

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-2234
Date Received: 10/18/1989
Receipt No: W006351
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MIDVALE MAINTENANCE CEMETERY DIST Phone: (208)355-2352

2376 VALLEY RD
MIDVALE ID USA 83645-5122

2. Date of Priority: 04/17/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	03W	10	NE SE SW	WASHINGTON	

5. Description of diverting works:

5 HP PUMP-PUMPING TO PIPELINE-CLEANED & DEEPENED 1985.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	1/01	12/31	0.11	

7. Total Quantity Appropriated is:

0.11 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
13N	03W	10	SE SW	IRRIGATION	12
Section Acres					12

Total Acres 12

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THE LICENSE THAT THIS CLAIM IS FILED ON IS FOR LESS WATER AND LESS IRRIGATED ACRES. ADDITIONAL INFORMATION WILL BE NEEDED WHEN RECOMMENDING THIS CLAIM.

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A67-02234**
Date Received: 10/18/1989
Receipt No: W006351
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: MIDVALE MAINTENANCE CEMETERY DISTRICT 208-355-2352
Address: RT 1 BOX 48
MIDVALE ID 83645

2. Date of Priority: APR 17, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	03W	10	NE	SE	SW		WASHINGTON

5. Description of diverting works:
5 HP PUMP-PUMPING TO PIPELINE-CLEANED & DEEPENED 1985.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.110		

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13N	03W	10	SE	SW		IRR	12.0
Section Acres							12.0

10. Place of Use: Continued

Total Acres 12.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

ANOTHER WELL W/HANDPUMP 30' FROM THIS WELL FOR FLOWERS.

14. Remarks:

THE LICENSE THAT THIS CLAIM IS FILED ON IS FOR LESS WATER AND
LESS IRRIGATED ACRES. ADDITIONAL INFORMATION WILL BE NEEDED WHEN
RECOMMENDING THIS CLAIM.

15. Basis of Claim: LICENSE

Water Right Number: 24429

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-2234

Date Received 10-18-89

Receipt Number W006351

RECEIVED
OCT 18 1989

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED

OCT 02 1996

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Midvale Maintenance Cemetery District Phone (208) 355-2352
Mailing Address Route 1 Box 48 Midvale, Idaho Zip 83645

2. Date of Priority (Only one (1) per claim) April 17, 1956

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 13N Range 3W Section 10,
NE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 5 horse pump - pumping into pipeline -

Cleaned and deepened in 1985

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the court which contains a summary of all documents filed with the court in the previous month, and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1/1 to 12/31 amount .11 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 36 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13N	3W	10												12					12

Total number of acres irrigated 12

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Another well with hand pump within 30 feet of this well for watering flowers or None ()

14. Remarks:

Last Name Midvale Main. Cemetery Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

Section 10

Point of Diversion

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X

Decree _____

If applicable provide IDWR Water Right Number G-24429

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary

Title

of Midvale Maintenance Cemetery District _____, that I have signed the foregoing

Organization

document in the space below as Secretary of Midvale Maintenance Cemetery Dis.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Peggy D. Springer

Title and Organization Secretary/Midvale Main. Cem. Dis. Date 10/17/89

State of Idaho/or Idaho)
) SS.

County of Washington)

Subscribed and sworn (or affirmed) before me this 17th day of October 19 89

SEAL

Notary Public Maxine M. Fox

Residing at Midvale, Idaho

My Commission Expires 11-1-1994

Please Print Name Maxine M. Fox

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Midvale Main. Cemetery Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 67-02234

Prefix Translation: WATER RIGHT

Old (D) Number - 24429

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MIDVALE MAINTENANCE CEMETERY DISTRICT

1 -

2 -

3 -

City- MIDVALE

State- ID Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/25/1953 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
+ - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
13N 03W 10 SE SW (87) WASHINGTON+ - - - - Water Use - - - - - +
+ - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 0.090+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.090+ - - - - Place of Use - - - - - +
+ - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
13N 03W 10 SE SW 4.0 01 IRRIGATION (87) WASHINGTON

Total Acres: 4.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/12/1985	DLE/Carry Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 01/30/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

11/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-2234

NAME AND ADDRESS: MIDVALE MAINTENANCE CEMETERY DIST
2376 VALLEY RD
MIDVALE ID 83645-5122

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
18.000 AFY

PRIORITY DATE: 08/25/1953

POINT OF DIVERSION:

T13N R03W S10 SESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 10/31

QUANTITY
0.090 CFS
18.00 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T13N R03W S10 SESW 4.50

4.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Eastside Cemetery.

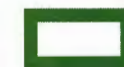
Idaho Department of Water Resources

**T13N, R03W,
SEC 10**

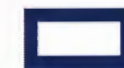
Claim No: 67-2234

Prepared By: Kimberly Brown

Date: November 12, 2006 7471



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Irrigated Acres = 4.5



0.2 0 0.2 0.4 Miles

1987 NAPP

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-2234
Notice of Error Reply

November 29, 2006

Gerald K. Myers attended the Preliminary Director's Report Meeting held in Weiser at 7:00 p.m. When Mr. Myers met with me, he handed me his Notice of Error Reply and stated that the cemetery acquired more land and he, therefore, wants me to change the recommendation to the 11.6 acres that they currently own. I explained that the maximum amount that I can recommend for this claim is the amount that was licensed in 1957, which was 4.5 acres of irrigation. When I asked when the additional land was purchased, Mr. Myers found a document in his files that showed it was acquired in 1982. Based on this information, I informed Mr. Myers that he would need to go through a different process and file an Application for Permit for the additional 7.1 acres. I told him that I would send him the appropriate application in the mail. ✓

Kimberly Brown
Senior Water Resource Agent
Western Region

Permit packet of information
was sent on 12/7/06.
-K.B.

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 29 2006

WATER RESOURCES
WESTERN 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: December 8, 2006

Water right number: 67-2234

MIDVALE MAINTENANCE CEMETERY DIST
2376 VALLEY RD
MIDVALE ID 83645-5122
Telephone Number: (208)355-2352

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

4.5 total Acres of land

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

Change 4.5 Acres to 11.6 Acres of land

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

We have acquired more land at the Cemetery site and expanded it from 4.5 Acres to 11.6

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: *11-29-06*

SIGNATURE: *Gerald K. Myers*

Please print your name: *GERALD K. MYERS*

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Permit/ Water license No. 6-24429

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2234

WATER RIGHT NUMBER: 67-2234 ✓

Owner Type

Current Owner

Name and Address

MIDVALE MAINTENANCE CEMETERY DIST ✓

2376 VALLEY RD

MIDVALE, ID 83645-5122

(208)355-2352

Priority Date: ~~04/17/1956~~

8/25/53

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

~~1/01 to 12/31~~

change: 3/15 - 10/31

Diversion Rate~~0.110 CFS~~

0.09

Annual Volume

18.0

Total Diversion:~~0.110 CFS~~

0.09

18.0

Volume Calculations:

$$4.5 \text{ AC} \times 4.0 \text{ afg/acre} = 18.0 \text{ AFA} \text{ (v)}$$

$$0.09 \text{ cfs} \times 1.9835 \times 231 \text{ days} = 38.0 \text{ AFA}$$

Location of Point(s) of Diversion

GROUND WATER

WASHINGTON County

NE 1/4 SE 1/4 SW 1/4 ✓

Sec. 10, Twp 13N, Rge 03W, B.M. ✓

Remove - hard to distinguish which QQQ

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 13N	03W	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.0
																			4.5

Total Acres: 12

4.5 (*) Clmt. claimed 120 acres, but licensed for 4.5 acres
+ the 1987 NAPP shows only 4.5 acres of irrigation.

Conditions of Approval:

THE LICENSE THAT THIS CLAIM IS FILED ON IS FOR LESS WATER AND LESS IRRIGATED ACRES. ADDITIONAL INFORMATION WILL BE NEEDED WHEN RECOMMENDING THIS CLAIM.

Comments:Remarks:

* Season of use is 3/15 - 10/31.

Comments:

A.K.A. Eastside Cemetery

Pin # RP 13N 03W 107100. (11.84 - 12.8) Ac

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-2234

11/12/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2234	Claim	13N	03W	10	SE	SW		IRRIGATION	12/12	MIDVALE MAINTENANCE CEMETERY DI
2234	Water Right	13N	03W	10	SE	SW		IRRIGATION	4/4	MIDVALE MAINTENANCE CEMETERY DI

no overlap

Receipt Details for ID W006351

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
10/18/1989 2:05:04 PM	10/18/1989	Western	\$114.00	Check
Payer		MIDVALE MAINTENANCE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1385			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$114.00	ADJUDICATION CLAIM FEE	410162	9337	00	00	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	2234		\$62.00	Claim
67	14017		\$52.00	Claim

Print Report

APPLICATION FOR PERMIT 67-2234

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 32225
 Permit No. G- 24429
 District No.

Paul E. Jacks - Secretary-Treasurer
 Star Route, Midvale, Idaho

1. Name of Applicant: MIDVALE MAINTENANCE CEMETERY DISTRICT
 Postoffice address: Midvale County: Washington State: Idaho
2. Quantity of water claimed: .09 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. .09 or Idaho
 Miners' inches $4\frac{1}{2}$ or gallons per minute. 45 gallons
 - (b) Annual withdrawal in acre feet per annum 5 acre feet per acre on 5 acres
3. Source of water supply: Drilled well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Ten (10)
 Twp. 13 N. , Rge. 3 W. , B.M., County of Washington
5. Water is to be used for: Sprinkling system of Eastside Cemetery, at Midvale
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Ten (10), Twp. 13 N.
 Rge. 3 W. , B.M.
 - (b) Waste water or sewage effluent is to be returned to No waste water from sprinkler
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drill well, install pressure-system for sprinkling of cemetery
8. Estimated cost of works: \$5000.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir: None
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks

Idaho as herein set forth.

By Paul E. Jacks Agent.
Secretary-Treasurer

Corrected application received: August 29, 1953

MARK R. KULP
State Reclamation Engineer

Countersigned:

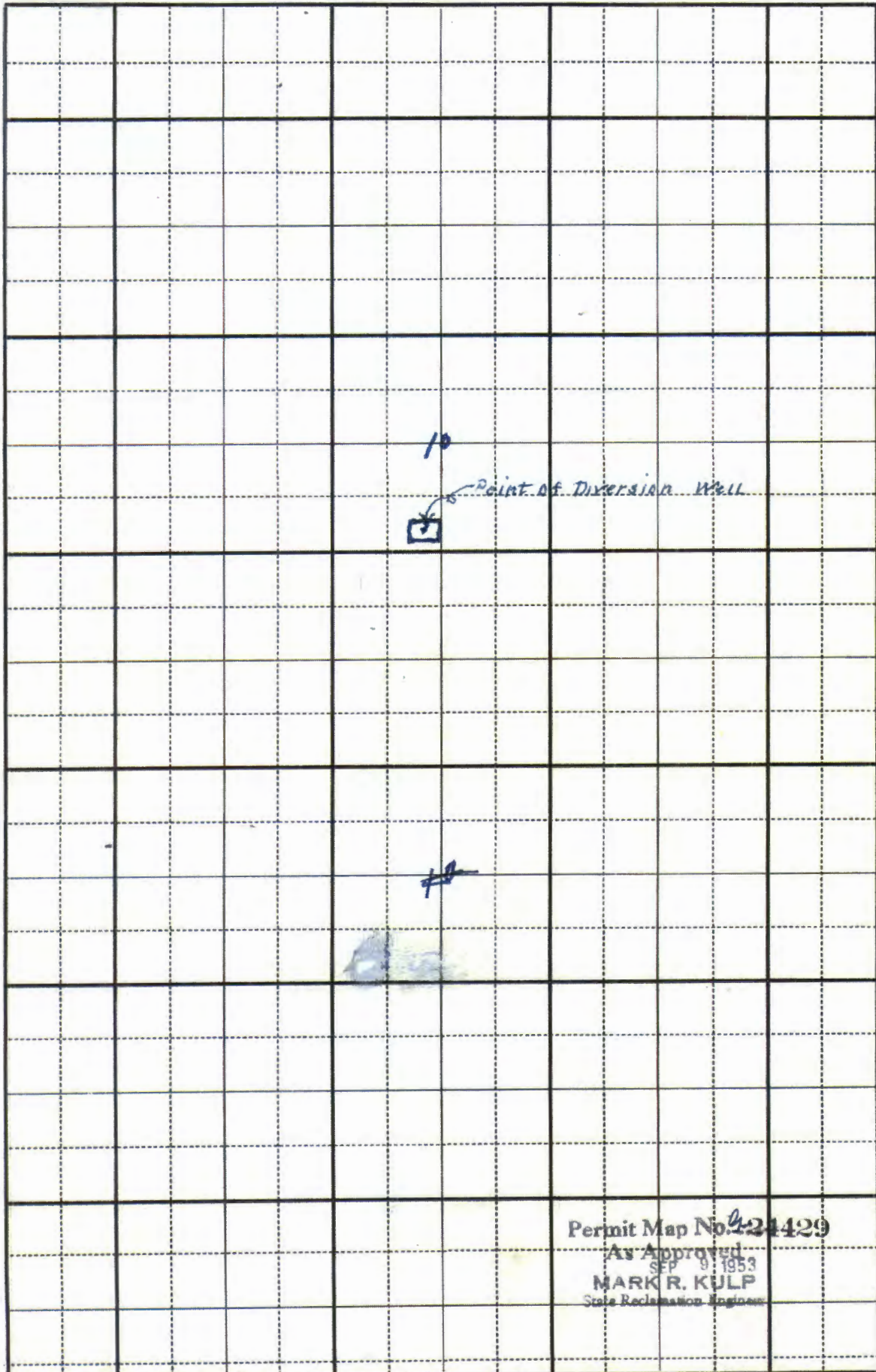
STATE OF IDAHO

By LEN JORDAN
Governor

12.

LICENSE ISSUED FOR 09 SEC. 57.

Page 5996



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

24429

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 19 1956
Department of Reclamation

Permit No. G-24429

Proof of Application of Water to Beneficial Use

**and Completion of Works
Deposition of Holder**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Paul E. Jacks; - Secretary-Treasurer, and caretaker. Midvale, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Midvale Maintenance Cemetery District, Midvale, Ida. Secretary-Treasurer.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G-24429---September 9, 1953

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Drilled-well, located S.E. 1/4 of S.W. 1/4 of Section 10, Township 13 north Range 3 West B.M. and well is located in about the center of the Eastside Cemetery.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Pumped by Electric-pump and used with a sprinkler-system; - The well is 324 feet deep. The casing is 149 feet deep and is of the 8-inch size; - Well overflows, and the waste water returns to the first vein of water, which is cased off. Five-horse power Layne Pump. Use of 8-sprinkler heads size; at 3.1 GPM each. Pressure 70 pounds. Size 9/64 - 2-inch Aluminum pipe is used.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used to Sprinkle the Eastside Cemetery, located as described above. 4 1/2 acres are now in the Cemetery. About one-half of this cemetery has now been planted and sprinkled as described. Cultivated; - Lining of Stones, smoothing of ground, and planting of lawn and care of same. SE 1/4 SW 1/4 Section 10, Twp. 13.N. R. 3.W.

G24429

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. NONE

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. NONE

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the same.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. NONE

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There are none

(Sign)

Paul E. Jacks
Secretary-Treasurer

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Cambridge, County of Washington, State of Idaho, on this 17th day of April, A. D. 1956.

May Collins
Notary Public

My commission expires June 3, 1957

824429

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 19 1956
Department of Reclamation

Permit No. G-24429

**Proof of Application of Water to Beneficial Use
and Completion of Works**
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. A. D. Lewis Age 54 Residence Midvale, Idaho
Farmer Midvale, Idaho

Ques. 2. Are you acquainted with Midvale Maintenance Cemetery District, the holder of Permit No. G-24429? How long have you known him and where does he reside?

Ans. have known this to be a Cemetery District since May, 1949.

Ques. 3. Have you read or heard read said Permit No. G-24429, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Drilled well, located SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 10, Tn 13 N R 3 WBM. Pumped by electric pump and used with a sprinkler system. 2 inch Aluminum pipe is used to carry the water, and 8 sprinkler heads size at 3.1 GPM each. Pressure 70 pounds.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .09 second feet of water could be safely conducted to place of use.
Have seen 25 gallons per minute used.

Ques. 6. (Pumps) How much water in cubic feet per second, miter's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Have seen the pump deliver 25 gallons of water per minute, and estimated this by the number of sprinkler heads used. I believe the pump could handle more water when the sprinkler pipe and heads are available.

G-24429

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. This water is to be used to improve the Eastside Cemetery, which contains 4 1/2 acres of land. About half this land has now been leveled, seeded and sprinkled. All will be improved in the near future.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This land is not for profitable cultivation. The Cemetery is on dry land and the water is needed for improvement.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have seen the whole works progressing, from the drilling of well, to placing of pump and sprinkler system, and use for sprinkling seeded area.

(Signed)

A. D. Lewis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Cambridge, County of Washington, State of Idaho, on this 17th day of April, A. D. 1956.

Mary Collins

Notary Public.

My commission expires June 3, 1957

524429

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 19 1956
Department of Reclamation

Permit No. G-24429

**Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Vernon Jacka Age 27 Residence Midvale, Idaho
Farmer Midvale, Idaho

Ques. 2. Are you acquainted with Midvale Maintenance Cemetery District, the holder of Permit No. G-24429? How long have you known him and where does he reside?

Ans. Have known this to be a Cemetery District since May, 1949.

Ques. 3. Have you read or heard read said Permit No. G-24429, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Drilled well, located SE 1/4 of SW 1/4 Sec. 10, Tn 13 N R 3 WBM. Pumped by electric pump and used with a sprinkler system. 2 inch Aluminum pipe is used to carry the water, and 8 sprinkler heads size at 3.1 GPM each. Pressure 70 pounds.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 45 gallons per minute could be safely conducted, but have seen only 25 gallons used

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Have seen the pump deliver 25 gallons per minute, and estimated this amount because of the sprinkler heads used. I believe the pump could handle more water if the sprinkler pipe and heads are available.

B24429

K44

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. This is used to improve the Eastside Cemetery, which contains 4 1/2 acres. About half this land has now been leveled, seeded and sprinkled. The rest will be as fast as possible.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land not for profitable cultivation. Cemetery was on dry land, and the water is needed for improvement.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have watched the drilling of the well, and the work of placing the pump and aprinkler system, and the use it has had to date in starting lawn.

(Signed) Vernon Jacks

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Cambridge, County of Washington, State of Idaho, on this 17th day of April, A. D. 19 56.

Mary Callahan
Notary Public.

My commission expires June 3, 1957

824429

State of Idaho
License and Certificate of Water Right

Water License No. G-24429

Amount .09 c.f.s.

Water District No. _____

Priority August 25, 1953

THIS IS TO CERTIFY that **MIDVALE MAINTENANCE CEMETERY DISTRICT**
of **Midvale, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **August 25**, 1953; that Permit No. **G-24429**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.09 second feet, was issued thereunder on **May 20**, 1957, showing that said works
were completed on the **17th** day of **April**, 1956; and that on the **17th**
day of **April**, 1956, **PAUL E. JACKS, Sec'y-Treas**
MIDVALE MAINTENANCE CEMETERY DIST.

of **Midvale**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a drilled
well ~~subterranean~~ **subterranean** flow, for the purpose of **Irrigation**
, under Use Permit No. **G-24429** of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page **5996**, on the **20th** day of **May**, 1957;
The right hereby confirmed dates from **August 25**, 1953;

The Point of Diversion is located
in the **SE 1/4 SW 1/4, Sec. 10, Tp. 13 N., R. 3 W., B. M.** County **Washington**
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **.09** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N.	3 W.	10	SE 1/4 SW 1/4	4.5	4.5
Total number of acres irrigated -				- - - - 4.5	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

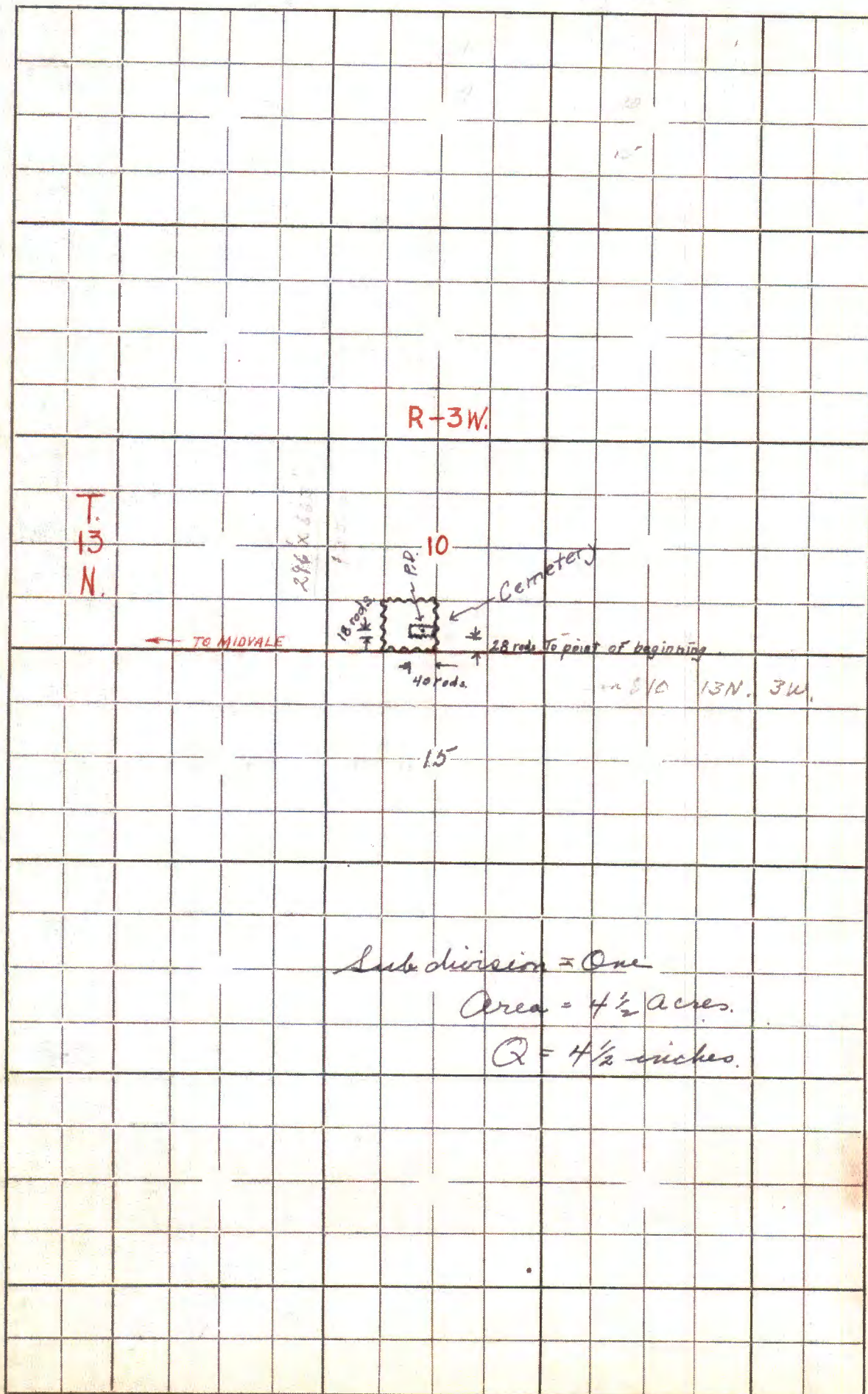
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
20th day of **May**, 1957.

/s/ **Mark R. Kulp**

State Reclamation Engineer.

(SEAL)

62 244



Sub division = One

Area = $4\frac{1}{2}$ Acres.

Q = $4\frac{1}{2}$ inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 0-24429

REPORT ON PROOF OF Completion of Works & Beneficial Use

.09 cfs
max

app. .09 cfs
sub-
across 1
4 1/2

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
APR 22 1957

Department of Reclamation

Ridvale Maintenance Cemetery District
Paul E. Jacks; Secretary-Treasurer and caretaker
Ridvale, Idaho
Permit No. Q-24429

324' x 8" cad 150' (1954 Jan 28 finished)

Examination for Completion of works & Final Use

h-flowing.

County Washington

10-13N.-3W.

130' x 4" Col.

Q = 0.09 c.f.s.

S = Well

P.D. = SE. 3/4, Sec. 10, T. 13N. - R. 3W.

See Irrigation (Cemetery)

Layne B. Lusk 20441
Conc. base 6' x 6'

G.P. 5th 1 ph. 250V

XKJ3609

G.E. Controls on Post

to S.W.

Wood pump house.

3" x 20' post etc.

12 sprinkler Rainbird

3/16" sprinkler 37pm.

run 8 at one time (claim)

Filed Aug 25, 1953

Due Sept 9, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-24429This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Midvale Cemetery Maintenance District
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE 1/4 of Section 10
T. 13 N. R. 3 W. B.M. County of Washington
4. Describe works as they exist, giving dimensions and capacities of same: Well = 324' x 8" d.
and 150' 130' x 4" column Layne Bowler Turbine pump #20441
G.E. 5 hp. single phase Motor 12 Rainbird Sprinklers 9/16"
33 pieces 2" x 20' portable AL pipe
water stands at surface

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

1 1/2 acres in the SE 1/4 of Sec. 10., Twp. 13 N., Rge. 3 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: _____

This examination was made on the 18 day of Apr., 1957(Signed) E. N. Humphrey Examiner.S24429