

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

1/25/2023

Water Right 22-450 *After Split*

**Owner Type**      **Name and Address**  
Current Owner      RICHARD H PHILLIPS  
                         C/O HOLDEN KIDWELL HAHN &  
                         CRAPO PLLC PO BOX 50130  
                         IDAHO FALLS, ID 83405  
                         (208) 523-0620

**Priority Date:** 9/1/1901

**Basis:** Decreed

**Status:** Active

| <b>Source</b>         | <b>From</b>            | <b>To</b> | <b>Tributary</b>      | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| SPRING CREEK          |                        |           | TETON RIVER           |               |
| <b>Beneficial Use</b> |                        |           | <b>Diversion Rate</b> |               |
| IRRIGATION            | 04/15                  | 10/31     | 0.280 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.280 CFS             |               |

**Source and Point(s) of Diversion:**

|              |      |                                         |
|--------------|------|-----------------------------------------|
| SPRING CREEK | NWSE | Sec. 22, Twp 06N, Rge 45E, TETON County |
| SPRING CREEK | SESW | Sec. 22, Twp 06N, Rge 45E, TETON County |
| SPRING CREEK | NESE | Sec. 22, Twp 06N, Rge 45E, TETON County |

**Place Of Use:**

IRRIGATION within TETON County

|                       |     |     | NE |    |      |    | NW |    |    |     | SW   |    |    |      | SE |      |     |    | Totals |
|-----------------------|-----|-----|----|----|------|----|----|----|----|-----|------|----|----|------|----|------|-----|----|--------|
| Twp                   | Rng | Sec | NE | NW | SW   | SE | NE | NW | SW | SE  | NE   | NW | SW | SE   | NE | NW   | SW  | SE |        |
| 06N                   | 45E | 22  |    |    | 22.0 |    |    |    |    | 0.2 | 18.0 |    |    | 13.0 |    | 34.0 | 0.3 |    | 87.5   |
| POU Total Acres: 87.5 |     |     |    |    |      |    |    |    |    |     |      |    |    |      |    |      |     |    |        |

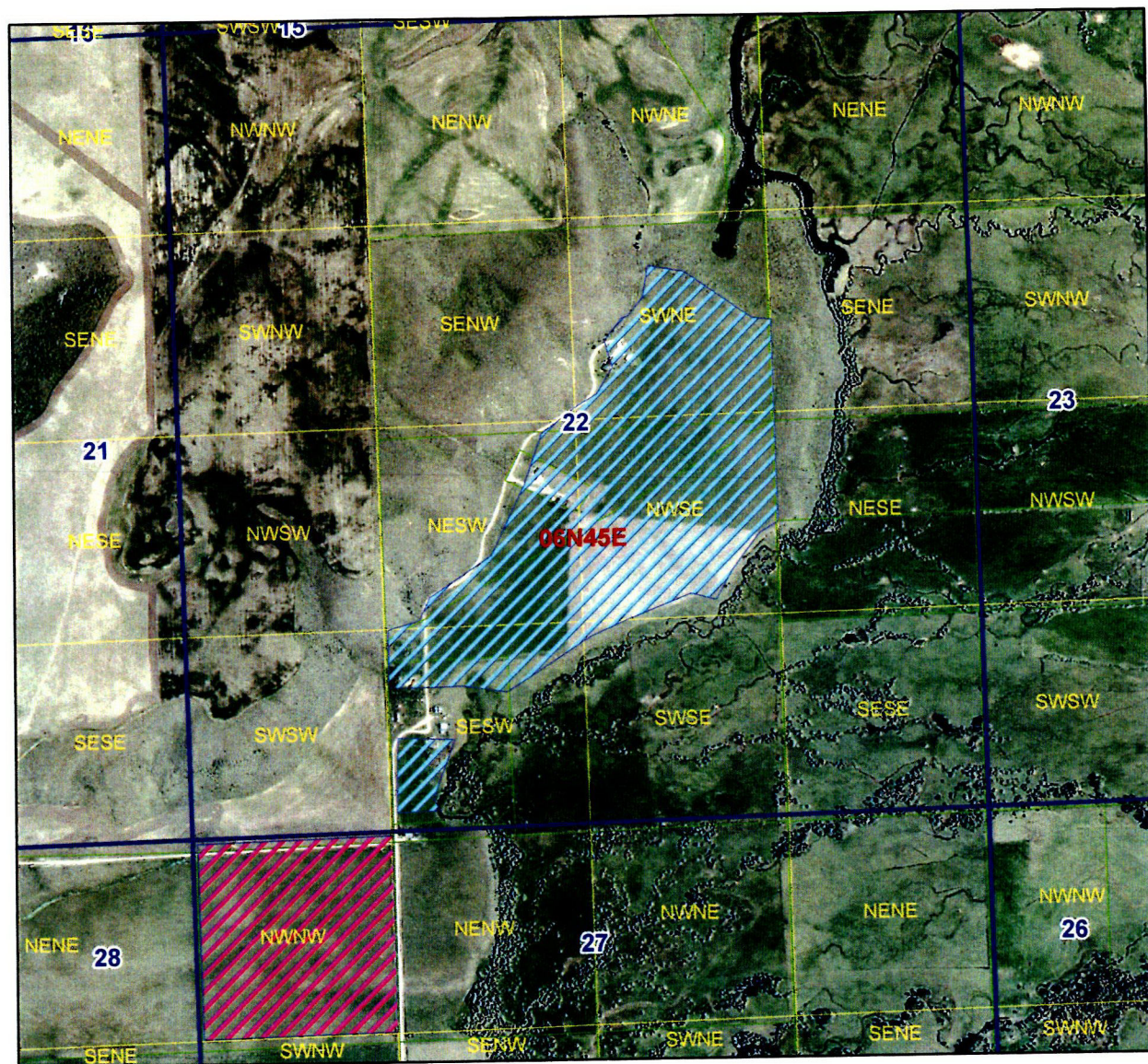
**Conditions of Approval:**

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. E56 The rights listed below are limited to the irrigation of a combined total of 87.5 acres in a single irrigation season. Combined Right Nos.: 22-450, 22-451.

**Comments:**

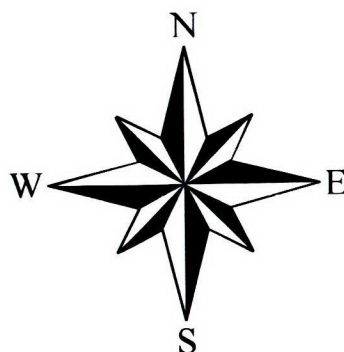
1      j barg      1/25/2023      Ownership Change  
Water right 22-450 was split into 22-450 and 22-14519.

# Idaho Department of Water Resources



## Legend

-  22-450 and 22-451 After Split
-  22-14519 and 22-14520 After Split
-  Township/Range
-  Sections
-  QQ
-  Parcels



SCANNED

JAN 25 2023

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

1/23/2023

Water Right 22-450 *Before Split*

**Owner Type**  
Current Owner

**Name and Address**  
RICHARD H PHILLIPS  
C/O HOLDEN KIDWELL HAHN &  
CRAPO PLLC PO BOX 50130  
IDAHO FALLS, ID 83405  
(208) 523-0620

**Priority Date:** 9/1/1901  
**Basis:** Decreed  
**Status:** Active

**Source**  
SPRING CREEK

**Tributary**  
TETON RIVER

| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15                  | 10/31     | 0.400 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.400 CFS             |               |

**Source and Point(s) of Diversion:**

|              |      |                                         |
|--------------|------|-----------------------------------------|
| SPRING CREEK | NWSE | Sec. 22, Twp 06N, Rge 45E, TETON County |
| SPRING CREEK | SESW | Sec. 22, Twp 06N, Rge 45E, TETON County |
| SPRING CREEK | NESE | Sec. 22, Twp 06N, Rge 45E, TETON County |

**Place Of Use:**

IRRIGATION within TETON County

| Twp | Rng | Sec | NE |    |      |    | NW |      |    |     | SW   |    |    |      | SE |      |     |    | Totals |
|-----|-----|-----|----|----|------|----|----|------|----|-----|------|----|----|------|----|------|-----|----|--------|
|     |     |     | NE | NW | SW   | SE | NE | NW   | SW | SE  | NE   | NW | SW | SE   | NE | NW   | SW  | SE |        |
| 06N | 45E | 22  |    |    | 22.0 |    |    |      |    | 0.2 | 18.0 |    |    | 13.0 |    | 34.0 | 0.3 |    | 87.5   |
| 06N | 45E | 27  |    |    |      |    |    | 38.0 |    |     |      |    |    |      |    |      |     |    | 38.0   |

POU Total Acres: 125.5

**Conditions of Approval:**

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. E56 The rights listed below are limited to the irrigation of a combined total of 125.5 acres in a single irrigation season. Combined Right Nos.: 22-450, 22-451.

RECEIVED

JAN 23 2023

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources  
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #7](#) of the instructions.

| Water Right/Claim No.                      | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|--------------------------------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 22-450 <sup>22-450</sup> <sub>22-451</sub> | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 22/451                                     | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <sup>22-451</sup> <sub>22-4520</sub>       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                                            | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                                            | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Nancy Phillips (was all Herb Phillips - who gave the water rights to Richard Phillips upon Herbs death)  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Alpenglow Development, LLC (Tony Campbell & Anne Campbell)  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or
- 718 Meadow Hills Drive      Richland      WA      99352  
Mailing address      City      State      Zip
- 509-948-4441 or 509-607-1538      annecampbell101@gmail.com  
Telephone      Email
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 11/26/2014 was supposed to be transferred with deed upon purchase
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐  
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:  
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☐ Filing fee (see instructions for further explanation):  
o \$25 per *undivided* water right.  
o \$100 per *split* water right.  
o No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature]      Title, if applicable \_\_\_\_\_      Date 1/16/23  
Signature of new owner/claimant  
TONY CAMPBELL  
Print name

Signature: [Signature]      Title, if applicable \_\_\_\_\_      Date 1/16/23  
Signature of new owner/claimant  
ANNE CAMPBELL  
Print name

Received by JB      Date 1/23/2023      For IDWR Office Use Only:      Receipt No. E048862      Receipt Amt. \$200.-  
Active in the Water Supply Bank? Yes ☐ No ☐      If yes, forward to the State Office for processing      W-9 received? Yes ☐ No ☐  
Name on W-9 \_\_\_\_\_      Approved by JB      Processed by JB      Date 1/24/2023

SUPPORT DATA

IN FILE # 22-450

SCANNED

JAN 25 2023

**Instrument # 276913**

TETON COUNTY, IDAHO  
07-22-2022 09:00:00 No. of Pages: 2  
Recorded for: SMITH KNOWLES PC  
KIM KEELEY Fee: \$15.00  
Ex-Officio Recorder Deputy, Kim Keeley  
Index to: DEED, QUIT-CLAIM

When Recorded Return To:

Smith Knowles, P.C.  
Patrick J. Galloway  
943 W Overland Road, Ste 109  
Meridian, Idaho 83642

---

**QUIT CLAIM DEED**

For value received, TONY CAMPBELL and ANNE CAMPBELL, husband and wife, GRANTORS, hereby quit claim and conveys all right, title and interest to ALPENGLOW DEVELOPMENT, LLC, as GRANTEE, the following described property situated in Teton County, State of Idaho:

**NW ¼ NW ¼ SEC27 T6N R45E, BOISE MERIDIAN, TETON COUNTY, IDAHO**

**NE ¼ NE ¼ SEC28 T6N R45E, BOISE MERIDIAN, TETON COUNTY, IDAHO**

Subject to easements, restrictions, and rights of way of record.

WITNESS the hand of said Grantors this 21 day of June 2022.

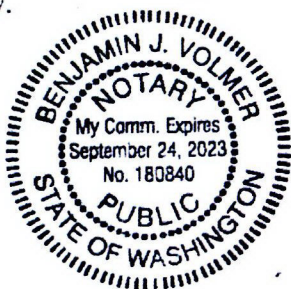
*//Signature Page Follows//*

By: Tony B. Campbell 7/21/2022

Tony B. Campbell

STATE OF Washington )  
: ss  
COUNTY OF Benton )

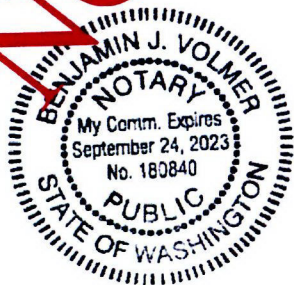
On the date above written, before me personally appeared Tony B. Campbell, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same in his personal capacity.



B. J. Volmer  
Notary Public  
Commission Expires: 9-24-2023

By: Anne M. Campbell 7/21/22  
Anne M. CampbellSTATE OF Washington )  
: ss  
COUNTY OF Benton )

On the date above written, before me personally appeared Anne M. Campbell, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same in his personal capacity.



B. J. Volmer  
Notary Public  
Commission Expires: 9-24-2023

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
81 North Main Street/P.O. Box 42  
Driggs, ID 83422

**Instrument # 234754**  
TETON COUNTY, IDAHO  
12-04-2014 09:57:27 No. of Pages: 2  
Recorded for: FIRST AMERICAN TITLE - DRIGGS  
MARY LOU HANSEN Fee: \$13.00  
Ex-Officio Recorder Deputy, Mary Lou Hansen  
Index to: DEED, WARRANTY

Space Above This Line for Recorder's Use Only

## WARRANTY DEED

File No.: 523626-T (tm)

Date: November 07, 2014

For Value Received, **Nancy P. Pearson, a single woman as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Tony Campbell and Anne Campbell, husband and wife**, hereinafter called the Grantee, whose current address is **718 Meadow Hills Drive, Richland, WA 99352**, the following described premises, situated in **Teton County, Idaho**, to-wit:

**Township 6 North, Range 45 East of the Boise Meridian, Teton County, Idaho, Northwest Quarter Northwest Quarter (NW1/4NW1/4) of Section 27**

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

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

SCANNED

JAN 25 2023

Date: 11/07/2014

Warranty Deed  
- continued

File No.: 523626-T (tm)

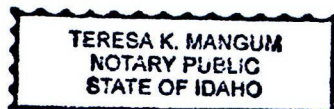
Nancy P. Pearson  
Nancy P. Pearson

STATE OF Idaho )

ss.

COUNTY OF Teton )

On this 3<sup>rd</sup> day of <sup>December</sup> ~~November~~, 2014, before me, a Notary Public in and for said State, personally appeared **Nancy P. Pearson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same



Teresa K. Mangum  
Notary Public for the State of Idaho  
Residing at [illegible] 993  
My Commission Expires: 07-24-2015

142686

RECEIVED

MAY 22 2001

TETON CO., ID  
CLERK RECORDER

PERSONAL REPRESENTATIVE'S  
DEED OF DISTRIBUTION  
(CORRECTED)

THIS INDENTURE is made this 18 day of May, 2001, between  
→ Richard H. Phillips, Personal Representative of the Estate of Herbert J. Phillips, the  
"Grantor", and Nancy P. Pearson, a single woman as her sole and separate property, whose  
mailing address is 724 N. 175 W., Teton, Idaho, 83452, the "Grantee"

WHEREAS, Grantor is the duly appointed and acting personal representative of the  
Estate of Herbert J. Phillips, deceased; and

WHEREAS, Grantee is entitled to receive distribution of the property hereafter  
described in this deed under the terms of the Last Will and Testament of the decedent and  
pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration,  
and for the purpose of distributing certain real property from the Estate of Herbert J. Phillips,  
deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm  
unto the Grantee, and to the Grantee's heirs and assigns forever, all that certain parcel of land,  
situate, lying and being in Teton County, Idaho, and more particularly described as follows:

The following tracts of property all in Township 6 North, Range 45 East of the  
Boise Meridian, Teton County, Idaho.

1. Northwest Quarter Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 27.
2. Southeast Quarter Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 22  
excepting therefrom the following described tract:

Beginning 557 feet West of the South quarter corner of  
Section 22, Township 6 North, Range 45 East, Boise Meridian,  
running thence West 763 feet, North 88 feet, East 65 feet 8  
inches, South 22 feet, East 697 feet 4 inches, thence South 66  
feet to the place of beginning.

3. Southwest Quarter Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 22.
4. That portion of the Northeast Quarter Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ )  
of Section 22 lying South of a line that commences at the Southwest  
Corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ )

Instrument # 142686

DRIGGS, TETON, IDAHO

2001-05-22 10:32:47 No. of Pages: 3

Recorded for: RICHARD PHILLIPS

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy

M Wade

our land  
w/ water rights

SCANNED

JAN 25 2023

and runs thence northeasterly to the Northeast Corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 22.

5. That portion of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 22 lying South of a line that commences at the Southwest Corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ) and runs thence northeasterly to the Northeast Corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 22.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural. The property transferred herein shall remain the sole and separate property of the Grantee and the income, rents, profits and increases of this separate property shall remain the sole and separate property of the Grantee for all purposes of every kind or nature.

IN WITNESS WHEREOF the Grantor has executed the within instrument the day and year first above written.

  
Richard H. Phillips  
Personal Representative

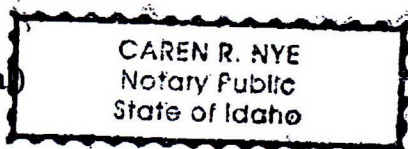
142886

STATE OF IDAHO )  
 )ss.  
County of TETON )

On the 18 day of MAY, 2001, before me, the undersigned, a notary public in and for said State, personally appeared Richard H. Phillips known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Herbert J. Phillips and acknowledged to me that he executed the same as such Personal Representative.

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

(seal)



Caren R. Nye  
Notary Public for IDAHO  
Residing at 2199 S IDAHO  
My Commission Expires: 03/20/06

G:\WPDATA\GLM\2385\Nancy.dd.wpd:

NOT A LEGAL COPY

142686

Alpenglow Development, LLC

Water comes from Badger Creek to Spring Creek – shown with an orange arrow.

Image from Teton County, Idaho GIS map



SCANNED

JAN 25 2023



Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

January 25, 2023

ALPENGLOW DEVELOPMENT LLC  
718 MEADOW HILLS DR  
RICHLAND WA 99352-8630

Re: Change in Water Right Ownership: 22-450 (Split into 22-450 and 22-14519), 22-451 (Split into 22-451 and 22-14520),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

**Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right.** If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

cc: RICHARD PHILLIPS  
WATER DISTRICT 01

SCANNED

JAN 25 2023