

11/29/2006

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

RIGHT NUMBER: 22-501B  
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: 2.090 CFS  
PRIORITY DATE: 06/01/1891  
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         | 2.090 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

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

This right is limited to the irrigation of 124.8 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

Water is delivered through the Phillips Ditch.

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

This right is a split from former right 22-501.



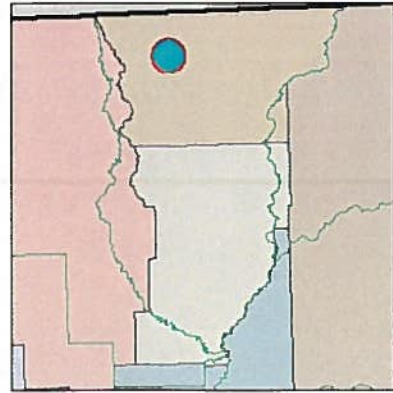
# Idaho Department of Water Resources

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



SCANNED  
AUG 02 2006

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



0 0.8 1.6 Miles

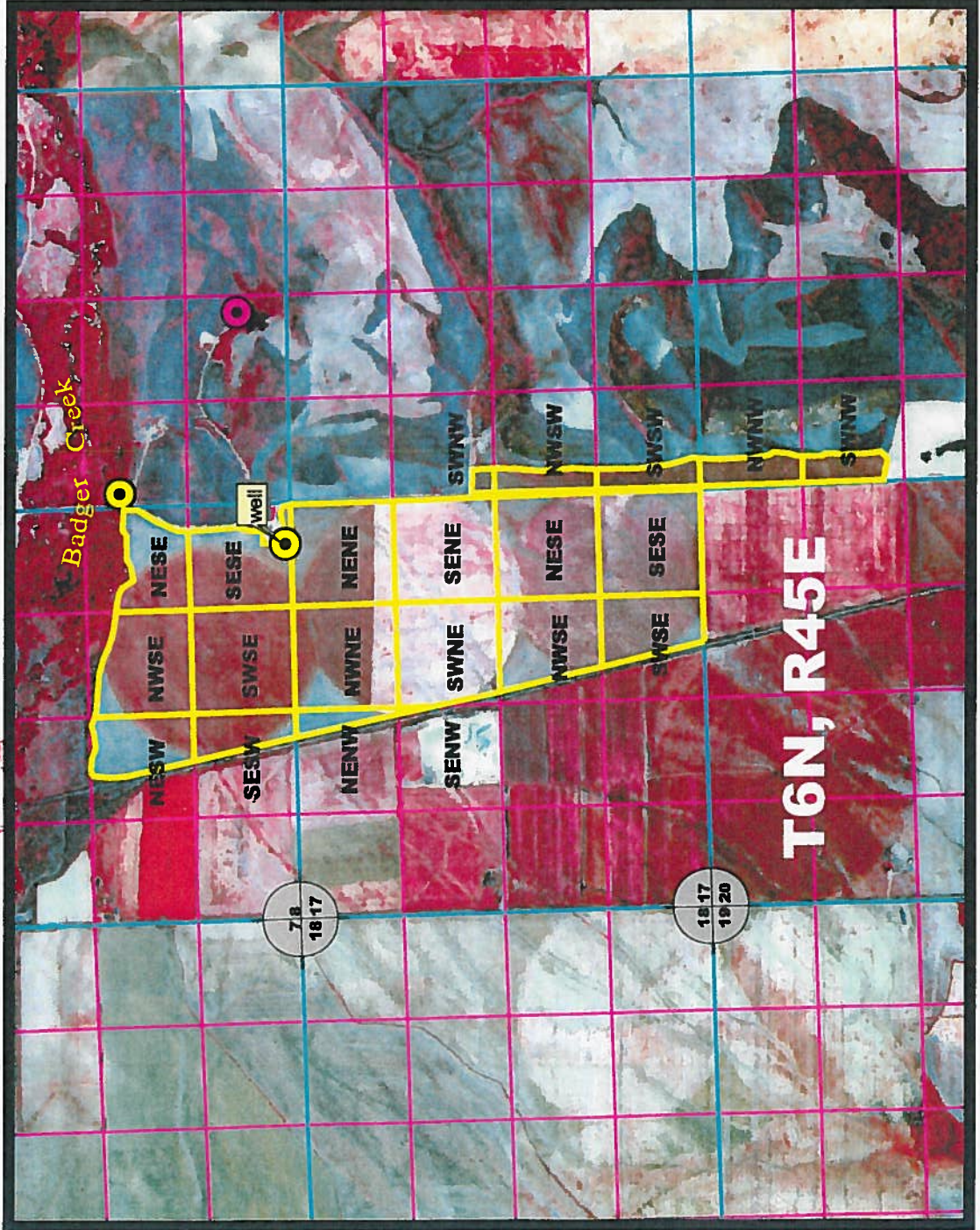


# State of Idaho

## Department of Water Resources

Eastern Region

SCANNED  
JUN 15 2005



**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



## 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](http://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

N. SKYLINE DR.  
ALLS, IDAHO 83402

ADDRESS SERVICE  
REQUESTED

★ ★ U.S. POSTAGE  
1571 PB3523907  
8942\$01.110 JAN 05 2007  
8505 MAILED FROM ZIP CODE 83402

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

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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

Richard Reilly

RECEIVED

DEC 29 2006

Department of Water Resources  
Eastern Region

11/29/2006

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: 22-501B

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

SCANNED

AUG 02 2007

*Handwritten initials*

SCANNED  
AUG 02 2007  
*Handwritten signature*

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: 22-501B

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

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JUN 24 2005

Department of Water Resources  
Eastern Region

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JUN 28 2005

PROFILE

Kay  
6/27

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)

SCANNED  
AUG 02 2006

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

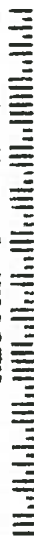
ADDRESS SERVICE  
REQUESTED

★ ★ ★ ★ ★  
★ ★ ★ ★ ★  
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



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AUG 02 2006

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  
501B  
56  
7049  
7133

8340281700  
1755685684 R001

BURTON PHILLIPS  
KATHY PHILLIPS  
910 N 300 W  
TETONIA ID 83452

PHIL910\* 034522002 1B05 08 12/02/06  
FORWARD TIME EXP RTN TO SEND  
PHILLIPS BLOOMINGTON DR 5  
1329 W GEORGE UT 84790-7759  
SAINT  
RETURN TO SENDER

★ ★ ★  
★ ★ ★  
1081  
8922\$00.390 NOV 29 2006  
6363 MAILED FROM ZIP CODE 83402  
PITNEY BOWES  
U.S. POSTAGE  
PB3523907

AUG 02 2006



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](http://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

SCANNED

AUG 02 2006

C - VALUE

**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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>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

208 456-2697

5. Date you acquired the property

12-30-93

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JUL 13 2005

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 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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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 \_\_\_\_\_

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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

Water Right No(s). \_\_\_\_\_

**GPS DATA:**

Tag # A0012275 Location: Center of Concrete Frame

**Diversion Data:**

Source: Badger Ck Trib to: Teton River

**MOTOR**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

**PUMP**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

**NOTES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: 9/21/04 Agent: ASL CF

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JUN 15 2005

PROFILED

|                                                                                                                                                                                                 |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Waters, E. B.; June 1, 1886; Spring Creek .....                                                                                                                                                 | 8,000 |
| Nave, Martin L.; June 1, 1886; Moody Creek .....                                                                                                                                                | 300   |
| 10 to be reduced to 25 inches after June 20th of each year .....                                                                                                                                | 50    |
| Nave, Martin L.; June 1, 1886; Teton River .....                                                                                                                                                | 25    |
| Breckenridge, David; June 1, 1887; North Leigh Creek; also Swamp Creek for a late right .....                                                                                                   | 25    |
| Borrowman, John; June 1, 1887; Wood Creek and Springs .....                                                                                                                                     | 260   |
| Jeppson, Hans J.; June 1, 1887; Bigler Slough .....                                                                                                                                             | 60    |
| Hegsted, Victor; Sept. 1, 1887; Horse Shoe Creek .....                                                                                                                                          | 80    |
| Hegsted, Victor; June 1, 1888; Horse Shoe Creek .....                                                                                                                                           | 30    |
| North Salem Agricultural & Milling Canal Co.; Teton River .....                                                                                                                                 | 290   |
| As a high water right until July 1st of each year .....                                                                                                                                         | 1,325 |
| Walters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Mons H. Anderson) .....                                                                        | 168   |
| Woods, William S.; June 1, 1888; Twin Creeks .....                                                                                                                                              | 200   |
| Mansee, Charles H.; Mar. 15, 1889; Moody Creek 10 to be reduced to 80 inches after June 20th of each year .....                                                                                 | 160   |
| Curtis, Owen; Apr. 1, 1889; Trail Creek .....                                                                                                                                                   | 80    |
| Littie, Zina W.; Apr. 1, 1889; South Leigh Creek .....                                                                                                                                          | 160   |
| Hill, William; Apr. 5, 1889; Pack Saddle Creek .....                                                                                                                                            | 120   |
| Morlensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch) .....                                                                                                         | 280   |
| Bates, Thomas; May 3, 1889; Mahogany Creek .....                                                                                                                                                | 112   |
| Beasley, Ebenezer, and J.; June 1, 1889; Fox Creek .....                                                                                                                                        | 140   |
| Drake, Fred J.; June 1, 1889; John Creek .....                                                                                                                                                  | 80    |
| Blanchard, John; June 1, 1889; Warm Creek .....                                                                                                                                                 | 150   |
| Bowles, H. C.; June 1, 1889; Spring Creek .....                                                                                                                                                 | 40    |
| Drake, William P.; June 1, 1889; Mahogany Creek .....                                                                                                                                           | 140   |
| Hubbard, Frank, and wife; June 1, 1889; North Leigh Creek .....                                                                                                                                 | 10    |
| Swanner, Samuel; June 1, 1889; South Leigh Creek .....                                                                                                                                          | 160   |
| Walton, D. O.; June 1, 1889; Darby Creek .....                                                                                                                                                  | 150   |
| Jones, Benjamin; June 1, 1889; Trail Creek .....                                                                                                                                                | 40    |
| McPherson, Abner; June 10, 1889; North Leigh Creek .....                                                                                                                                        | 20    |
| Patsons, F. W.; June 15, 1889; Trail Creek .....                                                                                                                                                | 20    |
| Tonks, George M.; July 5, 1889; Trail Creek .....                                                                                                                                               | 160   |
| Tonks, George M.; July 15, 1889; Fox Creek .....                                                                                                                                                | 160   |
| ey, Mary E.; Sept. 1, 1889; Warm Creek, Spring Creek and Deep Creek .....                                                                                                                       | 95    |
| Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River .....                                                                                                                                       | 80    |
| Rehburg Milling Co.; Oct. 1, 1889; Teton River. (Woodmansee-Johnson Ditch.) For power purposes only, and subject to rights of users for agricultural purposes of water through same ditch ..... | 620   |
| Teton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird head-gate near the Teton Mill .....                                                                | 3,000 |
| Kirsey, Mary E.; Apr. 1, 1890; Warm Creek; Spring Creek and Deep Creek .....                                                                                                                    | 500   |
| Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek .....                                                                                                   | 80    |
| Wolf Ditch Co.; Apr. 1, 1890; Teton River .....                                                                                                                                                 | 115   |
| Robertson, A. L.; Apr. 1, 1890; Trail Creek .....                                                                                                                                               | 2,335 |
|                                                                                                                                                                                                 | 87    |

ROFILED

JUN 15 2005

|                                                                                                                                                    |       |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 82 Rice, Ed.; Apr. 1, 1890; Trail Creek .....                                                                                                      | 160   |
| 82 Curtis, Nannum; Apr. 1, 1890; Trail Creek .....                                                                                                 | 160   |
| 82 Blanchard, John; Apr. 1, 1890; Trail Creek .....                                                                                                | 120   |
| 82 Eynon, John; Apr. 1, 1890; Trail Creek .....                                                                                                    | 80    |
| 85 Paul, John; June 1, 1890; Springs on land .....                                                                                                 | 15    |
| 85 Paul, William H.; June 1, 1890; Little Springs and Deep Creek .....                                                                             | 60    |
| 85 Jenkins, William; June 1, 1890; Fox Creek .....                                                                                                 | 80    |
| 85 Kimball, R. C., and A. L.; June 1, 1890; Fox Creek .....                                                                                        | 110   |
| 85 Lawson, B. G.; June 1, 1890; Spring Creek .....                                                                                                 | 240   |
| 85 Murphy, G. M.; June 1, 1890; Darby Creek .....                                                                                                  | 150   |
| 85 Smith, C. M.; Jan. 1, 1890; Darby Creek .....                                                                                                   | 160   |
| 85 Walton, D. O.; June 1, 1890; Darby Creek .....                                                                                                  | 140   |
| 85 Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring Creek .....                                                                              | 135   |
| 85 Yearsley, H. C.; June 1, 1890; Spring Creek .....                                                                                               | 240   |
| 85 Drake, Richard; June 1, 1890; Patterson Creek .....                                                                                             | 160   |
| 85 Chelsey, John P.; June 1, 1890; Paul Spring Creek, Grove Creek, Deep Creek and Little Spring Creek .....                                        | 200   |
| 85 Byrne, Michael; June 1, 1890; Fox Creek .....                                                                                                   | 85    |
| 85 Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks .....                                                                                   | 100   |
| 85 Beasley, Ebenezer, and J.; June 1, 1890; Fox Creek .....                                                                                        | 80    |
| 85 Andrews, L. W.; June 1, 1890; Grove Creek .....                                                                                                 | 120   |
| 85 Durney, P. S.; June 1, 1900; Trail Creek .....                                                                                                  | 15    |
| 85 Foote, Arthur L.; June 1, 1890; Mahogany Creek .....                                                                                            | 145   |
| 85 Ferguson, John; June 1, 1890; Grove Creek and Willow Spring Creek .....                                                                         | 100   |
| 85 Eames, William; June 1, 1890; Spring Creek .....                                                                                                | 240   |
| 85 Edlefson, E. B.; June 1, 1890; Leigh Creek .....                                                                                                | 155   |
| 85 Drake, Lavina; June 1, 1890; Boquet Creek and Drake Creek .....                                                                                 | 160   |
| 88 Drake, William; July 1, 1890; Mahogany Creek .....                                                                                              | 150   |
| 90 Tonks, William H.; July 15, 1890; Trail Creek .....                                                                                             | 135   |
| 92 Curtis, Charissa A.; Sept. 1, 1890; Trail Creek .....                                                                                           | 160   |
| 96 Rice, A. L.; Jan. 1, 1891; Patterson Creek .....                                                                                                | 160   |
| 98 O'Brien, James A.; June 1, 1891; North Leigh Creek .....                                                                                        | 100   |
| 98 Sidaway-Briggs Co.; June 1, 1891; Teton River. (For power purposes) .....                                                                       | 2,600 |
| 98 Sinclair, D. R.; Adminr. Estate of Fred Sinclair (deceased); June 1, 1891; Eynon Ditch .....                                                    | 20    |
| 98 Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Crandall Springs .....                                                            | 100   |
| 98 Shaw, L. C.; June 1, 1891; Badger Creek and water from springs on T. A. Phillips land .....                                                     | 200   |
| 98 Swanner, Samuel; June 1, 1891; South Leigh Creek .....                                                                                          | 120   |
| 98 Hubbard, Susan; June 1, 1891; North Leigh Creek and Middle Leigh Creek .....                                                                    | 150   |
| 98 Harrop, Samuel; June 1, 1891; Leigh Creek .....                                                                                                 | 200   |
| 98 Hill, Mary Ann; June 1, 1891; Pack Saddle Creek .....                                                                                           | 120   |
| 98 Clark & Houghton; June 1, 1891; Teton River .....                                                                                               | 160   |
| 98 Dewey, George A.; June 1, 1891; Fox Creek .....                                                                                                 | 160   |
| 98 Barney, Walter; June 1, 1891; South Leigh Creek .....                                                                                           | 160   |
| 98 Bowles, Sarah; June 1, 1891; Spring Creek .....                                                                                                 | 100   |
| 98 Blamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Phillips; June 1, 1891; Badger Creek and springs on land of T. A. Phillips ..... | 640   |
| 98 Edlefson, Noah C.; June 1, 1891; Leigh Creek .....                                                                                              | 40    |
| 100 Siddoway Irrigation & Manufacturing Co.; July 1, 1891; Teton River .....                                                                       | 900   |

**22-501B**

SCANNED  
JUN 15 2005

SENW

SWNE

SENE

SWNW

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NWSE

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SESW

SWSE

SESE

SWSW

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16

20

21

NENW

NWNE

NENE

NWNW

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: A22-00501B  
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: JUN 1, 1891

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 | 2.090  |      |        |

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

8. Total consumptive use is 252.0 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   | 17      | NE     | SE     |     | IRR | 39.0  |
|          |       |         | NW     | SE     |     | IRR | 32.0  |
|          |       |         | SW     | SE     |     | IRR | 22.0  |
|          |       |         | SE     | SE     |     | IRR | 33.0  |

A22-00501B

SCANNED

Page

1

Date: 05/06/96

JUN 15 2005

PROFILED

MICROFILMED  
NOV 06 1990

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 126.0 |
|          |       |         |            |     | Total Acres   | 126.0 |

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:

A22-00056/00452/11858/11860/07049/07133/11985/11987

14. Remarks:

HISTORICAL USE OF ENTIRE RIGHT HAS BEEN ON THE EAST SIDE OF R.R TRACKS IN THE SE 1/4 SEC 17, & NE 1/4 SEC 20, T6N, R45E. FOR A TOTAL OF 241 ACRES. CLAIMANT OWNS 126 ACRES OF THE 241 ACRES SO THIS ADJUDICATION CLAIM IS FOR 126/241 OR 52.3% OF THE ORIGINAL RIGHT.

15. Basis of Claim: DECREED

Water Right Number: 220501

Case Number:

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: \_\_\_\_\_

MICROFILMED

NOV 06 1996

PROFILED

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 A22-00501B

Ident. Number: A22-11972

Date Received: 9/28/1988

Receipt No: E002697

Received By: KCU

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: JUN 01, 1891

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 | 2.090  |      |        |

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

8. Total consumptive use is 252.0 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   | 17      | NE     | SE  |     | IRR | 39.0  |
|          |       |         | NW     | SE  |     | IRR | 32.0  |
|          |       |         | SW     | SE  |     | IRR | 22.0  |

A22-11972

Page

1

Date: 09/28/88

SCANNED

JUN 15 2005

PROFILED

MICROFILMED

NOV 06 1990

MICROFILMED

NOV 06 1992

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 06N           | 45E   | 17      | SE SE      |     | IRR | 33.0  |
| Section Acres |       |         |            |     |     | 126.0 |
| Total Acres   |       |         |            |     |     | 126.0 |

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:

A22-00056/00452/11858/11860/07049/07133/11985/11987

14. Remarks:

HISTORICAL USE OF ENTIRE RIGHT HAS BEEN ON THE EAST SIDE OF R.R TRACKS IN THE SE 1/4 SEC 17, & NE 1/4 SEC 20, T6N, R45E. FOR A TOTAL OF 241 ACRES. CLAIMANT OWNS 126 ACRES OF THE 241 ACRES SO THIS ADJUDICATION CLAIM IS FOR 126/241 OR 52.3% OF THE ORIGINAL RIGHT.

15. Basis of Claim: DECREED

Water Right Number: 220501

Case Number:

Court : SIXTH

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL  
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET  
Decree Defendant

MICROFILMED  
NOV 06 1990

SCANNED  
JUN 15 2005

PROFILED

MICROFILMED  
NOV 06 1990

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, that I have signed the foregoing Organization  
document in the space below as Pres. of \_\_\_\_\_ Title  
Phillips Farms and that the statements contained in the Organization  
foregoing document are true and correct.

Benton H. Phillips  
Signature of Authorized Agent

Pres. Phillips Farms Inc.  
Title and Organization

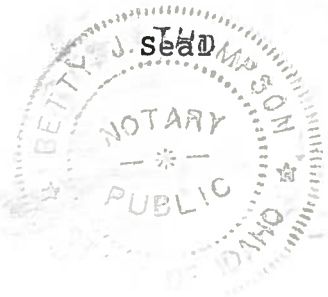
9-28-88

Date

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> day  
of September 19 88

Betty J. Thompson  
Notary Public



Residing at Idaho Falls

My Commission Expires 6-94

MICROFILMED  
NOV 06 1990

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R45E

POINT OF DIVERSION

PLACE OF USE

A22-11972

SCANNED  
NOV 15 2005

NOV 8 1990

NOV 8 1992

