

Form 1-222  
12-92STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

1. Name of Applicant Corporation of the Presiding Bishop, Church of Jesus Christ of Latter-Day SaintsPhone (801)240-4074Mailing Address 50 E North Temple St., Salt Lake City, UT 84150c/o Rocky Mountain Environmental Associates, Inc.482 Constitution, Ste 303(208) 524-2353Idaho Falls, ID 83402Fax (208) 524-1795

## A. PURPOSE OF TRANSFER

1. ☐ Change Point of Diversion ☒ Add diversion point(s) ☐ Change Place of use☐ Change Nature of Use ☐ Change Period of Use ☐ Other \_\_\_\_\_2. Describe the reason for the proposed changes: Applicant's original well does not produce their entire water right. They propose to drill a second well and link them together to have the entire capacity, which is all needed for irrigation.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number      Priority    Amount      Nature of Use      Period of Use

|          |            |          |            |               |
|----------|------------|----------|------------|---------------|
| 29-2366  | 05/26/1955 | 2.4 cfs  | Irrigation | 4/01 to 10/31 |
| 29-2466  | 09/14/1962 | 2.8 cfs  | Irrigation | 4/01 to 11/01 |
| 29-10077 | 04/01/1981 | 0.11 cfs | Irrigation | 4/01 to 10/31 |

2. Total amount of water being transferred 5.20 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.3. Source of water Ground water tributary to NA

4. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local Name for Diversion |
|-----|---|----|----|------|------|------|---------|--------------------------|
|     |   | SE | NW | 7    | 11S  | 37E  | BANNOCK | 1 <sup>ST</sup> WELL     |
|     |   | SE | SW | 7    | 11S  | 37E  | BANNOCK | 2 <sup>ND</sup> WELL     |

5. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼    |         |         |         | NW ¼    |         |         |         | SW ¼    |         |         |         | SE ¼    |         |         |         | Totals |
|-----|-----|-----|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|--------|
|     |     |     | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ |        |
| 11S | 37E | 7   |         |         |         |         | 39      |         |         | 39      | 39      |         |         | 39      |         |         |         |         | 156    |
|     |     | 18  |         | 10      |         |         | 39      |         |         | 40      | 40      |         |         | 39      |         |         |         |         | 168    |

Total Acres 324

74343

PART 1

8. General Information:

- a. Description of diversion system: Both wells will be linked to the mainline, which runs down the middle of the property from north to south. The wheel lines connect to the mainline for irrigation.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☐ Yes ☒ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: No change will occur for the lands irrigated.
- d. Remarks: Upon approval of this transfer, two points of diversion will be used to pump the full capacity (5.2 cfs) of the three water rights. The place of use is a church farm. Contact information for the Farmland Reserve, Inc, Property Services: 139 East South Temple, Suite 110, Salt Lake City, UT 84111-1103, (801) 359-1600.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Right No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

for the Director

\_\_\_\_\_

## PART 2

WATER RIGHT NO. 29-2366

Owner TypeName and Address

Current Owner CORP OF THE PRESIDING BISHOP

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

Priority Date: 05/26/1955

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 04/01 10/31 2.4 CFS 420 AFA

Location of Point(s) of Diversion:

GROUND WATER SENW Sec. 07 Township 11S Range 37E BANNOCK County

Place of Use Legal Description: IRRIGATION BANNOCK 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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 11S             | 37E          | 7              |            | NENW 39      |              |            | SESW 39      |              |            |              |              |            |              |              |
|                 |              |                |            | NESW 39      |              |            | SESW 39      |              |            |              |              |            |              |              |
|                 |              | 18             |            | NWNE 10      |              |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NENW 39      |              |            | SESW 40      |              |            |              |              |            |              |              |
|                 |              |                |            | NESW 40      |              |            | SESW 39      |              |            |              |              |            |              |              |

Total Acres: 324

Conditions of Approval:

1. K01 RIGHT NO. 29-10077 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. 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.
5. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.20 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1134 AF. COMBINED RIGHT NOS.: 29-02366, 29-02466, 29-10077
6. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 324 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02366, 29-02466, 29-10077

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? **NO** If yes, describe

WATER RIGHT NO. 29-10077

**Owner Type****Name and Address**

Current Owner CORP OF THE PRESIDING BISHOP

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

Priority Date: 04/01/1981

Basis: Decreed

Status: Active

**Source****Tributary**

GROUND WATER

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 04/01 10/31 0.11 CFS 24.5 AFA

Location of Point(s) of Diversion:

GROUND WATER SENW Sec. 07 Township 11S Range 37E BANNOCK County

Place of Use Legal Description: IRRIGATION BANNOCK 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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 11S             | 37E          | 7              |            | NENW         | 39           |            | SENW         | 39           |            |              |              |            |              |              |
|                 |              |                |            | NESW         | 39           |            | SESW         | 39           |            |              |              |            |              |              |
|                 |              | 18             |            | NWNE         | 10           |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NENW         | 39           |            | SENW         | 40           |            |              |              |            |              |              |
|                 |              |                |            | NESW         | 40           |            | SESW         | 39           |            |              |              |            |              |              |

Total Acres: 324

Conditions of Approval:

1. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
2. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 324 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02366, 29-02466, 29-10077
4. K09 THIS RIGHT IS FOR AN ENLARGEMENT OF 7 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
5. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-02366, 29-02466 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.20 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1134 AF. COMBINED RIGHT NOS.: 29-02366, 29-02466, 29-10077
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? **NO** If yes, describe

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WATER RIGHT NO. 29-2466

**Owner Type****Name and Address**

Current Owner CORP OF THE PRESIDING BISHOP

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

Priority Date: 09/14/1962

Basis: Decreed

Status: Active

**Source****Tributary**

GROUND WATER

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 04/01 11/01 2.8 CFS 689.5 AFA

Location of Point(s) of Diversion:

GROUND WATER SENW Sec. 07 Township 11S Range 37E BANNOCK County

Place of Use Legal Description: IRRIGATION BANNOCK 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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 11S             | 37E          | 7              |            | NENW 39      |              |            | SESW 39      |              |            |              |              |            |              |              |
|                 |              |                |            | NESW 39      |              |            | SESW 39      |              |            |              |              |            |              |              |
|                 |              | 18             |            | NWNE 10      |              |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NENW 39      |              |            | SESW 40      |              |            |              |              |            |              |              |
|                 |              |                |            | NESW 40      |              |            | SESW 39      |              |            |              |              |            |              |              |

Total Acres: 324

Conditions of Approval:

2. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 324 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02366, 29-02466, 29-10077
3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 197 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.20 CFS
5. E61 AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1134 AF. COMBINED RIGHT NOS.: 29-02366, 29-02466, 29-10077
6. K01 RIGHT NO. 29-10077 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? **NO** If yes, describe

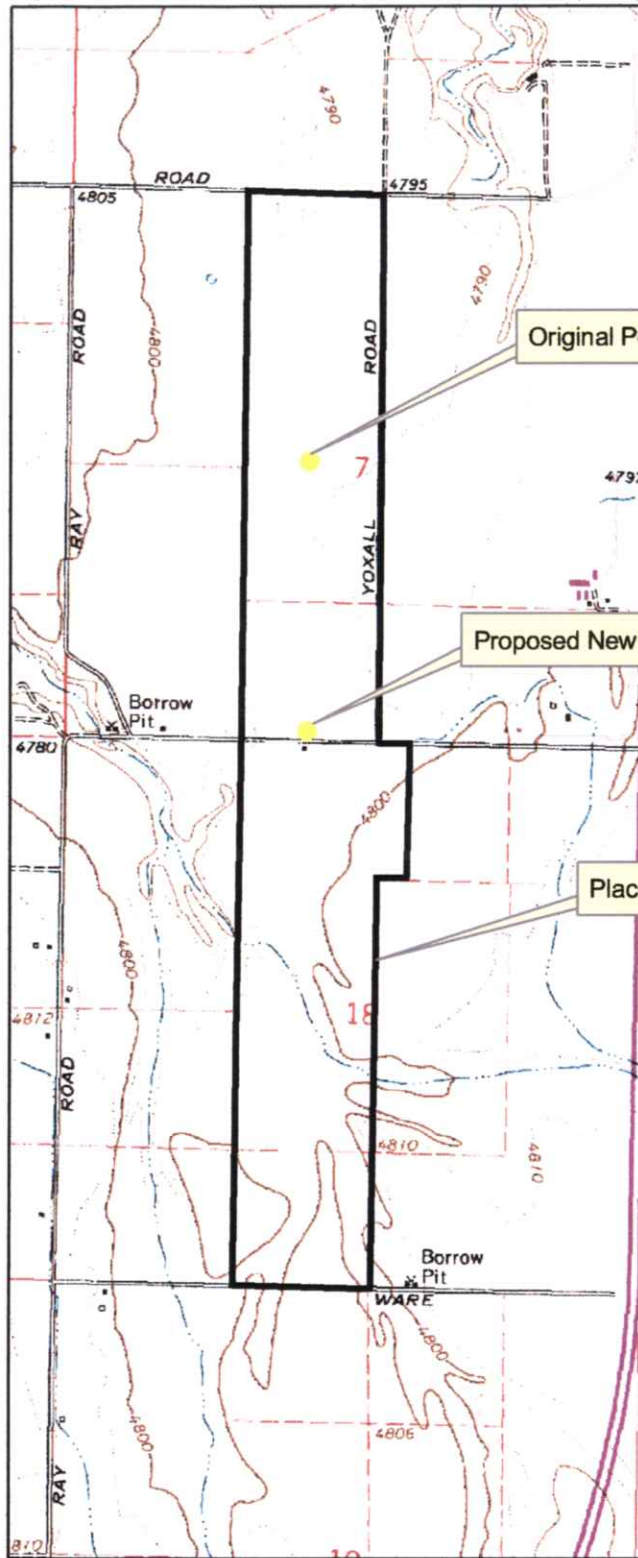
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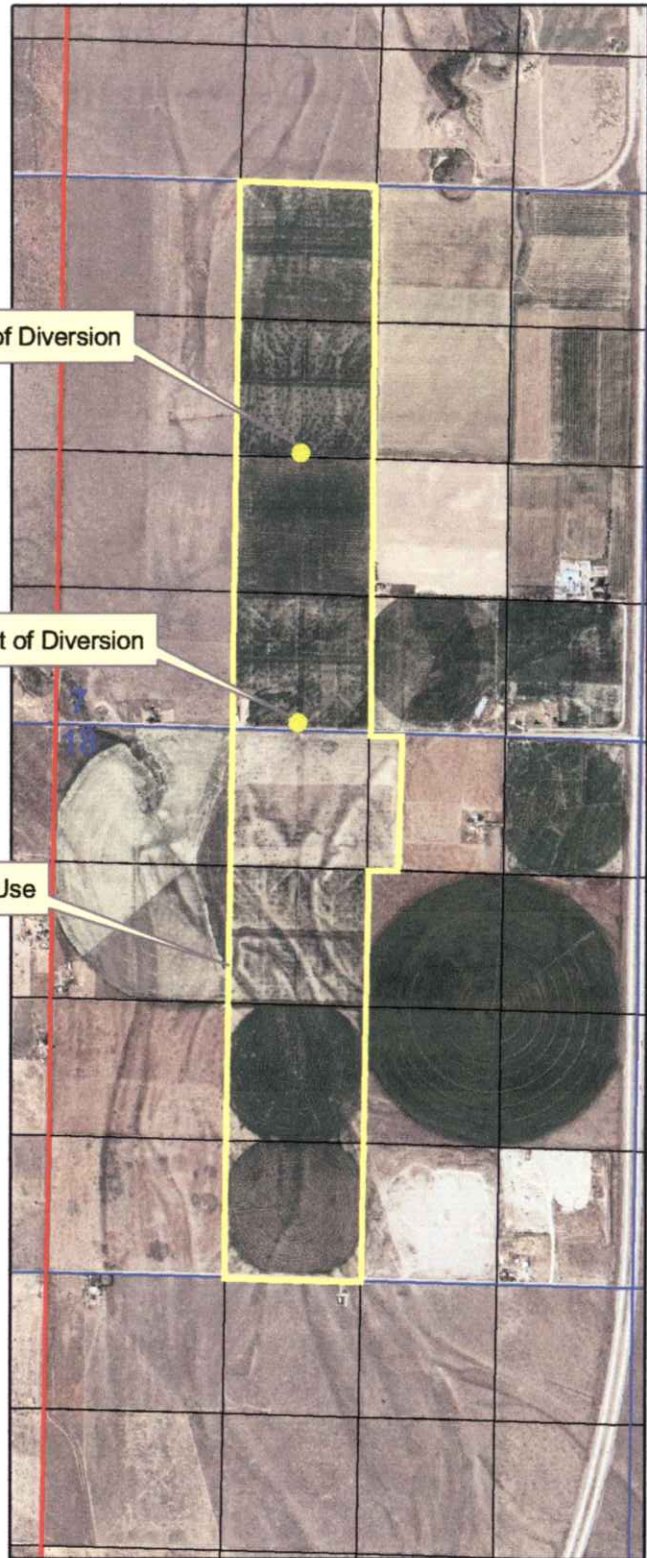
# Application for Transfer of Water Right

Water Rights 29-2366, 29-2466, and 22-10077  
T11S, 37E, Sections 7 and 18

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USGS Topographic Map, Downey West Quadrangle



2006 NAIP Photography

0 500 1,000 2,000 Feet

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## PART 3

## B. CHANGES IN NATURE OF USE

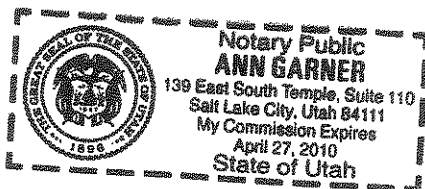
1. New Nature of Use      Amount      cfs      Hours/days/year      Period of use      to
2. Quantity and quality of return flows and location of discharge:
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]      Vice President  
(Signature of Applicant)      (Position of Authority)

Subscribed and sworn to before me this 24 day of October, 2007



Ann Garner  
Notary Public  
My Commission expires: 04/27/2010

## FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and \_\_\_\_\_ attachments  
Received by \_\_\_\_\_ Date \_\_\_\_\_ Protest filed by \_\_\_\_\_  
Prelim check by \_\_\_\_\_ Fee 450-  
Receipted by JC Date 11/1/07 E033541  
Published in LA State Journal Copies of protest forwarded by \_\_\_\_\_  
Pub. Dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial  
\_\_\_\_\_ rec'd \_\_\_\_\_ By \_\_\_\_\_  
Copy of transfer sent to lien holder \_\_\_\_\_