## IDAHO DEPARTMENT OF WATER RESOURCES Proof Report

7/23/2020

## Water Permit 47-7490

Owner Type	Name_
Current Owner	KENNETH HAWKES
Status: Lapsed	

 Source
 Tributary

 Beneficial Use
 From
 To
 Diversion Rate
 Volume

 Source and Point(s) of Diversion
 Place Of Use
 Volume
 Volume

 Conditions of Approval:
 Combined Use Limits
 Volume

N/A

SubCase: N/A

Water Supply Bank: N/A

Form 204	
4/86 STATE OF IDAHO DEPARTMENT OF WATER RESOURCES	For Office Use Only \$15 FEE Receipted by <u>ADM</u> Date <u>12/1/88</u> Receipt # <u>SOC 4/17</u>
DEC - 1 1988 REQUEST FOR EXTENSION OF TIME	Necerit #
Department of Water Resources To provide additional time in which to submit proof Southern Region Office of beneficial use for a water right permit	Lapsed 1-10-1990
The idaho Department of Water Resources will consider this form as a request that t an additional period of time in which to complete development of a water right un 42-204, <u>idaho Code</u> .	the permit holder(s) be granted nder the provisions of Section
Permit No. $47 - 07490$	
Name(s) of Permit Holder:Kenneth HawKes	
Post Office Address: Rt. 4 Box 252	· · · · · · · · · · · · · · · · · · ·
Telephone No543	2-6918
Date Proof is Due: 1989	
Describe what work has been completed toward the development of this water right: (This must be filled out! If no work has been completed, show Ponds have been constructed & fish are being r	"none".) zised. The
remaining work to be completed is the installat.	ion of weirs
to mers, writer for licensing,	
(Note Adjud, Claim has been filed) Cost	ing s 5000°
The permit holder(s) has been unable to complete the remainder of the work for the fo	lowing Persons :
I have been in a law suit with William William have	and the use of
this water and other matters ( Case # 34507, Twin Falls	Co.   which has not
yet been dismissed. I did not wish to pour the weirs until law suit was settled and fish suscessful ponds, & (over)	C II
Ponds, & (over) Permit holder(s) request an extension to Jan. 1, 1990. Kingt	ally raised in the
(1 yr. minimum)	(Signature)*
	THAN PERMIT HOLDER, ATTORNEY MUST BE SUPPLIED,
ACTION OF THE DEPARTMENT OF WATER RESOURCES	

IT IS HEREBY ORDERED that the above request for extension of time be

47-7490

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Form 204 3/81 DECENT/ED Separate of Water Recourced Separate of Water Recourced	t ig
FEB 13 201 REQUEST FOR EXTENSION OF TIME	
To provide additional time in which to submit	
Department of Water Resource of of beneficial use on a water right permit	
Merneth Hawkes of <u>AT # H</u> Bull (Name) (Address) State of <u>Idenho</u> , deposes and says:	
State of, deposes and says:	
That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Wa	ter of
the State of Idaho No	
That under the terms and conditions of said permit, work thereunder was required to be completed on or b	efore
, 19,	
That he has heretofore performed the following work described under said permit:	
400 fl. improved water flow, did not place	<u> </u>
Wiers because they would be madiquaters	E A
Purchased fish.	/
Costing\$ 1000.	do
due to meighbor (William Lonen berg) misuse backhar to change water flow hawsait been filed.	lie s
Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligation under said permit to $3 a n = 1$ , $19 S = 7$ . ( 1 yr. minimum, 5 yrs. maximum)	tions
NOTE AS OF JULY 1. 1980, THERE IS A \$15.00 CHARGE FOR REQUESTS FOR EXTENSION OF TIME. *IF OTHER THAN HOLDER, Power of Attorney must be supplied.	
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES	
IT IS HEREBY ORDERED that the above application for extension of time beAPPROVED and the time with which to submit the statement of beneficial use is extended to January 1, 1989.	<u>lin</u>
IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to	
November 12, 1978, pursuant, to Section 42-218a, Idaho Code.	
- the	
Signed this day of March, 1984_	
Chief, Operations Bureau	$\mathcal{N}$

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Southern Disard Or						Southern Distri	ct Office
applicant	<u>Kenneth</u> H	lawkes		Pi	hone	543-5456	
ice address	Route 4,	Buhl, Idaho	83316				
of water supply	J-3 (	Coulee	which	is a tributa	ry of	I Coule	e
n of point of di	version is	<u>SE</u> % of	₩ ¼ of Sec	tion 1	3 1	Fownship	95
<u>14E</u> B.M	Twi	in Falls	County,	additional	points of	diversion if a	ny:
	_				л. <sub>2</sub>		
<u>2.0 cfs</u> for	<u>fish pro</u>	purposes f	rom <u>Jan</u>	1to	Dec 31	(both dates	inclusive
for		purposes f	rom	to		(both dates	inclusiv
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2.0 d diverting wor cription of ditc onds ht of storage d city	cubic fee ks: hes, flumes, p am acre-feet, r	oumps, headgates feet, active materials used in	s, etc. <u>chec</u> e reservoir cap storage dam:	<u>ek dams i</u> acity	n stream	m bed to fo	orm 2 reservo
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	AMENDED tment of <b>To</b> outhern Discussor applicant ce address of water supply a of point of di <u>14E</u> B.M ill be used for th <u>2.0 cfs</u> for -feet per annum) for -feet per annum) for -feet per annum)	DEPART AMENDED APPL tment of To appropriation outhern Discourse To appropriation outhern Discourse To appropriation applicant Kenneth H ce address Route 4, of water supply J-3 ( a of point of diversion is	DEPARTMENT OF V         AMENDED       APPLICATION         tment of value       To appropriate the public value         applicant       Kenneth Hawkes         ce address       Route 4, Buh1, Idaho         of water supply       J-3 Coulee         a of point of diversion is       SE       ¼ of         14E       B.M.       Twin Falls         ill be used for the following purposes:       purposes f         for       purposes f	DEPARTMENT OF WATER R         AMENDED       APPLICATION FOR F         Image: Amended       Appropriate the public waters of the outhern Discussed on the public water supply         applicant       Kenneth Hawkes         ce address       Route 4, Buh1, Idaho 83316         of water supply       J-3 Coulee         of point of diversion is       SE         14E       B.M.       Twin Falls         County,       Ill be used for the following purposes:         2.0 cfs for       fish prop.         for       purposes from         for       purposes from         for       purposes from         for       purposes from         for       purposes from	DEPARTMENT OF WATER RESOUR         AMENDED       APPLICATION FOR PERM         tment of       To appropriate the public waters of the State outhern December of the	applicant       Kenneth Hawkes       Phone         ce address       Route 4, Buh1, Idaho 83316	DEPARTMENT OF WATER RESOURCES         MAMENDED       APPLICATION FOR PERMIT         Amended       Appropriate the public waters of the State of Idaho bouthern Distribution       Department of Wate Southern Distribution         applicant       Kenneth Hawkes       Phone       543-5456         ce address       Route 4, Buh1, Idaho       83316       Base of point of diversion is       Image: Courter of the state of Idaho Department of Wate         of point of diversion is       SE       ½ of       NW       ½ of Section       13       Township         14E       B.M.       Twin Falls       County, additional points of diversion if at         ill be used for the following purposes:       2.0 cfs for       fish prop.       purposes from       1an 1       to       Dec 31       (both dates in the section

47-9490

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

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<ul> <li>c. If the property is owned by a person other than the applicant, describe the arrangement enabling th applicant to make this filing</li> <li></li></ul>	2																					
<ul> <li>c. If the property is owned by a person other than the applicant, describe the arrangement enabling th applicant to make this filing</li> <li></li></ul>		b. Wł	o owr	is the	land	to be	irria	ated o	r plac	e of	use	i										
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applicant to make this filing		<b>c.</b> If :	the pr	opert	y is o	owned	d by	a per:	son o	ther	than	the a	pplica	ant, d	escril	be the	e arra	naem	ent en	abling th		
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Tunnel water as part of this application for permit.	0.	Rema	rks _	Althc	bugh	wate	ir fr	om M	endi	ni T	unne	l en	ters	J-3	Coul	Lee C	on Gl	enda	ile Ra	inch		
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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

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Scale: 2 inches equal 1 mile,

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Linwith aufela

(Applicant)



	Proposed Priority_9-27-7.8
	Received by Date 11-28-78 Time 130pm
	Preliminary check by Fee \$ 2000
	Receipted by Date Date
	Publication prepared by Date
	Published in Times-NEWS (Amended)
-	Publication dates 12/14/18 2 12/21/18
	Publication approved Date
	Protests filed by: None recieved
	Copies of protests forwarded by N/A
	Hearing held by N/A Date
	Recommended for approval denial by 5.5.

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. <u>47-7490</u>, and said application is hereby <u>APPROVED</u>.

- 1. Approval of said application is subject to the following limitations and conditions:
  - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
  - b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

fore January 1 \_\_\_\_\_, 19<u>84</u>.

- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this

9 day of January , 1979 .

J. Klin Sayton

Chief, Operations Bureau

## REGEIVED

January 18, 1989

JAN 19 1989

Department of Water Resources Southern Region Office

Kenneth Hawkes Rt. 4, Box 252 Buhl, ID 83316

RE: Permit No. 47-7490

Dear Mr. Hawkes:

This is to remind you of the letter sent December 16, 1988. The department needs more information regarding the litigation involving your permit.

Please note, you indicated one of the reasons for requesting another extension is that development has been delayed by litigation. The department has a copy of the initial complaint and reply to counterclaim. These documents, however, were executed in 1982 and 1983 respectively. What is the status of this suit at present? Please provide some documentation.

Please advise the department of the status of this litigation as soon as possible.

If you have questions concerning this matter, feel free to contact this office.

Sincerely,

RITA I. FLECK Secretary/Records Manager





8800 14 0340

December 16, 1988

Kenneth Hawkes Rt. 4 Box 252 Buhl, ID 83316

Dear Mr. Hawkes:

Re: Permit No. 47-7490

On December 9, 1988, this office received the request for extension of time.

You indicate one of the reasons for requesting another extension is that development has been delayed by litigation. The department has a copy of the initial complaint and reply to counterclaim. These documents, however, were executed in 1982 and 1983 respectively. What is the status of this suit at present. Please provide, if possible, some documentation.

Please notify the department within thirty days of the status of the litigation.

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

Sincerely,

47-7490

RITA I. FLECK Secretary/Records Manager

1 C: Southern Region