

RECEIVED

MAY 1 1970

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 Existi

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 April 16.1970

and the last in the issue dated April 23.1970 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 29

day of April, 1970.

Edwin A. Lester

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Council Valley Cemetery District, Council, Idaho has received an approved permit No. G-31216/67-2315 issued by the Idaho State Reclamation Department authorizing the diversion of 0.2 cubic feet per second of water from a ground-water source subject to all prior rights. The priority to be established under this permit is June 25, 1963 and the permit was approved July 1, 1963. Water is to be diverted by well, pump and pipe system from a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16N, R. 1 W, B. M., Adams County to be used for irrigation in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16 N, R. 1 W, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 1, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Adams County Leader, Council, Idaho on April 16 and April 23, 1970.

67-2315
31216

R. 1 W.

67 2315

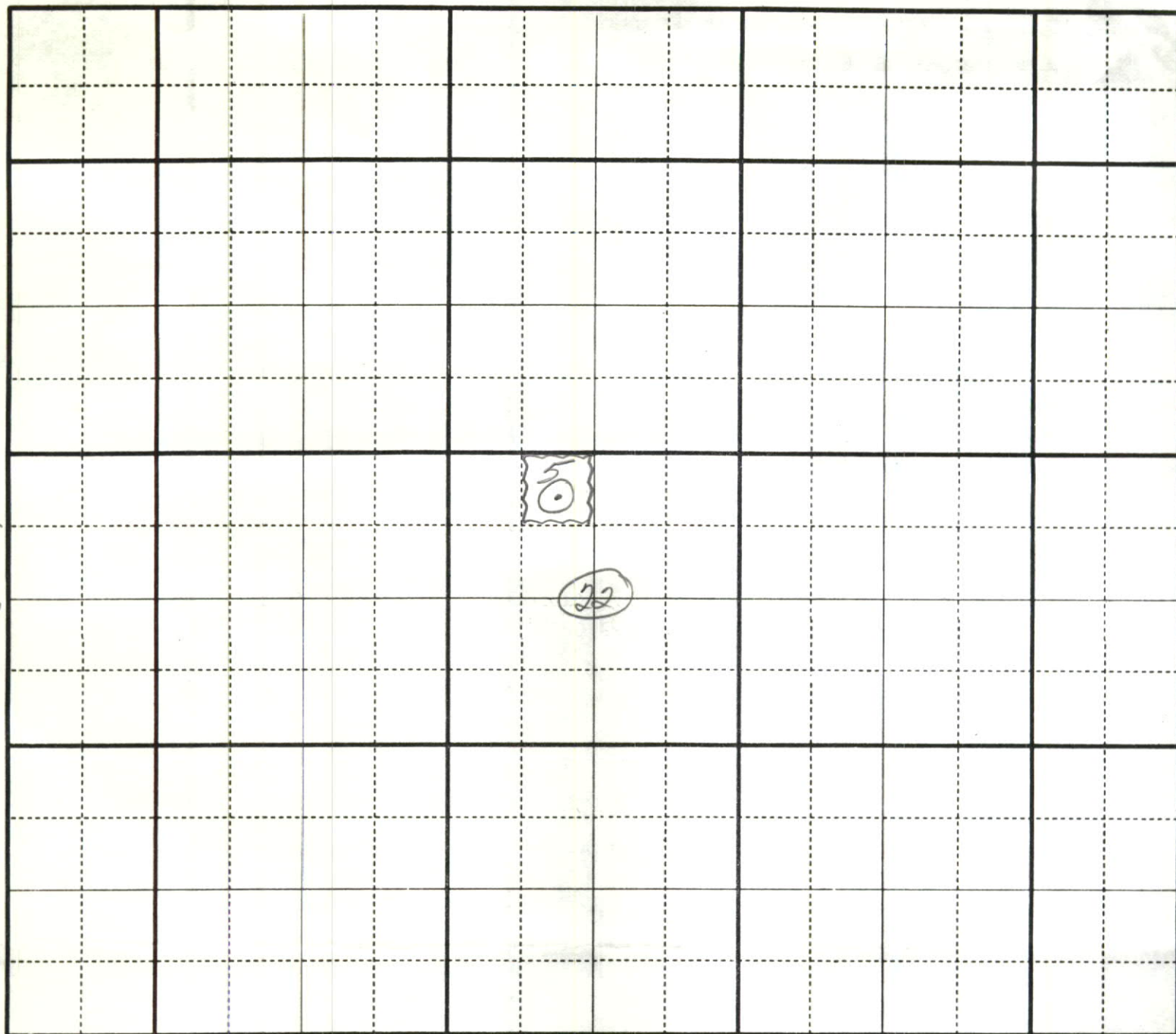
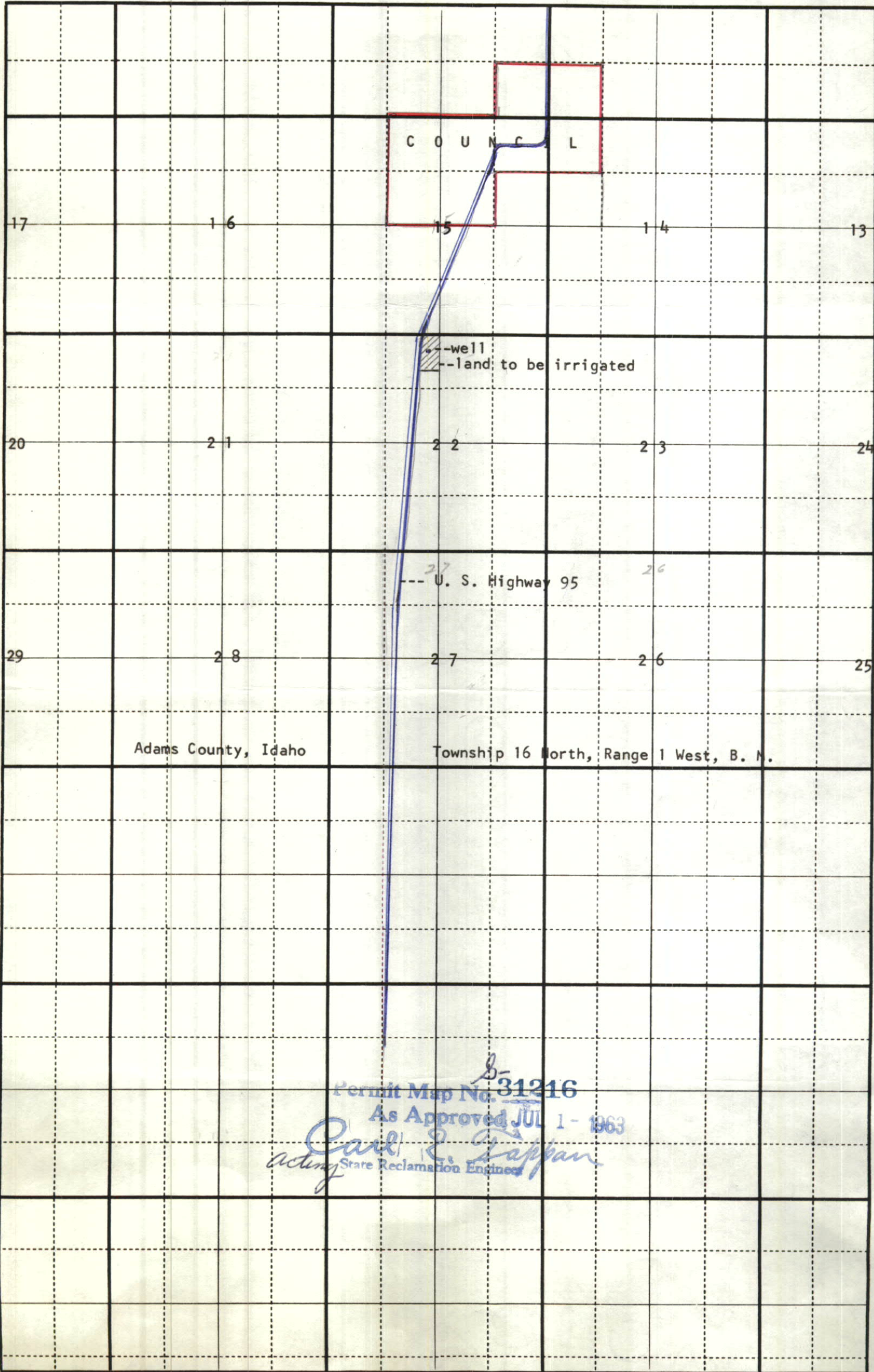


Diagram of System

NAME OF APPLICANT COUNCIL VALLEY CEMETERY DISTRICT

Form No. 0



Permit Map No. 31216
As Approved JUL 1 - 1963
Carl E. Zappan
acting State Reclamation Engineer

31216

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31216/67-2315 Priority August 17, 1963 Amount 0.10 cfs
(late proof)

THIS IS TO CERTIFY, that Council Valley Cemetery District
of Council, Idaho, has complied with the terms and conditions of Permit
No. 31216/67-2315 issued pursuant to Application for Permit dated June 25, 1963
and has submitted proof to the Department of Water Administration on September 23, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.11 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 0.10 cfs for Irrigation from March 15 to Nov. 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 0.10 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp. 16 N, Rge. 1 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 20 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 $\frac{1}{4}$	
16 N	1 W	22					5												5

Total number of acres irrigated 5

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 7215

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO. G-31216/)
67-2315 in the name of Council Valley Cemetery District)

ORDER OF
REINSTATEMENT

WHEREAS, on June 25, 1963, the Council Valley Cemetery District applied to the Department of Reclamation for a permit to appropriate 0.2 cubic feet per second of ground water from a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T. 16 N, R. 1 W, B. M., Adams County, Idaho to be used for irrigation of 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T. 16 N, R. 1 W, B. M.; and,

WHEREAS, on July 1, 1963, the application was approved subject to the condition that proof of completion of the works and application of the water to beneficial use be made on or before July 1, 1968; and,

WHEREAS, on May 13, 1968, an extension of time was granted to the permit holder extending the time in which to submit the required proof of completion of works and beneficial use of the water to August 1, 1970; and,

WHEREAS, on March 18, 1970, the Department of Reclamation forwarded to the permit holder an order modifying the requirements for completion of permit no. G-31216/67-2315 as adopted under the Rules of Practice and Procedure on August 1, 1968; and,

WHEREAS, on June 1, 1970, the permit holder was notified by certified mail that he was required to submit proof of the application of the water to beneficial use and was instructed as to steps to be taken to make that proof; and,

WHEREAS, on August 4, 1970, the permit holder was notified that permit no. G-31216/67-2315 had lapsed; and,

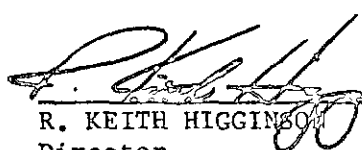
WHEREAS, on September 23, 1970, the Department of Water Administration received the required proof of beneficial use of the water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty (60) days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable cause as to why the permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED that permit no. G-31216/67-2315 be REINSTATED and that the priority be advanced to August 17, 1963.

Dated this 1ST day of OCTOBER, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

67-2315
31216

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-31216/67-2315)

in the name of Council Valley Cemetery)

District, Council, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

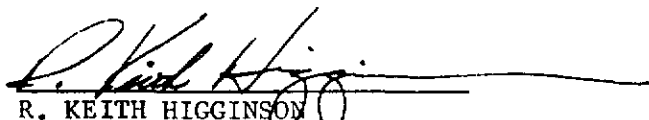
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-31216 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 11th day of March, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH/DG

67-2315
31216

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MAY 13 1968

APPLICATION FOR EXTENSION OF TIME Department of Reclamation

State of Idaho)
County of Adams)

Permit No. G-31216

Claud D. Ham of Council
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says: He is Secretary-Treasurer of Council Valley Cemetery District. That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. G-31216.

That under the terms and conditions of said permit, work thereunder was required to be completed by July 1, 19 68.

That he has heretofore performed the following work described under said permit: The Cemetery District has drilled its irrigation well and cased the same.

(The District is now asking for bids on pump)

Costing \$ 1,136.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: District is a taxing unit and will not have available funds to have power line installed and to acquire sprinkler pipe until about August 1, 1969

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to August 1, 19 69.

Claud D. Ham, Secy. & Treas.
(signature)

Subscribed and sworn to before me this 11 day of May, 19 68.

[Signature]
(notary public)

My commission expires April 13, 1972.

Date of receipt at office of Department of Reclamation May 13, 1968.

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit No. G-31216 to August 1, 1970.

Witness my hand this 14th day of May, 19 68.

[Signature]
State Reclamation Engineer

* If other than the holder, Power of Attorney must be supplied.

231216

67- 2315

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39312
Permit No. G- 31216
District No.

1. Name of Applicant: Council Valley Cemetery District
Postoffice address: Council County: Adams State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 0.2 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground water tapped by 390' well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22
Twp. 16 N , Rge. 1 W. , B.M., County of Adams
5. Water is to be used for: Irrigation purposes on cemetery grounds
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to none
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well with pump and pipe system
8. Estimated cost of works: \$6,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 0.2 (cubic feet per second, inches or gallons per minute) is for new lands.

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	
16 N	1 W	22					10												10
EXTENSION OF TIME APPROVAL ✓ I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit No. G-31216 to August 1, 1970. Witness my hand this 14th day of May, 1968. /s/ R. KEITH HIGGINSON State Reclamation Engineer LICENSE ISSUED FOR 0.10 SEC. FT. LICENSE PAGE NO. _____																			

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use water is used only for irrigation at I.O.O.F. Cemetery

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	
16N	1W	22					5												5 acres.

Total number of acres irrigated 5 acres

10. Remarks: The water for which proof is being made has actually been used during the past three years for irrigation of the I.O.O.F. Cemetery at Council.

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

Sept. 22, 1970
(Date)

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

State of IDAHO)
County of Adams) ss.

On this 22nd day of September, 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 3 1971

67-2315
5-1-70

RECEIVED

1970

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 Existi

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 April 16.1970

and the last in the issue dated April 23.1970
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 uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said "Notice " as aforesaid.

Subscribed and sworn to before me this 29

day of April 1970.

Edwin D. Taylor

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Council Valley Cemetery District, Council, Idaho has received an approved permit No. G-31216/67-2315 issued by the Idaho State Reclamation Department authorizing the diversion of 0.2 cubic feet per second of water from a ground-water source subject to all prior rights. The priority to be established under this permit is June 25, 1963 and the permit was approved July 1, 1963. Water is to be diverted by well, pump and pipe system from a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16N, R. 1 W, B. M., Adams County to be used for irrigation in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16 N, R. 1 W, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 1, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Adams County Leader, Council, Idaho on April 16 and April 23, 1970.

67-2315
31216

WATER RIGHT NUMBER 67-2315

OWNER LAST NAME - COUNCIL VALLEY CEMETERY DISTRICT 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 - 08-17-1963 COUNTY - TOTAL DIV. RATE - .1000 -CFS
TOTAL DIV. VOLUME - 20.00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NENW 22 16N 01W LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - .1000 CFS USE DIV. VOLUME - 20.00 AFA
USE - IRRIGATION PLACE OF USE - TWN 16N RNG 01W SEC 22 TRACT NENW LOT AC 05
DECREE NAME - DATE - TOTAL ACRES 5
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 31216
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

67-2315

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 2315

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

July 17, 1972



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

Council Valley Cemetery District
Council,
Idaho 83612

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 31216/67-2315 and has found the following:

Quantity of water diverted: 0.11 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.10 cfs

The maximum quantity diverted shall not exceed 20 acre feet per season.

Beneficial use: Irrigation of 5 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22,
Twp. 16 N, Rge. 1 W, B. M.

Point of diversion: Same as above.

The priority date established is: August 17, 1963 (late proof)

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 2315

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Council Valley Cemetery District
 Post office address Council, Idaho Phone _____
 Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ Underground water tapped by 390' well
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 0.2 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from May 1 to October 1
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 16 N N/S, Range 1 W E/W, B.M., Section 22, Subdivision NE $\frac{1}{4}$ NW $\frac{1}{4}$, Adams
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County

Other Points of Diversions: _____

Description of diverting works: Depth of well, 390 feet with casing for 60+ feet; submersible pump with 3" stem, 5 h.p. electric motor; 12" well casing for 60+ feet.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
16N	1 W	22					10												10

Permit No. G-31216/67-2315
 Examination for B/U

R. 1 W.

67 2315

T.
16
N.



22

Diagram of System

DATE OF EXAM 6/23/71

ACREAGE

Found 5 acres
Recommended 5 acres

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 0.11 c.f.s. V = 20 AF/Ann. from March 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.11 Method of measurement pressure gauge

Total Q recommended 0.11 Meter No. _____ Type _____ Condition _____

Total V recommended 20

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Rain _____ 7/64 nozzle @ 30 lbs 10 total
3.1 gpm nozzle X 16 nozzles = 49.6 gpm = 0.11 105
450 148.8

SYSTEM DESCRIPTION:

Simple
No P.D. measurement on system

REMARKS:

Water is used to irrigate approx 5 acres of land
at the Council County. Recommended to increase pressure
for all cfs which is 1/2" more than the maximum

Examiner's Signature Fred E. Carter Jr. Date 6/23/71

Checked by _____ Date _____

Approved by _____ Date _____

October 12, 1970

Re: Permit No. G-31216/67-2315

Council Valley Cemetery District
% Claud D. Ham, Sec.-Treas.
Council, Idaho 83612

Dear Mr. Ham:

We acknowledge receipt of the affidavit of beneficial use submitted in connection with the above referenced permit.

Enclosed is an Order of Reinstatement for permit no. G-31216/67-2315. Please note that the date of priority has been reduced to August 17, 1963.

Before a license can be issued, a field examination must be made by a representative from this department. We cannot tell you 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 yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order

cc: Carl H. Swanstrum
P.O. Box 26
Council, Idaho

67-2315
31216

4/5

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

SEP 22 1970

Department of Water Administration

September 22, 1970

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

Re: Permit No. G-31216-67-2315
Council Valley Cemtery District

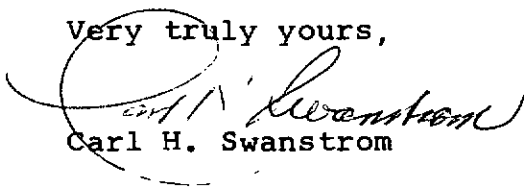
Dear Mr. Higginson:

I am herewith enclosing PROOF OF APPLICATION OF WATER TO BENEFICIAL USE, which is in connection with the groundwater application of Council Valley Cemetery District for its well located in Section 22, Township 16 North, Range 1 West, B.M.

No measuring device was ever installed at the pump and our only information as to amount of water appropriated is based on baling tests made when the well was first completed and the fact that the well and pump now sustains in continious operation sixteen standard irrigation sprinkler heads. We are positive that the appropriation is at least 50 gallons per minute. The water for which proof is being made has actually been used during the past three years for irrigation of the local cemetery and in the amount and to the extend shown on the enclosed form.

If any further information is desired I will do my best to supply it.

Very truly yours,


Carl H. Swanstrom

CHS:sh
Encl: 1

67-2315
31216

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

August 6, 1970

Re: Permit No. G-31216/67-2315

Council Valley Cemetery Dist.
% Claud D. Ham, Sec.-Tres.
Council, Idaho 83612

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit G-31216/67-2315 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH: DR

cc: Carl H. Swanstrum
P.O. Box 26
Council, Idaho

67-2315
31216

August 4, 1970

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

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

Dear Mr. Swanstrum:

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.

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.

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.

67-2315
31216

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

31316
67-2315

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

June 23, 1970

RECEIVED

JUN 23 1970

Department of Agriculture

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:

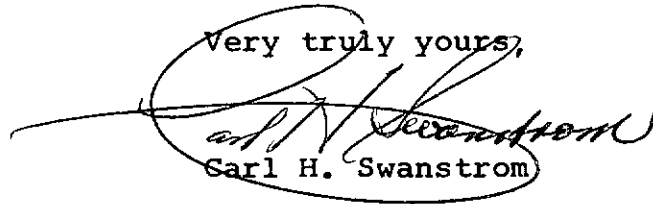
Your letter of June 1, addressed to the Council Valley Cemetery District, with forms for making Proof of Application of water to beneficial use has been handed me for reply.

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

67-2315
31216

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.

21931

1

Commis's really Commodity Inst.

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

6-2-70

3

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK 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 Postmaster

STREET AND NO. OR P.O. BOX

1000 10th Street, N.W.

Washington, D.C. 20540

POST OFFICE, STATE, AND ZIP CODE

POD Form 3811 Apr. 1967 750-10-71648-10

June 1, 1970

Re: Permit No. G-31216/67-2315

Council Valley Cemetery Dist.
c/o Claud D. Ham, Sec-Tres.
Council, Idaho 83612

Gentlemen:

One of the conditions of the approval of your permit no. G-31216/67-2315 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

#21931

67-2315
31216

May 1, 1970

Re: Permit No. G-31216/67-2315 - Council, Valley Cemetery District

Council Valley Cemetery Dist.
Claud D. Ham, Sec-Tres
Council, Idaho 83612

Dear Mr. Ham:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until August 1, 1970, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM/DG

67-2315
31216

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

RECEIVED

MAY 1 1970

Department of Reclamation

April 27, 1970

Re: Permit No. 31216/67-2315

Council Valley Cemetery District
Council,
Idaho

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until July 1, 1968; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Adams County Leader, Council, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense. *Aug. 1, 1970 dg*

Very truly yours,

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

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

67-2315
31216

April 27, 1970

Re: Permit No. 31216/67-2315

Council Valley Cemetery District
Council,
Idaho

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until July 1, 1968; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Adams County Leader, Council, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

67-2315
31216

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 7, 1970

Re: Permit No. G-31216/67-2315

Adams County Leader
Council,
Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 the Department of Reclamation immediately.

The expense of the publication is to be paid by the Council
Valley Cemetery Dist., Council, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

67-2315
31216

April 7, 1970

Re: Permit No. G-31216/67-2315

Council Valley Cemetery Dist.
Claud D. Ham, Sec.-Tres.
Council, Idaho 83612

Dear Mr. Ham:

The legal notice for the above referenced permit is being published in the ~~Adams County Leader, Council, Idaho~~ on April 16 and April 23, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

67-2315
31216

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Council Valley Cemetery District, Council,
Idaho has received an approved permit No.
G-31216/67-2315 issued by the Idaho State Reclamation Department authorizing the
diversion ~~storage~~ of 0.2 cubic feet per second ~~acre/feet/feet/annum~~
of water from a ground-water source
subject to all prior rights. The priority to be established under this permit is
June 25, 1963 and the permit was approved July 1, 1963.
Water is to be diverted by well, pump and pipe system
from a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16 N, R. 1 W, B. M., Adams County
to be used for irrigation
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 16 N, R. 1 W, B. M.

Proof of the application of the water to beneficial use is to be submitted to the
department on or before August 1, 1970. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Adams County Leader, Council, Idaho on
April 16 and April 23, 1970.

State Reclamation Engineer:

Permit No. G-31216/67-2315

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 Dist
(Signature) Clair D. Horn Secy & Treas

Council Idaho 93412-
(Address) 4-6-70
(Date)

31216
67-2315

March 13, 1970

Re: Permit No. G-31216/67-2315

Council Valley Cemetery District
Council,
Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

Enc: Order
Advertising Package

67-2315
31216

June 11, 1968

RE: Permit G-31216
Council Valley Cemetery District

Carl M. Swanstrom
Attorney at Law
P.O. Box 1
Council, Idaho 83612

Dear Mr. Swanstrom:

Enclosed herewith is a copy of the approval
of the State Reclamation Engineer on your extension
of time application submitted to this department
at an earlier date.

Please be advised this extension is granted to
August 1, 1970 instead of the date requested.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

B31216

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

May 10, 1968

RECEIVED

MAY 13 1968

Department of Reclamation

Re: Permit No. G-31216
Council Valley Cemetery District

Carl H. Swanstrom
Attorney and Counselor At Law
P. O. Box 1
Council, Idaho 83612

Dear Mr. Swanstrom:

Pursuant to your letter of May 9, 1968, we are forwarding an official application for extension of time for your use in the matter of proof due under the above referenced permit.

Please submit the completed application promptly so that the permit will not lapse.

Very truly yours,

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

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: App. for Ext. of Time

May 11, 1968

Herewith is application for extension of time to make proof

Thank You,

A handwritten signature in cursive script, reading "Carl H. Swanstrom".
Carl H. Swanstrom

9 31216

May 10, 1968

Re: Permit No. G-31216
Council Valley Cemetery District

Carl H. Swanstrom
Attorney and Counselor At Law
P. O. Box 1
Council, Idaho 83612

Dear Mr. Swanstrom:

Pursuant to your letter of May 9, 1968, we are forwarding an official application for extension of time for your use in the matter of proof due under the above referenced permit.

Please submit the completed application promptly so that the permit will not lapse.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: App. for Ext. of Time

§ 31216

CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE BOX 1
COUNCIL, IDAHO 83612

TELEPHONE 253-4267
AREA CODE 208

May 9, 1968

RECEIVED

MAY 10 1968

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

Department of Reclamation

Re: Permit No. G-31216
Council Valley Cemetery District

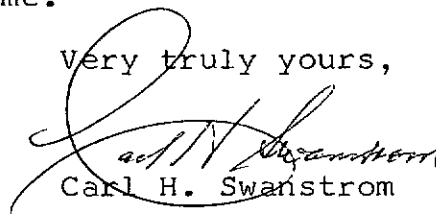
Dear Mr. Higginson:

Mr. Claud Ham, Secretary of Council Valley Cemetery District has asked that I write you requesting an extension of time to make proof of beneficial use of the water concerned under the above numbered permit.

The Cemetery District has fully completed construction of the well at the cemetery and is now asking for bids for a pump and motor. It will also be necessary that electric power be brought to the cemetery, a distance of a half mile or more and sprinkler pipe and other equipment purchased before actual irrigation can be commenced. Mr. Ham informs me that it will be well into the summer of 1969 before the Cemetery District will have sufficient funds to bring in the power line, acquire the sprinkler pipe and meet the other expenses incident to actual beneficial use of water from the well.

If any formal application forms are required to secure this extension, please send them to me.

Very truly yours,


Carl H. Swanstrom

CHS:sh

G 31216

Re: Permit No. G-31216

May 1, 1968

Mr. Claud Ham, Secretary
Council Valley Cemetery District
Council, Idaho 83612

Dear Mr. Ham:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than July 1, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces on both forms, sign the form authorizing us to publish the notice at your expense, and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____

Permit Holder

b 31216

CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO

November 7, 1964

RECEIVED
NOV 9 1964
DEPARTMENT OF RECLAMATION

Re: B 31216

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Enclosed is a copy of the Well Driller's Log of H. C. Nicholson,
dated 3-19-63.

This Log is to be filed in connection with the Application of the
"Council Valley Cemetery Maintenance District", that was filed in
your office on or about June 25, 1963.

Very truly yours,

SWANSTROM & SWANSTROM

Roger Swanstrom
By Roger Swanstrom

B 31216

July 8, 1963

Re: Permit No. C-31216
Council Valley Cemetery District

Mr. Claud Han, Secretary
Council Valley Cemetery District,
Council, Idaho.

Dear Mr. Han:

We enclose Permit No. C-31216 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. C-7967 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

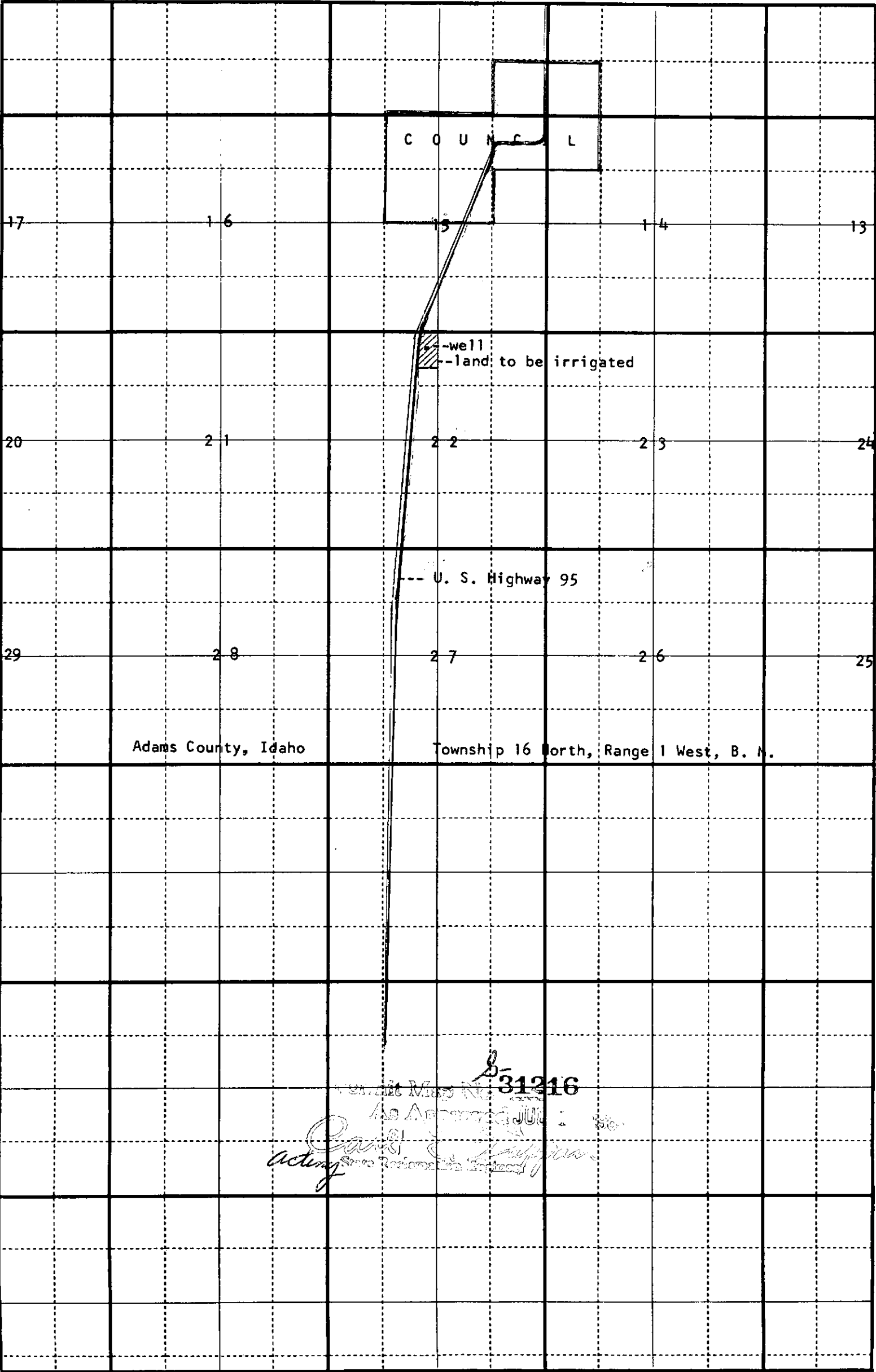
Very truly yours,

~~W. H. H. H. H. H.~~
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. --

9 31216



CARL H. SWANSTROM
ROGER SWANSTROM

LAW OFFICES
SWANSTROM & SWANSTROM
ATTORNEYS AND COUNSELORS AT LAW
COUNCIL, IDAHO

June 24, 1963

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

We are enclosing the Application for Permit of the Council Valley Cemetery District and a check for \$5.00 for the filing fee, together with the two maps of the lands which are proposed to be irrigated.

Will you please furnish us with ten "Well Log and Report to the State Reclamation Engineer of Idaho" forms. As soon as we have these we will furnish you with a copy of the well driller's log and report for the Council Valley Cemetery District's well.

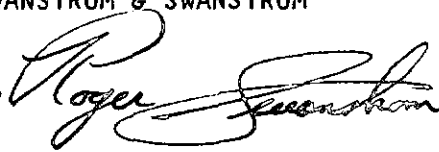
Also, will you please furnish us with several "Application for Permit" forms (to file on subterranean water).

Thank you very much,

Very truly yours,

SWANSTROM & SWANSTROM

By



RS
encls.

31216