

02/02/2006

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

RIGHT NUMBER: 22-10950
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: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
16.10 AFY

PRIORITY DATE: 07/01/1940

POINT OF DIVERSION: T05N R45E S26 NESWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.140 CFS 16.10 AFY

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S26 SWSE 4.60
4.6 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.

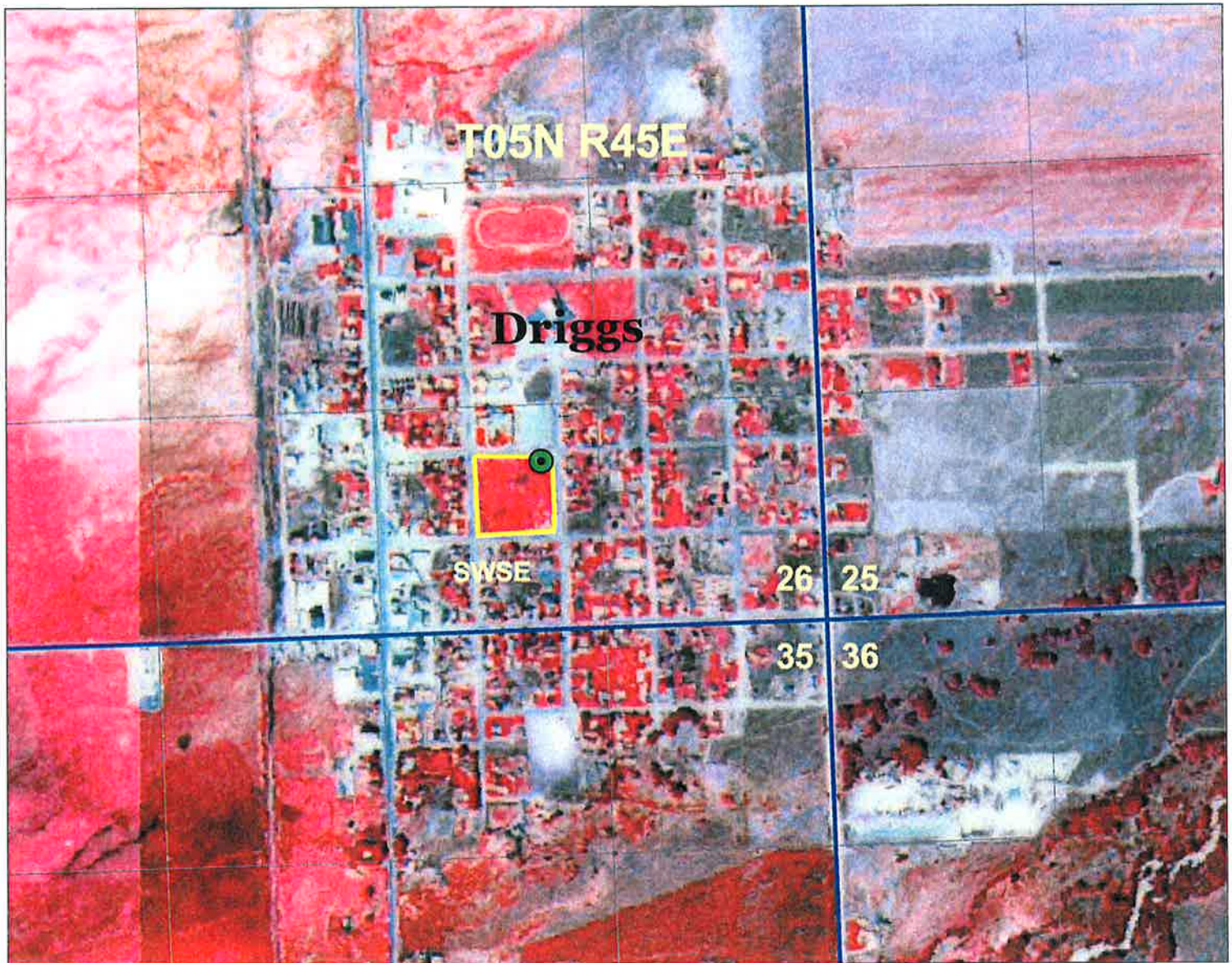
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Irrigation is for the Driggs City Park.

Department of Water Resources

Eastern Region

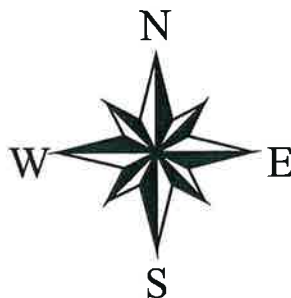


Claim No.: 22-10950



0 1000 2000 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: February 2006

02/02/2006

**NOTICE OF ERROR
REPLY**

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:

Water right number: 22-10950
CORP PRES BISHOP LDS CHURCH
REAL ESTATE DIVISION/NRS
50 E NORTH TEMPLE ST
12 TH FLOOR
SALT LAKE CITY UT 84150-6320
Telephone Number: (801)240-4656

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:

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

DATE:

12/7/06

SIGNATURE:

Susan Nash

GSC

Please print your name:

Susan Nash

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Claim no. A 22 10 950

Claimant Contact Log

Date _____

Remarks

Agent initials

2/18/04 Request Priority Evidence marked

3/16/04 RECEIVED priority evidence

Contacts Data Entry Form

Water Right No. A2218950

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>church of Jesus Christ Latter Day Saints</u>					
Name connector: and _____, or _____, and/or _____						
Current Owner	_____					
Current Owner	_____					

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

B.U. ClaimRecommend as claimant w/ Priority Evidence. Measures not
Revised 10.20.03

Reviewer: _____

Date: _____

Water Right No(s). A 22 10950

GPS DATA:

Tag # A00 14240 Location: metal box - electric meter

Diversion Data:

Source: Well Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: 5 h.p.
SN: _____

PUMP

submersible pump is used for this claim
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Well is used to irrigate city/church park

Field Exam Date: 5/11/05 Agent: DO



QV Pump house for Griggs City Park - property is
5/11/05 owned by LDS Church.



5/11/05 - Pump is submersible pump.
OO Inside of pump house for Driggs City Park claim.

Priority Date Data Entry FormClaim Number: A 2210950

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 10 July 1938 Claimed Basis: B.U.Recommended Priority Date: _____ Recommended Basis: B.U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

B.U. Claim

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry FormClaim Number: A2210950

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T SN, R 450, Sec. 26, NE, SW, SE, County: TetonSource: Ground Water Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS Tag

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: A2210950 Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
5N	45E	26	SW	SW	Teton		5.	Irrigation

Total Acres 5

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres

Document how the POU was verified:

5/11/05 DO Field exam shows park is irrigated with underground, and above ground system, hose & sprinklers

Transfers Changing POU Reviewer: Date:

Period of Use and Quantity Data Entry Form

Claim Number: A 2810 950☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Irrigation</u>	<u>4/15</u>	<u>10/15</u>		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

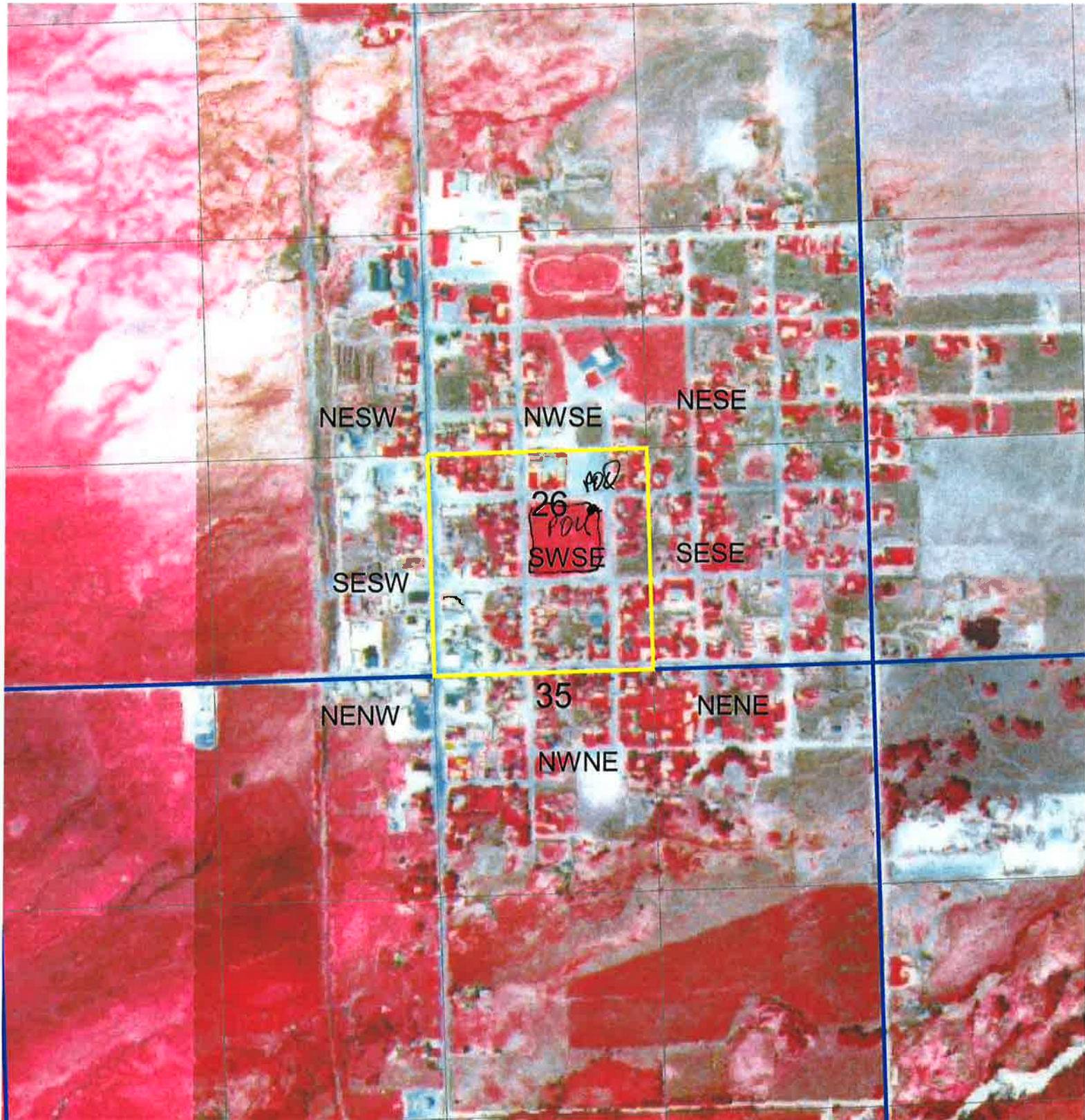
IDWR STD 504. 4/15 - 10/31

Reviewer: _____

Date: _____

22-10950

5/11/05 AD



Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive
Idaho Falls, Idaho 83402

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10950

To Whom It May Concern,

I, Alvin Dalley, former mayor of Driggs, Idaho, have lived in Driggs, Idaho since 2/13/1926. The City has used approximately 5 acres of land owned by the Church of Jesus Christ of Latter-day Saints as a park since 1950. Irrigation for the park has been provided by a sandpoint well located in the NE 1/4 of the SW 1/4 of the SE 1/4 of SEC 26 T5N R45E. I have personally observed the sandpoint well used for irrigation as far back as the year 1940.

Alvin Dalley
Alvin Dalley

3-12-04
Date

STATE OF IDAHO)
COUNTY OF TETON)

Subscribed and sworn to (or affirmed) before me this 12th day of March, 2004
by Diane L. Richardson



Diane L. Richardson
Notary Public Driggs Idaho
Comm. Expires: Sept. 14, 2004

February 18, 2004

Real Estate Division
Twelfth Floor
50 East North Temple Street
Salt Lake City UT 84150

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10950

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

Your claim, as referenced above, claims a Priority Date of July 1, 1938, from a well.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

Facsimile Transmission

50 East North Temple Street
Salt Lake City, Utah 84150

To	
Name	Total pages, including this one
Nick L. Olson	9
Department	Fax number
Idaho Dept. of Water Resources / Adjudication Bureau	(208) 525-7177
Country/Location	Date
Idaho Falls, Idaho	Tuesday, March 16, 2004
From	
Name	Telephone
Roy McDaniel	(801) 240-4656
Department	Floor
Physical Facilities - Natural Resource Services	12th
Comments	

The following affidavits are associated with Water Right Claims 22-11264, 22-11269, 22-11270, and 22-10950. The purpose of these affidavits is to submit evidence of priority dates. I am sending the originals to you in the mail. Please call me if you have any questions or concerns. I can be reached at (801) 240-4656.

Thank you.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via U.S. Postal Service. Thank you.

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: A22-10950
Date Received: 10/03/1988
Receipt No: C002786
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. 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: JUL 01, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	26	NE	SW	SE		TETON

5. Description of diverting works:
WELL, 6" CASING, 20' DEEP, 7 HP CENTRIFUGAL PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.150		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	26	SW	SE		IRR	5.0
Section Acres							5.0

A22-10950

Page 1

Date: 10/04/88

MICROFILMED

NOV 06 1992

A2210950



10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:
DRIGGS CHURCH

15. Basis of Claim: BENEFICIAL USE

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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

7.07.00.
509-4197

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

OCT 03 1988

Ident. Number: A22-10950
Date Received: 8/16/1988
Receipt No: C002786
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. 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: JUL 01, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	26	NE	SW	SE		TETON

5. Description of diverting works:
WELL, 6" CASING, 20' DEEP, 7 HP CENTRIFUGAL PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.150		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	26	SW	SE		IRR	5.0
Section Acres							5.0

A22-10950

Page 1

Date: 08/16/88

MICROFILMED
NOV 06 1992

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks: Driggs Church

15. Basis of Claim: BENEFICIAL USE

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

Organization, 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 Title
and that the statements contained in the
Organization
foregoing document are true and correct.

Joe A. Bohn JAB
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

August 30, 1988
Date

A 22-10950
509.6197

Filing Fee

\$50⁰⁰ Flat fee

\$5⁰⁰ acres
fee

\$55⁰⁰ Total
Fee

A22-

Page

2

Date: 08/16/88

MICROFILMED
NOV 06 1992

State of Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of August 19 88

Rita C. Jensen
Notary Public

Seal

Residing at Salt Lake City

My Commission Expires 6/17/1992

