

**STARTING
LEFT
SIDE OF
FILE**

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-07866

1997 DEC 29 AM 9:52

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

NAME & ADDRESS: PISCES INVESTMENTS INC
PO BOX 1906
TWIN FALLS ID 83303-1906

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 9.00 CFS
6515.8 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/11/1979

POINT OF DIVERSION: T08S R14E S06 LOT 8 (SESE) Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	POWER	01-01 12-31	9.00 CFS
			6515.8 AFY
	DOMESTIC 1 HOME & LAWN	01-01 12-31	0.04 CFS
			2.6 AFY

PLACE OF USE: POWER Within GOODING County
T08S R14E S06 Lot 8 (SESE)
DOMESTIC Within GOODING County
T08S R14E S06 Lot 8 (SESE)

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

THIS RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR
THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF
IDAHO THAT ARE INITIATED LATER IN TIME THAN THE PRIORITY DATE OF
THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST
ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER,
WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE
PRIORITY DATE OF THIS RIGHT.

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07866

PAGE 1
DEC-16-1997

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JAN 09 2003

This
Right has been
Decreed in the
SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7866 Priority July 11, 1979 Amount 9.00 cfs

THIS IS TO CERTIFY, that Ardell G. Hill
of Hagerman, Idaho, has complied with the terms and conditions of Permit
No. 36-7866 issued pursuant to Application for Permit dated July 11, 1979,
and has submitted proof to the Department of Water Resources on September 29, 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 9.08 cfs of water from springs,
tributary to Snake River, 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
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.02</u> cfs and	<u>2.0</u> acre feet
Power	from <u>January 1</u> to <u>December 31</u>	at <u>9.00</u> cfs and	<u>n/a</u>
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>0.6</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 9.00 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
2.6 acre feet per year, said waters to be diverted within the Gov. Lot 8 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 6, Twp 8S, Rge 14E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	14E	6																.5	.5

Total number of acres irrigated .5

Use of water under this license for the purpose of power generation is subordinated
to future diversion of water for irrigation or other consumptive beneficial uses.

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 23rd day of
MARCH, 19 84.

Acting for the Director

Norman C. Young

Identification No. _____

Application No. 36-7866

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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



1. Name of applicant Ardell G. Hill Phone: 344-0629
post office address 531 Garfield, Boise, Idaho 83706
1515 East McMillan Meridian, Idaho BOX 476 HABERMAN

2. Source of water supply Unnamed spring (Berry Spr) which is a tributary of Snake River

3. a. Location of point of diversion is SE (Lot 8) 1/4 of SE 1/4 of Section 6 Township 8 S
Range 14 E B.M. Gooding County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in SE 1/4
of SE 1/4 of Section 6 Township 8 S Range 14 E B.M. Gooding

4. Water will be used for the following purposes:

Amount 0.20 for Irrigation purpose from April 1 to Oct. 15 (both dates inclusive)

Amount 9.00 for Power Prod. purpose from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)

5. Total quantity to be appropriated: 0.08 Domestic Jan. 1 Dec. 31

a. 9.00 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate and pipe for irrigation
only at spring outlet. Headgate and pipe entering at point where water falls
over Rim Rock. Pipe extends to base of cliff where generator is situated.

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 \$ 3,000⁰⁰.

8. Description of proposed uses:

a. If water is **not** for irrigation: (Lot 8)

(1) Give the place of use of water: SE 1/4 of SE 1/4 of Section 6 Township 8 S
Range 14 E B.M.

(2) Amount of power to be generated: 55 hp under 75 feet of head.

(3) List number of each kind of livestock to be watered 2 horses, 3 cows

(4) Name of municipality to be served private, or number of families to be
supplied with domestic water 2.

(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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8 S	14 E	6																Lt 8 10	10

Total number of acres to be irrigated 10

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

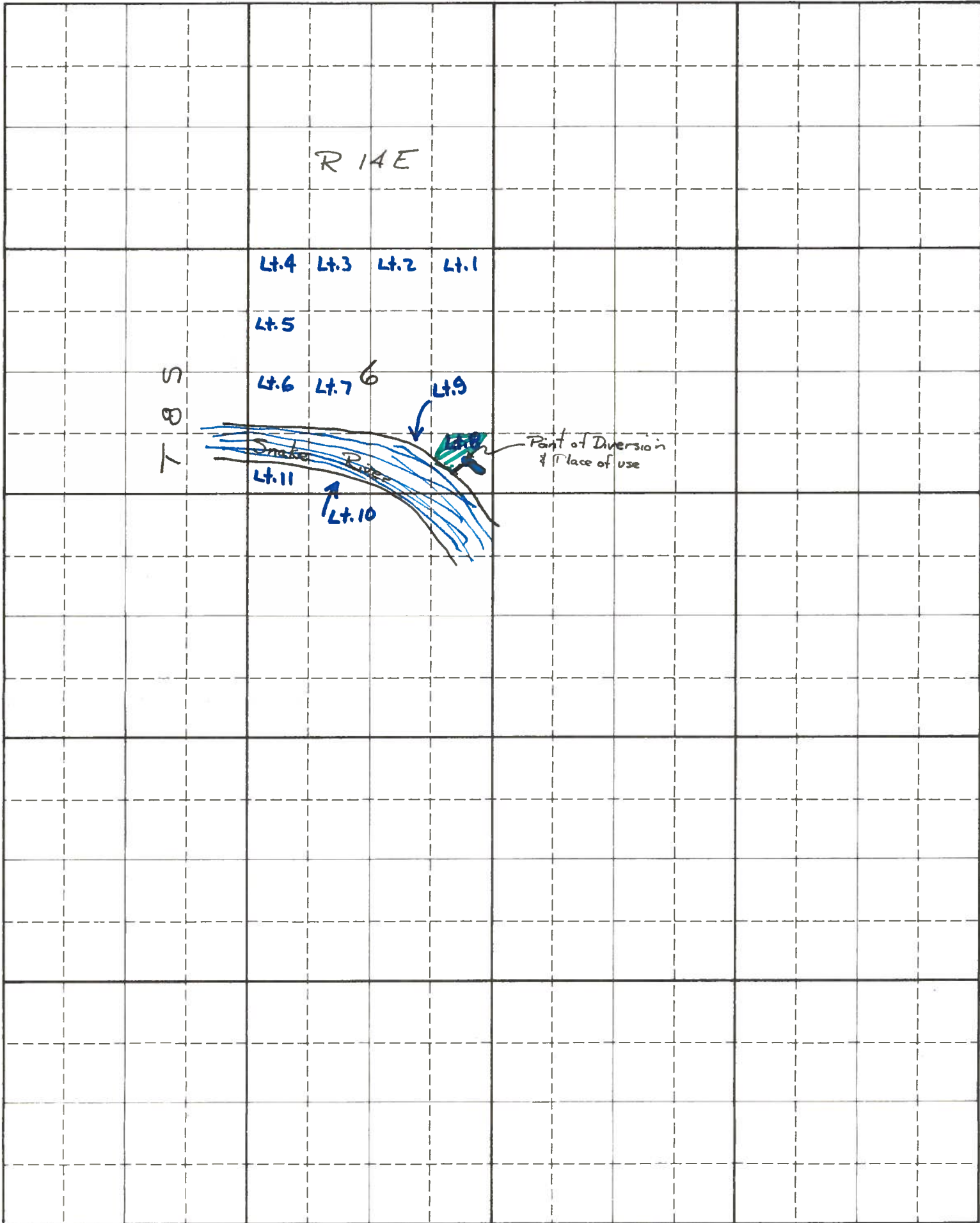
9. a. Who owns the property at the point of diversion Applicants

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

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.

Adell L. Hill
(Applicant)

Proposed Priority

7/11/79

maey 7/18/79

3:30 pm

kw 7/13/79

1:55 pm

Received by JS Date 7/11/79 Time 2:05 p.m.

Preliminary check by ADM Fee \$ 115.00

Receipted by maey Date 7/18/79 # 13264

Publication prepared by maey Date 7/31/79

Published in Gooding County Leader

Publication dates 8/16 & 8/23/79

Publication approved maey Date 8/8/79

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Ed Jim

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. 36-7866, 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 February 1, 1985.
- c. Other: (1) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. (2) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (3) This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.

Witness my hand this 4th day of February, 19 80.

A. Glen Saxton
Chief, Operations Bureau

Individual Owner

AFFIDAVIT TO ESTABLISH RESIDENCE

I, Aedell G. Hill of 1515 E McMillan Meridian County of Ada, State of Idaho, being duly sworn, do hereby certify that I am a bona fide resident of the State of Idaho.

/s/ Aedell G. Hill

Subscribed and sworn to before me this 28th day of May, 1975

/s/ Lyle Glen Saylor

Notary Public
Residence Boise, Idaho

My Commission Expires 11-21-78

Corporation or Association

AFFIDAVIT TO ESTABLISH RESIDENCE
OR QUALIFICATIONS TO DO BUSINESS UNDER THE LAWS OF
IDAHO...

I, _____ of _____, County of _____, State of Idaho, being first duly sworn, depose and say:
That I am the designated statutory agent of the _____,
that as such I am in charge of the registered office of the said _____,
_____ as provided by Section 30-143, Idaho Code, at _____,
Idaho, wherein are kept the records provided by Section 30-144, Idaho Code, and that _____ is a legal _____
qualified to do business in the State of Idaho under the laws of the State of Idaho.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 19____

/s/ _____

Notary Public
Residence _____

My Commission Expires _____

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AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Ernest Compton, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 16 day of August

19 79, and the date of the last publication was on the 23

day of August, 19 79.

Subscribed and sworn to before me this 23

day of August, 19 79.
(SEAL)

Garner Blair
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 56

Number of Insertions 2

Lines tabular at 315c

Lines straight at 56 21c 11.76

Subsequent lines at 56 15c 8.40

TOTAL COST 20.16

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COPY OF NOTICE

(Paste Here)

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-7866

HILL, ARDELL G.

537 GARFIELD, BOISE, ID 83706

Source: UNNAMED

SPRING (BERRY SPRING)

tributary to SNAKE RIVER

Priority Date: 07/18/1979

Amount: 9.00 CFS

Diversion Point: SESE Sec 06 T 08S R 14E, GOODING Co.

Use: IRRIGATION (0.20

CFS) from 04/01 to 10/15

POWER (9.00 CFS) from 01/01 to 12/31

STOCKWATER (0.02 CFS)

from 01/01 to 12/31

DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: LOT 08 (SESE Sec 06 T 08S R 14E FOR 10 ACRES

Diversion Means: HEAD-GATE AND PIPE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before Sept. 4, 1979.

/s/ C. Stephen Allred
Director

Pub: 8-16, 23

insertions

21998
RECEIVED

Nº 2154
AUG 27 1979

Department of Water Resources
Southern District Office

**STARTING
RIGHT
SIDE OF
FILE**

This
Right has been
Decreed in the
SRBA.

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JAN 09 2003

✓
~~13-7289~~

36-7866

R

September 10, 1992

MEMO TO FILE:

From: Carolyn Andregg

During the spring and summer of 1992, drought conditions caused record low flows in the Snake River. Twice, the flow of the Snake River fell below 4,750 cfs, the minimum stream flow at the Weiser gauge. Notices were mailed to the water user listed under this right because the priority is later than July 1, 1976, in order to protect the Snake River minimum stream flow. The following is a chronological history of the mailings.

May 19, 1992: Letter sent to water right holder informing holder of possible temporary cessation of diversion rights and notice of public meetings.

June 8, 1992: Letter sent informing water right holder directing immediate cessation of diversion of water until further notice.

June 12, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

June 26, 1992: Letter sent to water right holder directing immediate cessation of diversion of water until further notice.

June 29, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

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JAN 09 2003

May 19, 1992

ARDELL G. HILL
P.O. BOX 476
HAGERMAN ID 83332

RE: Water Right No. 36-07866

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

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JAN 09 2003

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

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JAN 09 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 36-7866
Name(s) of Permit Holder(s): ARDELL G. HILL
Post Office Address: Box 476 HAGERMAN
Tel. No. 837-4937

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on or before 7/1/80 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is
not an acceptable reason.

1/21/83
Date

[Signature]
Signature of Permit Holder

PLACE
STAMP
HERE

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JUL 26 1988



RECEIVED

JAN 21 1983

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

WATER RIGHT NUMBER 36-7866 ✓

OWNER LAST NAME - HILL ✓
ADDRESS LINE 1 - P.O. BOX 476 ✓
ADDRESS LINE 3 -

SOURCE - SPRINGS ✓
STAGE - LICENSE ✓

TOTAL DIV. VOLUME - 2.60 ✓
DIVERSION POINT - SESE ✓
FROM - 03-15 ✓
FROM - 01-01 ✓
FROM - 01-01 ✓
USE - IRRIGATION ✓

DEGREE NAME -

REMARKS - AC. IRR. = 0.5. ✓

USE OF WATER UNDER THIS LICENSE FOR THE PURPOSE OF POWER
GENERATION IS SUBORDINATED TO FUTURE DIVERSION OF WATER FOR
IRRIGATION OR OTHER CONSUMPTIVE BENEFICIAL USES. ✓

NON IRRIG USE - ✓

OTHER RIGHTS FOR SAME USE - ✓

PROOF DUE - ✓

PROOF MADE - ✓

DIVERSION MEANS - HEADGATE & PIPELINE.

FIRST NAME - ARDELL G. ✓

ADDRESS LINE 2 -

CITY - HAGERMAN ✓

TRIBUTARY OF - SNAKE RIVER ✓

PRIORITY - 07-11-1979 ✓

WATER DIST. - 0.0 ✓

USE DIV. RATE - 0.0 ✓

USE DIV. RATE - 0.0 ✓

USE DIV. RATE - 0.0 ✓

PLACE OF USE - TWN 08S RANG 14E SEC 06 ✓

DATE -

ORIG OWNER -

STATE - ID ✓

ZIP CODE - 83332 ✓

COUNTY - GOODING ✓

DLE/CAREY ACT - 0.0 ✓

USE DIV. VOLUME - 0.0 ✓

USE DIV. VOLUME - 0.0 ✓

USE DIV. VOLUME - 0.0 ✓

TRACT SESE ✓

AC 01 ✓

TOTAL ACRES 11 ✓

9.0000 ✓

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VERIFIED RDH

01-10-85

OK-KW
1/25/85

March 27, 1984

RE: Permit No. 36-7866

Arde11 G1 Hill
Box 476
Hagerman, ID 83332

Dear Mr..Hill:

Enclosed herewith is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

A handwritten signature in black ink that reads "Jim Johnson". The signature is written in a cursive style with a long horizontal flourish at the end.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

DATE 3-22-84

FROM Jim

TO Glen - File

SUBJECT Telecon w/ Permit holder.

Mr. Hill called today in reference to correspondence sent 3-21-84. HE had some questions but after discussing them he was satisfied with quantities. He stated that he had no objections to the addition of the subordinate condition to the license.

The license is ready for signature.

SIGNATURE**FILE****MICROFILMED**

FROM Jim

DATE 3-22-84

TO Glen - File

SUBJECT Telecon w/ Permit holder.

Mr. Hill called today in reference to correspondence sent 3-21-84. HE had some questions but after discussing them he was satisfied with quantities. He stated that he had no objections to the addition of the subordination condition to the license.

The license is ready for signature.

SIGNATURE

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

March 21, 1984

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RE: Permit No. 36-7866

Arde11 G. Hill
Box 476
Hagerman, ID 83332

Dear Mr. Hill:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7866, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 9.00 cfs Source: springs trib to Snake River

The maximum quantity diverted shall not exceed 2.6 acre feet per year.

Point(s) of diversion: Gov. Lot 8(SE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 6, Twp 8S, Rge 14E

Beneficial Use: Power and domestic uses and irrigation of 0.5 acres within SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec: 6, Twp 8S, Rge 14E

Priority date established: July 11, 1979

Conditions (if any): Use of water under this license for the purpose of power generation is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.

If you do not concur with these findings, please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

RECEIVED

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SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ^{Bot 8} (SE¹/₄ SE¹/₄) Sec. 6 T. 8S R. 14E ✓

Place(s) of Use ✓ ^{less accurate}

TWP.	RGE.	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	
8S	14E	6																¹ / ₂ X	¹ / ₂
																		LT 8	

X = Dom. Power Uses

- 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

J.F. Stanton

Alb. D. Monte

Kay Walker

Date

Date

Date

1-18-84

3/12/84

3-20-84

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C211

T.85 R.14E

65
78

Highway

Highway

Highway

Highway

Highway

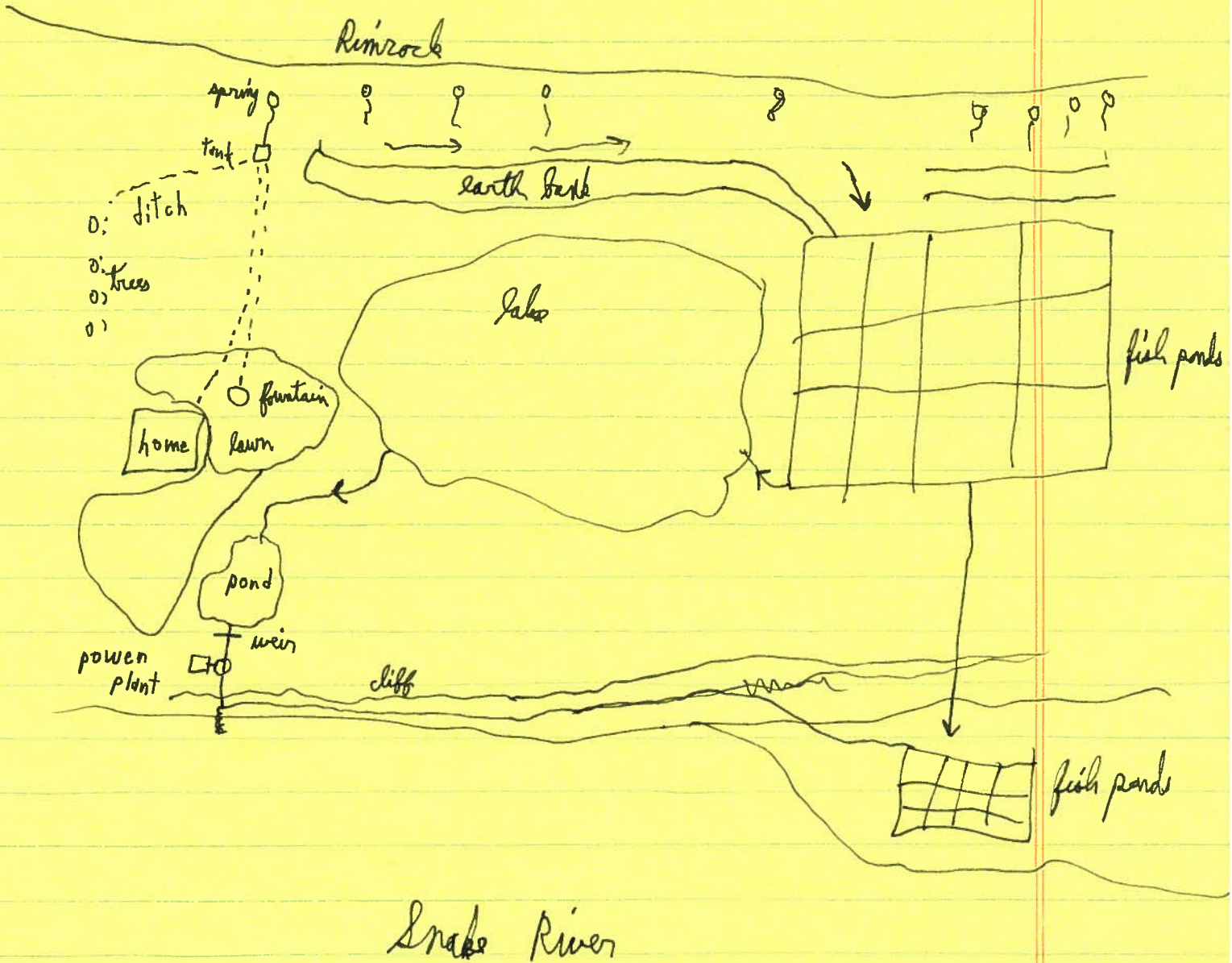
Highway

Highway

Highway

Highway

Not to Scale



MICROFILMED

4.35' weir

4' rect weir 0.62' head

12' overshot water wheel, Pacific 35:1 gear box, 15 kW generator
plate not legible

diverting works are a ditch along base of rimrock

2" pipe in spring 100' long to 500-gal tank. pipe from tank to house
overflow to fountain in yard, house a few feet

no stockwater use

4-17-84 measure 0.72' w/portable staff gauge, 9" on fixed staff gauge
4' above weir

$$Q = 3.33 \left(4.35 - [(0.2), .75] \right) (.75)^{3/2} = \cancel{2.17} \text{ cfs} \\ 9.08 \text{ cfs}$$

~~18' of head for water~~

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Review for 36-7866

1. 4.35' contracted rect. weir at 0.75' of head

$$4' \text{ weir} = 8.33 \text{ cfs}$$

$$.35' = .35 \times 2.12 = 0.742 \text{ cfs}$$

$$8.33 \text{ cfs} + 0.742 \text{ cfs} = 9.072 \approx 9.08 \text{ cfs per field exam}$$

2. gov't plats checked & ok

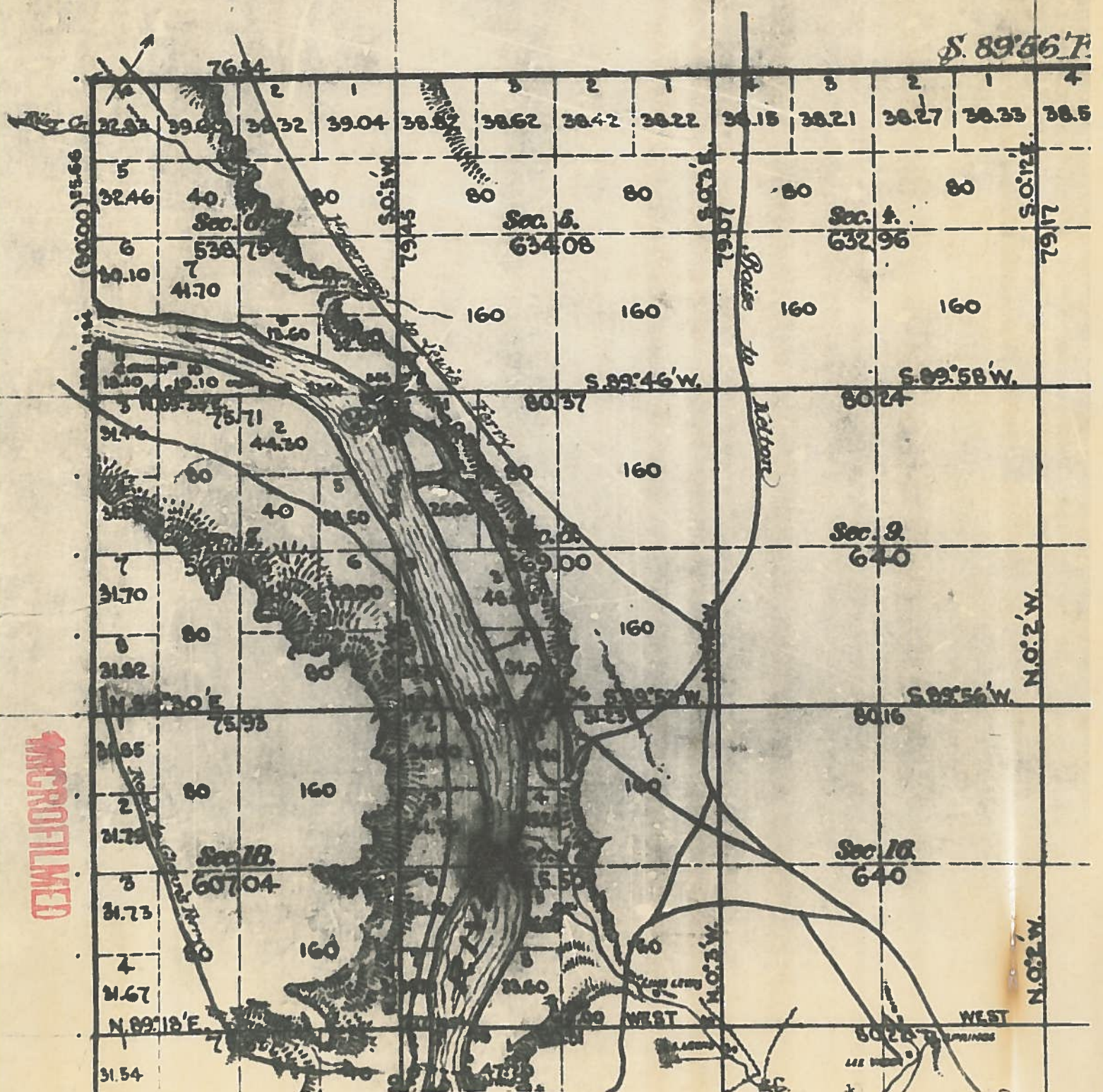
3. per Jim P. no overlap review necessary for power use.

4. Amts.

a.) $\frac{1}{2}$ acre irr. $\times 0.03 = 0.015 \text{ cfs} \approx 0.02 \text{ cfs}$

b.) permit for 0.08 cfs domestic for 2 units - allow 0.04 cfs for 1 unit

G F F c E d D



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 14, 1983

ARDELL HILL
BOX 476
HAGERMAN

ID 83332

RE: Permit No. 36-7866

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below of Permit No. 36-7866.

Name(s) of Permit Holder: Ardell Hill

Post Office Address: Box 476 - Hagerman, Idaho 83332

Tel. No. 837-4937

Source of Water: Bickel Springs

Extent of Use: ☐ Domestic X (number of households)
☐ Stockwater X (number and type of stock)
☐ Irrigation 10 (acres)
☐ Other Power

Measuring Device: Required? ☒ Yes ☐ No
Access Port: Required? ☐ Yes ☐ No

Installed? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

9-29-83
Date

Ardell Hill
Signature of Permit Holder

RECEIVED

OCT 5 1983
Department of Water Resources

RECEIVED



RECEIVED

SEP 29 1983

Department of Water Resources
Southern District Office

PLACE
3 CENT
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

IDENT. J. 36-7866

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 5, 1980

Ardell G. Hill
537 Garfield
Boise, Idaho 83706

Dear Mr. Hill,

RE: Permit No. 36-7866

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lf

Enclosure

FROM Loten Holmes

DATE 10-11-79

TO File 36-7866

SUBJECT Other rights

There are 2 Applications (36-7786 & 36-7787) and one Permit (36-7072) on this group of springs.

Those rights divert upstream & when fully developed, may not leave any water to fill this application.



SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET Ardell G. Hill

INITIAL REVIEW BY: ADM

APPLICATION NUMBER: 36-7866

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: T.G.B.

Date: 8-31-79

Comments: May effect prior rights + permits. Power Production would take water from one of the falls in the 1000 Springs state area

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: LH Map No. _____
☒ Yes ☐ No Other rights on same place of use. 36-7072 - See memo

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 9/4/79
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/27/79
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 36-A
7-11-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

P.U. & P.D
Not located
IN this
AREA. J.J.

By: Loren O'Halloran Date: 10-11-79

STATE OFFICE REVIEW:

09/23/79 - Billingsley Creek
01, 04, 08A

- ☐ See attached sheet for more information.

By: Juni Date: 10/30/79

RECEIVED
OCT 15 1979
Department of Water Resources

MICROFILMED

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PRESORTED
FIRST-CLASS



*Dear Mr. Ardeall G. Hill -
I am writing you in connection with the water issue. I have been working on this for some time and I am sure that you will be interested in the results of my research. I have been working on this for some time and I am sure that you will be interested in the results of my research. I have been working on this for some time and I am sure that you will be interested in the results of my research.*

36-7866

36A 0000000064
ARDELL G. HILL
~~537 GARFIELD~~ Bay 214 Meridian
BOISE 83642
IDAHO 83706

HILL 37 311504N1 01/15/81

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

October 12, 1979

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Applications for Permit No. 47-7567,- 47-7566,- 36-7866,- 47-7563

Dear Mr. Schaefer:

Enclosed are copies of the above referenced applications for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-2866-

HILL, ARDELL G.

537 GARFIELD, BOISE, ID 83706

Source: UNNAMED SPRING(BERRY SPRING) tributary to SNAKE RIVER

Priority Date: 07/18/1979

Amount: 9.00 CFS

Diversion Point: SESE Sec 06 T 08S R 14E, GOODING Co.

Use: IRRIGATION	(0.20 CFS)	from 04/01 to 10/15
POWER	(9.00 CFS)	from 01/01 to 12/31
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.08 CFS)	from 01/01 to 12/31

Place of Use: LOT 08 (SESE) Sec 06 T 08S R 14E FOR 10 ACRES

Diversion Means: HEADGATE AND PIPE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before Sept. 4, 1979.

C. STEPHEN ALLRED

Director

Published 8/16 & 8/23/79.

LEGAL (257) le

NOTICE OF APPLICATION
FOR WATER RIGHT

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that the following applica-
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for permit to appropriate the
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36-7866

HILL, ARDELL G.
537 GARFIELD, BOISE, ID
83706

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DOMESTIC (0.08 CFS) from
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partment of Water Re-
sources, 1041 Blue Lakes
Blvd. North, Twin Falls,
Idaho 83301 and received on
or before Sept. 4, 1979.

/s/ C. Stephen Allred
Director

Pub: 8-16, 23

ok
meyer
8/8/79



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(200) 734-3570

July 31, 1979

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Application for Permit No. 36-7866 - Hill, Ardell G.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

Encl:

RECEIVED
JUL 31 1979
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

July 23, 1979

Ardell G. Hill
537 Garfield
Boise, Idaho 83706

Re: Application for Permit No. 36-7866 - Ardell G. Hill

Dear Mr. Hill:

Enclosed is your receipt No. 13264 for check No. 92-151 in the amount of \$115.00 for the above referenced Application for Permit which was received in this office July 18, 1979.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl: