

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

FEB 04 2015

Department of Water Resources
File # 35-2541

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-7930	Yes ☐		Yes ☐		Yes ☐
35-2541	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: William Phillips & Sons

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Joseph O. Phillips & Elizabeth H. Phillips

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

774 N. 1200 W.

Blackfoot

ID

83221

Mailing address

City

State

ZIP

208-684-3685

phi.8395@gmail.com

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 6/5/2013

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

7. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 35-2541

8. Signature: Joseph O. Phillips

Signature of new owner/claimant

Title, if applicable

Date

- Signature: Elizabeth Phillips

Signature of new owner/claimant

Title, if applicable

Date

2/4/2015

2/4/2015

For IDWR Office Use Only:

Received by

Date

2/4/2015

Receipt No.

E040617

Receipt Amt.

\$50. -

Approved by

Processed by

Date

4/15/15

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 650196
BINGHAM COUNTY, IDAHO
2013-06-14 08:54:56 AM No. of Pages: 5
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$22.00
Ex-Officio Recorder Deputy SStaub
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Instrument # 649951
BINGHAM COUNTY, IDAHO
2013-06-06 01:33:38 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$16.00
Ex-Officio Recorder Deputy SStaub
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **461830-B (Id)**

Date: **June 05, 2013**

For Value Received, **William Douglas Phillips and Jeannette Phillips, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Joseph O. Phillips and Elizabeth H. Phillips, husband and wife**

, hereinafter called the Grantee, whose current address is **774 North 1200 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

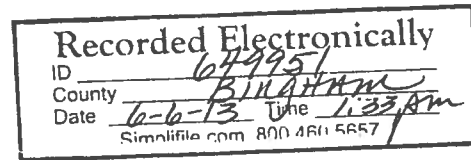
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Re-record to correct legal
discription



Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **461830-B (Id)**

Date: **June 05, 2013**

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, hereinafter called the Grantee, whose current address is **774 North 1200 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

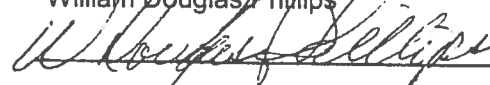
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from 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.

Date: 06/05/2013

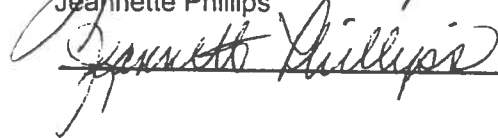
Warranty Deed
- continued

File No.: 461830-B (Id)



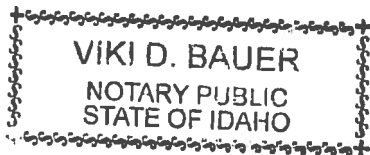
William Douglas Phillips




Jeannette Phillips


STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **Fifth day of June, 2013**, before me, a Notary Public in and for said State, personally appeared **William Douglas Phillips and Jeannette Phillips**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



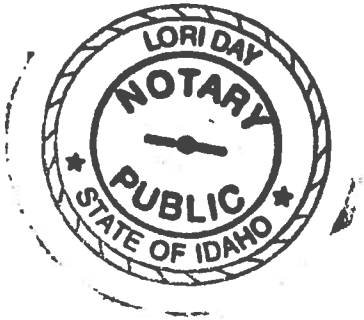


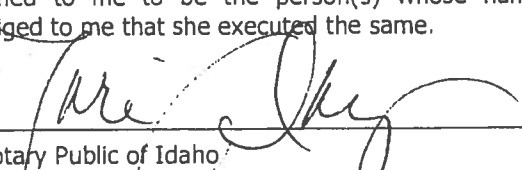
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 3/29/14

ACKNOWLEDGEMENT/GENERAL

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 11th day of June, 2013, before me, a Notary Public in and for said State, personally appeared **Jeannette Phillips**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.



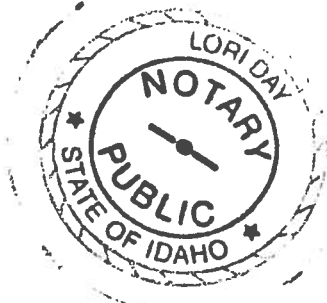


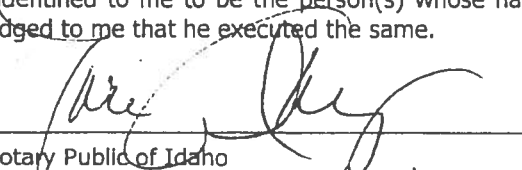
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 11/27/2015

ACKNOWLEDGEMENT/GENERAL

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this 11th day of June, 2013, before me, a Notary Public in and for said State, personally appeared **William Douglas Phillips**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.





Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 11/27/2015

Date: June 05, 2013

File No.: 461830-B (Id)

EXHIBIT 'A'

LEGAL DESCRIPTION:

Parcel 2:

Township 1 South, Range 34 E.B.M., Bingham County, Idaho.

Section 30: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$,

**LESS: A portion of the SW $\frac{1}{4}$ of Section 30, Township 1 South, Range 34 described as:
Beginning at the West quarter corner of Section 30, Township 1 South, Range 34 thence
South 200 feet to the point of beginning; thence South 450 feet; thence East at a right angle
300 feet; thence North at a right angle 450 feet; thence West at a right angle 300 feet to the
true point of beginning.**



STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

FILED EFFECTIVE

11 FEB -4 AM 8:42

SECRETARY OF STATE
STATE OF IDAHO

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

1. The name of the partnership is: William Phillips & Sons

2. The street address of its chief executive office is: _____

904 N. 1200 W. Blackfoot, Idaho 83221

3. The street address of one (1) office in Idaho: _____

4. The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
<u>W. Douglas Phillips</u>	<u>904 N. 1200 W. Blackfoot, Idaho 83221</u>
<u>Benjamin Phillips</u>	<u>739 N. 1200 W. Blackfoot, Idaho 83221</u>
_____	_____

OR the name and address of the registered agent in Idaho is:

5. The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

<u>W. Douglas Phillips</u>	_____	_____
<u>Benjamin Phillips</u>	_____	_____
_____	_____	_____

6. Signature of at least 2 partners:

1) *W. Douglas Phillips*
Typed Name W. Douglas Phillips

2) *Benjamin Phillips*
Typed Name Benjamin Phillips

3) _____
Typed Name _____

Secretary of State use only

IDAHO SECRETARY OF STATE
02/04/2011 05:00
CK: 7889 CT: 255113 BH: 1258478
1 @ 100.00 = 100.00 PARTN AUT # 2

g:\corp\forms\grforms\partnershipauth.p65
Revised 01/2001
Web Form

K904

566446

DEED OF PERSONAL REPRESENTATIVE

THIS INDENTURE made this 28 day of April, 2006, between DOUGLAS PHILLIPS, Personal Representative of the Estate of SYBIL O. PHILLIPS, deceased, the Grantor, and DOUGLAS PHILLIPS, of 739 North 1200 West, Blackfoot, Idaho 83221, Grantee.

WITNESSETH:

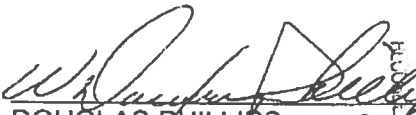
That whereas, pursuant to an Order of the Magistrate's Court of Bingham County, Idaho, in the estate of the above-named deceased, confirming on the Grantor the powers and authority granted to Personal Representatives under Section 15-3-715 of the Uniform Probate Code of the State of Idaho;

FOR VALUE RECEIVED, the Grantor does hereby grant, bargain, sell and convey unto the Grantee all the right, title, interest and estate of said deceased, at the time of decedent's death, in and to the following-described premises located in the County of Bingham, State of Idaho, to-wit:

SEE EXHIBIT A

TO HAVE AND TO HOLD all and singular the above-mentioned and described premises together with the appurtenances unto the said Grantee.

IN WITNESS WHEREOF, the said Personal Representative has hereunto set his hand the day and year first above written.


DOUGLAS PHILLIPS

2006 APR 28 PM 4:25

FILED
9-207-12673

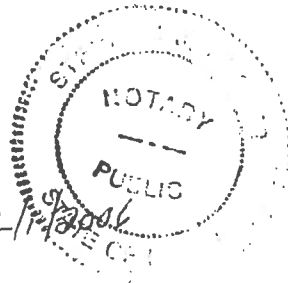
RECEIVED AT THE REQUEST OF
DANIEL SHERMAN 6/4/06
PO BOX 1047
BLACKFOOT ID 83221

STATE OF IDAHO

) SS.

On this 28

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official



My cmn exprs: /2

Blaser

Notary Public for State of Idaho
Residing at Blackfoot, Idaho

EXHIBIT A

Parcel 1:

All of Section 13, Township 1 South, Range 33 EBM, Bingham County, Idaho

LESS: Beginning at the Southeast corner of Section 13, Township 1 South, Range 33 EBM; thence North 2421.82 feet to the true point of beginning; thence West 500 feet; thence North 261.3 feet; thence East 500 feet; thence South 261.30 feet to the true point of beginning.

Parcel 2:

E $\frac{1}{2}$ SW $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 3 and 4, Section 30, Township 1 South, Range 34 EBM, Bingham County, Idaho

LESS: A portion of the SW $\frac{1}{4}$ of Section 30, Township 1 South, Range 34 described as: Beginning at the West quarter corner of Section 30, Township 1 South, Range 34 thence South 200 feet to the point of beginning; thence South 450 feet; thence East at a right angle 300 feet; thence North at a right angle 450 feet; thence West at a right angle 300 feet to the true point of beginning. Contains 3.099 acres more or less.

566446

566445

DEED OF PERSONAL REPRESENTATIVE

THIS INDENTURE made this 28 day of April, 2006, between DOUGLAS PHILLIPS, Personal Representative of the Estate of WILLIAM P. PHILLIPS, deceased, the Grantor, and DOUGLAS PHILLIPS, of 739 North 1200 West, Blackfoot, Idaho 83221, Grantee.

WITNESSETH:

That whereas, pursuant to an Order of the Magistrate's Court of Bingham County, Idaho, in the estate of the above-named deceased, confirming on the Grantor the powers and authority granted to Personal Representatives under Section 15-3-715 of the Uniform Probate Code of the State of Idaho;

FOR VALUE RECEIVED, the Grantor does hereby grant, bargain, sell and convey unto the Grantee all the right, title, interest and estate of said deceased, at the time of decedent's death, in and to the following-described premises located in the County of Bingham, State of Idaho, to-wit:

SEE EXHIBIT A

TO HAVE AND TO HOLD all and singular the above-mentioned and described premises together with the appurtenances unto the said Grantee.

IN WITNESS WHEREOF, the said Personal Representative has hereunto set his hand the day and year first above written.


DOUGLAS PHILLIPS

RECEIVED AT THE REQUEST OF

2006 APR 28 PM 4:25

FILE

9-2673

Blaine Foreman Olsen
PO Box 1047
Blackfoot ID 83221

)

) ss.

)

)

)

)

)

EXHIBIT A

Parcel 1:

All of Section 13, Township 1 South, Range 33 EBM, Bingham County, Idaho

LESS: Beginning at the Southeast corner of Section 13, Township 1 South, Range 33 EBM; thence North 2421.82 feet to the true point of beginning; thence West 500 feet; thence North 261.3 feet; thence East 500 feet; thence South 261.30 feet to the true point of beginning.

Parcel 2:

E $\frac{1}{2}$ SW $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 3 and 4, Section 30, Township 1 South, Range 34 EBM, Bingham County, Idaho

LESS: A portion of the SW $\frac{1}{4}$ of Section 30, Township 1 South, Range 34 described as: Beginning at the West quarter corner of Section 30, Township 1 South, Range 34 thence South 200 feet to the point of beginning; thence South 450 feet; thence East at a right angle 300 feet; thence North at a right angle 450 feet; thence West at a right angle 300 feet to the true point of beginning. Contains 3.099 acres more or less.

566445

566447

WARRANTY DEED

FOR VALUE RECEIVED DOUGLAS PHILLIPS, the Grantors, do hereby grant, bargain, sell, and convey unto WILLIAM DOUGLAS PHILLIPS and JEANNETTE PHILLIPS, husband and wife, of 739 North 1200 West, Blackfoot, Idaho, the Grantees, the following described premises to-wit:

SEE EXHIBIT A

Together with all ditches and ditch rights and water and water rights, thereunto belonging and appertaining. Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and rights-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 2006 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 28 day of April, 2006.


DOUGLAS PHILLIPS

WARRANTY DEED
04.28.06 ly

RECORDED IN THE RECORDS OF
CLARK COUNTY, IDAHO
TO BOOK 1047
PAGE 1047
Blackfoot ID 83221

2006 APR 28 PM 4:25

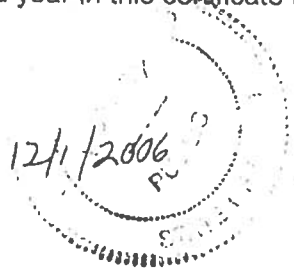
FILED
9-11-06
12473

STATE OF IDAHO)
) ss.
County of Bingham)

On this 18 day of April, 2006, before me, the undersigned, a notary public in and for said state, personally appeared DOUGLAS PHILLIPS, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My cmn exprs:



Douglas Phillips
Notary Public for State of Idaho
Residing at Blackfoot

EXHIBIT A

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All of Section 13, Township 1 South, Range 33 EBM, Bingham County, Idaho

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566447

STEPHEN J. BLASER

BLASER, SORENSEN & HANSEN, Chartered
Attorneys at Law
285 N.W. Main
P.O. Box 1047
Blackfoot, Idaho 83221

(208) 785-4700
Fax No. 785-7080
ISB #1923

566443

STATE OF IDAHO }
COUNTY OF BINGHAM } SS
I hereby certify that the foregoing instrument is a full,
true and correct copy of the original as filed in the
office of the undersigned Clerk of the Magistrate's
Division, District Court of the Seventh Judicial District
of Idaho, for Bingham County.
Date 1-28-02
By SAM J. STALB
Clerk, Dist. Court Magistrate Div.
Deputy Clerk

Attorneys for Personal Representative

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM
MAGISTRATE DIVISION

IN THE ESTATE OF:

WILLIAM P. PHILLIPS,

Deceased.,

)
) Case No. SP-02-53
)
) **LETTERS TESTAMENTARY**
)
)

CV-02-2400

1. Douglas Phillips was duly appointed and qualified as Personal
Representative of the estate of the above-named decedent on the 1 day of January,
2002, by the Magistrate acting as Registrar with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and
authority of the said personal representative.

WITNESS my signature and the seal of this Court, this 1 day of January, 2002.

JAMES L. WENTSCHE
MAGISTRATE

IN REQUEST OF
Blaser Sorenson
Olson
PO Box 1047
Blackfoot ID
83221

2006 APR 28 P11 4:24

FILED
12673

STATE OF IDAHO

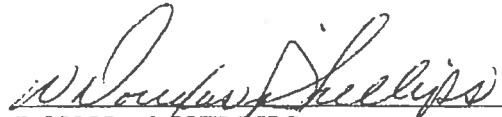
)

) ss.

County of Bingham

)

I, DOUGLAS PHILLIPS, hereby accept the duties as personal representative of the estate of William P. Phillips, deceased, and do solemnly swear that I will perform according to law the duties of personal representative of the estate of William P. Phillips, deceased.

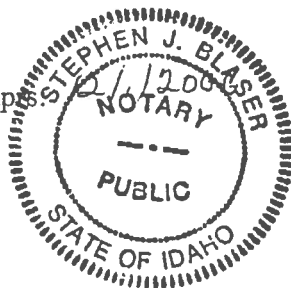

DOUGLAS PHILLIPS

SUBSCRIBED AND SWORN to before me this 28 day of January, 2002.



Notary Public for State of Idaho
Residing at Blackfoot, Idaho

My cmn expires



566443

STEPHEN J. BLASER

BLASER, SORENSEN & HANSEN, Chartered
Attorneys at Law
285 N.W. Main
P.O. Box 1047
Blackfoot, Idaho 83221

(208) 785-4700
Fax No. 785-7080
ISB #1923

566444

Attorneys for Personal Representative

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM
MAGISTRATE DIVISION

IN THE ESTATE OF:

SYBIL O. PHILLIPS,
DOD: 05/15/03

Deceased.

)
)
) Case No. V-2003-1277
)
) LETTERS TESTAMENTARY
)
)
)
)
)
)

1. Douglas Phillips was duly appointed and qualified as Personal Representative of the estate of the above-named decedent on the 16th day of May, 2003, by the Magistrate acting as Registrar with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said personal representative.

LETTERS TESTAMENTARY
05/22/03 ly

STATE OF IDAHO } SS
COUNTY OF BINGHAM }
I hereby certify that the foregoing instrument is a full,
true and correct copy of the original on file in the
office of the undersigned Clerk of the Magistrate's
Division, District Court of the Seventh Judicial District
of Idaho, for Bingham County.
Date 05/22/03
By SARA J. STAUB
Clerk, Dist. Court Magistrate Division
Deputy Clerk

RECORDED IN THE RECORDS OF
BLASER SORENSON & HANSEN
PO BOX 1047
BLACKFOOT ID 83221

2006 APR 28 PM 4:24

6-12473

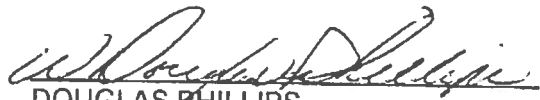
WITNESS my signature and the seal of this Court, this 5 day of May,
2003.

RIAN W. BOYER

MAGISTRATE

STATE OF IDAHO)
County of Bingham) ss.
)

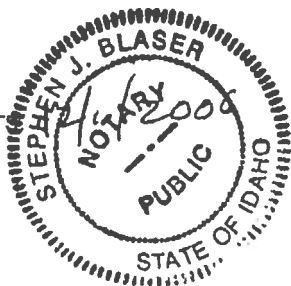
I, DOUGLAS PHILLIPS, hereby accept the duties as personal
representative of the estate of SYBIL O. PHILLIPS, deceased, and do solemnly swear
that I will perform according to law the duties of personal representative of the estate of
SYBIL O. PHILLIPS, deceased.


DOUGLAS PHILLIPS

SUBSCRIBED AND SWORN to before me this 21 day of May, 2003.


Notary Public for State of Idaho
Residing at Blackfoot, Idaho

My cmn expr



566444

LETTERS TESTAMENTARY
05/20/03 ly