

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 acre feet</u>		
<u>Fish Prop.</u>	from <u>January 1</u> to <u>December 1</u> at <u>0</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.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
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

MICROFILMED

Dier

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

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

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

Total number of acres to be irrigated 5

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

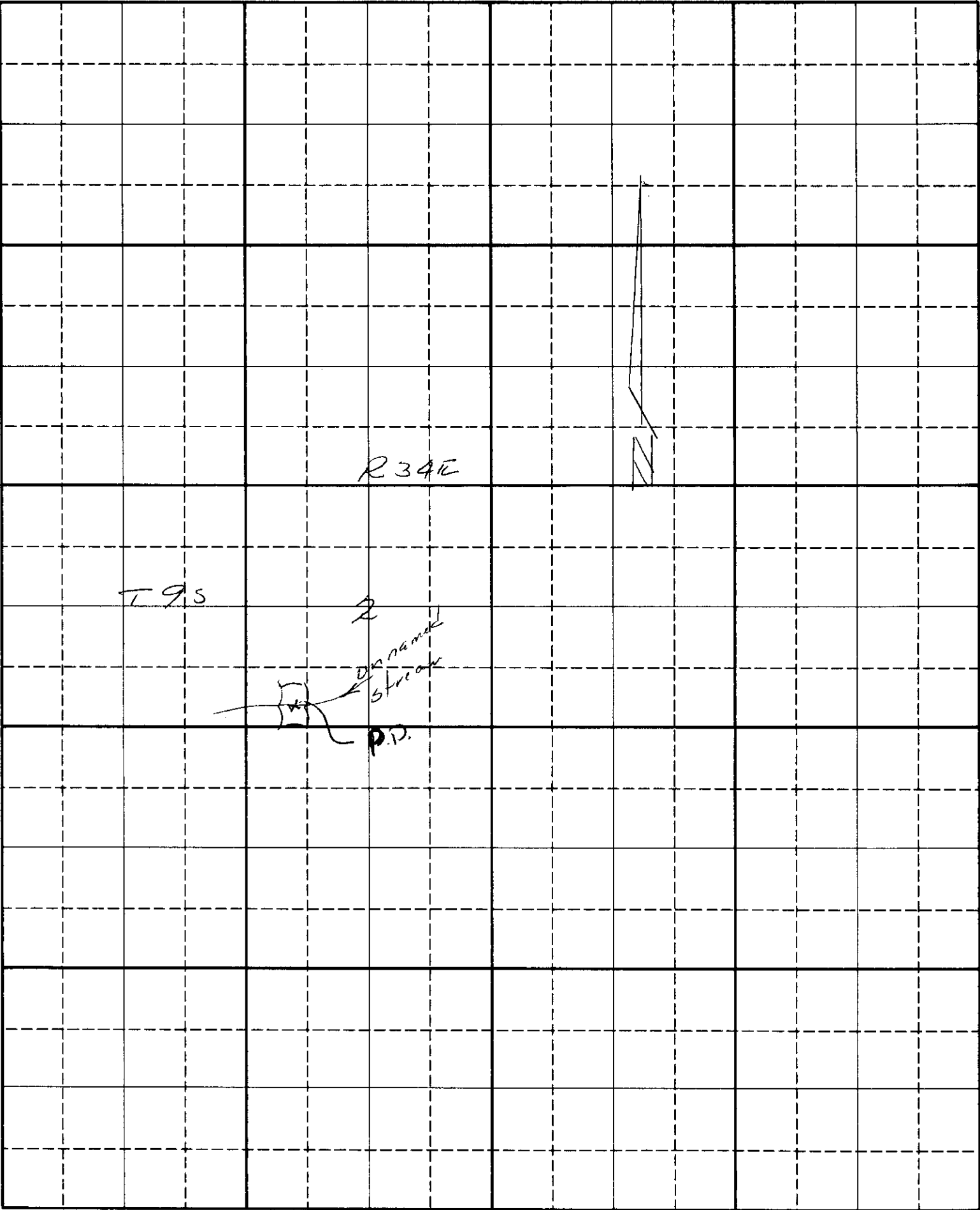
9. a. Who owns the property at the point of diversion applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Oswald H. Hilliard
(Applicant)

Proposed Priority 5/23/1973

29 7130

Received by mt Date 5/23/73 Time 9:00 AM
Preliminary check by RAH Fee \$ 10.00
Receipted by mt Date 5/23/73 Receipt # 10203
Publication prepared by mt Date 5-23-73
Published in Power County Press, American Falls, Id
Publication dates May 31, June 7, 1973
Publication approved NCY Date 6/18/73
Priority reduced to 5/23/73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY dr BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7130, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1978.
- c. Other: _____

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

Witness my hand this 26th day of June, 1973.

P. Keith Higgins
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-7130 }
in the name of ORVAL H. HILLIARD }

ORDER OF REINSTATEMENT

WHEREAS, on May 23, 1973, Orval H. Hilliard applied to the Department of Water Resources for a permit to appropriate 0.20 cfs of water from an unnamed stream, tributary to Clifton Creek, from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 9S, Rge. 34E, B.M., Power County, to be used for domestic, irrigation and fish propagation purposes; and,

WHEREAS, on June 26, 1973, the Department approved said application and issued Permit No. 29-7130 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1978; and,

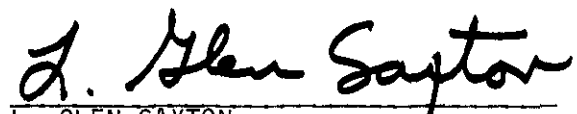
WHEREAS, on March 31, 1978, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on June 2, 1978; and,

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-7130 be REINSTATED and the priority advanced to May 24, 1973.

Dated this 8th day of August, 1978.


L. GLEN SAXTON
Chief, Operations Bureau

LGS:jg

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	JF	5/22/73	Application No. <u>29-7130</u> Name <u>Hilland, O.</u>
(2)	JF	"	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	JF	"	☒ County Send copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	JF	"	☒ W.M. ☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	JF	"	In form for advertising <u>Yes</u>
(6)	mb	6/12/73	Affidavit of Publication received <u>6-12-73</u>
(7)	mb	"	Final date for protests <u>June 18, 1973</u> Protests received: yes <u>no</u>
(8)	NCY	6/18/73	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(9)	JF	"	Located within Water District No. <u>Basin 29</u>
(10)	N/A		Critical groundwater area: yes <u>no</u>
(11)	N/A		Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: <u>No organized water dist.</u>
(13)	NCY	6/18/73	Action recommended: ☒ Approve Priority <u>5/23/73</u> ☐ Deny Reason for Reduction _____ <u>See attached sheet for conditions of approval</u> <u>NCY 6/18/73 No conditions for approval</u>
(14)			District <u>F</u> By <u>NCY</u> Date <u>6/18/73</u> Title <u>O.E.</u>

RECEIVED

JUN 11 1973

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

S.S.

Department of Water Administration
Eastern District Office

.....Phyllis Ringa..... being first duly sworn
on oath, states:

That she..... is the principal clerk of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said
newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-
tion being the 31st..... day of MAY....., 1973
the date of last publication being the

7th..... day of June....., 1973.....

(Signed).....

Subscribed and sworn to before me this

7th..... day of June....., 1973.....

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

Notary Public
Residing at Am Falls Idaho, 19 73
My Commission Expires
Aug. 20, 1973

Annexed in the Power County Press, American Falls, Idaho on May 31 and June 7, 1973.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Orval H. Hilliard Box 2305 Pocatello, Idaho 83201 has on 5/23/73 submitted Application No. 7130 for a permit to appropriate 0.20 cubic feet per second of water from unnamed stream, tributary of Clifton Creek by means of pump and sprinklers within the SW 1/4SW1/4, Sec. 2, T. 9S, R. 34E, B.M., Power County, to be used from Jan 1 to Dec. 31 for domestic purposes for one family and fish propagation and from April 1 to Nov. 1 for irrigation of 5 acres, all uses within the SW1/4SW1/4, Sec. 2, T. 9S, R. 34 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes

29 7130

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

.....Phyllis Ringe..... being first duly sworn

on oath, states:

That ~~..she.....~~ is the ~~principal clerk of the~~ printer of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for ~~...2.....~~ successive weekly issues thereof, the date of the first publica-

tion being the ~~...31st.....~~ day of ~~.....May.....~~, 19~~..73~~

the date of last publication being the

~~7th.....~~ day of ~~.....June.....~~, 19~~..73~~

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

~~.....~~ day of ~~.....June.....~~, 19~~..73~~

A. L. ...
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

Notary Public
Residing at ~~Am. Falls, Idaho~~, 19 ~~.....~~
My Commission Expires
Aug. 20, 1971

LEGAL NOTICE

Published in The Power County Press, American Falls, Idaho on May 31 and June 7, 1973.

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho 83401 on or before June 18, 1973.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

February 25, 1981

Orval H. Hilliard
2324 Ada St.
Pocatello, Idaho 83201

Dear Mr. Hilliard,

A representative of this Department has made an examination of the works covered by your Permit No. 29-7130, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .12 cfs Source: an unnamed stream

The maximum quantity diverted shall not exceed 17.5 acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 9S, Rge. 34E, B.M.

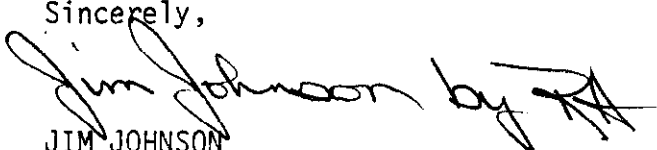
Beneficial use: Irrigation of 5 acres and fish propagation within the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 2, Twp. 9S, Rge. 34E.

Priority date established: May 24, 1973

Conditions (if any):

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.

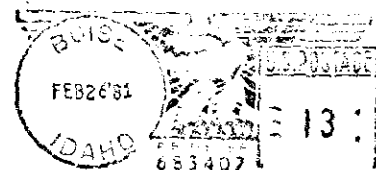
Sincerely,


JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

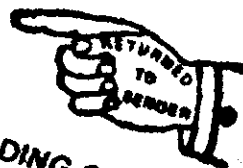
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

PRESORTED
FIRST-CLASS



13:13

Orval H. Hilliard
2324 Ada St.
Pocatello, Idaho 83201



FORWARDING ORDER EXPIRED

*Moved
Please forward*
Department of Water Resources
MAR 5 1981
RECEIVED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 20, 1981

Orval H. Hilliard
2324 Ada St.
Pocatello, Idaho 83201

Dear Mr. Hilliard,

RE: License No. 29-7130

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
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February 25, 1981

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Point(s) of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 9S, Rge. 34E, B.M.

Beneficial use: Irrigation of 5 acres and fish propagation within the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 2, Twp. 9S, Rge. 34E.

Priority date established: May 24, 1973

Conditions (if any):

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

MICROFILMED

R34E

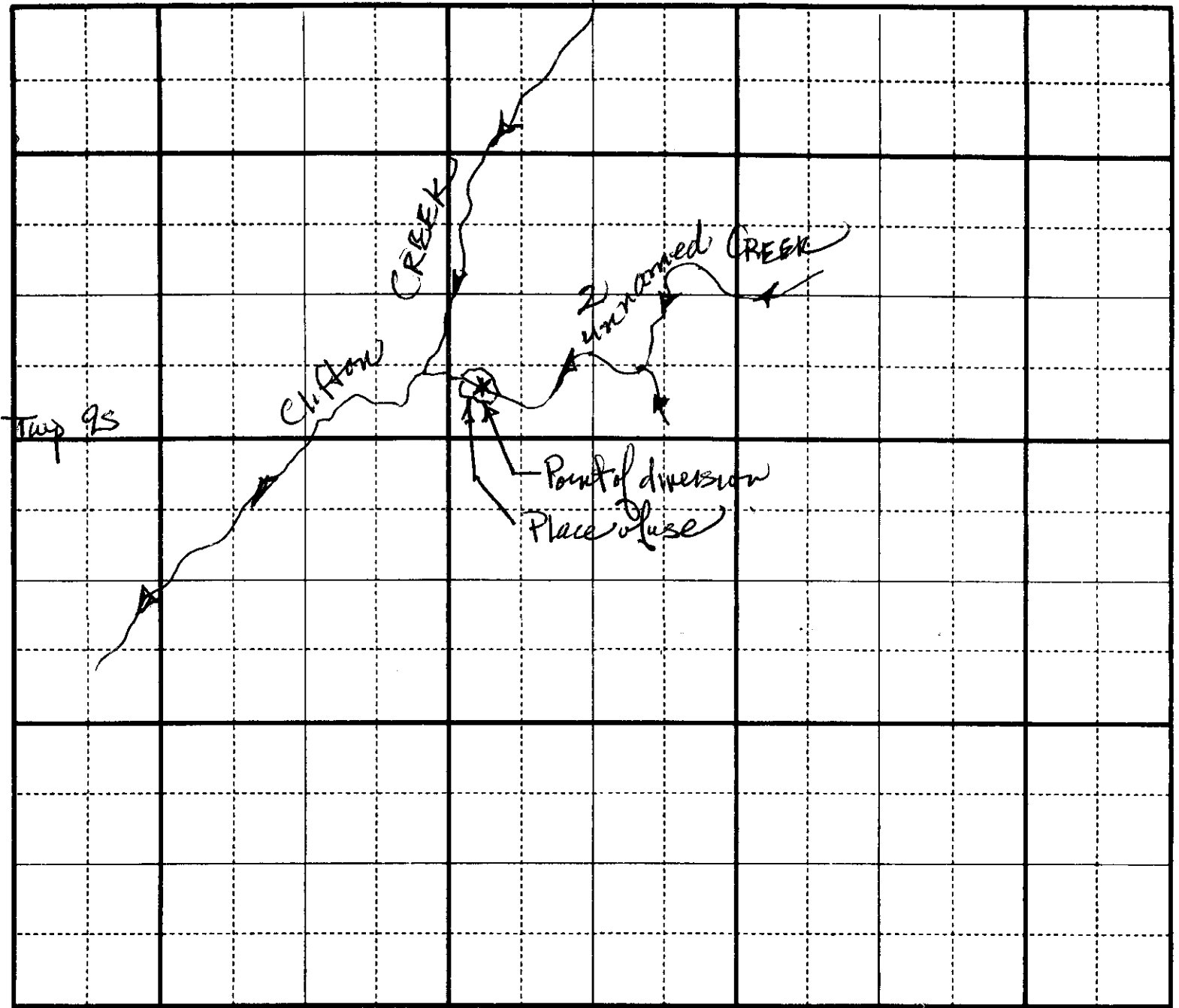
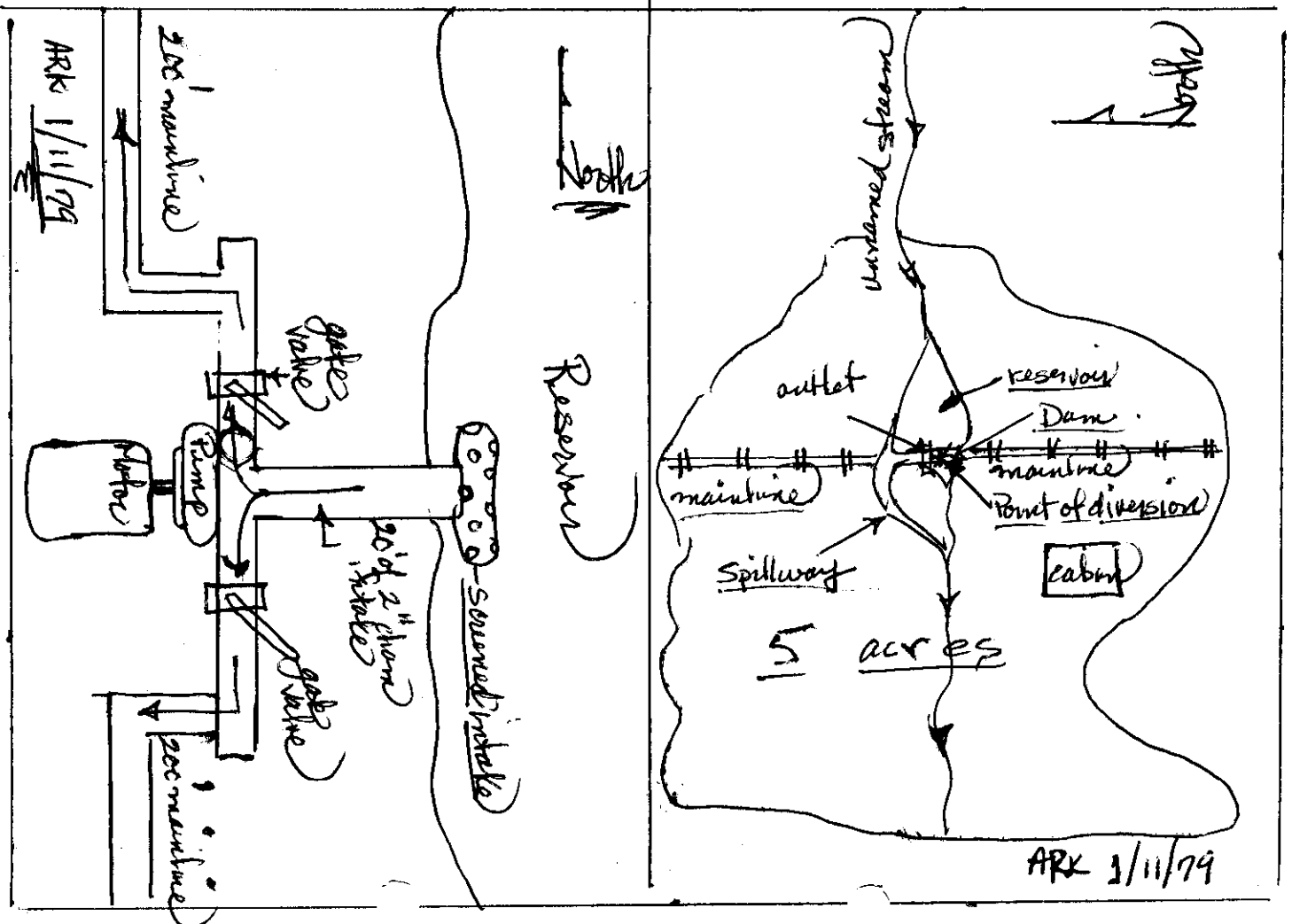


Diagram of System



DATE OF EXAM Sept. 11, 1978

ACREAGE
Found 5ac ✓
Recommended 5ac ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .10 c.f.s. V = 17.5 AF/Ann. from April 1 to Nov 1
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to
Fish propagation Q = .06 cfs (V = nonconsumptive)

Q total = .12 cfs

Is water co-mingled? yes no X

Name source: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured .12 cfs Method of measurement Pitot Tube

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

Total V recommended 17.5 Aft/yr

Recommended Amendments:

P.D.
Place of Use
Other None

MEASUREMENT CALCULATION: Allow .10 for I in as per permit
Irrigation Q = see reverse side for pitot tube measurement.
irr Q = (.12 cfs) irr. V = 5ac x 3.5 AF/Ac/yr = 17.5 Aft/yr
1.9835 x .10 x 215 = 42.65

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

SYSTEM DESCRIPTION
Surface water from an unnamed creek is stored in a small reservoir (< 1 AF). Water is stored behind a small earth fill dam. Crest width is 15'. Water is diverted from the reservoir into a 40' long 2" diam plastic hose or mainline and 5 acres are irrigated by handline. Sprinklers consisting of 11 jet 1 1/4" in diam. Six to eight inch trout are planted in the spring, raised & fed during the summer, & harvested in the fall.

REMARKS:
No domestic works of diversion have been constructed.
Mr. Hilliard is the only water user on the stream and should be entitled to .06 cfs of the natural & fresher flows of the stream for fish propagation.
System shown & described by Orval Hilliard

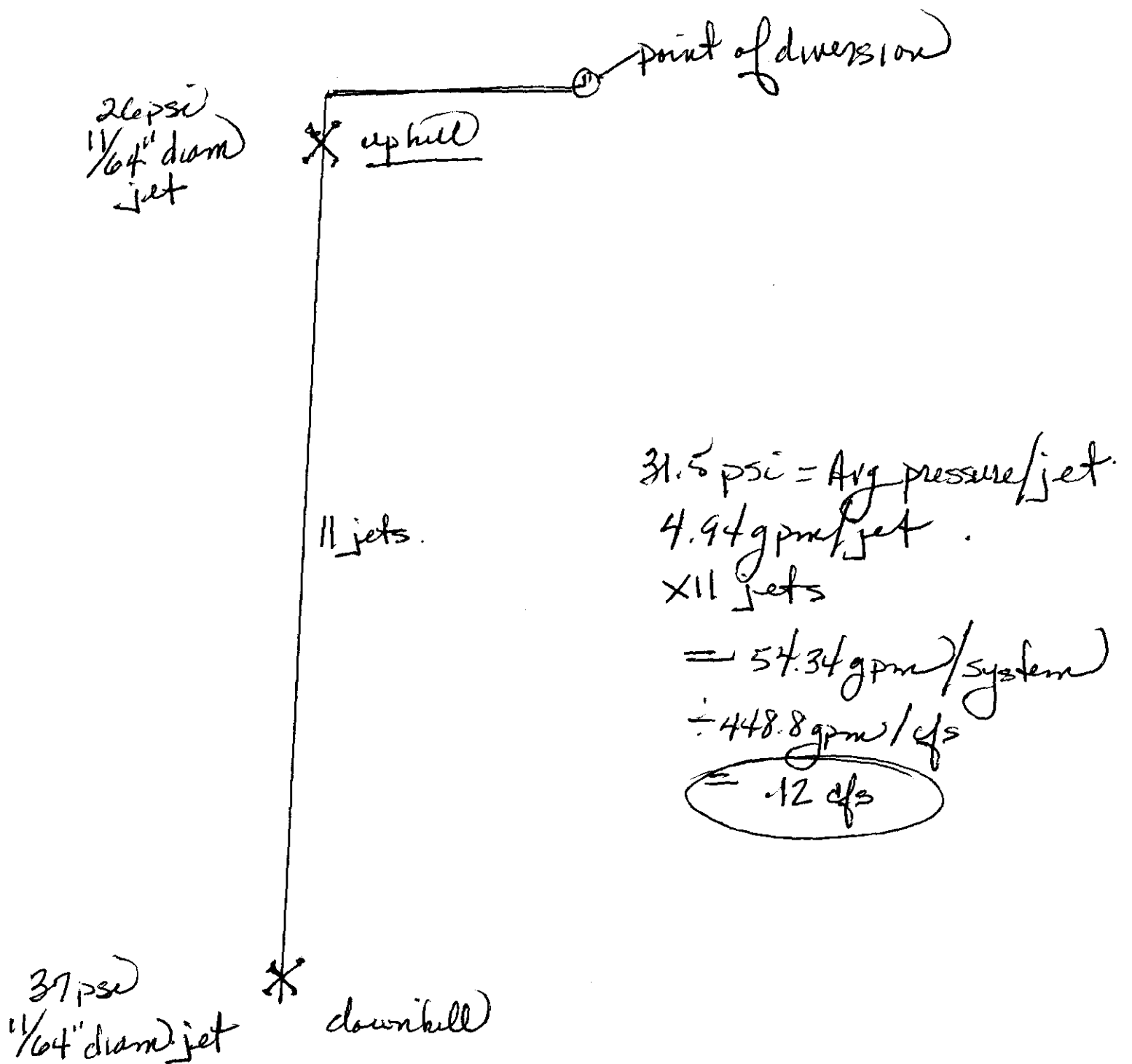
Examiner's Signature Anthony R. Kozlowski Date 1/11/79

Checked by Rodney A Parker Date 1/12/79

Approved by Robin Date 2/23/1981

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

Pilot Tube Measurement



August 11, 1978

Re: Permit No. 29-7130

Orval H. Hilliard
Box 2305
Pocatello, ID 83201

Dear Mr. Hilliard:

Enclosed is a copy of the Order reinstating your permit and advancing your priority to May 24, 1973.

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. _____

Permit No. _____

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUN 2 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Orval H. Hilliard
b) Post Office Address 2324 Ada St. Pocatello, Idaho 83201
2. Permit Number 29-7130
3. Date of Priority that you are prepared to establish 5-23-73
4. a) Source from which water was appropriated unnamed stream, tributary of Clifton Creek
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 2
Township 9S, Range 34E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.06 for Fish prop. purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.1 for Irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.20 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The measured height of flow from a vertical pipe & flow from an orifice were used to confirm the specified rate of flow. Measurement by Orval H. Hilliard, a registered Professional Engineer.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) A Price Mod. 1-C pump driven by a 8.5 8 hp gasoline motor pumps into a buried 2-inch diameter main line (40' N-S orientation). Lateral sprinkler lines (movable) are then connected at 60' intervals on the main line. Calculated flow through 18 sprinkler heads used is 20.1 cfs.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 8/11/78 by AF

RECEIVED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	34E	2											5						5

Total number of acres irrigated 5

10. Remarks: _____

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

5-30-78 (Date) Dwight H. Hilliard (Signature)

State of Idaho)
 County of Bannock) ss.

On this 30th day of May, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Joan Rodriguez
 Notary Public residing at Locustville, Idaho

My commission expires August 1980

2324 Ada Street
Pocatello, Idaho 83201
May 30, 1978

RECEIVED

JUN 2 1978

Department of Water Resources

Mr. Norman C. Young
Administrator,
Resources Administration Division
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Young:

Attached is an affidavit being submitted as proof of
beneficial use of water according to water permit No. 29-
7130.

I have contacted the Agricultural Stabilization and
Conservation office in American Falls to procure an aerial
photograph of the property, but none is presently available.
They indicated they would send me a copy when it was
available in about six weeks.

Sincerely,

Orval H. Hilliard

Orval H. Hilliard

MICROFILM



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1978

CERTIFIED MAIL

128628

Re: Permit No. 29-7130

Orval H. Hilliard
Box 2305
Pocatello, Idaho 83201

Dear Mr. Hilliard:

One of the conditions of approval of your water Permit No. 29-7130 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

REPROFILED

June 27, 1973

Re: Permit No. 29-7130

**Orval H. Hilliard
Box 2305
Pocatello, Idaho 83201**

Dear Mr. Hilliard:

Enclosed is a copy of your approved Application for Permit No. *29-7130*. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosure

29 7130

May 25, 1973

Re: Application No. 29-7130 - Orval H. Hilliard

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 6-12-73 by ml

NCY:mb
Enc: Legal notice

29 7130

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Orval H. Hilliard

Box 2305 Pocatello, Idaho 83201

has on 5/23/73 submitted Application No. 29-7130
for a permit to appropriate 0.20 cubic feet per second ~~acres feet per annum~~
of water from unnamed stream, tributary of Clifton Creek
by means of pump and sprinklers
within the SW₄SW₄, Sec. 2, T. 9S, R. 34E, B.M., Power County;

to be used from Jan. 1. to Dec. 31
for domestic purposes for one family and fish propagation
and from April 1 to Nov. 1 for irrigation of 5 acres, all uses
within the SW₄SW₄, Sec. 2, T. 9S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before June 18, 1973.


R. KEITH HIGGINSON
Director

Published in the Power County Press, American Falls, ID
on May 31 and June 7, 1973

29 7130