

of spring, pond, and point of use.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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

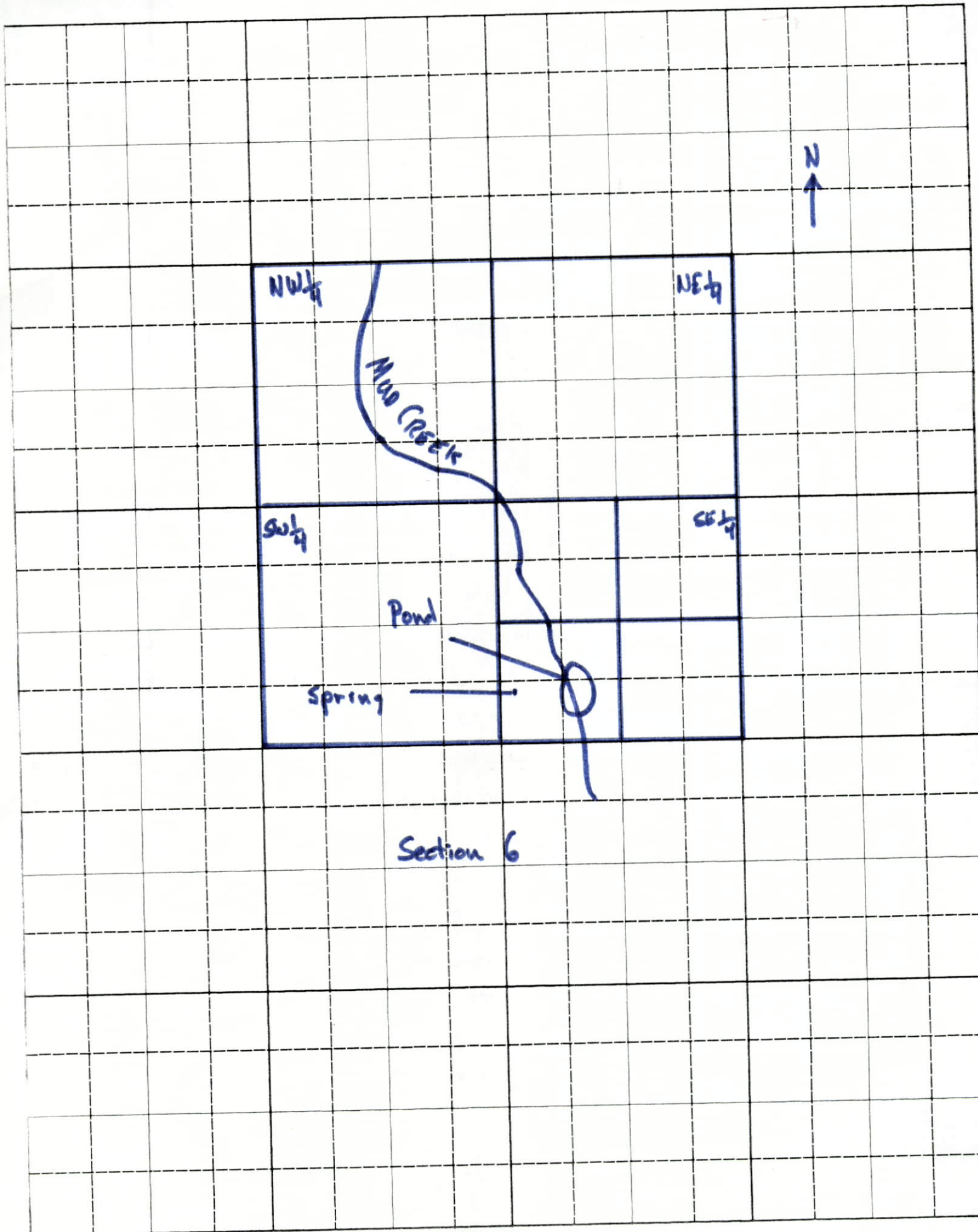
BY:

*R. C. Ogley*  
(Applicant)

AUTHORIZED AGENT

JJR

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Corporation of the Presiding Bishop of the  
Church of Jesus Christ of Latter-Day Saints  
a Utah Corporation sole.

By:

Authorized

Agent

*[Signature]*

North



Mud Creek  
Pond  
3 acres in size  
3 feet deep  
Recreation Area  
Springs

4th

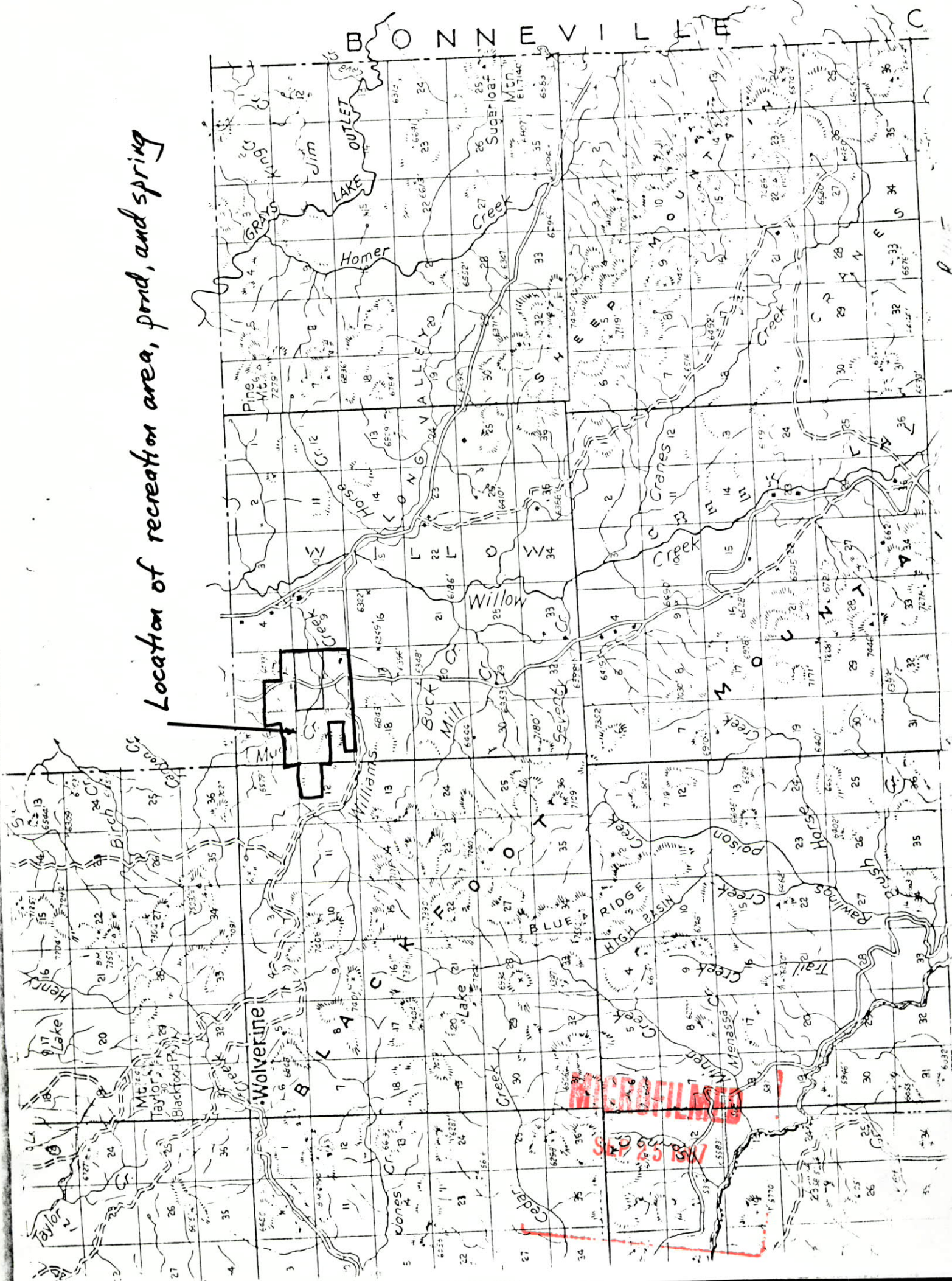
Springs

Sellers Creek

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SEP 25 1987

T. 2 S.

T. 3 S.



**NOTICE OF AMENDED  
APPLICATION FOR  
WATER PERMIT**

Notice is hereby given that Application for Permit No. 25-7360 in the name of the Church of Jesus Christ of Latter Day Saints, Salt Lake City, Utah was filed for the diversion of .25 cfs and/or 9 AF of water from a spring and Mud Creek, tributary to Mud Creek, the point of diversion within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 6, T. 2S, R. 40E, B.M., Bingham County, 9 AF of the water to be used for storage for recreation Jan. 1 to Dec. 31, .02cfs of the water to be used for domestic purposes from May 1 to Sept. 31, and .23 cfs of the water to be used for diversion to storage from Jan. 1 to Dec. 31, within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 6, T. 2S, R. 40E.

The applicant now proposes to amend Application No. 25-7360 for the diversion of .02 cfs and/or 9 AF of water within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 6, T. 2S, R. 40E, B.M. Bingham County. Only .02 cfs of the water will be used for Domestic purposes from May 1 to Sept. 31 and 9 AF will be used for storage for recreation from Jan. 1 to Dec. 31 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec., 6, T. 2S, R. 40E, B.M.

Any protest to the proposed amending of the application must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before May 4, 1987.

A. Kenneth Dunn  
Director

(9497)  
Pub.: 4/16, 23

**MICROFILMED**

**SEP 25 1987**

**RECEIVED**

**APR 29 1987**

Department of Water Resources  
Eastern District Office

**AFFIDAVIT of PUBLICATION**

County of Bingham )

State of Idaho )

I, Michael Bell do  
solemnly

swear that I am the Publisher of  
The Morning News which is a daily newspaper of general  
circulation published each day except Sunday at  
Blackfoot, Bingham County, Idaho, said newspaper hav-  
ing been so published at Blackfoot, aforesaid for more  
than one year past; that said newspaper heretofore com-  
plied with all the provisions of Chapter 164 of the Ses-  
sions Laws of Idaho of 1933, approved March 11, 1933,  
and duly designated, pursuant to law, a particular day of  
the week as the day on which legal notices required by  
law or by the order of any Court of competent jurisdiction  
within the State of Idaho shall be published to-wit: thursday  
of each week; that the notice attached hereto and which  
is a part of this affidavit and part of the proof of  
publication was published in said issue or said  
newspaper two consecutive weeks,

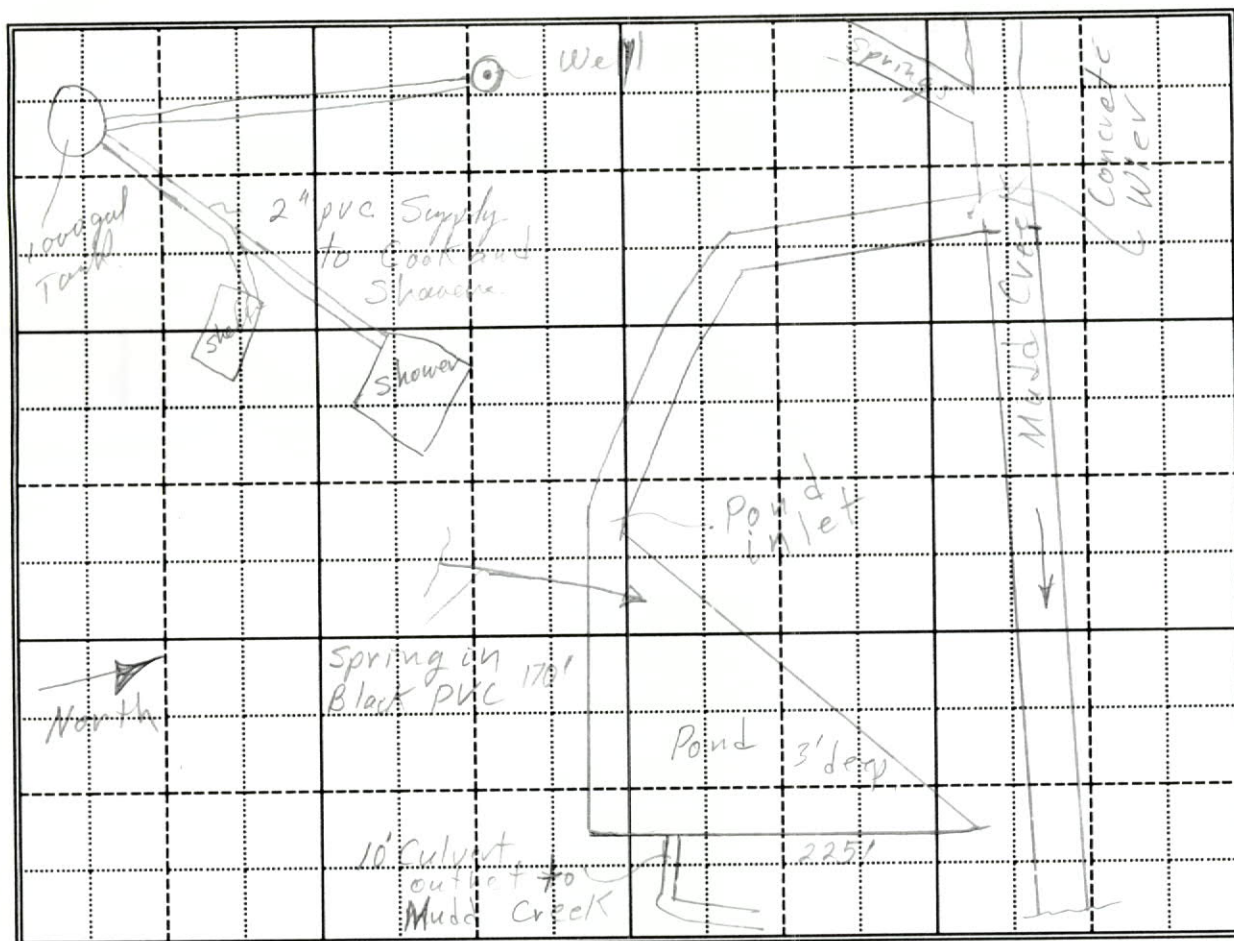
the first publication having been made on the  
16th day of April, 19 87.

and the last publication having been made on the  
23rd day of April, 19 87;  
that said notice was published in the regular and entire  
issue of every number of the paper as aforesaid during  
the period and time of publication, and that notice was  
published in the newspaper and not in a supplement.

Michael Bell  
Subscribed and sworn to before me this 27th  
day of April, 19 87.

Alvin Baumgartner  
Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Aug. 20, 1992

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | ?          | ?  | ?                | ?         | 2" PVC                            |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

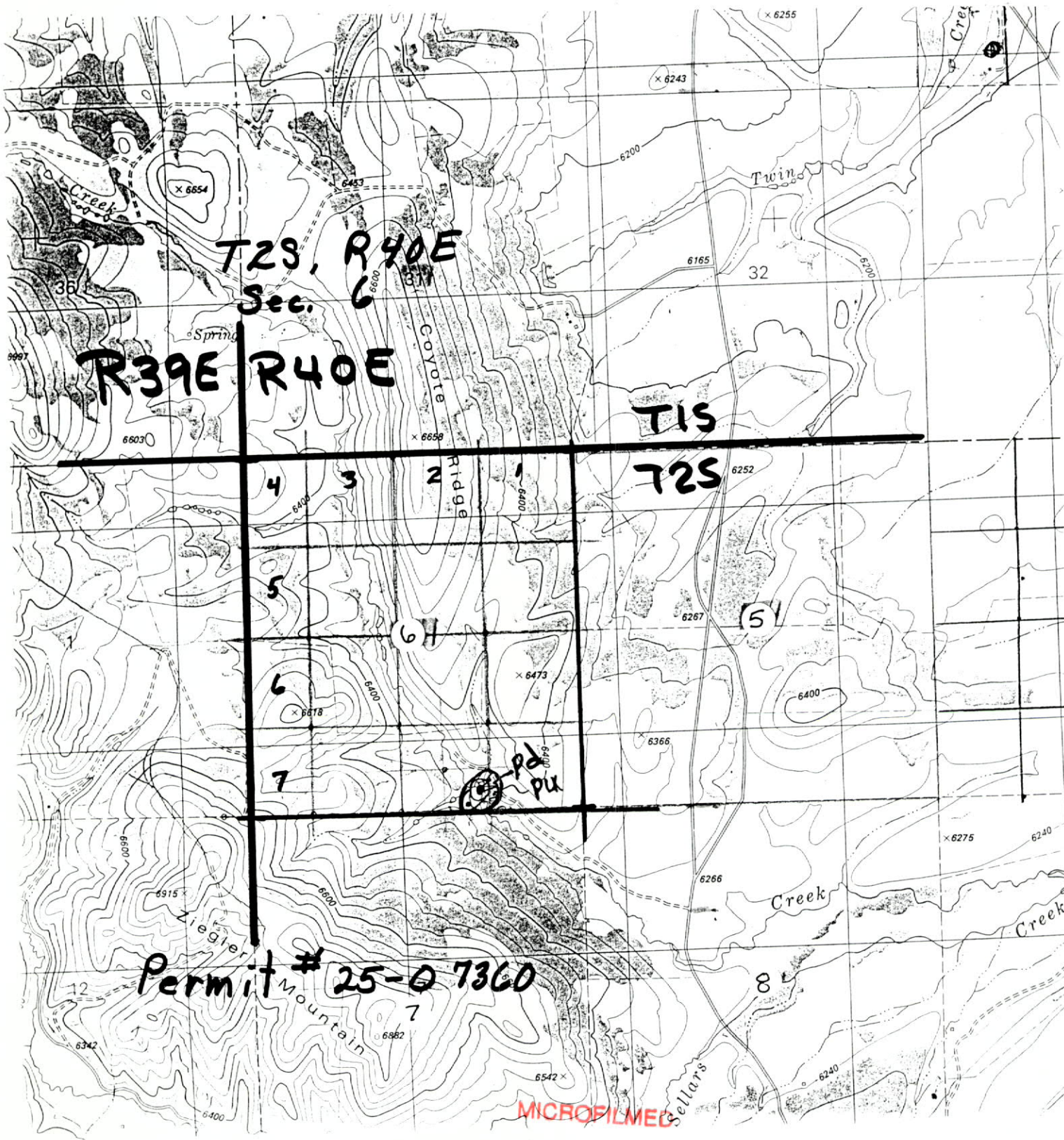
1.

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

2. Measurements: \_\_\_\_\_

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Storage pond looking South.

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Dermat #  
25-7360



Looking West at the junction of spring and mud Creek.



Looking South at inlet to pond and mud Creek

Permit #  
25-7360

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pond outlet looking South West.



Spring inlet to pond looking South,

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Permit #  
25-7360



Well and generator Motor Cover looking West.



Top of storage Tank (1000 gal) looking South East

Permit #  
25-7360

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JUN 08 1999

State of Idaho  
Department of Water Resources

# Water Right License

WATER RIGHT NO. 25-07360

Priority: June 23, 1983

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

15.8 AF

This is to certify, that CHURCH OF JESUS CHRIST LATTER DAY SAINTS

50 E N TEMPLE

SALT LAKE CITY UT 84111

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 23, 1983; and has submitted Proof of Beneficial Use on August 10, 1987. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to MUD CREEK

MUD CREEK

tributary to SELLARS CREEK

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| RECREATION            | 01/01 to 12/31       | 0.02 CFS                 | 14.5 AF              |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 1.3 AF               |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 0.02 CFS                 |                      |
|                       | Totals               | 0.02 CFS                 | 15.8 AF              |

LOCATION OF POINT(S) OF DIVERSION:

SESWSE , Sec. 6, Township 02S, Range 40E  
BINGHAM County

PLACE OF USE: RECREATION

TWN RGE SEC

02S 40E 6

SWSE

## CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Two points of diversion are located within SESWSE, S6, T2S, R40E.

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30 day of

JUNE, 1999

MICROFILMED for

KARL J. DREHER, Director

JUN 08 1999

State of Idaho  
Department of Water Resources

# 530-6108

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 25-07360**

Date of Priority: June 23, 1983

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume: 15.8 AF

Comes now CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
50 E N TEMPLE  
SALT LAKE CITY UT 84111

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the  
State of Idaho No. 25-07360, and requests that the permit be changed as follows:

Source: SPRING tributary to MUD CREEK  
Source: MUD CREEK tributary to SELLARS CREEK

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| RECREATION            | 01/01 to 12/31       | 0.02 CFS                 | 14.5 AF              |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 1.3 AF               |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 0.02 CFS                 |                      |
|                       | Totals               | 0.02 CFS                 | 15.8 AF              |

LOCATION OF POINT(S) OF DIVERSION: SESWSE , Sec. 6, Township 02S, Range 40E  
BINGHAM County

PLACE OF USE: RECREATION  
TWN RGE SEC  
02S 40E 6 SWSE

Permit holder asserts that no one will be injured by such change and that such change  
will be made at permit holder's own risk.

Signed at Salt Lake City, Utah, this 25th day of May, 1999.

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

JUN 08 1999

(Signature)

AUTHORIZED AGENT

GSC  
TR

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 25-07360**

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by WU Fee = 50 Received by WU # 0045565 Date 5/28/99

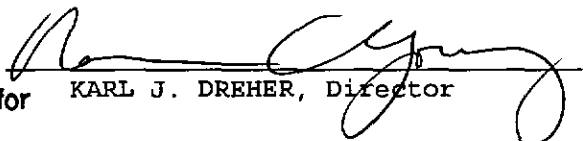
**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 25-07360 with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. Use of water under this water right will be regulated by the  
watermaster of State Water District No. 01.
2. Two points of diversion are located within SESWSE, S6,  
T2S, R40E.

Witness my hand this 3<sup>RD</sup> day of JUNE, 1999.

  
Acting for KARL J. DREHER, Director

MICROFILMED  
JUN 08 1999

Form 217  
03/86

RECEIVED

AUG 20 1987

AUG 10 1987

Department of Water Resources  
STATE OF IDAHO  
Department of Water Resources  
Eastern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only  
Fee Received 50.00  
Date 8-10-87  
Receipt # 44468  
Receipt by [Signature]  
Reviewed by [Signature]  
Sent to region 101687

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

Permit No. 25-7360

Name(s) of Permit Holder: Corp. Of the Presiding Bishop, Church of Jesus Christ of LDS

Post Office Address: 50 East No. Temple, 12th floor Salt Lake City, Ut. 84150

Telephone No. -801-531-4074

Source of Water: Surface flow- Mud Creek

Extent of Use:

Domestic .02 cfs (number of households)

Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation \_\_\_\_\_ (acres)

Other/Remark Recreation storage 9 AF

Total rate and/or volume for which proof is submitted .02 cfs cfs 9 AF acre-feet

Show the date water was first diverted and beneficially used under this permit: 5-1-79

Measuring Device: Required? ☐ Yes ☐ No  
Installed? ☐ Yes ☐ No

Fee enclosed \$ 50.00  
(See License Examination Fee Schedule)

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

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

X Lynn Chadwick (Name) (208) 529-3457 (Telephone Number)

X 2190 Rimrock Dr. Idaho Falls, Id. 83401 (Address)

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

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

X Julie A. Baker SEP 25 1987

Date

Signature of Permit Holder (and title, if appropriate)

AUTHORIZED AGENT

510-8888

Form 202  
6/85

Ident. No. 25-7360

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

AMENDED

APPROVED  
AMENDED

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

ATTENTION: Real Estate Dept.

1. Name of applicant a Utah Corporation sole Phone 800-453-3860

Post office address 50 East North Temple, Salt Lake City, Utah 84111

2. Source of water supply spring & Mud Creek which is a tributary of Mud Creek

3. Location of point of diversion is SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_

Sec. 6 Township 2S Range 40E B.M. Bingham County; additional

points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Storage for  
Amount 9 AF for Recreation purposes from 1/1 to 12/31 (both dates inclusive)  
(acre-feet per annum)

Amount .02 cfs for Domestic purposes from 5/1 to 9/31 (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) .02 and/or (b) 9 AF storage capacity reservoir  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dam across Mud Creek also fed by  
spring. See Exhibit "A" map attached. .02 cfs domestic is for drinking for current  
recreation area and planned expansion.

b. Height of storage dam 9 feet; active reservoir capacity 9 acre-feet; total  
reservoir capacity 9 acre-feet; period of year when water will be diverted to storage:  
1/1 to 12/31 inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? \_\_\_\_\_

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

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SEP 25 1987

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

- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. \_\_\_\_\_
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. \_\_\_\_\_
- Other; describe fully. Recreational pond. Canoeing, Swimming. Also drinking water out of spring, diverted through springbox, fountain and pipeline to reservoir. No more than 400 people will be served at one time upon completion of the recreation area.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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 | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 2S  | 40E   | 6    |     |     |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

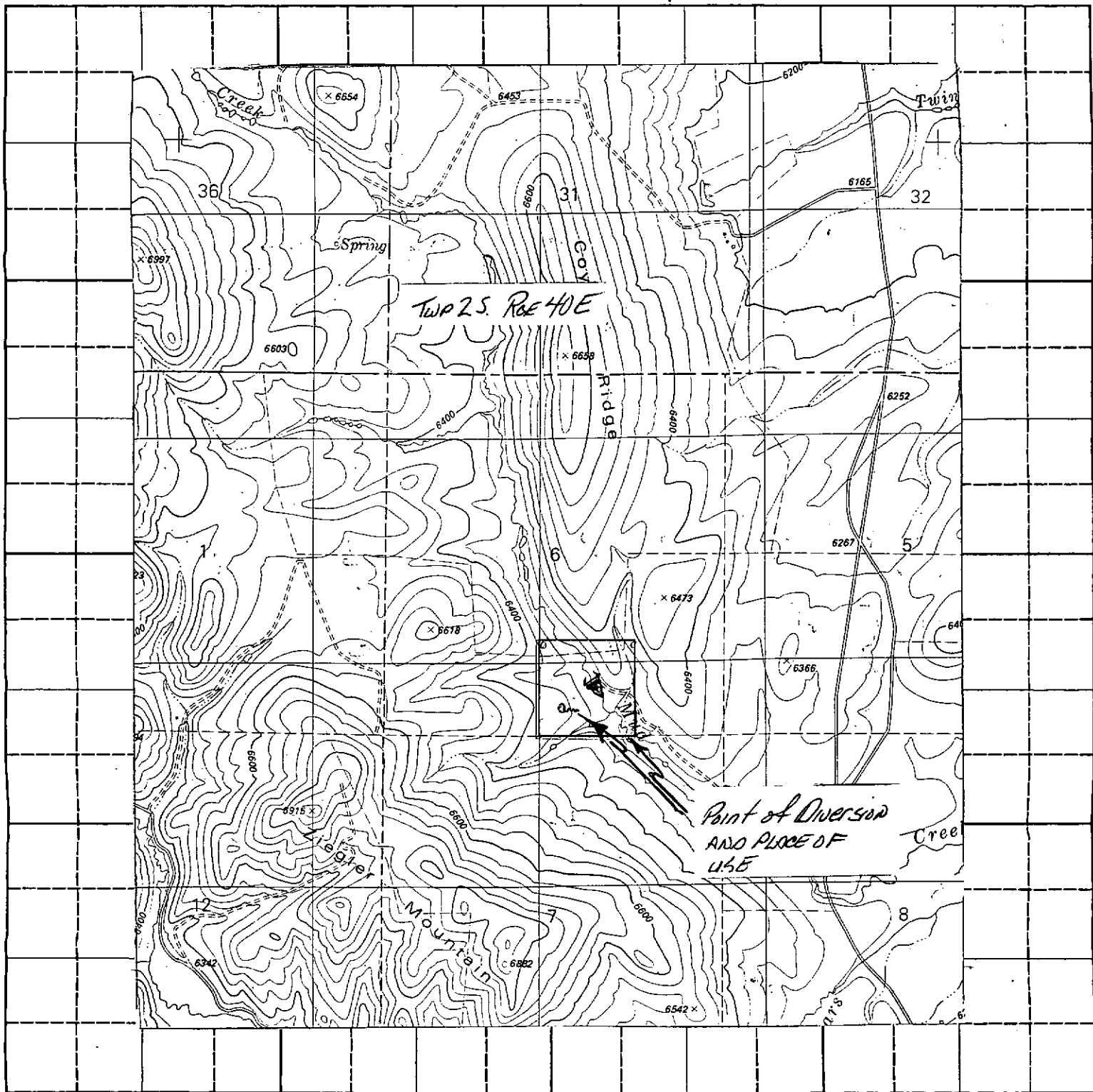
10. Describe any other water rights used for the same purposes as described above. N.A.

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

12. Remarks: Pond is used for recreational purposes. First use in summer of 1979 when applicant used the land for a recreation summer camp for youth. Dam is across Mud Creek. Water continues down course of Mud Creek. Small amounts of Drinking water are taken from the spring. Permit is filed for maximum expected use for domestic use when recreational camp is complete. First use for this purpose was also summer of 1979. The spring drains into the pond and subsequently into Mud Creek.  
 Attachments: Exhibit "A" Hand drawn map by Max Call, Farm Manager  
 Exhibit "B" Copy of plat map of T2 South, R. 40 East showing location

of spring, pond, and point of use.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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

BY:

*[Signature]*  
(Applicant)

AUTHORIZED AGENT

JJR

Proposed Priority 6/23/83  
Received by EW Date 4-06-87 Time 12:15 Preliminary check by ESV  
Fee \$ 20.00 Received by MJ # 41148 Date 4-7-87  
Publication prepared by MJ Date 4-8-1987 Published in Blackfoot News 4-16 + 4-23-1987  
Publication approved EW Date 4-30-87

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 25-7360, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 89.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.  
Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 19<sup>th</sup> day of May, 1987.

L. Glen Saxton  
Chief, Operations Bureau

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SEP 25 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

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 Attn: Real Estate Dept. Phone 800-453-3860

1. Name of applicant Saints, a Utah Corporation sole Phone 800-453-3860

Post office address 50 E. North Temple, Salt Lake City, Utah 84111

2. Source of water supply A Spring & Mud Creek which is a tributary of Mud Creek

3. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 6 Township 2 South

Range 40 E.B.M. Bingham County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 9 acre-ft for storage for recreation purposes from 1/1 to 12/31 (both dates inclusive)  
(~~cfs or acre-feet per annum~~)

Amount .02 cfs for domestic purposes from 5/1 to 9/31 (both dates inclusive)  
(~~cfs or acre-feet per annum~~)

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

Amount .23 cfs for storage purposes from 1/1 to 12/31 (both dates inclusive)  
(~~cfs or acre-feet per annum~~)

5. Total quantity to be appropriated:

a. .25 cfs cubic feet per second and/or b. 9 acre feet acre-feet per annum.  
storage capacity reservoir

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dam across Mud Creek also fed by spring. See Exhibit "A" map attached. .25 cfs domestic is for drinking for current recreation area and planned expansion.

b. Height of storage dam 9 feet, active reservoir capacity 9 acre-feet; total reservoir capacity 9 acre-feet, materials used in storage dam: Earth fill

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.  
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 6 Township 2 South

Range 40 E. B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_

(5) If water is to be used for other purposes describe: Recreational pond. Canoeing, Swimming. Also drinking water out of spring, diverted through springbox, fountain and pipeline to reservoir.

No more than 400 people will be served at one time upon completion of the recreation area.

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SEP 25 1981

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. N.A.

9. 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 N.A.

10. Remarks Pond is used for recreational purposes. First use in summer of 1979 when applicant used the land for a recreation summer camp for youth. Dam is across Mud Creek. Water continues down course of Mud Creek.

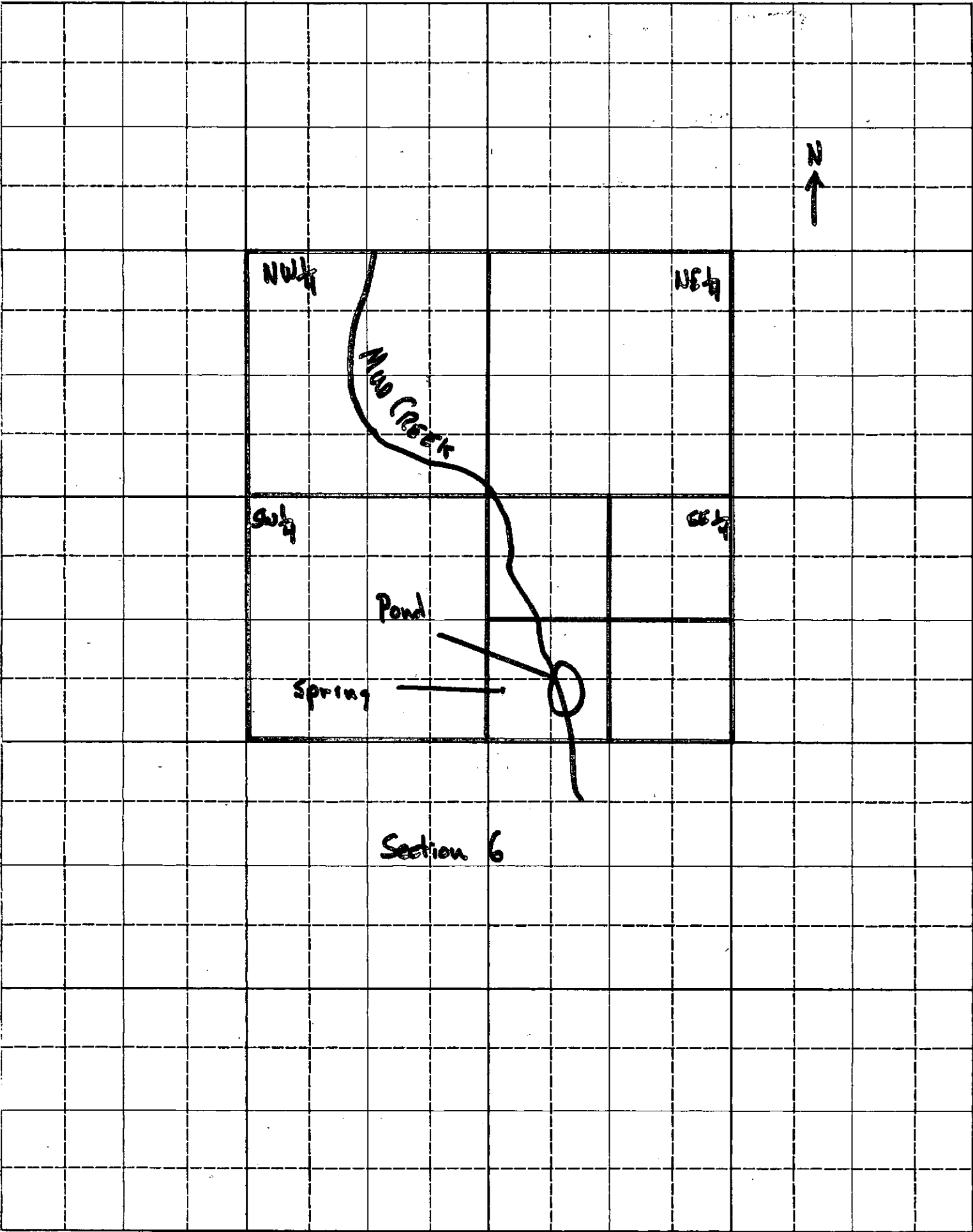
Small amounts of drinking water are taken from the spring. Permit is filed for maximum expected use for domestic use when recreational camp is complete. First use for this purpose was also summer of 1979. The spring drains into the pond and subsequently into Mud Creek.

Attachments: Exhibit "A" Hand drawn map by Max Call, Farm Manager

Exhibit "B" Copy of plat map of T2 South, R40 East

showing location of spring, pond, and point of use.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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

By: Fred A. Baker laf  
Authorized \_\_\_\_\_ Agent

Received by CW Date 6-23-83 Time 11:00 A.  
Preliminary check by JLM Fee \$ 4500  
Receipted by CW Date 6-23-83 # 30675  
Publication prepared by BP Date 8/31/83  
Published in Blackfoot News  
Publication dates 9/8 - 9/15/83 & 10/03 & 10/10/85  
Publication approved CW Date 9-21-83 & 11-01-85  
Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by \_\_\_\_\_

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19\_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: \_\_\_\_\_

MICROFILMED  
SEP 25 1987

North



Recreation Area

00 Springs

Nud Creek

Pond

3 acres in size  
3 feet deep

4th

0 Springs

0 Spring

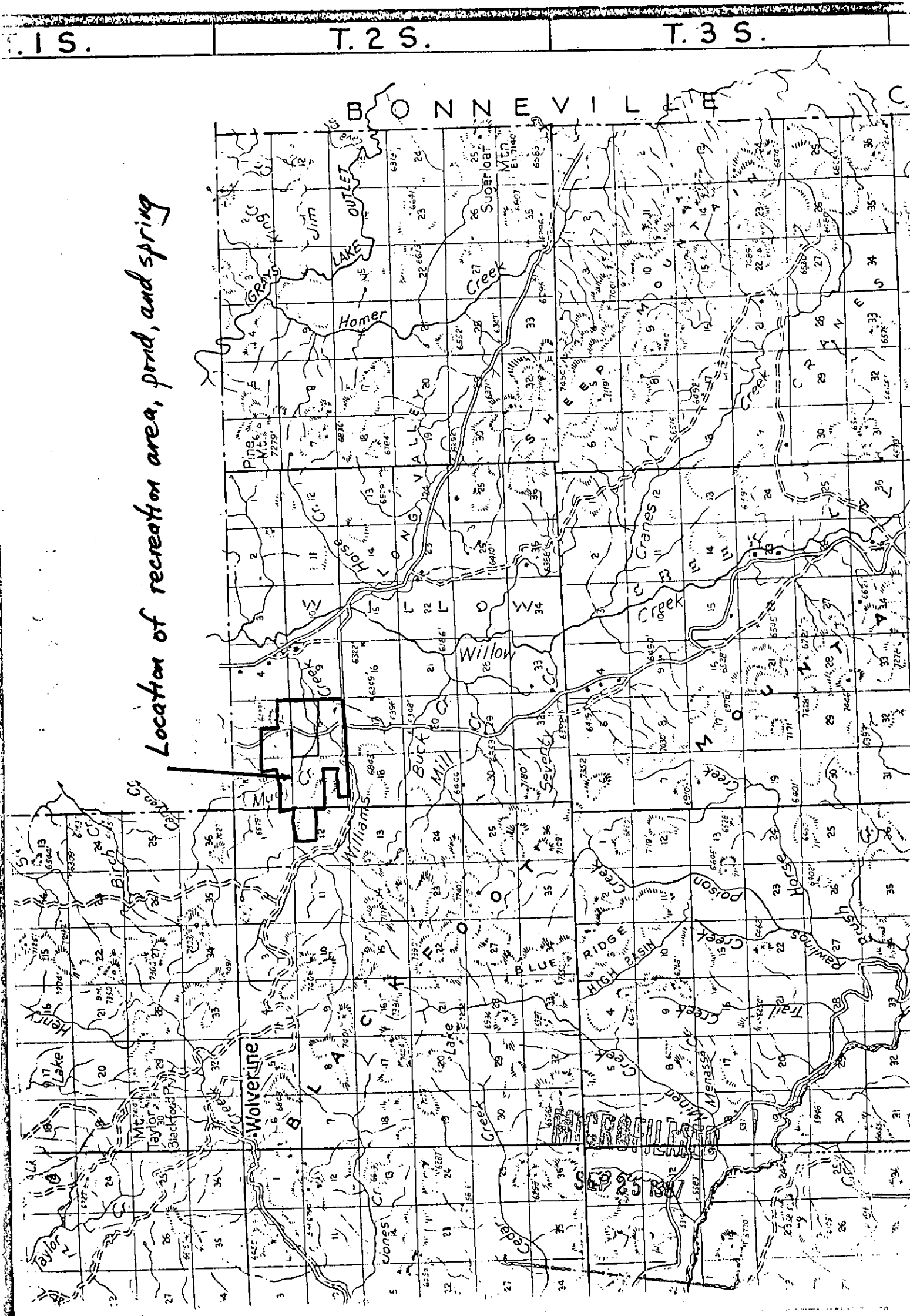
Sellars Creek

MICROFILMED

SEP 25 1987

0 Spring

Exhibit "A"



**NOTICE OF AMENDED  
APPLICATION FOR  
WATER PERMIT**

Notice is hereby given that Application for Permit No. 25-7360 in the name of the Church of Jesus Christ of Latter Day Saints, Salt Lake City, Utah was filed for the diversion of .25 cfs and/or 9 AF of water from a spring and Mud Creek, tributary to Mud Creek, the point of diversion within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 6, T. 2S, R. 40E, B.M., Bingham County, 9 AF of the water to be used for storage for recreation Jan. 1 to Dec. 31, .02cfs of the water to be used for domestic purposes from May 1 to Sept. 31, and .23 cfs of the water to be used for diversion to storage from Jan. 1 to Dec. 31, within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 6, T. 2S, R. 40E.

The applicant now proposes to amend Application No. 25-7360 for the diversion of .02 cfs and/or 9 AF of water within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 6, T. 2S, R. 40E, B.M., Bingham County. Only .02 cfs of the water will be used for Domestic purposes from May 1 to Sept. 31 and 9 AF will be used for storage for recreation from Jan. 1 to Dec. 31 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec., 6, T. 2S, R. 40E, B.M.

Any protest to the proposed amending of the application must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before May 4, 1987.

A. Kenneth Dunn  
Director

(9497)  
Pub.: 4/16, 23

**MICROFILMED**

SEP 25 1987

APR 29 1987

Department of Water Resources  
Eastern District Office

**AFFIDAVIT of PUBLICATION**

County of Bingham )

State of Idaho )

I, Michael Bell ) do

solemnly

swear that I am the Publisher of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 164 of the Session Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper two consecutive weeks

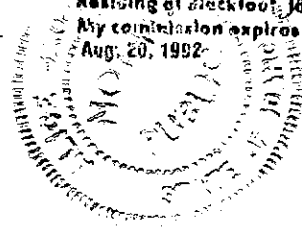
the first publication having been made on the 16th day of April, 19 87

and the last publication having been made on the 23rd day of April, 19 87; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in supplement.

Michael Bell  
Subscribed and sworn to before me this 27th day of April, 19 87

Oliver Baumgartner

Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Aug. 20, 1992



RECEIVED

OCT 28 1985

Department of Water Resources  
Eastern District Office

**NOTICE OF APPLICATION  
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho, and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

35-8061

DOIG, Bill L.

Rt. 1, Box 363

Blackfoot, Idaho 83221

Source: GROUNDWATER

Date Filed: 11/23/1982

Amount: 0.68 CFS

Diversion Point: NWNW, Sec. 04, T. 02S, R. 35E, BINGHAM CO.

Use: IRRIGATION (0.60 CFS) from 04/01 to 11/01.

STOCKWATER (0.04 CFS) from 01/01 to 12/31.

DOMESTIC (0.04 CFS) from 01/01 to 12/31.

Place of Use: NWNW, Sec. 04, T. 02S, R. 35E, for 30 ACRES.

Diversion Means: WELL, PUMP, SPRINKLERS & DELIVERY SYSTEM.

25-7360

LDS CHURCH

50 E.N. Temple

Salt Lake City, Utah 84111

Source: SPRING trib. to MUD CREEK.

Date Filed: 06/23/1983

Diversion Pt.: SWSE, Sec. 06, T. 02S, R. 40E.

Use: DOMESTIC (0.02 CFS).

RECREATION (0.23 CFS).

RECREATION STORAGE (9.0 AF).

In: SWSE, Sec. 06, T. 02S, R. 40E.

35-8059

SHACKLEFORD, Charles

Box 212

Aberdeen, Idaho 83210

Source: GROUNDWATER

Date Filed: 11/10/1982

Amount: 2.20 CFS

Diversion Point: SESW, Sec. 08, T. 05S, R. 30E, BINGHAM CO.

Use: IRRIGATION (2.20 CFS) from 04/01 to 11/01.

Place of Use: NESW, NWSW, Sec. 08, T. 05S, R. 30E, NESE, SESE, Sec. 07, T. 05S, R. 30E, NENE, SENE, Sec. 18, T. 05S, R. 30E, for 110 ACRES.

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM.

35-8058

SHACKLEFORD, Charles

Box 212

Aberdeen, Idaho 83210

Source: GROUNDWATER

Date Filed: 11/10/1982

Amount: 0.80 CFS

Diversion Point: SWSE, Sec. 08, T. 05S, R.

30E, Bingham Co.

Use: IRRIGATION (0.80 CFS) from 04/01 to 11/01.

Place of Use: SWNE, SENE, SENW, NESW, SESW, Sec. 08, T. 05S, R. 30E, for 40 ACRES.

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM.

35-8018

THOMPSON, William D.

P.O. Box 519

Blackfoot, Idaho 83221

Source: WASTE WATER tributary to SPRING CREEK.

Date Filed: 02/03/1982

Amount: 0.60 CFS

Diversion Point: SWNE, Sec. 21, T. 04S, R. 32E, BINGHAM CO.

Use: IRRIGATION (0.60 CFS) from 04/01 to 11/01.

Place of Use: SWNE, SENE, Sec. 21, T. 04S, R. 32E, FOR 30 ACRES.

Diversion Means: PUMP & FLOOD IRRIGATION.

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before October 21, 1985.

KEN DUNN, Director

(8809)

Pub.: 10-3, 10

100

**AFFIDAVIT of PUBLICATION**

County of Bingham

State of Idaho

Catherine C. Brown

I, \_\_\_\_\_ do solemnly

swear that I am the Office Manager of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thurs of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 3rd day of October, 19 85.

and the last publication having been made on the 10th day of October, 19 85; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Catherine C. Brown

Subscribed and sworn to before me this 23rd

day of October, 19 85

Patricia A. Johnson

Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Oct. 20, 1988

MICROFILMED

SEP 25 1987

**NOTICE OF APPLICATION  
FOR WATER RIGHT**

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

SHRADER, Lark G. &/or MAXINE

Rt. 2, Box 305

Blackfoot, Idaho 83221

Source: GROUNDWATER

Date Filed: 08/30/1983

Diversion: Pt. SESW, Sec. 03, T. 01N, R. 31E.

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SESW, Sec. 03, T. 01N, R. 31E.

40E.

Use: DOMESTIC (0.02 CFS)

RECREATION (0.23 CFS)

RECREATION STORAGE (9.0 AF)

In: SWSE, Sec. 06, T. 02S, R. 40E.

The permit(s) will be subject to all prior water

rights. Protests must be filed with the Director,

Dept. of Water Resources, 150 Shoup Ave.,

Suite 15, Idaho Falls, Idaho 83402, on or

before SEPTEMBER 26, 1983.

KEN DUNN, Director

(7914)

Pub.: 9-8, 15

**RECEIVED**

SEP 21 1983

Department of Water Resources  
Eastern District Office

**AFFIDAVIT of PUBLICATION**

County of Bingham

State of Idaho

I, David Mark Brown  
solemnly

Publisher

swear that I am the Publisher of  
The Morning News which is a daily newspaper of general  
circulation published each day except Sunday at  
Blackfoot, Bingham County, Idaho, said newspaper hav-  
ing been so published at Blackfoot, aforesaid for more  
than one year past; that said newspaper heretofore com-  
plied with all the provisions of Chapter 154 of the Ses-  
sions Laws of Idaho of 1933, approved March 11, 1933,  
and duly designated, pursuant to law, a particular day of  
the week as the day on which legal notices required by  
law or by the order of any Court of competent jurisdiction  
within the State of Idaho shall be published to-wit: Thursday  
of each week; that the notice attached hereto and which  
is a part of this affidavit and part of the proof of  
publication was published in said issue or said  
newspaper 2 consecutive weeks

the first publication having been made on the  
8th day of September, 19 83

and the last publication having been made on the  
15th day of September, 19 83

that said notice was published in the regular and entire  
issue of every number of the paper as aforesaid during  
the period and time of publication, and that notice was  
published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 20th

day of September, 19 83

Patricia A. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1984

**MICROFILMED**

SEP 25 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 4, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
50 E N TEMPLE  
SALT LAKE CITY UT 84111

RE: WATER RIGHT NO. 25-07360

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

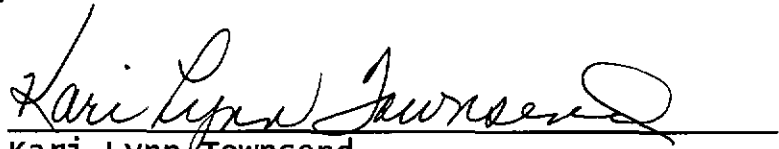
JUN 08 1999

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right 37-08372

CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
50 E N TEMPLE  
SALT LAKE CITY UT 84111

  
Kari Lynn Townsend  
Secretary

MICROFILMED

JUN 08 1999

## Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

### ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 08 1999

### CERTIFICATE OF SERVICE

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

### FINAL ORDER

The Department 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 Department 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.

THE CHURCH OF  
**JESUS CHRIST**  
OF LATTER-DAY SAINTS

RECEIVED

MAY 28 1999

Department of Water Resources

REAL ESTATE DIVISION

Twelfth Floor East  
50 East North Temple Street  
Salt Lake City, Utah 84150-5670  
Phone: 1-801-240-3840  
Facsimile: 1-801-240-2913

May 25, 1999

Reference reply to:

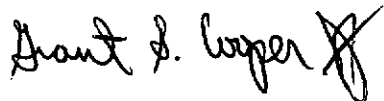
Idaho Falls ID Ammon &  
West Stakes RCMP  
PN #530-6108  
Writer's Direct Line  
(801) 240-4074

State of Idaho  
Department of Water Resources  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

Dear Shelley:

Find enclosed a signed copy of the application for amendment for Water Right No. 25-07360 and a check for the filing fee of \$50.00. If you have any questions or need additional information, please contact me at the above referenced telephone number.

Sincerely,  
NATURAL RESOURCE SECTION



Grant S. Cooper Jr., P.E.  
Water Resources Group

c: File

enclosure

MICROFILMED  
JUN 08 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 22, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
50 E N TEMPLE  
SALT LAKE CITY UT 84111

RE: WATER RIGHT NO. 25-07360

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 08 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 1, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
50 E N TEMPLE  
SALT LAKE CITY UT 84111

RE: WATER RIGHT NO. 25-07360

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the nature of water use developed differs from what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the water use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 08 1999

## MEMORANDUM

**TO: File 25-07360**

**FROM: Sharla**

**DATE: March 31, 1999**

**RE: Recommendation Adjustment(s)**

The adjustments to licensing recommendations for Permit 25-07360 are as follows:

### C. DIVERSION AND DELIVERY SYSTEM

4. Point(s) of Diversion :  
SESWSE, S6, T2S, R40E

### H. RECOMMENDATIONS

|                    |             |          |          |
|--------------------|-------------|----------|----------|
| Recreation         | 1/1 – 12/31 | 0.02 cfs | 14.5 afa |
| Recreation Storage | 1/1 – 12/31 | n/a      | 1.3 afa  |
| Div. to Storage    | 1/1 – 12/31 | 0.02 cfs | n/a      |

One of the sources of water is a spring which requires a ten-acre tract description. The ten-acre description will be used in the point of diversion description and a remark will show there are two points of diversion within that legal description.

A flow rate is associated with recreation use and the volume for that use is based on continuous flow. Recreation storage needs to be added as a use as well as diversion to storage.

Exam Date: July 16, 1998  
Examiner: Lee Simmons

MICROFILMED  
JUN 08 1999

# LICENSE REVIEW CHECKLIST

PERMIT NO. 25-07360

DATE 3/26/99

REVIEWER: SHARLA

NAME OK  
Address OK

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV change Change (P39 /P47) ☒ Add (P45/P42) Feds - P40

W32 (multiple in 1/4)  
W36 (overlap)  
W59 (subd. desc)

Overlaps: Right(s): \_\_\_\_\_  
File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)  
W27 (ppu acre limit)

Overlaps: Right(s): \_\_\_\_\_  
File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .02 cfs - 9 AF  
Fee limit .20 cfs \$5000  
Measured --- cfs  
Theoretical --- cfs

Recommended Total Div Rate .02 cfs

| WATER USES        | Change (P46)   |                |            |                                     |
|-------------------|----------------|----------------|------------|-------------------------------------|
| <u>Rel.</u>       | <u>.02</u> cfs | <u>14.5</u> af | Irrig -    | overlap (R58-R61, R62-R65, R66-R69) |
| <u>u stor</u>     | <u>---</u> cfs | <u>1.3</u> af  |            | supp. gw (WB7/065/079)              |
| <u>DW to stor</u> | <u>.02</u> cfs | <u>NA</u> af   |            | overlap spec. combined rts (W35)    |
|                   | <u>---</u> cfs | <u>---</u> af  |            | <1acre (W31)                        |
|                   | <u>---</u> cfs | <u>---</u> af  | Domestic   | (W01/WB5/070/071/075)               |
|                   | <u>---</u> cfs | <u>---</u> af  | Power      | (W42 or W43/025/027/R22 or R23)     |
|                   | <u>---</u> cfs | <u>---</u> af  | Fish (042) | Fire (077) Wtr Quality (081/R07)    |
| TOTALS            | <u>.02</u> cfs | <u>15.8</u> af |            |                                     |

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af

REMARKS \_\_\_\_\_

ADD'L CONDITIONS R04 Watermaster Control WD# 01  
GW Measurement/Measuring Device

Others Trust (052/R55 - remove 051) Non-trust (048/049)

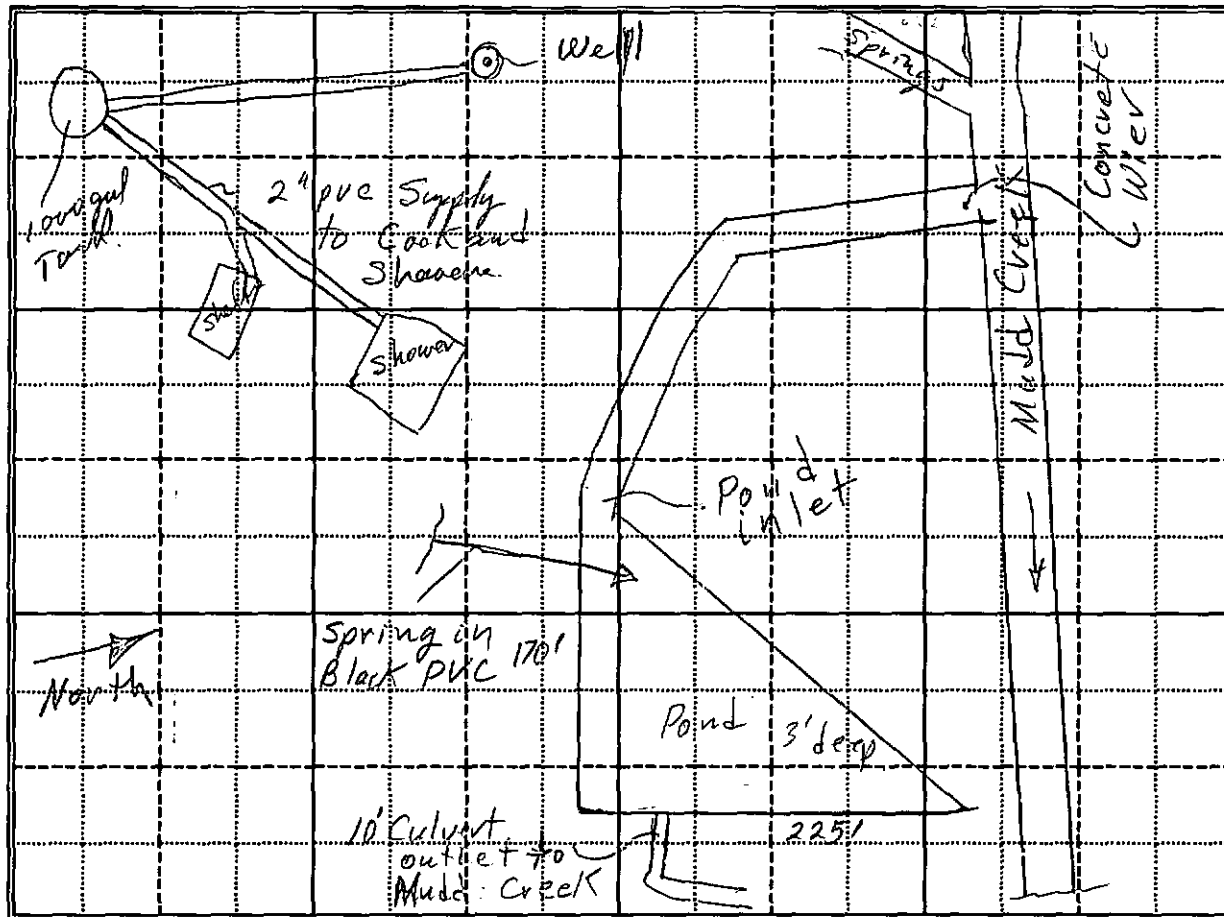
Advance Priority yes ☒ no ☒ SRBA Claim ☒

Adjust Memo 10-ae pld/425  
Amend letters P41, P38  
P42

Special ltr needed to add .02 cfs  
not sufficient describe use

JUN 08 1999

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | ?          | ?  | ?                | ?         | 2" PVC                            |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

**D. FLOW MEASUREMENTS**

1.

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

2. Measurements: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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JUN 08 1999

E. NARRATIVE/REMARKS/COMMENTS

During Girls camp a 1000 gal storage tank will be pumped to fill in approx 1 hr. The 1000 gals will last the camp a full week. There are approximately 10 camps during the summer.

The above appears to be from a well and would have to be considered a "B" portion of this permit with a change in source.

Huf 1-4-99

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 08 1999

## F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

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

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

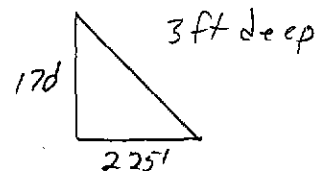
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

### 2. Volume Calculations for Other Uses:

$$\left( \frac{170' \times 225'}{2} \right) \left( \frac{1 \text{ AF}}{43560 \text{ ft}^2} \right) \left( \frac{3 \text{ ft}}{1 \text{ AF}} \right) = 1.37 \text{ AF}$$

$$\left( 3' \times \frac{170' \times 225'}{2} \right) = \frac{57,375 \text{ ft}^3}{43,560 \text{ ft}^3} = 1.32 \text{ AF}$$

or  
1.3 AF



## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Recreation     | 1/1           | 12/31 |                              | 1.3 AF                   |
| Domestic       | 5/1           | 9/31  | 0.02 cfs                     |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 0.02 cfs                     | 1.3 AF                   |

appears to be  
well watered

### 2. Recommended Amendments

☐ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☒ None  
☐ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other

## I. AUTHENTICATION

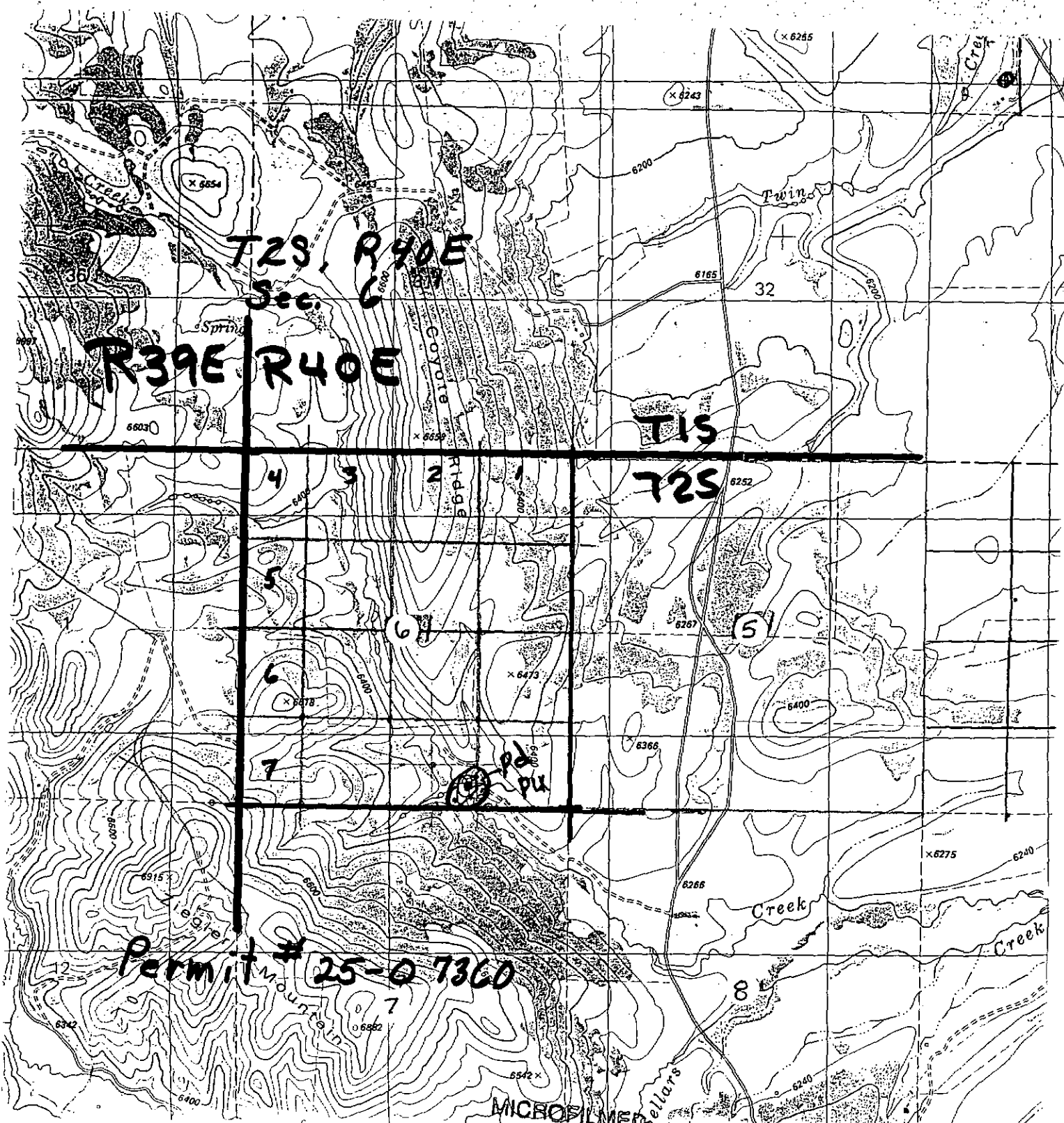
Field Examiner's Name Lee Simmons Date 7/16/98

Reviewer [Signature] Date \_\_\_\_\_

SEAL

MICROFILMED

JUN 08 1999



MICROFILMED  
JUN 08 1999



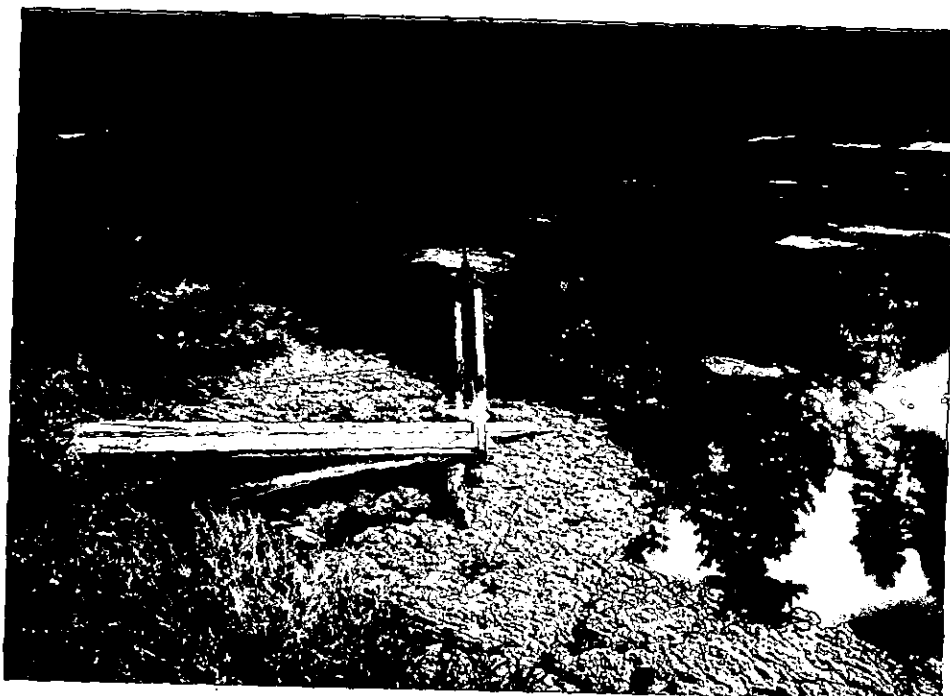
mud creek

Storage pond looking South.

MICROFILMED

JUN 08 1999

Dermat #  
25-7360



pond outlet looking South West. ✓



Spring in pond looking South, ✓

MICROFILMED  
 JUN 08 1999

Permit #  
 25-7360



Well and generator Motor Cover looking West.



Top of storage Tank (1000 gal) looking South East

Permit #  
25-7360

MICROFILMED  
JUN 08 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup, Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

OCTOBER 21, 1987

CHURCH OF JESUS CHRIST, LATTER DAY STS.  
50 NORTH TEMPLE  
12TH FLOOR  
SALT LAKE CITY UT 84150

RE: Permit No. 25-7360

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,  
s/HAROLD W. JONES  
Sr. Resource Agent

MICROFILMED

JUN 08 1999

RECEIVED

AUG 20 1987



RECEIVED

AUG 10 1987

Department of Water Resources  
Eastern District Office

PLACE  
STAMP  
HERE

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

RECEIVED  
MICROFILMED

JUN 08 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 25-7360

Name(s) of Permit Holder(s): Corp. of Presiding Bishop - LDS

Post Office Address: 50 E. North Temple 12th floor  
Salt Lake City, Ut. 84150 Tel. No. 801-531-2929

☒ I hereby certify that construction of diversion works for the above referenced permit began on 5-1-77 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

\*Note: A financing difficulty is not an acceptable reason.

Date

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

Signature of Permit Holder

AUTHORIZED AGENT

THE CHURCH OF  
JESUS CHRIST  
OF LATTER-DAY  
SAINTS

RECEIVED

AUG 10 1987

Department of Water Resources  
Eastern District Office

REAL ESTATE DIVISION

Twelfth Floor  
50 East North Temple Street  
Salt Lake City, Utah 84150  
Phone (801) 531-2929

August 6, 198

Reference reply to:

Property #510-8888

RECEIVED

AUG 20 1987

State of Idaho Department of Resources  
150 Shoup  
Suite 15  
Idaho Falls ID 83402

Department of Water Resources

Attention: Gary Spachman, Supervisor, Water Allocation Section

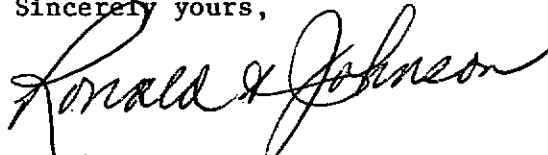
Dear Mr. Spachman,

Attached is Proof of Beneficial Use, the Notice of Commencement of Work and the \$50.00 filing fee for permit #25-7360. We are pleased that this water right can be inspected any time if you will contact Lynn Chadwick at 208-529-3457.

The diversion works are complete and ready for field inspection.

Thanks for your cooperation. We will be pleased to receive a certificate for this property.

Sincerely yours,



Ronald C. Johnson  
Water Analyst

RCJ:ja  
encs.

cc: Terry Roylance  
Glade Pincock  
Scott P. Eskelson

MICROFILMED

SEP 25 1987

**Limited Purchase Order Draft—Not to Exceed \$300.00.** Utah Sales Tax Exemption No. 516 Order **N# 5340C08258**

NOTE: Payments to noncorporations which are required to be reported on Internal Revenue Service Form 1099, must have the taxpayer's identification number such as Social Security number or Federal identification number.

N/A

Enter the number here

Questions concerning order contact:  
Real Estate Division  
50 East North Temple Street  
Salt Lake City, Utah 84150  
(801) 531-2915

Ship to:  
Church of Jesus Christ of Latter-day Saints  
Real Estate Division  
12th Floor Tower  
60 North Main Street  
Salt Lake City, Utah 84150

**Order Information** Attach additional work order information as needed

| Description of goods or services | Quantity | Unit of issue | Unit price | Extended price |
|----------------------------------|----------|---------------|------------|----------------|
| STATE WATER RIGHT 25-7360        |          |               | \$         | \$ 50.00       |

Authorized signature

*[Signature]*

**Accounting Information**

General ledger account code

7000-01-3909-02-510-8888-50

WEL ID AMMON SETLARS CRK CATTLE RANCH PRODUCTION \$50.00

**RECEIVED**  
SEP 25 1987

Description (maximum 30 characters)  
STATE WATER RIGHT 25-7360

Original—Vendor WHITE—Finance CANARY—Purchasing BLUE, GOLDENROD—Requester

PETERSEN, MOSS, OLSEN, MEACHAM & CARR

GEORGE C. PETERSEN, JR.  
REED L. MOSS  
GREGORY P. MEACHAM  
WM. CHARLES CARR  
EARL BLOWER  
SCOTT P. ESKELSON  
STEPHEN D. HALL  
KARL R. DECKER

ATTORNEYS AT LAW  
485 "E" STREET  
IDAHO FALLS, IDAHO 83402  
(208) 523-4650

DENNIS M. OLSEN  
(1930-1985)

June 3, 1987

Mr. Gary Spackman  
Supervisor, Water Allocation Section  
State of Idaho  
Department of Water Resources  
150 Shoup Avenue  
Idaho Falls, ID 83402

Re: Permit No. 25-7360

Dear Gary:

The LDS Church has forwarded to me your letter of May 20, 1987, concerning the above permit. Since the property in question is a recreational facility for the stake in which I live, I have been taking care of the matters on this. Your letter mentioned a blue card which was to be submitted as soon as construction is commenced. This letter will be to advise you that development of the facility has been completed. In other words, it is now in a position for the inspection to be made by your department and a license subsequently issued.

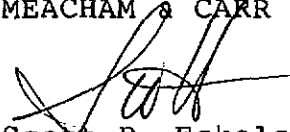
I would appreciate it if you could forward to me the necessary form to be signed by the church to implement this process. The development has, in fact, been completed and the water has been applied to beneficial use.

I will diary this on my calendar to follow up with you in about two weeks.

Thanks for your help, and best personal regards.

Very truly yours,

PETERSEN, MOSS, OLSEN,  
MEACHAM & CARR

  
Scott P. Eskelson

RECORDED

SEP 25 1987

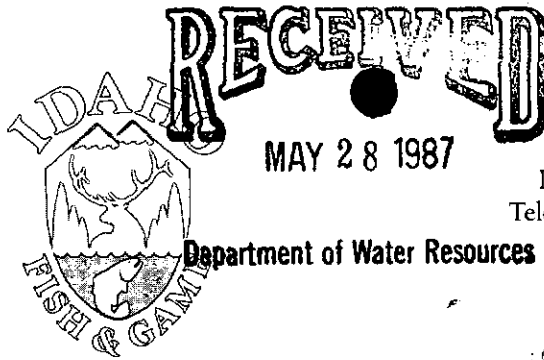
SPE/jh  
cc: Ronald C. Johnson  
7098d

RECEIVED  
JUN 5 1987

Department of Water Resources  
Facts, Data, & Policy

RECEIVED  
JUN 08 1987

Department of Water Resources



May 1, 1987

RECEIVED  
MAY 4 1987

Department of Water Resources  
Eastern District Office

Mr. Ernest Carlsen  
Assistant Regional Manager  
State of Idaho Department of Water Resources  
150 Shoup - Suite 15  
Idaho Falls, ID 83402

Re: Application for Permit No. 25-7360, Church of Jesus Christ,  
Latter Day Saints

Dear Ernie:

With respect to the application for Permit (25-7360) submitted by the LDS Church for a recreation pond, we have no objections to approval of the permit, provided that existing fish passage is maintained.

If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Herb A. Pollard II".

Herbert A. Pollard II  
Regional Supervisor  
Region 6

HAP:CC:ai  
cc: USFWS (Wolflin)  
Bureau of Program Coordination  
Bureau of Fisheries

MICROFILMED

SEP 25 1987

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

-----

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
MAY 20, 1987

CHURCH OF JESUS CHRIST LATTER DAY SAINTS  
50 E. N. TEMPLE  
SALT LAKE CITY, UT 84111

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-7360

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED. AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

GARY SPACKMAN  
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC  
ENCLOSURES

RECORDED

SEP 25 1987

State of Idaho  
Department of Water Resources

AMENDED

AMENDED

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: ESV

APPLICATION NUMBER: 25-7360

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☒ Idaho State Health Department.  
☒ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☒ Other DIST 01

Copies sent by: MM7

Date: 4-10-87

PROCESSING:

- ☐ Yes ☒ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: 5-4-1987  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4-29-87  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? D.P.O.1  
10-23-83 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

RECEIVED

SEP 25 1987

allow 2 yrs. for B/L development  
since source has been in use since 1979.

By: Ernest Carlson

Date: 13 May '87

STATE OFFICE REVIEW:

MM7

26 05 (01, Snake River)

RECEIVED

MAY 15 1987

- ☐ See attached sheet for more information.

By: KW

Date: 5/18/87

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT    SEC    TWP    RGE    gov't    rediv.    REACH  
lot    (R)

IDAHO STREAM CODE INDEX

TRACT    SEC    TWP    RGE    gov't    rediv.    REACH  
lot    (R)

IDAHO STREAM CODE INDEX

TRACT    SEC    TWP    RGE    gov't    rediv.    REACH  
lot    (R)

IDAHO STREAM CODE INDEX

TRACT    SEC    TWP    RGE    gov't    rediv.    REACH  
lot    (R)

IDAHO STREAM CODE INDEX

TRACT    SEC    TWP    RGE    gov't    rediv.    REACH  
lot    (R)

IDAHO STREAM CODE INDEX

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 25-7360 Amended and  
have the following comments (objections) to the approval of this  
application for permit:

If appears that this use  
will be essentially non-consumptive.  
I am not aware of any injury  
to other water rights that  
will occur because of the  
proposed use.

May 7, 1987  
Date

R. Carlson  
RONALD D. CARLSON, WATERMASTER  
Water District No. 01

MICROFILMED

SEP 25 1987



# STATE OF IDAHO

## DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT  
150 North 3rd Avenue  
Pocatello, Idaho  
83201

April 16, 1987

Mr. Ernest Carlsen  
Idaho Department of Water Resources  
150 Shoup - Suite 15  
Idaho Falls, ID 83402

Dear Mr. Carlsen:

I am responding to your request for comment on Application for Permit No. 25-7360, Church of Jesus Christ, Latter Day Saints. The spring and distribution system for drinking water must meet Idaho Standards for Drinking Water Systems. We have no record of design approval or construction details. A chemical test of the water quality is also required. Please keep me informed regarding the status of this system.

If I can provide any assistance please call this office 236-6160.

Sincerely,

A handwritten signature in cursive script, reading "Walton C. Poole".

Walton C. Poole  
Senior Water Quality Specialist

WCP/jr

cc: Gordon Hopson

RECEIVED  
SEP 25 1987

RECEIVED

APR 17 1987

Department of Water Resources  
Eastern District Office

April 15, 1987

Church of Jesus Christ  
Latter Day Saints  
50 East North Temple  
Salt Lake City, Utah 84111

RE: Application for permit no. 25-7360

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit.

This office is currently in the process of advertising the application in the Blackfoot News. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed is receipt No. 41148 for the amount of 20.00.

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

Sincerely,

Ernest Carlsen  
Assistant Regional Manager

EC/md Enclosure

**RECORDED**

**SEP 25 1987**

April 10, 1987

State of Idaho  
Department of Health & Welfare  
150 North Third Ave.  
Pocatello, Idaho 83201

Re: Application for Permit No. 25-7360, Church of Jesus Christ,  
Latter Day Saints.

Gentlemen:

We are enclosing a copy of an application that may be of interest to you. Please review the application and submit any comments you may have to our Department as soon as possible. The last date for protest is May 4, 1987 and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Ernest Carlsen  
Assistant Regional Manager

EC/md

Enclosure

MICROFILMED

SEP 25 1987

April 10, 1987

State of Idaho  
Department of Fish & Game  
5205 So. 5th Ave.  
Pocatello, Idaho 83205

Re: Application for Permit No. 25-7360, Church of Jesus Christ,  
Latter Day Saints.

Gentlemen:

We are enclosing a copy of an application that may be of interest to you. Please review the application and submit any comments you may have to our Department as soon as possible. The last date for protest is May 4, 1987 and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Ernest Carlsen  
Assistant Regional Manager

EC/md

Enclosure

MICROFILMED

SEP 25 1987

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 25-7360 in the name of the Church of Jesus Christ of Latter Day Saints, Salt Lake City, Utah was filed for the diversion of .25 cfs and/or 9 AF of water from a spring and Mud Creek, tributary to Mud Creek, the point of diversion within the SW1/4SE1/4 Sec. 6, T. 2S, R. 40E, B.M., Bingham County, 9 AF of the water to be used for storage for recreation Jan. 1 to Dec. 31, .02cfs of the water to be used for domestic purposes from May 1 to Sept. 31, and .23 cfs of the water to be used for diversion to storage from Jan. 1 to Dec. 31, within the SW1/4SE1/4, Sec. 6, T. 2S, R. 40 E.

The applicant now proposes to amend Application No. 25-7360 for the diversion of .02 cfs and/or 9 AF of water within the SW1/4SW1/4SE1/4, Sec. 6, T. 2S, R. 40E, B.M. Bingham County. Only .02cfs of the water will be used for Domestic purposes from May 1 to Sept. 31 and 9 AF will be used for storage for recreation from Jan. 1 to Dec. 31 within the SW1/4SE1/4, Sec. 6, T. 2S, R. 40E, B.M.

Any protest to the proposed amending of the application must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before May 4, 1987.

A. Kenneth Dunn

Director

Published 4/16 & 4/23/87

MICROFILMED

SEP 25 1987

**NOTICE OF AMENDED  
APPLICATION FOR  
WATER PERMIT**

Notice is hereby given that Application for Permit No. 25-7360 in the name of the Church of Jesus Christ of Latter Day Saints, Salt Lake City, Utah was filed for the diversion of .25 cfs and/or 9 AF of water from a spring and Mud Creek, tributary to Mud Creek, the point of diversion within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 6, T. 2S, R. 40E, B.M., Bingham County, 9 AF of the water to be used for storage for recreation Jan. 1 to Dec. 31, .02cfs of the water to be used for domestic purposes from May 1 to Sept. 31, and .23 cfs of the water to be used for diversion to storage from Jan. 1 to Dec. 31, within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 6, T. 2S, R. 40 E.

The applicant now proposes to amend Application No. 25-7360 for the diversion of .02 cfs and/or 9 AF of water within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 6, T. 2S, R. 40E, B.M. Bingham County. Only .02 cfs of the water will be used for Domestic purposes from May 1 to Sept. 31 and 9 AF will be used for storage for recreation from Jan. 1 to Dec. 31 within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec., 6, T. 2S, R. 40E, B.M.

Any protest to the proposed amending of the application must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before May 4, 1987.

A. Kenneth Dunn  
Director

(9497)  
Pub.: 4/16. 23

*MD*

**MICROFILMED**

**SEP 25 1987**

THE CHURCH OF  
JESUS CHRIST  
OF LATTER-DAY  
SAINTS

REAL ESTATE DIVISION  
Twelfth Floor  
50 East North Temple Street  
Salt Lake City, Utah 84150  
Phone (801) 531-2929

Reference reply to:

1 April 1987

RECEIVED

APR 6 1987

Department of Water Resources  
Eastern District Office

State of Idaho Department of Water Resources  
150 Shoup, Suite #15  
Idaho Falls, Idaho 83402

Attention: Ernest Carlson

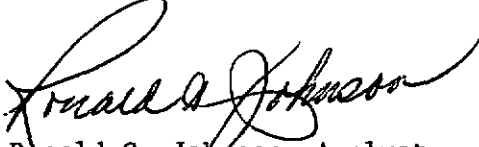
Dear Mr. Carlson:

Attached is the signed application reflecting the required changes in permit No. 25-7360 and the \$20.00 statutory amendment fee. This should take care of the storage facility on Mud Creek on our property, #510-8888.

Thanks for your patience.

Sincerely,

REAL ESTATE DIVISION

  
Ronald C. Johnson, Analyst  
Water Resources Group

RCJ:alb

cc: Terry Roylance  
Glade Pincock

REPROFILMED

SEP 25 1987

Conversation Memo.

9 March 87.

I telephoned the Real Estate Division for the Church enquiring about the status of ~~app~~ the amended application sent to them in Jan 87. Mr. Johnson is scheduled to be out of the office until Thursday & Monday. His secretary stated he would return my call no later than Monday 16 March 87.

17-March 87.

Mr. Johnson telephoned to follow up on my inquiry of 9 March 1987. He still had the amended application but thought he thought the matter had been settled.

He will ~~for~~ return the amendment and later this week.

It should arrive at this office around the 25<sup>th</sup> March.

MICROFILMED

SEP 25 1987

January 21, 1987

Mr. Ronald Johnson  
Real Estate Division  
Church of Jesus Christ of Latter Day Saints  
12th Floor East  
500 East North Temple  
Salt Lake City, Utah 84150

RE: Application for Permit 25-7300

Dear Mr. Johnson:

Enclosed is the Amended Application for Permit that should have been sent to you with the notice of pending order voiding application, dated January 20, 1987.

I apologize for any inconvenience this may have caused you.

Sincerely,

Michele Davis  
Office Secretary

Enclosure: Amended Application 25-7300

**MICROFILMED**

**SEP 25 1987**

January 20, 1987

Mr. Ronald Johnson  
Real Estate Division  
Church of Jesus Christ of Latter Day Saints  
12th Floor East  
500 East North Temple  
Salt Lake City, Utah 84150

RE: Application for Permit 25-7360

Dear Mr. Johnson:

NOTICE OF PENDING ORDER VOIDING APPLICATION

On June 23, 1983 the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints filed with the Department of Water Resources application no. 21-7360 for a permit to appropriate nine acre feet of water from Mud Creek. This water was to be stored in a reservoir and used for recreational purposes and also provide drinking water for people using the recreational facility.

After notices that the application had been published it was discovered information on the application concerning location of the reservoir and the amount of water to be appropriated was inconsistent. Letters from this office were sent on November 13, 1985 and February 13, 1986 notifying the applicant of the discrepancies and the need for amending the application to correct them. The file for this application indicates the applicant has failed to initiate the necessary corrective action.

The purpose of this letter is to request that either the amended application be filed or explain why the Department should not void the application currently on file. Enclosed is an amended application reflecting the changes discussed in previous correspondence. Either this amended application should be signed and returned, or an explanation provided why the original application should not be voided.

**MICROFILMED**

SEP 25 1987

Mr. Ronald Johnson  
Real Estate Division  
Church of Jesus Christ of Latter Day Saints  
January 20, 1987  
Page two

If the response has not been received within 30 days of the date of this letter the Department will act to void application no. 25-7360. The application will be voided on the grounds that the applicant failed to take the necessary action for resolving discrepancies on the application relative to location, nature and amount of the proposed use.

Respectfully submitted,

Ernest Carlsen  
Water Rights Supervisor

EC/md

Enclosure

RECORDED

SEP 25 1987

February 13, 1986

RE: Application for Permit No. 25-7360

Mr. Ronald Johnson  
Real Estate Division  
Church of Jesus Christ of  
Latter Day Saints  
12 Floor East  
50 East North Temple  
Salt Lake City, UT 84150

Dear Mr. Johnson:

In November of 1985, I sent you a revised version of the above captioned application which reflected changes we had previously discussed by telephone. You may recall there was a question concerning the actual location of the proposed dam. The original application asked for the appropriation of water to be diverted to storage. This would indicate the dam was to be located off-stream. However, the plat map included with the application illustrated the dam being directly on Mud Creek.

After discussing this matter with you, it seemed more likely the dam would be located on the creek and, consequently, the revised application was prepared.

Since final administrative action can not be taken on the original application because of the discrepancies, any action on your behalf to expedite the revised application being returned would be appreciated.

**MICROFILMED**

SEP 25 1987

Mr. Ronald Johnson  
February 13, 1986  
Page 2

Failure to address this matter may jeopardize the priority of the application and eventually could adversely affect the standing of the application with the Department.

Feel free to contact me if you have any questions concerning the amended application or other changes you feel are necessary.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

MICROFILMED

SEP 25 1987

November 13, 1985

RE: Application for Permit No. 25-7360

Mr. Ronald Johnson  
Real Estate Division  
Church of Jesus Christ of  
Latter Day Saints  
12 Floor East  
50 East North Temple  
Salt Lake City, UT 84150

Dear Mr. Johnson:

Enclosed is a copy of the above application reflecting changes we discussed by telephone.

The changes are intended to clarify the location of the dam. The nature of use listed as diversion to storage under Item 4 of the original application suggests water will be diverted from Mud Creek and conveyed to a storage facility away from the stream. The remarks in Item 10 and the map illustrated in Item 11 both indicate the dam will be on Mud Creek.

Based on information contained in the application there appears to be a higher probability of the dam being on Mud Creek. Therefore, Items 4 and 5 of the enclosed application have been modified. The changes remove any reference to off-stream storage.

Should your research indicate the dam is located on Mud Creek, simply have the changes initialed and dated and return the application to this office accompanied by a check of \$20.00 as payment of the statutory amendment fee.

SEP 25 1987

Mr. Ronald Johnson  
November 13, 1985  
Page 2

Should the evidence indicate the dam is located off of Mud Creek, provide us with a new map clearly showing the location of the storage facility.

If you have any questions concerning the amendment of the application, feel free to contact me.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

Enclosure

REGISTERED

SEP 25 1987

INTER-DEPARTMENT MEMO — 1

FROM JIM

DATE 11-6-85

TO ERNIE

SUBJECT Application 25-7360

ERNIE, The reason we are returning this is because item 4 shows 0.23 diversion to storage, but items 6A AND 11 describe or shows storage located on stream. The newspaper advertisement shows 0.23 recreation, however, there is no justification for this shown on the application.

It appears that only 9 ACFT storage for Recreation and 0.02 cfs for domestic should be on this APP. ??

Please follow-up.

\_\_\_\_\_  
SIGNATURE

Ronald Johnson - 205 Office.

Real Estate Division.

205 Church

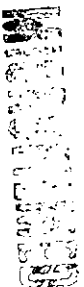
12<sup>th</sup> Floor East.

50 E. W. TEMPLE

SALT LAKE CITY, UTAH  
84150

ATT: Ronald Johnson.

4200



SEP 25 1981

State of Idaho  
Department of Water Resources,

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JCM APPLICATION NUMBER: 25 7360

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☐ Idaho Fish and Game Department. \_\_\_\_\_  
☐ Idaho Department of Lands. \_\_\_\_\_  
☐ U.S. Bureau of Land Management. \_\_\_\_\_  
☐ U.S. Forest Service. \_\_\_\_\_  
☐ Other \_\_\_\_\_

PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☐ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: Sept. 26, 1983 10-21-85  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-21-83 - 10-28-85  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☐ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? #1  
6-23-83 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_  
#26

app dismissed in 5th S.F. release

By: Ernest Carlson MICROFILMED Date: Nov 1, 1985  
STATE OFFICE REVIEW: SEP 25 1987 RECEIVED

☐ See attached sheet for more information.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Department of Water Resources

# POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't lot rediv. (R)

REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't lot rediv. (R)

REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't lot rediv. (R)

REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't lot rediv. (R)

REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't lot rediv. (R)

REACH

IDAHO STREAM CODE INDEX

October 23, 1985

The Blackfoot News  
P.O. Box 70  
Blackfoot, Idaho 83221

RE: Applications for Permits Numbers: 25-7360 LDS Church,  
35-8018 William D. Thompson, 35-8058 Charles Shackelford,  
35-8059 Charles Shackelford, 35-8061 Bill L. Doig, 35-8155 Royce  
and Anna Brookshier.

Gentlemen:

Would you please submit an affidavit of publication and certified  
bill in connection with the above referenced applications. The  
legal notice was to have been published in your paper on October  
3, and 10, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

MICHELE DAVIS  
Office Secretary

**MICROFILMED**

SEP 25 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

SEPTEMBER 25, 1985

The Blackfoot News  
P. O. Box 70  
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 21, 1985.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

MICROFILMED  
SEP 25 1987

NOTICE OF APPLICATION  
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 21, 1985.

KEN DUNN

Director

Published 10/3 and 10/10/85.

MICROFILMED

SEP 25 1987

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 25-7360 and  
have the following comments/objections to the approval of this  
application for permit:

I do not think the effects  
of the proposed development  
will be measurable.

Sept 6, 1985

Date

  
RONALD D. CARLSON, WATERMASTER  
Water District No. 01

MICROFILMED

SEP 25 1987



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
EASTERN REGION

John V. Evans  
Governor

150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

A. Kenneth Dunn  
Director

August 14, 1985

Ms. Cindy Cranston Felton  
P.O. Box 1906  
Twin Falls, ID 83303

Dear Cindy:

According to the provisions of the agreement signed October 25, 1984, applications limited to certain beneficial uses are eligible for dismissal from Ada County Civil Case 81375.

Based on our understanding of the definition "consumptive domestic" and "non-consumptive commercial, municipal, and industrial", we have identified an application that appears to comply with the criteria essential for dismissal. A profile of this application is enclosed for your consideration.

We are proceeding with the publication of notices advising these applications have been filed, but will continue to withhold other administrative action pending notification from your office that an application has been released.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

Enclosures

**MICROFILMED**

SEP 25 1985

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 31, 1983

The Blackfoot News  
P. O. Box 70  
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before SEPTEMBER 26, 1983.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

MICROFILMED  
SEP 25 1987

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 26, 1983.

KEN DUNN, Dir.

Published 9/8 & 9/15/83.

MICROFILMED

SEP 25 1983

25-7360

LDS CHURCH

50 E. N. TEMPLE, SALT LAKE CITY, UT 84111

Source: SPRING trib. to MUD CREEK  
MUD CREEK

Date Filed: 06/23/1983

Diversion Pt: SWSE Sec 06 T 02S R 40E

Use: DOMESTIC (0.02 CFS)  
RECREATION (0.23 CFS)  
RECREATION STORAGE (9.0 AF)

In: SWSE Sec 06 T 02S R 40E

*Proofed*  
*b*

25-7360  
LDS CHURCH  
50 E. N. Temple  
Salt Lake City, Utah 84111  
Source: SPRING trib. to MUD CREEK.  
Date Filed: 06/23/1983  
Diversion Pt.: SWSE, Sec. 06, T. 02S, R.  
40E.  
Use: DOMESTIC (0.02 CFS).  
RECREATION (0.23 CFS).  
RECREATION STORAGE (9.0 AF).  
In: SWSE, Sec. 06, T. 02S, R. 40E.

MICROFILMED

SEP 25 1981

25-7360  
LDS CHURCH  
50 E. N. Temple  
Salt Lake City, Utah 84111  
Source: SPRING trib. to MUD CREEK — MUD CREEK  
Date Filed: 06/23/1983  
Diversion Pt.: SWSE, Sec. 06, T. 02S, R.  
40E.

Use: DOMESTIC (0.02 CFS)  
RECREATION (0.23 CFS)  
RECREATION STORAGE (9.0 AF)  
In: SWSE, Sec. 06, T. 02S, R. 40E.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before SEPTEMBER 26, 1983.

KEN DUNN, Director

(7914)  
Pub.: 9-8, 15

*corrected*  
*9/9/83*  
*BP*

*on*  
*Name chg*  
*computer*  
*3-4-85*  
*aw*

IDENT. NO. 25 7380

WATER RIGHT  
DATA ENTRY LOG

[illegible]