



1604

Glade
Schuaneveldt

T4

CRP
87-96

CRP
87-96

CRP
87-96

CRP
86-95

CRP
87-96

CRP
88-97

CRP
87-96

T1797
56.2

Zayne
Fredrickson

T8
159.0

CRP
87-96

13-02309 →

1153
Boyd Phillips

NOT TO scale 13B-LO

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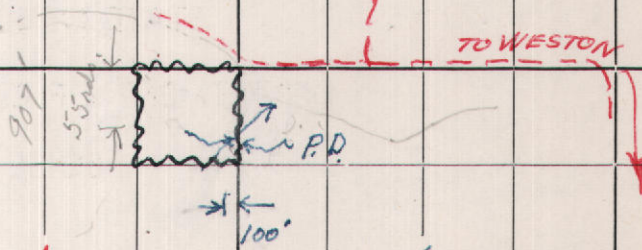
JUN 14 2000

1" pipe carries both streams

1/2" pipe in upper stream

T.
16
S.

R-37E.



Subdivisions = One

use = domestic

Q = 1 inch.

RECEIVED

MAY 19 2000

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

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 13-02309

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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

Joseph M Phillips
Weston Idaho

4. New Owner/Claimant(s)

Joseph Boyd Phillips

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

New Mailing Address

PO Box 4

City, State and ZIP Code

Weston, Idaho 83286

New Telephone Number

(208) 747 3540

5. Date you acquired the property

Inheritance 1975

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners**. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

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

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

7. Signature of New Owner(s) or Claimant(s)

J. Boyd Phillips

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

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

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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

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 these number(s) at **Item 1**. 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 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 of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(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 be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

When Recorded Mail To:
J. BOYD PHILLIPS
P.O. Box 4
Weston, ID 83286

— a.m. AUG 29 1994: — p.m. 1:20

LARAE E. JOHNSON, RECORDER

By Shawna Gaddes Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

J. BOYD PHILLIPS (aka Boyd Phillips) and JERALDINE M. PHILLIPS, husband and wife, grantors of Weston, Franklin County, State of Idaho, hereby WARRANT AND CONVEY all of their interest to J. BOYD PHILLIPS and JERALDINE M. PHILLIPS, Trustees (and to their Successors in trust) of the PHILLIPS FAMILY TRUST U/A/D August 25, 1994, grantee of P.O. Box 4, Weston, Idaho 83286, for the sum of \$10.00, and other valuable consideration, in the following described tract of land in Franklin County, State of Idaho:

See Exhibit "A" attached hereto and incorporated herein.

The Grantees have full power to sell, mortgage, or otherwise hypothecate the property described.

WITNESS the hand of said grantors, this 25 day of August, A.D. one thousand nine hundred and ninety-four.

J. Boyd Phillips
J. BOYD PHILLIPS

Jeraldine M. Phillips
JERALDINE M. PHILLIPS

STATE OF UTAH)
) ss.
COUNTY OF CACHE)

On the 25 day of August, 1994, personally appeared before me, J. BOYD PHILLIPS and JERALDINE M. PHILLIPS, the signers of the foregoing instrument, who duly acknowledge to me that they executed the same.

see page 3

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JUN 14 2000

Jerry Toombs
Notary Public

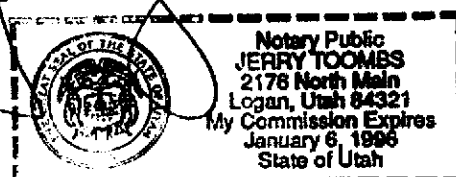


Exhibit A

Parcel 1:

Owned solely by J. Boyd Phillips

Commencing at a point 30 rods North of the Southwest corner of the Northwest quarter of Section 13, Township 16 South, Range 38 East of the Boise Meridian, Idaho, running thence North 16 rods; thence East 7 rods, thence South 16 rods, thence West 7 rods to the place of beginning.

Parcel 2:

Owned solely by Boyd Phillips

The Southeast quarter of Section 21, The East Half of the Southwest quarter of Section 21, and the North Half of the Northeast quarter of Section 28, all in Township 15 South, Range 38 East of the Boise Meridian.

North Half of the Northwest quarter and the Southeast quarter of the Northwest quarter, and the Northeast quarter of the Southwest quarter of Section 27, Township 15 South, Range 38 East of The Boise Meridian.

Commencing at the Northwest corner of the Northeast quarter of Section 27, Township 15 South, Range 38 East of the Boise Meridian, thence East to the Twin Lakes canal; thence South following the meanderings of the center line of said canal to the North line of the Northwest quarter of the Southeast quarter of Section 27; thence West to the Northwest corner of the Southeast quarter of Section 27; thence North 160 rods to the place of beginning.

A right of way two rods in width from the County roadway across the grantor's land near her barn to the above described property.

Parcel 3:

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 15: Commencing at the Southwest corner of Section 15, and running thence North 160 rods; thence East 3466.3 feet, more or less; thence South 1370 feet; thence East 493.7 feet; thence South 654 feet; thence South 83°00' West 88 feet; thence North approximately 20°00' West 281 feet, more or less, to a point described as follows:

Beginning at the Northwest corner of the NE 1/4 SE 1/4 of said Section 15;

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JUN 14 2006

thence West 693.7 feet, more or less; thence South 4°00' West 1323.22 feet; thence South 458.58 feet; thence North 87°40' East 583 feet; to a point from said described point; thence South 87°40' West 706 feet; thence South 73°21'50" West 245 feet; thence South 77°48'10" West 199.79 feet; thence South 79°32' West 89.15 feet; thence North 87°52' West 1263.45 feet; thence South 1°32' West 775.15 feet to the South Boundary Line of the County road; thence West 1250.10 feet, more or less to the Place of Beginning.

Together with a Right of Way for ingress and egress across the following described tract:

Beginning at the Southwest corner of the NE 1/4 SE 1/4 of said Section 15;

thence South 764 feet more or less, to the North boundary of an existing county road; thence South 83°00' West 38 feet; described point being the true Point of Beginning; thence South 83°00' West 50 feet; thence North 60 feet; thence North 83°00' East 50 feet; thence South 60 feet to Point of Beginning.

Parcel 4:

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 15: Beginning at the Northwest corner of Section 15, Thence South 80 rods, thence East 80 rods, thence south 80 rods, thence East 160 rods, thence South 28 rods, thence East 25 rods, more or less, to the Twin Lakes Canal Right of Way, thence Northerly following the said canal Right of Way to its intersection with the North Line of Section 15, thence West 240 rods, more or less, to the point of beginning.

Parcel 5:

~~The Northeast Quarter of Section 1, Township 16 South, Range 27 East of the Boise Meridian, Idaho, containing 160 acres.~~

The Southeast Quarter of the Southeast Quarter of Section 36, Township 15 South, Range 37 East of the Boise Meridian, Idaho, containing 40 acres.

The East half of the Southeast Quarter of Section 7, and the West half of the Southwest Quarter of Section 8, all in Township 16 South, Range 38 East of the Boise Meridian.

Lot 3, and the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 7, Township 16 South, Range 38 East of the Boise Meridian, containing 116.20 acres.

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Dry
canyon

Dry
canyon

B.C.
home

Chris.



Not To scale 13B-LO
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State of Idaho
License and Certificate of Water Right

Water License No. 25152 Amount .02 second foot
Water District No. Priority October 17, 1954

THIS IS TO CERTIFY that JOSEPH M. PHILLIPS
of Weston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 30, 19 54 ; that Permit No. 25152
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.02 second foot, was issued thereunder on May 16, 19 55, showing that said works
were completed on the 3rd day of May, 1955 ; and that on the 20th
day of June, 19 55 ,

JOSEPH M. PHILLIPS
of Weston, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
Spring, a tributary of, for the purpose of domestic
, under Use Permit No. 25152 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5850, on the 1st day of November, 1956 ;
The right hereby confirmed dates from October 17, 19 54 ;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 1, Tp. 16 S. R. 37 E., B. M. Franklin County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .02 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	37 E.	1	NE 1/4 NE 1/4 (water is	to be used for domestic purposes)	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
1st day of November, 19 56 .

MARK R. KULP
State Reclamation Engineer.

(SEAL)

15-2042
13-2309

State of Idaho
License and Certificate of Water Right

Water License No. G-24259 Amount 1.2 second feet
Water District No. Priority July 2, 1953

THIS IS TO CERTIFY that CHESTER A. ELIASON
of Holbrook, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 2, 1953; that Permit No. G-24259
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.2 second feet, was issued thereunder on October 30, 1956, showing that said works
were completed on the 17th day of June, 1955; and that on the 17th
day of June, 1955,

CHESTER A. ELIASON
of Holbrook, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~and tributary of~~ (subterranean flow), for the purpose of irrigation
, under Use Permit No. of the
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5849, on the 30th day of October, 1956;
The right hereby confirmed dates from July 2, 1953;

The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 9, Tp. 14 S, R. 32 E., B. M. Oneida County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14S.	32E.	10	NE 1/4 SW 1/4	30	10
			NW 1/4 SW 1/4	20	25
			SW 1/4 SW 1/4	30	30
			S 1/2 SW 1/2	40	40
			SW 1/4 SW 1/4	15	20
		15	NW 1/4 NE 1/4	10	35
			NE 1/4 NW 1/4	20	10
			NW 1/4 NW 1/4	10	--
			Total Number of Acres Actually Irrigated		170

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
30th day of October, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho / 5-2042

APPLICATION No. 32981
 PERMIT No. 25152
 DISTRICT No.

Joseph M. Phillips
 Weston
 Idaho

1. Name of Applicant: Joseph M. Phillips

Postoffice address: Weston

County: Franklin

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources: Real property - \$15,000.00

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: .02

cubic feet per second.

3. Source of water supply: Spring

which is a tributary of None

4. Location of point of diversion:

feet distant from the

corner of Section 1, T. 16 S., R. 37 E., B. M., and is in the SE corner - NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, T. 16 S., R. 37 E., B. M., County of Franklin

5. Water is to be used for Domestic

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B. M., in the of Section, T., R., B. M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.

7. Estimated cost of works: \$500.00

8. Kind of works: pump and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is one month ~~year~~

13. The time required for the complete application of the water to the proposed use is additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

JOSEPH M. PHILLIPS
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. August 30, 1954

Returned to applicant for correction: August 30, 1954

Corrected application received: September 3, 1954

Approval of State Reclamation Engineer

The number of this permit is 25152
Recorded in Book 89 Page 25152 Approved September 3, 1954
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before November 3, 1954 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before December 3, 1954
The whole of said work to be completed on or before March 3, 1955
Beneficial use of water appropriated in accordance herewith, to be made on or before March 3, 1955

WITNESS My hand this 3rd day of September, 1954

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 3rd day of September, 1954.
STATE OF IDAHO
Countersigned: By LEN JORDAN Governor.
(SEAL) By IRA H. MASTERS Secretary of State.

REMARKS: The applicant is the owner of the land upon which the spring is situated. The place of use is the NE¹/₄ of the N of Section 1, Township 16 South, Range 37 East of the Boise, Meridian. NE¹/₄

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
			APPROVAL OF STATE RECLAMATION ENGINEER																
			I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 25152, to May 3, 1955.																
			Witness my hand this 1st day of March, 1955.																
			MARK R. KULP State Reclamation Engineer																
			Permit No. 25152 CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN: This is to certify that JOSEPH M. PHILLIPS of Weston, County of Franklin, and State of Idaho, the holder of Permit No. 25152, issued upon Application No. 32981 bearing date of priority of August 30, 1954, authorizing the diversion of 0.02 second foot of the waters of a spring County of Franklin, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.02 second foot of the waters of said spring; that the point of diversion of said waters is in the Southeast corner of the NE ¹ / ₄ NE ¹ / ₄ Section 1, Township 16 South, Range 37 East, B.M. and that the place of use of said water is also in the NE ¹ / ₄ NE ¹ / ₄ Section 1, Township 16 South, Range 37 East, B.M.																
			Witness my hand this 16th day of May, A. D. 1955.																
			MARK R. KULP State Reclamation Engineer																
			Proof of Completion of Works made May 3, 1955 Certificate of Completion of Works issued May 16, 1955																
			.02																
			Page 5850																

02

Page 5850



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 2000

JOSEPH BOYD PHILLIPS
PO BOX 4
WESTON ID 83286

RE: Change of Ownership for Water Right 13-02309

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for 

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

ENCROFILMED

2000 1 1 1000

November 2, 1956

RE: Permit No. 25152

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

We enclose License and Certificate of Water Right issued under your Permit No. 25152 confirming your right to the use of .02 second foot of the waters of an un-named spring, with priority of October 17, 1954, for domestic purposes in the NE¹ NE¹ Section 1, Township 16 South, Range 37 East, B.M., the point of diversion being located in the same subdivision.

We also enclose departmental receipt No. 28242 for the \$5.00 license fee.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

Rshll
Enc.

25152

October 19, 1956

RE: Permit No. 25152

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 25152 which shows that you have used one inch of water from an un-named spring located in the NE¹/₄ Section 1, Township 16 South, Range 37 East, B.M., for domestic purposes on the same subdivision.

A License can, therefore, be issued for .02 second foot of water upon receipt of the license fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 19, 1956

RECEIVED
OCT 21 1956
Department of Reclamation

RE: Permit No. 25152

Mr. Joseph M. Phillips
Preston
Idaho

Dear Mr. Phillips:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 25152 which shows that you have used one inch of water from an un-named spring located in the NE¹/₄ Section 1, Township 16 South, Range 37 East, B.M., for domestic purposes on the same subdivision.

A License can, therefore, be issued for .02 second foot of water upon receipt of the license fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna F. Rutledge

Chief Clerk

R:hll

25152

1" pipe carries hot water

1" pipe carries hot water

R-37E.

TO HALL CITY

TO WESTON

P.R.

100'

T.
16
S.

1

6

Subdivisions = One

Use = domestic

Q = 1 inch

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25152

REPORT ON PROOF OF Beneficial Use

JOSEPH M. PHILLIPS, Weston, Idaho

*.02 cfs
max*

*app. .02 cfs
for .02 cfs
Sub. 1
For - Domestic purposes*

Joseph M. Phillips
Weston, Idaho

Permit No. 25152

Examination for Beneficial Use

County Franklin

1-16 S. - 37 E.

Q 2 0.02 a.s.

S - Spring

P.D. = SE. cor. of NE. NE., Sec. 1,

T. 16 S. - R. 37 E.

Use - Domestic

Priority - Aug. 30, 1954
Due - March 3, 1955

12/1/55 = 5-16-55

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
SEP 19 1956

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 25152

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Joseph M. Phillips, Weston, Idaho
2. Source of water supply: An un-named spring
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1
T. 16 S. R. 37 E. County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same: This is the only spring on Mr. Phillips' dry farm and lays at the lower edge of same. ~~He~~ uses water during harvest and at other times when working on the place and has pumped same and used on a garden. His main reason for filing on this is to prevent someone downstream using the water and claiming same and he intends eventually to put in an elaborate system that will enable him to use the full output of the spring through a sprinkler system.
5. Water is used for: domestic purposes (Note: Proof mentions irrigation, but permit is for domestic only)
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of Use: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Twp. 16 S., Range 37 E., B.M.See the Map.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: He did use a Briggs Stratton motor to pump to a small garden in 1954 & 53.Cent. pump with $\frac{3}{4}$ " outlet

Heavy rains have obliterated his pond and works. He now has small pipes and uses only for culinary purposes. There is no buildings on this 200 acre farm and no other water even for stock water.

This examination was made on the 13 day of Sept, 1956(Signed) E. W. Humphrey Examiner.

25152

August 30, 1956

RE: Permit No. 25152

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

Inspection is required in connection with any permit,
for the use of water, being brought to license in the State of Idaho.

I will make inspection in connection with your Permit on
Thursday, September 13, fairly early in the morning as soon as I
can drive to the place from Malad.

I will be at the Hotel in Malad the evening before in
case you wish to contact me.

Please be prepared to accompany me on the inspection,
or have someone there to represent you.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hl1

25152

Ogden, Utah

3-22nd-1956

Dept. Of Reclamation
Boise, Idaho

RECEIVED
MAR 23 1956
Department of Reclamation

Dear Sir,

In reply to your letter of
March 19th. in respect to permit
no 2515-2. I contacted my
neighbor by telephone, They
say it would be impossible
at this time to get to the
spring, on account of snow drifts
& spring run off. as this cold
lays below the West Mountains
could you contact me some time
in June. as I will be back to
Idaho then, at present I am
working in Ogden.

Yours truly

Joseph - M. Phillips
426-36th St. Ogden, Utah

March 19, 1956

RE: Permit No. 25152

Mr. Joseph M. Phillips
426 36th Street
Ogden, Utah

Dear Mr. Phillips:

Unless hindered by bad weather, I intend to make inspection in connection with your Permit No. 25152 either on Tuesday evening or Wednesday morning, March 27 or 28.

Please be prepared to accompany me on the inspection or have some one there that can represent you.

After inspection is made, it will then be possible to issue the license you desire.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

25152

Ogden, Utah

3-13-1956

Department of Reclamation
Boise, Idaho.

RECEIVED
MAR 15 1956

Department of Reclamation

Dear Sir,

a year or so I filed on a spring that is on my property. It is located West of Weston Idaho, + is on my farming land. The description N E $\frac{1}{4}$ - N. E. $\frac{1}{4}$, Section 1. Twp 16. South. Range 37 East of B.M. Permit No 25152

This spring was filed on for domestic use only. I spent time + money to file on this spring. But I do not know if it was ever passed on, as I havent any thing in my possession to show that it had been.

The dam was washed out once last summer by the floods, as it is located in a hollow. I wrote + ask for an extension of time to rebuild it again, which I did. then I wrote to you + said you could go ahead + complete the examination. To my knowledge no one ever came around unless it was when I was not at home. I have never heard any thing from you since that time.

It isnt as though it is a big project, that irrigates acres + acres land. I filed on it for domestic use only, such as, use for

Machinery radiators, drinking water, water for Cattle, & a small garden for home use. The last few seasons we do have terrific rains which causes floods, then for a few days I am not able to use my pump until I do some repairing. But that does not prevent me from using the water for domestic use.

Will you please let me know if you have any record that the filing on this spring was completed, & just what I am to hold to show I have filed a claim on it, some thing for future reference.

It was advertised in the Preston Citizen, as I am sure you have record of. Write to me at Ogden Utah, as I am here until spring.

yours truly

Joseph M. Phillips

426 - 36th St.

Ogden. Utah.



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

July 6, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

We now have the affidavit of publication in the Preston Citizen which completes your proof of beneficial use on Permit No. 25152.

However, before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson

Chief Clerk

A:hll

Weston, Idaho.

July 20th 1955

Department of Reclamation
Boise, Idaho

Dear Sir:

When your field examiner is in this territory, I would appreciate it if he would examine the spring, as I am anxious to complete the requirements. Since the hail & flood, I have been over & have repaired it.

Contact me if possible, as my home is not on this section of land, & I could help him considerable.

yours truly

Joseph M. Phillips

(See over)

25152

RECEIVED
JUL 21 1955
Department of Reclamation

Weston Idaho.

July. 8, 1955

Department of Reclamation.
Boise Idaho

RECEIVED
JUL 11 1955
Department of Reclamation

Dear Sir:

In regards to the filing of the Spring
Permit No 25152.

This spring lays in the bottom of a hollow.
Just recently we had a severe hail & rain
storm. The flood came down through the
hollow & washed the dam out that we had
completed. at present I am so busy working
on the land, & repairing the harvester for
harvest time, It is impossible for me just
at present to replace the dam. However,
if you would like to check the spring
& make sure it is on the land described,
& would like to issue the permit, I
would appreciate^x Very Much, replacing
this dam again is to my own benefit,
as our land is strictly dry farm.
We plan on using this water for a
small garden, we use it for drinking &
filling radiators on our machinery, when we
are in that field, also in the falls for
cattle or sheep, when we rent the land out
for that purpose. Just as soon as I can

25152

I will replace the dome, but just at present it is impossible to tell you just what date that will be.

Yours truly
Joseph M. Phillips

✓
July 6, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

We now have the affidavit of publication in the Preston Citizen which completes your proof of beneficial use on Permit No. 25152.

However, before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

25152

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Olson E. Smith

, being duly sworn,

deposes and says:

That he is the Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

May 1919 55, and ending

with the issue of

June 919 55Olson E. SmithFees, \$ 17.49Subscribed and sworn to before me this 28 dayof June, 19 55

Notary Public, Residing at Preston, Idaho

My Commission Expires July 1 - 1957, 19 55

RECEIVED
JUL 5 1955
Department of Reclamation

Notice for Publication

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 20th day of June 1955, at Preston, County of Franklin, State of Idaho, before Dell W. Smith, a Notary Public, proof will be submitted of the application to beneficial use of .02 cubic feet per second of the waters of unnamed spring in accordance with the terms and conditions of Permit No. 25152 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Joseph M. Phillips, Weston, Ida.

The use to which said water has been applied is Domestic.

The amount applied to beneficial use is .02.

The place where said water is used: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1, Twp. 16 South, Range 37 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Pump and Pipe.

The right to take water from such works is based upon Permit No. 25152.

The source of supply from which such water is diverted is unnamed spring.

The date of priority which said user is prepared to establish is August 30, 1954.

Mark R. Kulp
State Reclamation Engineer.
20-23c

NOTICE OF

25152

✓
June 22, 1955

RE: Permit No. 25152

Mr. Joseph W. Phillips
Weston
Idaho

Dear Mr. Phillips:

We acknowledge receipt of the depositions of yourself and two witnesses submitted in proof of beneficial use on Permit No. 25152.

The affidavit of publication is a necessary part of this proof and the Preston Citizen was instructed to send this affidavit to you. If you have not received it, we suggest that you take the matter up with them at once and transmit the affidavit to this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

25152

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 22 1955
Department of Reclamation

Permit No. 25152

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Joseph M. Phillips, P. O. Weston, Idaho, Farmer.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 25152 September 3, 1954. Date of priority August 30, 1954.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. A spring in the Southeast corner of the North east quarter of Section 1,
Township 16 South, Range 37 East., Boise Meridian. Franklin County, Idaho

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Pump and pipe discharging point .02 c.f.s. from a 3 quarter inch pipe.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation for the Northeast quarter of the Northeast quarter of Section 1
Township 16 South, Range 37 East of the Boise Meridian. The land is
cultivated and he is now growing irrigated crops.

25152

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. .02

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. .02 Water pump from a spring upon cultivated land for the past three months.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign) Joseph M. Phillips

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Preston, County of Franklin

State of Idaho, on this 20, day of June, A. D. 1955

Della Smith

My commission expires April 3, 1957

25152

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25152

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. D. L. Jensen, age 44, residence Preston, Idaho, Occupation Impl. salesman.
P. O. Preston, Idaho

Ques. 2. Are you acquainted with Joseph M. Phillips, the holder of Permit No. 25152? How long have you known him and where does he reside? I have known him ^{25 152}all my life.

Ans. Yes, thirty years and he resides at Weston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 25152, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. A spring. Section 1, Township 16 South. Range 37 East., Boise Meridian,
and is in the Southeast corner- North East $\frac{1}{4}$ of the North East $\frac{1}{4}$ of
Franklin County Idaho. A pump and a 3 quarter inch pipe.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .02

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation for the Northeast quarter of the Northeast quarter of Section 1
Township 16 South, Range 37 East of the Boise Meridian. The land is cultivated
and he is now growing irrigated crops.

25152

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

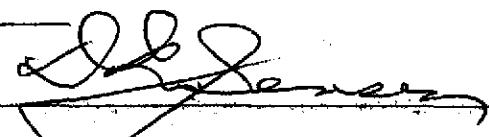
Ans. Cultivated land and needs all water available up to five c. f. s.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

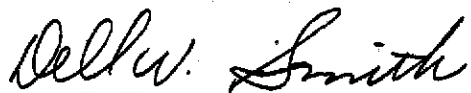
Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. .02 Water pump from a spring upon cultivated land for the past three months.

(Signed) 

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston,
County of Franklin, State of Idaho, on this 20 day of June,
A. D. 19 55.



Notary Public.

My commission expires April 3, 1957

25152

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25152

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Lyle Christensen, age 34, residence Preston, Idaho Occupation Impl. repairman.
P. O. Route #1 Preston, Idaho

Ques. 2. Are you acquainted with Joseph M. Phillips, the holder of Permit No. 25152? How long have you known him and where does he reside? I have known him all my life.

Ans. yes, thirty years and he resides at Weston, Idaho

Ques. 3. Have you read or heard read said Permit No. 25152, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. A spring. Section 1, Township 16 South. Range 37 East., Boise Meridian,
and is in the SouthEast corner - North East $\frac{1}{4}$ of the North East $\frac{1}{4}$ of
Franklin, County Idaho. A pump and a 3 quarter inch pipe.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .02

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation for the NorthEast quarter of the Northeast quarter of Section 1
Township 16 south, Range 37 East of the Boise Meridian. The land is cultivated
and he is now growing irrigated crops.

25152

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Cultivated land and needs all water available up to five c.f.s.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. .02 Water pump from a spring upon cultivated land for the past three months.

(Signed) _____

Lyle H. Christensen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston,
County of Franklin, State of Idaho, on this 20 day of June,
A. D. 1955.

Dell W. Smith

Notary Public.

My commission expires April 3, 1957.

25152

May 16, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
Vernon
Idaho

Dear Mr. Phillips:

We enclose Certificate of Completion of Works issued on
Permit No. 25152 for the diversion of 0.02 second foot of water from
a spring in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Township 16 South, Range 37 East
B.M. for domestic use on the same subdivision.

We also enclose departmental receipt No. 27342 for the \$5.00
fee in connection therewith.

Very truly yours,

MAHE R. KULP
State Reclamation Engineer
By

Chief Clerk

Achl
Enc.

25152

Permit No. 25152

STATE OF IDAHO
Department of Reclamation

RECEIVED
MAY 6 1955
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Franklin

ss.

Joseph M. Phillips, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 25152, and that his postoffice address is Weston

State of Idaho

Second: That the name of the stream from which said water is to be diverted is unnamed spring

Third: That the point of diversion of said water is NE¹/₄NE¹/₄ Sec. 1, Twp. 16 So. R. 37 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 3, 1955.

Fifth: That the use for which said water is intended is Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Pump and Pipe
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 02 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: NE¹/₄NE¹/₄ Sec. 1, Twp. 16 So. R. 37 E. B. M.

Ninth: Remarks: That Spring located upon lands of the applicant

7 H.P.M. 3/4 myers force pump, 800 gallons per hour.

3/4 inch pipe for the length 75 feet.

Joseph M. Phillips
(Sign Here)

Subscribed and sworn to before me this 3rd day of May, 1955

My commission expires 4-4-57

Oella Smith
Notary Public.

25152

Just A Short Message From **The Preston Citizen** PRESTON, IDAHO

May 7, 1955

This is to acknowledge receipt of notice for publication for applicant Joseph M. Phillips which will be published four consecutive weeks as per your instructions.

The Preston Citizen

 25152

25152

Donne B. Anderson, Chief Clerk
Department of Reclamation
Boise, Idaho

THIS SIDE OF CARD IS FOR ADDRESS



RECEIVED
MAY 9 1935
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 25152

Date: May 6, 1955

Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 20, 1955** the date set for proof, the expense of the publication to be paid by the applicant, **Joseph M. Phillips** of **Weston, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

25152

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 20th day of June, 1955,
at Preston, County of Franklin, State of Idaho, before
Dell W. Smith, a Notary Public, proof will be submitted of the
application to beneficial use of .02 cubic feet per second of the waters of unnamed
spring in accordance with the terms and conditions of Permit No. 25152
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Joseph M. Phillips, Weston, Idaho

The use to which said water has been applied is Domestic

The amount applied to beneficial use is .02

The place where said water is used (if for irrigation, give full and accurate description of the land irrigated)

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp. 16 South, Range 37 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

Pump and Pipe

The right to take water from such works is based upon Permit No. 25152

The source of supply from which such water is diverted is unnamed spring

The date of priority which said user is prepared to establish is May 2, 1955 ~~May 2, 1955~~ August 30, 1954

MARK R. KULP

State Reclamation Engineer.

25152

✓
May 6, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
Newton
Idaho

Dear Mr. Phillips:

We are this morning in receipt of your affidavit in proof of completion of works on Permit No. 25152, accompanied by your check for the \$5.00 fee in connection therewith; also, notice for proof of beneficial use to be made on this Permit June 20, 1955.

We request your affidavit in proof of completion of works in order that you may give the size and length of the pipe as called for under Question 6 II (4). Also, under Remarks, please give the size and power of the pump.

We shall send to the Preston Citizen, notice for proof of beneficial use with instructions to publish it once a week for four weeks prior to June 20, 1955 and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Dail W. Smith, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing depositions which we shall send Mr. Smith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A,hl
cc - Mr. Dail W. Smith

25152

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 3, 1955

(P. O.) Weston, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Preston Citizen of Preston, Idaho published in
the county in which the works are situated.

Joseph M. Phillips.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

25152

May 6, 1955

RE: Permit No. 25152

Mr. Dell W. Smith
Attorney at Law
Preston, Idaho

Dear Mr. Smith:

We enclose copy of letter we are today addressing Mr. Joseph M. Phillips which is self-explanatory.

We enclose herewith, the forms of deposition to be executed by Mr. Phillips and two disinterested witnesses in making proof of beneficial use.

We also enclose departmental receipt No. 27327 for the \$1.00 fee for the copy of Permit No. 25152 which was sent you a day or two ago.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl
Enc.

25152

✓
May 5, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
2767 Jefferson Avenue
Ogden, Utah

Dear Mr. Phillips:

On March 2, 1955, we enclosed approval of your application for extension of time for completion of works on Permit No. 25152 to May 3, 1955. This was in accordance with your request for additional time for installing the pump.

We remind you that this proof is now past due and should be made at once. In case you have misplaced the instructions and forms sent in our previous letter, we enclose a copy herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25152

✓
May 2, 1953

RE: Permit No. 25152

Mr. Dell W. Smith
Attorney at Law
Preston, Idaho

Dear Mr. Smith:

As per your request of April 27, we enclose a copy of Permit
No. 25152 in the name of Joseph M. Phillips.

The fee for making this is \$1.00 for which please send us
your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl
Enc.

2515.2

Law
Office
Dell W. Smith
Preston
Idaho

April 27, 1955

State of Idaho
Department of Reclamation
State Capitol Bldg.
Boise, Idaho

Gentlemen:

Mr. Joseph Phillips, whose water permit number is 25152, has either misplaced or lost or had not sent to him his application.

Would you be kind enough to send a copy to this office for his information.

Any fees, kindly bill this office.

Very truly yours,

Dell W. Smith
Dell W. Smith

IWS:nh

RECEIVED
APR 29 1955
Department of Reclamation

25152

March 2, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
2767 Jefferson Avenue
Ogden, Utah

Dear Mr. Phillips:

We enclose approval of the State Reclamation Engineer of your application for extension of time for completion of works on Permit No. 25152 to May 3, 1955.

This approval should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25152

Permit No. 25152

Application for Extension of Time FOR COMPLETION OF WORKS

Joseph M. Phillips, of Weston
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 25152

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by March 3rd, 1955

That he has heretofore performed the following work described under said permit: 25152

Completed, with the exception of
installing pump.

costing \$_____

THAT he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

Weather Condition

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the com-
pletion of construction work under said permit, to May 3rd, 1955

Joseph M. Phillips.

Subscribed and sworn to before me this 26th day of February, 1955

My commission expires Dec 17 1955 Notary Public.

Date of receipt at Department of Reclamation.

Feb. 28. 1955

APPROVAL OF State Reclamation Engineer
State Reclamation Engineer

I, Mark R. Kulp, Commissioner of Reclamation of the State of Idaho, hereby extend the time for
the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 25152
to May 3, 1955

Witness my hand this 1st day of March, 1955

Mark R. Kulp
Commissioner of Reclamation

By STATE RECLAMATION ENGINEER

25152

February 8, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
2767 Jefferson Avenue
Ogden, Utah

Dear Mr. Phillips:

We have your letter of February 7 in reply to notice that Completion of Works proof was due on your Permit No. 25152 on or before March 3, 1955.

Your application stated that one month would be required for Completion of Works but we allowed six months.

However, since you are not able to make proof of Completion of Works by that time you may execute the enclosed form of application for Extension of Time for Completion of Works and return to this department for consideration.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Asst

25152

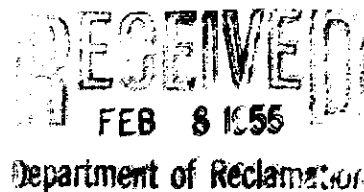
25152

Ogden, Utah
Feb. 7th 1955

Department of Reclamation,

State of Idaho.

Boise, Idaho.



Dear Sir:

I rec'd papers from your Dept. to complete & return to you by March 3rd 1955. For completion of the filing of a Spring Located on my place. as I remember the first filing was sent the 1st part of September 1954. by attorney Will Smith of Preston Ida. at present I am in Ogden Utah, and it is impossible for me to go to Preston to complete this work.

Could you extend this period of time for about 60 days or more

Would you please let me know at this address.

Yours Truly,

Joseph M. Phillips
2767 Jefferson Ave
Ogden, Utah.

25152

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Mr. Joseph N. Phillips
Weston
Idaho

BOISE
January 3, 1955

Dear Sir:

Under the terms of your permit No. 25152 you are required to complete your diversion works and make proof of beneficial use on or before

March 3, 1955.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is March 3, 1955, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,
MARK R. KULP

State Reclamation Engineer

25152

September 16, 1954

RE: Permit No. 25152

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

We enclose Permit No. 25152 together with departmental receipt No. 25898 for the \$5.00 filing fee.

Although your application states that the works will be complete within one month, we have allowed 6 months or until March 3, 1955 within which to make the proofs of Completion of Works and Beneficial Use required to complete your water right.

However, these proofs may be made at any earlier date that you are prepared to make them and we shall be glad to send the necessary forms and instructions upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

25152

Joseph M. Phillips

Form No. 0

Sec.
1
Twp. 16 So.
Range 37 E.B.M.

Permit Map No. 25152
As Approved
SEP 3 1964
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25152

August 30, 1954

Mr. Joseph M. Phillips
Weston
Idaho

Dear Mr. Phillips:

We acknowledge receipt of your application for permit to appropriate one-half second foot of water from springs accompanied by your check for \$5.00.

However, the application is incomplete in several details and we return it for correction as follows:

1. Question 4 should show the point of diversion to a 40 acre subdivision. The application states that it is in the SE corner of Section 1. We think this should be the SE corner of the NE¹/₄ NE¹/₄ Section 1.

2. Under "Remarks" give the place of use and also state the ownership of the land on which the spring is located. If in private ownership other than yourself, the affidavit of permission on the bottom of the third page should be executed by the owner.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

25152

Notice for Publication
Notice of Pro Application of
Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 20th day of June 1955, at Preston, County of Franklin, State of Idaho, before Dell W. Smith, a Notary Public, proof will be submitted of the application to beneficial use of .02 cubic feet per second of the waters of unnamed spring in accordance with the terms and conditions of Permit No. 25152 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Joseph M. Phillips, Weston, Ida.

The use to which said water has been applied is Domestic.

The amount applied to beneficial use is .02.

The place where said water is used: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp. 16 South, Range 37 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Pump and Pipe.

The right to take water from such works is based upon Permit No. 25152.

The source of supply from which such water is diverted is unnamed spring.

The date of priority which said user is prepared to establish is August 30, 1954.

Mark R. Kulp
State Reclamation Engineer.

5-19-55

20-23c