

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79291
RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

APR 21 2014
Department of Water Resources
Eastern Region

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.

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole.

Name of Applicant(s) _____

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 #1-9.

- ☐ ☒ #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.
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 21 2014

Department of Water Resources
Eastern Region

**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 1-801-240-4657

Mailing address 50 East North Temple Street, Salt Lake City, Utah 84150-0012 Email JohnsonDW@ldschurch.org

- ☐ 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 Delmas Johnson Phone 1-801-240-4657

Mailing address 50 East North Temple Street, Salt Lake City, Utah 84150-0012 Email JohnsonDW@ldschurch.org

- ☒ 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.

<u>Terry F. Rudd</u> Signature of Applicant or Authorized Representative	<u>Terry Rudd</u> Print Name and Title if applicable	<u>aut</u> Date
<u>Delmas Johnson P.E.</u> Signature of Applicant or Authorized Representative	<u>Delmas Johnson, Water Resource Mgr.</u> Print Name and Title if applicable	<u>15 Apr 2014</u> Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. 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**.

This transfer will accurately locate the POU and POD of water rights 34-13752, 34-13754, 34-13756, 34-13758, 13-13760 which are currently shown as being off property.

RECEIVED

MAY 05 2014

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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 ☒ ☐	34-13752	0.01 / 3.5	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	34-13754	0.04 / 8.8	Irrigation	04 /01 to 11/01	Groundwater
☒ ☐	34-13756	0.03 / 5.2	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-13758	0.01 / 1.8	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-13760	0.01 / 2.1	Irrigation	05/01 to 10/15	Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.08 cfs and/or 8.8 acre-feet.2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or 8.8 acre-feet per annum.

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 #
Y		SW	NW	SW	11	06N	25E	CUSTER	Groundwater	Leslie Ward Well
N		NE	NE	SW	10	06N	25E	CUSTER	Big Lost River	Angelo Ditch at River

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	25E	10													0.10			0.47	0.57
6N	25E	11									1.01	0.92							1.93
Total Acres (for irrigation use)																			2.5

AMENDED

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 ☒ ☐	34-13752	0.01 / 3.5	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	34-13754	0.04 / 8.8	Irrigation	04 /01 to 11/01	Groundwater
☒ ☐	34-13756	0.03 / 5.2	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-13758	0.01 / 1.8	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-13760	0.01 / 2.1	Irrigation	05/01 to 10/15	Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.08 cfs and/or 8.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or 8.8 acre-feet per annum.

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 #
N		SW	NW	SW	11	06N	25E	CUSTER	Groundwater	Leslie Ward Well
N		NW	NW	SE	11	06N	25E	CUSTER	Big Lost River	Angelo Ditch at River

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	25E	10													0.10			0.47	0.57
6N	25E	11										1.01	0.92						1.93

Total Acres (for irrigation use) 2.5

SUPERCEDED

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:

Angelo Ditch: Armco Gate at ditch heading

Groundwater: Valving. No flow meter, variance applied for.

- b. Who owns the property at the point(s) of diversion? Applicant - Ground water, Richard Freeman -Surface Water

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

Surface diversion, property is owned by Richard Freeman. Access is by 15 foot easement of Big Lost River

Irrigation District.

- 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: No.

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

None

- e. 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:

None

- f. 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.: 34-13752

Current Owner: CORP OF THE PRESIDING BISHOP
Priority Date: 1/30/1961
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>
IRRIGATION	04/01 to 10/31	0.01 CFS	3.5 AF
	<u>Total Diversion</u>	0.01 CFS	3.5 AF

Location of Point(s) of Diversion

GROUND WATER
CUSTER County

NE1/4SE1/4 Sec. 10, Twp 06N, Rge 25E B.M.

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S10	NESE	2.50
Total Acres: 2.5		

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. X35 Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
3. X27 This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 12/14/2001

Page _____ of _____

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

Current Water Right No.: 34-13754

Current Owner: CORP OF THE PRESIDING BISHOP
Priority Date: 8/31/1976
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>
IRRIGATION	04/01 to 11/01	0.04 CFS	8.8 AF
	<u>Total Diversion</u>	0.04 CFS	8.8 AF

Location of Point(s) of Diversion

GROUND WATER
CUSTER County
NE1/4SE1/4 Sec. 10, Twp 06N, Rge 25E B.M.

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S10 NESE 2.50
Total Acres: 2.5

Page _____ of _____

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
2. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. X35 Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
7. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 12/14/2001

Page _____ of _____

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

Current Water Right No.: 34-13756

Current Owner: CORP OF THE PRESIDING BISHOP
Priority Date: 5/1/1905
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

BIG LOST RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.03 CFS	5.2 AF
	<u>Total Diversion</u>	0.03 CFS	5.2 AF

Location of Point(s) of Diversion

BIG LOST RIVER	NE1/4NE1/4SW1/4	Sec. 10,	Twp 06N,	Rge 25E B.M.
CUSTER County				
BIG LOST RIVER	SW1/4SE1/4SW1/4	Sec. 11,	Twp 06N,	Rge 25E B.M.
CUSTER County				

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S10	NESE	2.50
---------------	------	------

Total Acres: 2.5

Page _____ of _____

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. X27 This right is limited to the irrigation of 1.5 acres within the place of use described above in a single irrigation season.
4. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13756, 34-13758 and 34-13760 shall not exceed 0.04 cfs.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. X35 Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
8. Right 34-13760 is an enlargement of Rights 34-13756 and 34-13758 pursuant to Section 42-1426, Idaho Code.
9. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
10. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 12/14/2001

Page _____ of _____

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

Current Water Right No.: 34-13758

Current Owner: CORP OF THE PRESIDING BISHOP
Priority Date: 5/1/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

BIG LOST RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.01 CFS	1.8 AF
	<u>Total Diversion</u>	0.01 CFS	1.8 AF

Location of Point(s) of Diversion

BIG LOST RIVER CUSTER County	NE1/4NE1/4SW1/4 Sec. 10, Twp 08N, Rge 25E B.M.
BIG LOST RIVER CUSTER County	SW1/4SE1/4SW1/4 Sec. 11, Twp 06N, Rge 25E B.M.

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S10	NESE	2.50
Total Acres: 2.5		

Page _____ of _____

Conditions of Approval:

1. Right 34-13760 is an enlargement of Rights 34-13756 and 34-13758 pursuant to Section 42-1426, Idaho Code.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. X35 Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
4. X27 This right is limited to the irrigation of 0.5 acre within the place of use described above in a single irrigation season.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
10. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13756, 34-13758 and 34-13760 shall not exceed 0.04 cfs.

Decreed Date: 12/14/2001

Page _____ of _____

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

Current Water Right No.: 34-13760

Current Owner: CORP OF THE PRESIDING BISHOP
Priority Date: 5/1/1977
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

BIG LOST RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.01 CFS	2.1 AF
	<u>Total Diversion</u>	0.01 CFS	2.1 AF

Location of Point(s) of Diversion

BIG LOST RIVER	NE1/4NE1/4SW1/4	Sec. 10,	Twp 06N,	Rge 25E B.M.
CUSTER County				
BIG LOST RIVER	SW1/4SE1/4SW1/4	Sec. 11,	Twp 06N,	Rge 25E B.M.
CUSTER County				

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S10	NESE	2.50
Total Acres: 2.5		

Page _____ of _____

Conditions of Approval:

1. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. Right 34-13760 is an enlargement of Rights 34-13756 and 34-13758 pursuant to Section 42-1426, Idaho Code.
6. X27 This right is limited to the irrigation of 0.6 acre within the place of use described above in a single irrigation season.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8. X35 Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13756, 34-13758 and 34-13760 shall not exceed 0.04 cfs.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 12/14/2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 200.00 Date 4/21/14 Received by SS Receipt # ED39748

Add'l fee paid _____ Date 7/1 Received by _____ Receipt # _____

RECEIVED

OCT 1 - 2001

Utah Div. Of Corp. & Comm. Code

CERTIFICATE OF AUTHORITY

I, H. David Burton, do hereby certify (a) that I am the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a religious association, and by virtue of such office I am the incumbent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole; (b) that I am the person designated in the Articles of Incorporation of said corporation sole to sign and execute deeds and other instruments in writing and transact all business of said corporation pursuant to the provisions of Section 16-7-8 of the Utah Code Annotated, 1953, as amended; and (c) that, pursuant to said Section 16-7-8, I hereby designate and appoint **Terry F. Rudd** as an agent authorized and empowered for and in behalf of said corporation sole to take the following actions for transactions whose dollar value does not exceed \$500,000:

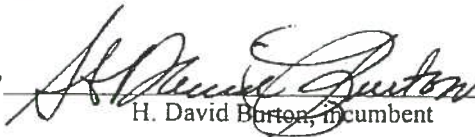
- (a) To execute deeds, easements and other instruments, purchase, sale, architectural, construction, repair, maintenance and other contracts, promissory notes, mortgages, bills of sale, assignments, notices, reports, title documents and other documents relating to the acquisition, purchase, sale, exchange, development, use, lease, maintenance, repair, improvement, taxation, encumbrance and release thereof, or other disposition of real and personal property of any kind; and
- (b) To execute, file and prosecute building permit applications, petitions, complaints and protests relating to real and personal property of any kind.

This Certificate of Authority supersedes and replaces that Certificate of Authority, dated May 26, 1999, granted to Terry F. Rudd by H. David Burton, the incumbent of said Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints.

DATED this 28 day of September, 2001.

CORPORATION OF THE PRESIDING BISHOP OF
THE CHURCH OF JESUS CHRIST OF LATTER-DAY
SAINTS

By


H. David Burton, incumbent

STATE OF UTAH

)

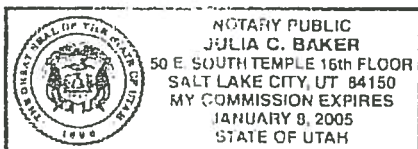
:

ss.

COUNTY OF SALT LAKE

)

On the 28 day of September, 2001, personally appeared before me H. David Burton, personally known to me to be the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and acknowledged to me that he signed the foregoing instrument as incumbent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and the said H. David Burton acknowledged to me that said corporation executed the same.




NOTARY PUBLIC in and for said County and State

THIS INDENTURE, Made the 13th day of November in the year of our Lord one thousand nine hundred and forty-eight between Lillie Wells, also known as Lillie R. Wells, a widow, of Leslie County of Custer State of Idaho the party of the first part, and Leslie Corporation of the Church of Jesus Christ of Latter-Day Saints, a Corporation sole, of Leslie County of Custer State of Idaho, the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Three Hundred and no/100 (300.00) --- DOLLARS lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey and confirm unto the said party of the second part, and to its heirs and assigns forever, all the certain piece or parcel of land situate, lying and being in the County of Custer and State of Idaho, bounded and more particularly described as follows, to-wit: a plot situated south of the State Highway in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 10; and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 11, T. 6 N., R. 25 E., B. M. Further described as follows, to-wit:

Beginning at a point on the southerly line of the State Highway right-of-way which is S 64° 40' E. 59 feet from the intersection of the section line between sections 10 and 11 with said southerly line of right-of-way.

Thence S 64° 40' E. 253 feet along the said boundary of the highway to a corner post,

Thence S. 16° W. 763 feet to the northerly bank of Big Lost River,

Thence northwesterly along the said north bank 250 feet, more or less,

Thence N. 16° E. 778 feet, more or less, to the place of beginning, containing 4.4 acres more or less: together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereto.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to its heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceful possession of the said party of the second part, its heirs and assigns, against the said party of the first part, and her heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Mary Glenn

Notary Public

Shelton Ida

My Commission expires

7/6/19 - 1950

Lillie R. Wells [SEAL]

[SEAL]

[SEAL]

V. B. [SEAL]

STATE OF IDAHO,

County of Butte } SS:

On this 13th day of November in the year 1948, before me
Mary Gleim, a Notary Public
in and for said State, personally appeared Lillie Wells also known as
Lillie R. Wells, a widow,

known to me to be the person whose name is subscribed to the within instru-
ment, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
the day and year in this certificate first above written.

Mary Gleim
Notary Public, Residing at Warrenton, Idaho

LESLIE WARD

LOST RIVER STAKE
Abstract No. 1

505-5520

No. 100697

WARRANTY DEED

To

Dated 13, 1948

STATE OF IDAHO }
County of Custer } SS.

I hereby certify that this instrument was

filed for record at request of

Custer Co. Abstract Co.

at 30 minutes past 3

o'clock P. M., this 1 day

of Dec., A. D. 1948

in my office, and duly recorded in Book 26

of Dec 26 at Page 447

By John B. Bynum Ex-Officio Recorder

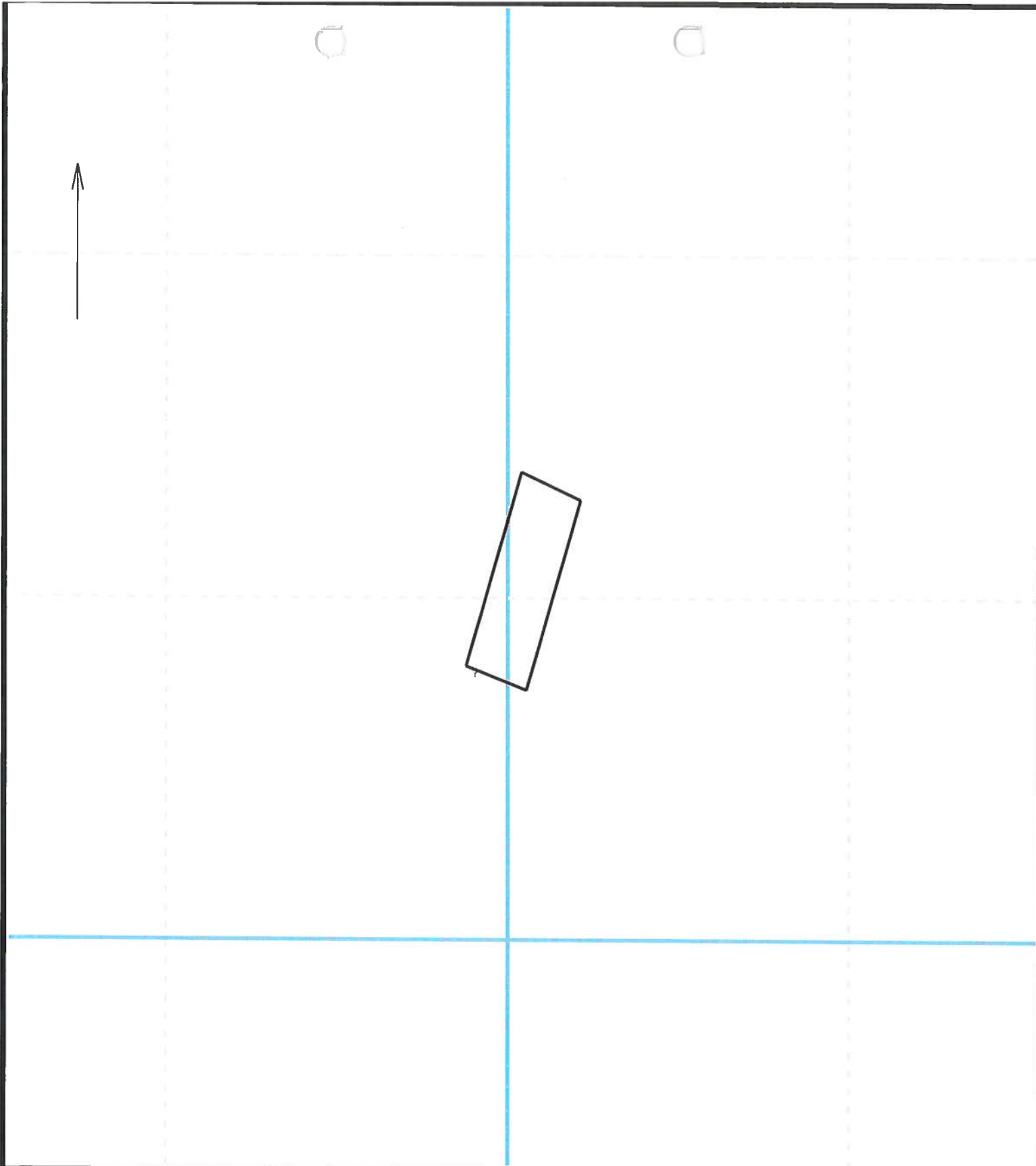
By Howard Bynum Deputy

Fees \$ 1.20

Messenger Print, Challis, Idaho

Completed

79291



5/5/2014

Scale: 1 inch= 500 feet

File:

Tract 1: 4.4158 Acres (192354 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/494500), Perimeter=2045 ft.

01 /nw,sw,sw,11,6n,25e

07 n16.00e 778.00

02 /n00.00e 460

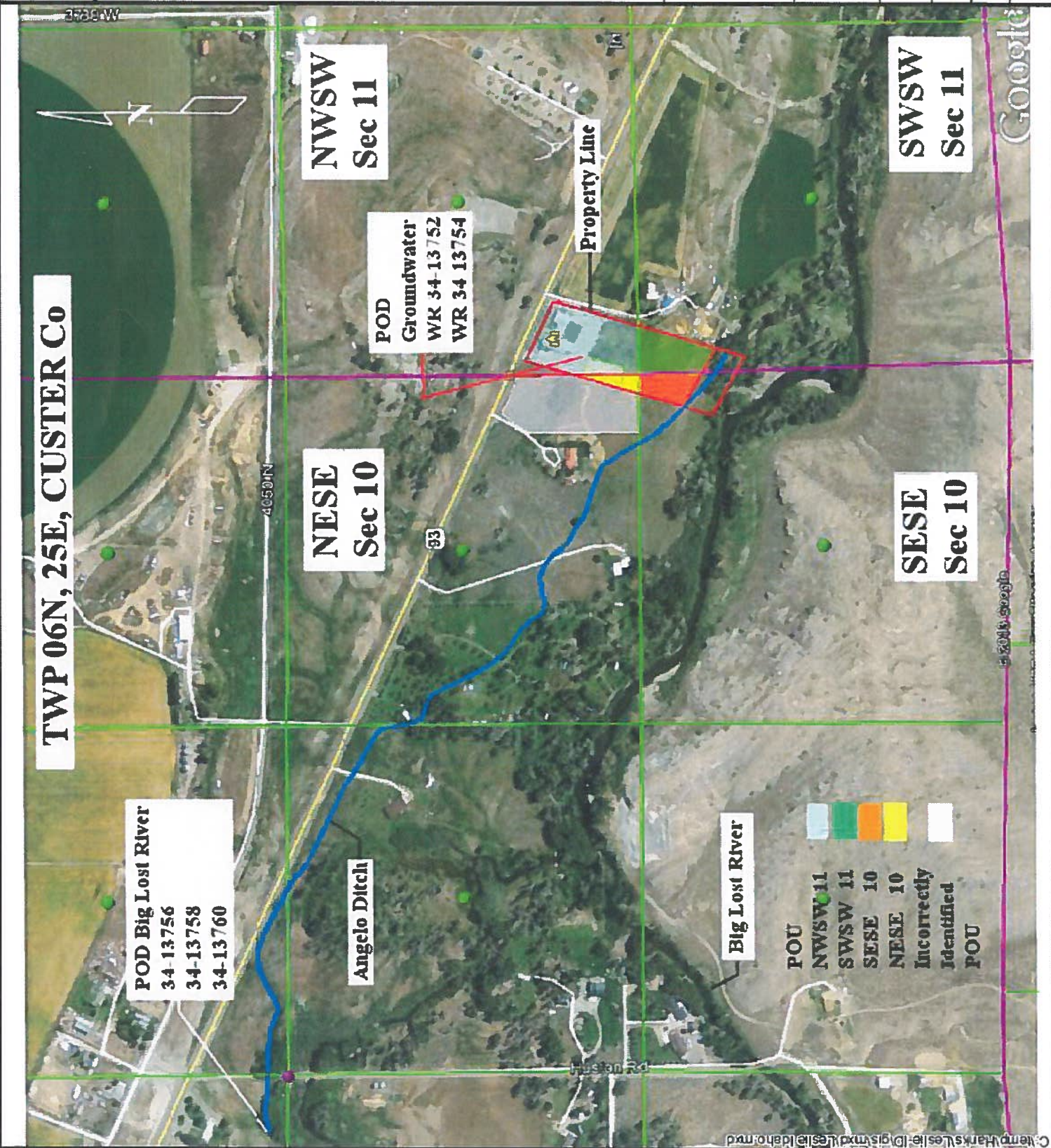
03 /n64.40e 59

04 s64.40e 253.00

05 s16.00w 763.00

06 n68.0250w 251.00

79291



Notes
Notes

Exhibit 7B

Project

Name Leslie Idaho Chapel

Custer Co, Idaho

Title

Leslie Chapel Water Rights
POU, POD Location Transfer

Project Engineer

Name DWJ

Drawn By

Name KWH, MPD

Project Date

4/8/2014

Property Number

505-5520

Figure

1

Sheet Number

1 of 1