

07/12/2006

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

RIGHT NUMBER: 22-450

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

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 09/01/1901

POINT OF DIVERSION:

T06N R45E S22 SESW Within TETON County

T06N R45E S22 NESE Within TETON County

T06N R45E S22 NWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.400 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S22	SWNE	22.00	T06N R45E S22	SENE	0.20
T06N R45E S22	NESW	18.00	T06N R45E S22	SESW	13.00
T06N R45E S22	NWSE	34.00	T06N R45E S22	SWSE	0.30
T06N R45E S27	NWNW	38.00			

125.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 125.5 acres in a single irrigation season. Combined Right Nos.: 22-450, 22-451.

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.

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



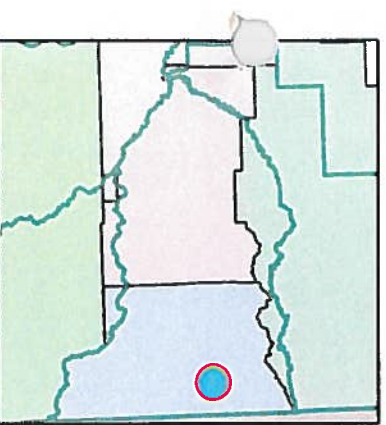
Idaho Department of Water Resources

Adjudication Claim:

22-450

Legend

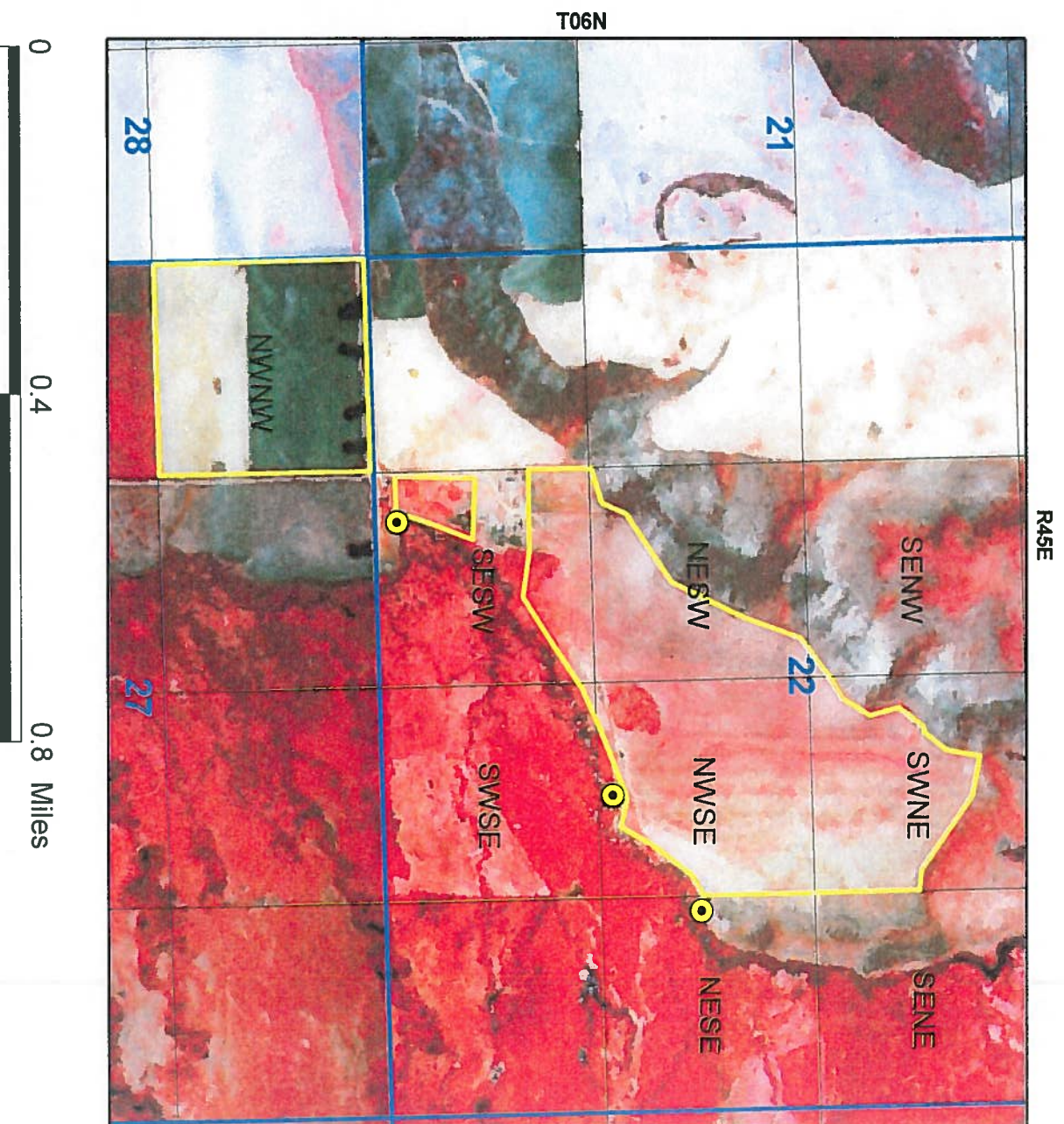
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by D. Carlson
On Wednesday, July 12, 2006
1987/88 Aerial Photography



DD

8/5/05

On 8/1/05 I met with Rick Phillips to go over his claims. For claim A2200450 he went through the history of this claim.

Originally, a canal, (Haden Canal) ran along the west side of this claim and water from Sadger Creek was used on this land. The point of diversion that is listed for this claim is actually the Haden Canal pdd.

A diversion was then made out of Spring Creek in the SENE of Sec. 22 and a series of ditches were used to irrigate the southern part of this claim.

Finally in the 1950's Herb and Rick Phillips, father and son, decided the most effective way to irrigate was to use a portable pump, portable mainline and hand lines. They used 3 different PDD's. During the time that I was watermaster this was the means of irrigating used by the Phillips.

According to Rick Phillips this practice started in the 1950's and was continued until the early 1990's when Herb Phillips health wouldn't allow him to continue.

The pump and motor were sold in the mid-1990's and are not available for photos or information.

I did, however, witness the use of this operation during the time it was in use.

Lee D'Brien

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
	<i>RICHARD PHILLIPS</i>				

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: _____

*C/o to: RICHARD PHILLIPS 2/8/2004*Discussion of right origin and split history. Questions and problems.*160 AC**22*

NE	NW
SW	SE
SE	SW
SW	SE

(451- HADEN CANAL)

Reviewer: _____ Date: _____

Water Right No(s). _____

GPS DATA: East POD #1 ADP 14267 On fence post by gate near POD in NESE
mid POD #2 ADP 14271 on fence post by gate near POD in NWSE
West POD #3 ADP 14266 Location: fence post by POD in SE SW

Diversion Data:

Source: Spring Creek Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: 8/5/05 Agent: DD

POD# 1 for claim A2200450 R. Phillip's
Pond or hole for pump in Spring Creek



POD #2 Hole in spring
creek where pump was
placed





Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

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

Source: _____ Tributary to: _____

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

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

8/5/05
DD

There are 3 spots on Spring Creek where Phillips have historically diverted water to use on this ground.
 1st POD was in NESE of Sec. 22
 2nd POD was in NWSE of Sec. 22
 3rd POD was in SE SW of Sec. 22.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

8/5/05
 80
 Field exam showed some old ditches that were used years ago before Phillips began using sprinkler pipe. From 1956 until 1992 Phillips used a portable pump and moles and 2 quarter mile lines of pipe to irrigate this ground. Please see attached explanation.

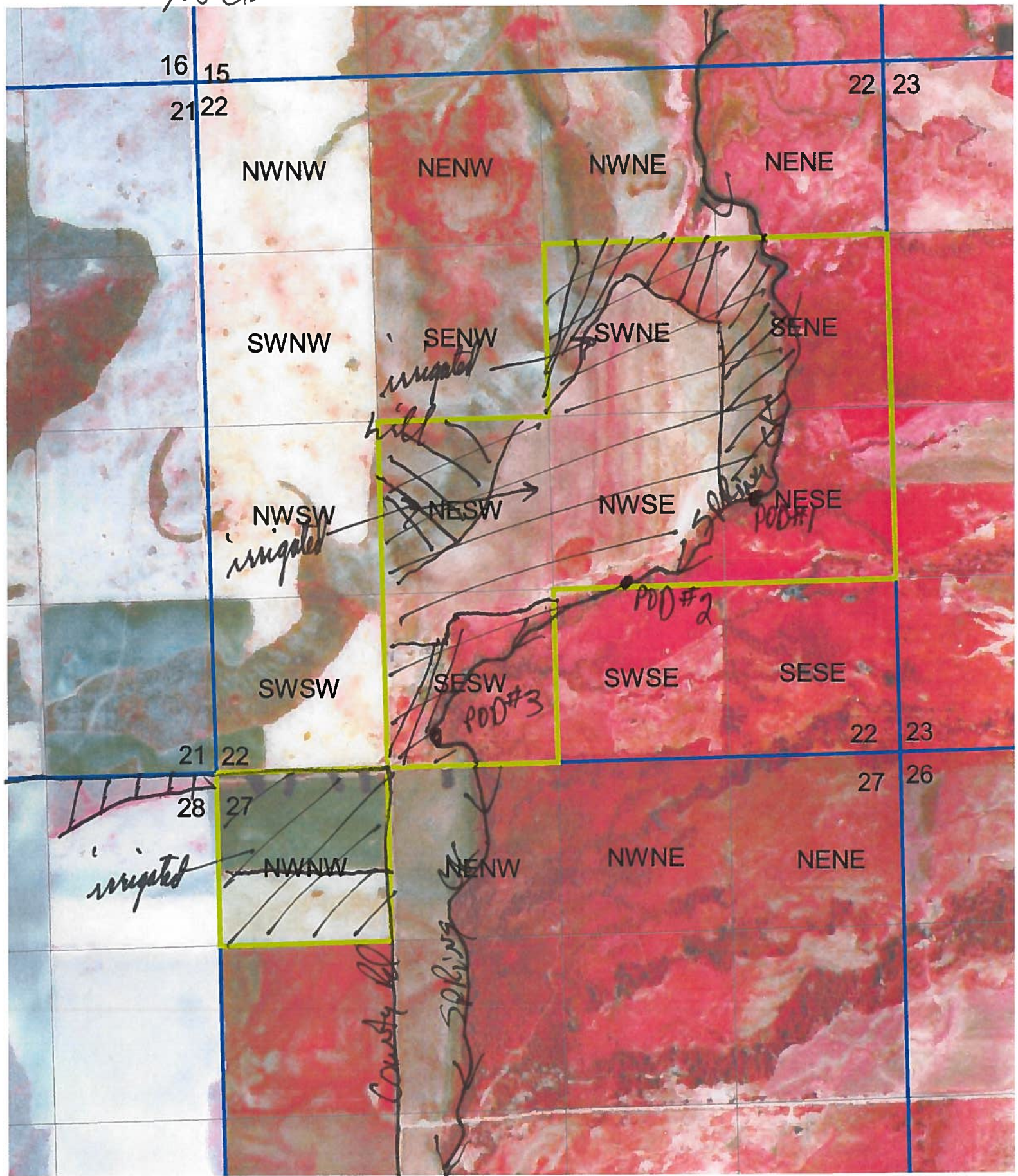
Reviewer: _____ Date: _____

169 Wilson, William; June 1, 1898; Trail Creek	160
169 Larsen, A. C.; June 1, 1898; Darby Creek	40
169 Leigh Creek Canal Co.; June 1, 1898; South Leigh Creek	400
169 Jones, Edward L.; June 1, 1898; Canyon Creek	140
169 Johnson, Joseph A.; June 1, 1898; Trail Creek	135
170 Hill, Hyrum S.; June 2, 1898; North Leigh Creek	100
170 Hill, D. B.; June 2, 1898; Wyoming & Darby Bench Canal Co.	160
170 Hill, Joseph Y.; June 2, 1898; North Leigh Creek	160
171 Dakin, G. A.; June 15, 1898; Badger Creek	160
172 Hendrickson, Cornelius; June 30, 1898; Badger Creek ..	150
173 Tarbet, Albert; July 7, 1898; Darby Creek	160
173 Tarbet, Willard; July 7, 1898; Darby Creek	160
174 Kirsley, Edwin N.; July 15, 1898; Pine Creek	60
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	120
180 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek ..	75
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	100
183 Nordval, C.; May 26, 1899; Darby Creek	110
184 Pherson, Neils; June 1, 1899; South Leigh Creek	30
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	80
184 Parker, B. F.; June 1, 1899; Fox Creek	75
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek ..	80
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soule, C. V.; June 1, 1899; Darby Creek	60
184 Smith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	80
184 Sheser, William; June 1, 1899; Badger Creek	10
184 Stewart, Thompson; June 1, 1899; Badger Creek	50
184 Williams, Charles; June 1, 1899; South Leigh Creek	100
184 Hochstrasser, N. W.; June 1, 1899; Badger Creek	110
184 Price, J. W.; June 1, 1899; Teton Creek	80
184 Rouchie, Jacob; June 1, 1899; North Leigh Creek	35
184 Priestley, W. W.; June 1, 1899; Badger Creek	60
184 Rouchie, Jacob; June 1, 1899; North Leigh Creek	160
184 Hendrickson, Milton; June 1, 1899; Badger Creek	100
184 Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	75
184 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	70
184 Bernston, Richard; June 1, 1899; Badger Creek	160
184 Anderson, Charles; June 1, 1899; Teton Creek	40
184 Fairbanks, D. M.; June 1, 1899; Teton Creek	160
185 Hendrickson, William; June 15, 1899; Badger Creek ..	120
187 Letnam, P. D.; July 15, 1899; Swamp	140
191 Randolph, Franz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	160
192 Eynon, Rufus; Apr. 1, 1900; Trail Creek	80
195 Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	160
199 Allen, George W.; May 26, 1900; Mahogany Creek	220
199 Carrington, Enock; May 26, 1900; Mahogany Creek	160
200 Bush, George W.; June 1, 1900; Fox Creek	120
200 Hegsted, Victor; June 1, 1900; Horse Shoe Creek	160
200 Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

200 Herendeen, W. K.; June 1, 1900; Darby Creek	80
200 Herrie, Joseph O.; June 1, 1900; North Leigh Creek	40
200 Henrie, John; June 1, 1900; North Leigh Creek	10
200 Hicks, Wallace; June 1, 1900; North Leigh Creek	110
200 Hennell, George; June 1, 1900; Badger Creek	40
200 Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200 Homer, Benjamin P.; June 1, 1900; Mahogany Creek ..	200
200 Hochstrasser, R. H.; June 1, 1900; Badger Creek	20
200 Sautter, John G.; June 1, 1900; North Leigh Creek	50
200 Simmons, John; June 1, 1900; North Leigh Creek	40
200 Morris, William L.; June 1, 1900; Garner Creek and Trail Creek	110
201 Leighs Creek Canal Co.; June 16, 1900; South Leigh Creek	2,900
203 Hendrickson, Adolphus; July 5, 1900; Badger Creek ..	100
204 Letnam, P. D.; July 15, 1900; Swamp	120
206 Bagshaw, Ellen; Aug. 15, 1900; Pine Creek	30
208 Hill, John W.; Oct. 1, 1900; Pack Saddle Creek	160
211 Island Ward Canal Co., Ltd.; Jan. 23, 1901; North Fork of Teton River	5,000
212 Hague, William A.; Mar. 25, 1901; Teton River	100
213 Bevan, Maria; Apr. 6, 1901; Swamp Creek	80
215 Hendrickson, G. W.; June 1, 1901; North Leigh Creek ..	60
215 Priestley, W. W.; June 1, 1901; Little Badger Creek	160
215 Mickelson, Peter; June 1, 1901; South Leigh Creek	140
215 Smith, D. G. S.; June 1, 1901; Spring	20
215 Waterman, L. C.; June 1, 1901; Little Dry Creek	40
215 Simmons, John; June 1, 1901; North Leigh Creek	60
215 Johnson, James W.; June 1, 1901; Moody Creek	40
To be reduced to 20 inches after June 20th of each year	40
215 Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215 Hill, Joseph S.; June 1, 1901; Pack Saddle Creek	20
218 Hatch, Lamoine; Sept. 1, 1901; Spring Creek	160
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	40
228 Shirts, Wallace; May 15, 1902; Trail Creek	20
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	2,700
229 Haden Canal Co.; June 1, 1902; Badger Creek	930
229 Rammell, George; June 1, 1902; Badger Creek	30
229 Rammell, C. H.; June 1, 1902; Badger Creek	160
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	120
229 Wood, Frank; June 1, 1902; Badger Creek	60
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	60
229 Morris, Samuel; June 1, 1902; Trail Creek	30
229 Larsen, A. C.; June 1, 1902; Darby Creek	80
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	60
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229 Sheser, William; June 1, 1902; seepage water in springs on place	150
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	40
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	120
241 McNally, Gilbert; May 1, 1903; Trail Creek	40
242 Webster, James W., and Charles H. Woodmansee; May 29, 1903; Moody Creek	2,000
For reservoir purposes between the 15th day of March until the 15th day of June of each year	

8/5/05 DD

22-450





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 20, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Sir or Madam:

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

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

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

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

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

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosures

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

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

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

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

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

Of Counsel
Fred J. Hahn

August 16, 2001

RECEIVED

AUG 17 2001

Department of Water Resources
Eastern Region

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

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

Dear Ladies and Gentlemen:

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

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

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

Very truly yours,



Kent W. Foster

Enclosures

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

OK
JC
8-17-01

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

RECEIVED
AUG 17 2001

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

1. Water Right No(s): 22-450, 22-451, 22-2117, 22-11527, 22-11528
 Adjudication Claim No(s): same as above
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water rights or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Herb and Marian Phillips
PO Box 62 Tetonia, ID 83452
4. New Owner/Claimant(s) Richard H. Phillips, personal representative
 Name connector (check one): ☐] and ☐] or, ☐] and/or
 New Mailing Address % Holden, Kidwell, Hahn & Crapo PO Box 50130
 City, State and ZIP Code Idaho Falls, ID 83405
 New Telephone Number (208) 523-0620 .bfc
5. Date you acquired the property May 8, 2000 (see attached copy of Letters Testamentary)
6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.**

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

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

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

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

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

Gary L. Meikle, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
330 Shoup Avenue, 3rd Floor
P. O. Box 50130
Idaho Falls, Idaho 83405-0130
Telephone: (208) 523-0620
Telefax: (208) 523-9518
Idaho State Bar Number 2111

FILED
MAY 08 2000
TETON CO.
DISTRICT COURT

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE)

OF)

HERBERT JEDEDIAH PHILLIPS)
a/k/a HERB PHILLIPS,)

Deceased.)
_____)

Case No. SP 00-028

LETTERS TESTAMENTARY

1. Richard H. Phillips was duly appointed and qualified as personal representative of the estate of the above named decedent on the 8 day of May, 2000, by the Magistrate acting as Registrar with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These letters are issued to evidence the appointment, qualification, and authority of said personal representative.

WITNESS, my signature and the seal of this court, this 8 day of May, 2000.

STATE OF IDAHO }
County of Teton }

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original thereof, as filed in my office.

Dated May 2000

CWD
Clerk

Angela Hansen
Clerk

Chris L. Luke
Magistrate

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-450
Date Received: 10/4/1988
Receipt No: E002899
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICHARD H PHILLIPS Phone: (208) 523-0620

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

2. Date of Priority: 09/01/1901

3. Source: NORTH LEIGH CREEK Trib. to: ~~SPRING CREEK~~ *Teton River*

Spring Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	46E	29	NE NE	TETON	

5. Description of diverting works:

HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.4	

7. Total Quantity Appropriated is:

0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	45E	22	NE SW	IRRIGATION	20
			NW SE	IRRIGATION	35

			SW	NE	IRRIGATION	22
			SE	SW	IRRIGATION	6
					Section Acres	83
06N	45E	27	NW	NW	IRRIGATION	20
					Section Acres	20
06N	45E	28	NE	NE	IRRIGATION	30
					Section Acres	30
					Total Acres	133

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

P/D NORTH LEIGH CANAL
 WATER IS CONVEYED TO SPRING CREEK WHERE IT IS DIVERTED FROM SPRING CREEK BY
 REMOVABLE DIVERSION DAMS AND PUMPS ALONG THE PLACE OF USE
 20 IRRIGATED ACRES IN SECTION 27 ADDED IN APPROXIMATELY 1961

CHANGED OWNERSHIP AND AMENDED CLAIM PER REQUEST CV/8/20/01

15. Basis of Claim: Decreed

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-450

Date Received _____

Receipt Number _____

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

RECEIVED

AUG 17 2001

Department of Water Resources
Eastern Region

1. Name of Claimant(s) Richard H. Phillips, Personal Representative Phone (208) 523-0620
Mailing Address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, ID Zip 83405
2. Date of Priority (Only (1) per claim) 9/1/1901
3. Source of water supply (a) North Leigh Creek
which is tributary to (b) Spring Creek
- 4.a. Location of existing
point of diversion is: Township 6N Range 46E Section 29, 1/4 of NE 1/4 of
NE 1/4, Govt. Lot , E B.M., County of Teton
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged
and the depth of each well. _____
Headgate & Ditch
6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4-15 to 10-15 amount .04 or _____
For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	45E	22			22						20			6		35			83
		27						20											20
		28	30																30

Total number of acres irrigated 133

11. In which county(ies) are lands listed above as place of use located? Teton
12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
22-451, 22-2117 or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐ Permit ☐ Decree ☒ License ☐
If applicable provide IDWR Water Right Number 22-450

Court Sixth District Case Number _____ Decree Date 12/16/1910

Plaintiff vs Defendant Rexburg Decree

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

_____ Date _____

Last Name PHILLIPS Ident. Number 22-451

For Organizations: I do solemnly swear or affirm that I am Personal Representative of
(Title)

Estate of Herbert Jedediah Phillips, that I have signed the foregoing document in the space below as
(Organization)

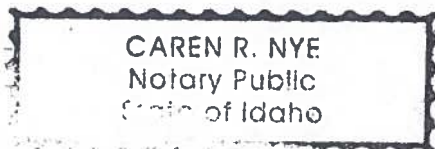
Personal Representative of Estate of Herbert Jedediah Phillips and that the statements contained in the
(Title) (Organization)
foregoing document are true and correct.

Signature of Authorized Agent Herbert J. Phillips

Title and Organization Personal Representative, Estate of Herbert Jedediah Phillips Date 8-13-01

State of Idaho)
) SS.
County of TETON)

Subscribed and sworn (or affirmed) before me this 13 day of August, 2001.



Notary Public Caren R. Nye
Residing at Chicago, Idaho
My Commission Expires 03/20/06

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

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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: A22-00450
Date Received: 9/12/1988
Receipt No: E002899
Received By: TO

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND/OR

Name: MARIAN PHILLIPS 208-456-2667
Address: P.O. BOX 62
TETONIA, ID 83452

2. Date of Priority: SEP 01, 1901

3. Source: NORTH LEIGH CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	46E	29	NE	NE			TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		

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

8. Total consumptive use is 222.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2200450



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	22	SW	NE		IRR	22.0
			SE	NE		IRR	5.0
			NE	SW		IRR	20.0
			SE	SW		IRR	6.0
			NE	SE		IRR	3.0
			NW	SE		IRR	35.0
					Section Acres	91.0	
		27	NW	NW		IRR	20.0
					Section Acres	20.0	
					Total Acres	111.0	

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
22-0451.

14. Remarks:
P/D NORTH LEIGH CANAL.
WATER IS CONVEYED TO SPRING CREEK WHERE IT IS DIVERTED FROM
SPRING CREEK BY REMOVABLE DIVERSION DAMS AND PUMPS ALONG THE
PLACE OF USE.
20 IRRIGATED ACRES IN SECTION 27 ADDED IN APPROXIMATELY 1961.

15. Basis of Claim: DECREED
Water Right Number: 2117
Case Number:
Court :
Decree date:

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET A
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): Nurt Phillips Date: Sept. 14, 1988
Marian Phillips Date: Sept 14, 1988

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Sept. 19 88 Seaton
Notary Public

Seal

Residing at Tetonia, Ida
My Commission Expires 9/30/90



PID
CS

MICROFILMED
NOV 05 1992

3M 6058

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