

Water Right No. 63-161CC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 18 2012

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Corporation of the Presiding Bishop of the Church of

1. Name of water rightholder Jesus Christ of Latter Day Saints
2. Mailing address 50 E. North Temple St, Rm. 120, Email johnsondw@lds
Salt Lake City, UT 84150-6320 church.org
3. The right was obtained or is evidenced by:
a. Decree to 63-161CC in Case of _____
vs. _____, Dated _____ in _____ SRBA
Court, _____ County of _____ Fully (Name of Court) describe decree

b. License No. _____ c. Claim No. _____
d. SRBA No. _____
4. Source of water Boise River tributary to Snake River
(Name of stream or source)
5. Date of priority of right 5/1/1866
6. Description of Right:
amount 0.01 cfs for Irrigation purposes from 3/1 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion SW ¼ NE ¼ of Sec. 9 Twp. 3N Rge. 2E County Ada

8. Lands Irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	28																1	1

Total Acres 1

9. Give the last date when water was put to beneficial use Decreed in SRBA 4/10/2007
Length of extension of time requested 5 years, or until 4/10/2017 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use _____
This water right is a privately-owned right delivered by Settlers
Irrigation District for use at LDS Church property on N. Cloverdale
Road. The water has historically been delivered by Settlers Irrigation
District through the McMillen Lateral, however service was cut off when
Spruce Meadows Subdivision was developed. The LDS Church seeks to protect
their private water right from forfeiture until delivery can be restored.

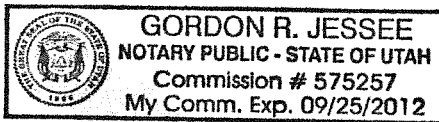
Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole.

The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)

AUTHORIZED AGENT

Subscribed and sworn to before me this 10th day of April, 2012.



(Notary Public)

My commission expires 09/25/2012

Residing at Salt Lake County, Utah

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 20____.

Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 4/18/12 FEE Received by _____ Date _____ Receipt # _____

Preliminary T by _____ Publication prepared by _____ Pub. approved by _____ Date _____

Published in _____ Dates Published _____

Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for - APPROVAL / DENIAL By _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

RECEIVED

APR 10 2012

WATER RESOURCES
WESTERN REGION

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Corporation of the Presiding Bishop of the Church of

1. Name of water right holder Jesus Christ of Latter Day Saints
2. Mailing address 50 E. North Temple St, Rm. 120, Email johnsondw@lds
Salt Lake City, UT 84150-6320 church.org
3. The right was obtained or is evidenced by:
a. Decree to 63-161CC in Case of _____
vs. _____, Dated _____ in _____ SRBA
Court, _____ County of _____ Fully _____ describe _____ decree
b. License No. _____ c. Claim No. _____
d. SRBA No. _____
4. Source of water Boise River tributary to Snake River
(Name of stream or source)
5. Date of priority of right 5/1/1866
6. Description of Right:
amount 0.01 cfs for Irrigation purposes from 3/1 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion SW ¼ NE ¼ of Sec. 9 Twp. 3N Rge. 2E County Ada

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	28																1	1

Total Acres 1

*this copy superseded
by 4/18/12 original*

9. Give the last date when water was put to beneficial use Decreed in SRBA 4/10/2007
Length of extension of time requested 5 years, or until 4/10/2017 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use _____
This water right is a privately-owned right delivered by Settlers
Irrigation District for use at LDS Church property on N. Cloverdale
Road. The water has historically been delivered by Settlers Irrigation
District through the McMillen Lateral, however service was cut off when
Spruce Meadows Subdivision was developed. The LDS Church seeks to protect
their private water right from forfeiture until delivery can be restored.

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

The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)

AUTHORIZED AGENT

Subscribed and sworn to before me this 10th day of April, 20 12.



GORDON R. JESSEE
NOTARY PUBLIC - STATE OF UTAH
Commission # 575257
My Comm. Exp. 09/25/2012

(Notary Public)

My commission expires 09/25/2012

Residing at Salt Lake County, Utah

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 20 _____.

Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 4/10/2012 FEE Received by KW Date 4/10/2012 Receipt # W040062
Preliminary T by _____ Publication prepared by _____ Pub. approved by _____ Date _____
Published in _____ Dates Published _____
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

CloseIDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/9/2012

WATER RIGHT NO. 63-161CC

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAMON YORGASON 5000 FIFESHIRE BOISE, ID 83704 (208)322-0042
Current Owner	HEBERT WARDLE 5987 ELKHORN AVE BOISE, ID 83709 (208)375-6140
Current Owner	CORP OF THE PRESIDING BISHOP CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS REAL ESTATE SERVICES DIV 50 E NORTH TEMPLE ST SALT LAKE CITY, UT 84150-6320 (801) 240-4657

Priority Date: 05/01/1866

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.01 CFS	
Total Diversion			0.01 CFS	

Location of Point(s) of Diversion:

BOISE RIVER|SWNE Lt 7|Sec. 09|Township 03N|Range 02E|ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	01E	28		SESE	1									

Total Acres: 1

Conditions of Approval:

1. This right is also designated as Right No. 30 in the Boise River Stewart Decree and Boise River Water Distribution Report Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
2. S45 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.
3. C18 This right is a split from former right 63-161AL.
4. P21 This right is delivered via the Settlers Irrigation District Canal.
5. This right originated as all or part of right no. 30 in the Stewart Decree and the historic Boise River Water Masters records.
6. SD1

Dates:

Licensed Date:

Decreed Date: 04/10/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: Or

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close