

12/07/2004

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

RIGHT NUMBER: 25-14148

NAME AND ADDRESS: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312

SOURCE: BIRCH CREEK

TRIBUTARY: WILLOW CREEK

QUANTITY: 0.060 CFS

PRIORITY DATE: 06/01/1969

POINT OF DIVERSION:

T03N R40E S24 NESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.060 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R40E S24

NESE

1.5

T03N R40E S24

SESE

1.5

3 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: Beneficial Use

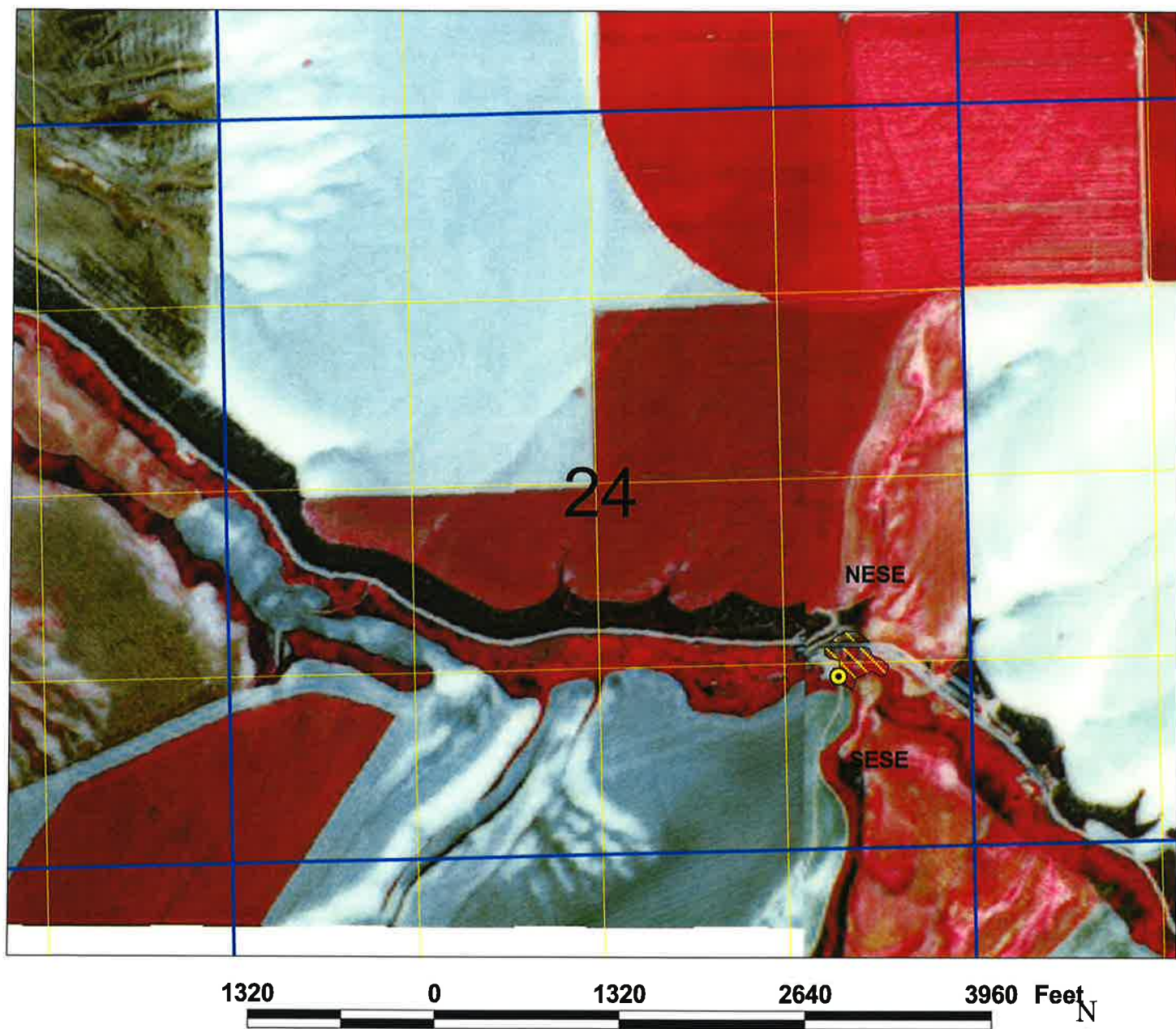


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-14148



- Point of Diversion
- ▨ Place of Use
- ▭ Sections
- ▭ QQ

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: December 2004

12/07/2004

RM

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: January 1, 2005

Water right number: 25-14148

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312
Telephone Number: (801)240-4656

RECEIVED
JAN 05 2005
DEPARTMENT OF
WATER RESOURCES

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:

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

DATE:

1/3/05

SIGNATURE:

[Signature]

GSC

Please print your name: _____

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

PRO

RECEIVED

JAN 10 2005

Department of Water Resources
Eastern Region

SCANNED

MAR 18 2005

SCANNED
JAN 05 2005

Memorandum

RECEIVED

DEC 13 2004

Department of Water Resources
Eastern Region

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

To: Ryan Mikesell
From: Susan Nash *SN*
Subject: Birch Creek Farm WR #25-14148
Date: December 8, 2004

Enclosed is the notarized letter to replace the letter that was not notarized used to establish a priority date.

Thank you for your help.

SCANNED

JAN 03 2005

SCANNED

JAN 03 2005

PROFILED

RECEIVED

DEC 13 2004

Department of Water Resources
Eastern Region

JAMES G. MONCUR

P.O. Box 2247
Quartzsite, AZ
85346

REAL ESTATE DIVISION
NATURAL RESOURCES SECTION
DEC 07 2004

22 Nov. 2004

Dear Dave;

In response to our conversation regarding Birch Creek.

I managed the LDS church farm (the old Jess Hays dry farm) the summers of 1969, 70 & 71. My family resided on this farm during those summers.

I pumped water from Birch Creek using an electric pump that was established by Mr. Hayes prior to my coming there. The water was used to water the lawn, lilac bushes and shrubbery around the house. I filled the sprayer with water to spray the field. I also watered my hogs with water from Birch Creek.

Regards,

SCANNED

JAN 03 2005

James G. Moncur

James G. Moncur

*State of Arizona
County of La Paz*



DOROTHY A. KEENE
Notary Public - Arizona
La Paz County
Expires 05/19/07

*Dorothy A. Keene
Notary*

PROFILED

SCANNED

JAN 03 2005

Nov. 22, 2004

JAMES G. MONCUR
P.O. Box 2247
Quartzsite, AZ
85346

30 Oct 2004

Dave Cook
P.O. Box 114
Ririe, ID
83443

Dear Dave;

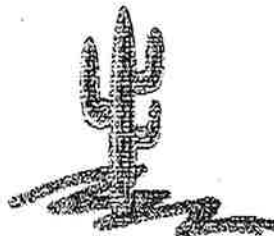
In response to our conversation of Friday, October 29, 2004: I managed the Ririe Stake Farm (the old Jess Hayes house) the summers of 1969, 1970 and 1971. My family resided in the house during those summer months.

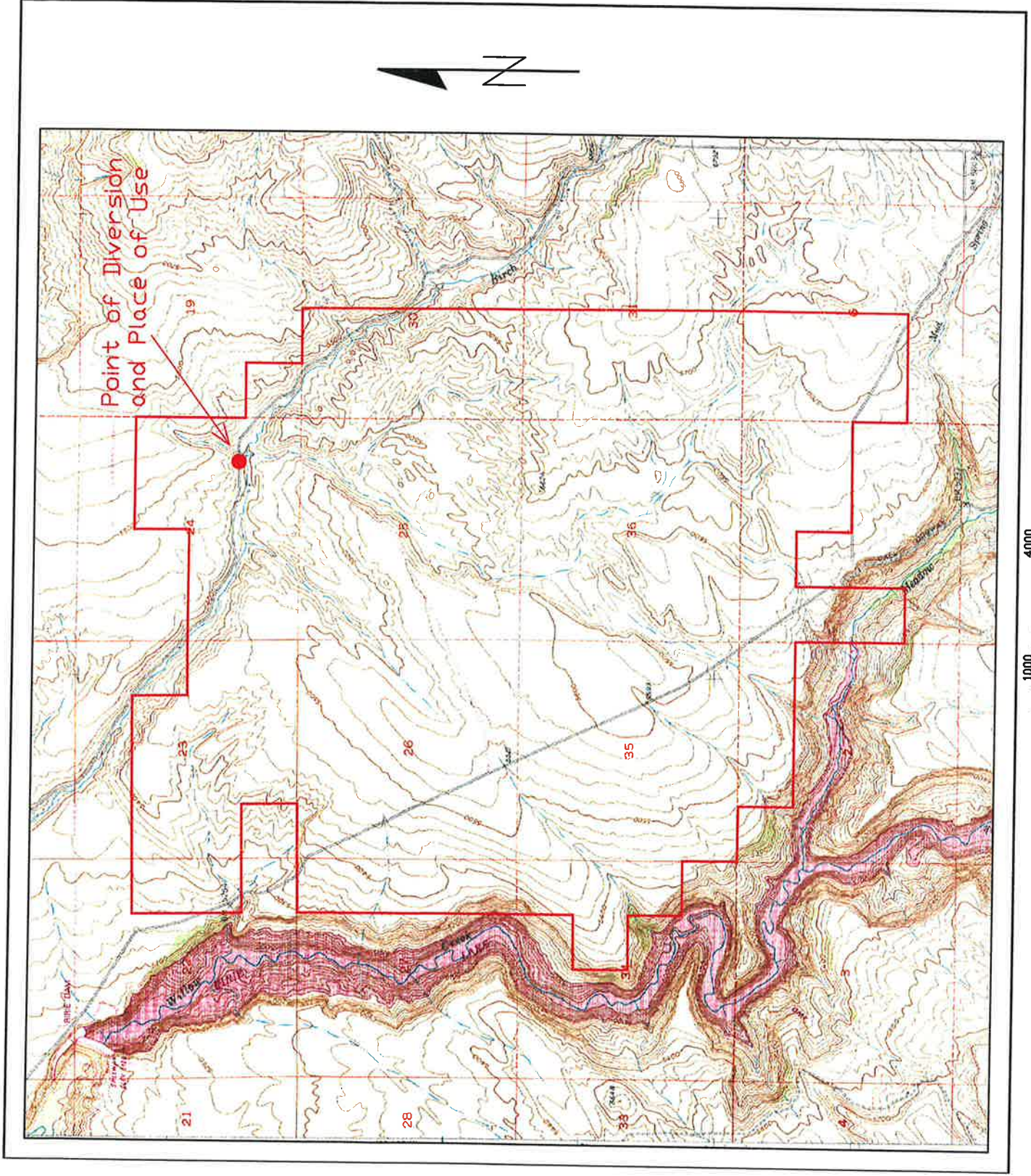
We used the water from Birch Creek to water the lawn, lilac bushes, and shrubbery around the house. I filled the sprayer with water and also watered my hogs from Birch Creek each year.

Sincerely;

James G. Moncur

James G. Moncur





Birch Creek Welfare Farm











#103

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 25-14148
Date Received: 11/24/2004
Receipt No: E030452
Received By:

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

1. Name of Claimant(s)

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS Phone: (801)240-4656
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT USA 84150-6312

2. Date of Priority: 06/01/1969

RECEIVED
DEC 02 2004

3. Source: BIRCH CREEK Trib. to: WILLOW CREEK

Department of Water Resources
Eastern Region

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	40E	24	NE SE	BONNEVILLE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.06	

7. Total Quantity Appropriated is:
0.06 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
03N	40E	24	NE SE	IRRIGATION	3
Section Acres					3

Total Acres 3

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am Terry F. Rudd of _____ 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

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

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

Terry F. Rudd
Signature of Authorized Agent

GSC

Title and Organization

Date

State of ~~Idaho~~ UTAH)
County of SALT LAKE) SS.

Subscribed and sworn (or affirmed) before me this 29th DAY
of NOVEMBER 2004

[Signature]
Notary Public

Residing at SALT LAKE COUNTY, UTAH

My commission Expires 12-25-08

