

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: A29-07272
Date Received: 3/07/1990
Receipt No: M00 6179
Received By: _____

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: JUL 02, 1975

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		SW	SE	I	POWER
		8		SE	SW	R	POWER
		17	SE	NW	NW	R	POWER

5. Description of diverting works:
WELL, PUMP, DAM & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.620		301.30

7. Total Quantity Appropriated is:
0.620 C.F.S. (and/or) 301.30 A.F.A.

8. Total consumptive use is 276.0 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	8	NE	SW		IRR	23.0

A29-07272

Page 1

Date: 03/07/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	34E	8	NW	SW		IRR	33.0
			SE	SW		IRR	36.0
						Section Acres	92.0
						Total Acres	92.0

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:

29-2509, DECREE 71-1, DATE 04 9 1907 PIORTY 10-01-1903

14. Remarks:

THE MAX. COMBINED RATE OF DIVERSION UNDER THIS RT. &
RT. 29-7110 SHALL NOT EXCEED 0.62 CFS. WATER IS INJECTED
INTO CLIFTON CR. AT SWSE, S3. THE WATER IS REDIVERTED FROM
CLIFTON CR. IN THE NWNW, S16 & IS ALSO REDIVERTED FROM
RATTLESNAKE CR. IN THE SESW, S8, 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 J. 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

Joe Salas
Notary Public

Seal

Residing at Boise Id

My Commission Expires 4/7/94

Log for claim A29-07272

Spatial Dynamics AMH

7/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s34e	8	NESW	23	29	
09s34e	8	NWSW	33	32	
09s34e	8	SESW	36	40	
Totals:			92	101	

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	07/02/1975	IRRIGATION	03-15 11-15	0.620 CFS	301.30 AFA
					TOTAL DIVERSION:	0.620 CFS
					CONSUMPTIVE USE:	301.30 AFA 276.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Injection: T09S R34E S03 SWSE
 Point(s) of Re-diversion: T09S R34E S08 SESW
 S17 SENWNW

POWER County
 POWER County
 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	8	:											23	33			36		:	92.0
																				TOTAL ACRES	92.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: 29-2509, DECREE 71-1, DATE 04 9 1907 PIORITY 10-01-1903

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
 A29-00480 A29-02498 A29-02509 A29-02564 A29-07110

Other Water Rights Listing Overlapping Place(s) of Use:
 A29-00480 A29-02509 A29-02564

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Remarks: GEN THE MAX. COMBINED RATE OF DIVERSION UNDER THIS RT. & RT. 29-7110 SHALL NOT EXCEED 0.62 CFS. WATER IS INJECTED INTO CLIFTON CR. AT SWSE, S3. THE WATER IS REDIVERTED FROM CLIFTON CR. IN THE NWNW, S16 & IS ALSO REDIVERTED FROM RATTLESNAKE CR. IN THE SESW, S8, 19S, R34E.
 MODIFIED ADDRESS 3/19/96/JT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A29-07272

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 58

=====

Audit: 03/07/90 HAUMANN 07/26/94 THOMPSON 03/29/95 POST-STD 03/19/96 JTHOMPSO

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Russell J. Hayden
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7272 issued pursuant to Application for Permit dated July 2, 1975,
and has submitted proof to the Department of Water Resources on February 15, 1983,
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 0.62 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:

Subject, however, to the condition that no more than 0.62 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 301.3 acre feet per year, said waters to be diverted within the SW 1/4 Sec 3,
Twp 9S, Rge 34E in the County of Power

[illegible]

Total number of acres irrigated 92

Transcribed

DEC 15 1980

CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

The maximum combined rate of diversion under this right and Right 29-7110 shall not exceed 0.62 cfs.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Water is injected into Clifton Creek at SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3. The water is rediverted from Clifton Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, and is also rediverted from Rattlesnake Creek in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp 9S, Rge 34E.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of NOVEMBER, 19 86.

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Acting for the Director

Norman C. Young

DEC 26 1986

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311

Identification No. 29 7272

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Phone: 233-2526
post office address Mink Creek Road, Box 456, Pocatello, ID
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 9S
Range 34E B.M. Power County; additional points of diversion if any: _____
(Water will be injected into Clifton Creek at SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, and rediverted
in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 9S, Rge. 34E, from Rattlesnake Creek
- 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 2.00 for Irrigation purpose from March 15 to Nov. 15 (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. 2.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump with a diversion dam
and gravity system at the point of redirection.
- 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 _____ inches; proposed depth of well is _____ 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 \$ 5,000.
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: _____

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

[illegible]

Total number of acres to be irrigated_____120

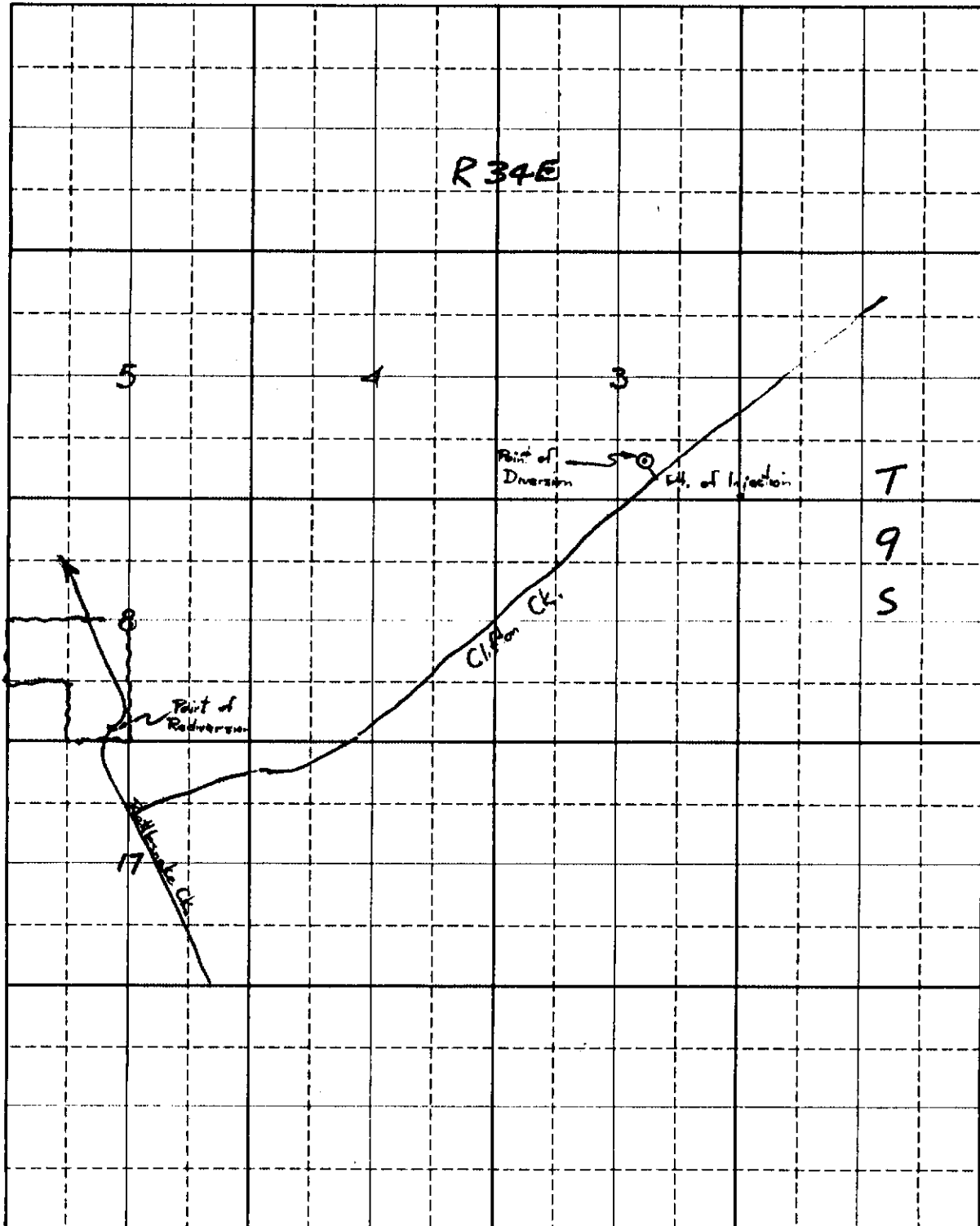
c. Describe any other water rights used for the same purposes as described above. _____ 29-2509

for 2.4 cfs but well doesn't produce more than 0.40 cfs and therefore, this application is to bring the total to about 1 miner's inch per acre

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 F. Hayden
(Applicant)

02 1-1251
Proposed priority 7-03-1975

Received by MB Date 7-1-75 Time 11:45 A
Preliminary check by Jay Fee \$ 35.00
Received by MB Date 7-3-75 # 4320
Publication prepared by MB Date 7-3-75
Published in Blaine County News
Publication dates July 10 & 17, 1975
Publication approved MB Date 7-21-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC Hs

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

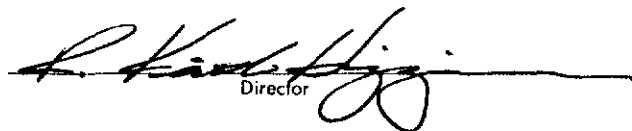
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7272, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

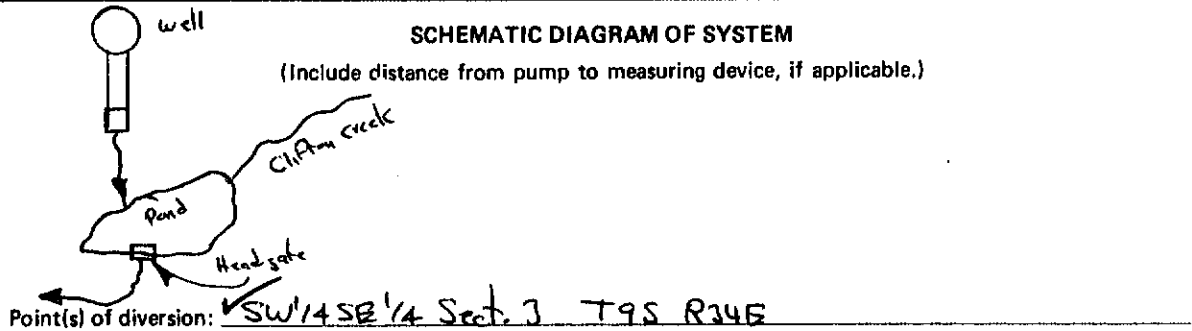
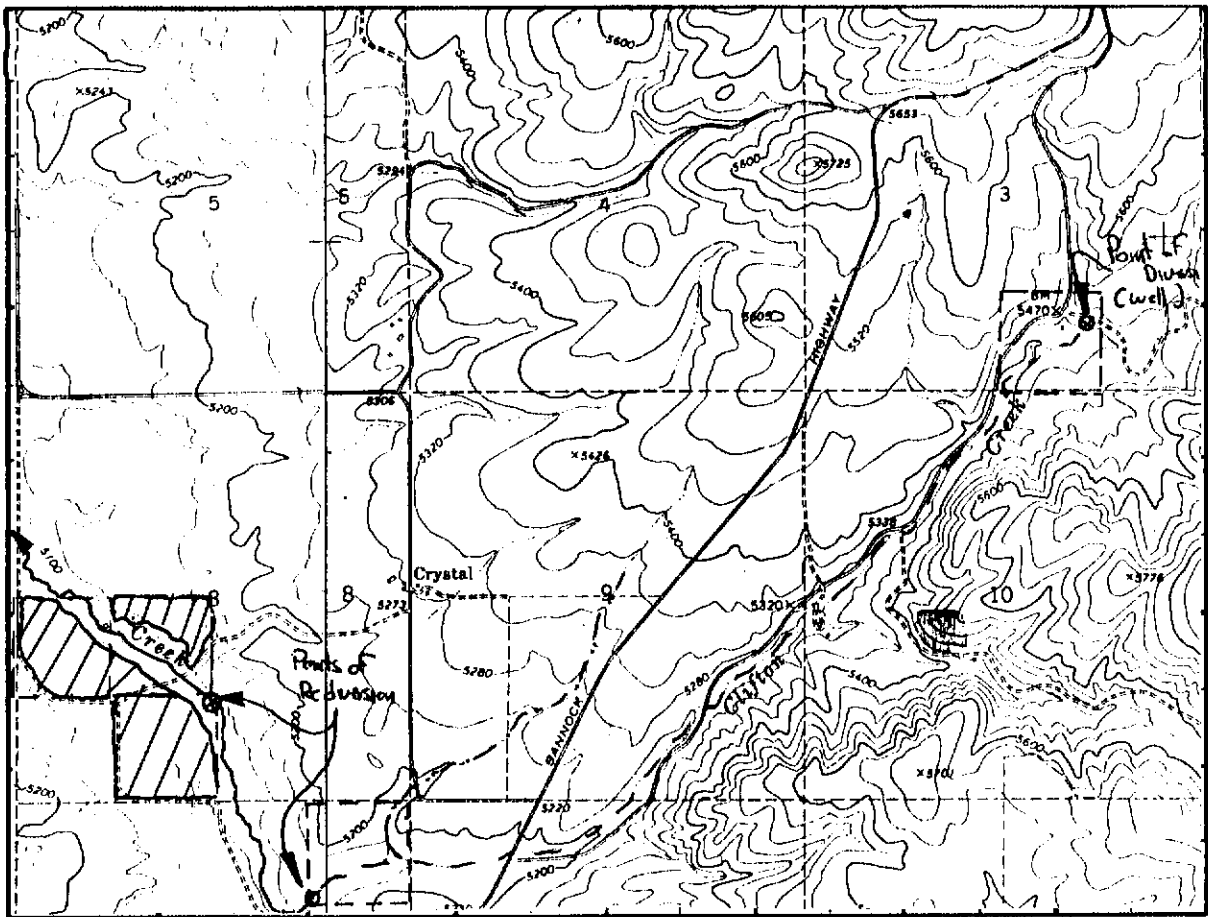
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1980.
- c. Other: (1) The amount of water diverted shall not exceed one miner's inch per acre when combined with Permit No. 29-2509.
(2) Measuring device at point of diversion and at point of rediversion from Rattlesnake Creek.

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

Witness my hand this 30 day of July, 19 75.


Director

29-7110 { see attached review
29-2498 }



Place(s) of Use ☒

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
9S	34E	8									33	33		36					92

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 4-9-84

Date 11-8-84

Date 6-25-86

RECORDED

DEC 15 1986

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NOT TO SCALE



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 - ss 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

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NOV 13 1990