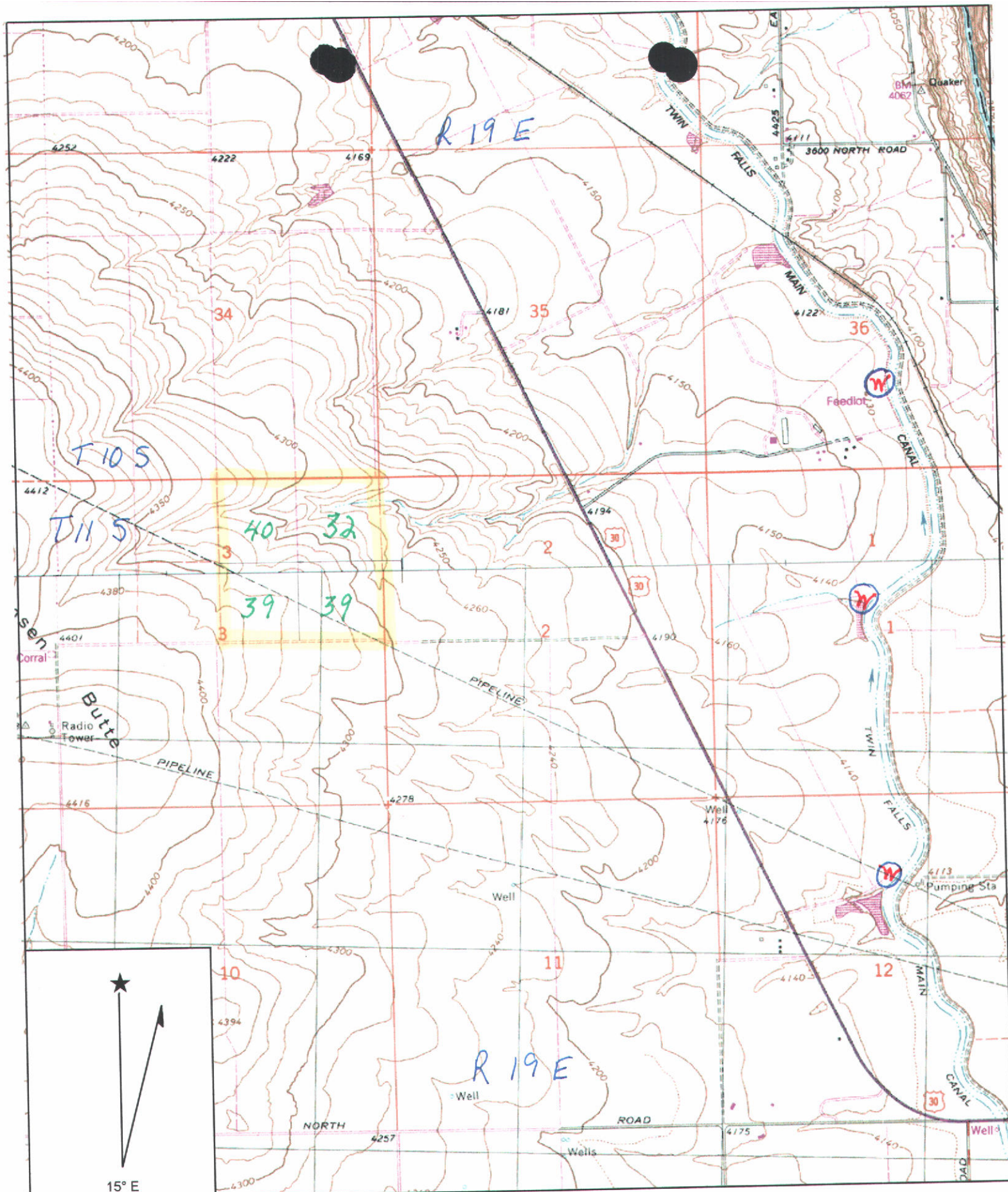




Name: MURTAUGH
 Date: 4/10/2001
 Scale: 1 inch equals 2000 feet

W = WELL, POD

40 = IRRIGATED ACRES PLACE OF USE

Location: 11 729921 E 4708701 N
 Caption: MURTAUGH FARM, APPLICATION FOR PERMIT
 #541-8828

MICROFILMED

Copyright (C) 1997, Maptech, Inc.

AUG 0 8 2001

3/3

45-13403 (PERMIT - NOT PART OF ADJUDICATION)

150 ACRES GROUND WATER



DRAFT

V HANCOCK
IDWR

● WELL

▨ PLACE OF USE THIS RIGHT

▭ FARM BOUNDARY

1987 AERIAL PHOTO

TWP 10S RNG 19E
TWP 11S RNG 19E

MICROFILMED
MAR 28 2003



Photo taken September 5, 2002. Well located in the SESENW Section 1. Operational at time of visit. Site tag A0009656.



Photo taken September 5, 2002. Well located in the SWNWSE Section 36. Re-bored and pump tested summer 2002. Permittee in process of bringing power into site.



Photo taken September 5, 2002 from the NE corner of the NE $\frac{1}{4}$ Section 3. Powerline runs due south along east boundary of place of use.

MICROFILMED
MAR 06 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-13403

Priority: December 22, 2000

Maximum Diversion Rate: 3.00 CFS

It is hereby certified that CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150-6312 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 22, 2000; and has
submitted Proof of Beneficial Use on July 16, 2001. An examination indicates that the works have a
diversion capacity of 7.52 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

3.00 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 11S, Rge 19E, B.M., TWIN FALLS County
GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, Twp 11S, Rge 19E, B.M., TWIN FALLS County
GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp 10S, Rge 19E, B.M., TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	19E	3	32.0	39.0	39.0	40.0													
			L1	L2															

Total Acres: 150

CONDITIONS OF APPROVAL

1. Rights 45-02530, 45-02541 and 45-07497 are also diverted through the points of diversion described above.
2. Rights 45-02530, 45-02541, 45-07497 and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs, and a total annual maximum diversion volume of 3670.0 af at the field headgate.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 600.0 af at the field headgate for the lands above.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED
MAY 15 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-13403

5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. 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.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 14TH day of FEBRUARY, 2003.

Acting for 
KARL J. DREHER
Director

MICROFILMED
MAR 16 2003

RECEIVED

JUL 16 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JUL 16 2001

Department of Water Resources

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 45-13403 Telephone No. 801 240-4656

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

3. Mailing Address: REAL ESTATE DIVISION, 12th FLOOR EAST, 50 E NORTH TEMPLE ST
City SALT LAKE CITY State UT Zip 84150-6321

4. Source of Water: GROUND WATER PRIOR TO 1987 WELLS PUMPS AND PIPELINE
If GROUNDWATER (well), Date Drilled: mo. / yr.
SYSTEM WERE DEVELOPED UNDER 45-07497 PER IDWR FIELD EXAM MAY 1987
Well Driller: Drilling Permit Number:

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock):

Irrigation (No. of acres): 150 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 3.00 cfs OR acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No

8. Fee Enclosed: \$ 150.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: MARK CUMMINS Telephone Number: 208 432-6675

Address: 4418 E 3300 N MURTAUGH ID 83344

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

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

Signature of permit holder: [Signature] Date: 7/12/01
(include your title, if on behalf of company or organization)

AUTHORIZED AGENT

MICROFILMED

AUG 8 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 45-13403

Priority: 12/22/2000

Maximum Diversion Rate: 3.00 CFS

This is to certify, that CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
IRRIGATION	03/15 to 11/15	3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NW¼NE¼	Sec. 12, Twp 11S, Rge 19E, B.M.	TWIN FALLS County
GROUND WATER	SE¼NW¼	Sec. 1, Twp 11S, Rge 19E, B.M.	TWIN FALLS County
GROUND WATER	NW¼SE¼	Sec. 36, Twp 10S, Rge 19E, B.M.	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 19E 3	32.0	40.0	39.0	39.0													150.0

Total Acres: 150

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2001**.
2. Subject to all prior water rights.
3. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
4. This right does not authorize the irrigation of land not previously irrigated.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. 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.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

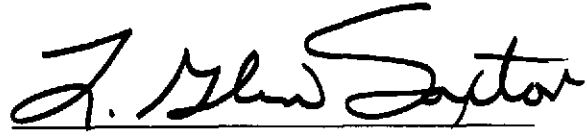
MICROFILMED

JUN 6 11 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 45-13403

8. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. Rights 45-2530, 45-2541, 45-7497 and 45-13403 when combined shall not exceed a total diversion rate of 7.52 cfs.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 22nd day of June, 2001.


for KARL J DREHER, Director

MICROFILMED

AUG 6 8 2001

ORM 200
200
RECEIVED
APR 12 2001
Department of Water Resources
Southern Region

Ident. No. 45-13403

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT #541-8828

To appropriate the public waters of the State of Idaho

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

1. Name of Applicant _____ Phone 801 240-4656

Mailing address SEE BELOW

2. Source of water supply GROUND WATER which is a tributary of NA

3. Location of point of diversion is Township 10 S Range 19 E Sec. 36, in the _____
NW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., TWIN FALLS County;

additional points of diversion if any: SE NW SECTION 1 AND NWNE SEC 12 T11S R 19E

4. Water will be used for the following purposes:

Amount 3.00 * SEE REMARKS for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

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

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

5. Total quantity to be appropriated is (a) 3.00 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source WELLS, PUMPS and
PIPELINE (SYSTEM ALREADY DEVELOPED UNDER RT 45-07497)

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

REAL ESTATE DIVISION LDS CH.
NATURAL RESOURCE SECTION
12TH FLOOR EAST
50 EAST NORTH TEMPLE
SALT LAKE CITY, UTAH 84143 -6321

MICROFILMED

AUG 08 2001

Description of place of use:

#541-8828

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
115	19E	3	32	40	39	39													150

total number of acres to be irrigated 150

0. Describe any other water rights used for the same purposes as described above. SEE REMARKS

1. a. Who owns the property at the point of diversion?

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

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

SAME AS 1.0 ABOVE

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NOT APPLICABLE

2. Remarks: THESE LANDS HAVE APPURTENANT SURFACE WATER SHARES FROM TWIN FALLS CANAL COMPANY. THIS FILING IS FOR SUPPLEMENTAL GROUND WATER FOR THESE ACRES. THESE ACRES HAVE BEEN IRRIGATED FROM THE SYSTEM DESCRIBED HEREIN SINCE 1987 AS CONFIRMED BY THE FIELD EXAMINATION CONDUCTED IN MAY 1987 FOR RT 45-07497. THIS APPLICATION IS NOT BEING FILED FOR MORE WATER THAN WAS DEVELOPED BY 1987--IT IS FILED ONLY TO PICK UP THE REMAINING DEVELOPED ACRES NOT COVERED BY PREVIOUS RIGHT.

3. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this 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.

2001 APR 10

Signature of Applicant (and title, if applicable)

Tony F. Rued

mBP

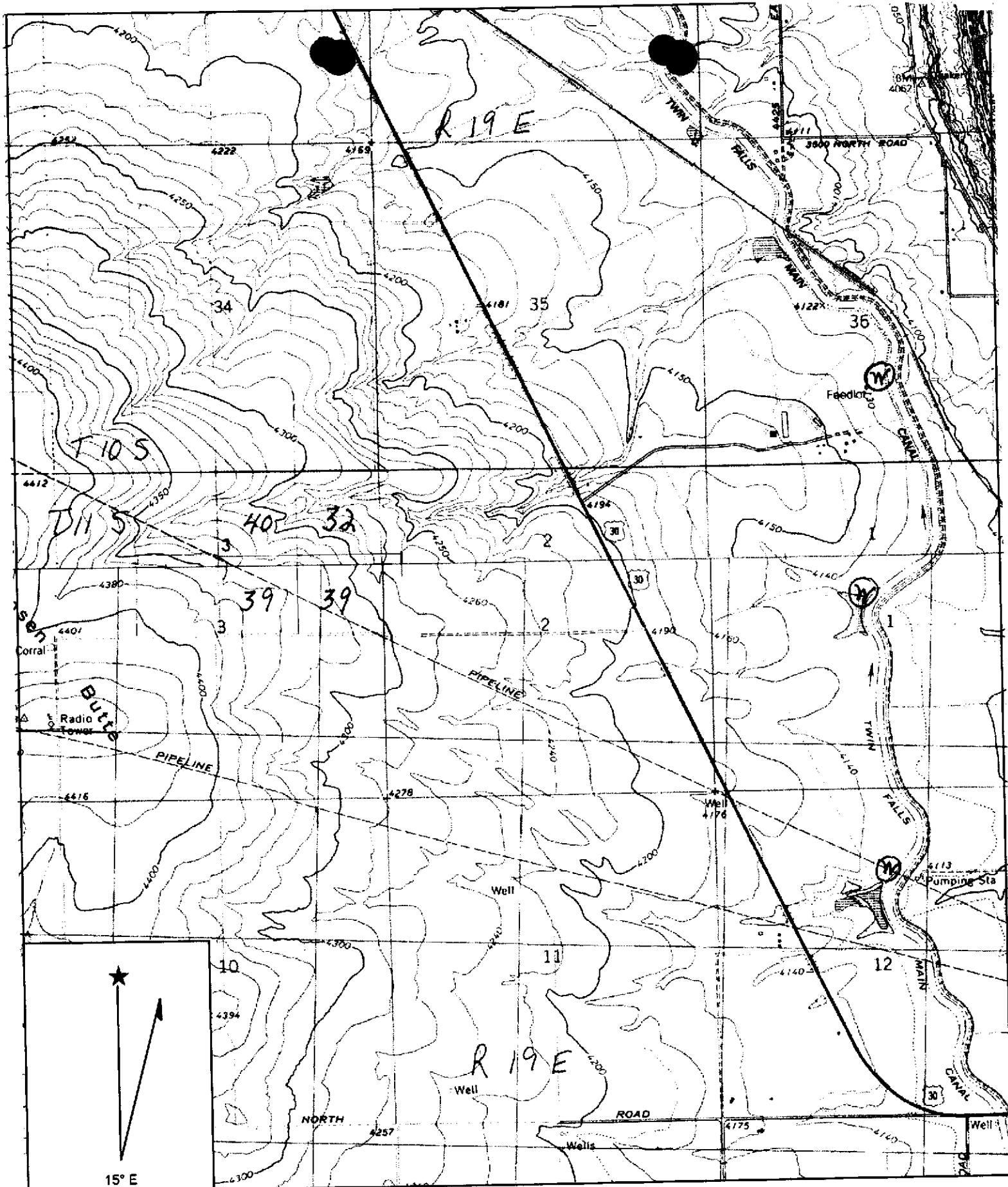
AUTHORIZED AGENT

Received by P. SKINNER Date 4/12/2001 Time NOONISH Preliminary check by P. SKINNER
Fee \$ 330.00 Received by [Signature] # 051603 Date 12/22/2001
Publication prepared by MB Date 5/11/01 Published in Junco News
Publication approved MB Date 6/13/01

* APPLICATION REPLACES APPLICATION FILED 12/22/2000

MICROFILMED
AUG 02 2001

2/3



Name: MURTAUGH
 Date: 4/10/2001
 Scale: 1 inch equals 2000 feet

(W) = WELL, POD

40 = IRRIGATED ACRES PLACE OF USE

Location: 11 729921 E 4708701 N
 Caption: MURTAUGH FARM, APPLICATION FOR PERMIT
 #541-8828
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AUG 6 2001

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RECEIVED

DEC 28 2000

FORM 202
12/99

DEC 22 2000

Department of Water Resources
Southern Region

Ident. No. _____

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

#541-8828

To appropriate the public waters of the State of Idaho

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

1. Name of Applicant _____ Phone 801 240-4656

Mailing address SEE REVERSE SIDE

2. Source of water supply Ground water which is a tributary of N/A

3. Location of point of diversion is Township 10S Range 19E Sec. 36, in the _____
NW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., Twin Falls County

additional points of diversion if any: SE NW section 1 & NWNE section 12, T11S, R19E

4. Water will be used for the following purposes:

Amount 3.00 ^{*see Remarks} for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

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

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

5. Total quantity to be appropriated is (a) 3.00 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source wells pumps &
pipeline (system already developed under Rt 45-07497)

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MICROFILMED

DEC 28 2000

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	19E	3	32	40	39	39													150

Total number of acres to be irrigated 150

10. Describe any other water rights used for the same purposes as described above. See Remarks

11. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: These lands have appurtenant surface water shares from Twin Falls Canal Co. This filing is for supplemental groundwater for these acres. These acres have been irrigated from the system described herein since 1987 as confirmed by the field examination conducted in May of 1987 for Pt. 45-07497. This application ~~is~~ not being filed for more water than was developed by 1987 - it is filed only to pick up the remaining developed acres not covered by the previous right.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this 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.

REAL ESTATE DIVISION LDS CH
NATURAL RESOURCE SECTION
12TH FLOOR EAST
50 EAST NORTH TEMPLE
SALT LAKE CITY, UTAH 84150

mhp Tony F. Pudd
Signature of Applicant (and title, if applicable)
AUTHORIZED AGENT

MICROFILMED
12/19/00
8 2001

Received by J. Mani Date 12/22/00 Time _____ Preliminary check by _____
Fee \$ 330.00 Received by J. Mani # 0051603 Date 12-22-00
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

MEMORANDUM

TO: FILE 45-13403

FROM: VAULT

RE: TRANSFER # 70431

DATE: 4/21/03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 45-2503

MICROFILMED

AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 18, 2003

CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150-6312

RE: License No. 45-13403 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

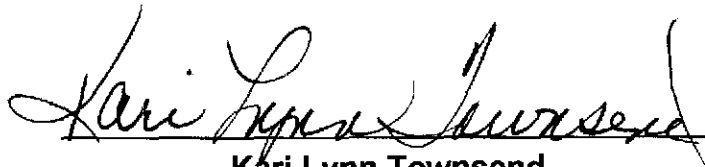
MICROFILMED
MAR 11 2003

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 45-13403

**CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
REAL ESTATE DIVISION
TWELFTH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150-6312**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 05 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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MAR 06 2003

LICENSE REVIEW CHECKLIST

Permit No. 45-13403

Date: 2-11-2003

Reviewer: Kay Walker

Change/OK

Name/Address fix

Source ok

Point of Diversion: ok

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use ok

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

see back for pbl overlap

Overlaps: Right(s): no p/u ok

File reviewed Profile reports printed ok

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate

3.0 cfs

Fee Limit

3.0 cfs

Measured

7.52 cfs

Theoretical

_____ cfs

Recommended Total Diversion Rate

3.0

Water Uses

ok Change (P46)

Season of Use per new Standards

3-15 11-15

Irrigation 3.0 cfs 600. af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 3.0 cfs 600. af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

entire 7.52 cfs x 1.9835 x 246 days = 3669.3 af (vs)

150 acres x 4.0 (FHR) = 600.0 af

~ 3670.0

3.0 (con)

Remarks:

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

NO

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

old overlap

45-7497	3.88 gA
45-2541	1.70 gA
45-2530	1.94 gA
45-13403	7.52 gA
	3.0 gA
	capacity exceeded

4708 AF (1893 in SRBA)
 ↓ Div Rate
 (829.6 in SRBA)
 —
 (636.0 AF in SRBA)
 —
 3358.4 in SRBA
 +
 600.0

3958.4
 exceeds gA limit —
 limit all to
 3670.0 when
 combined

MEMO

FROM: Allen Merritt

DATE: February 5, 2003

TO: Shelly Keen

SUBJECT: Field Exam for 45-13403

Vikie Hancock has completed review of this permit during her SRBA review of the system. She has prepared a memo dated 9/10/2002 which documents her analysis of the permit. Please consider the memo as the field exam for licensing purposes pursuant to our phone conversation this day.

I have attached a draft license for your consideration.

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MAR 11 6 2003

Memo

To: Allen Merritt
From: Vikie Hancock
Date: September 10, 2002
RE: Permit No. 45-13403

I visited the place of use and points of diversion for the above permit on September 05, 2002. I was accompanied by Burke Scholer, representing the LDS Church.

The place of use was planted to grain in 2002 and had been harvested. It appeared that the entire 150 permitted acres were being irrigated and perhaps more, as a portion of the outage seen in 1987 NAPP aerial photos had been cultivated. This outage area consists of a low swale below a hill at the north end of the field. See photo attached.

The points of diversion identified in this permit have been previously measured and licensed under 45-7497, 45-2541 and 45-2530. I visited the three wells in conjunction with my investigation into the corresponding SRBA claims for these rights, but did no additional measurements.

Of the three wells, only one was functioning at the time of my visit. It is located in the SESENW Section 1, T11S, R19E, at the side of what is known as the Mason pond, site tag A0009656. This well was the licensed point of diversion for 45-2530 and the Vertiline pump, serial #22717, matches that noted in the field exam. At the time of the field exam the well was equipped with a 60 HP motor, currently a 125 HP motor is installed, serial #CLJ305103. See photo.

The southern-most well is identified in the licensing files as being in extreme SWNWNE corner of Section 12, T11S, R19E. GPS actually located this well in the extreme NESENW corner, but due to GPS accuracy tolerances I question the necessity of changing the legal description at this time, and have not done so for the SRBA recommendation. This well was originally licensed under 45-2541 and there is still a 50 HP motor installed but I could not read the serial number. The permittee has recently upgraded the power supply and underground delivery pipe at this well site. There is no photo of this well.

The northern-most and newest well does not have a power supply to the site at this time. It is located in the SWNWSE Section 36, T10S, R19E. The permittee has reportedly completed negotiations for an easement for power to the well that is located on land still owned by Uhlig. The well has been re-bored, tested, and is anticipated to be online for the 2003 irrigation season. See photo.

In addition to the permitted points of diversion, there are three other wells on the LDS property that now appear to be co-mingled into a common delivery system. One is located in the SWSWNW Section 35, T10S, R19E, known as the Sande well. It is licensed under 45-7019 for 1.5 cfs on 94 acres, site tag A0009655. The second is located

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MAY 05 2003

in the NESENW Section 12, T11S, R19E. This well is licensed under 45-2503 for 2.1 cfs on 220 acres. It discharges directly into a large pond on the southeastern edge of the LDS farm, where TFCC shares and ground water are mingled and pumped into the common delivery system for the entire farm. The third is also located in the NESENW but is in a field to the northwest of the pond. It is licensed under right 45-2518 for 1.78 cfs and 100 acres. It is possible that there may be an upcoming transfer of place of use of this right.

The six licensed rights for ground water included in the SRBA have not been claimed nor recommended as a permissible place of use.

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MAY 05 2003

45-13403 (PERMIT - NOT PART OF ADJUDICATION)
150 ACRES GROUND WATER

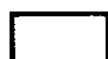


DRAFT

V HANCOCK
IDWR

⊙ WELL

PLACE OF USE THIS RIGHT



FARM BOUNDARY

1987 AERIAL PHOTO
TWP 10S RNG 19E
TWP 11S RNG 19E

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MAY 0 9 2004



Photo taken September 5, 2002. Well located in the SESENW Section 1. Operational at time of visit. Site tag A0009656.

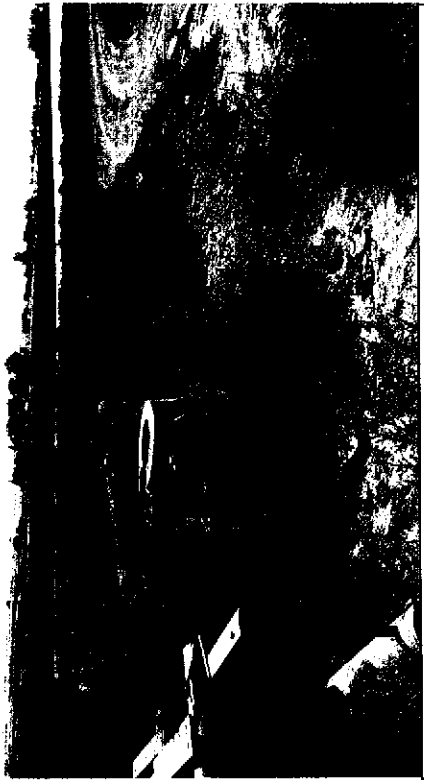
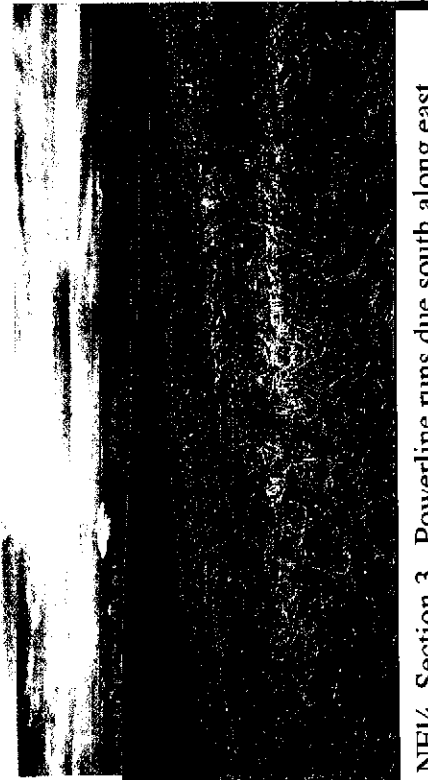


Photo taken September 5, 2002. Well located in the SWNWSE Section 36. Re-bored and pump tested summer 2002. Permittee in process of bringing power into site.



Photo taken September 5, 2002 from the NE corner of the NE 1/4 Section 3. Powerline runs due south along east boundary of place of use.





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-13403

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

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AUG 6 8 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 45-13403

Reviewed By: dgibson

Date: July 17, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	C051603, C054877		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	07/16/2001
Date proof due	- 10/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 12/22/2000
New priority date	= 12/22/2000

Deficiencies of Actions Items

Acknowledge proof.

Hold for John Carlson to review drilling permit requirements on this right to be sure permit holder has complied with ~~the~~ ground water statutes & regs.

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AUG 5 8 2001

RECEIVED

JUL 16 2001

Department of Water Resources

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

RECEIVED

JUL 16 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

July 12, 2001

Reference reply to:
MURTAUGH ID FARM
#541-8828

Writer's Direct Line
(801) 240-4656

SHELLEY W KEEN
IDAHO DEPARTMENT OF WATER RESOURCES
P O BOX 83720
BOISE ID 83720-0098

Dear Mr. Keen:

Enclosed is the **PROOF OF BENEFICIAL USE** for Permit No. 45-13403 along with our check for \$150.00 to cover the license examination fee.

If you require additional information please call me.

Sincerely,
NATURAL RESOURCE SECTION



M. Glade Pincock, Manager
Water Resources Group

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AUG 08 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 25, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

RE: Permit No. 45-13403

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

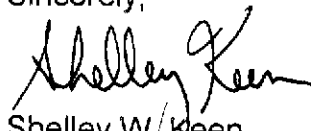
MICROFILMED

AUG 08 2001

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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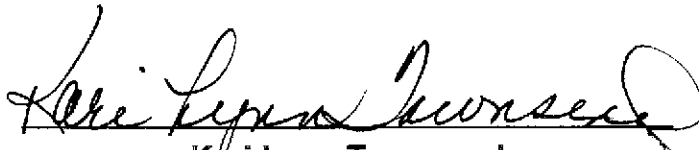
AUG 08 2001

CERTIFICATE OF MAILING

I hereby certify that on June 25, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 45-13403

**CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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AUG 02 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Reviewed by Sharla Curtis on 6/19/01

AREA OF CONCERN:	No/Yes	Moratorium	GWMA	TRUST/NON-TRUST
------------------	--------	------------	------	-----------------

COMMENTS

LDS Church

FORM NO.202A
REVISED 7/31/98

APPLICATION NO. 45-13403
App# 69031

RECEIVED

JUN 15 2001

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY A. SKINNER DATE 4/16/2001

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt?

++++PROPOSED PRIORITY DATE 12/22 ~~19~~ 2000

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. TFCC shares
- ☒ Overlapping point of diversion. 45-7497, 45-2530, AND 45-2541
- ☐ Yes ☒ No Is Source Surface Water?
- ☐ If Yes Send Copy to F&G.
- ☐ If Yes Field check/memo required.
- ☐ Field check/memo by _____
- ☐ Yes ☒ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☐ Yes ☒ No Groundwater management area?
- ☐ Yes ☒ No Measurement District or Groundwater District?
- ☐ What District? _____
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ Yes ☒ No Power efficiency form?
- ☒ Yes ☐ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☒ Yes ☐ No Is Application made to record Pre Nov 1987 Development?
- ☐ If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USPS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?
☐ Yes ☒ No Statewide Advertising?
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?
☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? _____

☐ Yes ☒ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo _____

Date of priority recommended: 6/14/01
12/22/2000

COMMENTS:

RECOMMEND

☒ Approval

☐ Denial

By

km

Date

6/14/01

MEMO

RECEIVED

JUN 15 2001

FROM: Allen Merritt *Am* DATE: June 14, 2001

TO: Permit No: 45-13403

In the Name of

SUBJECT: Review and Recommendation

This application is for pre-1987 development of irrigation use. The use is well documented in the licensing field exam for 45-07497 conducted 8/28/1987.

The application was advertised without protest.

Recommendation

I recommend that the application be approved subject to the following conditions:

- Approval of this permit does not authorize the irrigation of more acres than exist, rather it covers acres already irrigated.
- Use of this right is limited to the system capacity of system documented under FE for 45-07497.
- This right is supplemental to Surface Water (TFCC Shares).
- Other conditions as may apply.

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AUG 8 2001

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER RESOURCES	
AD NUMBER 308038	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 05/24/01
AD DESCRIPTION LDS REAL ESTATE DIVISION		START DATE 05/17/01	STOP DATE 05/24/01
PUBLICATION 4 THE TIMES NEWS LEGAL	INSERTIONS 2	RATE LGL FC	NET AMOUNT 90.68
FLAT CHARGE			GROSS AMOUNT
TOTAL AD CHARGE			
45-13403			
DAYS RUN			
PURCHASE ORDER legal		PAY THIS AMOUNT	90.68
			90.68*

*OK MB
6/13/01*

MESSAGE:

RECEIVED

MAY 29 2001

Department of Water Resources
Southern Region

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL

P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER 308038	CLASS 050 LEGAL	START DATE 05/17/01	STOP DATE 05/24/01
AD DESCRIPTION LDS REAL ESTATE DIVISION		BILLING DATE 05/24/01	TELEPHONE NUMBER 208-736-3033

GROSS AMOUNT OF
90.68
DUE AFTER

☐ VISA ☐ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: ____/____/____

SIGNATURE: _____

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

WATER RESOURCES
208-736-3033
83301

|||||

TOTAL AMOUNT DUE 90.68
ENTER AMOUNT ENCLOSED

2040000000308038000000000000000000906800000090689

NOTICE OF APPLICATION

Application No. 45-13483 has been filed to appropriate the public waters of the State of Idaho; Twin Falls County:

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

Source GROUND WATER

Point(s) of Diversion: NWSE, S36 T10S R19E; SENW, S1;

NWNE, S12 T11S R19E

Use: 03/15 To 11/15

IRRIGATION (3.00 CFS)

Date Filed: 12/22/2000

Place Of Use: 150 acres within NE S03 T11S R19E

Permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. The application proposes to divert groundwater from the "Eastern Snake River Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 4, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 5/17 & 5/24/01.

of Publication

AHO
TWIN FALLS } SS.

Aufferheide being first duly sworn upon oath, depose
n principal clerk of the TIMES-NEWS, published daily at,
o, and do solemnly swear that a copy of the notice of advertisement, as per clipping
ublished in the regular and entire issue of said newspaper, and not in any supplement

two consecutive weeks
ith the issue dated May 17, 2001,
the issue dated May 24, 2001.

urther certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
ublished theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
th of which newspapers prior to consolidation had been published under said names in said city and
ly and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
ewspaper began daily publication under said name in said city and county continuously and unin-

er certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
h legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
hursday is announced as the day on which said legal notices will be published.

IN FALLS
-th

day of May in the year 2001, before me,
ersonally appeared Ruby Aufferheide,
d to me to be the person whose name subscribed to the within instrument, and being by me first
ed that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires:

Irene Feltman

5/16/06

OK
MB
6/13/01

MICROFILMED
JUN 8 2001

RECEIVED

MAY 29 2001

Department of Water Resources
Southern Region

No 33765

RECEIVED

MAY 29 2001

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.Department of Water Resources
Southern Region

No 33765

I, Ruby Ouyderheide, being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive week, commencing with the issue dated May 17, 2001, and ending with the issue dated May 24, 2001.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 25th day of May in the year 2001, before me, a Notary Public, personally appeared Ruby Ouyderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

TREVA FELTMAN
NOTARY PUBLIC
STATE OF IDAHO

Treva Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/16/06

MICROFILMED
APR 18 2001OK MB
6/13/01

NOTICE OF APPLICATION

Application No. 45-13403 has been filed to appropriate the public waters of the State of Idaho; Twin Falls County:

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

Source GROUND WATER
Point(s) of Diversion: NWSE, S36 T10S R19E; SENW, S1;
NWNE, S12 T11S R19E
Use: 03/15 To 11/15
IRRIGATION (3.00 CFS)
Date Filed: 12/22/2000
Place Of Use: 150 acres within NE S03 T11S R19E

Permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. The application proposes to divert groundwater from the "Eastern Snake River Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application. Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 4, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 5/17 & 5/24/01.

MICROFILMED

AUG 10 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 11, 2001

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

ATTN M GLAD PINCOCK

RE: Application for Permit No. 45-13403

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Times News on 5/17 & 5/24/01. Submittal of protests to this application will be allowed for a period ending ten days after the second publication. (June 4, 2001)

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED

AUG 6 8 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 11, 2001

ATTN LEGALS DEPT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Baldwin".

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

MAY 11 2001

NOTICE OF APPLICATION

Application No. 45-13403 has been filed to appropriate the public waters of the State of Idaho; Twin Falls County:

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

Source GROUND WATER

Point(s) of Diversion: NWSE, S36 T10S R19E; SENW, S1; NWNE, S12 T11S R19E

Use: 03/15 To 11/15

IRRIGATION (3.00 CFS)

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Karl J. Dreher, Director

Published in the Times News on 5/17 & 5/24/01.

MICROFILMED

APR 8 2001

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

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

April 10, 2001

RECEIVED
APR 12 2001
Department of Water Resources
Southern Region

Reference reply to:

MURTAUGH ID FARM
#541-8828

Writer's Direct Line
(801) 240-4656

COREY SKINNER PE
ID DEPT OF WATER RESOURCES
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301-3380

Dear Mr. Skinner:

Thank you for your letter of 2001 March 21 requesting additional information on our *Application for Permit* to pick up 150 acres of irrigated land which was developed prior to 1987 but which were not included on a previous application. We have received the *Water Right License 45-07497* for 1177 acres dated 2001 January 12.

The following quote from Sharla Curtis dated 2000 August 7 applies to the enclosed *Application for Permit*.

"The place of use has also been modified to only list 1177 acres which is the maximum number of acres that were permitted under this filing (45-07497). Our examiner found a total of 1327 acres irrigated by this system and the enclosed partially-completed application for permit picks up those remaining 150 acres. As I explained to you on the phone, all 1327 acres were developed prior to 1987 (as confirmed by our field examiner in May of that year) and this fact will allow us to process the new application without holding it up because of the moratorium that currently affects new filings in that area."

On 2000 December 19 I submitted the application along with fee of \$330.00 to Sharla Curtis. You returned the same application to me for further documentation. I have prepared a new *Application for Permit* which contains all the required information plus a map. The new application is enclosed. You gave me 30 days to comply and I have used only 20 days.

If you require additional information please give me a call. Thanks for your patience and courteous service in processing this application.

Sincerely

NATURAL RESOURCE SECTION, Water Resources Group, M. Glade Pincock, Manager

MICROFILMED
M. Glade Pincock
AUG 6 8 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 21, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR E
50 E N TEMPLE
SALT LAKE CITY, UT 84150

Dear Applicant(s):

The Department of Water Resources has received your water right application. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. I have returned a copy of your application for your review. Please address the insufficient items described below in another application that can replace your existing, currently filed application.

- The ownership of point of diversion (item 11a) was not provided.
- The ownership of place of use (item 11b) was not provided.
- The Landowner Agreement (item 11c) was not provided (if needed).
- A map showing the proposed points of diversion and place of use was not provided.

Please note that I have given you 30 days from the date of this letter to submit a complete application that addresses the deficiencies outlined above. If a replacement application is not received in 30 days, I will return your original application, and initiate a refund of your filing fee.

If you have any questions, or need any further assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

Enclosure
MICROFILMED

AUG 02 2001