

Journal
St. Anthony's School
Dec 9

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

507-5211

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: A22-04116
Date Received: 8/01/1988
Receipt No: 0003905
Received By: CT 12-12-88

RECEIVED

DEC 12 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



A2204116

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

2. Date of Priority: JUN 01, 1916

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	40E	24	NE	SE	SE		FREMONT

5. Description of diverting works:
WELL, PUMP & LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 2.5 Acre Feet Per Annum.

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

A22-04116

Page 1

Date: 08/01/88

RECEIVED
OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	24	SE	SE		IRR	1.0
			SE	SE		DOMEST	

Section Acres 1.0

Total Acres 1.0

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 WILFORD WARD.

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

_____, 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

Dec. 5, 1988
Date

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

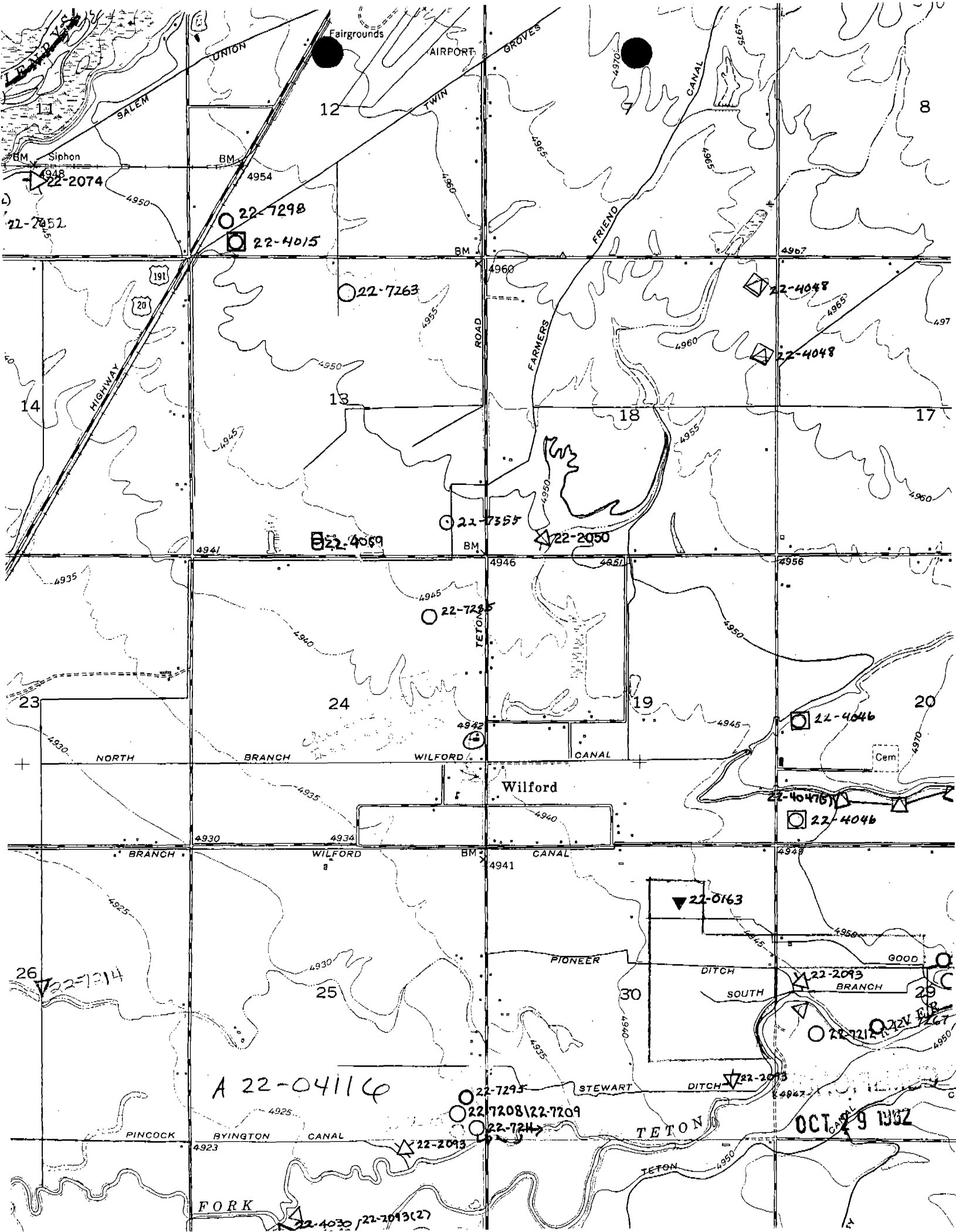
Subscribed and sworn (or affirmed) before me this 5th day
of December 19 88

Rita C. Jensen
Notary Public

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



OCT 29 1992



Log for claim 22-04116

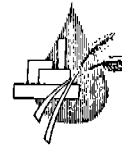
Spatial Dynamics LTD

7/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07n40e	24	SESE	1	1.7	
Totals:			1	1.7	

STATE OF IDAHO
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 Wilford L.D.S. Ward %Larry Kerbs

(Name of Claimant)

Rt. #1, St. Anthony, Idaho

83445

(Zip Code)

Telephone No. 458-4134

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) June 1, 1916

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)

Groundwater

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)	
Quantity <u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity <u>.02 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity <u>.06 cfs</u>	TOTAL QUANTITY USED.		

- (4) _____
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec. 24 Twp. 7N Rge. 40E 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. Well, Pump, and Waterlines

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	40E	24																1	1

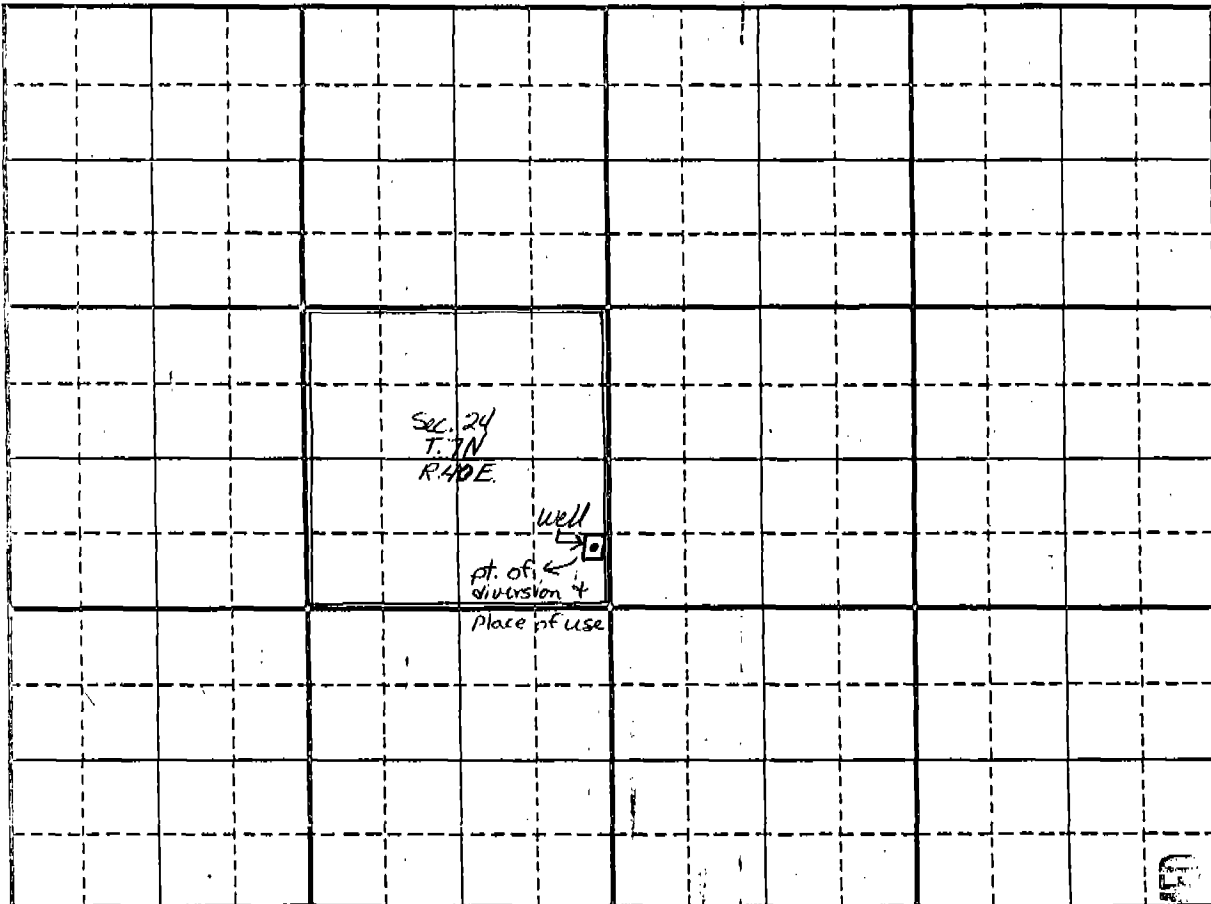
No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for L.D.S. Church Meetinghouse for approximately 600 people. Also for cleaning and maintaining building. Irrigation use for lawns and trees surrounding the meetinghouse.

NOTE: Include here the type and number of stock watered: None

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



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)
County of Fremont) ss.

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.

Sworn to before me this 22 day of May, 1983.

Larry Keels
(Claimant)

Dale L. Swenson
Notary Public
Residing at St. Anthony, Idaho

My commission expires life

Received by CW BP Date 5/26/83 Exception filed by: _____ Date _____
Prelim. check by HWJ Date 6-06-83
\$30.00 fee received by CWBP Date 6-6-83 #26397
Published in Fremont County Chronicle
Dates 6/16 - 6/23/83

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

LDS Church

CLAIM NO.

A22-04116

DATE RECEIVED

12-12-88

CK # 5340C02133

AMOUNT \$

167 (3)

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?

✓

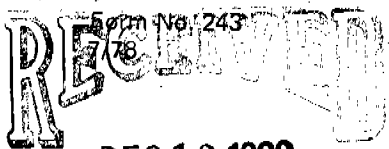
Claim checked by:

CF

Comments:

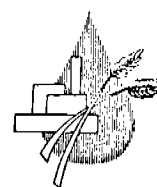
Legal description in claim does not match the map.

OCT 29 1992



Claim No. 22 4116

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 Wilford L.D.S. Ward %Larry Kerbs
(Name of Claimant)

Rt. #1, St. Anthony, Idaho 83445 Telephone No. 458-4134
(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) June 1, 1916

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)
Groundwater 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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.04 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity <u>.02 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) .06 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 SE 1/4, Sec. 24 Twp. 7N Rge. 40E 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.
Well, Pump, and Waterlines

(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%	
7N	40E	24																1	1

No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use for L.D.S Church Meetinghouse for approximately 600 people. Also for cleaning and maintaining building. Irrigation use for lawns and trees surrounding the meetinghouse.

NOTE: Include here the type and number of stock watered: None

(7) If you are claiming water as a member of an organization, list name of organization: _____

A hand-drawn map on a grid. The map is located in the lower-left quadrant of the grid. It shows a rectangular area with a dashed line border. Inside this area, there is a small square labeled "well". To the left of the well, there is a point labeled "pt. of diversion" with an arrow pointing to it. Below the "pt. of diversion" label, there is a label "place of use". The map is drawn on a grid with solid lines and dashed lines. The text "Sec. 24", "T. 7N", and "R. 40E." is written in the upper-left corner of the map area.

Sec. 24
T. 7N
R. 40E.

well

pt. of diversion

place of use

SECRET

State of Idaho)
) ss.
County of Fremont)

Larry Kerls
(Claimant)

Sworn to before me this 22 day of May, 1983

Dale L. Svensen
Notary Public
Residing at: St. Anthony, Idaho

My commission expires Life

CW 6-3-83 FOR DEPARTMENT USE ONLY
 Received by BP Date 5/26/83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by HWJ Date 6-06-83 claimant by: _____
 \$20.00 fee received by CWBP Date 6-6-83 #26397
 Published in Lemont County Chronicle
 Dates 6/16 - 6/23/83