

Page 1 of 6STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 72072

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1WATER RESOURCES  
WESTERN REGIONName of Applicant 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 1.8 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 0.054 cfs irrigation 3/15 to 11/15

(portion of 63-4949)

\_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_ to \_\_\_\_\_

2. Total amount of water being transferred
- 0.054
- cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Source of water
- groundwater
- tributary to
- NA

4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec | Twp | Rge | County | Local name for diversion |
|-----|-----|-----|-----|-----|-----|-----|--------|--------------------------|
|     |     | NW  | SW  | 10  | 4N  | 2W  | Canyon |                          |
|     |     |     |     |     |     |     |        |                          |
|     |     |     |     |     |     |     |        |                          |
|     |     |     |     |     |     |     |        |                          |

5. 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  | 2W  | 10  |        |    |    |    |        |    | 0.9 |    |        | 0.9 |    |    |        |    |    |    | 1.8    |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |    |        |     |    |    |        |    |    |    |        |

Total Acres 1.8

**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.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
Land is now irrigated from a municipal source.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- d. Remarks:  
See attached site map for depiction of landscape area within 3.69 acre site.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**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☒ OtherRecord of Survey

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 0.054 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 1.8

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

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 |                          |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

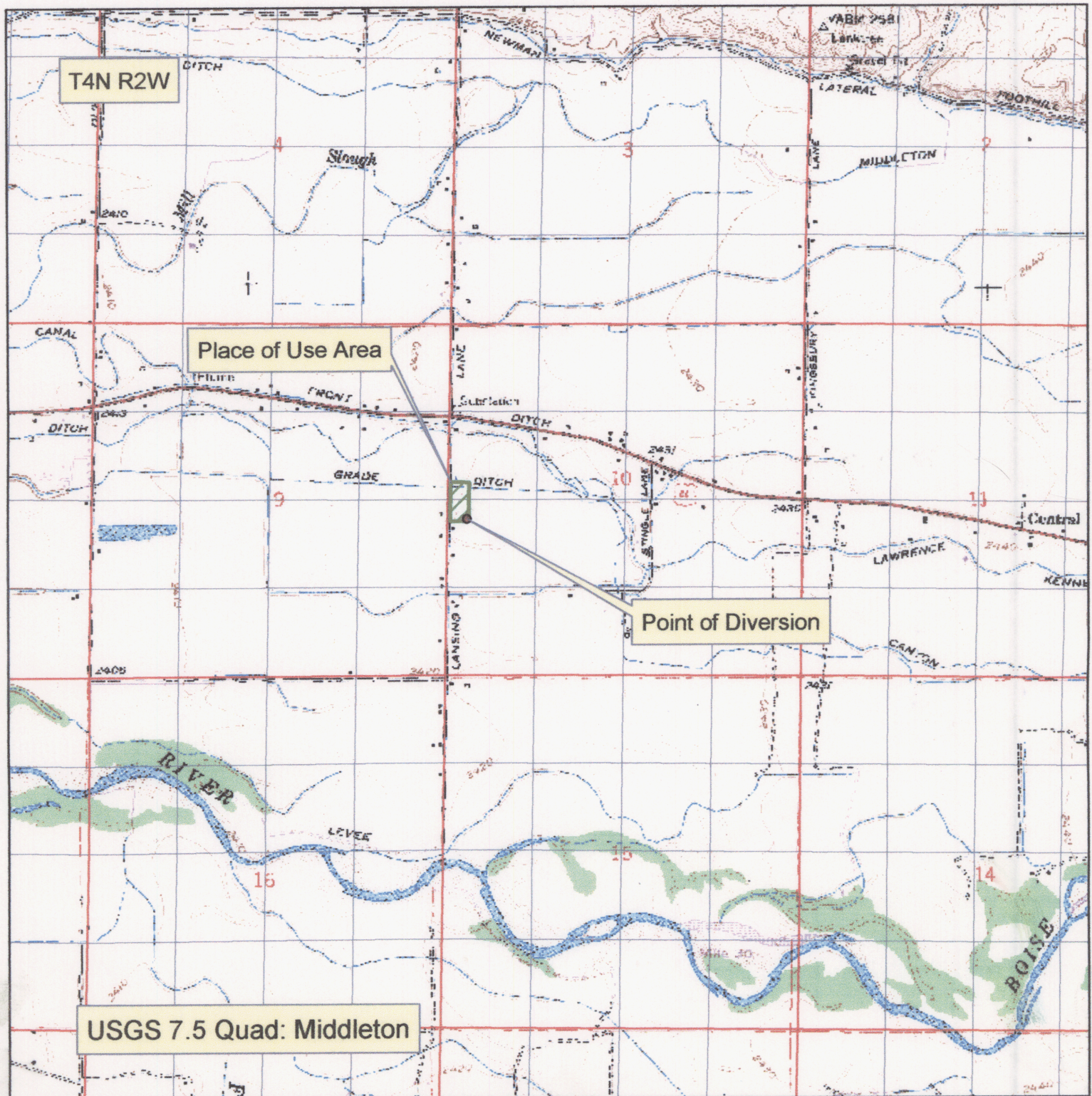
3. Lands irrigated or place of use:

| 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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



**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

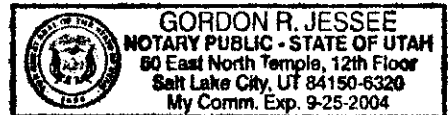
**AUTHORIZED AGENT**

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of April, 2004.

(Notary Public)

My commission expires \_\_\_\_\_

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by KG Date 4/20/04 Protest filed by \_\_\_\_\_

Prelim. Check by \_\_\_\_\_ Fee 100.00

Received by KG Date 4/20/04 W031568

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. Dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendations requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ received \_\_\_\_\_ by \_\_\_\_\_





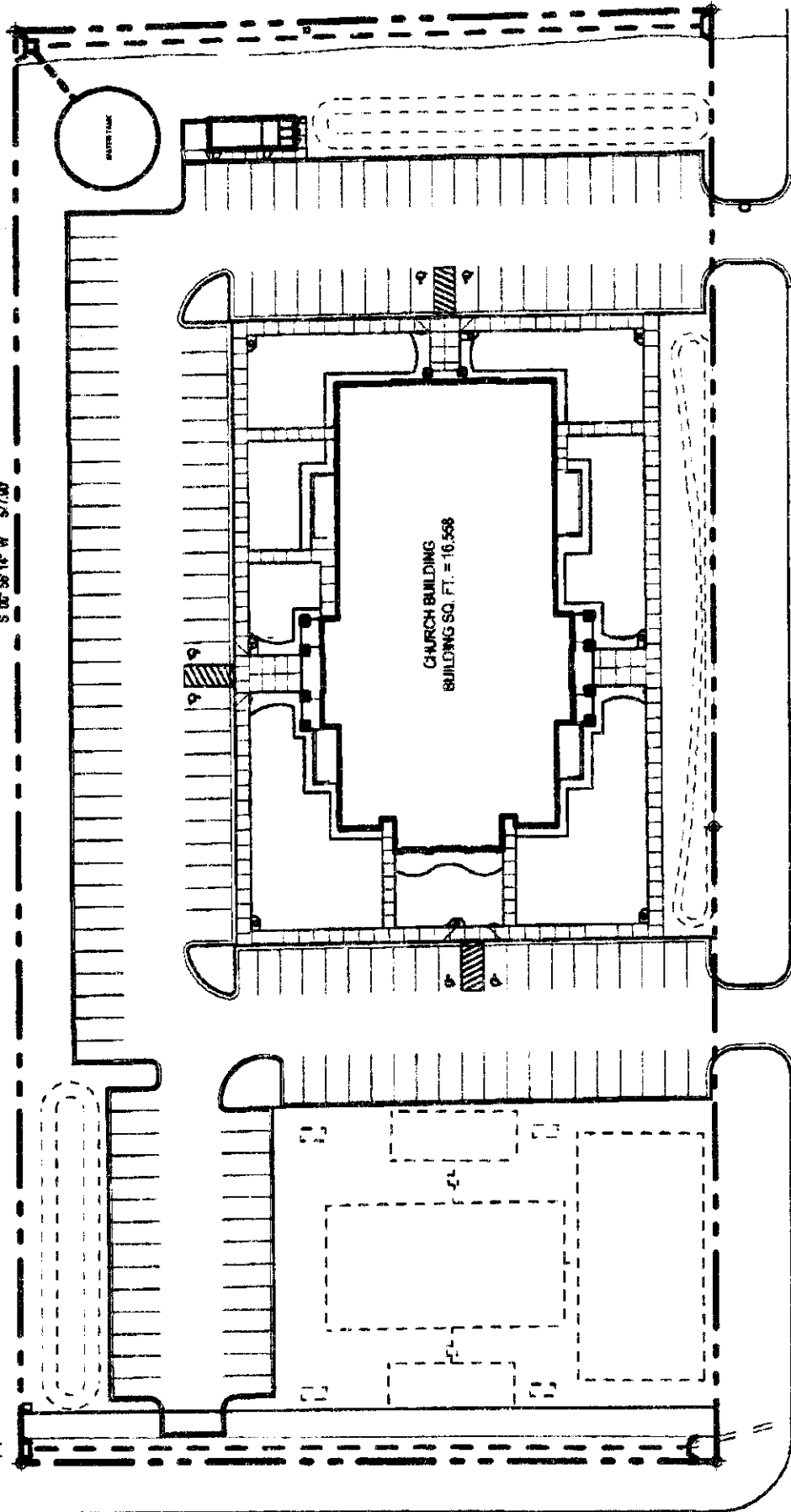
LANDSCAPE AREAS

MIDDLETON

5631416-77

76,325.5 SQ. FT. = 1.8 ACRES

S 00° 58' 14" W 577.93'



Page No. 523-14-24  
Office: Recording, UT 84103  
1000 Church Road, Suite 100, P.O. Box  
Salt Lake City, Utah 84103  
Tel: 801-462-1111  
Fax: 801-462-1112

**INSTRUMENT NO. 200228870**  
**WARRANTY DEED**

TAM2-13769/10

Richard A. Porter & Shari K. Porter, husband & wife

GRANTOR(s) does/they hereby GRANT, BARGAIN, SELL AND CONVEY unto: CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

GRANTEE(s), whose current address is: 58 East North Temple, Salt Lake City, UT 84150 the following described real property in Canyon County, State of Idaho, more particularly described as follows, to wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does/they hereby covenant to said with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable; and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Date: June 19, 2002

Richard A. Porter  
Richard A. Porter

Shari K. Porter  
Shari K. Porter

State of ID., County of Canyon, ss.

On this 20<sup>th</sup> day of June in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard A. Porter & Shari K. Porter known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Ch. A. Mill  
Notary Public  
Residing at: Albuquerque, NM, 87105  
My Commission Expires: Aug. 10, 2005



200228870

RECORDED

22 JUN 26 PM 4 31

G NOEL MALES  
CANYON CNTY RECORDER  
BY Sheppia  
REQUEST Transcription - Stamp  
TYPE Ind FEE 6.00

Recording No.  
Office: Recording, UT 84103  
1000 Church Road, Suite 100, P.O. Box  
Salt Lake City, Utah 84103  
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Fax: 801-462-1112

Lausick Lane, Middleboro

