

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: A29-07110
Date Received: 3/07/1990
Receipt No: M006179
Received By: RW#

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: FEB 01, 1973

3. Source: GROUNDWATER Trib. to:

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 145'DEEP 8"CASING, 7.5HP SUB.PUMP, DISCHARGE TO POND&SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.100		17.50

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 17.50 A.F.A.

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

9. Non-irrigation uses:
NONE

10. Place of Use:

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

A29-07110

Page 1

Date: 03/07/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

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:

THOMAS PHILLIPS ETALL A29-02144

14. Remarks:

WATER UNDER THIS RT. IS EXCHANGED FOR CLIFTON CREEK WATER.

PT. OF INJECTION & PT. OF EXCHANGE ARE BOTH WITHIN THE SWSE, S3,
T9S, R34E.

15. Basis of Claim: LICENSE

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 F. Hayden Date: 3/7/90
_____ Date: _____

State of Idaho)
County of Power) SS.

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

John Dale Carter
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/2/94

Log for claim A29-07110

Spatial Dynamics AMH

7/17/00

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUSSELL HAYDEN 2573 N MINK CREEK RD POCATELLO ID 83204 (208) 233-2526	02/01/1973	IRRIGATION	03-01 11-01	0.100 CFS	17.50 AFA
TOTAL DIVERSION:					0.100 CFS	17.50 AFA
CONSUMPTIVE USE:						15.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R34E S03

NESWSE

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	:																	:	
																			05	:	5.0
																			TOTAL ACRES	:	5.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: THOMAS PHILLIPS ETALL A29-02144

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02498 A29-07272Other Water Rights Listing Overlapping Place(s) of Use:
A29-02144 A29-02498 A29-02564

Remarks: GEN WATER UNDER THIS RT. IS EXCHANGED FOR CLIFTON CREEK WATER.
PT. OF INJECTION & PT. OF EXCHANGE ARE BOTH WITHIN THE SWSE, S3,
T9S, R34E.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/07/90 HAUMANN 07/25/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7110 Priority February 1, 1973 Amount 0.10 cfs

THIS IS TO CERTIFY, that Russell J. Hayden
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7110 issued pursuant to Application for Permit dated February 1, 1973,
and has submitted proof to the Department of Water Resources on February 10, 1978,
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 0.56 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
<u>Irrigation</u>	<u>from April 1</u> to <u>November 1</u>	<u>0.10 cfs</u>	<u>and 17.5 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

Subject, however, to the condition that no more than 0.10 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 confined is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
17.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, Twp.
9S, Rge. 34E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
9S	34E	3													5

Total number of acres irrigated 5

Water under this right is exchanged for Clifton Creek water.
The point of injection and point of exchange are both within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, Twp. 9S, Rge. 34E.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
April, 19 83.

Acting for the Director

29 7110

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant RUSSELL J. HAYDEN
post office address Mink Creek Road, Box 456, Pocatello, Idaho
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 9S
Range 34E B.M. Power County; additional points of diversion if any: ---
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 34E, B.M.
- 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 0.80 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (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. 0.84 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, turbine pump, mainline
and 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$7,000.00.
8. Description of proposed uses:
a. If water is ~~not~~ for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 9S
Range 34E 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 one.
(5) If water is to be used for other purposes describe: _____

29 7110

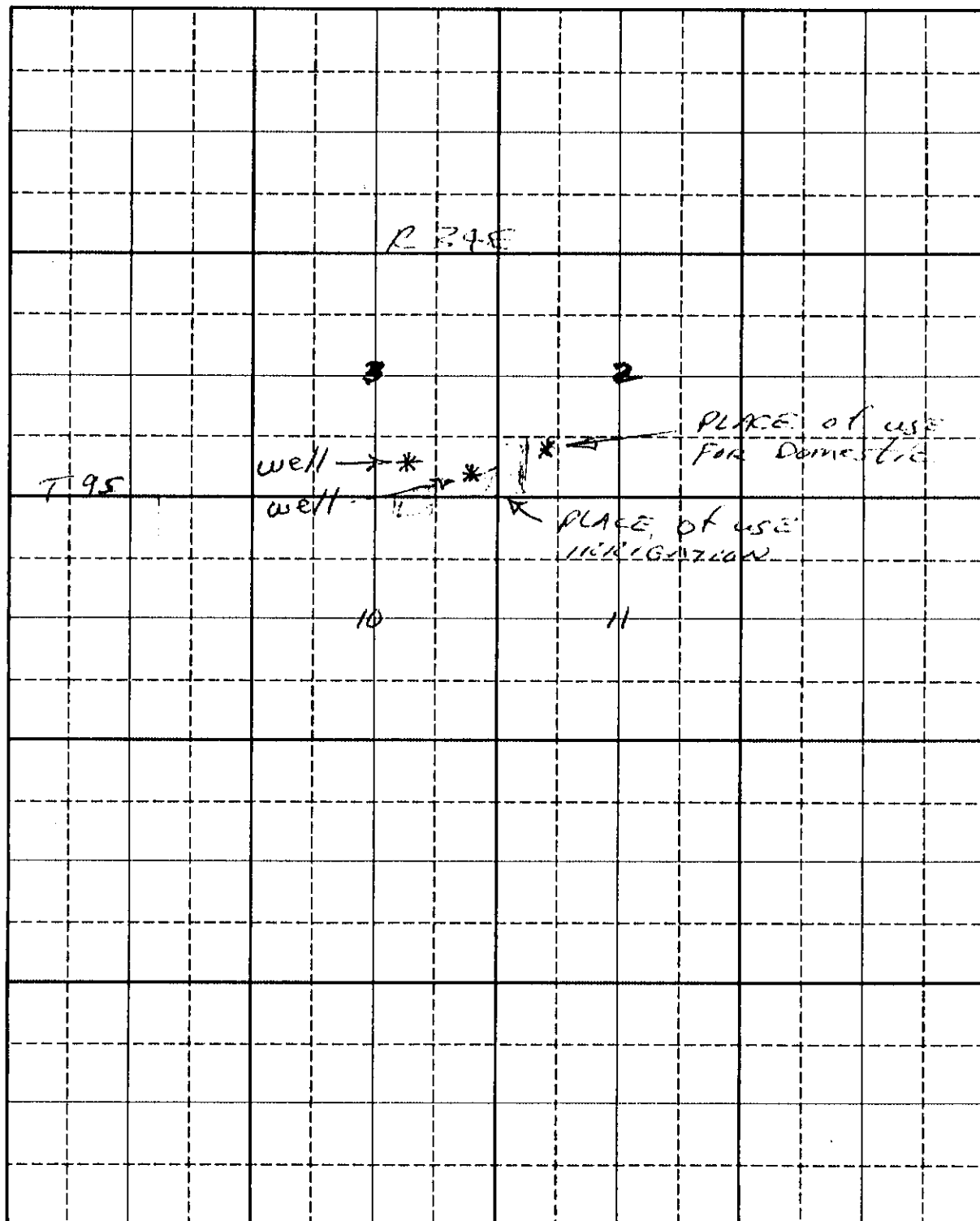
[illegible]

c. Describe any other water rights used for the same purposes as described above. License No. 29-2498
from springs.

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.

Russell J. Hayden
(Applicant)

29 7110

Received by AW Date 2/1/73 Time 12:55 PM
 Preliminary check by NCY Fee \$ 35.00
 Receipted by AW Date 2/1/73
 Publication prepared by AW Date 2/28/73
 Published in Lawyer County Record
 Publication dates 2/28/73 - 6/15/73
 Publication approved NCY Date 2-26-73
 Priority ~~2-26-73~~ to 2-1-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7110, 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 March 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the irrigation diverting works.

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

Witness my hand this 2nd day of March, 19 73.


 Deputy Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Russell J. Hayden
Post office address Mink Creek Rd., Box 456, Poncha Springs, CO 81098
Person to contact 233-2576 Department of Water Resources
Eastern District Office

2. Source of water supply: Groundwater ☒ Surface water ☐
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount .84 c.f.s. for Irrig
AF/Annum (nature of use)

Period of Use: from 4/01 to 11/01
(mo.-day) inclusive (mo.-day)

Amount .04 c.f.s. for Dom (1) not listed on
AF/Annum (nature of use) proof

Period of Use: from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion .84 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 34E E/W, B.M., Section 3, Subdivision Se 1/4 Se 1/4 Power

Township " N/S, Range " E/W, B.M., Section ", Subdivision Sw 1/4 Se 1/4 County "

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4 County _____

Other Points of Diversions: PROOF lists the Sw Se, Sec. 3, 9S 43E

Description of diverting works: open discharge to pond, diversion creek - 7 1/2 hp Subm, 110' - 8" casing

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use. proof lists Sec. 3 only w/ 7 ac in the Sw 1/4

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	
<u>9S</u>	<u>34E</u>	<u>2</u>											<u>10</u>						<u>10</u>
		<u>3</u>															<u>15</u>	<u>20</u>	<u>25</u>
		<u>10</u>			<u>5</u>														<u>5</u>

TOTAL ACREAGE 40

Permit No. 29-7110
Examination for DLW

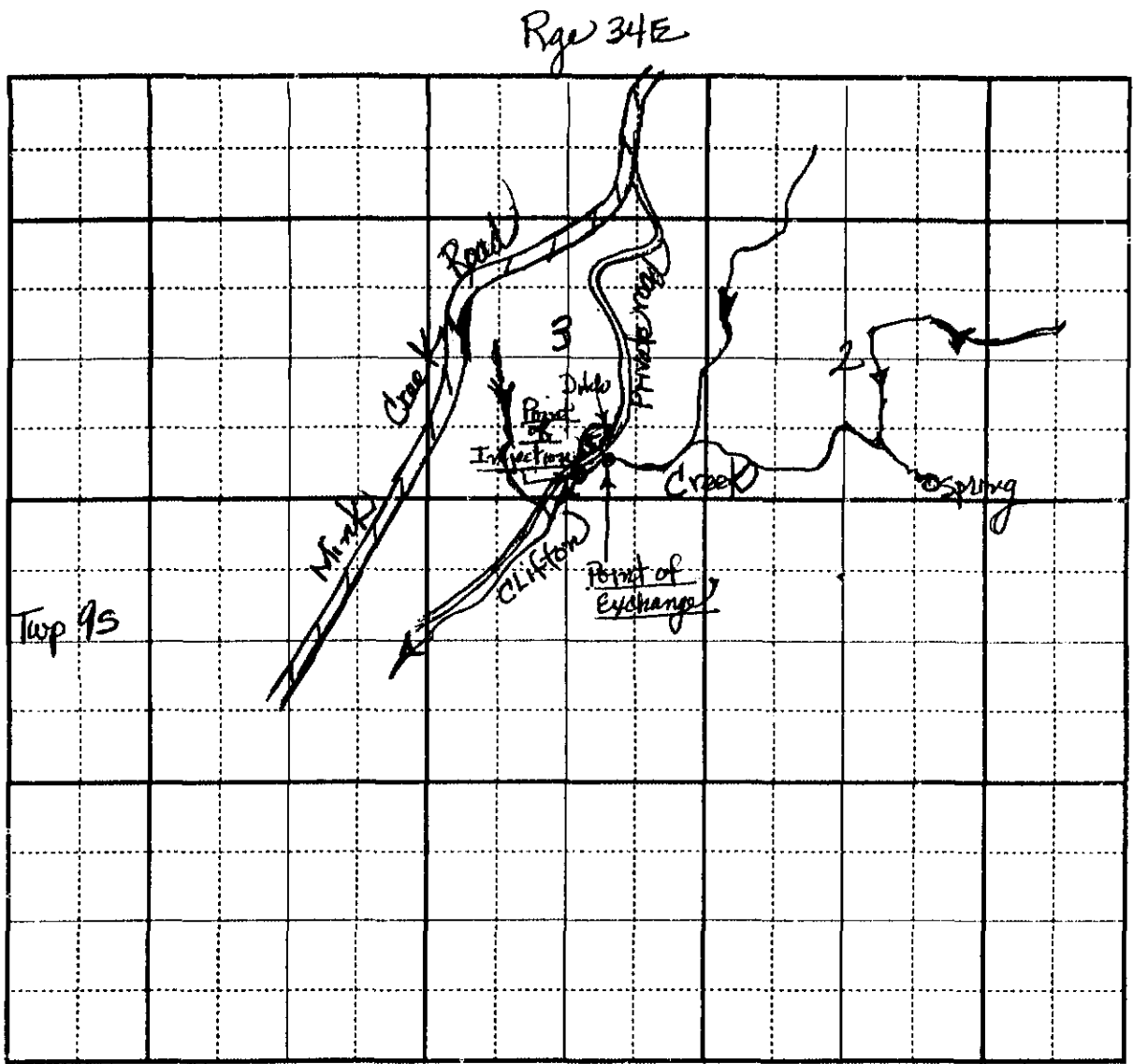
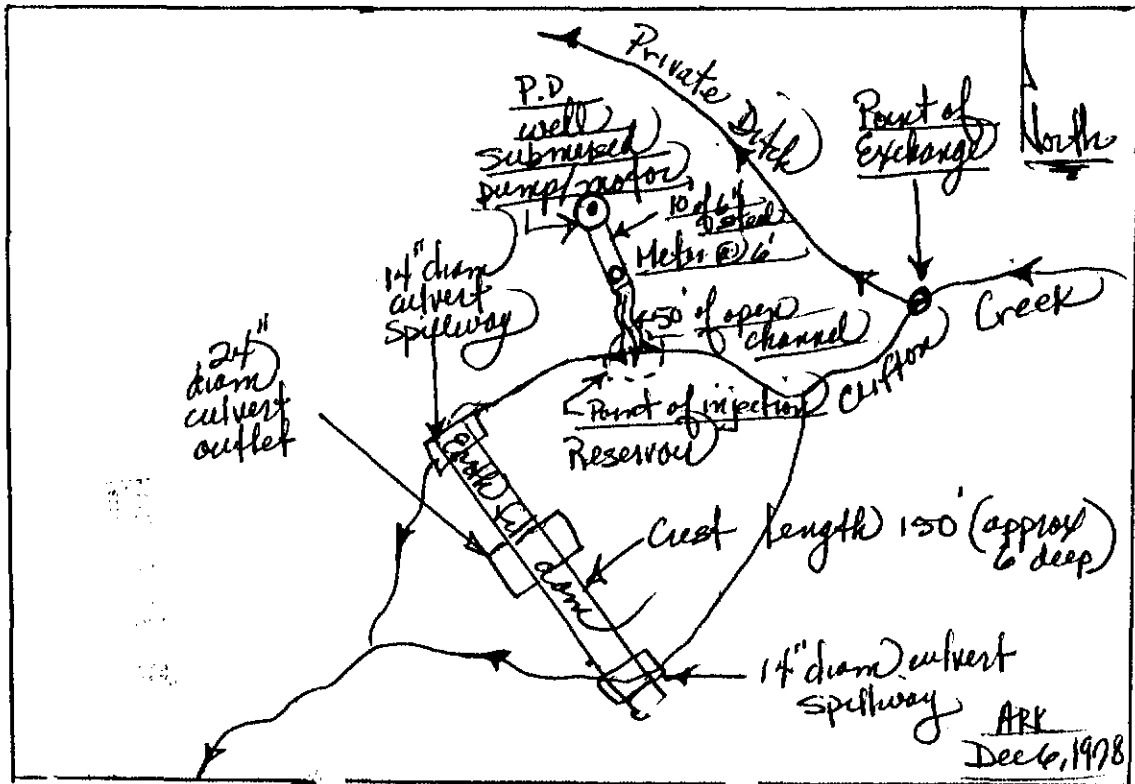


Diagram of System



DATE OF EXAM 9/11/78

ACREAGE
Found 5ad ✓
Recommended 5ad ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .10 ✓ c.f.s. V = 17.5 ✓ 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: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes X no _____

Name source exchanged with: Groundwater is exchanged for Clifton Creek water
Twp. 92 N/S, Rge 34E E/W, B.M., Sec 3, Sub. SW 1/4 SE 1/4 Power County _____

Point of injection: _____
Twp. 92 N/S, Rge 34E E/W, B.M., Sec 3, Sub. SW 1/4 SE 1/4 Power County _____

Point of exchange: _____
Twp. 92 N/S, Rge 34E E/W, B.M., Sec 3, Sub. SW 1/4 SE 1/4 _____ County _____

Total Q measured .56 cfs Method of measurement In-line meter ✓
Total Q recommended .10 cfs Meter No. 72-6-324 Type Cromberg Condition good
Total V recommended 17.5 Af/yr

Recommended Amendments:

Use of Use _____
Other _____
None

MEASUREMENT CALCULATION:
measured 1,000 gal in 238 sec, 1000 / 238 = 4.2, 238 x 4.2 = 1000

252.1 gpm ÷ 448.8 gpm/cfs = .56 cfs CAPACITY
V = 5 ac x 3.5 Af/ac = 17.5 Af/season
215 x 1.9835 x .10 = 42.6

SYSTEM DESCRIPTION:
Groundwater is exchanged for Clifton Creek water. Groundwater is
intended by a 7.5" d. Franklin submitted pump/motor, ph. 1,
mta - 2822012201 8" diam well, 110 deep well, 501.5', groundwater
is injected into a small reservoir on stream (Clifton Creek) at the
exchange point, further upstream on Clifton Creek, surface water is
diverted into a private ditch for the flood irrigation of 5 ac

REMARKS:
in 508E Sec 3, T9S R34E, B. M. Power
No domestic use of water from this source.
No preexisting rights.
System shown, operated, & described by Russ Hayden.

Examiner's Signature Anthony R. Kozlowski Date Dec 6, 1978

Checked by Rodney A. Parker Date 1/9/79

Approved by Kolman Date 2-16-83

No other water rights found

Jim 3-4-83