

08/30/2005

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

RIGHT NUMBER: 78-7160

NAME AND ADDRESS: MONTE HAWKS
PO BOX 502
RIGGINS ID 83549

KIM HAWKS
PO BOX 502
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.030 CFS
0.800 AFY

PRIORITY DATE: 02/25/1981

POINT OF DIVERSION:

T23N R01E S20 SWSE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.030 CFS 0.80 AFY

PLACE OF USE: IRRIGATION Within IDAHO County

T23N R01E S20 SWSE 0.2

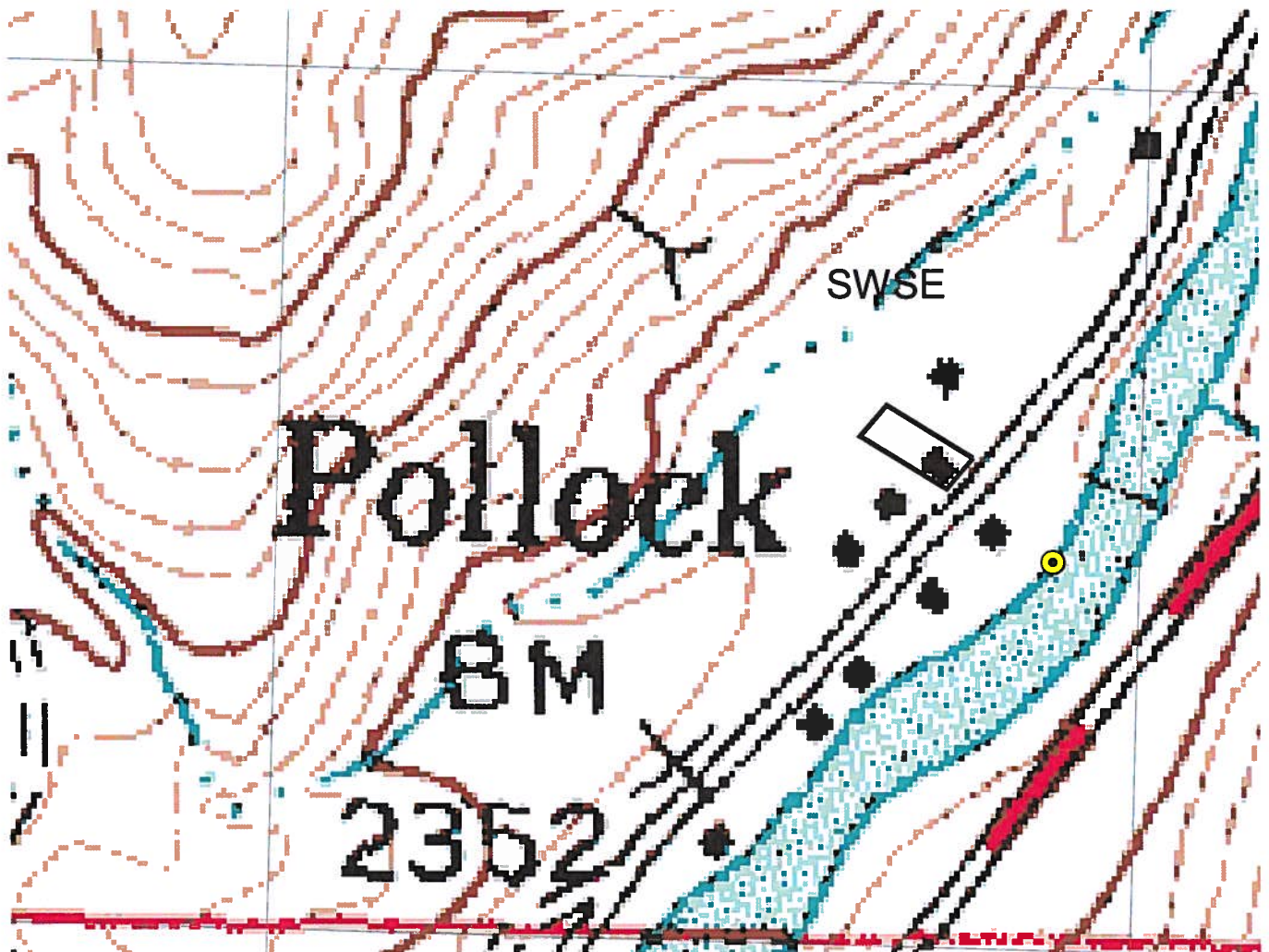
0.2 ACRES TOTAL

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: BASIS OF CLAIM - License

78-7160



0 200 400 Feet

Section 20
T23N R1E



● Point of Diversion

□ Place of Use

Map prepared on August 30, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

RECEIVED

DEC 27 2005

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 03 2006

IDWR/North

12-23-05

Dear Sir,

Please change our mailing
address. Our mailing address is
as follows:

Monte & Kim Hawks
PO Box 295 - #9 Pollock Rd
Pollock, ID 83547
(208) 628-3584

Thanks,
Kim R Hawks

Old Address:

Box 502 - #9 Pollock Rd
Riggins, ID 83549

78-7160 ← Reconn.

78-11970 ← P.P.

cc: W.A.

Records updated 12-28-05
-ps

SCANNED

DEC 28 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

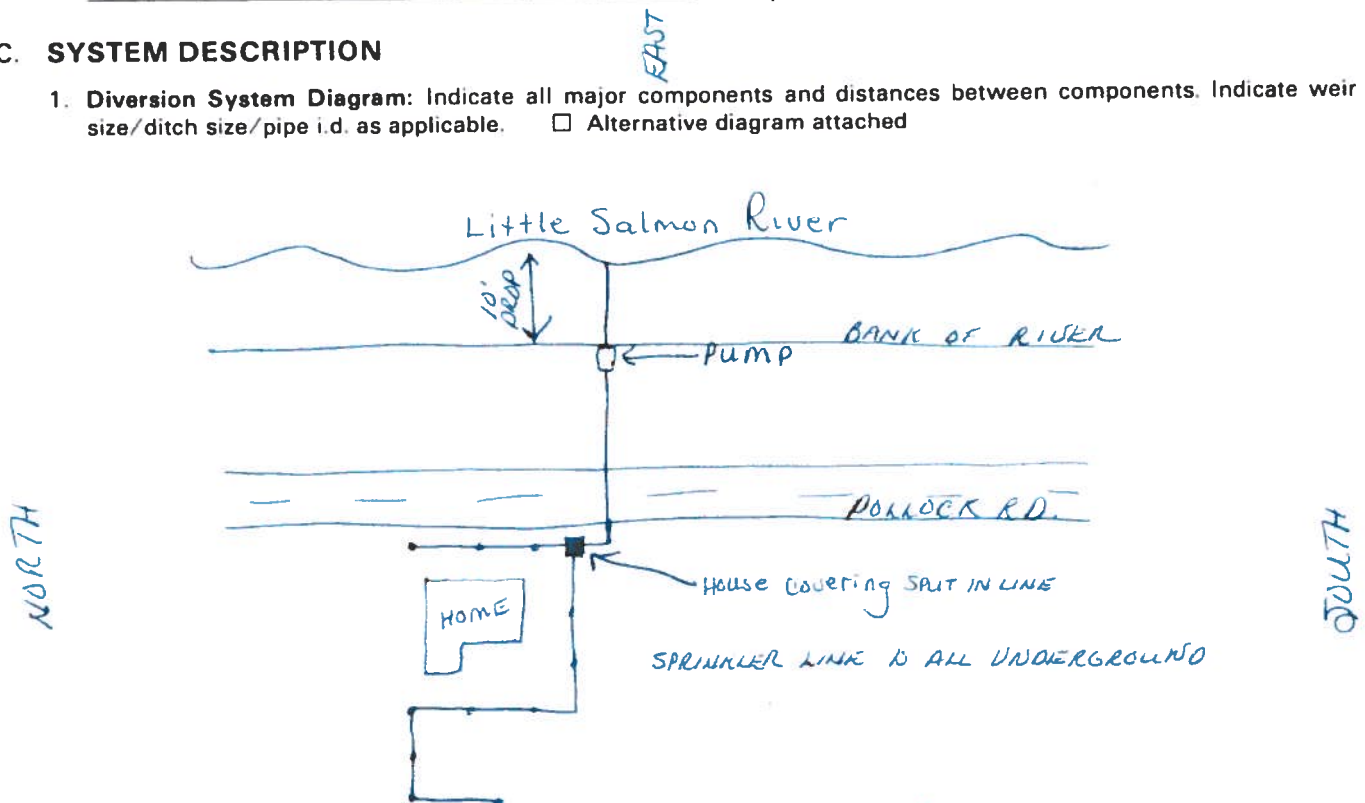
- Permit No. 78-7160
1. Owner: ROBERT F. & MARGARET FESSENDEN Phone No. 623-3938
Current Address: Box 233, Pollock, ID 83547
2. Accompanied by: MR & MRS FESSENDEN EXAM. DATE: 9/21/87
Address: SAME AS ABOVE Phone No. _____
Relationship to Permit Holder: _____
3. Source: LITTLE SALMON R. tributary to SALMON R.

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

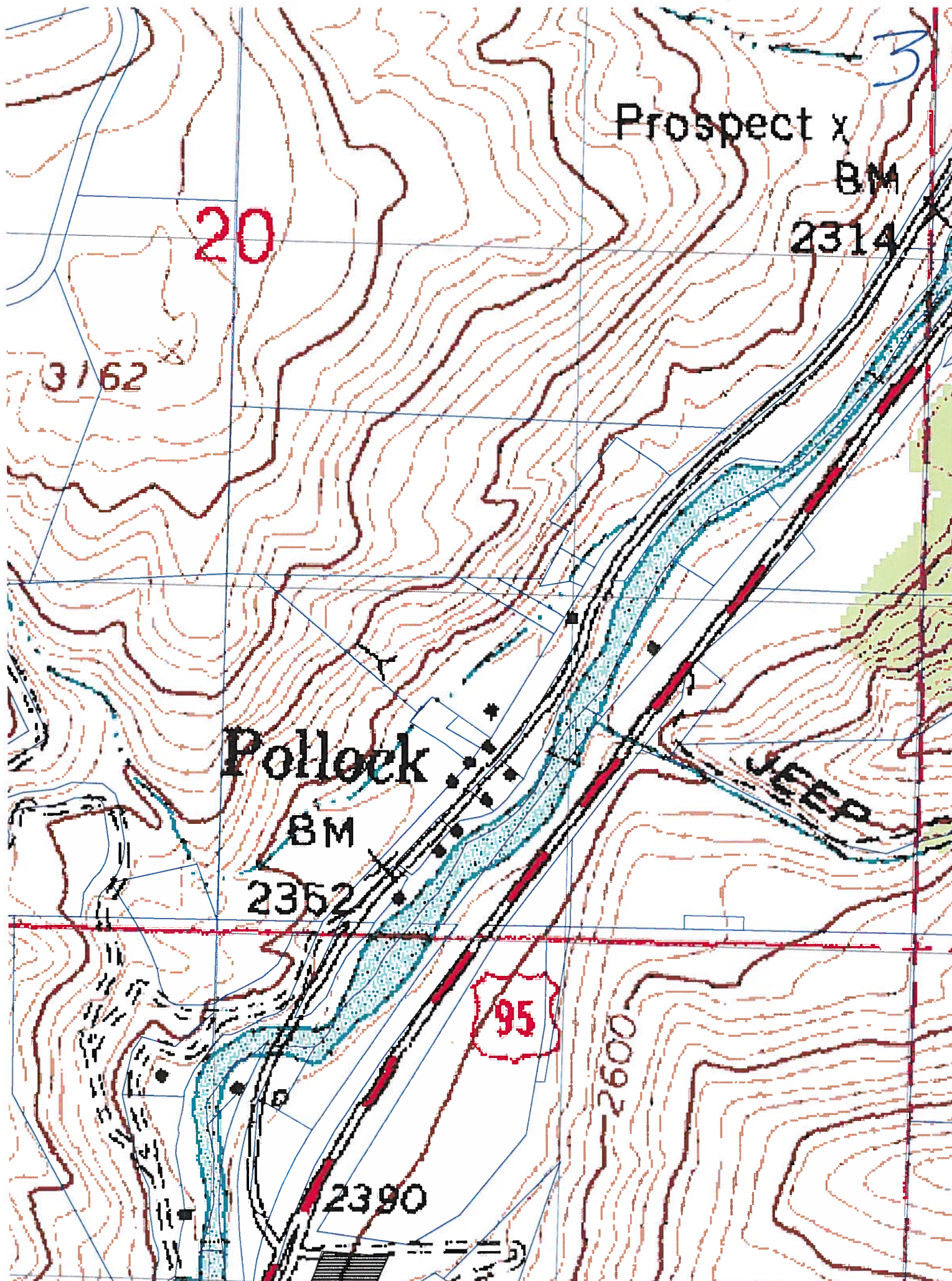


Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

NOTED

DEC 16 1988



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: **A78-07160**
Date Received: 5/19/1988
Receipt No: C000713
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MONTE HAWKS 208-628-3584
Address: PO BOX 502
RIGGINS ID 83549
AND
Name: KIM HAWKS 208-628-3584
Address: PO BOX 502
RIGGINS ID 83549

2. Date of Priority: FEB 25, 1981

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	20	SW	SE			IDAHO

5. Description of diverting works:
PUMP & PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	20	SW	SE		IRR	1.0

10. Place of Use: Continued

Section Acres	1.0
Total Acres	1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = .21.

CHANGE OF OWNERSHIP COMPLETED ON 4/9/93 BY L.R.W.

OWNERSHIP CHANGED BY LH 7/14/94.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 12 1994

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 23 N Range 1 E
 Section 20, 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED

JUL 13 1994

WATER RESOURCES
WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A 78 - 07160
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Carolyn S. Windish
225 E Oak Dr.
Monroe Michigan 48161
- ☐ New Owner/Claimant (Purchaser):
Monte & Kim Hawks
- ☐ New Mailing Address:
P.O. Box 502
Riggins, Idaho 83549
- ☐ New Telephone Number: (208) 628-3584
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Monte E. Hawks Date 6-25-94
Kim Hawks Date 6-25-94
- ☒ Signature of Former Owner/Claimant(s): Carolyn S. Windish Date 7-1-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-14-94 By: zad

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7-14-94 By: zad

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

MICROFILMED

OCT 24 1996

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: **A78-07160**
Date Received: 5/19/1988
Receipt No: C000713
Received By: _____

RECEIVED
MAY 6 1993

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CAROLYN S WINDISH 313-529-5634
Address: 225 E MONROE APT 1W
DUNDEE MI 48131

2. Date of Priority: FEB 25, 1981

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	20	SW	SE			IDAHO

5. Description of diverting works:
PUMP & PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	01E	20	SW	SE		IRR	1.0

Section Acres 1.0

Total Acres 1.0

A78-07160

Page 1

Date: 04/09/93

MICROFILMED
OCT 24 1996

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = .21.

CHANGE OF OWNERSHIP COMPLETED ON 4/9/93 BY L.R.W.

15. Basis of Claim: PERMIT

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Carolyn S. Windish Date: April 23, 93

Date: _____

State of Idaho)
County of Monroe) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of APRIL 19 93

[Signature]
Notary Public

Seal

Residing at 8900 Platt Rd. Milan, MI

My Commission Expires 4/28/93

DAVID A. SPENCER
Notary Public, Monroe County, MI
My Commission Expires Nov. 28, 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DEC 24 1992

Department of Water Resources

DATE OF CLOSING: 10-30-92

LEGAL DESCRIPTION OF PROPERTY: Township 23 N Range 1 E
Section 20, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

RECEIVED
JAN 06 1993

Department of Water Resources
Western Regional Office

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

78 - 07140

[] Name and Address of Former
Owner/Claimant(s)(Seller):

Robert F Fessenden

Margaret M. Hinkley

P.O. Box 339 - Riggins, Idaho 83549

[] New Owner/Claimant
(Purchaser):

Carolyn S. Windish

[] New Mailing Address:

225 E Monroe Apt 1W

Dundee, Michigan 48131

[] New Telephone Number:

(313) 529 - 5634

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s)

Carolyn S. Windish

Date 12-7-92

Date _____

[] Signature of Former
Owner/Claimant(s):

Robert F Fessenden

Date _____

Margaret M. Hinkley Fessenden

Date 10-31-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-9-93 By: LRW

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

OCT 24 1996

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: A78-07160
Date Received: 6/03/1988 5-18-2
Receipt No: C000713

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT F. FESSENDEN 208-628-3938
Address: P.O. BOX 233
POLLOCK, ID 83547

AND/OR
Name: MARGARET M. HINKLEY FESSENDEN 208-628-3938
Address: P.O. BOX 233
POLLOCK, ID 83547

2. Date of Priority: FEB 25, 1981

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	20	NE	SW	SE		IDAHO

5. Description of diverting works:
2 HP PUMP IN STREAM W/ PVC PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.030		

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

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A78-07160

Page 1

Date: 06/03/88

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	20	SW	SE		IRR	0.2
Section Acres							0.2
Total Acres							0.2

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT
Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number A78-07160Date Received 05-18-88Receipt Number C000713

RECEIVED
MAY 18 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) ROBERT F. FESSENDEN^{2nd} & MARGARET M. HINKLEY FESSENDEN Phone (208) 628-3938Mailing Address P.O. Box 233, POLLOCK ID Zip 835472. Date of Priority (Only one (1) per claim) FEB 25, 19813. Source of water supply (a) LITTLE SALMON RIVER
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 23N Range 1E Section 20,NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of IDAHO

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.2H.P. Pump in Stream With PVC Pipe To Sprinkler System.

MICROFILMED

OCT 05 1992

Copies: White State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/31 amount .03 Cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
23 N	1 E	20																.21	.21

Total number of acres irrigated .21

11. In which county (ies) are lands listed above as place of use located? IDAHO

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (✓)

14. Remarks:

Last Name FESSENDEN Ident No. A78-07160

MICROFILMED
Copies: White -State, Yellow-Claimant
OCT 05 1992

Scale: 2 inches equals 1 mile

20

P.D.
P.V.

Ident No. A 78-07160

Copies: White-Start, Yellow-Clairmont

OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Robert L Fessenden Date 5-14-88

Margaret M. Fessenden Date 5-14-88

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 14 day of May 19 88

SEAL

Notary Public Dolena C. Sill

Residing at Riggins Idaho

My Commission Expires 1-11-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name FESSENDEN Ident. Number A78-01760

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 05 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 14, 1994

Re: Notice of Claim to a Water Right No. A78-07160

Monte Hawks
Kim Hawks
P.O. Box 502
Riggins, ID 83549

Mr. & Mrs. Hawks:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

MICROFILMED
OCT 24 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date APRIL 9, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[CAROLYN S WINDISH
225 E MONROE APT 1W
DUNDEE MI 48131
[]

Notice of Claim No.(s) A78-07160

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED
OCT 24 1996