

July 17, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
AUG 10 1998
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: August 14, 1998

Water right number: ~~95-10674~~

BINGHAM COUNTY GROVELAND CEMENTARY MAINT
C/O C E LILYA
414 N 400 W
BLACKFOOT ID 83221

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 11 aug 1998 SIGNATURE: Claude E Lilya
Please print your name: CLAUDE E. LILYA

CONVERSATION MEMORANDUM

DATE AUG 21 1992FILE A35-10674NAME OF PARTY CLAUDON LILYAEMPLOYEE ERIC VERNER

RE: GROVELAND CEMETARY. CLAUDON LILYA IS THE SON OF
CLAUDE E. LILYA WHO'S ~~SD~~ AFFIDAVIT WAS SUBMITTED IN
SUPPORT OF A35-10674. MR. CLILYA (CLAUDE E.) WAS IN
PENNSYLVANIA SO HIS SON DISCUSSED THIS CLAIM W/ ME.

CLAUDON SAID THAT HIS FATHER HAS BEEN ON THE
CEMETARY BOARD FOR MANY YEARS AND THAT HIS FAMILY
HAS BEEN INVOLVED W/ MAINT. ETC... OF THE CEMETARY
SINCE HE WAS YOUNG.

MY QUESTION REGARDED THE EXTENT OF USE ~~THE~~ OF THE
WELL ~~HAD~~ FOR IRRIGATION SINCE 1934. CLAUDON'S FATHER'S
STATEMENT DOESN'T MENTION WHETHER OR NOT THE WELL
WAS USED FOR IRRIGATION OR NOT. CLAUDON SAID THAT
AS FAR BACK AS HE REMEMBERED, THE WELL WAS THE SOLE
SOURCE OF IRRIGATION WATER FOR THE ORIGINAL 4 ACRES.
HE TOLD ME THAT THE ORIGINAL WELL HAD A 5HP PUMP
INTO AND THAT UNDERGROUND LINES SUPPLIED SPRINKLERS. THE
SYSTEM WAS CHANGED IN 1987 TO SOLID SET ALAND LINES
FROM THE NEW WELL (SEE 35-08723).

BASED UPON MY DISCUSSION W/ CLAUDON, RECOMMEND
PRIORITY DATE AS CLAIMED. (1934)

WATER RIGHT NUMBER : A35-10674

LEGAL DES: Twn 025 Rng 35 E Sec 20 Tract SW SE 4 ACRES
(11) BINGHAM COUNTY

AS I REMEMBER IT, THE HOUSE HAD WATER IN IT BY 1937, FROM THE WELL ON THE CEMETERY. AT FIRST, I THINK THERE WAS ONLY A HAND PUMP FOR THE USE OF THOSE WHO LIVED IN THE HOUSE. IT MUST HAVE BEEN DRILLED ABOUT 1934/1935. IN 1937, WHEN OUR SON DIED AND WAS BURIED IN THAT CEMETERY, THERE WAS WATER IN THE HOUSE. THE WELL WAS UPDATED IN 1959 AND AGAIN IN 1987.

DATE

12/27/91

Eva J. Hale

12/27/91

Leah Jones
Notary Public

MICROFILMED

DEC 10 1992

I REMEMBER HELPING MY FATHER TAKE A TWO ROOM HOUSE
TO THE GROVELAND CEMETERY DURING 1934. SOMETIME
DURING THAT YEAR, A WELL WAS DUG AND THE HOUSE USED
A HAND PUMP. IT WAS UPDATED IN APRIL 1959 AND
A SECONDARY WELL WAS DUG IN 1987.

FAMILIES LIVED IN THAT HOUSE AND HELPED TO TAKE CARE
OF THE CEMETERY, RIGHT UP UNTIL THE EARLY 1970's.

DATED 8 Jan 1992 Claude E. Lilya

WATER RIGHT NUMBER A35-10674

LEGAL DESCRIPTION

TWN 025 RNG 35 E SEC 20 TRACT SE SW SE (11) BINGHAM CO.

SWORN BEFORE ME THIS DAY 8 JANUARY, 1992

Betty J. Thompson
BETTY J. THOMPSON, NOTARY

NOTARY PUBLIC STATE OF UTAH
MY COM. EXPIRES 12/31/94

MICROFILMED
DEC 10 1992

December 18, 1991

A35-10674

GROVELAND CEMETARY MAINT DIST
C/O C E LILYA
414 N 400 W
BLACKFOOT ID 83221

*****FINAL REQUEST*****

RE: Evidence of Priority ***RESPONSE DEADLINE***
JANUARY 20, 1992

Dear Mr. Lilya:

Our records indicate that your claim, listed above, is based upon either a "Statutory Claim" or "Beneficial Use" of the water. For water rights of this type, the claimed "Priority Date" must be substantiated with supporting evidence. We previously requested this supporting evidence be submitted by July 25, 1991, and to date we have not received the requested documentation.

Before the Department can make a recommendation to the Court to decree the claim, some evidence of the priority date must be submitted. We are enclosing a brochure outlining the types of evidence you may submit, and a printout of your claim for reference. We request that you submit your evidence of priority as soon as possible.

If we do not receive the requested documentation, the Department will recommend the claim be disallowed, due to lack of evidence supporting any priority date.

Please submit the required evidence supporting the priority date by January 20, 1992. Please reference the claim number on your correspondence. If you have questions or need other assistance, please contact this office.

Sincerely,

Eric Verner
Senior Water Rights Agent

EV:jt

Enclosure: Brochure/Proof Report

MICROFILMED

DEC 10 1992

28-Jun-1991

BINGHAM COUNTY GROVELAND CEMETERY
414 N 400 W
BLACKFOOT, ID 83221

RE: **Evidence of Priority** A35-10674

Dear Claimant:

The Notice of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority date by JULY 29, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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DEC 10 1992

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

MICROFILMED

DEC 10 1992

COPY FOR: 35-10674

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Bingham Co. Graveland Cemetery

Permit No. 35-8723

Phone No. 5-11-92

Current Address: _____

2. Accompanied by: Claude Lillya (President)

EXAM. DATE: 5-11-92

Address: 414 N. 400 W. Blackfoot

Phone No. 785-6400

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: (Should be) check adj claims - (A35-10674 on adjacent acre) ☒ Copies Attached

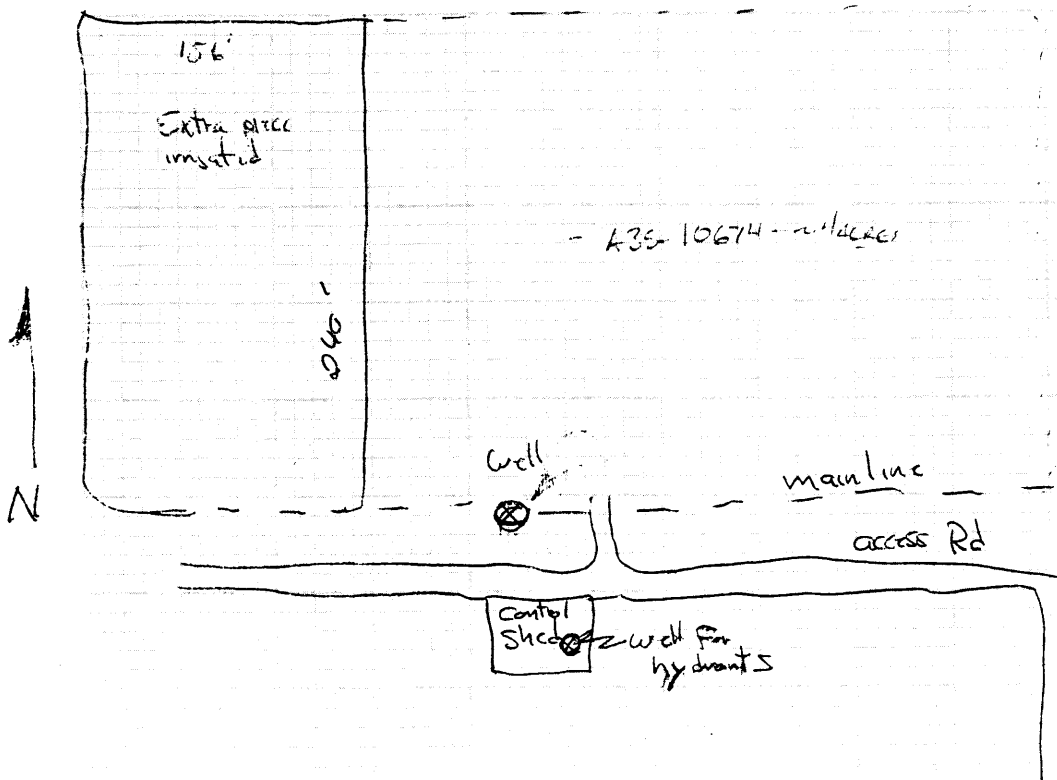
2. Other water rights with same point of diversion: (Should be) A35-10674

☒ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

System Description (continued)

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

Well + pump to solid set hand lines (4 run at a time)
Submersed pump in 8" casing. Well is 110' deep. Well completed in 1990 by Cushman.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		10			

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

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

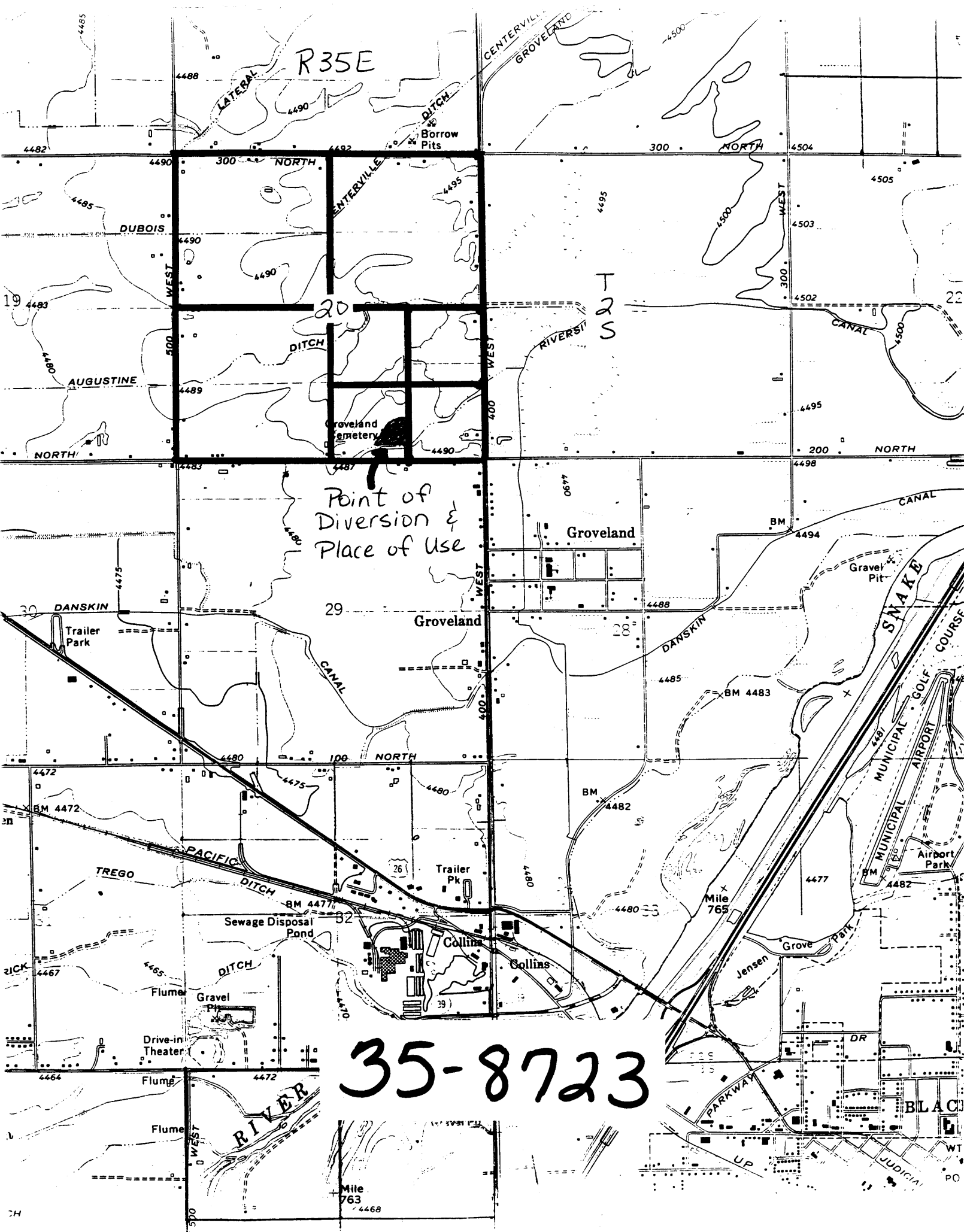
Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	20	25	35E	Bingham	USGS

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

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	35E	20															1		1

Do not use this space



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure Gage		Ashcroft			6 in	

2. Measurements:

44psi
ix

(28) sprinklers on 4 diff. lines run at once

x 44psi

9/64 Nozzles

$$(3.99 \text{ gpm/nozzle}) (28) = 111.72 \text{ gpm}$$

$$Q = 111.72 \text{ gpm} / 448.8 = .25 \text{ cfs available}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (4.7) (3.0) = 14.1 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.63)(200)(1.9835) = 12.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12.7$$

2. Volume Calculations for Other Uses:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	10/1	163	12.7
Totals:			163	12.7

☐ 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

Field Examiner's Name _____
Signature _____
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

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

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAM NUMBERS 35-10674

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 4⁰

GEOGRAPHIC INFO SYSTEM

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	25	35E	20													4			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP (545) _____

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

BINGHAM COUNTY POD/SOURCE # C.N.
GRAUBLAND CEMETARY MAINT. T2S R35E S20 S35WSE # 388 + 389
% C E Lilya TWO POINTS OF DIVERSION
414 N 400 W
Blackfoot Rd 83221
Phi (208) 785-4232

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()