

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

1

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 43-13008
Date Received: 4/12/01
Receipt No: **5023937**
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR **East** *TRWD 01 APR 26*
50 E NORTH TEMPLE ST *tol*
SALT LAKE CITY UT USA 84150

Phone: (801) 240-~~2929~~ ⁴⁶⁵⁶ *01 APR 26* *tol*

2. Date of Priority: 04/01/1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14S	27E	7	SW NE	CASSIA	

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	0.348	

7. Total Quantity Appropriated is:
0.348 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	27E	5	NE	SW	IRRIGATION	20
			NW	SW	IRRIGATION	20
			SE	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
Section Acres						120
14S	27E	8	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	38
			SE	NW	IRRIGATION	30
			SW	NW	IRRIGATION	27
Section Acres						135
Total Acres						255

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

43-02296B
43-04005

HR

14. Remarks:

THIS RIGHT REPRESENTS PORTIONS OF 43-00164 & 43-00165.

15. Basis of Claim: Decreed

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.

TR/SP
01 APR 26
HR

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am **AUTHORIZED AGENT** of
Corporation of the Presiding Bishop of The Church of Title
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
Corporation of the Presiding Bishop of The Church of Title
Jesus Christ of Latter-day Saints, a Utah corporation sole. and that the statements contained in the

Organization
foregoing document are true and correct. *Tony F. Rudd* *TRF*
Signature of Authorized Agent

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

AUTHORIZED AGENT

Title and Organization

2001 APR 30

Date

State of *Utah*)
County of *Salt Lake*) SS.

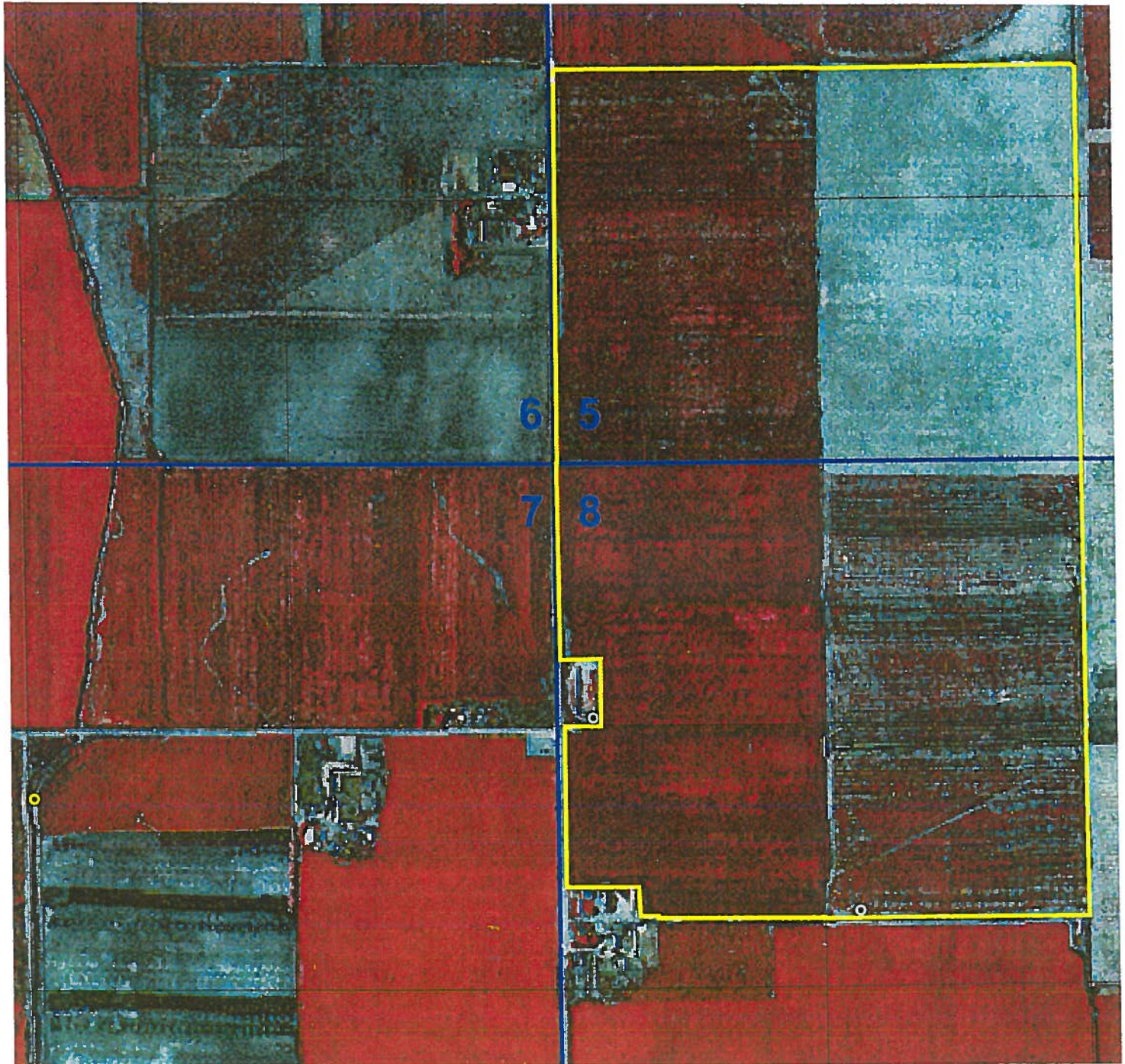
Subscribed and sworn (or affirmed) before me this *30th day*
of *April* 20*01*
Rita C. Jensen
Notary Public

Residing at *Salt Lake City*

My commission Expires *6/17 2004*



IDAHO DEPARTMENT OF WATER RESOURCES
43-13008 through 43-13015
and 43-13017



1320 0 1320 2640 Feet

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES



GIS WATER RIGHT PRESENTATION
PHOTOGRAPHY: 1987 &/OR 1988 NAPP
DATA ENTRY: Apr., 2001
DOUGLAS JONES

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

RECEIVED
MAY 07 2001
Department of Water Resources
Columbia Region

REAL ESTATE DIVISION

Twelfth Floor East
50 East North Temple Street
Salt Lake City, Utah 84150-6320
Phone: 1-801-240-3840
Facsimile: 1-801-240-2913

Reference reply to:

R. William Nelson
(801) 240-1984
Property #508-4857
May 1, 2001

Mr. Douglas Jones, P.E.
Water Rights Supervisor
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: Water Right Nos. 43-13008, 009, 010, 011, 012, 013, 014, 015, and 43-0017

Dear Mr. Jones:

Enclosed are the completed, signed and notarized adjudication claims for the decreed rights from Raft River for the stake farm along with a check in the amount of \$450 to cover the fees. This should complete the surface water filings, but should there be questions or additional information needed, please call me as I'm always happy to be of service.

Very truly yours,



R. William Nelson
L.D.S. Water Resources Group

Copy: Jay Harper
1926 South 2350 East
Malta, Idaho 83342

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13008 V1

WATER RIGHT NUMBER: 43-13008 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS REAL ESTATE DIVISION 12TH FLOOR EAST 50 E NORTH TEMPLE SALT LAKE CITY, UT 841 50-6312 (801)240-4656
Current Owner	PETER J GRUSH 2025 S HWY 81 MALTA, ID 83342 (208)645-2361
Current Owner	SYLVIA T GRUSH 2025 S HWY 81 MALTA, ID 83342 (208)645-2361

Priority Date: 04/01/1871

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAFT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/30 to 07/01	0.348 CFS	
	<u>Total Diversion:</u>	0.348 CFS	

Location of Point(s) of Diversion

RAFT RIVER	SW1/4NE1/4	Sec. 7, Twp 14S, Rge 27E, B.M.
CASSIA 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	
14S	27E	5									20.0	20.0	40.0	40.0					120.0
14S	27E	8					40.0	38.0	27.0	30.0									135.0

Total Acres: 255

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13008 V1

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:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-13008, 43-13009, 43-13010, 43-13011, 43-13012, 43-13013, 43-13014, 43-13015, 43-13017, 43-2296B & 43-4005.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-13008, 43-13009, 43-13010, 43-13011, 43-13013, 43-13015.
3. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.43-164 & 43-165.

Comments:

1. djones 5/17/2001 RECOMMENDATION

Comment: RECOMMENDATION MADE TO CONFORM WITH JOBE ADAMS DECREE AWARD, ESPECIALLY THE SEASON OF USE 4-30 TO 7-1.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 22, 2004

PETER GRUSH
SYLVIA GRUSH
2025 S HWY 81
MALTA ID 83342

RE: Decreed Water Right 43-2296B, 43-4005, 43-13008,
43-13009, 43-13010, 43-13011, 43-13012, 43-13013,
43-13014, 43-13015, 43-13017

Dear Mr. and Mrs. Grush:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUL 19 2004

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources
Southern Region

- I. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-4005</u>	<u> </u>	<u> </u>	<u>43-13017</u>	<u> </u>	<u> </u>
<u>43-04165</u>	<u> </u>	<u> </u>	<u>43-13012</u>	<u> </u>	<u> </u>
<u>43-2296B</u>	<u> </u>	<u> </u>	<u>43-13011</u>	<u> </u>	<u> </u>
<u>43-13013</u>	<u> </u>	<u> </u>	<u>43-13010</u>	<u> </u>	<u> </u>
<u>43-13014</u>	<u> </u>	<u> </u>	<u>43-13009</u>	<u> </u>	<u> </u>
<u>43-13015</u>	<u> </u>	<u> </u>	<u>43-13008</u>	<u> </u>	<u> </u>

The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

Name and Address of Former
Owner/Claimant(s)

Church of Jesus Christ of the Latter Day Saints

New Owner/Claimant(s)

Peter & Sylvia Grush

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2025 So. Hwy 81

City, State and ZIP Code

Malta, ID 83342

New Telephone Number

() 1-45-2361

Date you acquired the property

7-9-04

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by Haworth Date 7/19/04 Fee 25.00
 Received by Haworth Date 7/19/04 Receipt No. 5026913
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

JUL 19 2004

Department of Water Resources
Southern Region

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2004 JUL 13 PM 1 39

FEE 6.00 DEPUTY 4.00

CASSIA COUNTY, IDAHO
LARRY A. NICKELSEN
RECORDER

296831

Mail Tax Notice to:
Farm Management Company
139 E. South Temple, Suite 110
Salt Lake City, UT 84111-1103

SPECIAL WARRANTY DEED
[Corporate Form]

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, a corporation organized and existing under the laws of the State of Utah, with its principal office at Salt Lake City, County of Salt Lake County, State of Utah, grantor, does hereby CONVEY and WARRANT against all claiming by, through or under said Grantor to **PETER J. GRUSH AND SYLVIA GRUSH, Husband and Wife**, grantee, of 2025 So. Hwy 81 Malta, Idaho, Cassia County, State of Idaho for the sum of TEN AND NO/100 DOLLARS, and other good and valuable considerations, the following described tract of land in Cassia County, State of Idaho:

All of the following described property:

SEE EXHIBIT A

RESERVING UNTO THE GRANTOR HEREIN ALL OIL, GAS, AND MINERAL RIGHTS.

SUBJECT TO the 2004 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, and appurtenances thereunto belonging or in anywise appertaining.

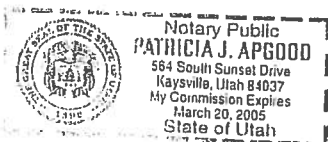
In witness whereof, the grantor has caused its corporate name to be hereunto affixed by its duly authorized agent this 7 day of July, 2004.

CORPORATION OF THE PRESIDING BISHOP OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A
UTAH CORPORATION SOLE.

By: John W. Creer
John W. Creer, Agent
Duly authorized by certificate of appointment dated February 6, 1994, by and for, Corporation Of The Presiding Bishop Of The Church of Jesus Christ Of Latter-Day Saints, a Utah Corporation Sole. Said authorization having been filed with the State of Utah, Department of Commerce, Division of Corporations and Commercial Code.

STATE OF UTAH)
) ss
County of Salt Lake)

On the 7th day of July, 2004, personally appeared before me John W. Creer, who being by me duly sworn, says that he is the authorized agent of Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole, the corporation that executed the above and foregoing instrument and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by authority of a resolution of its board of directors) and said he acknowledged to me that said corporation executed the same.



Patricia J. Apgood
Notary Public
My Commission Expires: March 20, 2005

EXHIBIT A

PARCEL 1:

Township 14 South, Range 27 East, Boise Meridian

Section 5: South Half Southwest Quarter (S1/2 SW1/4)
South Half North Half Southwest Quarter (S1/2 N1/2 SW1/4)

Section 8: Northwest Quarter Northwest Quarter (NW1/4 NW1/4)

PARCEL 2:

Township 14 South, Range 27 East, Boise Meridian

Section 8: NE1/4 NW1/4

Section 8: Beginning at a point 1,320 feet South of the Northeast corner of Section 7; thence South 990 feet; thence East 2647.25 feet; thence North 990 feet; thence West 2647.25 more or less feet to the point of beginning.

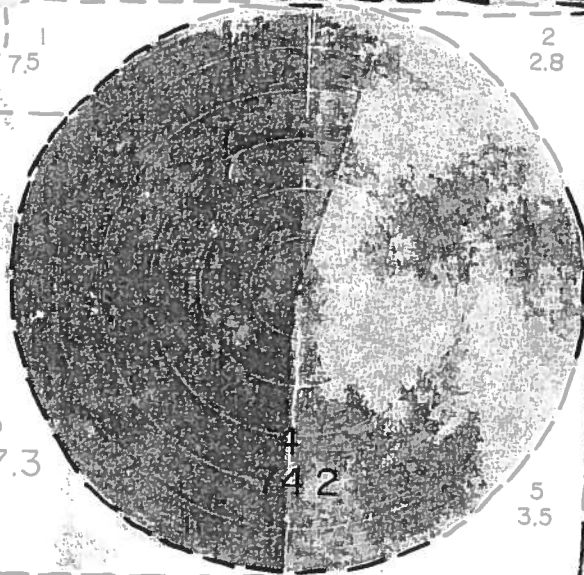
EXCEPTING the portion deeded to the RAFT RIVER HIGHWAY DISTRICT for a public highway.

TOGETHER with all water rights however evidenced, whether decreed rights or otherwise.

T1641

7.5

2
2.8



87.0

27.3

74.2

5
3.5

T1643

85.4

110.4

55.8
TM
R27

62.8

556.2

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY

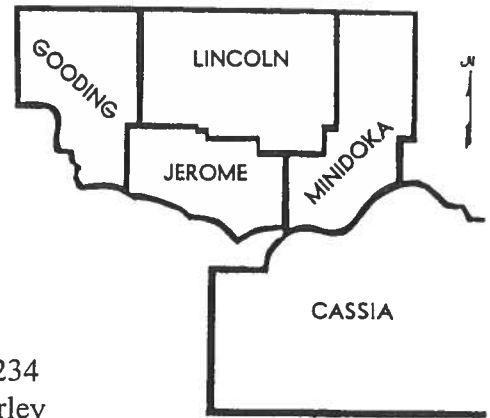
RECEIVED

JUL 19 2004

Department of Water Resources
Southern Region

July 16, 2004

REFER TO: 39234
OFFICE: Burley



Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, Id 83301

RE: Notice of Change in Water Right Ownership

Dear Agent:

Enclosed for your review please find a Notice of Change in Water Right Ownership between the LDS Church and peter and Sylvia Grush, along with a filing fee on the domestic well of \$25.00, an aerial and a copy of the Warranty Deed.

Please file these changes and inform me if you have any questions concerning this matter.
You may reach me at (208) 878-3524

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in black ink, appearing to read "Terri L. McBride".

Terri L. McBride
Senior Escrow Officer

06/22/2001

**NOTICE OF ERROR
REPLY**

508-4857

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: July 20, 2001

Water right number: 43-13008

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

RECEIVED

JUN 29 2001

Department of Water Resources
Southern 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:

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

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

DATE: 6/27/01

SIGNATURE: mvsp

Please print your name: _____

AUTHORIZED AGENT

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

05/17/2001

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

RIGHT NUMBER: 43-13008

NAME AND ADDRESS: CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY, UT 84150

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.348 CFS

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S7 SWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-30 07-01	0.35 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S5	NESW	20	T14S R27E S5	NWSW	20
T14S R27E S5	SWSW	40	T14S R27E S5	SESW	40
T14S R27E S8	NENW	40	T14S R27E S8	NWNW	38
T14S R27E S8	SWNW	27	T14S R27E S8	SENW	30

255 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-13008, 43-13009, 43-13010, 43-13011, 43-13012, 43-13013, 43-13014, 43-13015, 43-13017, 43-2296B & 43-4005.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-13008, 43-13009, 43-13010, 43-13011, 43-13013, 43-13015.

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

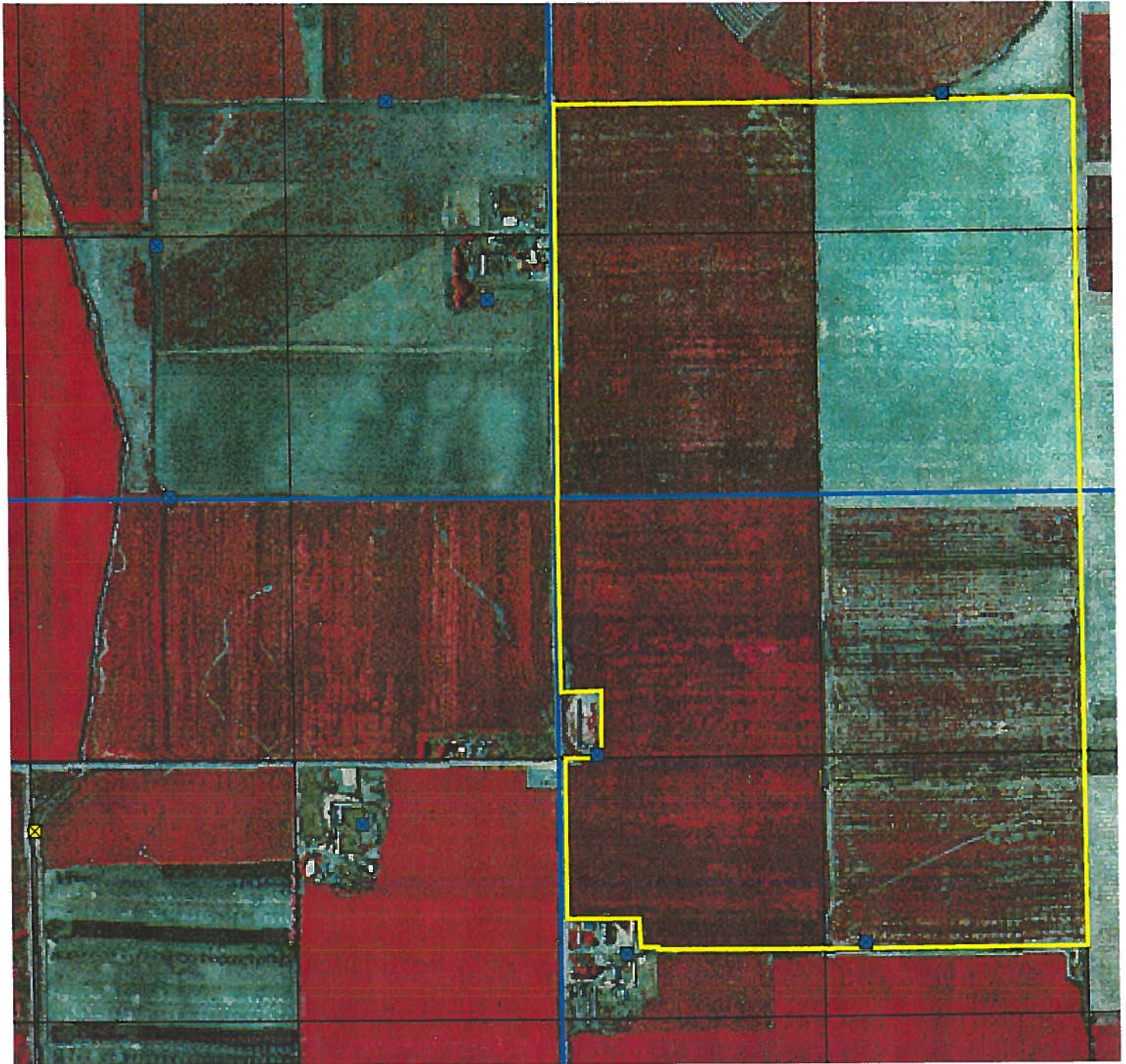
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

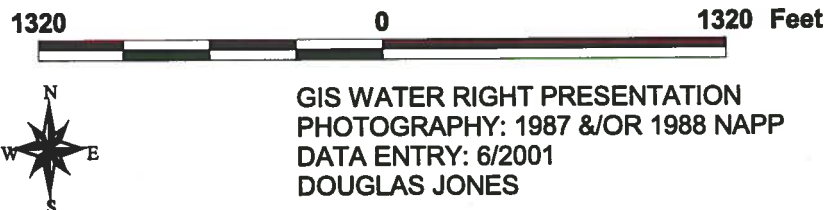
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.43-164 & 43-165.

IDAHO DEPARTMENT OF WATER RESOURCES

43-13008, 43-13009, 43-13010, 43-13011,
43-13012, 43-13013, 43-13014, 43-13015 &
43-13017



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES



GIS WATER RIGHT PRESENTATION
PHOTOGRAPHY: 1987 &/OR 1988 NAPP
DATA ENTRY: 6/2001
DOUGLAS JONES

Idaho Department of Water Resources Receipt

Receipt ID S023937

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$450.00	ADJUDICATION FILING FEE	0337		44503	1155


Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

4/16/01

ATTN: BILL NELSON
CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150

RE: Claims for Raft River decreed rights for Declo Stake

Dear Bill,

Enclosed are adjudication claims for the decreed rights from Raft River for the stake farm. These claims are based on the notes we discussed during our meeting in March. Please look them over and if you see anything that needs to be fixed make appropriate strikeouts, ink in the correct information and initial and date the changes. Please sign and notarize the forms. I have included a spreadsheet that breaks down the particulars of each claim and how they relate to the original decree awards. Jay Harper requested that I include the 1911 right for filing. This right would provide surface water for all the land on the farm; the others cover all but 35 acres. A color map of the claimed (and proposed to be recommended) place of use for the farm is also included. Fees amount to \$450.

Jay and I recently met and discussed the other properties IDWR had concerns with. The following summarizes the results of these discussions:

43-4160: Elba Ward building. Documentation looks ok, but will visit with the agent completing the review this week.

43-4161: Malta Ball field. Jay will be looking into other types of evidence to submit (e.g. electrical service agreement, personal statement of facts). Bathroom building may be separate claim, built in mid to late 1960's. (Blank form enclosed for your completion, \$25 fee if filed)

43-4163: Malta Seminary. Plan to recommend as "domestic" with disclaimer of non-determination of historic beneficial use and 2500 gallon per day.

43-4164: Malta Ward building. Documentation appears to address issues for start of use and extent of use.

Please let me know if you have other questions, and we will be in touch if we have others. Thank you for working with us.

Sincerely,

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

LDS STAKE FARM DECREES

Root decree #	Priority	irr begin	irr end	part acres	part flow	New #
43-00164	4-1-1871	30-Apr	1-Jul	120	0.048	43-13008
43-00165	4-1-1871	30-Apr	1-Jul	120	0.3	
43-00166	4-1-1871	1-Apr	1-Jul	120	0.3	43-13009
43-00167	4-1-1871	1-Apr	1-Jul	120	0.3	
43-00168	4-1-1879	1-Jul	1-Oct	120	0.91	43-13010
43-00169	6-1-1879	1-Apr	1-Oct	220	2.01	43-13011
43-00170	4-1-1881	1-Apr	1-Oct	100	0.57	43-13012
43-00172	4-1-1879	1-Apr	1-Oct	120	0.3	43-13013
43-00173	4-1-1882	1-Apr	1-Oct	100	1.52	43-13014
43-00175	4-1-1871			120	0.048	43-13015
43-00176	4-1-1871	1-Apr	1-Jul	120	0.4	43-13009
43-00178	12/12/11	15-Mar	15-Nov	255	5.1	43-13017

Distribution of 43-00164

See Summary
at End
RWN
3/20/01

14
1-4-00

Priority 4-1-1871

4-30 to 7-1

43-13008

0.036 A43-10791 90 ac out of 1260

(E. Ellison)

$$\frac{90}{1260} \times .5 = 0.036 \text{ cfs}$$

0.10 A43-10792 = 43-00164B on Transfer No. 5140 (Hutchins)
= 0.10 cfs

0.059 A43-10085 = 150 ac out of 1260 (L. Ellison)

$$\frac{150}{1260} \times .5 = 0.059$$

0.024 A43-10378 = 60 ac out of 1260 (Alan Harper)

$$\frac{60}{1260} \times .5 = 0.024 \text{ cfs}$$

0.095 A43-10381 240 ac out of 1260 (Warr)

$$\frac{240 \text{ ac}}{1260} \times .5 = 0.095$$

0.048 A43-10257 120 ac out of 1260 (Nye → Jay Huff)

$$\frac{120}{1260} \times .5 = 0.0476 \approx 0.048 \text{ cfs}$$

0.048 A43-10435 120 ac out of 1260 (Whitaker)

$$\frac{120}{1260} \times .5 = 0.0476 \approx 0.048 \text{ cfs}$$

0.024 Anderson 60 ac

$$\frac{60}{1260} \times .5 = 0.024 \text{ cfs}$$

LDS 120 ac Not claimed = 0.048 cfs

Tracy 60 ac Not claimed = 0.024 cfs

0.072 claimed

0.434 Sum of splits (claimed)

$$0.434 + 0.072 = 0.506$$

Priority 4-1-1871

43-00165

4-30 to 7-1

124
1-3-00

43-13008

0.38 A43-00165A L. Ellison 150 ac out of 1260

$$\frac{150}{1260} \times 3.2 = 0.38 \text{ cfs}$$

0.23 A43-00165B A. Harper (E. Ellison) 90 ac out of 1260

$$\frac{90}{1260} \times 3.2 = 0.228 \approx 0.23 \text{ cfs}$$

0.61 A43-00165C = 43-00165B from Transfer No. 5140
0.61 cfs

0.15 A43-10378 A. Harper 60 ac. out of 1260

$$\frac{60}{1260} \times 3.2 = 0.15 \text{ cfs}$$

0.61 A43-10381 Warr Bros. 240 ac. out of 1260

$$\frac{240}{1260} \times 3.2 = 0.61 \text{ cfs}$$

0.30 A43-10257 A. Harper 120 ac out of 1260 ac.

$$\frac{120}{1260} \times 3.2 = 0.30 \text{ cfs}$$

0.15 A43-10606 Anderson 60 ac. of out 1260

$$\frac{60}{1260} \times 3.2 = 0.15 \text{ cfs}$$

A43-10435 Walker 120 ac. out of 1260

$$\frac{120}{1260} \times 3.2 = 0.30 \text{ cfs}$$

LDS 120 ac not claimed = 0.30 cfs

Tracy 60 ac not claimed = 0.15 cfs

0.45 unclaim

2.73 sum of cfs claimed 2.73 + 0.45 = 3.18