

Turned

507-2417

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A21-04088

Date Received: 8/01/1988

Receipt No: C003905

Received By: CJ 12-12-88

RECEIVED  
DEC 12 1988

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS 801-531-2929  
Address: REAL ESTATE DIVISION  
TWELFTH FLOOR  
50 EAST NORTH TEMPLE STREET  
SALT LAKE CITY, UT 84150

A2104088

2. Date of Priority: APR 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 07N      | 39E   | 11      | NE     | SE     | SW     |     | FREMONT |

5. Description of diverting works:  
PUMP & WELL

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.040  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |

7. Total Quantity Appropriated is:  
0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC/ 1 CHURCH BUILDING.

A21-04088

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Date: 08/01/88

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10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 07N           | 39E   | 11      | SE     | SW  |     | IRR | 2.0   |
| Section Acres |       |         |        |     |     |     | 2.0   |
| Total Acres   |       |         |        |     |     |     | 2.0   |

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:  
PLACE OF USE IS EGIN BENCH WARD CHAPEL.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am AUTHORIZED AGENT of \_\_\_\_\_ Title

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole

, that I have signed the foregoing

Organization

document in the space below as

AUTHORIZED AGENT

of

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole

Title

and that the statements contained in the

Organization

foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole

AUTHORIZED AGENT

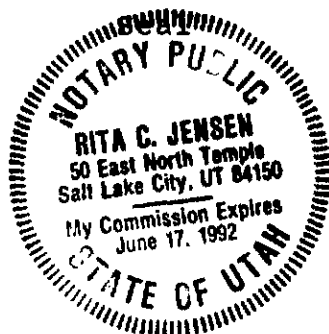
Title and Organization

December 5, 1988  
Date

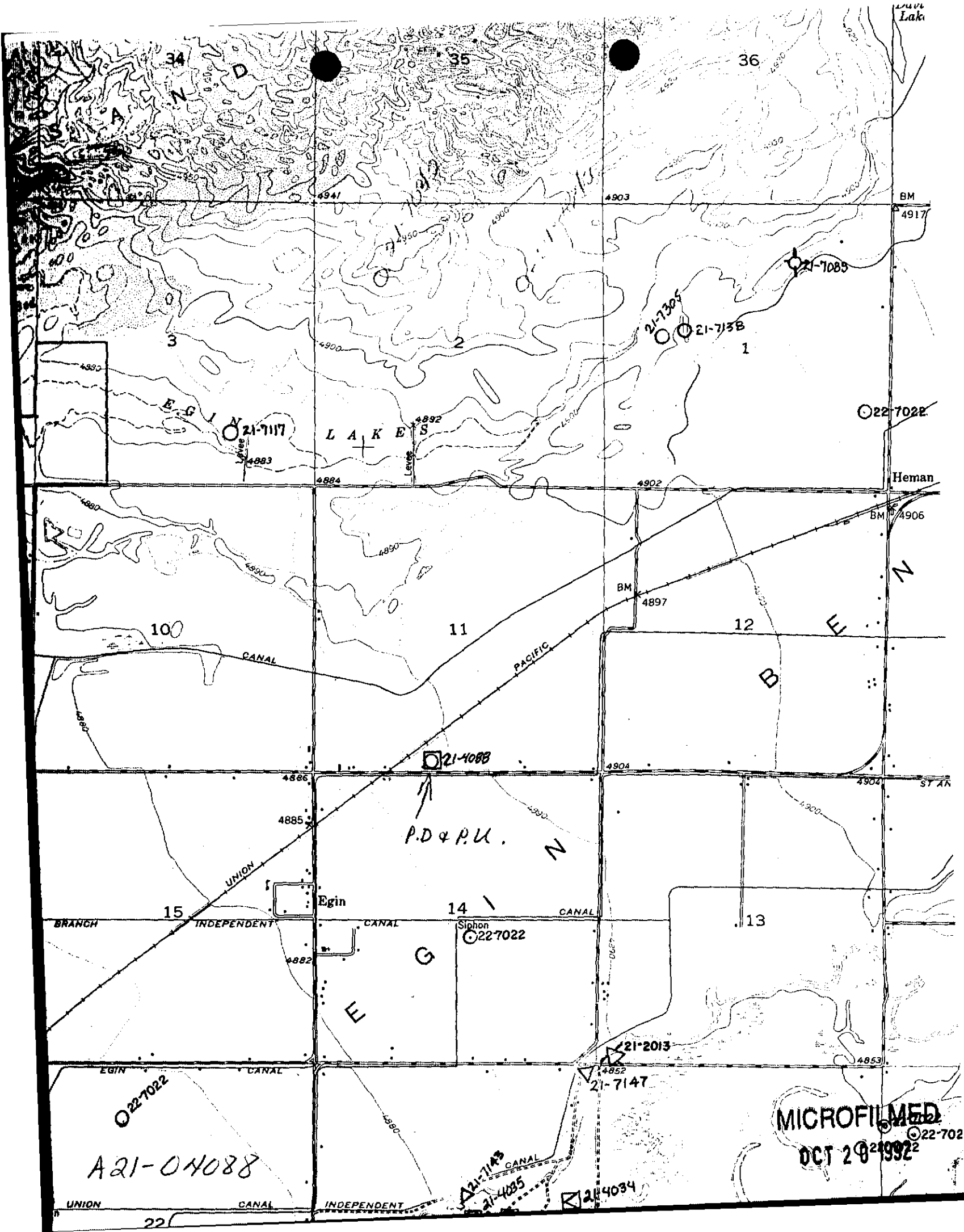
State of Utah )  
~~Idaho~~ )  
County of Salt Lake ) SS.

Subscribed and sworn (or affirmed) before me this 5<sup>th</sup> day  
of December 19 88

[Signature]  
Notary Public



Residing at Salt Lake City  
My Commission Expires 6/17/1992



10/27/1988

## SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

LDS Church

CLAIM NO.

A21-04088

DATE RECEIVED

12-12-88

CK #

5340002133

AMOUNT \$

167

YES

NO

1. Is the name and address complete with zip code?

✓

✓

2. Is a priority date entered?

✓

✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

✓

✓

(b) Is a tributary to entered? (if required)

N/A

✓

4. Is the legal description of the p.d. sufficient?

✓

✓

5. Is there a description of the diverting works?

✓

✓

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

✓

✓

Is the period of use included?

✓

✓

Is a quantity claimed for each use?

✓

✓

7. Is a total quantity claimed entered?

✓

✓

8. If required is a consumptive use entered?

N/A

✓

Is the consumptive use correct?

N/A

✓

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

✓

10. Is (are) the place(s) of use and purpose(s) indicated?

✓

✓

11. Is (are) the county(ies) entered?

✓

✓

12. Is the ownership of p.u. checked?

✓

✓

13. Are other water rights listed or "none" indicated?

✓

✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

✓

15. Is the basis of the claim indicated?

✓

✓

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

✓

✓

Has the claim been signed, sealed, and dated by a notary?

✓

✓

Was this claim filed on time, or was an extension granted?

✓

✓

Is the fee enclosed correct?

Exempt

✓

If this claim is based on an existing water right, has the identification number been entered?

N/A

✓

Should this claim be receipted and data entered?

✓

✓

Claim checked by:

Comments:

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OCT 20 1992

RECEIVED  
JAN 10 1989  
DEC 12 1988

Egin

Claim No. 21 4088

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES



Department of Water Resources

CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that Egin Bench Ward Chapel, Church of Jesus Christ of Latter  
(Name of Claimant) Day Saints  
Rt. 2 St. Anthony, Idaho 83445 Telephone No. 208-624-7179  
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) 1950 April 1

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

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

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

| (cfs, gpd, AFA) |                | (Domestic, Irrigation, Stock, Etc.) |                            | (Both dates inclusive)        |                 |
|-----------------|----------------|-------------------------------------|----------------------------|-------------------------------|-----------------|
|                 |                |                                     |                            | (Mo., Day)                    | (Mo., Day)      |
| Quantity        | <u>.04 cfs</u> | Use                                 | <del>XXXXXX</del> Domestic | Period of Use From <u>1-1</u> | To <u>12-31</u> |
| Quantity        | <u>.04 cfs</u> | Use                                 | Irrigation                 | Period of Use From <u>4-1</u> | To <u>11-1</u>  |
| Quantity        |                | Use                                 |                            | Period of Use From            | To              |
| Quantity        |                | Use                                 |                            | Period of Use From            | To              |
| Quantity        |                | Use                                 |                            | Period of Use From            | To              |

(4) .08 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 SW 1/4, Sec. 11 Twp. 7 N Rge. 39 E, B.M., County of Fremont  
Additional points of diversion:

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

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

| T   | R    | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTAL |
|-----|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |      |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |       |
| 7 N | 39 E | 11   |     |     | 1   |     |     |     |     |     |     |     |     | 2   |     |     |     |     | 2     |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres 2

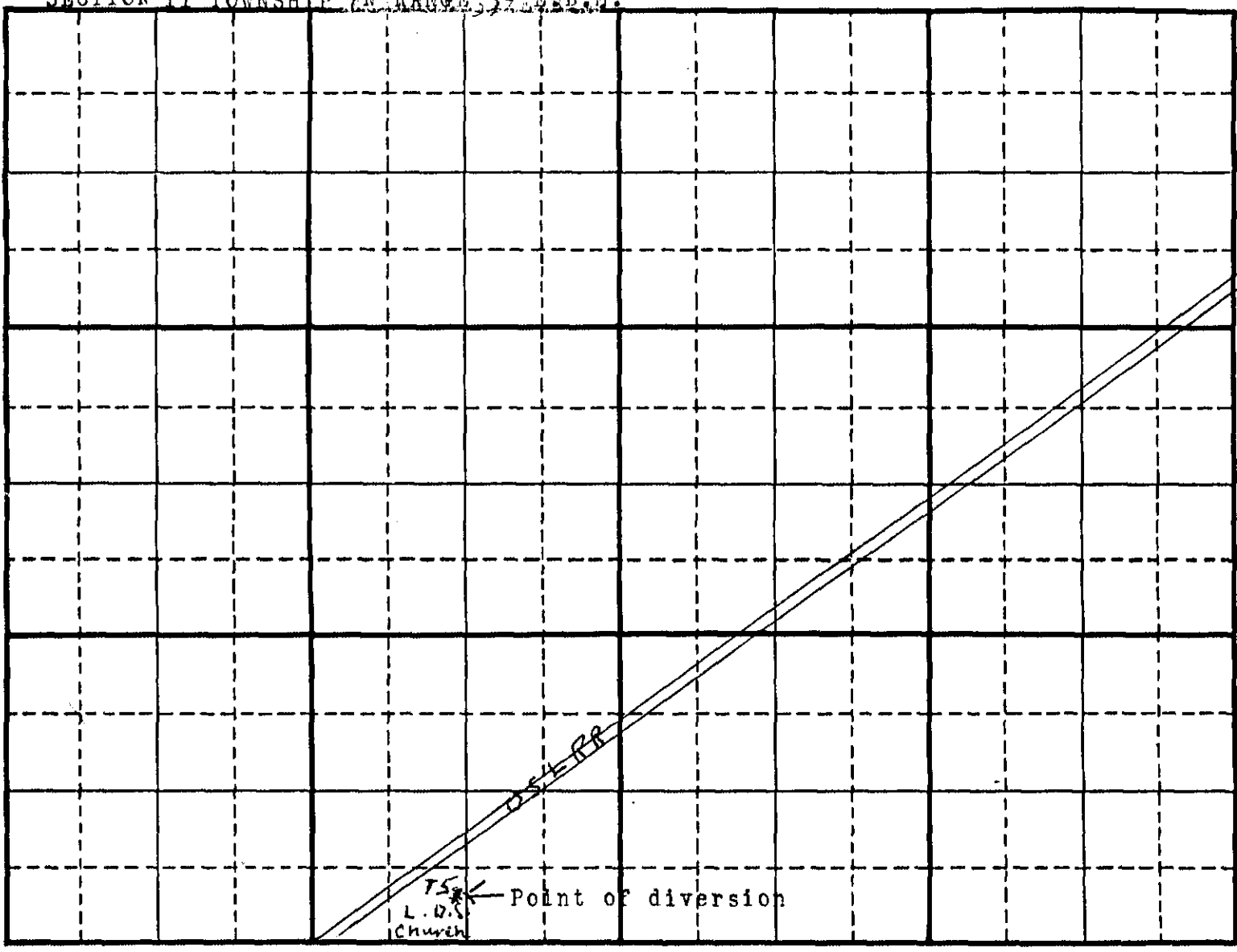
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:  
This water is used in this Church building for drinking, rest rooms, kitchen, cleaning and sprinkling lawn.

NOTE: Include here the type and number of stock watered:  
If you are claiming water as a member of an organization, list name of organization:  
Church of Jesus Christ of Latter Day Saints

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(8) Remarks See attached documents for complete description of property.

SECTION 11 TOWNSHIP 2N RANGE 39 E B.M.



Scale: 2 inches equal 1 mile.

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

State of Idaho )  
 ) ss.  
County of Fremont )

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

Wayne Swanson  
(Claimant)

Sworn to before me this 30 day of November, 1982.

Paula Taylor  
Notary Public  
Residing at St. Anthony, Idaho

My commission expires June 15, 1985

|                                              |                      |                     |              |
|----------------------------------------------|----------------------|---------------------|--------------|
| FOR DEPARTMENT USE ONLY                      |                      |                     |              |
| Received by <u>CW</u>                        | Date <u>12-01-82</u> | Exception filed by: | Forwarded to |
| Paid by <u>KCW</u>                           | Date <u>1-18-83</u>  |                     | claimant by: |
| \$20.00 fee received by <u>CW</u>            | Date <u>1-18-83</u>  |                     |              |
| Published in <u>Fremont County Chronicle</u> |                      |                     |              |
| Dates <u>1/27 - 2/3/83</u>                   |                      |                     |              |