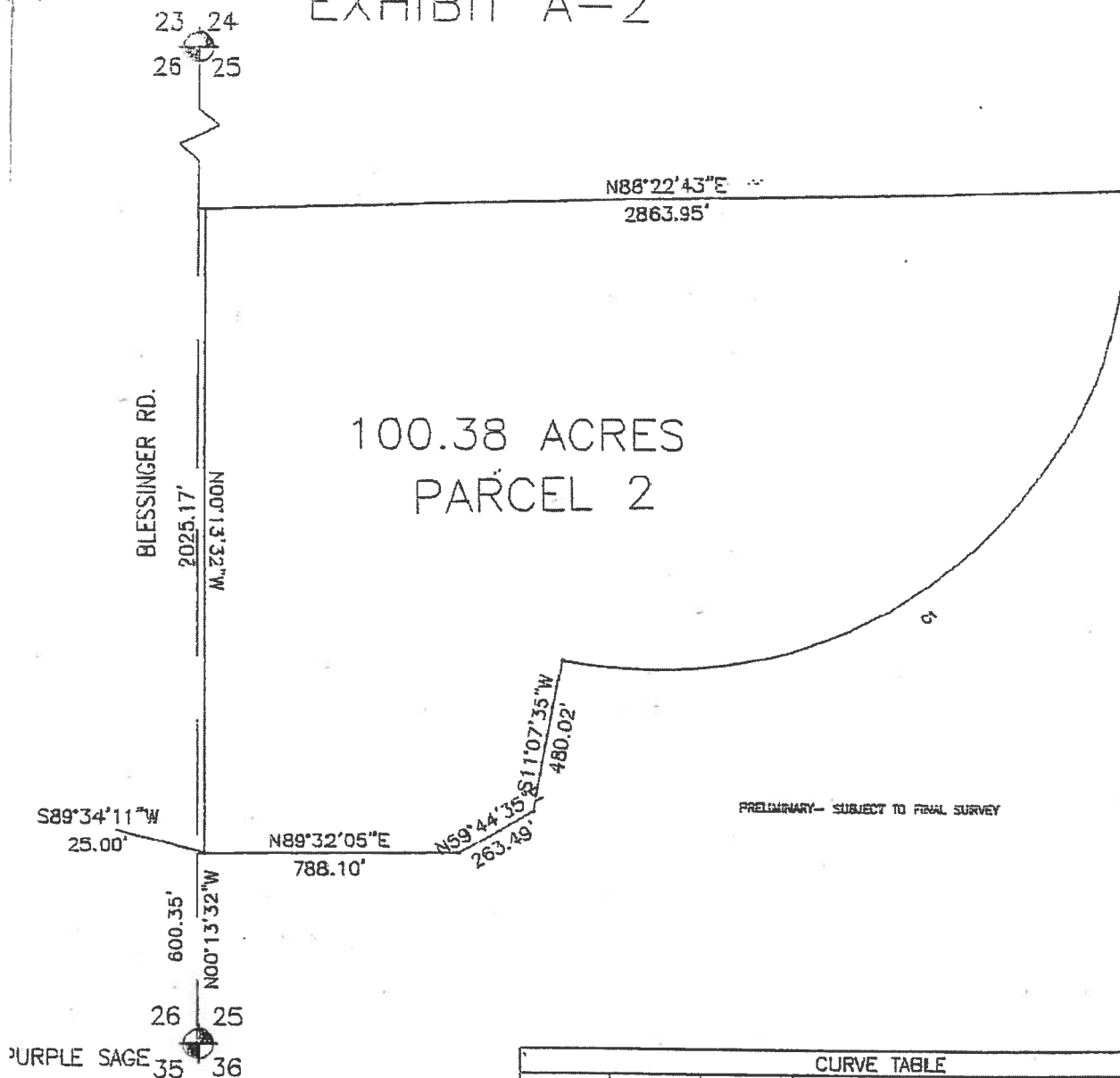


CURVE TABLE						
CURVE	RADIUS	LENGHT	TANGENT	CHORD	BEARING	DELTA
C2	1454.92	2590.21	1796.82	2261.44	N71°42'45"E	102°00'16"

V & M BOUNDARY

DRAWN BY: R.B.J.	DATE 3-17-05	PROJECT:
CK'D BY: R.B.J.	SCALE 1"=500'	PARCEL 1 RELEASE
APPROVED		
A PORTION OF SEC. 25, T.5N., R.2W., B.M.		DRAWING NAME
CANYON COUNTY, IDAHO		HILL STARRIDGE STARRONMASTER
		SHEET 1 OF 1

EXHIBIT A-2

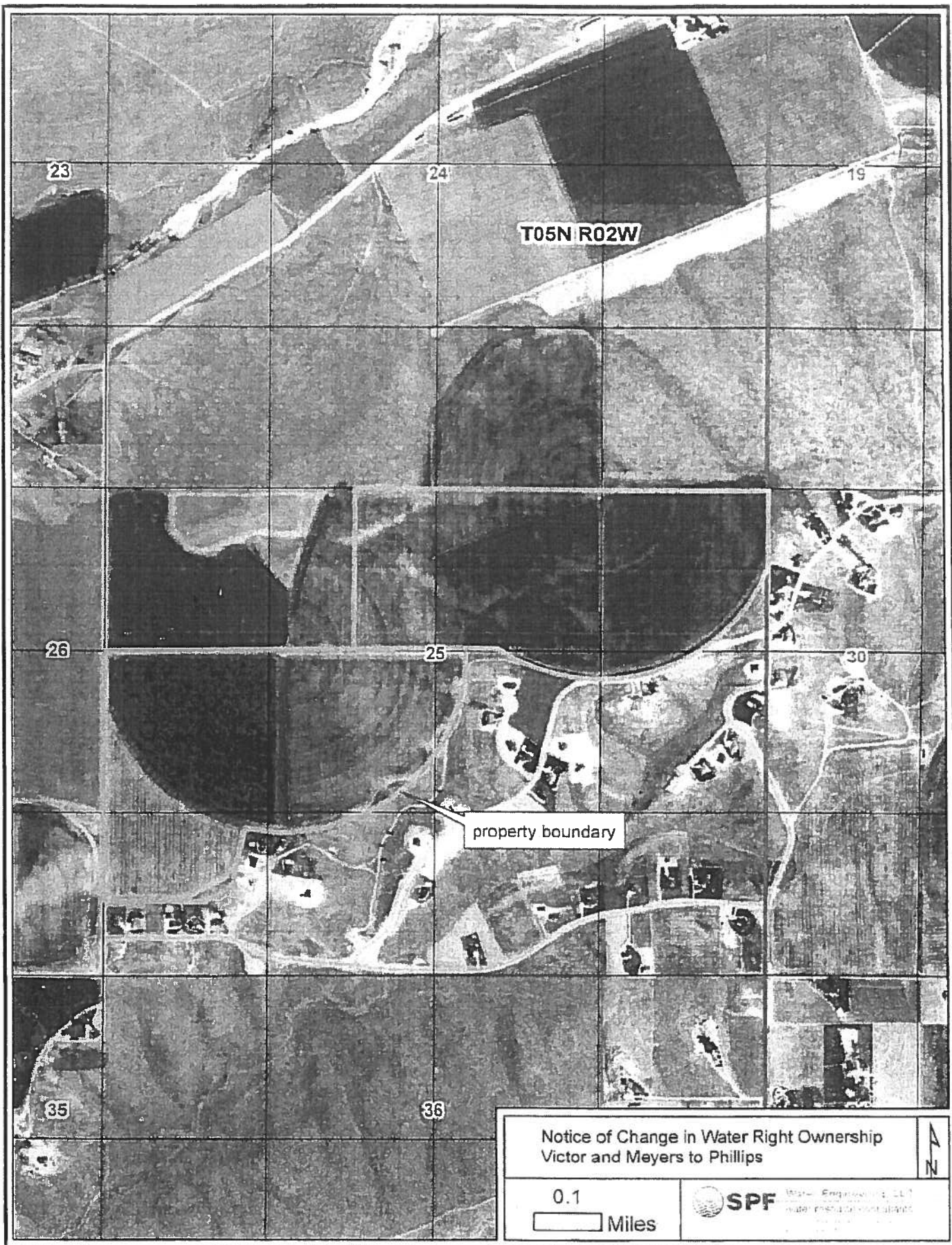


CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1465.00	2644.27	1855.57	2299.86	N49°25'04"E	103°25'01"

FOUND 5/8" PIN
AND PLASTIC CAP
SOUTHWEST CORNER
SEC. 25, T.5 N., R.2 W., B.M.
CP&F # 8823684

V & M BOUNDARY

DRAWN BY: R.B.J.	DATE 3-17-05	PROJECT: PARCEL 2 RELEASE
CK'D BY: R.B.J.	SCALE 1"=500'	
APPROVED		A PORTION OF SEC. 25, T.5N., R.2W., B.M. CANYON COUNTY, IDAHO
		DRAWING NAME HILL\STARRIDGE\STARRONSMASTER
		SHEET 1 OF 1



TRUST AGREEMENT FOR THE
STACI PHILLIPS TRUST

THIS TRUST AGREEMENT is effective this 1st day of January, 1995, by and between RICHARD M. PHILLIPS, an unmarried person, of Boise, Idaho (hereinafter "Grantor"), and RICHARD M. PHILLIPS, an unmarried person, of Boise, Idaho (hereinafter "Trustee").

W I T N E S S E T H :

WHEREAS, Grantor desires to create hereby a trust of the property hereinafter described and such other property as may be added to said trust from time to time, all to the end of establishing an irrevocable trust for the benefit of the beneficiaries hereinafter set forth, and to do other things as hereinafter set forth;

NOW, THEREFORE, IT IS HEREBY DECLARED:

ARTICLE I

TRUST PROPERTY

The Grantor hereby irrevocably transfers, assigns, and delivers to the Trustee all his right, title, and interest in the property described in Schedule A attached hereto and made a part hereof, and the Trustee agrees to hold that property and all additions thereto and the income therefrom upon the terms and conditions hereinafter set forth. Additional property may from time to time be transferred by the Grantor or by any other person or persons to the Trustee with the Trustee's consent. Such additional property so received shall immediately become a part of the trust property and shall be held, managed, invested, reinvested, and disposed of on the same terms and conditions as the property described in Schedule A.

ARTICLE II

TRUST NAME

The trust created hereunder shall be known as the "STACI PHILLIPS TRUST."

ARTICLE III

TERM OF THE TRUST

This trust begins on the date of this Trust Agreement and ends on the earlier of (1) the date Staci Phillips (hereinafter "Beneficiary") terminates the trust by

exercising the Beneficiary's power to appoint the trust property; (2) the date of the Beneficiary's death if the Beneficiary has appointed the trust property in her last Will (unless the Beneficiary has directed that distributions be postponed, in which case the trust shall continue until the date distributions are to be made); or (3) following the Beneficiary's death, the date the youngest child of the Beneficiary attains the age of twenty-five (25) years, unless the Beneficiary is not survived by any children, in which case the trust shall terminate on the Beneficiary's death.

ARTICLE IV

appointment and shall be so interpreted. The Beneficiary may relinquish any and all powers granted to the Beneficiary herein over any portion or all of the trust property. If the Beneficiary relinquishes powers over a portion but not all of the trust property, the Trustee shall divide the property then held in trust and shall hold and administer any trust property over which the Beneficiary's powers vary in separate trusts. Notwithstanding the foregoing, the Trustee shall have the power to distribute to the Beneficiary such amounts from income and/or corpus as the Trustee determines in the Trustee's sole and absolute discretion are reasonable or desirable for the Beneficiary's health, education, support, and/or maintenance, after taking into account the Beneficiary's other resources. In addition, the Trustee shall, during the term of the trust, distribute to any issue of the Beneficiary such amounts as the Trustee shall determine are necessary or desirable for the health, education, support, or maintenance of the issue of the Beneficiary; provided, however, that, during the Beneficiary's life, the Trustee is prohibited from making any distribution that would discharge any obligation of support that the Beneficiary may owe to such issue.

ARTICLE VI

UPON TERMINATION OF THE TRUST

Upon termination of this trust, the Trustee shall distribute the trust property as directed by the Beneficiary exercising the general power of appointment granted the Beneficiary in Article V hereof. If the Beneficiary has failed to exercise the Beneficiary's general power of appointment, or if the Beneficiary has relinquished such general power of appointment, the Trustee shall distribute the property then held in this trust to those among Beneficiary's issue in such proportions and at such times as the Beneficiary directs in the Beneficiary's Last Will. If the Beneficiary makes no such direction, the Trustee shall distribute the property then held in trust to the Beneficiary's issue, *per stirpes*. If, upon termination of this trust, neither Beneficiary nor any of Beneficiary's issue, if any, are then living, the Trustee shall distribute the trust property among those persons constituting the class consisting of the issue of Jerrene T. Phillips' siblings plus the issue of Richard M. Phillips' siblings, *per capita*.

If, upon termination of this trust, any principal vests in absolute ownership in a minor, the Trustee may, in the Trustee's discretion, hold such interest in trust until said minor attains the age of twenty-five (25) years. The Trustee of any such continued trust will pay so much of the trust's net income and principal to the minor as the Trustee deems appropriate for the minor's health, education, support, or maintenance, adding to principal any undistributed income. When the minor attains the age of twenty-five (25) years, the Trustee will pay the minor all of his/her share of the remaining trust funds, and the trust will end. If the minor dies before attaining the age of twenty-five (25) years, the Trustee will pay all of such funds to whomever the minor appoints in his/her Last Will or, if no appointment is made, to the minor's estate.

ARTICLE VII

PAYMENTS DURING MINORITY OR LEGAL DISABILITY

During the minority or other legal disability of any person other than the Beneficiary to whom payments of income or principal are herein directed to be made, the Trustee may make the payments in any one or more of the following ways:

- (a) Directly to the beneficiary;
- (b) To the legal guardian or conservator of the person or estate of the person;
- (c) By expending the funds for the benefit of the person; or
- (d) By naming a custodian for the person (who may be the Trustee) under any appropriate Uniform Transfers to Minors Act, and making such payments to such custodian.

The Trustee shall not be required to see to the application of any payment so made, but receipts therefor shall be a full discharge of the Trustee.

ARTICLE VIII

SPENDTHRIFT PROVISION

Any person entitled to a distribution hereunder is hereby prohibited from anticipating, encumbering, assigning, or in any other manner alienating his or her interest in either principal or income, and is without power to do so. Nor shall such interest be subject to said person's liabilities or obligations, nor to attachments, executions, or other legal processes, bankruptcy proceedings, or claims of creditors or others. The Trustee may, however, deposit in any bank designated in writing by said person to his or her credit, income or principal payable to such person.

ARTICLE IX

TRUSTEE'S POWERS

The rights, powers, and duties of the Trustee with respect to the management and investment of the trust property, in addition to the powers conferred upon the Trustee by applicable law, shall be as follows:

- (a) Specific Trustee's Powers. Subject to Article X hereof, the Trustee shall have full power and authority to hold, manage, insure, improve, repair, and deal with all property, real and personal, at any time forming part of the trust property; to sell,

contract to sell, convey, transfer, exchange, partition, lease for any term within or extending beyond the duration of this trust, and to grant for like terms the right to mine or drill and remove therefrom gas, oil, or other minerals; to create restrictions, easements, or other servitudes on trust property; to mortgage, pledge, and otherwise dispose of trust property or any interest therein, all in the manner, for the consideration, and upon the terms and conditions as the Trustee, in the Trustee's sole and absolute discretion, shall determine; to employ agents and counsel, including legal and investment counsel, as may be reasonably necessary or desirable in managing, protecting, and investing the trust property, and to pay them reasonable compensation; to settle, compromise, or abandon all claims and demands in favor of or against the trust property; to accept, add to, hold, and retain as a part of the trust property or portion thereof any property of any kind or nature which may at any time be transferred, conveyed, or delivered to the Trustee by any person; to borrow money, either from the Trustee or from others, with or without security, for any purpose, and to assume the payment of and to extend and renew any indebtedness incurred by the Trustee or secured by any property which may at any time form a part of the trust property; to invest and reinvest the trust property in any stocks, bonds, mortgages, notes, or other securities or property of any kind or nature, real or personal, notwithstanding the investments may not be prescribed by law or rule of court for the investment of trust funds, and to change the investments; to buy, sell, hold, and otherwise deal in any and all commodities of every kind and description whatsoever, and to vote any corporate stock, either in person or by proxy, for any purpose; to exercise any conversion privilege or subscription right given to the Trustee as the owner of any security forming a part of the trust property; to consent to, take any action in connection with, and receive and retain any securities resulting from any reorganization, consolidation, merger, liquidation, readjustment of the financial structure, or sale of the assets of any corporation or other organization, the securities of which may constitute a portion of the trust property; and to cause securities or other property which may at any time form a part of the trust property to be issued, held, or registered in the individual name of any Trustee, or in the name of a nominee, or in such form that title will pass by delivery.

The Trustee shall be authorized and empowered, without limitation upon any other powers of the Trustee given herein, to retain the services of investment counsel to advise the Trustee in the investment of the trust property; and, while the Beneficiary is living, I direct that the investment counsel employed by the Trustee shall be designated by the Beneficiary. Compensation paid to the investment counsel shall be a proper charge against the trust.

(b) Discretion of Trustee. All discretion in this Trust Agreement conferred upon the Trustee shall, unless specifically limited, be sole and absolute, and its exercise shall be final and conclusive on all persons interested in the trust. The enumeration of some powers and discretions of the Trustee is not to be construed as limiting their general powers and discretions; nor are they to be limited by any statutory or common law rule, the Trustee being hereby vested with and having as to

RECEIVED
MAR 15 1990

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: **A63-07142**
Date Received: 3/15/1990
Receipt No: C015622
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	HERBERT R MONTIERTH	208-922-4237
Address:	2409 W KUNA CAVE RD	
	KUNA ID	83634
OR		
Name:	EDWARD RAY MONTIERTH	208-922-4975
Address:	1601 POEN RD	
	KUNA ID	83634
OR		
Name:	SUSAN L MONTIERTH	208-922-4975
Address:	1601 POEN RD	
	KUNA ID	83634
OR		
Name:	RODNEY KENT MONTIERTH	208-922-4475
Address:	RT 1	
	KUNA ID	83634
OR		
Name:	DOLLIE MONTIERTH	208-922-4475
Address:	RT 1	
	KUNA ID	83634
OR		
Name:	WILFORD NOLAN VICTOR	208-733-5717
Address:	1520 ADDISON AVE E	
	TWIN FALLS ID	83301
OR		
Name:	RUBY C VICTOR	208-733-5717
Address:	1520 ADDISON AVE E	
	TWIN FALLS ID	83301
OR		
Name:	ROBERT J MEYERS	208-733-4952
Address:	3024 WOODRIDGE DR	
	TWIN FALLS ID	83301
OR		
Name:	DARLENE E MONTIERTH	208-922-4237

Address: 2409 W KUNA CAVE RD
KUNA ID

83634

OR

Name: KATHY L MEYERS
Address: 3024 WOODRIDGE DR
TWIN FALLS ID

208-733-4952

83301

2. Date of Priority: AUG 26, 1968

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01W	31	NW	SW	NW	2	ADA
	02W	25		SE	NW		CANYON
				SW	SW		CANYON
			NE	NW	SE		CANYON

*K. Waters NW
per field*

5. Description of diverting works:
PUMPS, MOTORS, BURIED PIPES TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.320		1251.00

7. Total Quantity Appropriated is:
2.320 C.F.S. (and/or) 1251.00 A.F.A.

8. Total consumptive use is 973.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02W	25	NW	NE		IRR	38.0
			SW	NE		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

Section Acres 278.0

Total Acres 278.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
63-03114, 63-4387, 63-08415

14. Remarks:
SYSTEM HAS BEEN INTEGRATED SINCE 1987.

15. Basis of Claim: LICENSE

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: _____

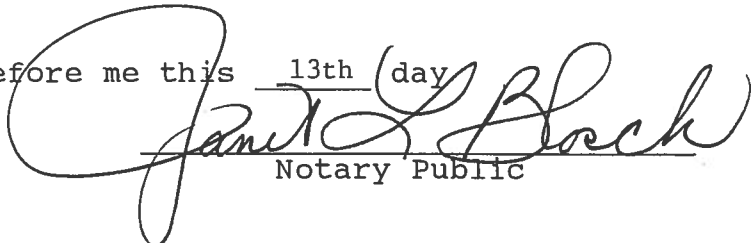
For Individuals:

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

Signature of Claimant(s): SEE ATTACHED SIGNATURE PAGE FOR _____ Date: MAY 13, 1993
SIGNATURES _____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th (day
of May 19 93
Seal


Notary Public
Residing at Boise, Idaho
My Commission Expires 3/17/99

SIGNATURE PAGE

Herbert R. Montierth
HERBERT R. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH as Personal Representative of the Estate of
GOLDA DARLENE MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Dollie Montierth
DOLLIE MONTIERTH

Edward Ray Montierth
EDWARD RAY MONTIERTH

Susan J. Montierth
SUSAN J. MONTIERTH

Wilford Nolan Victor
WILFORD NOLAN VICTOR

Ruby C. Victor by Nolan Victor
RUBY C. VICTOR BY NOLAN VICTOR, her attorney in fact

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block, _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A63-03114, 4387, 7056, 7110, 7142
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Vanderwey / Norwest Farm Credit
- ☐ New Owner/Claimant (Purchaser): Herbert R Montueth et al-see
- ☐ New Mailing Address: Warranty info
- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes \ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty deed - see file 3114 for copy

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) [Signature] Date 5/12/93

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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: A63-07142

Date Received:

Receipt No: 2015622

Received By: _____

RECEIVED

MAR 15 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: HANK VANDERWEY 208-454-2404
Address: 14040 WILLIS ROAD
CALDWELL, ID 83605
OR
Name: THEA VANDERWEY 208-454-2404
Address: 14040 WILLIS ROAD
CALDWELL, ID 83605
OR
Name: NORWEST AGRICULTURAL CREDIT, INC. 605-339-7477
Address: P.O. BOX 1837
SIOUX FALLS, SD 57117

2. Date of Priority: AUG 26, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	02W	25	SW	SE	NW		CANYON

5. Description of diverting works:
PUMPS, MOTORS, BURIED PIPES TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.320		1251.00

7. Total Quantity Appropriated is:
2.320 C.F.S. (and/or) 1251.00 A.F.A.

8. Total consumptive use is 973.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

A63-07142

Page 1

Date: 03/02/90

MICROFILMED
AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01W	30	NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			Section Acres			80.0
		31	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			Section Acres			320.0
	02W	25	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			520.0
			Total Acres			920.0

11. Place of use in counties: ADA, CANYON

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

13. Other Water Rights Used:
63-03114, 63-4387, 63-08415

14. Remarks:

THE WELL FROM WHICH THIS RIGHT IS TAKEN IS TIED TOGETHER IN A COMMON SYSTEM WHICH IS USED TO IRRIGATE OVER 900 ACRES. AS ORIGINALLY LICENSED THIS RT. WAS FOR 278 ACRES.

15. Basis of Claim: LICENSE

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): John Vanderwey Date: 3-14-90
John Vanderwey Date: 3-14-90

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of March 19 90

[Signature]
Notary Public

Seal

Residing at Hampton, Idaho
My Commission Expires 8-16-91

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

RIGHT NUMBER: 63-33027

NAME AND ADDRESS: W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

DOLLIE MONTIERTH
RT 1
KUNA ID 83634

KATHI L MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

EDWARD RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

ROBERT J MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA ID 83634

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS
112.500 AFY

This right when combined with Right Nos. 63-33025, 63-33026, and 63-33028 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 08/26/1968

POINT OF DIVERSION:

T05N R01W S31 NWSWN Lot 2 Within ADA County
T05N R02W S25 SENW Within CANYON County
T05N R02W S25 SWSW Within CANYON County
T05N R02W S25 NENWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.210 CFS 112.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION in CANYON County

T05N R02W S25	SWNE	1.00	T05N R02W S25	NESW	2.00
T05N R02W S25	SWSW	22.00			

25 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 - License

This right is a split from former right 63-32823 .

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

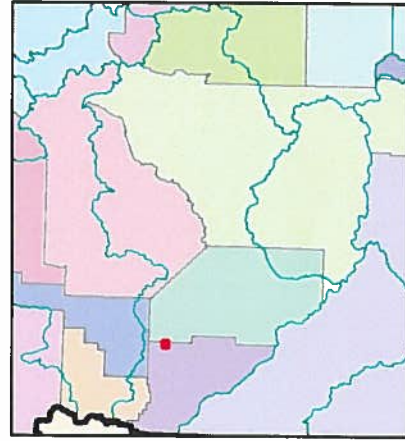


Idaho Department of Water Resources

SRBA Recommendation
63-33027
 (IRRIGATION)

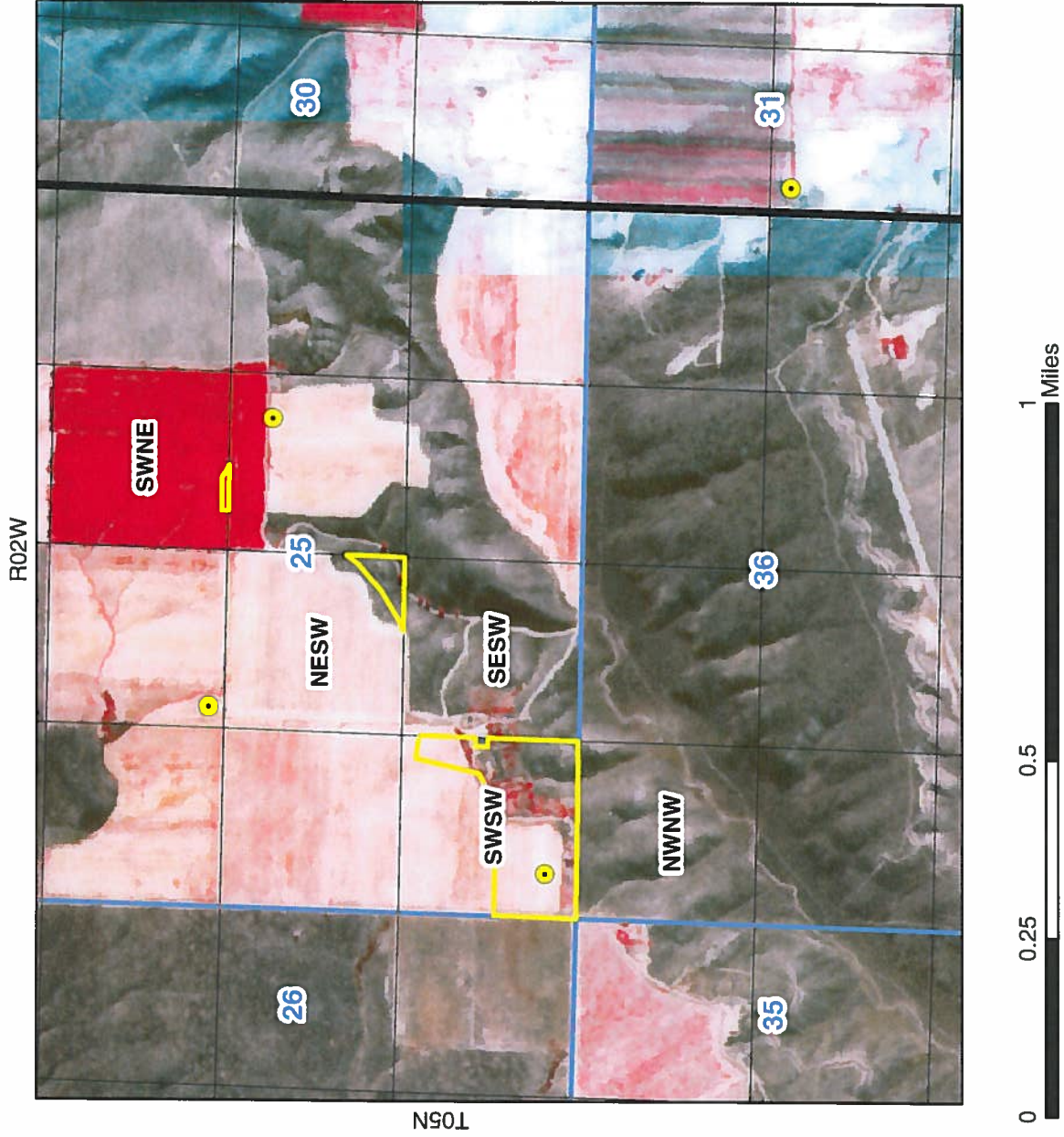
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
 IDWR Basin 63

Prepared by Kay Walker
 On Friday, April 25, 2008
 1987/88 Aerial Photography



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
)
)
)
Water Rights: 63-32823 (Split)

63-33027, 63-33028

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 23, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 23, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Edward Ray Montierth	☐	overnight mail
Susan L. Montierth	☒	regular mail
825 Heartland Dr.	☐	hand-delivered
Nampa ID 83686	☐	facsimile

W. Nolan Victor	☐	overnight mail
Ruby C. Victor	☒	regular mail
1528 Addison Ave. E.	☐	hand-delivered
Twin Falls ID 83301	☐	facsimile

Robert J. Meyers		
Kathi L. Meyers	☒	regular mail
3921 N. 3300 E.		
Twin Falls ID 83301		

Herbert R. Montierth Jr.		
6312 S. Zither Ave	☒	regular mail
Boise ID 83709		

Darlene E. Montierth
2409 W. Kuna Cave Rd.
Kuna ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Rodney K. Montierth
Rt. 1 Box 156
Kuna ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Richard M. Phillips Trust
Staci Phillips Trust
210 Murray St.
Boise ID 83714

☒ regular mail


Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 23, 2008

HERBERT R. MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

Re: Original Water Right Nos. 63-32817, 63-32823

Renumbered to Water Right Nos. 63-33025, 63-33027

Dear Mr. Montierth:

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 resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copies, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 23, 2008

ROBERT J MEYERS
KATHI L MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

Re: Original Water Right Nos. 63-32817, 63-32823

Renumbered to Water Right Nos. 63-33025, 63-33027

Dear Mr. & Mrs. Meyers:

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 resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

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Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 23, 2008

W NOLAN VICTOR
RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

Re: Original Water Right Nos. 63-32817, 63-32823

Renumbered to Water Right Nos. 63-33025, 63-33027

Dear Mr. & Mrs. Victor:

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 resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

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Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 23, 2008

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

Re: Original Water Right Nos. 63-32817, 63-32823

Renumbered to Water Right Nos. 63-33025, 63-33027

Dear Ms. Montierth:

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 resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

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Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 23, 2008

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA ID 83634

Re: Original Water Right Nos. 63-32817, 63-32823

Renumbered to Water Right Nos. 63-33025, 63-33027

Dear Mr. Montierth:

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 resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

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Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 23, 2008

EDWARD RAY MONTIERTH
SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

Re: Original Water Right Nos. 63-32817, 63-32823

Renumbered to Water Right Nos. 63-33025, 63-33027

Dear Mr. & Mrs. Montierth:

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 resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copies, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures



MAR 07 2008

WATER RESOURCES
WESTERN REGION

March 5, 2008

IDWR Western Region
2735 Airport Way
Boise, ID 83705

Subject: Notice of Change in Water Right Ownership
Water Right/Subcase No(s) 63-32817, 63-32823

Dear Western,

Enclosed on behalf of Dick Phillips and the Staci Phillips Trust is a *Notice of Change in Water Right Ownership* document.

Please let me know if there are any questions concerning this change.

Sincerely,

Roxanne Brown

Cc: Dick Phillips (Willowbrook)

Enclosures
Change in Ownership

SPF file number: 312.0020

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RECEIVED

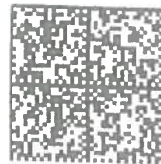
MAY 13 2008

WATER RESOURCE
WESTERN REGION



INSUFFICIENT
POSTAGE

FIRST CLASS



UNITED STATES POSTAGE



PRINTED BY BOWES

\$ 00.58⁰

02 1A

0004383393

MAILED FROM ZIP CODE 83702

63-33025

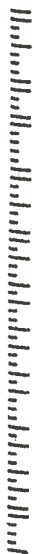
63-33027

1A

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA ID 83634

Re: Original Water Right Nos. 63-32817

8363439999 0000



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

Not at this address

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

De. Original Water District No. 62-2

83634-1503 PO01
83705-5082

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
MAILED FROM ZIP CODE 83702
\$00.580
APR 23 2008
PRIMEY BOWLES

RECEIVED

MAY 05 2008

63.33025
63.33027

WATER RESOURCES
WESTERN REGION

11x11

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD

BC: 83705508235

*0395-01754-02-24

