

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: A37-07157  
Date Received: 6/30/1988  
Receipt No: 5001059  
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
Address: CORP. OF THE PRESIDING BISHOP  
50 N.E. TEMPLE  
SALT LAKE CITY, UT 84150

2. Date of Priority: AUG 21, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S      | 18E   | 24      | SW     | SW     | NW  |     | LINCOLN |

5. Description of diverting works:  
WELL WITH 100 HP PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/15 | 2.400  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06S      | 18E   | 24      | SW     | NW  |     | IRR | 39.0  |
|          |       |         | NE     | SW  |     | IRR | 31.0  |
|          |       |         | NW     | SW  |     | IRR | 32.0  |

Section Acres 102.0

A37-07157

Page 1

Date: 07/07/88

RECEIVED  
MICROFILMED  
FEB 24 1988

|             |       |
|-------------|-------|
| Total Acres | 102.0 |
|-------------|-------|

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

14. Remarks:

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.

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 Title

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

## Organization

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

## Organization

foregoing document are true and correct.

Signature of Authorized Agent

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

Title and Organization

7/12/1988  
Date

**MICROFILMED**  
FEB 24 1993

State of ~~Idaho~~ Utah )  
 ) SS.  
County of Salt Lake )

Subscribed and sworn (or affirmed) before me this 12th day

of July 19 88



Rita C. Jensen  
Notary Public

Residing at Salt Lake City

My Commission Expires 6/17 1992

SRBA *See*

06/22/2002 RECEIVED

JUL - 3 2002

Department of Water Resources

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: July 23, 2002

Water right number: 37-7157

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

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: 6-27-02 SIGNATURE: Alice B Duke  
Please print your name: Alice B Duke  
Water Analyst

IDWR State Office, PO Box 83720, Boise ID 83707-9815

06/22/2002

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Please print your name: Alice B Duke  
Water Analyst

IDWR State Office, PO Box 83720, Boise ID 83707-9815

IDAHO DEPARTMENT OF WATER RESOURCES 11/06/2001  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right **37-7157**

1

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.94 CFS  
388.8 AFY

PRIORITY DATE: 08/21/1972

POINT OF DIVERSION:

T06S R18E S24 SWSWNW Within LINCOLN County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/15          | 1.940 CFS<br>388.80 AFY |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 1] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within LINCOLN County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T06S R18E S24 | SWNW | 37.5 | T06S R18E S24 | NESW | 29.4 |
| T06S R18E S24 | NWSW | 30.3 |               |      |      |

97.2 ACRES TOTAL

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

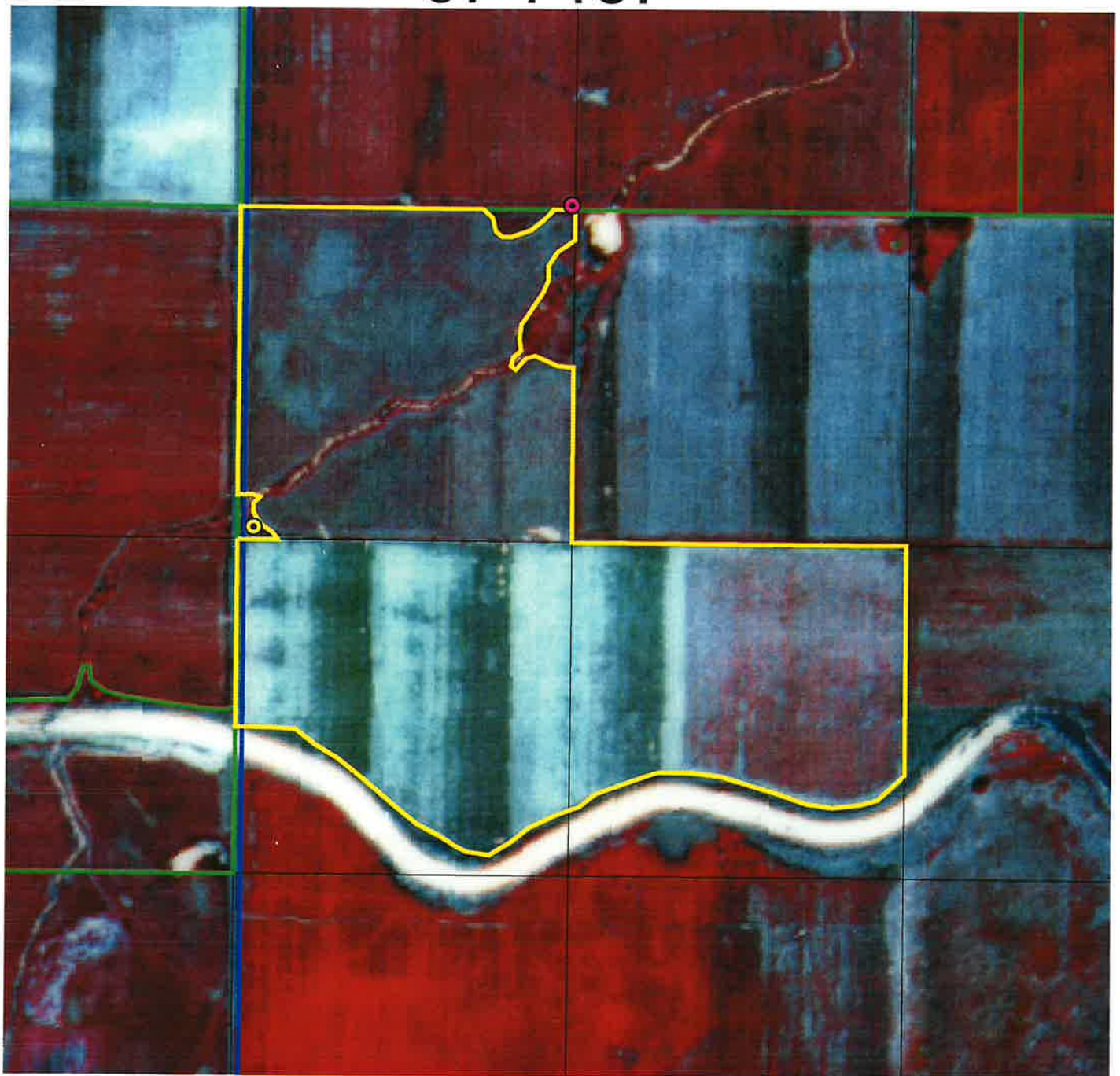
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

# IDAHO DEPT OF WATER RESOURCES

## 37-7157



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 6S  
RNG: 18E  
SEC: 24



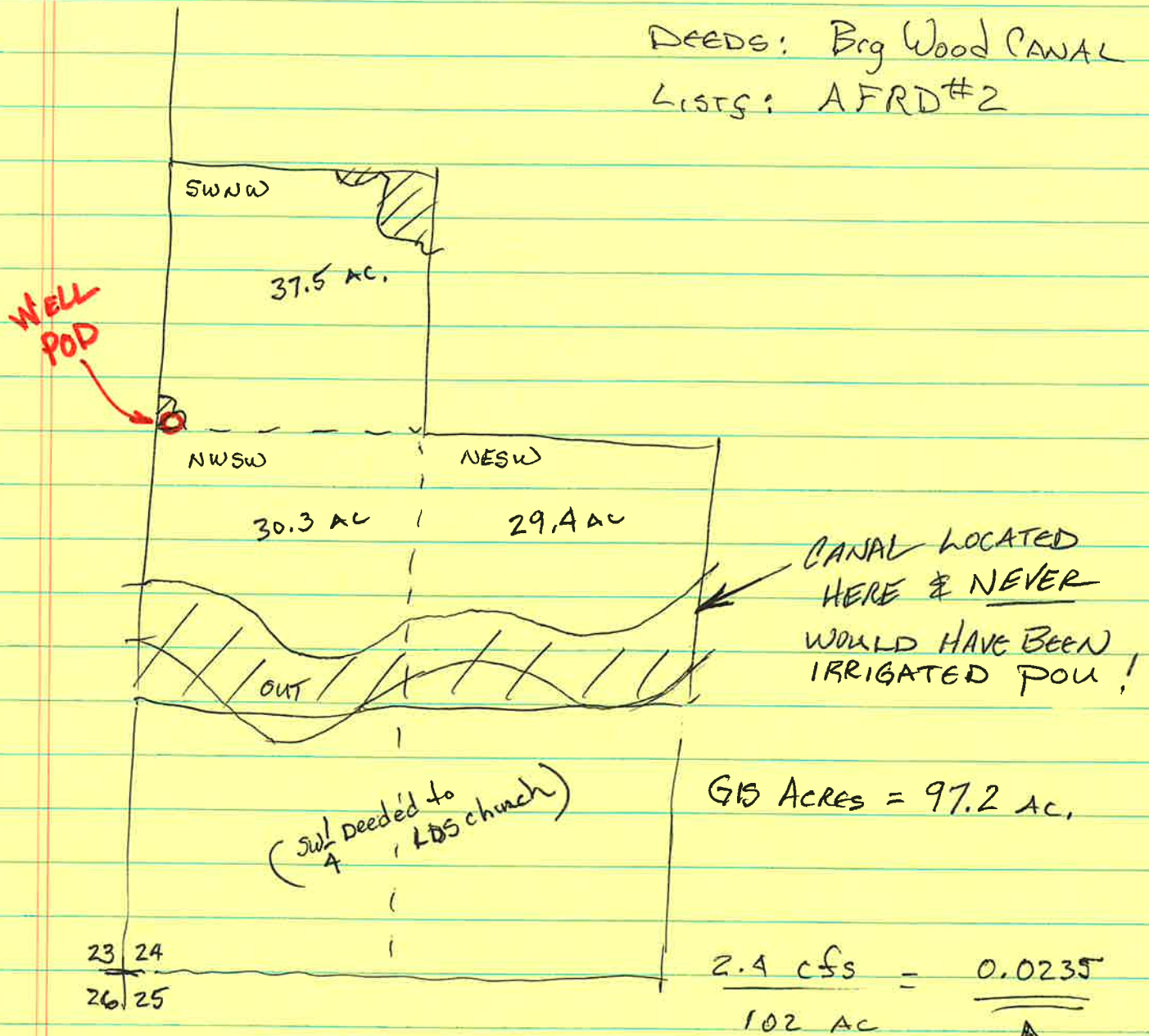
GIS Place of Use Presentation  
NAPP Aerial Photo 1987/1988  
By Steve Clelland

Date: November 6, 2001

Review Notes: 37-7157

11/6/01  
SCC

DEEDS: Brg Wood CANAL  
LISTS: AFRD #2



The claim reduced licensed  
acres from license. GIS shows  
the actual acres within the  
POU as claimed.

(licensed @ 1"/AC)  
4 AF/AC.

EXTEND SEASON 3/15 to 11/15

REC'D

$$97.2 \times 0.02 \text{ cfs} = 1.94$$
$$\times 4.0 \text{ AF} = 388.8$$

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7157 Priority August 21, 1972 Amount 2.40 cfs

THIS IS TO CERTIFY, that ROBERT J. ALWORTH

of Dietrich, Idaho, has complied with the terms and conditions of Permit No. 37-7157 issued pursuant to Application for Permit dated August 21, 1972, and has submitted proof to the Department of Water Resources on October 24, 1974, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.78 cfs of water from a ground water source, tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

| Beneficial Use    | Period of Use                         | Rate of Diversion      | Annual Volume           |
|-------------------|---------------------------------------|------------------------|-------------------------|
| <u>Irrigation</u> | from <u>April 1</u> to <u>Oct. 15</u> | at <u>2.40</u> cfs and | <u>480 acre feet or</u> |
|                   | from _____ to _____                   | at _____ cfs and       | <u>4.0 af per acre</u>  |
|                   | from _____ to _____                   | at _____ cfs and       | _____                   |

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 480 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 24,  
Twp. 6 S, Rge. 18 E, B. M. in the County of Lincoln

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 6 S  | 18 E  | 24   |                  |                  |                  |                  |                  | 40               |                  |                  | 40               | 40               |                  |                  |                  |                  |                  |                  | 120    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 120

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of February, 19 76.

Director