

05/18/2001

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

RIGHT NUMBER: 43-13020

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: GROUND WATER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500
GALLONS PER DAY.

PRIORITY DATE: 07/24/1979

POINT OF DIVERSION: T13S R26E S12 NESWN Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

DOMESTIC Within CASSIA County
T13S R26E S12 SWNW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

13020



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 43-13020
Date Received: 5/18/01
Receipt No: S023961
Received By: D. JONES

**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
12TH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT USA 84150

Phone: (801)240-4656

2. Date of Priority: 07/24/1979

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
13S	26E	12	NE SW	NW	CASSIA	

5. Description of diverting works:

12 INCH X 170 FT WELL; 7.5 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
13S	26E	12	SW	NW	DOMESTIC	

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:

14. Remarks:

USE IS FOR REST ROOMS AT A RECREATION PARK GAZEBO. RIGHT 43-4161 IS USED AT THIS LOCATION FOR IRRIGATING THE BALL FIELD. \$25 FEE PAID, RECEIPT NO. S023961.

15. Basis of Claim: Beneficial Use

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

Identification No. 43-13020

Date Received 5/18/91

Receipt Number 5023961

NOTICE OF CLAIM
TO A
WATER RIGHT

504-4839

RECEIVED
MAY 18 2001
Department of Water Resource
Southern Region

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

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

1. Name of Claimant (s) _____ Phone (801) 240-4656

Mailing Address LDS Church, 50 E. No. Temple, Natural Resource Section, 12 Floor E. SLC UT 841502

2. Date of Priority (Only one per claim) July/24/1979 Month/Day/Year 6321

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 13S Range 26E

Section 12 , NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of Cassia

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well and pump - 12" x 170' well, 5.0 H.P. Submersible replaced later with 7.5 H.P.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1^{Month/Day} to 12/31^{Month/Day} amount 0.02^(cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Recreational Park, Rest Rooms and Gazebo

10. Place of use is: Township: 13S Range 26E

Section 12, SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

43-4161 is used at the same place for irrigation.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 1 (fee)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am AUTHORIZED AGENT

of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole. Title _____, that I have signed the foregoing document in the space below as AUTHORIZED AGENT 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 foregoing document are true and correct.

Signature of Authorized Agent MJP Terry F. Rudd Date 5/11-01

Title and Organization _____

State of Idaho / or Utah)

County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 11th day of May 2001



Notary Public Rita C. Jensen

Residing at Salt Lake City

My Commission Expires 6/17 2004

Last Name _____ Ident No. 43-13020

Copies: White-State, Yellow-Claimant

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

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 #504-4839
May 11, 2001

RECEIVED
MAY 18 2001
Department of Water Resources
Southern Region

MR DOUGLAS JONES P.E.
WATER RIGHTS SUPERVISOR
IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET SUITE 200
TWIN FALLS ID 83301-3380

RE: Notice of Claim for recreational property rest rooms and gazebo

Dear Doug:

Enclosed are two copies of the signed and notarized Notice of Claim for the domestic water rights on the Malta Recreational Property rest rooms and gazebo. The \$25 filing fee is also enclosed.

Please give me a call if you have questions or if additional information would be helpful, as I'm always happy to be of service.

Sincerely yours,



R. William Nelson
Water Resources Group

Enclosures: 3