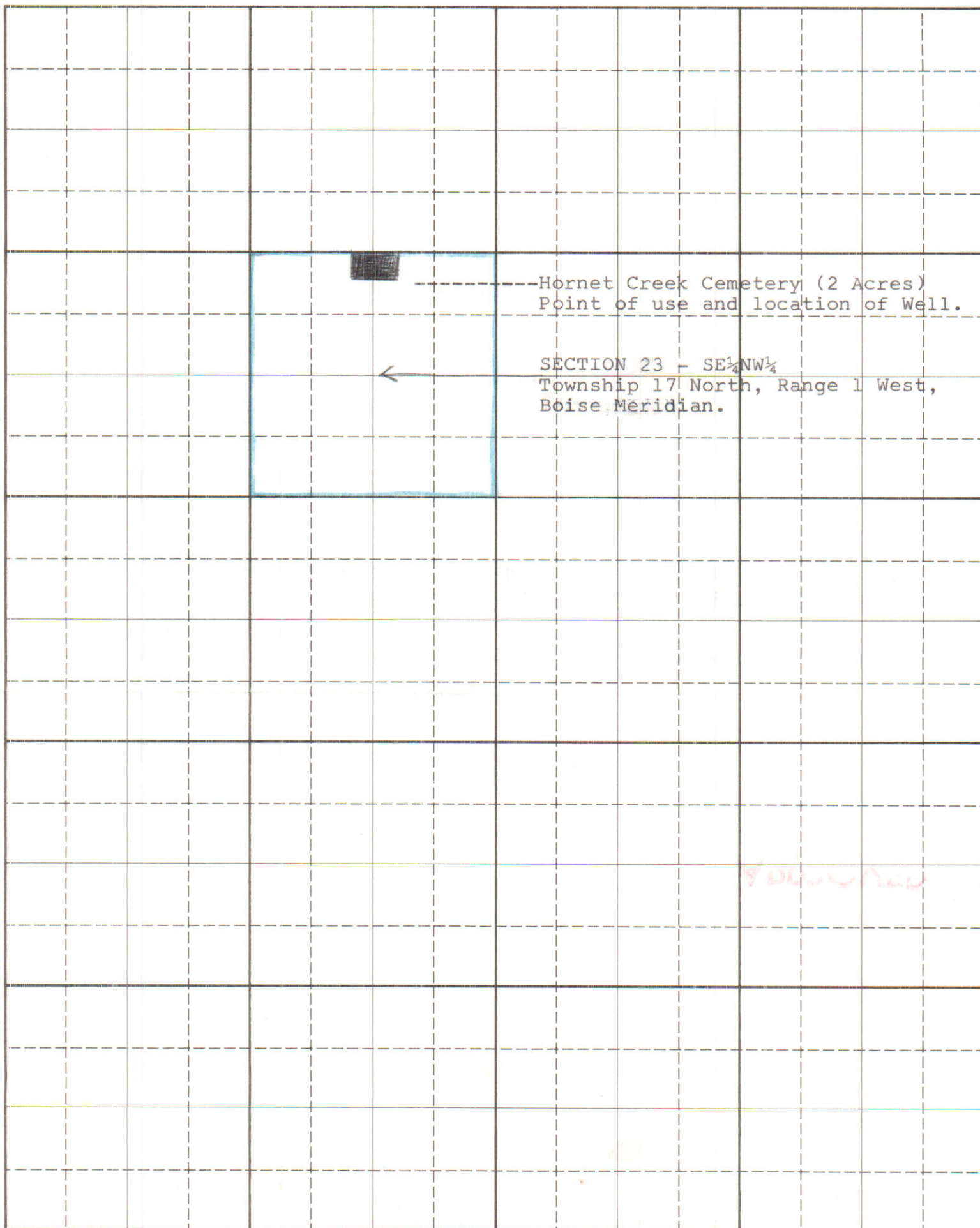


11. Map of proposed project:



Scale: ~~2 1/4~~ 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.

COUNCIL VALLEY CEMETERY MAINTENANCE
DISTRICT

By Claude D. Ham
(Applicant) Secretary

67-7006

RECEIVED

DEC 17 1967

Department of Reclamation

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application for Water" as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated December 14, 1967

and the last in the issue dated December 21, 1967 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 22

day of December, 1967

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that the Council Valley Cemetery Main tenance District has on November 17, 1967 applied for permit to divert 0.1115 cubic feet per second of water from a subterranean source under application No. 67-7006. Water will be diverted by a well, pump, and sprinklers with in the SE 1/4 NW 1/4, sec. 23, T. 17 N, R. 2 W, B.M., Adams County and is to be used from May 1 to October 1 for irrigation in SE 1/4 NW 1/4, sec. 23, T. 17 N, R. 2 W, 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

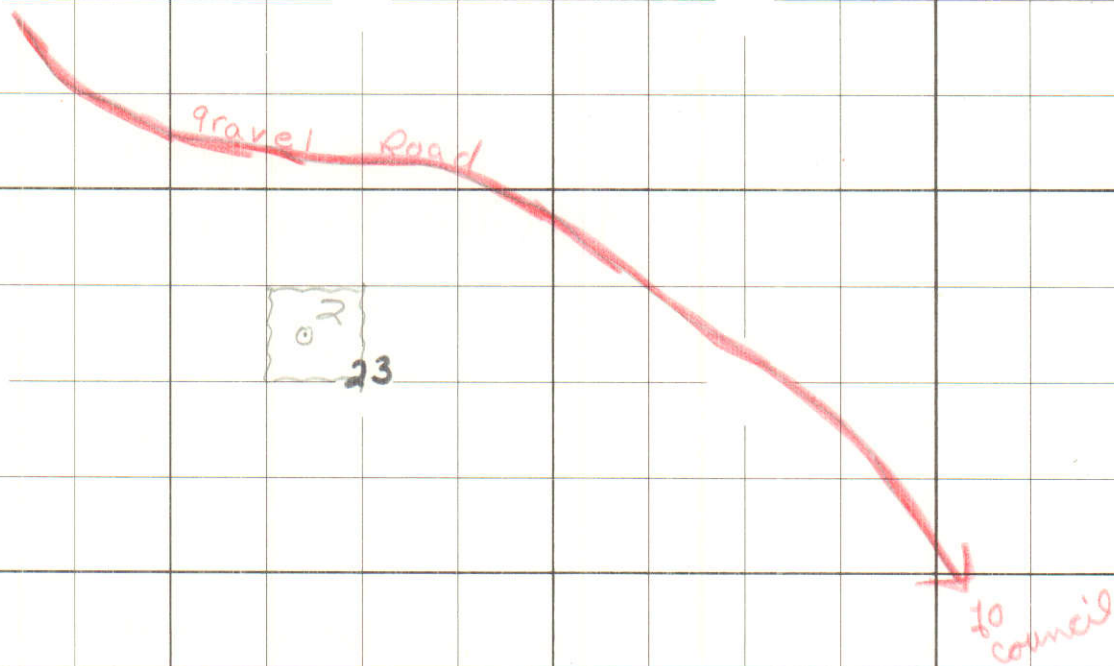
67-7006

Range 2 West

J
o
h
n
s
h
i
p

1
7

n
o
r
t
h



Q measured .096 cfs
 Q recommended .096 cfs (see remarks)
 Volume 4 AF/acre X 20 acres = 80 AF/season
 Acreage
 Found 2
 recommended 2
 Subdv. 1
 Ammendments
☒ None
☐ P.D.
☐ Place of use
☐ _____

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 67-7006 Priority Nov. 17, 1967 Amount 0.096 cfs

THIS IS TO CERTIFY, that Council Valley Cemetery Maintenance District
of Council, Idaho, has complied with the terms and conditions of Permit
No. 67-7006 issued pursuant to Application for Permit dated November 17, 1967,
and has submitted proof to the Department of Water Administration on January 30, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.096 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 0.096 cfs for Irrigation from May 1 to Oct. 1 (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 0.096 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, Twp. 17 N, Rge. 2 W, B.M.

in the county of Adams; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 8.0 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

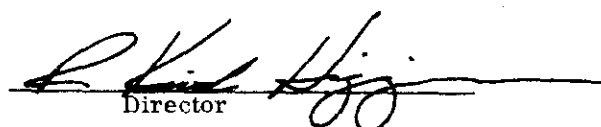
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
17 N	2 W	23								2									2

Total number of acres irrigated 2

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

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

August, 19 72.


Director

67-7006

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 67-7006)
In the name of COUNCIL VALLEY CEMETERY)
MAINTENANCE DISTRICT)

ORDER

WHEREAS, on November 17, 1967, the Council Valley Cemetery Maintenance District applied to the Department of Reclamation for a permit to appropriate .1115 cubic feet per second of water from a groundwater source to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, T. 17N, R. 2W, B.M., Adams County, Idaho, to be used for irrigation from May 1 to October 1 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 17N, R. 2W, B.M.; and,

WHEREAS, on January 11, 1968, the Department of Reclamation approved said application and issued Permit No. 67-7006 with the requirements that proof of construction of works and application of the water to beneficial use be submitted to the Department of Reclamation on or before February 1, 1970, and the applicant permanently install a measuring device of a type approved by the Department of Reclamation as part of the diverting works; and,

WHEREAS, on January 30, 1970, the Department of Reclamation received the required proof of construction of works and application of the water to beneficial use; and,

WHEREAS, on February 13, 1970, the Department of Reclamation was requested to remove the requirement of a permanently installed measuring device; and,

WHEREAS, it has been demonstrated to the satisfaction of the Department of Reclamation that a measuring device is not required for the purpose under this permit at this time;

THEREFORE, IT IS HEREBY ORDERED that the condition of approval that the applicant shall permanently install a measuring device of a type approved by the Department of Reclamation as part of the diverting works is hereby REMOVED from Permit No. 67-7006.

Dated this 24 day of February, 1970.


C. STEPHEN ALLRED, Deputy
State Reclamation Engineer

67-7006

67-7006

Identification No. ~~47-2135~~Application No. 42137

LICENSE ISSUED FOR 0.096 SEC. FT.
 LICENSE PAGE NO. _____

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPROVED

1. Name of applicant Council Valley Cemetery Maintenance District
 post office address Council, Idaho
2. Source of water supply subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 17N
 Range 2W B.M. Adams County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into no waste water at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
 - a. 0.1115 cubic feet per second and/or 50 gallons per minute
 - b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:

(cemetery) irrigation purpose from May 1 to October 1 (both dates inclusive)

_____ purpose from _____ to _____ (both dates inclusive)

_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 8" well, 142' deep with electric
pump and sprinkler system

 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet; materials used in storage dam: _____

 - c. Proposed well diameter is 8" inches; proposed depth of well is 142' feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is two years.
- b. Estimated construction cost is \$ 4,000.00.
8. Description of proposed uses:
 - a. If water is **not** for irrigation:
 - (1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 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: _____

67-7006

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

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	
17 N	2 W	23								X									2 Acres

Total number of acres to be irrigated 2 Acres

c. Describe any other water rights used for the same purposes none

9. (a) Who owns the property at the point of diversion X Applicant, Cemetery District

(b) Who owns the land to be irrigated or place of use X Applicant, Cemetery District

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

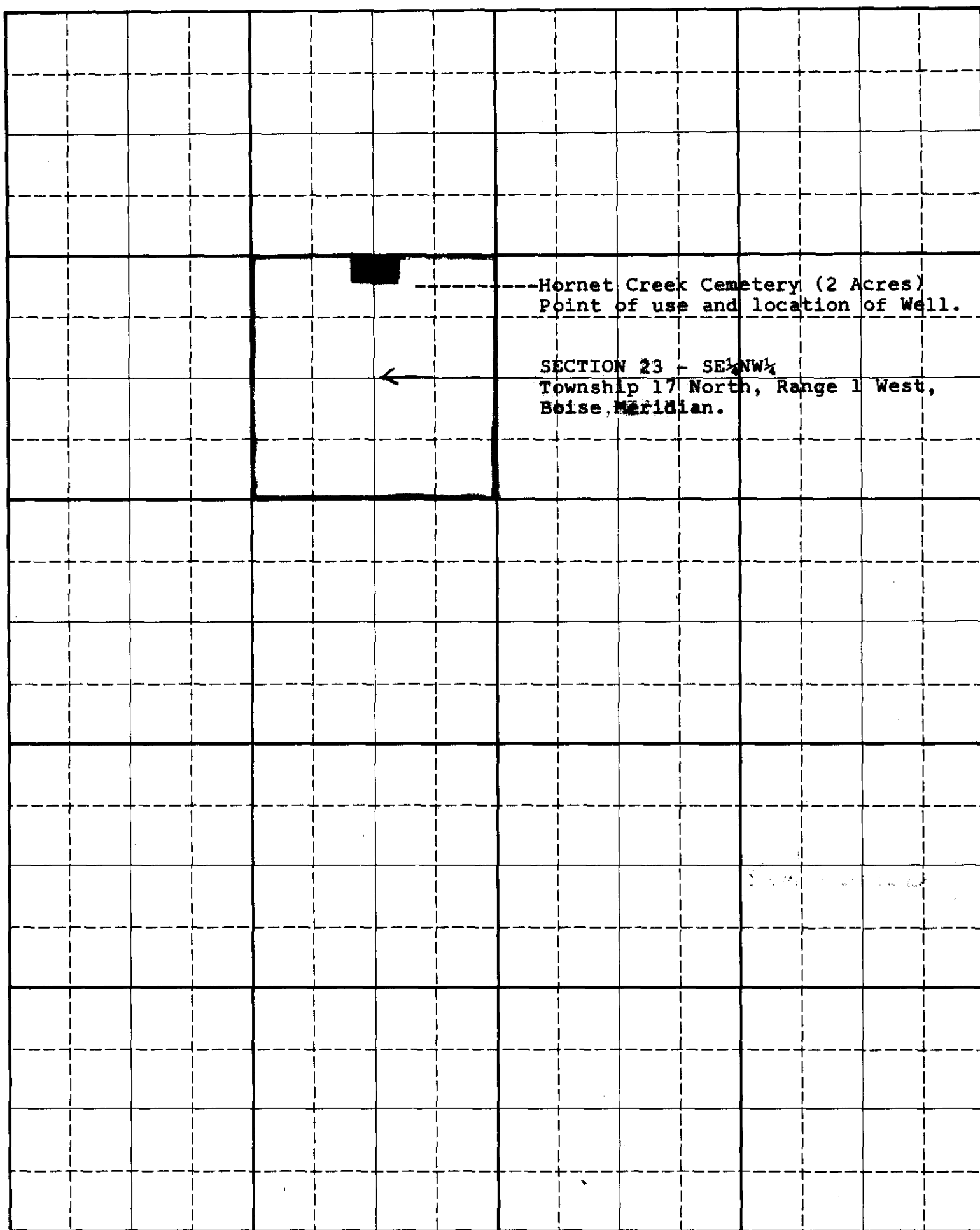
10. Remarks Diversion of underground water will be accomplished by an 8" well, drilled to a depth of 142' and cased for the first 17': balance of depth is through solid rock: Water level stands at 69': Water will be pumped by means of an electric pump and will be supplied to cemetery area by means of an underground sprinkler system: Well has been completed and it is contemplated that the power line, pump and sprinkler lines will be fully installed by September 1, 1969; the normal irrigation season extends from May 1 to October 1 of each year.

W. J. GARDNER

99

00

11. Map of proposed project:



Scale: ~~1 inch~~ equals 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.

COUNCIL VALLEY CEMETERY MAINTENANCE DISTRICT

BY Claude D. Ham
(Applicant) Secretary

67-7006

Received by KO Date 11-17-67 Time 8:00
Preliminary check by WMM Fee \$ 10.00 11-17-67
Received by KO Date 11-17-67
Publication prepared by KS Date 12-4-67
Published in ADAMS COUNTY LEADER
Publication dates 12-15, 22-67
Publication approved KS Date NO TEAR SHEET
Priority reduced to _____ Reason _____

Protests filed by: NONE

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by CSA

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

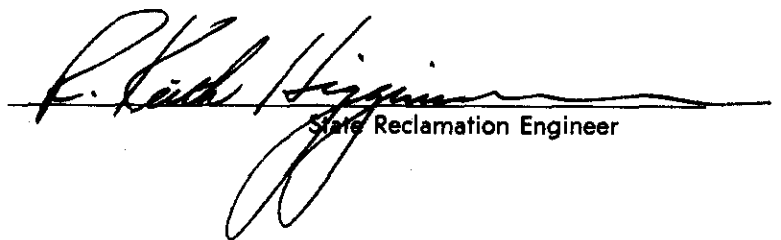
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7006, and said application is hereby APPROVED.

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 February 1, 19 70.
- c. Other: The applicant shall permanently install a measuring device of a
type approved by the department as part of the diverting works.

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

Witness my hand this 11 day of January 19 68.


State Reclamation Engineer

Identification No. 67-7006

Permit No. G-31216

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder COUNCIL VALLEY CEMETERY MAINTENANCE DISTRICT
b) Post Office Address Council, Idaho 83612
2. Permit Number G-31216 (Identification No. 67-7006)
3. Date of Priority that you are prepared to establish November 17, 1967
4. a) Source from which water was appropriated underground water - well
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 23
Township 17 N, Range 2 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 45 gallons per minute for irrigation purposes from May 1 to October 1 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 45 gallons per minute 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: measurement of water was determined by bailing water from well into creek - bailing was done by H.G. Nicholson, the well driller. (see Item 10-REMARKS)
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: None
b) Describe the agreement or understanding by which you take water from the works: None
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) 3 HP electric pump, 8" well casing to 160 feet, well is 294 feet deep. Underground sprinkler system consisting of 2" line, with 140 feet of main line and 180 feet of lateral lines and 9 sprinkler heads.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well drillers name and address and date the well was completed H.G. Nicholson - Payette, Idaho; well completed July 16, 1969

67-7006

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	2W	23								X									2 acres

Total number of acres irrigated 2 acres

10. Remarks: the capacity of the well was further determined by the fact that it supplys water for operating nine (9) standard irrigation sprinkler heads.

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

Jan. 28, 1970
(Date)

COUNCIL VALLEY CEMETERY MAINTENANCE DISTRICT
By Claude D. Ham
(Signature) Secretary-Treasurer

State of IDAHO)
ss.
County of Adams)

On this 28th day of January, 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 Council, Idaho

My commission expires April 13, 1972

RECEIVED

DEC 27

Department of Reclamation

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Appl

for Water "

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated December 14, 1967

and the last in the issue dated December 21, 1967 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 22

day of December, 1967.

David A. Lester

Notary Public for Idaho,
Residing at Council, Idaho

67-7006

RECEIVED
DEC 14 1967
Department of Reclamation

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

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same being made in the issue dated December 14, 1967

and the last in the issue dated December 21, 1967 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 22

day of December, 1967

Garvin D. Lester

Notary Public for Idaho,
Residing at Council, Idaho

67-7006

ADAMS COUNTY LEADER COUNCIL, IDAHO

PRINTING

PUBLISHING

December 22, 1967

RECEIVED

DEC 26 1967

Department of Reclamation
Room 107
State House
Boise, Idaho

Department of Reclamation

Dec. 14-21

publishing " Notice of Application
for Water ".
24 lines @ 13¢ & 10¢

4/6/4/
\$ 5.82

" I hereby certify that the above account is correct and just,
that the services were actually rendered as charged and that
we have not received payment therefor."

Signed

Adams County Leader

By

But Hogan

67-7006

WATER RIGHT NUMBER 67-7006

OWNER LAST NAME - COUNCIL VALLEY CEMETERY MAINT. DIST. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - COUNCIL STATE - ID ZIP CODE -
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - LICENSE STATUS - PRIORITY - 11-17-1957✓ COUNTY - ADAMS TOTAL DIV. RATE - ✓.0960 -CFS
TOTAL DIV. VOLUME - / 8.00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SENW 23 17N/02W LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 05-01 TO - 10-01 USE - IRRIGATION USE DIV. RATE - .0960 CFS USE DIV. VOLUME - 8.00 AFA
USE - IRRIGATION PLACE OF USE - TWN 17N/RNG/02W SEC 23 TRACT SENW/LOT AC 02/
DECREE NAME - DATE - TOTAL ACRES 2
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

IDENT. No. 67-7006

WATER RIGHT
DATA ENTRY LOG[illegible]

August 3, 1972

Re: Permit Nos. 31216/67-2315 & 67-7006

Council Valley Cemetery District
Council,
Idaho 83612

Gentlemen:

Enclosed herewith is the Water Licenses issued on the above referenced permits.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Licenses (2)

67-7006

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

July 17, 1972

Council Valley Cemetery Maintenance District
Council,
Idaho 83612

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 67-7006 and has found the following:

Quantity of water diverted: 0.096 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.096 cfs

The maximum quantity diverted shall not exceed 8.0 acre feet per season.

Beneficial use: Irrigation of 2 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23,
Twp. 17 N, Rge. 2W, B.M.

Point of diversion: Same as above.

The priority date established is: Nov. 17, 1967

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.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

67-7006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 67-7006

REPORT ON PROOF OF B/U-Council Valley Cemetery Maintenance District

Submersible Pump & Motor
Franklin Electric Co.
Model: 282 1022100
3 H.P.
3450 R.P.M.

3" output into 2 1/2" sprinkler line

Rainbird 20A 3/16" nozzle 10 nozzles @ 20 lbs.

$$4.33 \text{ per nozzle} \times 10 \text{ nozzles} = \frac{43.3 \text{ gpm}}{450} = .096 \text{ cfs}$$

$$\begin{array}{r} 450 \overline{) 43.30} \\ \underline{40.50} \\ 2800 \\ \underline{2700} \end{array}$$

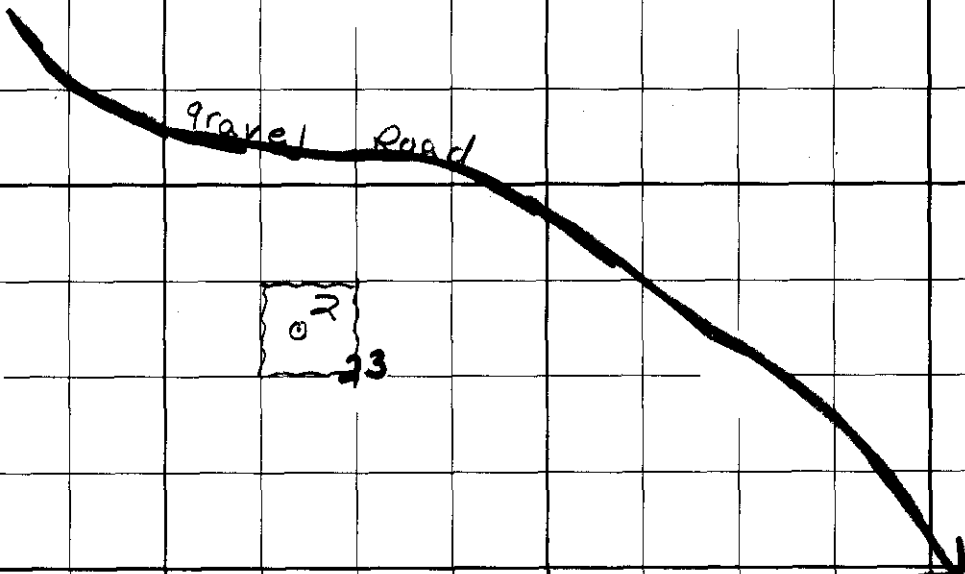
67-7006

Range 2 West

J
O
N
S
I
P

1
7

N
O
R
T
H



23

to Council

Q measured .096 acs
 Q recommended .096 acs (see remarks)
 Volume 4 AF/acre X 20 acres = 18 AF/season
 Acreage
 Found 2
 recommended 2
 Subdv. 1
 Amendments
☒ None
☐ P.D.
☐ P.O. of use
☐ _____

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

Permit No. 67-7006

This proof is for b/a

In Water District No.

1. Name of applicant Council Valley Cemetery Maintenance District, Council, Idaho
2. Source of water supply: groundwater
3. Location of point of diversion: Is in the SE 1/4 of Section 23
T. 17 N R. 2 W County of Adams
4. Describe works as they exist, giving dimensions and capacities of same: 3 HP electric pump, 8" well casing to 160', well is 294 feet deep. Underground sprinkler system consisting of 2" line, with 140' of main line and 180' of lateral lines and 9 sprinkler heads.
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):
T. 17N, R. 2W, Sec. 23 SE 1/4 2 Acres

Well pumps into 2" main and then to 10 sprinkler heads to irrigate approx. 2 acres of lawn for a cemetery.

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

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

Remarks: Due to the small amount of land and the need to irrigate lawn as fast as possible, I recommend to license permit for the amount that well will produce and to limit the volume to required amount.

.096 cfs and 8.0 AF/season

This examination was made on the 24 day of June, 1971

(Signed)

Fred E. Evans, Jr.
Examiner

67-7006

67-7006

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.
-

ASCS : Council
SCS : Council

Permit No. 67-7006

Examination for b/u

County Adams

Quantity: (permit) Sec. 23 T. 17N R. 2W
.1115 c.f.s., (proof) same

Source: groundwater

P.D.: SE $\frac{1}{4}$ NW $\frac{1}{4}$

Use: (cemetery) irrigation

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: November 17, 1967

MADE: January 30, 1970

Due: February 1, 1970

PRIORTY: November 17, 1967

August 4, 1970

Re: Permit No. 67-7006
31216/67-2315
Council Valley Cemetery Maintenance District

C Mr. Carl H. Swanstrum, Attorney
Post Office Box #26
Council, Idaho 83612

Dear Mr. Swanstrum:

O In order to clarify the confusion that exists, as indicated in your letter of July 23, 1970, Council Valley Cemetery District is the holder of two permits. Permit No. G-31216, which has been re-numbered to 67-2315, was applied for on June 25, 1963, and was approved July 1, 1963. We are enclosing a copy of this permit for your reference.

P Also, the department has on record - permit No. 67-7006, which was applied for on November 17, 1967, and was approved on the 11th of January, 1968. Both of the permits in question require evidence of beneficial use at one time or another. On January 30, 1970, the department received, from your office, evidence of beneficial use for permit No. 67-7006. At present, we are waiting to conduct a field examination in connection with this permit, before we can propose a license.

Y Permit No. G-31216/67-2315, requires evidence of beneficial use to be received by the department on, or before August 1, 1970.

The forms for evidence of beneficial use were submitted to the Council Valley Cemetery District on June 1, 1970. After reviewing the copies we are enclosing, we would suggest that if both permits are to be maintained, an additional set of beneficial use evidence should be submitted to the department in connection with 67-2315.

67-7006

Mr. Carl H. Swanstrum
August 4, 1970

Page II

Permit No. 67-2315 lapsed on August 1, 1970. When evidence of beneficial use is received, if within the 60 days provided by the lapse notice, the permit could be reinstated.

We are enclosing an additional set of proof forms, and instructions for your use in this matter.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

Enclosures: copy of Permit No. 67-7006,
copy of Permit No. 67-2315,
set of beneficial use forms
& instructions

67-7006

LAW OFFICES OF
CARL H. SWANSTROM
ATTORNEY AND COUNSELOR AT LAW
POST OFFICE BOX 28
COUNCIL, IDAHO 83612
TELEPHONE 253-4267
AREA CODE 208

June 23, 1970

RECEIVED
JUN 25 1970
Department of Reclamation

R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Council Valley Cemetery District
Permit No. 67-7006 (Permit No. G-31216)

Dear Sir:

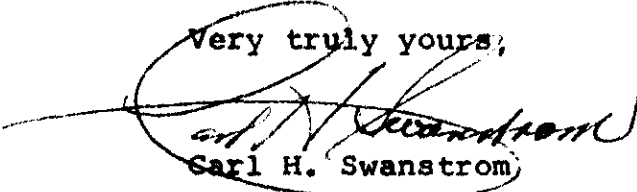
Your letter of June 1, addressed to the Council Valley Cemetery District, with forms for making Proof of Application of water to beneficial use has been handed me for reply.

My files disclose that on January 28, 1970, I submitted in behalf of the Cemetery District, Proof of Application of Water to beneficial use and this was acknowledged by the letter of Donald McEldowney on February 5, 1970.

Apparently there is some confusion, in your department, as to the Permit Number assigned to this application. The application was originally written 67-3135, which number was crossed out on the original application form and the number 67-7006 was inserted in lieu thereof. This application related to a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 17 North, Range 2 West, for use upon the Hornet Creek Cemetery. Your letter of June 1st refers to Permit No. G-31216/67-2315. Unless this latter number refers to a well which was drilled for the Council Cemetery in Township 16 North, Range 1 West, it would appear that you have two files for the same water filing. If you do have a file for the well at the Council Cemetery, I do not recall having anything to do with an application for such permit.

Please check your files and see if this discrepancy can be cleared.

Very truly yours,


Carl H. Swanstrom

CHS:sh

67-7006

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 24, 1970

Re: Permit No. 67-7006

Council Valley Cemetery Maintenance Dist.
Council,
Idaho 83612

Gentlemen:

Enclosed please find an order which relieves the above referenced permit from the measuring device requirement. This is to advise that this does not relieve your responsibility under Idaho Statutes should a measuring device be required at a later date.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for permit 67-7006.

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.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enclosure
cc: Mr. Carl H. Swannstrom

67-7006

TO: Engineering
FROM: Appropriation
DATE: February 13, 1970
SUBJECT: Permit No. 67-7006,
Council Valley Cemetery Maintenance Dist.

Please review letter of February 12th. Permit holder requests removal of measuring device requirement.

COMMENTS: *O.K. to relieve requirement of measuring device; however owner should be told that this does not relieve him of responsibility under code. At some future date meter may be required*

2-16-70

Date

A. T. Dunn

By

67-7006

LAW OFFICES OF
CARL H. SWANSTROM
ATTORNEY AND COUNSELOR AT LAW
POST OFFICE BOX 26
COUNCIL, IDAHO 83612
TELEPHONE 253-4267
AREA CODE 208

February 12, 1970

Mr. Donald McEldowney
Appropriation Examiner
Dept. of Reclamation, State of Idaho
Statehouse - Annex 2
Boise, Idaho 83707

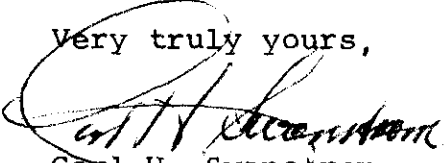
Re: Permit No. 67-7006
Council Valley Cemetery Maintenance District

Dear Mr. McEldowney:

This is in response to your letter of February 7, 1970 and the Department's request for installation of a permanent measuring device as a part of the diverting works to be installed by the applicant.

The filing is for a ground water diversion and the installation is such that the electric pump is directly connected to sprinkler lines irrigating the cemetery area. The applicant has no knowledge of any available metering device which could be installed and which would reflect the discharge from the well. The capacity of the well was quite thoroughly demonstrated at the time drilling was completed by bailing the well and the discharge from the well is further indicated by the fact that it supplies water for nine sprinkler heads. It appears to the writer that with the very limited amount of water available, the cost of an acceptable metering device would be an unnecessary burden on the applicant. I hope that Permit may be granted without further requirement.

Very truly yours,


Carl H. Swanstrom

CHS:sh

67-7006

February 5, 1970

Re: Permit No. 67-7006 - Council Valley Cemetery
Maintenance District

Mr. Carl H. Swanstrom
Attorney-at-Law
P.O. Box 26
Council, Idaho 83612

Dear Mr. Swanstrom:

We are in receipt of the affidavit submitted as proof of application of water to beneficial use in connection with the above referenced permit.

This is to advise that permit No. 67-7006 was issued with the condition that "The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works". Therefore, the Department cannot accept the proof affidavit and issue a license until the measuring device has been installed.

If it can be shown to the satisfaction of the State Reclamation Engineer that a measuring device would be of no value, you may petition the State Reclamation Engineer for the removal of the condition.

May we please hear from you concerning this matter as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

67-7006

LAW OFFICES OF
CARL H. SWANSTROM
ATTORNEY AND COUNSELOR AT LAW
POST OFFICE BOX 26
COUNCIL, IDAHO 83612
TELEPHONE 253-4267
AREA CODE 208

RECEIVED

JAN 29 1970

Department of Reclamation

January 28, 1970

Mr. R. Keith Higginson
State Reclamation Engineer
Room 107 , State House
Boise, Idaho 83701

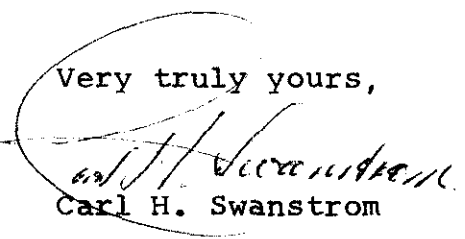
Re: Permit No. 67-7006
COUNCIL VALLEY CEMETERY MAINTENANCE DIST.

Dear Sir:

In behalf of the Council Valley Cemetery Maintenance District,
I am enclosing completed PROOF OF APPLICATION OF WATER TO
BENEFICIAL USE form.

I believe that a Driller's log of the well has heretofore
been submitted to the Department of Reclamation. But, if I
am in error as to this, a Driller's log will be obtained and
submitted.

Very truly yours,


Carl H. Swanstrom

CHS:sh
Encl: 1

67-7006

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.

21417

INSURED NO.

DATE DELIVERED

12-2-69

1

Council on Aging Committee on Seniors

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Charles D. Moore

3

SHOW WHERE DELIVERED (*only if requested*)

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POST MARK OF
DELIVERING OFFICE

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

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX **Annex # 2 Statehouse**

POST OFFICE, STATE, AND ZIP CODE **Boise, Idaho 83707**

POD Form 3811 Apr. 1967

c55-10-71E48-40

December 1, 1969

Re: Permit No. 67-7006

Council Valley Cemetery Maintenance Dist.
Council,
Idaho 83612

Gentlemen:

One of the conditions of the approval of your permit
67-7006 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
February 1, 19 70.

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, ICA.

Either the proof or a request for extension 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.



State Reclamation Engineer

Enclosure: Proof form
dr

CERTIFIED MAIL #21417

Form 5

67-7006

January 11, 1968

Re: Permit 67-7006

Council Valley Cemetery Maintenance Dist.
Council,
Idaho

Dear Sirs:

We enclose a copy of your approved application for permit 67-7006 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:kd

Enclosure: Copy of application
Receipt No. 164 for \$10.00

67-7006
Form 4

Change amount of Water

67-7006

REPORT OF WELL DRILLER'S ACTIVITY

Reported By:

Date Drilling:

Name of Driller:

Address:

Lic. No.

Company Drilling For:

Name of Well Owner:

Address:

Location of Well:

Permit No.

Remarks:

December 4, 1967

Re: Application 67-7006

The Adams County Leader
Council,
Idaho 33612

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 can not 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.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McElidowney
Water Rights Clerk

DWM:ks

Enclosures: legal notice

67-7006

Form 3

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that the Council Valley Cemetery Maintenance District
has on November 17, 1967
applied for permit to divert ////// 0.1115 cubic feet per second //////
of water from a subterranean source
under application No. 67-7006. Water will be diverted by a well, pump,
and sprinklers SE 1/4 NW 1/4, sec. 23, T. 17 N, R.
2 W, B.M., Adams County, within the
and is to be used from May 1 to October 1 for irrigation
in SE 1/4 NW 1/4, sec. 23, T. 17 N, R. 2 W, 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 Adams County Leader, Council, Idaho
on December 15 and December 22.

67-7006

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

November 14, 1967

Re: Application for Permit
Council Valley Cemetery Maintenance District

Carl H. Swenstrom
Swenstrom and Swenstrom
Attorneys and Counselors at Law
P. O. Box 1
Council, Idaho 83612

Dear Mr. Swenstrom:

We are returning your application for permit and the Council Valley Cemetery District check for the amount of \$10.00.

Please be advised that the form submitted is no longer acceptable. Additional information is required on the new forms which have been in effect since June 1, 1967. For your use in this and other matters, the Department of Reclamation is enclosing twelve sets of current application forms and two sets of instructions.

One of the application forms has been completed with the information which you have supplied. Please review the form and fill in the additional required information. Return the new application form along with your \$10.00 check and your other correspondence.

Please feel free to contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Form 11 (2)
Check #146 for \$10.00
Original application
Application forms (12)
Instructions (2)

RECEIVED
NOV 17 1967

Department of Reclamation

*Corrected application form and instructions
check for \$10.00 are enclosed*

67-7000

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 7, 1967

(P. O.) Council, Idaho 83612

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the ADAMS COUNTY LEADER of Council, Idaho Published in the county in which the works are situated.

COUNCIL VALLEY CEMETERY MAINTENANCE DISTRICT

By Claude D. Ham
Secretary

(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.

RECEIVED

NOV 17 1967

Department of Reclamation

Claude S. Blum
Engineer

67-7006