

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

11/18/2019

Water Permit 37-7355

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS ATHLETIC FIELD , ZZ

Status: Cancelled

Source

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
-----------------------	-------------	-----------	-----------------------	---------------

Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD  
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

11/18/2019

Water Application 37-7355

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS ATHLETIC FIELD , ZZ

Status: Closed

<u>Source</u>	<u>Tributary</u>
---------------	------------------

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
-----------------------	-------------	-----------	-----------------------	---------------

Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Number of Protests: 0  
Water District Number: TBD  
Application Type: New Appropriation  
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

September 8, 1982

CERTIFIED MAIL # 32921

RE: Permit No. 37-7355

Joseph Ivey  
LDS Church, Hailey Ward  
Route #1, Box 303  
Bellevue, ID 83313

**RECEIVED**

SEP 13 1982

Department of Water Resources  
Southern District Office

Dear Mr. Ivey:

Enclosed is an Order which Cancels the above referenced permit.

Please be advised that any person who does not agree with the decision of the Director may appeal directly to the District Court within thirty (30) days of the date of the decision.

Sincerely,

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

DRT:kw  
Enclosure

cc: Southern Region

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CANCELLATION OF  
PERMIT TO APPROPRIATE THE PUBLIC  
WATER OF THE STATE OF IDAHO FOR  
PERMIT NO. 37-7355 IN THE NAME OF  
LDS CHURCH, HAILEY WARD

ORDER OF CANCELLATION

WHEREAS, on April 16, 1974, LDS Church, Hailey Ward applied to the Department of Water Resources for a permit to appropriate 0.6 cubic feet per second of water from a groundwater source within the SE1/4SE1/4, Section 13, Twp. 1S, Rge. 18E, B.M., Blaine County, to be used for irrigation purposes; and,

WHEREAS, on May 28, 1974, the Department approved said Application for Permit; and,

WHEREAS, on May 1, 1979, the Department lapsed said Permit for failure to submit Proof to Beneficial Use; and,

WHEREAS, on May 2, 1979, the Department received Proof of Beneficial Use for said permit; and,

WHEREAS, on July 13, 1979 the Department reinstated said permit and advanced the priority date to April 17, 1974; and,

WHEREAS, on April 3, 1981, the Department conducted a field examination and the examiner's report indicated that water had been put to a beneficial use under an existing water right and that there was no new development in water flow or lands for said permit; and,

WHEREAS, pursuant to the provisions of Section 42-311, Idaho Code, the Director of the Department of Water Resources is empowered to cancel permits for which development requirements have not been completed; and,

WHEREAS, on May 24, 1982 the Department sent an Order to Show Cause why the Permit should not be cancelled by Certified Mail to the Permit holder; and,

WHEREAS, on June 24, 1982 the Department sent a letter confirming a telephone conversation of that date in regards to water being put to beneficial use under an existing water right and that no additional water right filings were required; and,

37-7355

WHEREAS, the permit holder failed to comply with the requirements of said permit and has not shown why said Permit should not be cancelled;

IT IS, THEREFORE, ORDERED, and Permit No. 37-7355 is hereby Cancelled.

Dated this 31 day of August, 1982.

  
A. KENNETH DUNN  
Director

DRT



State of Idaho

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

May 24, 1982

CERTIFIED MAIL # 32881

RE: Permit No. 37-7355

**RECEIVED**

MAY 27 1982

Department of Water Resources  
Southern District Office

Joseph Ivey  
LDS Church, Hailey Ward  
Route #1, Box 303  
Bellevue, ID 83313

Dear Mr. Ivey:

Enclosed is an Order to Show Cause why Permit No. 37-7355 in the Church's name, should not be cancelled.

Please note that any information in response to this Order must be submitted by June 30, 1982. Please contact this office if you have any questions.

Sincerely,

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

DRT:kw  
Enclosure

cc: Southern Region

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT )  
 )  
NO. 37-7355 IN THE NAME ) ORDER TO SHOW CAUSE  
 )  
OF LDS CHURCH, HAILEY WARD )  
 )

WHEREAS, on April 16, 1974, LDS Church, Hailey Ward applied to the Department of Water Resources for a permit to appropriate 0.6 cubic feet per second of water from a groundwater source within the SE1/4SE1/4, Section 13, Twp. 1S, Rge. 18E, B.M., Blaine County, to be used for irrigation purposes; and,

WHEREAS, on May 28, 1974, the Department approved said Application for Permit; and,

WHEREAS, on May 1, 1979, the Department lapsed said Permit for failure to submit Proof to Beneficial Use; and,

WHEREAS, on May 2, 1979, the Department received Proof of Beneficial Use for said permit; and,

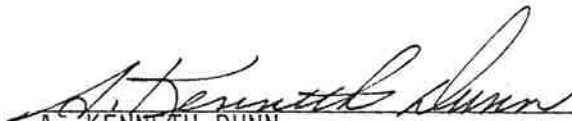
WHEREAS, on July 13, 1979 the Department reinstated said permit and advanced the priority date to April 17, 1974; and,

WHEREAS, on April 3, 1981, the Department conducted a field examination and the examiner's report indicated that water had been put to a beneficial use under an existing water right and that there was no new development in water flow or lands for said permit; and,

WHEREAS, pursuant to the provisions of Section 42-311, Idaho Code, the Director of the Department of Water Resources is empowered to cancel permits for which development requirements have not been completed;

IT IS, THEREFORE ORDERED that the permit holder show cause before the Director of the Department of Water Resources on or before June 30, 1982, why Permit No. 37-7355 should not be Cancelled.

Dated this 20 day of May, 1982.

  
A. KENNETH DUNN  
Director

DRT  
KUD

37-7355

RECEIVED  
FEB 25 1981

Department of Water Resources  
Southern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION  
OF WATER TO BENEFICIAL USE

1. a) Name of permit holder LDS Church Hailey Ward  
b) Post office address Hailey, Idaho
2. Permit number 37-7355
3. Date of priority that you are prepared to establish April 16, 1974
4. a) Source from which water was appropriated ground water  
b) Location of the point of diversion: SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 13  
Township 1S, Range 18E Boise Meridian. Other points of diversion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount 0.60 cfs for irrigation purposes from Apr 1 to Nov 1 incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)  
b) Total amount appropriated 0.60 cfs and/or acre-feet per annum.  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:  
amount applied for  
\_\_\_\_\_  
\_\_\_\_\_
6. If the means of diversion and conveyance are owned by someone other than the permit holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b) Describe the agreement of understanding by which you take water from the works: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):  
8" X 161' well, artesian well, gravity irrigation system  
\_\_\_\_\_  
\_\_\_\_\_  
b) Describe the provision for making a measurement which you have at your point of diversion:  
(i.e., installed measuring device, access port, other)  
none - waiver will be requested  
\_\_\_\_\_  
\_\_\_\_\_

Exam typed 7/12/79 by af

37-7355



c) Give well driller's name and address and the date the well was completed: \_\_\_\_\_

Carl Roessler Drilling, Shoshone, Id. Completed about June 1974.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	18E	13																30	30


Total number of acres irrigated 30

10. Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

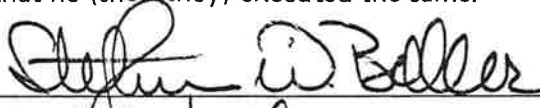
The above information is a true statement of the extent to which the above numbered permit has been developed.

April 30-1979  
(Date)

  
(Signature)

State of Idaho )  
County of Blaine ) ss.

On this 30<sup>th</sup> day of April, 1979, personally appeared before me the  
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

  
Notary Public  
Residing at Sailey

My commission expires 10/4/81

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

RECEIVED

AUG 8 1979

Department of Water Resources  
Southern District Office

IN THE MATTER OF PERMIT NO. 37-7355 )  
IN THE NAME OF LDS Church, Hailey Ward )

ORDER OF REINSTATEMENT

WHEREAS, on April 16, 1974, LDS Church, Hailey Ward filed with the Department of Water Resources an application for permit to appropriate 0.6 cubic feet per second of water from a groundwater source within SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, Twp. 1S, Rge. 18E, B.M., Blaine County, to be used for irrigation purposes; and,

WHEREAS, on May 28, 1974, the Department approved said application and issued Permit No. 37-7355 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before May 1, 1979; and,

WHEREAS, on February 28, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on May 1, 1979, Permit No. 37-7355 automatically lapsed for failure to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon showing of a reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on May 2, 1979;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-7355 be reinstated and that the priority date be advanced to April 17, 1974.

Dated this 13<sup>th</sup> day of July, 1979.

  
L. GLEN SAXTON

CHIEF, OPERATIONS BUREAU

37-7355

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**PROOF OF APPLICATION  
OF WATER TO BENEFICIAL USE**

1. a) Name of permit holder LDS Church Hailey Ward

b) Post office address Hailey, Idaho

2. Permit number 37-7355

3. Date of priority that you are prepared to establish April 16, 1974

4. a) Source from which water was appropriated ground water

b) Location of the point of diversion: SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 13

Township 1S, Range 18E Boise Meridian. Other points of diversion: \_\_\_\_\_

5. a) The amount of water and use to which the water has been applied:

Amount 0.60 cfs for irrigation purposes from Apr 1 to Nov 1 incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 0.60 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:  
amount applied for

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works: \_\_\_\_\_

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

8" X 161' well, artesian well, gravity irrigation system

b) Describe the provision for making a measurement which you have at your point of diversion:  
(i.e., installed measuring device, access port, other)

none - meter will be requested



Department of Water Resources  
Boise, Idaho

Dear Sirs;

I am writing to request a waiver of the measuring-device requirement for Permit 37-7355. We have an artesian well delivering to an open-discharge irrigation system, and have filed on 0.6 cfs for 30 acres. As a measuring device is no longer required for less than 1.0 cfs, please remove this requirement from our well permit.

Thank You,



State of Idaho  
DEPARTMENT OF WATER RESOURCES  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

CERTIFIED MAIL

February 28, 1979

Re: Permit No. 37-7355

LDS Church  
Hailey Ward  
Hailey, ID 83333

Gentlemen:

One of the conditions of approval of your water Permit No. 37-7355 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK  
Water Rights

Encl: Proof affidavit

Identification No. \_\_\_\_\_

Application No. 37-7355

RECEIVED

MAY 30 1974

Department of Water Administration  
Southern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant LDS Church, Hailey Ward  
post office address Hailey, Id.
2. Source of water supply groundwater which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is SE 1/4 of SE 1/4 of Section 13 Township 1S  
Range 18E B.M. Blaine County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_ 1/4  
of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount .6cfs for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. .6 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. well, pump  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is 8 inches; proposed depth of well is 130 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.  
b. Estimated construction cost is \$ 5,000.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	18E	13																30	30

Total number of acres to be irrigated 30

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion applicant

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

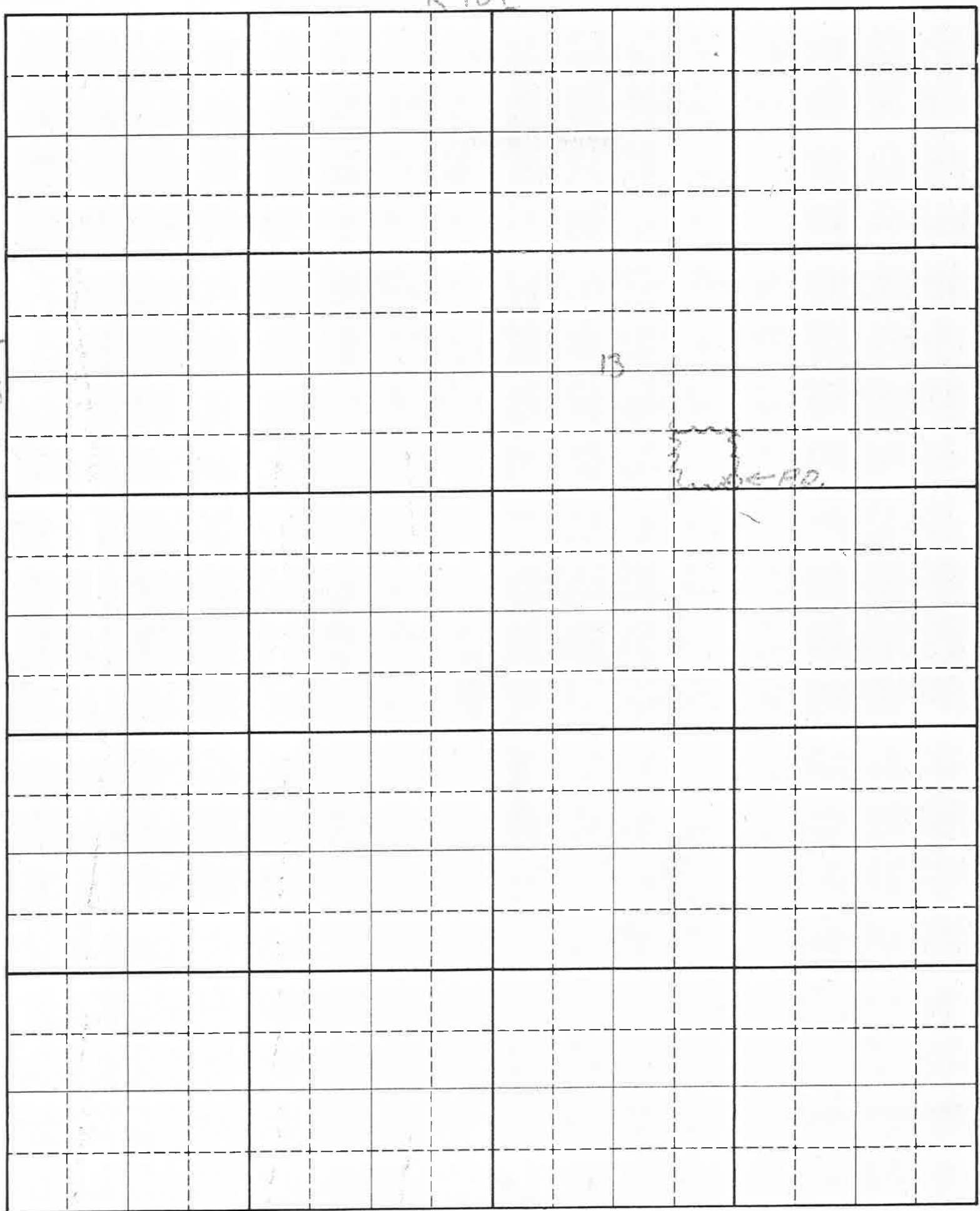
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 18 E



Scale: 2 inches equal 1 mile

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.

Harley L. D. Swindell Clerk of the Court  
By Harold B. Buehler  
(Applicant)

First Counselor in Hailey Ward Bishopric

Harold Buehler

Proposed Priority 4-16-1974

Received by RA Date 4-16-74 Time 11:40AM

Preliminary check by KDF Fee \$ 2500 (13880)

Receipted by LT Date 4-16-74

KDF Publication prepared by LT Date 4-16-74

Published in Wood River Journal

Publication dates 4-25 & 5-2-74

Publication approved LT Date 5-6-74

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by KDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7355, 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 May 1, 19 79.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: \_\_\_\_\_

Witness my hand this 28 day of May 19 74.

R. Karl Hyslop  
Director