

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 67-2315
Date Received: 6/12/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

COUNCIL VALLEY CEMETERY DIST Phone:

PO BOX 193
COUNCIL ID USA 83612

2. Date of Priority: 08/17/1963

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	22	NE NW	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.1	20

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 20 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16N	01W	22	NE NW	IRRIGATION	5
Section Acres					5
Total Acres					5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

JUN 30 2006

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-2315
Date Received: 6/30/06
Receipt No: C.081581
Received By: KAW

New Claim

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

New Claim

1. Name of Claimant(s)

COUNCIL VALLEY CEMETERY DIST Phone: 208-253-6963
P.O. Box 193
COUNCIL ID USA 83612

2. Date of Priority: 08/17/1963

3. Source: GROUND WATER Trib. to: Well

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	22	NE NW	ADAMS	

5. Description of diverting works: Well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.1	20

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 20 A.F.A.8. Total consumptive use: use it all9. Non-irrigation uses: None

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16N	01W	22	NE NW	IRRIGATION	5
Section Acres					5
Total Acres					5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

None

14. Remarks:

15. Basis of Claim: License

21216/07-2315

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: 2 pages

For Organizations:

I do solemnly swear or affirm that I am Secretary of

Council Valley Cemetery Dist Title
Organization have signed the foregoing

document in the space below as Secretary of

Council Valley Cemetery Dist Title
Organization and that the statements contained in the

foregoing document are true and correct.

Sha Rabelt
Signature of Authorized Agent

Sec. Council Cemetery Dist
Title and Organization

6/28/06
Date

State of Idaho)

County of Adams)

SS.

Subscribed and sworn (or affirmed) before me this

of June 2006

Janet S Meyer
Notary Public

Residing at Council

My commission Expires

11/13/10



Idaho Department of Water Resources Receipt

Receipt ID C081581

Payment Amount \$107.00 Date Received 6/30/2006 10:58:06 AM Region State Status ☐
Payment Type Check Check Number 1408

Payer COUNCIL VALLEY CEMETERY DISTRICT

Comment #67-7006 and 67-2315

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$107.00	ADJUDICATION FILING FEE	0337	41503	1155	



Signature Line (Dept. Representative)

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

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: 67-2315

COUNCIL VALLEY CEMETERY DIST
PO BOX 193
COUNCIL ID 83612

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:

12/4/06

SIGNATURE:

Ava Rubelt, Sec.

Please print your name:

Ava Rubelt, Sec.

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

SCANNED

DEC 14 2006

07/07/2006

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

RIGHT NUMBER: 67-2315

NAME AND ADDRESS: COUNCIL VALLEY CEMETERY DIST
PO BOX 193
COUNCIL ID 83612

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
20.000 AFY

PRIORITY DATE: 08/17/1963

POINT OF DIVERSION:

T16N R01W S22 NENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.100 CFS
20.00 AFY

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S22 NENW 5.00

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



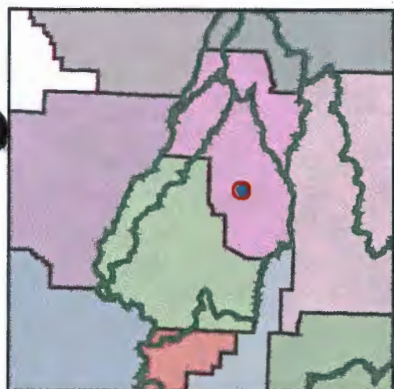
Idaho Department of Water Resources

SRBA Recommendation:

67-2315

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton
On Friday, July 7, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2315 V1

WATER RIGHT NUMBER: 67-2315 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COUNCIL VALLEY CEMETERY DIST PO BOX 193 COUNCIL, ID 83612

Priority Date: 08/17/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.100 CFS	20.00 AF
	<u>Total Diversion:</u>	0.100 CFS	20.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 22, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	22					5.0												5.0

Total Acres: 5

Conditions of Approval:

1. C18 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.

Remarks:Comments:

1. csaxton 7/7/2006 Recommendation
Comment: Recommend per license.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2315 V1

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	7/7/2006 8:56:32 AM	csaxton			Active
Priority Date	7/7/2006 8:56:48 AM	csaxton			Active
POD	7/7/2006 8:56:54 AM	csaxton			Active
Source	7/7/2006 8:58:17 AM	csaxton			Active
POU	7/7/2006 8:58:23 AM	csaxton			Active
Use	7/7/2006 9:00:40 AM	csaxton			Active
Season	7/7/2006 9:01:15 AM	csaxton			Active
Quantity	7/7/2006 9:01:43 AM	csaxton			Active
Summary			07/07/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	7/7/2006 8:56:33 AM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review
POD	7/7/2006 8:56:55 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2315 V1

Source	7/7/2006 8:58:18 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	7/7/2006 8:58:24 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
General	7/7/2006 8:56:49 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	7/7/2006 8:57:55 AM	csaxton	Updated shape
POU	7/7/2006 8:58:40 AM	csaxton	Updated shape for Active POU
POU	7/7/2006 8:59:07 AM	csaxton	Updated PLS for Active POU
POU	7/7/2006 8:59:57 AM	csaxton	Edited shape boundary
POU	7/7/2006 9:00:22 AM	csaxton	Updated PLS for Active POU
Use	7/7/2006 9:00:41 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	7/7/2006 9:01:16 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2315 V1

Quantity	7/7/2006 9:01:44 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As Licensed
Summary	7/7/2006 9:02:22 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31216/67-2315 Priority August 17, 1963 Amount 0.10 cfs
(late proof)

THIS IS TO CERTIFY, that Council Valley Cemetery District
of Council, Idaho, has complied with the terms and conditions of Permit
No. 31216/67-2315 issued pursuant to Application for Permit dated June 25, 1963
and has submitted proof to the Department of Water Administration on September 23, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.11 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.10 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.10 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp. 16 N, Rge. 1 W, B.M.

in the county of Adams; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 20 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

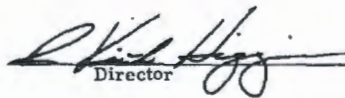
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 N	1 W	22				5													5

Total number of acres irrigated 5

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of

August, 19 72.

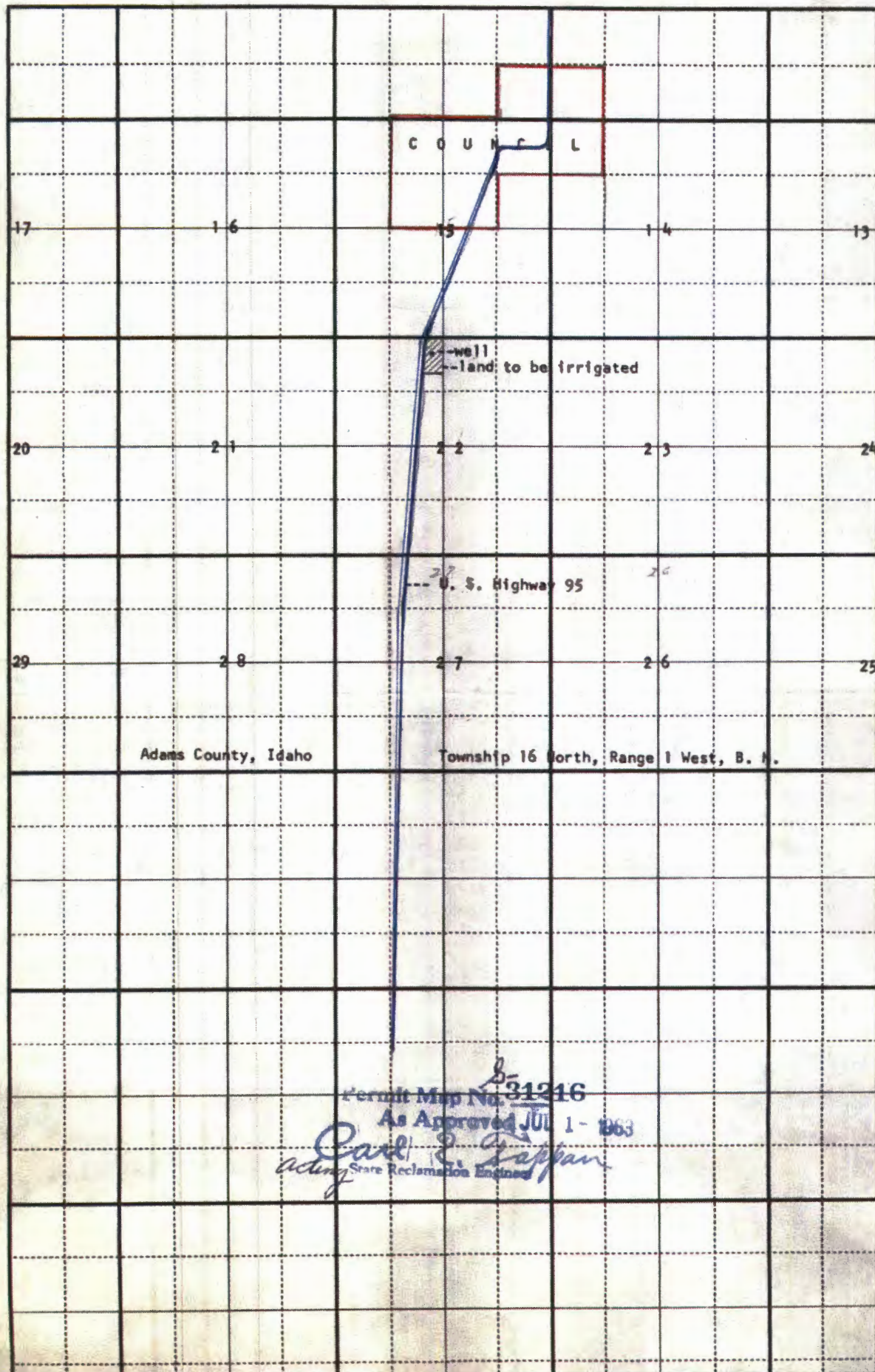

Director

67 7215

NAME OF APPLICANT

COUNCIL VALLEY CEMETERY DISTRICT

Form No. 0



Permit Map No. 31216

As Approved JUL 1 - 1963

Carl S. Lappan
Acting State Reclamation Engineer

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

31216