

11/05/2002

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

RIGHT NUMBER: 29-2363A

NAME AND ADDRESS: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR
50 E N TEMPLE ST
SALT LAKE CITY UT 84150-0012

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.810 CFS
416.000 AFY

PRIORITY DATE: 02/26/1955

POINT OF DIVERSION:

T07S R35E S17 SESWSE Within BANNOCK County
T07S R35E S20 SENENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.810 CFS 416.00 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S16	SWSW	4.0	T07S R35E S17	NESE	0.1
T07S R35E S17	NWSE	8.9	T07S R35E S17	SWSE	27.0
T07S R35E S17	SESE	31.0	T07S R35E S20	NENE	40.0
T07S R35E S20	NWNE	12.0	T07S R35E S20	SWNE	1.2
T07S R35E S20	SENE	19.0	T07S R35E S21	NWNW	30.0

173.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-04176 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 173.2 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 104 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

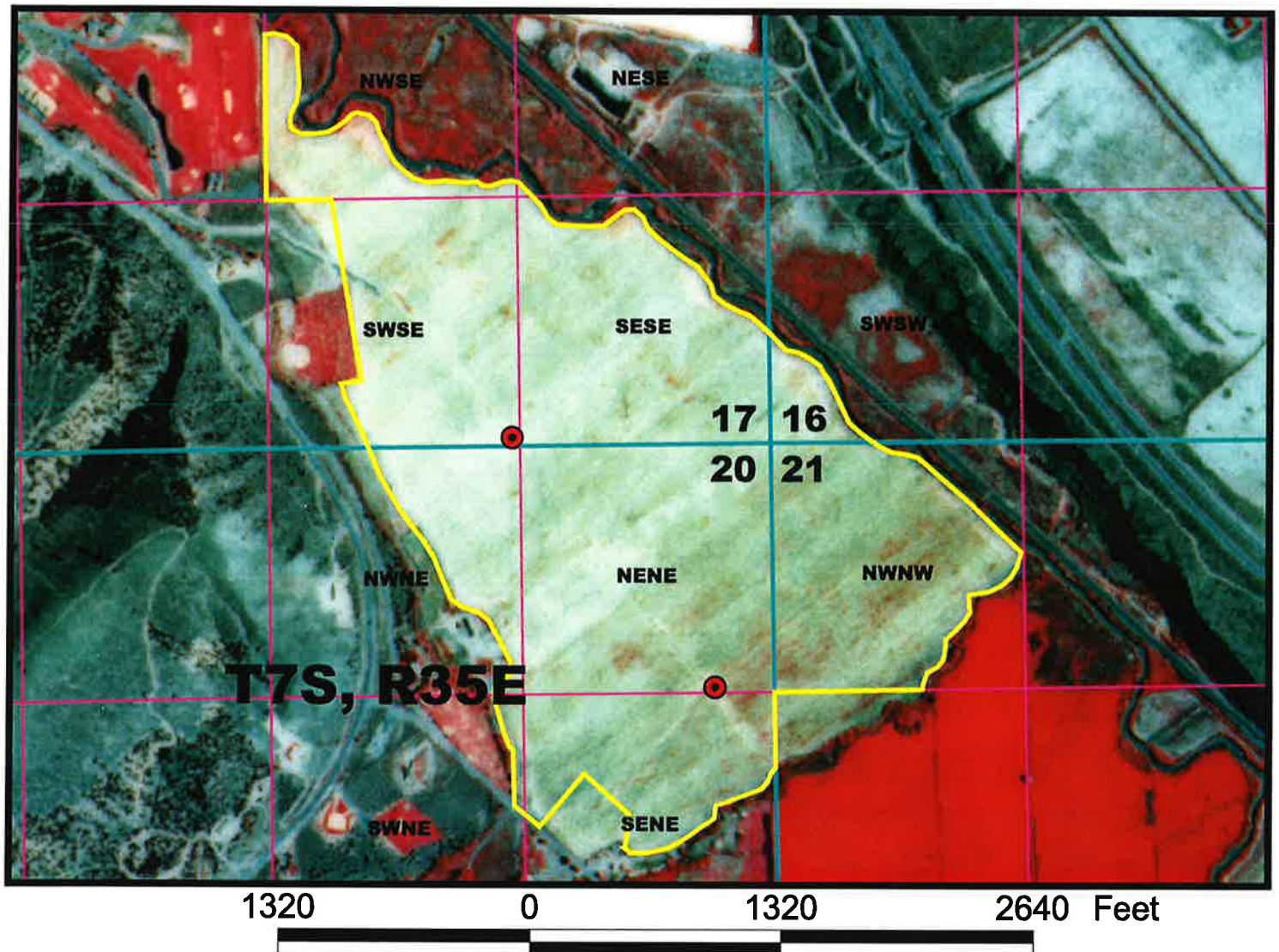
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02363A & 29-04176



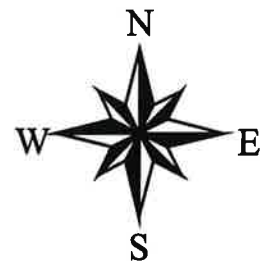
Total Irrigated Acres: 173.2
Permissible Place of Use

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



PROFILED

SCANNED

FEB 01 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2363A V1

WATER RIGHT NUMBER: 29-2363A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS REAL ESTATE DIVISION TWELFTH FLOOR 50 E N TEMPLE ST SALT LAKE CITY, UT 84150-0012 (801) 240-3840

Priority Date: 02/26/1955

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.810 CFS	416.00 AF
	<u>Total Diversion:</u>	1.810 CFS	416.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4SE1/4	Sec. 17, Twp 07S, Rge 35E, B.M.
BANNOCK County		
GROUND WATER	SE1/4NE1/4NE1/4	Sec. 20, Twp 07S, Rge 35E, B.M.
BANNOCK 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	
07S	35E	16											4.0						4.0
07S	35E	17													.1	8.9	27.0	31.0	67.0
07S	35E	20	40.0	12.0	1.2	19.0													72.2
07S	35E	21					30.0												30.0

Total Acres: 173.2

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2363A V1

2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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 USE OF THIS RIGHT WITH RIGHT NO. 29-04176 IS LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 173.2 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 104 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 11/5/2002 PPU

Comment: Recommended as PPU with 29-04176 with claimants knowledge. Two points of diversion recommended - inter connected system since 1981 per Paul Gillette.

2. csaxton 11/5/2002 Non-Claimant Land

Comment: Approximately 3.7 acres are irrigated in T7S, R35E, S21, SWNW by the LDS Church according to aerial photography. However this is on Shoshone Bannock Tribal land and therefore was not recommended.

Claimed or

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/5/2002 1:42:39 PM	csaxton			Active
Priority Date	11/5/2002 1:43:20 PM	csaxton			Active
POD	11/5/2002 1:43:52 PM	csaxton			Active
Source	11/5/2002 1:45:42 PM	csaxton			Active
POU	11/5/2002 1:46:36 PM	csaxton			Active
POU	11/5/2002 1:47:03 PM	csaxton			Active
Use	11/5/2002 1:48:55 PM	csaxton			Active
Use	11/5/2002 1:49:10 PM	csaxton			Active
Season	11/5/2002 1:50:23 PM	csaxton			Active
Quantity	11/5/2002 1:51:44 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2363A V1

Summary

11/05/2002

csaxton

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/5/2002 1:42:39 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam 5/31/02
Priority Date	11/5/2002 1:43:20 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/5/2002 1:43:52 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - POD added in 1981
POD	11/5/2002 1:44:15 PM	csaxton	Edited point location
POD	11/5/2002 1:44:37 PM	csaxton	Edited PLS
POD	11/5/2002 1:45:03 PM	csaxton	Edited point location
POD	11/5/2002 1:45:23 PM	csaxton	Edited PLS
Source	11/5/2002 1:45:42 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2363A V1

POU	11/5/2002 1:46:36 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? Description for Question 8 - PPU established with 29-04176 in 1981.
POU	11/5/2002 1:47:04 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - PPU established with 29-04176 in 1981. Description for Question 13 - NAPP photography and claimant contact.
POU	11/5/2002 1:47:28 PM	csaxton	Edited shape boundary
POU	11/5/2002 1:48:01 PM	csaxton	Edited PLS
Use	11/5/2002 1:48:55 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a Purpose of Use? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - As licensed.
Use	11/5/2002 1:49:11 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - As licensed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2363A V1

Season	11/5/2002 1:50:23 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/5/2002 1:51:45 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - IDWR standard for the area of 4af/acre.
Summary	11/5/2002 1:55:34 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POU	11/5/2002 2:12:52 PM	csaxton	Edited shape boundary
POU	11/5/2002 2:13:25 PM	csaxton	Edited PLS

Memorandum

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

Date October 31, 2002
To Craig Saxton, IDWR Sr. Water Resource Agent
From Glade Pincock, Water Rights Manager
Subject WELFARE ID Pocatello Property No. 509-2604

RECEIVED

NOV 04 2002

WATER RESOURCES
WESTERN REGION

In response to your June 6th e-mail, Paul Gillette and I have done the following things to satisfy your questions.

Water Right 29-07166

The "Point of Diversion" for the ball park water right is in the SW1/4, SE1/4 of Section 17th, located in the southwest corner of the ball park.

Water Right 29-04176

The priority date of May 1, 1953 needed to be verified. We have sent a copy of the chain of title for the property having the two wells, Section 17, T7S, R35E. It shows that Edwin Bullock bought the property on Feb14, 1953 and 75 days later the water right was filed. Mr. Bullock told Taft Miller that he bought the land with a well already on the farm. He drilled the bigger well and used the two wells along with Mink Creek surface right until the stream source became less reliable. Mr. Miller's statement is included. Mr. Bullock has passed away and his widow has not responded to any request to talk about the water rights. We hope this information is sufficient for setting the priority date.

The amended water right claim has been signed and notarized accepting the 79 acres and our office is not interested in paying a fee for monthly docket sheets.

Water Right 29-02363A

We thank you for making a "Permissible Place of Use" between 29-02363A and 29-04176. The system between the two main irrigation wells is interconnected so either well can be used on the property.

We believe this answers all the questions. Please call Paul Gillette at 801-240-5785 or send an e-mail to him at TCD-REDM5@ldschurch.org if you have questions or require additional information.

Thanks for your courtesy helping us resolve these issues.

PROFILED

M. Glade Pincock

SCANNED

FEB 01 2006

5-31-02: LOS Well East
FE

29-02363A

GE
Model 5K6237XH501F
SV 6SJ730299
40 HP
6" line
230/260 CYCLE
60 Phase

LOS Well West

Make ~~unit~~ High Trust
HP 100
Phase 3
IO R-9985-01-244
R2118219

8-7-02: spoke with Paul Gillette from Lds Church (801) 240-5785

: Paul agreed with making this right a RPU with
29-04176.

: Paul stated Pod for this right and 29-04176 Have
Been Interconnected since 1981

SCANNED

FEB 01 2006

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Saxton, Craig

From: Saxton, Craig
Sent: Thursday, June 06, 2002 3:33 PM
To: Glade Pincock (E-mail)
Subject: Basin 29 SRBA claims

Hello Glade,

I just put together some of the information I have and the questions associated with them.

29-07166:



29-07166.RTF

This is an irrigation claim for 3 acres. I believe it is applicable to the Base Ball diamond located between the grain fields and the old Bannock Highway



29-07166.jpg

My only question with this one is where is the Point of Diversion. If the location were described to me I could find it on my own, or I could meet with a representative.

29-04176:



29-04176.RTF

This is a Beneficial use claim that hasn't been proven up on by IDWR. What this means is IDWR needs to do a full field exam on this right. Now I have been out in the field and located the Point of Diversion for this right and confirmed that water has been put to beneficial use. However there are a couple of things that still need to be addressed.

Priority date claimed is May 1, 1953. I need evidence of priority that will support that the ground water has been put to beneficial use since May 1, 1953. Or as far back as you can provide.

The original claim was for 73 irrigated acres. My preliminary review found 79 irrigated acres. In addition, my GPS data shows that the POD is actually located in a different Quarter Quarter than what was claimed. Attached is an amended claim. Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office as soon as possible. I cannot add the additional acres without a signed amended claim.



29-04176.jpg



29-04176

AMENDED CLAIM.do

29-02363A:

The original right 29-02363 was split into portions A and B by approved Transfer 5773 in October of 2000. This right will be recommended as defined by the Transfer. However, I am thinking since your field is now two pivots, that I would make a Permissible Place of use between right 29-02363A and 29-04176. My question is this, is the system between the two main irrigation wells interconnected so water from either well can reach all of the property?

SCANNED

1
PROFILED

FEB 01 2006



LDS.doc

Please feel free to contact me with any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau
IDWR
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190
csaxton@idwr.state.id.us

29-02363 A

C. Saxton

FE: 5/31/02



Looking N @ NW most well



Looking SE @ NW most well.

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FEB 01 2006

29-02363A

C. Saxton

FE: 5/31/02



Looking NE@ SE most well.



Looking SW@ SE most well

PROFILED

SCANNED
FEB 01 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2363A

WATER RIGHT NUMBER: 29-2363A

Owner TypeName and Address

Current Owner

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
 REAL ESTATE DIVISION
 TWELFTH FLOOR
 50 E N TEMPLE ST
 SALT LAKE CITY, UT 84150-0012
 (801) 240-3840

Priority Date: 02/26/1955

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION

04/01 to 10/31

1.810 CFS

Total Diversion:

1.810 CFS

Location of Point(s) of Diversion

GROUND WATER

BANNOCK County

SE NE1/4NE1/4

Sec. 20, Twp 07S, Rge 35E, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	35E	20	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			35.0	12	1.2	32.0									6.0				73.0
			40			19													72.2
07S	35E	21							31.0										31.0
									30										30
75	35E	16																	4.0
Total Acres: 104																			106.2

Conditions of Approval:Remarks:

- transfer 5773 removed 3 acres and created a split

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2363A

WATER RIGHT NUMBER: 29-2363A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDWARD P SAY
	POCATELLO, ID

Priority Date: 02/26/1955

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.810 CFS	
	<u>Total Diversion:</u>	1.810 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 20, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S20	NENE	35.0	T07S R35E S20	SENE	32.0
T07S R35E S20	NESE	6.0	T07S R35E S21	NWNW	31.0
Total Acres: 104					

Conditions of Approval:Remarks:Comments:

1. PSKAGGS 9/30/2000 TRANSFER 5773

Comment: Transfer 5773 changes the point of diversion & place of use under part of Right 29-02363, splitting the right into Parts A & B.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2363A

Dates and Other Information:

Licensed Date: 8/14/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Digital OrthoPhoto Quadrangle Image

The image you are viewing is 800 pixels wide by 600 pixels high. Each pixel represents 4 by 4 meters of earth. This image was extracted from a Color Infra-Red (CIR) digital orthophoto quadrangle provided by the USGS.

The image was photographed on 23 Aug 1998 by the National Aerial Photography Program and digitized by the USGS DOQ Program on 13 Nov 2000.

The USGS DOQ below is projected in Universal Transverse Mercator (UTM) Zone 12 on the North American datum of 1983.



29-04176, 29-07166, 29-02363A

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FEB 01 2006

Digital OrthoPhoto Quadrangle Image

The image you are viewing is 800 pixels wide by 600 pixels high. Each pixel represents 4 by 4 meters of earth. This image was extracted from a Color Infra-Red (CIR) digital orthophoto quadrangle provided by the USGS.

The image was photographed on 23 Aug 1998 by the National Aerial Photography Program and digitized by the USGS DOQ Program on 13 Nov 2000.

The USGS DOQ below is projected in Universal Transverse Mercator (UTM) Zone 12 on the North American datum of 1983.



29-04176, 29-07166, 29-02363A

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 10/02/00
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

SCANNED

29-02363

RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5773.

29-02363A SAY , EDWARD P

1.81

29-02363B CHURCH OF JESUS CHRIST

0.05

APR 30 2001

MICROFILMED

NOV 07 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5773
WATER RIGHT NO. 29-02363B

This is to certify that: **CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
C/O GLADE PINCOCK
12TH FLOOR 50 E NORTH TEMPLE
SALT LAKE CITY UT 84150**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	12.0 AF

SOURCE

GROUNDWATER

Priority: 02/26/1955

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 17, Township 07S, Range 35E
BANNOCK 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>
07S	35E	17	SWSE	3		3
Total number of acres irrigated:						3

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED
NOV 07 2000

TRANSFER NO. 5773
WATER RIGHT NO. 29-02363B

CONDITIONS OF APPROVAL AND REMARKS

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 2nd day of October, 2000.

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED
NOV 07 2000

RECEIVED

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JUN 14 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5773

Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation
Church of Jesus Christ, Latter Day Saints
Real Estate Division c/o Glade Pincock

PART 1

Name of Applicant Real Estate Division c/o Glade Pincock Phone 801-240-2929

Post Office address Twelfth Floor 50 East North Temple St. Salt Lake City, UT 84150

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A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use **AUG - 3 2000**
☐ Change nature of use ☐ Change period of use ☐ Other Department of Water Resources

2. Describe the reason for the proposed changes We have built a church on the original place of use and are compensating Mr. Rolt Becksted by changing the place of use to his property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 29-02363 B Priority 2-26-1955 Amount (cfs/ac-ft) 0.05 cfs Nature of Use Irrigation Period of Use 4-01 to 10-31
to
to
to

2. Total amount of water being transferred 0.05 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	17	7S	3SE	Bannock	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	3SE	17															3		3

MICROFILMED

Total Acres 3

DEC 3 2000

5773

PART 1

6. General Information:

a. Description of diversion system

Well + pump to sprinkler

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

A church has been built on this property

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20____.

For the DirectorMICROFILMED
NOV 07 2006

PART 2

TRANS NO. 5773

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-02363

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.86 CFS

SOURCE

GROUNDWATER

Priority: 02/26/1955

LOCATION OF POINT(S) OF DIVERSION:NENE, Sec. 20, Township 07S, Range 35E
BANNOCK CountyPLACE OF USE:

IRRIGATION

		NE				NW				SW				SE				
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	35E 20	35			35									06				76.0
07S	35E 21							31										31.0
TOTAL ACRES																	107.0	

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
MICROFILMED
NOV 9 7 2000

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.05 cfs for Irrigation purposes from Not Listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	20	7S	35E	Bannock	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	35E	20				3													3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

Total Acres 3

1. amount 1.81 cfs for Irrigation purposes from Not Listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	20	7S	35E	Bannock	

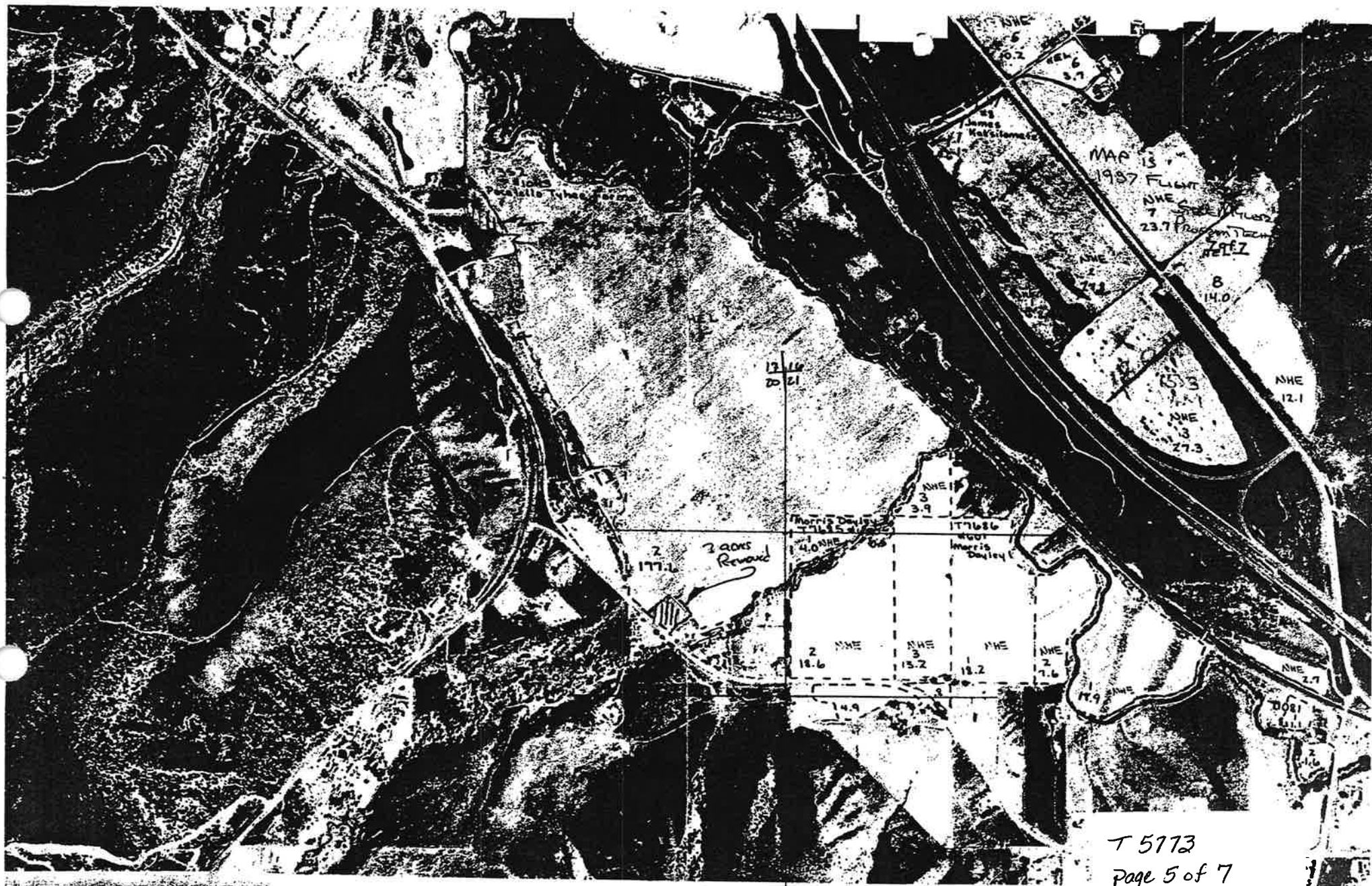
3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	35E	20	35			32									6				73
7S	35E	21					31												31

MICROFILMED

NOV 07 2000

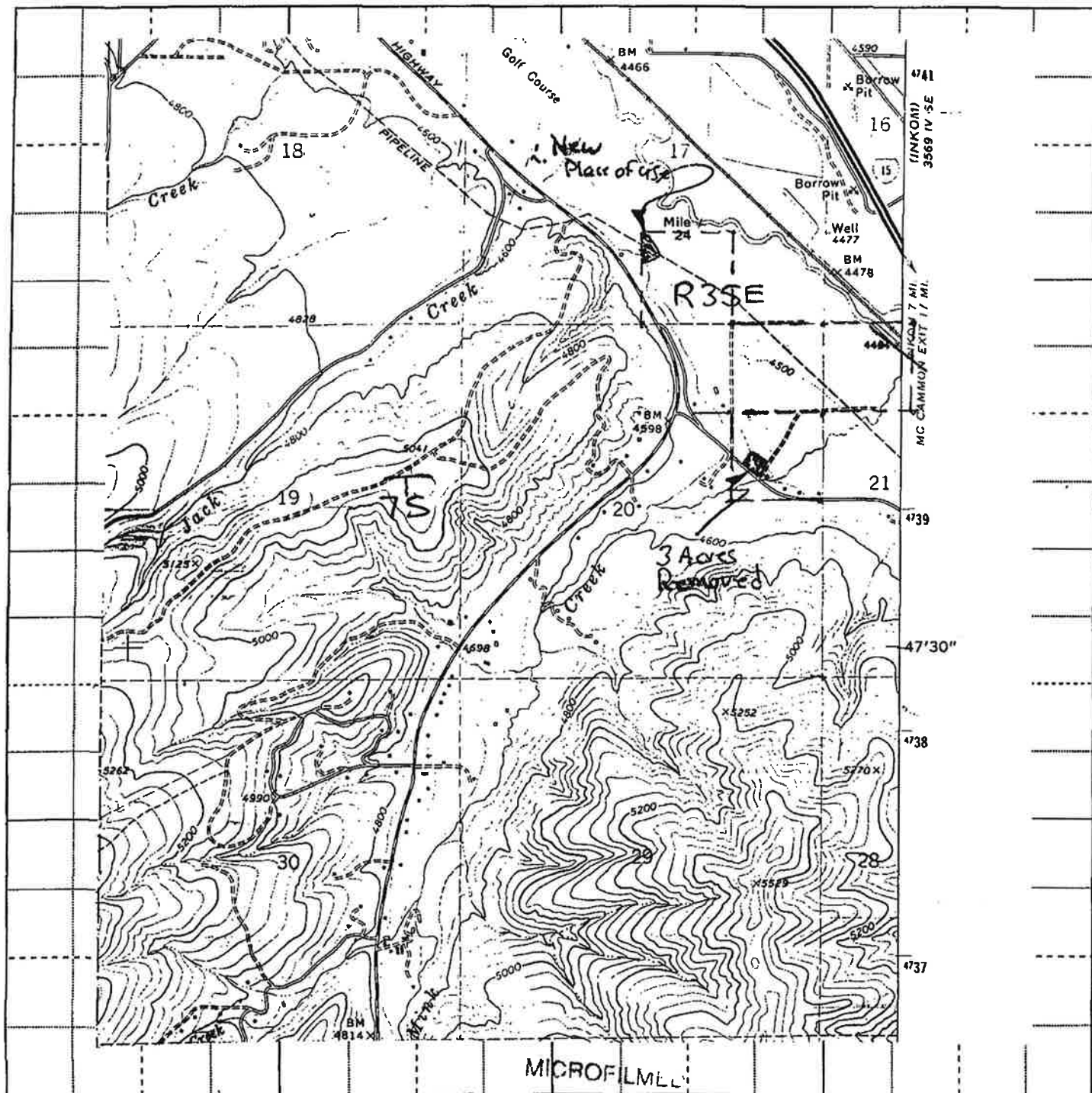
Total Acres 104



T 5173
Page 5 of 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCEAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

NOV 07 2000

PART 3

B. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

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

mwj

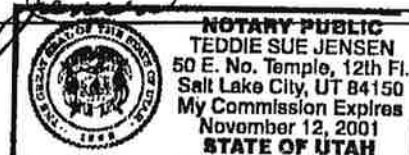
AUTHORIZED AGENT

(Signature of Applicant)

Subscribed and sworn to before me this 9th day of June, 2000

Teddie Sue Jensen
(Notary Public)

My commission expires 11/12/01



FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 1 attachments

Received by HWS Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$100.00

Receipted by HWS #E025773 Date 4-21-00

Published in Idaho State Journal Copies of protest forwarded by _____

Pub. Dates 7-6 & 7-13-2000 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received by EDC

Copy of transfer sent to lien holder MICROFILME

NOV 07 2000

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

RECEIVED

JUN 14 2000

Department of Water Resources
Eastern 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:

June 12, 2000

Mr. Harold Jones
Idaho Dept. of Water Resources
Eastern Region
900 N. Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

Dear Mr. Jones;

Enclosed is the signed copy of the Application for Transfer of Water Rights on the three acres for the Becksteads which Pres. Kert Howard of Pocatello arranged with you. This should be all of the approval as we understand.

We appreciate your help with the arrangements and application. If there are questions or we may help, please feel free to give me a call at (801) 240-1984 as I am always happy to be of service.

Very truly yours,



R. William Nelson
LDS Water Resources Group

cc: Pres. Kert W. Howard
Pocatello Podiatry Assoc. P.A.
1555 East Clark
Pocatello, ID 83201

Glade Pincock
LDS Water Resources Group Leader

MICROFILM

NOV 07 2000

ATTACHMENT T 5773
1 OF 1

MAY 10 2001

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 29-2363a
Date Received: 11/1/00
Receipt No:
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 Phone: (801)240-2929

REAL ESTATE DIVISION
TWELFTH FLOOR
50 E N TEMPLE
SALT LAKE CITY UT USA 84150

A2902363A



2. Date of Priority: 02/26/1955

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07S	35E	20	NE NE	BANNOCK

5. Description of diverting works:

well/pump to sprinkler

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.81	

7. Total Quantity Appropriated is:
1.81 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
07S	35E	20	NE NE	IRRIGATION	35

			SE	NE	IRRIGATION	32
			NE	SE	IRRIGATION	6
					Section Acres	73
07S	35E	21	NW	NW	IRRIGATION	31
					Section Acres	31
					Total Acres	104

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

transfer 5773 removed 3 acres and created a split

15. Basis of Claim: License

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.

WR5809NP
No. 29-02363A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD P SAY	02/26/1955	IRRIGATION	00/00 00/00	1.810 CFS	
TOTAL DIVERSION:					1.810 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R35E S20

NENE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	35E	20	:	35				32												:	73.0
07S	35E	21	:							31										:	31.0
																				:	104.0
																				TOTAL ACRES	104.0

Pou County: BANNOCK

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date: 08/14/1979

Priority Date: 02/26/1955
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number:

Field Exam Fee:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5773
WATER RIGHT NO. 29-02363B

RECEIVED

OCT 05 2000

Department of Water Resources
Eastern Region

This is to certify that: CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
C/O GLADE PINCOCK
12TH FLOOR 50 E NORTH TEMPLE
SALT LAKE CITY UT 84150

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	12.0 AF

SOURCE

GROUNDWATER

Priority: 02/26/1955

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 17, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 35E 17	SWSE 3			3

Total number of acres irrigated: 3

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5773
WATER RIGHT NO. 29-02363B

CONDITIONS OF APPROVAL AND REMARKS

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 2nd day of October, 2000.

J. Glen Saxton
Chief, Water Allocation Bureau