

FEB 28 2022 MAR 04 2022

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

\$50 fee

Received by C. H. H.

Recpt No. 6047851

Date 2/28/22

Department of Water Resources
Eastern Region

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code, in which to complete development of a water right and file proof of beneficial use of water. There is a **FILING FEE** of \$50.00 to be included with this form when filed with IDWR.

Permit no. 25-14450 Date proof is due March 1, 2022
Name(s) of permit holder(s) Corp of the Presiding Bishopric, Church of Jesus Christ of Latter-day Saints
Mailing address 50 E. North Temple City Salt Lake City State UT Zip 84150
Telephone no. (801) 240-3690 Email shclark@churchofjesuschrist.org

Describe what work has been completed toward the development of this water right:

If no work has been completed, show "none".

The well has been drilled, the headquarters and RV pads completed. The water has been developed and is being fully used.

Costing \$ 750,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The water under this permit has been fully developed, however, the property is not accessible during the winter months. We respectfully request and extension of time to allow us to complete and file the Proof of Beneficial Use.

Permit holder(s) request an extension for 5 1/2 years Amended per email 3/4/2022

Signature [Signature] Date 2/25/2022
(If other than permit holder, Power of Attorney must be supplied)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department has reviewed the explanation for delay and concludes the reason(s) for delay meets the requirements for approval of the Request for Extension of Time as provided by Section(s) 42-204 and/or 42-218, Idaho Code.

☐ IT IS HEREBY ORDERED that the permit is **REINSTATED** with the priority date advanced to _____, 20____.

☒ IT IS HEREBY ORDERED that the above request for extension of time is **APPROVED**, and the time within which to submit proof of beneficial use is extended to March 1, 2024.

Signed this 3rd day of April, 2022

[Signature]
Shelley W. Keen, Chief
Water Allocation Bureau



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 7, 2022

CORP OF THE PRESIDING BISHOP
OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
50 E NORTH TEMPLE ST 12TH FLOOR EAST
SALT LAKE CITY UT 84150-0012

REQUEST FOR EXTENSION OF TIME LETTER

RE: Permit No. 25-14450

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the proof due date to **March 01, 2024**.

The Department granted this extension based on evidence of good cause. It is important that you work diligently toward the completion of the project during the development period allowed because the Department **will not** grant an additional extension based on good cause, pursuant to Idaho Code § 42-204(3)(f).

The extension is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01). It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning this permit, please contact the State Office of the Department located in Boise at (208) 287-4800.

Sincerely,

Debbi Judd

Technical Records Specialist

Enclosures

c: ASPEN ENGINEERING – via email

CERTIFICATE OF SERVICE

I hereby certify that on **April 7, 2022** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER APPROVING REQUEST FOR EXTENSION OF TIME**) to the persons listed below:

RE: Preliminary Order in the Matter of Permit No. **25-14450**

**CORP OF THE PRESIDING BISHOP OF THE CHURCH
OF JESUS CHRIST OF LATTER DAY SAINTS
50 E NORTH TEMPLE ST 12TH FLOOR EAST
SALT LAKE CITY UT 84150-0012**

**ASPEN ENGINEERING
C/O RYAN LOFTUS – *via email*
10727 N YELLOWSTONE HWY
IDAHO FALLS ID 83401-5355
ryan@aspeneng.net**



Debbi Judd
Technical Records Specialist

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Judd, Debbi

From: Scott H Clark <shclark@ChurchofJesusChrist.org>
Sent: Tuesday, March 29, 2022 3:38 PM
To: Judd, Debbi
Cc: James Edward Greer
Subject: RE: Permit 25-14450

Debbi,

Thanks for reaching out for clarification. Yes, we are planning on hiring a water examiner to complete the field exam and proof of beneficial use.

Thanks.

Scott H Clark, P.G. | Water Group - Natural Resource Services
REAL ESTATE - MEETINGHOUSE FACILITIES DEPARTMENT
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
Email: shclark@churchofjesuschrist.org
Phone: 801-240-3690 | Cell: 435-760-4915

From: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Sent: Monday, March 21, 2022 1:35 PM
To: Scott H Clark <shclark@ChurchofJesusChrist.org>
Subject: Permit 25-14450

Good afternoon,

The Department is seeking clarification concerning the Request for Extension for permit 25-14450. The request states that the water has been fully developed. Do you plan to have a certified water right examiner perform the field exam? If not, an extension may not be appropriate as the Statement of Completion can be submitted. Please feel free to contact me with any questions.

Thanks,
Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov

Judd, Debbi

From: Scott H Clark <shclark@ChurchofJesusChrist.org>
Sent: Friday, March 4, 2022 2:40 PM
To: Judd, Debbi
Subject: RE: Water permit 25-14450

Debbi,

Thank you for reaching out to us. Yes, I would like to modify the extension request for 25-14450 to be for an extension of 5 years.

Thanks again for your help.

Scott H Clark, P.G. | Water Group - Natural Resource Services
REAL ESTATE - MEETINGHOUSE FACILITIES DEPARTMENT
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
Email: shclark@churchofjesuschrist.org
Phone: 801-240-3690 | Cell: 435-760-4915

From: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Sent: Friday, March 4, 2022 2:34 PM
To: Scott H Clark <shclark@ChurchofJesusChrist.org>
Subject: Water permit 25-14450

Good afternoon,

The Department received your request for extension for permit 25-14450. The request asks for a 2 year extension and you are allowed up to 5 years. If the Department approves your request of 2 years, you may not get another extension in the future. The Department encourages permit holders to avail themselves of all allowable time to develop a permit. If you would like to amend the request to 5 years, please reply to this email stating your intention and I will amend the request for you. Please feel free to contact me should you have questions or concerns.

Thanks,
Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

MEETINGHOUSE FACILITIES DEPARTMENT

Natural Resource Services Division
50 East North Temple Street 12th Floor
Salt Lake City, Utah 84150-0012
Phone: 1-801-240-1824

February 25, 2022

Gary Spackman, Director
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

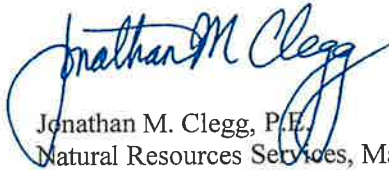
RE: Authorization for James Greer to sign Idaho Department of Water Resources Water Rights
Applications on behalf of The Church of Jesus Christ of Latter-day Saints, a Utah sole corporation

Dear Mr. Spackman,

James Greer is currently employed by The Church of Jesus Christ of Latter-day Saints, a Utah sole corporation (CHC) as the Water Manager in the Natural Resource Services of the Real Estate Division, within the Meetinghouse Facilities Department. As such, Mr. Greer by virtue of his employment, is approved to make formal water right applications on behalf of CHC with the Idaho Department of Water Resources. You may rely upon his signature as representing the CHC under all terms, representations, and other matters within each specific application.

Please contact me if you have any more questions. I can be reached at 801-240-1824, or
Jonathan.Clegg@ChurchofJesusChrist.org

With highest regards,

A handwritten signature in blue ink that reads "Jonathan M. Clegg". The signature is stylized with a large, looping initial "J" and "C".

Jonathan M. Clegg, P.E.
Natural Resources Services, Manager