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Department of Water Resources Southern Region

SEP 2 3 1996

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. $\underline{72 - 07389}$

Signed at <u>St. Louis</u>, <u>MO</u> this <u>1344</u> day September _____, 19 <u>96</u>_. of

Holder Permit

Wayne R. Price, Senior Vice President THE LUTHERAN CHURCH -- MISSOURI SYNOD FOUNDATION

ATTEST:

Foundation

International Center 1333 S. Kirkwood Road St. Louis, MO 63122-7295

Trust and Investment Services

LCMS: FOUNDATION is The BENEFICALIES OF This ESTATE.

Person in charbe of This Estate.

Lems Foundation ATTN, WayNe PRice 1333 South Kirkwood RD. Saint Louis, Missouri 63122 Phone # 1-800-325-7912

RECEIVED SEP 2 3 1996

Department of Water Recources Southern Region

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES SOUTHERN REGION 222 SHOSHONE ST E TWIN FALLS ID 83301-6105

Huladhadhdaaadhlaanadhlaanadhlaadahadahdad

WR0749NP	

IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHT PROFILE REPORT

DATE: 09/23/96

4

No. 72-07389	WATER RIGHT PROFILE REPORT	PAGE:	2

Dates:	App. Received:	11/12/1985	Priority Date:	02/13/1986	(Priority Date Advanced.
25	Proof Due Date:		Proof Made Date:	04/04/1991	(Proof Received Late.)
	Exam Made Date:			04/04/1991	(Proof Received Late.)
	Licensed Date:		Exam Sent to S.O.:		
	Licensed Date:				
Misc:	Water District N	umber:	Field Exam Fee: R	(Received)	
Comments:	Date: 01/14/1993	User-ID: V	All T Subject Pro	of of Benefic	ial Uso Rovd
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	Office and route	d to State Of	fice for processing.		
Audit:	01/23/86 05/28	/88 CONVERT	04/18/91 FLECK 05	/15/91 BILBAO	

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April 25, 1991

MARTIN W POLLOCK, ESTATE OF 512 CALLE DE FRANCISCO SANTA FE, NM 875010000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07389

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck Secretary/Records Manager

c: IDWR - Region

Enclosure

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 72-7389 IN THE NAME OF ESTATE OF MARTIN W. POLLOCK

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the <u>Idaho Code</u> provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on April 4, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 72-7389 be REINSTATED and the priority advanced to February 13, 1986.

Dated this 16 day of April, 1991.

L. GLEN SAXTON, Chief Water Allocation Bureau

2	EINED • 72-7389
6/8	1986 STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
	Department of years of the State of Idaho
1.	Name of applicant <u>Martin W. Pollock</u> Phone <u>774-3520</u>
	Post office address P. O. Box 170, Stanley, ID 83278
2.	Source of water supply Joes Gulch which is a tributary ofSalmon River
3.	Location of point of diversion is ¼ of ¼ of ¼ of ¼, Govt. Lot
	Sec. 26 Township 11N Range 13E B.M. Custer County; additional
	points of diversion if any:P/D_for_domestic_use: SW\SE\SE\SE\Sec. 22 T. 11N R. 13E
4.	Water will be used for the following purposes:
	Amount 0.25 for <u>Industrial</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)
	Amount 0.02 for <u>Domestic</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)
	Amount <u>0.25</u> for <u>Mining</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)
8	Amount for purposes from to (both dates inclusive)
5.	Total quantity to be appropriated is (a) 0.27 and/or (b) acre feet per annum
6.	Proposed diverting works:
	a. Description of ditches, flumes, pumps, headgates, etc. <u>Pump for domestic use. Check dam with</u>
	pump & pipeline upstream to mining site; water may be re-cycled in a small reservoir.
	b. Height of storage dam <u>10</u> feet; active reservoir capacity <u>1/2</u> acre-feet; total
	reservoir capacity1/2 acre-feet; period of year when water will be diverted to storage:
	to inclusive.
	c. Proposed well diameter is feet.
	d. Is ground water with a temperature of greater than 90°F being sought?No
7	Time required for the completion of the works and application of the water to the proposed beneficial use is
	5years (<i>minimum 1 year</i>).

73-7389

- 8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households. <u>use in one or more trailers</u>
 - e. Other; describe fully.
- 9. Description of place of use:
 - a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP RANG	RANGE	SEC	SEC.	SEC.		N	E1/4		NW¼				SW14				SE¼				TOTALS
			NE¼	NW1/4	SW¼	SE¼	NE¼	NW1/4	SW1⁄4	SE¼	NE ¹ /4	NW1/4	SW1⁄4	SE¼	NE¼	NW14	SW1/4	SE1/4	TOTALS		
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Total number of acres to be irrigated

0

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? <u>U.S. Forest Service</u>

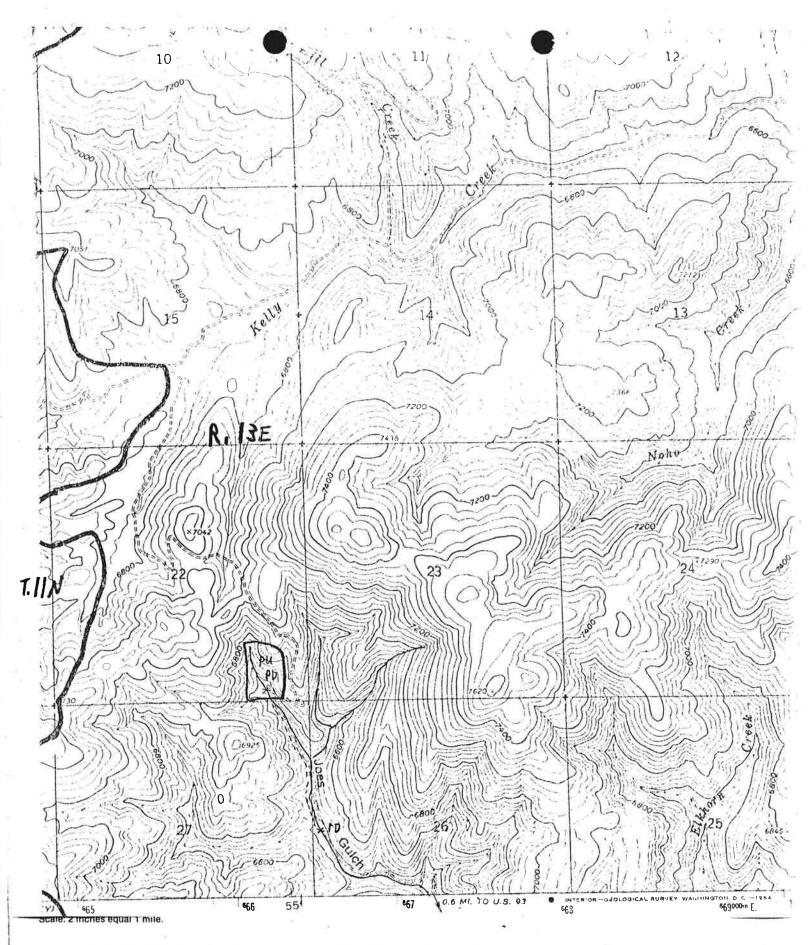
b. Who owns the land to be irrigated or place of use?

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. <u>Unpatented mining claims</u>

11

.....

12. Remarks: _____



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Martin W. Pollsch. (Applicant)

F	ee \$ <u>45 °</u> Receipted by <u>4 36775</u> Date <u>1/~12-85</u>
F	Publication prepared by marine Date 11/20/85 Published in auster public
F	Fee \$ <u>45</u> Beceipted by <u>p</u> # <u>36775</u> Date <u>11-12-85</u> Publication prepared by <u>marga</u> Date <u>11/2 9/85</u> Publication approved <u>marga</u> Date <u>11/2 9/85</u>
	ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
	This is to certify that I have examined Application for Permit to appropriate the public waters of the State
I	daho No. 72-7389 , and said application is hereby APPROVED
	1. Approval of said application is subject to the following limitations and conditions:
	a. SUBJECT TO ALL PRIOR WATER RIGHTS.
	b. Proof of construction of works and application of water to beneficial use shall be submitted on or before the submitted on or
	January 1 , 19 91
	c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
	d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of t permit.
	e. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete. The issuance of this permit in no way grants any right-of-way or easement across the land of another. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards. In the event that water used under this permit should be discharged into a natural channel, settling ponds will be required which are capable of reducing the silt load to such a level that the quality of the water would not be impaired for other beneficial uses. Should the use of the water on this permit must cease. Use of water for domestic purposes under this permit shall be limited to in-house use and watering of household stock.
	Lief, Operations Bureau