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APR 28 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81631DEPARTMENT OF
WATER RESOURCESMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

MAY 09 2017

DEPARTMENT OF
WATER RESOURCES

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Check whether each item below is *attached (Yes)* or *not applicable (N/A)* for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole. Phone 801-240-3840
 _____ Mailing address Real Estate Services Division, 12th Floor, 50 E. N. Temple St., Salt Lake City, UT Email
84150-6320

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering, LLC Phone 208-383-4140
 Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

Water Resource Mgr
Matt Davidson
 Print Name and Title if applicable

4/24/17
 Date

 Signature of Applicant or Authorized Representative

 Print Name and Title if applicable

 Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 Correct water right place of use and point of diversion recorded legal descriptions. Place of use and well are located within Mineral Survey 1483 considered the NWNE, Section 34, T6N, R5E rather than the NENE, Section 34, T6N, R5E as recorded.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	63-10192A	0.04/1.2	Domestic	1/1 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.04 cfs and/or 1.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 1.2 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No	*		NW	NE	34	6N	5E	Boise	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	5E	34		D															
				*															
															</				

*Mineral Survey 1483

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well, pump. Measuring device and lockable controlling works will be accommodated upon Department request.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete **Attachment WSB**.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

n/a

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

63-10192B for Church landscape from separate well

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-10192a

Current Owner: CORP OF THE PRESIDING BISHOP

Priority Date: 6/22/1983

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	<u>Total Diversion</u>	0.04 CFS	1.2 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 34, Twp 06N, Rge 05E B.M.

BOISE County

Place of Use

DOMESTIC Within BOISE County

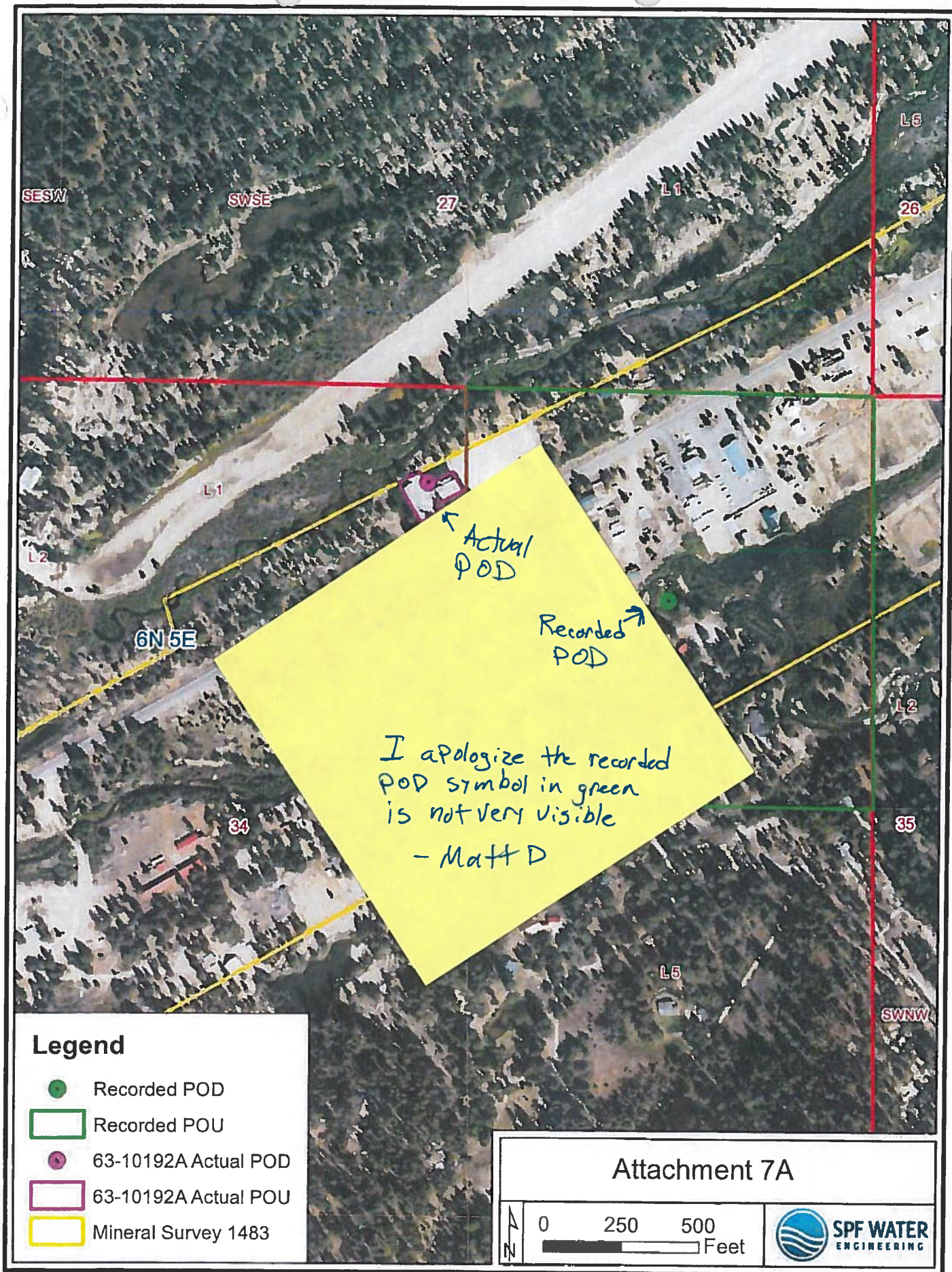
T06N R05E S34

NENE

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. DOMESTIC USE IS FOR CHURCH.

Decreed Date: 4/21/2003



Legend

-  Recorded POD
-  Recorded POU
-  63-10192A Actual POD
-  63-10192A Actual POU
-  Mineral Survey 1483

Attachment 7A





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 29, 2017

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE
REAL ESTATE SERVICES DIVISION, 12TH FLOOR,
50 E N TEMPLE ST
SALT LAKE CITY, UT 84150

RE: Transfer No. 81631 & 81632
Water Right No(s). 63-10192A & 63-10192B

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 7/5/2017 and 7/12/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist

CC:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706

Hersley, Jean

From: Idaho World Editor <editor@idahoworld.com>
Sent: Thursday, June 29, 2017 12:42 PM
To: Hersley, Jean
Subject: Re: Legal Notice

Hello Jean,

Yes, the Idaho World is a weekly newspaper responsible for Boise County's legals.

This legal publication will begin on July 5th and finish on July 12th - published every Wednesday.

Best regards,

Eileen K. Capson

Editor-in-Chief
Idaho World newspaper
(208) 342-3399

From: "Hersley, Jean" <Jean.Hersley@idwr.idaho.gov>
To: "EDITOR@IDAHOWORLD.COM" <EDITOR@IDAHOWORLD.COM>
Sent: Thursday, June 29, 2017 9:01 AM
Subject: Legal Notice

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before July 24, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, June 29, 2017 9:02 AM
To: 'EDITOR@IDAHOWORLD.COM'
Subject: Legal Notice
Attachments: NOTICE OF PROPOSED CHANGE OF WATER RIGHT.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before July 24, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81631

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, REAL ESTATE SERVICES DIVISION, 12TH FLOOR, 50 E N TEMPLE ST, SALT LAKE CITY, UT 84150; has filed Application No. 81631 for changes to the following water rights within BOISE County(s): Right No(s). 63-10192A; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:
correct place of use and point of diversion to S34, NWNE, T06N, R05E located just North of State Hwy 21 in Idaho City.

TRANSFER NO. 81632

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, REAL ESTATE SERVICES DIVISION, 12TH FLOOR, 50 E N TEMPLE ST, SALT LAKE CITY, UT 84150; has filed Application No. 81632 for changes to the following water rights within BOISE County(s): Right No(s). 63-10192B; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/water-rights/transfers/search.html. The purpose of the transfer is to change a portion of the above rights as follows:

correct place of use to add S34, NWNE, T06N, R05E and correct point of diversion to S34, NWNE, T06N, R05E located just North of State Hwy 21 in Idaho City.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800;

Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 7/24/2017.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/5/2017 and 7/12/2017

MEMORANDUM

Date: June 21, 2017

To: Transfer 81631

From: Clay Webster

Re: Review & Evaluation of Sufficiency of Information

The department received this application on April 28, 2017 to change the place of use and the point of diversion from the licensed and decreed locations (S34, NENE, T06N, R05E) to the actual locations of diversion and use (S34, NWNE, T06N, R05E). Upon reviewing the file and the Beneficial Use Field Report for the parent right (63-10192) dated 7-31-86, I found a map that shows location of the place of use and point of diversion as being along Highway 21. One of the conditions of the right states that the domestic use is for church. A search of aerial imagery shows that this is the only church that has property in the legal description of this right. These facts support that this transfer is necessary to correct the legal descriptions of this right.

Authority to File:

This application was signed by Matt Davidson. The Church provided a letter to the department authorizing him to sign applications for water rights.

Water Right Validity:

The parent water right's application for permit was submitted in 1983. It was licensed in 1987. This water right (63-10192A) was decreed in 2003. Aerial imagery shows that the church was built between 1980 and 1987. I have no validity concerns.

Injury to Other Water Rights:

The proposed change is to correct the legal description that was licensed and then decreed. There will be no change to how this right has historically been diverted and used.

Enlargement of Use:

There will be no increase to authorized diversion or beneficial use.

Local Public Interest:

There are no apparent issues identified and the application will be advertised for public comment.

Beneficial Use/Conservation of Water Resources:

The beneficial use will not change with this transfer. The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area:

No effects are anticipated.

Effect on Agricultural Base of the Local Area:

No effects are anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

October 22, 2015

SPECIAL PROJECTS DEPARTMENT

Real Estate Services Division
50 East North Temple Street
Salt Lake City, Utah 84150-0012
Phone: 1-801-240-2915
Facsimile: 1-801-240-2913

RECEIVED

APR 28 2017

DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAY 01 2017

WATER RESOURCES
WESTERN REGION

To Whom It May Concern:

Matthew Davidson, Professional Engineer (P.E.) was hired by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole (Church), in November of 2010 to manage water related issues for the Church. As an employee, Matt has been authorized by the Church to sign in behalf of and for, all water related applications, change applications, extensions of time, and water right proofs.

As the manager of the Natural Resource Section, in the Real Estate Services Division, Special Projects Department, please accept this letter of explanation of approval to sign on the Church's behalf.

Sincerely,



Ed Eyring
Senior Manager, Natural Resource Services
Real Estate Services Division – Special Projects
Department

I can provide
SHP files for updated
PODs
Mx email
MPDavidson@LDSchurch.org

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

RECEIVED

APR 28 2017

DEPARTMENT OF
WATER RESOURCES

SPECIAL PROJECTS DEPARTMENT

Real Estate Services Division
50 East North Temple Street
Salt Lake City, Utah 84150-0012
Phone: 1-801-240-2915
Facsimile: 1-801-240-2913

#522-9200, Idaho City, ID
Transfer Application

April 24, 2017

Idaho Department of Water Resources
322 East Front Street, 6th Floor
P.O. Box 83720
Boise, Idaho 83720-0098

Subject: Water Right #63-10192A – Application for Transfer

To Whom It May Concern:

We are submitting a completed Application for Transfer to correct the legal description of the place of use and point of diversion for Water Right No. 63-10192A. Our review of the water right identified an error in the legal description of the point of diversion and the place of use for an LDS meeting house property located at 3830 Highway 21, Idaho City, Idaho 86361.

We trust that this Application for Transfer and attached documents will be sufficient to allow you to make corrections of the legal description and the place of use. If you have any questions or need additional information, please contact the undersigned at 801-240-3263 or via e-mail at mpdavidson@ldschurch.org.

NATURAL RESOURCE SERVICES

Sincerely,



Matthew Paul Davidson, P.E.