

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

RECEIVED

AUG 16 2005

Department of Water Resources
Eastern Region

RECEIVED

AUG 23 2005

Department of Water Resources

- 1 Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed List just the adjudication claim number if there is no corresponding water right record on file with the department Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-2503					
29-2337					
29-2294					
29-2484					
29-13150					

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

- A The appropriate **FILING FEE** See instructions for fee amounts \$125 -
- B A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**
- C Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**

- 3 Name and Address of Former Owner/Claimant(s) Kenneth R. Degn and Brenda J. Degn
- 4 New Owner/Claimant(s) Ray Phillipps and ALOA R. Phillipps
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 4906 Kings Row Circle
- City, State and ZIP Code Salt Lake City, UT 841017
- New Telephone Number (801) 278-3421
- 5 Date you acquired the property August 12, 2005

SUPPORT DATA

IN FILE # 29-2294

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If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Ray Phillips
Wendy Phillips

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

For Office Use Only

Received by gc Date 8-16-05 Fee \$125
 Receipted by gc Date 8-16-05 Receipt No E031185
 Processed by _____ AJ Date _____ WR _____ Date _____

20516604

20:

3-1

WARRANTY DEED

20516604
Scotts Land Title
RECORDED AT REQUEST OF
FEE 9 DEPUTY BP

2005 AUG 12 PM 4:14

OFFICIAL RECORD BK# 871
RECORDER
BANNOCK COUNTY IDAHO

For value received, **KENNETH R. DEGN** and **BRENDA J. DEGN**, husband and wife, as Grantors, do hereby Grant, Bargain, Sell, and Convey unto **RAY PHILLIPPS** and **ALOA R. PHILLIPPS**, husband and wife, the Grantees, whose address is 4906 Kings Row Circle, Salt Lake City, UT, ⁸⁴¹¹⁷8410, the following described premises in Bannock County, Idaho, to-wit:

PARCEL 1:

Township 11 South, Range 37 East, Boise Meridian, Bannock County, Idaho:

Section 7: NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM a tract of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 11 South, Range 37 East, Boise Meridian, more particularly described as follows:

Beginning at the Southwest Corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ thence North along the West line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, 109 feet; thence East 400 feet; thence South 109 feet, more or less, to the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence West along said South line 400 feet, more or less, to the Point of Beginning.

ALSO EXCEPTING THEREFROM all that portion of the above described parcel deeded to the State of Idaho, by and through the Idaho Board of Highway Directors by Warranty Deed recorded October 27, 1969, as Instrument No. 464845 for highway purposes.

PARCEL 2:

Township 11 South, Range 37 East, Boise Meridian, Bannock County, Idaho:

Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$

3-2

20516604

WARRANTY DEED - DEGN TO PHILLIPPS - Page 2

AP
EP
EXCEPTING THEREFROM all that portion of the above described parcel deeded to the State of Idaho by and through the Idaho Board of Highway Directors by Warranty Deed recorded October 27, 1969, as Instrument No. 464845 for highway purposes.

ALSO EXCEPTING THEREFROM Township 11 South, Range 37 East of the Boise Meridian: Commencing at the South Quarter Corner of Section 8; and running thence North 368 feet; thence West 355 feet; thence South 368 feet; thence East 355 feet to the place of beginning.

ALSO EXCEPTING THEREFROM: A parcel of land located in Section 8, Township 11 South, Range 37 East, Boise Meridian, Bannock County, and further described as follows:

Commencing at the South Quarter Corner of said Section 8; thence North 00°12'42" West 368.00 feet (North 368 feet by record) along the North-South center Section line to the True Point of Beginning, which is a 5/8 " rebar with cap labeled HUDSON PLS 4735 set at the Northeast Corner of that tract recorded in the records of Bannock County under Instrument No. 696472; thence South 89°47'18" West 355.00 feet (West 355 feet by record); thence South 00°12'42" East 345.22 feet (South 368.00 feet by record) to a 5/8" rebar with cap set on the North right of way line of Bowman Road; thence South 89°25'50" West 81.48 feet along said right-of-way line to a 5/8" rebar with cap; thence North 00°12'42" West 1297.33 feet to a 5/8" rebar with a cap set on a fence line; thence North 89°25'01" East 436.49 feet along said fence to a 5/8" rebar with cap set on the North-South center Section line; thence South 00°12'42" East 954.43 feet along said center section line to the True Point of Beginning.

PARCEL 3:

Township 11 South, Range 37 East, Boise Meridian, Bannock County, Idaho:

Section 18: S½NE¼; N½SE¼

EXCEPTING THEREFROM all that portion of the above described parcel deeded to the State of Idaho by and through the Idaho Board of Highway Directors by Warranty Deed recorded October 14, 1969, as Instrument No. 464529 for highway purposes

PARCEL 4:

Township 11 South, Range 37 East, Boise Meridian, Bannock County, Idaho:

Section 18: Lots 1 and 2

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20516604

WARRANTY DEED - DEGN TO PHILLIPPS - Page 3

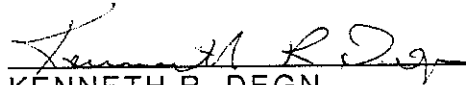
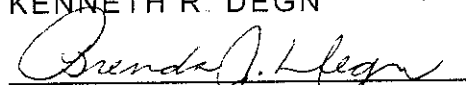
RP
EXCEPTING THEREFROM: Commencing at a point 1310 feet West of the Southeast Corner of Lot 2; and running thence West 425 feet to the center line of the County Road; thence North 341 feet along said County Road; thence East 425 feet; thence South 341 feet to the point of beginning.

TOGETHER WITH Sellers' interest in all oil, gas, mineral and geothermal rights.

TOGETHER WITH Sellers' interest in all water and water rights used thereon or appurtenant thereto, and in particular, those water rights filed with the Idaho Department of Water Resources as Water Rights No. 29-2503; 29-2337; 29-2294; 29-2484 and 29-13150.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to 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 they are free from all encumbrances and they will Warrant and Defend the same from all lawful claims.

Dated: August 12, 2005.

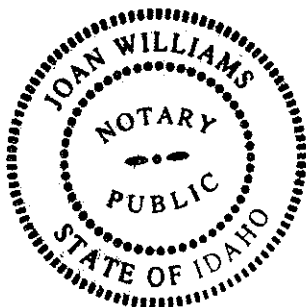

KENNETH R. DEGN

BRENDA J. DEGN

STATE OF IDAHO
COUNTY OF ONEIDA

ss.

On this 12th day of August, 2005, before me, a Notary Public in and for said State, personally appeared KENNETH R. DEGN and BRENDA J. DEGN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.




Notary Public for Idaho
Residing at: Malad City, ID
My Commission Expires: 5-6-2009