

11/29/2006

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

RIGHT NUMBER: 22-254B
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: 7.680 CFS
PRIORITY DATE: 01/18/1905
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	7.680 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

This right is limited to the irrigation of 384.0 acres within the place of use described above in a single irrigation season.

Right Nos. 22-56, 22-174A, 22-254B, 22-501B, 22-7049, and 22-7133 are limited to the irrigation of a combined total of 487.3 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: BASIS OF CLAIM - Decreed

Water is delivered through the Phillips Ditch.

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

THIS RIGHT REPRESENTS 3/5 OR 60% OF THE ORIGINAL RIGHT 22-00254.



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

Butch Reilly

★ ★
 1571 U.S. POSTAGE
 8942 \$01.110 JAN 05 2007
 8505 MAILED FROM ZIP CODE 83402

ADDRESS SERVICE
 REQUESTED

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

RECEIVED
 JAN 12 2007
 Department of Water Resources
 Eastern Region

BURTON PHILLIPS
 KATHY PHILLIPS
 910 N 300 W
 TETONIA ID 83452

22-452
 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)

RTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

★ ★ ★ ★ ★
★ ★ ★ ★ ★
PITNEY BOWES
U.S. POSTAGE
1411 PB3523907
8942\$01.590 DEC 01 2006
6568 MAILED FROM ZIP CODE 83402

BURTON & KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

PHIL910* 334522026 1B05 16 12/05/06
FORWARD TIME EXP RTN TO SEND
PHILLIPS
1329 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

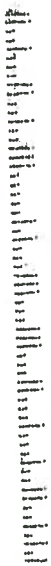
RETURN SERVICE REQUESTED

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

8340281700
1755685654 R001

BURTON PHILLIPS
KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

PHIL 910* 034522002 1B05 08 12/02/06
FORWARD TIME EXP RTN TO SEND
PHILLIPS BLOOMINGTON DR 5
1339 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 PB3523907

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: 22-254B

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

OC

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: 22-254B

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: 6-15-05 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

SCANNED

JUN 28 2005

PROFILED

RECEIVED

JUN 24 2005

Department of Water Resources
Eastern Region

KMT
6/27

C-Lerk



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,

A handwritten signature in cursive script that reads 'Jennifer Crabtree'.

Jennifer Crabtree
Technical Records Specialist

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-254B V1

WATER RIGHT NUMBER: 22-254B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PHILLIPS FARMS INC C/O BURTON K PHILLIPS 910 N 300 W TETONIA, ID 83452 (208)456-2697
Original Owner	J G FELT ID
Current Owner	BURTON PHILLIPS 910 N 300 W TETONIA, ID 83452 (208)456-2697
Current Owner	KATHY PHILLIPS 910 N 300 W TETONIA, ID 83452 (208)456-2697

Priority Date: 01/18/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BADGER CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	7.680 CFS	
	<u>Total Diversion:</u>	7.680 CFS	

Location of Point(s) of Diversion

BADGER CREEK	NW1/4NW1/4SW1/4	Sec. 9, Twp 06N, Rge 45E, B.M.
TETON County		

Place of UseIRRIGATION 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	SENE	0.5	T06N R45E S17	NESE	40.0
T06N R45E S17	NWSE	32.0	T06N R45E S17	SWSE	23.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-254B V1

T06N R45E S17 SESE 40.0 T06N R45E S21 NWNW 10.0

T06N R45E S21 SWNW 8.1

Total Acres: 500.7

Conditions of Approval:

1. K06 This right is limited to the irrigation of 384.0 acres within the place of use described above in a single irrigation season.
2. 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.
3. E55 Right Nos. 22-56, 22-174A, 22-254B, 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
4. E51 Right Nos. 22-174A, 22-254B, 22-452, 22-501B, 22-7049, and 22-7133 are limited to a total combined diversion rate of 10.01 cfs.
5. E62 This right when combined with Right No. 22-174A, 22-254B, 22-452, 22-501B, 22-7049, and 22-7133 shall provide no more than .02 cfs per acre.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. F05 Right Nos. 22-56, 22-174A, 22-254B, 22-452, and 22-501B are also diverted through point of diversion described above.
9. THIS RIGHT REPRESENTS 3/5 OR 60% OF THE ORIGINAL RIGHT 22-00254.

Remarks:

Comments:

Water Supply Bank:

2- vault

**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**

changed per Allen JC 7/12/05

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
Karen 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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JUL 13 2005

PROFILED

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, 1993,
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. Paul Drake
Notary Public

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

114911

FILED

AT THE REQUEST OF

Burton Phillips

AT 45 MINUTES PAST 4 P. M.

DATE Dec. 30, 1993

Asa J. Drake
CLERK OF RECORDER

BY Nora Rigby
DEPUTY

114911



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

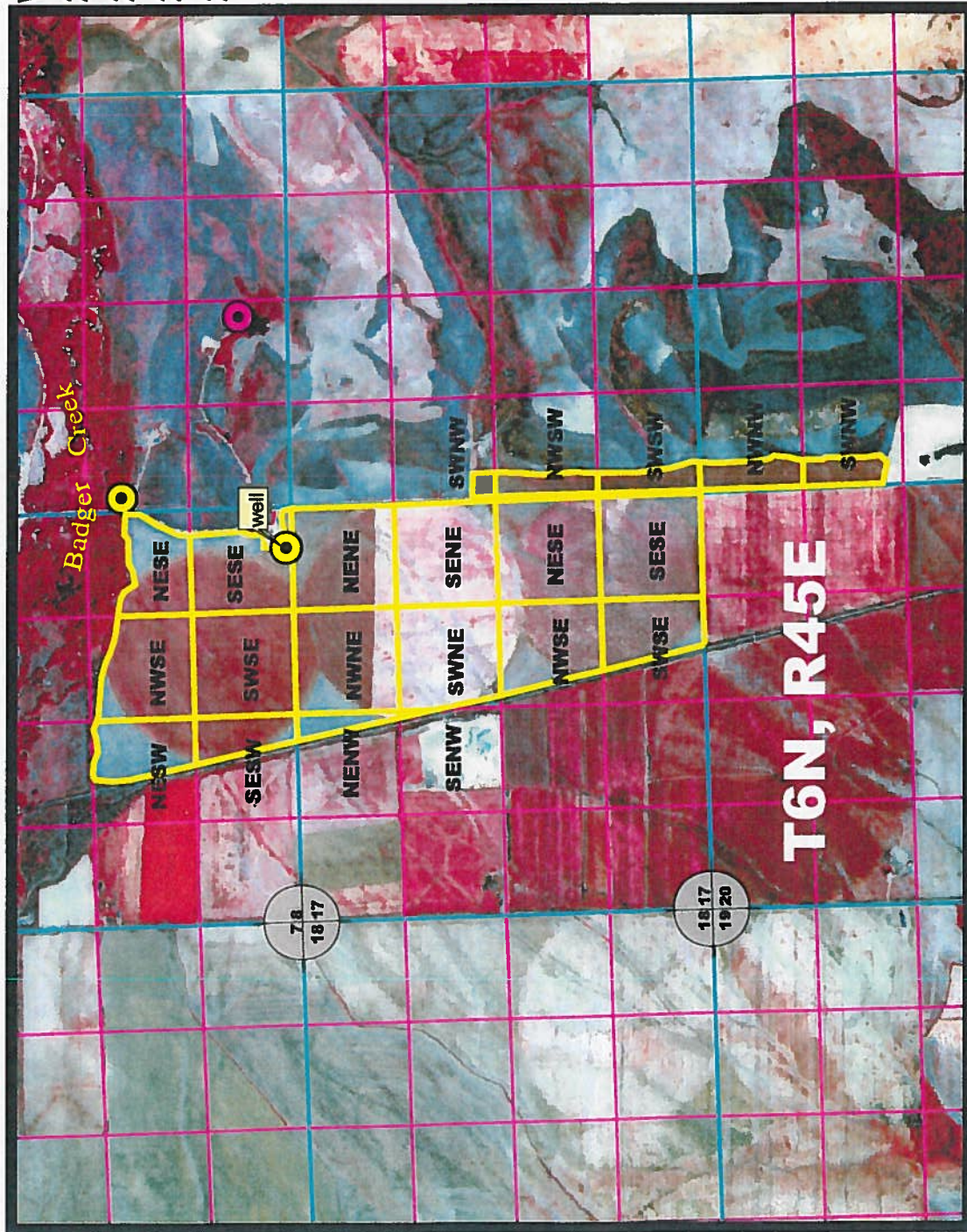
Prepared by C. Moore
On Wednesday, November 29, 2006
1987/88 Aerial Photography



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 SESESE (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

750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 Feet

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

Contacts Data Entry Form

Claim Number: _____

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

Current Owner: _____ 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.

22-254 ORIGINATED AS 12⁰⁰ A. BADGER CO., 01/18/1905, TO JG FERT
NO TX'S ON RECORD

SEBA claims:

22-254A, 5¹² A. BADGER CO., 01/18/1905, TO BROWER, et al SPLIT 3X 13377
22-254B, 7⁰⁰ A. BADGER CO., 01/18/1905, TO PHILLIPS FARMS INC. 13378
12⁰⁰ CLAIMED IN-FULL 13379
SPLITS CLAIMED IN-FULL

Reviewer: _____ Date: _____

PROFILED

SCANNED

JUN 15 2005

212 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	300
For reservoir purposes between the first day of September of each year until the first day of May of the following year	
243 Gregory, H. J.; June 1, 1903; North Leigh Creek	190
243 Powell, W. J.; June 1, 1903; Trail Creek	40
243 Sidoway-Briggs Co.; June 1, 1903; Teton River. For power purposes	4200
243 Buxton, Stillman; June 1, 1903; Sloughs from Twin Creeks	190
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	190
243 Mickelson, Peter; June 1, 1903; Swamps	50
243 Thompson & Egbert; June 1, 1903; North Leigh Creek	50
243 Jarman, Arthur; June 1, 1903; South Leigh Creek	40
243 Pherson, Neils; June 1, 1903; South Leigh Creek	100
246 Kunz, Samuel, Jr.; July 31, 1903; Pine Creek (permit)	280
249 Central Teton Canal Co.; Oct. 31, 1903; Teton Creek	1,680
250 Pack Saddle Reservoir Co.; Jan. 15, 1904; North Fork Pack Saddle Creek	1,250
251 Wallace, H. A.; Jan. 18, 1904; North Leigh Creek or Spring Creek	40
252 Hansen, E. P.; May 1, 1904; Game Creek	50
253 Moffat, John P.; June 1, 1904; Swamps	70
253 Withrick, Caroline; June 1, 1904; Paradise Springs. The undivided one-fourth of Paradise Springs	100
253 Miller, J. J.; June 1, 1904; Paradise Springs	60
253 Sinclair, Sarah S.; June 1, 1904; Pole Creek and Pine Creek	40
253 Ricks, Wallace; June 1, 1904; North Leigh Creek	80
253 Phillips, L. A.; June 1, 1904; Badger Creek	110
253 Sautter, John G.; June 1, 1904; North Leigh Creek	60
254 Coyle, M. H.; June 15, 1904; Coyle Spring	640
259 Felt, J. G.; Jan. 18, 1905; Badger Creek	640
259 Felt, G. F.; Jan. 18, 1905; Badger Creek	590
259 Felt, Clara V.; Jan. 18, 1905; Badger Creek	480
259 Felt, Albert; Jan. 18, 1905; Badger Creek	500
259 Clawson, Spencer, adminr. Estate of; Jan. 18, 1905; North Leigh or Spring Creek	150
259 Clawson, Spencer; Jan. 18, 1905; North Leigh or Spring Creek	500
259 Clawson, B. W.; Jan. 18, 1905; North Leigh or Spring Creek	2,500
259 Spencer, Clawson & Co. (a corporation); Jan. 18, 1905; North Leigh Creek or Spring Creek	200
259 Rogers, Orson T.; Jan. 18, 1905; Badger Creek	160
259 Little, Edwin S.; Jan. 18, 1905; Leigh Creek	180
259 Taylor, Joseph E.; Jan. 18, 1905; North Leigh or Spring Creek	100
259 Garrett, Mary G.; Jan. 18, 1905; North Leigh or Spring Creek	100
264 Soulecy, C. V.; June 1, 1906; Darby Creek	80
Crandal, H. L.; no date; waters of Crandal Springs	15
Stahn, Emil A.; no date; Juanita Springs	40
Andrews, L. W.; no date; waters of Springs on place	
259 Pack Saddle Reservoir Co.; no date; South Fork of Pack Saddle Creek	900

SCANNED

JUN 08 1904

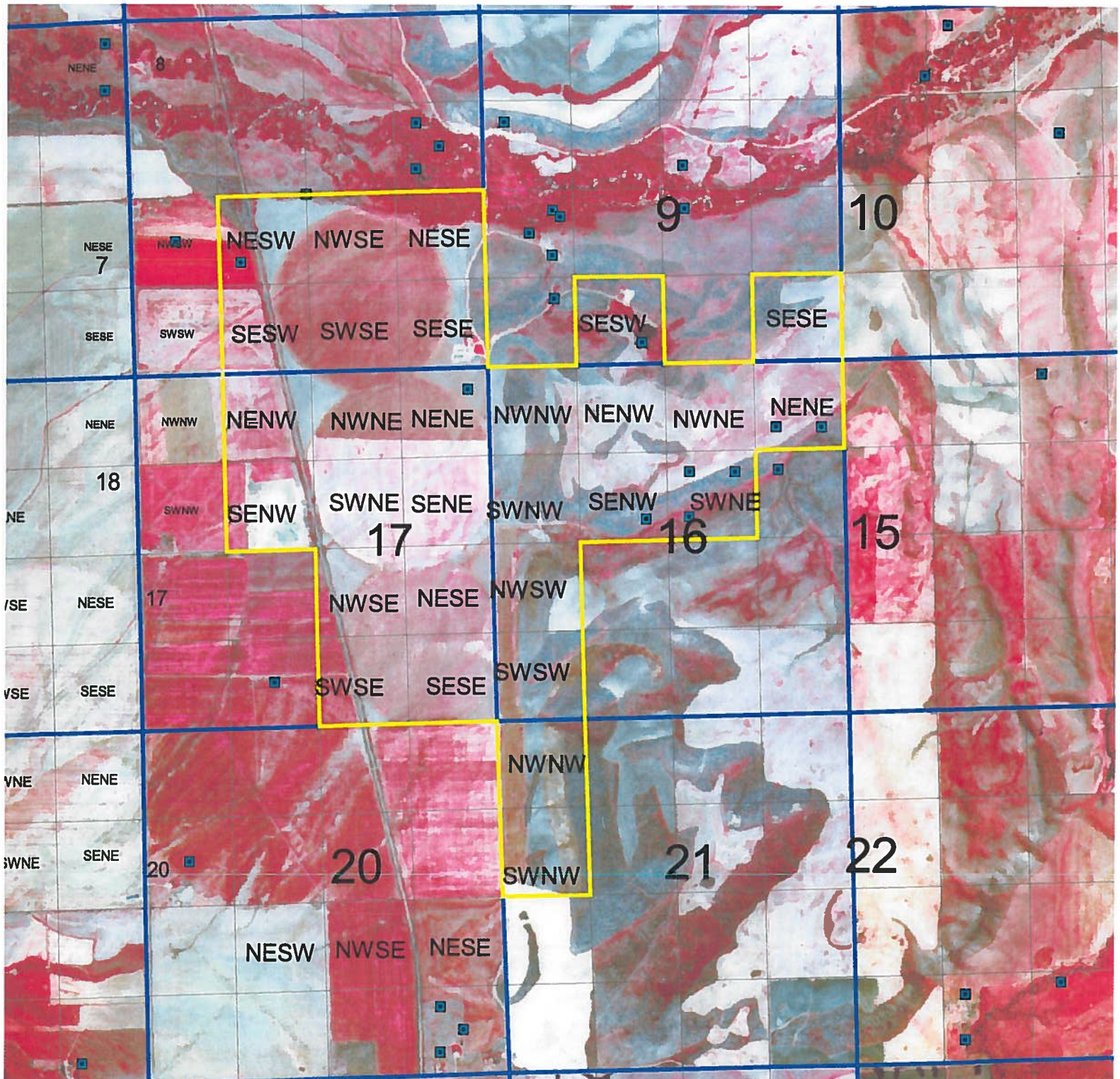
PROFILED

22-254B

PROFILE

SCANNED

JUN 08 2005



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

Renumbered A22 - 00254B

Ident. Number: A22-11860

Date Received: 9/28/1988

Receipt No: E002697

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHILLIPS FARMS INC.
Address: 910 NORTH 300 WEST
TETONIA, ID

208-456-2697

83452

2. Date of Priority: JAN 18, 1905

3. Source: BADGER CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	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	7.680		

7. Total Quantity Appropriated is:
7.680 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 of	Lot	Use	Acres
06N	45E	8	NE	SW		IRR	20.0
			SE	SW		IRR	14.0
			NE	SE		IRR	36.0

MICROFILMED

NOV 06 1996

A22-11860

Page

1

Date: 09/28/88

SCANNED

JUN 08 2005

PROFILED

MICROFILMED

NOV 06 1992

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			

MICROFILMED
NOV 06 1996

11. Place of use in counties: TETON

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

A22-11860

Page 2

Date: 09/28/88

PROFILE

SCANNED
JUN 08 2005

MICROFILMED
NOV 06 1996

13. Other Water Rights Used:

A22-11858/00056/00452/11972/07049/07133/11985/11987

14. Remarks:

THIS RIGHT REPRESENTS 3/5 OR 60% OF THE ORIGINAL RIGHT 22-00254
AS THE RIGHT HAS HISTORICALLY BEEN DELIVERED.

15. Basis of Claim: DECREED

Water Right Number: 220254

Case Number:

Court : SIXTH

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL

Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET

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

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

Burton K. Phillips
Signature of Authorized Agent

Pres. Phillips Farms Inc.
Title and Organization

9-28-88

Date

MICROFILMED

NOV 06 1996

A22-11860

Page 3

Date: 09/28/88

PROFILE

SCANNED
JUN 08 2005

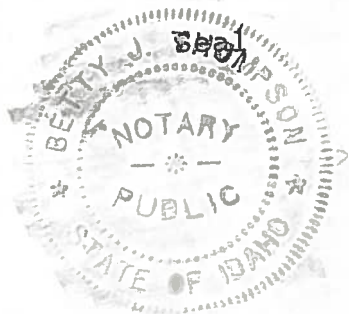
MICROFILMED
NOV 06 1992

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

MICROFILMED

NOV 06 1990

A22-11860

Page 4

Date: 09/28/88

PROFILED

JUN 08 2005

MICROFILMED

NOV 06 1992

Point of DIVERSION

Creek

8

9

EM 6058

PLACE OF USE

R45E

T
6
N

PROFILED

SCANNED
JUN 08 2005

A22-11860

MICROFILMED

NOV 06 1996

MICROFILMED

NOV 06 1996

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: A22-00254B

Date Received: 9/28/1988

Receipt No: E002697

Received By: _____

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 18, 1905

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.680		

7. Total Quantity Appropriated is:
7.680 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 of	Lot	Use	Acres
06N	45E	8	NE	SW		IRR	20.0
			SE	SW		IRR	14.0
			NE	SE		IRR	36.0
			NW	SE		IRR	40.0

SCANNED

A22-00254B

JUN 08 2005

Page 1

PROFILE
Date: 05/06/96

MICROFILMED
NOV 06 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	8	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

MICROFILMED

NOV 06 1990

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

A22-11858/00056/00452/11972/07049/07133/11985/11987

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Court : SIXTH

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL

Decree Plaintiff

TETON IRRIGATION CANAL CO. ET

vs

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____