

09/29/2006

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

RIGHT NUMBER: 67-10565

NAME AND ADDRESS: CHURCH OF CHRIST
595 E 2ND
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/15/1957

POINT OF DIVERSION:

T11N R05W S32 NWSENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.010 CFS

Domestic use is for 1/2 acre of lawn irrigation.

PLACE OF USE: DOMESTIC Within WASHINGTON County

T11N R05W S32 SENW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel #: RPW1850002007A



Idaho Department of Water Resources

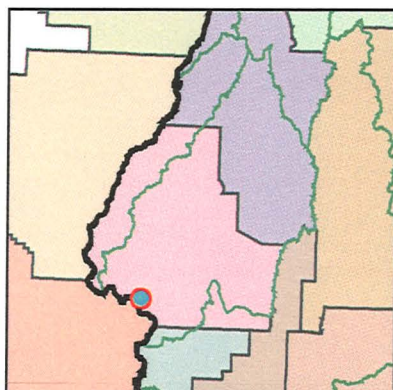
SRBA Recommendation:

67-10565

(Domestic)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by C. Saxton
On Friday, September 29, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10565 V1

WATER RIGHT NUMBER: 67-10565 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHURCH OF CHRIST 595 E 2ND WEISER, ID 83672 (208)549-1285

Priority Date: 08/15/1957

Basis: Beneficial Use

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>
DOMESTIC	01/01 to 12/31	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4NW1/4	Sec. 32, Twp 11N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	05W	32								X									

Conditions of Approval:

1. 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.
2. X01 Domestic use is for 1/2 acre of lawn irrigation.
3. Parcel #: RPW1850002007A
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10565 V1

Comments:

1. csaxton 9/29/2006 Purpose of use

Comment: This use is for lawn used in conjunction with a church. No evidence of priority submitted. Recommend as domestic use even though it was not claimed as domestic so we do not have to disallow.

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: S
 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

Combined Use Limits: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>
Summary			09/29/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/29/2006 2:05:00 PM	csaxton	Updated PLS
Summary	9/29/2006 2:12:05 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	9/29/2006 2:03:04 PM	csaxton	Updated shape for Active POU
POU	9/29/2006 2:03:11 PM	csaxton	Updated PLS for Active POU
POD	9/29/2006 2:04:44 PM	csaxton	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10565 V1

10-12-05 : This Property is only .3 acres. Irrigated lawn is
0.15 acres

: no EOP

: Send EOP letter. If no Response - Re as O+S



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 12, 2005

CHURCH OF CHRIST
595 E 2ND
WEISER ID 83672

RE: Investigation of Snake River Basin Adjudication (SRBA) claim 67-10565

Dear Sir or Madam,

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims in your area. My initial review of claim 67-10565 has brought up some questions.

Your claim is based on beneficial use. A claim based on beneficial use is a claim to a water right that has been established through historical use but has never been verified by IDWR. In order to make a recommendation on this claim, IDWR needs to verify the elements of the water right.

One of the first things we look at is the priority date claimed. Claim 67-10565 claims 1 acre of irrigation with a priority date of August 15, 1957. For irrigation for more than ½ acre, we require evidence supporting that the water claimed was put to beneficial use to the extent claimed on or as close to that date that can be supported.

However, my initial investigation found that Washington County tax-lot data shows the parcel claimed to be only 0.30 acres and of that I find only about 0.15 acres that would be irrigated.

Idaho code 42-111 defines domestic use as beneficial use of water for culinary purposes, incidental stock water purposes, up to ½ acre of irrigation, all not to exceed 13,000 gallons per day. Water use that meets the definition of 42-111 does not require a water right, and therefore, does not require evidence of priority. My initial investigation seems to indicate that the water use claimed falls under Idaho Code 42-111.

At this time, I plan to recommend claim 67-10565 as domestic use. If you feel this assessment is incorrect, please submit evidence of priority as well as evidence supporting that you irrigate more than ½ acre of ground by **November 4, 2005**. For your convenience, I am enclosing an Evidence of Priority pamphlet that lists what type of information that can be used as evidence of priority.

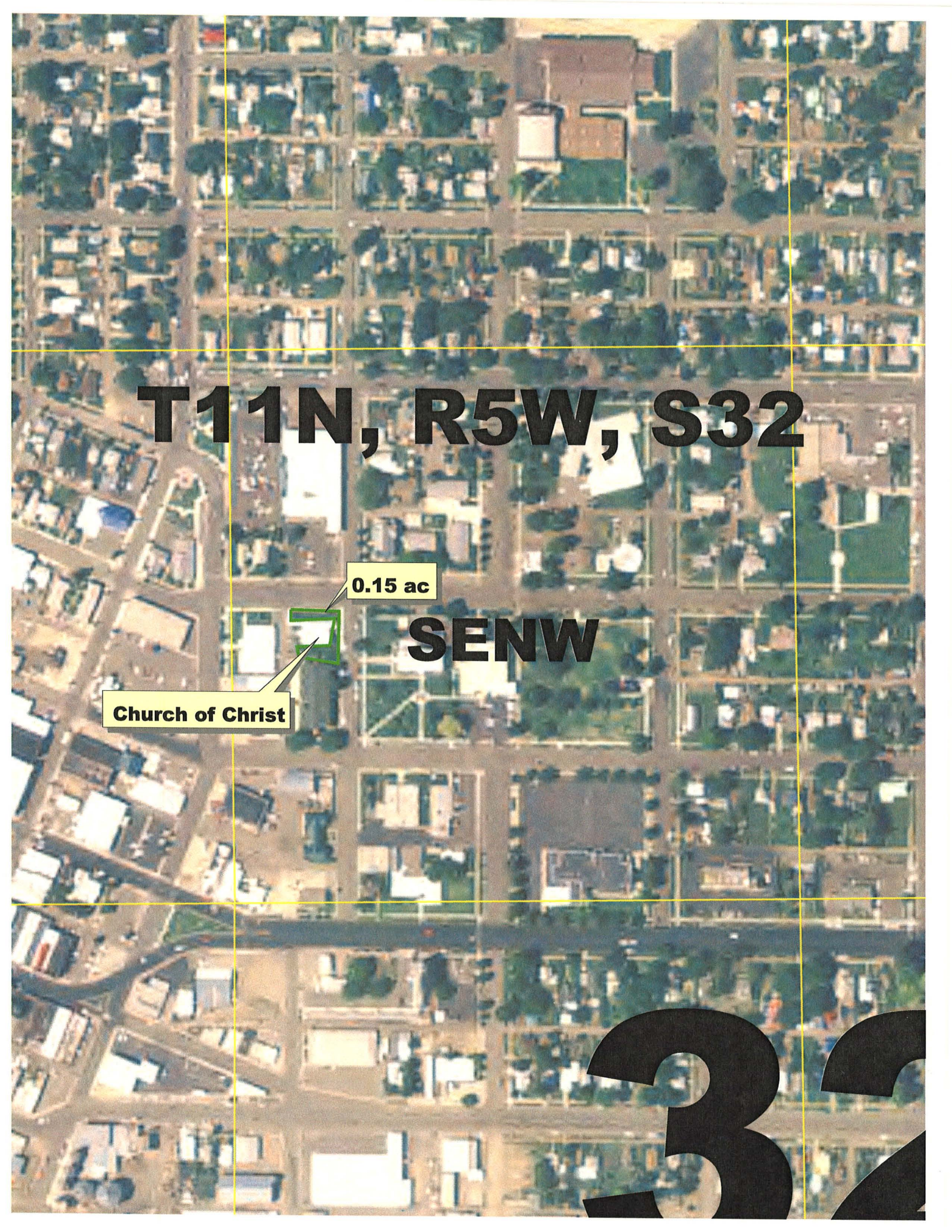
Please feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s);



T11N, R5W, S32

0.15 ac

SENW

Church of Christ

32



State of Idaho

Map Source: USGS Doqq

Claim #(s): 67-10565

Reference Map



0

1320 Feet

● Point of Diversion

□ Claimed Place of Use

□ Tax Lot Property Bndy

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 1.0

Initial Acres Found: 0.15



Prepared By: Craig L. Saxton

Date: October 2005

NO ANSWER

(Frank Lowehn)

10 565 Church of Christ

208-549-1285

Well Depth.

Pump HP

Pump hgt.

SPRINKLER & HOW MANY

POD

POW.

FRI/Date.

10-12-05: Headquarters of LDS Church

↳ Smith

1-800-453-3860

Sheila Jewkes - is contact in Salt Lake
(801)-240-0516

Spoke with Sheila and she is going to have someone
Research EOP and call back.

FM - manager

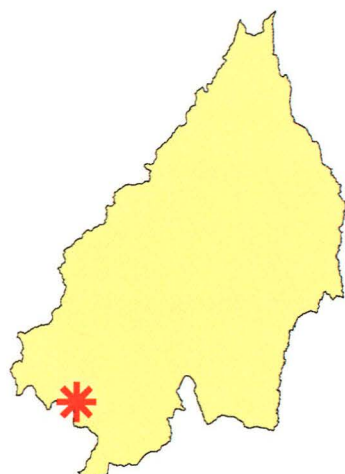
11:30 am: Dee Hansen (801) 240-7426 called and is
going to talk to his on-site Guy and decide
if they should pursue 1 full acre. Also - sending
in C/A

12:45: This isn't the LDS Church according to Dee Hansen
message on my voicemail

Idaho Department of Water Resources

Water Right Claim No:

67-10565



Legend

-  Place of Use
-  Section Lines
-  Quarter Quarters



Prepared by: Dan Narsavage
On: February 28, 2005
1987 True-Color Photography
1987 False-Color Infrared Photography

0 0.1 0.2 0.3 0.4 0.5 0.6 Miles

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	CHURCH OF CHRIST	595 E 2ND	WEISER	ID	83672	(208)549-1285

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 67-10565

Claimed Priority Date: 8/15/1957

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date

Recommended Basis

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

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number 67-10565

Claimed Point of Diversion and Source

T11N R05W S32 NWSEW Within WASHINGTON County Source: GROUND WATER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 67-10565

Claimed Place Of Use

T11N R05W S32 SENW 1.0

Total Acres 1

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

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

Total Acres _____

Document how the POU was verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 67-10565

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 67-10565

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	1/01	12/31	0.01	

Overall Diversion Rate 0.01 Overall Diversion Volume

__ 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
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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:

Reviewer: _____

Date: _____

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: A67-10565
Date Received: 10/10/1989
Receipt No: C012091
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHURCH OF CHRIST 208-549-1285
Address: 595 E 2ND
WEISER, ID 83672

2. Date of Priority: AUG 15, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	32	NW	SE	NW		WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	05W	32	SE	NW		IRR	1.0
Section Acres							1.0

A67-10565

Page 1

Date: 08/22/90

MICROFILMED
OCT 05 1992

SCANNED
APR 09 2004

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: A67-10565
Date Received: 10/04/1989
Receipt No: 612091
Received By: DK

OCT 10 1989

posted 10/6/89
Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHURCH OF CHRIST
Address: 595 E 2ND
WEISER, ID

83672

208-549-1285

2. Date of Priority: AUG 15, 1957

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	32	NW	SE	NW		WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.010		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	05W	32	SE	NW		IRR	1.0
Section Acres							1.0

A67-10565

Page

1

Date: 10/04/89

MICROFILMED

OCT 05 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

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

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am x Pastor of
Church of Christ Title
Organization, that I have signed the foregoing
document in the space below as x Pastor of
Church of Christ Title
Organization and that the statements contained in the
foregoing document are true and correct.

 x Frank A. Towell
Signature of Authorized Agent
Pastor of Church of Christ
Title and Organization
10/4/89
Date

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of Oct 19 89

Bruce A. Schuld
Notary Public

Seal

Residing at

BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO

My Commission Expires

MY COMMISSION EXPIRES APRIL 11, 1995