



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s): 45-07744, 45-544, 45-590B, 45-591,
45-593, 45-666, 45-592

☐ Old Mailing Address:

CRAIG S. HAWKES

2927N 4300E

MURTAUGH, ID. 83344

☐ New Mailing Address:

2014 S. 50 E.

OAKLEY, ID. 83346

☐ New Telephone Number: (208) 862 - 9242

☐ Signature of Claimant(s):

Craig Hawkes

Date:

7-10-03

**BUCKERBRUSH RANCH
2014 SOUTH 50 EAST
OAKLEY, ID 83346**

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date:	By:
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:

RECEIVED

AUG 14 2003

Department of Water Resources
Southern Region

9057

203811



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 20, 2003

CRAIG C HAWKER
2014 S 50 E
OAKLEY ID 83346

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 45-590A, 45-12445, 45-4177, 45-592, 45-179,
45-10122, 45-593, 45-666, 45-590B, 45-591, & 45-544
Change of Address Notification

Dear Mr. Hawker:

Thank you for notifying us of your change in address on the water right claims referenced above. Our records have been updated accordingly.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn'.

Carrie Hahn
Clerk

/ch

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A45-04177
Date Received: 6/15/1989
Receipt No: S008259
Received By: C. DUNN CHANGE

~~COPIES FOR~~
~~YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPIES FOR~~
~~YOUR FILES~~

1. Name: CRAIG S HAWKER 208-432-6602
Address: 2927 N 4300 W
MURTAUGH ID 83344
AND/OR
Name: RENAE B HAWKER 208-432-6602
Address: 2927 N 4300 W
MURTAUGH ID 83344

2. Date of Priority: APR 1, 1961

3. Source: LITTLE COTTONWOOD CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	21E	1	SW	SW	NW		CASSIA

5. Description of diverting works:
CONCRETE DIVERSION, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	08/01	2.600		

7. Total Quantity Appropriated is:
2.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1101.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	19	NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	46.0
			SW		SW	4	IRR	46.0
			SE		SW		IRR	40.0
			NW		SE		IRR	10.0
			SW		SE		IRR	10.0
							Section Acres	272.0
		30	NE		NW		IRR	40.0
			NW		NW	1	IRR	46.0
			SW		NW	2	IRR	46.0
			SE		NW		IRR	40.0
			NW		SW	3	IRR	45.0
							Section Acres	217.0
							Total Acres	489.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A45-00177, 00179 & SHARES IN OAKLEY CANAL CO.

14. Remarks:

THIS CLAIM IS FOR HIGH WATER HISTORICALLY USE ABOVE THE
DECREED WATER RIGHTS.

10/21/99, CHANGED OWNERSHIP: ADAMS TO HAWKER AS PER FORM 1409
AND DEED REC'D 6/1/99. C.T.

15. Basis of Claim: STATUTORY CLAIM



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 1999

CRAIG & RENAE HAWKER
2927 N 4300 W
MURTAUGH ID 83344

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS A45-00179, **A45-04177**,
A45-12445

Dear Claimants:

We have received your NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your USDA Farm Service Agency AERIAL PHOTO with **irrigated acres outlined** and **points of diversion** clearly marked. **item 2. c.)**.

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

cc: Guy E. Arnell

enc. (2)

REPLACEMENT

RECEIVED

DEC 16 1999

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).:

Adjudication Claim No(s).:

A45,00179, 04177, 12445

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former
Owner/ClaimantKYLE R ADAMS & LAURELL M. ADAMS177.3 S 600 W BURLEY ID 83318

4. New Owner/Claimant(s)

CRAIG S. HAWKER & RENAE B. HAWKER

New Mailing Address

2927 N 4300 W
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

City, State and ZIP Code

MURTAUGH ID 83344

New Telephone Number

(208) 432-6602

5. Date you acquired the property

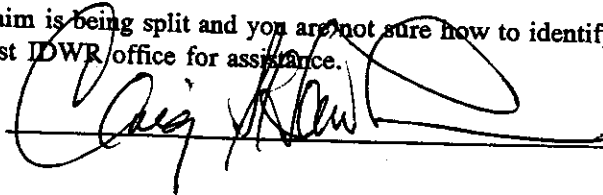
JAN 15, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner
or Claimant(s)

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

o/c 10/21/99 CT
1/31/00 DJ

Memorandum

To: FILE

CC:

From: CHERYL TIMM

Date: 12/16/99

Re: OWNERSHIP CHANGE, A45-00179, 04177, 12445

Mr. Hawker came to the office today to sign a replacement form 1409. I had sent the original form back with a letter requesting maps on 9/17/99. Guy Arnell of Alpha Realty & Exchange, sent the maps but did not return the original o/c change form. I then visited with him on the phone about the o/c form and he assured me that he would send it, post haste. That conversation was late September or Early October.

We had not received the Signed original claim as of today, 12/16/99. So, I called Mr. Hawker's residence and left a message on his answering machine. I wrote a letter (copy in file) and filled out a new o/c/ form for his signature. Mr. Hawker returned my call and volunteered to come to the office and signed the form today. And so he did.



ALPHA REALTY & EXCHANGE

218 W. 13th, Burley, Idaho 83318
Phone (208) 677-3030 • Fax (208) 678-5694

October 13, 1999

RECEIVED

OCT 18 1999

Department of Water Resources
Southern Region

Cheryl E. Timm
SRBA Records Clerk
IDWR
1341 Fillmore Street, Suite 200
Twin Falls, ID83301-3380

RE: Change of Water Right Ownership - Adams to Hawker

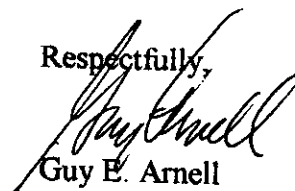
Dear Ms. Timm,

As per your letter of September 17, 1999, concerning the above referenced item, enclosed please find the requested FSA Aerial Photos showing approximately 440 acres irrigated less one farmstead and one small house. The points of diversion are clearly marked.

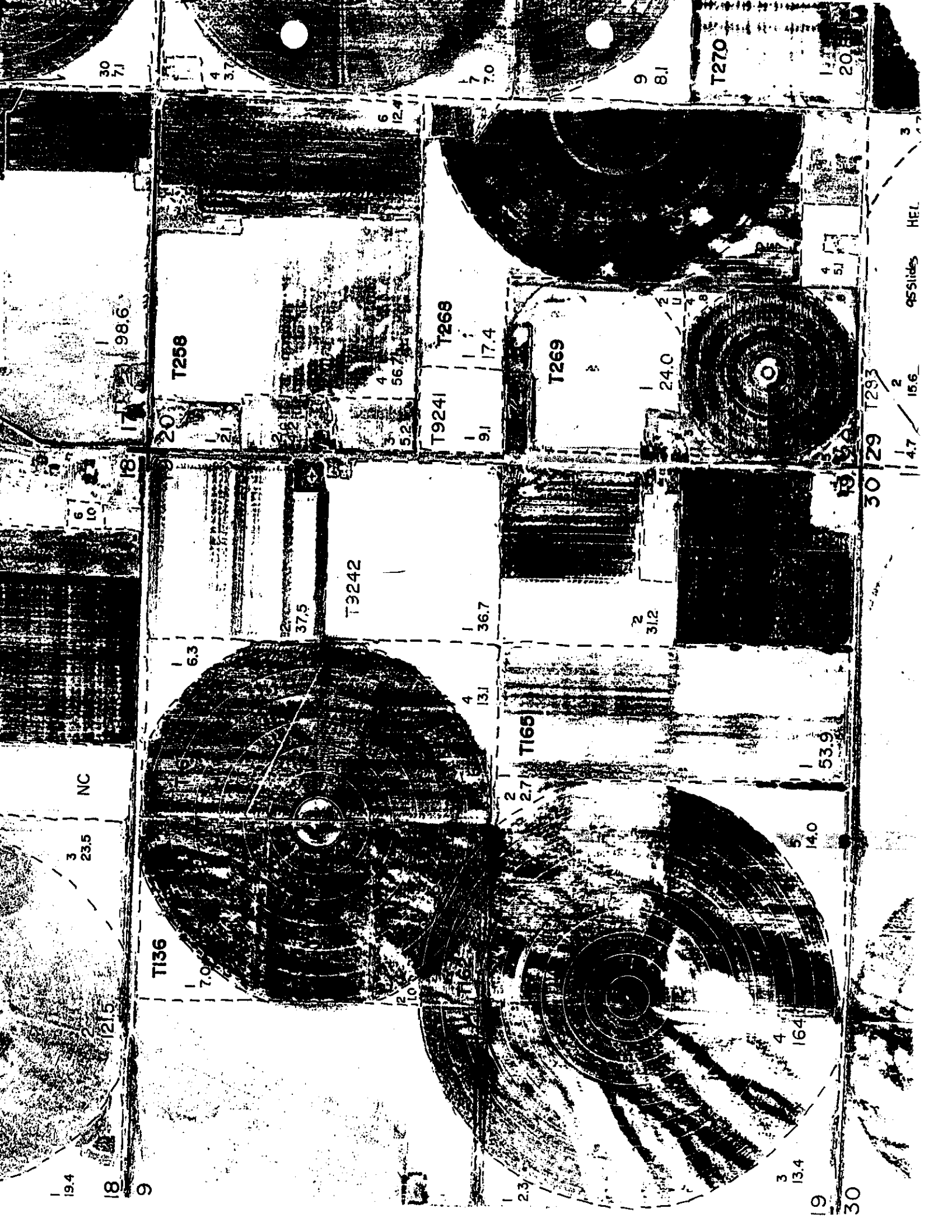
If you have any questions or more information is needed to effect this transfer, please notify me at your earliest convenience.

Thank You,

Respectfully,


Guy E. Arnell

cc: Craig Hawker
2927 North 4300 West
Murtaugh, ID 83344



OAKLEY CANAL
HEADGATE

PT. OF DIVERSION
FROM OAKLEY
CANAL LATERAL

PT. OF DIVERSION
FROM OAKLEY
CANAL LATERAL

29 SEE MAP M26

SEE MAP M26

T288

28.6

T297

T289

OAKLEY

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25.730

T172

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 17, 1999

GUY E ARNELL
ALPHA REALTY & EXCHANGE
218 W 13TH
BURLEY ID 83301-3380

Dear Mr. Arnell

Enclosed is a copy of the letter I sent to the Hawkers and a copy of the Change of Water Right Ownership for the sale of Adams to Hawkers. The Warranty Deed is #30918.

We will change the Water Right Ownership as soon as we receive the requested photo(s).

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enc: 2

CT:ct

COPY

WARRANTY DEED

#31114

COPY

For Value Received

KYLE R. ADAMS, also known as Kyle Adams and LAURELL M. ADAMS, also known as Laurell Adams, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

CRAIG S. HAWKER and RENAE B. HAWKER, husband and wife
Address: 2927 North 4300 East
Murtaugh, Idaho 83344

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: SW $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM the following the described tract:

Beginning at the Southwest corner of said Section 20, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap on top which shall be the Point Of Beginning;

Thence North 00°00'41" East along the West section line for a distance of 300.00 feet;

Thence South 89°14'18" East for a distance of 25.00 feet to a ½ inch rebar;

Thence South 89°14'18" East for a distance of 60.38 feet to a ½ inch rebar;

Thence South 44°27'39" East for a distance of 306.32 feet to a ½ inch rebar;

Thence South 00°00'41" West for a distance of 59.22 feet to a ½ inch rebar;

Thence South 00°00'41" West for a distance of 25.00 feet to a point on the South section line;

Thence North 89°14'18" West along said line for a distance of 300.00 feet to the Point of Beginning.

PARCEL NO. 3:

An easement for an irrigation pipeline, and pump and panel for the benefit of Parcel No. 2 over, under and across the following described property:

**TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 20: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of said Section 20, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap on top; Thence North 00°00'41" East along the West section line for a distance of 27.00 feet to the Point Of Beginning;
Thence North 00°00'41" East continuing along said line for a distance of 20.00 feet;
Thence North 89°18'42" East for a distance of 155.94 feet;
Thence North 66°36'12" East for a distance of 20.48 feet;
Thence North 38°21'14" East for a distance of 106.51 feet;
Thence South 44°27'39" East for a distance of 20.16 feet;
Thence South 38°21'14" West for a distance of 109.02 feet;
Thence South 66°36'12" West for a distance of 29.52 feet;
Thence South 89°18'42" West for a distance of 160.20 feet to the Point Of Beginning.

TOGETHER WITH all water and water rights including but not limited to 385.8 shares in the Oakley Canal Company.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1999 and subsequent years.

Assessments levied or to be levied, by the Oakley Canal Company.

Power Line Easement from Thomas Leonard Garrard and Belva Beal Garrard, his wife, Grantors to Idaho Power Company, a corporation, its licensees, successors and assigns, Grantee, dated August 21, 1953 and recorded November 7, 1953 as Instrument No. 180387 in Book 15 of Miscellaneous on Page 28, records of Cassia County, Idaho.

Power Line Easement from Orvil B. Adams and Claire R. Adams, his wife, Grantors to Idaho Power Company, a corporation, its licensees, successors and assigns, Grantee, dated March 24, 1972 and recorded July 3, 1972 as Instrument No. 63841 on Film No. 76, records of Cassia County, Idaho.

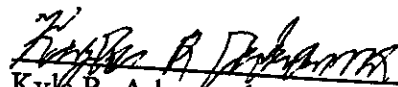
Power Line Easement from Orvil B. Adams and Claire R. Adams, his wife, Grantors to Idaho Power Company, a corporation, its licensees, successors and assigns, Grantee, dated November 24, 1972 and recorded March 30, 1973 as Instrument No. 69059 on Film No. 81, records of Cassia County, Idaho.

Power Line Easement from Kyle Adams and Laurell M. Adams, his wife, Grantors to Idaho Power Company, a corporation, its licensees, successors and assigns, Grantee, dated May 2, 1978 and recorded August 30, 1978 as Instrument No. 110584 on Film No. 120, records of Cassia County, Idaho.

Real Estate Mortgage held at Farm Credit Bank which the Grantors agree to have released as to Parcel No. 1 no later than January 15, 2009.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 14, 1999



Kyle R. Adams, aka Kyle Adams



Laurell M. Adams, aka Laurell Adams

STATE OF IDAHO

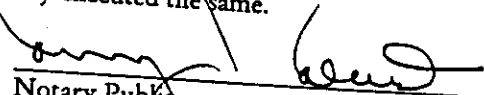
COUNTY OF Cassia

)
) ss.
)

On this 15th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared KYLE R. ADAMS and LAURELL M. ADAMS, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-03



Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

WARRANTY DEED

#30918

For Value Received

KYLE ADAMS, also known as **Kyle R. Adams**, and **LAURELL ADAMS**, also known as **Laurell M. Adams**, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

CRAIG S. HAWKER and **RENAE B. HAWKER**, husband and wife

Address: 2917 North 4300 East
Murtaugh, Idaho 83344

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

**TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 30: Lots 1, 2 & 3 and the E½NW¼

TOGETHER WITH all water and water rights including but not limited to 225 shares in Oakley Canal Company, 1 share in Marion Pipeline Company, and all water rights under State of Idaho Water Adjudication Nos. A45-12445, A45-04177 and A45-00179.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 1998.

Power Line Easement from Lyman P. Adams and Mrs. Verla H. Adams, his wife, Grantors to Idaho Power Company, a corporation, it's licensees, successors and assigns, Grantee, dated August 21, 1953 and recorded as Instrument No. 180384 in Book 15 of Miscellaneous on Page 26, records of Cassia County, Idaho.

Oil and Gas Lease between Kyle R. Adams and Laurell M. Adams, husband and wife and Inca Oil and Gas, dated April 1, 1981 and recorded May 6, 1981 as Instrument No. 134718 on Film No. 142, records of Cassia County, Idaho. (Lot 1 & E½NW¼, Section 30, Township 13 South, Range 22 East of the Boise Meridian.) ASSIGNMENT OF OVERRIDING ROYALTY from Inca Oil & Gas, Inc., to Alan R. Hansen et al dated May 5, 1983 and recorded June 11, 1983 as Instrument No. 153317 on Film No. 138, records of Cassia County, Idaho.



ALPHA REALTY & EXCHANGE

218 W. 13th, Burley, Idaho 83318
Phone (208) 677-3030 • Fax (208) 678-5694

May 25th, 1999

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED

JUN 01 1999

Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership

Dear Sirs:

Enclosed please find a NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form for Adjudication Claim No(s): A45-00179, A45-04177, and A45-12445.

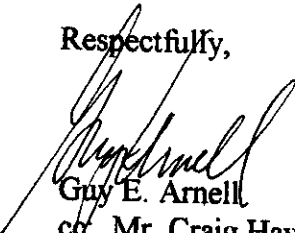
With reference to Item #2, enclosed please find copies of two recorded Warranty Deeds, complete with legal descriptions.

With reference to Item #6, the new owner did not acquire all of the former owner's property, but did acquire all of the former owner's right in the above referenced claims.

Additionally, the former owner, Mr. Kyle R. Adams, has informed me that he filed a new water right last winter on some drain or seep water that he was going to use for watering livestock. On May 11, 1999, I discussed this matter with Jim Stanton, who recalled the meeting with Kyle Adams and a subsequent inspection of a water line that Mr. Adams installed. Mr. Stanton was unable to locate a number at that time and because of his work load suggested I work with Cory Skinner. On Friday, May 21st, I met with Mr. Skinner and after a lengthy search on his computer, he could not locate this new filing. Mr. Skinner was going to discuss this matter with Jim Stanton. Adams has subsequently informed me that he indeed did spent the better part of an afternoon at the department last winter on this filing and would look for what paperwork he might locate for documentation. This water right is to be transferred to Mr. Hawker also.

If there are any questions or concerns, please contact me.

Respectfully,


Guy E. Arnell

cc: Mr. Craig Hawker



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 1, 2000

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**CRAIG S & RENAE B HAWKER
2927 N 4300 W
MURTAUGH ID 83344**

**RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A45-00179,
A45-04177, A45-12445**

Dear Claimant(s):

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim(s) to you. Please find the enclosed copies of the computer record of the claims, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

**Cheryl E. Timm
SRBA Records Clerk**

Enclosure

CT:ct

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A45-04177
Date Received: 6/15/1989
Receipt No: 5008259
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KYLE R. ADAMS 208-862-3406
Address: RT. 1 BOX 90
OAKLEY, ID 83346

AND/OR

Name: LAURELL ADAMS 208-862-3406
Address: RT. 1 BOX 90
OAKLEY, ID 83346

2. Date of Priority: APR 01, 1961

3. Source: LITTLE COTTONWOOD CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	21E	1	SW	SW	NW		CASSIA

5. Description of diverting works:
CONCRETE DIVERSION, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	08/01	2.600		

7. Total Quantity Appropriated is:
2.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1101.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	22E	19	NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	46.0
			SW		SW	4	IRR	46.0
			SE		SW		IRR	40.0
			NW		SE		IRR	10.0
			SW		SE		IRR	10.0
							Section Acres	272.0
		30	NE		NW		IRR	40.0
			NW		NW	1	IRR	46.0
			SW		NW	2	IRR	46.0
			SE		NW		IRR	40.0
			NW		SW	3	IRR	45.0
							Section Acres	217.0
							Total Acres	489.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A45-00177, 00179 & SHARES IN OAKLEY CANAL CO.

14. Remarks:

THIS CLAIM IS FOR HIGH WATER HISTORICALLY USE ABOVE THE
DECREED WATER RIGHTS.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A45-00177

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): ~~15 June~~ Kyle R. Palmer Date: 15 June 89
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of June 19 89

Allen D. Herrera
Notary Public

Seal

Residing at Kinsey, Id.
My Commission Expires 6/30/89



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

25-Jan-1993

R. KEITH HIGGINSON
Director

A45-04177
KYLE R. ADAMS
LAURELL ADAMS
RT. 1 BOX 90
DAKLEY

ID 83346

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

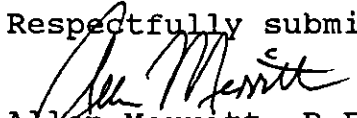
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by April 1, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 10 1993

07/10/2003

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

RIGHT NUMBER: 45-4177

NAME AND ADDRESS: CRAIG S HAWKER
2927 N 4300 E
MURTAUGH ID 83344

RENAE B HAWKER
2927 N 4300 E
MURTAUGH ID 83344

SOURCE: LITTLE COTTONWOOD CREEK

TRIBUTARY: SINKS

QUANTITY: 2.600 CFS

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION:

T14S R21E S1 SWSWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 08/01	2.600 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S19	NESW	40.0	T13S R22E S19 Lot 3	NWSW	46.0
T13S R22E S19 Lot 4	SWSW	46.0	T13S R22E S19	SESW	40.0
T13S R22E S30	NENW	40.0	T13S R22E S30 Lot 1	NWNW	46.0
T13S R22E S30 Lot 2	SWNW	46.0	T13S R22E S30	SESW	40.0
T13S R22E S30 Lot 3	NWSW	45.0			

389 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 389 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-179, 45-4177, &
45-12445.

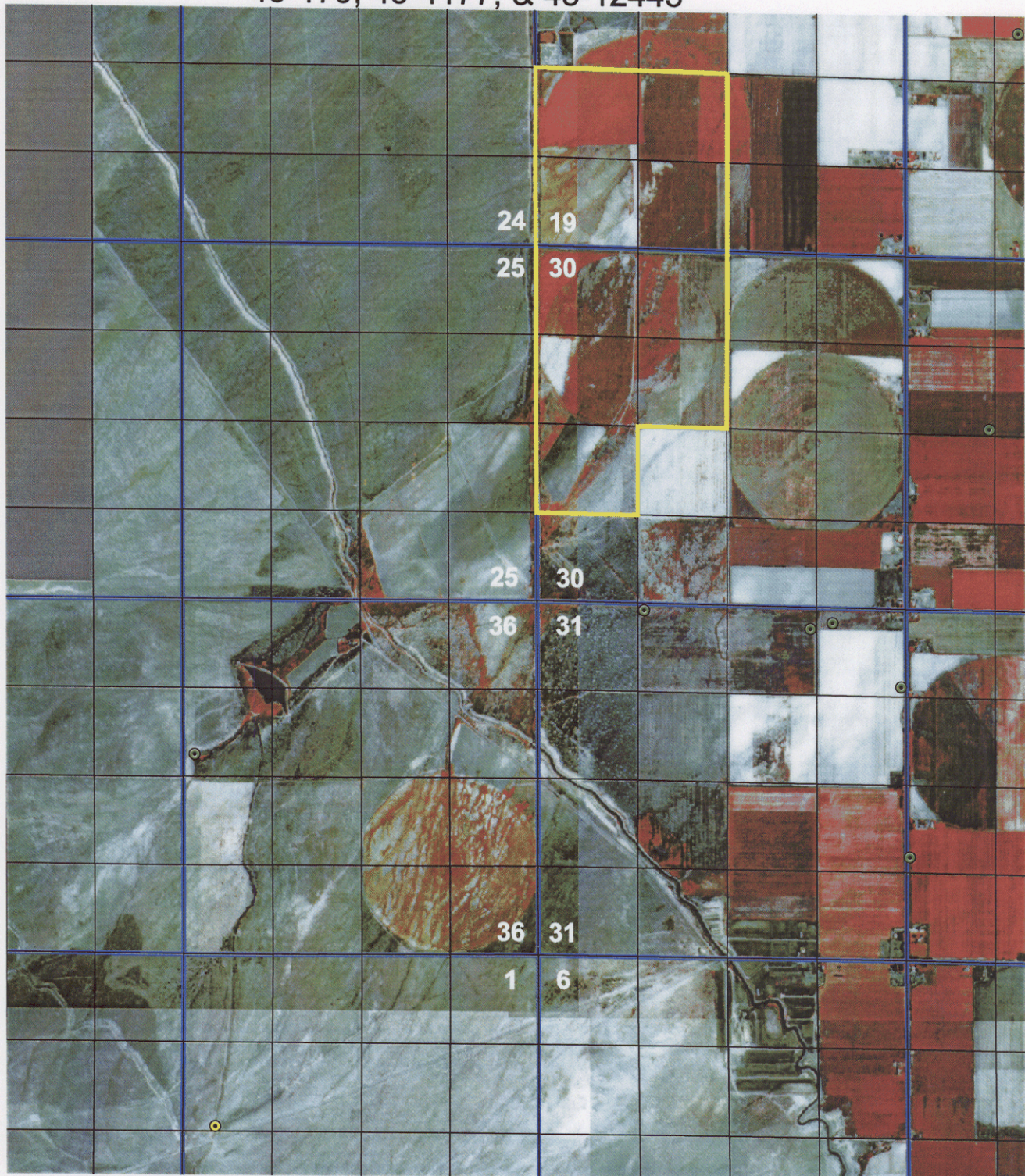
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

45-179, 45-4177, & 45-12445



1320 0 1320 Feet

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 10, 2003
TWP 13S, RNG 22E, SEC. 19, & 30



Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4177 V1

WATER RIGHT NUMBER: 45-4177 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CRAIG S HAWKER 2927 N 4300 E MURTAUGH, ID 83344 (208)432-6602
Original Owner	KYLE R ADAMS 1773 S 600 W OAKLEY, ID 83346 (208)862-3406
Original Owner	LAURELL ADAMS 1773 S 600 W OAKLEY, ID 83346 (208)862-3406
Current Owner	RENAE B HAWKER 2927 N 4300 E MURTAUGH, ID 83344 (208)432-6602

Priority Date: 04/01/1961

Basis: Beneficial Use

Status: Active

Source

LITTLE COTTONWOOD CREEK

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

03/15 to 08/01

Diversion Rate

2.600 CFS

Annual VolumeTotal Diversion:

2.600 CFS

Location of Point(s) of DiversionLITTLE COTTONWOOD CREEK
CASSIA County

SW1/4SW1/4NW1/4

Sec. 1, Twp 14S, Rge 21E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	19									40.0	46.0	46.0	40.0					172.0
												L 3	L 4						
13S	22E	30					40.0	46.0	46.0	40.0		45.0							217.0
								L 1	L 2			L 3							

Total Acres: 389

Conditions of Approval:

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4177 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. S21 USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

Remarks:

1. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
- Irrigation OF A COMBINED TOTAL OF 389 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 45-179, 45-4177, & 45-12445.

Comments:

1. jroberts 7/10/2003 Basis of Recommendation
Comment: Original claim was for 489 ac but new claimant only purchased 389 ac but all of the decreed Little Cottonwood surface water rights. (Another claimant bought the groundwater rights and transferred them off.) I recommended the surface rights to the pou purchased. This right is a beneficial use right and there was no evidencce of priority submitted for the 1961 date. A check of the database showed no other claims from Little Cottonwood Creek would be affected by this high water claim and priority date, I will recommend the date as claimed. Also has OCC shares.

Dates and Other Information:

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

<u>Basir Sequence</u>	<u>Basir</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>Rate/C</u>	<u>Source</u>	<u>Water Use</u>	<u>Owner(s)</u>	<u>Version</u>	<u>Source To</u>	<u>App ID</u>
45	176	Decreed	4718	1876-04-01	2.4	LITTLE COTTO	IRRIGATIO HUNTER, HYRUM L		wrWaterRight	
45	176		569411	1876-04-01	2.4	LITTLE COTTO	IRRIGATION		xrToAdjCla	70618
45	177	Decreed	4719	1882-04-01	1	LITTLE COTTO	IRRIGATIO ALEXANDER, JOSEP		wrWaterRight	
45	178	Decreed	4720	1882-04-01	1	LITTLE COTTO	IRRIGATIO ALEXANDER, JOHN		wrWaterRight	
45	179	Decreed	272875	1881-06-30	1	LITTLE COTTO	IRRIGATIO HAWKER, CRAIG S		wrAdjudicationClaim	
45	179	Decreed	4721	1881-06-30	1	LITTLE COTTO	IRRIGATIO ADAMS, GEORGE A		wrWaterRight	
45	180	Decreed	4722	1881-06-30	0.2	LITTLE COTTO	IRRIGATIO HUNTER, LOWELL N		wrWaterRight	
45	181	Decreed	4723	4/1/1904	2.4	LITTLE COTTO	IRRIGATIO BATES JR, ORSON P		wrWaterRight	
45	2060	License	3803	3/10/1909	70	LITTLE COTTO	DOMESTIC TWIN FALLS OAKLEY		wrWaterRight	
45	4177	Statutory C	272887	4/1/1961	2.6	LITTLE COTTO	IRRIGATIO HAWKER, CRAIG S		wrAdjudicationClaim	
45	4177	Statutory C	3187	4/1/1961	2.6	LITTLE COTTO	IRRIGATIO ADAMS, KYLE R		wrWaterRight	
45	4266	Statutory C	2469	1872-01-01	0.02	LITTLE COTTO	STOCKWATER DEPT OF AGRICU		wrWaterRight	
45	10357	Beneficial U	267373	1879-04-20	0.23	BIG PIPE SPRIN	STOCKWATER GARDNER, LUTHER		wrAdjudicationClaim	
45	10357	Beneficial U	200697	1879-04-20	0.23	BIG PIPE SPRIN	STOCKWATER GARDNER	1	wrAdjudicationRecommendation	
45	10358	Beneficial U	267374	1879-04-20	0.23	DURFEE MEAD	STOCKWATER GARDNER, LUTHER		wrAdjudicationClaim	
45	10358	Beneficial U	347292	1879-04-20	0.23	LITTLE COTTO	STOCKWATER GARDNER	1	wrAdjudicationRecommendation	
45	12121	Decreed	348403	1875-05-01	0.02	LITTLE COTTO	STOCKWATER UNITED STATES OF		wrWaterRight	
45	12445	Decreed	188351	1882-04-01	2	LITTLE COTTO	IRRIGATIO HAWKER, CRAIG S		wrAdjudicationClaim	
45	12522	Beneficial U	171225	1873-01-01	0.2	LITTLE COTTO	STOCKWATER UNITED STATES OF		wrAdjudicationClaim	
45	12522	Beneficial U	229510	1873-01-01	0.02	LITTLE COTTO	STOCKWATER UNITED S	1	wrAdjudicationRecommendation	
45	13539	Beneficial U	566738	5/12/1920	0.05	LITTLE COTTO	STOCKWATER HUNTER, KIM		wrAdjudicationClaim	
45	13539	Beneficial U	566747	5/12/1920	0.05	LITTLE COTTO	STOCKWATER HUNTER,	1	wrAdjudicationRecommendation	
45	13539		566747	5/12/1920	0.05	LITTLE COTTO	STOCKWATER		xrFromAdjC	70618
45	13539		569416	5/12/1920	0.05	LITTLE COTTO	STOCKWATER		xrToAdjCla	70618

Log for claim A45-04177

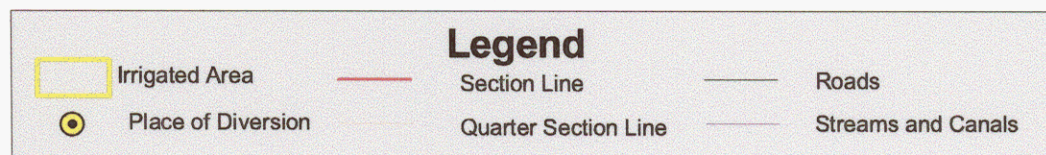
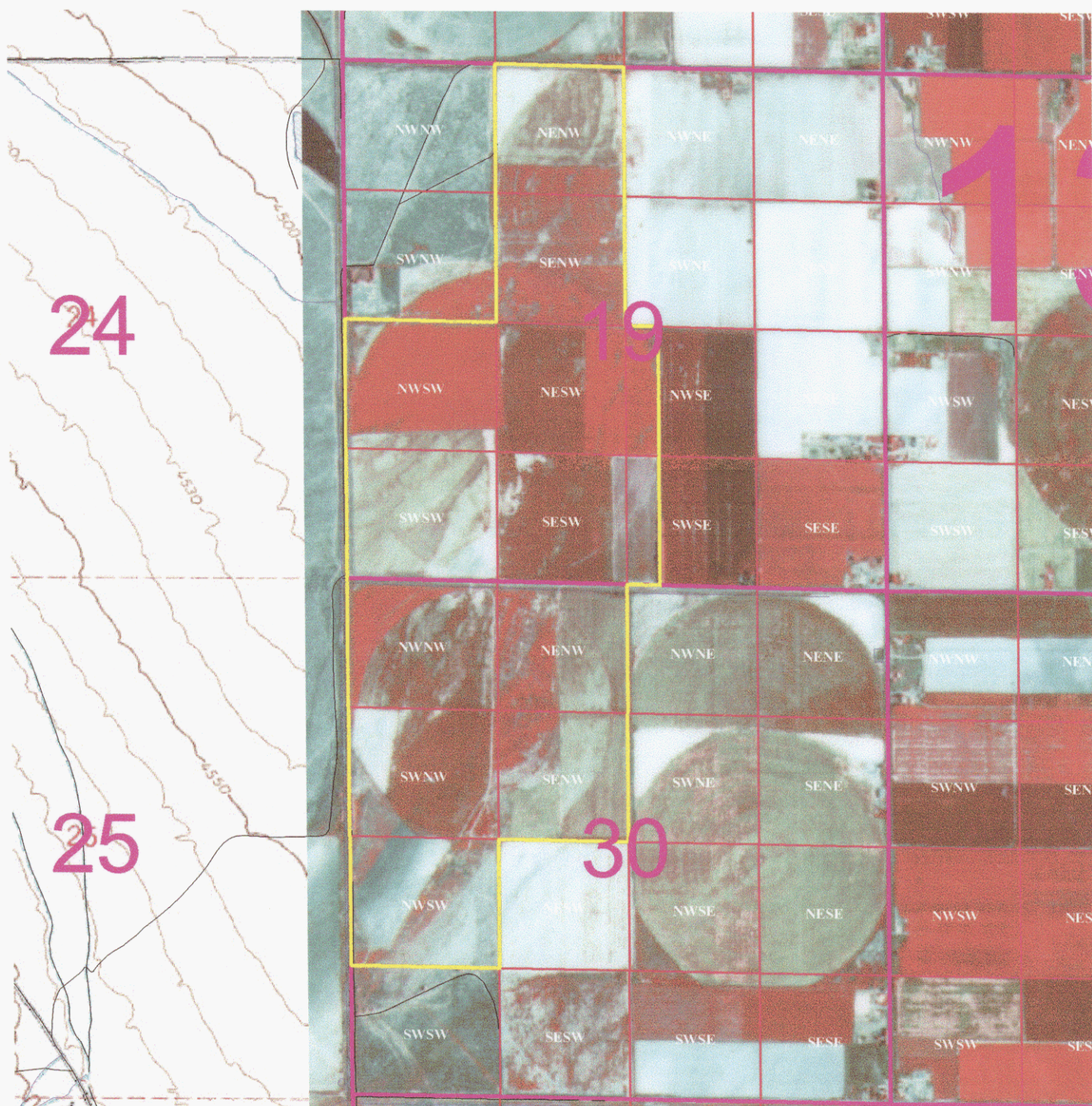
Spatial Dynamics LTD

5/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
13s22e	19	NENW	40	~~0~~ 40	} owned by Pickett
13s22e	19	SENE	40	~~0~~ 40	
13s22e	19	NESW	40	~~10~~ 40	
13s22e	19	NWSW	46	~~46~~ 46	
13s22e	19	SWSW	46	~~46~~ 46	
13s22e	19	SESW	40	~~40~~ 40	} owned by Pickett
13s22e	19	NWSE	10	~~0~~ 10	
13s22e	19	SWSE	10	~~0~~ 10	
13s22e	30	NENW	40	~~40~~ 40	
13s22e	30	NWNW	46	~~46~~ 46	
13s22e	30	SWNW	46	~~46~~ 46	
13s22e	30	SENE	40	~~40~~ 40	
13s22e	30	NWSW	45	~~45~~ 45	
Totals:			489	~~39~~ 489	

high water / Little Cottonwood Creek

Township , 13S22E



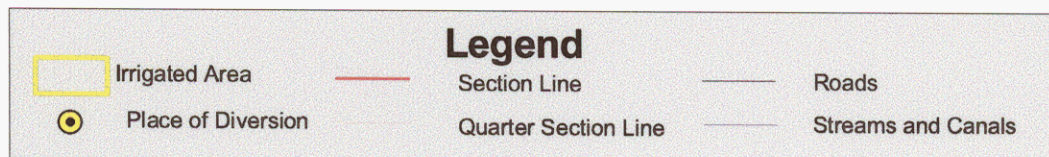
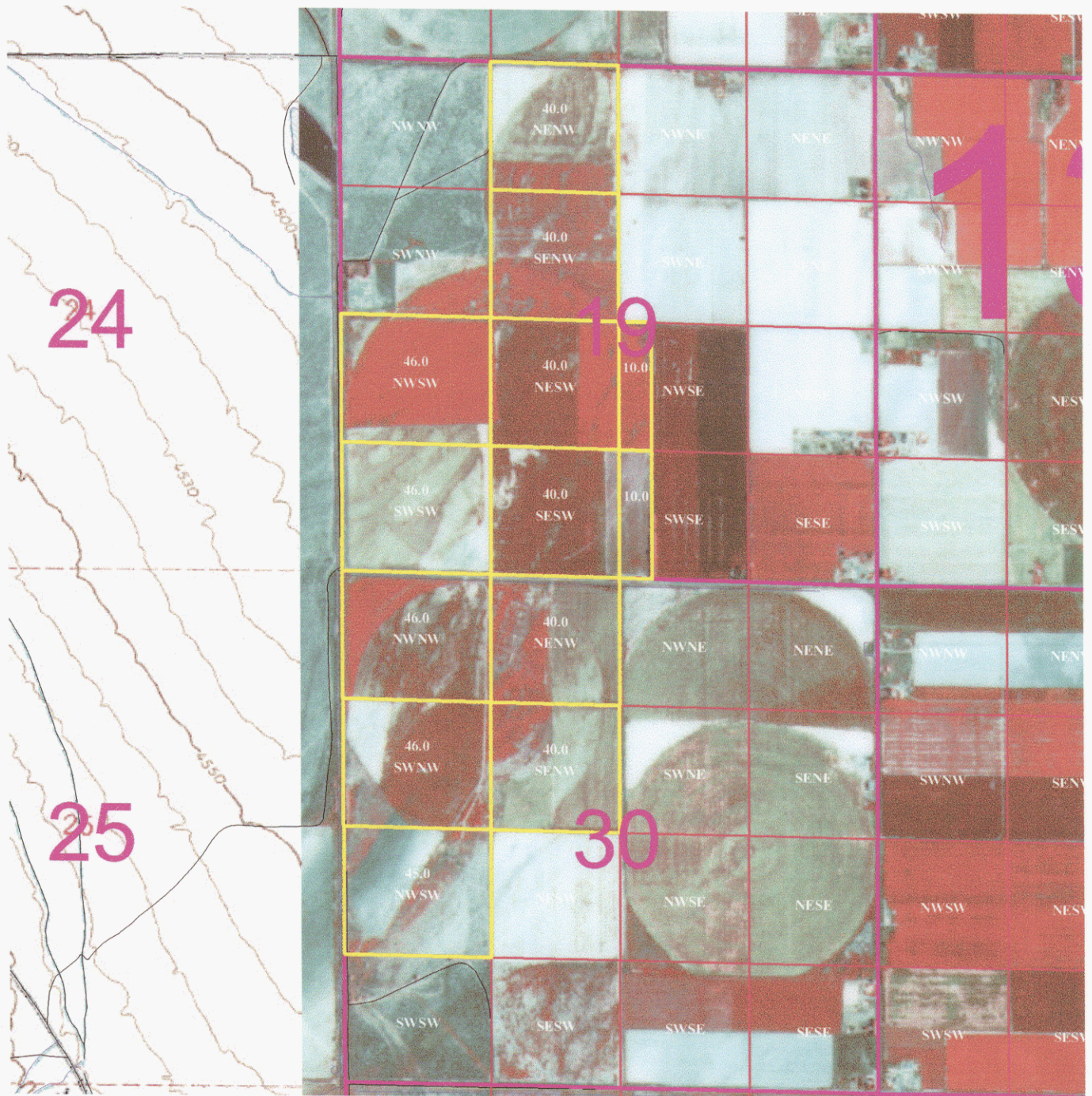
600 0 600 1200 Feet



Water Right Claim Number A45-04177

05/19/2000

Township , 13S22E



600 0 600 1200 Feet



+

4S Rge 2, E

PD

2

1

IDENTIFIED

B
25.8

C
26.0

G
75.1

H
25.1

I
10.5

J
25.1

K
33.2

19

30

M
15.3

F332
8.2

N

S
2.7

V
12.8

W

R

BB
9.0

F

AJ5809NP
No. A45-04177

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/24/00
PAGE: 59

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRAIG S HAWKER	04/01/1961	IRRIGATION	03-15 08-01	2.600 CFS	
C	RENAE B HAWKER				2.600 CFS	

TOTAL DIVERSION: 2.600 CFS
CONSUMPTIVE USE: 1101.00 AFA

Water Source: LITTLE COTTONWOOD CREEK

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T14S R21E S01

SWSNW

CASSIA County

Place of use Legal Description for: IRRIGATION

NE

NW

SW

SE

T	R	S	NE	NW	SW	SE	SUM
13S	22E	19	40	40	40	40	272.0
13S	22E	30	40	40	40	40	217.0

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A45-00177, 00179 & SHARES IN OAKLEY CANAL CO.

AJ5809NP
No. A45-04177

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/24/00
PAGE: 60

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A45-00179 A45-12445 A45-12522

Other Water Rights Listing Overlapping Place(s) of Use:

A45-00093	A45-00094	A45-00131	A45-00132	A45-00133	A45-00177	A45-00178	A45-00179	A45-02040	A45-02186
A45-02187	A45-02437	A45-04273	A45-12438	A45-12442	A45-12443	A45-12445	A45-12449	A45-12455	A45-12749
A45-12750	R45-00106	R45-00116	R45-00128	R45-00131	R45-00177	R45-00178	R45-02059	R45-04230	

Remarks: GEN THIS CLAIM IS FOR HIGH WATER HISTORICALLY USE ABOVE THE
DECREED WATER RIGHTS.

10/21/99, CHANGED OWNERSHIP: ADAMS TO HAWKER AS PER FORM 1409
AND DEED REC'D 6/1/99. C.T.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	C
Audit:	06/15/89 MERRITT	03/30/95 POST-STD	10/21/99 CTIMM