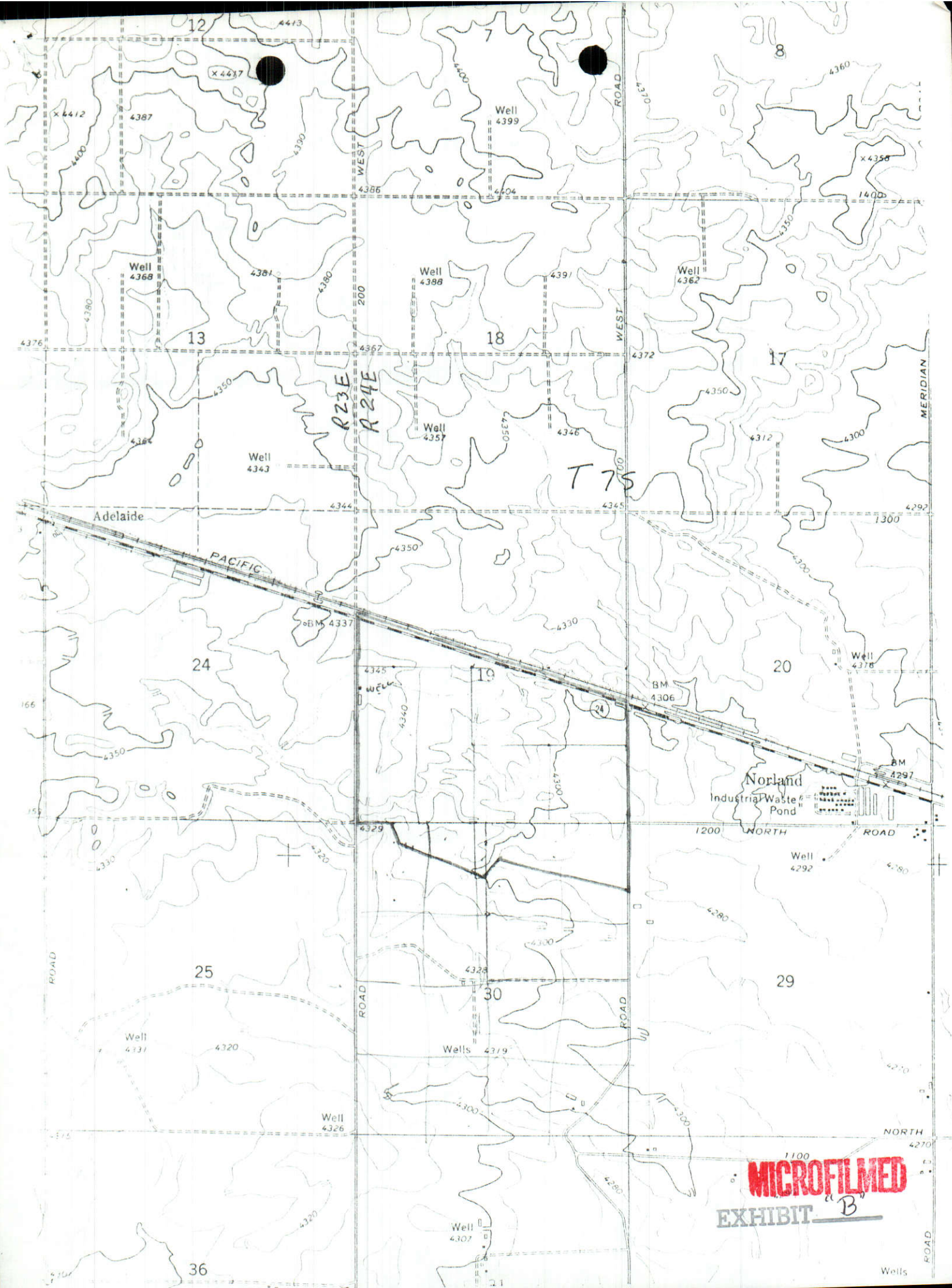




STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

CLAIM TO A WATER RIGHT

Oct. 1 1985

Department of Water Resources
Sandy, Idaho Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Vernon C. Phillips

Rt. #2, Box 191A, Paul, Idaho 83347 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 438-5906

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1974

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Ground water tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	1.14 cfs	Use	Irrigation	Period of Use From 3/15	To 11/15
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4) 1.14 cfs			TOTAL QUANTITY USED.		

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 19 Twp. 7S Rge. 24 E B.M., County of Minidoka
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump and sprinkler system.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	24E	19													22	34			56
7S	24E	30					1												1

No. of acres 57

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

36-4263

(8) Remarks This is an expansion of a use under Water License 36-2065B and License 36-2077. Although the original permits appear to have included these acreages, it is not clear that they are included under the present licenses. A portion of the property described under the above licenses also are described in Lic. 36-2065A. This claim is given to supplement these licenses to establish the expanded use that has occurred. The place of use of the water under this claim may be spread upon other lands shown in Exhibit "A", depending upon the interpretation of the place of use of the water recognized by the above licenses.

See attached Exhibit "B" showing lands covered by the above licenses and this claim. All of the land outlined in the enclosed map is being irrigated, with a total of 352 irrigable acres.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Minidoka) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 28th day of June

Vernon A. Phillips
(Claimant)
85
Regina A. King
Notary Public
Residing at Rupert, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by Marya Date 7/1/85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by QA Date 8-1-85 claimant by: _____
\$20.00 fee received by Marya Date 7/1/85 # 3466K
Published in Minidoka Co News
Dates 8/7 & 8/14/85

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

TRACT NO. 1:

SECTION 19: All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, which lies South of the highway along the South side of the right of way of the Union Pacific Railroad.

TRACT NO. 2:

SECTION 19: Lots 3 and 4; E $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{4}$ SE $\frac{1}{4}$.

TRACT NO. 3:

SECTION 19: That part of Lot 2 and that part of SE $\frac{1}{4}$ NW $\frac{1}{4}$, which lies South of the highway along the South side of the right of way of the Union Pacific Railroad.

TRACT NO. 4:

SECTION 30: That part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, lying North of a line running as follows: Beginning at the Northwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence South 16°47' East for 365.60 feet; thence South 66°53' East for 132°30 feet to a point on the East boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, which point is 371.20 feet South of the Northeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$.

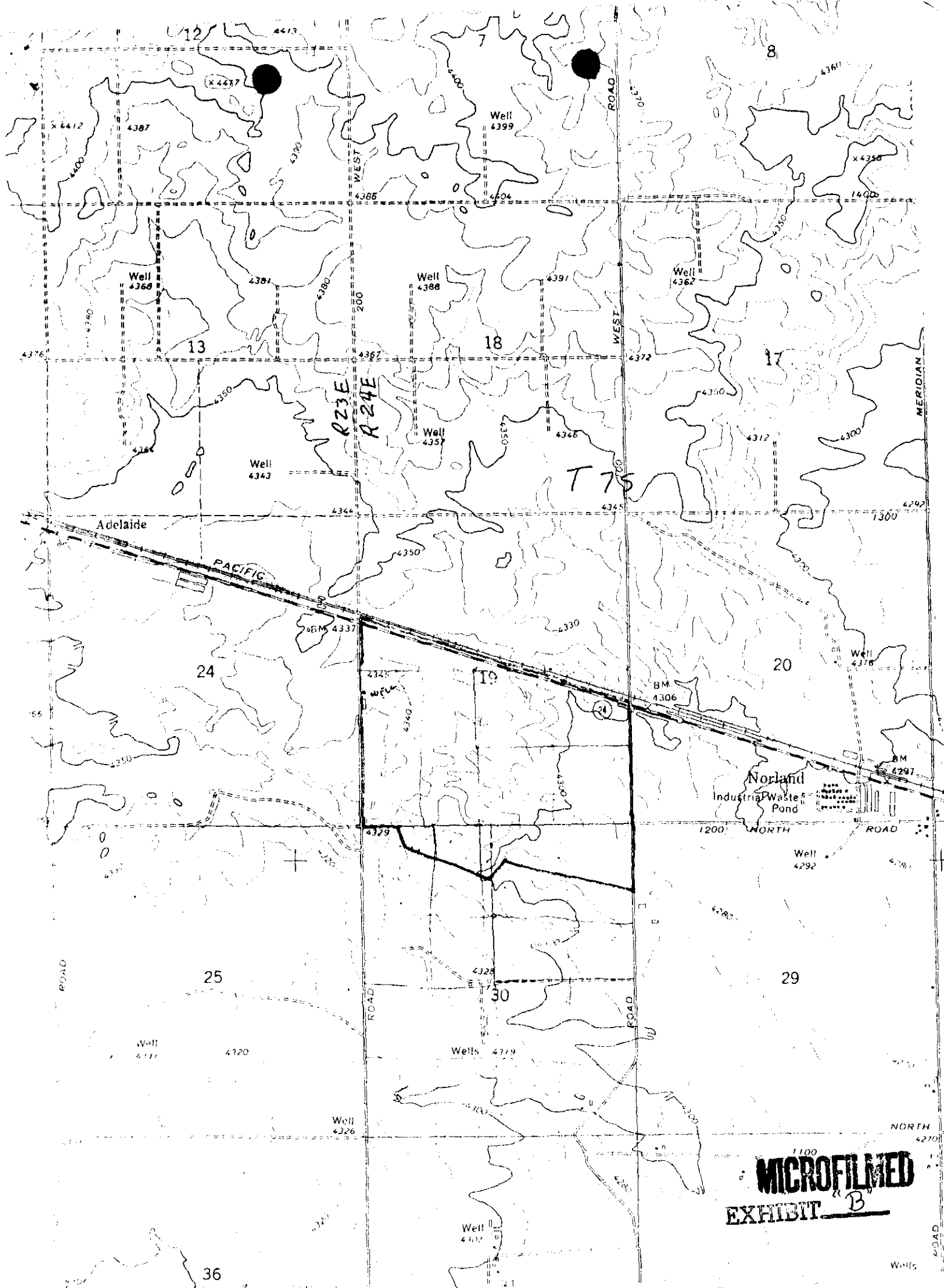
TRACT NO. 5:

SECTION 30: That part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, lying North of a line running as follows: Beginning at a point on the West boundary line of the NE $\frac{1}{4}$ of said Section 30, which point is 871.20 feet South of the North $\frac{1}{4}$ corner of said Section 30; thence South 66°53' East for 148.50 feet; thence North 45°31' East for 402.60 feet; thence South 73°50' East for 2259.10 feet to a point on the East boundary line of the NE $\frac{1}{4}$ of said Section 30, which point is 1114.70 feet South of the Northeast corner of said Section 30.

TRACT NO. 6

Beginning at the Southwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 7 South, Range 24, East, Boise Meridian, Minidoka County, Idaho; thence North 207 feet to a point which intersects the Union Pacific Railroad right of way; thence in a Southeasterly direction along said railroad right of way to a point intersecting with the quarter section line dividing the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19; thence West along said quarter section line 687 feet to the point of beginning, Minidoka County, Idaho, containing 1.6 acres more or less.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 23, 1985

Vernon C. Phillips
Rt. 2 - Box 191A
Paul, Idaho 83347

Re: Claim to a Water Right

Dear Mr. Phillips:

This office is currently processing your claim to a water right.

Your claim give a priority later than the March 25, 1963 date on which it became mandatory to establish groundwater rights by filing an application for permit.

This would seem to indicate that your claim does not represent a valid water right. However, IDAHO CODE, Section 42-1416, enacted in 1985, provides that in a basin-wide adjudication, holders of licensed rights who have expanded their uses are to be presumed to have a valid right for the expansion with a priority of the date it was completed.

Because Section 42-1416 only becomes effective when and if a basin-wide adjudication occurs, you may also wish to file an application for permit to secure a water right for the present.

An application for and instructions are included for your use if you wish to take this additional step to safeguard your water right.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)

) ss.

STATE OF IDAHO,)

Edward L. Mitchell, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News for

Two consecutive weeks, commencing
with the issue dated 8/2, 1985, and
ending with the issue dated 8/14, 1985

Subscribed and sworn to before me this
14th day of August, 1985.

Sandy Johnson Notary Public

Cost of Publication 642 34

Notary Fee

Total Cost

RECEIVED

AUG 16 1985
Department of Water Resources
Southern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the
following claim(s) to water right(s)
have been established by diversion
and application to beneficial use:

36-4262

SUCHAN, FRANK

RT. 2 BOX 2472, PAUL, ID 83347

Source: GROUNDWATER

Priority Date: 04-01-1969

Diversion Pt: SWSW Sec 16 T 08S
R 22E

Use: IRRIGATION (0.40 CFS)

In: SWNE SENE SWNW SENW
Sec 16 T 08S R 22E FOR 20 ACRES

36-4263

PHILLIPS, VERNON C.

RT. 2 BOX 191A, PAUL, ID 83347

Source: GROUNDWATER

Priority Date: 03-15-1974

Diversion Pt: NWSW Sec 19 T 07S
R 24E

Use: IRRIGATION (1.14 CFS)

In: NESE NWSE Sec 19 T 07S R
24E NWNW Sec 30 T 07S R 24E FOR
57 ACRES

36-4264

MONSON, WESLEY E. & or
MABEL R.

RT. 2 BOX 2504, PAUL, ID 83347

Source: GROUNDWATER

Priority Date: 04-01-1974

Diversion Pt: NWNW Sec 24 T 08S
R 22E

Use: IRRIGATION (3.34 CFS)

In: NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW Sec 24 T
08S R 22E FOR 167 ACRES

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301.

-s- A. Kenneth Dunn
Director

No. 85-150 - August 7 and 14, 1985.

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 26, 1985

VERNON C. PHILLIPS
RT. 2 BOX 191A
PAUL

ID 83347

RE: Claim No. 36-4263

Dear Claimant:

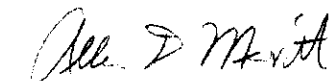
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

36-4263-

PHILLIPS, VERNON C.

RT. 2 BOX 191A. PAUL. ID 83347

Source: GROUNDWATER

Priority Date: 03/15/1974

Diversion Pt: NWSW Sec 19 T 07S R 24E

Use: IRRIGATION (1.14 CFS)

In: NESE NWSE Sec 19 T 07S R 24E NWNW Sec 30 T 07S R 24E FOR 57 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 8/7 & 8/14/85.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 31, 1985

Minidoka County News
625 Fremont Avenue
Rupert, Idaho 83350

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 26, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. Stanton

Right Number 36-4263 Applicant PHILLIPS, Vernon C.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By ADN Date 8/19/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/20/85

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RECEIVED
AUG 20 1985

Department of Water Resources