

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that she is the
Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated August 8 1968, and ending
with the issue dated August 15, 1968.

Ruth Chambers

Subscribed and sworn to before me
this 16th day of August
1968.

Edith Raustadt Notary Public

Cost of Publication \$ 7.25

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971

RECEIVED

AUG 19 1968

Department of Reclamation

No. 68.130 **NOTICE OF CLAIM TO A WATER RIGHT** No. 43.4005

Notice is hereby given that the Raft River Stake of the Church of Jesus Christ of Latter-day Saints, Malta, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.8 cubic feet per second of water from a subterranean source with point of diversion in the NW 1/4 NW 1/4, sec. 8, T. 14 S., R. 27 E.B.M., Cassia County; the water is claimed to be used from April 1 to October 31 for irrigation with a priority of April, 1952; the place of use is the SW 1/4 NE 1/4, SW 1/4 NW 1/4, SW 1/4 SW 1/4, Sec. 5, NW 1/4 NW 1/4, sec. 8, T. 14 S., R. 27 E.B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press August 8, 15, 1968.

43 4005

43 4005

will sub 8-19-68

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	~~Raft River Stake, LDS Church~~	~~3.8~~		~~43-4005~~
2881	Raft River Stake, LDS Church	2.53		43-4005B
	Raft River Stake, LDS Church	1.27		43-4005A

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~~BAFT~~ River Stake, LDS Church. 3.8 43-4005

BAFT River Stake, LDS Church 2.53 43-4005B

BAFT River Stake, LDS Church 1.27 43-4005A

Should questions arise during the processing of this application please contact:

Form No. 222 10/80

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

Transfer No. 2881
Water Right No. 43-4005

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints
Name of applicant _____ Phone _____

Post Office address Malta, Idaho 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 43-4005 on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant N/A

3. Source of water Ground water tributary to ----

4. Date of priority April 1, 1952

5. Water is used for the following purposes:

amount 3.8 cfs for Irrigation purposes from March 15 to November 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.8 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW 1/4 of NW 1/4 of Section 8
Township 14 South Range 27 East, B.M., in Cassia County
Additional points of diversion, if any None

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	27E	8						40											40
14S	27E	5			20			20				40							80

Total number of acres to be irrigated 120

9. Describe any other water rights used for the same purpose as described above 43-2294, 43-2296

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 2.53 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8 Township 14S
Range 27E, B.M., Cassia County
Additional points NW/4 NW/4, Sec. 8, T14S, R27E; NW/4 SW/4, Sec. 5, T14S, R27E,
all in Cassia County
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	27E	8						40											40
14S	27E	5											40						40

Total number of acres to be irrigated 80

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 2.53 c.f.s. &/or _____ acre feet
- b. Description of diverting works Two water wells presently in use; equipped with vertical turbine pumps. Third well to be drilled to provide a full water supply.
- c. Describe the reasons for the proposed changes Present water rights do not reflect an efficient irrigation system. Wells are near north end of property requiring long main line and friction loss. Additional well will allow more flexibility and efficient use of the system.

2. Change in point of diversion

Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8 Township 14S
Range 27E, B.M., Cassia County
Additional points NW/4 NW/4, Sec. 8, T14S, R27E and SW/4 SW/4, Sec. 5, T14S,
R27 E all in Cassia County.

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

Will show actual use pattern of water as it is now used.

c. Describe the lands or place of use to which the right will be transferred:

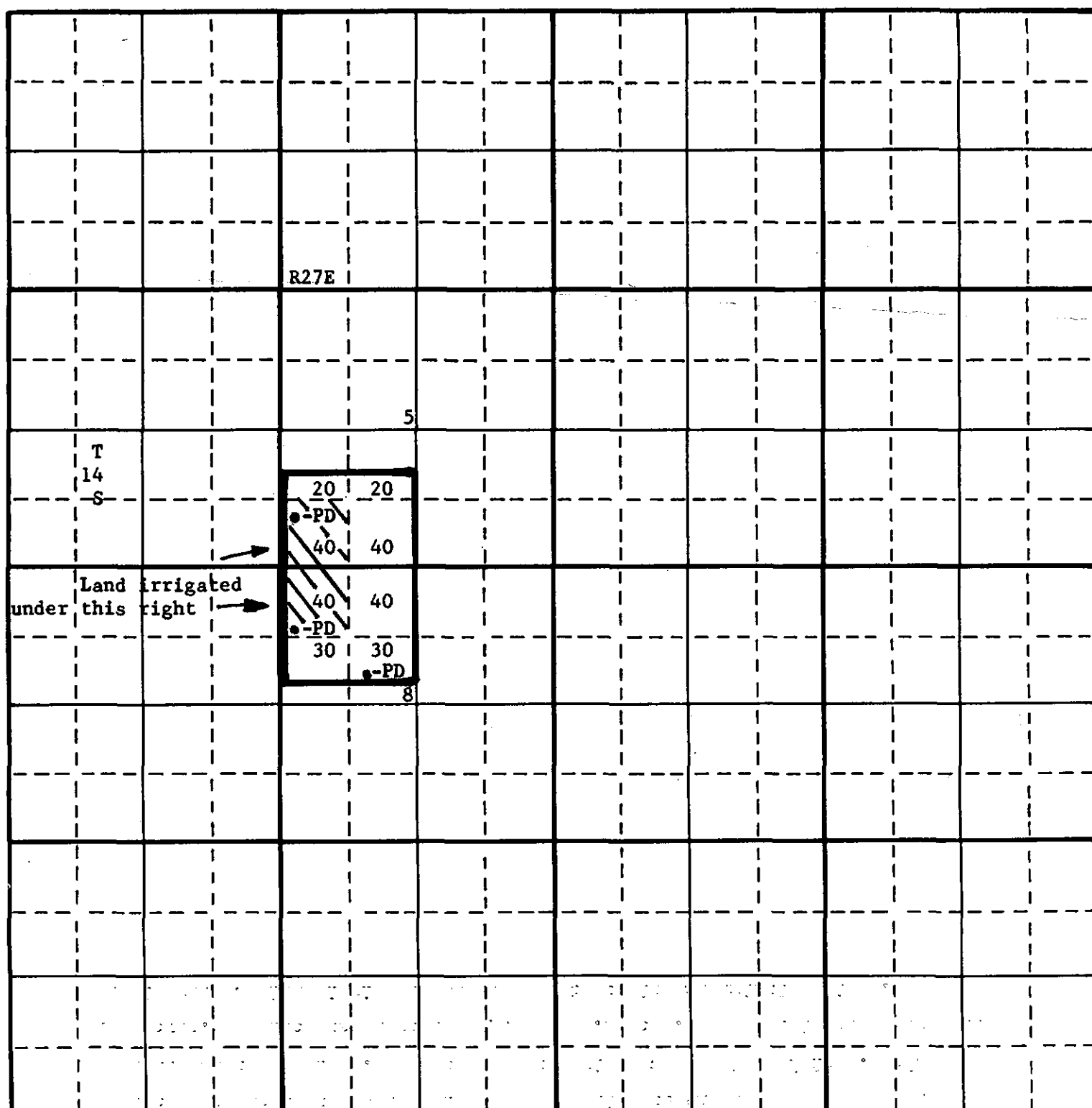
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	27E	8						40											40
14S	27E	5										40							40

Total number of acres to be irrigated 80

4. Describe any other water rights used for the same purpose as described above. _____

43-2294, 43-2296

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Applicant seeks to transfer only the proportionate share of the water right

appurtenant to his land. The total water right under 43-4005 is 3.8 cfs for

120 acres. Applicants share is 80/120 or 2.53 cfs. No additional water will

be diverted or land irrigated other than that with an existing right.

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 willfull misrepresentations made in this application may result in voiding its approval.

BY: James A. Ball

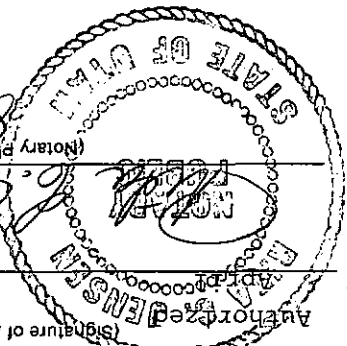
Jesus Christ of Latter-day Saints, a Utah Corporation sole.

(Signature of Applicant)

Agent

Subscribed and sworn to before me this 18 day of

(Notary Public)



My commission expires

6/17 1984

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4005

APPROVED

and said application is hereby subject to the following limitations and conditions:

Approval of this transfer in no way validates Claim 43-4005.

Witness my hand this

23rd

November

19 83

Chief, Operations Bureau

J. M. Saxton

FOR DEPARTMENT USE ONLY

mmg

Received by mmg

Date

5/3/83

Prelim. check by ADM

Fee

50¢

Received by mmg

Date

5/3/83

32041

Published in South Lake Press

Pub. dates Aug 18 - Aug 25, 1983

Watermaster recommendation requested on N/A

rec'd.

by ADM

Recommended for

approval

denial

Hearing held by

Date

Copies of protest forwarded by

EXHIBIT "A"

Township 14 South, Range 27 East, Boise Meridian

Section 8: N E\NW\

Section 8: Beginning at a point 1,320 feet South of the Northeast corner of said Section 7; thence South 990 feet; thence East 2647.25 feet; thence North 990 feet; thence West 2647.25 feet to the place of beginning.

EXCEPTING THEREFROM a strip of land 25 feet wide on each side of the wells now located on said property

TOGETHER with all water rights however evidenced, whether decreed rights or otherwise.

SUBJECT to the following in deed from MALTA LAND AND IRRIGATION COMPANY to Joseph W. Barrett and Luana Barrett, his wife; "This deed is accepted with the understanding and agreement that MALTA LAND AND IRRIGATION COMPANY shall administer, apportion and distribute all water to which the grantee shall be entitled to, and with the further understanding that grantee shall hereafter pay its proportionate share of all water charges and of the maintenance of all conduits and ditches for the use of said waters, and is further accepted in fulfillment of that certain agreement made and entered into between the parties hereto as of the 1st day of January, 1947."

SPECIAL WARRANTY DEED

COOPERATIVE SECURITY CORPORATION, a Utah non-profit corporation, Grantor, of Salt Lake City, Salt Lake County, State of Utah, hereby conveys and warrants only against all acts of itself, its successors and assigns, to CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantee, for the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the following described tract of land situate in the County of Cassia, state of Idaho, to wit:

Description shown in Exhibit "A" attached hereto and by this reference made a part hereof.

IN WITNESS WHEREOF, the Grantor has hereto subscribed its name and affixed its corporate seal by its Managing Director, and attested to by its Secretary, this 29 day of December, 1975.

COOPERATIVE SECURITY CORPORATION

BY: MANAGING DIRECTOR

ATTEST:

SECRETARY

State of Utah)
County of Salt Lake) ss.

*Confirmed and sent for
Recording 1-5-76
RECORDED 8 JAN 176*

ON this 29 day of December, 1975, personally appeared before me, R. QUINN Gardner and Keith B. McMullin, the signers of the foregoing instrument, who being by me duly sworn, did say that he, the said R. QUINN Gardner, is the Managing Director and he, the said Keith B. McMullin, is the Secretary of COOPERATIVE SECURITY CORPORATION, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of the Board of Trustees, and the said R. QUINN Gardner and Keith B. McMullin acknowledged to me that the said corporation executed the same.

Notary Public in and for said
County and State

My Commission expires:

RECORDED

SPECIAL WARRANTY DEED

COOPERATIVE SECURITY CORPORATION, a Utah non-profit corporation, Grantor, of Salt Lake City, Salt Lake County, State of Utah, hereby conveys and warrants only against all acts of itself, its successors and assigns, to CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantee, for the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the following described tract of land situate in the County of Cassia, State of Idaho, to wit:

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COOPERATIVE SECURITY CORPORATION

BY: MANAGING DIRECTOR

ATTEST:

SECRETARY

RECORDED
8 JAN '76

State of Utah)
County of Salt Lake) ss.

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NOTARY PUBLIC in and for said
County and State

My Commission expires:

EXHIBIT "A"

Township 14 South, Range 27 East Boise Meridian

Section 5: South Half Southwest Quarter (S1/2 SW1/4)

South Half North Half Southwest Quarter
(S1/2 N1/2 SW1/4)

Section 8: Northwest Quarter Northwest Quarter
(NW1/4 NW1/4)

MICROFILMED

Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

May 5, 1983

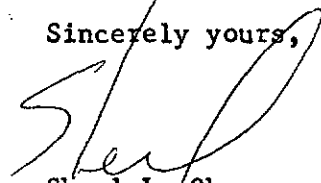
Mr. Loren Holmes
Department of Water Resources
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

Dear Loren:

Enclosed you will find three applications for transfer of water right in behalf of the Church of Jesus Christ of Latter Day Saints.

If you have any questions, please give me a call.

Sincerely yours,



Sherl L. Chapman
Consultant

SLC:kje
enclosures

RECEIVED

MAY 9 1983

Department of Water Resources
Southern District Office

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Sumner, being first

duly sworn, deposes and says that he is the

Chk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two consecutive weeks, commencing with the issue

dated August 18 1983, and ending

with the issue dated August 25 1983.

Mary Sumner

Subscribed and sworn to before me

this 2nd day of Sept

1983

Kenid Mays Notary Public

Cost of Publication

Notary Fee

Total Cost

83-214

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

43-4005

Notice is hereby given that the LDS Church, Declo Idaho Stake Welfare Farm, of Malta, Idaho has applied to the Department of Water Resources to add diversion point of a portion of a right from a groundwater source. The right sought to be changed is evidenced by Claim No. 43-4005 and is recorded as follows:

Amount: 3.8 cfs

Priority: April 1, 1952

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 8, T14S, R27E, B.M., Cassia County The water is used for irrigation of 120 acres from March 15 to November 15 within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, T14S, R27E

PORTION OF RIGHT TO BE CHANGED:

Amount: 2.53 cfs

Point of Diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T14S, R27E, B.M., Cassia County

Place of Use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 5, T14S, R27E for irrigation of 80 acres from March 15 to November 15.

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 2.53 cfs

Point of Diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 5, T14S, R27E, B.M., Cassia County

Place of Use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 5, T14S, R27E, for irrigation of 80 acres from March 15 to November 15

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd, North, Twin Falls, Idaho 83301, on or before Sept. 5, 1983.

A. KEN DUNN, Director

Published in the South Idaho Press on August 18 and 25, 1983.

SEP 12 1983

Department of Water Resources
Southern District Office

Identification No. 43-4005
Claim No. 42695
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Raft River Stake, Church of Jesus Christ of Latter Day Saints
post office address Malta, Idaho
2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 8 Township 14 South
Range 27 East B.M. located on _____
(name of source) Cessie
tributary to _____ in _____ County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: 1952 - April
_____ amount: 3.8 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 3.8 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use irrigation period of use from April 1st to October 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped Yes ; depth of well is 200 feet; diameter of well is 16 inches; type of pump is Layne & Bowler
capacity of pump is 1800 g.p.m.; name and address of well driller is Dean Rogers, Phoenix, Ariz.
_____ ;

No change in the well

Years.

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe.

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

Total number of acres to be irrigated 120

None

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered None

7. Where water is used for domestic or municipal purposes give number of families served None
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

This water has only been used on crops

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
It is the thought of the governing board of the Raft River Stake
that a permit was obtained and proved upon, however, the record is
not clear in this regard.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

July 22, 1968
(Date)

Edwin H. Packett
(Signature of Claimant)

State of Idaho }
County of Cassia } ss.

On this 22nd day of July 19 68, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

William A. Parsons

Notary Public residing at Burley, Idaho

My commission expires 7-20-70

For Department Use Only

Received by <u>ej</u>	Date <u>7-23-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Decker</u>	Date <u>7-24-68</u>	_____	_____	_____
Fee received by <u>ej</u>	Date <u>7-25-68</u>	Fee \$ <u>10.00</u>	_____	_____
Approved for publication by <u>W. A. Parsons</u>	Date <u>8-1-68</u>	_____	_____	_____
Published in <u>Idaho Press</u>	Dates <u>8-8-68</u>	_____	_____	_____

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:		1.2 c.f.s. or	acre feet		

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive): If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Ruth Chambers, being first

duly sworn, deposes and says that she is the
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Deponent further states that the printed no-
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consecutive weeks, commencing with the issue
dated August 8 1968, and ending
with the issue dated August 15, 1968.

Ruth Chambers
Subscribed and sworn to before me

this 16th day of August

1968

Edith Raustadt Notary Public

Cost of Publication \$ 7.25

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971

RECEIVED

AUG 19 1968

Department of Reclamation

No. 68,130
**NOTICE OF CLAIM TO A
WATER RIGHT**

Notice hereby given that
Raff R. Huggins, of the
of Jesus Christ of Latter-day
Saints, Mott, Idaho has made a
claim to a water right established
by diversion and application to
beneficial use of 3.8 cubic feet
per second of water from a sub-
terranean source with point of di-
version in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 8,
T. 14 S., R. 27 E., B.M., Cassia
County; the water is claimed to
be used from April 1 to October
31 for irrigation with a priority
of April, 1962; the place of use is
the SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 8, T. 14 S.,
R. 27 E., B.M., Cassia County.

Any exception to this claim of
water right may be filed with the
Department of Reclamation.

R. EDITH HUGGINS
State Reclamation Engineer
Published in the South Idaho
Press August 8, 15, 1968.

43 4005

43 4005

bill sub 8-19-68

November 23, 1983

RE: Transfer of Water Right No. 43-4005

Raft River Stake
Church of Jesus Christ of
Latter Day Saints
Matlat, ID 83342

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2881). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADN

1. Right number 43-4005 Applicant LDS CHURCH- Declo Idaho Stake Welfare Far
2. Type of right: ☐ Decree ☐ License ☒ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use. — No change
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. N/A
 - h. ☒ Check for expansion in use of right. Comments Appears to be none

Not same as originally claimed.

$$\frac{80}{120} \times 3.8 = 2.53 \text{ cfs}$$

N/A ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADN

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* DUE APPROVAL OF THIS TRANSFER IN NO WAY VALIDATES Claim 43-4005.

4. By ADN Date 9/26/83

OCT 05 1983

Department of Water Resources

11-22-83 use above condition
* All uses within Watermaster Districts. social conditions.

RECEIVED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
43-4005

LZ

Notice is hereby given that the LDS Church, Declo Idaho Stake Welfare Farm, of Malta, Idaho has applied to the Department of Water Resources to add diversion point of a portion of a right from a groundwater source. The right sought to be changed is evidenced by Claim No. 43-4005 and is recorded as follows:

Amount: 3.8 cfs

Priority: April 1, 1952

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T14S, R27E, B.M., Cassia County

The water is used for irrigation of 120 acres from March 15 to November 15 within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T14S, R27E

PORTION OF RIGHT TO BE CHANGED:

Amount: 2.53 cfs

Point of Diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T14S, R27E, B.M., Cassia County

Place of Use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T14S, R27E, for irrigation of 80 acres from March 15 to November 15.

PORTION TO BE CHANGED AS FOLLOWS:

Amount: 2.53 cfs

Point of Diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T14S, R27E, B.M., Cassia County

Place of Use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T14S, R27E, for irrigation of 80 acres from March 15 to November 15

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before Sept. 5, 1983.

A. KEN DUNN, Director

Published in South Idaho Press August 18 and August 25, 1983.





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 5, 1983

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right No. 43-4005 and 43-2296

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Newby
Sec/Office Coord

for

Loren O. Holmes
Southern Region Supervisor

Encl:



August 28, 1968

Re: Claim No. 43-4005

Raft River Stake
Church of Jesus Christ of Latter Day Saints
Malta, Idaho

Dear Sirs:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. The information in your claim is filed under Claim No. 43-4005. Please refer to this number when adding information or changing your claim.

Enclosed is receipt No. W-350 for the amount of \$10.00 for the filing fee. Please contact the Department of Reclamation if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/ks
enclosure: receipt
cc: William A. Parsons
Parsons & Smith, Attorneys at Law
137 West 13th Street
Burley, Idaho 83318

43 4005

RECEIVED
AUG 8 1968
Department of Reclamation

No. 68.130
**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 43.4005

Notice is hereby given that the Raft River Stake of the Church of Jesus Christ of Latter-day Saints, Malta, Idaho has filed a claim to a water right established by diversion and application to beneficial use of ~~3.8~~ cubic feet per second of water from a subterranean source with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 8, T. 14 S., R. 27 E., B.M., Cassia County; the water is claimed to be used from April 1 to October 31 for irrigation with a priority of April, 1932; the place of use is the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 8, T. 14 S., R. 27 E., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho
Press August 8, 1968.

August 7, 1968

Re: Claim No. 43-4005

Raft River Stake
Church of Jesus Christ of Latter Day Saints
Malta, Idaho

Gentlemen:

We have received your claim to a water right and your letter of July 22, 1968. A check of our records fails to find existing water rights recorded with the Department of Reclamation for the land in question. Therefore, we are proceeding to process your claim to a water right.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

43 4005

August 1, 1968

Re: Claim No. 43-4005
Raft River Stake of the Church of Jesus Christ of Latter-day Saints

South Idaho Press
230 Main, Box 750
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign here)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

43 4005

NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4005

Notice is hereby given that the Raft River Stake of the Church of
Jesus Christ of Latter-day Saints,
Malta, Idaho has filed a claim to a water right
established by diversion and application to beneficial use of 3.8
cubic feet per second ~~acre/feet~~ of water from a subterranean source
with point of diversion in the NW/4NW/4,
sec. 8, T. 14 S, R. 27 E, B.M., Cassia County; the water is
claimed to be used from April 1 to October 31 for irrigation
with a priority of April, 1952
; the place of use is the SW/4NE/4, SW/4NW/4, SW/4SW/4,
Sec. 5, NW/4NW/4, sec. 8, T. 14 S, R. 27 E, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho
on August 8 and August 15.

43 4005

WILLIAM A. PARSONS
RICHARD K. SMITH

PARSONS & SMITH
ATTORNEYS AND COUNSELLORS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318

P. O. BOX 910

AREA CODE 208
678-8382

July 22, 1968

RECEIVED

JUL 23 1968

Department of Reclamation

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed please find the form Claim To A Water Right by the Raft River Stake of the LDS Church.

Am I correct in assuming that there is no record in your office of any permit ever having been issued on this well? It was the thought of the management of the Stake that it had been proved up on. If there is no record, I assume then that the only way they could establish their right to the water would be by Court decree.

Your comments in this regard would be appreciated.

Yours very truly,

PARSONS & SMITH

William A. Parsons

William A. Parsons

WAP/dmj
Encl.

43 4005