

RIGHT NUMBER: 22-11985

NAME AND ADDRESS: BURTON PHILLIPS
910 N 300 W
TETONIA ID 83452

KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

T06N R45E S9 SESESW Within TETON County

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.190 CFS

T06N R45E S09	SWSE	0.30	T06N R45E S09	SESE	20.00
T06N R45E S16	NENE	31.00	T06N R45E S16	NWNE	30.00
T06N R45E S16	SWNE	8.70	T06N R45E S16	NENW	8.00
T06N R45E S16	SENW	2.00			

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a portion of former right 22-452.

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



Idaho Department of Water Resources

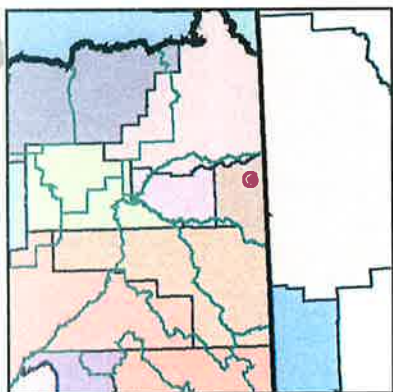
SRBA Recommendation:

22-11985

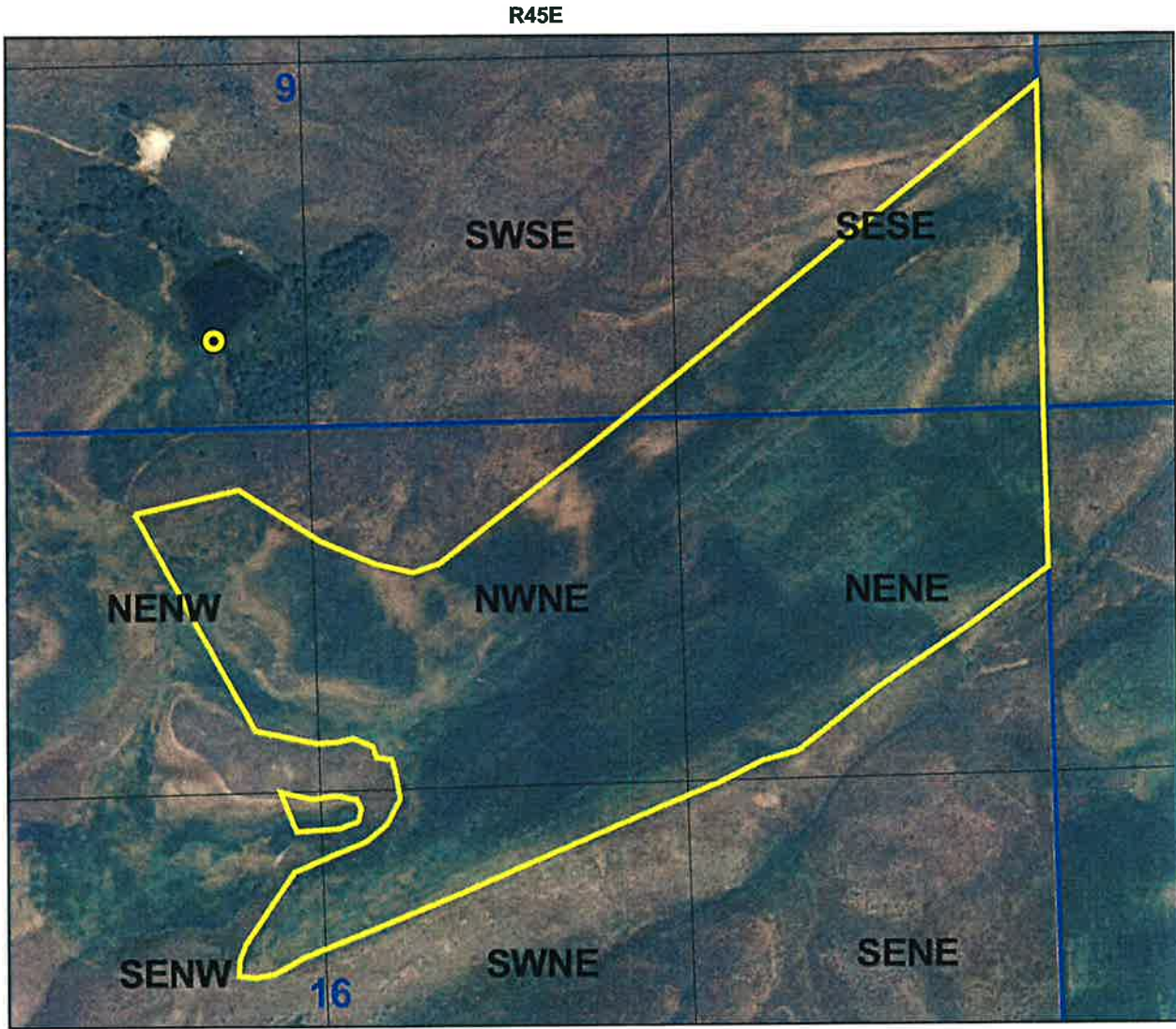
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by E. Carlsen
On Wednesday, November 29, 2006
2004 Aerial Photography

Owner: [Burton Phillips](#)
NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

EASTERN REGION

January 18, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

SPRING HOLLOW LLC
PO BOX 3666
JACKSON WY 83001

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

Dear Sir or Madam:

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

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

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

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

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

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

RECEIVED

DEC 26 2006

Department of Water Resources
Eastern Region

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

Richard Reilly Tele: 307-733-2247

Dan Newton Cell: 406-261-6522

They are in order, but will need the

approval of the new owner.

Thank you

Brian K. Reilly

DISTRICT OFFICE
N. SKYLINE DR.
ALLS, IDAHO 83402

★ ★  TM
U.S. POSTAGE
1571 PB3523907
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
|||||

BURTON PHILLIPS

KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

RECEIVED
JAN 12 2007

Department of Water Resources
Eastern Region

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

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: December 11, 2006

Water right number: 22-11985

BURTON PHILLIPS
910 N 300 W
TETONIA ID 83452
Telephone Number: (208)456-2697

KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452
Telephone Number: (208)456-2697



Richard & Gail Reilly
PO Box 3666
Jackson, WY 83001

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

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

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

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

DATE:

12/19/06

SIGNATURE:

Richard J. Reilly

Please print your name:

Richard J. Reilly

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

jc

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)

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

ADDRESS SERVICE
REQUESTED

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



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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RETURN SERVICE REQUESTED

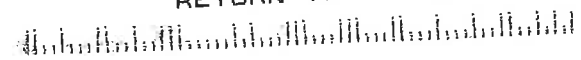


U.S. POSTAGE
1081 PB3523907
8922 \$00.39 NOV 29 2006
6363 MAILED FROM ZIP CODE 83402

BURTON PHILLIPS
KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

PHIL910* 834522002 1805 08 12/02/06
FORWARD TIME EXP RTN TO SEND
PHILLIPS
1329 W BLOOMINGTON DR S
SAINT GEORGE UT 84790-7758

RETURN TO SENDER



22-11985
11987
174A
254B
452
5013
56
17049
7133

B3402X1700
17536X3654 R001

06/27/2005

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: 22-11987

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: 6-30-05 SIGNATURE: Burton K Phillips for Phillips Farms Inc
Please print your name: Burton K Phillips, Inc

IDWR Regional Office,

RECEIVED

JUL 12 2005

Department of Water Resources
Eastern Region

SCANNED

JUL 13 2005

PROFILED

KUT
7/12



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2005

BURTON & KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

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

Dear Mr. & Mrs. Phillips:

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

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

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-11987 V1

WATER RIGHT NUMBER: 22-11987 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
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: 06/01/1965
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
POND	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		8.00 AF
IRRIGATION FROM STORAGE	04/15 to 10/31		8.00 AF
<u>Total Diversion:</u>			0.00 AF

<u>Location of Point(s) of Diversion</u>			
POND	SE1/4SE1/4SW1/4	Sec. 9,	Twp 06N, Rge 45e, B.M.
TETON County			

<u>Place of Use</u>					
<u>IRRIGATION FROM STORAGE Within TETON County</u>					
T06N R45E S09	SWSE	0.3	T06N R45E S09	SESE	20.0
T06N R45E S16	NENE	31.0	T06N R45E S16	NWNE	30.0
T06N R45E S16	SWNE	8.7	T06N R45E S16	NENW	8.0
T06N R45E S16	SEnw	2.0			
Total Acres: 100					

- Conditions of Approval:
1. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-11987 V1

2. 164 The capacity of the storage reservoir is 8.0 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.

Remarks:

Comments:

1. aruberry 2/10/2005 DISALLOW

Comment: NO EVIDENCE OF USE. NO BENEFICIAL USE FOUND

Water Supply Bank:

E Clerk

**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 208 456-2697
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 7/2/05

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) _____

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

For Office Use Only

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

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. Boultrahee

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

Notary Public
Idaho

114911

FILED

AT THE REQUEST OF

Burton Phillips

AT 45 MINUTES PAST 4 P. M.

DATE Dec 30, 1993

Chas J. Drake
CLERK OF RECORDER

BY Nora Rigby
DEPUTY

114911

06/27/2005

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: 22-11985

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):

This is being split from 22-174 which sets priority date for use of springs. That date is 6/01/1891

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

This awards a 1902 priority date. I don't know if it makes any difference because there are no

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

competing claims, but if it makes any difference maybe it should be changed to the same date as 22-174

☐ I AGREE with this proposed recommendation: no changes need to be made. *Either way is OK if it doesn't matter*

DATE: 6-30-05 SIGNATURE: Burton K Phillips

Please print your name: Burton K Phillips

IDWR Regional Office,

*Changed to 1891 per 22-174
Not corrected by Amendment. 7/14/05
PBR*

SCANNED

JUL 19 2005

SCANNED

JUL 19 2005

PROFILED

*kmj
7/12*

AL DESK



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2005

BURTON & KATHY PHILLIPS
910 N 300 W
TETONIA ID 83452

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

Dear Mr. & Mrs. Phillips:

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

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

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-11985 V1

WATER RIGHT NUMBER: 22-11985 V1

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

Priority Date: 06/01/1902

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
POND	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	1.190 CFS	
	<u>Total Diversion:</u>	1.190 CFS	

Location of Point(s) of Diversion

POND	SE1/4SE1/4SW1/4	Sec. 9, Twp 06N, Rge 45E, B.M.
TETON County		

Place of Use

IRRIGATION Within TETON County

T06N R45E S09	SWSE	0.3	T06N R45E S09	SESE	20.0
T06N R45E S16	NENE	31.0	T06N R45E S16	NWNE	30.0
T06N R45E S16	SWNE	8.7	T06N R45E S16	NENW	8.0
T06N R45E S16	SENW	2.0			

Total Acres: 100

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. P21 This right is a split from former right 22-174.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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. ☒
- 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

*NEED
 RECAP*

*changed
 per
 Allen
 JC
 7/2/05*

114911

DEC 30 1983

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

SCANNED
JUL 13 2005
PROFILED

June 10, 2005

Burton;

Here are the corrected Preliminary Reports for you water rights diverted from Badger Creek and the well. Please review them as per the instructions of the original mailing. Should there be corrections please address them on the Notice of Error page and I will re-review any corrections.

Also attached hereto, you will find Amended claims for the springs and the pond system. 22-11985 has been amended to reflect a portion of the original decree 22-174 of which they were a part. 22-11987 has been amended to address the storage component of the pond and diversion from the pond. Please sign with a Notary, or, you can wait until the 22nd Public meeting and I will discuss them with you and Notarize them at that time.

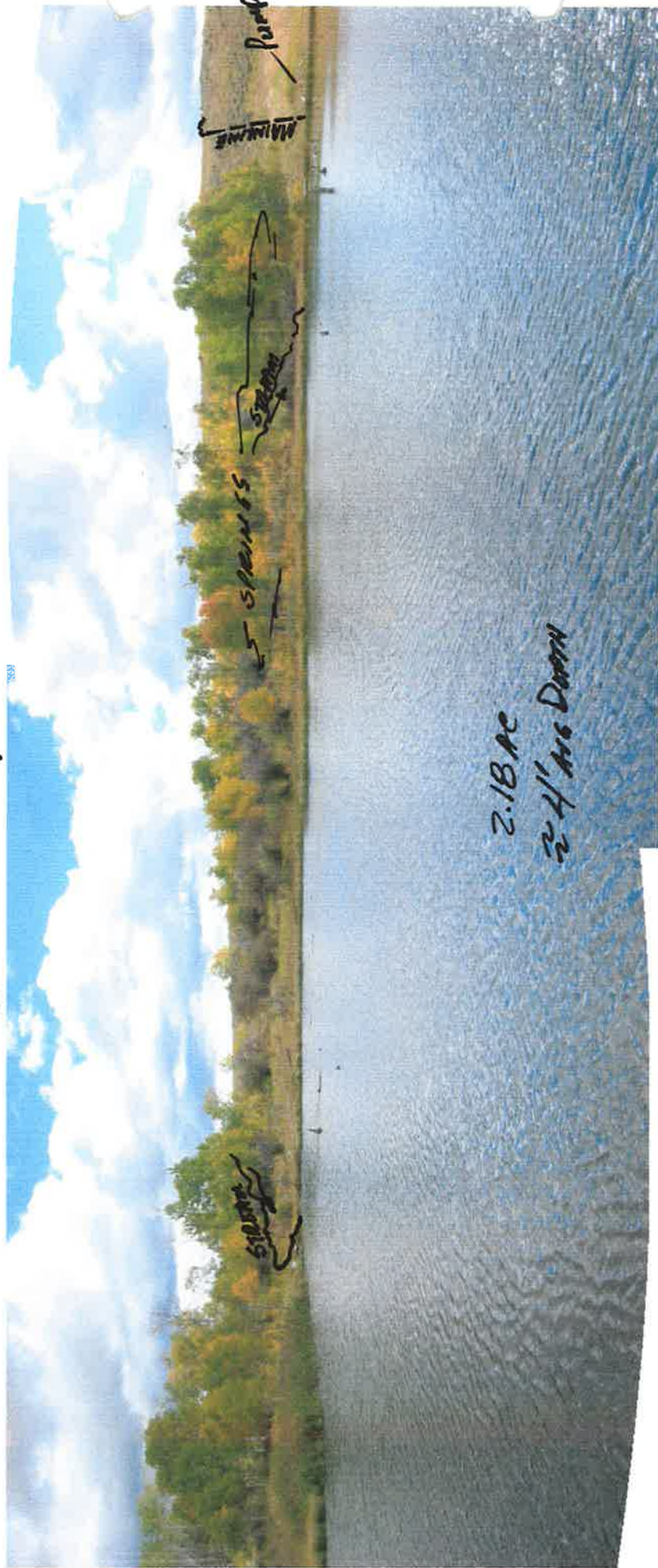
Please review the recommendations carefully. I will look forward to seeing you on the 22nd of this month for the Public Meeting.

A1

SCANNED
JUL 19 2005

PROFILED

Burton Phillips' Pond



9/21/04 AM

Taken From Dam Looking
Eastward. GPS'd Dam as
POD - NO GPS TAG.

PROFILE

SCANNED

JUL 19 2005



9/21/04 Steve

4" PTO DRIVEN TRACTOR PUMP TO MAINLINE

PROFILED

SCANNED
JUL 19 2005

T6N, R45E



20.1

0.3

30.7

30.0

8.4

0.1

8.3

2.1



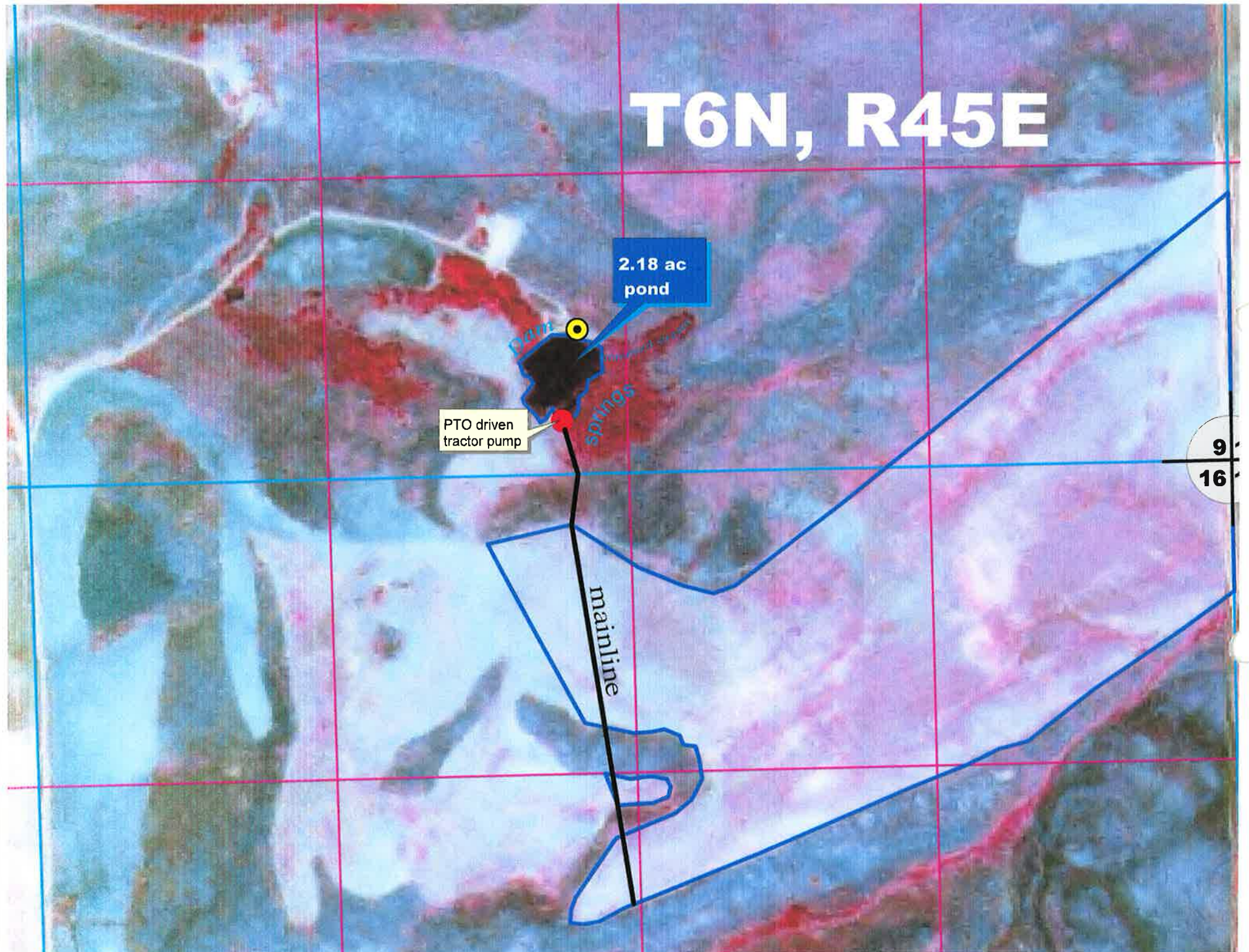
T6N, R45E

2.18 ac
pond

PTO driven
tractor pump

mainline

9
16



Contacts Data Entry Form

Claim Number: 2211985

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

Current Owner: Phillips Exams, Inc Phone No.: 208-456-2697

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.R.H. ClaimThis claim is actually a part of Dorrado Rt. 22-174
THAT DESCRIBES 'SPRINGS ON LANDS OF T.A. Phillips.'Other Water Rights used 2200056, 452, 11860, 11972
07049, 07133,FE pod/poa. conveyance/system

Reviewer: _____ Date: _____

PROFILED**SCANNED**
JUL 19 2005

Priority Date Data Entry Form

Claim Number: 2211985

Water Right Priority Date: _____

Water Right Basis: _____

Claimed Priority Date: 1 June 1891

Claimed Basis: ~~3.4~~ DOLLARS (AS AMOUNT)

Recommended Priority Date: _____

Recommended Basis: _____

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

Per Docrob 22-174

Reviewer: _____

Date: _____

PROFILED

SCANNED
JUL 19 2005

Point of Diversion and Source Data Entry Form

Claim Number: 2211985Water 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
6N	4SE	9		SE SE SW	Teton	Spring	Sinks

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
6N	4SE	9		SE SE SW		^{POD} ~~Spring~~	Sinks

Other rights from this POD? ?

Transfers Pending or approved: _____

Document how the POD and Source were verified:

SPRINGS ARE IMPROVED UNDER
22-11987-IRA STANNARD RT.
Recommended POD is Dam

Reviewer: _____ Date: _____

PROFILED

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JUL 19 2005

Season of Use and Quantity Data Entry Form

Claim Number: 2211985Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	1.19	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Truck	4/1	10/31	1.19	

Overall Diversion Rate _____

Overall Diversion Volume _____

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

IDWR STD. SOU 4/1 - 10/31

Reviewer: _____

Date: _____

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JUL 19 2005

All references to land mentioned henceforth are in Township 6N Range45 EBM.

My name is Burton K Phillips. I live at 910N 300W and I am the owner of record of SE1/4Sec8,the NE1/4Sec17,the S1/2 of the S1/2of Sec9,W1/2,theNW1/4,N1/2of the SW1/4 of Sec16,the NW1/4of Sec21, and 125 acres of the SW1/4 of Sec17.I have been the owner since 1969 and have been a permanent resident here since 1967.The address is in Sec 8 of this land.

My grand father is Milton Edward Phillips who began to accumulate various parts of this land in 1908. His Father was Thomas H. Phillips who purchased land in secs8 and 17 in1900from the first owner George Felt.My grandfathers brother Thomas A. Phillips Homesteaded the S1/2 of theS1/2 of sec9 in1902 [inclosed copy of the deed which grants patent in 1907 after 5 years of proving up the patent]

While I was researching the water rights of the SE1/4 of sec 17 I found in the basement of the Fremont county courthouse maps showing diversions of water to cropped areas. I have enclosed a copy of this document to support the claim of diverting water from the springs of sec9 as the first water diverted from there and Badger creek in 1891. Note; Teton County was part of Madison county prior to July 1915, and prior to Jan. 1914 was part of Fremont county, which is why these records were found in Fremont county. I have included a copy of that information from an old abstract of title.

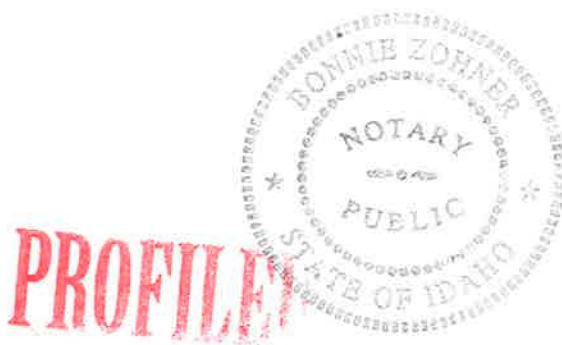
I have included a copy of the court judgement of 1910 that grants the water rights of 1891 from Badger creek and springs of T.A. Phillips [the same as Thomas A. Phillips] to the lands of secs 8 and 17. This should settle the issue of the early diversions from the springs to secs 8 and 17.

With regard to later diversions , I piped the spring down to water potatoes in sec8 and sec17 in 1967, my first year back on the farm from military service. We did not have a well until I drilled one in 1973 so in 1967 when the creek went dry in early August the only water we had for 80 acres of potatoes was from the spring. By reducing nozzle size to 7/64, pressure could maintained on nearly 50 pipe to water part of the 80 acres.

My cousin John D. Phillips has attested to diversions that took place between 1960, when they converted from flood irrigation to sprinkler irrigation, and my experience of 1967.

After drilling a well in 1973, I began to try to reservoir the springs. I was able to accumulate more water and in 1984 or 1985 I attached a pump to a tractor and with the trading around of mainline with neighbors , I ran alternately one ½ mile line and one ¼ mile line of pipe over about 100 acres. I can find no evidence to support this but I have enclosed evidence of the permanent system I installed in 1986.

Signed Burton K. Phillips



Bonnie Zoller
Teton County
Driggs Idaho
Expires 10/01/2004
JUL 19 2005

—O—O—O—O—O—O—O—

VS

DE C R E E .

— — — — —

PROFILED

— 3 — 0 — 0 — 0 — 0 — 0 — 0 — 0 — 0 —

SCANNED

JUL 19 2005

United States of America.
By President Theodore Roosevelt
By F. M. McKean, Secretary
H. W. Sanford, Recorder of the General Land
Office. (SEAL)

to

Thomas A. Phillips

Granting Words

Description and Remarks:

Grantees

Kind of Instrument Patent

Date of Instrument Nov. 18, 1907

Date of Record Aug. 23, 1909; 8: am

Book 6 of Patents Page 94

No. of Instrument 27347 Fremont

Consideration, \$

PATENTS:

South Half of the South east Quarter and the south
half of the South west quarter of section nine in
Township Six North, Rf Range forty-five East of the
Boise Meridian, Idaho, containing one hundred sixty
acres.

Transcribed from Book D of Patents page 304, Fremont County
records.

Witnesses

Date of Acknowledgment

Before Whom Acknowledged?

PROFILED

TETON ABSTRACT COMPANY
TETON COUNTY
DRIGGS, 2 IDAHO

SCANNEL

JUL 19 2005

ABTRACTER'S STATEMENT

oooooooo

From the beginning of the title herein until the fifth day of January, Nineteen hundred fourteen, the property herein described was a part of Fremont County. On the date mentioned it became a part of Madison County and so remained until the fifth day of July, Nineteen hundred fifteen, when it became a part of Teton County; said changes being the result of county divisions.

PROFILED

TETON ABSTRACT COMPANY
TETON COUNTY
DRIGGS, IDAHO

**SCANNED
JUL 19 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

Ident. Number 22-11985
Date Received: 9/28/1988
Receipt No: E002697
Received By:

Amended

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

1. Name of Claimant(s)

PHILLIPS FARMS INC Phone: (208)456-2697

C/O BURTON K PHILLIPS
910 N 300 W
TETONIA ID USA 83452

2. Date of Priority: 06/01/1902

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

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

5. Description of diverting works:

PTO DRIVEN PUMP TO MAINLINE AND SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.19	

7. Total Quantity Appropriated is:
1.19 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

22-11985

PROFILED

06/10/2005

**SCANNED
JUL 19 2005**

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	45E	9	SE	SE		IRRIGATION	20.1
			SW	SE		IRRIGATION	0.3
						Section Acres	20.4
06N	45E	16	NE	NE		IRRIGATION	30.7
			NW	NE		IRRIGATION	30
			SW	NE		IRRIGATION	8.4
			SE	NE		IRRIGATION	0.1
			NE	NW		IRRIGATION	8.3
			SE	NW		IRRIGATION	2.1
						Section Acres	79.6
						Total Acres	100

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:

AMENDED TO REFLECT THE SPRINGS PORTION OF DECREED RIGHT 22-174.

15. Basis of Claim: Decreed

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.

RECEIVED

JUN 24 2005

Department of Water Resources
Eastern Region

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:

AMENDED TO REFLECT THE SPRINGS PORTION OF DECREED RIGHT 22-174.

15. Basis of Claim: Beneficial Use

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 President of _____ Title

Phillips Farms Inc. that I have signed the foregoing Organization

document in the space below as President of Title

Phillips Farms Inc. and that the statements contained in the Organization

foregoing document are true and correct. Burt H. Phillips Signature of Authorized Agent

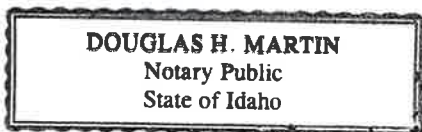
Pres. Phillips Farms Inc. Title and Organization

6-15-05 Date

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this
of June 15 2005

Douglas H. Martin
Notary Public



Residing at Swan Valley, Idaho

My commission Expires 8-28-2010

SCANNED

PROFILED

JUL 19 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

Ident. Number: A22-11985
Date Received: 9/28/1988
Receipt No: E002697
Received By: KCa

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, 1902

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

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

5. Description of diverting works:
COLLECTION PIPE TO PUMP WITH SPRINKLERS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.190		

7. Total Quantity Appropriated is:
1.190 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

A22-11985

Page

1

Date: 09/28/88

PROFILED

SCANNED
JUL 19 2005

MICROFILMED
NOV 06 1992

A2211985



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	SW		IRR	20.0
			SW	SW		IRR	20.0
			Section Acres				40.0
			Total Acres				709.0

11. Place of use in counties: TETON

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

A22-11985

Page

2

Date: 09/28/88

PROFILED

SCANNED
JUL 19 2005

MICROFILMED
NOV 06 1992

13. Other Water Rights Used:

A22-00056/00452/11858/11860/11972/07049/07133

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Phillip Garmaden, that I have signed the foregoing Organization document in the space below as _____ of

Phillip Garmaden and that the statements contained in the Title foregoing document are true and correct. Organization

Burt K. Pluth
Signature of Authorized Agent

Pres. Phillip Garmaden
Title and Organization

9-28-88
Date

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

A22-11985

Page

3

Date: 09/28/88

PROFILED

SCANNED
JUL 19 2005

MICROFILMED
NOV 06 1992

A22-11985

JUL 19 2005

SCANNED

NOV 8 1999



Point of Diversion

Place of Use

R45E

N 61