

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13109

Priority: December 20, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.4 AF

This is to certify, that CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC

REAL ESTATE DIVISION
12TH FLOOR
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 5, 1989; and has submitted Proof of Beneficial Use on May 16, 1991. An examination indicates that the works have a diversion capacity of .200 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	4.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 26, Township 07N, Range 02W
GEM County

PLACE OF USE: COMMERCIAL
TWN RGE SEC

07N 02W 26 SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The total combined rate of diversion under this right and Right 65-03481 shall not exceed 0.20 cfs.
6. Commercial use is for spraying orchards.

RECEIVED
MAY 1991

APR 28 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13109

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of FEBRUARY, 1993.

Acting for R. Keith Higginson, Director

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APR 28 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13109 IN THE)
NAME OF ROLLINGS HILLS ORCHARDS INC.) ORDER OF REINSTATEMENT
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS)
_____)

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 May 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 May 16, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13109 be REINSTATED and the priority advanced to December 20, 1989.

Dated this 23rd day of May, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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JUN 10 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13109

Proposed Priority: December 5, 1989 Maximum Diversion Rate: 0.04 CFS
This is to certify, that ROLLING HILLS ORCHARDS INC.

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNENW Sec. 26, Township 07N, Range 02W
GEM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

07N 02W 26 SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for a packing shed.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

3rd day of April, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

APR 19 1990

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DEC 4 1989

Ident. No. 65-13109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ROLLING HILLS ORCHARDS INC. 208-365-2141
Address: 2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS 801-240-2929
Address: REAL ESTATE DIVISION
12TH FLOOR
50 E. N. TEMPLE ST.
SALT LAKE CITY, UT 84150
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SWNENW Sec. 26, Township 07N, Range 02W
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
COMMERCIAL	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
EXISTING WELL, 5 HP SUB. PUMP, PIPELINE
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 400
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
PACKING SHED COMPLEX AT ROLLING HILLS ORCHARD

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APR 19 1990

9. Place of Use: COMMERCIAL

TWN RGE SEC
07N 02W 26 SWSW

10. Describe any other water rights used for the same purposes.
65-03481

11. 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.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [X]

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.

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

X

Irma A. Baker

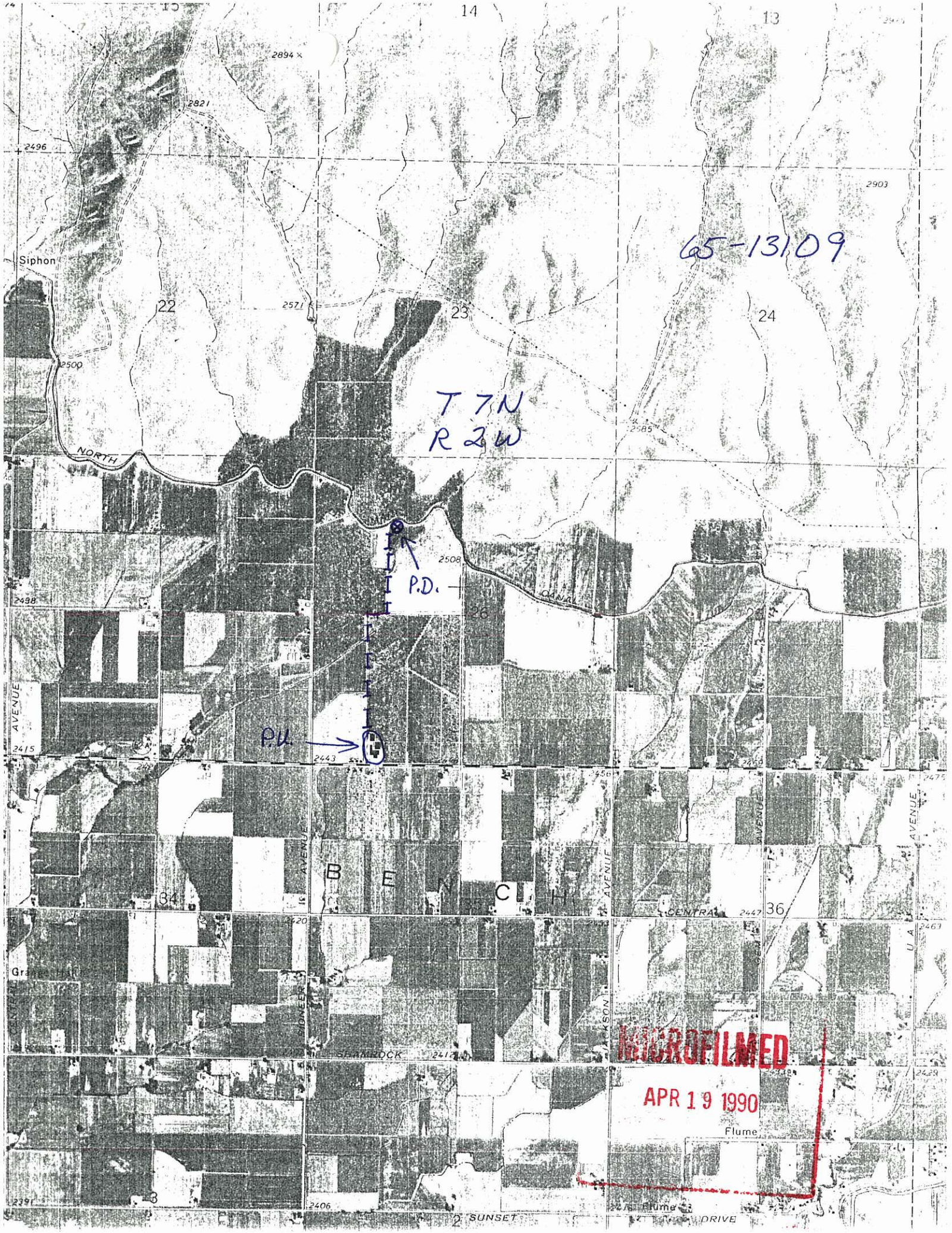
JSR

Applicant AUTHORIZED AGENT

Received by *Yls. D.K.* Date *12/6/89* Time *1:40pm* Preliminary check by *GG*
Fee \$ *30.00* Receipted by *D.K.* # *C013251* Date *12-5-89*
Publication prepared by *GG* Date *12-13-89* Published in Messenger-Index
12/21 & 12/27/89
Publication approved *JS* Date *2/12/1990*

MICROFILMED

APR 19 1990



65-13109

T 7N
R 2W

P.D.

P.U.

MICROFILMED

APR 19 1990

Flume

Flume
DRIVE

SUNSET

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Esmá Reyes, being first
duly sworn, on ^{her} oath deposes and
says that she is the ^{clerk} printer of Mes-
senger-Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger-
Index for Two (2)

consecutive weekly issues thereof,
beginning with the issue of
DEC 20, 1989,

and ending with the issue of
DEC 27, 1989

Esmá Reyes

Subscribed and sworn to before me
this 27th day of

DEC, 1989

Mary Ann Hanson

Notary Public,
Residing at Emmett, Idaho.

My Commission Expires 3-21-95

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

65-13109 ✓ all

CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC.
2816 W. BLACK CANYON HWY.
EMMETT, ID 83617

Source: GROUNDWATER
Diversion Pt: SWNENW Sec 26 T
07N R 02W

Use: COMMERCIAL (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 12/05/1989

In: T07N R02W S26 SWSW

65-13122

DAVIS, DELBERT

DAVIS, LILLEYBELL

HC 78 BOX 3765

OLA, ID 83657

Source: SPRINGS

Tributary: SQUAW CREEK

Diversion Pt: NESWNE Sec 10 T 11N
R 01E

NWNWSW Sec 10 T 11N R 01E

Use: DOMESTIC (.010 CFS)

STOCKWATER (.010 CFS)

Total Diversion: (.020 CFS)

Date Filed: 11/28/1989

In: T11N R01E S10 SWNE

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on
or before JANUARY 8, 1990.

R. KEITH HIGGINSON, Director
Pub. 12-20, 27-89

Legal Notice No. 658
Published in the Messenger-Index

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MAR 28 2001

Department of Water Resources

REAL ESTATE DIVISION

Twelfth Floor East

50 East North Temple Street

Salt Lake City, Utah 84150-6320

Phone: 1-801-240-3840

Facsimile: 1-801-240-2913

March 22, 2001

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

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MAR 26 2001

Department of Water Resources

RECEIVED

MAR 26 2001

WATER RESOURCES
WESTERN REGION

Reference reply to:

Id Gem Co-Inv Fm-Rolling
Hills Orchard, #522-3695

Writer's Direct Line
(801) 240-4657

E. F. Corporation
1101 W River St, Ste. 110
Boise, Idaho 83702

TO WHOM IT MAY CONCERN:

Enclosed is a Idaho Department of Water Resources Preliminary Recommendation of Water Right form for Water Right #65-3481 along with a Notice of Error Reply. Our records indicate this water right along with water rights #65-3474, #65-3475, #65-3476, #65-3477, #65-3478, #65-3479, #65-3480 and #65-13109 were sold to your company in January 2000. We would suggest you make a change in title ownership with the State of Idaho so further notices are mailed direct to you.

If we can be of further assistance, please advise.

Sincerely,

NATURAL RESOURCE GROUP

abd.

Alice B Duke
Water Analyst

ABD

CC: IDWR Western Regional Office ✓

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 4, 1993

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC
REAL ESTATE DIVISION
12TH FLOOR
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150

RE: WATER RIGHT NO. 65-13109

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECORDED

APR 28 1993

68

COMMENTS: _____

LICENSE ☒ AMEND SPECIAL PARAGRAPH

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 02/16/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHURCH OF JESUS CHRIST LATTER DAY SAINTS REAL ESTATE DIVISION 12TH FLOOR 50 E NORTH TEMPLE ST SALT LAKE CITY UT 84150 (801) 240-2929	12/20/1989	COMMERCIAL	01-01 12-31	0.04 CFS	4.4 AFA
				TOTAL DIVERSION:	0.04 CFS	4.4 AFA
C	ROLLING HILLS ORCHARDS INC 2812 W BLACK CANYON HWY EMMETT ID 83617 (208) 365-2141					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.20 CFS

Point(s) of Diversion: T07N R02W S26 NE NW

Place of use Legal Description for: COMMERCIAL

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
07N 02W 26	:				:				:				:			

Pou County: GEM

Other Rights: 65-03481

Other Water Rights Listing Overlapping Place(s) of use:
65-03481

Remarks: The total combined rate of diversion under this right and
Right 65-03481 shall not exceed 0.20 cfs.
Commercial use is for spraying orchards.

Dates: App. Received: 12/05/1989 Priority Date: 12/20/1989 (Priority Date Advanced.)
Proof Due Date: 05/01/1991 Proof Made Date: 05/16/1991 (Proof Received Late.)
Exam Made Date: 06/30/1992 Exam Sent to S.O.: 02/11/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 02/16/93 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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FEB 12 1993

Department of Water Resources

A. GENERAL INFORMATION

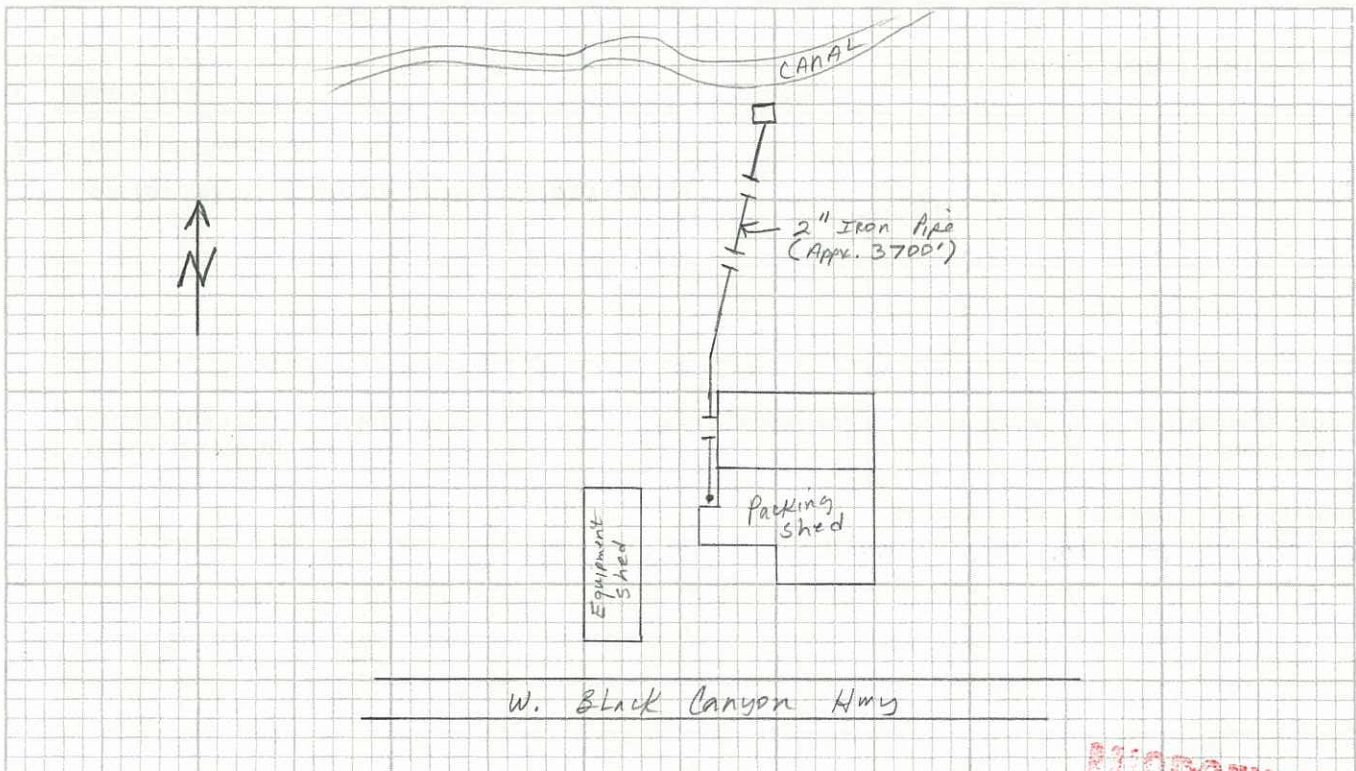
1. Owner: Rolling Hills Orchards, Inc. ^{Church of Jesus Christ} ^{OF LATTER DAY SAINTS} Permit No. 65-13109
Phone No. 365-2141
Current Address: 2812 W. Black Canyon Hwy., Emmett, ID 83617
2. Accompanied by: Lee Brown, Production Mgr. EXAM. DATE: 6/30/92
Address: _____ Phone No. (same)
Relationship to Permit Holder: Employee
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-3481
_____ ☒ Copies Attached
2. Other water rights with same point of diversion: NONE
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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APR 28 1993

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

65-034181 - 20 cfs INDUSTRIAL USE
 Well with slotted 15½" casing supplies water to now abandoned packing shed. New one is to be built in future. Water is pumped by a Jacuzzi 5 h.p. submersible pump approximately 3800' south through 2" galvanized pipe to valve box on west side of packing shed. Flow was too great to measure by bucket. (Water was used for cleaning and processing apples.) AT the present, (water is used to fill chemical Tanks for spraying orchards.) - 65-13109 - COMMERCIAL USE NOT MENTIONED IN DECREE
☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
(NO TAG)	TAG	5	(NO TAG)	Jacuzzi	2"

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NE	NW	26	7N	2W	Gem	aerial map.

6. **Place(s) of Use:**

Indicate Method of Determination Same as P/O

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	2W	26											C						

NOTED

APR 28 1993

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Due to buried pipe and extremely high pressure through
hose at valve box, no flow was attainable.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \left(\frac{5.77}{3} \right) (0.16 \text{ ft}^2) = 0.2 \text{ cfs}$$

limited to .04 per permit

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 40 psi x 2.31 = 92.4 ft (1); Dynamic pumping level: 100 ft (2)

Total Head: (1) + (2) = 192.4 (3) $Q = \frac{(8.8 \times 5)(.7)}{192.4} = 0.2 \text{ cfs}$; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$V_R = \text{Comm.} = 0.6 \text{ AFA}$

15 days of spraying
 318 acres, 300 gallon per acre
 $V = 300 \times 318 = 95,400 \text{ gallon/spray period}$

Volume for orchard spraying:

15 days x 95,400 gpd = 1,431,000 gal/yr.
 $V = \frac{1,431,000}{325,850} = 4.39 \text{ AFA} \approx 4.4 \text{ AFA}$

APR 28 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAP - (P/U + P/D) - Same P/D and P/U but different type of use.

~~System is capable of providing 0.8 cfs as per calculation~~
~~and from claim No. 65-3481, 0.76 has all ready been~~
~~appropriated for business, leaving 0.34 cfs. Recommend~~
~~Licensing for 0.04 cfs as requested on permit for commercial~~
~~USE NOT ORIGINALLY PART OF DECREE 65-03481.~~

P/D Legal Description of 65-3481 is incorrect. Only one well exists,
and is described correctly on this permit, 65-13109.

I. RECOMMENDATIONS

1. Recommended Amounts

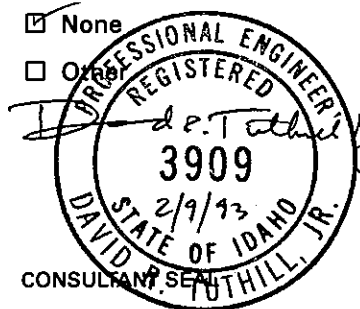
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	0.04	0.6 4.4
Commercial	4/1	8/31		4.4
Totals:			0.04	0.6 5.0 4.4

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

J. AUTHENTICATION

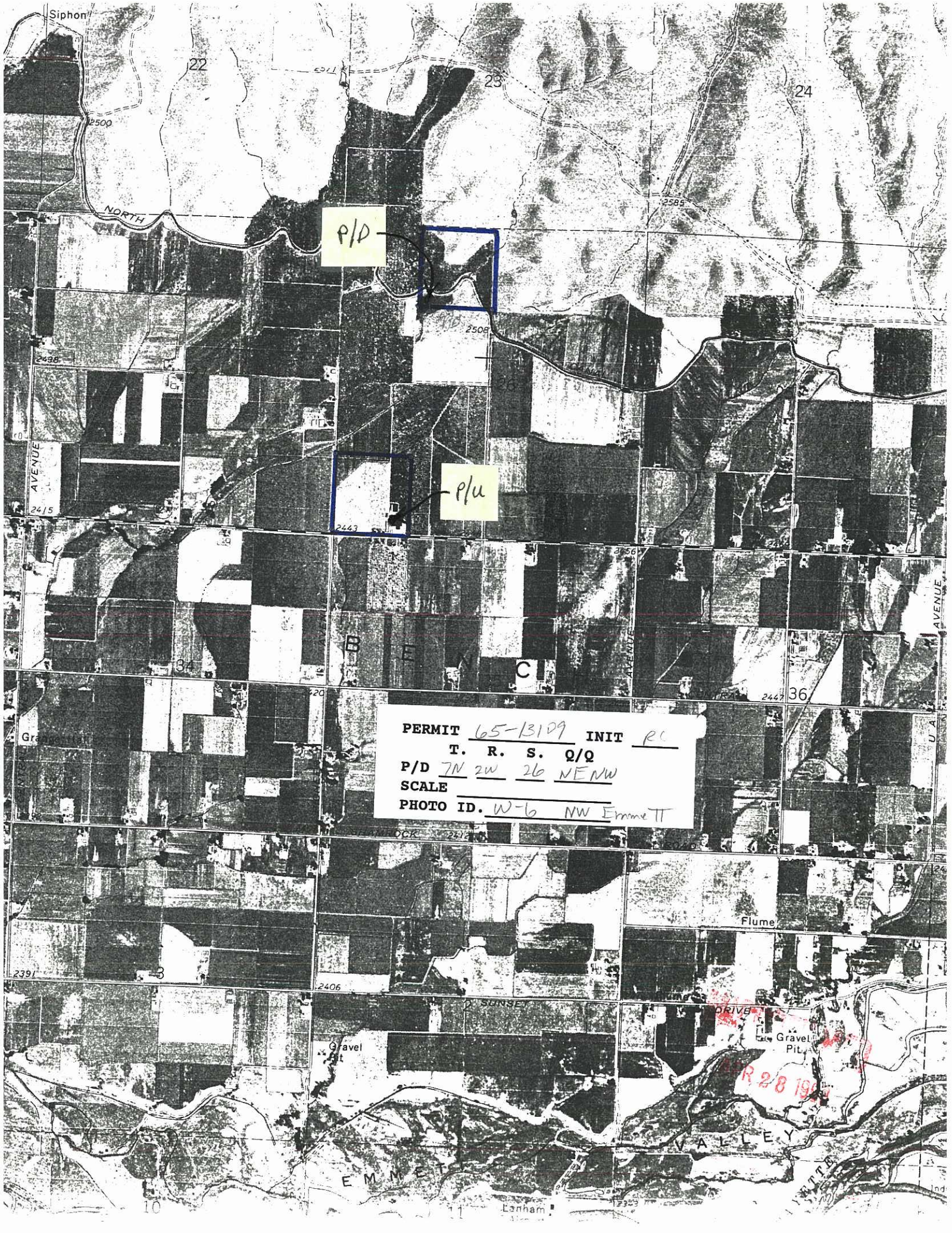
Field Examiner's Name Rick Collingwood
Signature Rick Collingwood
Certification Date _____
Field Report Preparation Date 8/13/92



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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APR 28 1993



P/D

P/U

PERMIT 65-13109 INIT RC
T. R. S. Q/Q
P/D 7N 2W 26 NENW
SCALE
PHOTO ID. W-6 NW Emmett

APR 28 1964



PHOTO ONE-

View southwest of well house. Well is located at south end of well house. North end of well house contains large pump for diverting water from canal just north of house.

>



PHOTO TWO-

One of two pressure tanks in well house.

APR 28 1993



PHOTO THREE-

Second, of two pressure tanks in well house.

>



PHOTO FOUR-

View northwest of packing shed and office.

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APR 28 1993



PHOTO FIVE-

View southeast of west end of packing shed.
Packing shed is no longer in service.

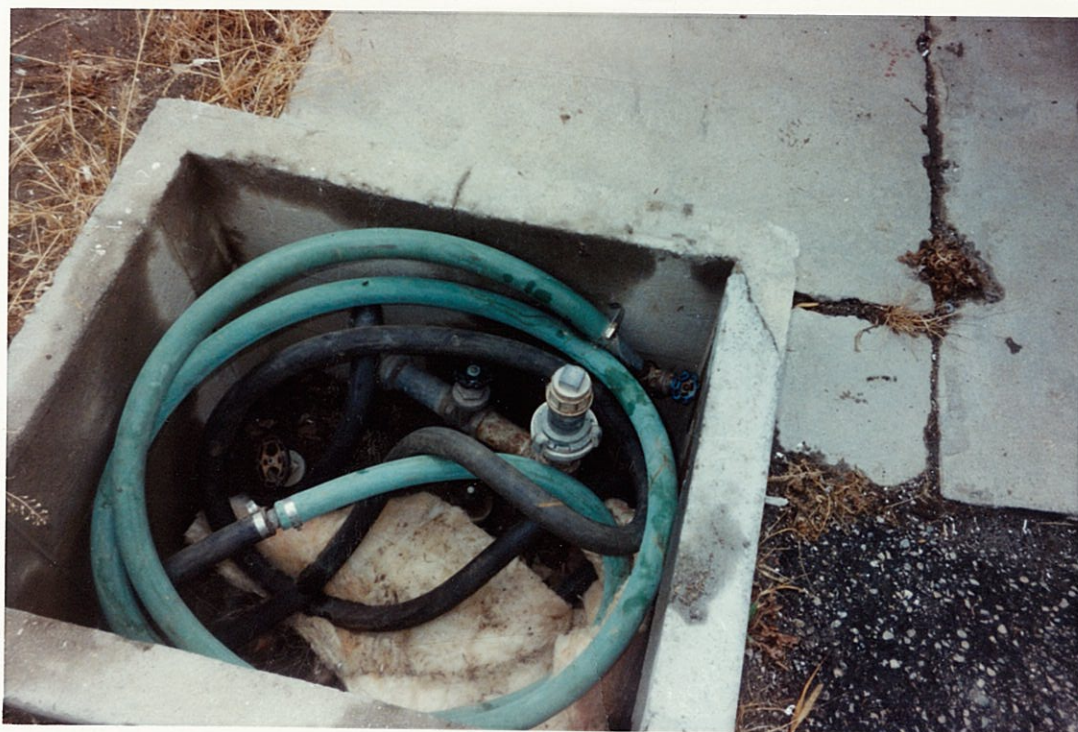


PHOTO SIX-

Control valve box on west end of packing shed. Water
not used in packing shed anymore. Used only for
cleaning equipment and for filling tanks for
orchard spraying.



PHOTO FIVE-

Tractors and spray Tanks use for spraying orchards.

>

APR 28 1993

PHOTO SIX-

May 24, 1991

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC.
2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13109

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 STATE Regional Office in Boise at (208)327-7900.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECORDED

JUN 10 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-13109

Date 5-16-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
NA Drill permit req'd?
1914 Copy in file? Drill permit no. _____
Amt paid for drilling permit? _____ Correct?
Well log in file?

LICENSE EXAMINATION FEE

- NO Required?
/ Amount submitted?
/ Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?
/ Installed?
/ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable when reinstated

PRIORITY CALCULATION

Date proof received ✓ May 16, 1991 136
Date proof due May 1, 1991 - 121
No. of days late = 15
Priority date Dec 5, 1989 + 339
NEW PRIORITY DATE ✓ Dec 20, 1989 = 354

JUN 10 1991

07/88

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

MAY 12 1991

No \$ received
Department of Water Resources**PROOF OF BENEFICIAL USE**

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13109 Telephone No. (208) 365-21412. Name(s) of Permit Holder(s): CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS3. Post Office Address: 2812 W. BLACK CANYON HWY. EMMETT, IDAHO 836174. Source of Water: GROUNDa. If ground water, well driller's name: BRISCOE Date drilled: 1974b. Pump horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft.): 80

5. Extent of Use:

Domestic 6 (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other COMMERCIAL PACK HOUSE6. Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes No

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

MEL FRAIZER(208) 365-2141

Name

Telephone No.

2812 W. BLACK CANYON HWY. EMMETT, ID 83617

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JUN 10 1991

Date 5/13/91
H. DeVan Jensen, Controller
 Signature (and title if on behalf of a company or organization)

May 3, 1991

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC.
2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

LAPSE NOTICE

RE: PERMIT NO. 65-13109

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

UNRECORDED
FILMED

JUN 10 1991

CERTIFICATION OF MAILING

I hereby certify that on 5-8-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC.
2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

138165
February 28, 1991

RE: PERMIT NO. 65-13109 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

JUN 10 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
April 3, 1990

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC.
2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P65-13109

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

RECEIVED

APR 19 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

APR 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

DECEMBER 13, 1989

Messenger-Index
P.O. Box 577
Emmett, ID 83617

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 8, 1990.

Yours truly,

GAIL GARRETT
Secretary

Encl.

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APR 19 1990

65-13109

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
ROLLING HILLS ORCHARDS INC.
2812 W. BLACK CANYON HWY.
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: SWNENW Sec 26 T 07N R 02W

Use: COMMERCIAL (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 12/05/1989

In: T07N R02W S26 SWSW

RECORDED

APR 19 1990

ADJUDICATION FILING FEES FOR IDAHO

RECEIVED

DEC 4 1989

PROPERTY IDENTIFICATION

Idaho State Water Right Permit # 65-13109
LDS Church Property # 5223695

Department of Water Resources

FEE CALCULATIONS

Domestic, stockwatering, fire protection, etc. \$ _____
Flat fee for irrigation. \$ _____

VARIABLE FEE SCHEDULE

Irrigation (\$1.00 per acre). \$ _____
Power Generation (\$3.00 per kilowatt) \$ _____
Aquaculture (\$10.00 per cfs) \$ _____
All other uses (\$100.00 per cfs) \$ _____

Other charges. \$ 30⁰⁰

TOTAL

\$ 30⁰⁰

*Application for
Permit*

DATE 10-27-89

Carter Fritschle

Carter Fritschle
Idaho Dept. of Water Resources

Glen Nielson

Glen Nielson
Field Representative
Church of Jesus Christ
of Latter-day Saints

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APR 19 1990