

2000

Point  
of Dissection

General  
Geometry

20 21

Sec 20, 21 T12S R46E

MICROFILMED

JUN 02 2004

Map Printed: Dec 31, 2003

R46E

SEE M8

162°

Point  
of View

13

NHEL

29°

T1134 HEL

Geneva  
Complex

①

8

|    |    |
|----|----|
| 20 | 21 |
| 29 | 28 |

SEE

Microfilm

JUN 02 2004

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12  
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RECEIVED

MAR 09 2004

Department of Water Resources  
Eastern Region

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

## CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Geneva Cemetery District

(Name of Claimant)

1012 Raymond Road, Geneva, Idaho 83238

(Mailing Address)

(Zip Code)

Telephone No: 208 847 2695

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) May 1969  
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, *Idaho Code*.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Spring

tributary to \_\_\_\_\_

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| Quantity | (cfs or af) | Use | (Irrigation, Domestic, Stock, Etc.) | Period of Use From | (Both dates inclusive)<br>(MM/DD) | (MM/DD)           |
|----------|-------------|-----|-------------------------------------|--------------------|-----------------------------------|-------------------|
| Quantity | <u>.06</u>  | Use | <u>Irrigation</u>                   | Period of Use From | <u>15 April</u>                   | <u>15 October</u> |
| Quantity | _____       | Use | _____                               | Period of Use From | _____                             | _____             |
| Quantity | _____       | Use | _____                               | Period of Use From | _____                             | _____             |
| Quantity | _____       | Use | _____                               | Period of Use From | _____                             | _____             |

4. .06 TOTAL QUANTITY USED.  
(cfs or af)

5. A) Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 20 Township 12 S Range 46 E B.M., Bear Lake County; additional points of diversion, if any: \_\_\_\_\_

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

Ditch w/ dam in the end and Pump and motor was used until 1988 when a gravity system was installed.

MILWAUKEE

MAR 12 2004

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.  
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

| Twp | Rge | Sec | NE¼ |    |    |    | NW¼ |    |    |    | SW¼ |    |    |    | SE¼ |    |    |    | TOTAL<br>ACRES |
|-----|-----|-----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|----------------|
|     |     |     | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SE | SW |                |
| 12S | 46E | 21  |     |    |    |    |     |    |    |    |     |    | 3  |    |     |    |    |    | 3              |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |                |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |                |

TOTAL ACRES 3

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. \_\_\_\_\_

NOTE: Include here the type and number of stock watered: \_\_\_\_\_

7. Remarks: \_\_\_\_\_

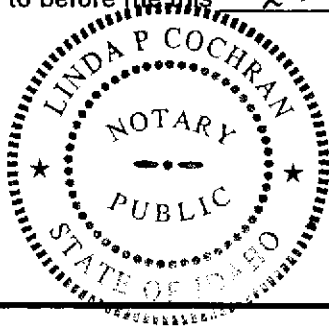
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of Idaho )  
County of Bear Lake ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Mill J. Smith director Geneva Cemetery dist  
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 2nd day of March, 2004.



Linda P. Cochran  
Notary Public

Residing at: Montpelier

My commission expires: 5-2004

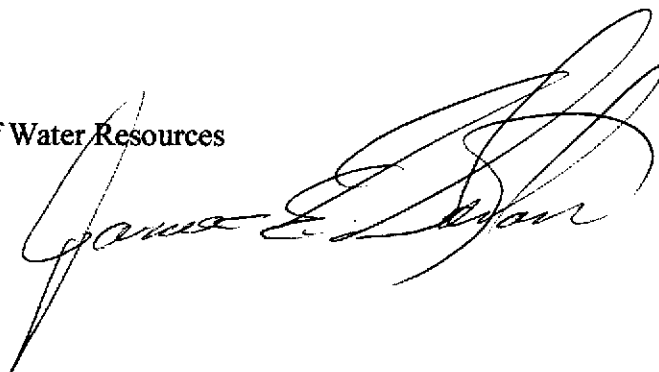
FOR DEPARTMENT USE ONLY

Received by AMD Date 17 March 04  
Prelim. check by AMD Date 25 Mar 04  
Fee 100 Receipt # E029625  
Receipt prepared by DMN Date 17 Mar 04

Published in News Examiner  
Publication dates 4-7 & 4-14-2004  
Publication checked by SC Date 5/4/04  
Exceptions filed by \_\_\_\_\_

To: Idaho Department of Water Resources

From: James E. Saxton



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MAR 09 2004

Department of Water Resources  
Eastern Region

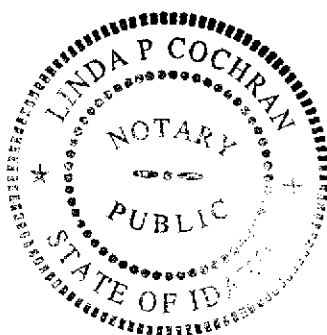
I am writing this letter in regards to the Geneva Cemetery District Water Application.

I am sixty nine (69) years old and have lived here in Thomas Fork Valley all but 4 or 5 years of my life.

In 1969 a spring was improved with the hopes of running water to the Geneva Cemetery. This was successful, so a ditch was cleaned and enough water got to the Cemetery to water shrubs and sprinkle it a few times in the summer.

This was done with a little gasoline engine and pump which was very costly, inefficient and time consuming.

In 1988 an underground main line and gravity flow sprinkler was put in and this has been in use since that time.



*Linda Cochran, Notary  
Montpelier Idaho Blaine Lake Co.  
Commission Expires 5, 2004  
2-17-04*

MICROFILMED

JUN 02 2004

2000

Point  
of Dissection

Genesee  
Geology

20 21

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Sec 20, 21 T12S R46E

SEE M8

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Comerio

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20 21

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MAY 12 2004

Department of Water Resources

Dist for Staffing \_\_\_\_\_  
Submitted for advertising \_\_\_\_\_STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT ANALYSIS PERMITINITIAL REVIEW BY Anna Sanna DATE 25 March 04 APPLICATION NO 11-7522**REQUIRED INFORMATION:**

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)  
☐ Address  
☐ Source (See USGS Quad for names of water sources)  
☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)  
☐ County  
☐ Quantity (flow and/or volume)  
☐ Period of Use  
☐ Nature of proposed use (Include description of use.)  
☐ Description of diverting works  
☐ Time required for beneficial use of water  
☐ Place of use or acres irrigated  
☐ Map  
☐ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)  
☐ Fee  
☒ Yes ☐ No\* In form to receipt

**ADDITIONAL INFORMATION:**

- ☒ NO Overlapping place of use (Describe source & relationship to present application on the back)  
☒ NO Overlapping point of diversion  
☐ Yes ☒ No Critical groundwater area  
☐ Yes ☒ No Groundwater management area  
☐ Yes ☒ No Send dam safety information  
☐ Yes ☒ No Send fish farm requirement letter  
☐ Yes ☒ No Power residency affidavit  
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)  
☐ Yes ☒ No **Public Water System**  
☐ Yes ☒ No **Planning section review**  
☐ Yes ☒ No **Moratorium Hold file**  
 See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ Date Requested \_\_\_\_\_

**PROCESSING:**

- ☒ Yes ☐ No In form for advertising  
☐ Yes ☒ No Statewide advertising  
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

**SEND COPIES TO:**

- \_\_\_\_ Id Dept of Environmental Quality \_\_\_\_\_ U.S. BLM  
 \_\_\_\_ Id Dept of Fish & Game \_\_\_\_\_ U.S. Forest Service  
 \_\_\_\_ Id Dept of Lands \_\_\_\_\_ Water District  
 \_\_\_\_ Adjudication Bureau Unit \_\_\_\_\_ Other \_\_\_\_\_

OCT 21 2005  
SCANNED

**FINAL REGIONAL PROCESSING REVIEW:**

|                                         |                                        |                                                                 |
|-----------------------------------------|----------------------------------------|-----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Affidavit of publication received                               |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Application published correctly. If not, record action taken    |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Publication dates & paper, recorded on application              |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Protests received                                               |
|                                         |                                        | Final date for protest                                          |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Protests, dates, resolution of protest, recorded on application |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Recommendations attached                                        |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Measuring device required                                       |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Access port required                                            |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Will water be delivered by watermaster? If yes, what District   |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Special conditions of approval or cover letter below.           |

Date of priority recommend

By:

STATE OFFICE REVIEW:

By:

Date:

ADDITIONAL INFORMATION:

**LOCAL PUBLIC INTEREST:**

Comments received from:

|                                       |                                              |                                              |
|---------------------------------------|----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> City         | <input type="checkbox"/> Id Fish & Game      | <input type="checkbox"/> Irrigation District |
| <input type="checkbox"/> County       | <input type="checkbox"/> Id Health & Welfare | <input type="checkbox"/> Canal Company       |
| <input type="checkbox"/> Reservations | <input type="checkbox"/> Div. Of Environment | <input type="checkbox"/> Other               |

Project impacts/implications report

**COMMENTS**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: [www.idwr.state.id.us](http://www.idwr.state.id.us)

EASTERN REGION

March 31, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Geneva Cemetery District  
1012 Raymond Rd  
Geneva ID 83238

RE: Water Right Claim No 11-7522

Dear Claimant(s):

The Department of Water Resources acknowledges receipt of your water right claim. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the claim has been prepared and is scheduled for publication in the News Examiner on April 7 and 14, 2004. If exceptions to the claim are filed you will be sent a copy of the exceptions(s).

The filing and advertising of the claim does not confirm the water right claimed. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have the information or evidence added at any time. Corrections to the claim may be made by filing an amended claim; no additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

We are enclosing a copy of the claim for your records. Please feel free to contact this office if you have any questions.

Sincerely,

W Roger Warner  
Water Rights Supervisor

WRW:sc



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: [www.idwr.state.id.us](http://www.idwr.state.id.us)

EASTERN REGION

March 31, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

**Legal Notice Department**

NEWS-EXAMINER

PO BOX 278

MONTPELIER ID 83254

RE: Statutory Claim No. 11-7522

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 26, 2004. Your cooperation is appreciated.

Sincerely

Sharla Cox  
Administrative Assistant

*[Faint, illegible handwritten or stamped text]*

The following claim(s) have been filed based on diversion and beneficial use of water:

11-7522

GENEVA CEMETERY DISTRICT  
1012 RAYMOND ROAD  
GENEVA ID 83238

Point(s) of Diversion: NESE S20 T12S R46E, BEAR LAKE County

Source UNNAMED SPRING, Tributary To SINKS

Use: IRRIGATION 04/15 To 10/15 0.06 CFS

Total Diversion: 0.06 CFS

Priority Date: 6/1/1969

Place Of Use: IRRIGATION

T12S R46E S21 SWSW

Number of Acres 3

Exceptions to a claim may be filed with the Department of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with an exception fee of \$25.00.

KARL J DREHER, Director

Published on April 7 and 14, 2004

**AFFIDAVIT OF PUBLICATION**

STATE OF IDAHO, } ss.  
County of Bear Lake }

Rosa J Moosman  
being duly sworn,

deposes and says:

That s/he is the Editor  
of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with April 7, 2004, and ending with the issue of April 14, 2004.  
Rosa J Moosman

Fees, \$51.80

Subscribed and sworn to before me this 30th day of April, 2004.

Sherry Wells Brown  
Notary Public, Residing at Bear Lake County, Idaho

My Commission Expires August 28, 2009

**NOTICE OF DIVERSION**

The following claim(s) have been filed based on diversion and beneficial use of water:

11-7522  
GENEVA CEMETERY DISTRICT  
1012 RAYMOND ROAD  
GENEVA ID 83238

Point(s) of Diversion: NESE  
S20T12S R46E, BEAR LAKE  
County

Source UNNAMED SPRING,  
Tributary to SINKS

Use: IRRIGATION

04/15 To 10/15 0.06 CFS  
Total Diversion: 0.06 CFS

Priority Date: 6/1/1969

Place Of Use: IRRIGATION

T12S R46E S21 SWSW

Number of Acres 3

Exceptions to a claim may be filed with the Department of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with an exception fee of \$25.00.

KARL J DREHLER.

Director

Publish April 7 and 14. 2004  
— Legal No. 112.

RECEIVED

MAY 04 2004

Department of Water Resources  
Eastern Region

SHERRY WELLS BROWN  
NOTARY PUBLIC  
STATE OF IDAHO