

SEP 23 1996

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Department of Water Resources
Southern RegionRELINQUISHMENT

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. 72-07389.

Signed at St. Louis, MO this 13th day
of September, 19 96.



Permit Holder

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

ATTEST:



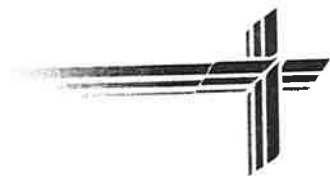
Donnie L. Capps

Relinquished

72-07389

LCMS

Foundation



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

TRUST AND INVESTMENT SERVICES

LCMS FOUNDATION IS
THE BENEFICIARIES OF THIS
ESTATE.

WAYNE PRICE IS THE
PERSON IN CHARGE OF THIS
ESTATE.

LCMS FOUNDATION
ATTN. WAYNE PRICE
1333 SOUTH KIRKWOOD RD.
SAINT LOUIS, MISSOURI
63122

Phone # 1-800-325-7912

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SEP 23 1996

Department of Water Resources
Southern Region

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



WR0749NP
No. 72-07389

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/23/96
PAGE: 2

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Dates:	App. Received:	11/12/1985	Priority Date:	02/13/1986	(Priority Date Advanced.)
	Proof Due Date:	01/01/1991	Proof Made Date:	04/04/1991	(Proof Received Late.)
	Exam Made Date:		Exam Sent to S.O.:		
	Licensed Date:				

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 01/14/1993 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Date: 09/23/1996 User-ID: MBALDWIN Subject: RELINQUISHMENT
A relinquishment was received on 9/23/96 by Southern Regional
Office and routed to State Office for processing.

Audit: 01/23/86 05/28/88 CONVERT 04/18/91 FLECK 05/15/91 BILBAO
05/29/91 FLECK 01/14/93 COMMENTS

- 026 - 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.
- 004 - The issuance of this right does not grant any right-of-way
 - or easement across the land of another.
- 013 - Should the use of the water on this right reduce the quality
 - of water available to prior water rights and make it unusable to
 - satisfy the prior appropriations, then the diversion under this
 - right must cease.
- 021 - Use of water for domestic purposes under this right shall be
 - limited to in-house use and watering of household stock.
- 09E - Water used under this right when discharged into a natural
 - channel or subsurface system shall meet Idaho Water Quality
 - Standards.
- 06A - In the event that water used under this right 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.

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

April 25, 1991

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 Idaho Code 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 18th day of April, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
Form 202
6/85
JAN 16 1986

Department of Water Resources
Southeast District Office

Ident. No. 72-7389

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Martin W. Pollock Phone 774-3520

Post office address P. O. Box 170, Stanley, ID 83278

2. Source of water supply Joes Gulch which is a tributary of Salmon River

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 26 Township 11N Range 13E B.M. Custer County; additional

points of diversion if any: P/D for domestic use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 T. 11N R. 13E

4. Water will be used for the following purposes:

Amount 0.25 for Industrial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.25 for Mining purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.27 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump for domestic use. Check dam with pump & pipeline upstream to mining site; water may be re-cycled in a small reservoir.

b. Height of storage dam 10 feet; active reservoir capacity 1/2 acre-feet; total reservoir capacity 1/2 acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well 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 5 years (minimum 1 year).

72-7389

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. use in one or more trailers
 - Other; describe fully. _____

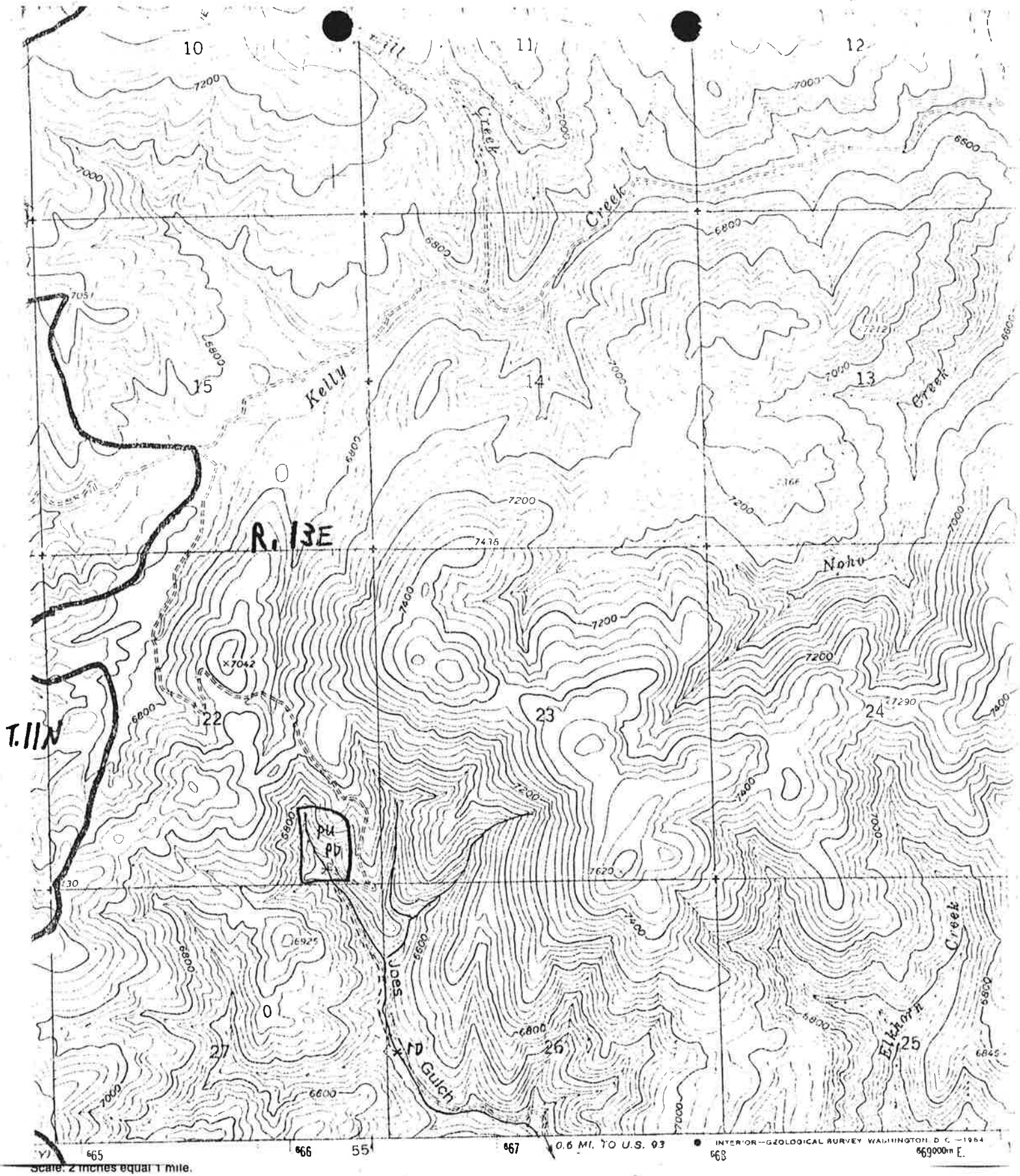
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11N	13E	22																D X, I	

Total number of acres to be irrigated _____

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. S. Forest Service
- 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. Unpatented mining claims

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. Pollock
(Applicant)

Proposed Priority 11/12/85
Received by [Signature] Date 11-12-85 Time 3:12 pm Preliminary check by ADN
Fee \$ 45.00 Received by [Signature] # 36725 Date 11-12-85
Publication prepared by marga Date 11/30/85 Published in Custer Publishing
Publication approved marga Date 11/29/85

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 of Idaho 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 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 all 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 this 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 reduce the quality of water available to prior water rights and make it unusable to satisfy the prior appropriations, then the diversion under 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.

Witness my hand this 7th day of January, 1986.

[Signature]
Chief, Operations Bureau