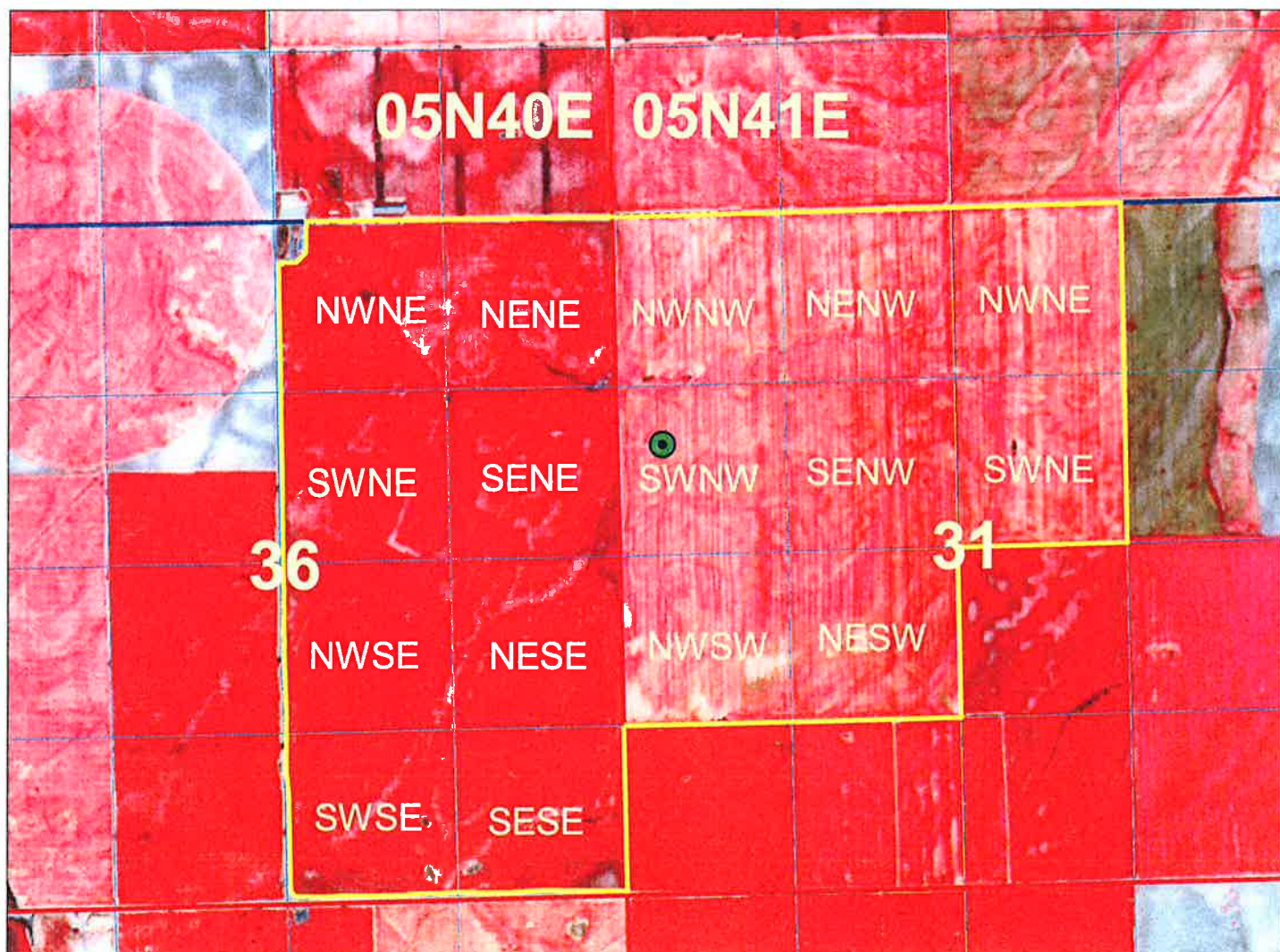




Department of Water Resources

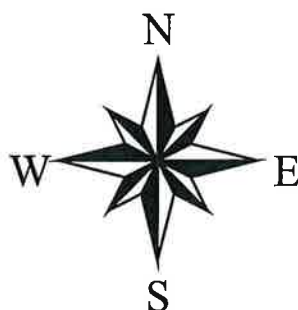
Eastern Region

Claim No.: 22-7184



0 1320 2640 3960 5280 Feet

- Point of Diversion
- 22-7184.shp
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

SCANNED
JUN 26 2009

Water Right No(s). 422-7184

See Attached photos

GPS DATA:

Tag # A0000232 Location: on air vent
GPS date 2686535 GPS file - 227184
1393901

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S Motors Model: _____ Hp: 600
SN: ID# C0005028 * Also 150hp U.S. Motors Booster
SN CG 7172 304 - Aurora Pump

PUMP

Make: Johnston Model: _____ Disch: _____
SN: Rubbed off

NOTES:

New owners are Guy & Keith Erikson (Phone # 356-6372, 356-5251).
Keith was on-site with me & I gave him a change of ownership form.
System is a well pump & booster to 12" mainline to 5 pivots.
Keith says place of use shape is correct.

Field Exam Date: 5-19-2005 Agent: D. Williams

SCANNED
JUN 26 2009



A22-7184, Looking South

SCANNED
JUN 26 2009



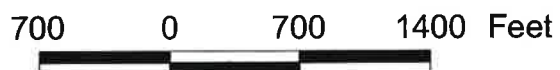
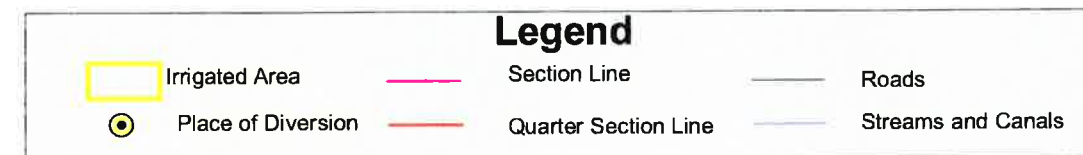
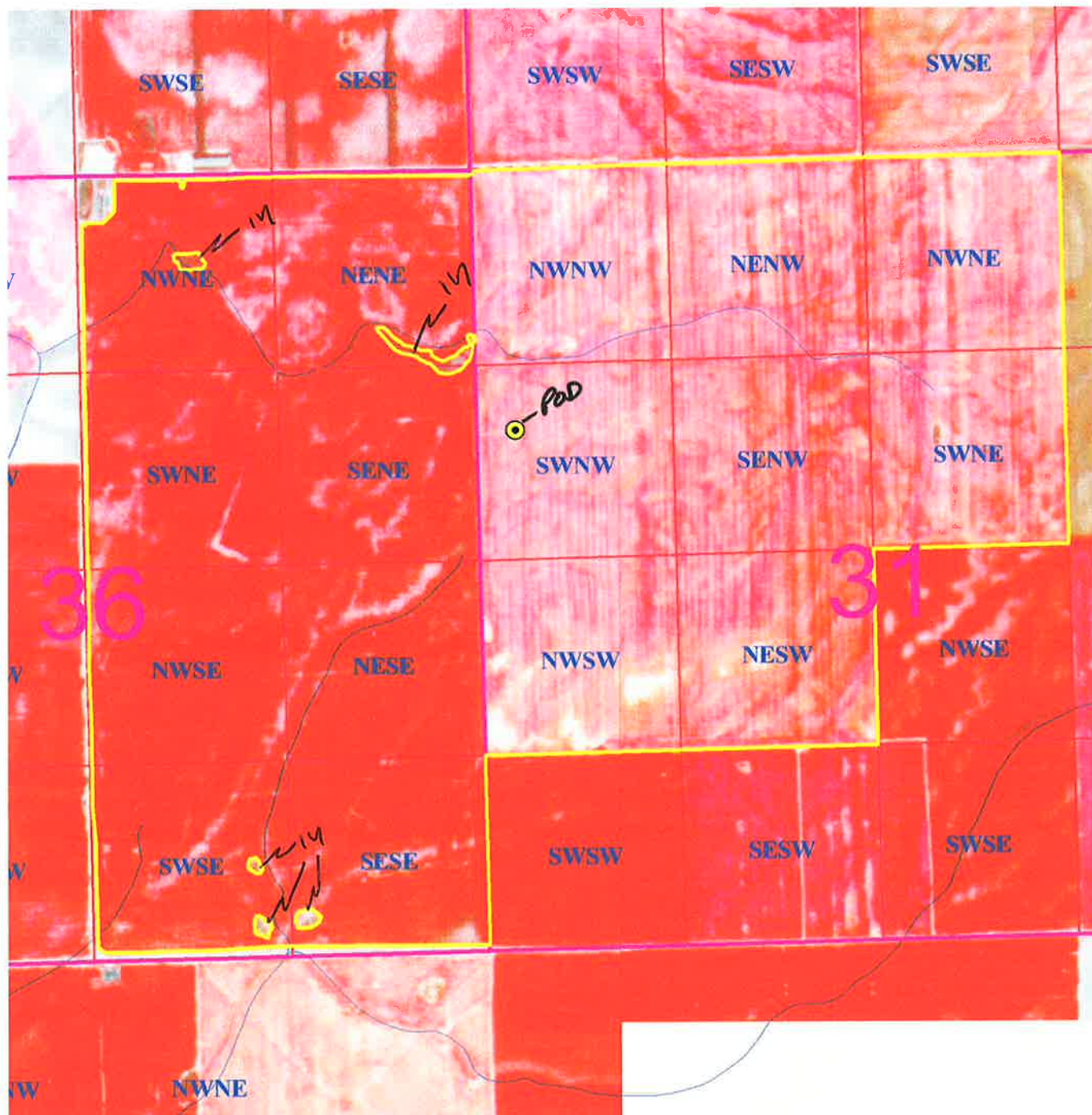
A22-7184 Motor tag

SCANNED

JUN 26 2009

Water Right Claim Number 22-07184
Townships , 5N41E, 5N40E

07/06/2001



SPATIAL
DYNAMICS

SCANNED

JUN 26 2009

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07184

Priority: April 14, 1976

Maximum Diversion Rate:

5.22 CFS

Maximum Diversion Volume:¹

2215.5 AF

This is to certify, that CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

REXBURG E. STAKE

648 S. 5TH W.

REXBURG, ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 14, 1976; and has submitted Proof of Beneficial Use on October 25, 1982. An examination indicates that the works have a diversion capacity of 5.220 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	04/01 to 11/01	5.22 CFS	2215.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 31, Township 05N, Range 41E
MADISON 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>
05N	40E	36	NENE 39	NWNE 40	SWNE 40	
			SENE 39	NESE 39	NWSE 40	
			SWSE 40	SESE 39		316
	41E	31	NWNE 40	SWNE 40	NENW 40	
			LOT 1(NWNW) 39	LOT 2(SWNW) 39	SENE 40	
			NESW 40	LOT 3(NWSW) 39		317

Total number of acres irrigated:

633

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 reflect cropping patterns or acceptable standards of water delivery 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.

MICROFILMED

FEB 13 1990

SCANNED

JUN 26 2009

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07184

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 1st
day of February, 1990.

Attest:


R. Keith Higginson, Director

RECORDED

FEB 13 1990

SCANNED

JUN 28 2009

OK
JC
6-2-05

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

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

1. 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
	A22-7184	N			

2. 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**.

3. Name and Address of Former
Owner/Claimant(s)

Church of Jesus Christ
648 S. 5th W, Rexburg, ID

4. New Owner/Claimant(s)

Guy + Keith Erikson
Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

409 W. Polkline Rd

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

(208) 556-5251

5. Date you acquired the property

2004, NOV

SCANNED

JUN 15 2005

RECEIVED
MAY 26 2005

Department of Water Resources
Eastern Region

SCANNED
JUN 26 2005
PROFILED

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)
	Irrigation	Description (acres, number and type of stock, homes, etc)
	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)
	Irrigation	Description (acres, number and type of stock, homes, etc)
	Stock	
	Domestic	
	Other	
	Total	

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

[Handwritten Signature]
Partner

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JUN 26 2009

copy
AFTER RECORDING MAIL TO:

Guy A. Erikson and Leola W. Erikson, Keigh Erikson and
Cora Ley Erikson
1228 South 5th West
Rexburg, ID 83460

Instrument # 316197

REXBURG, MADISON, IDAHO

2004-11-30

04:00:00 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

MARILYN R. RASMUSSEN

Ex-Officio Recorder Deputy

Fee: 9.00

WARRANTY DEED

34051
File No.: ~~100659~~-RX (II)

Date: **November 29, 2004**

For Value Received, **BRIGHAM YOUNG UNIVERSITY - IDAHO, a Utah nonprofit corporation**, a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto **GUY A. ERIKSON and LEOLA W. ERIKSON, husband and wife; and KEITH ERIKSON and CORA LEY ERIKSON, husband and wife**, Grantee, whose address is **1228 South 5th West, Rexburg, ID 83460**, the following described real estate, to wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


BYU-Idaho, By: **Jim Smyth**, Administrative Vice
President

SCANNED

JUN 15 2005

Page 1 of 3

PROFILED

SCANNED

JUN 26 2009

APN:

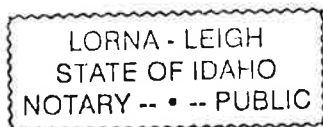
Warranty Deed
- continued

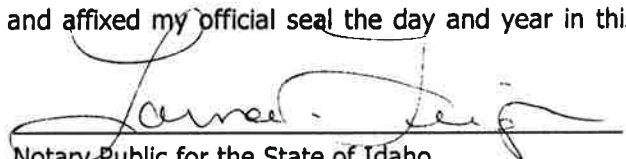
File No.: 100639-RX (II)
Date: 11/29/2004

STATE OF Idaho)
SS.
COUNTY OF Madison)

On this November 29, 2004, before me, a Notary Public in and for said State, personally appeared **Jim Smyth**, known or identified to me to be the **Administrative Vice President** of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for the State of Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: 2/16/2007

SCANNED
JUN 15 2005

SCANNED
JUN 26 2005
PROFILED

Warranty Deed
- continued

APN:

EXHIBIT A

TOWNSHIP 5 NORTH, RANGE 41 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO.
SECTION 31: NW1/4; N1/2SW1/4; W1/2NE1/4
TOWNSHIP 5 NORTH, RANGE 40 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO
SECTION 36: E1/2

TOGETHER WITH ALL OF WATER RIGHT NO. 22-7184, GROUNDWATER DIVERTED BY WELL,
PUMP, PIPELINE AND SPRINKLERS, TOTAL CONSUMPTIVE USE 1266 ACRE FEET PER
ANNUM, FLOW RATE 5.220 CUBIC FEET PER SECOND, POINT OF DIVERSION IN THE
NW1/4SW1/4NW1/4, LOT 2, SECTION 31, TOWNSHIP 5 NORTH, RANGE 41 EAST, BOISE
MERIDIAN, MADISON COUNTY, IDAHO.

SCANNED
JUN 15 2005

PROFIT

SCANNED
JUN 26 2009

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 22-7184
Date Received: 8/26/1988
Receipt No: C002354
Received By:

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

1. Name of Claimant(s)

GUY A ERIKSON Phone: (208)356-5251
409 W POLELINE RD
REXBURG ID USA 83440

KEITH ERIKSON Phone: (208)356-5251
409 W POLELINE RD
REXBURG ID USA 83440

2. Date of Priority: 04/14/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	41E	31	NW SW NW 2	MADISON	

5. Description of diverting works:

WELL, PUMP, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	5.22	

7. Total Quantity Appropriated is:
5.22 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
----------	-------	---------	----------------	-----	-------

05N	40E	36	NE	NE		IRRIGATION	39
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	39
			NE	SE		IRRIGATION	39
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	39
						Section Acres	316
05N	41E	31	NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW	1	IRRIGATION	39
			SW	NW	2	IRRIGATION	39
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW	3	IRRIGATION	39
						Section Acres	317
						Total Acres	633

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

See remarks for additional conditions of approval.

PLACE OF USE IS THE REXBURG BENCH FARM.

The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

15. Basis of Claim: License

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: A22-07184
Date Received: 7/29/1988 8-25
Receipt No: 2002354
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 25 1988

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS
Address: REXBURG EAST STAKE
C/O DON RYDALCH, PRES.
648 S. 5TH W.
REXBURG, ID 83440

Department of Water Resources

OR
Name: CHURCH 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: APR 14, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	41E	31	NW	SW	NW	2	MADISON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.220		

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

8. Total consumptive use is 1266.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-07184

Page 1

Date: 07/29/88

A2207184



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OCT 29 1982

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	40E	36	NE		NE		IRR	39.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	39.0
							Section Acres	316.0
	41E	31	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	39.0
			SW		NW	2	IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	39.0
							Section Acres	317.0
							Total Acres	633.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
PLACE OF USE IS THE REXBURG BENCH FARM.

15. Basis of Claim: PERMIT

(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.

MICROFILMED
OCT 29 1982