

02/15/2006

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

RIGHT NUMBER: 2-2380

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: 0.100 CFS
25.000 AFY

PRIORITY DATE: 11/09/1965

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.100 CFS
25.00 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 11.00

11 ACRES TOTAL

This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.

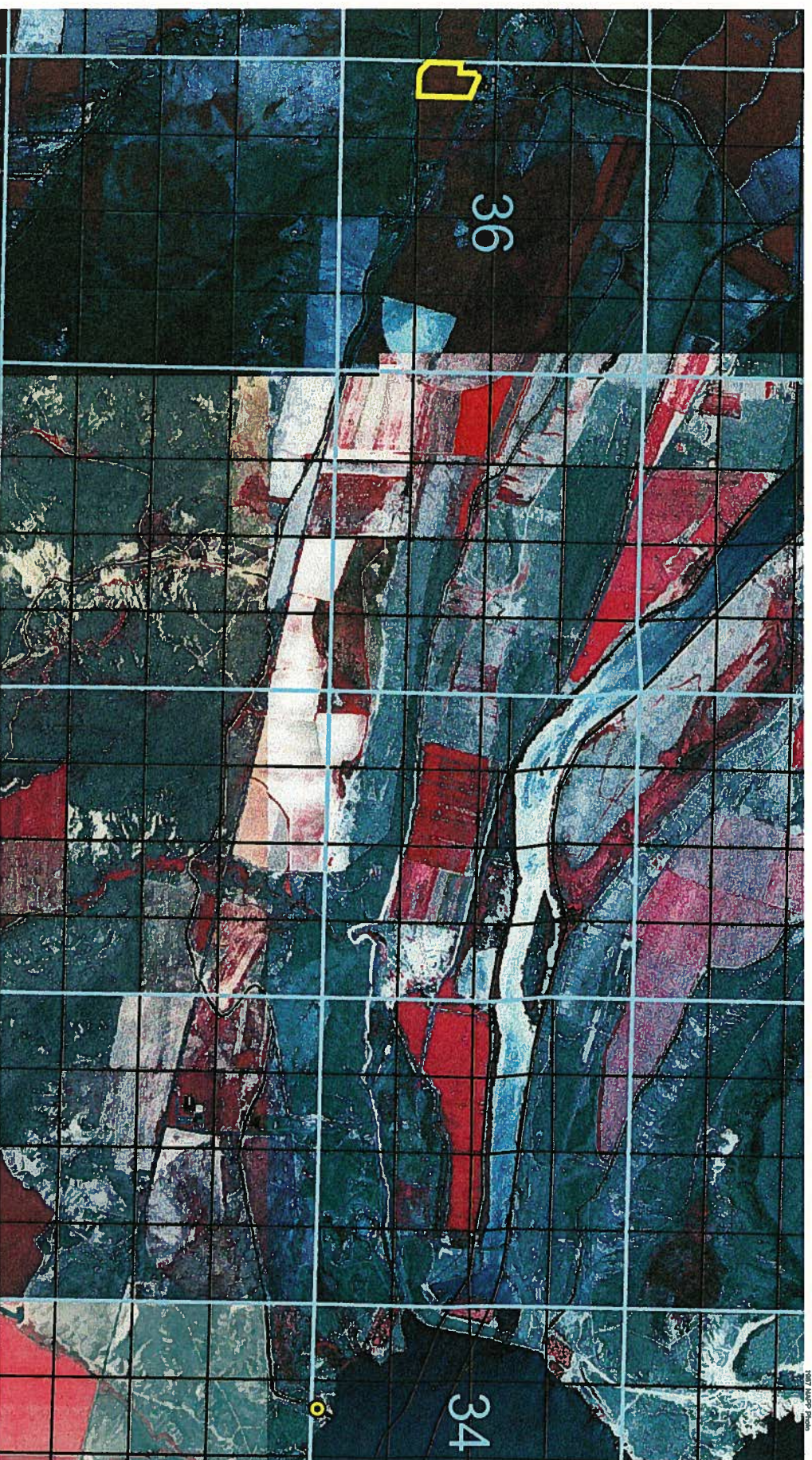
The rights listed below are limited to the irrigation of a combined total of 11 acres in a single irrigation season. Combined Right Nos.: 2-2176C and 2-2380

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

Idaho Department of Water Resources



Claim Number: 02-02380
Legal: T05S, R04E, S34 &
T05S, R03E, S36
Reviewed By: JLD 6/7/05

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



Idaho Department of Water Resources



0 1 2 3 4 5 Miles



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

Claim Number: 02-02380
Legal: T05S, R04E, S34 &
T05S, R03E, S36
Reviewed By: JLD 6/7/05

06/07/2005

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

RIGHT NUMBER: 2-2380

NAME AND ADDRESS: CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
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: 0.100 CFS
25.000 AFY

PRIORITY DATE: 11/09/1965

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.100 CFS 25.00 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 5.0

5 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

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Church of Jesus Christ of Latter Day Saints
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 02-2380 issued pursuant to Application for Permit dated November 2, 1965,
and has submitted proof to the Department of Water Resources on November 12, 1976,
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 0.10 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the right that no more than 0.10 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 confined to for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 25.0 acre feet per year, said waters to be diverted within the Government Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 34, Twp 5S, Rge 4E in the County of Owyhee

Twp.	Range	SEW	NEN	NNN	SNN	SEN	NEE	NNE	SNN	SEE	NEN	NNN	SNN	SEN	NEE	NNE	SNN	SEE	Totals
5S	3E	36													5				5

Total number of acres irrigated 5

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22nd day of

June 19 83

Director

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02380

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	5S	3E	36										5							5
GIS													12							12
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 5

Overlapping FOU Claim #'s:

02-02176C

Total GIS Acres: 12

COMMENTS:

Per county data.

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-02380
Legal: T05S, R03E, S36
Reviewed By:

● Point of Diversion
(Located outside of view)



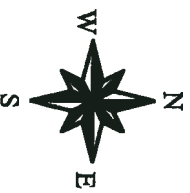
Place of Use



Section Lines



Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-02380

Legal: T05S, R03E, S36

Reviewed By:

● Point of Diversion
(Located outside of view)



Place of Use

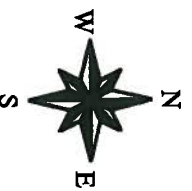


Section Lines



Quarter Quarter Lines

1987 Napp Photo



5500

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: A02-02380
Date Received: 1/11/1989
Receipt No: C005033
Received By: RW LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 18 1989
20 JAL

1. Name: CHRUCH 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

Department of Water Resources
Western Regional Office

2. Date of Priority: NOV 09, 1965

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	0.100		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	03E	36	NW	SW		IRR	5.0
Section Acres							5.0

A02-02380

Page 1

Date: 01/13/89

MICROFILMED
AUG 07 1992

10. Place of Use: Continued

Total Acres 5.0

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:
 02-02176

14. Remarks:
 GRAND VIEW WELFARE PROPERTY.

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 Organization SAINTS, that I have signed the foregoing document in the space below as Bishop of _____ Title

the Church of Jesus Christ of Latter Day Organization SAINTS and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Bishop of the Church of Jesus Christ
Title and Organization of Latter Day Saints

Jan. 14, 1989
Date

State of Idaho)
County of Oneida) 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

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

RECEIVED

JAN 11 1989

Ident. Number: A02-02380

Date Received: 1-11-89

Receipt No: 0005033

Received By: CT

10-13-88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: CHRUCH 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: NOV 09, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	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	0.100		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	36	NW	SW		IRR	5.0
Section Acres							5.0

A02-02380

Page 1

Date: 10/13/88

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AUG 07 1992

10. Place of Use: Continued

Total Acres 5.0

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:
02-02176

14. Remarks:
GRAND VIEW WELFARE PROPERTY.

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 _____ 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 _____ of _____ 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 _____ of _____ 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 _____ Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole foregoing document are true and correct.

John A. Baker Signature of Authorized Agent JAB

AUTHORIZED AGENT

_____ Title and Organization

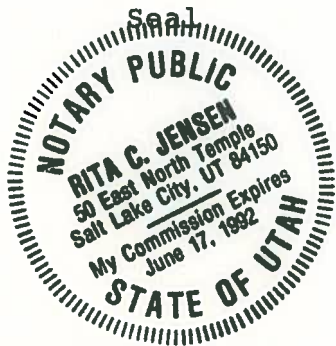
1/6 1989 Date

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

Subscribed and sworn (or affirmed) before me this 6th day

of January 19 89

Rita C. Jensen
Notary public



Residing at Salt Lake City

My Commission Expires 6/17 1992

M E M O R A N D U M

DATE: 3/11/83

TO: Dave Shaw

FROM: Don Shaff *DS*

SUBJECT: 02-2272, 02-2405, Licenses

RECEIVED

JAN 11 1989

Department of Water Resources

These water rights and others were first held by D. O. Bybee and his wife. To accomplish the task of issuing licenses for these two rights, the entire package must be dissected and examined from scratch. By carefully reassembling all the rights involved, reason will prevail over what otherwise appears as chaos. This memorandum attempts to provide a vehicle for that careful analysis.

The first problem may have occurred with the first licenses (02-2083 and 02-2084). Geographic features and the present field designs would lead one to believe the pattern of beneficial use may have been different than the licenses describe. Figure 1 illustrates this problem. A comparison can be made with Figure 1 between 1) what the present pattern of irrigated land is for all the water rights and 2) what the water right records describe.

As can be noted from Figure 1, the analysis is complicated by a division of some of the water rights and the land between two subsequent owners. In some instances the two parcels must be considered as a whole. Yet at the same time the separation cannot be ignored because each owner has developed a separate undivided water right. Some of the rights have licenses for a full or nearly-full miners inch per acre. Yet other rights, licenses and permits, are for less than an inch per acre. For purposes of analysis, the rights were considered in the order of filing with the hope that the intentions of the developer could be discovered and possibly then piece together the rights.

Land List #1 and #2 describe the irrigated lands of Yorgason and Field. Below those descriptions is the breakdown of the water rights as I recommend they be described or licensed. In some cases, a transfer or amendment will be necessary. To assist

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AUG 07 1992

Page 2

Memo to Dave Shaw, Subject: 02-2272, 02-2405, Licenses
3/11/83

graphically in this breakdown, Figure 2 shows how the rights would fit together in relation to the land.

Through my investigation I believe 02-2083 and 02-2084 were either licensed incorrectly or the lands as irrigated now were done so before 1969 when the transfer requirement, (Idaho Code 42-108) became effective. I suggest these two rights should be considered as described on Figure 2 and in Land List #2. The changes are systematic although somewhat arbitrary. The right is still described in the same and or adjacent 40-acre tracts. Each was issued at 1.0 inch per acre on 120 and 50 acres, respectively. The change in place of use does not alter these ^{allocations per acre} limitations.

02-2176
Getting by those rights brings us to 02-2176. This license, amended at least twice, is divided by both farms, plus the LDS Church. For Yorgason's farm the right fits like a glove. But on Field's farm, this license was issued without considering the existence of the two earlier licenses above (Figure 1). In some 40-acre tracts the two licenses would exceed the number of acres in the tract and 1.0 inch per acre. Consequently I suggest, 02-2176 should be transferred in part by Field to other lands. The other lands were apparently irrigated earlier, but were not a part of the permit.

Because 02-2176 has a diversion rate of less than 1.0 inch per acre, a second right (02-2405) was acquired by Bybee to supplement it. On Field's land the intent of Bybee to do this is obvious although the combination of the two acreages might be too large for a tract or overlaid one of the earlier licenses. None of the water for 02-2405 has been described up to now on the Yorgason farm except a small part of SWSE and NESW, S. 36. However, there are 43 acres of land described on the permit and adjacent to both owners that is not irrigated at all. I proposed that 02-2405 be amended by Bybee (proof was submitted before 1976) rather than assigning the permit to both current owners. (For the Snake River Adjudication, Bybee has not claimed 02-2405, but Yorgason and Field have claimed applicable parts of it.) Yorgason shares one-half of a 100 HP motor pump that

* ASSIGNED TO YORGASON & FIELD 11/04/83

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AUG 07 1992

Page 3

Memo to Dave Shaw, Subject: 02-2272, 02-2405, Licenses
3/11/83

delivers 10 cfs and formerly one of Bybee's three pumps. Bybee now has only one-half of a 75 HP motor and pump that was one of his three pumps. With Yorgason's part of 02-2176 having ^{2.04}~~2.04~~ cfs, he purchased from the assignees of Bybee the capacity to divert 5.0 cfs and ability to irrigate with 02-2405. It would follow the permit should be amended to include his land. By doing so, each owner except the LDS Church will have the lands of 02-2176 supplemented to near 1.0 inch per acre by 02-2405.

The LDS Church by the equitable division of 02-2176 has .07 cfs for 6 of its 11 irrigated acres. Another right, 02-2380, is for .10 cfs on the other 5 acres.

02-7154
While on Yorgason's land, 02-7154 should be addressed. This right, developed from a different point of diversion for the Aslett Canal then to the Bybee Canal, fills in where 02-2176 does not cover, (Figure 1). The problem comes about for this right because in some cases more acres were licensed than there are acres owned ^{by Yorgason} and in some cases fewer acres were licensed than were or are now irrigated. The exception is the SWNW, S. 36 where ^{3 acre} a parcel has been sold and is not irrigated now. I suggest an amended license should be issued as shown in Land List #1. This amendment will result in fewer acres and a smaller diversion rate than presently is licensed. But with the changes to 02-2405 as suggested, 02-7154 will contribute its part to ^{.9871}~~.9864~~ inch/acre for all of Yorgason's irrigated land.

02-2272
Lastly, 02-2272 is left. This right is used by way of a relift pump described in the Field Report. This right held by Mrs. Bybee, apparently was to fill in some land above the canal between two previous rights on Field's land. The assumption erroneously has been made for some time that Field was the holder of this permit. Apparently an assignment will be necessary.

With the licensing of the last of the rights for Field, he will have ^{.9396}~~.9269~~ inch/acre for all of his irrigated land.

* ASSIGNED 11/04/83 OR EARLIER.

MICROFILMED
AUG 07 1992

JAN 11 1989

Department of Water Resources

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-2380 (late proof)
Priority November 9, 1965 Amount 0.10 cfs

THIS IS TO CERTIFY, that Church of Jesus Christ of Latter Day Saints
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 02-2380 issued pursuant to Application for Permit dated November 2, 1965,
and has submitted proof to the Department of Water Resources on November 12, 1976,
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 0.10 cfs of water from Snake River,
tributary to 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 <u>March 15</u> to <u>November 15</u> at <u>0.10</u> cfs and <u>25.0</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 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
25.0 acre feet per year, said waters to be diverted within the Government Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 34, Twp 5S, Rge 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	3E	36									5								5

Total number of acres irrigated 5

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 confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22nd day of June, 19 83.

Director

MICROFILMED

AUG 07 1992

FILE WITH A57-07147

Form 219-S.A.
Supplement
6-9-90

CC: A02-02380

57-07147
Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER Steve Lester DATE SUBMITTED 8/23/90
ADJUDICATION AGENT Ron Howerton RESPONSE DUE DATE 8/23/90
COUNTY Owyhee OWNER'S NAME LDS Church, Grand View

PERMIT DATA	T	R	S	Q/Q	T	R	S	Q/Q
P/D	<u>55</u>	<u>3E</u>	<u>36</u>	<u>NWSW</u>				
P/U	<u>Same</u>							

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing

- ☐ Claim required for permit but not filed
(examiner needs to notify permit holder during exam)
- ☒ Claim filed for permit and copy attached *
- ☐ Claim filed although not required (proof filed after 11-19-87)
- ☐ No claim filed or required.

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

- ☐ Name index search
- ☐ Non-data entry claims search
- ☐ Claim found but large system no exam required *

See note below

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Attached
A57-07147 Adj No.	8/24/90	☒	☐
Adj No.		☐	☐
Adj No.		☐	☐

* copies included only if pertinent to permit field exam

MICROFILMED

AUG 07 1992

NOTE

A02-02380 Snake River to irrigate LDS welfare property just south of LDS Church covered by permit 57-07147. Irrigation in A02-02380 confirmed by visual observation in exam 57-07147.

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

4974
Date
03/06/89
Code
193002

VENDOR:

If you require additional information regarding this payment, please contact the State agency listed below.

DEPT. OF WATER RESOURCES

Document No.
Pre-Audit
Date
Warrant No.

PAY
TO

J. TERRY FIELD
HC 85, BOX 332
GRANDVIEW, ID 83624

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER L.WERNER 2/24/89 55.00 A02 - 2380	55.00	
TOTAL						55.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

C005033

01/11/89
12:54:23

LDS CHURCH

ADJUDICATION FEE PAID BY CK 5340C02267 0410162 9337 6490 \$110.00

J. Terry Field 55.00
W 2220

\$110.00

CHECK C02267

WR/NO: A57-07147 A02-02380

Idaho Department of Water Resources

Region: STATE

Signature: _____

MICROFILMED
SEP 19 1996

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 DETERMINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner Dam to Oregon Drainage Basin Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2380 I.D. No.	<u>MOOUTH OF BROWN</u> Map No.
\$ <u>20.00</u> Fee Paid	<u>20208</u> 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) 11/9/1965
- (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:
- | | | |
|---|--|---|
| Quantity <u>.10 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) .10 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4 Lot 9 SW 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: Gravity flow out of Bybee Canal 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. Set

- (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	
<u>5S</u>	<u>4E</u>	<u>36</u>										<u>5</u>							<u>5</u>

Total no. of acres 5

- 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. 02-2380

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.

SEPT 9, 1981
(Date)

Individual

(Signature of Claimant)

Organization

(Signature of Spouse)

State of IDAHO

Organization

County of ADA

ss.

Seal

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 _____

KEYPUNCHED

1-19-82 ajp

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by DS

Date 11/23/81

Right No. 02-2380

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 FOR P/D SEE REMARK BELOW

☐ 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 1/81

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

Measurement .10 cfs. Amount recommended .10 cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☐ No

Remarks DIVERSION IS THROUGH IDAHO POWER CANAL RATHER

THAN DUMPS FOR ASLETT CANAL.

WICBOEITWED

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of latter
Dam to Oregon DRAINAGE BASIN.
Order.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2380	
I.D. No.	Map No.
\$ 20.00	20208
Fee Paid	Receipt No.

Notice is hereby given that CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
Route B, (Name of Claimant)
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) 11/9/1965
- (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:
- | | | | |
|-------------------------|-------------------------------------|--------------------------------|-----------------|
| Quantity <u>.10 cfs</u> | Use <u>Irrigation</u> | Period of Use From <u>3/15</u> | To <u>11/15</u> |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
- (4) .10 cfs TOTAL QUANTITY CLAIMED. Lot 9
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE SW 1/4 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: Gravity flow out of Bybee Canal
- 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. _____

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total no. of acres _____

- 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. _____

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.

SEPT 9, 1981 (Date)
State of IDAHO Organization _____
County of ABA ss, Seal _____
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 PO BOX 10