

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 63-32092
Date Received: 8/3/1989
Receipt No: X777777
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS Phone: (801)240-4656
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT USA 84150-6312

2. Date of Priority: 12/09/1983

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	31	NW NE	ADA	

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	0.04	7.6

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 7.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	31	SW	NE	IRRIGATION	1.7
					Section Acres	1.7
					Total Acres	1.7

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-31947.

15. Basis of Claim: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31947

WATER RIGHT NUMBER: 63-31947

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WYOMA HAM 4415 N LOCUST GROVE MERIDIAN, ID 83642 (208)888-4263
Current Owner	FRANK N HAM 4415 N LOCUST GROVE MERIDIAN, ID 83642 (208)888-4263

Priority Date: 12/09/1983

Basis: License

Status: PARENT

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.110 CFS	23.00 AF
	<u>Total Diversion:</u>	0.110 CFS	23.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 31, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31			5.1														5.1

Total Acres: 5.1

Conditions of Approval:Remarks:

- General SPLIT RIGHT: SEE RIGHT NOS. 63-32045 AND 63-32046.
- Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31880.

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: A63-09972
Date Received: 8/03/1989
Receipt No: C008822
Received By: SE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK N. HAM 208-888-4263
Address: 4415 N. LOCUST GROVE
MERIDIAN, ID 83642

OR

Name: WYOMA HAM 208-888-4263
Address: 4415 N. LOCUST GROVE
MERIDIAN, ID 83642

2. Date of Priority: JAN 21, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	31	SE	NW	NE		ADA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	31	SW	NE		IRR	30.0
Section Acres							30.0
Total Acres							30.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SETTLERS CANAL WTR.

14. Remarks:

15. Basis of Claim: PERMIT

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Nyoma Nam Date: Aug 3, 1989

Date: _____

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of August 19 89

Gerald E. Luthy
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

1
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C
P.D. 272
50

400

A63-09972
P.U.
30A0

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09912

Priority: December 9, 1983

Maximum Diversion Rate: 0.60 CFS
Maximum Diversion Volume:¹ 135.0 AF

This is to certify, that FRANK N. HAM
WYOMA HAM

4415 N. LOCUST GROVE
MERIDIAN, ID 83642

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 21, 1983; and has submitted Proof of Beneficial Use on January 17, 1989. An examination indicates that the works have a diversion capacity of 2.490 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.60 CFS	135.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWNE, Sec. 31, Township 04N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	01E	31	SWNE	30		30

Total number of acres irrigated: 30

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MICROFILMED

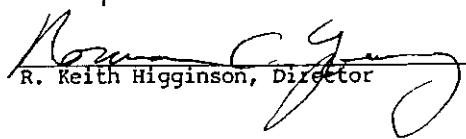
SEP 18 1990

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09972

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of AUGUST, 1990.

Authorized by


R. Keith Higginson, Director

MICROFILMED

SEP 18 1990

MAY 10 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Frank N. and/or Wynona Han Permit No. 63-9972
Current Address: 4415 N. Locust Grove, Meridian, ID 83642 Phone No. 833-4263
2. Accompanied by: Cecil A. Thomas P.E. EXAM. DATE: May 9, 1988
Address: 3775 N. Locust Grove Phone No. 887-3077
Relationship to Permit Holder: Professional Engineer
3. Source: Groundwater tributary to Baize River

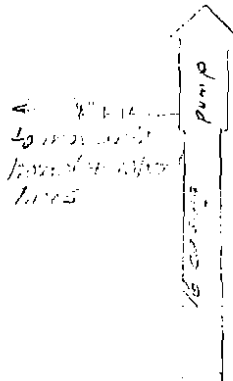
B. OVERLAP REVIEW

1. Other water rights with same place of use: Settlers Irrigation District ☐ Copies Attached
2. Other water rights with same point of diversion: 63-8796 63-8410 ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Flow is from the well No. 4N1E31abdl. to the 1/2 inch pipe. This permit. Field of subject permit 63-9972 and of permits 63-8410 and 63-8796 are center-irrigation and can be served with handline and wheel-line movable sprinkler pipes from the well No. 4N1E31abdl.



MICROFILMED

SEP 18 1990

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
1" port for insertion		Grain Land	Flowmeter	(new)	1" port	May 1, 1978
					for 8" line	
					8" line	

2. Measurements:

Water measured previously by State of Idaho
Department of Water Resources personnel. No
a sprayer has no opportunity to measure the data.
New pump installed since measurement of Dept. of Water Resources.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

- Measured Method: Note 30 ft from the pump in a straight run of pipe. Rotor on Grain Land meter inserted 1 inch into 8" pipe which is at mean velocity in a straight section of an 8 inch pipe. Interior diameter of pipe measured to be 7.5" or 0.635' R = 0.318 ft. Area = 0.391'²
- Alternate Method for Checking Purposes: (0.461 inch per second average) Meter measured a near steady flow of 1.230 gpm from 5:15 pm to 5:30 pm. Multiplied by 2.31 = 2.84 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4) = 12.5 inches

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ which is estimated 14.0 acre inches per

$V_{IR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ acre or 120 acre feet or

$V = \text{Smaller of } V_{IR} \text{ and } V_{PR} =$ the output from the well or

2. Volume Calculations for Other Uses:

SEP 18 1990

120/5 or 24 days, assuming pump discharge of 5 cfs as measured at the pump.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Frank N. &/or Wyoma Ham Phone 888-4263

Post office address 4415 N. Locust Grove Meridian, ID 83642

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 31 Township 4N

Range 1E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .60 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .60 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well with pump and into sprinkler
system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

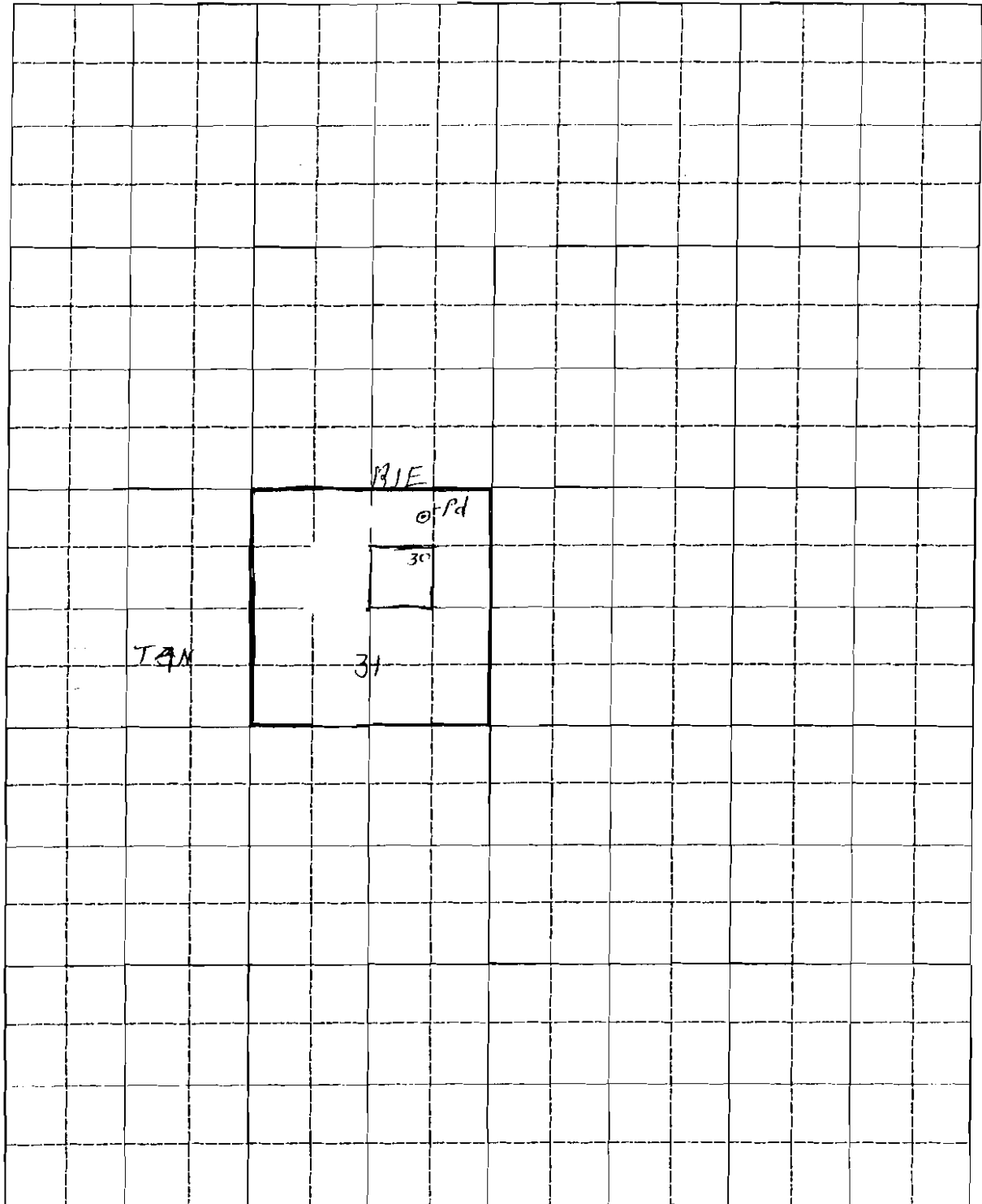
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Samuel A. Ham
(Applicant)

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-32092

CORP OF THE PRESIDING BISHOP
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150
Telephone Number: (801) 240-4074

RECEIVED

NOV 08 2006

**WATER RESOURCES
WESTERN REGION**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE:

10/27/2006

SIGNATURE:

Susan Nash

GSC

Please print your name:

Susan Nash

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

03/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32092

NAME AND ADDRESS: CORP PRES BISHOP LDS CHURCH
REAL ESTATE DIVISION/NRS
50 E NORTH TEMPLE ST
12 TH FLOOR
SALT LAKE CITY UT 84150-6320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
7.600 AFY

PRIORITY DATE: 12/09/1983

POINT OF DIVERSION:

T04N R02W S33 NENENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.040 CFS

7.60 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T04N R02W S33 NESE 1.70

1.7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of Transfer 72070 is cause for the Director to rescind approval of the transfer.

This right is a split from former right 63-31947.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

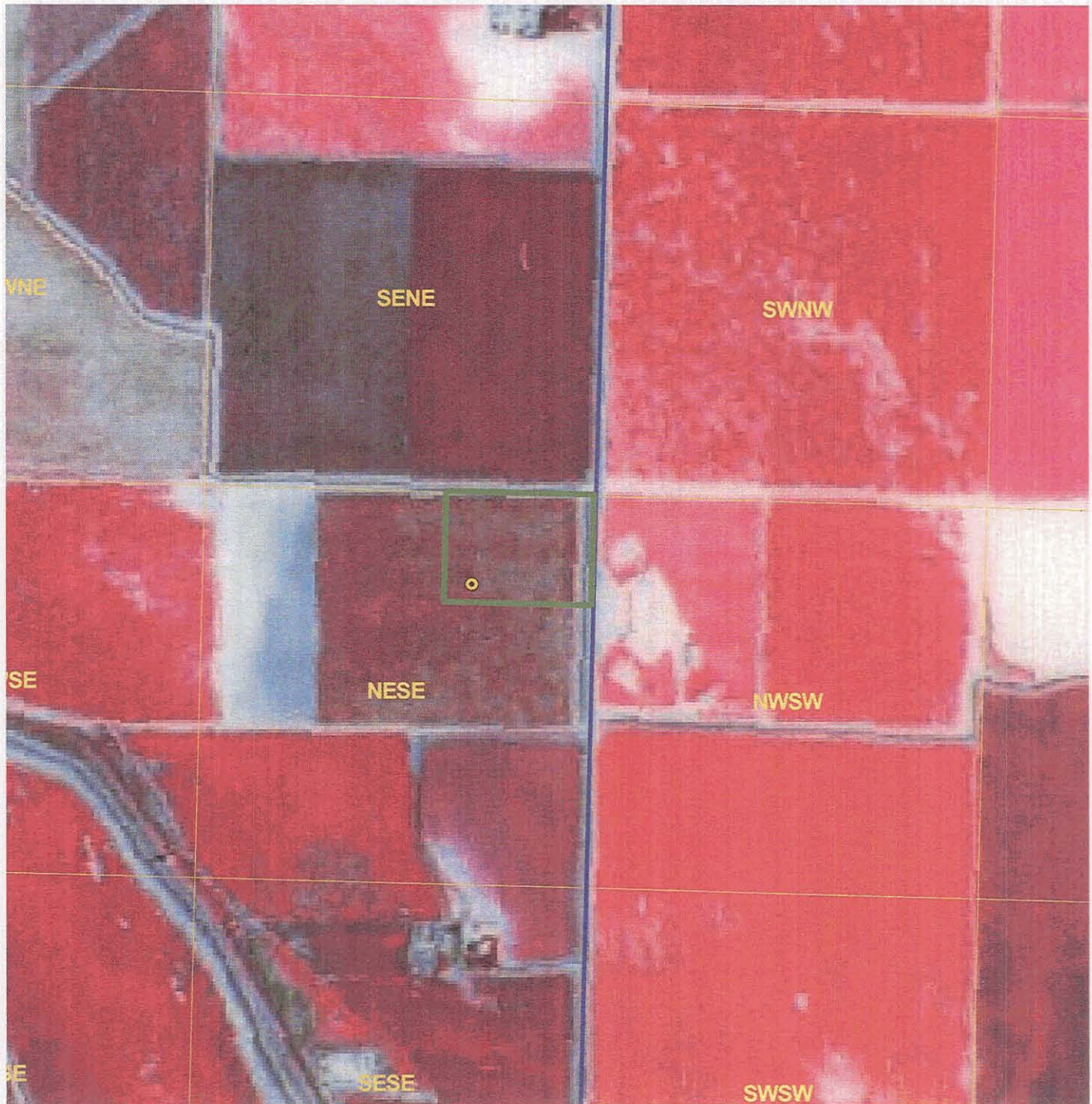
The right holder shall accomplish the change authorized by Transfer 72070 within one year of the date of this approval.



Idaho Department of Water Resources

63-32092

T04N R02W S33



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter

Total irrigated
acres = 1.7



300 0 300 600 900 Feet

IDWR
Prepared by: Sandy Egbert
Date: March 14, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32092 V1

WATER RIGHT NUMBER: 63-32092 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK N HAM 4415 N LOCUST GROVE MERIDIAN, ID 83642 (208)888-4263
Current Owner	CORP PRES BISHOP LDS CHURCH REAL ESTATE DIVISION/NRS 50 E NORTH TEMPLE ST 12 TH FLOOR SALT LAKE CITY, UT 84150-6320 (801)240-4656
Original Owner	WYOMA HAM 4415 N LOCUST GROVE MERIDIAN, ID 83642 (208)888-4263

Priority Date: 12/09/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.040 CFS	7.60 AF
	<u>Total Diversion:</u>	0.040 CFS	7.60 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NE1/4	Sec. 33, Twp 04N, Rge 02W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	33													1.7				1.7

Total Acres: 1.7

Conditions of Approval:

1. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32092 V1

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. T08 Failure of the right holder to comply with the conditions of Transfer 72070 is cause for the Director to rescind approval of the transfer.
5. P21 This right is a split from former right 63-31947.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to diversion of water under Transfer 72070, the right holder shall provide documentation to the department that water from Pioneer Irrigation District has been legally removed from the place of use described above.
8. T07 The right holder shall accomplish the change authorized by Transfer 72070 within one year of the date of this approval.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/08/2005	lharris	Active
Priority Date	3/14/2006 9:33:29 AM	segbert			Active
POD	3/14/2006 9:33:44 AM	segbert			Active
Source	3/14/2006 9:35:15 AM	segbert			Active
POU	3/14/2006 9:35:35 AM	segbert			Active
Use	3/14/2006 9:37:49 AM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32092 V1

Season	3/14/2006 9:38:12 AM	segbert	Active
Quantity	3/14/2006 9:38:46 AM	segbert	Active
Summary	03/14/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/14/2006 9:33:44 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	3/14/2006 9:34:57 AM	segbert	Updated shape
General	3/14/2006 9:33:30 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Summary	3/14/2006 9:44:29 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	4/8/2005 11:14:25 AM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Source	3/14/2006 9:35:16 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32092 V1

POU	3/14/2006 9:35:36 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	3/14/2006 9:35:53 AM	segbert	Updated shape for Active POU
Use	3/14/2006 9:37:50 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	3/14/2006 9:38:12 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	3/14/2006 9:38:46 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - per transfer

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32092 V1

WATER RIGHT NUMBER: 63-32092 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK N HAM 4415 N LOCUST GROVE MERIDIAN, ID 83642 (208)888-4263
Current Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS REAL ESTATE DIVISION 12TH FLOOR EAST 50 E NORTH TEMPLE SALT LAKE CITY, UT 84150-6312 (801)240-4656
Original Owner	WYOMA HAM 4415 N LOCUST GROVE MERIDIAN, ID 83642 (208)888-4263

Priority Date: 12/09/1983 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

03/15 to 11/15 ✓

3-1

Diversion Rate

0.040 CFS ✓

Annual Volume

7.60 AF ✓

Total Diversion:

0.040 CFS

7.60 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

NW 1/4 NE 1/4

NE NE SE

Sec. 31, Twp 04N, Rge 04E, B.M.

33

2W

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04E	31			1.7														1.7

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32092 V1

1. Explanatory This right is a split from former right 63-31947.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/08/2005	lharris	Active

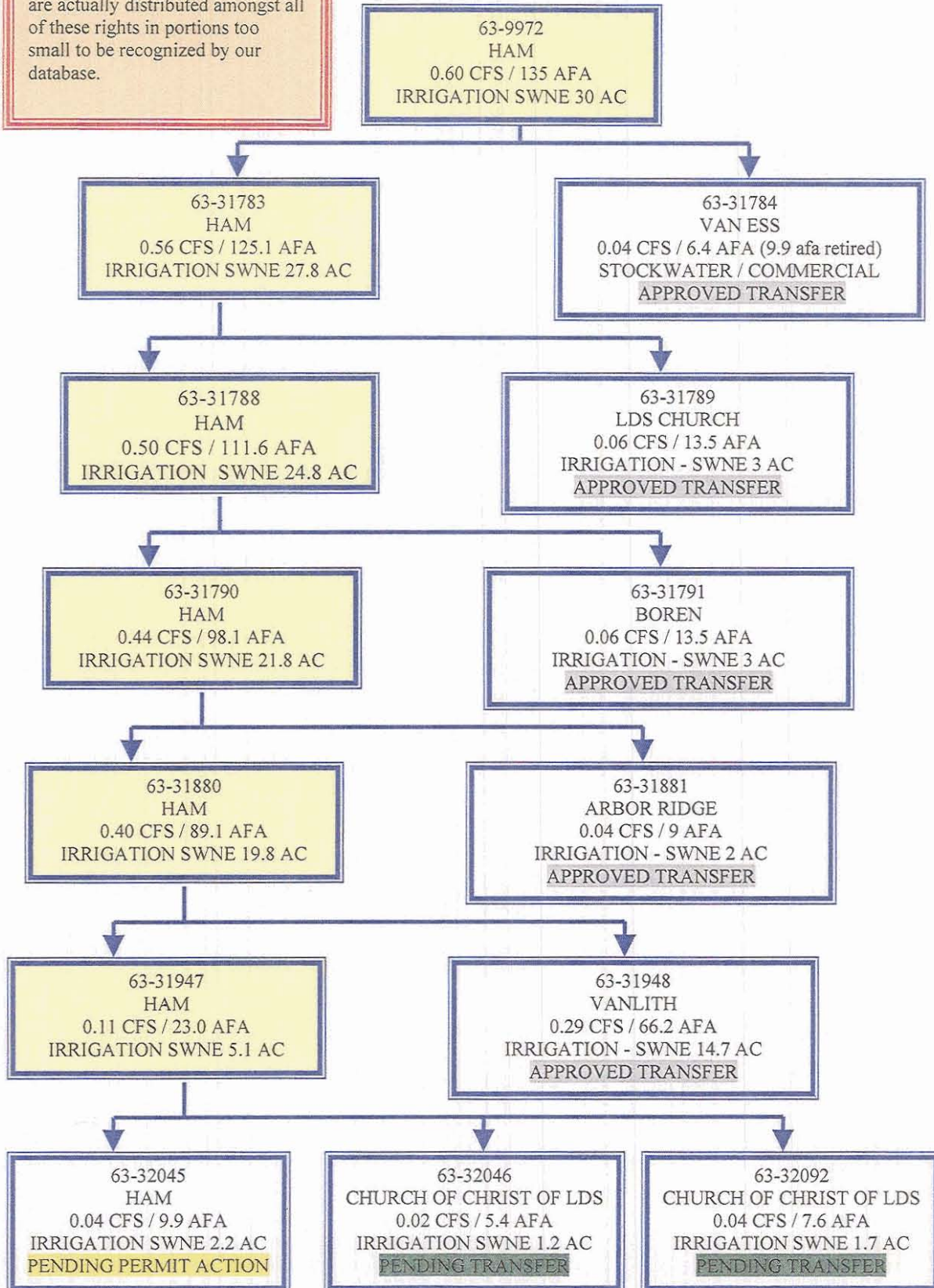
Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/8/2005 11:14:25 AM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

PLEASE NOTE:

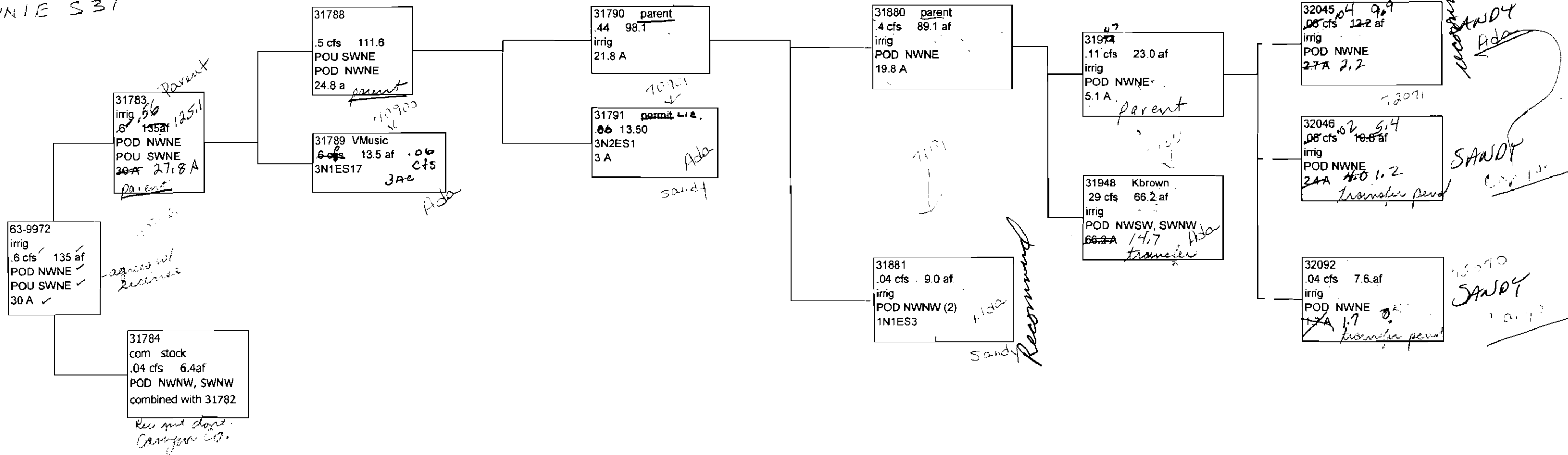
0.01 cfs and 0.1 afa have been lost due to rounding. These amounts are actually distributed amongst all of these rights in portions too small to be recognized by our database.

HAM SPLIT TREE 63-9972



B 63

4N1E S31



HAM RTS FROM

63-9972 -

LOOK FOR

63-31881

31791 - Rec.

+ 31784

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 2/9/2005

**RE: CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
TRANSFER #72070, RIGHT 63-32092**

The purpose of this transfer is split the water right and move a portion of this right to another property owned by the applicant. The applicant will retire 0.04 cfs, 7.6 afa, and 1.7 acres of irrigation located approximately ½ mile west of and ½ mile south of the corner of Locust Grove and McMillan at the current place of use and point of diversion in the SWNE S31 T4N R1E, Ada County. The water being retired will then be moved to a new point of diversion and place of use located ½ of mile north of Ustick Rd on Northside Blvd in the NESE of S33 T4N R2W, Canyon County.

AUTHORITY TO FILE:

The applicant has supplied Purchase Sales Agreement showing ownership of their portion of the water right.

WATER RIGHT VALIDITY:

This water right is one of several transfers and splits on water right 63-9972. This water right has been reviewed repeatedly, and there isn't anything in all the information available for this right that this transfer can't be accomplished. Therefore, it is reasonable to allow this transfer for this amount.

INJURY TO OTHER WATER RIGHTS:

This right has been used in the past without consequence, and with the small amount of use being sought it doesn't appear there would be any significant problems in the area where the water will be used. Please see review memo attachments discussing this water right. I don't anticipate any injury from this transfer proposal.

ENLARGEMENT OF USE:

This transfer will move a primary water right to lands currently being irrigated by surface water. In order to retain the primary status of the ground water right, the applicant has requested that a condition be placed on the transfer that states that the surface water must be removed prior to diverting ground water. Therefore, no expansion of the right is being proposed.

LOCAL PUBLIC INTEREST:

There is nothing to suggest that this application is not within the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

Applicant proposed beneficial use consistent with irrigation standards for the area.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of the application.

NARATIVE

The only real issue with this transfer is that a primary ground water right is being moved to land covered by canal water from the Pioneer Irrigation District. Steve Lester discussed this situation with Jeff Peppersack, and they agreed that the applicant could retain their canal water until the transfer has been approved. Mr. Peppersack requested that a condition be placed on the transfer approval that the applicant must submit written proof to the department that the canal water has been removed from the property prior to the diversion of ground water. If the ground water were diverted before the canal water is removed, then it would become supplemental to the surface water.

CONDITIONS AND SUGGESTIONS

This transfer seems acceptable as listed on the front page of the transfer with the inclusion of the conditions on the draft approval.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72070

This is to certify that: CORP PRES BISHOP LDS CHURCH
NATURAL RESOURCE SERVICES
50 E NORTH TEMPLE ST FL 12
SALT LAKE CITY UT 84150-6321
(801)240-4074

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-32092	AJC/License	12/09/1983	0.04 cfs	7.6 af	N/A	1.7	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-32092	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-32092	63-32092	0.04 cfs	7.6 af	N/A	1.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.04 cfs	7.6 af	N/A	1.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-32092
As Modified by Transfer No. 72070

In accordance with the approval of Transfer No. 72070, Water Right No. 63-32092 is now described as follows.

Right Holder: CORP PRES BISHOP LDS CHURCH
 NATURAL RESOURCE SERVICES
 50 E NORTH TEMPLE ST FL 12
 SALT LAKE CITY UT 84150-6321

Priority Date: December 09, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	7.6 AF
		0.04 CFS	7.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENESE Sec. 33 Twp 04N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 33													1.7				1.7

Total Acres: 1.7

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 63-32092
As Modified by Transfer No. 72070

CONDITIONS OF APPROVAL

6. Prior to diversion of water under Transfer 72070, the right holder shall provide documentation to the department that water from Pioneer Irrigation District has been legally removed from the place of use described above.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of October, 2005



Chief, Water Allocation Bureau