

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7110 Priority February 1, 1973 Amount 0.10 cfs

THIS IS TO CERTIFY, that Russell J. Hayden
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7110 issued pursuant to Application for Permit dated February 1, 1973,
and has submitted proof to the Department of Water Resources on February 10, 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 0.56 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

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>0.10</u> cfs and <u>17.5</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 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 confined is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
17.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, Twp.
9S, Rge. 34E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			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 $\frac{1}{4}$	
9S	34E	3																	5

Total number of acres irrigated 5

Water under this right is exchanged for Clifton Creek water.
The point of injection and point of exchange are both within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section
3, Twp. 9S, Rge. 34E.

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 25th day of
April, 19 83.

Acting for the Director

Norm C. Young

29 7110

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant RUSSELL J. HAYDEN
 post office address Mink Creek Road, Box 456, Pocatello, Idaho
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 9S
 Range 34E B.M. Power County; additional points of diversion if any: ---
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 34E, B.M.
- 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 0.80 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 0.84 cubic feet per second ~~and/or~~
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. well, turbine pump, mainline
and sprinklers
- 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) 120 (Mo. Day)
- c. Proposed well diameter is 16
20 inches; proposed depth of well is 200 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 \$ 7,000.00.
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: _____

29 7110

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	2											10						10
		3															5	20	25
		10		5															5

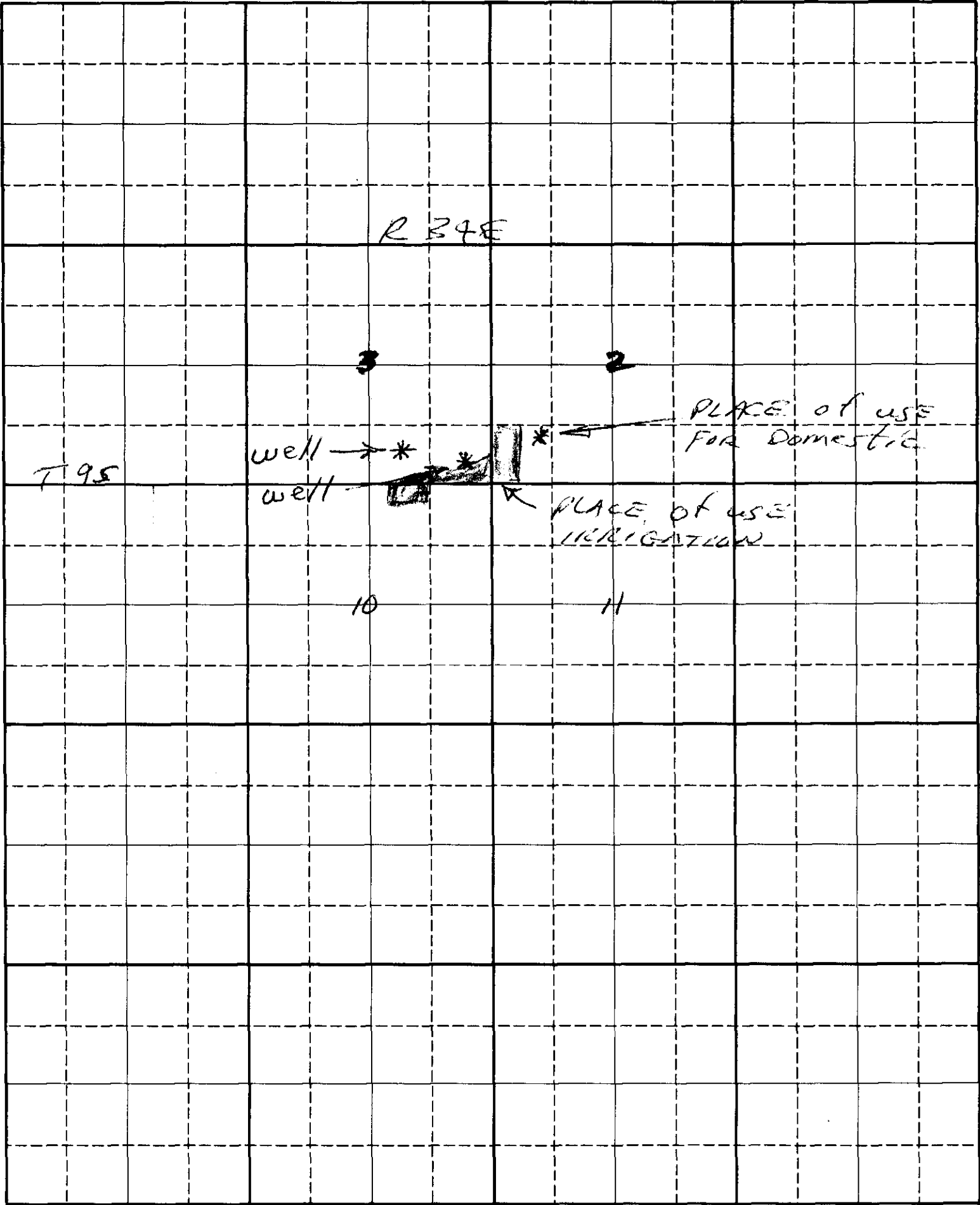
Total number of acres to be irrigated 40

c. Describe any other water rights used for the same purposes as described above. License No. 29-2498 from springs.

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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



Scale: 2 inches equal 1 mile

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

Russell J. Hayden
(Applicant)

Received by OW Date 2/1/73 Time 12:55 PM
 Preliminary check by NCY Fee \$ 25.00
 Receipted by OW Date 2/1/73
 Publication prepared by OW Date 2/2/73
 Published in Power County Record
 Publication dates 2/8/73 - 2/15/73
 Publication approved NCY Date 2-26-73
 Priority ~~reduced~~ to 2-1-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

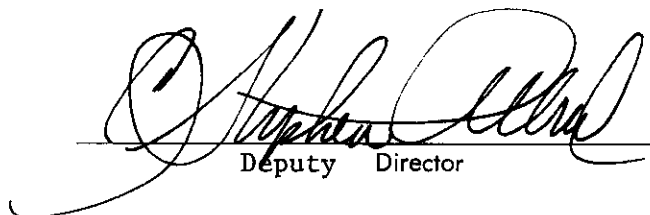
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7110, and said application is hereby APPROVED.

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 March 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the irrigation diverting works.

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

Witness my hand this 2nd day of March, 1973.


 Deputy Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	NCY	2/2/73	Application No. <u>29-7110</u> Name <u>HAYDEN</u>
(2)	"	"	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 ☒ County
(3)	"	"	Send copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	"	"	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	"	"	In form for advertising <u>Yes</u>
(6)	BA	2/20/73	Affidavit of Publication received <u>2/20/73</u>
(7)	"	2/26/73	Final date for protests <u>2/26/73</u> Protests received: yes <u>no</u>
(8)	"	"	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(9)	NCY	2/2/73	Located within Water District No. <u>N.A.</u>
(10)	"	"	Critical groundwater area: yes <u>no</u>
(11)	"	"	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>No nearby obs wells</u> ☐ Increasing (comment) _____
(12)	"	"	Comments: <u>It is possible that this development could reduce the flow of Clifton Cr. A decreed stream. Should be subject to prior rights on Clifton Cr. if this is the case</u>
(13)	NCY	"	Action recommended: ☒ Approve ☐ Deny Priority <u>2/1/73</u> Reason for Reduction <u>RECEIVED</u> See attached sheet for conditions of approval No conditions for approval
(14)	"	"	District <u>Eastern</u> Date <u>2/26/73</u> By <u>Norman</u> Title <u>DIST ENGR</u>

FEB 27-1973.

Department of Water Administration

Note: This app. is to cover additional development from some well as proposed by amendment to permit 29-2509. NCY Different Pa DWR 29 7110

RECOMMENDED

CONDITIONS OF APPROVAL

① ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the ~~diverting~~ *irrigation* works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

Affidavit of Publication

RECEIVED

FEB 20 1973

STATE OF IDAHO

COUNTY OF POWER

S.S.

Department of Water Admin

Eastern District Office

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 publication being the 8th day of February, 1973 the date of last publication being the

15th day of February, 1973

(Signed)

Subscribed and sworn to before me this

16 day of Feb, 1973

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) day of , 19

Notary Public

Residing at Am. Falls, Idaho

My Commission Expires

Aug. 20, 1973

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Russell J. Hayden, Mink Creek Road, Box 456, Pocatello, Idaho has on 2-01-73 submitted Application No. 29-7110 for a permit to appropriate 0.84 cubic feet per second of water from a ground water source by means of well and pump within the SW1/4SE1/4, SW1/4SE1/4, Sec. 3, T. 9S, R. 34E, B.M., Power County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within the SW1/4SW1/4, Sec. 2, T. 9S, R. 34E, B.M., Power County.

SW1/4, Sec. 2; SW1/4SE1/4, Sec. 3; NW1/4NE1/4, Sec. 10, 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 Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho 83401 on or before February 26, 1973.

D. KRUEGER, Notary Public

29 7110

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

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

That John Hayden 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 8th day of February, 1973

the date of last publication being the

15th day of February, 1973

(Signed) John Hayden

Subscribed and sworn to before me this

16th day of February, 1973

John Hayden
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of, 19

Notary Public

Residing at Am. Falls, Idaho

My Commission Expires

Aug 20, 1973

Published in The Power County
Press, American Falls, on Feb-
ruary 8, and February 15, 1973.

NOTICE OF APPLICATION FOR WATER PERMIT

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Russell J. Hayden, Mink Ceeek
Road, Box 456, Pocatello, Idaho
has on 2-01-73 submitted Ap-
plication No. 29-7110 for a per-
mit to appropriate 0.84 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
SE1/4SE1/4, SW1/4SE1/4, Sec.
3, T. 9S, R. 34E, B.M., Power
County; to be used from Jan. 1
to Dec. 31 for domestic purposes
for one family within the SW-
1/4SW1/4, Sec. 2, T. 9S, R.
34E, B.M., and from Apr. 1
to Nov. 1 for the irrigation

of 40 acres within the SW1/4-
SW1/4, Sec. 2; S1/2SE1/4, Sec.
3; NW1/4NE1/4, Sec. 10, 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
Idaho Department of Water Ad-
ministration, 240 South Holmes,
Idaho Falls, Idaho 83401 on or
before February 26, 1973.

R. KEITH HIGGINSON
Director

29 7110

May 2, 1983

RE: Permit No. 29-7110

Russell J. Hayden
Mink Creek Road, Box 456
Pocatello, ID 83201

Dear Mr. Hayden:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED
MAY 10 1983



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 3, 1983

RE: Permit No. 29-7110

Russell J. Hayden
Mink Creek Rd., Box 456
Pocatello, ID 83201

Dear Mr. Hayden:

A representative of this Department has made an examination of the works covered by your Permit No. 29-7110, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.10 cfs Source: groundwater

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

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 9S, Rge. 34E, Power County

Beneficial use: Irrigation of 5 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 9S,
Rge. 34E

Priority date established: February 1, 1973

Conditions (if any): Water under this right is exchanged for Clifton Creek
water.

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

JD:KW

FIELD REPORT

3. Water will be used for the following purposes:

Permit No. 29-7110
Examination for 6/14

4. Total amount to be appropriated:

Max Rate of Diversion 1.84 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Other Points of Diversions: PROOF lists the Sw Se, Sec. 3, 9s 43E

Description of diverting works: open discharge to pond, diversion creek - 7 1/2 hp Subm, 110' - 8" casing

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use. *proof lists Sec. 3 only w/ fee in the l. l.*

[illegible]

TOTAL ACREAGE _____ *40*

Rge 34E

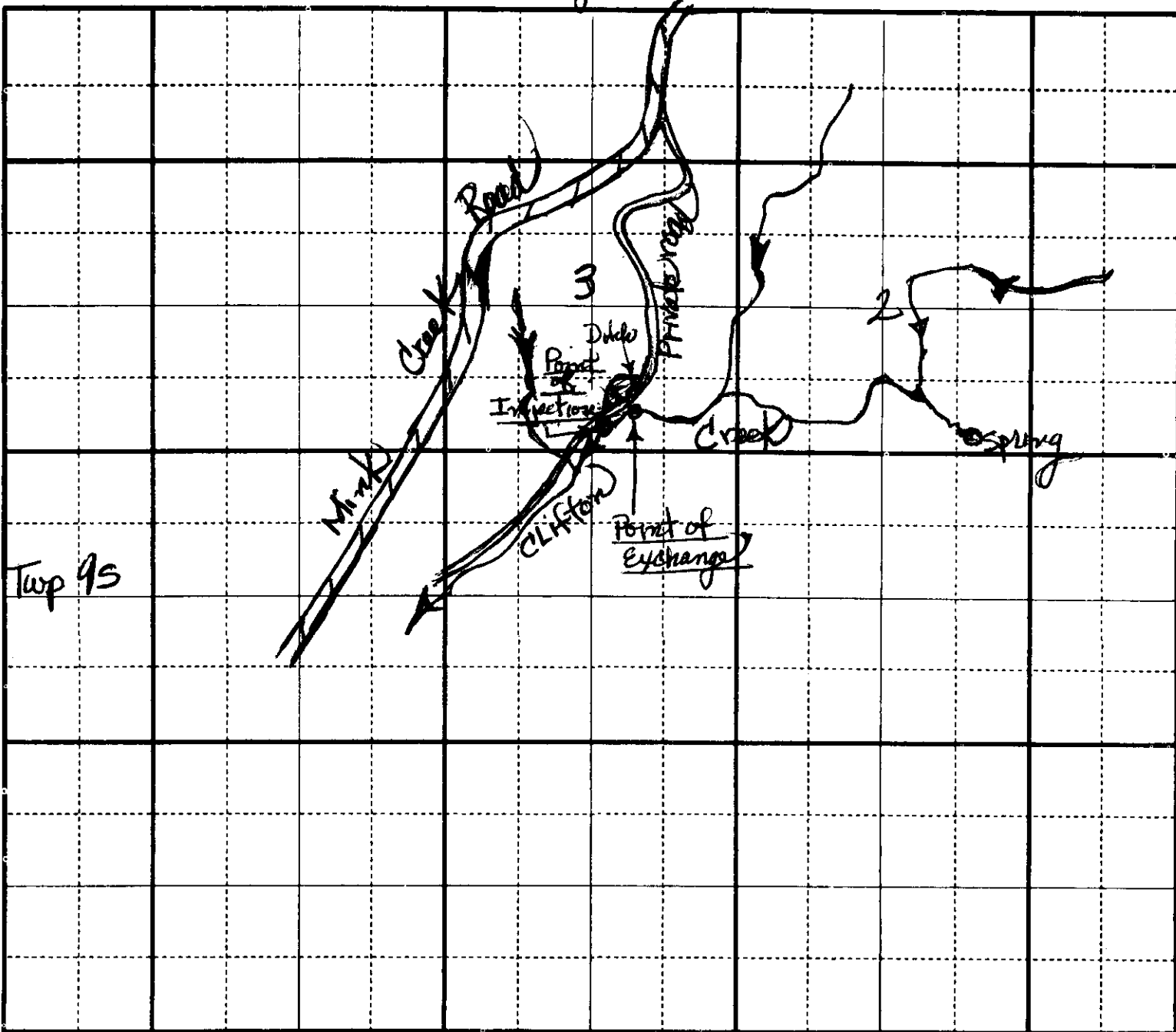
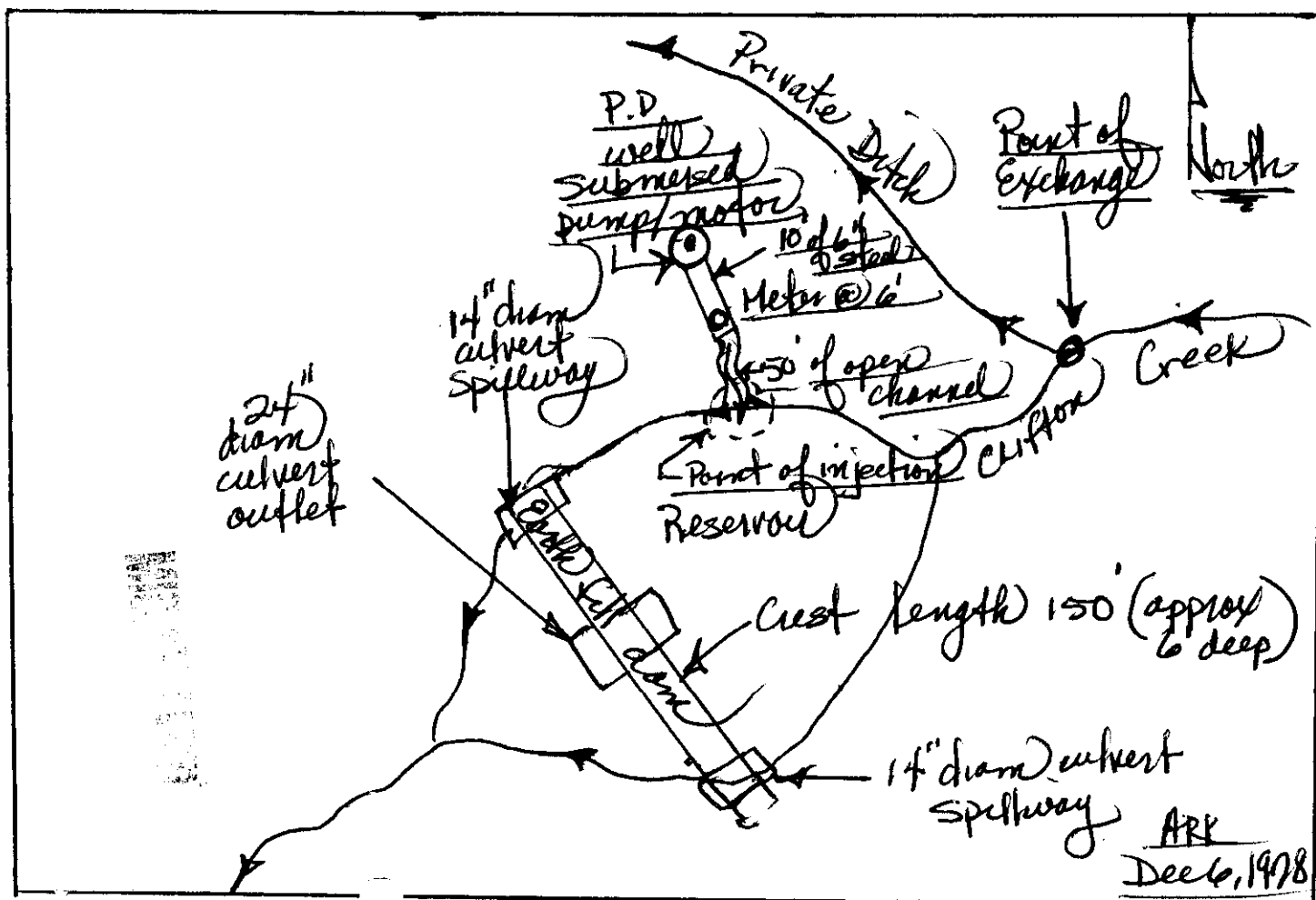


Diagram of System



DATE OF EXAM 9/11/78

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 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes X no _____

Name source exchanged with: Groundwater is exchanged for Clifton Creek water
twp. 9S N/S, Rge 34E E/W, B.M., Sec. 3, Sub. SW 1/4 SE 1/4 Power County _____

all in the same 40 ac tract

Point of injection:
twp. 9S N/S, Rge 34E E/W, B.M., Sec. 3, Sub. SW 1/4 SE 1/4 Power County _____

Point of exchange:
twp. 9S N/S, Rge 34E E/W, B.M., Sec. 3, Sub. SW 1/4 SE 1/4 _____ County _____

Total Q measured .56 cfs Method of measurement In line meter ✓
Total Q recommended .10 cfs Meter No. 72-6-329 Type Crommel Condition good
Total V recommended 17.5 Aft/yr

Recommended Amendments:

Public Use _____
Other _____
None

MEASUREMENT CALCULATION:
measured 1,000 gal in 238 sec, $\frac{1000}{238} = \frac{x}{60}$, $238x = 60,000$, $x = 252.1$ gpm
 $252.1 \text{ gpm} \div 448.8 \text{ gpm/cfs} = .56 \text{ cfs}$ capacity
 $V = 5ac \times 3.5 \text{ Aft/ac} = 17.5 \text{ Aft/season}$
 $215 \times 1.9835 \times .10 = 42.6 \text{ Aft/yr}$

SYSTEM DESCRIPTION:
Groundwater is exchanged for Clifton Creek water. Groundwater is diverted by a 7.5 H.P. Franklin submersed pump/motor, ph. m/n - 2822012201 8" diam well, 110 deep well, slot = 5' Groundwater is injected into a small reservoir on stream (Clifton Creek). At the exchange point, further upstream on Clifton Creek, surface water is diverted into a private ditch for the flood irrigation of 5ac

REMARKS: in S00SE Sec 3. T9S R34E. B M Power
No domestic use of water from this source.
preexisting right

System shown, operated, & described by Russ Hayden.

Examiner's Signature Anthony R. Kozlowski Date Dec 6, 1978
Checked by Rodney A. Parker Date 1/9/79
Approved by [Signature] Date 2-16-83

No other wtr Rts. found

Jim 3-4-83

INTER-DEPARTMENT MEMO — 1

FROM

DATE

TO

SUBJECT

Remarks on licensed

Water ~~under~~ under this rt. is ~~being~~^{exchanged} for
~~the water under~~ Clifton Creek water.

MICROFILMED

SIGNATURE

February 16, 1978

Re: /Permit No's. 29-7110, 29-7111

Russel Hayden
Mink Creek Rd.
Box 456
Pocatello, Idaho 83201

Dear Mr. Hayden:

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

MICROFILM

Identification No. _____

Permit No. 29-7110

RECEIVED

FEB 10 1978

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder RUSSELL J HAYDEN
 b) Post Office Address ITINK CREEK ROAD POCAHELLO IDAHO
2. Permit Number 29-7110
3. Date of Priority that you are prepared to establish 2-1-73
4. a) Source from which water was appropriated GROUNDED WATER
 b) Location of the point of diversion: SW 1/4 SE 1/4, Section 3
 Township 9 S, Range 43 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
 Amount .7 for IRRIGATION purposes from APR 1 to NOV 1 incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated .7 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: FLOW METER & ORIFICE METHOD & HORIZONTAL OPEN DISCHARGE
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) OPEN DISCHARGE TO POND DIVERSION CREEK - 7 1/2 HP SUBMETER. 110' - 8" CASING
 b) Describe the type and size of measuring device which you have installed at your point of diversion: ORIFICE TYPE
- c) Give well driller's name and address and the date the well was completed: STAN LLOYD ELBA, IDAHO DEC - 1976
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: FISH POND DURING 77 DROUGHT

Exam typed 2/16/78 by J

card pulled

MICROFILMED

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	3																7	7

Total number of acres irrigated 7

10. Remarks: Well DID NOT PRODUCE TO IRRIGATE
THE LANDS APPLIED FOR IN APPLICATION.

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

Feb 3, 1978
(Date)

Russell F Hayden
(Signature)

State of Idaho)
County of Bannock) ss.

On this 3rd day of February, 19 78, 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 Bozelle,
Idaho

My commission expires August 1980

December 30, 1977

CERTIFIED MAIL

138252

Re: Permit No. 29-7110 & 29-7111

Russell J. Hayden
Mink Creek Rd., Box 456
Pocatello, Idaho 83201

Dear Mr. Hayden:

One of the conditions of approval of your water Permit No. 29-7110, 29-7111 (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 March 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

March 2, 1973

Re. Permit No.: 29-7110

Russell J. Hayden
Mink Creek Road
Box 456
Pocatello, Idaho

Dear Mr. Hayden:

Enclosed is a copy of your approved Application for Permit No. 29-7110 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to 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. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

29 7110

February 2, 1973

RE: Application No. 29-7110 - Russell J. Hayden

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

NCY:CW

Enc: Legal Notice

Bill submitted 2/20/73 by ba

29 7110

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Russell J. Hayden, Mink Creek Road, Box
456, Pocatello, Idaho
has on 2-01-73 submitted Application No. 29-7110
for a permit to appropriate 0.84 cubic feet per second ~~2000 feet per second~~
of water from a ground-water source
by means of well and pump
within the SE~~1~~SE~~4~~, SW~~1~~SE~~4~~, Sec. 3, T. 9S, R. 34E, B.M., Power County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within
~~for~~ the SW~~1~~SW~~4~~, Sec. 2, T. 9S, R. 34E, B.M., and from Apr. 1 to Nov. 1 for the
irrigation of 40 acres
within the SW~~1~~SW~~4~~, Sec. 2; SE~~1~~SE~~4~~, Sec. 3; NW~~1~~NW~~4~~, Sec. 10, 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
February 26, 1973.

R. KEITH HIGGINSON

Director

Published in the Power County Press, American Falls,
on February 8, and February 15, 1973.

29 7110

NEY