

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

RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

Ident. Number 67-14890
Date Received: 8/15/2007

Receipt No:

Received By:

0085573

LATE CLAIM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NANCY E HAWKINS Phone: (619)473-9776

PO BOX 624
PINE VALLEY CA USA 91962

2. Date of Priority: 06/01/1890

3. Source: SPRINGS , SPRINGS , SPRINGS , SPRINGS , SPRINGS Trib. to: SINKS , SINKS ,
SINKS , SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	2	SE SW	ADAMS	
17N	01W	2	SE SW	ADAMS	
17N	01W	2	SE SW	ADAMS	
17N	01W	2	SE SW	ADAMS	
17N	01W	2	SE SW	ADAMS	

5. Description of diverting works:

4 SPRINGS FROM POND. THERE ARE 4 ADDITIONAL SPRINGS GOING NORTH FROM POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		1.25
IRRIGATION FROM STORAGE	03/15	11/15	0.05	

7. Total Quantity Appropriated is:

0.05 C.F.S. and/or 1.25 A.F.A.

8. Total consumptive use:

2007 SEP 13 AM 10 18
FILED
DISTRICT COURT - SNAKE
TWIN FALLS CO., IDAHO

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
17N	01W	2	SE	SW		IRRIGATION STORAGE	
			SE	SW		IRRIGATION FROM STORAGE	2.5
						Section Acres	2.5
						Total Acres	2.5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Claim was generated so Nancy Hawkins could petition court. Claim is temporary until approved by court. mvanbussum 8-15-2007

Other water rights: Temporary claim 67-14889 and claim 67-79B.

Approximate pond dimensions: 50 feet wide x 100 feet long x 10 feet deep.

15. Basis of Claim: Beneficial Use

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): [Signature] Date: 8/15/07

_____ Date: _____

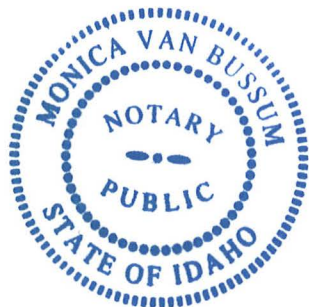
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th
of August 2007 [Signature]

Notary Public

Residing at Boise, ID

My commission Expires 4/11/2013



RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 20 2007

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

Subcases: 67-14889 & 67-14890

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

On September 13, 2007, Nancy E. Hawkins filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on December 18, 2007. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated December 20, 2007.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICES OF CLAIM was mailed on December
20, 2007, with sufficient first-class postage to the following:

NANCY E HAWKINS
PO BOX 624
PINE VALLEY, CA 91962
Phone: 619-473-9776

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 12/20/07

FILE COPY FOR 00497

Deputy Clerk

Julie Murphy
SCANNED

DEC 21 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 28, 2007

NANCY E HAWKINS
PO BOX 624
PINE VALLEY CA 91962

RE: Snake River Basin Adjudication (SRBA)
Late Notices of Claim to a Water Right #67-14889 and 67-14890

Dear Claimant:

The Notices of Claim to a Water Right referenced above were received from the SRBA Court recently. I have enclosed your receipts #C085572 and C085573 for the fees you paid. Please retain the receipts for your file.

These Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4907 if you have any questions.

Sincerely,

Monica Van Bussum
Sr. Water Rights Agent
Adjudication Bureau

MVB:ss:region

Enclosures:

Receipts Referenced Above

SCANNED

DEC 27 2007

Hearing - 18 - 2007

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

In Re SRBA	)	Subcase <u>67-14890</u>
	)	(Insert water right number)
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	☒ LATE NOTICE OF CLAIM
	)	☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is NANCY HAWKINS

My address is P.O. Box 624
PINE VALLEY CA 91962

My phone number is: Work _____ Home 619-473-9776

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

I WAS UNAWARE OF MY ABILITY
TO FILE

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 200.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

~~A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.~~

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Ada

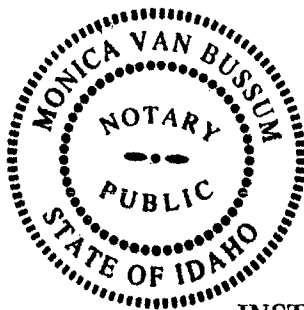
Nancy Hawkins, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

[Signature]
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 15th of August 2007.
(Insert Date)



[Signature]
Notary Public for IDWR
Residing at: Boise, ID
My Commission expires: 4/11/2013

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Sept 10 2007, 199__, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

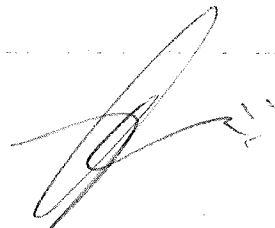
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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

LATE CLAIM

Ident. Number 67-14890
Date Received: 8/15/2007
Receipt No:
Received By:

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

1. Name of Claimant(s)

NANCY E HAWKINS Phone: (619)473-9776

PO BOX 624
PINE VALLEY CA USA 91962

2. Date of Priority: 06/01/1890

3. Source: SPRINGS , SPRINGS , SPRINGS , SPRINGS , SPRINGS Trib. to: SINKS , SINKS ,
SINKS , SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
17N	01W	2	SE	SW		ADAMS	
17N	01W	2	SE	SW		ADAMS	
17N	01W	2	SE	SW		ADAMS	
17N	01W	2	SE	SW		ADAMS	
17N	01W	2	SE	SW		ADAMS	

5. Description of diverting works:

4 SPRINGS FROM POND. THERE ARE 4 ADDITIONAL SPRINGS GOING NORTH FROM POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		1.25
IRRIGATION FROM STORAGE	03/15	11/15	0.05	

7. Total Quantity Appropriated is:
0.05 C.F.S. and/or 1.25 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	2	SE	SW	IRRIGATION STORAGE	
			SE	SW	IRRIGATION FROM STORAGE	2.5
					Section Acres	2.5
					Total Acres	2.5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:.

14. Remarks:

Claim was generated so Nancy Hawkins could petition court. Claim is temporary until approved by court. mvanbussum 8-15-2007

Other water rights: Temporary claim 67-14889 and claim 67-79B.

Approximate pond dimensions: 50 feet wide x 100 feet long x 10 feet deep.

15. Basis of Claim: Beneficial Use

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: 8/15/07

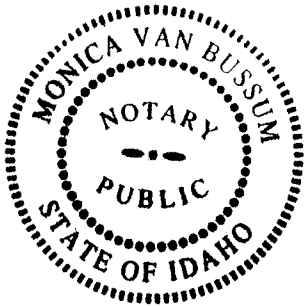
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th
of August 2007 Mr

Notary Public

Residing at Boise, ID
My commission Expires 4/11/2013



Claim No(s). 67-14890

Claim No(s). 67-14890

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14890 V1

WATER RIGHT NUMBER: 67-14890 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NANCY E HAWKINS PO BOX 624 PINE VALLEY, CA 91962 (619)473-9776

Priority Date: 08/21/1955

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		1.25 AF
IRRIGATION FROM STORAGE	03/15 to 11/15	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	1.25 AF

Location of Point(s) of Diversion

SPRINGS	NE1/4SE1/4SW1/4	Sec. 2,	Twp 17N,	Rge 01W, B.M.
ADAMS County				
SPRINGS	NE1/4SE1/4SW1/4	Sec. 2,	Twp 17N,	Rge 01W, B.M.
ADAMS County				

Place of Use

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	2												X					

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	2												1.3					1.3

Total Acres: 1.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14890 V1

1. EACH POINT OF DIVERSION CONSISTS OF A CLUSTER OF 4 SPRINGS.
2. E51 Right Nos. 67-79B, 67-14889, 67-7937, 67-2053L and any other overlapping water rights are limited to a total combined diversion rate of 0.02 cfs/acre during any single irrigation season.
3. E62 This right when combined with Right No. 67-79B, 67-14889, 67-7937, 67-2053L shall provide no more than .02 cfs per acre.
4. 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.
5. E37 This right authorizes the irrigation of 1.3 total acres.
6. 188 This right is limited to the irrigation of 1.3 acres within the boundary of the (irrigation entity).

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14890 V1

Comments:

1. shemenway 10/15/2008 EOP

Comment: CLAIMANT PURCHASED PROPERTY 9/8/1988, AND FIRST DROPPED SUMP PUMP IN EXISTING POND. POND WAS RECONSTRUCTED 11/9/1993 ACCORDING TO PERMIT TO APPROPRIATE WATER 67-7937. SURFACE WATER AFTER 5/20/1971 REQUIRES A PERMIT FOR USE, SO EVIDENCE OF PRIORITY WILL BE USED FOR THE 8/21/1955 CSS 1:20,000 MAP WHICH INDICATES THE LOCATION OF A POND, AND SHOWS DITCHES THAT WERE USED FOR GRAVITY FLOW IRRIGATION.

2. shemenway 10/15/2008 SYSTEM

Comment: 8/21/1955 POND SIZE (EXHIBIT F): ON ARCMAP CALCULATED TO BE 0.2 ACRES (UNKNOWN DEPTH), AND 1.3 ACRES OF IRRIGATED LAND. SINCE 11/9/1993 THE CURRENT SIZE OF POND:90 FT. X 70 FT. X 9 FT. DEEP POND, WITH A 1 1/2 HP SUMP PUMP A 1 1/2 INCH DISCHARGE, AND AN ADAPTER TO 2 INCH TO HOOK UP TO 2 INCH FIRE HOSES AND SPRINKLERS THAT ARE ON RISERS THROUGHOUT THE YARD/FIELD. THERE ARE SOME SMALL DITCHES THROUGHOUT, SO THE WATER CAN BE CHanneled AROUND THE LOWER AREA. A SPRING CLUSTER OF FOUR SPRINGS ARE FOUND DIRECTLY ON THE NORTH INNER SIDE OF THE POND, AND A CLUSTER OF FOUR SPRINGS FOUND ALONG THE OLD DITCH (THESE CAN BE VISIBLY SEEN WHEN THE LEVEL OF THE POND IS DOWN, WHICH IS IN DIRECT CORRELATION WITH THE WEISER RIVER.)

3. shemenway 10/15/2008 FIELD EXAM

Comment: 9/19/1996 FE CONDUCTED AND WRITTEN UP ON 3/25/1997 ON 67-7937 (CURRENT POND MEASUREMENTS TAKEN FROM THIS EXAM SHOW ENLARGED POND THAT HAD A 11/9/1993 PERMIT TO APPROPRIATE WATER FOR WR 67-7937); 10/2/2007 AND 10/9/2007 FE CONDUCTED ON 67-97B (INDICATED BOTH UPPER AND ENTIRE LOWER PASTURE/YARD). PICTURES WERE TAKEN FROM BOTH EXAMS TO PUT IN FILE. THE RECOMMENDED POU WAS TAKEN FROM 8/21/1955 CSS 1:20,000 MAP, SINCE EVIDENCE SUBMITTED INDICATED THAT IRRIGATION NORTH OF THE POND WOULD REQUIRE A PUMP, AND NO EVIDENCE WAS AVAILABLE THAT INDICATED A PUMP HAD BEEN USED PRIOR TO 1988 (WHICH WOULD REQUIRE A PERMIT). THE 1955 INFORMATION WAS UTILIZED FOR THIS RECOMMENDATION.

4. shemenway 10/15/2008 OVERLAPS

Comment: 67-79B (POU---LOWER YARD/FIELD), 67-2053L (3 SHARES FOR IRRIGATION STORAGE AND IRRIGATION FROM STORAGE---LOST VALLEY RESERVOIR EXCHANGED FOR DIRECT FLOW FROM THE WEISER RIVER), 67-14889 (POU--LOWER YARD/FIELD), 67-7937 (RECREATION STORAGE AND DIVERSION TO STORAGE).

5. shemenway 10/15/2008 CFS

Comment: 1955 SYSTEM WAS DIRT DITCHES, GRAVITY FLOW (SHOWN ON 8/21/1955 CSS 1:20,000 AERIAL MAP). RECOMMENDING:0.03 CFS/ACRE, WITH A COMBINED TOTAL DIVERSION OF 0.02 CFS/ACRE. THE CURRENT PUMP SYSTEM: THEORETICAL ON THE SUMP PUMP SHOWS: (8.8) X (1.5 HP) X (0.07 EFF.)/ (15 FT. LIFT) (40 PSI FOR IRRIGATION X 2.31) = 0.08 CFS. THE 1 1/2 INCH DISCHARGE FROM THE SUMP PUMP = 0.06 CFS MAXIMUM CAPACITY. RECOMMENDING 0.04 CFS (0.03 CFS X 1.3 ACRES = 0.039 CFS = 0.04 CFS)

6. shemenway 10/15/2008 AF

Comment: 8/21/1955 CSS 1:20,000 AERIAL MAP SHOWS 1.3 ACRES (CONFIRMED ON ARCMAP) THAT WOULD BE ACCESSABLE FROM THE 0.2 ACRE POND (CONFIRMED ON ARCMAP) TO GRAVITY FLOW IRRIGATE BY MEANS OF THE 1955 EXISTING DITCHES AND TERRAIN. 0.2 ACRE POND X 9 FT (DEPTH USED FROM 9/19/1996 FE, SINCE DEPTH UNKNOWN) = 1.8 AF. RECOMMENDING 1.25 AF AS CLAIMED.

7. shemenway 10/15/2008 SUPPLEMENTAL SOURCE

Comment: 67-2053L WAS DISALLOWED, AND RECOMMENDED IN THE NAME OF LOST VALLEY RESERVOIR 67-14566 THRU 67-14568. CLAIMANT OWNS 3 SHARES FOR IRRIGATION STORAGE AND IRRIGATION FROM STORAGE POND; THE LOST VALLEY RESERVOIR IS EXCHANGED FOR A DIRECT FLOW FROM THE WEISER RIVER.

8. shemenway 10/16/2008 POD

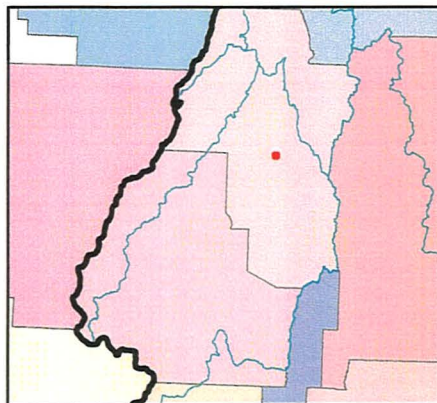
Comment: EACH POD CONSISTS OF A CLUSTER OF 4 SPRINGS THAT ARE VISIBLE WHEN THE WEISER RIVER IS RUNNING LOW. THE LEVEL OF THE POND IS IN DIRECT CORRELATION WITH THE LEVEL OF THE WEISER RIVER.



SRBA Recommendation
67-14890
(IRRIGATION STORAGE)

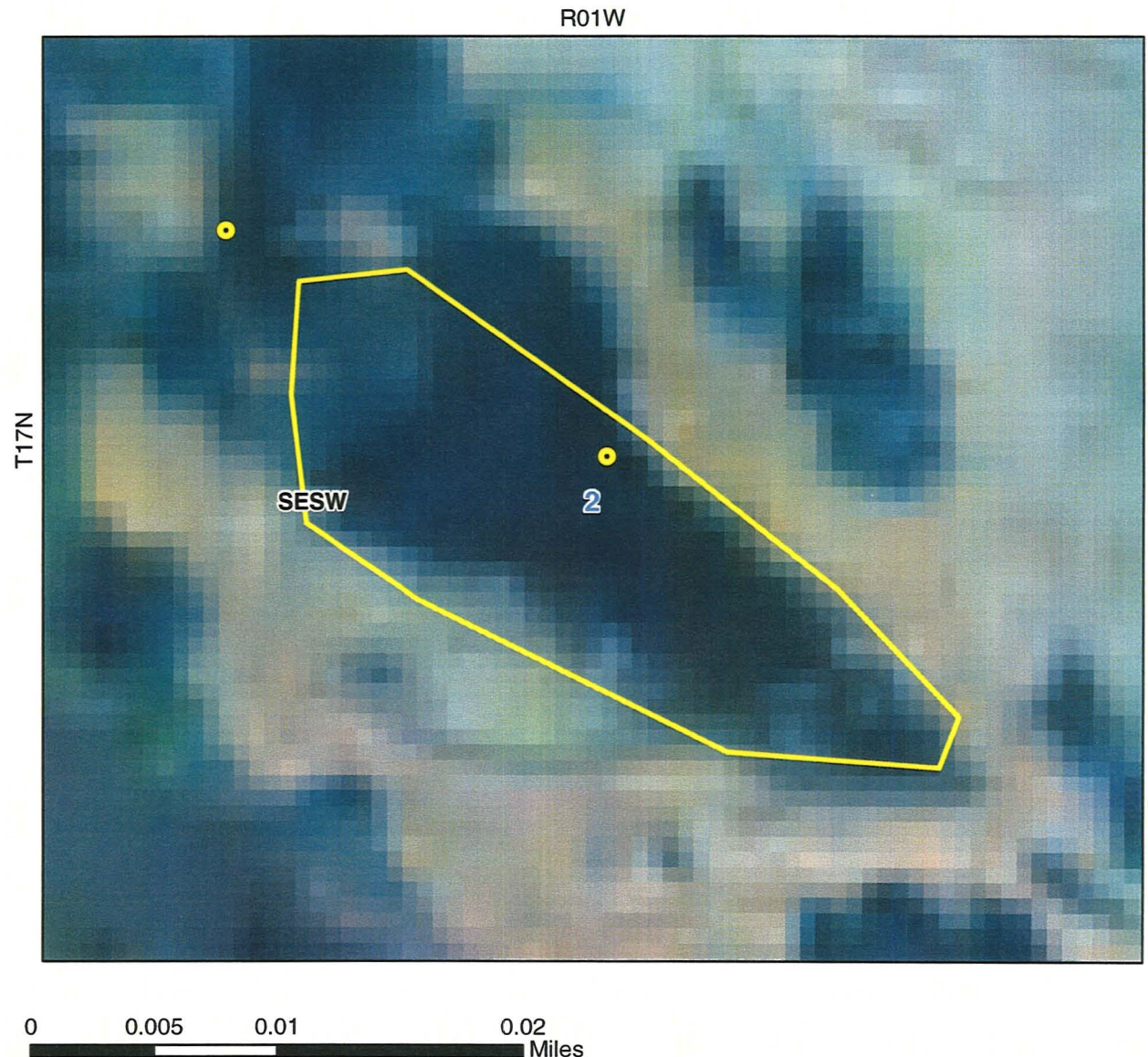
Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67

Prepared by Sandy Hemenway
On October 16, 2008
2004 Aerial Photography





Idaho Department of Water Resources

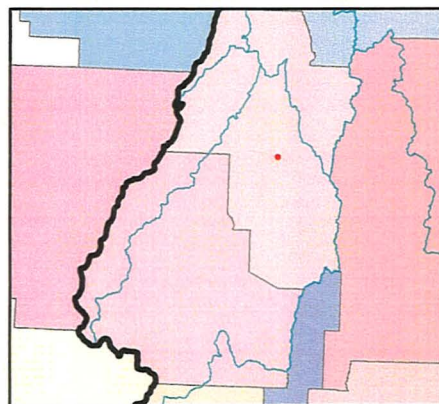
SRBA Recommendation

67-14890

(IRRIGATION FROM STORAGE)

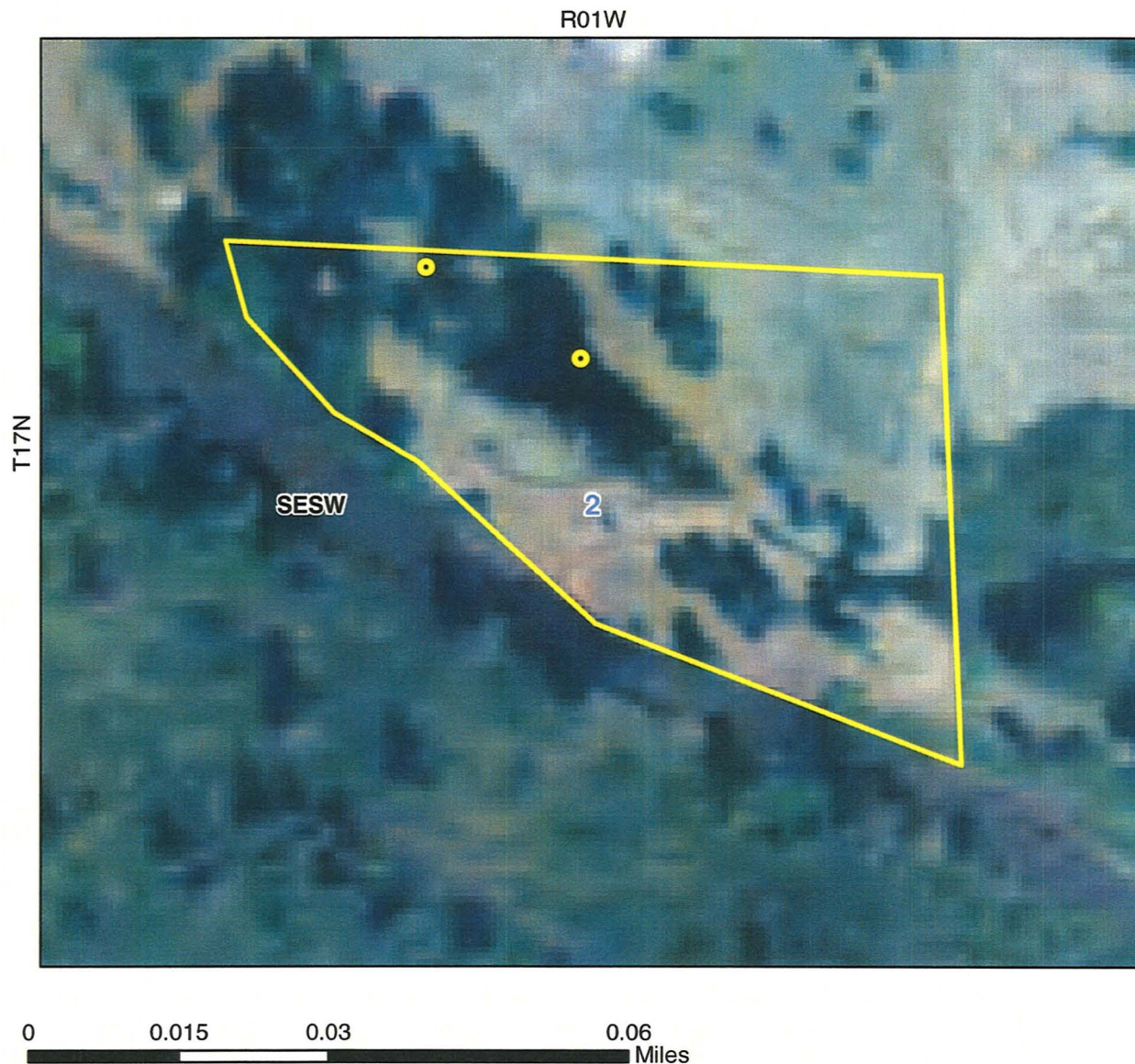
Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67

Prepared by Sandy Hemenway
On October 16, 2008
2004 Aerial Photography





RECOMMENDATION REVIEW:

Date: 10/16/2008
Agent: S. Hemenway
Claimant: Nancy E. Hawkins
WR# 67-14890
Mailing Address: PO Box 624 Pine Valley, CA 91962
Phone #: (619)473-9776
Location of POD: cluster of 4 springs on the inner side of the north side of the pond; cluster of 4 springs on old ditch.
Current System Description: 90' X 70' X 9' deep pond. A 1 1/2 Hp sump pump with a 1 1/2" discharge, with an adapter to 2" to hook up to 2" fire hoses and sprinklers that are on risers throughout the yard/field. There are some small ditches throughout, so the water can be channeled around the lower area. A spring cluster of four springs are found directly on the north inner side of the pond, and a cluster of four springs found along the old ditch (these can be visibly seen when the level of the pond is down----the level is in direct correlation with the Weiser River, per 10/13/2008 phone conversation w/claimant)

1955 System Description: 0.2 acre pond, w/cluster of 4 springs on inner side of north side of pond, and cluster of 4 springs on the old ditch; multiple dirt ditches winding throughout the property from the pond going east and west, and south; gravity flow system utilized by damming up ditches and flood irrigating. (unknown depth of pond) THIS IS THE SYSTEM AND POU THAT WILL BE RECOMMENDED, SINCE IRRIGATING THE PROPERTY TO THE NORTH OF THE POND REQUIRES A PUMP, WHICH WAS NOT USED UNTIL 1988, AND WOULD REQUIRE A PERMIT SINCE IT FALLS AFTER 5/20/1971 REQUIREMENT FOR SURFACE WATER.

Measuring Device: Water from Weiser 67-7937 controlled by Watermaster. No way to measure flow from cluster of springs that keep a constant level in the pond year-round.

Field Exam: 9/19/1996 FE conducted and written up on 3/25/1997 on 67-7937 (pond); 10/2/2007 and 10/9/2007 FE conducted on 67-97B (POU).

Nonirrigation Uses: Recreation Storage and Diversion to Storage (WR 67-7937); Irrigation from Storage, Irrigation Storage (WR 67-14890); irrigation storage and irrigation from storage (WR67-2053L)

Other Uses: fire protection when claimant conducts controlled burns on her property

Other WRs Used: 67-79B (overlaps the POU), 67-2053L (3 shares for irrigation storage and irrigation from storage. Lost Valley Reservoir Exchanged for direct flow from the Weiser River); 67-14889

Supplemental Water: NONE

Basis of Claim: Beneficial Use

Priority Date: 8/21/1955 (CSS 1:20,000 aerial map shows pond and dirt ditches for gravity flow/flood irrigation)

Evidence of Priority:

Ditch company was established 6/1890 (6/1/1890 Priority Date for 67-79B utilizing same POD/POU, by means of Muir v. Allison Decree) ---- no evidence of irrigation from pond

12/1/1905 Right of Way and Track Map from Pacific Railroad showing farm crossing access
Evidence of old dinnerware, a baby mug, and other artifacts were found on the lower section indicating a residence had been located there. Exhibit B (no evidence of irrigation from pond)

1915 Assessment Roll for Real Property (showing 2 acres irrigated in lower field where residence was)
Exhibit "C" 40 acres cut over and burnt over timber land, \$100 value for improvements. Per Claimant, earlier rolls were lost in a fire. (no evidence of irrigation from pond)

1927 Assessment Roll for Real Property (showing 2 acres irrigated/agricultural, and 25 acres grazing land; \$1000 value for improvements) Exhibit "D" (no evidence of irrigation from pond)

1944 Assessment Roll for Real Property (still showing 2 acres irrigated in the lower field, 25 acres grazing, and 40 acres cut over and burnt over timber land; improvements @ \$800 value)
No evidence of irrigation from pond.

8/21/1955 CSS 1:20,000 aerial map shows the entire ditch farm area, as it was being farmed.
(pond visible on map, but not ditch leaving pond to return flow back to the Weiser River)
Gravity flow/flood irrigate system through dirt ditches evident for property east and west on pond, and to the south. Slope of the land would not allow for gravity flow north of pond.
No evidence of pumping from pond prior to claimant purchasing property 9/8/1988, and placing a sump pump in the small pond.

NOTES:

Place of Use overlaps with Decreed Water Right 67-79B & 67-14889 (lower yard/field).

9/18/2008 RECEIVED COMMENTS TO QUESTIONS FROM CLAIMANT: "YES" THE LEVEL OF POND HAS A DIRECT CORRELATION WITH THE WEISER RIVER TO THE SOUTH.
When water level drops, the location of the springs can be seen.

10/13/2008 per phone conversation, prior to reconstructing the pond (11/9/1993) and adding the Weiser River source to the pond, a sump pump was dropped into the pond, 1 1/2" discharge, hooked onto a 2" adapter to hook onto the fire hoses or sprinklers that were moved around POU. Used a lot when she does a controlled burn on the property.

67-2053L DISALLOWED, recommended in name of Lost Valley Reservoir 67-14566 thru 67-14568 3 shares for irrigation storage and irrigation from storage pond; Lost Valley Reservoir exchanged for a direct flow from Weiser River.

67-7937 ACTIVE DRAFT, PD 11/9/1993; diversion to storage, & recreation storage from Weiser Rv
Copied from comment: "This right is non-consumptive." 10/3/1995 letter from IDWR removed measuring device requirement. (permit to appropriate was to enlarge the pond)
Water under this WR subject to control by the watermaster of State Water District #67.
11/9/1993 Permit to Appropriate Water remark: "recreational storage use is for a wetland

NOTES: (continued)

pond."

9/19/1996 Field Exam conducted, and completed by Cindy Hodges 3/25/1997. During field inspection, no springs were drawn on diagram only the inlet from the Weiser River. Under NARRATIVE/REMARKS/COMMENTS: "Pond for recreational use."

diversion rate was calculated for water from the Weiser River.

storage volume: (90' X 70' pond = 6300 ft squared X 9' deep)/43560 = 1.3 AF

If 1988 were used for the priority date, the claim would be DISALLOWED, due to the 5/20/1971 surface water requirement to have a permit, and the user would be encouraged to file an application for permit for the use. By using the 1955 priority date, no permit is required, but the POU decreases in size. (1988 is the date when the pump was used from the pond for the first time.)

1955 System:

Dirt ditches from pond; gravity flow/flood irrigation (no flood irrigation to property north of pond, since this would not be possible due to the slope of the land to flow up hill)

Current System:

Theoretical on the sump pump: $(8.8) \times (1.5 \text{ Hp}) \times (0.07) / (15' \text{ lift}) + (40 \text{ psi for irr.} \times 2.31) = 0.08 \text{ cfs}$
1 1/2" discharge from pump = 0.06 cfs maximum capacity

Recommendation:

C18

E51 and E62 Combined limit of 0.02 cfs/acre with WR#67-79B, 67-14889, 67-7937, 67-2053L, and any other water rights during any single irrigation season.

Place of Use overlaps with 67-79B and 67-14889 (lower yard/field).

188 Limited to 1.3 acres within the boundary.

E37 authorizes irrigation of 1.3 acres within the boundary.

Explanatory: Each POD consists of a cluster of 4 springs (as shown in **Exhibit 1** drawing)

Recommending 0.03 cfs/acre due to this water having available water in the pond year-round; ditches available to irrigate the POU; and since the springs start on the claimants property and "sink" on the claimants property it shows no "cause to damage" any other water right
 $1.3 \text{ acres} \times 0.03 \text{ cfs} = 0.04 \text{ cfs}$

0.2 acre pond X 9' depth (current depth used, since 1955 depth unknown) = 1.8 AF, therefore recommending 1.3 AF as claimed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 16, 2008

Nancy E. Hawkins
PO Box 624
Pine Valley, CA 91962

RECEIVED

SEP 18 2008

DEPARTMENT OF
WATER RESOURCES

RE: Late Claim to Water Right # 67-14889 and 67-14890, Request for Additional Information

Dear Ms. Hawkins:

Please answer the following questions by return mail, and draw and label items on the enclosed 2004 NAIP maps:

For 67-14889: (1) The 6 acres claimed has already been outlined. Draw the location of the buried line, and indicate the size. (2) Indicate the location for nozzles or handline, if applicable. (4) Describe how many nozzles and their type, which run at one time. (5) If gravity flow, indicate the location of the ditches and indicate the direction of the flow with an arrow. (4) Is the point of diversion for 67-14889 the same point of diversion as water right 67-79B? (5) If this is a different point of diversion than 67-79B, please send a map indicating the location of the point of diversion. (6) Submit Evidence of Priority for this claim (a guide has been enclosed to assist you with this).

For 67-14890: (1) Draw the location of the pond(s). (2) Draw the location of the springs you are claiming as point of diversion(s). (3) If the pond were low, could the individual springs be seen feeding the pond? (4) What is the average depth of the pond? (5) Does any of the overflow from Joseph Michael DeFreitas's pond or ditch contribute to supply water to your pond? If so, where and how is the water diverted to your pond? (6) Does the level of your pond correlate with the level of the Weiser River flow to the south? (7) Submit Evidence of Priority for this claim (a guide has been enclosed to assist you with this).

A postage paid envelope has been enclosed for you to return the completed maps, with your letter, and Evidence of Priority.

Thank you so much for your time. If you have any questions, please call me at (208) 287-4920, on my cell at (208) 761-0280, or via email:

Sandy.Hemenway@idwr.idaho.gov

Sincerely,

Sandy Hemenway

Sr. Water Rights Agent; IDWR Adjudication Bureau

For 67-14889

✓ (1) Draw the location of the buried line and indicate the size.

The line is schedule 4" schedule 40PVC from the diversion valve to the right of way. It is reduced to 2 ' Schedule 40 for all of the lines/valve below the Trails right of way. Please see exhibit "A" for details

✓ (2) Indicate the location of the nozzles and hand line is applicable.

Please see exhibit "A" and "A1" All 2" lines are set up to take a full 2" threaded coupling as well as a reducer to run a garden hose. One Line, #2 is set up with a separate line to run an automatic drip system.

✓ (3) **(No #3 in letter)**

✓ (4) Describe how many nozzles and type which run at one time.

I was using ¾ inch and 1 inch nozzles on 1 ad ½ inch aluminum pipe and ran approximately 15 sprinklers. Someone stole my pipe this past year, I will be replacing it after next spring

✓ (5) If gravity flow, indicate the location of ditches and direction of flow with an arrow.

Not applicable

✓ (4) (#4 listed twice in letter!) Is the point of diversion for 67-14889 the same as 67-79 B?

Yes it is.

✓ (5) If this is a different point of Diversion tha67-79 B, please send a map indicating location of the point of diversion.

Not applicable.

✓ (6) Submit evidence of priority for this claim

The ditch company was established in June of 1890 and has continuously been integral to the farm area where my property is located

Please see Exhbit "B" A 1 which is a 1905 Railroad map showing a preexisting farm crossing (my access road across the Rail Right of Way) at that time. There was a residence on the lower section of the property as evidenced by shards of old dinnerware a baby mug, and other artifacts found on the property.

Please see Exhibit "C" A 1915 tax Roll (earlier rolls were lost in a fire) showing 2 acres of irrigated land at the home site as well as \$100 assessed as improvements. There is still evidence of improvements/habitation at the property including artifacts/ tools and the irrigation ditch with sections of square clay pipe (adjacent to the railroad fence)

✓ Exhibit "D" 1927 Assessment Roll showing improvements and acreage irrigated.

✓ Exhibit "E" 1944 Assessment Roll showing irrigated land and improvements

Exhibit "F" A 1955 Aerial map showing the entire ditch farm area as it was being farmed. My property is identified/outlined on the map.

For 67-14890

(1) Draw location of Pond

Please see exhibit 1

(2) Draw location of springs you are claiming as a point of diversion

Please see exhibit 1

(3) If the pond were low could the individual springs be seen feeding the pond?

Yes

(4) What is the average depth of the pond.

6-7 feet

(5) Does any overflow from Joseph Michael De Freitas's pond or ditch contribute to supply water to your pond.? **No, although Mr De Freitas's ponds cause water to flow on my property heavily in the spring a lightly in the fall, The water ultimately enters the river east of the pond due to the elevation of the pond.**

(6) Does the level of the pond correlate to the level of the Weiser river to the south?

Yes

(7) Please submit evidence of priority for this claim.

There was a homestead and farm on this land as is evidenced by tax records as well as still existing ditches/clay piping still on the property. Prior to the pond being installed, there was evidence of a prior pond at the same location with no river inlet yet there was and still remains water carrying ditches out of that same pond area.

Please see exhibits submitted for 67-14890 for more details.

See
WR
File #
67-14889

11/9/1993
according to
Permit to
Appropriate
water.

Please don't hesitate to contact me if you need more information.

Nancy Hawkins 619 473-9776

Priority Date Data Entry Form

Claim Number 67-79B

Claimed Priority Date: 6/1/1890

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decreed WR

Reviewer: MVB

Date: 10/9/2007

Point of Diversion and Source Data Entry Form

Claim Number 67-79B

Claimed Point of Diversion and Source

T17N R01W S1 NESESW Within ADAMS County Source: WEISER RIVER SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

POD is Glendale Ditch - GPSed by Sandy Hemenway 2310158
Source verified by imagery & FE 1517971

[Pond diversion A0016760 3 pics - B-Use late claim]
Diversion onto property Wpt 38 2308404
4" pipe to 2" pipe 1517673

Reviewer: MVBDate: 10/9/2007

Place Of Use Data Entry Form

Claim Number 67-79B

Claimed Place Of Use

T17N R01W S02 SESW 7.50

Total Acres 7.5

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

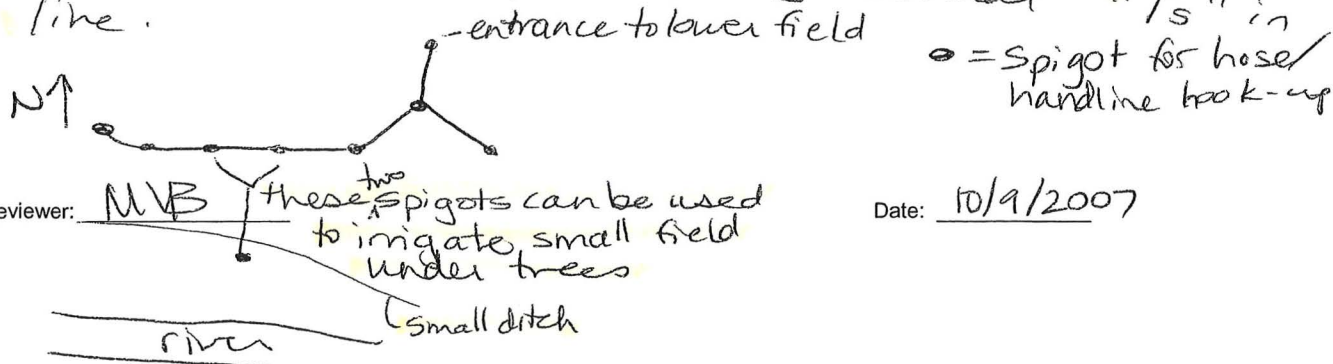
Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
17N	1W	2	SESW				6	Irrigation

Total Acres _____

Document how the POU was verified:

POU verified by walking fields with Nancy Hawkins

See attached ArcView printout for correct shape
 Water comes onto property in 4" pipe & then 2" pipe
 once on property. Upper field irrigated by moving
 handlines. Lower field irrigated by hose/sprinkler/
 handline. Water comes into lower field & then
 Hawkins can direct water through several "Ts" in
 line.

Reviewer: MVBDate: 10/9/2007

Purpose of Use Data Entry Form

Claim Number 67-79B

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation	/	/	/	/

Document how the Purpose of Use was verified:

Irrigation verified by field exam
Entire property is not typically irrigated all
at once. Hawkins moves lines around as needed.

Reviewer: MVBDate: 10/9/2007

Period of Use and Quantity Data Entry Form

Claim Number 67-79B

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/01	12/01	0.15	

Overall Diversion Rate 0.15 Overall Diversion Volume

Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	3/15	11/15		

Overall Diversion Rate Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

Recommend Standard 504 & 5/8" per
acre in accordance w/ Mur v. Allison
decree.

$$6ac \times \frac{0.0625 \text{ in}}{\text{acre}} \times \frac{0.02 \text{ cfs}}{\text{in}} = 0.075 \text{ cfs}$$

Reviewer: MYB

Date: 10/9/2007

Contacts Data Entry Form

Claim Number: 67-79B

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	T B BIGGERSTAFF			ZZ		
Current Owner	NANCY E HAWKINS	PO BOX 624	PINE VALLEY	CA	92062	(619)473-9776

Comment for 1: Desktop review.

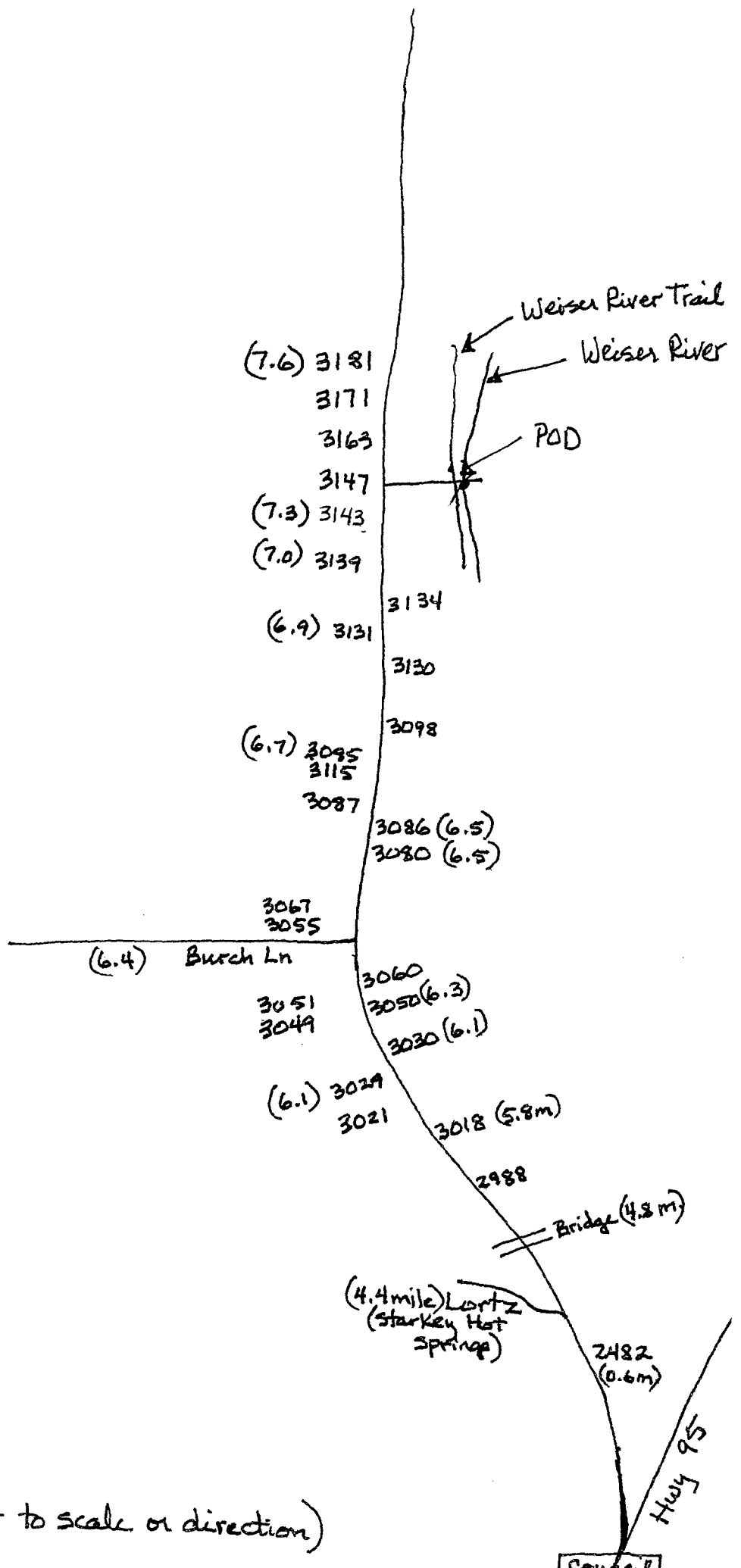
Date of Field Exam: 10/9/2007 Time: 3:00 pmAccompanied By: Nancy Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

^{Bar} Left onto Fruitvale - Glendale from Hwy 95 (N). Go to 300 #s.
Drive is hidden on (R) side. See wooden trailer
along riverbanks. That's Nancy's neighbor, but
they share the same driveway. Turn (L) at trailer to go on to Nancy.
cell phone for Nancy is 619. 871-9776

Reviewer: M U3Date: 10/9/2007



67-79

Map (not to scale or direction)

67-79B Field exam map
FE conducted 10/2/2007

entrance onto property
4" to 2" pipe
handlines move to irrigate
to

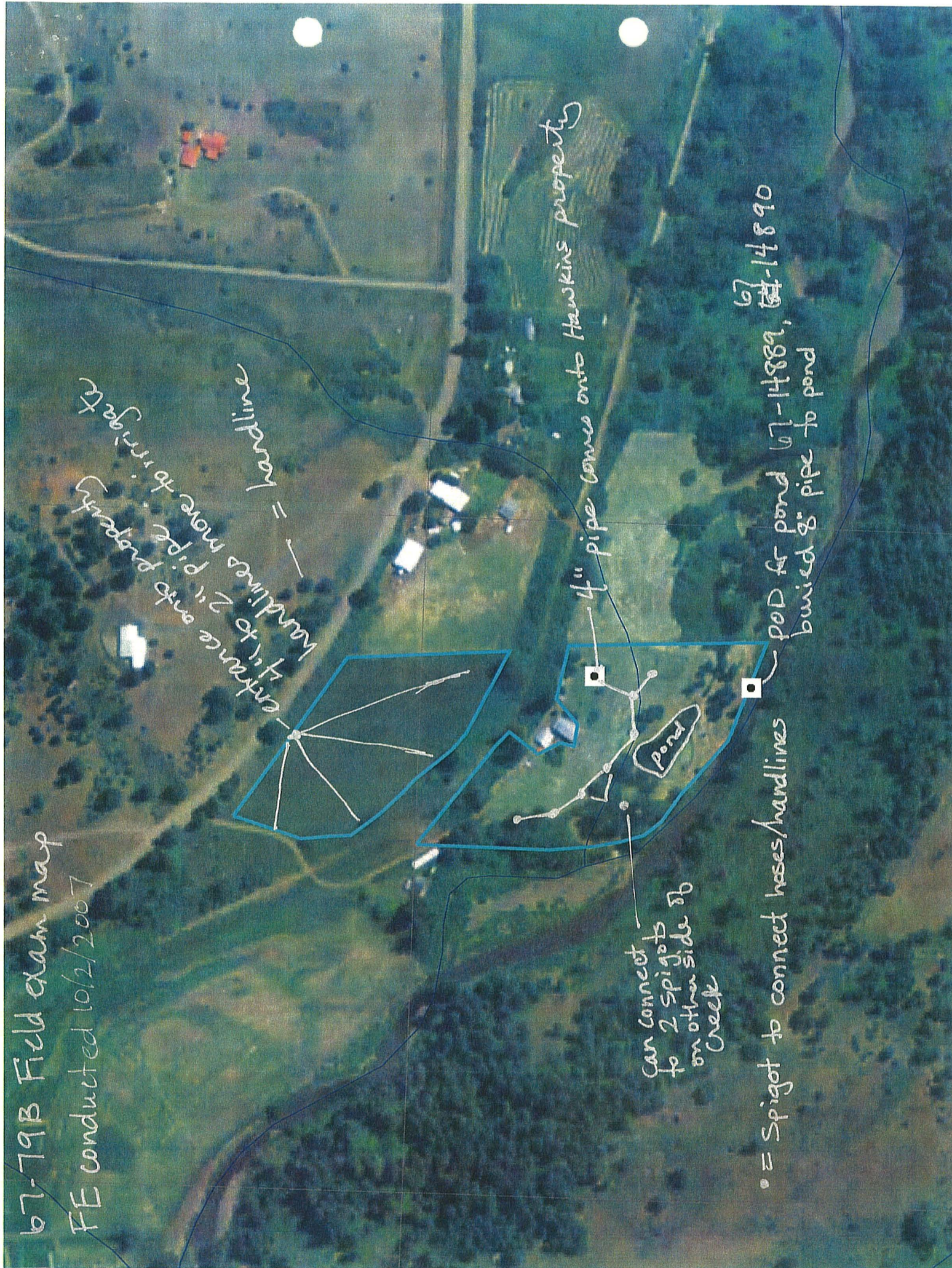
— = handline

4" pipe comes onto Hawkins property

can connect
to 2 spigots
on other side of
creek

POD for pond 67-14889, ~~67-14890~~
buried 8" pipe to pond

• = Spigot to connect hoses/handlines





Nancy Hawkins lower field. Pictures taken 10/2/2007.

Two shots of irrigation infrastructure on Hawkins property. Top picture taken looking northeast with the Hawkins house seen in the background. Picture is of connecting device to orchard under trees at southwest portion of Hawkins property. In bottom picture, taken facing south towards the river with the house at the back of the photographer, one of the 2-inch pipe spigots dotting the property can be seen. The spigots are turned on and off as needed.

67-79B



0239.jpg



0243.jpg



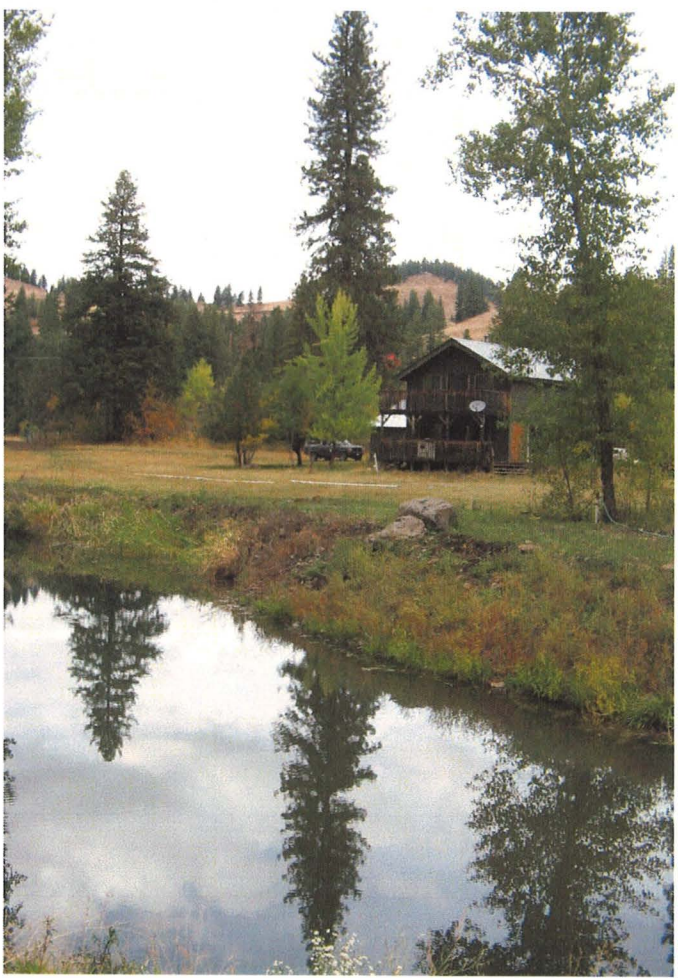
0263.jpg



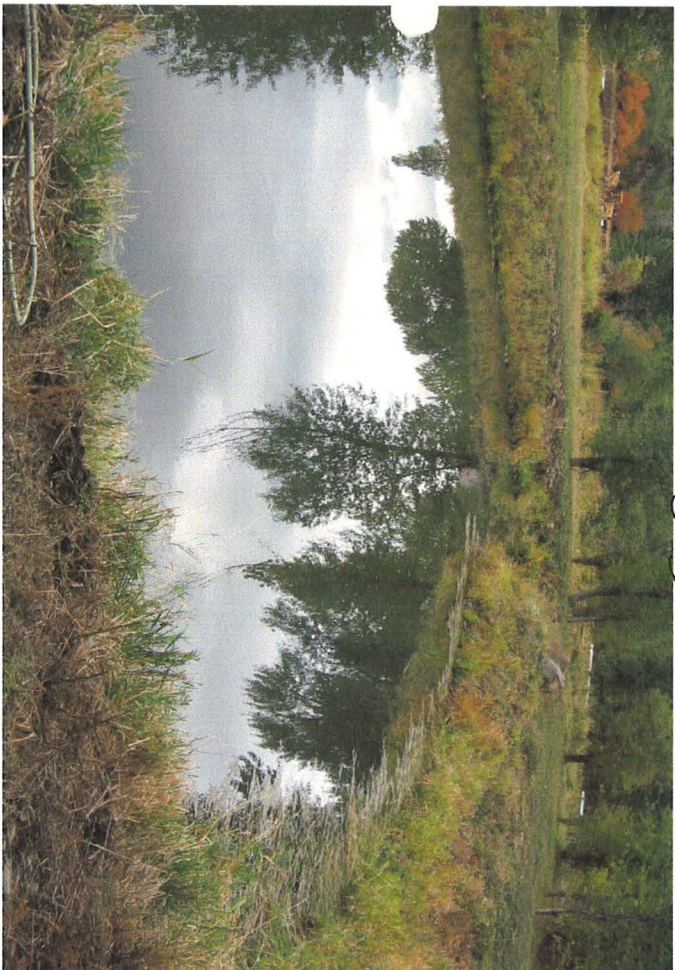
0240.jpg



0245.jpg



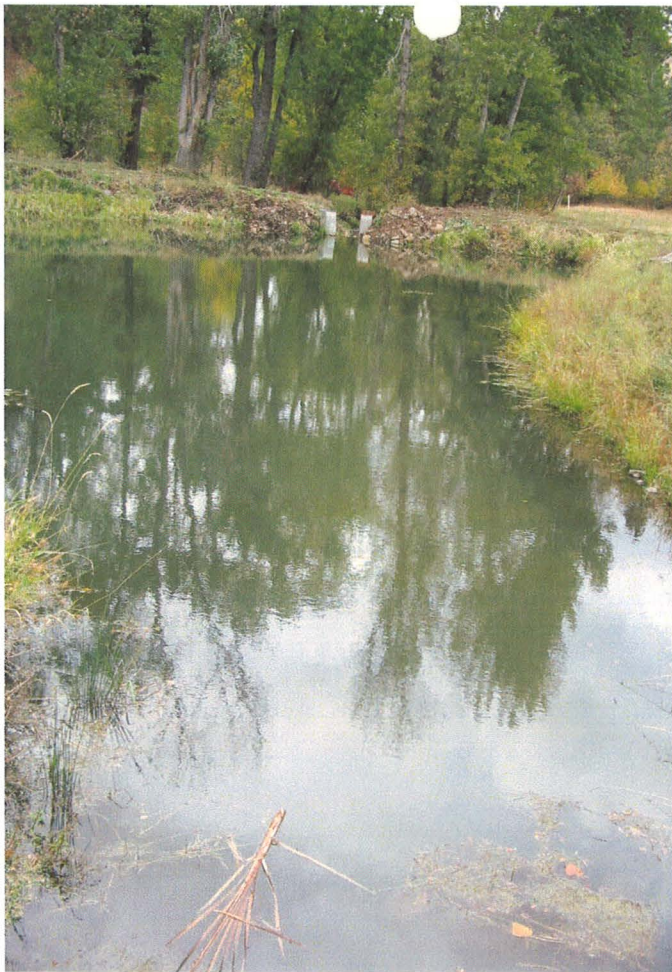
0247.jpg



0244.jpg



0246.jpg



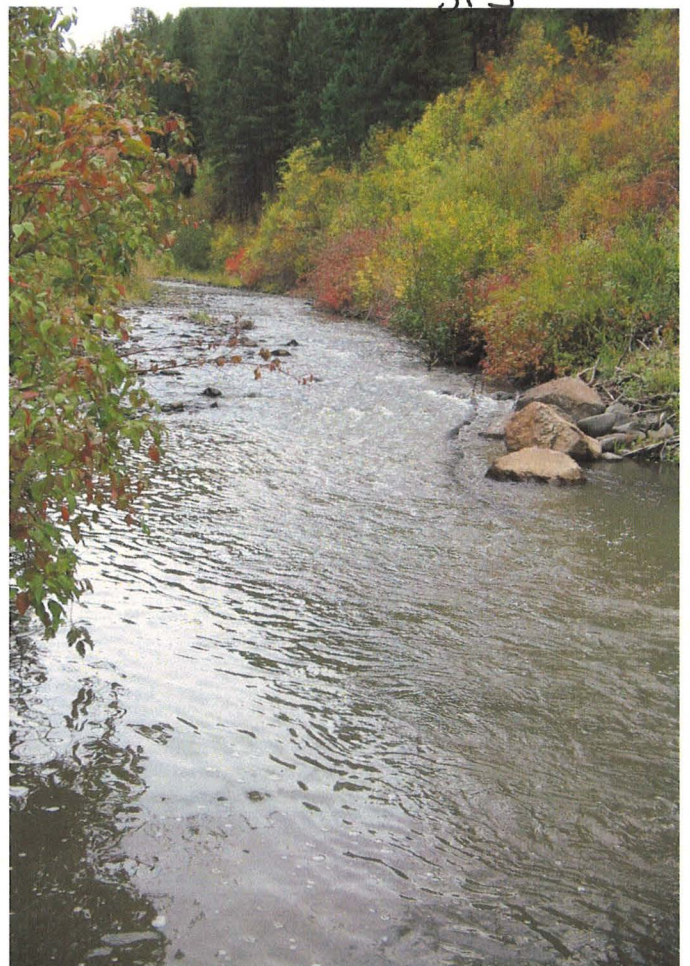
0248.jpg



0259.jpg



0260.jpg



0261.jpg

0262.jpg









E: NARRATIVE/REMARKS/COMMENTS

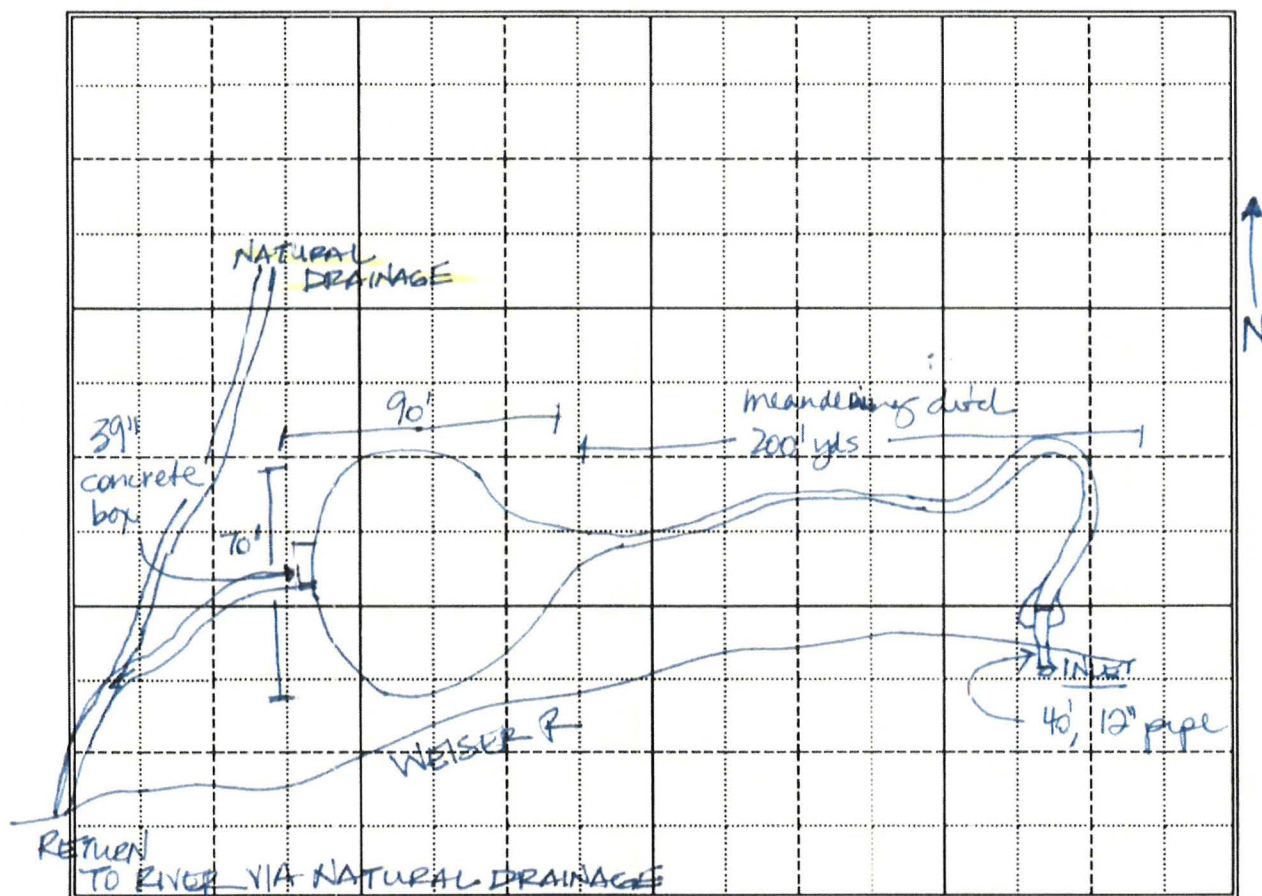
Pond for recreational use - 12" screened inlet to 40' corrugated pipe to ditch, meandering approx 200 yds to pond. Pond excavated to about 9'. Outlet discharge measured at .33 cfs but flows are low. Fees pd for only .20 cfs.

Overlaps in AD database show irrigation shares from Lost Valley / Lost Creek on permit holder's land. No overlaps in WR database.

* A lockable gate/screen is present at diversion but there is no measuring device. Ditch is too flat for a weir application. I measured @ outlet, where a weir could be installed in an existing concrete structure.

Have conditions of permit approval been met? ☐ yes ☐ no See remarks *

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: current meter - see attached field notes

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. RECREATIONAL WETLAND POND

- 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 the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

10. Describe any other water rights used for the same purposes as described above., Lost Valley

Describe any other water rights used for the same purposes as described above. Lost Valley
Storage 3 shares of class C stock / Lost Creek

11. 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. _____

12. Remarks: _____

COMMENTS: Development will be similar to 67-07733, a nearby system but 67-07733 is found downriver from IAD 25109890908.

* corrected per applicant's 11/8/93 telex SZ

F. FLOW CALCULATIONS

Measured Method: 33 cfs.

Limited to .20 by fees pd.

☒ Additional Computat

different
source than
67-14890

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

same
pond as
67-14890

2. Volume Calculations for Other Uses:

Storage vol: $90 \times 70'$ pond = $6300 \text{ ft}^2 \times 9'$ deep = $\frac{56,700 \text{ ft}^3}{43560 \text{ ft}^2/\text{AF}} = 1.3 \text{ AF}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
REC. STORAGE	1/1	12/31		1.3 AF
DIV TO STORAGE	1/1	12/31	.20	
Totals:				

2. Recommended Amendments

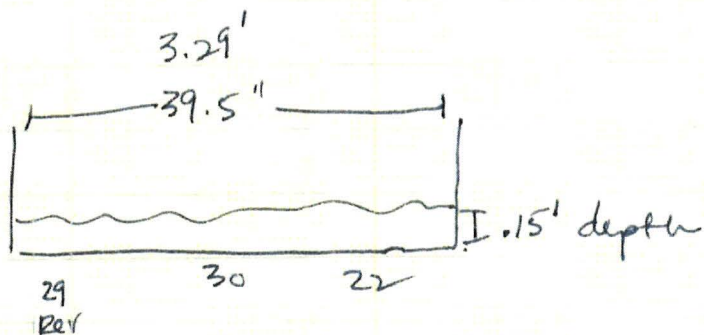
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 3-25-97

Reviewer _____ Date _____

SEAL



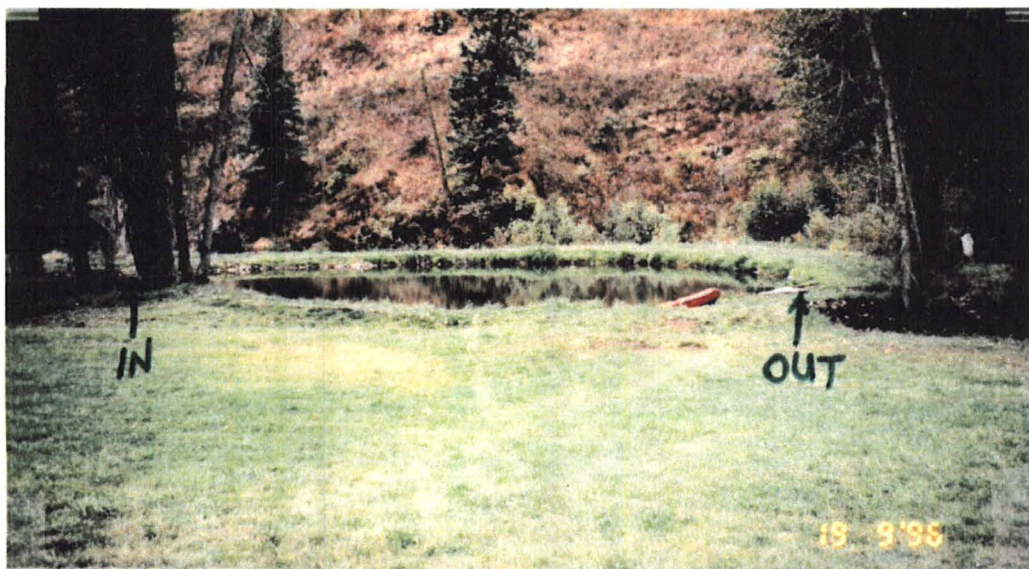
on concrete apron.

.725 .75 .55 avg = .675 fps
velocity-fps

$$V = 3.29 \times .15 \times .675 = .333 \text{ cfs}$$



P/O.
12" inlet w/
Screen or
Solid gate



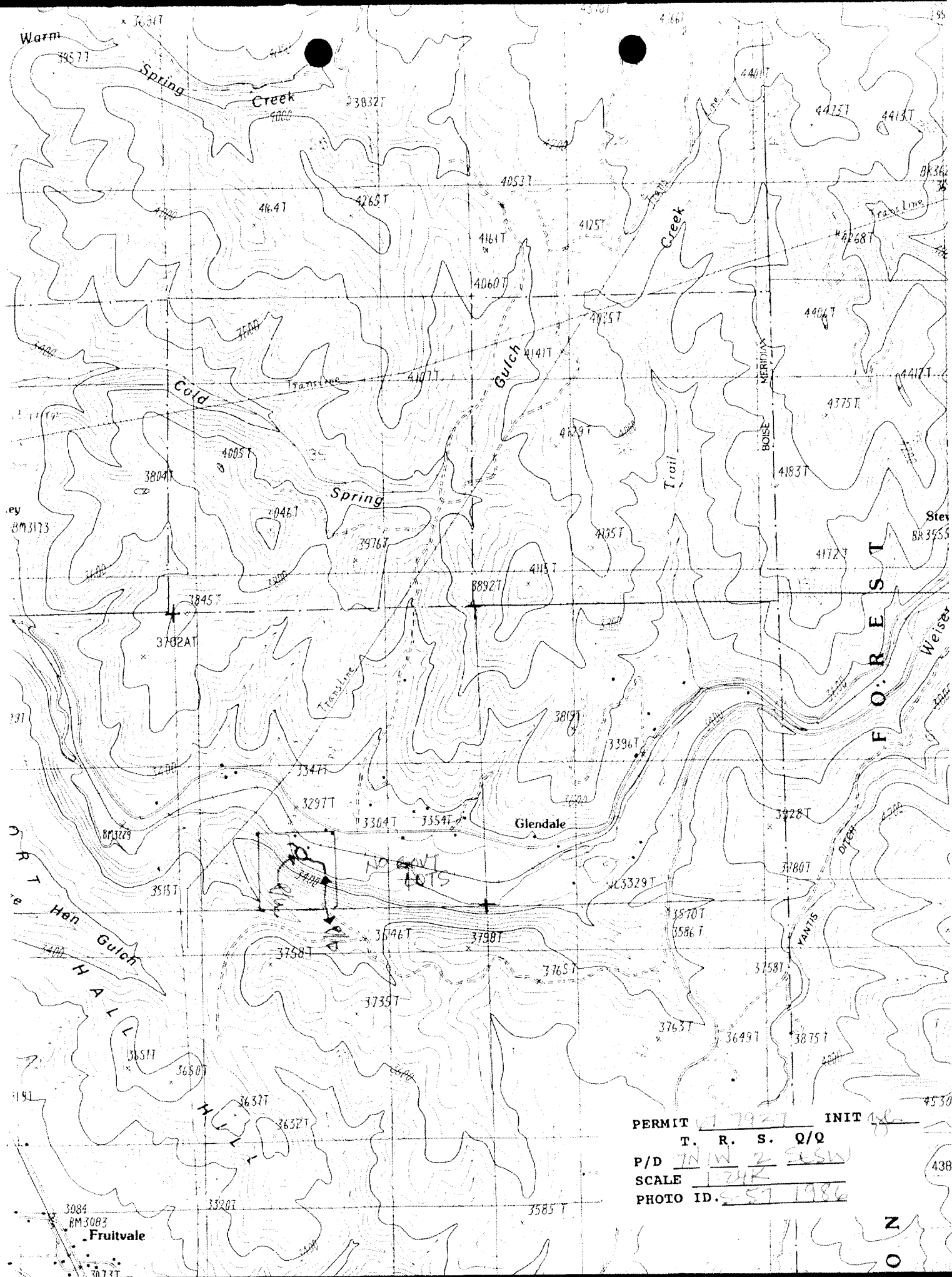
P/O Pond.
View South
toward river



Pond outlet
Meas. taken
in current
Structure w/
Screen removed.
Inlet on opposite
side

67-7937

cjh



State of Idaho
Department of Water Resources

Permit To Appropriate Water

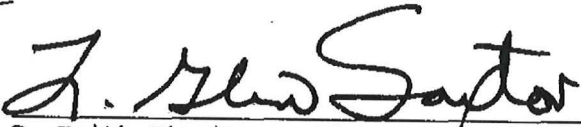
NO. 67-07937

CONDITIONS/REMARKS:

7. Use of water under this right shall be non-consumptive.
8. Prior to diversion of water under this permit, the permit holder must obtain approval from all the required state and federal agencies.
9. Recreational storage use is for a wetland pond.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

7th day of January, 1994.

for 
R. Keith Higginson, Director

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 67-07937

Proposed Priority: November 9, 1993

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

15.0 AF

This is to certify, that **NANCY E HAWKINS**
PO BOX 85
FRUITVALE ID 83620-0085
has applied for a permit to appropriate water from:

WEISER RIVER

tributary of **SNAKE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		15.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
	Totals	1.00 CFS	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 2, Township 17N, Range 01W
ADAMS County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

17N 01W 2

SESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1996**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 67.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
6. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.

APPROVED
JAN 25 1996