

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07865

Priority: August 17, 1989

Maximum Diversion Rate:

0.19 CFS

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

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 17, 1989; and
has submitted Proof of Beneficial Use on June 11, 1990. An examination indicates
that the works have a diversion capacity of 0.200 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.12 CFS	
DOMESTIC	01/01 to 12/31	0.07 CFS	
	Totals	0.19 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 22, Township 05S, Range 34E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	34E	22	SWNE 2	SENE 3		5

Total number of acres irrigated: 5

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
05S	34E	22

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

FILED
FEB 10 1998

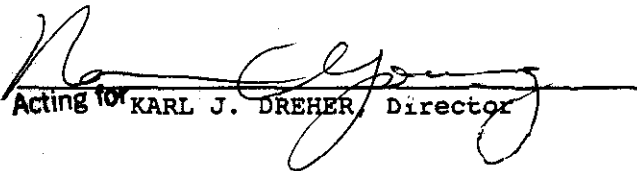
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07865

CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual diversion volume of 20.0 af for irrigation of the lands above.
8. Use of water under this right for domestic purposes shall not exceed a total annual diversion volume of 3.5 af.
9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater for irrigation purposes under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
10. This right shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
11. Domestic use is for a church.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4TH day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

FEB 10 1998

RECEIVED

FEB 02 1998

State of Idaho
Department of Water Resources

#513-3696

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 29-07865

Date of Priority: August 17, 1989 **Maximum Diversion Rate:** 0.19 CFS
Comes now CHURCH OF JESUS CHRIST LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR
50 E N TEMPLE ST
SALT LAKE CITY UT 84150 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. 29-07865, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.12 CFS	
DOMESTIC	01/01 to 12/31	0.07 CFS	
	Totals	0.19 CFS	

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 22, Township 05S, Range 34E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	34E	22	SWNE 2	SENE 3		5

Total number of acres irrigated: 5

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
05S	34E	22

 SENE

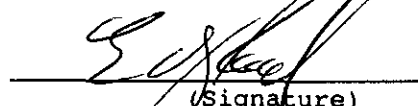
NOT RECORDED

FEB 10 1998

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 UT, this 26 day of JANUARY, 1998.

JJR


(Signature)

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

AUTHORIZED AGENT

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07865

FOR DEPARTMENT USE ONLY

Preliminary check by duk Fee = 50.00 Received by LS # 0011344 Date 2/2/98

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. 29-07865 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual diversion volume of 20.0 af for irrigation of the lands above.
8. Use of water under this right for domestic purposes shall not exceed a total annual diversion volume of 3.5 af.
9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater for irrigation purposes under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
10. This right shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
11. Domestic use is for a church.

END OF PAGE

FEB 10 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

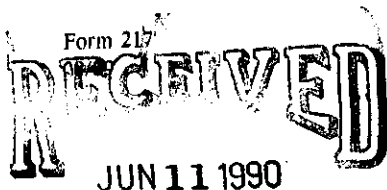
WATER RIGHT NO. 29-07865

Witness my hand this 4th day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

RECEIVED

FEB 10 1998



For Office Use Only
Amt. of Fee \$ 50.00
Date 6/12/90
Receipt No. C017228
Received by J. A. Bahr

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

#513-3696 - 3 ac #513-3718 - 4.7 ac

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

Permit No. P 29-07865 Telephone No. 801-240-4074

Name(s) of Permit Holder(s): Church of Jesus Christ of Latter-day Saints

Post Office Address: Natural Resources, R.E. Div., 12th Fl., 50 E. No. Temple, Salt Lake City, UT 84150

Source of Water: Ground water

If ground water, well driller's name: not sure Date drilled: 1974

Extent of Use:
Domestic _____ (No. of households) Irrigation 6 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: about 1974

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

John Whitaker 208-237-0769
Name Telephone No.
13573 North Yellowstone Hwy, Pocatello, Idaho 83202
Address

MICROFILMED
AUG 14 1990

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

Date _____ Signature (and title if on behalf of a company or organization) _____

AUTHORIZED AGENT

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07865

Proposed Priority: August 17, 1989 Maximum Diversion Rate: 0.20 CFS
This is to certify, that CHURCH OF JESUS CHRIST LATTER DAY SAINTS

REAL ESTATE DIVISION
12TH FLOOR
50 E. N. TEMPLE ST.
SALT LAKE CITY, UT 84150

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.12 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSENE Sec. 22, Township 05S, Range 34E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	34E	22	SENE	6		6

Total number of acres irrigated: 6

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1991**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. Domestic use is for a church.

MICROFILMED

MAY 29 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07865

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

24th day of May, 1990.

for J. Glen Saxton
R. Keith Higginson, Director

MICROFILMED

MAY 29 1990

Ident. No. 29-07865

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

AUG 17 1989

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS 801-240-2929
Address: REAL ESTATE DIVISION
TWELFTH FLOOR
50 EAST NORTH TEMPLE STREET
SALT LAKE CITY, UT 84150
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWSENE Sec. 22, Township 05S, Range 34E
BANNOCK County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.120		
DOMESTIC	01/01	12/31	0.080		
5. Total quantity appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
2 WELLS AND PUMPS, ONE WELL DRILLED IN 1974, THE OTHER IN 1987.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 80
feet. AS PER PHONE CON W/ Ron Johnson 12/28/89 PRM
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
DOMESTIC USE IN CHURCH BUILDING AND LAWN IRRIGATION
9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES
05S	34E	22	6

SENE 6

ACRES

ACRES	TOTAL
6	6

MAY 29 1990

Ident. No. 29-07865
Page 2

Place of Use: DOMESTIC

TWN RGE SEC
05S 34E 22 SENE

Total number of acres irrigated: 6

10. Describe any other water rights used for the same purposes.
NONE

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

12. Remarks:
FORT HALL WARD, POCA TELLO WARDS 37 AND 44, AND RECREATION
PROPERTY

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

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

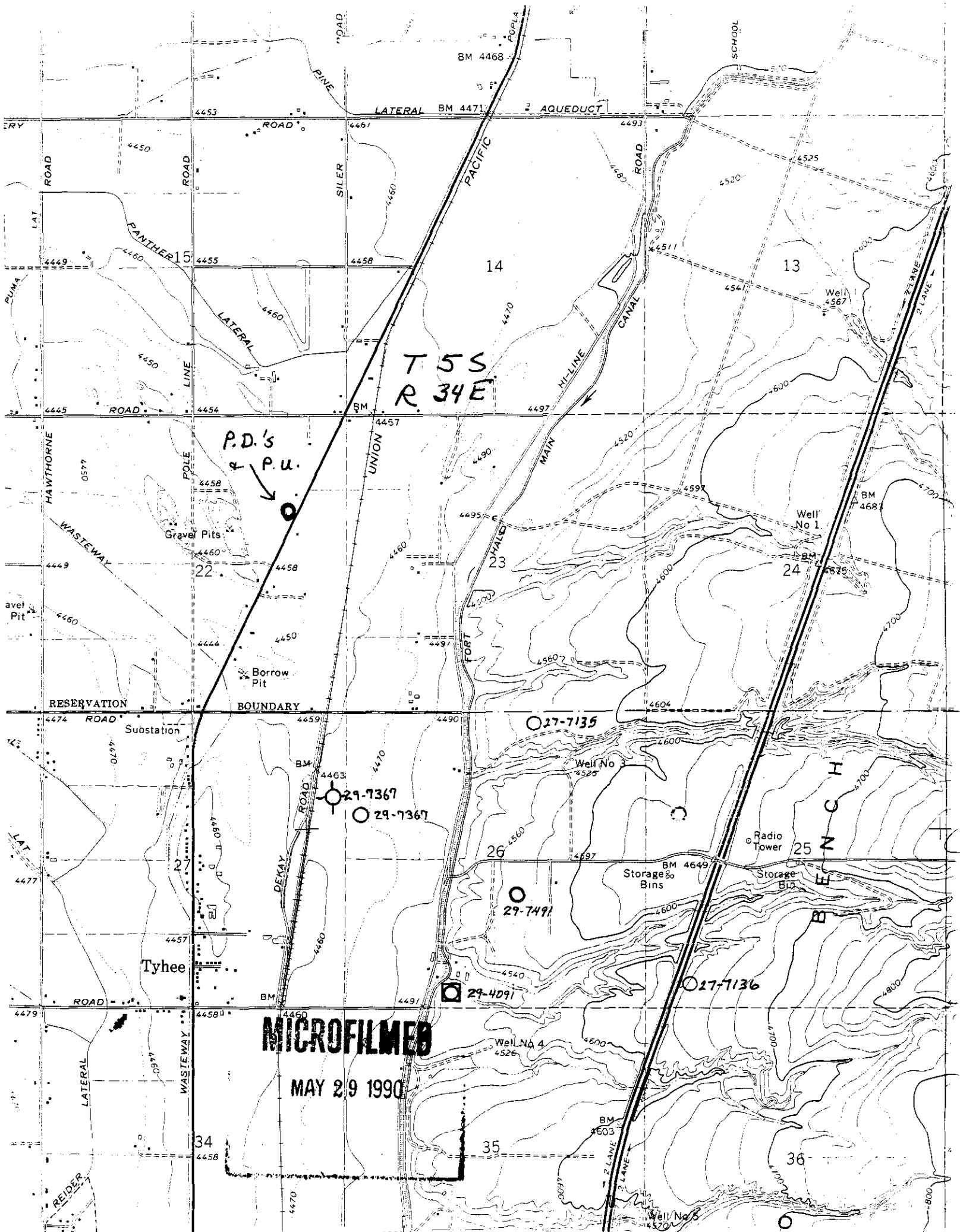
Irue A. Baker

[AUTHORIZED AGENT] Applicant

Received by CW Date 8-24-89 Time 12:15P Preliminary check by _____
Fee \$ 30.00 Receipted by HAT # C009777 Date 8/17/89
Publication prepared by RB Date 4-5-90 Published in IDAHO STATE JOURNAL
Publication approved CW Date 4-25-90

MICROFILMED

MAY 29 1990



MICROFILMED

MAY 29 1990

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

SS.

APR 17 1990
Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-07862
CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR
50 E. N. TEMPLE ST.
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt:
SESWNW Sec 5 T 11S R 37E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 7-25-1989
In: T11S R37E S05 SWNW
1.0 ACRES TOTAL

29-07863
CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR
50 E. N. TEMPLE ST.
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt:
NESW Sec 6 T 10S R 37E
Use: IRRIGATION (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 7-25-1989
In: T10S R37E S06 NESW
1.0 ACRES TOTAL

29-07864
CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR
50 E. N. TEMPLE ST.
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt:
NWNE Sec 34 T 11S R 37E
Use: IRRIGATION (.090 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.170 CFS)
Date Filed: 7-25-1989
In: T11S R37E S34 NWNE
3.0 ACRES TOTAL

29-07865
CHURCH OF JESUS CHRIST
LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR
50 E. N. TEMPLE ST.
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt:
NWSNE Sec 22 T 05S R 34E
Use: IRRIGATION (.120 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.200 CFS)
Date Filed: 7-25-1989
In: T05S R34E S22 SENE
6.0 ACRES TOTAL

29-07867
MARLEY, MERNA
MARLEY, AUSTIN
P.O. BOX 56
ARIMO, ID 83214
Source: SPRING
Tributary: MARSH CREEK
Diversion Pt:
SWNWNE Sec 13 T 10S R 36E
Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 6-08-1989
In: T10S R36E S13 NWNE
20.0 ACRES TOTAL

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>5 April</u>	<u>19 90</u>	<u>19</u>
<u>12 April</u>	<u>19 90</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 12th day of April in the year of 1990, before me, a Notary Public, personally appeared Sandra K. Wann

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

John L. Hansen
Notary Public for Idaho

Residing at Pocatello

My commission expires: July, 1991

MICROFILMED

MAY 29 1990



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

February 5, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: WATER RIGHT NO. 29-07865

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 further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

MICROFILMED

FEB 10 1998

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

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

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

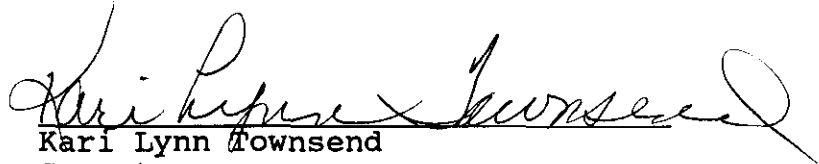
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 29-07865

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


Kari Lynn Townsend
Secretary

FEB 11 1998



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

January 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: WATER RIGHT NO. 29-07865

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

7/13/03



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

January 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: WATER RIGHT NO. 29-07865

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 your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of 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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

FEB 10 1998

MEMORANDUM

TO: File 29-07865

FROM: Sharla

DATE: January 7, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 29-07865 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.12 cfs
Domestic	1/1 - 12/31	0.07 cfs

For irrigation rights of 5 acres or less, a rate/acre 0.03 cfs can be allowed; in this case, the capacity is the limiting factor, thus the entire capacity of 0.12 cfs is being listed on this license.

Examiner: Paul Meyer
Exam Date: July 22, 1992

10/13
2013 10/13

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 10 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-07865

1. Church of Jesus Christ Latter Day Saints Phone: (801) 240-2929
Real Estate Division, Twelfth Floor
50 East North Temple Street, Salt Lake City UT 84150

2. Accompanied by: Don Johnson via phone EXAM DATE: 7-22-1992

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____
2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	NE	22	SS	34E	Bannock	2 POINTS OF DIVERSION

2. Place(s) of Use:

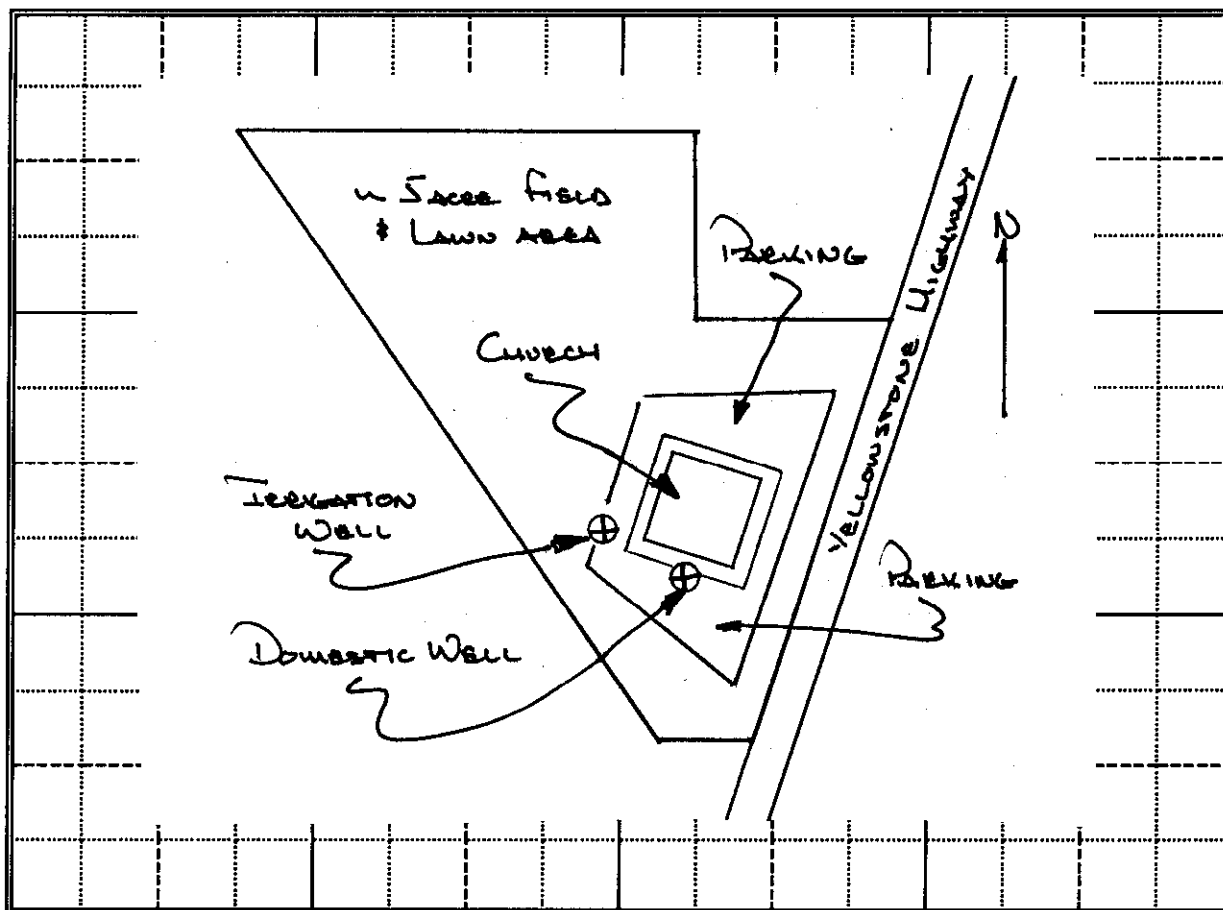
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
SS	34E	22			2	3													5
						D													

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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
Irrigation	Unknown	3			
Domestic	Unknown	1 1/2			

*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: ESTIMATED OPERATING PRESSURE 50 PSI FOR IRRIGATION AND 30 PSI FOR DOMESTIC

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E. NARRATIVE/REMARKS/COMMENTS

TWO WELLS WITH SUBMERSIBLE PUMPS TO PIPELINES FOR IRRIGATION OF PLAYFIELD, LAWN AREA AND DOMESTIC USE INSIDE CHURCH BUILDING. ONE WELL PROVIDES IRRIGATION OF PLAYFIELD. THE OTHER SERVES CHURCH AND SMALL LAWN AREA BEHIND BUILDING.

PLAYFIELD ALSO SERVED BY FORT HALL IRRIGATION.

WELL LOG FOR DOMESTIC WELL SHOWS STATIC H_2O AT 43'.

UNKNOWN PUMP SPECIFICATIONS. ESTIMATE 3 HP FOR IRRIGATION, 1 1/2 HP FOR DOMESTIC USE.

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

MIC
FEB 10 1992

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

*SEE ATTACHMENT***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \text{ ac.} \times 4.0 = 20 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.10 \times 1.9835 \times 214 = 42.45 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 20 \text{ AFA}$$

2. Volume Calculations for Other Uses:

*SEE ATTACHMENT***H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>1-1</u>	<u>12-31</u>	<u>0.07 cfs</u>	<u>3.5 AFA</u>
<u>IRRIGATION</u>	<u>4-1</u>	<u>10-31</u>	<u>0.10 cfs</u>	<u>20.0 AFA</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.17 cfs</u>	<u>23.5 AFA</u>

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. AUTHENTICATIONField Examiner's Name Rex R. Meyer Date 11-4-97

Reviewer _____ Date _____

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SEAL

Q THEORETICAL:

Well #1 (Irrigation)

$$Q_1 = \frac{3 \text{ HP} (8.814) \cdot 7 \text{ EFF}}{43' \text{ LIFT} + (2.308 \times 50 \text{ PSI})} = \underline{0.12 \text{ CFS}}$$

Well #2 (Domestic)

$$Q_2 = \frac{1\frac{1}{2} \text{ HP} (8.814) \cdot 7 \text{ EFF}}{43' \text{ LIFT} + (2.308 \times 30 \text{ PSI})} = \underline{0.08 \text{ CFS}}$$

Irrigation Component is limited by SAC * 0.02 to 0.10 CFS

Domestic Component:

ESTIMATE 20 FIXTURES @ 1.5 GPM/FIXTURE = 30 GPM

$$30 \text{ GPM} / 4418.8 = \underline{0.07 \text{ CFS}}$$

ESTIMATE 12 HOURS / WEEK USE

$$30 \text{ GPM} \times 60 \text{ MIN} \times 12 \text{ HRS} \times 52 \text{ WKS} = 1,123,200 \text{ GAL/YR}$$

$$1,123,200 / 325982 = 3.45 \text{ AFA} \approx \underline{3.5 \text{ AFA}}$$

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29-07865

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FEB 10 1968

29-07865



Plate 1 - Pumphouse at point of diversion
for irrigation of playfield.



Plate 2 - Place of use from pumphouse showing
ditch lateral from Fort Hall Irrigation.

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FEB 10 1985

29-07865



Plate 3 - Playfield looking north. Note ditch
below trees in right side of photo.



Plate 4 - Playfield looking northwest.

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SEP 10 1998

29-07865

August 1, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07865

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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AUG 14 1990

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

REAL ESTATE DIVISION
Twelfth Floor, RM-1242
50 East North Temple Street
Salt Lake City, Utah 84150
Phone (801) 240-4074

Reference reply to:
Proof of Beneficial Use

June 7, 1990

RECEIVED
JUN 11 1990

Department of Water Resources

Ms. Reta Fleck
Secretary/Records Manager
Idaho Dept. of Water Resources
1301 North Orchard St.
Boise ID 83720

Dear Ms. Fleck,

Enclosed are completed Proof of Beneficial Use forms and our check in the sum of \$200.00 to cover the cost of the license examination fee for the following properties.

Permit #	Prop. #	Property Name	Amt. of Water	Fee
P65-13102	507-5106	New Plymouth Wd Rec Prop	0.12	\$50.00
P29-07861	515-8990	Chubback 5,6,7	0.15	25.00
	515-8982	Chubback ID Stk Rec-Philbin		25.00
P65-13108	514-3063	Fruitland 1,2	0.03	none
	515-3069	Fruitland 1,2 Wds Rec-Rt#1		none
✓ P29-07865	513-3696	Ft Hall Indian, Pocatello 37,44	0.20	25.00
	513-3718	Ft Hall Indian, Pocatello 37,44 Rec Prop		25.00
P29-07862	506-9408	Virginia	0.04	none
P29-07863	507-5785	Arimo Sem.(Marsh Valley High)	0.04	none
P29-07864	518-7982	Downey 1,2	0.17	25.00
	518-7990	Downey 1,2 Wds Rec Prop		\$ 25.00
TOTAL				\$200.00

Handwritten notes: 50.00, 50.00, 50.00, 50.00, 50.00

Thank you for your help.

Sincerely,

Ronald C. Johnson

Ronald C. Johnson
Water Analyst

RCJ:ja
encs.

cc: Terry F. Roylance
M. Glade Pincock

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AUG 14 1990

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 24, 1990

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P29-07865

Dear Permit Holder:

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

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

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

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

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MAY 29 1990

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

MAY 29 1950

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 4-23-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended 8-17-1989 See below for additional information
By HWT Date 4-30-90

STATE OFFICE REVIEW P05, P23 P16 46 48 49
By KW See below for additional information
Date 5-17-90

ADDITIONAL INFORMATION

App. in NON-TRUST Area-

13-Mar-1990

Church of Jesus Christ
Latter Day Saints
50 East North Temple St.
Salt Lake City , UT 84150

RE: Application for Permit No. 29-7862, 29-7863, 29-7854, &
29-7865

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal on April 5 & 12, 1990. The advertisement will be published for two consecutive 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.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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MAY 29 1990

29-07865

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

Source: GROUNDWATER

Diversion Pt: NWSENE Sec 22 T 05S R 34E

Use: IRRIGATION (.120 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.200 CFS)

Date Filed: 7/25/1989

In: T05S R34E S22 SENE

6.0 ACRES TOTAL

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MAY 29 1990

15

ADJUDICATION FILING FEES FOR IDAHO

RECEIVED

AUG 17 1989

PROPERTY IDENTIFICATION

Idaho State Water Right Permit # 29-07865
LDS Church Property # 5133696 and 5133718

Department of Water Resources

FEE CALCULATIONS

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

VARIABLE FEE SCHEDULE

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

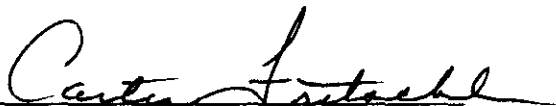
Other charges. \$ 30⁰⁰

Application

TOTAL

\$ 30⁰⁰

DATE 7-25-89


Carter Fritschle
Idaho Dept. of Water Resources


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

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MAY 29 1990

Dep. of Water Resources
Eastern District Office

REAL ESTATE DIVISION
NATURAL RESOURCE SECTION

AUG 07 1989