

02/15/2006

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

RIGHT NUMBER: 2-2176C

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: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.070 CFS
26.000 AFY

PRIORITY DATE: 05/01/1962

POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.070 CFS 26.00 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R03E S36 NWSW 11.00

11 ACRES TOTAL

This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 11 acres in a single irrigation season. Combined Right Nos.: 2-2176C and 2-2380

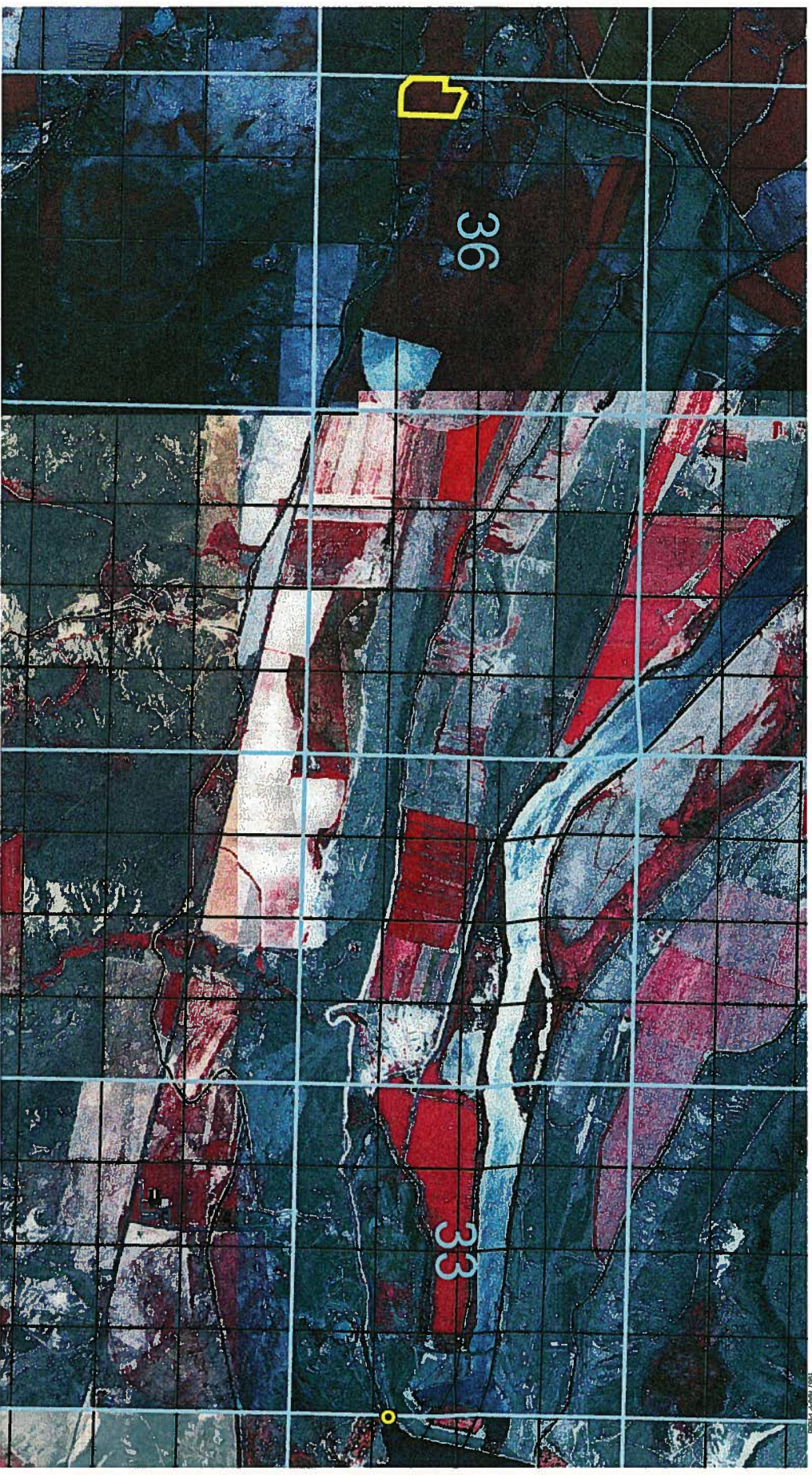
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 is a split from former right 02-02176.

Idaho Department of Water Resources



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

Claim Number: 02-02176C
Legal: T05S, R04E, S33 &
T05S, R03E, S36
Reviewed By: JLD 6/7/05



SCANNED

3 LBS
12641

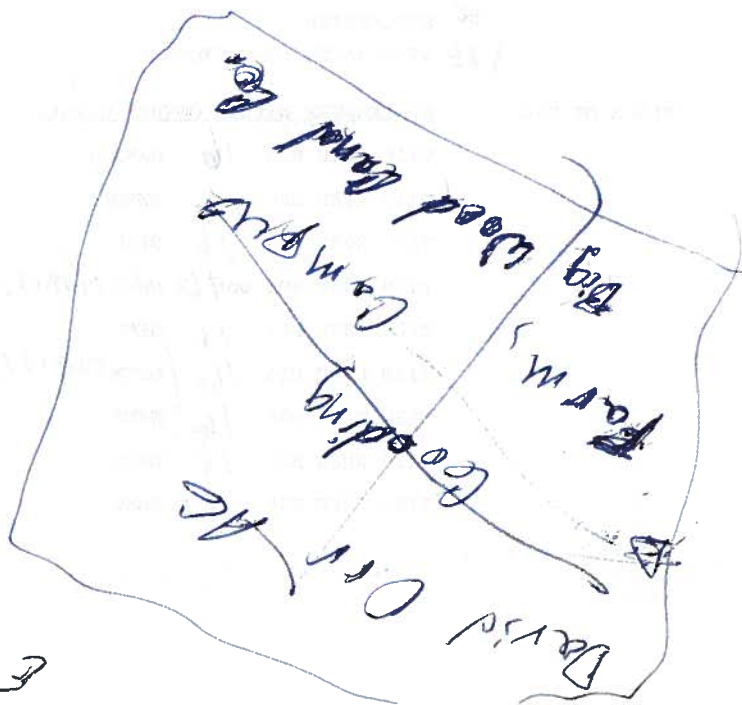
Parrots

~~456 Ac~~

42
29
62

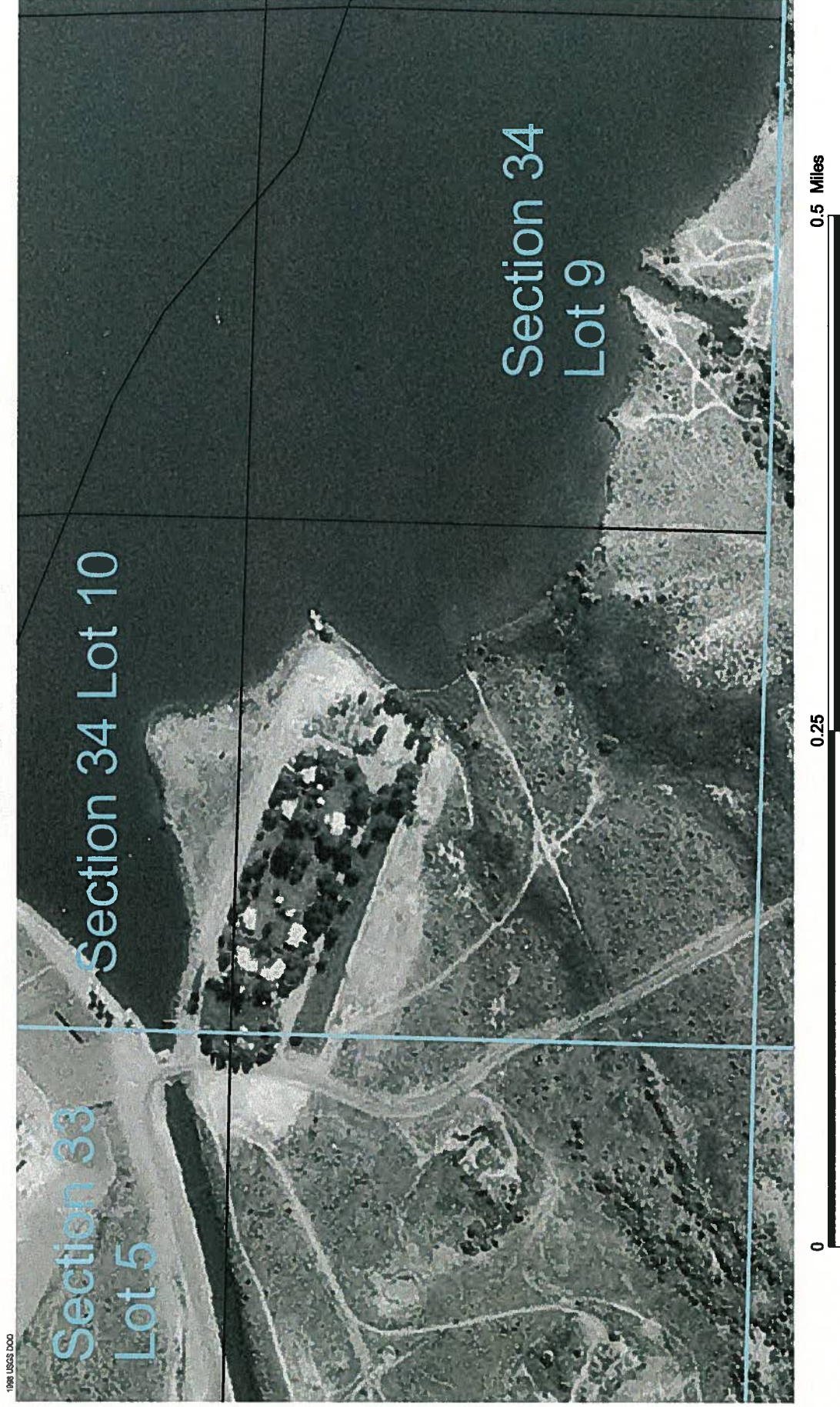
140

2380 5 Ac
2176 6 Ac



Enk

Idaho Department of Water Resources



Claim Number: 2-2176C
Legal: Township 5S, Range 4E, Sections 33 and 34

Idaho Department of Water Resources



Claim Number: 02-02176C
Legal: T05S, R04E, S33 &
T05S, R03E, S36
Reviewed By: JLD 6/7/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

06/09/2005

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

RIGHT NUMBER: 2-2176C
NAME AND ADDRESS: CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
RT B BOX 321
GRAND VIEW ID 83624
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.070 CFS
26.000 AFY
PRIORITY DATE: 05/01/1962
POINT OF DIVERSION:

T05S R04E S33 NESE Lot 5 Within OWYHEE County
Point of diversion is on line dividing T05S, R04E, S33, and S34.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.070 CFS 26.00 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County
T05S R03E S36 NWSW 6.0

6 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: License

This right is a split from former right 02-02176.

① 2-2372, 2-2405 (transfers)

- front corners 2-2083, 2-2084 (back, 2083 on)
- corner 2-2084 or 2-2083 (back)
- flipped to 1" he on 230 and 30 ac

② 2-2176

- weed, 2083 on, LDS

- good 20. 2083 on

- back doesn't consider 2083, 2084

→ expensive across 4/6 in

- flip (by transfer to other lands)

- < 1" / ac

2-2405 (2083 on)

to supplement 2176

- on back 1/2 and OK but maybe consider on 2-23, 2084

- more (2083 on 2-2083 on)

- assigned to 2-2083 on 2-2083 on 11/4 2-2083 on

③ 2-2380 (LDS)

- expensive 2083 on 2-2083 on 2-2083 on 2-2083 on

④

2-2174 (2083 on)

- flip 2083 on 2-2176 about 2083 on

35 3176 - 553 ac - 8430 ac

5 3405A - 348 - 855.3

5 3405B - 175 - 608.6

in area

F

A

B

C

POD map

POD map

POD map

3405A

3405B

3405C

3405D

3405E

3405F

3405G

3405H

3405I

3405J

3405K

3405L

3405M

3405N

3405O

3405P

3405Q

3405R

3405S

3405T

3405U

3405V

3405W

3405X

3405Y

3405Z

3405AA

3405AB

3405AC

3405AD

3405AE

3405AF

3405AG

3405AH

3405AI

3405AJ

3405AK

3405AL

3405AM

3405AN

3405AO

3405AP

3405A

3405B

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3405F

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3405I

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3405L

3405M

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3405O

3405P

3405Q

3405R

3405S

3405T

3405U

3405V

3405W

3405X

3405Y

3405Z

3405AA

3405AB

3405AC

3405AD

3405AE

3405AF

3405AG

3405AH

3405AI

3405AJ

3405AK

3405AL

3405AM

3405AN

3405AO

3405AP

3405A

3405B

3405C

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3405Y

3405Z

3405AA

3405AB

3405AC

3405AD

3405AE

3405AF

3405AG

3405AH

3405AI

3405AJ

3405AK

3405AL

3405AM

3405AN

3405AO

3405AP

3405A

3405B

3405C

3405D

3405E

3405F

3405G

3405H

3405I

3405J

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3405S

3405T

3405U

3405V

3405W

3405X

3405Y

3405Z

3405AA

3405AB

3405AC

3405AD

3405AE

3405AF

3405AG

3405AH

3405AI

3405AJ

3405AK

3405AL

3405AM

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3405Z

3405AA

3405AB

3405AC

3405AD

3405AE

3405AF

3405AG

3405AH

3405AI

3405AJ

3405AK

3405AL

3405AM

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3405P

3405Q

3405R

3405S

3405T

3405U

3405V

3405W

3405X

3405Y

3405Z

3405AA

3405AB

3405AC

Water rights 10198 + 10201

		<u>10198</u>	<u>10201</u>	
5S 3E 36	NW NE	15		
	SW NE	34		
	SE NE	40		
	NE NW	40		
	NW NW	6		
	NW SE	21		
	SW SE	3		
	SW NW	33		
	SE NW	10		
	NE SW	3		
	NW SW	12		
	NE SE	22		
	SE SE	12		
			4	→ 13

5S 4E 31	SWNW	29		
	NE SW	35	2	
	NW SW	12	24	
	SW SW	10		
	SE SW	32		
	SE NW	1.5	3.5	
	NW NW		.5	
	SW NW		8	

6S 4E 6	NE NW	10		422.5 acres
	NW NW	3		1902 AFY
				8.35 cfs

From transfer in 7154 → shall not exceed .02 or 4.5

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02176C

Date: 7-23-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	55	3E	36										6							6
GIS													12							12
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 6

Overlapping FOU Claim #'s:

02-02380

Total GIS Acres: 12

COMMENTS:

Per county data.

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-02176C

Legal: T05S, R03E, S36

Reviewed By:

● Point of Diversion
(Located outside of view)



Place of Use



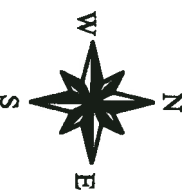
Section Lines



Quarter Quarter Lines



1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-02176C

Legal: T05S, R03E, S36

Reviewed By:

● Point of Diversion
(Located outside of view)



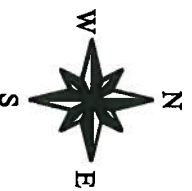
Place of Use



Section Lines



Quarter Quarter Lines



5600

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: A02-02176C
Date Received: 1/13/1989
Receipt No: W22220
Received By: RW LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
20 JH
JAN 18 1989

Department of Water Resources
Western Regional Office

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS
Address: RT.B BOX 321
GRAND VIEW, ID 83624
2. Date of Priority: MAY 01, 1962
3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	04E	34	SW	SE	SW	9	OWYHEE
5. Description of diverting works:
GRAVITY FLOW, BYBEE CANAL
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.070		
7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	03E	36	NW	SW		IRR	6.0
Section Acres							6.0

A02-02176C

Page 1

Date: 01/13/89

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Total Acres 6.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
02-02380

14. Remarks:

15. Basis of Claim: LICENSE

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 X 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 Bishop of _____
Title

The Church of Jesus Christ of Latter-day Saints that I have signed the foregoing
Organization DAY SAINTS
document in the space below as Bishop of _____
Title

The Church of Jesus Christ of Latter-day Saints and that the statements contained in the
Organization DAY SAINTS
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Bishop - Church of Jesus Christ
of Latter-day Saints
Title and Organization

Jan 17, 1989
Date

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 19th day

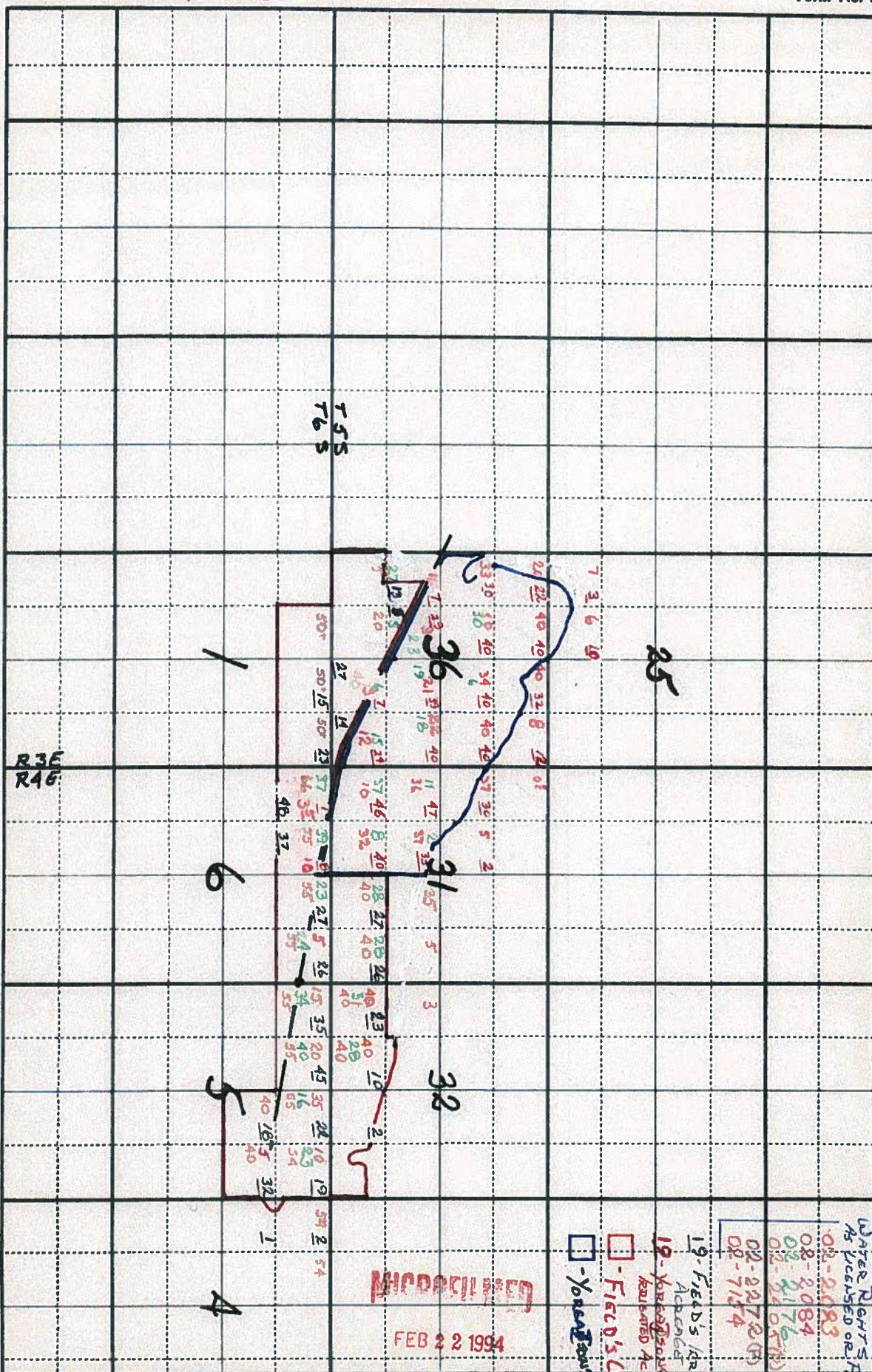
of January 19 89

Nicholas K. Shli
Notary Public

Seal

Residing at Murphy, ID

My Commission Expires 1/31/94



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner
Dam to Oregon ~~BRANWASE BASIN~~
Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2176C

I.D. No.

Map No.

\$ 20.00

Fee Paid

20-208

Receipt No.

Notice is hereby given that CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
(Name of Claimant)

Route B, Box 321, Grand View, ID 83624

(Mailing Address)

(Zip Code)

Telephone No.

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, or priority date of decreed, licensed or permit right) 5/01/1962

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Snake River

tributary to

Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: 10/31

Quantity

.05 cfs

Use

Irrigation

Period of Use From

3/15To 11/15

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

Quantity

(CFS, GPD, AF)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

Quantity

(CFS, GPD, AF)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

Quantity

(CFS, GPD, AF)

Use

(Domestic, irrigation, stock, etc.)

Period of Use From

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

(4) .05 cfs .07 TOTAL QUANTITY CLAIMED.

(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE NW 1/4 Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee 73 County

Additional Points: SCI 2720(1)492.1

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.

Gravity flow out of Bybee Canal

(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	
5S	3E	36										6							6

Total no. of acres

6

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

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

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2176 (part)

KEYPUNCHED

1-19-82 ajo

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

SEPT 9, 1981

(Date)

(Signature of Claimant)

(Signature of Spouse)

State of IDAHO

Organization

County of ADA

ss.

Seal

Organization

Reginald E. Meaker

(Signature of Authorized Agent)

On this 9 day of SEPTEMBER, in the year 1981 before me

a notary public, personally appeared REGINALD E. MEAKER

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires

LIFE

Notary Public residing at

Boise

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by DS

Date 11/23/81

Right No. 02-2176C

Claimant LDS CHURCH

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☒ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☐ Yes ☒ No Date _____

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended .07 cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. MONTH OF BROWN GRAND VIEW 2-2 1980 3422-80-152 7/17/80

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

APR 1 1982
MICROFILMED

11/23/81

MEMO:

To: 02-2176C

From: D. SHAFF

SUBJ: RECOMMENDATION

THERE IS A DISPARITY FROM THE CLAIM BECAUSE THE CLAIM WAS PREPARED FOR THE CLAIMANT BY THIS DEPARTMENT SECTION BASED ON THE KNOWLEDGE AT THE TIME. NOW THAT THE BYBEE RIGHTS IN THE BYBEE CANAL HAVE BEEN EXAMINED THOROUGHLY, A BETTER KNOWLEDGE OF THE RIGHTS EXISTS.

THE DIVERSION RATE IS SLIGHTLY MORE BECAUSE OF THE SPLIT OF THE RIGHT AMONG ALL THE USERS & EXISTING CLAIMANTS.

THE DIVERSION POINT IS ~~IN~~ THE /DAHO POWER CANAL RATHER THAN THE PUMPS FOR THE ASLETT CANAL.

THE IRRIGATION SEASON IS LIMITED BY AN AGREEMENT AT BOOK 8, BONDS AGREEMENTS, PAGE 453, Owyhee County, TO WHICH THE CLAIMANT IS AN ASSIGNEE OR SUCCESSOR.

State of Idaho
Department of Water Resources

POOR ORIGINAL

AMENDED WATER RIGHT LICENSE

License of Water Right No. 30484/02-2176 Priority May 1, 1962 Amount 5.0 cfs

THIS IS TO CERTIFY, that D. O. Bybee
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 30484/02-2176 issued pursuant to Application for Permit dated May 1, 1962
and has submitted proof to the Department of Water Resources on April 12, 1972
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 22.29 cfs of water from the Snake River
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15	at 5.0 cfs and	2430 acre feet
	from to	at cfs and	
	from to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 5.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2430 acre feet per year, said waters to be diverted within the Gov. Lot 5, Sec. 33, Twp.
5S, Rge. 4E, B. M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	36			6					30	28	27			18	19	6	15	149
5S	4E	5	23	16			40	34											113
		6	24	23			33	37											122
		31																	114
		32										31	23						59

Total number of acres irrigated 558

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby conferred is subject to the provisions of the Idaho Water Right Act.

Witness my hand and the seal of the Department of Water Resources at Boise, Idaho, this 12th day of April, 1972.

December 1972

Director

9/09/81

To: 02-2176C

From: D. SHAFF

Re: CONVERSATION w/ REG MEAKER

MEAKER WAS IN TODAY TO FILE THE CLAIMS FOR THE LDS CHURCH. HE SAID THE DEED HELD BY THE CHURCH IS FOR 14 ACRES, AN AREA LARGER THAN THE OBVIOUS CHURCH GROUNDS. THE PROPERTY LINE DRAWN ON THE Q DOES NOT REFLECT THE 14 ACRES. MEAKER SAID 11 ACRES ARE PROBABLY IRRIGATED ON THE 14-ACRE PARCEL LYING BETWEEN THE CANAL AND THE HIGHWAY.

POOR ORIGINAL

MICROFILMED

AUG 16 1994

June 24, 1981

Church of Jesus Christ of
Latter-Day Saints
Route B, Box 321
Grand View, ID 83624

Gentlemen:

Enclosed are two claims to a water right from the Snake River.

Review the claims, sign before a notary, and return a twenty dollar filing fee with the claims.

Sincerely,

JOHN K. NOYES
Senior Water REsource Agent

JKN:aje

Enclosures

MICROFILMED

AUG 16 1994