

State of Idaho
License and Certificate of Water Right

Water License No. 20748

Amount 0.14 second foot

Water District No. _____

Priority November 10, 1948

THIS IS TO CERTIFY that

ABERDEEN CEMETERY MAINTENANCE DISTRICT

of Aberdeen, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 10, 1948; that Permit No. 20748 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.14 second foot, was issued thereunder on November 24, 1948, showing that said works were completed on the 22nd day of November, 1948; and that on the 5th day of January, 1949,

ABERDEEN CEMETERY MAINTENANCE DISTRICT

of Aberdeen, 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

~~in the~~ (subterranean flow), for the purpose of irrigation of cemetery

, under Use Permit No. 20748 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

8 of Licenses at page 4546, on the 6th day of April, 1950;

The right hereby confirmed dates from November 10, 1948;

The Point of Diversion is located in Lot 4, or the

~~corner~~ SE 1/4 SE 1/4, Sec. 12, Twp. 6 S., R. 30 E., B. M. Bingham 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 0.14 cubic ^{foot} ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>6 S.</u>	<u>30 E.</u>	<u>12</u>	<u>SE 1/4 SE 1/4</u>	<u>5</u>	<u>5</u>

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

6th day of April, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

35 2114

T. 6 S., R. 30 E.

12

5 acres



Point of Diversion

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20748

Date: December 2, 1948

The Aberdeen Times

Aberdeen, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 5, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Aberdeen Cemetery Maintenance** ^{District} /of **Aberdeen, Idaho. C/o Emil Neu, Chairman,** to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KUIP

State Reclamation Engineer
By

Chief Clerk

20748

State of Idaho
License and Certificate of Water Right

Water License No. 20748

Amount 0.14 second foot

Water District No.

Priority November 10, 1948

THIS IS TO CERTIFY that **ABERDEEN CEMETERY MAINTENANCE DISTRICT**
of **Aberdeen, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **November 10, 1948**; that Permit No. 20748
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.14 second foot, was issued thereunder on **November 24, 1948**, showing that said works
were completed on the **22nd** day of **November**, **1948**; and that on the **5th**
day of **January**, **1949**,

ABERDEEN CEMETERY MAINTENANCE DISTRICT

of **Aberdeen**, 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
~~participating~~ (subterranean flow) for the purpose of irrigation of cemetery
, under Use Permit No. 20748 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
8 of Licenses at page **4546**, on the **6th** day of **April**, **1950**;
The right hereby confirmed dates from **November 10**, **1948**;

The Point of Diversion is located **in Lot 4, or the**
~~corner SE~~ **SE 1/4** **SE 1/4**, Sec. **12**, Tp. **6 S.**, R. **30 E.**, B. M. **Bingham 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 **0.14** cubic ^{foot} ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	30 E.	12	SE 1/4 SE 1/4	5	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
6th day of **April**, **1950**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

35 2114

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

35-2114

APPLICATION No. 28389
PERMIT No. 20748
DISTRICT No.

1. Name of Applicant: ABERDEEN CEMETERY MAINTENANCE DISTRICT

Postoffice address: Aberdeen

County: Bingham

State: Idaho

I. If applicant is a corporation, give:

- (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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.14

cubic feet per second.

3. Source of water supply: Subterranean(drilled well)

which is a tributary of

4. Location of point of diversion: 200 ft. N. and 120 ft. W. feet distant from the Southeast corner of Section 12, T. 6 S., R. 30 E., B.M., and is in the Lot 4 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 12, T. 6 S., R. 30 E., B.M., County of Bingham

5. Water is to be used for Irrigation of cemetery only, with sprinkler system

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B.M., in the of Section, T., R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.

7. Estimated cost of works: \$ 2,000.00

8. Kind of works: Drilled well with deep well turbine

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width None feet; height feet.

11. Ditch: Width at bottom Pump directly into 4" diam, pipe feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Completed years.

13. The time required for the complete application of the water to the proposed use is In use 1948 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

ABERDEEN CEMETERY MAINTENANCE DISTRICT *Applicant.*

By Emil Neu, Chairman Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. November 10, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20748

Recorded in Book 74 Page 20748 Approved November 13, 1948

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before - -

The whole of said work to be completed on or before February 13, 1949

Beneficial use of water appropriated in accordance herewith, to be made on or before February 13, 1949

WITNESS My hand this 13th day of November, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 13th

day of November, 1948.

STATE OF IDAHO

Countersigned:

(SEAL)

By..... C. A. ROBINS
Governor.

By J. D. "CY" PRICE
Secretary of State.

REMARKS: The water applied for under this application is to be used only approximately 48 hours weekly to irrigate the cemetery only. 0.5 second foot is necessary to efficiently operate the sprinkling system.

The cemetery district is not incorporated.

14.

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 $\frac{1}{4}$	
6 S.	30 E.	12													5	5			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that ABERDEEN CEMETERY MAINTENANCE DISTRICT of Aberdeen, County of Bingham, and State of Idaho the holder of Permit No. 20748, issued upon Application No. 28389 bearing date of priority of November 10, 1948, for the diversion of 0.14 second foot of the waters of a drilled well (subterranean flow) County of Bingham, State of Idaho for irrigation of cemetery, with sprinkling system, 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 diversion is adequate for diverting and conveying to the place of intended use 0.14 second foot of the waters of said well; that the diversion of said waters is 200 feet North and 120 feet West from the Southeast corner of Section 12, Township 6 North, Range 30 East, B.M., and in Lot 4 (SE$\frac{1}{4}$ SE$\frac{1}{4}$) of said section 12; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Five (5) acres in the Southeast corner of Lot 4, Section 12, Township 6 North, Range 30 East, B.M.																			
Witness my hand this 24th day of November, A.D.1948.																			
Proof of Completion of Works made November 22, 1948. Certificate of Completion of Works issued November 24, 1948.																			
LICENSE ISSUED FOR 0.14 SEC. FT. p. 4546																			

✓
April 12, 1950

Re: Permit No. 20748

Aberdeen Cemetery Maintenance District
C/o Mr. Emil Neu, Chairman
Aberdeen, Idaho

Dear Mr. Neu:

We enclose License and Certificate of Water Right issued under Permit No. 20748, confirming the right of the Aberdeen Cemetery Maintenance District to the use of 0.14 of a second foot of water from a drilled well in the SE¹/₄ SE¹/₄ Section 12, Township 6 South, Range 30 East, B.M., with priority of November 10, 1948, for the irrigation of the Aberdeen Cemetery located in the same subdivision.

We also enclose Departmental Receipt No. 22208 for the \$2.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20748



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

March 14, 1950

Re: Permit No. 20748

Aberdeen Cemetery Maintenance District
C/o Mr. Emil Neu, Chairman
Aberdeen, Idaho

Dear Mr. Neu:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 20748.

This report shows that you have irrigated 5 acres in the Southeast corner of Lot 4, Section 12, Township 6 South, Range 30 East, B.M.

Therefore, upon receipt of the statutory fee of \$2.00, a License will be issued for .14 cubic foot per second of water from a well in that same location.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:bh

RECEIVED
APR 4 1950
Department of Reclamation

20748

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

Permit No. 20748This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Aberdeen Cemetery Maintenance District, Emil Neu, Chairman, Aberdeen, Idaho2. Source of water supply: Subterranean from well3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 4) of Section 12T. 6 S. R. 30 E. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: _____

The well is 140 feet deep with 8" - 10" casing down to Lava rock.The motor is a model 12F5083, 5 H.P., Type KC, Code G, 230 volts, 60 cycles, FL
amp 22, 60 cycle FL speed 3500, 50 cycle FL amp 26, FL speed 2900EPM.Motor #SCJ6327047It flows 10 -15 inches of water and irrigates 5 acres with a sprinkler system.5. Water is used for: Irrigation of cemetery6. 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):

Five acres in the Southeast corner of Lot 4, Section 12, Township 6 South,Range 30 East, 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? None

Remarks: _____

This examination was made on the 29 day of June, 1949

(Signed) _____

H. A. Tolman

Examiner.

20748

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.
-

Aberdeen Cemetery Maintenance Dist.
Emil Neu, Chairman, Aberdeen, Idaho

Permit No. 20748

Examination for Beneficial use

County Bingham

RECEIVED
MAR 8 1950
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20748

REPORT ON PROOF OF Beneficial use

15 cfs
max

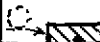
app. 10.14 c.f.s.

5 acres

T.6S., R.30E.

12

5 acres



ct-- Point of Diversion

January 13, 1949

Re: Permit No. 20748

Mr. Emil Neu, Chairman
Aberdeen Cemetery Maintenance Dist.
Aberdeen, Idaho

Dear Mr. Neu:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Aberdeen Times, all submitted in proof of beneficial use under Permit No. 20748.

Before final action is taken in the matter the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20748

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF BINGHAM

SS

ROBERT M. HAMMES, being first duly sworn, on his oath states:

That he is the PUBLISHER of the ABERDEEN TIMES, a newspaper of general circulation in Bingham County, Idaho, published weekly at Aberdeen, in said county. That said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed Notice of Proof Application; and that said Notice was published as per clipping attached, in the regular and entire edition of said newspaper and not in any supplement thereof, in 4 consecutive issues, the date of the first publication being the 9th day of December, 1948 and the last publication being the 30 day of December, 1948.

Subscribed and sworn to me this 5 day of January, 1949

My commission expires July 15, 1952 Notary Public Residing in Aberdeen, Idaho

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P. M. on the 5th day of January, 1949, at Aberdeen, County of Bingham, State of Idaho, before H. C. Wiebe, Notary Public, proof will be submitted of the application to beneficial use of 0.14 cubic feet per second of the waters of Subterranean flow in accordance with the terms and conditions of Permit No. 20748 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Emil Neu, Chairman, Aberdeen Cemetery Maintenance District.

The use to which said water has been applied is irrigation of cemetery.

The amount applied to beneficial use is 0.14 cubic feet per second.

The place where said water is used 5 acres in Southeast corner of Lot 4, in Section 12, in Township 6 South, of Range 30, East of Boise Meridian, in Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is by drilled well with deep well turbine driven by electric motor.

The source of supply from such works is based upon Permit No. 20748

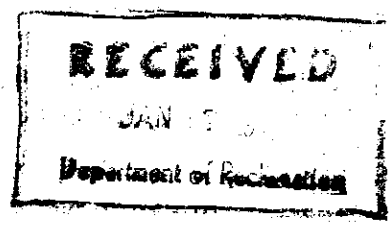
The source of supply from which such water is diverted is subterranean flow from well in Lot 4 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 12, Twp. 6 South, Range 30 East B. M.

The date of priority which said user is prepared to establish is November 10, 1948

MARK R. KULP
State Reclamation Engineer

20748

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20748

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Emil Neu, in behalf of Aberdeen Cemetery Maintenance District.
 Aberdeen, Idaho, carpenter, Aberdeen, Idaho, its Chairman

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. Chairman, Aberdeen Cemetery Maintenance District, Aberdeen, Idaho.

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

Ans. No. 20748, dated November 24th, 1948, priority November 10, 1948.

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

Ans. Subterranean flow from well, 200 feet North and 120 feet West from the South-east corner of Section 12, Township 6 South, Range 30 East, B. M.

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.

Ans. Drilled well and pump driven by electric motor, capable of conveying 0.14 cubic feet per second of water, conducted through pipe to place of use.

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. Five acres in the Southeast corner of Lot 4, Section 12, Township 6 South, Range 30 East, B. M. to irrigated a cemetery.

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

Ans.

20748

1775

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

Ans. 0.14 cubic feet per second.

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.

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

Ans. Water was used from August 1, 1948 to October 5, 1948 to irrigate said cemetery, and the amount used was 0.14 cubic feet per second.

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. None

(Sign) Emil New

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 Aberdeen, County of Bingham,

State of Idaho, on this 5 day of January, A. D. 19 49.

Notary Public

My commission expires July 15, 1952

20748

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20748

Proof of Application of Water to Beneficial Use

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. Edward Moser, age 58, Aberdeen, Idaho. Farming, Aberdeen, Idaho

Ques. 2. Are you acquainted with Emil Neu, the holder of Permit No. 20748? How long have you known him and where does he reside?

Ans. Have known him for 15 years and he resides at Aberdeen, Idaho

Ques. 3. Have you read or heard read said Permit No. 20748, 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. Subterranean flow from well, 200 feet North and 120 feet West from the Southeast corner of Section 12, Township 6 South, Range 30 East, R. M., drilled well and pump driven by electric motor.

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. 0.14 cubic feet per second.

Ques. 6. 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. Five acres in the Southeast corner of Lot 4, Section 12, Township 6 South, Range 30 East, R. B. M. to irrigated a cemetery.

20748

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (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. 0.14 second feet per second to irrigate cemetery.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. 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. August 25, 1948 I saw 0.14 cubic feet per second irrigate cemetery
from said well.

(Signed) Edward Mose

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 Aberdeen,
County of Bingham, State of Idaho, on this 5 day of January,
A. D. 1949.

H. C. Kiebe

Notary Public.

My commission expires July 15, 1952

20748

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20748

Proof of Application of Water to Beneficial Use

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. Marvin D. Linscheid, age 46, Aberdeen, Idaho, Manager Aberdeen
Hardware Company, Aberdeen, Idaho

Ques. 2. Are you acquainted with Emil Neu, the
holder of Permit No. 20748? How long have you known him and where does
he reside?

Ans. Have known him for 12 years and he resides at Aberdeen, Idaho

Ques. 3. Have you read or heard read said Permit No. 20748, 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 con-
veying water from point of diversion to place of use.

Ans. Subterranean flow from well, 200 feet North and 120 feet West from the
Southeast corner of Section 12, Township 6 South, Range 30 East, B. M., drilled
well and pump driven by electric motor.

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

Ans. 0.14 cubic feet per second.

Ques. 6. 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 im-
provements which have been made as a direct result of said use.

Ans. Five acres in the Southeast corner of Lot 4, Section 12, Township 6
South, Range 30 East, B. M. to irrigate a cemetery.

20748

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (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. 0.14 second feet per second to irrigate cemetery.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. 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. August 16, 1948 I saw 0.14 cubic feet per second irrigate cemetery from said well.

(Signed) Morris D. Linscheid

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 Aberdeen,
County of Bingham, State of Idaho, on this 5 day of January,
A. D. 1949.

AC Hiebe

Notary Public.

My commission expires July 15, 1952

20748

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, December 28, 1948

Re: Permit No. 20748
Aberdeen Cemetery Maintenance District

Mr. H. C. Wiebe
Notary Public
Aberdeen, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20748.

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On January 5, 1949, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Aberdeen, Idaho before H. C. Wiebe, Notary Public.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK R. KUIP

~~Commissioner of Reclamation~~
State Reclamation Engineer

20748

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20748

Date: December 2, 1948

The Aberdeen Times

Aberdeen, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 5, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Aberdeen Cemetery Maintenance District** /of **Aberdeen, Idaho. C/o** **Emil Neu, Chairman,** to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KUTP

State Reclamation Engineer
By

Chief Clerk

20748

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2:00 ~~A~~^{P.} M. on the 5th day of January, 1949,
at Aberdeen, County of Bingham, State of Idaho, before
H. C. Wiebe, Notary Public,, proof will be submitted of the
application to beneficial use of 0.14 cubic feet per second of the waters of Subterranean
flow in accordance with the terms and conditions of Permit No. 20748
heretofore issued by the Department Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

Emil Neu, Chairman, Aberdeen Cemetery Maintenance District,

The use to which said water has been applied is irrigation of cemetery

The amount applied to beneficial use is 0.14 cubic feet per second

The place where said water is used (~~For irrigation, give full and accurate description of the~~
~~land irrigated~~) 5 acres in Southeast corner of Lot 4, in Section 12, in Township
6 South, of Range 30, East of Boise Meridian, in Idaho

The name of the canal or ditch or other works by which said water is conducted to such place of
use is by drilled well with deep well turbine driven by electric motor.

The right to take water from such works is based upon Permit No. 20748

The source of supply from which such water is diverted is subterranean flow from well
in Lot 4 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 12, Twp. 6 South, Range 30 East, B. M.

The date of priority which said user is prepared to establish is November 10, 1948

MARK R. KULP

State Reclamation Engineer.

20748

✓
December 1, 1948

Re: Permit No. 20748

Mr. Emil Neu, Chairman
Aberdeen Cemetery Maintenance District
Aberdeen, Idaho

Dear Mr. Neu:

We enclose Certificate of Completion of Works issued under Permit No. 20748 for the diversion of 0.14 second foot of water from a drilled well in Lot 4, Sec. 12, Twp. 6 S., Range 30 E. B.M. for the irrigation of the cemetery located in the same subdivision.

We also enclose Departmental Receipt No. 21040 for the \$5.00 fee paid in connection with completion of works proof.

A copy of the notice of beneficial use proof to be made under this Permit on January 5, 1949, is being sent to the Aberdeen Times with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

About ten days prior to the date set for proof we shall send Mr. H. C. Wiebe, Notary Public, the necessary forms of deposition consisting of one for yourself and one for each of two witnesses so that he may have them in ample time for the proof.

At the time set you should appear before Mr. Wiebe together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

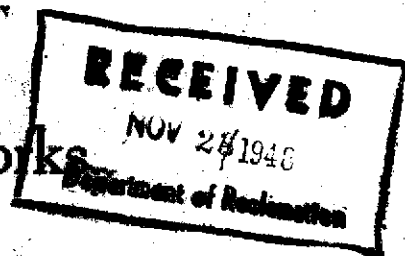
20748

Permit No. 20748

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Bingham

SS.

Emil Neu, in behalf of the Aberdeen Cemetery Maintenance District, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 20748, and that his postoffice address is Aberdeen, Idaho.

Second: That the name of the stream which said water is to be ^{FROM} ~~diverted~~ ^{DIVERTED} is subterranean.

Third: That the point of diversion of said water is 200 ft. North and 120 ft. West from the Southeast corner of Section 12, Township 6 So., Range 30 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 1st, 1948. *Feb. 15 - 1949*

Fifth: That the use for which said water is intended is for irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: drilled well with deep well turbine
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:
(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.
(c) Size of headgate: Width feet, height feet.
(d) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 0.14 second feet of water.

Eighth: That water appropriated under said permit is available for five acres of land described as follows: 5 acres in Southeast corner of Lot 4, in Section 12, in Township 6 South, of Range 30, East of Boise Meridian, in Idaho.

Ninth: Remarks: That

Emil Neu Chairman
(Sign Here)

Subscribed and sworn to before me this 22 day of November, 1948

H. H. Niebe

My commission expires July 15, 1952

Notary Public.

Ch. K. Embross

20748

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 22, 1948

(P. O.) Aberdeen, Idaho

STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in ~~the~~

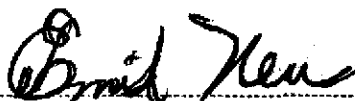
The Aberdeen Times

of

Aberdeen, Idaho,

published in

the county in which the works are situated.



Chairman,

Aberdeen Cemetery Maintenance District.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

20748

November 17, 1948

Re: Permit No. 20748

Mr. Emil Neu, Chairman
Aberdeen Cemetery Maintenance District
Aberdeen, Idaho

Dear Mr. Neu:

We enclose Permit No. 20748, together with Departmental Receipt No. 21011 for the \$5.00 filing fee.

You will note that the amount applied for has been reduced to .14 of a second foot or 7 inches.

Since the application states that the works are completed and the water was used in 1948 we have allowed three months or until February 13, 1949, to make the two statutory proofs necessary to complete the water right. These proofs, however, may be made at any time prior to that date.

The first proof or proof of completion of works is made by executing Form 6, enclosed, before a Notary Public, and returning to this Department with a statutory fee of \$5.00, upon receipt and approval of which a certificate of completion of works will be issued.

The final or beneficial use proof requires publication once a week in a county newspaper for four consecutive weeks prior to the date set for making proof. Notice should be made in duplicate on Form 10, enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set you should appear before the Notary Public together with two disinterested witnesses to execute the depositions of proof on forms furnished by this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/st
Encs.

20748

FORM No. 0

12.

Lot
4

Sacros
in

Lot 4 Sec. 12, T. 6 S., R. 30 E. B. M.

As Approved

NOV 18 1948
MARK R. KULP

State Reclamation Engineer

20748

October 12, 1948

Mr. Emil Neu
Aberdeen, Idaho

Dear Mr. Neu:

In reply to your letter of October 9, 1948, we enclose a form of application for permit to appropriate the public waters of the State of Idaho, together with regulations and instructions in regard to filing same.

This form is used for filing on subterranean water from a well the same as from any other source. The point of diversion called for under Question 4 should be the legal subdivision in which the well is located.

When this application is approved it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense and at the time set for proof depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

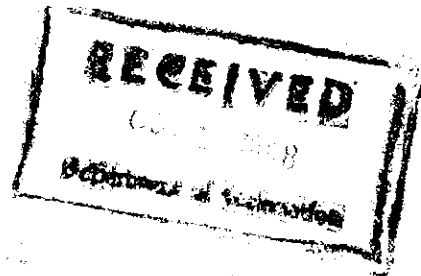
T/gt

Encls.

30748

Emil New
Aberdeen Idaho
Oct 9 - 48

Mr Mark Kulp
State Reclamation Engineer
State Capitol Bldg.
Boise Idaho



Dear sir

We have drilled a well for a
Cemetery and we would like to file for water
Rights. So I would like to have the necessary
Papers or application for a permit which I will
fill out and mail back

sincerely Truly

Emil New
Cemetery Chairman

20748