

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: A74-00574
Date Received: 10/ 2/1989
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN B TRACY
Address: RT 1 BOX 2
SALMON ID

208-756-2025

83467

2. Date of Priority: JUN 15, 1873

3. Source: LEMHI RIVER

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	10	NE	SW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	4	NW	SW		IRR	10.0

Section Acres 10.0

5 SW NE

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NOV 15 1996

A74-00574

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Date: 08/26/94

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	5	SE	NE		IRR	2.0
			NE	SE		IRR	22.0
			NW	SE		IRR	3.0
Section Acres							31.0
Total Acres							41.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

SALMON WELFARE PROPERTY

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
NOV 15 1996

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

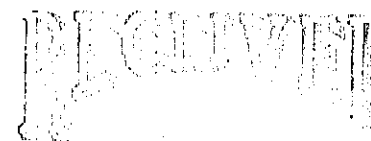
IN RE THE GENERAL ADJUDICATION
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THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A74-00574
Date Received: 10-2-89
Receipt No: X999999
Received By:
CD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS 801-240-2929
Address: REAL ESTATE DIVISION
TWELFTH FLOOR
50 EAST NORTH TEMPLE STREET
SALT LAKE CITY, UT 84150



OCT 02 1989

2. Date of Priority: JUN 15, 1873

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	10	NE	SW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
21N	22E	4	NW	SW		IRR	10.0

Section Acres 10.0

A74-00574

Page 1

Date: 09/19/89

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DEC 14 1992

A7400574



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	5	SW	NE		IRR	4.0
			SE	NE		IRR	2.0
			NE	SE		IRR	22.0
			NW	SE		IRR	3.0
						Section Acres	31.0
						Total Acres	41.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

SALMON WELFARE PROPERTY

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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 _____ Title _____

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

and that the statements contained in the

Organization

foregoing document are true and correct.

Signature of Authorized Agent

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

Title and Organization

September 25, 1989
Date

State of Utah

County of Salt Lake

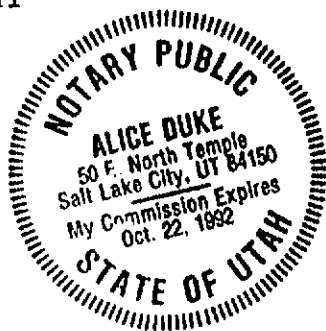
} ss.

Subscribed and sworn (or affirmed) before me this 25 day

of Sept 19 89

Alice Duke
Notary Public

Seal



Residing at Salt Lake City

My Commission Expires 10/22/1992

2. DS Church & Farm
335
Clyde Nelson op

A74-00574

PH

A122-385

A7-538

MICROFILMED
JUL 14 1992

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A74-00574

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent J. Thompson

Date 8-26-94

Contact Person(s) JOHN TRACY

Nature of Contact Telephone conversation this date from John Tracy in Salmon ID

Substance of Communication When I/O form for A75-10016 (transferring property from LDS Church to John Tracy) came into this office, we changed the ownership on the above water right. However, we also should have changed the ownership for A74-00574. Mr. Tracy owns the land this W. right is appurtenant. EC checked the legal desc. on the W. Dred submitted for A75-10016 and agrees W. right No. A74-00574 should be changed to reflect John Tracy as the new owner of this right. This will be accomplished today and copy of I/O + letter will be mailed to John Tracy. J

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NOV 15 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

AUGUST ²⁶~~22~~, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JOHN B TRACY
RT 1 BOX 2
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR ~~A75-10016~~ A74-00574

Dear Mr. Tracy:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

MICROFILMED

NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 7-29-92

AUG 8 1994

LEGAL DESCRIPTION OF PROPERTY: Township 21 N Range 22 E Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. Eastern District Office
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

(^{OLD}
74-0574) A75-10016 & A74-00574 OK EC

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

CHURCH OF JESUS CHRIST OF LATTER DAY
SAINTS, SALT LAKE CITY, UTAH

☐ New Owner/Claimant
(Purchaser):

JOHN B. & KATHERINE A. TRACY

☐ New Mailing Address:

At. 1 Box 2
SALMON, IDAHO 83467

☐ New Telephone Number:

(208) 756-2025

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

COPY WARRANTY DEED & DESCRIPTION

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

John B. Tracy
Katherine A. Tracy

Date 8/16/94

Date 8/16/94

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

DEPARTMENT OF WATER RESOURCES
EASTERN REGION
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402-1998

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

State of Idaho
County of Lemhi

215122

ss. No. _____

This instrument was filed for record at
the request of American Land Title
at 10:53 o'clock A m. 7-24 1992
and duly filed and indexed in the
records of Lemhi County

Alberta Wiederrich

Ex-Officio Recorder

By Deanne Gray Deputy

Property #508-6914-60/92-10027

Fees 6.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that the CORPORATION OF THE
PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah
corporation sole, Grantor, for TEN DOLLARS (\$10.00) and other good and valuable consideration
in hand paid or delivered, hereby grants, bargains, sells and conveys to JOHN B. TRACY Grantee,
whose address is Route 1 Box 2, Salmon, Idaho, the following Real Property situate in the County
of Lemhi, State of Idaho, to wit:

See Revised Property Description for Parcel A attached hereto and by reference herein
made a part hereof.

The Grantor specifically reserves and excepts unto itself all minerals, coal, carbons,
hydrocarbons, oil, gas, chemical elements and compounds whether in solid, liquid, or
gaseous form, and all steam and other forms of thermal energy on, in, or under the
above-described land.

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions,
covenants and taxes and assessments of record or enforceable in law or equity.

TO HAVE AND TO HOLD the said premises, with their appurtenance, unto the grantee,
its successors and assigns, in fee simple forever.

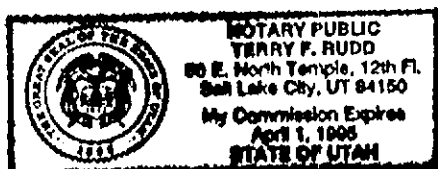
IN WITNESS WHEREOF, the grantor has caused its corporate name to be hereunto
subscribed by its authorized officer and its corporate seal to be hereunto affixed, this 1st day of July,
1992.

CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, A
Utah corporation sole

By Ted D. Simmons
Authorized Agent

STATE OF UTAH)
COUNTY OF SALT LAKE)

On this 1st day of July, 1992, personally appeared before me Ted D. Simmons personally
known to me to be the authorized agent for the Corporation of the Presiding Bishop of The Church
of Jesus Christ of Latter-day Saints, who acknowledged to me that he signed the foregoing
instrument as authorized agent for the Corporation of the Presiding Bishop of The Church of Jesus
Christ of Latter-day Saints, a Utah corporation sole, and that the seal impressed on the within
instrument is the seal of said corporation, and the said Ted D. Simmons acknowledged to me that
the said corporation executed the same.



Terry F. Rudd
Notary Public In and For The
State of Utah

COUCH SURVEYING • MAPPING

DAVID J. COUCH
PROFESSIONAL LAND SURVEYOR
IDAHO • MONTANA
J.S. MINERAL SURVEYOR

1021 MAIN STREET
SALMON, IDAHO 83467
(208) 756-3019

REVISED PROPERTY DESCRIPTION FOR PARCEL A

A parcel of land located in the SE4, S2NE4, Section 5, and the NW4SW4 Section 4, T. 21 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the North Quarter Corner of said Section 5, a distance of 2673.37 feet on a bearing of S. 06° 30' 33" E.; thence S. 70° 52' 24" E. 134.77 feet to the REAL POINT OF BEGINNING.

Thence the following courses and distances along an existing fence and agreed upon boundary line:

Thence N. 55° 18' 37" E. 792.15 feet;

Thence S. 55° 40' 23" E. 641.52 feet;

Thence S. 74° 18' 53" E. 313.71 feet;

Thence S. 66° 20' 20" E. 1948.89 feet to a point on the Nelson Property;

Thence the following courses and distances along an agreed upon boundary line:

Thence S. 37° 34' 09" W. 99.14 feet;

Thence S. 60° 39' 51" W. 343.68 feet;

Thence S. 61° 48' 14" W. 160.64 feet;

Thence S. 38° 57' 47" W. 170.10 feet to a point on the northerly right of way of the Old Lemhi County Road;

Thence the following courses and distances along the north right of way of said county road:

A distance of 82.28 feet along a curve concave to the southeast having a radial of S. 07° 43' 49" E. 415.00 feet and a central angle of 11° 21' 35";

S. 70° 54' 36" W. 169.53 feet;

Thence N. 90° 00' 00" W. 190.13 feet to a point on the west boundary of the NW4SW4;

Thence S. 00° 33' 25" E. 51.24 feet to a point on the agreed upon boundary line of the Tracy Property;

Thence the following courses and distances along an agreed upon boundary line:

Thence N. 65° 51' 52" W. 560.53 feet;

Thence S. 87° 52' 50" W. 168.97 feet;

Thence N. 45° 44' 51" W. 232.18 feet;

Thence N. 02° 21' 40" E. 230.21 feet;

Thence N. 62° 44' 53" W. 270.29 feet;

Thence N. 66° 45' 09" W. 248.00 feet;

Thence N. 26° 29' 20" W. 111.57 feet;

Thence N. 39° 09' 52" W. 316.89 feet;

Thence N. 61° 51' 09" W. 193.85 feet;

Thence S. 88° 36' 53" W. 277.89 feet;

Thence N. 67° 11' 49" W. 198.82 feet;

Thence N. 70° 52' 29" W. 45.10 feet to the REAL POINT OF BEGINNING.

RECORDED
APR 15 1998
970
6-18-92
STATE OF IDAHO

ADJUDICATION FILING FEES FOR IDAHO

PROPERTY IDENTIFICATION

Idaho State Water Right Permit # A 74-00574
LDS Church Property # 5086914

FEE CALCULATIONS

Domestic, stockwatering, fire protection, etc. \$ _____
Flat fee for irrigation. \$ Exempt if claimed as
decreeed.

VARIABLE FEE SCHEDULE

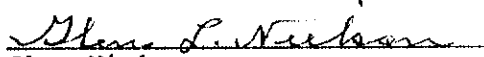
Irrigation (\$1.00 per acre). \$ _____
Power Generation (\$3.00 per kilowatt) \$ _____
Aquaculture (\$10.00 per cfs) \$ _____
All other uses (\$100.00 per cfs) \$ _____

Other charges. \$ _____

TOTAL \$ _____

DATE 9-19-89


Carter Fritschle
Idaho Dept. of Water Resources


Glen Nielson
Field Representative
Church of Jesus Christ
of Latter-day Saints

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DEC 14 1992