

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

APR 27 2004

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

ORIGINAL

WATER RESOURCES
WESTERN REGIONName of Applicant Corporation of the Presiding Bishop of the Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole Phone 801-240-4657Post Office address 50 East North Temple, Salt Lake City, UT 84150-6321

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 proposes moving the water right to applicant's land for
irrigation of 1.7 acres.

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
TBD 1/1/1954 0.036 cfs irrigation 3/15 to 11/15
 (portion of 63-4949)
TBD 12/9/1983 0.010cfs/2.25ac-ft irrigation 3/15 to 11/15
 (portion of 63-9972)

2. Total amount of water being transferred 0.046 cubic feet per second and/or _____ acre-feet per annum.3. Source of water groundwater tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	33	4N	2W	Canyon	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	33													1.7				1.7

Total Acres 1.7

PART 1

6. General Information:

- a. Description of diversion system Well with electric pump, pipe to sprinklers.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. See attached purchase agreement for 63-9972.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land formerly irrigated by 63-4949 is now irrigated from a municipal source. Land formerly irrigated by 63-9972 will no longer be irrigated from a groundwater source.
- d. Remarks:
See attached site map for depiction of landscape area.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-4949 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water groundwater tributary to NA

4. Date or priority 1/1/1954

5. Water is used for the following purposes:

amount 0.090 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.090 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SE	SW	NE	21	3N	2W	Canyon	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	21			3.0														3.0

Total Acres 3.0

9. Describe any other water rights used for the same purpose as described above None

PART 2

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 _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount 0.036 cfs for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SE	SW	NE	21	3N	2W	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	21			1.2														1.2

Total Acres 1.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.054 cfs for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SE	SW	NE	21	3N	2W	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	21			1.8														1.8

Total Acres 3.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-9972 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ ~~Warranty Deed~~ ☒ Other purchase agreement

3. Source of water groundwater tributary to

NA

4. Date or priority 12/9/1983

5. Water is used for the following purposes:

amount 0.60 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.60 cubic feet per second and/or 135.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	NE	31	4N	1E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	31			30														30

Total Acres 30

9. Describe any other water rights used for the same purpose as described above None

PART 2

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 _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount 0.01cfs/2.25ac-ft for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NE	31	4N	1E	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	31			0.5														0.5

Total Acres 0.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.59cfs/132.75ac-ft for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	NE	31	4N	1E	Ada	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Total s
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	31			29.5														29.5

Total Acres 29.5

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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- This is a USGS 7.5 Quad map of the Middleton area. The map shows a grid of section numbers (21, 22, 28, 29, 32, 33, 34, 35) and township/range coordinates (T4N R2W). Key features include:
- Pacific Creek:** The main watercourse, flowing from the northwest towards the southeast.
 - Tributaries:**
 - Maddens Creek:** Joins Pacific Creek from the north.
 - Highline Creek:** Joins Pacific Creek from the north.
 - Millers Creek:** Joins Pacific Creek from the north.
 - Spur Creek:** Joins Pacific Creek from the north.
 - Branch Creek:** Joins Pacific Creek from the north.
 - Elm Creek:** Joins Pacific Creek from the north.
 - Midland Creek:** Joins Pacific Creek from the north.
 - Tree Creek:** Joins Pacific Creek from the north.
 - One Creek:** Joins Pacific Creek from the north.
 - Gulch Creek:** Joins Pacific Creek from the north.
 - Point of Diversion:** A location marked on Pacific Creek, indicated by a line pointing to a box labeled "Point of Diversion".
 - Place of Use Area:** A location marked on Pacific Creek, indicated by a line pointing to a box labeled "Place of Use Area".
 - Other Features:**
 - Franklin School:** Located in the northeast corner.
 - Franklin Labor Camp:** Located in the southeast corner.
 - Well:** Located near the center-right.
 - Highline Avenue:** A road running north-south.
 - Millers Road:** A road running north-south.
 - Spur Road:** A road running north-south.
 - Branch Road:** A road running north-south.
 - Elm Road:** A road running north-south.
 - Midland Road:** A road running north-south.
 - Tree Road:** A road running north-south.
 - One Road:** A road running north-south.
 - Gulch Road:** A road running north-south.
- The map is titled "USGS 7.5 Quad: Middleton" in the bottom left corner.

PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ 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 contained 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.

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

JJR

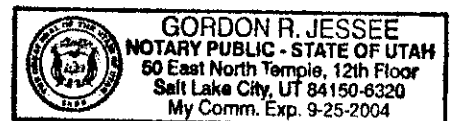
[Signature]
 (Signature of Applicant)

AUTHORIZED AGENT

Subscribed and sworn to before me this 8th day of April, 2004.

[Signature]
 (Notary Public)

My commission expires _____

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by KG Date 4/27/04 Protest filed by _____

Prelim. Check by _____ Fee 10000

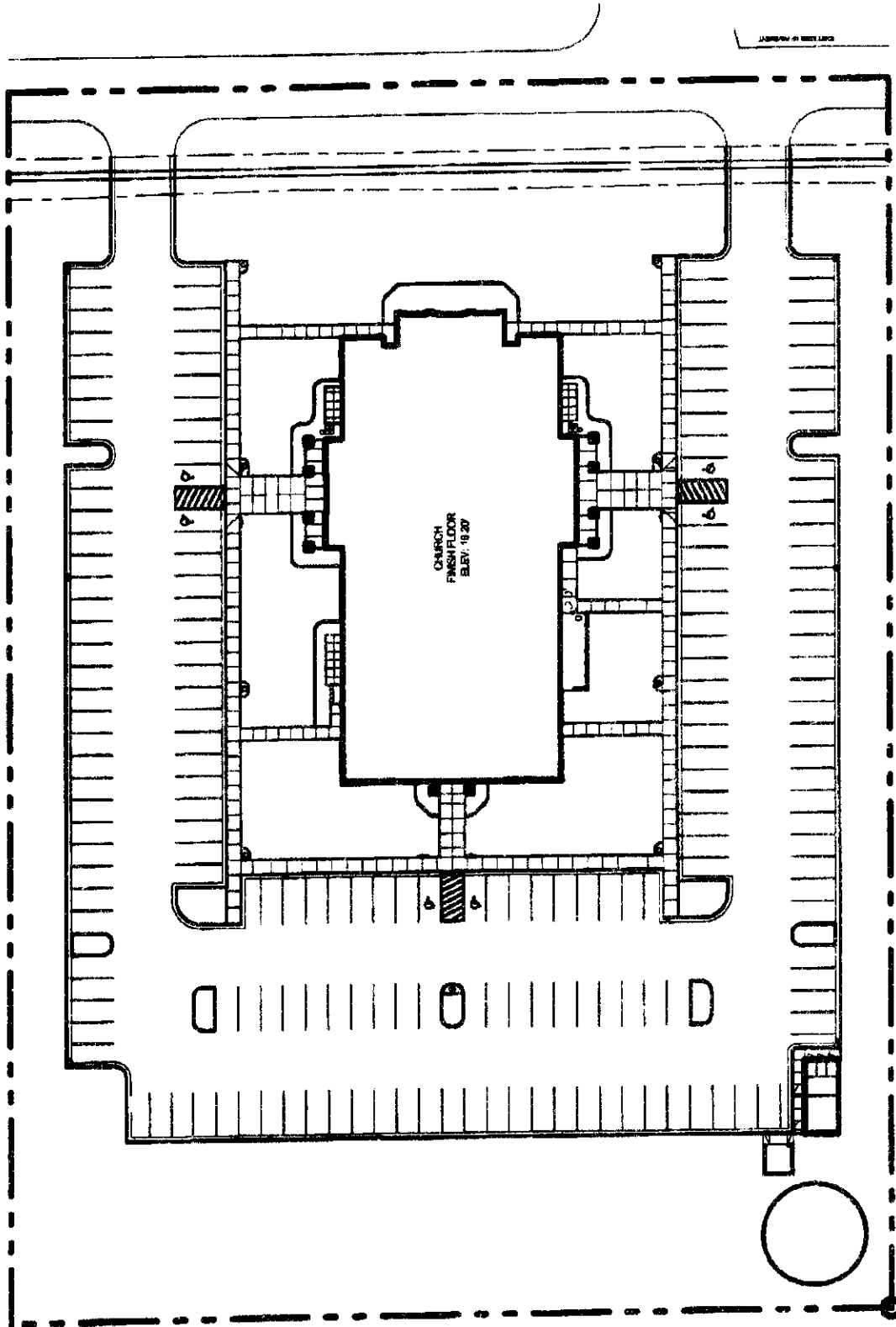
Received by KG Date 4/27/04 W031606

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

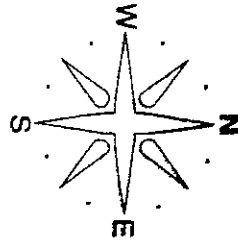
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____



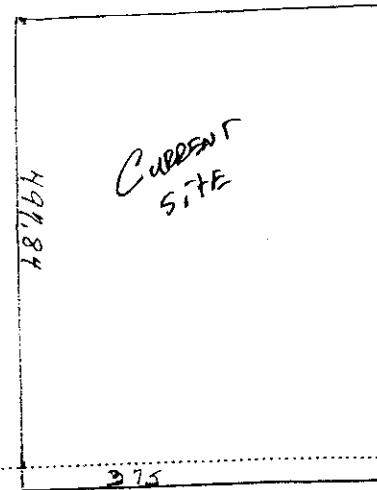
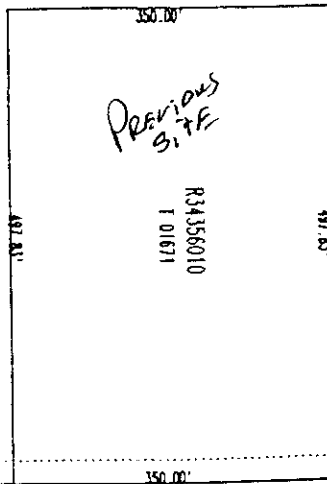
LANDSCAPE AREAS

NORTHSIDE
554-5234-77
63,332 SQ. FT = 1.45 ACRES



This Map is attached solely for the purpose of assisting in locating the land and the Company assumes no liability for variations if any.

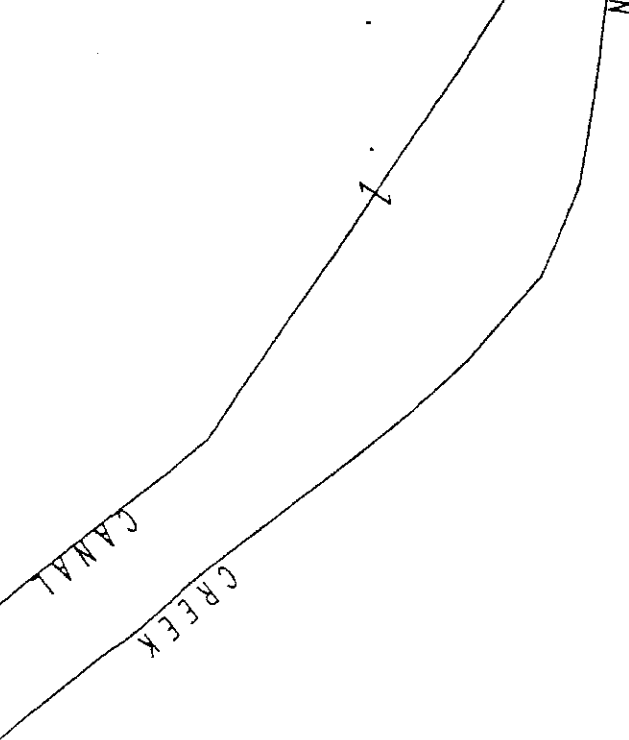
7200
R34356



NORTHSIDE BLVD

1/16

1/4



Pn72264-E

INSTRUMENT NO.

200308143

Property No.

Send Statements to:

LDS Church Tax Admin. - 22nd Fl.
50 East North Temple Street
Salt Lake City, UT 84150-3620

City No. 581-0272

Recording, return to:

Church Real Estate - 12th Fl. East
50 East North Temple Street
Salt Lake City, UT 84150

WARRANTY DEED

FOR VALUE RECEIVED JOHN C. KINGHORN and MYRTICE J. KINGHORN, as
Co-Trustees of THE JOHN & MYRTICE KINGHORN TRUST under Trust Agreement
dated February 16, 1993

the Grantors, do hereby grant, bargain, sell and convey unto THE CORPORATION OF THE PRESIDING BISHOP
OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

the Grantee, whose address is 50 East North Temple, Salt Lake City, UT 84150

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS
REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2003 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: January 28, 2003

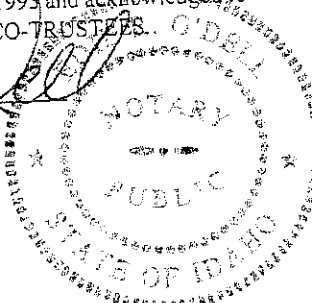
THE JOHN & MYRTICE KINGHORN TRUST

BY: John C. Kinghorn BY: Myrtice J. Kinghorn
CO-TRUSTEE CO-TRUSTEE

STATE OF IDAHO
COUNTY OF CANYON

On this 7th day of Feb. 2003, before me, a notary
public, personally appeared JOHN C. KINGHORN AND MYRTICE
J. KINGHORN, known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument as CO-TRUSTEES of THE
JOHN & MYRTICE KINGHORN TRUST UNDER TRUST
AGREEMENT DATED FEBRUARY 16, 1993 and acknowledged to
me that they executed the same as such CO-TRUSTEES.

Edith A. O'Dell
Notary Public
Residing at Nampa, Idaho
My commission expires: 4/17/2003



REQUEST PIONEER-NAMPA
TYPE Hand FEE 6.00

NOEL HALLS
CANYON COUNTY RECORDER
BY Joel H. Halls

2003 FEB 10 PM 4 28

RECORDED

200308143

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN72264

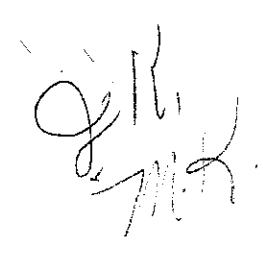


Exhibit "A"

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 33, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

BEGINNING at the East Quarter corner of said Section 33 and running thence
South $0^{\circ} 33' 10''$ East 375.00 feet along the East line of said section; thence
South $89^{\circ} 45' 10''$ West 497.84 feet; thence
North $00^{\circ} 33' 10''$ West 375.00 feet to the East-West centerline of said section;
thence
North $89^{\circ} 45' 10''$ East 497.84 feet along said East-West centerline to the POINT OF
BEGINNING.