

A35-04168

PLACE OF USE, IRRIGATION
FROM WEST EDGE OF
PROPERTY -



IRRIGATION WELL

DOMESTIC
WELL



CLAIM NO(S) A35-04168

DATE: 6/15/93 T 2S R 34E

SOURCE OF DOC: ASCS, 1987

SIGNATURE: Eric S. Verwer

Moreland

IRRIGATION

FOR DOMESTIC

ENERGY

T2S
R34E

EXAM PHOTO FOR A35-04168
T2S R34E

Eric S. Verwer

A35-04168

ORIGINAL
Photo

Moreland

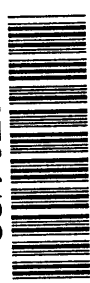
T2S
R34E

POU
POU



(R)

A35-04168
CHURCH OF JESUS CHRIST
REAL ESTATE DIVISION
TWELFTH FLOOR
SALT LAKE CITY UT 84143



A3504168

✓ Fax B/O EXAM 6/15/93 E 1:00

Conrad J. David Merrill - 684-3219 Home
- 684-4328 Work

Merrill

Meete Merrill Post Office
bb

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RECEIVED

JUL 29 1991

Department of Water Resources
Eastern District Office

REAL ESTATE DIVISION
NATURAL RESOURCE SECTION, 12th Floor
50 East North Temple Street
Salt Lake City, Utah 84150
Phone (801) 240-4074
FAX (801) 240-2913

Reference reply to:
Property #506-0575 &
#506-0257

July 23, 1991

State of Idaho
Department of Water Resources
150 Shoup Avenue
Idaho Falls ID 83402

Dear Sirs:

Attached is a notarized copy of a letter from W. Paul Lindsay who has lived adjacent to the Moreland 1,4,5 Wards where the well for permit A35-04168 was drilled at the time the ward was built and the November 1941 date seems correct.

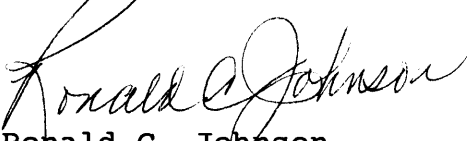
Also attached is some information regarding the construction of the ward and the drilling of well #A35-04190.

The Real Estate Department of the Church was not organized until the middle 1960's and therefore most information regarding construction of buildings and drilling of wells is not as complete as it should be.

I hope that these documents, along with the letter you received from President Larry J. Clements, will be sufficient to show when the wells were drilled. They have been the source of water for these wards since that time.

Thanks for your patience and help.

Sincerely,


Ronald C. Johnson
Water Analyst

RCJ:ja
encs.

cc: Terry F. Roylance
M. Glade Pincock

DEC 10 1991

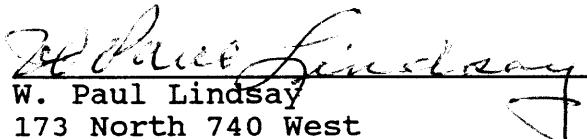
July 12, 1991

State of Idaho
Department of Water Resources
150 Shoup Ave., suite 15
Idaho Falls, Idaho 83402

Re: Evidence of Priority

Please be advised that I have lived adjacent to the church property in question in the Moreland Townsite for many years. I have personally observed the well and water system on this property and acknowledge that the water priority date of November 1941 is reasonable and correct.

The above statements are true and correct to the best of my knowledge.

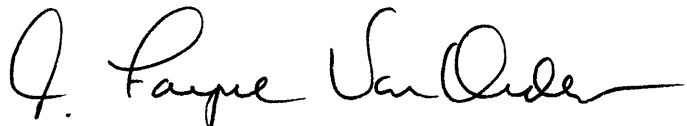

W. Paul Lindsay
173 North 740 West
Moreland, Idaho 83256

DEC 10 1991

STATE OF IDAHO)
) SS
COUNTY OF BINGHAM)

On this 12th day of July, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared W. Paul Lindsay known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the 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.



Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: November 1992

DEC 10 1992

17-Jun-1991

CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR
SALT LAKE CITY UT 84150

RE: **Evidence of Priority**
NO. 'S A35-04190, A35-04229, A35-04227, & A35-04168

Dear Claimant:

The Notices of Claim identified with the numbers shown at the end of this letter have been filed in the Snake River Basin Adjudication (SRBA). The Notices indicate the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notices and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority dates by JULY 15, 1991, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

DEC 10 1992

CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS
NO.'S A35-04190, A35-04229, A35-04227, & A35-04168
page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:rb

Enc. Brochure on "Evidence of Priority"
Proof Report

DEC 10 1992

Mr. and Mrs. 1, 4 Uds. Per Day
36 Ac

ADJUDICATION FILING FEES FOR IDAHO

PROPERTY IDENTIFICATION

Idaho State Water Right Permit # A35-04168
LDS Church Property # 5117801

FEE CALCULATIONS

Domestic, stockwatering, fire protection, etc. \$ 50.00
Flat fee for irrigation. \$

VARIABLE FEE SCHEDULE

Irrigation (\$1.00 per acre). \$ 6.00
Power Generation (\$3.00 per kilowatt) \$
Aquaculture (\$10.00 per cfs) \$
All other uses (\$100.00 per cfs) \$ 4.00

Other charges. \$

TOTAL \$ 60.00

DATE 1-20-89

Carter Fritschle
Carter Fritschle
Idaho Dept. of Water Resources

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

DEC 10 1982

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME LDS Church CLA IDENT. NO. A35-04168

DATE RECEIVED _____ CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------|-------|----------------|
| 1. Is the name and address complete with zip code? | _____ | _____ | * |
| 2. Is a priority date entered? | _____ | _____ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | _____ | _____ | * |
| 3. (a) Is a source entered? | _____ | _____ | * |
| (b) Is a tributary to entered? (if required) | _____ | _____ | |
| 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? | _____ | _____ | |
| Is the consumptive use correct? | _____ | _____ | |
| 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. | _____ | _____ | * |
| 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.) | _____ | _____ | |
| 15. Is the basis of the claim indicated? | _____ | _____ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | _____ | _____ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | _____ | _____ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | _____ | _____ | * |
| 19. Was this claim filed on time, or was an extension granted? | _____ | _____ | * |
| 20. Is the fee enclosed correct? | _____ | _____ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | _____ | _____ | |
| 22. Should this claim be data entered? | _____ | _____ | |

Claim checked by: CL Date: 6-5-89Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

DEC 10 1989

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAIM NUMBERS 35-04168

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 6⁰

GEOGRAPHIC INFO SYSTEM _____

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	25	34E	26		6														
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP (539) _____

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

P.O.D./Sources 383 #G.W.T25 R34E Sec 26 SE NW NE

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()