

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 29-07714

Priority: May 31, 1983

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 38.2 AF

This is to certify, that MARSH VALLEY CEMETERY DISTRICT
PO BOX 11

DOWNEY ID 83234

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 31, 1983; and has submitted Proof of Beneficial Use on May 4, 1990. An examination indicates that the works have a diversion capacity of .150 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.15 CFS	38.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 34, Township 11S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	37E	34	SWNE	11		11

Total number of acres irrigated: 11

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

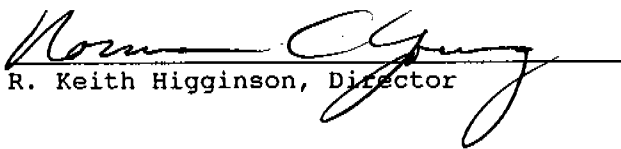
WATER RIGHT LICENSE

WATER RIGHT NO. 29-07714

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of DECEMBER, 1993.

Acting for


R. Keith Higginson, Director

Form 217
03/86

RECEIVED
MAY 14 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$ 100
Date 4/27/90
Receipt # E015771
Receipt by JDW
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 24-07714

Name(s) of Permit Holder: MARSH VALLEY CEMETARY DIST.

Post Office Address: Box 11, Downey, ID 83234

Telephone No. 897-5743

Source of Water: GROUNDWATER

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 11 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.21 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 7/1/1983

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ 100
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Wilson Lowe
(Name)

897-5721
(Telephone Number)

Box 11, Downey, ID 83234
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

H-27-90
Date

Carl Barnes Board Member
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marsh Valley Cemetery Dist. (Downey) Phone 897-5793

Post office address Box 11 Downey, ID 83234

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 11S

Range 37E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.21 cfs for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.21 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well/pump to sprinklers.

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is NA inches; proposed depth of well is NA feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated **11**

c. Describe any other water rights used for the same purposes as described above. None

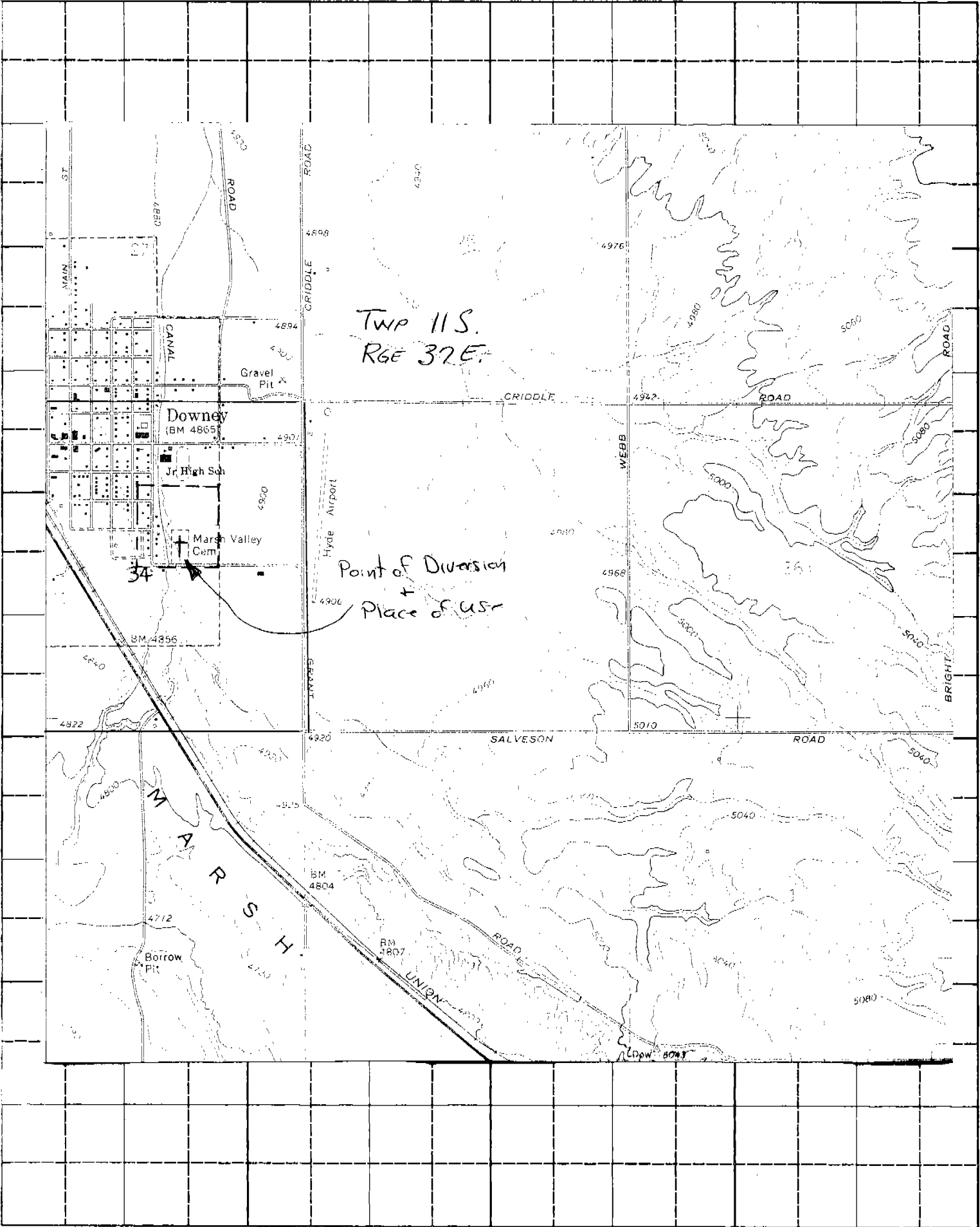
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

X *Gene Lee Fife*
(Applicant)

Marsh Valley Cemetery

5/31/83

Received by CW Date 5-31-83 Time 4:35P
Preliminary check by HWS Fee \$ 45.00
Receipted by BP Date 6/7/83 # 30801
Publication prepared by OT Date 5-22-85
Published in Missouri River
Publication dates 5-30 5-6-6-85
Publication approved CW Date 6-18-85
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7174, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Witness my hand this 30th day of May, 1989.

L. Shw Saylor



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

December 22, 1993

MARSH VALLEY CEMETERY DISTRICT
PO BOX 11
DOWNEY ID 83234

RE: WATER RIGHT NO. 29-07714

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

WR0749NP
No. L29-07714

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/17/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARSH VALLEY CEMETERY DISTRICT PO BOX 11 DOWNEY ID 83234 (208) 897-5793	05/31/1983	IRRIGATION	04-15 10-15	0.15 CFS	38.2 AFA
TOTAL DIVERSION:					0.15 CFS	38.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.15 CFS

Point(s) of Diversion: T11S R37E S34 SW NE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	37E	34	:			11														:	11.0
TOTAL ACRES																				11.0	

Pou County: BANNOCK

Other Water Rights with Same Point(s) of Diversion and Source:
29-07714

Other Water Rights Listing Overlapping Place(s) of use:
29-07714

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any
 - claim against the holder of a senior water right based upon the
 - theories of forfeiture, abandonment, adverse possession, waiver,
 - equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate
 - the use into a water district, require streamflow augmentation
 - or other action needed to protect prior surface water and
 - groundwater rights.
- R30 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 3.5 afa per acre for the
 - lands above.

Dates:	App. Received:	05/31/1983	Priority Date:	05/31/1983
	Proof Due Date:	06/01/1990	Proof Made Date:	05/04/1990
	Exam Made Date:	07/16/1992	Exam Sent to S.O.:	12/10/1993
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 12/17/93 CHAPMAN

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT
(REGIONAL)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L2907714	T11S R37E S34 GROUNDWATER					11												11
2900052	PORTNEUF R :																	
A2900052	PORTNEUF R :							10	10	10	10		31	10	10	10	08	10
2900053	TOPONCE CR :																	
A2900053	TOPONCE CR :							10	10	10	10		31	10	10	10	08	10
2900589	PORTNEUF R :																	
A2900589	PORTNEUF R :							10	10	10	10		31	10	10	10	08	10
2904060	TOPONCE CR :							I	I	I	I		I	I	I	I	I	
A2904060	PORTNEUF R :							10	10	10	10		31	10	10	10	08	10
2907714	GROUNDWATER					11												11
2907864	GROUNDWATER					03												3

no overlaps

LICENSE REVIEW CHECKLIST

Permit # 29-7714 Date 12-17-93 Brenda Chapman

NAME	Yes	No	Or Address Change?
	<u> </u>	<u> ✓ </u>	
PRIORITY DATE	<u> </u>	<u> ✓ </u>	Advance? <u> </u> Advanced to: <u> </u>
	<u> </u>	<u> ✓ </u>	Order to Reinstate Needed?
	<u> </u>	<u> ✓ </u>	Incorrect Fee for rate recommended?
SOURCE	<u> </u>	<u> ✓ </u>	Changes? Clarification of Originally Intended source <u> </u>
	<u> </u>	<u> ✓ </u>	Notice of Intent to Void - Source change.
P/D	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u>	<u> ✓ </u>	Overlap(s) <u> </u>
P/U	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u>	<u> ✓ </u>	Overlap(s) <u> </u>
TOTAL CFS	<u> ✓ </u>	<u> </u>	Measurement done? <u>SPRINKLER MEASUREMENT</u>
	<u> </u>	<u> </u>	<u>VARIOUS SIZES & PRESSURES = 0.154 CFS</u>
	<u> </u>	<u> ✓ </u>	Theoretical $(8.8 \times .70 \times 15 \text{ HP}) / (200 + 2.31 \times 80) = .24$
	<u> </u>	<u> </u>	Allowable Amount: <u>CAPACITY OF .15 CFS</u>
	<u> </u>	<u> </u>	Capacity of System: <u>.15 CFS</u>
TOTAL VOLUME	<u> </u>	<u> </u>	Season of Use: <u>B/3.5 (4-15 to 10-15)</u>
	<u> </u>	<u> ✓ </u>	Calculations: <u>11 acres x 3.5 = 38.15</u>
	<u> </u>	<u> </u>	Flow limit: <u>.15 x 184 x 1.9835 = 54.7</u>
USES	<u> </u>	<u> ✓ </u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u> ✓ </u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u> </u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u> </u>	<u> </u>	Special Overlap <u> </u>
	<u> ✓ </u>	<u> </u>	Other <u>NON-TRUST</u>
CONDITIONS	<u> </u>	<u> ✓ </u>	Measuring/Locking Devices <u> </u>
	<u> </u>	<u> ✓ </u>	W/Master Control <u> </u>
	<u>R30</u>	<u> </u>	Irrigation Overlap <u>5-31-83</u> Water Dist App Rec'd
	<u> </u>	<u> ✓ </u>	Water Quality <u>7-16-92</u> Exam Made

COMMENTS: Reduce rate to capacity

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Irrigation</u>	<u>.15</u>	<u>38.2</u>	<u> ✓ </u>
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER <u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER <u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 13 1993

Department of Water Resources

A. GENERAL INFORMATION

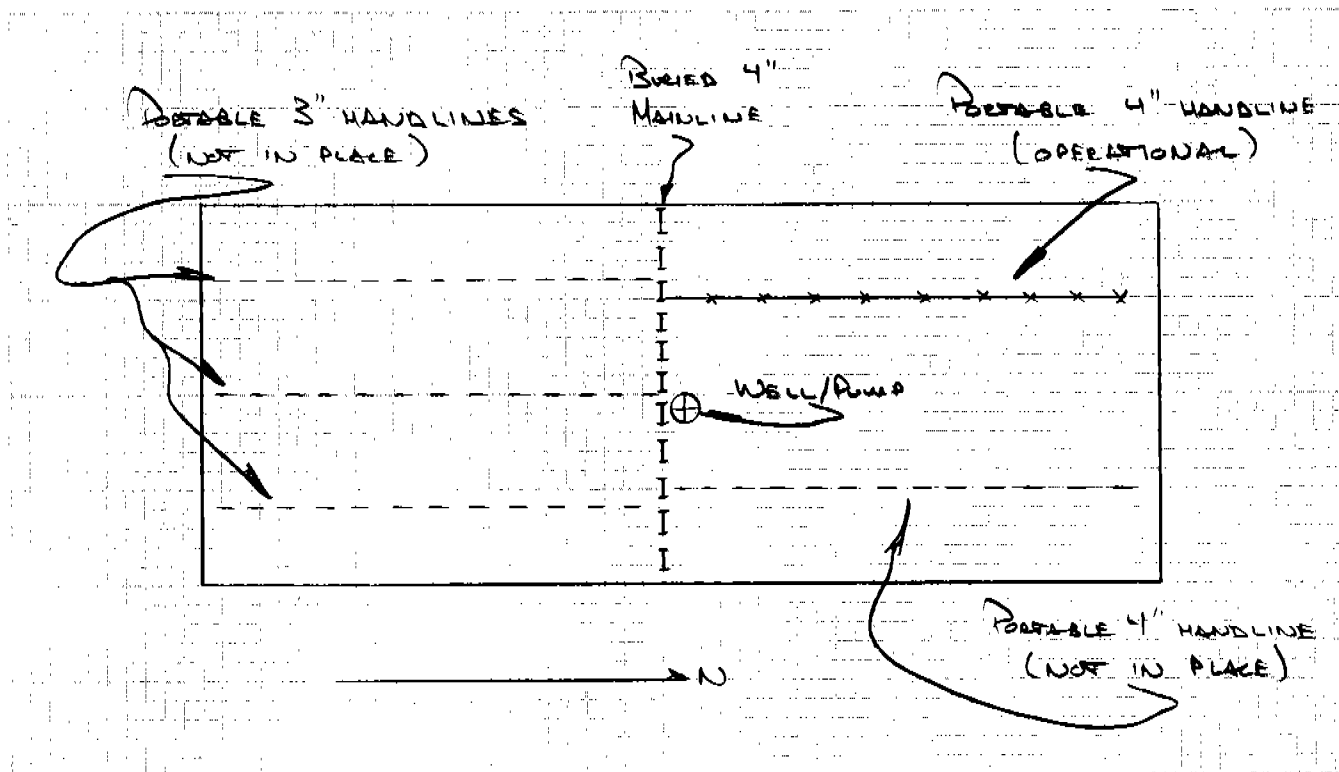
1. Owner: MARSH VALLEY CEMETARY DISTRICT Permit No. 29-07714
Current Address: Box 11, Downey, ID 83234 Phone No. 897-5793
2. Accompanied by: DAUGHLI BUREE EXAM. DATE: 7-16-92
Address: SAWR Phone No. 897-5530 (Home)
Relationship to Permit Holder: CARETAKER
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
- ☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

WELL/DUMP TO 4" BURIED MAINLINE TO 3" AND 4" PORTABLE HANDLINES FOR IRRIGATION OF CEMETARY AND ADJOINING PASTURE. PASTURE WILL BE USED FOR FUTURE PLOTS. SUBMERSIBLE PUMP.

*MR. BYRBE EXPLAINED SYSTEM ONLY HAS ABILITY TO RUN ONE 4" PORTABLE HANDLINE OR TWO 3" HANDLINES. IRRIGATION IS ROTATED AROUND CEMETARY LANDS WITH SEVERAL SETS.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	DEERLESS	15	251469	Same	-

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	NE	34	11S	37E	Benewah	USGS, NAPP

6. Place(s) of Use:

Indicate Method of Determination

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	
11S	37E	34			11														11

Acres = 11

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PISTON GAGE					120 PSI	

2. Measurements:

* MEASURE STARTED 200' DRAINING DEPTH

* MEASUREMENTS:

5/32	5/32	3/16	3/16	3/16	5/32	3/16	5/32	5/32
X	X	X	X	X	X	X	X	X
80 PSI	79	79	79	79	79	78	78	78
0.014	0.014	0.014	0.014	0.014	0.014	0.021	0.021	0.028

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: "RINGIER" FORMULA = $(D^2)(\sqrt{PSI})(\frac{0.665}{0.0665})(\frac{1}{3125}) = CFS$
 (LEFT TO RIGHT ABOVE) $(0.014 CFS) + (0.014) + (0.014) + (0.014) + (0.014) + (0.021) + (0.028) = 0.154 CFS$

2. Alternate Method for Checking Purposes:

$$Q_{THEOR} = \left[\frac{(154 + (8.814) 0.7 EFF)}{(200' LIFT + (80 PSI \times 2.308))} \right] = 0.24 CFS$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (11.0) (3.5 AFA/AC.) = 38.50 AFA$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.15 CFS) (183 DAYS) (1.9835) = 54.45$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 38.5 AFA$$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO OTHER WATER USED ON THIS PROPERTY

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>4/15</u>	<u>10/15</u>	<u>0.15</u>	<u>38.5</u>
Totals:			<u>0.15</u>	<u>38.5</u>

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name DAN R. MEYER

Signature [Signature]

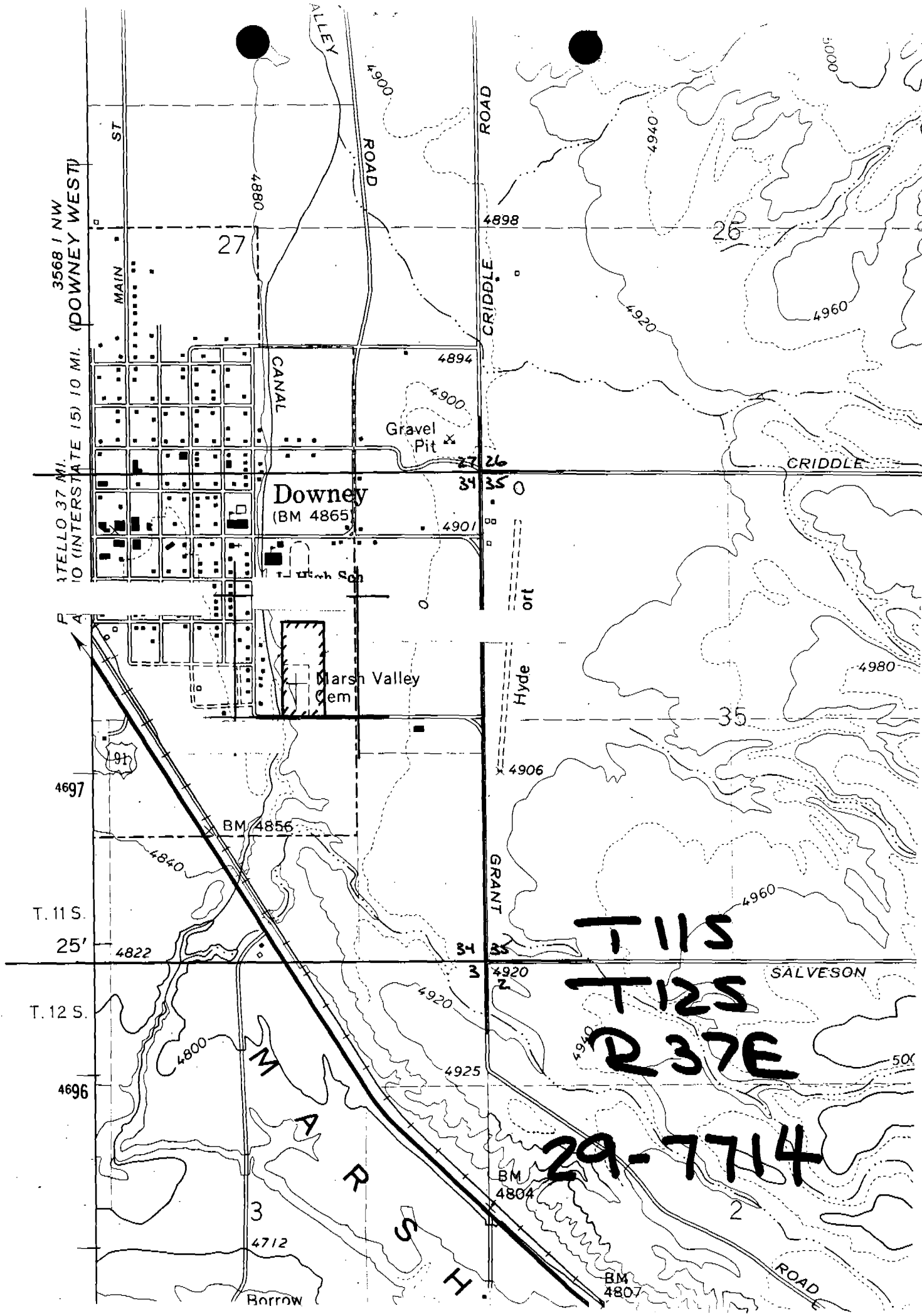
Certification Date _____

Field Report Preparation Date 2-18-93

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

29-0714



T11S
T12S
R37E

29-7714

6-12

29-07714

June 26, 1990

MARSH VALLEY CEMETERY DISTRICT
P.O. BOX 11
DOWNEY, ID 83234

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07714

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7714

Date: 6-21-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

☐ Surface water
☒ Groundwater
1. well log in file 1983
NA 2. drilling permit
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138424
March 31, 1990

MARSH VALLEY CEMETERY DISTRICT
P.O. BOX 11
DOWNEY, ID 83234

PROOF DUE NOTICE

RE: PERMIT NO. 29-07714

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1990.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 2, 1989

MARSH VALLEY CEMETERY DIST. (DOWNEY)
BOX 11
DOWNEY, ID 83234

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 29-07714

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
MAY 16 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 297714 - 297715

Name(s) of Permit Holder: MARSH VALLEY CEMETERY District

(Started in Cambridge 1971 Downey 1968)

Post Office Address: Box 11 Downey Idaho 83234

Telephone No. 897-5793

Source of Water: WELL ground ACRES

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 10.84 (acres)

Other/Remarks The water is used for

Up keep of CEMETERY land - graves & undeveloped lots

Indicate the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☐ Yes ☐ No
Required? ☐ Yes ☐ No

Person to contact to accompany the Department representative during field examination: Wilson LOWE & DARRELL Bybee

(Name)

897-5721

897-5530

(Address)

(Telephone number)

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

4/1/85
Date

NOT FILMED

Rose Lee Hill Secretary
Signature of Permit
(and Title, if appropriate)

AUG 17 1989

Statement of development for exemption from Swan Falls processing. Not acceptable as proof of beneficial use.

NOTICE OF A WATER RIGHT
The following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

29-7718
MARSH VALLEY CEMETERY DIST.
(DOWNEY)
BOX 11, DOWNEY, ID 83234
Source: GROUNDWATER
Date Filed: 05/31/1983
Diversion Pt: SWNE Sec 34 T 11S R 37E
Use: IRRIGATION (0.21 CFS)
In: SWNE Sec 34 T 11S R 37E FOR 11
ACRES

29-7719
MARSH VALLEY CEMETERY DIST.
(CAMBRIDGE)
Box 17, DOWNEY, ID 83234
Source: GROUNDWATER
Date Filed: 05/31/1983
Diversion Pt: NWSE Sec 14 T 11S R 37E
Use: IRRIGATION (0.21 CFS)
In: NWSE Sec 14 T 11S R 37E FOR 4
ACRES

29-7719
LEW LANCE R.
STAR RT. BOX 275, MCANULTON, ID
83220
Source: SPRING trib. to SINKS
Date Filed: 06/10/1983
Diversion Pt: NENE Sec 28 T 09S R 36E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENE Sec 28 T 09S R 36E FOR 1
ACRES

29-7746
PLINE, DONALD &/or SHERYL
RT. 1N, Box 55E, POCAHELLO, ID 83202
Source: GROUNDWATER
Date Filed: 06/23/1983
Diversion Pt: NWSE Sec 05 T 06S R 34E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWSE Sec 05 T 06S R 34E FOR 1
ACRES

29-7750
FRYBORN, JEAN
RT. 4, BOX 314A, A, POCAHELLO, ID
83202
Source: GROUNDWATER
Date Filed: 06/24/1983
Diversion Pt: SESW Sec 05 T 06S R 34E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SESW Sec 05 T 06S R 34E FOR 1
ACRES

29-7765
STURCHILL, RICK R.
BOX 46, MCCAMMON, ID 83200
Source: GROUNDWATER
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 14 T 09S R 37E
Use: IRRIGATION (0.21 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 14 T 09S R 37E
FOR 20 ACRES

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 06/24/1983
Diversion Pt: SWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 08 T 07S R 36E

OF PUBLICATION

Department of Water Resources
Eastern District Office

Sandra K. Herald

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

May 30	19 85	19
June 6	19 85	19
	19	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Sandra K. Herald

Subscribed and sworn to before me this 14th

day of June, 19 85

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED
AUG 17 1989

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho.

29-7714
MARSH VALLEY CEMETERY DIST. (DOWNEY)
Box 11, DOWNEY, ID 83234
Source: GROUNDWATER
Date Filed: 05/31/1983
Diversion Pt: SWNE Sec 34 T 11S R 37E
Use: IRRIGATION (0.21 CFS)
In: SWNE Sec 34 T 11S R 37E FOR 11 ACRES

29-7715
MARSH VALLEY CEMETERY DIST. (CAMBRIDGE)
Box 11, DOWNEY, ID 83234
Source: GROUNDWATER
Date Filed: 05/31/1983
Diversion Pt: NWSE Sec 14 T 11S R 37E
Use: IRRIGATION (0.21 CFS)
In: NWSE Sec 14 T 11S R 37E FOR 4 ACRES

29-7719
LEW, LANCE R.
STAR RT. BOX 278, MCCAMMON, ID 83250
Source: SPRING trib. to SINKS
Date Filed: 06/10/1983
Diversion Pt: NENE Sec 28 T 09S R 36E
Use: IRRIGATION (0.02CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: NENE Sec 28 T 09S R 36E FOR 1 ACRES

29-7746
PLINE, DONALD &/or SHERYL
RT. 1N, Box 55E, POCATELLO, ID 83202
Source: GROUNDWATER
Date Filed: 06/13/1983
Diversion Pt: NWNE Sec 05 T 06S R 34E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 05 T 06S R 34E FOR 1 ACRES

29-7750
ATKISON, JEAN
RT. 4, BOX 314A, A, POCATELLO, ID 83202
Source: GROUNDWATER
Date Filed: 06-24-1983
Diversion Pt: SESW Sec 05 T 06S R 34E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SESW Sec 05 T 06S R 34E FOR 1 ACRES

29-7765
STURGILL, RICK R.
BOX 66, MCCAMMON, ID 83250
Source: GROUNDWATER
Date Filed: 02/03/1984
Diversion Pt: SWNW Sec 16 T 09S R 37E
Use: IRRIGATION (0.40 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWNW NWSW Sec 16 T 09S R 37E FOR 20 ACRES

29-7786
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 05/02/1985
Diversion Pt: NESW Sec 35 T 06S R 35E
Use: STOCKWATER (0.04 CFS)
WILDLIFE (0.01 CFS)
In: NESW Sec 35 T 06S R 35E

29-7787
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 05/02/1985
Diversion Pt: SWNW Sec 33 T 06S R 35E
Use: STOCKWATER (0.04 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 33 T 06S R 35E

29-7788
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 05/02/1985
Diversion Pt: SESW Sec 35 T 07S R 35E
Use: STOCKWATER (0.16 CFS)
WILDLIFE (0.01 CFS)
In: SESW Sec 35 T 07S R 35E

29-7789
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706
Source: SPRING trib. to BLACKROCK CREEK
Date Filed: 05/02/1985
Diversion Pt: NESW Sec 12 T 07S R 35E
Use: STOCKWATER (0.04 CFS)
WILDLIFE (0.04 CFS)
In: NESW Sec 12 T 07S R 35E

29-7790
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706
Source: SPRING trib. to SORRELLE CREEK
Date Filed: 05/02/1985
Diversion Pt: SWNW Sec 09 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: SWNW Sec 09 T 07S R 36E

29-7791
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE, BOISE, ID 83706
Source: SPRING trib. to SINKS
Date Filed: 05/02/1985
Diversion Pt: NWNW Sec 08 T 07S R 36E
Use: STOCKWATER (0.07 CFS)
WILDLIFE (0.01 CFS)
In: NWNW Sec 08 T 07S R 36E
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 17, 1985.
S/KEN DUNN, Dir.
May 30, June 6, 1985
No. 9

NOTICE OF PUBLICATION

Sandra K. Herald

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

May 30	, 19 85	, 19
June 6	, 19 85	, 19
	, 19	, 19
	, 19	, 19
	, 19	, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Herald
Subscribed and sworn to before me this 14th day of June, 19 85

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOT RECORDED
AUG 17 1985

June 18, 1985

Idaho State Journal
Box 431
Pocatello, ID 83201

RE: Applications for Permit Nos. .29-7714/7715/7719/7746/7750/7765
29-7786/7787/7788/7789/7790/7791.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on May 30 and June 6, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL THOMPSON
Secretary

MICROFILMED

AUG 17 1989

29-ZZ14

MARSH VALLEY CEMETARY DIST. (DOWNEY)

BOX 11, DOWNEY, ID 83234

Source: GROUNDWATER

Date Filed: 05/31/1983

Diversion Pt: SWNE Sec 34 T 11S R 37E

Use: IRRIGATION (0.21 CFS)

In: SWNE Sec 34 T 11S R 37E FOR 11 ACRES

*Change made in
Computer
C u*

RECORDED
AUG 17 1989

4
May 23, 1983

Rose Lee Hill
c/o Marsh Valley Cemetary District
Box 11
Downey, ID 83234

Dear Mrs. Hill:

Enclosed are the 2 Cemetary District calims and check #92-158 for \$60.00. A claim is not acceptable on a groundwater source with a priority date later than March 25, 1963.

Several numbers you had on the claims confused me a bit but I think the applications for permit also enclosed reflect your needs.

Please review the applications and if everything is correct sign your name and indicate your position with the District. You can send the completed applications with a fee of \$75.00 to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

RECEIVED
AUG 17 1989