

11/29/2006

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

RIGHT NUMBER: 22-56
NAME AND ADDRESS: BURTON PHILLIPS
910 N 300 W
TETONIA ID 83452

KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

SOURCE: BADGER CREEK TRIBUTARY: TETON RIVER
QUANTITY: 6.400 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION: T06N R45E S9 NWNWSW Within TETON County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	6.400 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R45E S08 NESW	21.00	T06N R45E S08 SESW 14.00
	T06N R45E S08 NESE	22.00	T06N R45E S08 NWSE 34.00
	T06N R45E S08 SWSE	40.00	T06N R45E S08 SESE 29.00
	T06N R45E S16 SWNW	2.10	T06N R45E S16 NWSW 8.90
	T06N R45E S16 SWSW	9.10	T06N R45E S17 NENE 40.00
	T06N R45E S17 NWNE	40.00	T06N R45E S17 SWNE 38.00
	T06N R45E S17 SENE	40.00	T06N R45E S17 NENW 5.80
	T06N R45E S17 SENW	0.30	T06N R45E S17 NESE 40.00
	T06N R45E S17 NWSE	30.00	T06N R45E S17 SWSE 20.00
	T06N R45E S17 SESE	35.00	T06N R45E S21 NWNW 10.00
	T06N R45E S21 SWNW	8.10	

487.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 487.3 acres in a single irrigation season. Combined Right Nos.: 22-56, 22-174A, 22-254A, 22-501B, 22-7049, 22-7133

This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered through the Phillips Ditch.

06/09/2005

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

RIGHT NUMBER: 22-56

NAME AND ADDRESS: PHILLIPS FARMS INC
C/O BURTON K PHILLIPS
910 N 300 W
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 6.400 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R45E S9 NWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

6.400 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S08	NESW	21.0	T06N R45E S08	SESW	15.0
T06N R45E S08	NESE	22.0	T06N R45E S08	NWSE	34.0
T06N R45E S08	SWSE	40.0	T06N R45E S08	SESE	29.0
T06N R45E S16	SWNW	2.1	T06N R45E S16	NWSW	9.1
T06N R45E S16	SWSW	8.8	T06N R45E S17	NENE	40.0
T06N R45E S17	NWNE	40.0	T06N R45E S17	SWNE	39.0
T06N R45E S17	SENE	40.0	T06N R45E S17	NENW	7.1
T06N R45E S17	SENW	0.5	T06N R45E S17	NESE	40.0
T06N R45E S17	NWSE	32.0	T06N R45E S17	SWSE	23.0
T06N R45E S17	SESE	40.0	T06N R45E S21	NWNW	10.0
T06N R45E S21	SWNW	8.1			

500.7 ACRES TOTAL

Right Nos. 22-56, 22-174A, 22-254A, 22-452, 22-501B, 22-7049, and 22-7133 are limited to the irrigation of a combined total of 500.7 acres in a single irrigation season

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

06/09/2005

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

Right Nos. 22-56, 22-174A, 22-254B, 22-452, and 22-501B are also diverted through point of diversion described above.

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

January 18, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

SPRING HOLLOW LLC
PO BOX 3666
JACKSON WY 83001

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-56, 22-174A, 22-254B, 22-452, 22-501B, 22-7049, 22-7133, 22-11985, 22-11987

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Teton County, Idaho. The property to which I am referring was most recently owned by Burton & Kathy Phillips. The legal description is as follows:

T06N, R45E, S8, S16, S17, S21, 487.3 acres

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

RECEIVED

DEC 26 2006

Department of Water Resources
Eastern Region

This property has been sold including
water rights to Spring Hollow LLC, P.O. Box
3666, Jackson, WY, 83001

Richard Reilly Tele: 307-733-2247

Dan Newton Cell: 406-261-6522

They are in order, but will need the
approval of the new owner.

Thank you

Brian K. Reilly

★ ★ ★
 1571
 89428
 8505
 U.S. POSTAGE
 01-110 JAN 05 2007
 MAILED FROM ZIP CODE
 PB3523907
 833402
 TM

PHIL910* 834522001 1B05 11 01/09/07
FORWARD TIME EXP RTN TO SEND
PHILLIPS
1329 W BLOOMINGTON DR S
SAINT GEORGE UT 84790-7758

RETURN TO SENDER

BURTON PHILLIPS

KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

RECEIVED

JAN 12 2007

Department of Water Resources
Eastern Region

22-152
11985
11987
174A
254B
501B
56
7049
7133

December 8, 2006

BURTON PHILLIPS
KATHY PHILLIPS
1329 W BLOOMINGTON DR S
SAINT GEORGE UT 84790

RE: CHANGE OF ADDRESS FOR 22-11985, 22-11987, 22-174A,
22-254B, 22-452, 22-501B, 22-56, 22-7049, 22-7133

Dear Claimant:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

BURTON PHILLIPS
KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

ADDRESS SERVICE
REQUESTED

BURTON & KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

PHIL910* 834522026 1305 16 12/05/06
 FORWARD TIME EXP RTN TO SEND
 PHILLIPS
 11329 W BLOOMINGTON DR S
 SAINT GEORGE UT 84790-7758

RETURN TO SENDER



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern Regional Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

22-11985
11987
174A
254B
452
50113
56
7049
7133

8340281700
1755675654 R001

BURTON PHILLIPS
KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

PHILIPPS 034523002 1805 00 12/02/06
FORWARD TIME EXP RTN TO SEND
PHILLIPS BLOOMINGTON DR 5
1330 W GEORGE UT 84790-7750
SAINT
RETURN TO SENDER



1081
8922 \$00.390 NOV 29 2006
6363 MAILED FROM ZIP CODE 83402
U.S. POSTAGE P 83523907

RECEIVED

DEC 29 2006

Department of Water Resources
Eastern Region

NOTICE OF ERROR
REPLY

11/29/2006

RECEIVED

DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-56

BURTON PHILLIPS

910 N 300 W

TETONIA ID 83452

Telephone Number: (208)456-2697

KATHY PHILLIPS

910 N 300 W

TETONIA ID 83452

Telephone Number: (208)456-2697



Richard & Gail Reilly
PO Box 3666
Jackson, WY 83001

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/19/06

SIGNATURE:

Richard J. Reilly

Please print your name:

Richard J. Reilly

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

jc



Idaho Department of Water Resources

SRBA Recommendation:

22-56
22-174A
22-254B
22-501B

(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0 0.8 1.6 Miles

Prepared by C. Moore
On Wednesday, November 29, 2006
1987/88 Aerial Photography



State of Idaho

Department of Water Resources

Eastern Region



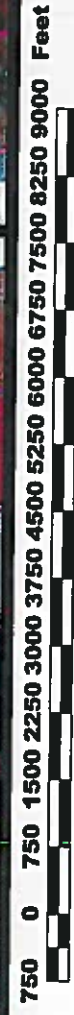
Water Right(s):
22-56, 22-174A,
22-254B, 22-452,
22-501B, 22-7049,
22-7133

Point(s) of Diversion:
T6N, R45E
Sec. 8 SESE (well)
Sec. 9 NWNWSW (surface)

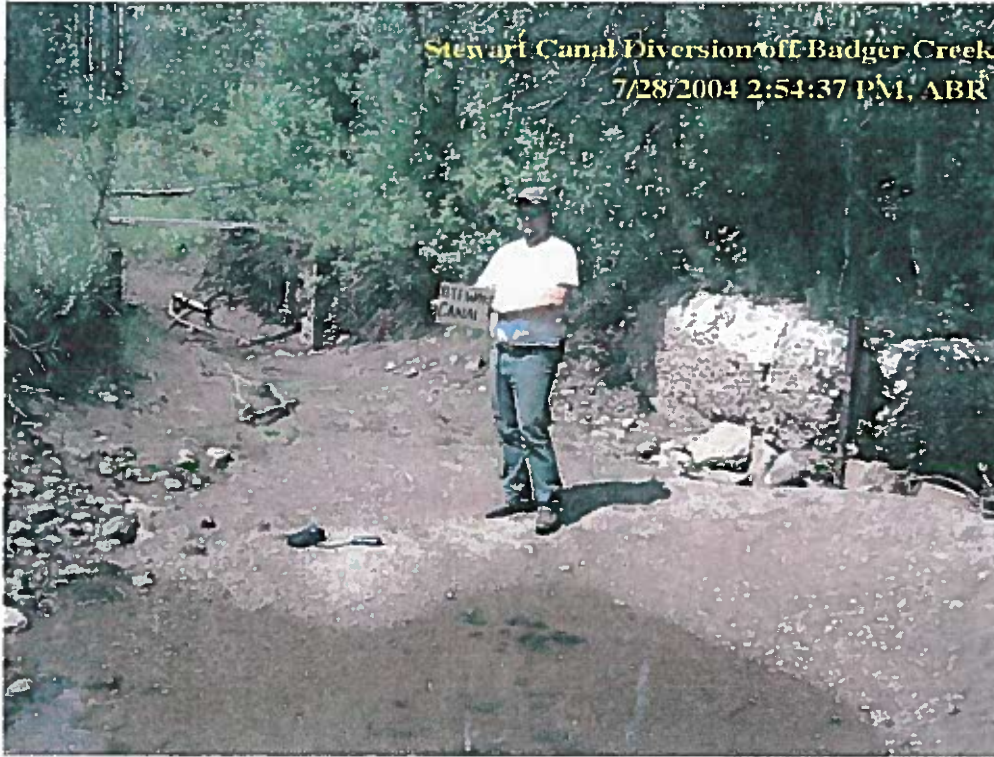
Place of Use: (parts of)
T6N, R45E
Sec. 8 SE, E2SW,
Sec. 16 SWNW, W2SW,
Sec. 17 NE, SE, E2NW,
Sec. 21 W2NW

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2005



Stewart Canal Diversion off Badger Creek
7/28/2004 2:54:37 PM, ABR

Actually Stewart Ditch
not (really) canal

GPS Tag # A0013677

7/28/04
ABR.CF

**Phillips Farms Inc
SRBA Water Rights**

<u>Water Right</u>	<u>Priority Date</u>	<u>CFS</u>	<u>Basis</u>	<u>Recommendation</u>
--------------------	----------------------	------------	--------------	-----------------------

Surface Water Claims

22-174A	06/01/1891	7.68	DEC	
22-501B	06/01/1891	2.09	DEC	
22-452	06/01/1902	3.20	DEC	
22-254B	01/18/1905	7.68	DEC	
22-56	01/22/1916	6.40	DEC	No Q or Ac limits

Pond Claims

22-11985	06/01/1902	1.19	BU	amend to Dec w/ 1891 priority
22-11987	06/01/1965	80.0 AF	BU	amend to 8.0 AF tied to 11985 ✓

Ground Water Claims

22-7049	09/03/1971	2.66	GW LIC	320AC
22-7133	06/16/1975	2.58	GW LIC	263AC Combined use limits apply 2.66 cfs, 1545 AF

Recommend Permissible Place of Use for all rights except 22-11985 and 11987, which serve a totally separate piece of property.

Well (both rights) and Badger Ck rights serve the same acreages through a common mainline. Quantity and acreage limits apply except to 22-56, which is a 'Flood right'.

PROFILED

SCANNED
JUN 15 2005

06/10/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-56

PHILLIPS FARMS INC
C/O BURTON K PHILLIPS
910 N 300 W
TETONIA ID 83452
Telephone Number: (208)456-2697

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-15-08 SIGNATURE: Burton K Phillips for Phillips Farms Inc
Please print your name: Burton K. Phillips

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
JUN 24 2005

Department of Water Resources
Eastern Region

SCANNED

JUN 28 2005

PROFILED

MB
6/27

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
	22-56			22-7049	
	22-174A			22-7133	
	22-254B			22-11985	
	22-452			22-11987	
	22-501B				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 0
- 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) Phillips Farm Inc.
4. New Owner/Claimant(s) Barton K. and Kathy Phillips
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 910 N 300 W
- City, State and ZIP Code Teton, Id 83452
- New Telephone Number 456-2697
5. Date you acquired the property 12-30-93

PROFILED

SCANNED
 JUL 13 2005

RECEIVED
 JUN 22 2005
 Department of Water Resources
 Eastern 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.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Bryan L Phillips
Kathy Phillips

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

PROFILED

SCANNED
JUL 13 2005

114911

DEC 30 1993

WARRANTY DEED

TETON Co. Id.
Clerk Recorder

For Value Received Phillips Farms, Inc.
910 N. 300 W.
Tetonia, Idaho 83452

the grantor , does hereby grant, bargain, sell and convey unto
Burton K. and Kathy Phillips

whose current address is 910 N. 300 W.
Tetonia, Idaho 83452

the grantee , the following described premises, in Teton County Idaho, to wit:

The $W\frac{1}{2}$, $NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$ of Sec. 16; the $NW\frac{1}{4}$ of Sec. 21; the $S\frac{1}{2}S\frac{1}{2}$ of Sec. 9; the $SE\frac{1}{4}$ of Sec. 8; also beginning at the NE corner of Sec. 17 and running thence West 2970', thence South $11^{\circ}16'$ East 2800'; thence East 2509'; thence North 2640' to the point of beginning, 163 acres, more or less; also beginning at the SE corner of the $SW\frac{1}{4}$ of Sec. 8, thence running North 160 rods; thence West 50.86 rods; thence South $11^{\circ}31'$ East 163 rods; thence East 20 rods to point of beginning, containing 36.06 acres, more or less, all in Twp. 6 N., Rge. 45 E.B.M.

and also including the following property:

Beginning at the $E\frac{1}{4}$ Corner of Sec. 17, Twp. 6 N., Rge. 45 E.B.M., thence West 2509 feet, more or less, to Railroad right of way; thence Southeasterly to a point that is 2440 feet due South of the centerline of said Section; thence East 2014 feet, more or less, to a point 2440 feet South of the point of beginning; thence North 2440 feet to the point of beginning.

Subject to easements of record or in existence for roads, streets, ditches, canals, pipelines and utilities.

Subject to that certain oil and gas lease recorded as Instrument No. 70629 on records of Teton County, ASSIGNED to Cities Service Oil Company by Instrument No. 72241, records of said county, two-thirds interest therein to be assigned to Buyer.

Together with any and all water and water rights, ditch and ditch rights appurtenant thereto, and together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

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

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

Dated: 12-30-93

Burton K. Phillips
Kathleen B. Phillips

Pres. Phillips Farms
Sec. - Treas.

STATE OF IDAHO, COUNTY OF Teton
On this 30 day of December, 19 93,
before me, a notary public in and for said State, personally
appeared

Burton K Phillips
Kathleen B. Phillips

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same

H. Paulrahee

Residing at St Anthony
Comm. Expires 12-21-1999

Notary Public
Idaho

114911

FILED

AT THE REQUEST OF

Burton Phillips

AT 15 MINUTES PAST 4 P M

DATE Dec 30, 1993

Asa J. Drake
CLERK OF RECORDER

BY Nora Rigby
DEPUTY

114911



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2005

BURTON & KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-56, 22-174A, 22-
254B, 22-452, 22-501B, 22-7049, 22-7133, 22-11985, 22-11987

Dear Mr. & Mrs. Phillips:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

Contacts Data Entry Form

Claim Number: 22-56

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: Phillips Farms Inc Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.DEED LANDOR GILLOTTE vs CRANDALL, 1938, TP L. (EXCERPT ATTACHED)NOTE: CONTACT NAME: Burton Phillips (also son)MASTER FILE FOR Phillips Farms Inc. claims - SurfaceFB.Overlap w/ 22-11858, 11860, 00452, 11912, 07049, 7133, 11985
11987Reviewer: _____ Date: SCANNED

JUN 07 2005

PROFILE

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 1/22/1916 Recommended Basis: Decree

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATIAS DECREE

Reviewer: _____

PROFILE**SCANNED**
Date: JUN 07 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.Water Right Point of Diversion: T 6N, R 45E, Sec. 9, NW, SW, County: TetonSource: Badger Cr Tributary to: Teton River

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
<u>6N</u>	<u>45E</u>	<u>9</u>		<u>SWSWB</u>	<u>Teton</u>	<u>Badger Cr</u>	<u>Teton River</u>

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
		<u>9</u>		<u>NWNWSW</u>		<u>Badger Cr</u>	<u>Teton River</u>

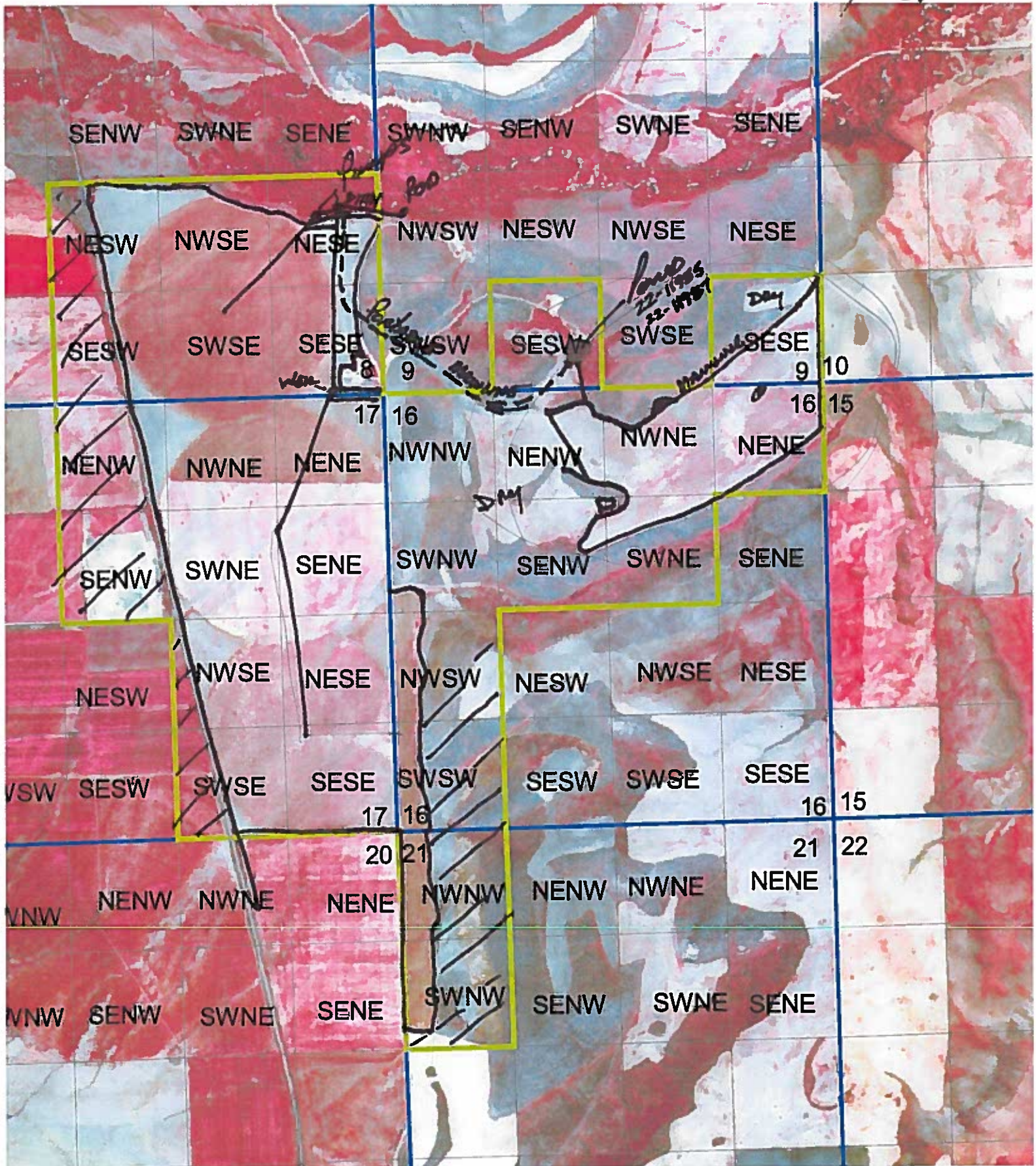
Other rights from this POD? SOS Contract P₂ (bottom) for ListingTransfers Pending or approved: NONE KNOWNDocument how the POD and Source were verified:Claims change to POD from DWRDS - when? How?What CONVEYANCE IS USED?

Reviewer: _____ Date: _____

PROFILED**SCANNED**
JUN 07 2005

22-174A

9/2/04 HBL
CF



Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10N	15E	8					178	
		9					30	
		16					170	
		17					291	
		21					40	

Total acres 709

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: NONE KNOWNOverlapping rights: SOLE CONTRACT Rq - PERMISSIBLE PLACE OF USE ALL Pts.COND.
CPS

Document how the POU was verified:

POU claims is much LARGER THAN DECEDED - PROBABLY DUE TO COMBINED
USE OF RIGHTS ON ALL SUCH PROPERTY ACTUALLY IRRIGATED.

Reviewer: _____ Date: _____

SCANNED

JUN 07 2005

PROFILED

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FRUG	UNSPEC		6.4	

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FRUG	4/1	11/1	6.4	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FRUG	4/15	10/31	6.4	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

DETERMINED AT 6.4 CFS (1/22/1916)... A FLOOD WATER RIGHT. NO Limitations
SOI RECOMMENDED TO IDWR STD FOR AREA 4/15 TO 10/31 -
NOT SPEC BY DECEDS.

Reviewer: _____

Date: _____

SCANNED

PROFILED

JUN 07 2005

T6N, R45E

17 16
20 21

EXAM MAP
Basin 22 Project

Examiner: _____

Date: _____

SCANNED

JUN 07 2005

PROTECTED

LANDS IN Sec. 20
NE 4 EAST OF HWY AND
SHOWN TO BE HOLD BY
DALE ROBSON (BY ASSOCIATION)

Water Right

NOTES:



T6N, R45E

89
1716

Water Right(s): _____

NOTES:

PROFILED

SCANNED
JUN 07 2005

EXAM MAP
Basin 22 Project

Examiner: _____

Date: _____

applied the same to beneficial use in the irrigation of the above described lands, during each irrigating season; which has been in addition to any other rights fixed, decreed, or granted to this plaintiff, or his predecessors in interest.

L.

That the plaintiff, M. E. Phillips, is the owner of or has an estate in the following described lands, to-wit:

NE $\frac{1}{4}$ of section 17 in township 6 north, range 45 E.B.M., and the SE $\frac{1}{4}$ of section 8 in township 6 north, range 45 E. B. M.,

and is the owner of a ditch through which he conveys water from Badger Creek, with the point of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 9 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 6.4 cubic feet per second or 320 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands, during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessor in interest.

LI.

That the plaintiff, Parley Rammell, is the owner of or has an estate in the following described lands, to-wit:

NW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 24 in township 6 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from Badger Creek, with the point of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 9 in township 6 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 2.4 cubic feet per second or 120 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the

PROFILED
JUN 17 2005
SCANNED

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: A22-00056
Date Received: 9/28/1988
Receipt No: E002697
Received By: KCN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHILLIPS FARMS INC. 208-456-2697
Address: 910 NORTH 300 WEST
TETONIA, ID 83452

2. Date of Priority: JAN 22, 1916

3. Source: BADGER CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	9	SW	SW	NE		TETON

5. Description of diverting works:
HEADGATE TO DITCH FOR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.400		

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

8. Total consumptive use is 1418.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	8	NE	SW		IRR	20.0
			SE	SW		IRR	14.0
			NE	SE		IRR	36.0

A22-00056

Page 1

Date: 09/28/88

PROFILED

SCANNED
JUN 07 2005

MICROFILMED
NOV 04 1992

A2200056



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	8	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	28.0
					Section Acres	178.0	
		9	SE	SW		IRR	5.0
			SE	SE		IRR	25.0
					Section Acres	30.0	
		16	NE	NE		IRR	24.0
			NW	NE		IRR	30.0
			SW	NE		IRR	4.0
NE	NW			IRR	37.0		
NW	NW			IRR	19.0		
SW	NW			IRR	15.0		
SE	NW			IRR	11.0		
NW	SW			IRR	12.0		
SW	SW			IRR	18.0		
			Section Acres	170.0			
17	NE	NE		IRR	39.0		
	NW	NE		IRR	40.0		
	SW	NE		IRR	37.0		
	SE	NE		IRR	39.0		
	NE	NW		IRR	7.0		
	SE	NW		IRR	1.0		
	NE	SE		IRR	39.0		
	NW	SE		IRR	32.0		
	SW	SE		IRR	24.0		
SE	SE		IRR	33.0			
			Section Acres	291.0			
21	NW	NW		IRR	20.0		
	SW	NW		IRR	20.0		
			Section Acres	40.0			
			Total Acres	709.0			

11. Place of use in counties: TETON

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

A22-00056

Page 2

Date: 09/28/88

PROFILED

SCANNED
JUN 07 2005

MICROFILMED
NOV 04 1992

13. Other Water Rights Used:

A22-11858/11860/00452/11972/07049/07133/11985/11987

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

F. C. GILLETTE

Decree Plaintiff

vs

LYNN CRANDALL, W. M.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

Phillips Farm Inc, that I have signed the foregoing
Organization
document in the space below as Pres. of _____ Title

Phillips Farm Inc and that the statements contained in the
Organization
foregoing document are true and correct.

Berta K. Phillips
Signature of Authorized Agent

Pres. Phillips Farm Inc
Title and Organization

9-28-88

Date

PROFILED

SCANNED
JUN 07 2005

MICROFILMED
NOV 04 1992

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of September 19 88

Betty J. Thompson
Notary Public



Residing at Idaho Falls

My Commission Expires 6-94

Point of DIVERSION

9

PLACE OF USE

R45E

T
6
N

MICROFILMED

NOV 04 1991

SCANNED
JUN 07 2005

PROFILED A22-00056