

12/05/2006

RECEIVED

DEC 22 2006

DEPARTMENT OF  
WATER RESOURCES

NOTICE OF ERROR

REPLY

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 13, 2006**

Water right number: 67-14017

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):

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:

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

DATE: 12-9-06

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

SCANNED  
DEC 22 2006

12/02/2006

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

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RIGHT NUMBER: 67-14017

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS  
8.000 AFY

PRIORITY DATE: 10/31/1956

POINT OF DIVERSION:

T14N R04W S36 SWSESE Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | 03/15 10/31          | 0.040 CFS<br>8.00 AFY |

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R04W S36 SESE 2.00

2 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 - Beneficial Use



# Idaho Department of Water Resources

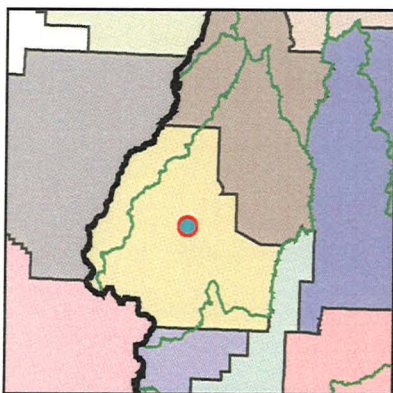
SRBA Recommendation:

**67-14017**

(Water Use: \_\_\_\_\_)

## Legend

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



Washington County  
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by IDWR State Office  
On Saturday, December 2, 2006  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14017 V1

WATER RIGHT NUMBER: 67-14017 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                        |
|-------------------|------------------------------------------------------------------------------------------------|
| Current Owner     | MIDVALE MAINTENANCE CEMETERY DIST<br>2376 VALLEY RD<br>MIDVALE, ID 83645-5122<br>(208)355-2352 |

Priority Date: 10/31/1956

Basis: Beneficial Use

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 10/31          | 0.040 CFS             | 8.00 AF              |
|                       | <u>Total Diversion:</u> | 0.040 CFS             | 8.00 AF              |

Location of Point(s) of Diversion

|                   |                 |                                 |
|-------------------|-----------------|---------------------------------|
| GROUND WATER      | SW1/4SE1/4SE1/4 | Sec. 36, Twp 14N, Rge 04W, B.M. |
| WASHINGTON 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 |        |
| 14N 04W 36  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 2.0    |

Total Acres: 2

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. mvanbussum 11/30/2006 Season of Use  
Comment: Recommended IDWR standard season of use.
2. mvanbussum 11/30/2006 Quantity  
Comment: Recommended IDWR standard 1 inch per acre.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14017 V1

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 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       | 11/30/2006 5:13:38 PM     | mvanbussum      |                           |                 | Active        |
| Priority Date  | 11/30/2006 5:14:16 PM     | mvanbussum      |                           |                 | Active        |
| POD            | 11/30/2006 5:14:29 PM     | mvanbussum      |                           |                 | Active        |
| Source         | 11/30/2006 5:18:02 PM     | mvanbussum      |                           |                 | Active        |
| POU            | 11/30/2006 5:20:03 PM     | mvanbussum      |                           |                 | Active        |
| Use            | 11/30/2006 5:21:25 PM     | mvanbussum      |                           |                 | Active        |
| Season         | 11/30/2006 5:21:40 PM     | mvanbussum      |                           |                 | Active        |
| Quantity       | 11/30/2006 5:25:01 PM     | mvanbussum      |                           |                 | Active        |
| Summary        |                           |                 | 11/30/2006                | mvanbussum      | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------|------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 11/30/2006 5:20:46 PM  | mvanbussum      | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| POD            | 11/30/2006 5:17:18 PM  | mvanbussum      | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Source         | 11/30/2006 5:17:59 PM  | mvanbussum      | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?<br>Description for Question 10 - Field exam conducted 6-17-2005 by Weiser River Water Master Bosco Bosler verified source. |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-14017 V1

|          |                       |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|-----------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU      | 11/30/2006 5:20:01 PM | mvanbussum | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 13 - Field exam conducted 6-17-2005.</p>                                                                                                                                     |
| Use      | 11/30/2006 5:21:24 PM | mvanbussum | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - Field exam conducted 6-17-2005 and imagery verified purpose of use.</p>                                                                                                |
| Season   | 11/30/2006 5:21:40 PM | mvanbussum | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p> |
| Contacts | 11/30/2006 5:13:34 PM | mvanbussum | <p>(No) 1. Do you want to schedule an appointment?</p> <p>Comment for 1: Desktop review.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-14017 V1

|          |                       |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-----------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General  | 11/30/2006 5:14:12 PM | mvanbussum | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> <p>Description for Question 12/13 - Drilling record in file dated October 10, 1956, which predates the claimed priority date.</p> |
| POD      | 11/30/2006 5:14:25 PM | mvanbussum | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POU      | 11/30/2006 5:20:54 PM | mvanbussum | Updated PLS for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Quantity | 11/30/2006 5:25:02 PM | mvanbussum | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(No) 7. Is a flow measurement required?</p> <p>(Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(Yes) 10. Is a irrigation a purpose of use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 7 - Per Water Management Division Administrator Dave Tuthill, no flow measurement needed if recommended flow is less than 0.2 cfs.</p> <p>Description for Question 10 - 2 ac * 4 af/ac (IDWR field headgate requirement) = 8 afa</p>                                                  |

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14017 V1

|         |                       |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|-----------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary | 11/30/2006 5:25:39 PM | mvanbussum | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(Yes) 4. Is any portion of the claim be recommended?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
|---------|-----------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Water Supply Bank:

# Idaho Department of Water Resources



Adjudication Claim Number: **67-14017**



## Legend

- Section Lines
- GCDB14N04W GCDB
- GCDB14N03W GCDB
- GCDB13N04W GCDB



0 0.2 0.4 Miles

A horizontal scale bar with markings at 0, 0.2, and 0.4 miles.

Prepared by D. Narsavage  
On Wednesday, April 13, 2005  
1987/88 Adjudication True Color Imagery

**Contacts Data Entry Form**

| Owner Type    | Full Name                            | Address        | City    | State | Zip                          | Phone |
|---------------|--------------------------------------|----------------|---------|-------|------------------------------|-------|
| Current Owner | MIDVALE MAINTENANCE<br>CEMETERY DIST | 2376 VALLEY RD | MIDVALE | ID    | 83645-512 (208)355-2352<br>2 |       |

Date of Field Exam: 4/17/05 Time: 10:00Accompanied By: Ron Alder Phone Number: 257 3860Relationship to Claimant: Cemetery Caretaker

Directions to Property (if different from above) and/or update owner information:

---

---

---

---

Reviewer:

Bence Basli

Date:

6/17/05

## Priority Date Data Entry Form

Claim Number 67-14017

Claimed Priority Date: 10/31/1956

Claimed Basis: Beneficial Use

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date \_\_\_\_

Recommended Basis \_\_\_\_\_

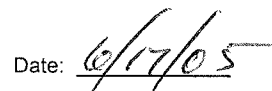
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Drilling record attached in file

Reviewer:



Date:



## Point of Diversion and Source Data Entry Form

Claim Number 67-14017

Claimed Point of Diversion and Source

T14N R04W S36 SWSESE Within WASHINGTON County Source: GROUND WATER

☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source |
|-----|-----|-----|---------|----------------|--------|--------|
|     |     |     |         |                |        |        |
|     |     |     |         |                |        |        |
|     |     |     |         |                |        |        |

Other rights from this POD? \_\_\_\_\_

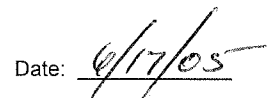
Document how the POD and Source were verified:

|       |
|-------|
| _____ |
| _____ |
| _____ |
| _____ |

Reviewer:



Date:



WR # 14017  
Tag # A0014083



SPS  
2280 63/  
1481 326

## Place Of Use Data Entry Form

Claim Number 67-14017

Claimed Place Of Use

T14N R04W S36 SESE 1.0

Total Acres 1

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

| Tw | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|----|-----|-----|----|---|--------|---------|-------|----------------|
|    |     |     |    |   |        |         |       |                |
|    |     |     |    |   |        |         |       |                |
|    |     |     |    |   |        |         |       |                |
|    |     |     |    |   |        |         |       |                |

Total Acres 2

Document how the POU was verified:

---

---

*Amendment in file*

Reviewer:

*Dan Bosh*

Date:

*4/17/05*

Purpose of Use Data Entry Form

Claim Number 67-14017

Claimed Purpose of Use

Water Use      Number of Homes      Number of Stock      Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use      Number of Homes      Number of Stock      Acre Limit

Recommended Purpose of Use

Water Use      Number of Homes      Number of Stock      Acre Limit      Number of Other

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

Document how the Purpose of Use was verified:

|  |
|--|
|  |
|  |
|  |
|  |

Reviewer: Joseco Borla

Date: 6/17/05

## Period of Use and Quantity Data Entry Form

Claim Number 67-14017

Claimed Period of Use and Diversion Rate

| Water Use  | Start | End   | Rate | Volume |
|------------|-------|-------|------|--------|
| IRRIGATION | 1/01  | 12/31 | 0.06 |        |

Overall Diversion Rate 0.06      Overall Diversion Volume

☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |

Overall Diversion Rate      Overall Diversion Volume

Recommended Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_ Overall Diversion Volume \_\_\_\_\_

Document how the Period of Use and/or Diversion Rate were verified:

Well 178' deep  
 pump set at 100'  
 pump 2 HP installed 2/20/03  
 Pressure PST @ 45'

$$\frac{2 \text{ HP} \times 6.16}{100 \text{ Lift} + (45' \times 2.31)} = \frac{12.32}{203.95} = .06 \text{ cfs}$$

Volume  
 231 days \* 1.9835 \* 0.04 cfs = 18.3 afa

$$2 \text{ ac} * 4 \text{ af/ac} = 8 \text{ afa}$$

Reviewer: Bosco Bosler → IDWR standard field headgate requirement

Date: 6/17/05

# WELL DRILLING

H. Hartling L.E. WALLIS PHONE FRUITLAND 534  
 BOX 164  
 Ontario, Ore.  
 PAYETTE, IDAHO

DATE Oct. 10 1956

|            |               |                    |                       |
|------------|---------------|--------------------|-----------------------|
| DRILLING   | 178'          | @ 3. <sup>00</sup> | \$ 534. <sup>00</sup> |
| CASING     | 43' Cementary | 12' @ 3.53         | \$ 42.37              |
| OTHER WORK | Drive Shoe    | @ 35.70            | \$ 35.70              |
|            |               |                    | \$ 612.07             |
|            | Less advance  |                    | \$ 300. <sup>00</sup> |
|            |               |                    | \$ 312.07             |

REMARKS Hard green to 21' clay to  
 39' sandy clay to 46' sandy  
 shale to 51' shale to 55'  
 hard shale to 63' shale to  
 101' sandy shale 105' shale  
 to 136' sandy shale to 141'  
 sand to 148' shale to 159'  
 sandy shale to 163' shale  
 to 177' sand to 178'. Water  
 stands at 31' tested 28 gal. per  
 min. from 60'

Pd. Oct. 10, 1956  
 Harold E. Hartling

Nº 419

Kittley Creek Cemetery  
 Milwaukie Idaho

State of Idaho

License and Certificate of Water Right

Water License No. G-26564 Priority October 2, 1956 Amount .04 c.f.s.

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 October 2, 1956; that Permit No. G-26564 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of .04 second feet, was issued thereunder on July 30, 1962, showing that said works were completed on the 30th day of September, 1961; and that on the 30th day of September, 1961, MIDVALE MAINTENANCE CEMETERY DISTRICT

of Midvale, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-26564 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 12 of Licenses, at Page 7366, on the 30th day of July, 1962.

The right hereby confirmed dates from October 2, 1956.

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 36, Twp. 14 N, R. 4 W, B.M. Washington County.

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 .04 cubic feet per second.

Description and location of use:

| Twp. | Range | Section | Forty-Acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|---------|------------------|-------------------------------|------------------------------|
| 14 N | 4 W   | 36      | SE 1/4 SE 1/4    | 1.09                          | 2                            |

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 30th day of July, 1962.

Ralph Thomas  
Deputy State Reclamation Engineer.

State of Idaho

LICENSE AND CERTIFICATE  
OF WATER RIGHT

Water License No. G-26561

To Midvale Maintenance Cemetery District

Midvale, Idaho

Source of Supply a well

Washington County

Amount .04 Sec. Ft.

Point of Diversion SE 1/4 Sec. 36,

T. 14 N., R. 4 W., B.M.

Place of Use SE 1/4 Sec. 36, T. 14 N.,

R. 4 W., B.M.

Purpose Irrigation

Date of Priority October 2, 1956

Recorded July 30, 1962

in Book 12 of Licenses, Page 7366

Permit No. G-26564**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to certify that MIDVALE MAINTENANCE CEMETERY DISTRICT  
of Midvale, County of Washington, and State of  
Idaho, the holder of Permit No. G-26564, issued upon  
Application No. G-34470 bearing date of priority of October 2, 1956, authorizing the  
diversion of .04 second feet of waters of a well

County of Washington, State of Idaho, for irrigation  
purposes, has fully complied with the provisions of the laws of the State of Idaho relating to  
the proof of completion of the works of diversion set out and described in said Permit; that said  
works are adequate for diverting and conveying to the place of intended use .04  
second feet of the waters of a well from subterranean flow;

that the point of diversion of said waters is SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 14 N., R. 4 W., S. 1 E.

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:  
2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 14 N., R. 4 W., S. 1 E.

Proof of Completion of Work Made: September 30, 1961

Witness my hand this 30th day of July, A. D. 1962

Ralph H. Thomas  
Deputy State Reclamation Engineer

Permit No. G-26564

---

---

**Certificate of Completion  
of Works**

---

---

Dated July 30, 1962

Stream a well

County Washington

Amount .04 c.f.s.

Date of Priority October 2, 1956

Recorded in Book 94

of Permits, page 26564

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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 67-14017  
Date Received: 10/18/1989  
Receipt No: W006351  
Received By:

AMENDED

AMENDED

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: 10/31/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County     | Type |
|----------|-------|---------|--------|--------|---------|------------|------|
| 14N      | 04W   | 36      | SW     | SE     | SE      | WASHINGTON |      |

5. Description of diverting works:

5 HP PUMP

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 1/01 | 12/31 | 0.06   |            |

7. Total Quantity Appropriated is:  
0.06 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 |
|----------|-------|---------|--------|---------|---------------|-------|
| 14N      | 04W   | 36      | SE     | SE      | IRRIGATION    | 2     |
|          |       |         |        |         | Section Acres | 2     |

Total Acres            2

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:

CLAIM AMENDED PER CLAIMANT REQUEST TO CHANGE FROM ONE ACRE TO TWO ACRES AS  
DEFINED IN LICENSE 67-02256 (7-20-05 CSAXTON)

15. Basis of Claim: Beneficial Use

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.

**SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 67-14017

Previous Mailing Address: Midvale Maintenance Cemetery District  
Rt. 1 Box 48  
Midvale, Idaho 83645

New Mailing Address: Midvale Maintenance Cemetery District  
2376 Valley Road  
Midvale, Idaho 83645

Telephone Number: (208) 355-2352

Signature of all Claimant(s): Peggy D. Springer  
Please print your name below your signature.  
Peggy D. Springer

**Please mail or FAX this completed form to the office nearest you:**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
1910 Northwest Blvd., Ste. 210  
Coeur d'Alene, ID 83814-2615  
Ph. 208/769-1450 or  
FAX 208/769-1454**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190 or  
FAX 208/334-2348**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380  
Ph. 208/525-7161 or  
FAX 208/736-3037**

**Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653  
Ph. 208/736-3033 or  
FAX 208/525-7177**

**Adjudication Bureau  
Idaho Dept. Of Water Resources  
322 E. Front St.  
P.O. Box 83720  
Boise, Id 83720-0098  
Ph 208/287-4800  
FAX 208/287-6701**

FIELD AMENDMENT FORM

For Individuals:

I/We 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 of  
Title  
Midvale Maintenance Cemetery District that I have signed the foregoing  
Organization  
document in the space below as Secretary of  
Title  
Midvale Maintenance Cemetery District and that the statements contained in the  
Organization  
foregoing document are true and correct.

Peggy D. Springer  
Signature of Authorized Agent

Secretary Midvale Cemetery District  
Title and Organization

6-20-05

Date

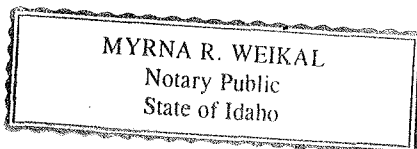
State of Idaho )  
County of Washington ) SS.

Subscribed and sworn (or affirmed) before me this 20<sup>th</sup> day

of June 20 05

Myrna R. Weikal  
Notary Public

Seal



Residing at Midvale, Idaho

My Commission Expires 12, 29, 06

This is to ammend WR# 67-14017 From  
1 to 2 acres.

Peggy D. Springer

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: **A67-14017**  
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 I BOX 48  
MIDVALE ID 83645

2. Date of Priority: OCT 31, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 14N      | 04W   | 36      | SW     | SE     | SE     |     | WASHINGTON |

5. Description of diverting works:  
5 HP PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 0.060  |      |        |

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

8. Total consumptive use is 3.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 14N      | 04W   | 36      | SE     | SE     |     | IRR | 1.0   |

Section Acres 1.0

Total Acres 1.0

SCANNED  
APR 12 2004

MICROFILMED  
OCT 22 1996

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:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED  
OCT 22 1990

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 A67-14017Date Received 10-18-89Receipt Number W006351

RECEIVED

OCT 18 1989

NOTICE OF CLAIM  
TO A  
WATER RIGHT

Department of Water Resources  
Western Regional Office

ACQUIRED UNDER STATE LAW

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) October 1956

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

4. a. Location of existing point of diversion is: Township 14N Range 4W Section 36,  
SW 1/4 of SE 1/4 of SE 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

MICROFILMED

OCT 22 1996

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 .06 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .06 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 3.27 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 |        |
| 14N | 4W  | 36  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       | 1.09  | 1.09   |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 1.09

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 XX 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. \_\_\_\_\_ or None ( )

14. Remarks:

Last Name Midvale Main. Cemetery Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of graph paper. Each cell contains a small crosshair symbol. In the fourth row from the top, the fourth cell from the left contains a handwritten note in blue ink that reads "Point of Diversion". A blue arrow points from the text to the intersection of the fourth row and fourth column.

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \_\_\_\_\_  
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 Organization \_\_\_\_\_, that I have signed the foregoing  
document in the space below as Secretary Title \_\_\_\_\_ of Midvale Maintenance Cemetery Dis. Organization \_\_\_\_\_  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Peggy D. Sprung  
Title and Organization Secretary Midvale Maintenance Cem. Dis. Date 10/17/89

State of Idaho/or Idaho )  
County of Washington ) SS.

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 \_\_\_\_\_

MICROFILMED  
OCT 22 1990

Last Name Midvale Main. Cemetery Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant