

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: A29-02498
Date Received: 3/07/1990
Receipt No: M00 6179
Received By: R. W. H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUSSELL J. HAYDEN 208-233-2526
Address: 2573 N.MINK CREEK RD.
POCATELLO, ID 83204

2. Date of Priority: APR 15, 1965

3. Source: SPRINGS Trib. to: CLIFFTON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	34E	3	NE	SW	SE		POWER

5. Description of diverting works:
WELL HOUSE, PRESSURE SYSTEM, 1.5" SOURCE PIPE AT SPRING DISCHARGE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		17.50
STOCKWATER	01/01	12/31	0.020		14.50
DOMESTIC	01/01	12/31	0.030		0.60

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) 32.60 A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1HOME S/2HORSES FISH POND

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	34E	3				DOMEST	

A29-02498

Page 1

Date: 03/07/90

MICROFILMED

NOV 13 1992

A2902498



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	34E	3	SW	SE		STOCK IRR	5.0
						Section Acres	5.0
						Total Acres	5.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

A29-07110 IN SAME 1/4 SECTION BUT NOT DOMESTIC.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 32321

MICROFILMED
NOV 13 1992

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Russell J. Hayden Date: 3/7/90

Date: _____

State of Idaho)
County of Poun) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of ma 19 90

John John Carter
Notary Public

Seal

Residing at Baja IL

My Commission Expires 4/2/94

Log for claim A29-02498

Spatial Dynamics AMH

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s34e	3	SWSE	5	7	
Totals:			5	7	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUSSELL J HAYDEN PO BOX 598 SODA SPRINGS ID 832760598 (208) 233-2526	04/15/1965	IRRIGATION	03-15 11-15	0.050 CFS	17.50 AFA
			STOCKWATER	01-01 12-31	0.020 CFS	14.50 AFA
			DOMESTIC	01-01 12-31	0.030 CFS	0.60 AFA
TOTAL DIVERSION:					0.050 CFS	32.60 AFA
CONSUMPTIVE USE:						15.00 AFA

Water Source: SPRINGS

Tributary to: CLIFFTON CREEK

Stage: LICENSE

Point(s) of Diversion:

T09S R34E S03

NESWE

POWER County

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
09S	34E	3	:																	:	5.0
																			TOTAL ACRES	5.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09S	34E	3	:																	:	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09S	34E	3	:																	:	

POU County: POWER

Non-Irrigation Uses: D/1HOME S/2HORSES FISH POND

Other Rights: A29-07110 IN SAME 1/4 SECTION BUT NOT DOMESTIC.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-07110 A29-07272

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02144 A29-02564 A29-07110

Remarks: GEN **MODIFIED ADDRESS 3/19/96/JT**

AJ5809NP
No. A29-02498

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 27

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Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
Audit:	03/07/90 HAUMANN	07/13/94 COX	03/29/95 POST-STD 03/19/96 JTHOMPSO

LICENSE OF WATER RIGHT

License of Water Right No. 33321/29-2498 Priority April 15, 1965 Amount 0.05 cfs

THIS IS TO CERTIFY, that Russell J. Hayden
of Pocahontas, Idaho, has complied with the terms and conditions of Permit
No. 32321/29-2498 issued pursuant to Application for Permit dated April 15, 1965
and has submitted proof to the Department of Water Administration on February 27, 1969
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 0.05 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from unnamed springs

tributary of Clifton Creek, is hereby confirmed in the following amounts:

Amount 0.05 cfs for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)

Amount 0.03 cfs for domestic from Jan. 1 to Dec. 31 (both dates inclusive)Amount 0.02 cfs for stockwater from Jan. 1 to Dec. 31 (both dates inclusive)

Subject, however, to the condition that no more than 0.05 cfs of water be diverted at any one time, said waters to be diverted within the

SW¹SE¹ Sec. 3, Twp. 9 S, Rge. 34 E, B.M.

in the county of _____ Power _____; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 17.5 acre feet per year or _____

3.5 acre feet per acre, for irrigation use, 0.6 acre feet per year for domestic use and 14.5 acre feet per year for stockwater use with the total amount not to exceed 32.6 acre feet per year.

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	
9S	31E	3																	5
																			(domestic & stockwater)
																			X

Total number of acres irrigated 5

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of

January 1972

[Signature]
Director

29 2498

Application For Permit
To Appropriately the Public Waters of the State of Idaho

APPLICATION No. 40469
PERMIT No. 32321
DISTRICT No.

1. Name of Applicant: Russell J. Hayden
Postoffice address: Mink Creek Road
Pocatello

County: Bannock State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: .34 cubic feet per second.

3. Source of water supply: Springs which is a tributary of Clifton Creek

4. Location of point of diversion: feet distant from the

corner of Section 3, T. 9 S., R. 34 E., B.M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

of section 3, T. 9 S., R. 34 E., B.M., County of Power

5. Water is to be used for Domestic, trees, stock watering, 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 of, 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: \$ 200.00

8. Kind of works: Diversion headgate and pipe

9. Height of dam 6 feet; length of dam at top 50 feet; length of dam at bottom 5
feet; material used in dam: Dirt Fill

10. Size of headgate: Width 50 feet; height 6 feet.

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

Diameter of pipe inches; length of conduit 200 ft. miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

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

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 of

T.

R.

, B.M.

(b) Amount of water diverted: ~~100 cfs~~

(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: \$ 200.00

8. Kind of works: Diversion headgate and pipe

9. Height of dam 6 feet; length of dam at top 50 feet; length of dam at bottom 5

feet; material used in dam: Dirt Fill

10. Size of headgate: Width 50 feet; height 6 feet.

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

Diameter of pipe inches; length of conduit 200 ft. miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 2 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: #8509

- (b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ Russell J. Hayden Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. April 15, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32321

Recorded in Book 113 Page 32321

Approved April 16, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before June 16, 1965 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 16, 1966

The whole of said work to be completed on or before April 16, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before April 16, 1969

WITNESS My hand this 16th day of April, 1965

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th day of April, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor.

REMARKS: These are springs that rise entirely on lands owned by the applicant and will be diverted before it reaches the main tributary of Clifton Creek which is also within the bounds of the same property. These springs have been used for domestic use for some 50 years by previous owners of the same land. They are known as the Fannin Springs or Wolverton Springs. Two one hundredths cu.ft. sec. (.02) is to be appropriated for domestic use such as the watering of wind breaks, garden, house and stock watering. Twelve (.12) cu.ft. sec. irrigation of those six acres of land in the SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 3 *

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 $\frac{1}{4}$	
			*lying west of Clifton Creek, South of the Springs, East of County road, and North of the South Sec. line of Sec. 3.				
9 S.	34 E.	3				6	6

Permit No. 32321

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RUSSELL J. HAYDEN of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 32321, issued upon Application No. 40469 bearing date of priority of April 15, 1965, authorizing the diversion of 0.14 second feet of waters of Springs, County of Power, State of Idaho, for domestic, trees, stock watering, and 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 0.14 second feet of the waters of Springs, tributary of Clifton Creek; that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9 S, R. 34 E, B.M. that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9 S, R. 34 E, B.M.

Proof of Completion of Works made: January 10, 1967.

Witness my hand this 2nd day of February, A.D. 1967.

LICENSE ISSUED FOR 0.05 SEC. FT.
LICENSE PAG: NO.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

Source of supply Spring

a tributary of Little Creek

Location of P.D.(s) TWSE Sec 3 95 34 E

Water is used for Domestic; Stockwater irrigation

Quantity of water found .05 cfs

How was the measurement made? bucket and stopwatch

Measurement calculations

5 gal in 4.5 sec

22.4 gal per min

$22.4 \div 447.2 = .05 \text{ cfs}$

Diversion works description and diagram

Spring runs into
50 gal pressure tank
then to trailer house.
Remainder runs into
small pond then
into irrigation ditch

(2) 2498

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 5

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Spring runs into a 50 gal pressure tank and
a 3/4" pipe to his trailer house. Also the
remainder of the water runs into a pond
with the overflow running into a ditch to
irrigate 5 acres of pasture. He has
approx 100 head of cows and calves that
drink directly out of his ditch.

Who represented the permit holder at the examination?

Mr. Fossil Hayden

Recommended allowance for licensing .05

Description of required amendments. Comments.

No amendments required.

Report checked? yes

Examination date 6/25/70

Signature

AKC 7/9/70



29

Rang

4
9/10

3/2
10/11

0.6

5
14.00



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

PHILIP E. BATT
GOVERNOR

March 5, 1996

KARL J. DREHER
DIRECTOR

RECEIVED

MAR 13 1996

RUSSELL J HAYDEN
PO BOX 598
SODA SPRINGS ID 83276-0598

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A29-00480, A29-07111, A29-02498,
A29-07272, A29-02509, A29-02564 & A29-04022
Change of Address

Not modified - as 3-14-96.

Dear Claimant,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

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The address is correct as shown above or as otherwise changed.

Russell J Hayden
Claimant

MICROFILMED
NOV 13 1996