

13 7111

Identification No. _____

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPROVED**APPLICATION FOR PERMIT****To Appropriate the Public Waters of the State of Idaho**

(TYPE OR PRINT IN INK)

Grant Williams, Chairman
Board of Commissioners of

1. Name of applicant Grace Cemetery District Phone: 425-3350

post office address Grace, Idaho 83241

2. Source of water supply Well and Pump/subterranean which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 10 S
Range 40 E B.M. Caribou County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount .094 cfs for irrigation purpose from May 1 to October 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 0.094 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. XXXXX Well, and pump

b. Height of storage dam None feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.

b. Estimated construction cost is \$ 2500.00.

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10 S	40 E	13															4.7		4.7

Total number of acres to be irrigated 4.7

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 Grace Cemetery District
 b. Who owns the land to be irrigated or place of use Grace Cemetery District
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant files on behalf of the Board of Commissioners of the Grace Cemetery District of which he is Chairman.

10. Remarks

Proposed Priority 5-12-1975

Received by CW Date 5-12-75 Time 11:00A

Preliminary check by KDP Fee \$ 10.00

Received by CW Date 5-12-75 # 4237

Publication prepared by MB Date 5-13-75

Published in (Western County Sun)

Publication dates May 22 & 29, 1975

Publication approved CW Date 6-03-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RC MB

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. 13-7111, 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 July 1, 19 76.

c. Other: _____

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

Witness my hand this 11th day of June, 19 75.

R. Keith Hijo
Director

RECEIVED

JUN 3 1975

Department of Water Resources
Eastern District Office

MB NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Grace Cemetery District, Grace, Idaho has on 5/12/75 submitted Application No. 13-7111 for a permit to appropriate 0.094 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 10S, R. 40E, B. M., Caribou County; to be used from May 1 to Oct. 31 for the irrigation of 4.7 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 10S, R. 40E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 9, 1975.

R. KEITH HIGGINSON, *ow*
Director

Published in the Caribou County Sun, Soda Springs, Idaho on May 22 and May 29, 1975.

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

22nd day of May, 19 75

The date of the last publication being the 29th day of May, 19 75

VE Lansberry

Subscribed and sworn to before me this 29th day

of May, 19 75

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the 1st day of November

19 78

Memo

LEONARD O. KINGSFORD

ATTORNEY AT LAW

Box 915

SODA SPRINGS, IDAHO 83276

To: State Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

REGARDING:

DATE: 5-9-75

Gentlemen:

Enclosed herewith is the Application of the Grace Cemetery District, Grant Williams, Chairman, together with our check in the amount of \$10.00.

Very truly yours,

Leonard O. Kingsford
LEONARD O. KINGSFORD

LOK/gmc
encl.

RECEIVED

MAY 12 1975

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Grass Cemetery District

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

- (1) KDF 5-12-75
(2) " "
(3) " "
(4) " "
(5) " "
(6) " "
(7) " "
(8) " "
(9) " "
(10) " "
(11) MB 6-3-75
(12) OW 6-9-75
(13) RC 6/9/75
(14) " "

In form to receipt yes

Send Copies to:

- NA Idaho State Health Department
NA Idaho Fish and Game Department
NA Bureau of Land Management

- NA Request Special Use Permit from U.S.F.S.
NA Request Easement from B.L.M.
Request Information from Applicant

In form for advertising yes

Platted on Map No. 105-40E

NA Located within Water District No. _____

Critical groundwater area: yes _____ no ✓

Groundwater levels:

_____ Declining, ✓ Stable, _____ Increasing

(comment) Ref. obs well 105-40E-866A1

Other rights on the same place of use No

Comments: No other G.W. for this land.

Affidavit of Publication received (date) June 3

Final date for protests June 9, 1975

Protests received: yes _____ no ✓

All requested information received from agencies or applicant: yes ✓ no _____

Action recommended:

✓ Approve _____ Deny

5/12/75 Proposed Priority

Reason for Reduction _____

NO Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E By RC Date 6/9/75

RECEIVED

JUN 10 1975

Department of Water Resources

May 13, 1975

RE: Application for Permit No. 13-7111 - Grace Cemetary District

Mr. Leonard O. Kingsford
Attorney at Law
Box 915
Soda Springs, Idaho 83276

Dear Mr. Kingsford:

Attached herewith is departmental receipt No. 4237 in the amount of \$10.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:CW

Attachment

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Grace Cemetery District,
Grace, Idaho
has on 5/12/75 submitted Application No. 13-7111
for a permit to appropriate 0.094 cubic feet per second ~~acre feet per annum~~
of water from a ground-water source
by means of well and pump
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 10S, R. 40E, B.M., Caribou County;

to be used from May 1 to Oct. 31
for the irrigation of 4.7 acres
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 10S, R. 40E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 9, 1975.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho
on May 22 and May 29, 1975

CW-A
CW-A
CW-A

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 9, 1975.

R. KEITH HIGGINSON, *[Signature]*
Director

Published in the Caribou County Sun, Soda Springs, Idaho on May 22 and May 29, 1975.

May 14, 1975

RE: Application for Permit No. 13-7111 GRACE CEMETERY
" " " No. 11-7084 DIMAMBRO &/OR KUTYLOWSKI

Caribou County Sun
P.O. Box 815
Soda Springs, ID

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
District Engineer

Bill submitted 6-3-75 by MB

RDC:MB

Enc: Legal Notice (2)

June 11, 1975

Re: Permit No. 13-7111

Grant Williams, Chairman
Grace Cemetery District
Grace, ID 83241

Dear Mr. Williams:

Enclosed is a copy of your approved Application for Permit No. 13-7111 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

17

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE)

DATE IN CONNECTION WITH PERMIT NO. 13-7111)

in the name of GRACE CEMETERY DISTRICT)

ORDER

WHEREAS, on May 12, 1975, the Board of Commissioners of the Grace Cemetery District applied to the Department of Water Resources for a permit to appropriate 0.094 cubic feet per second of groundwater to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 10S, Rge. 40E, B.M., Caribou County, to be used for irrigation purposes; and,

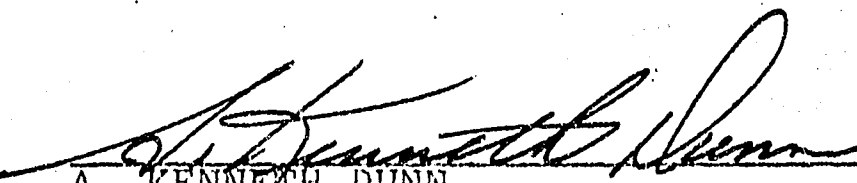
WHEREAS, on June 11, 1975, the Department approved said application and issued Permit No. 13-7111 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before July 1, 1976; and,

WHEREAS, on June 29, 1976, the permit holder submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 13-7111 be extended to July 1, 1980.

Dated this 16 day of July, 1976.


A. KENNETH DUNN

Administrator, Operations Division

April 30, 1976

CERTIFIED MAIL # 138522

Re: Permit No. 13-7111

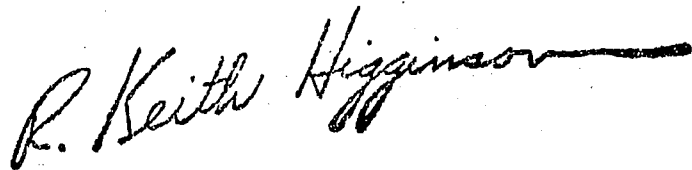
Grace Cemetery District
Grant Williams, Chairman
Board of Commissioners
Grace, Idaho 83241

Gentlemen:

One of the conditions of approval of your water Permit No. 13-7111 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before JULY 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

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



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

☐ Show to whom and date delivered..... 15¢

☐ Show to whom, date, & address of delivery.. 35¢

☐ RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	138522	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent

4. DATE OF DELIVERY 5-3-76

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK MAY 3 1976

DEPOT'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, and 3 on reverse side.
• Moisten gummed ends and attach to back of article.

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



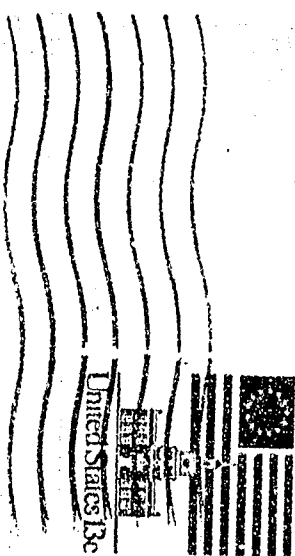
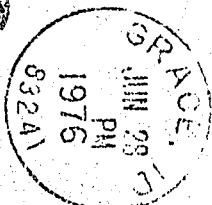
RETURN
TO



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Grace Cemetery District
Grant Williams, Chairman
Board of Commissioners
Grace, Idaho 83241

State of Idaho
Department of Water Resources
Mr. R. Keith Higgins, Director
Boise, Idaho 83730



RECEIVED

JUN 29 1976

Department of Water Resources,

Grace Cemetery District
Grant Williams, Chairman
Board of Commissioners
Grace, Idaho 83241

Re: Permit No. 13-7111

State of Idaho
Department of Water Resources
Mr. R. Keith Higginson, Director
Boise, Idaho 83720

Dear Mr. Higginson:

At this time we have not been able to apply the water described in permit no. 13-7111 to beneficial use. We, therefore, request an extension of time on this permit.

The reasons we have not been able to complete the project are: 1) a back order of some of the needed materials. By the time these materials were received the pump company making the installation was so involved in urgent irrigation work that they have kept putting off our job, but assuring us that they would complete it before our expiration date. Now it appears that they will not have it done. 2) Another factor has been the labor demands of the flood area making a shortage for the irrigation company doing our work.

Thank you for your consideration.

Respectfully,

Grace Cemetery District
Grant Williams, Chairman

July 21, 1976

Re: Permit No. 13-7111

Grace Cemetery District
Crace, Idaho
83241

Gentlemen:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to July 1, 1980.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

W

Identification No. 13 7111

Permit No.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Grant Williams, Chairman of Board of Commissioners
b) Post Office Address Granger Cemetery Dist Granger Idaho 83241
2. Permit Number 13-7111
3. Date of Priority that you are prepared to establish Apr. 30, 1976
4. a) Source from which water was appropriated Underground
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 13
Township 10 S, Range 40 E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.094 for irrigation purposes from May 1 to Oct. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.094 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: ran well test w/ sub pump tested at 70 gal per min no draw down. by Turner Co Granger Id
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
b) Describe the agreement or understanding by which you take water from the works:
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) submersible pump 755 & A15 Jacuzzi 7 1/2 hp 6" casing, well depth 198'
b) Describe the type and size of measuring device which you have installed at your point of diversion:
c) Give well driller's name and address and the date the well was completed: Sherman Conner
Well Drilling 161, 340 Wanda Vista, Burley Idaho
8-30-75
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
for irrigation and culinary use in Cemetery
Examined 3/10/77 by

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
105	40E	13	SW $\frac{1}{4}$												SW $\frac{1}{4}$				6.7

Total number of acres irrigated 6.7

10. Remarks: _____

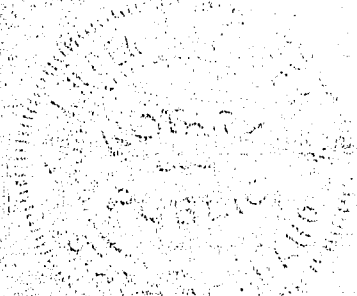
The above information is a true statement of the extent to which the above numbered permit has been developed.

Feb 3 1977
(Date)

[Signature]
(Signature)

State of Idaho)
County of Caribou) ss.

On this 3rd day of Feb, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Roger M. Jacek
Notary Public residing at Grace, Id 83241

My commission expires Lifetime

February 16, 1977

Re: Permit No. 13-7111

Grace Cemetary District
Grant Williamsehm
Grace, Idaho 83241

Dear Mr. Williamsehm:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7111 Priority May 12, 1975 Amount 0.08 cfs

THIS IS TO CERTIFY, that GRANT WILLIAMS, CHAIRMAN BOARD OF COMMISSIONERS OF GRACE CEMETERY DISTRICT

of Grace, Idaho, has complied with the terms and conditions of Permit

No. 13-7111 issued pursuant to Application for Permit dated May 12, 1975,

and has submitted proof to the Department of Water Resources on February 7, 1977,

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a

capacity for the diversion of 0.08 cfs of water from a groundwater source,

tributary to _____, and that the permit holder has applied to a beneficial use and

established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1</u> to <u>October 31</u> at <u>0.08</u> cfs and <u>12</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

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

that the amount of water so diverted and to which such right is entitled and confirmed for the purpose

aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

12 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 10S,

Rge. 40E, B.M. in the County of Caribou

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	40E	13																	4

Total number of acres irrigated 4

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of

December, 19 79.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF RESCINDING CANCELLATION)
OF PERMIT NO. 13-7111 IN THE NAME OF) ORDER
GRACE CEMETERY DISTRICT)

WHEREAS, on May 12, 1975, the Board of Commissioners of the Grace Cemetery District applied to the Department of Water Resources for a permit to appropriate 0.094 cubic feet per second of groundwater to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 10S, Rge. 40E, B.M., to be used for irrigation purposes; and,

WHEREAS, on February 7, 1977, proof of beneficial use of water was submitted; and,

WHEREAS, on May 10, 1978, a field examination was conducted by the Department's field examiner who found the well not working and repairs necessary with said repairs to be completed within six weeks; and,

WHEREAS, on June 30, 1978, another field examination was conducted and it was found that the repairs had not been initiated; and,

WHEREAS, on April 17, 1979, a notice was sent to the permit holder to show cause why said permit should not be cancelled for failure to beneficially use the water as proposed in the permit; and,

WHEREAS, on June 12, 1979, said permit was cancelled for failure to show cause; and,

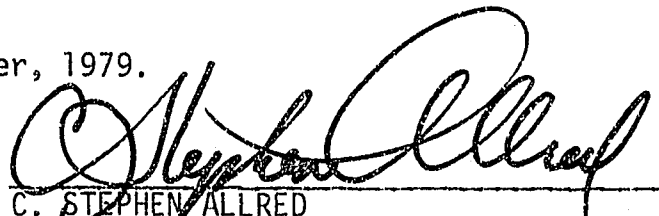
WHEREAS, on June 22, 1979, the Department received a letter from the permit holder explaining that the system had been repaired and that when the field examiner conducted his examination no one had shown him the system; and,

WHEREAS, on August 6, 1979, a field examination was again conducted and the system was found to be repaired and in use for the irrigation of 4 acres; and,

WHEREAS, it appears that the permit holder has proceeded with diligence;

IT IS, THEREFORE, HEREBY ORDERED that the cancellation of Permit No. 13-7111 be and is RESCINDED.

Dated this 31 day of December, 1979.


C. STEPHEN ALLRED
Director

Williams
Benson } Board members
Fraser }

Contacted board May 10, 1978. They
are having difficulty with their well and
have engaged a well driller to make the
necessary repairs. Call back June 1, 1978

DATE OF EXAM 8/6/79

ACREAGE
Found 4.0 Ac
Recommended 4.0 Ac

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = .083 c.f.s. V = 12 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured .083 cfs Method of measurement Pitot Tube

Total Q recommended .083 Meter No. _____ Type Ashcroft Condition Good

Total V recommended 12 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$4 - 5/32 - 40 \text{ psi} = 4.61 \text{ gpm} \times 4 = 18.44 \text{ gpm}$ Total 37.35 gpm, .083 cfs
 $1 - 1/4 - 37 \text{ psi} = 5.32 \text{ gpm}$
 $2 - 5/32 - 39 \text{ psi} = 4.55 \text{ gpm} \times 2 = 9.10 \text{ gpm}$ Volume = 4 Ac. x 3.044 ac/yr = 12 Ac/yr
 $1 - 5/32 - 38 \text{ psi} = 4.49 \text{ gpm}$
.083 cfs x 1.9835 AF/cfs/day x 214 days = 35.23

SYSTEM DESCRIPTION:

Groundwater is diverted from a 198' deep well, six inch casing, 7 1/2 hp submersible pump, 3 phase, 230 volts, purchased from Ampco Electric Twin Falls. Three sediment collectors and 3/4 inch plastic lines to 8 heads rainbirds. 2 gallon pressure tank for bathroom. 4.1 Area as determined by ASCS. Turn out 3/4 on area for road and curbs block building.

REMARKS:

System shown and operated by Oscar E. Giest.

Examiner's Signature John Dale Carlson Date 10/16/79

Checked by Anthony R. Kozlowski Date 10/16/79

Approved by _____ Date _____

Rge. 40E

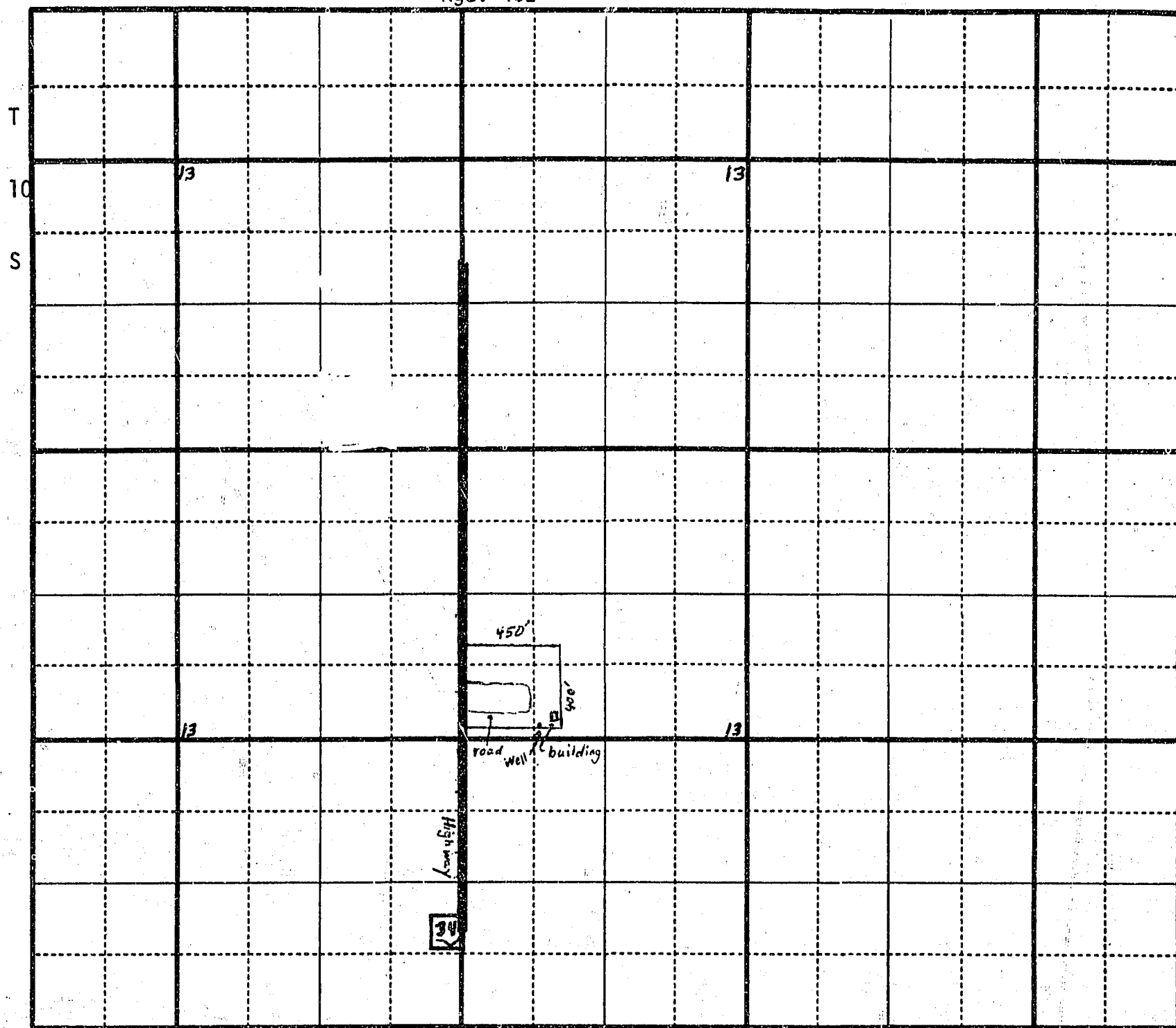
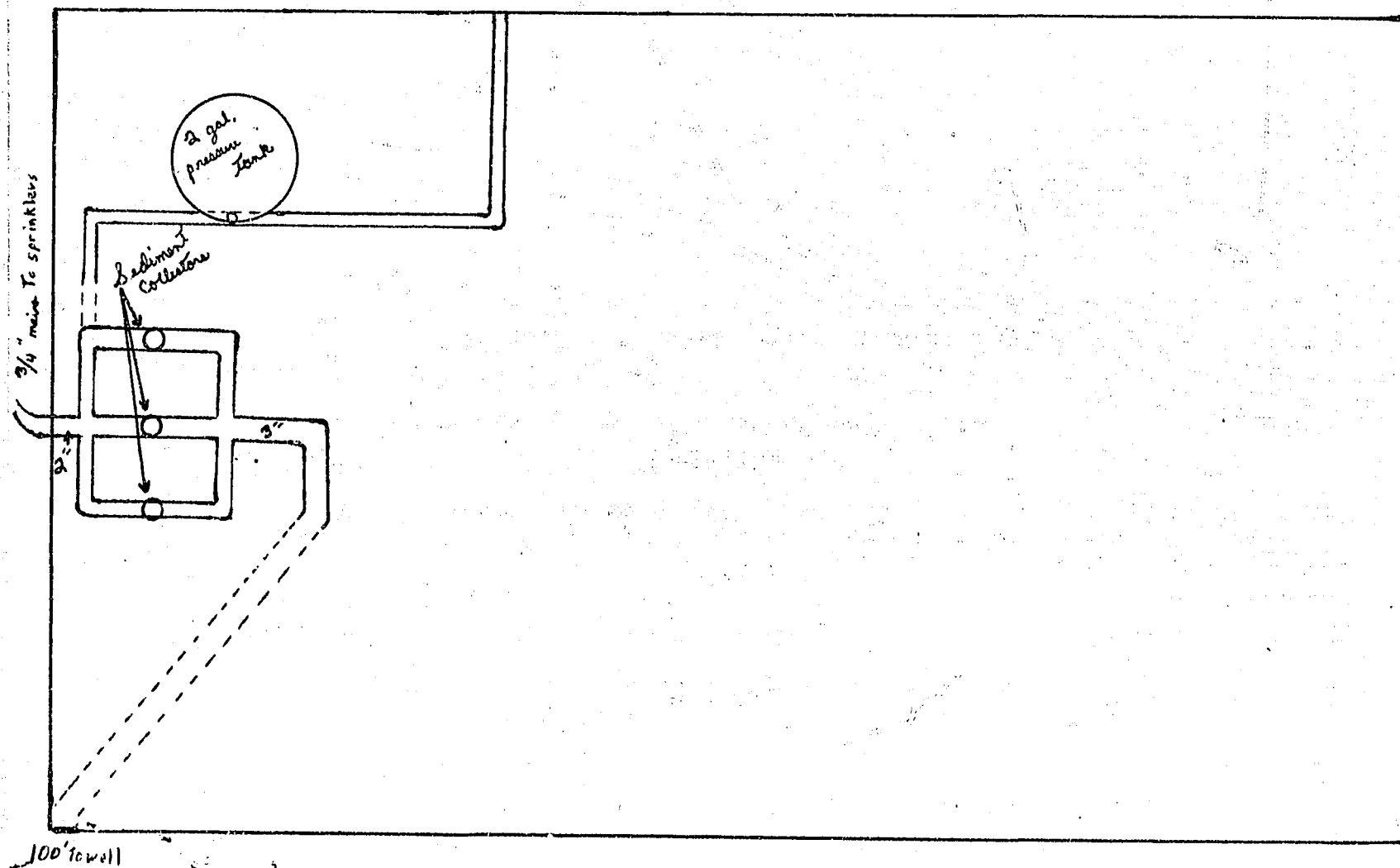


Diagram of System



RECEIVED

TOTAL ACREAGE _____ **4.70**

cemetery was still renting its irrigation water from a local canal.

I recommend that this permit be cancelled. If the ~~board members~~ ^{board members} have the well ~~redrilled~~ ^{redrilled}, they should file application for permit and establish a new priority. To date they have not put the water from the well to a beneficial use and should never have filed proof. ~~in the first place~~. I personally do not ~~feel~~ think the well will be redrilled as long as it is less expensive to irrigate the cemetery grounds with water rented from the canal.

Memo to File 13-711

From: TONY KOZLOWSKI

On May 10, 1978 an attempt was made to complete a water right field examination for permit 13-711. The irrigation system was shown & described by Oscar Egbert, (Grace Cemetery Caretaker). He explained that the irrigation well never proved to be an adequate producer of groundwater (dry hole), and that the cemetery rents its irrigation water from a nearby canal company. He further explained that although water from the well had never been ~~used~~ put to beneficial use, it was the intention of the ~~city~~ ^{board members} to effect the necessary repairs in order to use the water from this source.

I discussed the problem further with Grant Williams (board member). He indicated that the ~~city~~ ^{board members} were going to have the well redrilled and that the necessary work would be completed in two weeks.

On 6/30/78, six weeks later, I returned to the Grace cemetery while doing other exams in the area. There I encountered the caretaker (Oscar Egbert) and he revealed to me that the well had not been redrilled, and that the



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

*Certified Mail
32748*

April 17, 1979

Grace Cemetary District
c/o Grant Williams, Chairman
Grace, Idaho 83241

Dear Mr. Williams:

It appears to the Department of Water Resources that the terms and conditions of Permit 13-7111 to appropriate the public waters of the State of Idaho have not been complied with as to failure to beneficially use the water as proposed under said permit, and therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Resources on or before May 19, 1979, why said permit should not be cancelled.

Permit 13-7111 claims the use of .094 cubic feet per second of water from a ground water source, the point of diversion was to be located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 10S, Rge. 40E, B.M., and the permit was approved May 12, 1975.

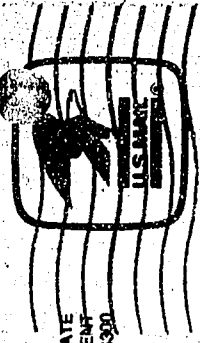
Dated this 19th day of April, 1979.

C. Stephen Allred
For C. STEPHEN ALLRED
Director

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Attach to front of article if space permits. Otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.



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USE TO AVOID PAYMENT
OF POSTAGE \$3.00
1973
03241

RETURN
TO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE
(Name of Sender)
BOISE, IDAHO 83720

(Street or P. O. Box)

(City, State, and ZIP Code)

13-7111

PS Form 3811, Aug. 1978

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered
☐ Show to whom, date, and address of delivery
☐ RESTRICTED DELIVERY
 Show to whom and date delivered
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | 32748 |
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☒ Authorized agent
Adel M. Nelson

DATE OF DELIVERY *4/20/79* POSTMARK *APR 20 1979*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

GPO: 1978-272-382



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. 13-7111)
IN THE NAME OF GRACE CEMETARY DISTRICT)

ORDER OF CANCELLATION

WHEREAS, the permit holder has failed to beneficially use the water as proposed in said permit; and,

WHEREAS, on April 17, 1979 notice was sent to the holder of said permit to appear before the Director of the Department of Water Resources (formerly the Department of Water Administration) on or before May 19, 1979 to show why said permit should not be cancelled; and,

WHEREAS, the holder of said permit has failed to comply with the requirements of said permit and has not shown adequate cause why such permit should not be cancelled;

IT IS THEREFORE ORDERED and Permit No. 13-7111 is hereby CANCELLED.

Dated this 12 day of June, 1979.

C. STEPHEN ALLRED
Director

Grace, Idaho
June 20, 1979

RECEIVED

JUN 22 1979

Department of Water Resources

Department of Water Resources
Boise, Idaho 83720

Re: Cancellation of Permit No. 13-7111 in the name of Grace
Cemetery District.

I don't understand the cancellation of our permit, and protest
the action on the following grounds.

We have in our files a letter of acknowledgement of receipt of
affidavit as proof of beneficial use dated Feb. 16, 1977 and signed
by Janice Renk.

In the fall of 1978 I was contacted by Mr. Anthony Kozlowki of
the Idaho Falls office for an inspection. We were having a problem
with the system at that time and the inspection was not made. We
were to notify him when it could be inspected.

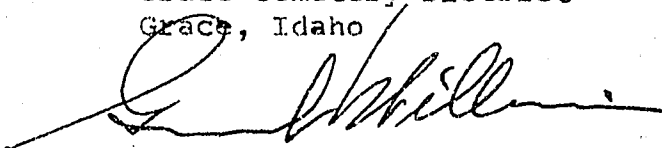
In April I received the notice to show cause by May 19, 1979,
why the permit should not be cancelled dated Apr. 19, 1979. I called
Mr. Kozlowski and a date for inspection was set. Mr. Kozlowski asked
if he needed to contact me when he came. I said, "Only if you need
me, the system will be running and the caretaker will be there." I
understood that would take care of it.

The caretaker saw a state vehicle in front of the cemetery and
assumed that it was the inspector, but he did not talk with the
driver. I was not contacted again by Mr. Kozlowski. We thought
the inspection had been made and the license would be issued.

Also the expiration date on the extension of permit No. 13-7111
in our file is July 1, 1980.

Because of the above we respectfully request a reconsideration
of the cancellation.

Grace Cemetery District
Grace, Idaho


Grant Williams

INTER-DEPARTMENT MEMO — 1

FROM DAVE TURHILL

DATE 8-2-79

TO 13-7111

SUBJECT RESPONSE TO LETTER OF 6-20-1979 FROM GRANT WILLIAMS

This morning I spoke by telephone with Grant Williams of Grace, Id. He indicated that the well described in permit 13-7111 had in fact gone dry in 1977 but is now pumping and delivering water per provisions of the permit. In light of the 7-1-1980 proof due date, the Department will make another inspection of the system and perhaps revoke the cancellation order.

I am returning the field report to Tony Kozlowski in Eastern Region, who will conduct the exam sometime in August, 1979.

SIGNATURE

DET

January 11, 1980

Re: Permit No. 13-7111

Grace Cemetery District
Attn: Grant Williams
Grace, ID 83241

Dear Mr. Williams:

Enclosed is a copy of the Water Right license issued for the above referenced permit.

Also enclosed is an Order which rescinded the cancellation of this permit.
If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosures