

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 CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 69576

Claim ID: 97-9381
Date Received: 6-21-2022
Receipt No: N040134
Claim Fee: 825.00 By: JL

RECEIVED

JUN 21 2022

IDWR / NORTH

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

1. Name of claimant(s) EW Hawk, LLC Phone () _____
Mailing address P.O. Box 253, Sandpoint, Idaho Zip 83864
Street or Box _____ City _____ State _____
Email address (optional) _____
2. Date of priority: (Only one per claim) 04/11/1971 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____
4. Location of point of diversion is: Township 57N, Range 04W, Section 19,
SW 1/4 of NE 1/4, or Govt. Lot _____ BM, County of Bonner;
Parcel no. RP57N04W191201A
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
5. Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
Well - 260 feet deep, 6 inch steel casing; pump; lines
6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For _____ Domestic _____ purposes from 01/01 to 12/31 amount 0.04 cfs (✓) or AFY ()
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed 0.04 cfs () or AFY ()
8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
1 home and lawn/garden not exceeding 1/2 acre

9. Location of place of use is: Township 57N, Range 04W, Section 19,
SW 1/4 of NE 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4
for (check one) **Domestic** (✓) **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes (✓) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

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

13. Remarks (include an explanation of the priority date selected):

Well Drilled by Floyd McGhee, Well Driller's Report/Permit 97-71-N-1(1 page - attached)
See attached Quitclaim Deed Instrument No. 814329 Recorded 08-19-2011 (4 pages - attached)..

14. Basis of claim (check one) **Beneficial Use** (✓) **Posted Notice** () **License** () **Permit** () **Decree** ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Clark Fork-Pend Oreille River Basin Water System 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 (5 pages total).

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Edward W. Hawkins Jr. Date: 06/09/2022

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Manager of EW Hawk, LLC
Agent's title (Please print) Name of organization (Please print)

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

Signature of Authorized Agent [See above] Date _____

Printed Name of Authorized Agent Edward W. Hawkins Jr.

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) John A. Finney, Attorney at Law, will be acting as attorney at law of behalf on 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 [Signature] ISS NO. 5413 Date 6/17/2022
Address 120 E. Lake St, Ste 317, Sandpoint, Idaho 83864

Name of claimant(s) EW Hawk, LLC Claim ID _____

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

RECEIVED
JUN 8 1971

1. WELL OWNER

Name Floyd McPherson
Address Rt 1, Sandpoint, Ida
Owner's Permit No. 97-71-N-1

7. WATER LEVEL

Static water level 25 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality 7.0 good
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>3 gal p.m.</u>	<u>125</u>	<u>16</u>

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 260 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness 7 inches Diameter 6 inches From 1 feet To 260 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch
Size of perforation 1/8 inches by 4 inches
Number 25 From _____ To 8 feet
_____ perforations _____ feet _____ feet
_____ perforations on bottom feet
_____ perforations _____ feet _____ feet

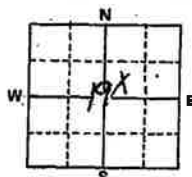
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 18 feet
Material used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Bonner
SW 1/4 NE 1/4 Sec. 19 T. 57 N. R. 4 W

10.

Work started April 1 finished April 12, 1971

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Billie Will drilling 168
Driller's Firm's Name Number
Rt 2 Sandpoint Wn.
Address
Carl Billie May 15, 1971
Signed By Date

USE ADDITIONAL SHEETS IF NECESSARY

FORWARDED TO THE WHITE PAPER

ON 1 RINK COPIES TO

MENT

return to.
Mountain West Bank
attn. Louise Masterson
P.O. Box 1059
Coeur d'Alene, ID 83814

Instrument # 814329

BONNER COUNTY, SANDPOINT, IDAHO
8-19-2011 03:41:15 No. of Pages: 4
Recorded for: STI
MARIE SCOTT Fee: 19.00
Ex-Officio Recorder Deputy
Index to: QUIT CLAIM DEED

(THIS SPACE RESERVED FOR RECORDER'S USE)

QUITCLAIM DEED

For Value Received

Edward W. Hawkins, Jr. and Rebecca A. Hawkins, Husband and wife

do hereby convey, release, remise and forever quit claim unto EW Hawk, LLC, an Idaho
limited liability company whose current address is: 109 N Ella, Sandpoint, ID 83864

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART OF
SAID LEGAL DESCRIPTION.

together with their appurtenances and including after acquired title.

Dated: August 17th, 2011

Edward W. Hawkins, Jr.
Edward W. Hawkins, Jr.

Rebecca A. Hawkins
Rebecca A. Hawkins

State of IDAHO

County of Bonner

On this 17th day of August, in the year 20 11, before me
SHARON ROGET, a notary public in and for the State of IDAHO,
personally appeared Edward W. Hawkins, Jr. and Rebecca A. Hawkins, known or identified to
me (or proved to me on the oath of _____), to be the persons whose names
are subscribed to the within instrument and acknowledged to me that they executed the same.

Sharon Roget
Notary Public

Residing At Sandpoint

My commission expires 1/23/15

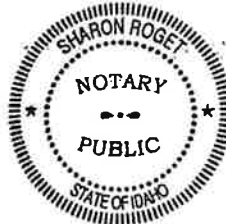


EXHIBIT "A"

PARCEL 1

A tract of land in the South half of the Southeast quarter of Section 18 and the North half of the Northeast quarter of Section 19, Township 57 North, Range 4 West, Boise Meridian, Bonner County, Idaho more particularly described as follows:

Commencing at the Center quarter corner of said Section 18, which is marked by a 3-1/4" diameter aluminum cap, marked RLS 853 (from which the South quarter corner bears South 00°20'23" West 2612.80 feet distant and is marked by a 3-1/4" aluminum cap marked RLS 853);

Thence along the West line of the Southeast quarter of said Section 18 South 00°20'23" West 2080.13 feet to a 5/8" rebar with yellow plastic cap marked PLS 8792, said point marks the true point of beginning of the tract of land hereinafter described;

Thence departing said West line South 89°59'56" East 1225.08 feet to the "Post Dam" low water mark at the West bank of the Priest River (as depicted on the record of Survey by PLS 8792 on file at Instrument No. 690502 in the records of Bonner County, previously described);

Thence along said low water mark the following 4 courses:

- 1) South 33°03'25" East 15.42 feet;
- 2) South 31°38'46" East 45.16 feet;
- 3) South 44°23'02" East 42.60 feet;
- 4) South 47°58'19" East 35.35 feet to a point on the East line of the Southwest quarter of the Southeast quarter of said Section 18;

Thence departing said low water mark South 00°10'10" West 428.94 feet to the East Sixteenth corner between Sections 18 and 19, which is marked by a 1/2" copperweld cap marked PLS 853;

Thence departing Section 18 and entering Section 19 South 00°22'06" West along the East line of the Northwest quarter of the Northeast quarter a distance of 138.61 feet to a 5/8" rebar with plastic cap marked PLS 8792;

Thence departing said East line North 89°52'45" West 1314.90 feet;

Thence North 00°16'09" East 137.63 feet to the South quarter corner of Section 18, which is marked by a 3-1/4" aluminum cap, marked PLS 853;

Thence entering Section 18 North 00°20'23" East along the West line of the Southeast quarter 532.66 feet to the true point of beginning.

EXCEPTING THEREFROM the right of way of U. S. Forest Service Road Number 334 as depicted on the previously described surveys of record.

PARCEL 2

A tract of land located in that portion of the North half of the Northeast quarter of Section 19, lying West of Peninsula Road (County Road) in Township 57 North, Range 4 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at the North quarter corner of said Section 19, which is marked by a 3-1/4" diameter aluminum cap marked RLS 853 (from which the Northwest Section corner bears North 89°55'27" West 2860.49 feet distant and is marked by a 3-1/4" aluminum cap marked RLS 853);

Thence along the North line of the Northeast quarter of said Section 19 South 89°55'19" East 1315.14 feet to the East Sixteenth corner between Sections 18 and 19 which is marked by a 1-1/2" copperweld monument stamped RLS 853, said point marks the true point of beginning of the tract of land hereinafter described;

Thence continuing along said North line of the Northeast quarter of said Section 19 North 89°50'54" East 1223.50 feet to a point on the West right of way line of Peninsula Road, said point is marked by a 5/8" rebar with yellow plastic cap marked PLS 8792;

Thence along said right of way line South 10°41'08" West 391.34 feet to a 3" brass cap stamped "Idaho State Highway Right of Way R/P/T 231+29.10" set in a 5" diameter concrete monument;

Thence along the arc of a non-tangent, 929.93 foot radius curve which lies concave Northwesterly an arc distance of 424.06 feet and whose chord bears South 23°44'58" West 420.40 feet to a point;

Thence South 36°48'48" West on a non-tangent line 220.50 feet to a point of curvature;

Thence along the arc of a 1612.02 foot radius, non-tangent curve which lies concave Northwesterly an arc distance of 389.44 feet and whose chord bears South 43°40'22" West 388.49 feet to a 3" brass cap stamped "Idaho State Highway Right of Way R/P/C 220+77.72" set in a 5" diameter concrete monument;

Thence South 50°36'43" West 133.38 feet to a 5/8" rebar with yellow plastic cap marked PLS 8792 which lies on the North line of the South half of the Northeast quarter of said Section 19;

Thence departing said West right of way line North 89°42'40" West along the North line of the South half of the Northeast quarter 1799.45 feet to the Center North Sixteenth corner of said Section 19 which is marked by a 5/8" rebar with yellow plastic cap marked PLS 8792;

Thence along the West line of the North half of the Northeast quarter North 00°16'09" East 1169.86 feet to a point in a marsh;

Thence South 89°52'45" East 1314.90 feet to a point on the West line of the Northeast quarter of the Northeast quarter of said Section 19 which is marked by a 5/8" rebar with yellow plastic cap marked PLS 8792;

Thence along said West line North 00°22'06" East 138.61 feet to the true point of beginning.

EXCEPT that portion granted to Bonner County by Deed recorded May 5, 1938 in Book 58 of Deeds, Page 576, records of Bonner County, Idaho.

AND EXCEPT the right of way of U. S. Forest Service Road Number 334 as depicted on the previously described surveys of record.

SUBJECT TO easements and agreements of record.

PARCEL 3

Government Lots 1 and 2 and the East half of the Northwest quarter of Section 19, Township 57 North, Range 4 West, Boise Meridian, Bonner County, Idaho.

EXCEPT a portion of the South half of the Southeast quarter of the Northwest quarter of Section 19, Township 57 North, Range 4 West, Boise Meridian, Bonner County, Idaho, being more particularly described as follows:

Commencing at the Center quarter corner of said Section 19 which is marked by a 5/8" diameter rebar with yellow plastic cap marked PLS 5713 (and depicted on the Amended Record of Survey by PLS 8792 on file in the office of the Bonner County Recorder as Instrument No. 690502), from which the South quarter corner bears South 00°15'30" West 2562.23 feet distant, said Center quarter corner marks the true point of beginning.

Thence along the East-West centerline of said Section 19 North 89°32'08" West 14.79 feet to a point of intersection with the existing North-South barbed wire fence (depicted on the previously described Record of Survey);

Thence departing the East-West centerline of Section 19 and along the existing North-South barbed wire fence North $00^{\circ}03'58''$ West 122.71 feet, more or less, to a point of intersection with the existing East-West barbed wire fence line extended Westward;

Thence departing the existing North-South barbed wire fence line South $88^{\circ}34'57''$ East along the existing East-West barbed wire fence a distance of 15.51 feet to a point of intersection with the North-South centerline of said Section 19;

Thence departing said fence line South $00^{\circ}16'09''$ West 122.45 feet, more or less, to the Center quarter corner of Section 19, previously described, the true point of beginning.

TOGETHER WITH the right to use and maintain a roadway as set forth in that certain Grant of Right of Way recorded January 19, 1951 in Book 17 of Miscellaneous/Page 407, records of Bonner County, Idaho.

PARCEL 4

That part of the South half of the Northeast quarter of Section 19, Township 57 North, Range 4 West, Boise Meridian, Bonner County, Idaho, lying West and North of County Road known as Peninsula Road, (FAS 5783) and less the following described tract:

Beginning at the center of said Section 19, running thence North 100 feet;

Thence East 351.8 feet;

Thence South $52^{\circ}49'$ West along the right of way of proposed state road at the intersection East and West centerline Section 19;

Thence West 255.12 feet to the place of beginning.

AND LESS the South 22.5 feet thereof.

TOGETHER WITH a 60' wide non-exclusive easement for ingress, egress and utilities following the centerline of the existing road for the benefit of this property and all properties located within the Northwest quarter of Sections 18 and 19, Township 57 North, Range 4 West, Boise Meridian, Bonner County, Idaho.

FINNEY FINNEY & FINNEY, P.A.

ATTORNEYS AT LAW

OLD POWER HOUSE BUILDING
120 EAST LAKE STREET, SUITE 317
SANDPOINT, IDAHO 83864-1366

PHONE: 1-208-263-7712 FAX: 1-208-263-8211

Gary A. Finney / John A. Finney / Rex A. Finney / Adam O. Finney

RECEIVED

JUN 21 2022

IDWR / NORTH

June 17, 2022

Idaho Department of Water Resources
Northern Region
7600 Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763

Re: In Re General Adjudication Clark Fork-Pend Oreille
River Basin, Civil Case No. 69576
Our Client: EW Hawk, LLC
Our File No. 8673

Dear Department:

Please find enclosed for filing in the above referenced
action several claims by EW Hawk, LLC, as follows:

1. An original Notice Of Claim To A Water Right with
attachments (120 pages total). Also, enclosed is a
copy of the first page of the Notice for conforming
and returning to me in the enclosed self-addressed
stamped envelope.
2. An original Notice Of Claim To A Water Right with
attachments (22 pages total). Also, enclosed is a
copy of the first page of the Notice for conforming
and returning to me in the enclosed self-addressed
stamped envelope.
3. An original Notice Of Claim To A Water Right with
attachments (7 pages total). Also, enclosed is a copy
of the first page of the Notice for conforming and
returning to me in the enclosed self-addressed stamped
envelope.
4. An original Notice Of Claim To A Water Right with
attachments (6 pages total). Also, enclosed is a copy
of the first page of the Notice for conforming and
returning to me in the enclosed self-addressed stamped
envelope.

Lastly, enclosed is Finney Finney & Finney, P.A. Check No. 25293 in the sum of \$277.00 payable to the Idaho Department of Water Resources for the filing fees, calculated as follows (using the above referenced paragraph numbers):

1. \$50.00 flat fee plus 75 acres at \$1.00 per acre
variable fee of \$75.00 = \$125.00.
2. \$50.00 flat fee plus 52 acres at \$1.00 per acre
variable fee of \$52.00 = \$102.00.
3. \$25.00 flat fee.
4. \$25.00 flat fee.

Thank you. If you have any questions or concerns, please let me know.

Very truly yours,


JOHN A. FINNEY
Attorney at Law

JAF:cme
Enclosures