

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 14 2021
Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-7401	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: BRUCE NAYLOR
3. New Owner(s)/Claimant(s): THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, formerly known as Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole
 Name connector ☐ and ☐ or ☐ and/or
 New owner(s) as listed on the conveyance document
50 EAST NORTH TEMPLE STREET SALT LAKE CITY UTAH 84150
 Mailing address City State ZIP
801-240-0516 waterresources@churchofjesuschrist.org
 Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: January 23, 2002
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o **\$25** per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Rex Burger Authorized Agent Jul 1, 2021
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 7/14/2021 Receipt No. E040169 Receipt Amt. \$50. -
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by _____ Processed by _____ Date _____

WARRANTY DEED

Property No.
 Send Tax Statements to:
 LDS Church Tax Admin. - 22nd Fl.
 50 East North Temple Street
 Salt Lake City, UT 84150-3620

For Value Received **Bruce David Naylor and Sharon Naylor, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Corp. of the Presiding Bishop ^{Church} and of the ~~Church~~ of Jesus Christ of LATTER-DAY SAINTS,
 A UTAH CORPORATION SOLE.

whose address is: , 50 EAST NORTH TEMPLE STREET, SALT LAKE CITY, UTAH 84150-3620

Hereinafter called the Grantee, the following described premises situated in Franklin County, , to-wit

See Legal Attached

Recorded at the request of

FIRST AMERICAN TITLE

10:20

a.m. FEB 01 2002 p.m.

V. ELLIOTT LARSEN, RECORDER
 By Shawna Gaddes Deputy
 FRANKLIN COUNTY, IDAHO

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 23, 2002

Bruce David Naylor
 Bruce David Naylor

Sharon Naylor
 Sharon Naylor

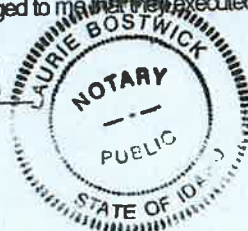
STATE OF Idaho

), ss.

COUNTY OF FRANKLIN

On this 23rd day of January, 2002, before me Laurie Bostwick, personally appeared Bruce David Naylor and Sharon Naylor, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Laurie Bostwick
 Notary Public of Idaho
 Residing at Preston, Idaho
 Commission Expires: 12/16/02



A parcel of land located in the Southwest quarter of the Southwest quarter of Section 2, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:
Commencing at the Southwest corner of said Section 2, from which the South quarter corner of Section 2 bears South 89° 47' 22" East 2638.87 feet;

Thence South 89° 47' 22" East 51.22 feet along the South boundary of said Section 2 to a point on the Easterly right of way line of the West Side Highway (F.A.P. S-1739(4)), said point monumented with a 5/8" rebar and cap labeled "BRIAN ALLEN, PLS 9163" and being on a 5694.58 foot radius non-tangent curve concave to the East whose center bears South 89° 31' 56" East;

Thence Northerly along said right of way line through a central angle of 00° 40' 32" a distance of 67.13 feet to a 5/8" rebar and cap (chord = North 00° 48' 27" East 67.13 feet) set on the Westerly bank of the Twin Lakes Canal, the True Point of Beginning.

Thence along said Westerly bank the following three (3) courses:

Thence North 47° 53' 02" East 365.42 feet to the beginning of a 150.00 foot radius curve concave to the Northwest;

Thence Northeasterly along said curve through a central angle of 36° 27' 52" a distance of 95.46 feet to the point of tangency (chord = North 29° 29' 06" East 93.86 feet);

Thence North 11° 25' 09" East 50.02 feet to a 5/8" rebar and cap;

Thence South 89° 50' 04" East 12.74 feet to the centerline of said canal;

Thence North 11° 25' 09" East 220.32 feet along said centerline to the beginning of a 462.50 foot radius curve concave to the Northwest;

Thence Northeasterly along said curve (centerline) through a central angle of 13° 21' 07" a distance of 107.78 feet (chord = North 04° 44' 36" East 107.54 feet);

Thence South 89° 40' 01" East 258.59 feet to a 5/8" rebar and cap set 3.00' West of an existing irrigation line;

Thence South 00° 01' 31" East 705.66 feet along a line being 3.00 feet West of and parallel with said irrigation line to a 5/8" rebar and cap set on the North right of way line of 2400 North, a County road;

Thence North 89° 45' 30" West 532.39 feet along said right of way line to the beginning of a 305.00 foot radius curve concave to the Southeast;

Thence Southwesterly along said curve (right of way line) through a central angle of 23° 05' 04" a distance of 122.88 feet to a 5/8" rebar and cap set at the Easterly right of way line of said West Side Highway (chord = South 78° 41' 58" West 122.06 feet), said point being on a 5694.58 foot radius non-tangent curve concave to the East whose center bears South 89° 09' 35" East;

Thence Northeasterly along said right of way line through a central angle of 00° 18' 10" a distance of 30.09 feet to the True Point of Beginning, (chord = North 00° 59' 30" East 30.09 feet);

Subject to a 65.00 foot wide canal access and maintenance easement, being 25.00 feet Westerly of the centerline of the Twin Lakes Canal, and 40.00 feet on the Easterly side of said centerline.

Together with a 13.00 foot wide irrigation line use, access, and maintenance easement being Easterly of and coincident with the East boundary of the above described parcel.

Also subject to a 10.00 foot wide water line use and maintenance easement being 5.00 feet of each side of the following described centerline:

Commencing at the Southeast corner of the above described parcel;

Thence North 00° 01' 31" West 422.42 feet along the West boundary of said parcel to the True Point of Beginning of the centerline of this easement.

Thence South 85° 22' 04" West 269.20 feet;

Thence South 50° 24' 47" West 23.47 feet;

Thence North 82° 17' 11" West 24.04 feet to the West boundary of said parcel.

The sidelines of this easement are to lengthen or shorten as required to begin and/or terminate on the East and West boundaries of the above described parcel.

Water Right

IRRIGATION

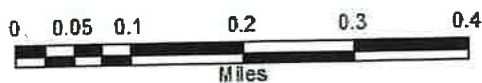
in the water right line.

Map center is in T15S R38E

The USDA, FSA Aerial Photography Field Office has to be credited in derived products.



Date created: 4/30/2027



Legend

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





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 9, 2021

CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
50 E N TEMPLE ST
SALT LAKE CITY UT 84150

RE: Change in Ownership Water Right No. 13-7401

Dear Sir/Madam:

The Idaho Department of Water Resources acknowledges receipt of Notice of Change in Water Right Ownership.

Our review indicated that additional information/fees is required in order to complete your application. On July 16, 2021 (copy enclosed) the department contacted you for additional filing fees. As of the date of this letter, the department has not received the additional filing fees.

The Department is returning your application and attachments unprocessed (copies of the application will be kept on file for informational purposes only). A refund of \$25.00 has been requested and will be mailed under a separate cover from the Idaho State Controller's Office.

You may re-submit your request with the appropriate documents and fees.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, September 9, 2021 11:35 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(15)

Good morning!!

I have a refund request as follows:

Receipt number: E047169
Amount: \$25.00
Payable to: Farmland Reserve
50 E Temple St
Salt Lake City UT 84150

Reason: Department requested additional information for an ownership change (multiple applications received one could not be complete). The information was not received and the application is being returned unprocessed. Therefore the applicant is entitled to a partial refund.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.barg@idwr.idaho.gov
Website: www.idwr.idaho.gov

Cefalo, James

From: Cefalo, James
Sent: Friday, July 16, 2021 1:33 PM
To: 'waterresources@churchofjesuschrist.org'
Subject: Notice of Ownership Change for Water Right 13-7401
Attachments: Water Right 13-7401.pdf

Mr. Burgener,

You recently filed a Notice of Change in Water Right Ownership seeking to update the ownership records for water right 13-7401. This is the second time that the Church of Jesus Christ of Latter-Day Saints has attempted to update the ownership of water right 13-7401. In 2015, the church filed an ownership change notice for the right. The Department notified the church that it did not own the entire place of use for water right 13-7401 and asked for additional evidence of ownership or the filing fee needed to split the right. The church did not respond to the request and the ownership change was returned unprocessed.

The church does not appear to own the entire place of use for water right 13-7401. As shown on the attached map, the authorized place of use for water right 13-7401 extends all the way to the road on the west side of the pivot. According to taxlot information from Franklin County, the church does not own the area highlighted in pink. Therefore, the water right must be split. The filing fee for an ownership change requiring a water right split is \$100. The ownership change notice only included a filing fee of \$25. Please provide the additional \$75 filing fee for the water right split. The additional fee can be sent to our Idaho Falls office. Please have the payment refer to the ownership change for water right 13-7401. Feel free to contact me if you have any questions.

James Cefalo
Regional Manager
IDWR Eastern Region
(208) 525-7161

13-7401

R38E

T14S

T15S

D-518
Lynn Atkinson

C-231
Kent Howell

D-513
Claude Howell

D-528
Karl Ree

T303
1 37.3
D-624
Cluff Kend

Ray

D-557
Bruce Waylor

T309
21.5
D-594
Delmon
Griffeth

T308
3
S

POINT OF DIVERSION

PLACE OF USE

NOT TO SCALE

13-7401

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07401

Priority: July 14, 1983

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 729.9 AF

This is to certify, that BRUCE NAYLOR
DAVID NAYLOR

4736 W 2400 N
DAYTON ID 83232

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 14, 1983; and has submitted Proof of Beneficial Use on June 22, 1988. An examination indicates that the works have a diversion capacity of 2.160 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	2.00 CFS	729.9 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 2, Township 15S, Range 38E
FRANKLIN 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>
15S	38E	2	SWNE 2	SWNW 2	SENE 4	
			NESW 40	NWSW 31	SWSW 33	
			SESW 39	NWSE 29	SWSE 32	212

Total number of acres irrigated: 212

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

APR 07 1994