

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 32981 Joseph M. Phillips
 PERMIT No. 25152 Weston
 DISTRICT No. 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:

- (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources: Real property - \$15,000.00

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
 dimensions of flume: feet; depth of water feet;
 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 ~~years~~

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 Approved September 3, 1954
Recorded in Book 89 Page 25152

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 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

Countersigned:

STATE OF IDAHO

(SEAL)

By

LEN JORDAN

By

IRA H. MASTERS

Secretary of State.

Governor.

REMARKS: The applicant is the owner of the land upon which the spring is situated. The place of use is the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 16 South, Range 37 East of the Boise, Meridian.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	

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 $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Township 16 South, Range 37 East, B.M. and that the place of use of said water is also in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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

Page 5850

August 30, 1954

Mr. Joseph M. Phillips
Boston
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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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

Form No. 0

SAC.
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

September 16, 1954

RE: Permit No. 25152

Mr. Joseph M. Phillips
Preston
Idaho

Dear Mr. Phillips:

We enclose Permit No. 25152 together with departmental receipt No. 26898 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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE
January 3, 1955

Mr. Joseph M. Phillips
Weston
Idaho

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

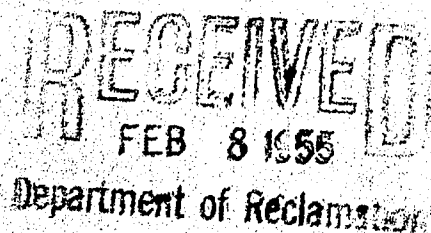
25152

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 comple this work.

Could you extend this's 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

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

ASG

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 following reasons, to-wit:

Weather Condition

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion 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.

Jan. 28, 1955

State Reclamation Engineer
APPROVAL OF ~~DEPARTMENT OF RECLAMATION~~
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

By STATE RECLAMATION ENGINEER

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

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

DWS:nh

RECEIVED
APR 29 1955
Department of Reclamation

25152

May 2, 1955

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.

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 work 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 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:hl1
Enc.

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. Joseph M. Phillips
Weston
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 return 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 (d). 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. Dell 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. KUPP
State Reclamation Engineer
By

Chief Clerk

A:hll
cc - Mr. Dell W. Smith

25152

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 outline and acreage 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 ~~August 30, 1954~~

MARK R. KULP

State Reclamation Engineer.

25152

RECEIVED

MAY 9 1955

Department of Reclamation

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

THIS SIDE OF CARD IS FOR ADDRESS



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

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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 0.02 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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

O. W. Smith

My commission expires 4-4-57

Notary Public.

25152

May 16, 1955

RE: Permit No. 25152

Mr. Joseph M. Phillips
Newton
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,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Ashll
Enc.

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. 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.

Oella W. Smith

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. 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? ²⁵¹⁵² 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.

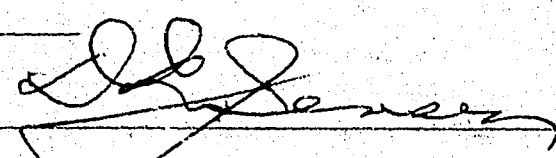
Ans. Cultivated land and needs all water available up to five c. f. s.

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

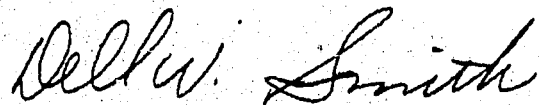
Ans. None

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) 

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

✓
June 22, 1955

RE: Permit No. 25152

Mr. Joseph M. 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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Don 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 19, 1955, and ending

with the issue of June 9, 1955

Don E. Smith

Fees, \$ 18.49

Subscribed and sworn to before me 28 day

of June, 1955

Notary Public, Residing at Preston, Idaho

My Commission Expires May 1 - 1957, 1955

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: NE¼ NE¼ 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

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

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^{it} 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 dam, but just at present it is impossible to tell you just what date that will be.

Yours truly

Joseph M. Phillips

25152

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 ~~the~~ section of land, & I could help him considerable.

yours truly

Joseph M. Phillips

(See over)

25152

RECEIVED
JUL 21 1955
Department of Reclamation

Ogden, Utah

3-13-1956

RECEIVED
MAR 15 1956

Department of Reclamation

Department of Reclamation

Boise, Idaho.

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 NE $\frac{1}{4}$ - 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.

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: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

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

1" map scale 1.25 ft. = 1 in.

1" map scale 1.25 ft. = 1 in.

R-37E.

TO MARY CITY

TO WESTON

907

552

P.D.

100'

T.
16
S.

1

6

Subdivisions = One

Use = domestic

Q = 1 inch

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 260 acre farm and no other water even for stock water

This examination was made on the 13 day of Sept, 19 56

(Signed) E. M. Humphrey Examiner.

25152



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 19, 1956

RECEIVED
OCT 31 1956

Department of Reclamation

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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 P. Rutledge

Chief Clerk

R:hll

25152

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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.

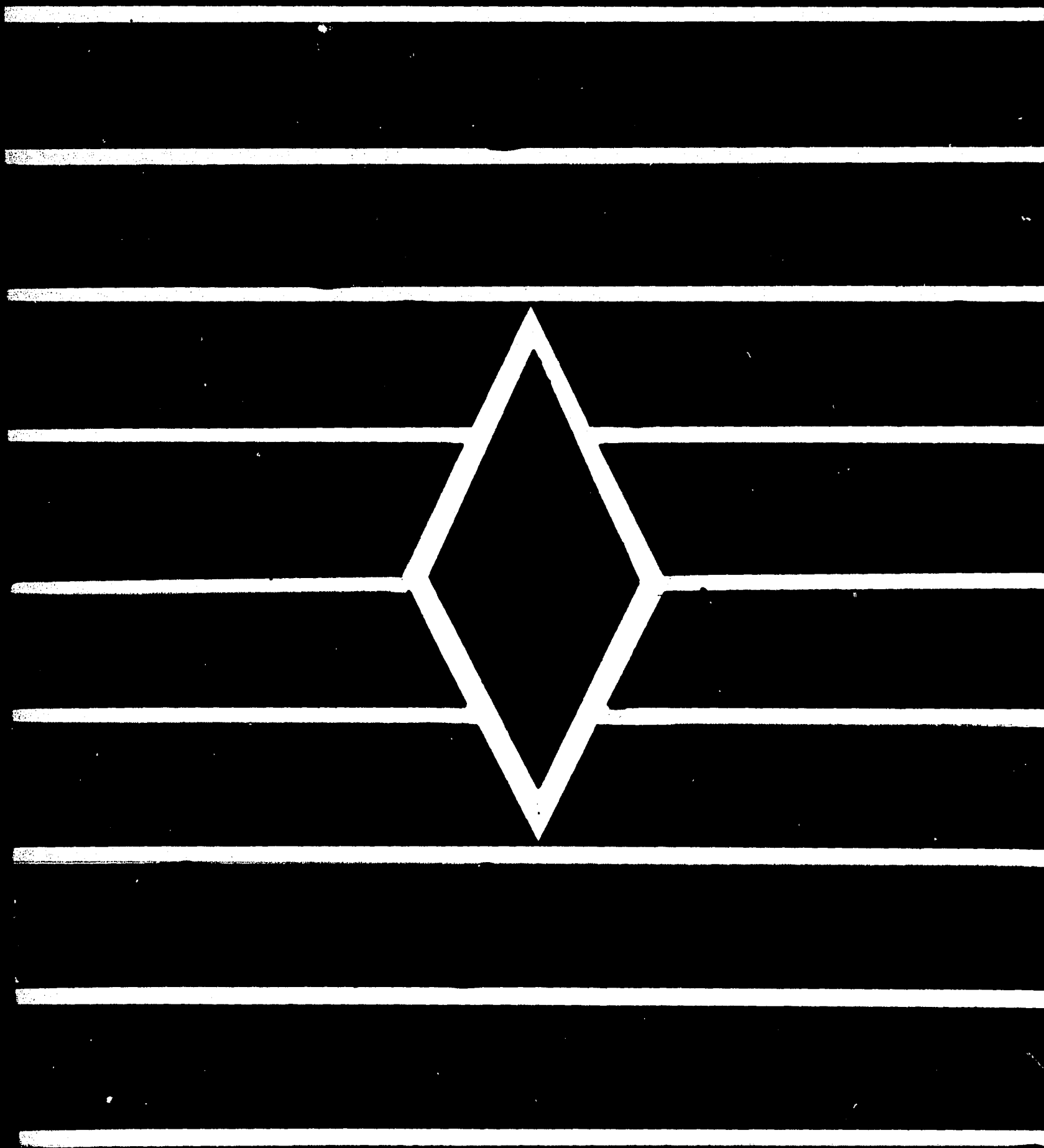
Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

25152



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, 1954; 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, 1955, showing that said works
 were completed on the 3rd day of May, 1955; and that on the 20th
 day of June, 1955,

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, 1954;

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)		

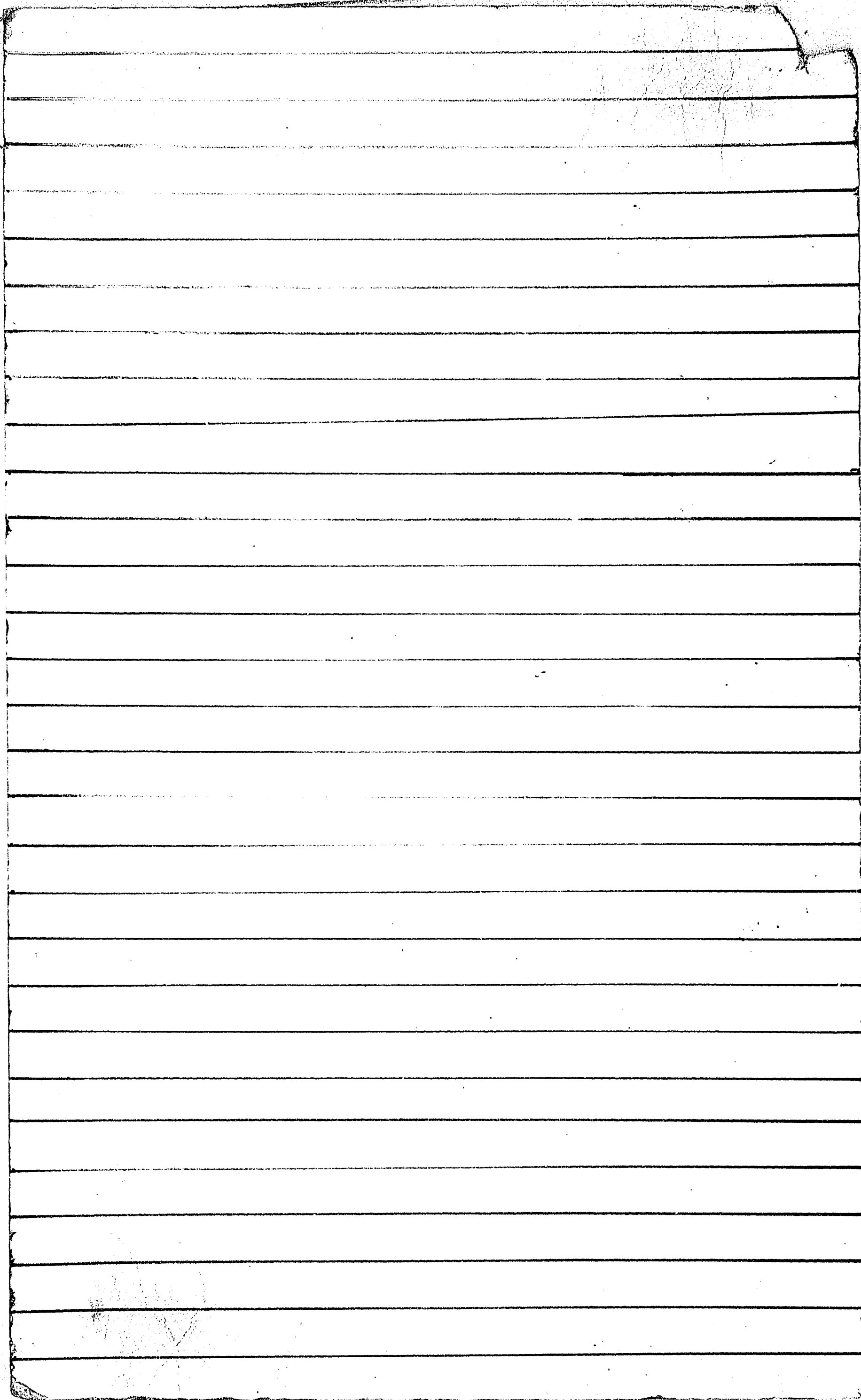
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

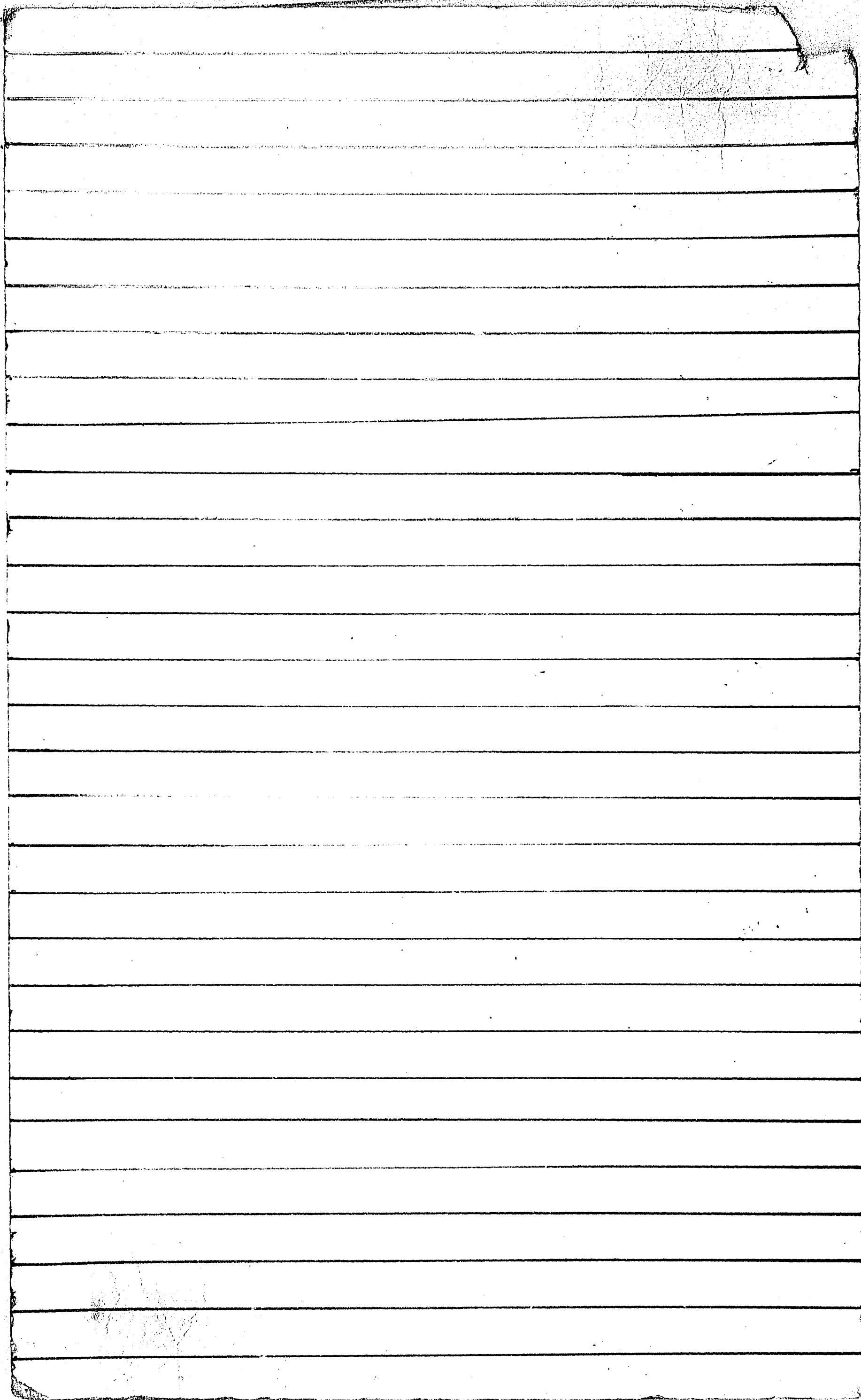
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
 1st day of November, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)





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.

191748 1-3

Recorded at the request of
Boyd Phillips

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

—a.m. AUG 29 1994: 1:20 p.m.

LARA E. JOHNSON, RECORDER

By Shauna Orddes 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, grantees 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)
COUNTY OF CACHE) ss.

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

Jerry Toombs
Notary Public
Notary Public
JERRY TOOMBS
2178 North Main
Logan, Utah 84321
My Commission Expires
January 6, 1996
State of Utah

191748 2-3

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;

191748 3-3

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.

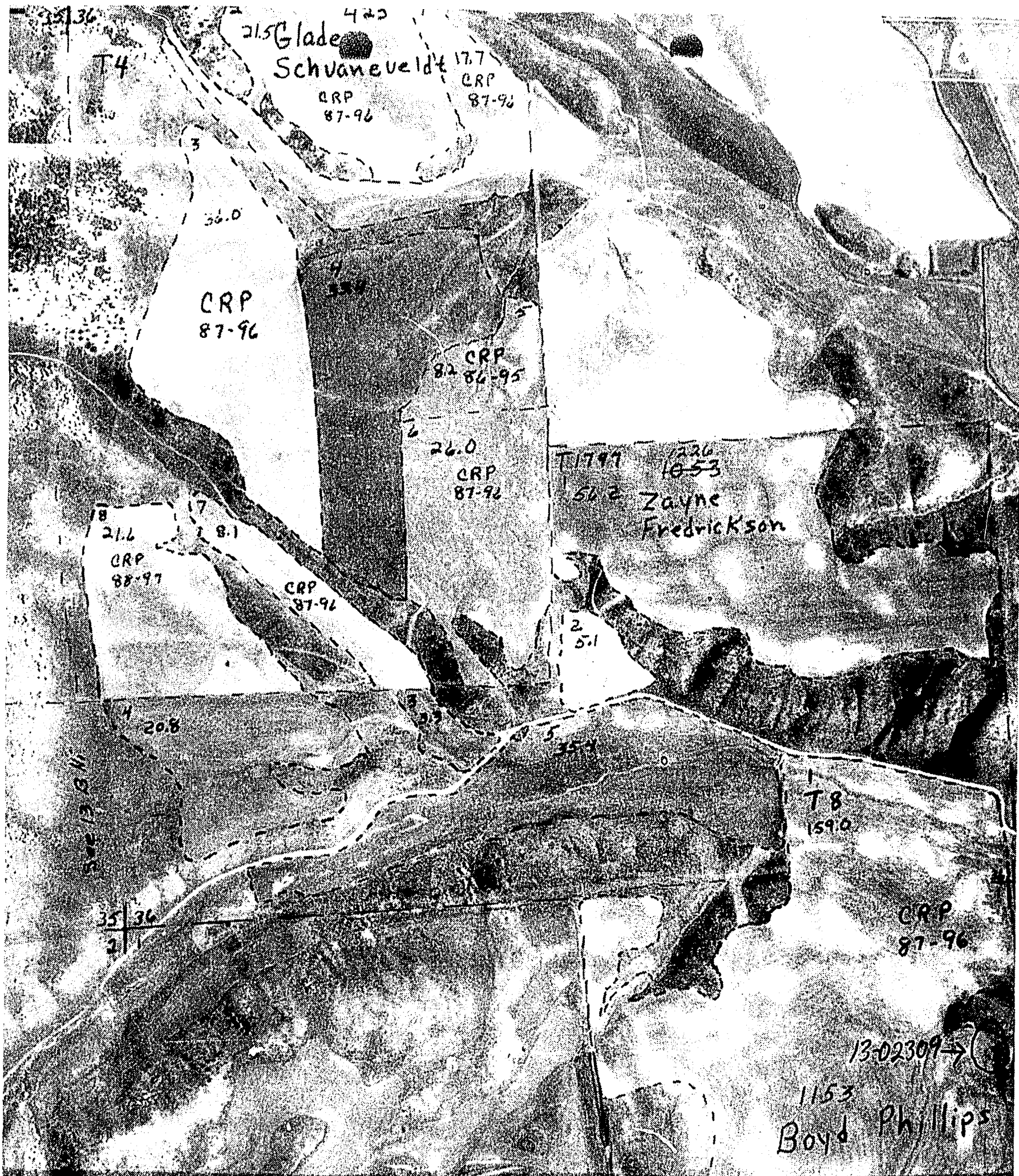
Parcel 5:

Dry Canyon
~~The Northeast Quarter of Section 1, Township 16 South, Range 37 East of the Boise Meridian, Idaho, containing 160 acres.~~

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

B.L. home
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.

Chris.
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.



NOT To scale 13B-LO



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