

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 07 2023

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?
35-7066 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7623 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ross M. Phillips
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): SJC Properties, LLC
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- 1470 N. 750 E. Shelley ID 83274
Mailing address City State Zip
cannondairy@yahoo.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: April 25, 2023
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ 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):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ 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.

SUPPORT DATA

IN FILE # 35-7066

8. Signature: Robert L. Harris Attorney June 27, 2023
Signature of new owner/claimant Title, if applicable Date
Robert L. Harris
Print name

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant
Print name

For IDWR Office Use Only:

Received by JB Date 7/7/2023 Receipt No. E049340 Receipt Amt. \$50.-
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 7/7/2023



Instrument # 479310

RIGBY, JEFFERSON, IDAHO

04-26-2023 02:13:18 PM No. of Pages: 2

Recorded for: AMERITITLE - IDAHO FALLS

COLLEEN C POOLE

Fee: \$15.00

Ex-Officio Recorder Deputy: LK

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

WARRANTY DEED

Order No.: 583089AM

FOR VALUE RECEIVED**Tract 1****Joann F Phillips, Trustee or their successors in Trust under the Ross M. Phillips and Joann F. Phillips Loving Trust, dated April 24, 1991****Tract 2****JoAnn Phillips aka JoAnn F Phillips, an unmarried woman**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

SJC Properties, LLC, an Idaho Limited Liability Company

whose current address is:

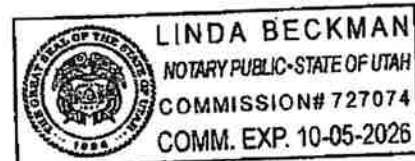
1470 N 750 E, Shelley, ID 83274

the grantee(s), the following described premises, in Jefferson County, Idaho,
TO WIT:**See Attached Exhibit A**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/25/23

Joann F Phillips, Trustee or their successors in Trust under the Ross M. Phillips and Joann F. Phillips Loving Trust, dated April 24, 1991

Joann F Phillips
JoAnn F Phillips, Trustee*JoAnn Phillips aka JoAnn F Phillips*
JoAnn Phillips aka JoAnn F PhillipsState of Utah ss.
County of Utah

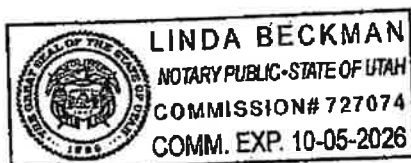
On this 25 day of April, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared JoAnn F Phillips, known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Ross M. Phillips and Joann F. Phillips Loving Trust, dated April 24, 1991, and acknowledged to me that she executed the same as Trustee.

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

Linda Beckman
Notary Public for the State of Utah
Residing at: Orem UT
Commission Expires: 10-5-26

State of Utah ss.
County of Utah

On this 25 day of April, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared JoAnn F Phillips, 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 same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Linda Beckman
Notary Public for the State of Utah
Residing at: Orem UT
Commission Expires: 10-5-26

479310

EXHIBIT "A"

583089AM

Tract 1

N½ of Section 36, Township 4 North, Range 35 East Boise Meridian, Jefferson County, Idaho

NW¼ of Section 31 and SW¼ of Section 30, all in Township 4 North, Range 36 East, Boise Meridian, Jefferson County, Idaho

Also:

A parcel of land situated in Jefferson County, State of Idaho, Township 4 North, Range 36 East of the Boise Meridian, Section 30;

Beginning at the Southwest corner of said Section 30;

thence N00°14'15"E along the West line of said Section 30 for a distance of 2251.26 feet;

thence N89°57'18"E for a distance of 506.00 feet to the true point of beginning

thence N28°20'00"E for a distance of 31.00 feet;

thence N57°48'00"E for a distance of 134.00 feet to the beginning of a Non-Tangent curve left;

thence along said curve, Delta=16°06'52" Radius=512.00' Arc=144.00' for a Chord distance of 143.53 feet and a Chord bearing of N73°36'57"E to the end of said curve left said point also

being the beginning of a Non-Tangent curve right;

thence along said Curve, Delta=18°38'41" Radius=1955.00' Arc=636.18' for a Chord distance of 633.38 feet and a Chord bearing of N83°19'20"E to the end of said Curve right;

thence S00°14'15"W for a distance of 212.13 feet;

thence S89°57'18"W for a distance of 894.00 feet to the true point of beginning.

Less the following described property:

Commencing at the NW corner of the SW¼ of Section 30, Township 4 North, Range 36 East, Boise Meridian, Jefferson County, Idaho and running thence South 400 feet; thence East 1400 feet; thence North 400 feet and thence West 1400 feet to the point of beginning

Also less the following described property:

A parcel of land situated in Jefferson County, State of Idaho, Township 4 North, Range 36 East of the Boise Meridian, Section 30; beginning at the Southwest corner of said Section 30;

thence N00°14'15"E for a distance of 2651.26 feet to the West Quarter (W¼) corner of said Section 30;

thence N89°57'18"E along the North line of the Southwest Quarter (SW¼) of said Section 30 for a distance of 1400.00 feet to the true point of beginning

thence N89°57'18"E along said North line for a distance of 676.71 feet;

thence S00°14'15"W for a distance of 194.41 feet to the beginning of a Non-Tangent Curve right;

thence along said Curve, Delta=24°35'00" Radius=1112.00' Arc=477.11 for a Chord distance of 473.46 feet and a Chord bearing of S87°59'30"W to the end of said Curve right;

thence N83°39'44"W for a distance of 204.76 feet;

thence N00°14'15"E for a distance of 187.87 feet to the true point of beginning.

Tract 2

S½ of Section 36, Township 4 North, Range 35 East, Boise Meridian, Jefferson County, Idaho

Instrument # 479309

RIGBY, JEFFERSON, IDAHO

04-26-2023

02:13:18 PM

No. of Pages: 2

Recorded for: AMERITITLE - IDAHO FALLS

COLLEEN C POOLE

Fee: \$13.00

Ex-Officio Recorder Deputy: LK

Index To: AFFIDAVIT IN LIEU OF ADMINISTRATION

Electronically Recorded by Simplifile

AFFIDAVIT IN LIEU OF ADMINISTRATION

State of Utah
County ofUtah

JoAnn F Phillips, being first duly sworn upon his (her) oath says that:

- a) She is now and has been a resident of Fruit Heights City, County of Davis, State of Utah for 51 years.
- b) She makes this affidavit as of personal knowledge of the facts herein stated and for the purpose of inducing to issue title insurance of the following described premises:

Tract 2

S½ of Section 36, Township 4 North, Range 35 East, Boise Meridian, Jefferson County, Idaho

- c) She was personally acquainted with Ross M Phillips during his lifetime.
- d) Ross M Phillips died, testate (with a will) in Davis County, State of Utah, on August 23, 2017.
- e) The property was held between Ross M Phillips and JoAnn F Phillips decedent as community property. In accordance with Idaho Code 15-2-102, all of the decedent's share of community property passed to the surviving spouse, August 23, 2017.
- f) In accordance with Idaho Code 15-2-103, the decedent died intestate, and has a surviving spouse, the estate passes to the surviving spouse. Therefore, the decedent's interest in the property described above, together with any and all other assets owned by the decedent at the time of his death, are vested in his surviving spouse, with all of the property vested in JoAnn F Phillips.
- g) At the time of his death Ross M Phillips was a resident of Fruit Heights City, County of Davis, State of Utah.
- h) At the time of his death, Ross M Phillips was married to JoAnn F Phillips and had been continuously so married from the 7th day of August, 1957.
- i) At the time of his death Ross M Phillips in addition to his wife was survived by the following heirs:

Name of Heir	Relationship	Residence if Known	Age
Ross E. Phillips	Son	<u>Midway, UT</u>	<u>66</u>
Laura Talbot	Daughter	<u>Calaca Springs</u>	<u>62</u>
James F Phillips	Son	<u>Fruit Heights</u>	<u>60</u>
Joseph H Phillips	Son	<u>Jeppeton, ID</u>	<u>58</u>
Susie Phillips	Daughter	<u>Calaca Springs</u>	<u>54</u>
Ann M Oldham	Daughter	<u>Fruit Heights</u>	<u>53</u>
Sharon Phillips	Daughter	<u>Fruit Heights</u>	<u>50</u>
Marilee Austin	Daughter	<u>Laytonville, UT</u>	<u>46</u>

- j) At the time of his death, decedent's entire estate was of the approximate value of _____ dollars.
- k) That as a result of the forgoing facts and sections 15-3-101 and 15-3-901 Idaho Code, all right, title and interest in the real property hereinabove described should now be vested in JoAnn F Phillips.

JoAnn F Phillips
JoAnn F Phillips

Subscribed and sworn to before me this April 25, 2023

State of Utah, ss
County of Utah

On this 25 day of April, 2023, before me, the undersigned a Notary Public in and for said state, personally appeared JoAnn F Phillips, 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 same.

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

Linda Beckman
Notary Public for the State of Utah
Residing at: Orem UT
Commission Expires: 10-5-26



STATE OF UTAH
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

State File Number: 2017011983

Ross Milton Phillips

DECEDENT INFORMATION

Date of Death:	August 23, 2017	Time of Death:	09:03
City of Death:	Fruit Heights	County of Death:	Davis
Age:	86	Date of Birth:	October 11, 1930
Place of Birth:	Ucon, Idaho	Sex:	Male
Armed Services:	No	Marital Status:	Married
Spouse's Name:	JoAnn Francis	Usual Occupation:	Physician
Industry/Business:	Medical	Education:	Doctorate Degree
Residence:	Fruit Heights, Utah	Parent or Father:	Edward Christensen Phillips
Parent or Mother:	Ida Clawson	Facility Type:	Home
Facility or Address:	370 South Mountain Rd.		

INFORMANT INFORMATION

Name:	Joann F Phillips	Relationship:	Wife
Mailing Address:	370 South Mountain Rd., Fruit Heights, Utah 84037		

DISPOSITION INFORMATION

Method of Disposition: Burial
Place of Disposition: Kaysville City Cemetery, Kaysville, Utah
Date of Disposition: September 2, 2017

FUNERAL HOME INFORMATION

Funeral Home: Lindquist Mortuary - Layton
Address: 1867 North Fairfield Road, Layton, Utah 84041
Funeral Director: Daniel R Jackson

MEDICAL CERTIFICATION

Medical Professional: Sally J Brush APRN, Quality Hospice/Quality at Home, 888 East 3900 South, Salt Lake City, Utah 84107

CAUSE OF DEATH

Systolic Heart Failure [Onset: 10 Years]
Due to (or as a consequence of): Multi-vessel Coronary Artery Disease [Onset: 15 Years]
Due to (or as a consequence of): Chronic Hypertension
Tobacco Use: Non-user
Medical Examiner Contacted: No Autopsy Performed: No Manner of Death: Natural

Date Registered: August 25, 2017

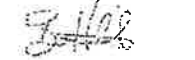
Date Issued: August 25, 2017

This is an exact reproduction of the facts registered in the Utah State Office of Vital Records and Statistics.
Security features of this official document include: High Resolution Border, V & R Images in top cylinders, and microtext.
This document displays the date, seal, and signature of the Utah State Registrar of Vital Records and Statistics.

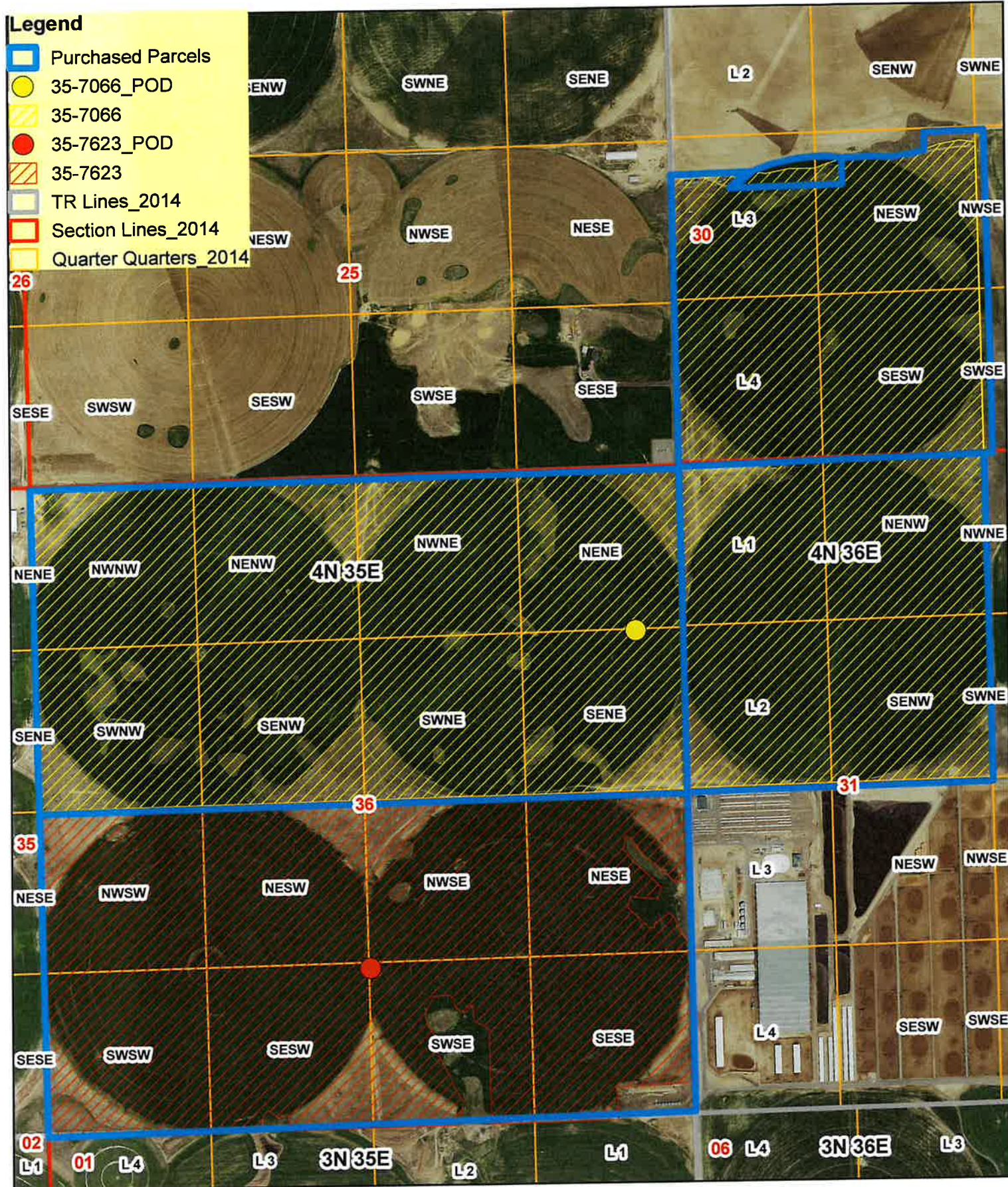

Richard J. Osborn, MPA
State Registrar
CIV 1-10



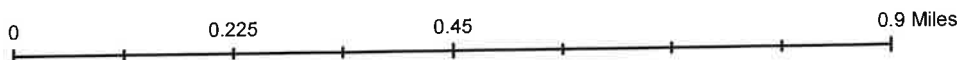
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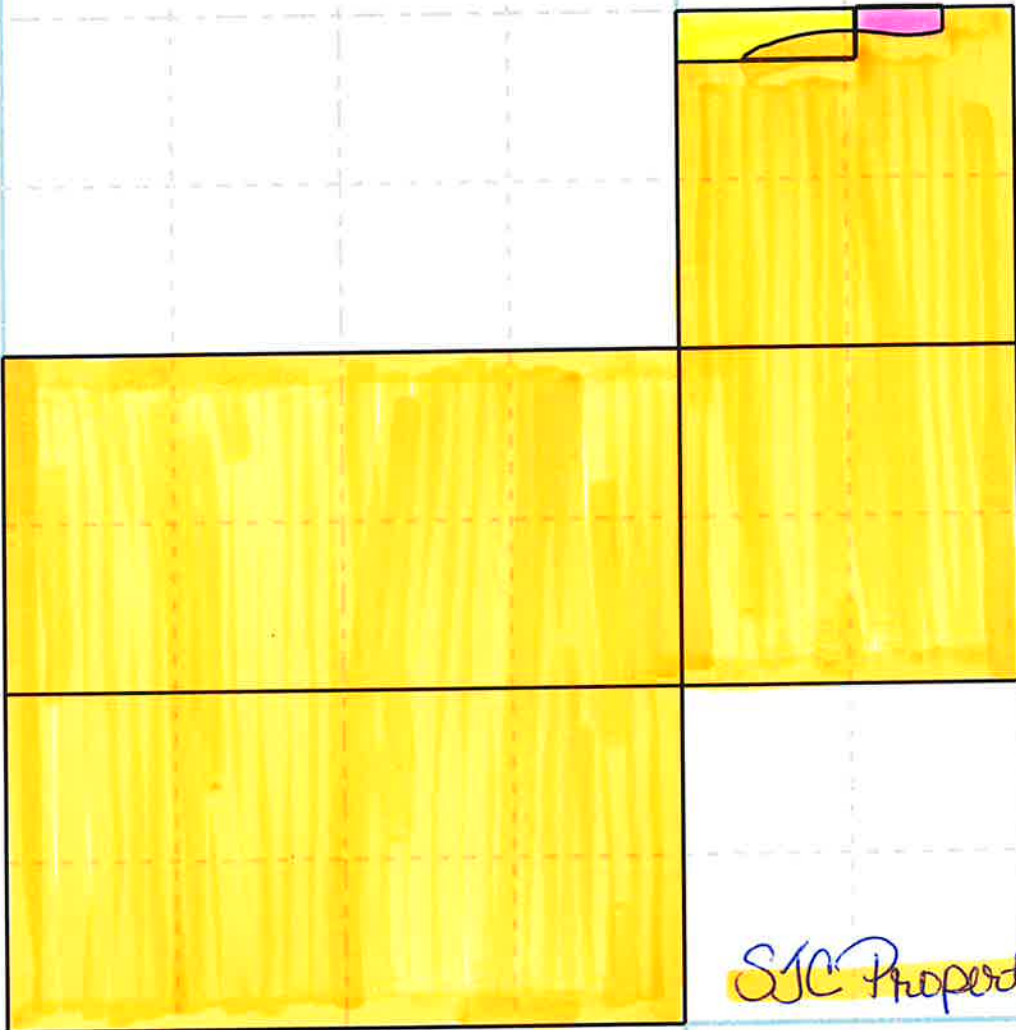

Brian Hatch
Director/Health Officer

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



Prepared by:
Robert L. Harris
2021 NAIP Aerial





SJC Properties LLC

Less
Also Less

7/7/2023

Scale: 1 inch= 1500 feet

File:

Tract 1: 320.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=15840 ft.
Tract 2: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=10560 ft.
Tract 3: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=10560 ft.
Tract 4: 3.3165 Acres (144466 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=2051 ft.
Tract 5: 320.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=15840 ft.
Tract 6: 12.8558 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=3600 ft.
Tract 7: 3.3160 Acres (144445 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/613805), Perimeter=1741 ft.



IDAHO DEPARTMENT OF
WATER RESOURCES

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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 07, 2023

SJC PROPERTIES LLC
1470 N 750 E
SHELLEY ID 83274-5011

Re: Change in Ownership for Water Right No(s): 35-7066, 35-7623

Dear Water Right Holder(s):

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

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 Baily
Technical Records Specialist 1

Enclosure(s)

cc: HOLDEN KIDWELL HAHN & CRAPO
WATER DISTRICT 120
BONNEVILLE JEFFERSON GROUND WATER DISTRICT



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

July 3, 2023

RECEIVED

JUL 07 2023

Jonie Bailly
Eastern Region Office
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Department of Water Resources
Eastern Region

RE: Notice of Change in Water Right Ownership for WR Nos. 35-7066 and 35-7623.

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above-referenced water rights submitted on behalf of SJC Properties, LLC. As evidenced by the enclosed recorded *Warranty Deed*, SJC Properties, LLC purchased the property where the above-referenced water rights are appurtenant. I have included a map for your convenience that depicts the property purchased, the water right place of use shapefiles, and the water right point of diversion shapefiles. There is no split proposed with these water rights, and consequently, we have submitted a check in the amount of \$50.00 for the necessary filing fee to update ownership.

Also included is a recorded *Affidavit in Lieu of Administration* signed by JoAnn F. Phillips, the widow of Ross M. Phillips, the currently described owner of the above-referenced water rights. As described in the recorded affidavit, which includes a copy of Mr. Phillips' Death Certificate, all of the right, title, and interest in the real property is vested in JoAnn F. Phillips, who had authority to execute the *Warranty Deed* conveying title to the property and the appurtenant water rights.

If you have any questions or concerns, please do not hesitate to give me a call.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures