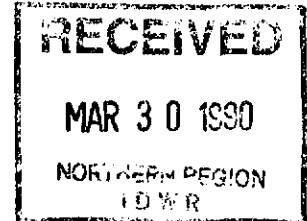


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM APR - 2 1990 CIVIL CASE NUMBER: 39576

Ident. Number: A29-07130
Date Received: 2/01/1990
Department of Water Resources
Eastern District Office Receipt No: 11003638
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



1. Name: ORVAL H. HILLIARD
Address: P.O. BOX 2305 South 1811 Seehorn Rd
POCATELLO, ID 83201 99212
DE/01

2. Date of Priority: MAY 24, 1973

3. Source: UNNAMED STREAM Trib. to: CLIFTON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	34E	2	SW	SW			POWER

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		17.50
FISH PROPAGATION	01/01	12/31	0.060		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/150 LBS. OF TROUT D/1 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	34E	2	SW	SW		IRR	5.0
Section Acres							5.0

A29-07130

Page 1

Date: 02/01/90

MICROFILMED

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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:

14. Remarks:

REINSTATED 8-8-1978.

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: 2

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): Orval H. Hilliard Date: 3/26/90
_____ Date: _____

State of Washington)
Idaho)
County of Spokane) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of March 19 90
Nancy B. Masungale
Notary Public

Seal

Residing at Chattanooga
My Commission Expires June 1990

Log for claim A29-07130

Spatial Dynamics AMH

7/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s34e	2	SWSW	5	7.5	
Totals:			5	7.5	

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that ORVAL H. HILLIARD
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7130 issued pursuant to Application for Permit dated May 23, 1973,
and has submitted proof to the Department of Water Resources on June 2, 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 .12 cfs of water from unnamed stream,
tributary to Clifton Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than .12 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 N/A acre feet per year, said waters to be diverted within the SW 1/4, Sec. 2, Twp. 9S,
Rge. 34E, B.M. in the County of Power

[illegible]

Director

MODELING

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Orval H. Hilliard
 post office address Box 2305 Pocatello, Idaho 83201
2. Source of water supply unnamed stream which is a tributary of Clifton Creek
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 9S
 Range 34E B.M. Power 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 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.1 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.06 for Fish Prop. purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 0.20 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Gasoline pump and sprinklers

- b. Height of storage dam 8 feet, active reservoir capacity 2 acre feet; total reservoir capacity 2 acre feet, materials used in storage dam: earth
 Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to its proposed beneficial use is 5 years.
 b. Estimated construction cost is \$ 2,000.
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: Fish prop. for 150 lbs. of trout

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	34E												5						5

Total number of acres to be irrigated 5

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

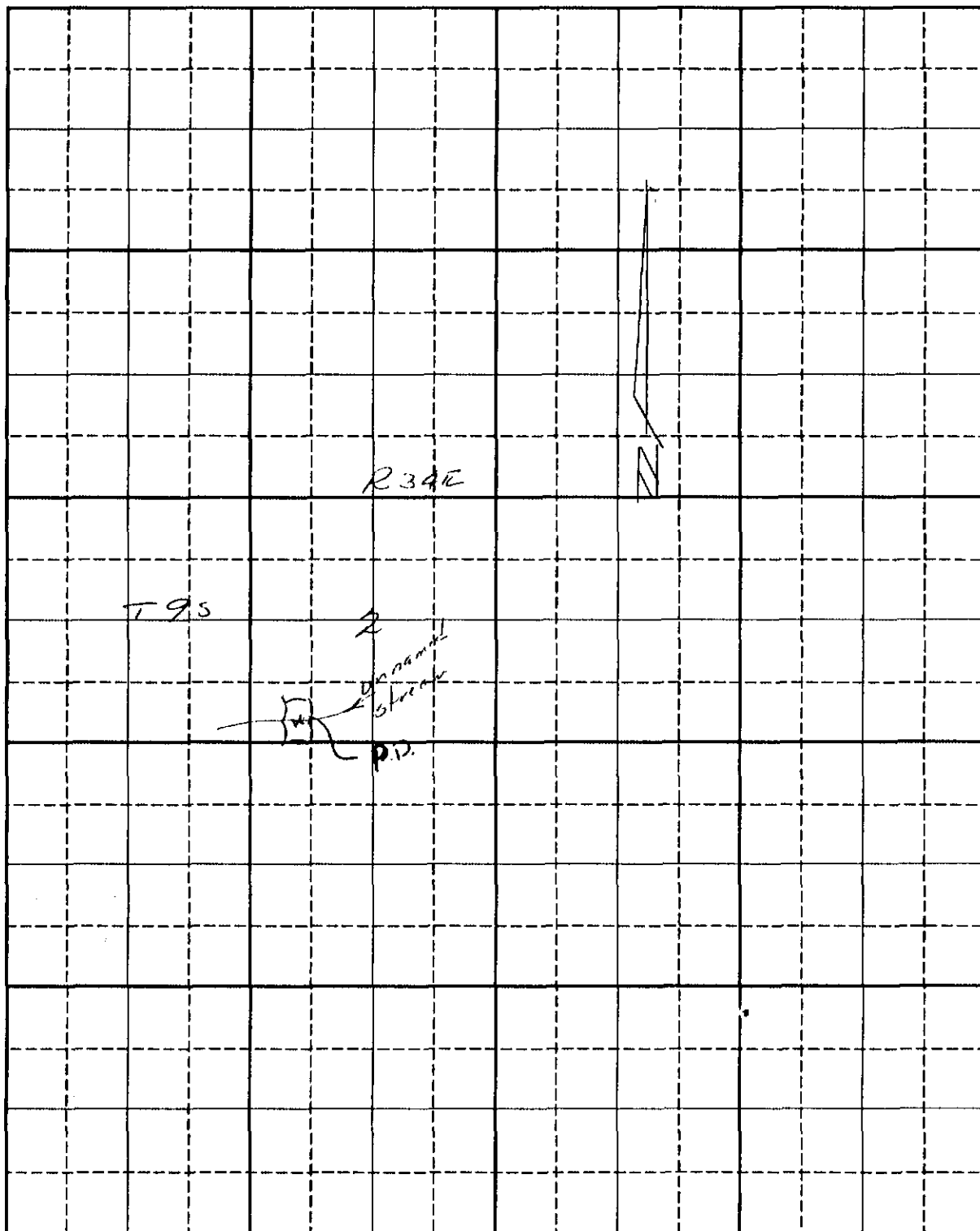
9. a. Who owns the property at the point of diversion applicant

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

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.

Oswald H. Hilliard
(Applicant)

29 7180-100

Received by mt Date 5/23/73 Time 9:00 AMPreliminary check by mt Fee \$ 10.00Received by mt Date 5/23/73 Receipt # 10203Publication prepared by mt Date 5-23-73Published in Blaine County Press, American Falls, IdPublication dates May 31, June 7, 1973Publication approved NCV Date 6/18/73Priority reduced to 5/23/73 Reason _____Protests filed by: _____Copies of protests forwarded by _____Hearing held by _____ Date _____Recommended for approval denial by NCV 30F

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. 29-7130, 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 78.
- c. Other: _____

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

Witness my hand this 26th day of June, 19 73.

P. Keith Higgins
Director

FIELD REPORT

TOTAL ACRES 5

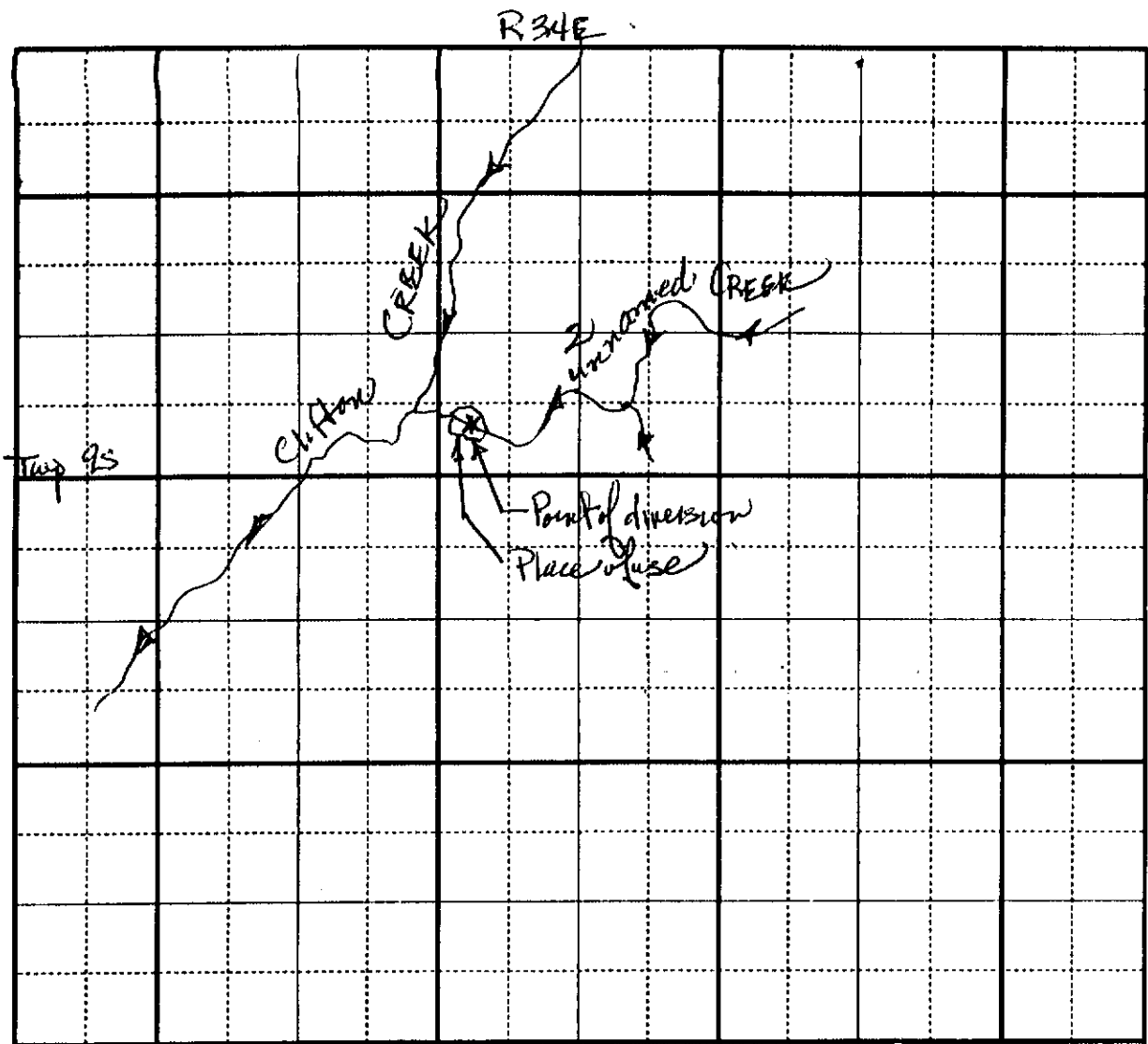
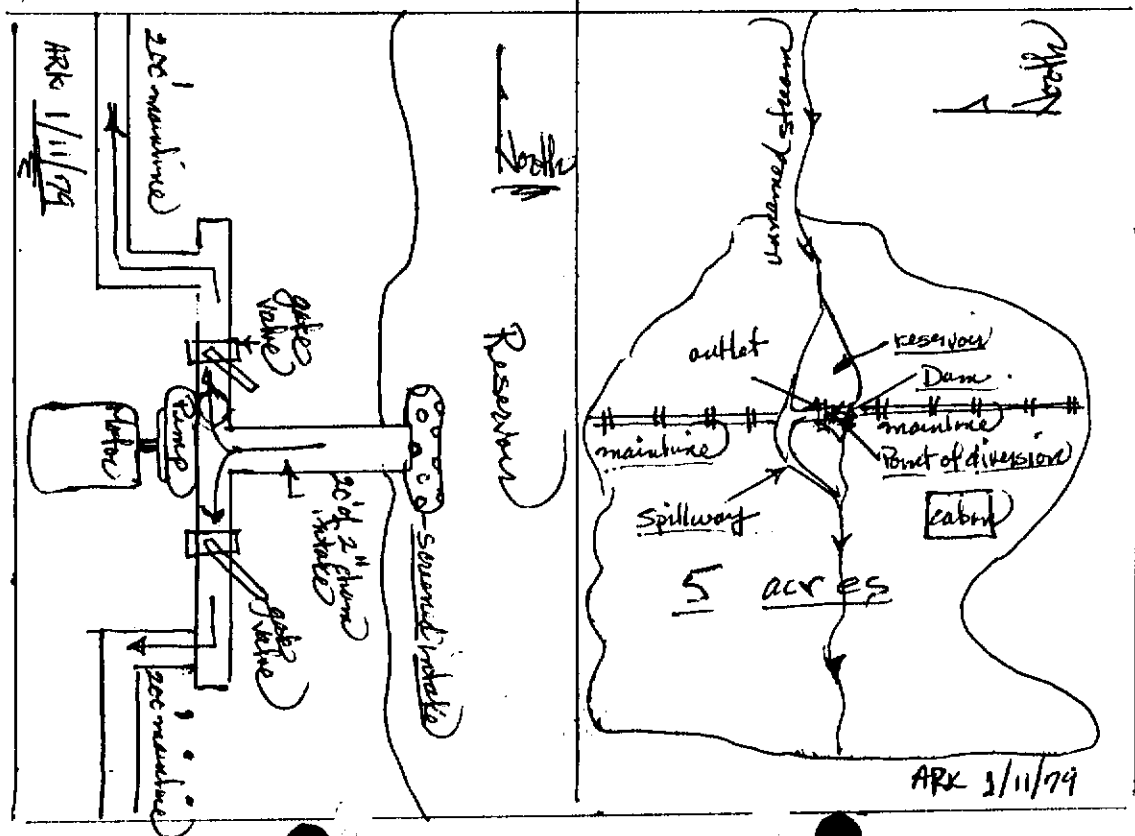


Diagram of System



DATE OF EXAM Sept. 11, 1978

ACREAGE
Found 5ac ✓
Recommended 5ac ✓

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 _____
Fish propagation Q = 0.06 cfs (nonconsumptive)

Q total = .12 cfs

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 .12 cfs Method of measurement Pitot Tube

Total Q recommended .12 cfs Meter No. n/a Type n/a Condition n/a

Total V recommended 17.5 AF/yr

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Allow .10 for Irr as per permit
see reverse side for pitot tube measurement.
Irr Q = .12 cfs Irr. V = 5ac x 3.5 AF/Ac/yr = 17.5 AF/yr
1.9835 x .10 x 215 = 42.65

Fish propagation .06 cfs V = nonconsumptive
ALLOWABLE AS PER PERMIT

SYSTEM DESCRIPTION
Surface water from an unnamed creek is stored in a small
reservoir (< 1 AF). Water is stored behind a small earth fill dam.
Crest width is 15'. Water is diverted from the reservoir into a 40' long
2" diam plastic hose or mainline and 5 acres are irrigated by handline
sprinklers consisting of 11 jet 1 1/2" in diam. Six to eight inch
trout are planted in the spring, raised & fed during the summer, &
harvested in the fall.

REMARKS:
No domestic works of diversion have been constructed.
W. Hilliard is the only water used on the stream and should
be entitled to effects of the natural & freshet flows of the
stream for fish propagation. No conflicting rights.
System shown & described by Orval Hilliard.

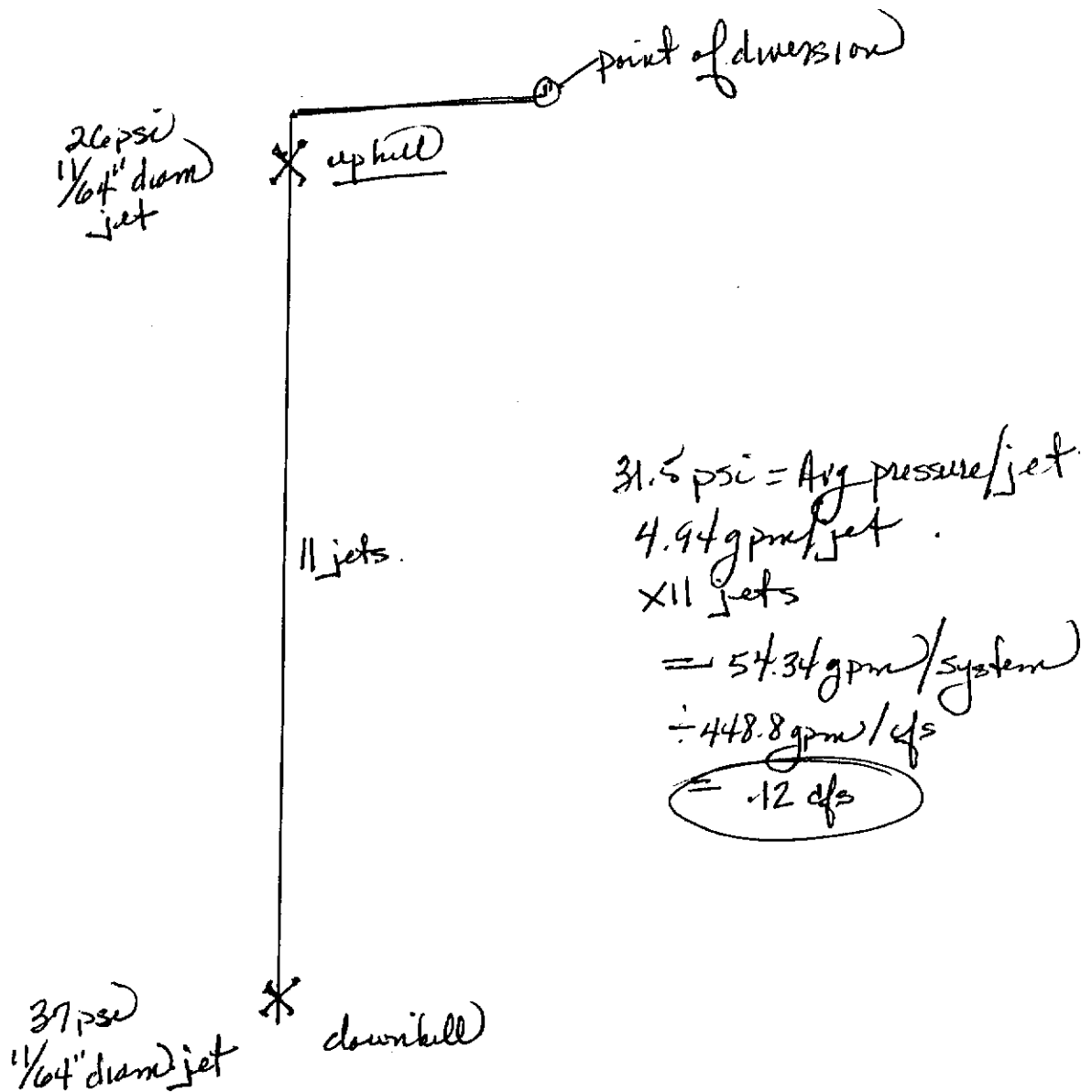
Examiner's Signature Anthony R. Kozlowski Date 1/11/79.

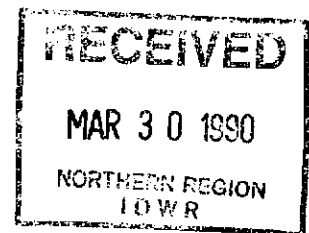
Checked by Rodney A. Parker Date 1/12/79

Approved by John Date 2/23/1981

System description continued - water is diverted from the reservoir
by an 8 H.P. B&S gasoline motor with V-belt drive
& by a pine centrifugal pump (mfr 1-c)

Pilot Tube Measurement





Please also change my address
to:

Orval H. Hilliard
South 1811 Seehorn Rd.
Spokane, WA 99212

Thank you.

- ✓ COPY OF RECEIPT & INFORMATION SHEET SENT TO CLAIMANT 3-30-90
- ✓ ADDRESS CHANGED 3-30-90
- ✓ ADDED TO DOCKET SHEET 3-30-90

AB

MICROFILMED

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