

02/08/2003

NOTICE OF ERROR
REPLY

Paul

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-7130

ORVAL H HILLIARD
S 1811 SEEHORN RD
SPOKANE WA 99212

RECEIVED

MAR 06 2003

Department of Water
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

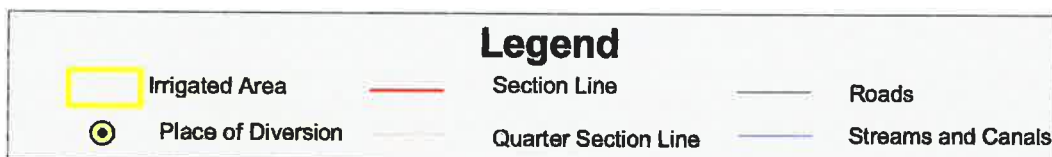
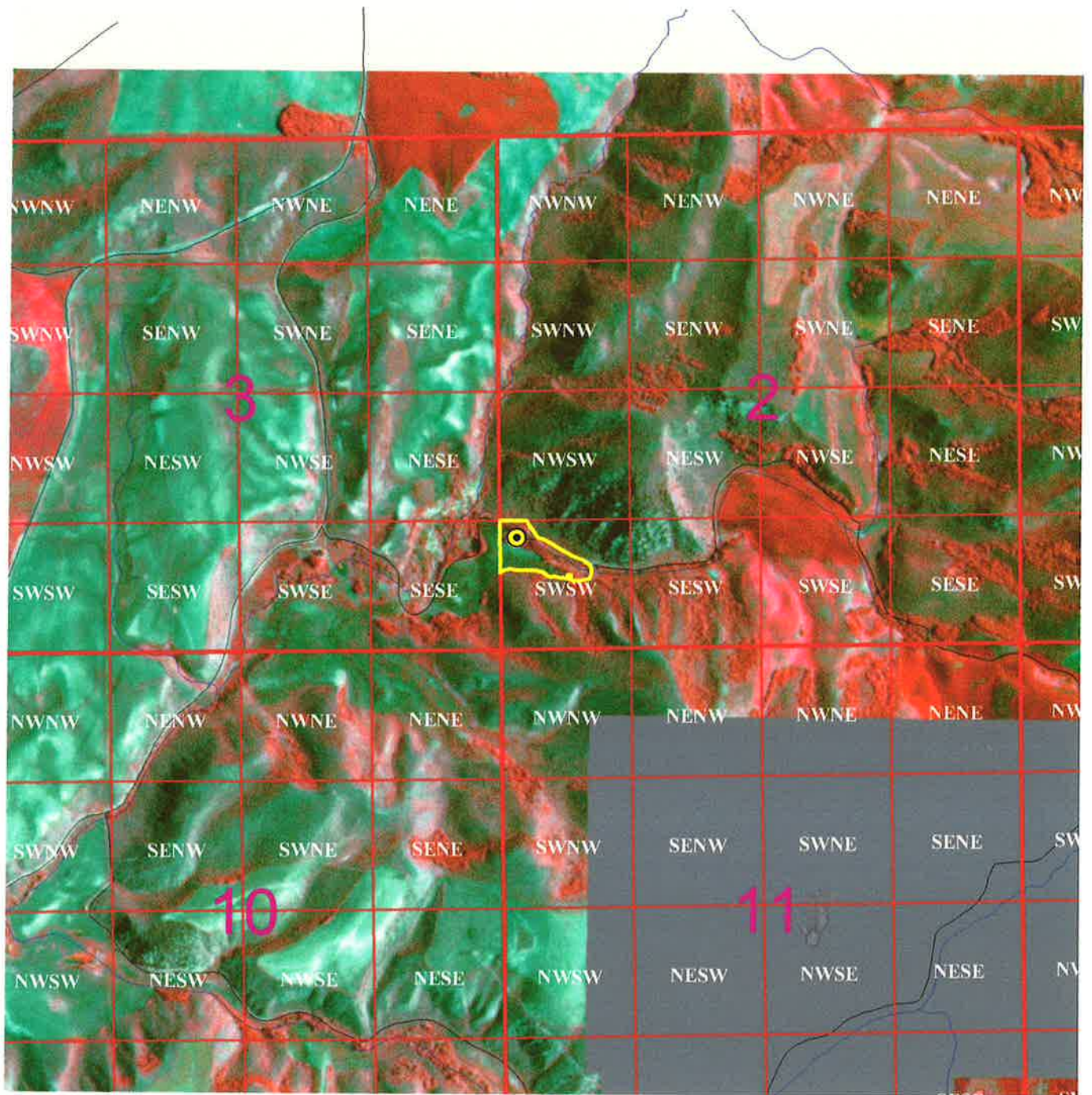
☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Feb. 27, 2003 SIGNATURE: Orval H. Hilliard
Please print your name: Orval H. Hilliard

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED
SCANNED
APR 14 2003

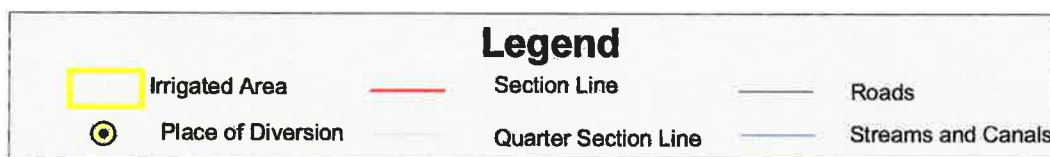
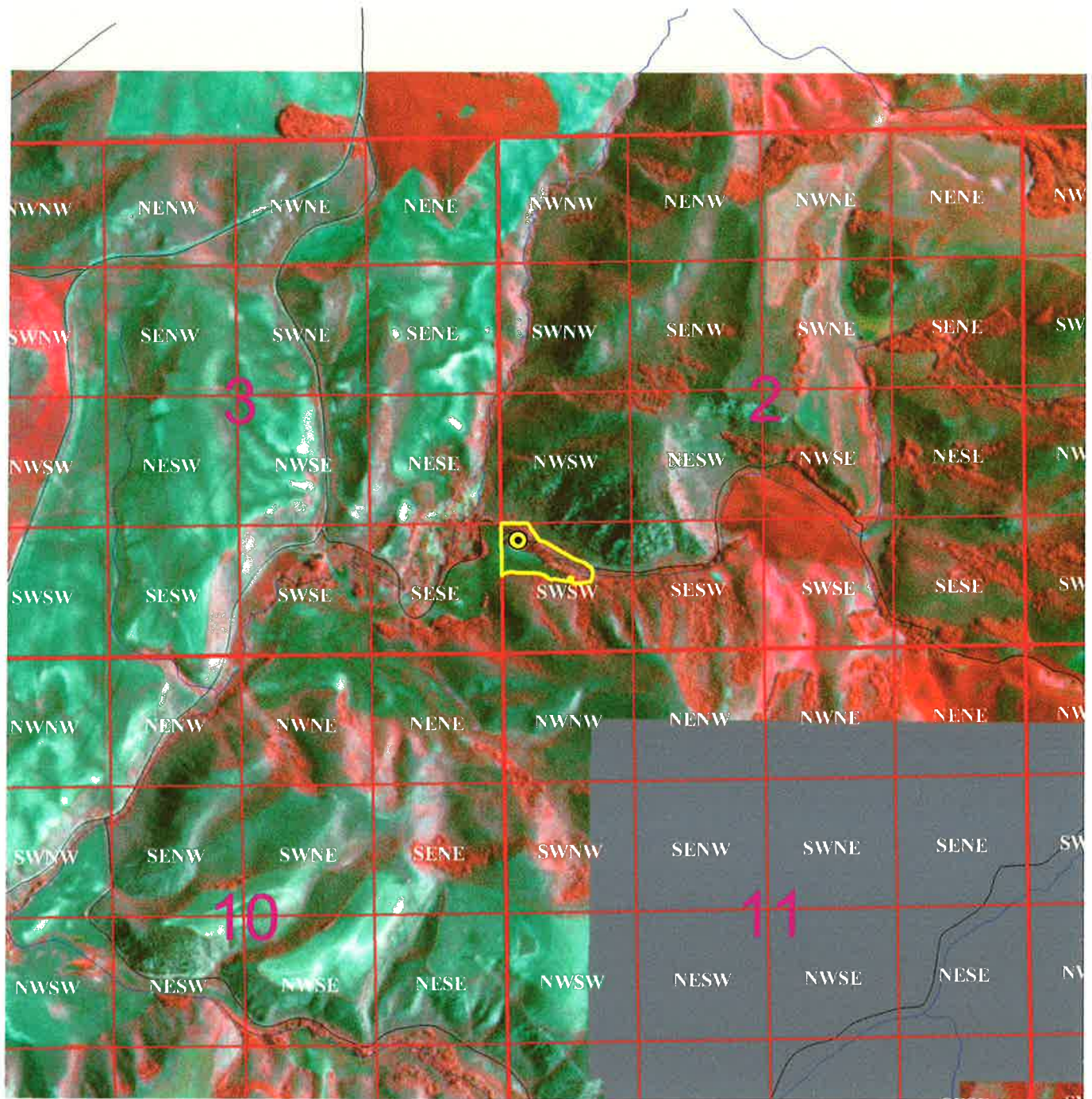
Township , 9S34E



900 0 900 1800 Feet



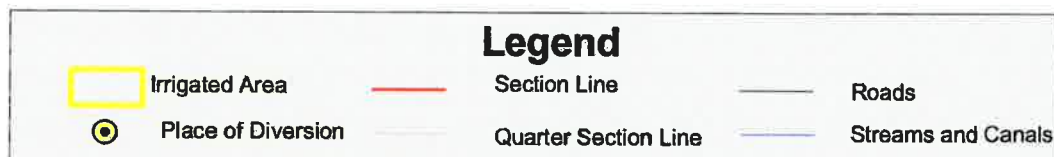
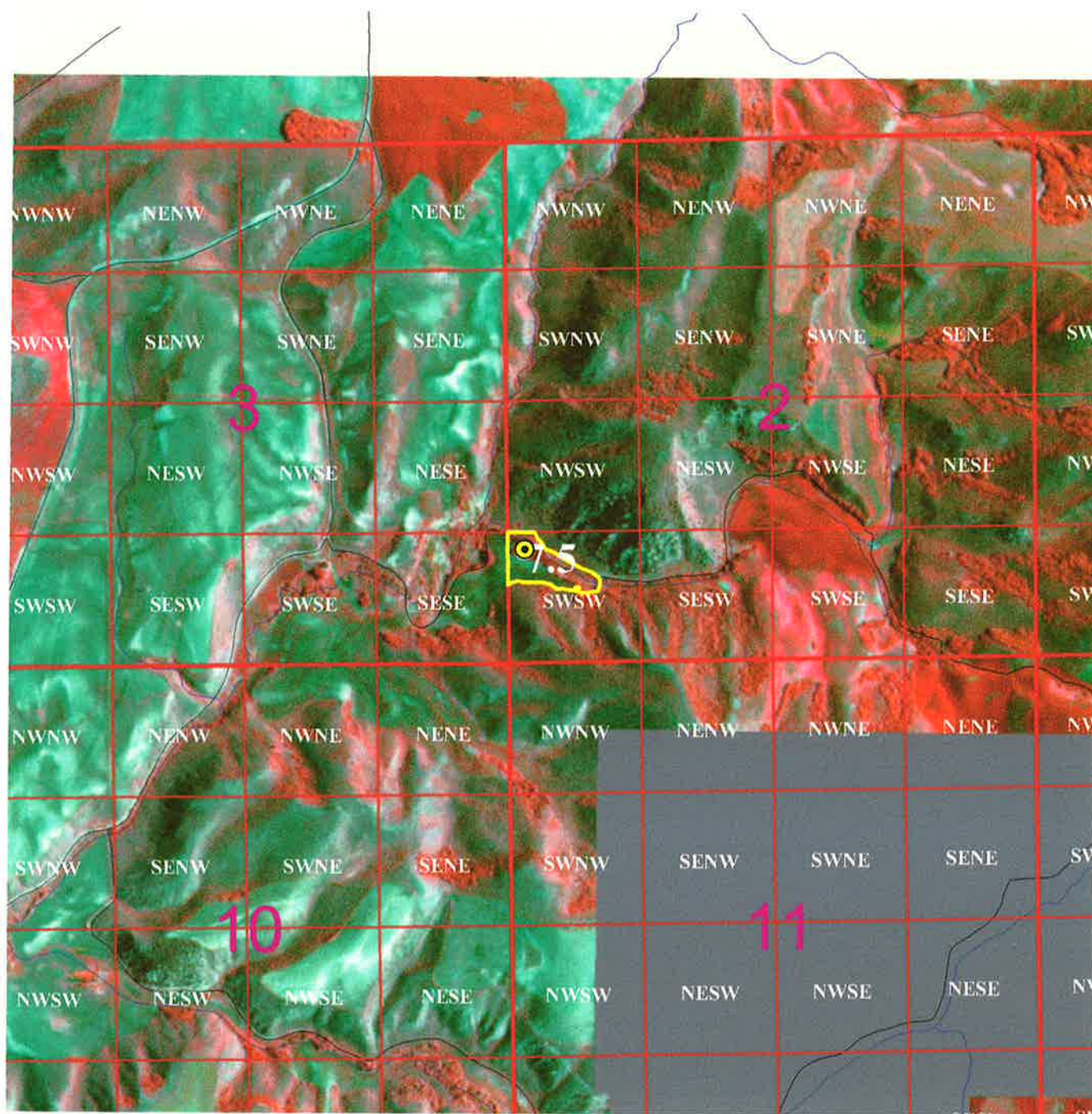
Township , 9S34E



900 0 900 1800 Feet



Township , 9S34E



900 0 900 1800 Feet



SCANNED

MAY 14 2001

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	

AJ5809NP
No. A29-07130

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 54

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORVAL H HILLIARD S 1811 SEEHORN RD SPOKANE WA 99212	05/24/1973	IRRIGATION FISH PROPAGATION	04-01 11-01 01-01 12-31	0.100 CFS 0.060 CFS	17.50 AFA
TOTAL DIVERSION:					0.120 CFS	

Water Source: UNNAMED STREAM

Tributary to: CLIFTON CREEK

Stage: LICENSE

Point(s) of Diversion:

T09S R34E S02

SWSW

POWER County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09S	34E 2	:		:		:		:		:		:		:		:		5.0
TOTAL ACRES																	5.0	

Place of use location for FISH PROPAGATION is the same location as described for: IRRIGATION

POU County: POWER

Non-Irrigation Uses: H/150 LBS. OF TROUT D/1 HOMES.

Remarks: GEN REINSTATED 8-8-1978.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/30/90 BEARDSLE 07/25/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7130 Priority May 24, 1973 Amount .12 cfs

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:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u> at <u>10</u> cfs and	<u>17.5</u> acre feet	
<u>Fish Prop.</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.06</u> cfs and	<u>N/A</u>	
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

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 confirmed 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 $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 9S,
Rge. 34E, B.M. in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	34E	2																	5

Total number of acres irrigated 5

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17 day of
March, 19 81.

Director

UNRECORDED

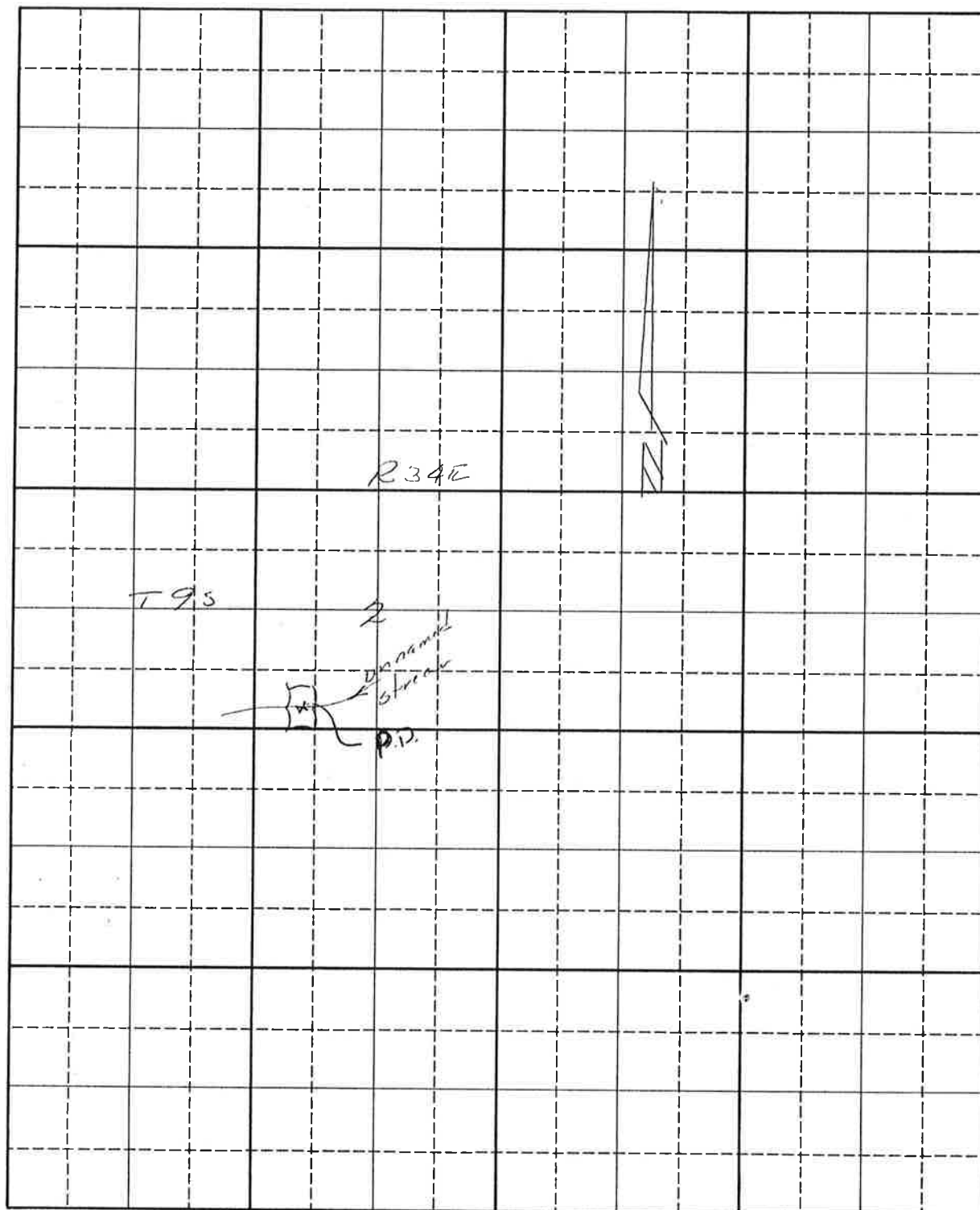
FIELD REPORT

TOTAL ACREAGE

Permit No. 29-7130

Examination for B/W

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 7130

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: _____

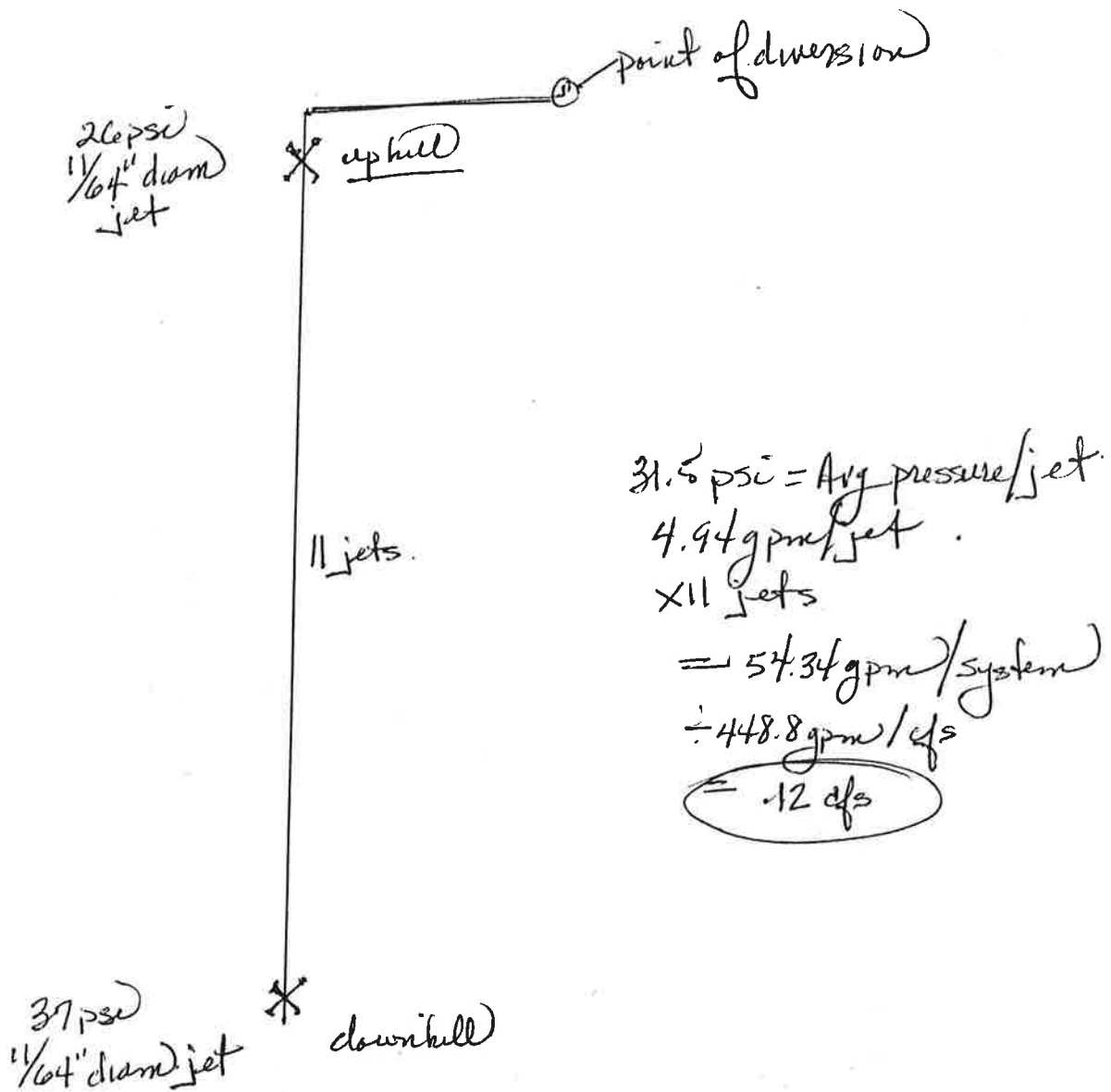
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(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

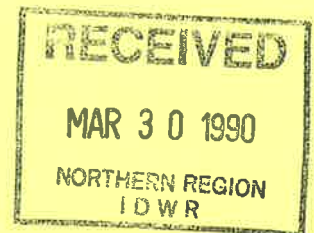
- b. Height of storage dam 8 feet, active reservoir capacity 2 acre feet; total reservoir capacity 2 acre feet, materials used in storage dam: earth
 Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the 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

29 7130

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

AR

MICROFILMED

NOV 13 1992

MAY 14 2001

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

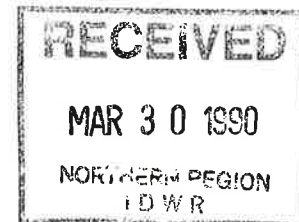
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

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: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



1. Name: ORVAL H. HILLIARD
Address: P.O. BOX 2305 South 1811 Seahorn Rd
POCATELLO, ID Spokane WA 83201 99212

DE/OK

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

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:

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