

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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 13-2248

Date Received: 10/23/24

Receipt No: PO01480

Claim Fee: \$55.00 By: m3

RECEIVED

OCT 23 2024

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Dayton Cemetery District Phone (208) 851-3570 ^{Lynn Bingham}

Mailing address 2535 N. 4000 W. Dayton Id Zip 83232
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) 09-11-1961 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (☒) or Other (☐) (a) _____
which is tributary to (b) _____

4. a. Location of point of diversion is: Township 15S, Range 38E8M, Section 23,
NW 1/4 of NW 1/4, Govt. Lot _____, BM, County of Franklin

Parcel no. RPO 3318.00

Additional points of diversion, if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

One well which supplies our sprinkler
system.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)
For irrigation purposes from 4-1 to 11-1 amount .08 or 17.5
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	23						5											

Parcel no(s) RPO 003318.00 Total number of acres irrigated 5

10. In which county(ies) are lands listed above as place of use located? Franklin

11. Do you own the property listed above as place of use? Yes (☒) No ()
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks (Include an explanation of the priority date selected):

priority date is what was licensed -
However, the cemetery was in existence
long before that as evidenced by dates
on headstones so I imagine water
was used before the 1961 licensing date.
The cemetery is about 100 years old.

See additional remarks on next page

Name of claimant(s) Dayton Cemetery District Claim ID _____

Lynn Bingham

13. Remarks continued

We only water one set each day which is done during the night time hours because during the day there are burials, lawn mowing, and people visiting. Therefore, we use a 3/16 nozzle on our sprinklers in order to keep the cemetery green. If we used a smaller nozzle, our cemetery would be brown during the hot, windy days in July and August. I am sure that we don't exceed the 17.50 AFA allowed by our license # 13-2248. During times of storm and during cooler months we water less often. During July and August we usually water every 7-10 days depending on temperatures and storms.

Water Right Report : 13-2248(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	DAYTON CEMETERY DISTRICT		DAYTON	ID	

Water Right Status

Priority Date : 9/11/1961
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	15S	38E	23	0				NW NW FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.08 CFS	17.50 AFA
TOTAL			0.08 CFS	17.50 AFA

Places of Use

Place of Use Legal Description : IRRIGATION (FRANKLIN county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
15S	38E	23			NW	NW	5

Irrigation Totals

Total Acres Acre Limit
5.00

Dates

Licensed Date : 3/22/1979
Decreed Date :
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :

Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :

Dayton Cemetery District

Five acres.
Well Land to be Irrigated.

Section 23.
Township 15 S
Range 38 EBM.

Permit No. 930475
As App. on SEP 11 1961
GEO. H. CARTER
State Reclamation Engineer

Dayton Cemetery District

Claim 13-2248



0 50 100 Yards

Dayton Cemetery District

Legend

- Well
- POU

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () ☒ Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-2248

15. **Signature(s)**

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System 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 Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Chairman of Board of Dayton Cemetery District
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Lynn R. Bingham Date 10-16-24

Printed Name of Authorized Agent Lynn R. Bingham

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____

Dayton Cemetery District
Lynn Bingham

Claim ID _____