

MAY 22 2001

05/08/2001

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

RIGHT NUMBER: 29-10078

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

SOURCE: GROUND WATER

QUANTITY: 0.1 CFS
12.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/01/1949

POINT OF DIVERSION: T10S R36E S3 SWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.10 CFS
		11.60 AFY
DOMESTIC	03-15 11-15	0.02 CFS
		0.60 AFY

PARK DRINKING FOUNDATION

PLACE OF USE:

IRRIGATION Within BANNOCK County
T10S R36E S3 SWSW 3.3
DOMESTIC Within BANNOCK County
T10S R36E S3
SWSW

3.3 ACRES TOTAL

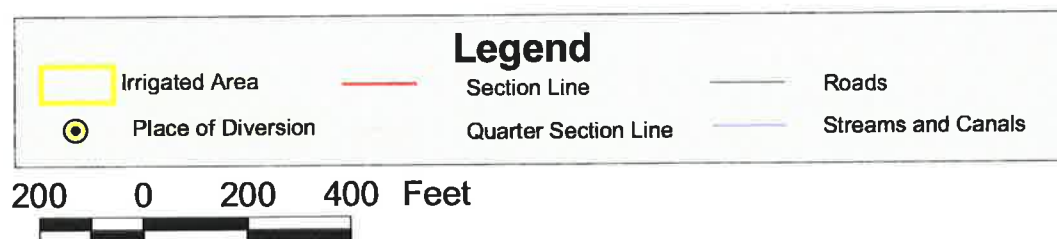
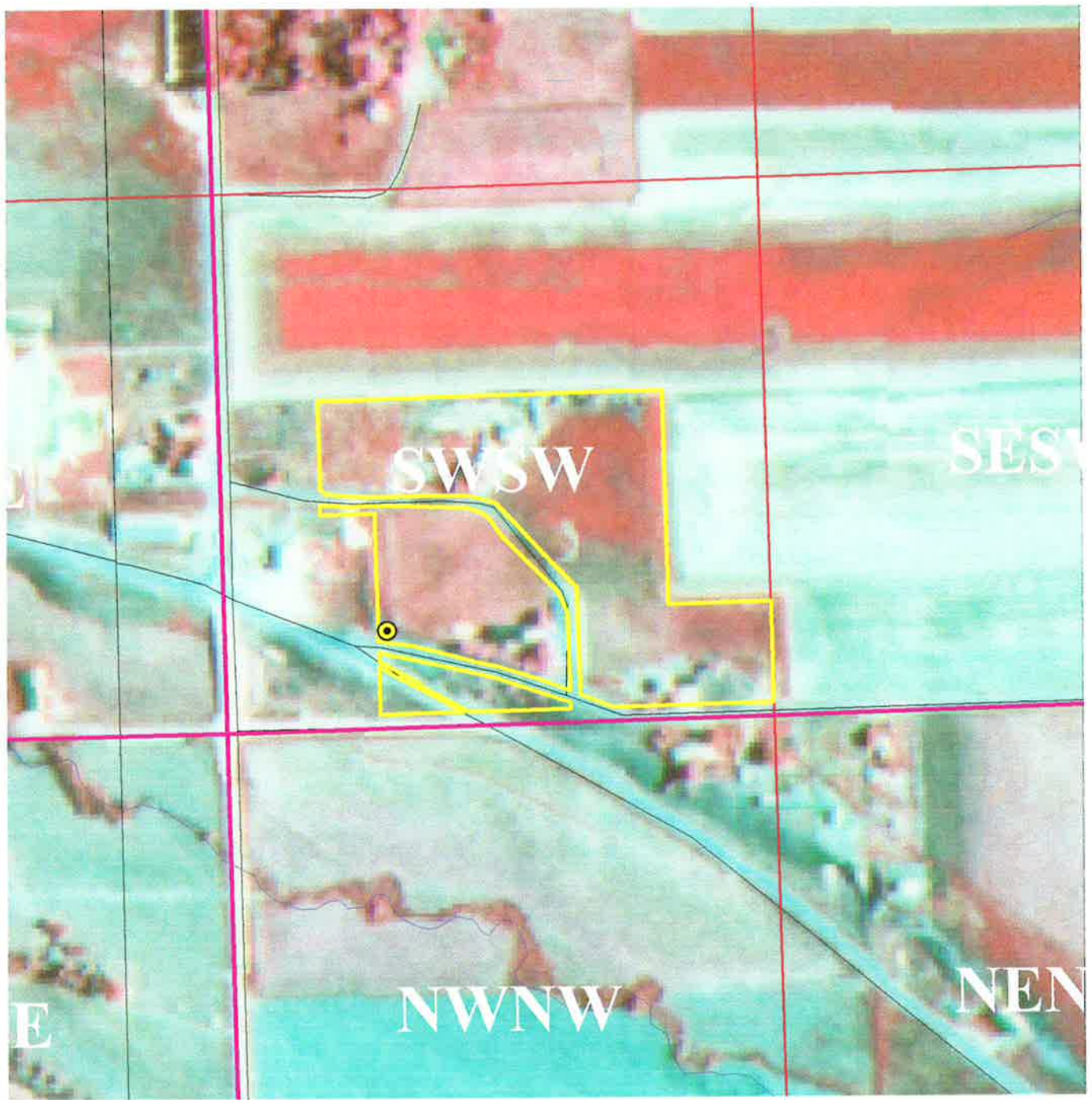
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

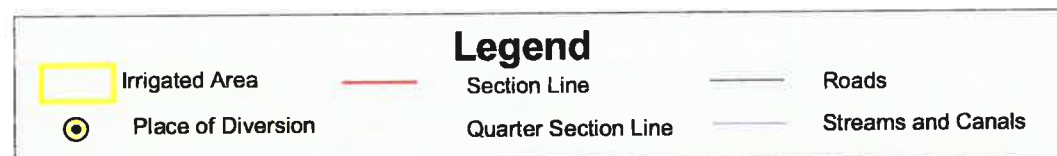
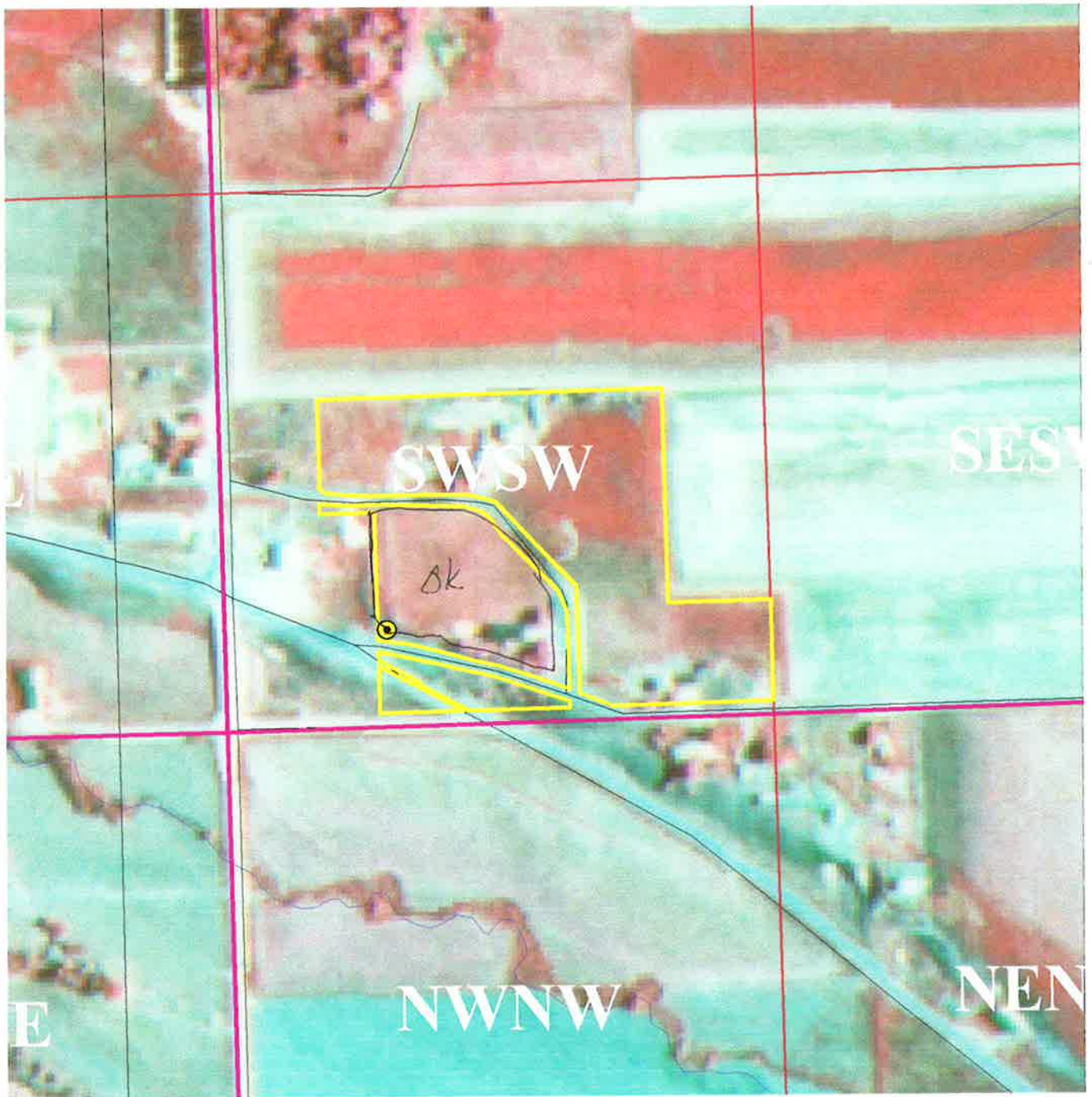
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Township , 10S36E



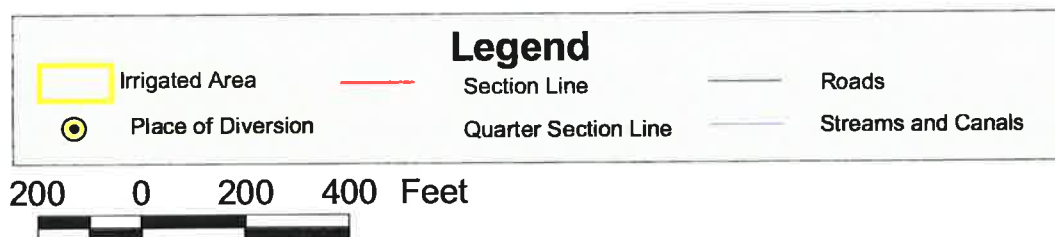
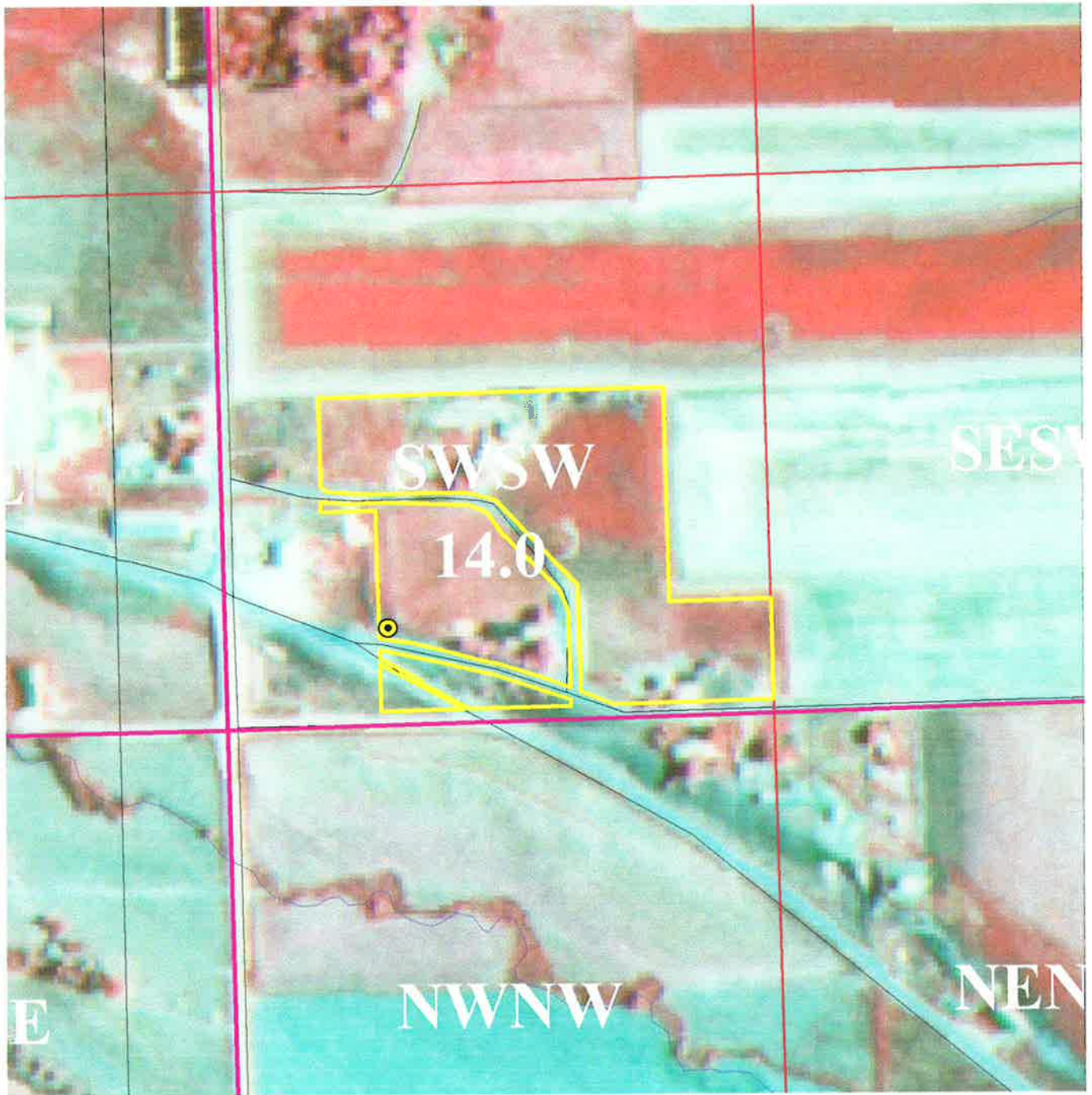
Township , 10S36E



200 0 200 400 Feet



Township , 10S36E



IDAHO DEPARTMENT OF WATER RESOURCES

29-10078

T10S, R36E SEC 3



ACRES IRRIGATED- 3.3



POINT OF DIVERSION



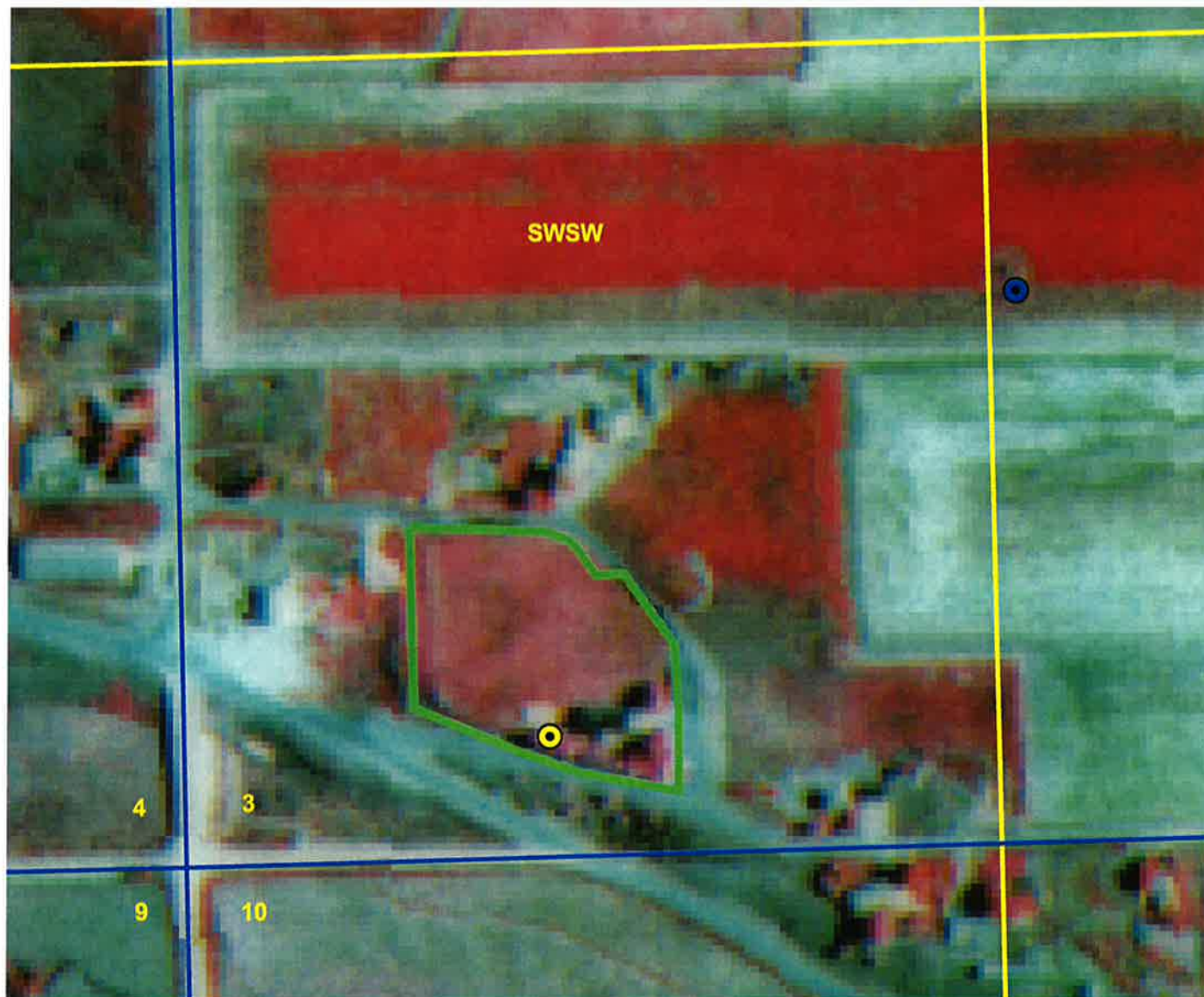
PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES

29-10078

T10S, R36E SEC 3



ACRES IRRIGATED- 3.3



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

Log for claim A29-10078

Spatial Dynamics BTD

7/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	3	SWSW	5	14	Indiscernible
10s36e	3	SESW	0	0	
Totals:			5	14	

GPS

pod

N42 34 35.4
W112 14 51.5

4916

AJ5809NP
No. A29-10078

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 203

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHURCH OF JESUS CHRIST LATTER DAY SAINTS REAL ESTATE DIVISION TWELFTH FLOOR 50 E NORTH TEMPLE ST SALT LAKE CITY UT 84150 (801) 240-2929	07/01/1949	IRRIGATION DOMESTIC	03-15 11-15 03-15 11-15	0.150 CFS 0.020 CFS	
TOTAL DIVERSION:					0.170 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R36E S03 SWSWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10S	36E	3	:					:					:				05	:						:	5.0
TOTAL ACRES																							5.0		

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10S	36E	3	:					:					:				D	:						:	

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, DRINKING FOUNTAIN

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11048 A29-11048

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07158

Remarks: GEN GARDEN CREEK WARD RECREATION PROPERTY
ORIGINAL USE WAS FOR USE IN THE CHURCH BUILDING AND THE
IRRIGATION OF THE SURROUNDING LAWN AREA. PRESENT USE IS FOR A
DRINKING FOUNTAIN AND THE IRRIGATION OF THE RECREATION FIELD.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-10078

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 204

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Audit: 07/25/89 FRITSCHL 03/29/95 POST-STD 04/12/00 CVANDERM 04/13/00 CVANDERM

TO THE IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION BUREAU

AFFIDAVIT

Pertaining to the water rights
of The Church Lot in Robin, Idaho

I certify that the water at the Church House Lot in Robin, Idaho
was first used in 1947.

Maurice A. Toler

Maurice A. Toler

State of Idaho)
County of Bannock)

On this 7th day March, 1995 before me, the
undersigned, A Notary Public in and for said State, personally
appeared Maurice A. Toler, known to me to be the person whose name is
subscribed to the foregoing AFFIDAVIT, and acknowledged to me that
he 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.

(Seal)

Sydney Mae Lowry
NOTARY PUBLIC OF IDAHO

NOV 13 1990

THE CHURCH of
JESUS CHRIST
OF LATTER-DAY
SAINTS

1 - 17 - 95

REAL ESTATE DIVISION
Twelfth Floor
50 East North Temple Street
Salt Lake City, Utah 84150
Phone (801) 531-2929

Reference reply to:

Glen L. Nielson
2200 South 10th Avenue
Caldwell, Idaho 83605
Phone 208-459-0134

To: Pres. Loyd Kent Bellon.

The Idaho Department of Water Resources has requested
evidence of the Priority Date (or date of First Use) for
Water Right Application Number A29-10078.
Location Garden Creek Ward

This can be given by Notarized Affidavit by
someone with knowledge of the date of first use.
The date should be as accurate as possible as
described in the inclosed "Evidence of Priority"
brochure.

Please return the Affidavit by March 1, 1995.

Your prompt attention is appreciated.

Respectfully,

Glen L. Nielson
Natural Resource Consultant

Cecil,
Pres. Bellon asked if
you could help us with
this priority date ~~established~~.
I'll call you and talk
to you on the phone.
Pres. Andrew

MICROFILMED

NOV 13 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHURCH OF JESUS CHRIST LATTER DAY SAINTS REAL ESTATE DIVISION TWELFTH FLOOR 50 EAST NORTH TEMPLE STREET SALT LAKE CITY UT 84150 (801) 240-2929	07/01/1949	IRRIGATION DOMESTIC	03-15 11-15 03-15 11-15	0.15 CFS ✓ 0.02 CFS ✓	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.17 CFS	12.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R36E S03 SWSWSW

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	
10S	36E	3	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	SUM
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5.0
TOTAL ACRES																			5.0	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S	36E	3	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	D

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, DRINKING FOUNTAIN

Other Rights: NONE

Remarks: GARDEN CREEK WARD RECREATION PROPERTY
ORIGINAL USE WAS FOR USE IN THE CHURCH BUILDING AND THE
IRRIGATION OF THE SURROUNDING LAWN AREA. PRESENT USE IS FOR A
DRINKING FOUNTAIN AND THE IRRIGATION OF THE RECREATION FIELD.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Pass Loyal Kent Ballon
Armo ID SLL
P.O. Box 47 Armo ID
83214
208-354-3627

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

LDS Church

CLAIM IDENT. NO.

A 29-10078

DATE RECEIVED

CK #

AMOUNT \$

Required

- | | YES | NO | Info? |
|--|-------------------------------------|--------------------------|-------|
| 1. Is the name and address complete with zip code? | ☐ | ☐ | * |
| 2. Is a priority date entered? | ☐ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☐ | ☐ | * |
| 3. (a) Is a source entered? | ☐ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☐ | N/A | |
| 4. Is the legal description of the p.d. sufficient? | ☐ | ☐ | * |
| 5. Is there a description of the diverting works? | ☐ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☐ | ☐ | * |
| Is the period of use included? | ☐ | ☐ | |
| Is a quantity claimed for each use? | ☐ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☐ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | N/A | |
| Is the consumptive use correct? | ☐ | N/A | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☐ | N/A | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☐ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☐ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☐ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☐ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☐ | N/A | |
| 15. Is the basis of the claim indicated? | ☐ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ | N/A | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | Exempt | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | N/A | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by:

CJ

Date:

6-8-90

Claim must be returned to claimant:

(Yes) / (No)

Claimant must be notified of modifications:

(Yes) / (No)

Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date:

Date:

Date:

Checked by:

Date:

MICROFILMED

Comments:

NOV 13 1992

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

REAL ESTATE DIVISION

Twelfth Floor
50 East North Temple Street
Salt Lake City, Utah 84150
Phone (801) 240-2929

August 14, 1989

Reference reply to:

Mr. Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise ID 83720

Department of Water Resources

Dear Mr. Fritschle,

Attached are the signed documents and a check for \$1,368.00 to pay for the adjudication fees for water rights in Bannock County.

<u>Groundwater Rights</u>	<u>Property Number</u>	<u>Property Name</u>	<u>Adjud. Assess.</u>
A29-10078	506-9262	Arimo ID Stk Rec Prop-Robin Rd.	\$ 55.00
29-07862	506-9408	Virginia	30.00
A29-10082	506-9408	Virginia	52.00
29-07863	507-5785	Arimo Sem (Marsh Valley High)	30.00
A29-04388	508-8828	Wel ID Pocatello Tyhee Farm	25.00
A29-04389	"	"	25.00
A29-04390	"	"	25.00
A29-10079	"	"	25.00
A29-10080	"	"	25.00
A29-10081	"	"	25.00
A29-02363	509-2604	Wel ID Pocatello Prop.	157.00
A29-04058	509-2604	Wel ID Pocatello Prop.	165.00
A29-04176	"	"	50.00
A29-07166	"	"	50.00
29-07865	513-3696	Ft Hall Indian, Pocatello 37,44	15.00
	513-3718	Ft Hall Indian, Pocatello 37,44 Rec	15.00
A29-07508	515-8990	Chubbuck 5,6,7	65.00
29-07861	"	"	30.00
29-07864	518-7990	Downey 1,2 Wds Rec Prop	15.00
	518-7982	Downey 1,2	15.00
A29-2366	519-5241	Wel ID Arimo Marsh Valley Farm	170.00
A29-2466	"	"	247.00
A29-10077	"	"	57.00
A29-07672	515-5959	Pocatello ID Almida & HGHLD Stk Rec Prop	

TOTAL

\$1,368.00

Thanks for your assistance and that of Glen Nielsen in getting these rights adjudicated and recorded.

Sincerely,


Ronald C. Johnson
Water Analyst

RCJL:ja
enc.

cc: Terry F. Roylance
M. Glade Pincock
Glen Nielsen

DO NOT FILM

ADJUDICATION FILING FEES FOR IDAHO

RECEIVED

AUG 17 1989

PROPERTY IDENTIFICATION

Idaho State Water Right Permit # A29-10078
LDS Church Property # 5069262

Department of Water Resources

FEE CALCULATIONS

Domestic, stockwatering, fire protection, etc. \$ _____
Flat fee for irrigation. \$ 50⁰⁰

VARIABLE FEE SCHEDULE

Irrigation (\$1.00 per acre). \$ 5⁰⁰
Power Generation (\$3.00 per kilowatt) \$ _____
Aquaculture (\$10.00 per cfs) \$ _____
All other uses (\$100.00 per cfs) \$ _____
Other charges. \$ _____

TOTAL \$ 55⁰⁰

DATE 7-25-89

Carter Fritschle
Carter Fritschle
Idaho Dept. of Water Resources

Glen L. Nielson
Glen Nielson
Field Representative
Church of Jesus Christ
of Latter-day Saints

DO NOT FILM

REAL ESTATE DIVISION
NATURAL RESOURCE SECTION

AUG 07 1989

MAY 22 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: A29-10078
Date Received: 7/25/1989 8/17/89
Receipt No: C009770
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS 801-240-2929
Address: REAL ESTATE DIVISION
TWELFTH FLOOR
50 EAST NORTH TEMPLE STREET
SALT LAKE CITY, UT 84150

RECEIVED
AUG 17 1989

2. Date of Priority: JUL 01, 1949

3. Source: GROUNDWATER Trib. to: Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	3	SW	SW	SW		BANNOCK

5. Description of diverting works:
WELL, 6" CASING, 123' DEEP, 5 HP SUB. PUMP, WELL REDRILLED 1978

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	03/15	11/15	0.020		
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, DRINKING FOUNTAIN

A2910078



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	3	SW	SW		DOMEST	
			SW	SW		IRR	5.0
						Section Acres	5.0
						Total Acres	5.0

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:
NONE

14. Remarks:

GARDEN CREEK WARD RECREATION PROPERTY
ORIGINAL USE WAS FOR USE IN THE CHURCH BUILDING AND THE
IRRIGATION OF THE SURROUNDING LAWN AREA. PRESENT USE IS FOR A
DRINKING FOUNTAIN AND THE IRRIGATION OF THE RECREATION FIELD.

15. Basis of Claim: BENEFICIAL USE

(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
NOV 13 1992

T10S
R36E

A29-10078

MICROFILMED
NOV 13 1952

