

03/19/2002

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

RIGHT NUMBER: 29-13188

NAME AND ADDRESS: WADE TAYSOM
1292 E TIAPOO
MC CAMMON ID 83250

SOURCE: LOWER ROCK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.50 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/19/1902

POINT OF DIVERSION:

T07S R36E S36 SWNWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.500 CFS
STOCKWATER	04/01 10/31	0.050 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S36	NESW	15.8	T07S R36E S36	NWSW	16.9
T07S R36E S36	SWSW	40.0	T07S R36E S36	SESW	38.3

STOCKWATER Within BANNOCK County

T07S R36E S36	NESW	T07S R36E S36	NWSW
T07S R36E S36	SWSW	T07S R36E S36	SESW

111 ACRES TOTAL

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

RIGHT NO. 29-13189 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-00602.



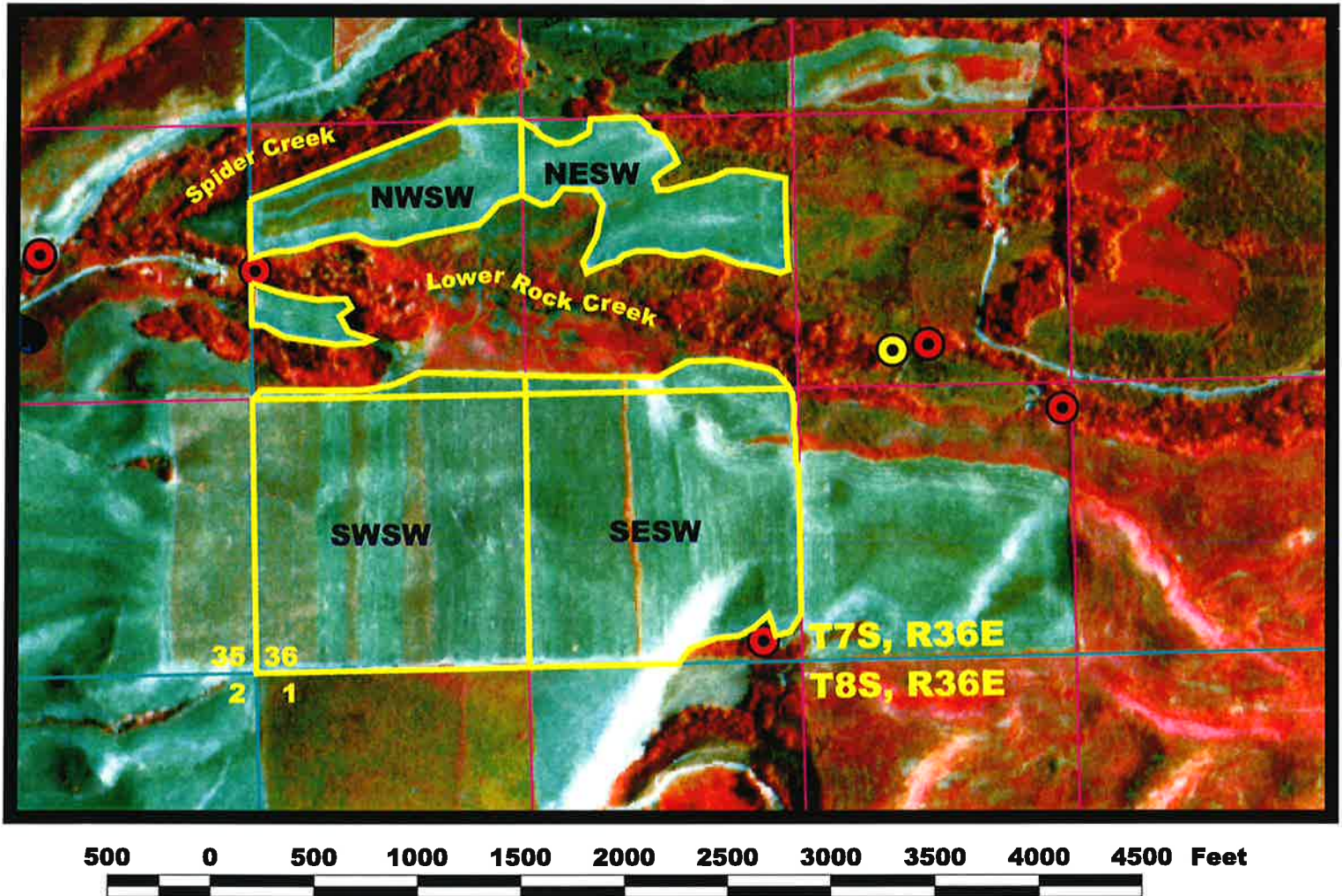
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s): 29-13188



LEGEND

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

Place of Use: T9S, R37E
(parts of) Secs. 36 SW

Point(s) of Diversion: T9S, R37E
Sec. 36 SWNWSE



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: March 2002

Spider Creek

NWSW

16.8

NESW

15.8

Lower Rock Creek

SWSW

40.0

SESW

38.3

T7S, R36E

T8S, R36E

35 36

2 1

29-13188; 29-13189

Photo 1: Shows POD on Lower

Rock Creek

Shows Wade Jayson
while on field exam of
properties bought from
Pete Phillips - Present -
Not shown! Also
Present - Not shown
is Wade Jayson.



Photo 2:

POD on Lower Rock Creek
from different angle



Photo 3:

Shows inlet to main -
line going to river



Photo Date: 6/13/01
Photo By: A. Ruesch

29-13188

SPLIT OFF OF 29-00602 AS:

DEPT 29-6

I. 1.5 cfs per cfo. Cham amended to add an additional

51 YEARS AND ADD STOCKHOLDERS PER DEFINITION OF 1937

DEPT.

II. PERIOD OF USE RECOMMENDED AS 4/1 TO 10/31 PER DEPT

STD BECAUSE THE (1937) DEPT DID NOT ADDRESS

SEASON OF USE.

III. RECOMMENDED AS Amended
w/ Cond C18, N05, A108
Rmk F05, P21

29-00602 DECEDED (Peoplos vs East, et al, 30 Oct 1937)

6/13/01 MET w/ PETE Phillips (SULLON), WAYNE AND WADE TAYSON (BUYERS) TO REVIEW THE CLAIM AND C/O'S FOR SPLITTING OF THE RIGHT. VISITED POU AND POD. MR. Phillips EXPLAINED THAT HE HAD IRRIGATED THAT PORTION OF THE LANDS North OF LOWER ROCK CREEK (APPROXIMATING 25AC) AND THAT HE HAD IRRIGATED THOSE LANDS IN SESE SEC. 35 ALONG THE TOP AND THE BOTTOM AREA. THERE IS A STOP GRADE THERE WHICH HE COULD NOT IRRIGATE (IT'S EXCLUDED FROM THE RECOMMENDATION). MR. Phillips HAD IRRIGATED THOSE LANDS BY SPRINKLER IRRIGATION FROM A GRAVITY FEED DIVERSION OFF LOWER ROCK CREEK SINCE 1974 WHEN HE PURCHASED.

29-00602 WAS DECEDED, AS ABOVE, FOR 150 ACRES w/ 2.0 cfs. GRS IS ABLE TO DETERMINE A TOTAL OF 142 ACRES BY THE DESCRIPTION OF POU GIVEN BY MR. Phillips. THEREFORE, AS TO BE SPLIT DETERMINED BY DEEDS AS SHOWN:

WAYNE TAYSON, SESE SEC 35, $3\frac{1}{2}$ AC, 0.50 cfs

WADE TAYSON SW 4 SEC. 36, $11\frac{1}{2}$ AC, 1.50 cfs

142² AC @ 2.0 cfs

29-00602 WILL BE SPLIT AS SHOWN WITH THE FOLLOWING NUMBERS:

WAYNE - 29-13189

WADE - 29-13188

BOTH CLAIM SHARE A COMMON SYSTEM AND POD.

29-13188 ; 29-13189



← Photo 1: SHOWS POD ON LOWER
ROCK CREEK

SHOWS WADE TAYSON
WHILE ON FIELD EXAM OF
PROPERTY BOUGHT FROM
Pete & Phillips - PRESENT -
NOT SHOWN; ALSO
PRESENT - NOT SHOWN
IS WAYNE TAYSON.

Photo 2: →
POD ON LOWER ROCK CREEK
FROM DIFFERENT ANGLE.



← Photo 3: SHOWS INLET TO MAIN-
LINE GOING TO PIVOT



Photo DATE: 6/13/01
Photo BY: A. RUBERZ:

06/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-602

Owner Type Name and Address
Current Owner BARBARA PHILLIPS
Current Owner H H PHILLIPS
 PO BOX 59
 INKOM, ID 83245
 (208)775-3765

Original Owner ANNIE PEOPLES

Priority Date: 06/19/1902
Basis: Decreed
Status: Parent

Source Tributary to
LOWER ROCK CREEK PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	2 CFS		
Total Diversion			2 CFS		

Location of Point(s) of Diversion:

LOWER ROCK CREEK NWSE Sec. 36 Township 07S Range 36E BANNOCK County

IRRIGATION Use:
Acre Limit: 80

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	36E	35		SESE	20									
		36		SWSW	40		SESW	20						

Total Acres: 80

Remarks:

1. P/D INCOMPLETE.
THIS RIGHT SUPERCEDES 29-0282.
1. THIS WATER RIGHT HAS A PROTESTED TRANSFER APP. PENDING.
THE APPLICATION FILED BY H.H. PHILLIPS PROPOSES A CHANGE IN PLACE OF USE. WATER IS TO BE DIVERTED IN SW1/4NW1/4SE1/4, SEC. 36, T. 7S, R. 36E TO IRRIGATE 150 ACRES IN SW1/4, SEC. 36, SE1/4SE1/4, SEC. 35, T. 7S, R. 36E.
2. PROTESTED BY MR. & MRS. W. J. CRAWFORD, DOUG CRAWFORD, JEANNE CRAWFORD, JIM CRAWFORD, & FLOREEN THYBERG.
ADDITIONAL PROTESTS: STANLEY THYBERG, KEITH CHRISTENSEN REPRESENTED BY ATTY. DAVID E. RAYBORN, DAVID H. LISH REPRESENTED BY ATTY. GEORGE A. SOUTHWORTH.

THIS CLAIM SPLIT TO 29-13188 AND 29-13189, PER C/O.

Dates:

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

ANNIE PEOPLES

Plaintiff

-vs-

D E C R E E

FRANK S. EAST, HAROLD EAST, GILBERT
LISH, LEONARD LISH, and LULU LISH

Defendants

.....

This matter having come on for hearing this 16th day of
October, 1937, before the Honorable Jay L. Downing, in open court,
sitting without a jury, the plaintiff being present in person and
by her counsel, O. R. BAUM, and the defendants and each and all of
them coming not, but making default herein, and by reason of the
making of such default having waived the making of findings of fact
and conclusions of law, and

IT APPEARING TO THE COURT, that heretofore the Plaintiff
had dismissed as to the defendants Howard Lish, and Walter Romriell,
without prejudice, and

IT FURTHER APPEARING that a Clerk's default had been entered
as to FRANK S. EAST, HAROLD EAST, GILBERT LISH, LEONARD LISH and LULU
LISH, and upon application of the plaintiff the court set the matter
down for hearing as of the 16th day of October, 1937, directing the
Clerk to give notice to the defendants, and that such notice was given,
and that the defendant Lulu Lish appeared at such time and was present
during the proceedings had in such matter, and

IT FURTHER APPEARING to the court, after submission of evidence,
to-wit, evidence on behalf of said plaintiff, through witnesses Robert
Hamilton and Theodore Turner, and the Court being fully advised in the
premises,

IT IS ORDERED, ADJUDGED AND DECREED, that the plaintiff herein
is the owner of the following described premises,

FILED
SEP 15 1989

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, and SW $\frac{1}{4}$ of Section 36,
Township 7 South of Range 36 E.B.M.

Lots 1, 2 and 3, and S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ and
NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 8 South of
Range 36 E.B.M.

That the said land is arid in character, and that 150 acres
thereof is susceptible of irrigation, and that water has been
applied to beneficial use on said premises.

That heretofore and on the 16th day of February, 1904, in an
action then pending in the District Court of the Fifth Judicial District
of the State of Idaho, in and for Bannock County, wherein Dell R. Lish
who was predecessor in interest of your plaintiff herein was plaintiff,
and Isaac Potter, was defendant, a decree was duly made and entered
adjudging the right to the use of the waters of the stream commonly
known and referred to as Lower or Little Rock Creek, a tributary of
Portneuf River; that said creek is sometimes referred to as Spray
Creek, East Fork of Rock Creek, Upper Fork of Rock Creek, but that the
true and correct name of said stream and the name it is commonly known
by is LOWER ROCK CREEK, and that by the terms of such decree, entered
in said action, it was decreed and there was decreed to the lands afore-
mentioned, such lands then and there belonging to the said plaintiff,
Dell R. Lish, now belonging to the said plaintiff, Annie Peoples, two
cubic feet per second of time of the said waters of said creek, and
that such judgment was duly recorded in Book 2 of Judgments, page 175
records of Bannock County, State of Idaho.

That the said water was made appurtenant to Lots 1, 2 and 3
of Section 2, Township 8 South of Range 36 E.B.M. and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section
35, Township 7 South of Range 36 E.B.M. and that the said lands, together
with the other lands hereinbefore described, are now the property of
the said plaintiff herein, and that the said waters so referred to in
such decree, to-wit, 2 cubic feet per second of time, have been, since
June 19, 1902 applied beneficially to the lands aforementioned, to-wit,
for irrigation, culinary, and domestic purposes, and that at all times
since said time, said plaintiff and her predecessors in interest have
utilized two cubic feet per second of time of the said waters of said

SEP 15 1989

stream hereinbefore referred to, on the lands aforementioned, and that the same have been and are now being applied to beneficial use as herein mentioned.

IT IS FURTHER ORDERED, that two cubic feet per second of time of the waters of said Lower Rock Creek, sometimes referred to as Little Rock Creek, Sprak Creek, East Fork of Rock Creek, Upper Fork of Rock Creek, BE AND THE SAME ARE HEREBY MADE APPURTENANT TO THE FOLLOWING DESCRIBED PREMISES, to-wit:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, SW $\frac{1}{4}$ Section 36, Township 7 South of Range 36 E.B.M.

Lots 1, 2 and 3, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, Township 8 South of Range 36 E.B.M.

and that the said plaintiff herein is entitled to a date of priority as of June 19, 1902, and

IT IS FURTHER ORDERED that the defendants and each and all of them have no right, title or interest in and to the said waters aforementioned, or any part or portion thereof, prior to the rights of said plaintiff herein, and that the right of the said plaintiff is prior in time to the right of any and all of the said defendants, and all persons claiming by, through or under them, and that said plaintiff is entitled to a prior right to the use of two cubic feet per second of time of the waters of said stream to be applied on the lands aforementioned.

IT IS FURTHER ORDERED that the defendants and each and all of them, and all persons claiming by, through or under them, be forever enjoined from in anywise interfering with the prior right awarded to the said plaintiff herein, as hereinabove set out, for use upon the said lands aforementioned.

Dated this 30 day of October, 1937.

JAY L. DOWNING
DISTRICT JUDGE

MICROFILMED

SEP 15 1989

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/12/01 08:38:32
Page 1

Water Right Number - 29-00602

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PEOPLES

ANNIE

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/19/1902 15 EASTERN D - DECREED

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
LOWER ROCK CREEK PORTNEUF RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

07S	36E	35	SE SE			01	IRRIGATION	5	BANNOCK
07S	36E	36	NE SW			01	IRRIGATION	5	BANNOCK
07S	36E	36	NW SW			01	IRRIGATION	5	BANNOCK
07S	36E	36	SW SW			01	IRRIGATION	5	BANNOCK
07S	36E	36	SE SW			01	IRRIGATION	5	BANNOCK
08S	36E	2	NE NE	1		01	IRRIGATION	5	BANNOCK
08S	36E	2	NW NE	2		01	IRRIGATION	5	BANNOCK
08S	36E	2	SW NE			01	IRRIGATION	5	BANNOCK
08S	36E	2	SE NE			01	IRRIGATION	5	BANNOCK
08S	36E	2	NE NW	3		01	IRRIGATION	5	BANNOCK
08S	36E	2	SE NW			01	IRRIGATION	5	BANNOCK
08S	36E	2	NE SW			01	IRRIGATION	5	BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

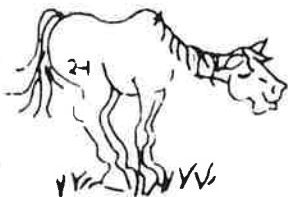
GEN

P/D INCOMPLETE.
THIS RIGHT SUPERCEDES 29-0282.
1. THIS WATER RIGHT HAS A PROTESTED TRANSFER APP. PENDING.
THE APPLICATION FILED BY H.H. PHILLIPS PROPOSES A CHANGE IN

29-00602 29-13188
SPLIT BY %
29-13189

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +	
PLACE OF USE. WATER IS TO BE DIVERTED IN SW1/4NW1/4SE1/4, SEC. 36, T. 7S, R. 36E TO IRRIGATE 150 ACRES IN SW1/4, SEC. 36, SE1/4SE1/4, SEC. 35, T. 7S, R. 36E.	
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ADDITIONAL PROTESTS: STANLEY THYBERG, KEITH CHRISTENSEN REPRESENTED BY ATTY. DAVID E. RAYBORN, DAVID H. LISH REPRESENTED BY ATTY. GEORGE A. SOUTHWORTH.	
+ - - - - - Old Water Right Numbers - - - - - +	
No Old Water Right Numbers found.	
+ - - - - - Conditions of Approval - - - - - +	
No Conditions of Approval found.	
+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +
ANNIE PEOPLES	FRANK S. EAST, ET. AL.
	10/30/1937
+ - - - - - Comments - - - - - +	
No Comments Found	
+ - - - - Audit Fields - 02/12/88 05/22/88 CONVERT 09/05/91 CURTIS	
+ - - - - - Water Rights Dates and Flags Area - - - - - +	
Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000
Order Show Cause - 00/00/0000	Receipt Number -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000
Presumption Flag -	Name Connector -
SRBA Decreed Flag -	
Field Exam Fee -	
Swan Falls -	
Temporary Right - P	
DLE/Carey Act -	
Water District -	
Transfer/Amended -	
POU Ownership Flag-	



2 LAZY T

Wayne E. Taysom
P.O. BOX 4519 ♦ POCATELLO, ID 83205
PHONE (208) 232-1746

24

May 21, 2001

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED

MAY 22 2001

Department of Water Resources
Eastern Region

Ref: Change Water Right Ownership
Portneuf Basin

Gentlemen:

Herewith please find request for change in Water Right Ownership from
Lower Rock Creek-Tributary to Portneuf River. Below we enumerate enclosures:

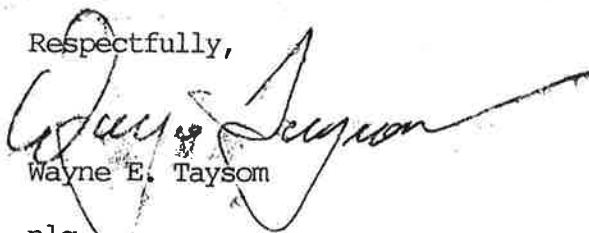
1. Form 42-248/42-1409"6" July 2000 completed forms.
(2) two each - one for Wayne Taysom and one for Wade Taysom.
2. Check#1748 for \$100.00, for filing fee for water right to be divided.
3. Copies of Warranty Deeds from Pioneer Title.
4. Legal descriptions of areas where water is to be utilized.
5. Survey map and aerial photo of subject property.

*sent back.
No fee
required.
JC
5/22/01*

Please note that Wade Taysom is to receive 1.5cfs to utilize on tract #2
and Wayne Taysom is to receive remaining .5 cfs to utilize on tract #3.

If further information is required please advise.

Respectfully,


Wayne E. Taysom

nlg
enclo.

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, 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
A 29-00602	A J 58 07 NP	✓			

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) are 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)

H H. Phillips & Barbara Phillips
P.O. box 59 Inkam ID, 83245

4. New Owner/Claimant(s)

~~Inkam ID, 83245~~ Wade Taylor

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1292 E. Tiapoo

City, State and ZIP Code

McCammon ID, 83250

New Telephone Number

(208) 254-9132

5. Date you acquired the property

May 7 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). If the water right(s) will not be split, skip **Item 6** and go to **Item 7**.
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at **Item 4**, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

057001301
057001302
105034800
015035300



A Pioneer Company

PIONEER TITLE COMPANY

OF BANNOCK COUNTY

20108609

135 North Arthur Avenue / P.O. Box 1057 / Pocatello, Idaho 83204 / Telephone (208) 233-9595

WARRANTY DEED

For Value Received

H.H. PHILLIPS and BARBARA PHILLIPS, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

WADE TAYSON, married sole and separate

hereinafter referred to as Grantee, whose current address is

1292 E. TIAPOO, McCAMMON, ID 83250

the following described premises, to-wit:

PO Box 131 In Rom Id 83245

The SW 1/4 of Section 36, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

Together with the water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 7, 2001.

H.H. Phillips
H.H. PHILLIPS

Barbara Phillips
BARBARA PHILLIPS

20108609

NO
RECORDED AT REQUEST OF
PIONEER TITLE
2001 MAY 7 PM 4 01
OFFICE FILE AND BOOK N/A
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 3 DEPUTY ML

STATE OF IDAHO)

ss.

COUNTY OF BANNOCK)

On This 7th day of May, in the year 2001, before me, a Notary Public in and for said State, personally appeared H.H. PHILLIPS AND BARBARA PHILLIPS, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



Notary Public of Idaho
Residing at POCATELLO IDAHO
Commission expires: 04-25-2006

21019
Pete Phillips
165.25 Acres
May 3, 2001

TRACT 2

A parcel of land in Section 36, Township 7 South, Range 36 East of the Boise Meridian,
Bannock County, Inkom, Idaho, described as follows:

SW¼ Section 36

Reserving therefrom all preexisting easements.

POCATELLO
155 South Second Avenue
Pocatello, Idaho 83201
phone: (208) 234-0110
fax: (208) 234-0111

AMERICAN FALLS
460 Lincoln Street, Suite C
American Falls, Idaho 83211
phone: (208) 226-5764
fax: (208) 226-5767



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 29-13188
Date Received: 6/15/2001
Receipt No: E014858
Received By:
AMENDMENT RECT.

SPLIT/AMENDMENT

SPLIT/AMENDMENT

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

RECEIVED
OCT 18 2001
Department of Water Resources
Eastern Region

1. Name of Claimant(s)

WADE TAYSOM Phone: (208) 254-9132
1292 E TIAPOO
MCCAMMON ID USA 83250

2. Date of Priority: 06/19/1902

3. Source: LOWER ROCK CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	36	SW NW SE	BANNOCK	

5. Description of diverting works:

DITCH TO INTAKEBOX TO PIPELINE/SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.5	
STOCKWATER	04/01	10/31	0.05	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 110

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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A2913188



07S	36E	36	NW	SW	IRRIGATION	17
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	38
			NE	SW	IRRIGATION	16
			SE	SW	STOCKWATER	
			NW	SW	STOCKWATER	
			SW	SW	STOCKWATER	
			NE	SW	STOCKWATER	
					Section Acres	111
					Total Acres	111

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A PORTION OF 29-00602, SPLIT BY C/O. AMENDED, ADDED 51 AC. AND STOCKWATER ADDRESSED BY 1937 DECREE AND H. PHILLIPS (SELLER). STOCK POU SAME AS IRRIGATION. SAME POD/SYSTEM AS 29-13189.

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.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): W. L. Tyeon Date: 10/1/01

Date:

State of Idaho)
County of Bennett) SS.

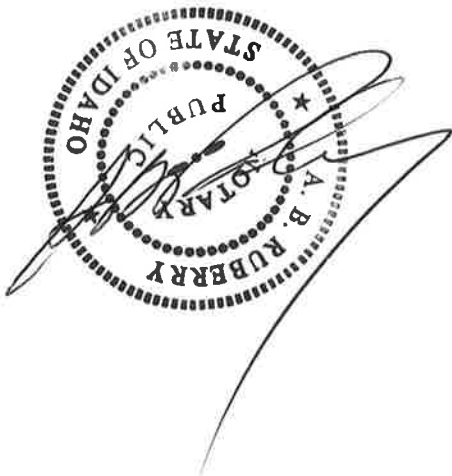
Subscribed and sworn (or affirmed) before me this 9th
of October 2001

Aaron B. Ruberry

Notary Public

Residing at 2000 Faus Road

My commission Expires 09/23/03



Idaho Department of Water Resources Receipt

Receipt ID E027200

Payment Amount Date Received Region Status
Payment Type Check Number

Payer
Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$76.00	ADJUDICATION FILING FEE	0337		43503	1155



Signature Line (Dept. Representative)

