

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

MAR 17 2000

Department of Water Resources

PAGE 1
Mar-15-2000

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: A02-07296

Date Received: 10/28/1988

Receipt No: W1230

Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODNEY A. HAWES 208-896-4666
Address: P.O. BOX 563
MARSING, ID 83639

AND/OR

Name: LEONA S. HAWES 208-896-4666
Address: P.O. BOX 563
MARSING, ID 83639

2. Date of Priority: MAR 07, 1980

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	3	NW	NE		3	OWYHEE

5. Description of diverting works:
PUMP & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		2.50

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 2.50 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
02N	04W	3	NW NE	3	DOMEST	

11. Place of use in counties: OWYHEE

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: LICENSE

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: 2

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): *[Signature]* Date: 10-28-88
[Signature] Date: 10-28-88

State of Idaho)
County of Ada) SS.

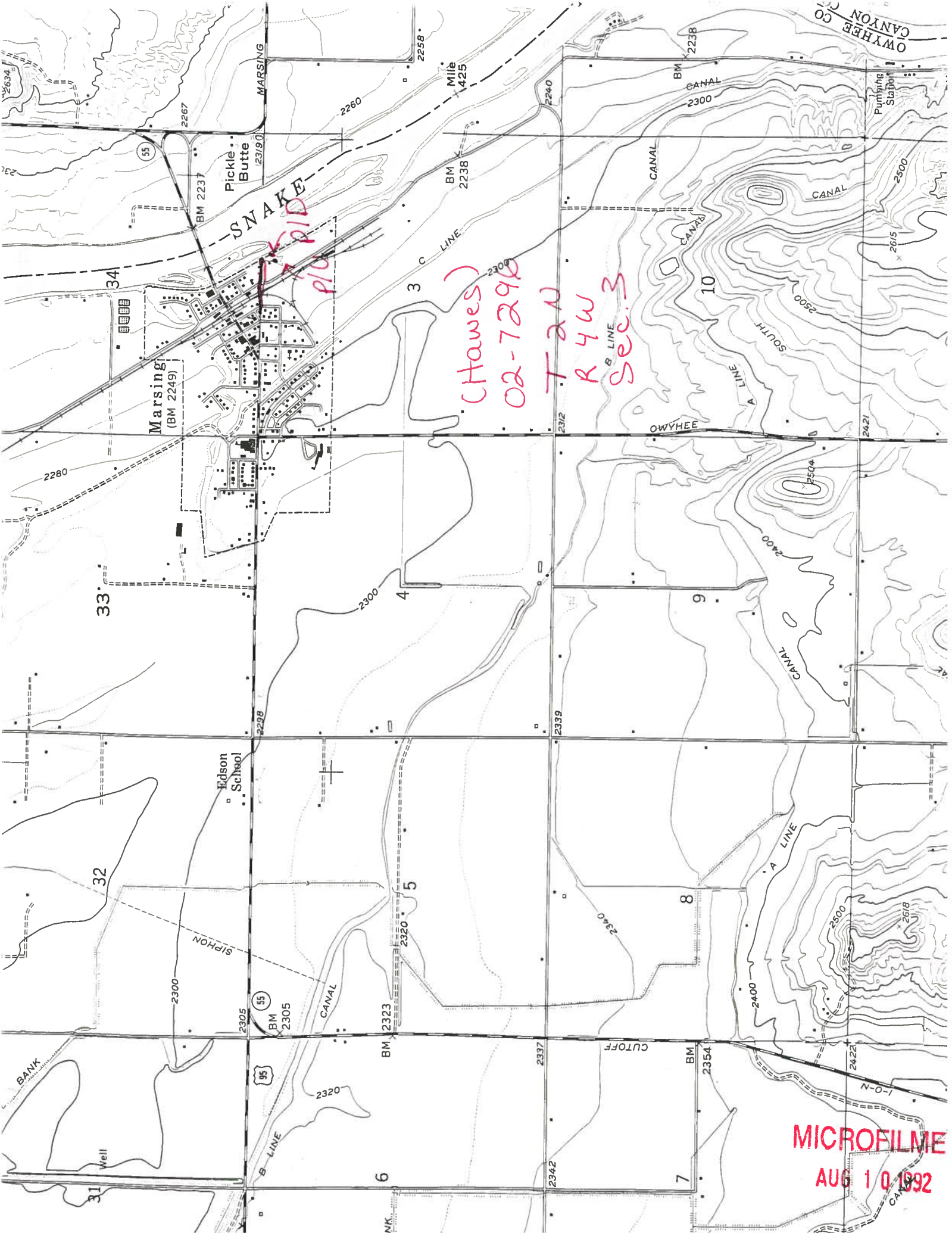
Subscribed and sworn (or affirmed) before me this 28 day
of October 19 88.

Nancy M. Lindgren
Notary Public

Seal

Residing at Boise

My Commission Expires 1-19-1994



MICROFILME
AUG 10 1992

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON ~~DRAINAGE BASIN~~
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7296 I.D. No.	Map No.
\$ <u>10.00</u> Fee Paid	<u>359</u> Receipt No.

Notice is hereby given that Rodney A. &/or Leona S. Hawes
(Name of Claimant)

Box 426, Marsing, ID 83639
(Mailing Address)

Telephone No. 896-4393
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/7/1980
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|--|
| Quantity <u>0.04 cfs</u>
(CFS, GPD, AF) | Use <u>Domestic</u>
(Domestic, Irrigation, stock, etc.) | Period of Use From <u>1/1</u> To <u>12/31</u>
(Mo., Day) (Mo., Day)
(Both dates Inclusive) |
| Quantity <u> </u>
(CFS, GPD, AF) | Use <u> </u>
(Domestic, Irrigation, stock, etc.) | Period of Use From <u> </u> To <u> </u>
(Mo., Day) (Mo., Day)
(Both dates Inclusive) |
| Quantity <u> </u>
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(Mo., Day) (Mo., Day)
(Both dates Inclusive) |
| Quantity <u> </u>
(CFS, GPD, AF) | Use <u> </u>
(Domestic, Irrigation, stock, etc.) | Period of Use From <u> </u> To <u> </u>
(Mo., Day) (Mo., Day)
(Both dates Inclusive) |
- (4) 0.04 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 3, Twp. 2N, Rge. 4W, B.M., Owyhee County
Additional Points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 2 1/2 HP pump with sprinkler system.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
2N	4W	3		X															

Total no. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Water is used solely for irrigation of lawn (aprox. 1/2 ac).

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
JG ☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-7296

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/10/99
PAGE: 1

Water Source:	SNAKE RIVER	Tributary to:	COLUMBIA RIVER	Stage:	LICENSE ✓
of Diversion:	T02N R04W S03 Lot03(	NAME)		OWYHEE County	

OWYHEE County

T02N R04W S03 Lot03(NWNE)

Place of use Legal Description for: DOMESTIC

MS
AN[illegible]

POU County: OWYHEE

Other Rights: NONE

Conditions of Approval:

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

~~N13~~ - DETERMINATION OF HISTORICAL BENEFICIARY USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: USE DOMESTIC USE IS FOR LAWN IRRIGATION.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		02/10/1999	

Misc:

Water District Number:	Field Inspection Flag:
	Presumption Flag:

Comments: Date: 02/10/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
RECOMMENDED THIS RIGHT AS LICENSED.

Audit: 02/10/99 KWALKER

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROONEY A HAVES	03/07/1980	DOMESTIC	01-01 12-31	0.04 CFS	2.50 AFA
C	LEONA S HAVES PO BOX 563 MARSING ID 83639 (208) 896-4666				0.04 CFS	2.50 AFA
				TOTAL DIVERSION:		

OWYHEE County

Place of use Legal Description for: DOMESTIC

[illegible]

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):				
57-07282	57-10044	57-10725	57-10830	A02-07195 A02-07278 A02-07296 A02-07346 A57-07282 A57-10044
A57-10725	A57-10830	R02-07195		

Other Water Rights Listing Overlapping Place(s) of Use:
A02-00064 A02-00065 A02-07195 A02-07278

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 02/10/99 KWALKER

Use: Domestic use is for lawn irrigation.

$N11, N13$

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

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MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
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BORDER.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

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Notice is hereby given that Rodney A. &/or Leona S. Hawes ✓
(Name of Claimant)

Box 426, Marsing, ID 83639
(Mailing Address)

Telephone No. 896-4393
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/7/1980 ✓ ✓
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SNAKE RIVER ✓ tributary to COLUMBIA RIVER ✓
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: ✓
Quantity 0.04 cfs ✓ Use Domestic ✓ Period of Use From 1/1 ✓ To 12/31 ✓
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 0.04 cfs ✓ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW ✓ ¼ NE ✓ ¼
Sec. 3 ✓, Twp. 2N ✓, Rge. 4W ✓, B.M., Owyhee ✓ County
Additional Points: SC1: 2720(4) 424.4
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
2½ HP pump with sprinkler system. ✓
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
✓	✓	✓		✓															
2N	4W	3		X															

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Water is used solely for irrigation of lawn (aprox. ½ ac). ✓ R SMSE

POOR ORIGINAL

Water shall not be diverted under this right unless the flow of water exceeds established downstream minimum stream flow.

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JK Noyes

Date 2/15/84

Right No. 02-7296

Claimant Rodney H & Leona S Hawes

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☒ License Rough draft
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☒ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☐ Other _____
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 5/19/81

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

RECORDED
OCT 2 1985

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

Department of Water Resources
Western Regional Office

License of Water Right No. 02-7296 Priority March 7, 1980 Amount 0.04 cfs

THIS IS TO CERTIFY, that Rodney A. &/or Leona S. Hawes
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7296 issued pursuant to Application for Permit dated March 7, 1980,
and has submitted proof to the Department of Water Resources on May 19, 1981,
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 0.08 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>2.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.5 acre feet per year, said waters to be diverted within the Gov. Lot 3 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
Section 3, Twp 2N, Rge 4W in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	4W	3		L3 X															

Total number of acres irrigated _____

MICROFILMED

AUG 16 1994

CONDITIONS OF APPROVAL

a. 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.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17TH day of OCTOBER, 19 85.

Acting for the

Director

Norm C. Young

MICROFILMED
AUG 16 1994

POOR ORIGINAL

02-7296

MARSING

$$\frac{2\frac{1}{2} \text{ hp} \times .8 \times 8.8}{100' + (50 \text{ psi} \div .43)} = \frac{17.6}{216.3} = 0.08 \text{ cfm}$$

Remarks: There is no in-house domestic use from this pump-only
irrigation of 1/2 acre of lawn.

4201 E 12th

~~NICHOLIFIED~~

MAP (Attach Aerial Photo)

[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: NW 1/4 NE 1/4 (LOT 3), SEC 3, TWP. 3N, RGE. 4W.

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature _____
Checked by _____ OBS
Approved by _____

Date 5/25/81
Date 5/27/81
Date _____

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
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IN THE MATTER OF THE GENERAL DETER-
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- | | | | | | | | |
|----------|----------------|-----|-------------------------------------|--------------------|------------------------|----|------------|
| Quantity | 0.04 cfs | Use | Domestic | Period of Use From | 1/1 | To | 12/31 |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | | (Mo., Day) |
| | | | | | (Both dates inclusive) | | |
- Quantity Use Period of Use From To
- (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- (Both dates inclusive)
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			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	4W	3		X															

Total no. of acres

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JG ☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-7296

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

May 19, 1981
(Date)

State of Idaho ss. Organization
County of Owyhee Seal

Individual
(Signature of Claimant)
(Signature of Spouse)
Organization
(Signature of Authorized Agent)

On this 19th day of May, 1981, before me
a notary public, personally appeared
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires 1986 Notary Public residing at Boise