

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)

Ruth DeThomas, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News for
Two consecutive weeks, commencing
with the issue dated June 17, 1969, and
ending with the issue dated June 24, 1969.

Ruth DeThomas
Subscribed and sworn to before me this

26th day of June, 1969
James Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

RECEIVED

JUN 27 1969

Department of Reclamation

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that
Heyburn Cemetery, Heyburn,
Idaho has on May 8, 1969 ap-
plied for permit under appli-
cation No. 36-7063 to divert
.08 cubic feet per second of
water from a ground water
source. Water will be diver-
ted by well and sprinkler with-
in the SW1/4, SW1/4, Sec. 15,
T. 10 S, R. 23 E, B.M., Mini-
doka County and is to be used
from April 1 to October 15 for
irrigation in the SW1/4, SW1/4,
Sec. 15, T. 10 S, R. 23 E, B.M.
Any protest against this appli-
cation must be filed with the
Department of Reclamation
within ten days from the last
date of publication of this no-
tice.

R. KEITH HIGGINSON
State Reclamation Engin-
eer

Published in the Minidoka
County News, Rupert, Idaho,
on June 17 and June 24, 1969.
No. 601

will submitted 7-2-69

36 7063

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

Permit No. 36-7063

This proof is for Beneficial Use

In Water District No.

1. Name of applicant HEYBURN CEMETERY, Heyburn, Idaho 83336

2. Source of water supply: ground water

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15

T 10 S R 23 E County of Minidoka

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

U.S. meters. 4" discharge. 7 1/2 hp motor. 282267 Wintworth

Subterranean water, Berkeley Turbine Pump with 7 1/2 HP Motor, 18" in diameter, 80' deep well

pump ser no. G 9324 3" discharge. 4 lengths of 4" aluminum pipe. laterals 50' and 100'. 2 lengths of pipe and each side 2 lines for the pump.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Section 15, T. 10 S, R. 23 E SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres

4 TOTAL

permit lists 4 acres, proof lists 5 acres, maximum allowed is 4 acres

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

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

Remarks: George Cook, cemetery caretaker accompanied the exam.

Two lines well they run they tried to operate 3rd not enough water.

This examination was made on the 17 day of August, 1937

(Signed) W. H. Brown Examiner.

36 7063

myl
9-14-70

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 36-7063 Priority May 8, 1969 Amount 0.08 cfs

THIS IS TO CERTIFY, that HEYBURN CEMETERY
of Heyburn, Idaho, has complied with the terms and conditions of Permit
No. 36-7063 issued pursuant to Application for Permit dated May 8, 1969,
and has submitted proof to the Department of Water Administration on June 25, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.27 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.08 cfs for irrigation from April 1 to Oct. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.08 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp. 10 S, Rge. 23 E, B.M.

in the county of Minidoka; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 16 acre feet per year or
4.0 acre feet per acre.

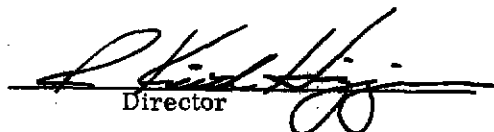
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S	23 E	15											4						4

Total number of acres irrigated 4

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of
February, 19 72.


Director
36 7063

Identification No. 36-7063

Application No. _____

LICENSE ISSUED FOR 0.08 SEC. FT.
 LICENSE PAGE NO. _____

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant HEYBURN CEMETERY
 post office address Heyburn, Idaho 83336
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ $\frac{1}{4}$ of SW $\frac{1}{4}$ $\frac{1}{4}$ of Section 15 Township 10 S
 Range 23 E B.M. Minidoka County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 5 for irrigation purpose from April 1 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 5 cfs cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Well drilled and sprinkler system used for irrigation
- b. Height of storage dam: _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 18" inches; proposed depth of well is 80' feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
 b. Estimated construction cost is \$ 2,400.00
8. Description of proposed uses:
 a. If water is not for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

 (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
 (5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated 4

c. Describe any other water rights used for the same purposes_____

None

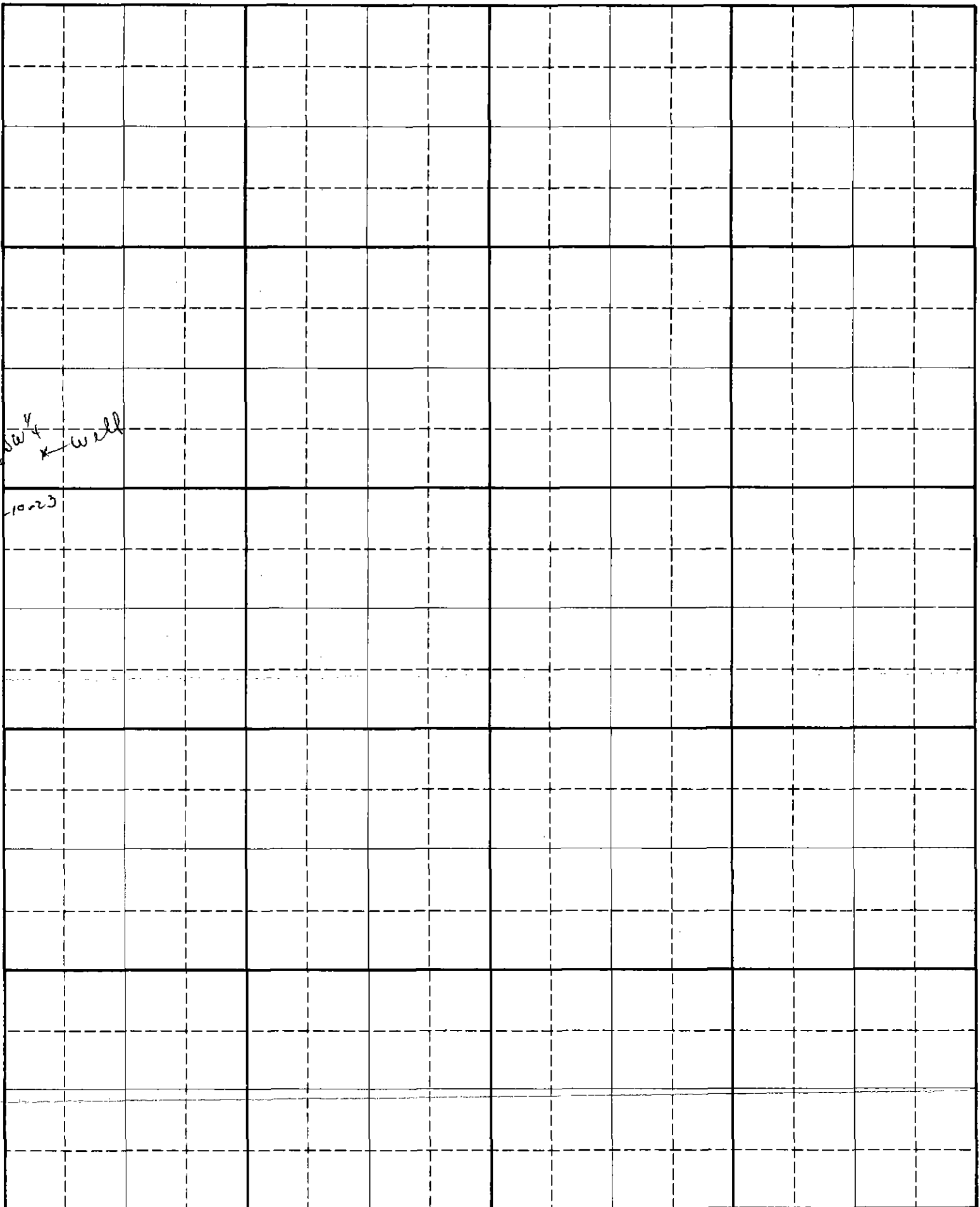
9. a. Who owns the property at the point of diversion Heyburn Cemetery District

b. Who owns the land to be irrigated or place of use _____ " " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

HEYBURN CEMETERY DISTRICT

By James F. Wilcox
(Applicant) Chairman Board of Directors

Received by ef Date 5-8-69 Time 8:00am
Preliminary check by Shm Fee \$ 10.00 5-8-69
Receipted by ej Date 5-23-69
Publication prepared by ej Date 6-12-69
Published in Minidoka Cty News
Publication dates 6-19 + 6-26-69
Publication approved tg Date 6-17-69
Priority reduced to _____ Reason _____

10⁰⁰ RECEIVED 5-23-69
DRE ✓

Protests filed by: None 4-4-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Shm PMP JP

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7063, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 70.

c. Other: Maximum rate of diversion shall not exceed 0.08 c.f.s.

2. Denial of said application is for the following reasons: _____

Witness my hand this 11th day of July, 1969.

L. Kirk Higgins
State Reclamation Engineer

RECEIVED

JUL 6 1970

Department of Water Administration

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. 36-7063

Permit No.

RECEIVED

JUL 25 1970

Department of Reclamation

1. a) Name of Permit Holder HEYBURN CEMETERY
b) Post Office Address Heyburn, Idaho 83336

2. Permit Number 36-7063

3. Date of Priority that you are prepared to establish 6/9/69

4. a) Source from which water was appropriated Subterranean

b) Location of the point of diversion: SW 1/4 SW 1/4, Section 15

Township 10 S, Range 23 E. Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:

amount .08 for irrigation purposes from April 1 to Oct. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .08 cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean

source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief

description of diversion structure and/or canal or ditch) Subterranean water, Berkeley

Turbine Pump with 7 1/2 HP Motor, 18" inch diameter, 80' deep well

b) Describe the type and size of measuring device which you have installed at your point of diversion:

c) Give well drillers name and address and date the well was completed Commons Drilling Co.

Rupert, Idaho, Spring of 1967

Exam Typed
August 10, 1970
Christine McMillan

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	23 E	15											5						5

Total number of acres irrigated 5

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

Heyburn Cemetery District

June 18, 1970
(Date)

X By Marie Merz
(Marie Merz) (Signature) Clerk of the Board

State of IDAHO)
County of Minidoka) ss.

On this 18th day of June, 19 70, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Rupert, Idaho

My commission expires Feb. 28, 1974

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE — ANNEX 2
BOISE, IDAHO 83707

May 16, 1969

R. KEITH HIGGINSON
State Reclamation Engineer

MAY 23 1969

Department of Reclamation

Re: Application for Permit
Heyburn Cemetery Dist.

H. V. Creason
Attorney-at-Law
Box 335
Rupert, Idaho 83350

Dear Mr. Creason:

In reference to the above application for permit, we are returning the enclosed check in the amount of \$20.00. The filing fee for this application is only \$10.00.

Upon receipt of a new check in the amount of \$10.00 we will continue processing the above reference permit.

Sorry for this inconvenience to you.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".
Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Check for \$20.00

36 7063

May 16, 1969

Re: Application for Permit
Heyburn Cemetery Dist.

H. V. Creason
Attorney-at-Law
Box 335
Rupert, Idaho 83350

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Sorry for this inconvenience to you.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Check for \$20.00

36-7063

RECEIVED

MAY 8 1969

Department of Reclamation
BOX 335
436-4131

CREASON & CREASON
ATTORNEYS AT LAW
RUPERT, IDAHO 83350

H. V. CREASON
C. H. CREASON

May 6, 1969

STATE OF IDAHO
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Heyburn Cemetery Dist.

Attn: Mr. Donald W. McEldowney
Appropriation Examiner

Dear Mr. McEldowney

Enclosed herewith please find Application for Permit on behalf of the Heyburn Cemetery District, together with their check in the sum of \$20.00, as per your instructions of April 9.

Yours very truly

CREASON & CREASON


H. V. Creason

HVC:hc

Encls.

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)

Ruth DeThomas, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
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duly published according to law in the regular
weekly editions of The Minidoka County News for
Two consecutive weeks, commencing
with the issue dated June 17, 1969, and
ending with the issue dated June 24, 1969.

Ruth DeThomas
Subscribed and sworn to before me this

26th day of June, 1969

Ann Hunter Notary Public

Cost of Publication _____

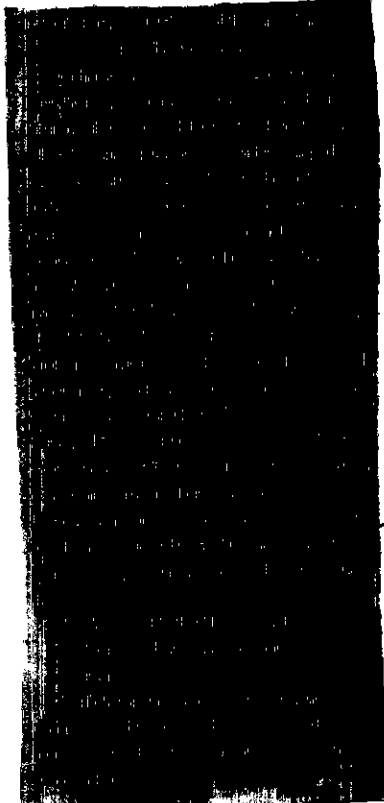
Notary Fee _____

Total Cost _____

RECEIVED

JUN 27 1969

Department of Reclamation



will submitted 7-2-69

36 7063

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

Permit No. 36-7063

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant HEYBURN CEMETERY, Heyburn, Idaho 83336

2. Source of water supply: ground water

3. Location of point of diversion: Is in the SW4SW4 of Section 15

T. 10 S R. 23 E County of Minidoka

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

U.S. motors 1/2 1/2 shaft 7 1/2 hp. serial no. 282267 Wintrop 1/2
Subterranean water, Berkeley Turbine Pump with 7 1/2 HP Motor, 18" in
diameter, 80' deep well pump ser. no. 69374 3" discharge.
Length of 4' aluminum pipe. laterals 50' and
North. 7 lengths of pipe and each side 7 lines for the pump

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Section 15, T. 10 S, R. 23 E SW4SW4 4 acres

4 TOTAL

permit lists 4 acres, proof lists 5 acres, maximum allowed is 4 acres

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

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

Remarks: George Cook, cemetery caretaker accompanied
me.

There have been all the time they built to pump
3 feet and change water.

This examination was made on the _____ day of August, 1970

(Signed) William L. Schmitt
Examiner.

36 7063

msl
9-14-70

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.
-
-

36 7063

ASCS: Rupert

SCS: Rupert

Permit No. 36-7063

Examination for B/U

County Minidoka

Quantity: Sec. 15 T10S R. 23E

(permit).08cfs (proof) same

Source:

ground water

P.D.:

SW $\frac{1}{4}$ SW $\frac{1}{4}$

Use:

irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: May 8, 1969

Made: June 25, 1970

Due: August 1, 1970

Priority: May 8, 1969

February 15, 1972

Re: Permit No. 36-7063

**Heyburn Cemetery
Heyburn,
Idaho 83336**

Gentlemen:

Enclosed herewith is the Water License issued on the above referenced permit.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enc: License**

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 27, 1972

**Heyburn Cemetery
Heyburn,
Idaho 83336**

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7063 and has found the following:

Quantity of water diverted: 0.27 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 cfs

The maximum quantity diverted shall not exceed 16 acre feet per season.

Beneficial use: Irrigation of 4 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 10 S, Rge. 23 E, B.M.

Point of diversion: Same as above.

The priority date established is: May 8, 1969

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

You should be aware that any ground water development after March 25, 1963, must be by means of a valid permit. Our records fail to indicate that you have a right to irrigate the additional one acre our field examiner found that you are irrigating from this well. We are enclosing a partially completed application for permit which, if approved, would allow you to irrigate the entire five acres at a rate of diversion based on the output of your system. If you have any questions concerning this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: App w/Ins.

36 7063

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

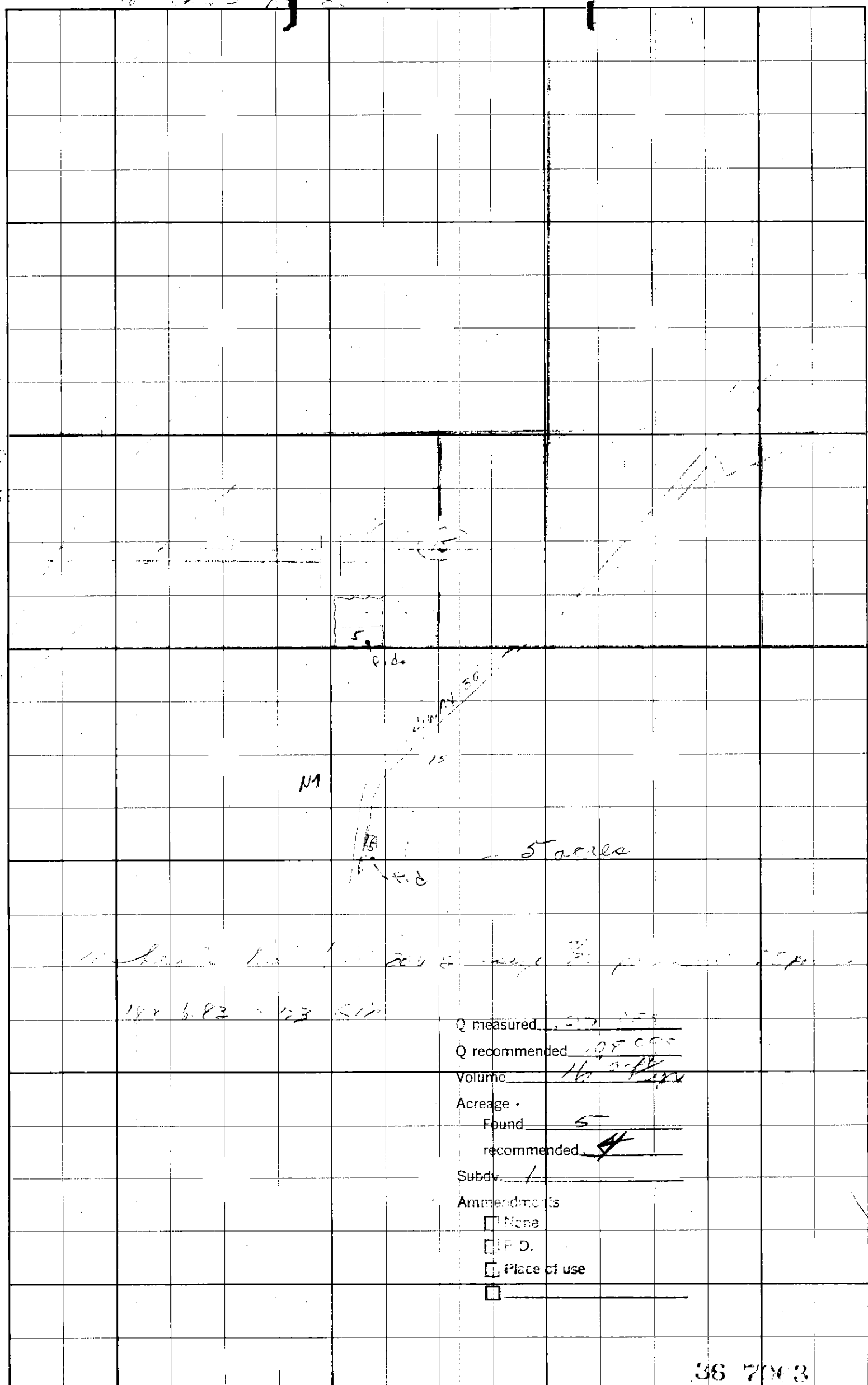
PERMIT NO. 36-7063

REPORT ON PROOF OF B/U HEYBURN CEMETERY

36 7063

27.

18' 215 13 22



36 7003

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (only if requested)

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

655-16-71648-10

Apr. 1967

POD Form 3811

1902 98

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
When gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

NAME OF SENDER

Department of Reclamation

Annex # 2 Statehouse

STREET AND NO. OR P.O. BOX

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

June 1, 1970

Re: Permit No. 36-7063

Hayburn Cemetery
Hayburn
Idaho 83336

Gentlemen:

One of the conditions of the approval of your permit no. 36-7063 was that proof of application of the water to beneficial use be submitted to this office on or before August 1, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for extension of time must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

State Reclamation Engineer

Enc: Proof form
dr

CERTIFIED MAIL

#21940

36-7063

July 17, 1970

Re: Permit No. 36-7063

C
O
Hayburn Cemetery
Marie Merz, Clerk
Hayburn, Idaho 83336

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for permit 36-7063.

P Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Y Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

cc: H. V. Creason
Box 335
Rupert, Idaho 83350

36-7063

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

June 30, 1970

Re: Permit No. 36-7063 - Heyburn Cemetery

Mr. H. V. Creason
CREASON & CREASON
Box 335
Rupert, Idaho 83350

Dear Mr. Creason:

We are herewith returning the affidavit submitted as proof of beneficial use in connection with the above referenced permit.

Would you please have a notary public sign the affidavit and affix his/her seal to the document. Your cooperation in this matter is most appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Donald W. McEldowney".
Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Proof affidavit

7/2/70

We return herewith Proof Affidavit. Sorry for the oversight.

Creason & Creason

36-7063

June 30, 1970

Re: Permit No. 36-7063 - Heyburn Cemetery

Mr. H. V. Creason
CREASON & CREASON
Box 335
Rupert, Idaho 83350

Dear Mr. Creason:

We are herewith returning the affidavit submitted as proof of beneficial use in connection with the above referenced permit.

Would you please have a notary public sign the affidavit and affix his/her seal to the document. Your cooperation in this matter is most appreciated.

Very truly yours,

Donald W. McKelowney
Appropriation Supervisor

DWM:DR
Enc: Proof affidavit

36-7063

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder HEYBURN CEMETERY
b) Post Office Address Heyburn, Idaho 83336
2. Permit Number 36-7063
3. Date of Priority that you are prepared to establish 6/9/69
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 15
Township 10 S, Range 23 E. Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .08 for irrigation purposes from April 1 to Oct. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .08 ✓ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Subterranean water, Berkeley Turbine Pump with 7 1/2 HP Motor, 18" inch diameter, 80' deep well
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Commons Drilling Co.
Rupert, Idaho, Spring of 1967

36-7063

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
10S	23 E	15											5						5

Total number of acres irrigated _____ 5

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

Heyburn Cemetery District

June 18, 1970

(Date)

X

By

(Marie Merz) (Signature)

Clerk of the Board

State of IDAHO)

County of Minidoka) ss.

On this 18th day of June, 1970, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Rupert, Idaho

My commission expires Feb. 28, 1974

36-7063

CREASON & CREASON
ATTORNEYS AT LAW
RUPERT, IDAHO 83350

H. V. CREASON
C. H. CREASON

June 24, 1970

RECEIVED
JUN 25 1970
BOX 335
436-4131
Department of Reclamation

State of Idaho
Department of Reclamation
Statehouse, Annex 2
Boise, Idaho 83707

Re: Permit No. 36-7063
Heyburn Cemetery Dist.

Gentlemen:

At the request of the Heyburn Cemetery District, I enclose
herewith Proof of Application of Water to Beneficial Use.

Trust you will find this in order and if there be any
further requirements, please advise this office.

Yours very truly

CREASON & CREASON


H. V. Creason

C.

HVC:hc

Encl.

36-7063

July 18, 1969

Re: Permit No. 36-7063

Heyburn Cemetery
Heyburn,
Idaho 83336

Dear Sirs:

We enclose a copy of your approved application for permit 36-7063
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 3088 for \$10.00

cc. Creason & Creason
Box 335
Rupert, Idaho 83350

36 7063

June 12, 1969

Re: Application for Permit No. 36-7063-Heyburn Cemetery

Minidoka County News
625 Fremont Avenue
Rupert, Idaho 83350

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:DER:jmb

Enclosure: Legal Notice (1)

36 7063

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Heyburn Cemetery, Heyburn, Idaho has on May 8, 1969 applied for permit under application No. 36-7063 to divert .08 cubic feet per second of water from a ground water source. Water will be diverted by well and sprinkler within the SW1/4, SW1/4, Sec. 15, T. 10 S, R. 23 E, B.M., Minidoka County and is to be used from April 1 to October 15 for irrigation in the SW1/4, SW1/4, Sec. 15, T. 10 S, R. 23 E, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Minidoka
County News, Rupert, Idaho,
on June 17 and June 24, 1969.
No. 601

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Hayburn Cemetery, Hayburn, Idaho

has on May 8, 1969

applied for permit under application No. 36-7063 to divert ~~/ft~~

.08 cubic feet per second ~~Acres/ft~~ of water from

a groundwater source. Water will be diverted by

well and sprinkler within the

SW1/4SW1/4, Sec. 15, T. 10 S, R. 23 E, B. M., Minidoka County

and is to be used from April 1 to October 15

for irrigation

in the SW1/4SW1/4, Sec. 15, T. 10 S, R. 23 E, B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Minidoka County News, Rupert, Idaho,

on June 19 and June 26, 1969.

36 7063

RECEIVED
June 7-1969

JUN 9 1969

Gary L. Page;

State of Idaho
Dept. of Reclamation

Gentlemen:

It does seem like a good deal for your office to change the amount of our request to .08 to give us a little more water. It is needed as we are growing in size as a cemetery yearly. Therefore this permit is needed and we will appreciate very much by this cemetery Dist.

Very truly yours
James F. Wilcox
Chairman of Cemetery
Board of Directors

June 5, 1969

Re: Permit No. 36-7063

C
O
P
Y
Heyburn Cemetery
Heyburn, Idaho

Attention: James F. Wilcox

Dear Mr. Wilcox:

In reviewing your application for a permit to appropriate .5 c.f.s., of water, we see that you are applying to use this amount of water to irrigate four (4) acres.

The Idaho Code restricts the amount to be allowed for irrigation to an inch per acre, which would be .08 c.f.s. to irrigate four (4) acres. In order for our department to allow .5 c.f.s., it will be necessary to furnish our office with a letter of justification explaining the reason for the need of more water than an inch per acre. Please explain the need in as much detail as possible.

If you wish our office to change the amount requested to .08 please advise. An immediate reply would be very much appreciated.

Very truly yours,

Gary L. Page
Survey Examiner

GLP:sc

36 7063

36-7063
Permit # checks
out. MHA

36-7063

April 9, 1969

Heyburn Cemetery
Heyburn,
Idaho

Gentlemen:

It has been brought to our attention that on or about
September 28, 1966, you had a well drilled.
The well is reported to be located at a point in the
SWSW, Sec. 15, T. 10S, R.
23E, B.M. for irrigation use.

A search of our records has failed to find your appli-
cation or approved permit. Under existing Idaho Statutes,
Sections 42-226, 42-229, and 42-230 of the Idaho Code, you
are required to file and obtain an approved permit before
you divert waters from a subterranean source, with the
exception of domestic wells which are defined under Section
42-111 of the Idaho Code.

If we have overlooked your permit, please advise the
Department as to your permit number. However, if you have
not yet filled out an application for permit, please use
the instructions and the blank application form which we
have enclosed.

We will be very happy to assist you with any questions
you may have.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Application for Permit
Instructions

36 7063