

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31890

Priority: December 22, 2003

Maximum Diversion Rate: 0.09 CFS

This is to certify, that CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312

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	03/01 to 11/15	0.09 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, Twp 04N, Rge 01W, B.M., ADA 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	
04N 01W 17							3.0										3.0
Total Acres:																	3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water bearing zone to be appropriated is from 100 to 200 feet.
6. Mitigation for consumptive use of water under this right shall be provided by Right 63-00183 as approved by Transfer 71198.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31890

8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of December, 20 04.


FOR KARL J DREHER, Director

RECEIVED

RECEIVED

DEC 10 2004

Ident. No. 63-31890 12/99

STATE OF IDAHO

MAR 01 2004

DEPARTMENT OF WATER RESOURCES

RECEIVED

WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

DEC 22 2003

To appropriate the public waters of the State of Idaho

AMENDED

WATER RESOURCES
WESTERN REGION

The Corporation of the Presiding Bishop of The Church of

1. Name of Applicant Jesus Christ of Latter Day Saints, a Utah Corporation Sole Phone 801-240-4657Mailing address Natural Resources Office, 50 East North Temple, Salt Lake City, UT 84150-63212. Source of water supply Groundwater which is a tributary of _____3. Location of point of diversion is Township 4N Range 1W Sec. 17, in the _____ 1/4,SW 1/4, NW 1/4, Govt. Lot _____, B.M., Ada County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.09 cfs 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) 0.09 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 well (6" x 150') with submersible pump discharging into a pressurized irrigation systemb. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc. Proposed well diameter is 6 inches; proposed depth of well is 150 feetd. Is ground water with a temperature of greater than 85°F being sought? noe. If well is already drilled, when? No; 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 5 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. _____

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	
4N	1W	17							3										3

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. Pioneer Ditch Company

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: Proposed use is irrigation of approximately 2.8 acres of landscape at the 4.3-acre LDS Church property located at 482 S. Main Street Star. See attached mitigation plan. Water-bearing zone to be appropriated is 100 to 200 feet. JMD

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.

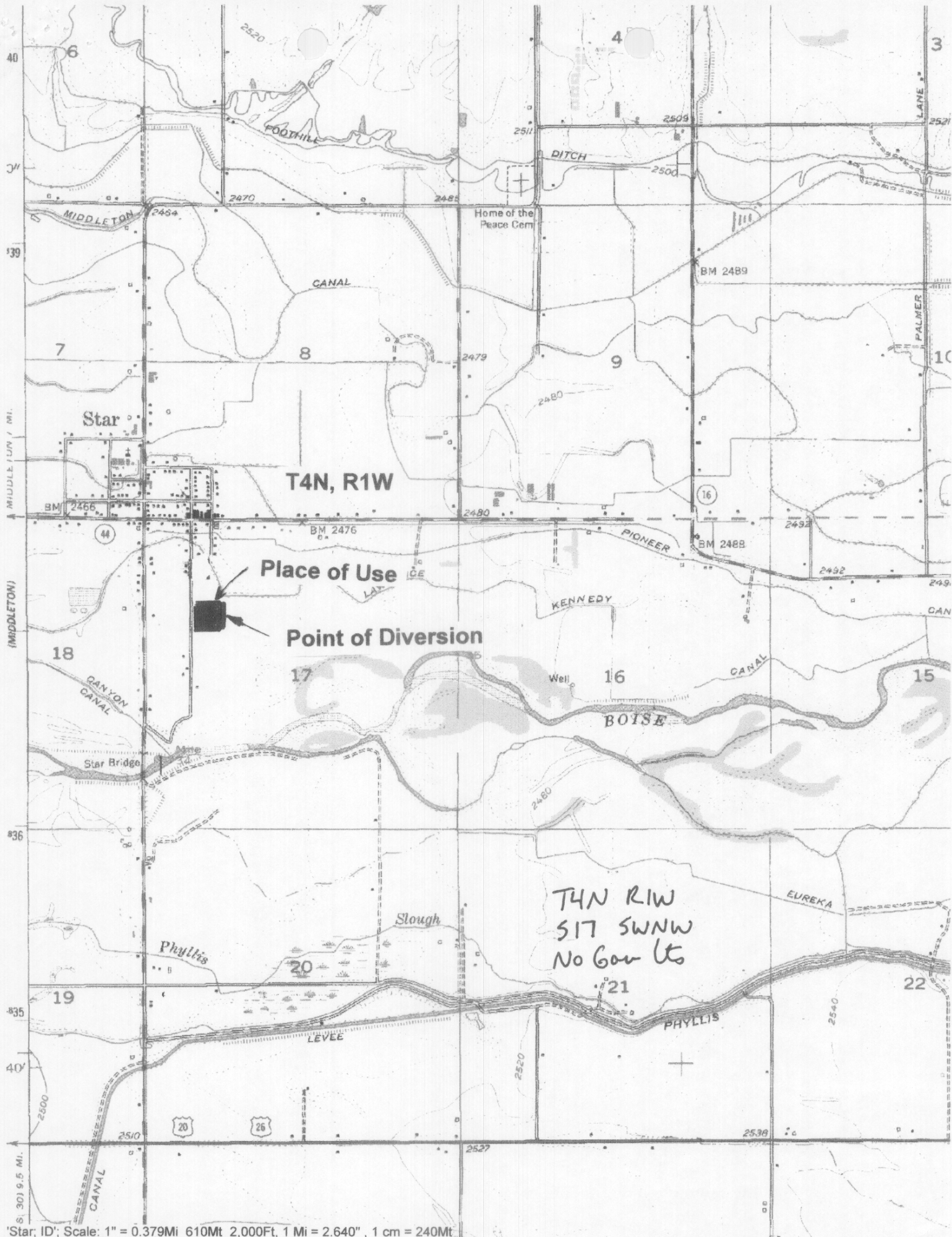
Ty F. Fudd GSC
Signature of Applicant (and title, if applicable) **AUTHORIZED AGENT**

Received by KG Date 12/22/03 Time 12:39 Preliminary check by LG
Fee \$ 10000 Receipted by KG # W031204 Date _____
Publication prepared by sk Date 10-7-14-04 Published in **THE IDAHO STATESMAN**
Publication approved sk Date 10-25-04

**Mitigation Plan for Water Right Application by
The Church of Jesus Christ of Latter Day Saints
Star, Idaho**

As a part of the attached application for permit to appropriate groundwater for irrigation purposes, The Church of Jesus Christ of Latter Day Saints proposes the following mitigation plan to prevent injury to other water rights.

1. The application for permit proposes appropriation of 0.09 cfs for irrigation of a maximum of 3 acres of landscape irrigation on Church property at 484 S. Main Street, Star, Idaho.
2. To mitigate for the consumptive use and depletive effect on the Boise River resulting from the groundwater diversion and irrigation water use proposed by the application for permit, the applicant shall leave three shares (0.06 cfs) of Pioneer Ditch Company water in the Boise River. The nature of use of 0.06 cfs of water right 63-183 (June 1, 1870 priority) shall be changed to mitigation through a water right transfer.
3. As a result of this mitigation plan, no detrimental impacts to existing water rights are anticipated.



Star, ID; Scale: 1" = 0.379Mi 610Mt 2,000Ft, 1 Mi = 2.640" , 1 cm = 240Mt

63-31890

Now
Starting
Right Side
of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 15, 2004

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312

RE: Permit No. 63-31890

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

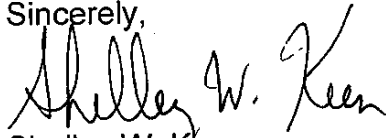
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

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 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

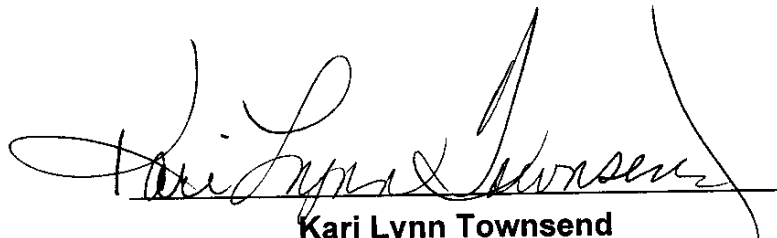
I hereby certify that on December 15, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-31890

**CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312**

**SPF WATER ENGINEERING LLC
C/O TERRY SCANLAN
600 E RIVER PARK LN STE 105
BOISE ID 83706**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

Comment Report

63-31890

1. scurtis 5/4/2004 Legal Notice Remarks

Comment: Water bearing zone to be appropriated is from 100 to 200 feet.

Mitigation is proposed for consumptive use on accompanying transfer application no. 71198.

2. Igraves 5/5/2004 Comment/Analysis

Comment: P/U is the LDS church grounds located at 484 S. Main Street, Star ID.

Accompanying transfer no. 71198 has been filed by Pioneer Ditch Co. to mitigate the consumptive use associated with this proposal. Applicants have 6 shares of Pioneer Ditch Co. water appurtenant to their property. Three of these shares will be left in the Boise River as mitigation. No other rights are used.

3. kwalker 12/13/2004 Permit Review

Comment: Application submitted with transfer that covers mitigation use. See mitigation under 63-00183. Season of use was advertised as standard for area. Recommend approval.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 29, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

E GAIL MCGARRY
US BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

LDS CHURCH
NATURAL RESOURCES OFFICE
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6321

Re: Application for Permit No. 63-31890 in the Name of The Church of Jesus Christ of Latter Day Saints

Dear Parties:

This letter acknowledges the withdrawal of protest of the above referenced application for permit.

The department will now continue to process this application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Westra', is written over a horizontal line.

JOHN WESTRA
Western Regional Manager

JW:sk

CC: KATHLEEN CARR ATTORNEY
BOR OFFICE OF FIELD SOLICITOR
FEDERAL BLDG RM 365
550 W FORT ST
BOISE ID 83724

RECEIVED

NOV 29 2004

WATER RESOURCES
WESTERN REGION

E. Gail McGarry
Program Manager, Water Rights and Acquisition
PN-3100
Bureau of Reclamation
1150 N. Curtis Road
Boise, ID 83706-1234

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

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-31890 in the)
name of THE CORPORATION OF THE)
PRESIDING BISHOP OF THE)
CHURCH OF JESUS CHRIST OF)
LATTER DAY SAINTS)

NOTICE OF WITHDRAWAL OF PROTEST

The Bureau of Reclamation hereby withdraws its Protest of Application for Permit No. 63-31890, which the Bureau of Reclamation filed on October 25, 2004.

DATED this 26th day of November 2004.


E. GAIL MCGARRY
Program Manager, Water Rights and Acquisition
Pacific Northwest Region, Bureau of Reclamation

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of November, 2004, I served a true and correct copy of the foregoing *Withdrawal of Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Church of Jesus Christ of Latter Day Saints
Natural Resources Office
50 East North Temple
Salt Lake City, UT 84150-6321


E. Gail McGarry

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 25 2004
WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under section 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all the necessary information.

1. Matter being protested: Application for Permit No. 63-31890 in the name of The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, a Utah Corporation Sole, Natural Resources Office, 50 East North Temple, Salt Lake City, UT 84150-6321

2. Name of Protestant: United States Department of Interior Bureau of Reclamation

3. Protestant's representative for service (if different than Protestant):
E. Gail McGarry, Program Manager, Water Rights and Acquisitions, Bureau of Reclamation, Pacific Northwest Region

4. Service mailing address:
E. Gail McGarry, PN-3100, Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise, ID 83706-1234

5. Service telephone number: (208)378-5306

6. Basis of protest (including statement of facts and law upon which the protest is based):
Injury to Reclamation's Boise Project water rights.

7. What would resolve your protest? Clarification of mitigation plan.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 25th day of October, 2004

United States, Protestant

E. G. McGarry

PROTESTANT'S REPRESENTATIVE

Certificate of Service

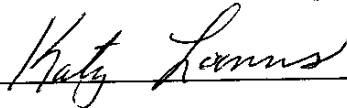
The undersigned does hereby certify that on this 25th day of October, 2004, he or she caused a true and correct copy of the Protest Application for Permit No. 63-31890 transmitted by the following means:

Original hand delivered to:
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

U.S. mail to:

Church of Jesus Christ of Latter Day Saints
Real Estate Division
12th Floor East
50 E. North Temple
Salt Lake City, UT 84150-6312

SPF Water Engineering LLC
C/O Terry Scanlan
600 E River Park Ln Ste 105
Boise, ID 83706

_____

Idaho Department of Water Resources Receipt

Receipt ID W032340

Payment Amount \$25.00 Date Received 10/25/2004 4:28:41 PM Region Western Status 
Payment Type Check Check Number 131

Payer BUREAU OF RECLAMATION/KATY LOOMIS

Comment Protest Fee - 63-31890
LDS Church

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	PROTESTS	0229	21	62103	1155



Signature Line (Dept. Representative)

The Idaho Statesman

RECEIVED

OCT 15 2004

WATER RESOURCES
WESTERN REGION

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	1167745	APPLICATION CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS	\$131.00
Attention:	P.O. #	Run Dates	
SUE KREGER		OCTOBER 7, 14, 2004	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 2 X 36
			Affidavit 1
			Legal # 20554

LEGAL NOTICE

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

63-31890
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312

Point(s) of Diversion SWNWS17 T04N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/01 To 11/15 0.09 CFS
Total Diversion: 0.09 CFS
Date Filed: 12/22/2003
Place Of Use: IRRIGATION
T04N R01W S17 SWNW
Number of Acres 3

Remark: Water bearing zone to be appropriated is from 100 to 200 feet.
Mitigation is proposed for consumptive use on accompanying transfer application no. 71198.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 10/25/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Oct. 7, 14, 2004.

20554

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: OCTOBER 7, 2004

ending issue of: OCTOBER 14, 2004

Janice Hildreth

STATE OF IDAHO)
) ss

COUNTY OF ADA)

On this 14 day of OCTOBER in the year of 2004
before me, a Notary Public, personally appeared before me
Janice Hildreth 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 she executed the same.

Jordana J Brightman

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/20/06



**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

September 29, 2004

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit Nos. 63-31811, 63-31812, 63, 31813, 63-31814, 63-31859, 63-31890,
63-31974, 63-31975, 63-31999

Application for Transfer Nos. 71237, 71109, 70947, 71198, and 71357

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/25/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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

63-31890

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY UT 84150-6312

Point(s) of Diversion SWNW S17 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 12/22/2003

Place Of Use: IRRIGATION

T04N R01W S17 SWNW

Number of Acres 3

Remark: Water bearing zone to be appropriated is from 100 to 200 feet.

Mitigation is proposed for consumptive use on accompanying transfer application no. 71198.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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KARL J DREHER, Director

Published in the Idaho Statesman on October 7 and 14, 2004.