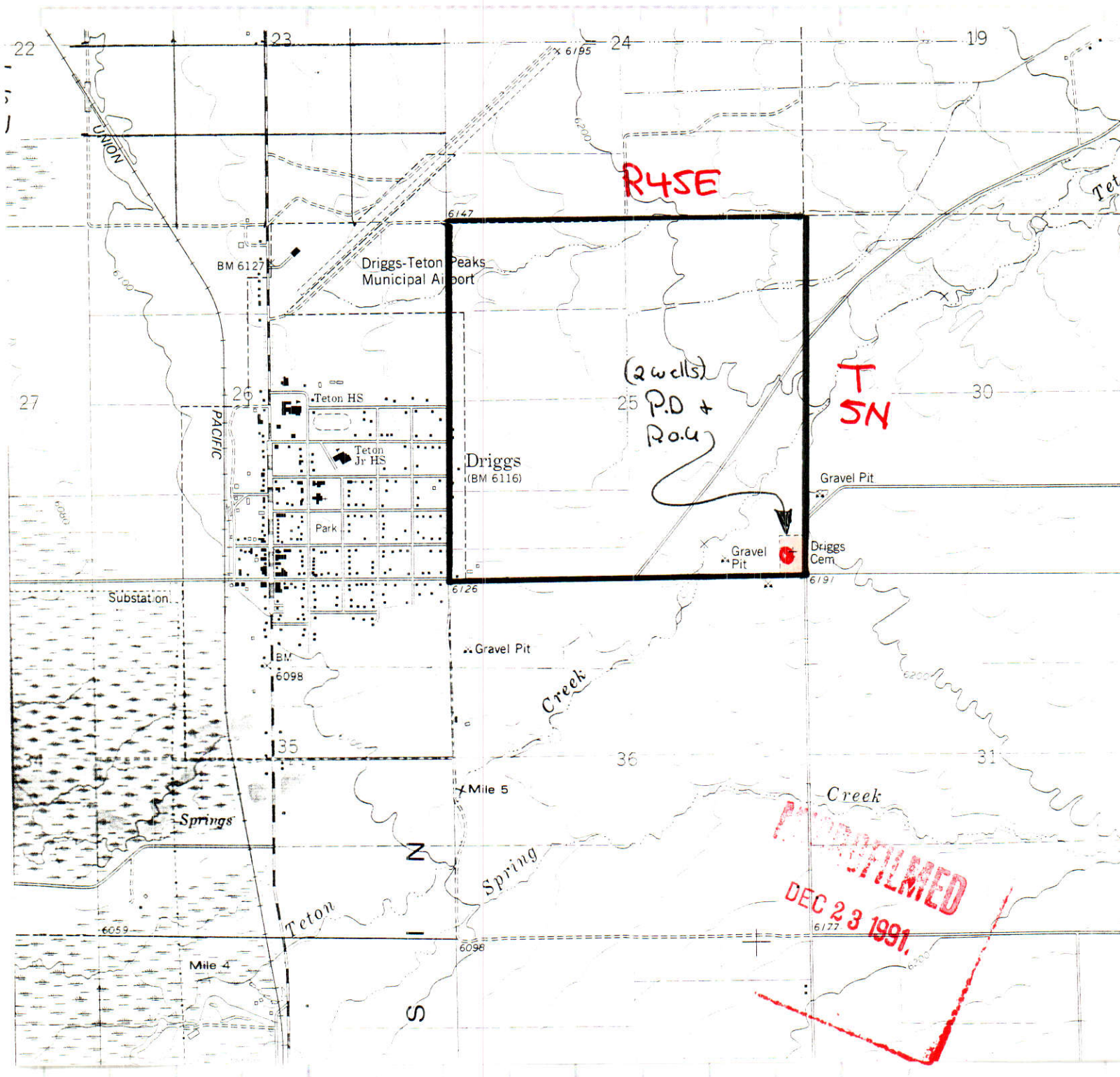


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SOURCES

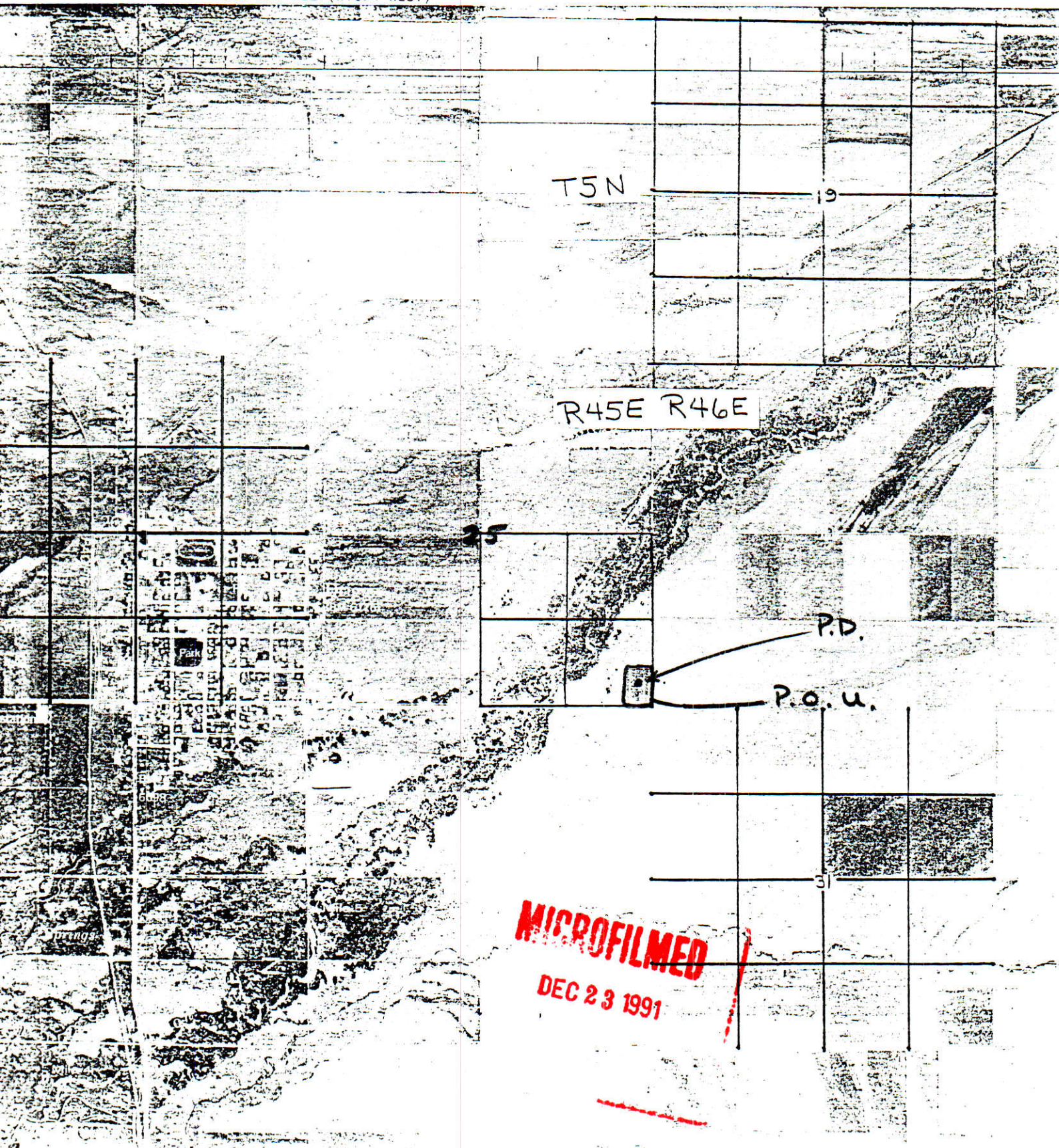
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
CADASTRAL SURVEY

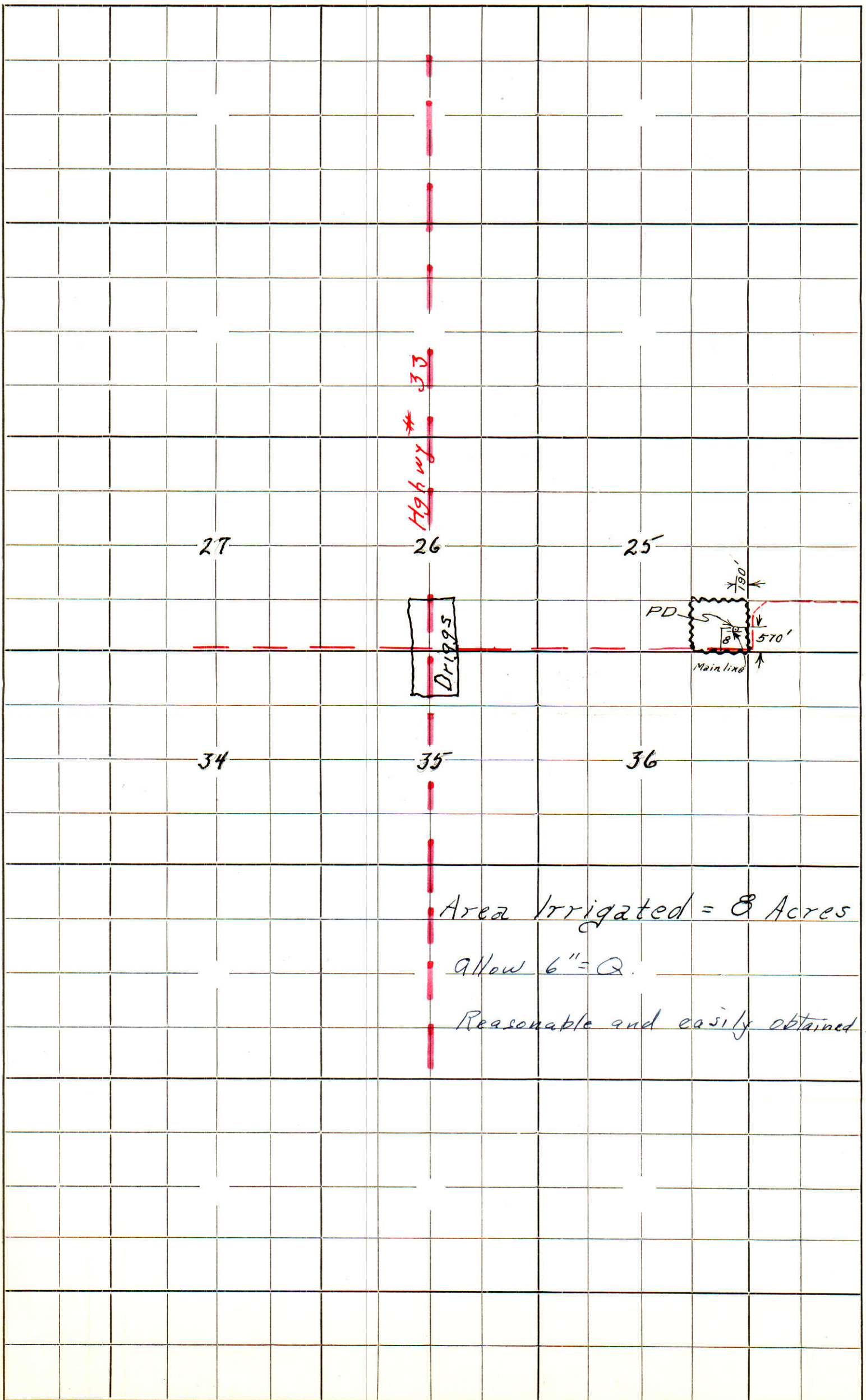
R45E

F

491000m.E.

230 000 FEET(WYO. 4 WEST)





# 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.

Driggs Cemetery District  
Driggs, Idaho

Permit No. 21837

Examination for Beneficial use

County Teton

S25 5N. 45E.

Q = .1 cfs.

S = well

irrig.

P.D. = 98 SE S25

Use on SE SE S25

area = 10 acres.

Mr. Ronald White accompanied  
inspector

Some info. from Maurice Roberts

Prior = Dec 22-50

B. N. due Mar 25-52

Depth of well 85' x 6"

Casing 6" x 85'

Static water level 60'

Drawdown ?

Depth of pump 80'

Column 2 1/2" 4 stages 2 1/2" dia  
bore

Fairbanks Morse pump #AL 2874  
Little Chief

Fairbanks Morse motor #

XCS 6326868

3 H.P. 230V. 16.5 amp 3 + 25 RPM  
60 cys.

GE meter #31610484

240V 15 amp 3 wire 60 cys

2 1/2" discharge to South into 3" flexible  
5' long hose to 3" aluminum mainline

210' of 3" mainline

540' of 2" lateral

Rain Bird 20

1/8" nozzle 14 heads

2.44 GPM per nozzle (30# pressure?)

Tested at 20 inches for 3 days.

(covers area 80' + dia.)

# AFFIDAVIT OF PUBLICATION

State of Idaho, }  
County of Teton, } ss.

I, V. E. Lansberry  
being first duly sworn, depose and say.

That I am the Publisher  
of the Teton Valley News, a newspaper  
as defined by Idaho Codes Annotated,  
Section 58-106, as amended, and that  
said newspaper is a weekly newspaper,  
printed and published at Driggs, in Te-  
ton County, Idaho, having a general  
circulation in said county, and that said  
newspaper has been printed in said  
county for more than 78 consecutive  
weeks prior to the first publication of  
the attached notice, advertisement or  
publication of

Notice re Water for

Well

And affiant further says that said at-  
tached notice, advertisement or publica-  
tion, as per clipping attached, was pub-  
lished in said newspaper, in the regular  
and entire issue thereof, and not in any  
supplement issue thereof, for four  
consecutive issues thereof; first publica-  
tion having been made on the 14<sup>th</sup>  
day of Feb., 1952,  
and last publication on the 6<sup>th</sup>  
day of March, 1952.

And affiant further says that at the  
times herein mentioned said newspaper  
was made up of at least four pages of at  
least five columns each, printed from  
type matter, of at least seventeen and  
three-fourths inches deep.

VE Lansberry

Subscribed in my presence and sworn  
to before me this 14 day of

March, 1952

Spiff Strong

(SEAL) Notary Public for the State of  
Idaho, residence and postoffice  
address, Driggs, Idaho.

My Commission expires

4-14, 1953

## NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at  
10:00 a.m. on the 14th day of  
March, 1952, at Driggs, County of  
Teton, State of Idaho, before H.  
S. Forbush, a Notary Public, proof  
will be submitted of the application  
to beneficial use of 0.1 cubic foot  
per second on the waters of a  
well in accordance with the terms  
and conditions of Permit No.  
21837, heretofore issued by the De-  
partment of Reclamation of the  
State of Idaho.

The name and postoffice address  
of the person or corporation hold-

ing said permit is Driggs Cemetery  
District, Driggs, Idaho.

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

The amount applied to beneficial  
use is 0.1 second foot of the waters  
of said well.

The place where said water is  
used: 10 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 25, Township 5 North,  
Range 45 East B. M.

The right to take water from

such works is based upon Permit  
No. 21837.

The source of supply from which  
such water is diverted is subter-  
anean from a well in the SE $\frac{1}{4}$   
SE $\frac{1}{4}$  Section 25, Twp. 5 N., Range  
45 E., B. M.

The date of priority which said  
user is prepared to establish is  
December 22, 1950.

21837 MARK R. KULP,  
State Reclamation Engineer.  
Pub. F14-21-28-M6

21837

riggs Cemetery District,

FORM No. 0

Twp. 5.N. R. 45.E.

24

25

Permit Map No. 21837  
As Approved  
DEC 21 6 1950  
MARK R. KULP  
State Reclamation Engineer

36

**SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.**

21837

State of Idaho  
License and Certificate of Water Right

Water License No. 21837 Amount 0.1 second foot  
Water District No. \_\_\_\_\_ Priority December 22, 1950

THIS IS TO CERTIFY that **DRIGGS CEMETERY DISTRICT**  
of **Driggs, Idaho**, made application for a permit to appropriate the  
public waters of the State of Idaho, dated **December 22**, 19 **50**; that Permit No. **21837**  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
**0.1** second foot, was issued thereunder on **September 1**, 19 **51**, showing that said works  
were completed on the **22nd** day of **August**, 1951; and that on the **14th**  
day of **March**, 19 **52**,

**DRIGGS CEMETERY DISTRICT**  
of **Driggs**, State of **Idaho**, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well  
~~rehabilitated~~ (subterranean flow), for the purpose of **irrigation**  
, under Use Permit No. **21837** of the **Department of Reclamation**  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
**8** of Licenses at page **5013**, on the **23rd** day of **October**, 19 **52**;  
The right hereby confirmed dates from **December 22**, 19 **50**;  
The Point of Diversion is located  
in the **SE 1/4 SE 1/4**, Sec. **25**, Twp. **5 N.**, R. **45 E.**, B. M. **Teton County**  
That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed **0.1** cubic foot per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                                              | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|---------------------------------------------------------------|----------------------------------|---------------------------------|
| 5 N. | 45 E. | 25   | SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> | 10                               | 8                               |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
**23rd** day of **October**, 19 **52**.

**MARK R. KULP**  
State Reclamation Engineer

(SEAL)

State of Idaho  
License and Certificate of Water Right

Water License No. 20980 Amount Two second feet  
Water District No. Priority March 14, 1949

THIS IS TO CERTIFY that EDMOND BILLS  
of Salmon, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated March 14, 1949; that Permit No. 20980  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
Two second feet, was issued thereunder on February 9, 1950, showing that said works  
were completed on the 30th day of January, 1950; and that on the 8th  
day of April, 1952,

EDMOND BILLS  
of Salmon, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of Warm Springs  
Creek, a tributary of Salmon River, for the purpose of irrigation and domestic  
use, under Use Permit No. 20980 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
8 of Licenses at page 5014, on the 4th day of November, 1952;  
The right hereby confirmed dates from March 14, 1949;

The Point of Diversion is located  
in the NE 1/4 NE 1/4, Sec. 33, Tp. 21 N., R. 22 E., B.M. Lemhi County  
That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed Two (2) cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                     | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|--------------------------------------|----------------------------------|---------------------------------|
| 21 N. | 22 E. | 20   | NE 1/4 NE 1/4                        | 40                               | 40                              |
|       |       |      | SE 1/4 NE 1/4                        | 40                               | 40                              |
|       |       |      | NE 1/4 SE 1/4                        | 40                               | 40                              |
|       |       |      | Number of Acres Actually Irrigated - | -                                | 120                             |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
4th day of November, 1952.

(SEAL)

MARK R. KULP  
State Reclamation Engineer

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29557  
 PERMIT No. 21837  
 DISTRICT No.

H. S. Forbush  
 Driggs, Idaho

1. Name of Applicant: **Driggs Cemetery District**

Postoffice address: **Driggs**

County: **Teton**

State: **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation: **August 12, 1946**

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors: **Claude Dalley, Driggs, Idaho (Chairman); Alfred Larsen, Driggs, Idaho (Director); Jesse Aller, Driggs, Idaho (Treasurer and Clerk)**

II. The financial resources of the applicant are:

(a) Cash on hand: **\$450.00**

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: **0.1**

cubic feet per second.

3. Source of water supply: **Underground (well)**

which is a tributary of

**West**

4. Location of point of diversion: **603 feet North and 185 feet/feet distant from the Southeast**

corner of Section 25, T. 5 N., R. 45 E., B. M., and is in the **SE $\frac{1}{4}$  SE $\frac{1}{4}$**

of Section 25, T. 5 N., R. 45 E., B. M., County of **Teton**

5. Water is to be used for **Irrigation**

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

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

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

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

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B. M., in the  
 of Section, T., R., B. M.

7. Estimated cost of works: **\$1,500.00**

8. Kind of works: **Drilled well with pumping and spraying equipment.**

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

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 3 inches; length of conduit 165 feet with lateral mains of 2 inch miles.

Average grade per mile feet. pipe extending 580 feet.

12. The time required for the completion of such work is **The well is completed**

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

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

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

~~MARK R. KULP~~  
State Reclamation Engineer

## CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DRIGGS CEMETERY DISTRICT of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 21837, issued upon Application No. 29557 bearing date of priority of December 22, 1950, authorizing the diversion of 0.1 second foot of the waters of subterranean flow from a well, County of Teton, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.1 second foot of the waters of said well; that the point of diversion of said waters is in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 10 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B.M.

Witness my hand this 1st day of September, A. D. 1951.

MARK R. KULP  
State Reclamation EngineerProof of completion of works made August 22, 1951  
Certificate of completion of works issued September 1, 1951.

LICENSE ISSUED FOR 0.1 SEC. FT.

p. 5013

Page 1 of 2

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

**APPROVED**  
Transfer No.

Transfer No. 3860

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant Driggs-Darby Cemetery District Phone 354-2205  
Post Office address P.O. Box 444 Driggs, ID 83422

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion    ☒ Add diversion point(s)    ☐ Change place of use  
☐ Change nature of use    ☐ Change period of use    ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes Original well is not producing enough water.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

- | 1. Right Number                                                                                               | Priority   | Amount<br>(cfs/ac-ft) | Nature<br>of Use | Period of Use |
|---------------------------------------------------------------------------------------------------------------|------------|-----------------------|------------------|---------------|
| 22-02143                                                                                                      | 12-22-1950 | 0.10                  | Irrigation       | 4-15 to 10-15 |
|                                                                                                               |            |                       |                  | to            |
|                                                                                                               |            |                       |                  | to            |
|                                                                                                               |            |                       |                  | to            |
|                                                                                                               |            |                       |                  | to            |
| 2. Total amount of water being transferred <u>0.10</u> cubic feet per second and/or _____ acre-feet per annum |            |                       |                  |               |
| 3. Source of water <u>Groundwater</u> tributary to _____                                                      |            |                       |                  |               |
| 4. Point(s) of Diversion: _____                                                                               |            |                       |                  |               |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres

## PART 1

## 6. General Information:

- a. Description of diversion system 2 wells to irrigation system on cemetery grounds
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N.A. Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
N.A.
- d. Remarks:  
Directors are - Dellar E. Larson, Danny Larson, Leo Davis

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-2143And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

DEC 23 1991

Witness my hand this

6<sup>th</sup>

day of

December, 19 91

A. Glen Saylor  
Chief, Water Allocation Bureau

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 22-02143 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority 12-22-1950

5. Water is used for the following purpose:

amount 0.10 cfs for Irrigation purposes from NOT LISTED to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 0.10 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SE  | SE  | 25   | 5N   | 4SE  | Teton  |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
| 5N   | 4SE  | 25   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 8      | 8      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

RECORDED  
DEC 23 1991

Total acres 8

9. Describe any other water rights used for the same purpose as described above

N/A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
 \_\_\_\_\_ If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

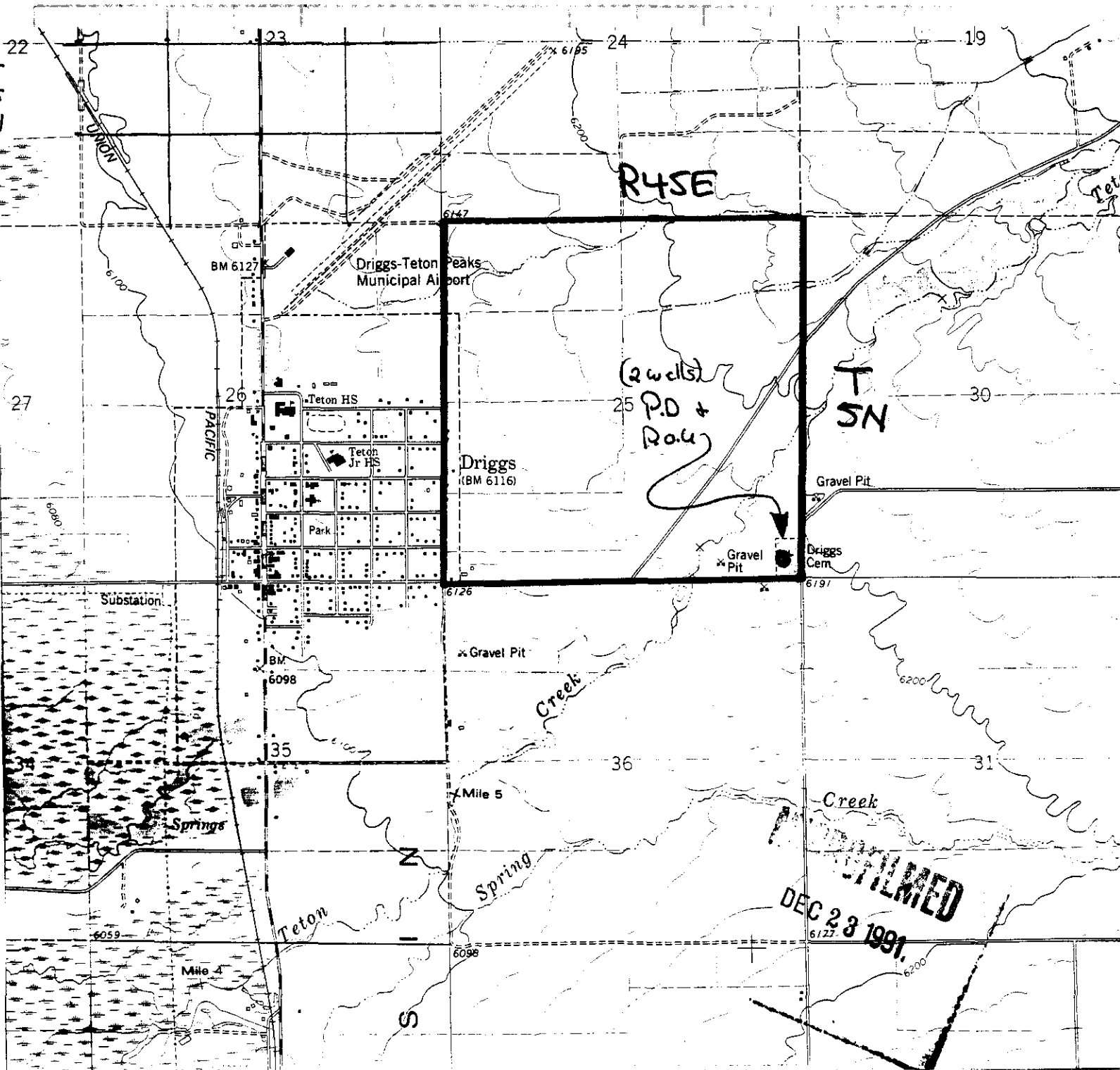
Total acres \_\_\_\_\_

MICROFILMED

DEC 23 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|------------------------------|------------------------|----------------------|
|   |                          |                              |                        | to                   |
|   |                          |                              |                        | to                   |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Dallas E. Hansen, Chairman  
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of August, 19 91.

BETTY J. THOMPSON, NOTARY PUBLIC  
RESIDING AT IDAHO FALLS, IDAHO  
My commission expires 6-30-94  
Betty J. Thompson  
(Notary Public)

E016414**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by HWT Date 8-7-91 Protest filed by \_\_\_\_\_

Prelim. check by DN Fee 50.00

Receipted by HWT Date 8-7-91

Published in Teton Valley News Copies of protest forwarded by \_\_\_\_\_

Pub. dates 9-5 & 12-91 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by RPC

Copy of transfer sent to lien holder \_\_\_\_\_

**MICROFILMED**

DEC 23 1991

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02143  
Date Received: 8/7/1991  
Receipt No: EO16414/ST  
Received By: \_\_\_\_\_  
58.00 late fee  
50.

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DRIGGS-DARBY CEMETARY DISTRICT 208-354-2205  
Address: P.O. BOX 444  
DRIGGS, ID 83422

2. Date of Priority: DEC 22, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05N      | 45E   | 25      | SE     | SE     | SE  |     | TETON  |

5. Description of diverting works:  
WELL & PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.100 |      |        |

7. Total Quantity Appropriated is:  
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 16.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use |
|----------|-------|---------|--------|-----|-----|-----|
| 05N      | 45E   | 25      | SE     | SE  |     | IRR |

Section Acres

Total Acres 8.0

RECORDED  
DEC 23 1991  
8.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 21837

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am TREASURER of  
Title

DRIGGS-DARBY CEMETARY DIST that I have signed the foregoing  
Organization

document in the space below as TREASURER of  
Title

DRIGGS-DARBY CEMETARY DIST and that the statements contained in the  
Organization

foregoing document are true and correct.

Dillon E. Lamm  
Signature of Authorized Agent

TREASURER DRIGGS-DARBY CEME. DIST  
Title and Organization

8-7-91  
Date

**MICROFILMED**  
DEC 23 1991

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 7<sup>th</sup> day

of August 19 91

Seal

Betty J. Thompson  
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires  
RESIDING AT IDAHO FALLS, IDAHO  
MY COMMISSION EXPIRES: 8-30-94

**MICROFILMED**  
**DEC 23 1991**

SOURCES

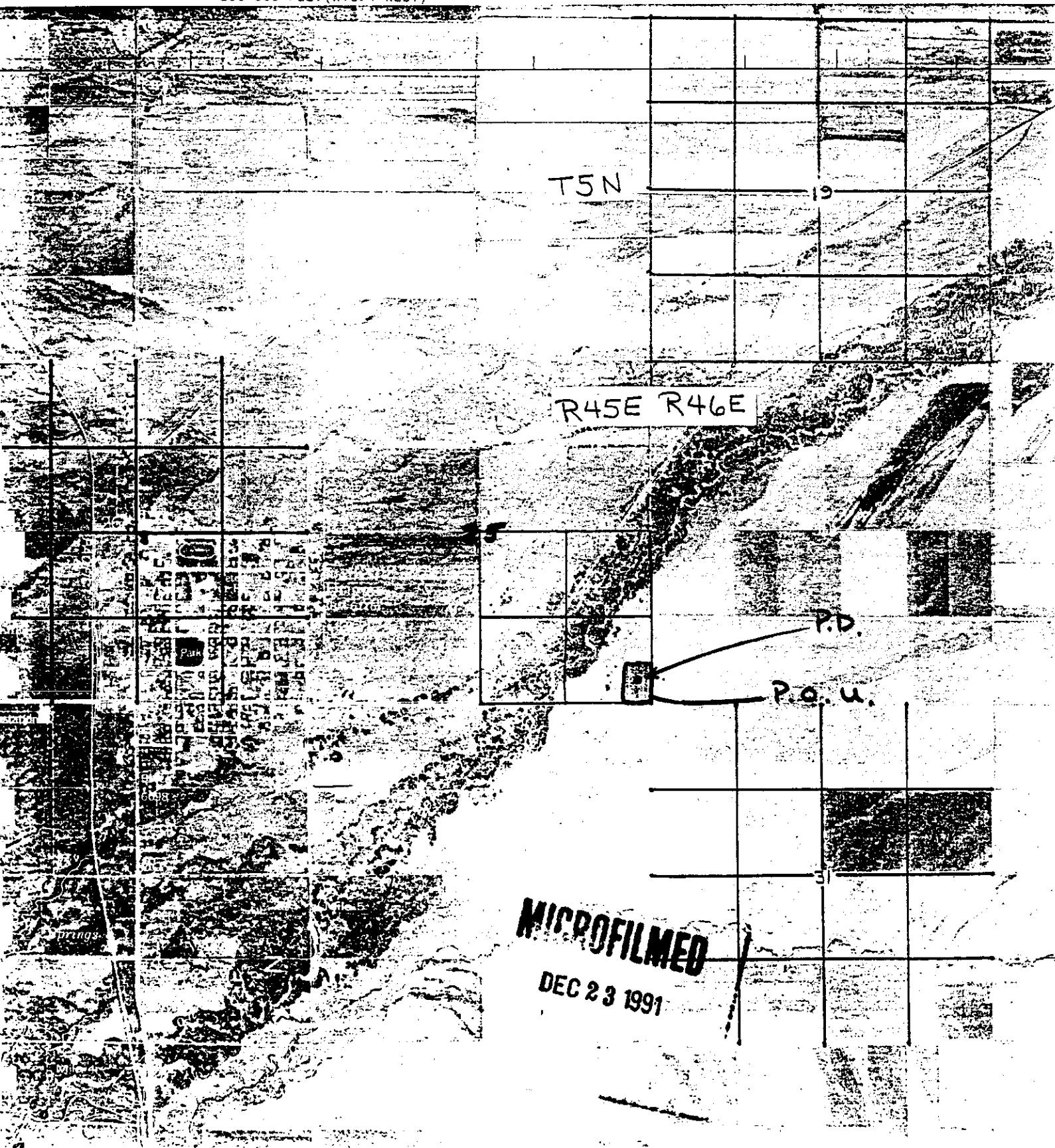
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
CADASTRAL SURVEY

R45E

F

491000m.E.

230 000 FEET(WYO. 4 WEST)



AFFIDAVIT OF PUBLICATION

State of Idaho )

County of Teton )

I, Nadine Doose being first duly sworn, depose and say that I am the secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement, or publication of

notice of proposed change  
of water right 22-02143

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the 5 day of Sept., 1991.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from typed matter, of at least sixteen inches deep.

Nadine Doose

State of Idaho )

County of Teton )

On this 20th day of Sept. in the year of 1991, before me, a Notary Public, personally appeared Nadine Doose known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Debra A. Rusk

Notary Public for Idaho

Residing at Driggs, Idaho

My commission expires 12-2-91

COUNTY

The water is used to irrigate 8 acres within the SESE, S25, T5N, R45E, B.M.

TO BE CHANGED AS

FOLLOWS:

The water will be diverted from the SESESE, S25, T5N, R45E (NEW POINT) SESESE, S25, T5N, R45E (OLD POINT)

Any protest against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 23, 1991.

R. Keith Higginson  
Director

Published in the Teton Valley News on September 5 and 12, 1991.

NOTICE OF PROPOSED  
CHANGE OF A WATER RIGHT

No. 22-02143

Notice is hereby given that DRIGGS-DARBY CEMETERY DISTRICT, DRIGGS, ID, has applied to the Department of Water Resources to add a point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 22-02143  
AMOUNT: .10 cfs  
PRIORITY: 12-22-1950  
POINT(S) OF DIVERSION:  
SESE, S25, T5N, R45E, TETON

RECEIVED

SEP 26 1991

Department of Water Resources  
Eastern District Office

MICROFILMED

DEC 23 1991

RECEIVED

FEB 10 1993

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). ~~3860~~ - 22-02143

Transfer No. 3860

2. Name of Water Right Holder(s): Driggs-Darby Cemetery Dist.

Address: Box 444 Driggs, Idaho 83422

3. Water right transfer authorized by Department is:  
(check appropriate space or provide description)

Complete ✓

Not Complete \_\_\_\_\_

Partially Complete (describe work completed) \_\_\_\_\_

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: \_\_\_\_\_

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Dennis Larsen  
Signature  
(& title if on behalf of a company or organization)

2/8/93  
Date

FEB 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

February 4, 1993

DRIGGS-DANBY CEMETERY DISTRICT  
PO BOX 444  
DRIGGS ID 83422-0444

RE: Approved Transfer No. 3860/Water Right No(s). 22-02143

Dear Water Right Holder:

On December 6, 1991, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

*Cindy Zimmerman*  
for SHARLA CURTIS  
Sr. Water Resource Agent

Enclosure

RECORDED  
FEB 7 1993

December 17, 1991

Driggs-Danby Cemetery District  
P.O. Box 444  
Driggs, ID 83422

RE: Transfer of Water Right No. 22-02143

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3860). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosure

DEC 23 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: November 25, 1991

RE: TRANSFER NO. 3860/LICENSE NO. 22-2143

=====

This transfer seeks only to add a point of diversion to the above licensed right. Approval is recommended with the conditions below.

- 1) <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 2) <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 3) <<T09>> Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

*Note: Second/Added well has same location as original licensed well. Comments to this effect have been added to DATABASE. TFL 11-25-91*

DEC 23 1991

8-9-91  
8-12-91 HGT

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

1. Right number 22-02143 Applicant Driggs-Darby Cemetery District
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
  - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
  - b. ☒ Description of original point of diversion.
  - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
  - a. ☒ All of right.
  - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
  - c. ☒ Check description of point(s) of diversion.
  - d. ☒ Check description of place of use.
  - e. ☒ Check map (shows p.d. and p.u. after transfer).
  - f. ☒ Check for correct signature, notarization, and fee.
  - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
  - h. ☒ Check for expansion in use of right. Comments NONE
  - i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) N/A
  - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on \_\_\_\_\_ Received on DOP 9-23-91
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* \_\_\_\_\_

RECEIVED  
NOV 19 1991

Department of Water Resources

4. By [Signature] Date 11/13/91



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

29-Aug-1991

DRIGGS-DARBY CEMETERY DIST  
PO BOX 444  
DRIGGS ID 83422

RE: Application No. 22-02143

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Teton Valley News on September 5 & 12, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES  
Water Rights Supervisor

HWJ/rb

MICROFILMED

DEC 23 1991.

ADDENDUM TO DRILLING PERMIT

1. APPLICATIONS, AS NECESSARY, ARE ON FILE SEEKING AUTHORIZATION TO USE THE WELL FOR THE PURPOSE FOR WHICH IT IS BEING DRILLED.
2. THERE ARE NO APPARENT REASONS THAT THE PENDING APPLICATIONS WILL NOT BE APPROVED AUTHORIZING USE OF THE WELL.
3. THE APPLICANT HAS REQUESTED BY LETTER THROUGH HIS AGENT THAT EXPEDITED APPROVAL IS NEEDED FOR IMMEDIATE CONSTRUCTION.
4. THE DRILLING PERMIT IS CONDITIONED TO SHOW THAT THERE IS NO AUTHORIZATION FOR DIVERSION AND USE OF WATER UNTIL THE WATER RIGHT APPLICATION IS APPROVED.
5. THE APPLICANT BY ACCEPTING THIS DRILLING PERMIT AND COMMENCES CONSTRUCTION ACKNOWLEDGES THAT HE ACCEPTS ALL RISK THAT THE WELL MAY NOT BE APPROVED FOR USE.

RECEIVED

DEC 23 1991

**RECEIVED**  
AUG 16 1991

Department of Water Resources

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT  
NO. 22-02143

Notice is hereby given that DRIGGS-DARBY CEMETERY DISTRICT, DRIGGS, ID, has applied to the Department of Water Resources to Add a point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 22-02143      AMOUNT: .10 cfs

PRIORITY: 12-22-1950

POINT(S) OF DIVERSION: SESE, S25, T5N, R45E, TETON COUNTY

The water is used to irrigate 8 acres within the SESE, S25, T5N, R45E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the SESESE, S25, T5N, R45E (NEW POINT) SESESE, S25, T5N, R45E (OLD POINT)

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before September 23, 1991.

R. Keith Higginson  
Director

Published in the Teton Valley News on September 5 & 12, 1991.

**RECEIVED**

DEC 23 1991

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT  
NO. 22-02143

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R. Keith Higginson  
Director

Published in the Teton Valley News on September 5 & 12, 1991.

MICROFILMED

DEC 23 1991

✓  
October 25, 1952

RE: Permit No. 21837

Mr. Ronald White  
Driggs  
Idaho

Dear Mr. White:

We enclose License and Certificate of Water Right issued under Permit No. 21837, confirming the right of the Driggs Cemetery District to the use of 0.1 second foot of water from a well in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, S.M., with priority of December 22, 1950, for the irrigation of land in the same subdivision.

We also enclose departmental receipt No. 24984 for the \$2.00 license fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

21837

September 24, 1952

RE: Permit No. 21837

Mr. Ronald White  
Driggs  
Idaho

Dear Mr. White:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 21837 of the Driggs Cemetery District.

Therefore, upon receipt of the statutory fee of \$2.00, a license will be issued for 0.1 of a second foot of water from the well in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B.M., for irrigation of land in the same subdivision.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg

21837



LEN JORDAN  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

September 24, 1952

RE: Permit No. 21837

RECEIVED  
OCT 6 1952  
Department of Reclamation

Mr. Ronald White  
Driggs  
Idaho

Dear Mr. White:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 21837 of the Driggs Cemetery District.

Therefore, upon receipt of the statutory fee of \$2.00, a license will be issued for 0.1 of a second foot of water from the well in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B.M., for irrigation of land in the same subdivision.

Very truly yours,

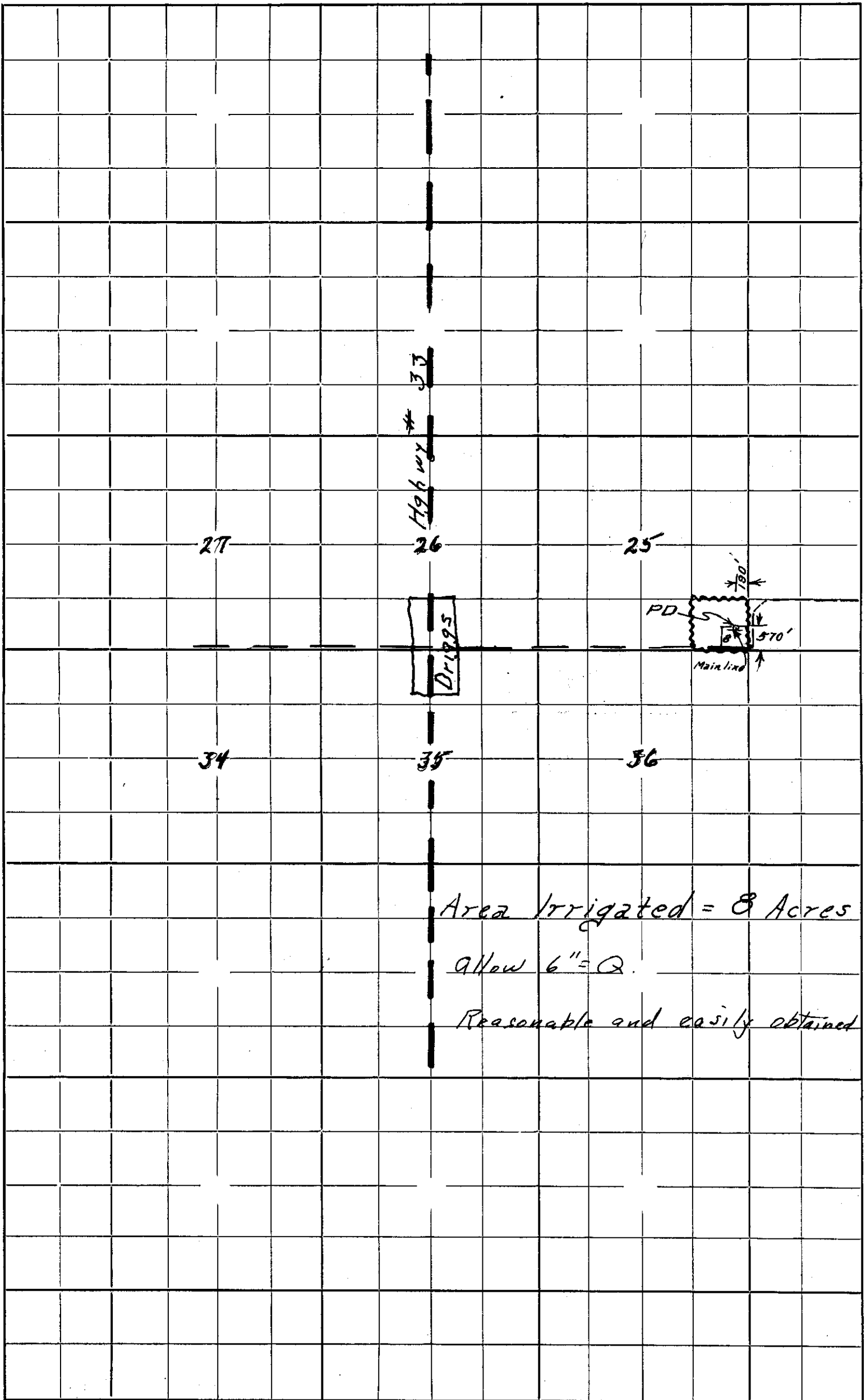
MARK R. KULP  
State Reclamation Engineer

By *Jeannette L. Anderson*  
Chief Clerk

A:fg

*For your Beneficial use*

21837



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 21837

REPORT ON PROOF OF Beneficial use

DRIGGS CEMETERY DISTRICT, Driggs, Idaho

• 10  
IT  
mex

app. 0.1 cfs.

gacur

Mr White along on inspection.

# 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.

Driggs Cemetery District  
Driggs, Idaho

Permit No. 21837

Examination for Beneficial use

County Teton

525 5N. 45E.

Q = .1 cf.

S = well

irrig.

P.D. = 38 SE 525

Use on SE SE 525

area = 10 acres.

Mr. Ronald White accompanied  
inspector

Some info. from Maurice Roberts

Prior = Dec 22-50

B. N. due Mar 25-52

Depth of well 85' x 6"

Casing 6" x 85'

Static water level 60'

Drawdown ?

Depth of pump 80'

Column 2 1/2" 4 stages 25' dia

Fairbanks Morse pump, #AL 2874  
Little Chief

Fairbanks Morse motor #

XCI 6326868

3 H.P. 230 V. 16.5 amp 2125 R.P.M.  
60 c.p.s.

GE meter #31610484

240 V 15 amp 3 wire 60 c.p.s.

2 1/2" discharge to South into 3" pipe

5' long hose to 3" aluminum pipe

210' of 3" mainline

540' of 2" lateral

Rain Bird 20

1/8" nozzle 14 heads

2.44 GPM per nozzle (30# pressure?)

tested at 20 inches for 3 days.

(covers area 80' + dia.)

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

Permit No. 21837This proof is for Beneficial use

In Water District No. \_\_\_\_\_

1. Name of applicant Driggs Cemetery District, Driggs, Idaho. Ronald White, President Board2. Source of water supply: Subterranean from a well.3. Location of point of diversion: Is in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 25T. 5 N. R. 45 E. County of Teton

4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 85' x 6" dia. Casing 85' deep by 6" dia. Static water level 60'. Pump set at 80'. 2 $\frac{1}{2}$ " dia. water column. 4 stages of 2 $\frac{1}{2}$ " dia. bowls. Fairbanks Morse pump # AL 2874 (Little Chief) Fairbanks Morse motor # X0J 6 326 868, 3 HP., 230 V., 16.5 amps., 3425 rpm., 60 cyc. G.E. meter # 31-610-484, 240 V., 15 amp., 3 wire, 60 cycle, 2 $\frac{1}{2}$ " discharge to the south into a 3" by 5' long flexible hose to 3" aluminum mainline. Rain Bird 20 Sprinkler, 14 heads, 1/8" nozzles. Pressure unknown. 210' of 3" aluminum mainline and 540' of 2" aluminum lateral

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):

SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B. M.See Map

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

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

Remarks: Used for sprinkling cemetery grounds.

Sprinklers rated at 2.44 G.P.M. per nozzle at 30 lbs. pressure. Diameter of circle covered is 80' or greater. Pump was shut down for the season at the time of inspection.

This examination was made on the 27th day of August, 19 52

(Signed) \_\_\_\_\_

Examiner.

21837

March 18, 1952

RE: Permit No. 21837

Mr. H. S. Forbush  
Attorney at Law  
Driggs, Idaho

Dear Mr. Forbush:

We acknowledge receipt of your letter of March 15, 1952, enclosing depositions of the holder and two witnesses, also affidavit of publication in the Teton Valley News, all in proof of beneficial use under Permit No. 21837 of the Driggs Cemetery District.

Before final action is taken in the matter, the law requires that an examination be made by an engineer from this department.

We cannot say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact Mr. Ronald White or someone on the premises at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg

21837

H. S. FORBUSH

*Attorney at Law*

DRIGGS, IDAHO

March 15, 1952

RECEIVED  
MAR 17 1952  
Department of Reclamation

Mr. Mark R. Kulp  
State Engineer  
Department of Reclamation  
Boise, Idaho

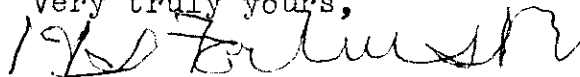
Dear Sir:

RE: PERMIT No. 21837 in name of Driggs Cemetery District

I herewith enclose proofs of beneficial application for the use of waters under the above permit number standing in the name of the Driggs Cemetery District, and also the proof of publication as required by law.

I trust that the enclosures are in due form.

Very truly yours,



H. S. Forbush

21837

# AFFIDAVIT OF PUBLICATION

State of Idaho, }  
County of Teton, } ss.

I, V. E. Lansberry  
being first duly sworn, depose and say.

That I am the Publisher  
of the Teton Valley News, a newspaper  
as defined by Idaho Codes Annotated,  
Section 58-106, as amended, and that  
said newspaper is a weekly newspaper,  
printed and published at Driggs, in Te-  
ton County, Idaho, having a general  
circulation in said county, and that said  
newspaper has been printed in said  
county for more than 78 consecutive  
weeks prior to the first publication of  
the attached notice, advertisement or  
publication of

## Notice re Water for

### Well

And affiant further says that said at-  
tached notice, advertisement or publica-  
tion, as per clipping attached, was pub-  
lished in said newspaper, in the regular  
and entire issue thereof, and not in any  
supplement issue thereof, for four  
consecutive issues thereof; first publica-  
tion having been made on the 14th  
day of Feb., 1952,  
and last publication on the 6th  
day of March, 1952.

And affiant further says that at the  
times herein mentioned said newspaper  
was made up of at least four pages of at  
least five columns each, printed from  
type matter, of at least seventeen and  
three-fourths inches deep.

V E Lansberry

Subscribed in my presence and sworn  
to before me this 14 day of

March, 1952

Philip Brown

Notary Public for the State of  
(SEAL) Idaho, residence and postoffice  
address, Driggs, Idaho.

My Commission expires

4-14, 1953

## NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICA- TION OF WATER TO BENEF- ICIAL USE

Notice is hereby given that at  
10:00 a.m. on the 14th day of  
March, 1952, at Driggs, County of  
Teton, State of Idaho, before H.  
S. Forbush, a Notary Public, proof  
will be submitted of the application  
to beneficial use of 0.1 cubic foot  
per second on the waters of a  
well in accordance with the terms  
and conditions of Permit No.  
21837, heretofore issued by the De-  
partment of Reclamation of the  
State of Idaho.

The name and postoffice address  
of the person or corporation hold-

ing said permit is Driggs Cemetery  
District, Driggs, Idaho.

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

The amount applied to beneficial  
use is 0.1 second foot of the waters  
of said well.

The place where said water is  
used is 10 acres in the SW 1/4, NE 1/4,  
Section 25, Township 6 North,  
Range 45 East B. M.

The right to take water from

such works is based upon Permit  
No. 21837.

The source of supply from which  
such water is derived is water  
raised from a well on the SW 1/4,  
Section 25, Township 6 North,  
Range 45 East B. M.

The date of priority of such  
user is presumed to be the date of  
December 28, 1934.

21837 March 1, 1952  
State Reclamation Engineer  
Pub. F14-21-24-100

21837

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 21837

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. ~~Ronald White, Driggs, Idaho, Billiard Hall Operator~~

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. ~~Driggs-Cemetery District, Driggs, Idaho, newly elected chairman of~~

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

Ans. ~~#21837, Dec. 26, 1950.~~ <sup>22</sup> Dec. 26, 1950

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

Ans. ~~Subterranean well--603 ft. N. and 185 ft. West from the SE corner of~~  
Sec. 25, T. 5 N. R. 45 E.B.M. and is in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 25, 5N.R.45 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. 65 ft. Subterranean well with 6 inch casing, Fairbanks-Morse Deep Well Turbine, 2 $\frac{1}{2}$  inch discharge, the water was measured by the usual method of testing this type of pump to determine a definite water delivery. The water is distributed over the cemetery lawn with a portable sprinkler irrigation system.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigation to maintain a lawn and landscaping of a cemetery.  
10 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45, E.B.M.

21837

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

Ans. \_\_\_\_\_

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

Ans. \_\_\_\_\_

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

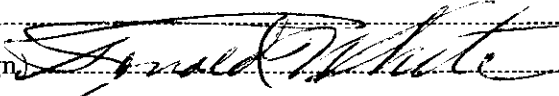
Ans. ~~The undersigned Ronald White is the duly elected successor to the chair-~~  
~~man who first made application for appropriation.~~

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

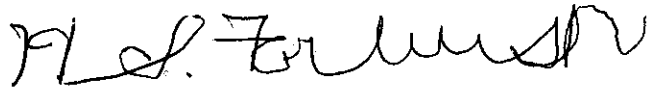
Ans. ~~Official test of the well for three days duration.~~

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. ~~none~~

(Sign) 

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Driggs, Idaho County of Teton, State of Idaho, on this 14th day of March, A. D. 1952.,



Notary Public residing at Driggs, Idaho

My commission expires Dec. 28, 1953

**STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO**

Permit No. 21837

**Proof of Application of Water to Beneficial Use  
Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Reid W. Clements, 38, Driggs, Idaho, Farm Equip. Dealer,

Ques. 2. Are you acquainted with Driggs Cemetery District, the holder of Permit No. 21837? How long have you known him and where does he reside?

Ans. I have known the chairman of the Driggs Cemetery District for 5 years. He resides at Driggs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21837, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Underground or subterranean. Drilled well with pump and sprinkling equipment.

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

Ans. 4 cu. ft. per second; 4 Cu. ft. per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 20 miners inches per minute of measured water.

21837

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~Irrigation of the Driggs Cemetery~~ -- 10 acres -- ~~SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25,~~  
~~Township 5 North, Range 45 E.B.M.~~  
~~Cemetery lawn.~~

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Rocky soil and 20 miners inches of water required to maintain a  
lawn.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Official test of the well for three days duration.

(Signed) Ed W. Clements

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Driggs, Idaho,  
County of Teton, State of Idaho, on this 14 day of March,  
A. D. 1952.

FL Z...

Notary Public.

My commission expires Dec. 28, 1953.

21837

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 21837

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Maurice Roberts, Driggs, Idaho, 53, Irrigation Equip. Sales

Ques. 2. Are you acquainted with Driggs-Cemetery District, the holder of Permit No. 21837? How long have you known him and where does he reside?

Ans. I have known the chairman of the Driggs-Cemetery District for 30 years. He resides at Driggs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21837, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Underground. Drilled well with pump and sprinkling equipment.

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

Ans. 4 cu. ft. per second; 4 Cu. ft. per second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 20 miners inches per minute of measured water.

21837

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of the Driggs-Cemetery --10 acres- SE1 SE2 Section 25,  
T ownship 5 North, Range 45, E.B.M.  
Cemetery Lawn.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what etxent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Rocky soil and 20 miners inches of water required to maintain a  
lawn.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Official test of the well for three days duration.

(Signed) Mamie Roberts.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Driggs, Idaho, County of Teton, State of Idaho, on this 14th day of March, A. D. 1952.

19 J. Forster

Notary Public.

My commission expires Dec. 28, 1953

218.37

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Re: Permit No. 21837

Date: Feb. 12, 1952

Teton Valley News

Driggs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 14, 1952**, the date set for proof, the expense of the publication to be paid by the applicant, **Driggs Cemetery District** of **Driggs, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof; in care of **H. S. Forbush, Attorney at Law, Driggs, Idaho.** Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

**MARK R. KULP**

State Reclamation Engineer

By

**Chief Clerk**

21837

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

Notice is hereby given that at 10:00 A. M. on the 14th day of March, 1952,  
at Driggs, County of Teton, State of Idaho, before  
H. S. Forbush, a Notary Public, proof will be submitted of the  
application to beneficial use of 0.1 cubic feet per second of the waters of a well  
in accordance with the terms and conditions of Permit No. 21837  
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are  
Driggs Cemetery District, Driggs, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 0.1 second foot of the waters of said well

The place where said water is used (if for irrigation, give full and accurate description of the  
~~land irrigated~~ point of diversion of said waters: 10 acres in the  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East B. M.

~~land to be irrigated: 10 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5,~~  
~~North, Range 45 East B. M.~~

~~The point of diversion of said water is by which said water is conducted to such place of~~  
~~use:~~

The right to take water from such works is based upon Permit No. 21837

The source of supply from which such water is diverted is subterranean (well) ~~from a well~~  
in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Twp. 5 N., Range 45 E., B.M.

The date of priority which said user is prepared to establish is December 22, 1950.

MARK R. KULP

State Reclamation Engineer.

21837

February 12, 1952

RE: Permit No. 21837

Mr. H. S. Forbush  
Attorney at Law  
Driggs, Idaho

Dear Mr. Forbush:

We shall send to the Teton Valley News copy of notice of beneficial use proof to be made March 14, 1952 on Permit No. 21837 of the Driggs Cemetery District with instructions to publish it once a week for four consecutive weeks prior to that date and to send the affidavit of publication and statement of costs in your care.

We enclose the necessary forms of deposition consisting of one for the permit holder and one for each of two witnesses and at the time set, these should be executed before you as Notary Public and returned to this department together with the affidavit of publication.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

21837

**NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE**

(Date).....February 11, 1952.....

(P. O.).....Driggs, Idaho.....

**TO THE STATE RECLAMATION ENGINEER:**

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the  
.....Teton Valley News..... of .....Driggs, Idaho..... published in  
the county in which the works are situated.

*Paul D. Kelly*

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

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

.....  
Engineer.

21837

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 2, 1952

**Driggs Cemetery District**  
**C/o Claude Dalley, Chairman**  
**Driggs, Idaho**

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. ~~21837~~. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than ~~March 26, 1952~~, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

**MARK R. KULP**

State Reclamation Engineer

21837

September 7, 1951

Permit No. 21873  
21837

Mr. Harold S. Forbush  
Attorney at Law  
Driggs, Idaho

Dear Mr. Forbush:

We enclose certificate of completion of works issued under Permit No. 21873 of the Driggs Cemetery District for the diversion of 0.1 second foot of water from a well in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B.M., for irrigation of land in the same subdivision.

We also enclose departmental receipt No. 23732 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

21837

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement  
of Permit No. 21837 Under the  
Provisions of Section 5594, Idaho  
~~Compiled Statutes~~ 42-311, Idaho Code

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 21837 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: March 26, 1951; and,

WHEREAS, On the 20th day of June, 1951, notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 28th day of July, 1951, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 31st day of August, 1951, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of~~ State Engineer of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 21837, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 21837 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 1st day of September, 1951.

*Mark R. Kulp*  
~~Commissioner of Reclamation~~  
State Reclamation Engineer

By \_\_\_\_\_  
Assistant

21837

Driggs, Idaho  
August 29, 1951

Dear sir:

I herewith enclose the forms of proof of works on the Driggs, Cemetery, and express appreciation for your kindness and patience relative to this matter, the same being in connection with 21837 permit number.

Very truly yours,

H. S. <sup>H</sup>orbush

RECEIVED  
AUG 31 1951  
Department of Reclamation

21837

Permit No. 21837

**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Frederick M. Roberts, Driggs, Idaho, machine man, P.O.

Driggs, Idaho.

Ques. 2. Are you acquainted with Claude Dalley, chairman of Driggs Cemetery, the holder of Permit No. 21837, authorizing the diversion of 1 second-foot of the waters of a well (subterranean), at Driggs for irrigation purposes? How long have you known him, and where does he reside?

Ans. Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 21837, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. The land to be irrigated is 365 feet by 570 feet which equals 3.4 acres. It is estimated that 20 inches of water will be required for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes The works herein mentioned were completed on or before March 26, 1951.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. A well 65 feet deep with a 6 inch casing, a turbine pump is installed which will deliver 20 inches of water through a sprinkling system, 3 inch main with 2 inch laterals extending therefrom, with the requisite number of sprays to cover the area.

(Sign here.) Frederick M. Roberts x

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Driggs

County of Teton, State of Idaho, on this 22nd day of August, A. D. 1951.

H. J. Forrester

21837

Permit No. 21837

**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Maurice Roberts, Driggs, Idaho Mechanic and Irrigation  
 Spray System Installer. P. O. Driggs, Idaho

Ques. 2. Are you acquainted with Claude Dalley, chairman of Driggs cemetery the holder of Permit No. 21837, authorizing the diversion of .1 second-feet of the waters of a well (subterranean), at Driggs for irrigation purposes? How long have you known him, and where does he reside?

Ans. Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 21837, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. The land to be irrigated is 365 feet by 570 feet which equals 3.4 acres. It is estimated that 20 inches of water will be required for profitable cultivation

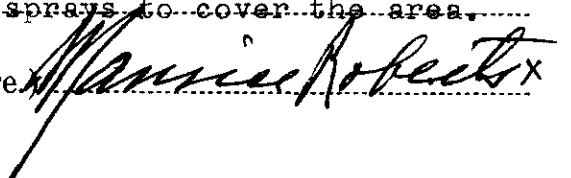
Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes, The works herein mentioned were completed on or before the 26th day of March, 1951.

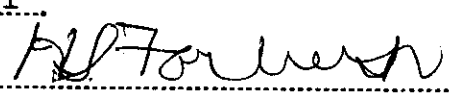
Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. A well 65 feet deep with a 6 inch casing, a turbine pump is installed which will deliver 20 inches of water through a sprinkling system, 3 inch main with 2 inch laterals extending therefrom, with the requisite number of sprays to cover the area.

(Sign here)



I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Driggs County of Teton, State of Idaho, on this 22nd day of August, A. D. 1951.



21837

✓  
August 27, 1951

Re: Permit No. 21837

Mr. Harold S. Forbush  
Attorney at Law  
Driggs, Idaho

Dear Mr. Forbush:

We acknowledge receipt of your letter of August 22, 1951, enclosing depositions of Maurice Roberts, and Frederick M. Roberts in proof of completion of works on Permit No. 21837 of the Driggs Cemetery District.

However, these depositions do not state that the works were completed prior to March 26, 1951, as required by the terms of the permit and as mentioned in office letter addressed to you on July 31, 1951.

We therefore return these depositions with the request that Question 5 so state if the works were completed prior to said date.

We note your statement that the works, when completed, will deliver a larger amount of water and requesting that the permit be amended to cover 20 miner's inches.

<sup>right</sup> Under the statutory maximum of one inch per acre, the water could not be granted for more than that amount. However, since this will not be a steady flow, we can see no objection to their using the larger amount at longer intervals.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

ALfg

21837

# HAROLD S. FORBUSH

*Teton County Prosecuting Attorney*

DRIGGS, IDAHO

August 22, 1951

RECEIVED  
AUG 24 1951

Department of Reclamation

Mr. Mark R. Kulp  
State Engineer  
Department of Reclamation  
Boise, Idaho

Dear Sir:

RE: permit No. 21837 held by Driggs Cemetery District

I enclose proof of completion of works, the same being done that the above permit number will not be cancelled.

I should further like to state that when application was made for the appropriation of water, #.1 of one cubic foot was sought to be appropriated, for the reason that 3.4 acres are to be benefited. It appears, however, after completion of the works, the system constructed will adequately serve to furnish 20 inches of water to the place of use, which amount will more effectively serve the purposes for which the water was appropriated, namely; to improve the looks of our cemetery by the raising of grasses and shrubery.

Assuming, as I understand, that the state law stipulates one miner's inch of water per acre, may the Driggs Cemetery District, where it appears necessary, make application of 20 miner's inches of water to the 3.4 acres of cemetery terrain?

Expressing appreciation for your patience in this matter, and thanking you for additional amendment forms if such are needed, to increase the amount of water appropriated,

I am very truly yours,

*H. S. Forbush*

H. S. Forbush

21837

✓  
July 31, 1951

Re: Permit No. 21837

Mr. H. S. Forbush  
Attorney at Law  
Driggs, Idaho

Dear Mr. Forbush:

Reference is made to your letter of July 26, 1951, in regard to Notice that Permit No. 21837 of the Driggs Cemetery District is held for cancellation for failure to make Proof of Completion of Works on or before March 26, 1951, as required under the terms of said Permit, and enclosing Affidavit of Claude Dalley in proof of such completion of works, and his check for the statutory fee of \$5.00.

If the works were completed prior to March 26, 1951, the Permit can be reinstated by submitting proofs of the Permit Holder and two witnesses that the works were completed prior to that time.

We can accept Mr. Dalley's affidavit and we enclose the forms of deposition to be executed by two witnesses, which should definitely state that the works were completed on or before March 26, 1951.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bn  
Enc.  
CC: Mr. Claude Dalley

21837

# HAROLD S. FORBUSH

*Teton County Prosecuting Attorney*

DRIGGS, IDAHO

July 26, 1951

Department of Reclamation  
Boise, Idaho

Dear Sir:

RE: permit number 21837 in the name of the Driggs  
Cemetery District

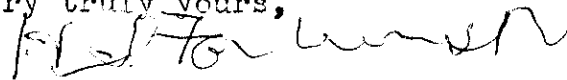
The notice to show cause why the above permit number to appropriate water of Idaho should not be cancelled because of failure to comply with the conditions of said application, was brought to my attention this day, and I now endeavor, by writing to show cause why said permit should not be cancelled.

The chairman of said cemetery district affirms that the notice was misplaced and thus because of oversight, the matter was neglected until today, at which time he brought the matter to me for consideration.

The works have been completed and everything is ready for the application of the water to the land.

Assuming that you will accept the foregoing reason for failure to make proof as required, I herewith enclose the statutory proof of completion, together with the statutory \$5100 fee.

Very truly yours,



H. S. Forbush

RECEIVED  
JUL 28 1951  
Department of Reclamation

21837

Permit No. 21837

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

RECEIVED  
JUL 28 1951  
Department of Reclamation

STATE OF IDAHO

County of TETON

ss.

Claude Dalley, being first duly sworn, upon his oath deposes and says:  
First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21837, and that his postoffice address is Driggs, Idaho, State of Idaho.

Second: That the name of the stream which said water is to be directed is a well (subterranean).

Third: That the point of diversion of said water is located in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B.M., 603 ft. N. and 185 ft. W. west from SE corner of Sec. 25, T. 5N. R. 45E. in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  thereunder.  
Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 26, 1951, 1951.

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

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

I. Kind of works: Drilled well with pumping and spraying equipment  
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: 6 in pipe casing. 95 ft. well (in depth)

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction 165 feet with laterals

mains of 2 inch pipe extending 580 ft.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 0.10 second feet of water.

Eighth: That water appropriated under said permit is available for 10 acres of land described as follows:

SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 5 North, Range 45 East, B. M.

Ninth: Remarks: That the works described above constitute a sprinkling system sufficient to water 10 acres more or less.

Claude Dalley  
(Sign Here) Chairman

Subscribed and sworn to before me this 26 day of July, 1951

My commission expires Dec. 28, 1953

Notary Public.

Residing at Driggs, Idaho

21837

Form 3811  
Rev. 4-40

## RETURN RECEIPT

*Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.*

1 Claude Dalley  
(Signature or name of addressee)

2 Mellene Dalley  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 6/22, 1951

U. S. GOVERNMENT PRINTING OFFICE

16-12421

51837

Post Office Department  
OFFICIAL BUSINESS

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

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

POSTMARK OF DELIVERING  
OFFICE

Return to \_\_\_\_\_

(NAME OF SENDER)

Street and Number,  
or Post Office Box,

107 State House

REGISTERED ARTICLE

No. 87058

INSURED PARCEL

BOISE,

No. \_\_\_\_\_

21837 IDAHO.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

June 20 19 51

Re: Permit No. 21837

To: Driggs Cemetery District  
C/o Claude Dalley, Chairman  
Priggs, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 21837 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of work March 26, 1951

you are hereby notified in compliance with Sec. 42-311, Idaho Code, annotated that said Permit No. 21837 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 21837 claims the use of 0.1 cubic feet per second of the waters of a well (subterranean) with point of diversion located in the SE 1/4 SE 1/4 Section 25, Township 5 North, Range 15 East, B. M., and was approved December 26, 1950

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 20th day of June 19 51

Mark R. Kulp.

State Reclamation Engineer.

By Assistant.

21837

December 29, 1950

Re: Permit No. 21837

Mr. Harold S. Forbush  
Attorney at Law  
Driggs, Idaho

Dear Mr. Forbush:

We enclose Permit No. 21837 in the name of the  
Driggs Cemetery District, together with Departmental  
Receipt No. 22932 for the \$5.00 filing fee.

Since the application states that the works are  
completed, we have allowed three months, or until March 26,  
1951, within which to make Proof of Completion of Works.

This should be made on Form 6 enclosed and returned  
to this Department with the statutory fee of \$5.00.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bb  
Enc.

21837

NAME OF APPLICANT riggs Cemetery District,

FORM No. 0

Twp. 5.N. R. 45.E.

24

25

Permit Map No. 21837

As Approved

DEC 26 1950

MAURICE R. KULP

Communication Engineer

**SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.**

21837

# HAROLD S. FORBUSH

*Teton County Prosecuting Attorney*

DRIGGS, IDAHO

December 21, 1950

RECEIVED  
DEC 22 1950  
9 am  
Department of Reclamation

Mr. Mark R. Kulp  
State Engineer  
Department of Reclamation  
Boise, Idaho

Dear Sir:

RE: application for water appropriation of Driggs  
Cemetery District

I enclose the application of the Driggs Cemetery District,  
for the appropriation of well water, together with a \$5.00  
check to cover the filing of said application and the appro-  
priation of less than one second foot of water.

I hope that you will find all papers properly completed.

Very truly yours,

*Harold S. Forbush*

21837