

05/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-10893

NAME AND ADDRESS: HANS HAYDEN
3747 MID CRYSTAL RD
ARBON ID 83212

TWAIN HAYDEN
3747 MID CRYSTAL RD
ARBON ID 83212

SOURCE: CLIFTON CREEK

TRIBUTARY: RATTLESNAKE CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 12/31/1927

POINT OF DIVERSION:

T09S R34E S16 NWNW Within POWER County Source: CLIFTON CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE:

IRRIGATION Within POWER County

T09S R34E S08	NESE	35.0	T09S R34E S08	NWSE	13.0
T09S R34E S08	SWSE	24.0	T09S R34E S08	SESE	37.0
T09S R34E S09	SWSW	37.0	T09S R34E S09	SESW	20.0

STOCKWATER same as IRRIGATION

166 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 166 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-2144, 29-7948 AND 29-10893

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

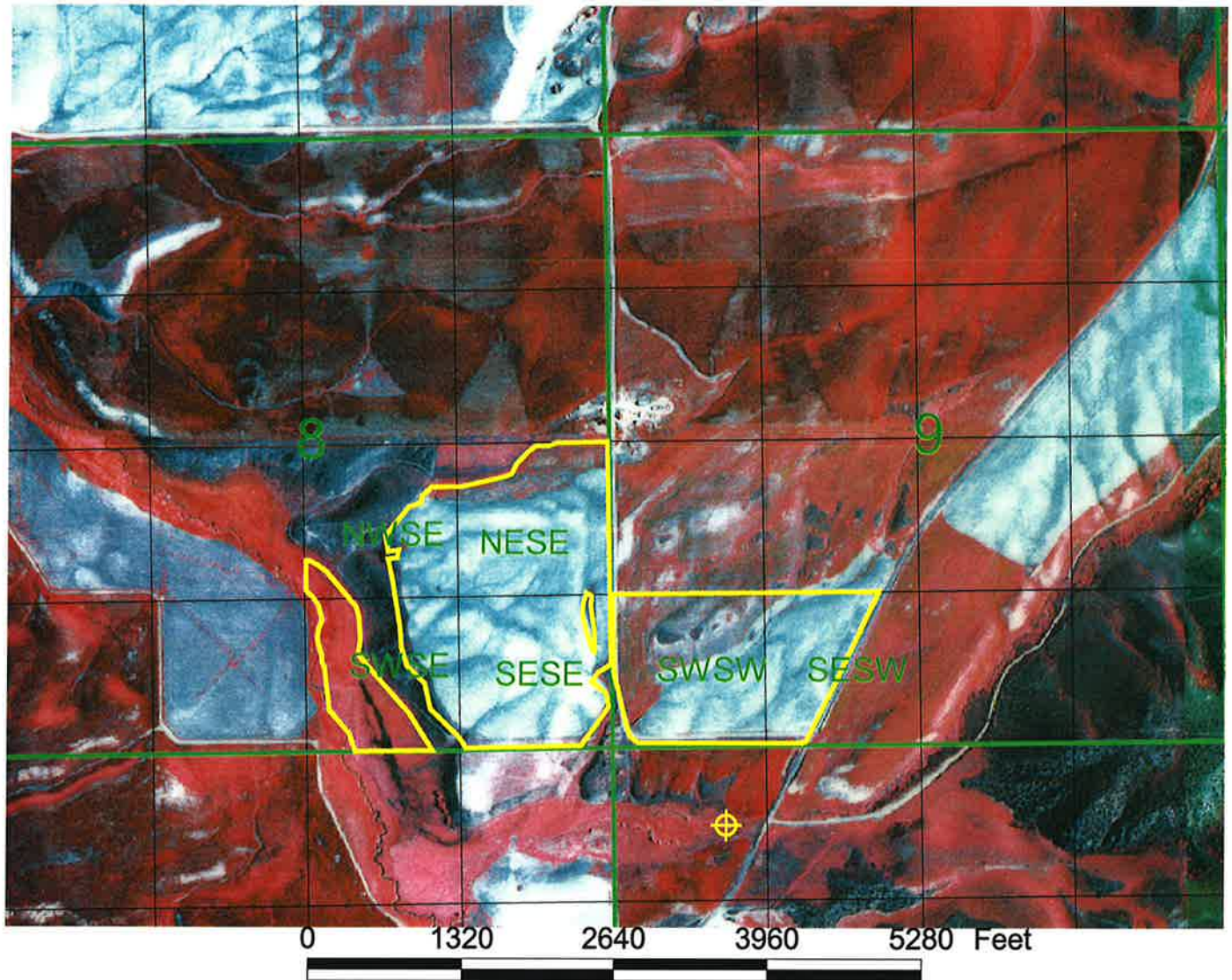
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



Department of Water Resources

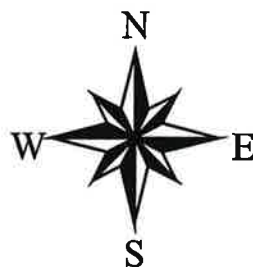
Claim No: 29-2144
29-10893

Twps 09S Rge 34E



Irrigated Acres = 166

- Diversion.shp
- Place of use.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: May 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10893 V1

WATER RIGHT NUMBER: 29-10893 V1

Comments:

1. bcontor 8/10/2001 Priority Date

Comment: Ben Hayden affidavit ties obs. of use to his school days, stating he started school in 1927. Without a specific date I use 12/31/1927. This is reasonable as likely the irrigation he observed may not have started until the following spring.

2. bcontor 8/10/2001 Priority 2

Comment: Russell Hayden affidavit is less specific but states these acres were irrigated during his "childhood and teen years" and continued after he left for WWII. Presuming he entered WWII in 1943 at age 18 puts DOB about 1925. Likely he could accurately remember events after 1930. I rely on the Ben Hayden affidavit for priority.

3. bcontor 8/10/2001 POU

Comment: See review in "general" flap of paper file 29-480.

4. bcontor 8/10/2001 Quantity

Comment: See detailed review in paper file 29-10893 based on field and interview notes in general flap of paper file 29-480.

5. bcontor 8/10/2001 PPU acres

Comment: Apparent discrepancy between 222 acre combined limitation and 217 acre PPU is not an error. 29-2144 and 29-2564 have 5 acres that is not part of PPU, but both also have lands that are part of PPU. Therefore combined use limit > PPU.

6. bcontor 8/10/2001 Stockwater

Comment: No evidence of stockwater presented so it gets remark "not a determination of historical...." No current stockwater use observed or represented by claimant.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: C
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

*POU, QA-list,
 combined use limitations
 were adjusted per conference with
 Keith Wilson. BAC 8/15/01*

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	8/10/2001 5:43:20 PM	bcontor			Active
Priority Date	8/10/2001 5:44:33 PM	bcontor			Active
POD	8/10/2001 5:50:52 PM	bcontor			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10893 V1

Source	8/10/2001 5:51:24 PM	bcontor	Active
POU	8/10/2001 6:05:17 PM	bcontor	Active
Use	8/10/2001 6:06:03 PM	bcontor	Active
Season	8/10/2001 6:08:46 PM	bcontor	Active
Quantity	8/10/2001 6:09:39 PM	bcontor	Active
Summary	8/10/2001 6:14:28 PM	bcontor	8/10/2001 6:14:28 PM bcontor Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	8/10/2001 5:43:18 PM	bcontor	1. Appointment has not been scheduled. Comment for 1: Field exam already completed.
Priority Date	8/10/2001 5:44:30 PM	bcontor	1. (YES) There has been a later court decree of the water right(s) from the water source. 2. (NO) The owner/owner's predecessor in interest of the place of use was not joined in the later decree. 4. (YES) The basis of claim is beneficial use. 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use. 9. (NO) The claim was not for an expansion or enlargement under 42-1416B or 42-1426. 12. (YES) The claim is recommended. 13. (NO) The claim is not coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
POD	8/10/2001 5:46:49 PM	bcontor	Edited point location
POD	8/10/2001 5:47:09 PM	bcontor	Edited PLS
POD	8/10/2001 5:48:24 PM	bcontor	Edited point location
POD	8/10/2001 5:48:40 PM	bcontor	Edited PLS
POD	8/10/2001 5:49:28 PM	bcontor	Edited PLS
POD	8/10/2001 5:50:50 PM	bcontor	1. (YES) The basis is beneficial use. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: Field inspection, see paper file 29-480. Lower PD GPS, upper PD by GIS inspection of apparent ditch location. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: See answer to #5. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	8/10/2001 5:53:23 PM	bcontor	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10893 V1

Use	8/10/2001 6:06:01 PM	bcontor	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Source	8/10/2001 5:51:22 PM	bcontor	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Field inspection, see paper file 29-480. 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
POU	8/10/2001 5:52:35 PM	bcontor	Edited shape boundary
POU	8/10/2001 5:53:03 PM	bcontor	Edited shape boundary
POU	8/10/2001 6:05:13 PM	bcontor	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (YES) There is evidence that there has been a change in the POU. 6. (YES) The change can be verified as an accomplished transfer. Comment for 6: same answer as before 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: see #6 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Season	8/10/2001 6:08:45 PM	bcontor	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Quantity	8/10/2001 6:09:38 PM	bcontor	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: See file for detailed calculations based upon license exam meas. for overlapping permit 29-7948 from same source and diversion works. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit.

9. (NO) Quantity remark was not required.
10. (NO) Quantity condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10893 V1

Summary	8/10/2001 6:14:26 PM	bcontor	1. (YES) The basis of the claim is beneficial use. 2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed. 4. (YES) A portion of the claim is being recommended. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
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MEMORANDUM

To: 29-10893

Fr: Bryce Contor

Date: 8/10/2001

Re: Follow-up on diversion rate

- 1) Attached pump curves from pump tech show w/ assumptions about pulley arrangement and pump speed, small pump capacity ranges from 480-800 gallons per minute, and large pump capacity ranges from 780 to 1560 gpm. (small 1.0 - 1.8 cfs, (combined 2.7 - 5.3 cfs) large 1.7 - 3.5 cfs)
- 2) Previous analysis based on reported horsepower and Q measured at large pump shows large pump (measured) = 2.16 cfs (≈ 970 GPM) and small pump (calculated) = 1.84 cfs (≈ 830 GPM). (total ≈ 4.0 cfs)
- 3) Previous analysis based on discharge over weir @ time of licensing exam indicates combined flow of Clifton Creek ≈ 3.12 cfs
- 4) License exam 29-2144 appears to indicate observed diversion from Clifton Creek of 3 cfs.

Diversion rate 8/10/01 p2

- 5) Hans Hayden represents capacity of pumps as follows:

Large 6 lines @ $3/16"$ nozzles,
Small 4 lines @ $3/16"$ nozzles.

Nozzle size & engine RPM adjusted to match avail flow.

Note that these pumps divert not only the Clifton Creek rights but re-divert injected GW & also divert Rattlesnake Creek rights.

- 6) From irrigation manual charts,
 $3/16" @ 60 \text{ psi} \approx 8.12 \text{ gpm}$

$$6 \times 32 \times 8.12 = 1550 \text{ gpm} \approx 3.5 \text{ cfs}$$

$$4 \times 32 \times 8.12 = 1010 \text{ gpm} \approx \frac{2.3 \text{ cfs}}{5.8}$$

- 7) Original Ben use acres + 29-2144 acres (flood irrigated) appear to be 118 acres, (49 acres licensed under 29-2144)

$$118 \text{ acres} \times 0.02 \text{ cfs/acre} = 2.36$$

$$118 \text{ acres} \times 0.03 \text{ cfs/acre} = 3.54$$

Division Rate 8/10/01 p3

8) Combined ^{other} nights possibly diverted using those two pumps:

29-480	0.60	g/s
29-13215	1.24	g/s
29-2144	0.98	g/s
29-2564	(storage - diversion rate = 2)	
29-7110	0.10	g/s (6w redirect)
29-7272	0.02	g/s (6w redirect)
	3.54	g/s

9) Analysis

a) Combined capacity of pumps appear to be 4 to 6 g/s. This leaves additional capacity of 0.4 - 2.5 g/s + direct ban use right 29-10593 even if all other nights were fully utilized.

b) Average could justify up to $3.54 - 0.98 = 2.56$ g/s for Ban use right @ 0.03/care.

c) Historical evidence shows Clifton creek producing 3 - 3.12 g/s at two different times. Subtracting 29-2144 leaves $= 2 - 2.2$ g/s for Ban use right.

Division rate 8/10/01 p 4

10) Conclusion.

Because historical use is not firmly documented, and because demonstrated production of Clifton Creek is only 3.12 cfs, it does not seem reasonable to recommend a fee of 0.03 cfs/acre.

Because historical data and current sprinkler practice, and current capacity loss existing rates from licensed/desired rights, are consistent w/ 0.02 cfs/acre, I plan to recommend 0.02 cfs/acre on 118 acres, less the 49 acre and 0.98 cfs already licensed under 29-2144

George A. Barton

8/10/2001

$$118 - 49 = 69$$

$$(118 \times 0.02) - 0.98 = 1.38$$

Attention: **Bryce Contor**

Date: 8/3/01

Company:

Number of Pages: 3

Fax Number: 525-7177

Voice Number: 525-7161

From: **Barry Cazier**

Company: PumpTech Co., Inc.

Fax Number: 208-529-4332

Voice Number: 208-529-6868

Subject: Pump Curves

Comments:

Bryce,

Following please find the following pump curves:

PACO model 3012 variable speed 10" impeller

PACO model 4012 variable speed 10" impeller

Performance would change with impeller trim but this is all I can provide without exact information.

Thank you.

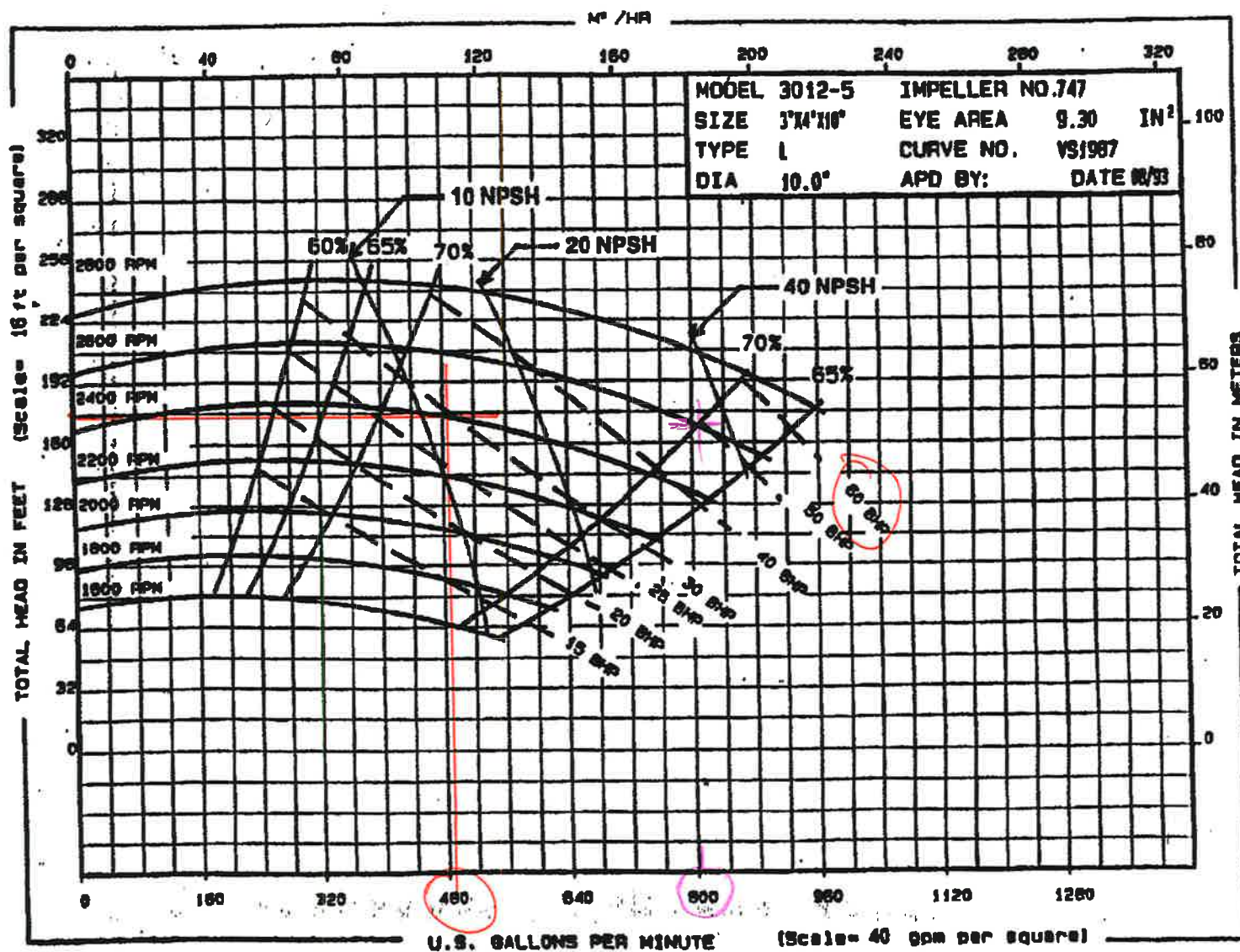
Barry Cazier

Attach to 8/10/01 memo

PACO.
PUMPS

Added to 8/10/01 memo

End Suction Centrifugal Pumps Performance Curves - Variable Speed


$$q_{TDH} = 10 \text{ ft} + 10 \text{ ft friction} + 60 \text{ psi} \times 2.31 = 159 \text{ ft}$$

RPM assume $\approx$ 1800 - (Industrial Diesel)

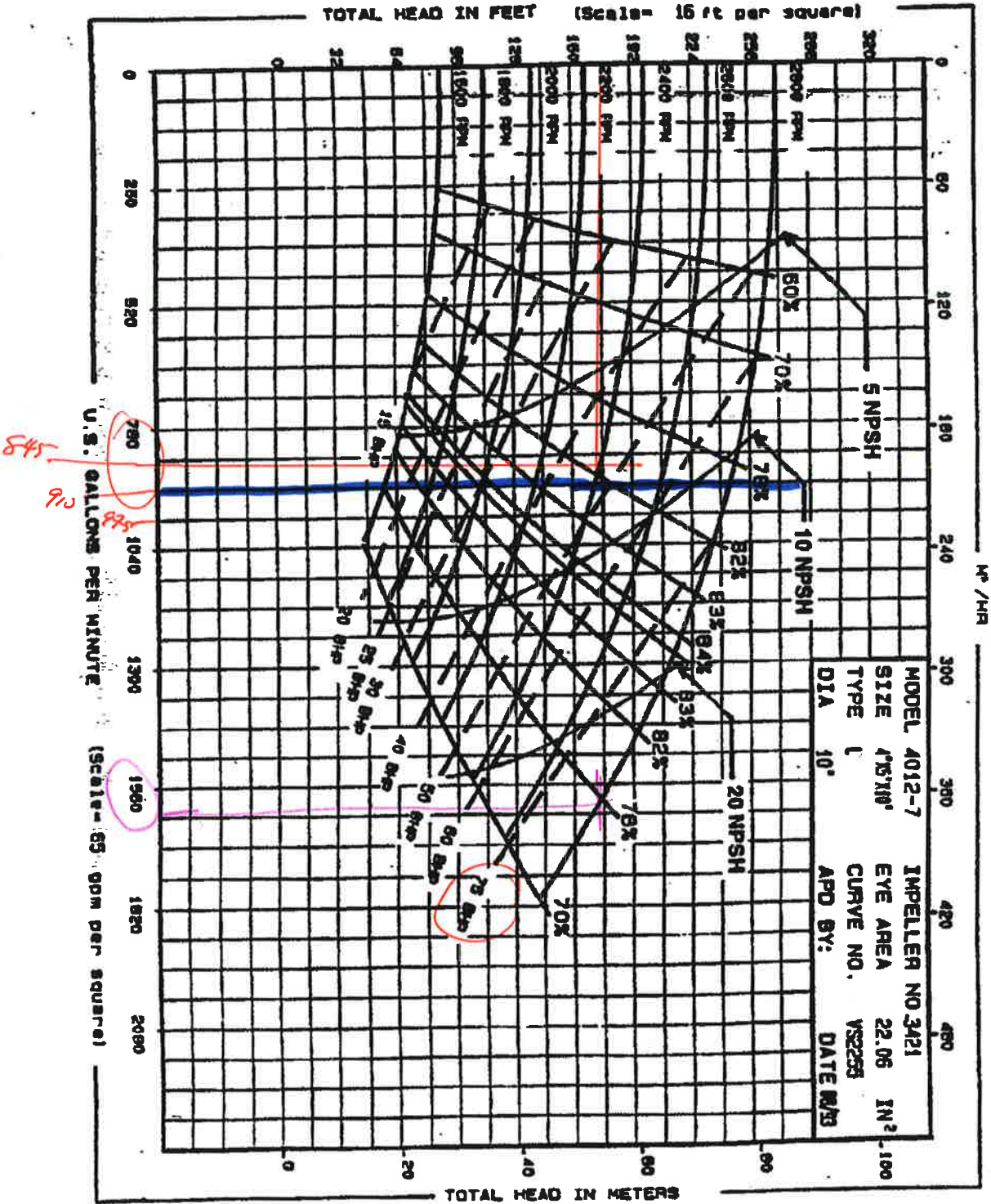
2500 - best speed increase -

Note that pumps pull-down, you may exceed engine RPMs

Attach to 8/10/01 memo

PICO.
PUMPS

End Suction Centrifugal Pumps



Same assumptions as 3012 curve
Base Hans indicated full capacity of 4012
pump ≈ 900 GPM, see blue line



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HANS OR TWAIN HAYDEN
3747 MID CRYSTAL RD
ARBON ID 83212

RE: NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP FOR A29-02144,
A29-07335 AND A29-10893

Dear Gentlemen:

I am returning the above mention Notice of Change in Water Right Ownership for the following reasons:

1. Land claimed in 29-07335, legal descriptions below, are not shown on the deed you provided:

Township	Range	Section	¼	¼
8S	34E	32	SW	NE,
8S	34E	32	SE	NW
8S	34E	32	NE	SW
8S	34E	32	NW	SW
8S	34E	32	NW	SE

2. Part of land claimed in 29-02144 and 29-10893 is shown on the deed, but does not include lands claimed in:

Township	Range	Section
9S	34E	9
9S	34E	10
9S	34E	3

If indeed you do own the above mention property please resubmit the Change of Ownership form with the appropriate deeds.

If you have any questions please feel free to contact Bryce Contor at this office at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

MEMORANDUM

To: 29-10893
Fr: B. Cantor
Date: 7/27/01

Re: Division rate capacity

1) See field notes in 29-480. Two important facts

a) Large pump owner represents as 100 up Isuzu diesel. Pump is PACO 4012 per owner. Tag: PACO

11-40127-058201
Serial 01800403

b) Small pump has 4 cyl Perkins diesel, owner represents as 85 up. Pump is PACO (Pacific) 3012. Tag hard to read, appears to be 30125 04620
LHU
DIN P09761

2) Kietu Wilson gave me attached photos

Diversion rate 7/27/01 p2

and Sonic readout from field exam for overlapping license 29-07948, performed last fall. Exam writeup is not complete

- a) Pump appears to be the same one I inspected
- b) Measured $Q \approx 2.16$ cfs
- c) Overflow past Cipolletti weir was noted @ 0.3 ft head w/ width $2\frac{1}{2}$."

- 3) Pending attempt to get pump capacities, assume small pump capacity is proportional to horsepower:

$$\frac{2.16}{100} \times 85 = 1.84 \text{ cfs}$$

- 4) Calculate available supply for second pump from spill-over observed w/ larger pump. Note that except in flood, all flow of Clifton Creek is diverted through pump basin. Examiner noted marks on weir of 0.6 feet and attributed them to higher flow but it may be that they represent periods of no pumping. Cipolletti formula from USBR book is

$$Q = 3.367 L H^{3/2} \quad (\text{all values in ft \& seconds})$$

Division Rate 7/27/01 03

$$L = \frac{21.5}{12} = 1.79 \text{ ft}$$

$$H = 0.3 \text{ ft} \quad H^{3/2} = 0.16$$

$$Q = 3367 \times 1.79 \times 0.16 = 0.96 \text{ ft}^3/\text{s}$$

5) Division rate capacity for 29-10893

(w/o overlap consideration) is approximately:

$$\text{Min:} = \text{Large pump} + \text{spill}$$

$$= 2.16 + 0.96 \approx 3.12 \text{ cfs}$$

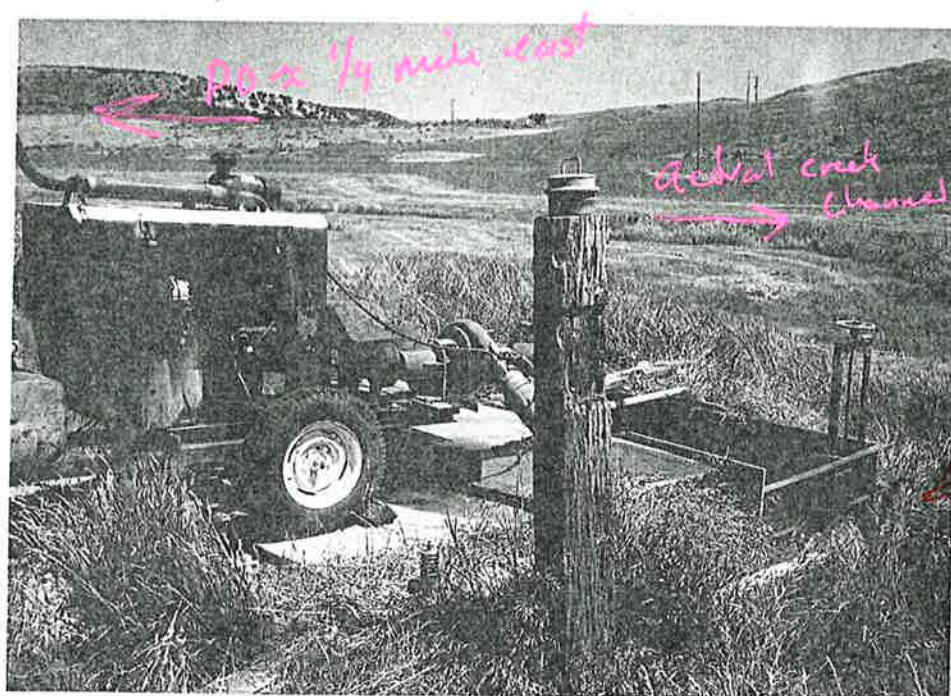
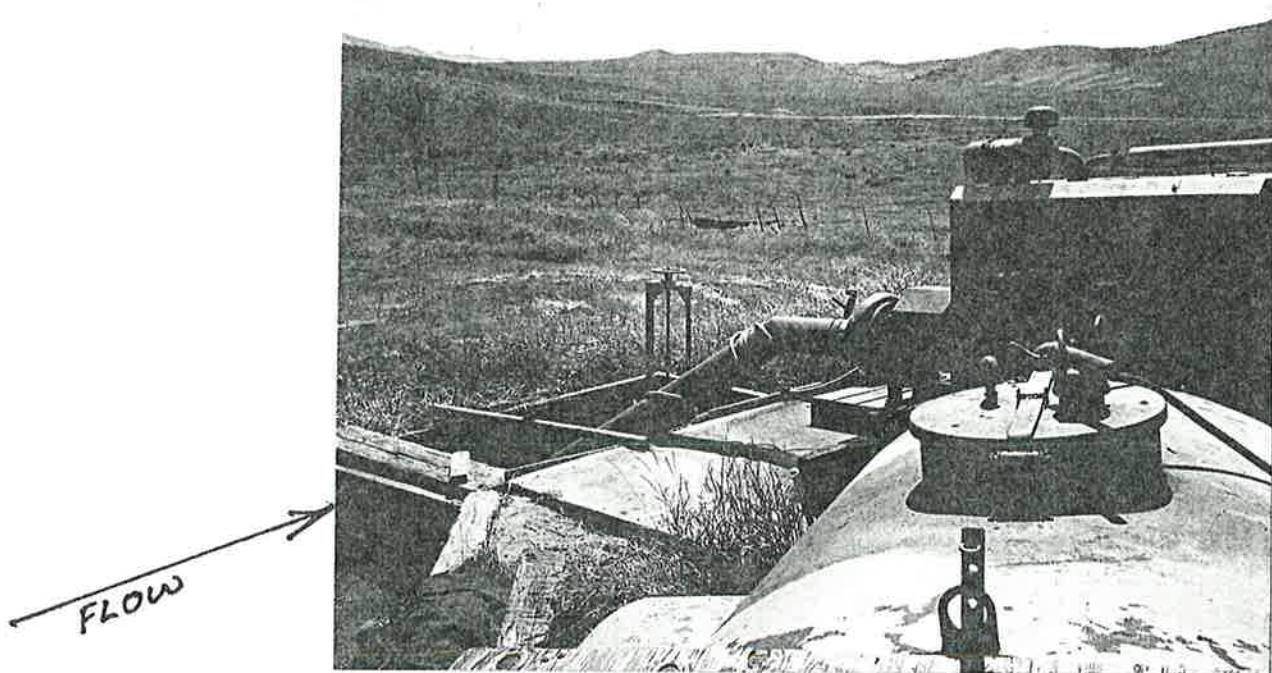
$$\text{Max: Combined pump capacity}$$

$$= 2.16 + 1.84 \approx 4.0 \text{ cfs}$$

6) Overlap considerations:

See attached. later memo.

Jorge A. Carter



POINT OF
DIVERSION
Clifton Creek

examiner notes
width of Cipolletti's
weir $2\frac{1}{2}$ " depth
= 0.3 ft while
pump operates.
FLOW
return to
Creek
channel

Claim Mid Crystal / Hayden
Doc Source Allocations licensory exam
fall 2000
Date 7/27/01 Sig. Bac

29-07948

Red notes Bac

LOG NAME: 29-07948

START: 06-29-2000 15:15
END: 06-29-2000 15:20
INTERVAL: 00:01:00

06-29 15:15:00
+5.283E+0 ft/s
+7.844E+2 gal/m
+1.747E+0 ft3/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

06-29 15:16:00
+6.515E+0 ft/s
+9.674E+2 gal/m ≈ 2.16 cfs
+2.155E+0 ft3/s
+TOTAL 0000899 gal
-TOTAL 0000000 gal
NORMAL

06-29 15:17:00
+6.372E+0 ft/s
+9.461E+2 gal/m
+2.108E+0 ft3/s
+TOTAL 0001860 gal
-TOTAL 0000000 gal
NORMAL

06-29 15:18:00
+6.290E+0 ft/s
+9.340E+2 gal/m
+2.080E+0 ft3/s
+TOTAL 0002803 gal
-TOTAL 0000000 gal
NORMAL

06-29 15:19:00
+6.182E+0 ft/s
+9.179E+2 gal/m
+2.045E+0 ft3/s
+TOTAL 0003732 gal
-TOTAL 0000000 gal
NORMAL

06-29 15:20:00
+6.178E+0 ft/s
+9.173E+2 gal/m
+2.043E+0 ft3/s
+TOTAL 0004564 gal
-TOTAL 0000000 gal
ABNORMAL

Maximum Flow Rate = 2.16 cfs

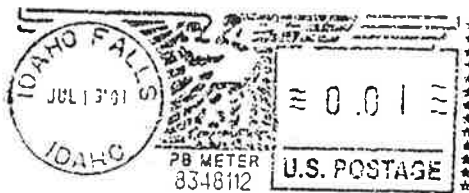
29-07948

Claim Mid Crystal/Hayden
Doc Source Allocations licensing exam

Full 2000
Date 7/27/01 Sig. Bac

Red notes Bac

100 N Skyline Ste A
Idaho Falls ID 83450



Hans Hayden
3747 Mid Crystal Rd
Arbon ID 83212

USPS 1997 recycled

Mr Hayden -

Next Wednesday July 25th I plan to be in the Clifton creek area, investigating place of use of irrigation claims. This is mostly a "drive-by" visit, with some walking and picture taking. It appears that you operate the Russell Hayden and Ben Hayden lands as well as your own.

If you wish to be around, please call me Monday or Tuesday at 525-7161 or 282-7846. Thank
Dyce A. Contor

AJ5809NP
No. A29-10893

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 100

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEN L HAYDEN	04/01/1926	IRRIGATION	03-15 11-15	1.600 CFS	
C	MID CRYSTAL FARMS		STOCKWATER	01-01 12-31	0.020 CFS	
	3747 MID CRYSTAL RD					
	ARBON ID 83212					
	(208) 335-2152					
				TOTAL DIVERSION:	1.620 CFS	
				CONSUMPTIVE USE:		200.00 AFA

Water Source: CLIFTON CREEK

Tributary to: RATTLESNAKE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09S R34E S16

SENWNW

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	:															10	27	30	:	67.0	
09S	34E	9	:												09	04					:	13.0	
																			TOTAL ACRES			:	80.0

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

POU County: POWER

Non-Irrigation Uses: S/ 50 HD BEEF CATTLE 4 HORSES.

Other Rights: A29-02144.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02144 A29-07948

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02144 A29-07948

Remarks: GEN THE SYSTEM AND PLACE OF USE BEGAN IN MAY OF 1987.
CLAIM REFLECTS A TRANSFER AS PER PRESUMPTION CLAUSE.
60 ACRES WERE INVOLVED IN THE CHANGE WITH 20 ACRES WITH NO CHANGE
NO CHANGE IN PD.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/30/90 CARLSON 08/04/94 THOMPSON 03/29/95 POST-STD

March 24, 1995

STATE OF IDAHO
Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, Idaho 83402-1718

RE: BENEFICIAL USE - PRIORITY DATE
A29-10893

Included: Two copies with color marked maps and color pictures and one copy in black and white for xerox copy making.

Mid Crystal Farms
%Hans Hayden
3747 Mid Crystal Rd.
Arbon, Idaho 83212
208 335 2152

Evidence of Priority
A29-10893

RECEIVED

MAY 08 1995

Department of Water Resources
Eastern District Office

MICROFILMED
NOV 14 1995

March 30, 1991

On 1926 my father, John Hayden

Starkard said further. He had a

special need for land that could be irrigated
to raise hay. He immediately had

new ditches as well as repaired the old

that the homesteaders had put in.

He was aware that consistent use

was important to the right of use

as well as the need for irrigation

water for a hay crop, the fuel for his

dry land operation. This has been

a family operation that has

continued to today.

MICROFILMED
NOV 16 1992

Don & Hayden

Log for claim A29-10893

Spatial Dynamics AMH

7/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s34e	8	NWSE	10	10	
09s34e	8	SWSE	27	10	Wrong acreage for tract on profile report
09s34e	8	SESE	30	25	
09s34e	9	SWSW	9	17	
09s34e	9	SESW	4	19	
Totals:			80	81	

Paul

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 29-10893
Date Received: 3/30/1990
Receipt No: M006439
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TWAIN HAYDEN Phone: (208) 335 2152

3747 MID CRYSTAL ROAD
ARBON ID USA 83212

HANS HAYDEN Phone: (208)335-2152

3747 MID CRYSTAL RD
ARBON ID USA 83212

2. Date of Priority: 04/01/1926

3. Source: CLIFTON CREEK Trib. to: RATTLESNAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
09S	34E	16	SE	NW	NW	POWER	

5. Description of diverting works:

EARTHEN DAM, POND DIESEL PUMP SYTEM SPRINKLER SYSTEM AND FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.6	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
1.62 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres	
09S	34E	8	NW	SE		IRRIGATION	10	
			SW	SE		IRRIGATION	27	
			SE	SE		IRRIGATION	30	
			Section Acres					67
09S	34E	9	SW	SW		IRRIGATION	9	
			SE	SW		IRRIGATION	4	
			Section Acres					13
			Total Acres					80

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:

THE SYSTEM AND PLACE OF USE BEGAN IN MAY OF 1987
 CLAIM REFLECTS A TRANSFER AS PER PRESUMPTION CLAUSE
 60 ACRES WERE INVOLVED IN THE CHANGE WITH 20 ACRES WITH NO CHANGE NO CHANGE IN PD

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 11, 2001

HANS HAYDEN
TWIN HAYDEN
3747 MID CRYSTAL RD
ARBON ID 83212

RE: CHANGE IN OWNERSHIP FOR A29-02144, A29-07335 AND
A29-10893

Dear Gentlemen:

The request for Change in Ownership concerning the
Notice(s) of Claim in the above reference has been
processed and the Notice(s) modified to reflect you as
the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your
name shown as the current owner. Review the forms and
if there are other corrections or questions, feel free
to contact this office.

**If there are no questions or corrections, please keep
this Notice for your records.**

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

OK Bar
9/6/01

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A29-10893					
A29 02144					
A29 07335					

2. The following **REQUIRED** information must be submitted with this form:

~~A. The appropriate FILING FEE. See instructions for fee amounts.~~

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Ben Hayden and/or Mid Crystal Farms

4. New Owner/Claimant(s)

HANS HAYDEN or TWAIN HAYDEN
MID CRYSTAL FARMS

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

SAME as to Hans Hayden 3747 MID CRYSTAL RD

City, State and ZIP Code

ARBON, IDAHO 83212

New Telephone Number

(208) 335 2152

5. Date you acquired the property

Hans Hayden

Twain Hayden

contact to # 123771

323558

SCANNED
MAY 16 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.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10893
Date Received: 3/30/1990
Receipt No: MO06430
Received By: gpc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEN L. HAYDEN
Address: 3747 MID CRYSTAL RD.
ARBON, ID

208-335-2152

83212

AND/OR

Name: MID CRYSTAL FARMS
Address: 3747 MID CRYSTAL RD
ARBON, ID

208-335-2152

83212

2. Date of Priority: APR 01, 1926

3. Source: CLIFTON CREEK

Trib. to: RATTLESNAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	34E	16	SE	NW	NW		POWER

5. Description of diverting works:

EARTHEN DAM, POND DIESEL PUMP SYTEM SPRINKLER SYSTEM AND FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

1.620 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 50 HD BEEF CATTLE 4 HORSES.

A29-10893

Page

1

Date: 03/30/90

MICROFILMED

NOV 16 1992

A2910893



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	34E	8	NW	SE		IRR	10.0
			SW	SE		IRR	27.0
			SE	SE		IRR	30.0
						Section Acres	67.0
		9	SW	SW		IRR	9.0
			SE	SW		IRR	4.0
						Section Acres	13.0
						Total Acres	80.0

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:
A29-02144.

14. Remarks:

THE SYSTEM AND PLACE OF USE BEGAN IN MAY OF 1987.
CLAIM REFLECTS A TRANSFER AS PER PRESUMPTION CLAUSE.
60 ACRES WERE INVOLVED IN THE CHANGE WITH 20 ACRES WITH NO CHANGE
NO CHANGE IN PD.

15. Basis of Claim: BENEFICIAL USE

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): Ben L Hayden Date: 3/30/90

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
Organization document in the space below as _____ of
_____, Title
and that the statements contained in the
Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of Mar 19 90

John Sal Larue
Notary Public

Seal

Residing at Boise, ID

A29-10893

Page

My Commission Expires
3

Date: 03/30/90

MICROFILMED

NOV 16 1992