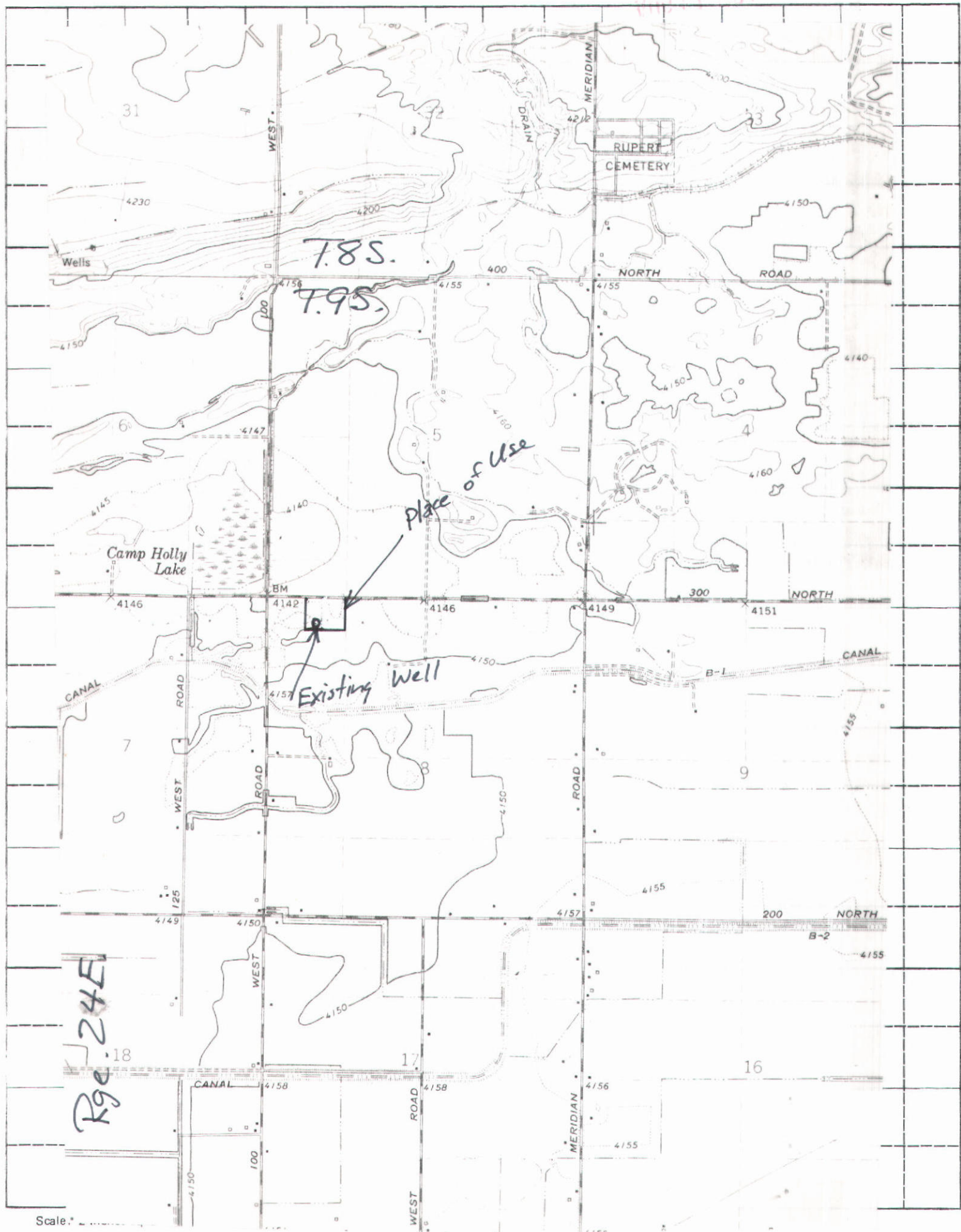


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



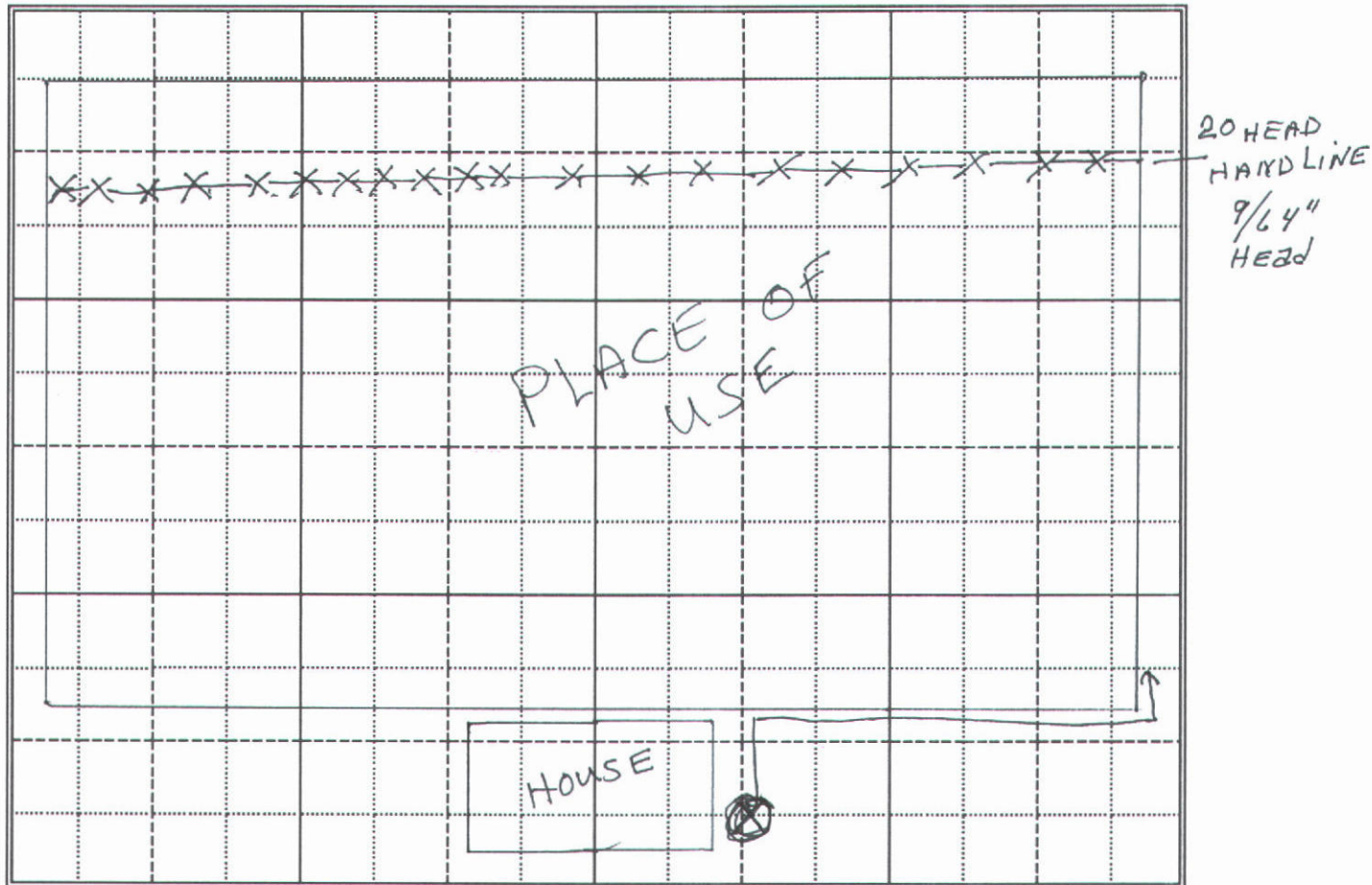
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

RECORDED

AUG 21 1989

Olaf Hauke
(Applicant)

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



Scale: 1" = _____

____ 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
	SUBMERSIBLE unk	3	unk	SUBMERSIBLE unk	

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

D. FLOW MEASUREMENTS

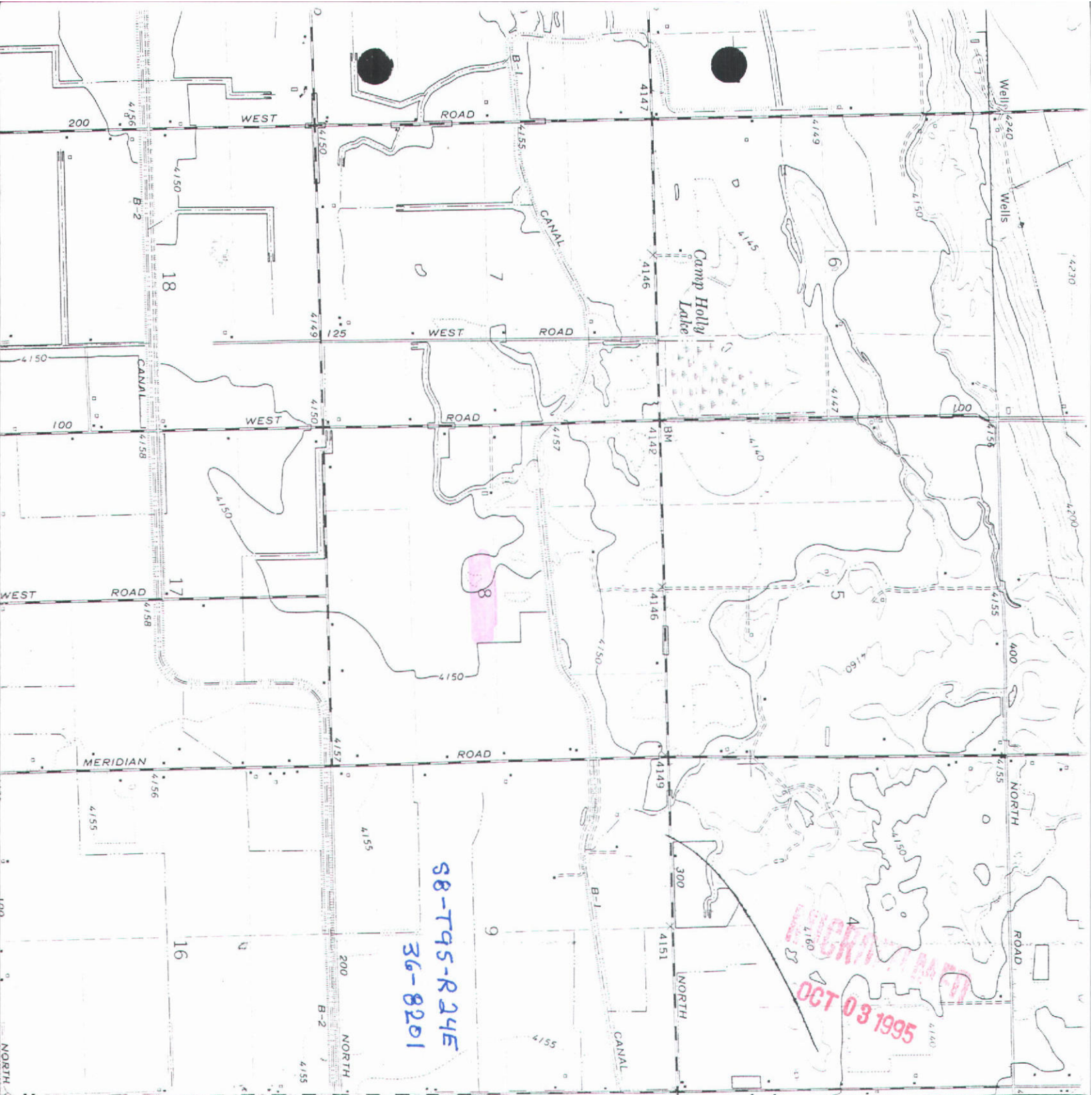
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow-tube						

2. Measurements: 5 measurements along string of 20
hand line heads all at 45 PSI

RECORDED

OCT 03 1995



36-08201

23.6

T 2188
2658

2 3
14.2 15.1

75.7

T1147
875

P.O.U.
5.2 ac
P.A.D.

T1149
877
TRACT-HEL

300 NORTH

30.2

36.3

T1154
881

59.5

T1158
885

T1157
884

92.5

T1160
887

T1159
2642
TRACT-HEL

T1161-HEL
888

13.0

56.3

37.5

Oct 23 1995

100 WEST



P.O.D.
WELL HOUSE



P.O.U.
Lawn
@
Domestic

MICROFILMED
OCT 03 1995



P.O.D.



P.O.D.

RECEIVED
OCT 13 1995



P.O.U.
Looking EAST
From P.O.D



P.O.U.
Looking
WEST From
EAST BORDER
OF HAYFIELD
ACROSS TOTAL
P.O.U.

REPRODUCED
OCT 03 1995

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

RECEIVED

APR 10 1989

Department of Water Resources
Southern Region Office

County of Cassia,)
) ss.
STATE OF IDAHO)
Marge Barndredt being first
duly sworn, deposes and says that she is the
Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated March 14 1989, and ending
with the issue dated March 23 1989.
Marge Barndredt

89-109

NOTICE OF CORRECTION

Notice is hereby given that Application for
Permit No. 36-8201 in the name of Phil &/or
Weston Hawkes was advertised incorrectly on 2/16
and 2/23/89. The place of use was advertised as
being within S8, T9S, R24.

WHEREAS, the actual place of use is within
the NWNW, Sec. 8, T9S, R24E.

Any protest to the above correction must be
filed with the Idaho Department of Water Re-
sources, 2148 Fourth Avenue East, Twin Falls, ID
83301 on or before 4/3/89.

R. Keith Higginson, Director

Published in the South Idaho Press on March
16 and 23, 1989.

STATE OF IDAHO

COUNTY OF

On this 10th day of April in the year of 1989, before me,
a Notary Public, personally appeared Marge Barndredt,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Dolores Mahey
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 5/1/92

Cost of Publication 18.08
Notary Fee 50
Total Cost 18.58

no charge

MICROFILMED

AUG 21 1989

OK
MB
4/12/89

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08201

Priority: May 31, 1983

Maximum Diversion Rate:

0.12 CFS

This is to certify, that GEORGE GALLEGOS
310 E 15TH ST
RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 31, 1983; and has submitted Proof of Beneficial Use on June 4, 1990. An examination indicates that the works have a diversion capacity of 0.120 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.11 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	
	Totals	0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 8, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	24E	8	NWNW	5.5		5.5

Total number of acres irrigated: 5.5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
5. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual irrigation diversion volume of 22.0 af for the lands above.

RECEIVED
JUN 10 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08201

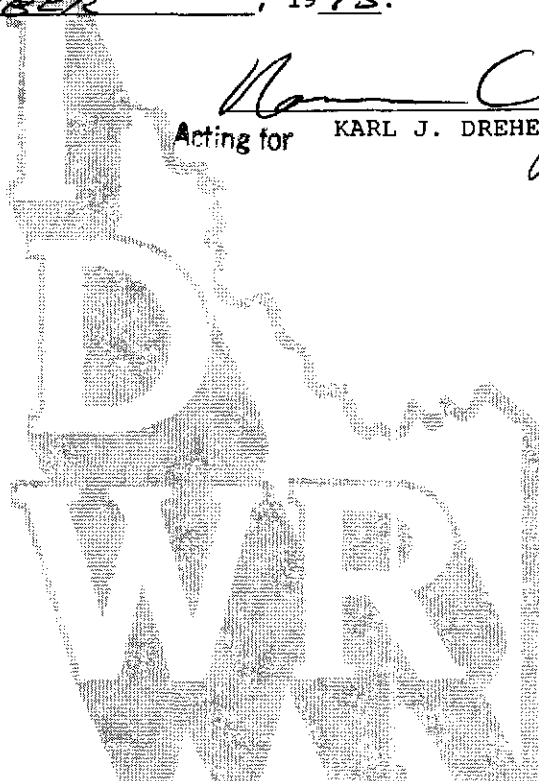
CONDITIONS OF APPROVAL AND REMARKS

7. Domestic use is for 1 home and shall not exceed an annual diversion volume of .6 af.
8. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code,
Witness the seal and signature of the Director, affixed at Boise, this 15TH
day of SEPTEMBER, 1995.

Acting for

KARL J. DREHER, Director



OCT 03 1995

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	36-8201	Phil Hawkes Weston Hawkes	0.15
Full Assignment	36-8201	George Gallegos	0.15

RECEIVED
MAY 31 1991

State of Idaho

Department of Water Resources

RECEIVED
APR 01 1991

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Phil Hawkes, hereby assign to George Gallegos
of 310 E. 15th St. Rupert Idaho 83350
Address

All my right, title, and interest in and to Permit No. 36-8201
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 36-8201 to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

THE ENTIRE PERMIT

Made this 29 day of March, 1991.

Phil Hawkes
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Mandoka) ss

On this 29th day of MARCH, 1991, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Charlotte Wickel

Notary Public residing at
Declo, Idaho - Cassia County

s e a l

My commission expires:

Jan 17, 1993

MAY 31 1991

RECEIVED

JUN 4 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Amt. of Fee \$ 50.00

Date 6/4/90

Receipt No. 6017114

Received by J. L. Lister

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36-08201

Telephone No. 436-9448

Name(s) of Permit Holder(s): George Gallegos

Post Office Address: 310 E 15th Street Rupert, Idaho 83350

Source of Water: _____

If ground water, well driller's name: _____ Date drilled: 1980

Extent of Use:

Domestic 1 (No. of households)

Irrigation 5 (No. of acres)

Stockwater 1 horse (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted .15 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1981

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

David L. Atkins 436-0592
Name Telephone No.

Rt #5 Box 198 Rupert, Idaho 83350
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

5/29/90
Date

George Gallegos
Signature (and title if on behalf of a company or organization)

MAY 31 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Phil Hawkes &/or Weston Hawkes Phone 438-5684
436-3696
Post office address Rt. 1, Paul, Idaho, 83347

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 9S
Range 24E B.M. Minidoka County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.15 cfs for Irrigation purposes from Mar 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 cfs for Stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 cfs for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.15 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump delivering to
pressure system and sprinklers.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. ~~Proposed~~ well diameter is 6 inches; proposed depth of well is 136 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 9S
Range 24E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 10 range cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.

(5) If water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	24E	8						5											5

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes as described above.

None other than MID shares which are presently not being used.

9. 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

10. Remarks This covers a use established in 1979 and which has been used continuously since that time.

ents show clearly the proposed point of divergence



AUG 21 1993

Phil Hankes
(Applicant)

Proposed Priority 5/31/83

Received by ADM Date 5/31/83 Time 4:50 p.m.
Preliminary check by LA Fee \$ 30.00 # 30222
Receipted by ADM Date 5/31/83
Publication prepared by SC Date 2/16/89
Published in South Idaho Times
Publication dates 2/16 & 2/23/89
Publication approved ^{checked} M. Baldwin Date 4/12/89
3/3/89
Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LA

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. 36-8201, and said application is hereby APPROVED.

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 before July 1, 1990.
- 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.
- d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Witness my hand this 7th day of June, 1989.

J. M. Saxton

INDEXED

AUG 21 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 1995

GEORGE GALLEGOS
310 E 15TH ST
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08201

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-08201 DATE 9-6-95



NAME Change ☒ OK Or Address Change?

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source? Notice of Intent to Void necessary?

POINT OF DIV Amendment needed? Overlaps?

PLACE OF USE Amendment needed? Overlaps?

DIV RATE ☒ Permit/fee limits: 15 CFS

$$\frac{8.8 \times 3 \text{ HP} \times .7}{40 + (50 \text{ PSI} \times 2.31)} = .12$$
 Meas Q = 5.5 gpm (1/2 FROM DOMESTIC) \times .02 = .11
 Theo Q = .12 Recommend: .12
DOM/INTERNAL UOL @ .02
 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: NEW IRR Season: 4 (4-1 to 10-31)
 Calculations: 5.5 \times 4 = 22
DOM @ .6
 Flow limit: cfs \times 1.9835 =
 Combined volumes exceed capacity/allowable

USES ☒ Change in Nature of Use or additional uses? Amendment necessary?

ADDITIONAL INFO MINIDOKA SHARES AVAILABLE
 Supplemental Groundwater YES PPU Scenario NO
 Irr/Dom Combination YES Shared G/W System NO

NEW REMARKS Multiple p/d(s) in 1/4 1/4?
YES Other WB3 WB8 WB7 WB5

NEW CONDITIONS Watermaster control - District
Measuring/Locking Devices
Irrigation Overlap
Other
Water Quality Heat/Cool/Fish verified

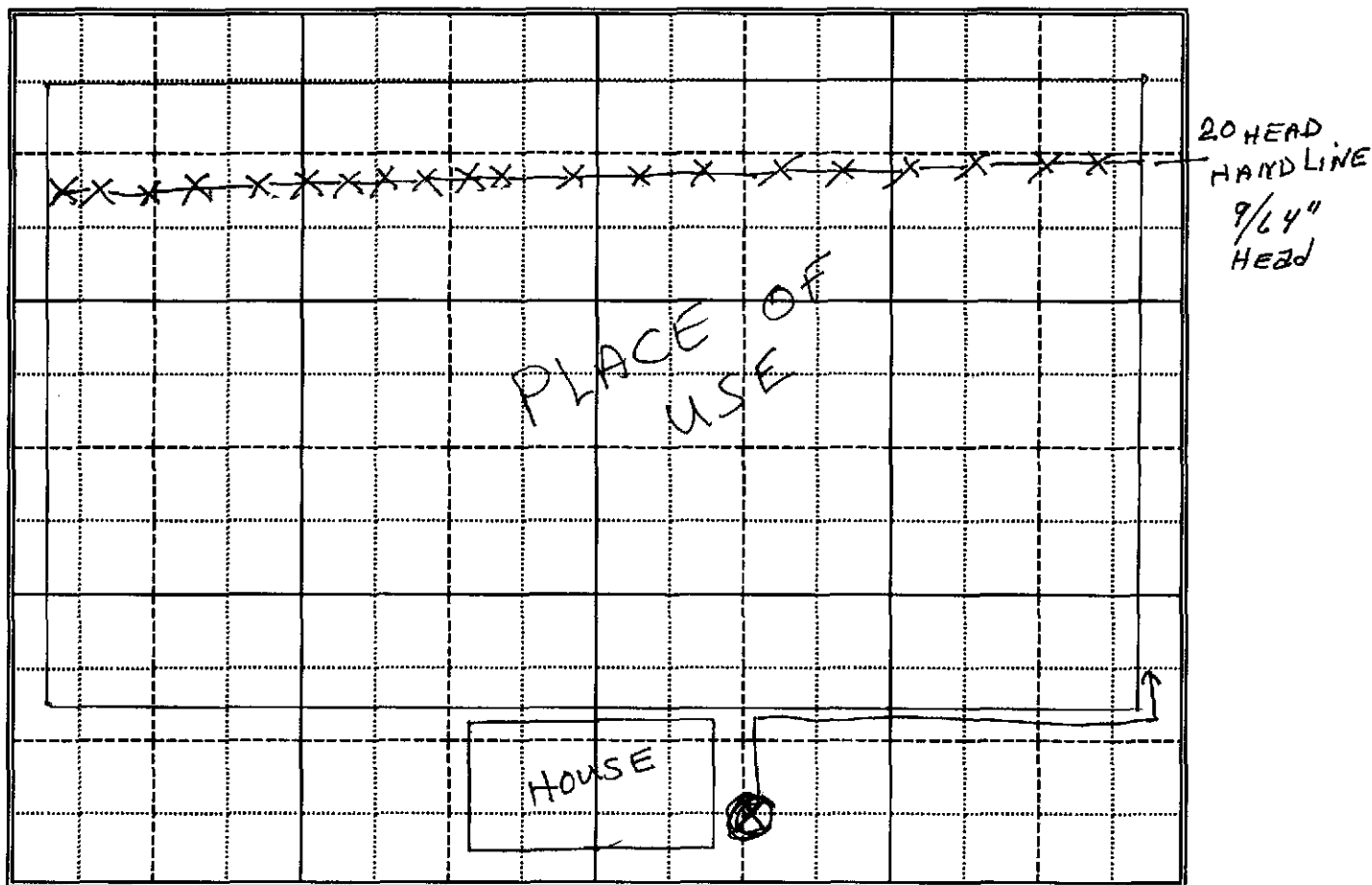
COMMENTS: ① Delete stockwater ② Reduce rate to capacity

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Irrigation</u>	<u>.11</u>	<u>22.0</u>	Adjustment Memo Needed	<u>YES</u>
<u>Domestic</u>	<u>.02</u>	<u>.6</u>	LICENSE	☒
<u>Total</u>	<u>.12</u>	<u>22.6</u>	1ST AMEND LETTER	
			2ND AMEND LETTER	

for Remarks

[illegible]

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



Scale: 1" = _____

____ 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
	SUBMERSIBLE unk	3	unk	SUBMERSIBLE unk	

*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
Pitot-tube						

2. Measurements: 5 measurements along string of 20
hand lineheads all at 45 PSI

00708004

E. NARRATIVE/REMARKS/COMMENTS

This System Consists of A 6" well drilled 180 ft deep with a dynamic pumping level at 40 ft.

(measurements taken from area well logs and averaged)

H₂O is diverted to a 100 gal Pressure tank By a 3 hp Submersible Pump. Gage indicated Pressure @ 45 PSI. operates on @ 40 off at 50 PSI. H₂O is THEN DIVERTED through 2" Pipe to the TRAILER HOUSE AND MAINLINE to A 20 head SPRINKLER HAND LINE FOR IRRIGATION OF 5 ACRES.

THE CURRENT OWNER IS INDICATED. AN ASSIGNMENT of Permit is PROBABLY IN ORDER

THE STOCKWATER COMPONENT SHOULD BE DISSALLOWED - ALL CORRALS AND TROUGHS HAVE BEEN REMOVED AND LAND HAS BEEN RECLAIMED TO IRRIGATION under M.I.D. SHARES.

Have conditions of permit approval been met? ☒ yes ☐ no

RECEIVED
OCT 1985

Additional Computation Sheets Attached

$$\frac{8.8 \times 3 \times .70}{10 + 45 \times 2.31} = \frac{18}{144} = .12$$

1. Volume Calculations for Irrigation:

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 3 = 15 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .12 \times 214 \times 1.9835 = 5.0 \text{ cfs}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{15 \text{ o/a}}$$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	04-01	10-31	.12	15
DOMESTIC	01-01	12-31	.04	
		Totals:	.12	15 afa

☐ 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

Field Examiner's Name DR. J. E. ... Date 08-09-95

Reviewer _____ Date _____

SEAL

* See attached adjustment memo. ~~B~~

MEMORANDUM

TO: File 36-08201 / George Gallegos
FROM: Brenda Chapman
DATE: September 7, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 36-08201 are based on the information below:

F. FLOW CALCULATIONS

The domestic and irrigation rate recommendations have been adjusted. Per current guidelines, the allowable $\frac{1}{2}$ acre for the domestic lawn and trees has been added to the irrigated acres. The domestic rate is now for internal use only.

G. VOLUME CALCULATIONS

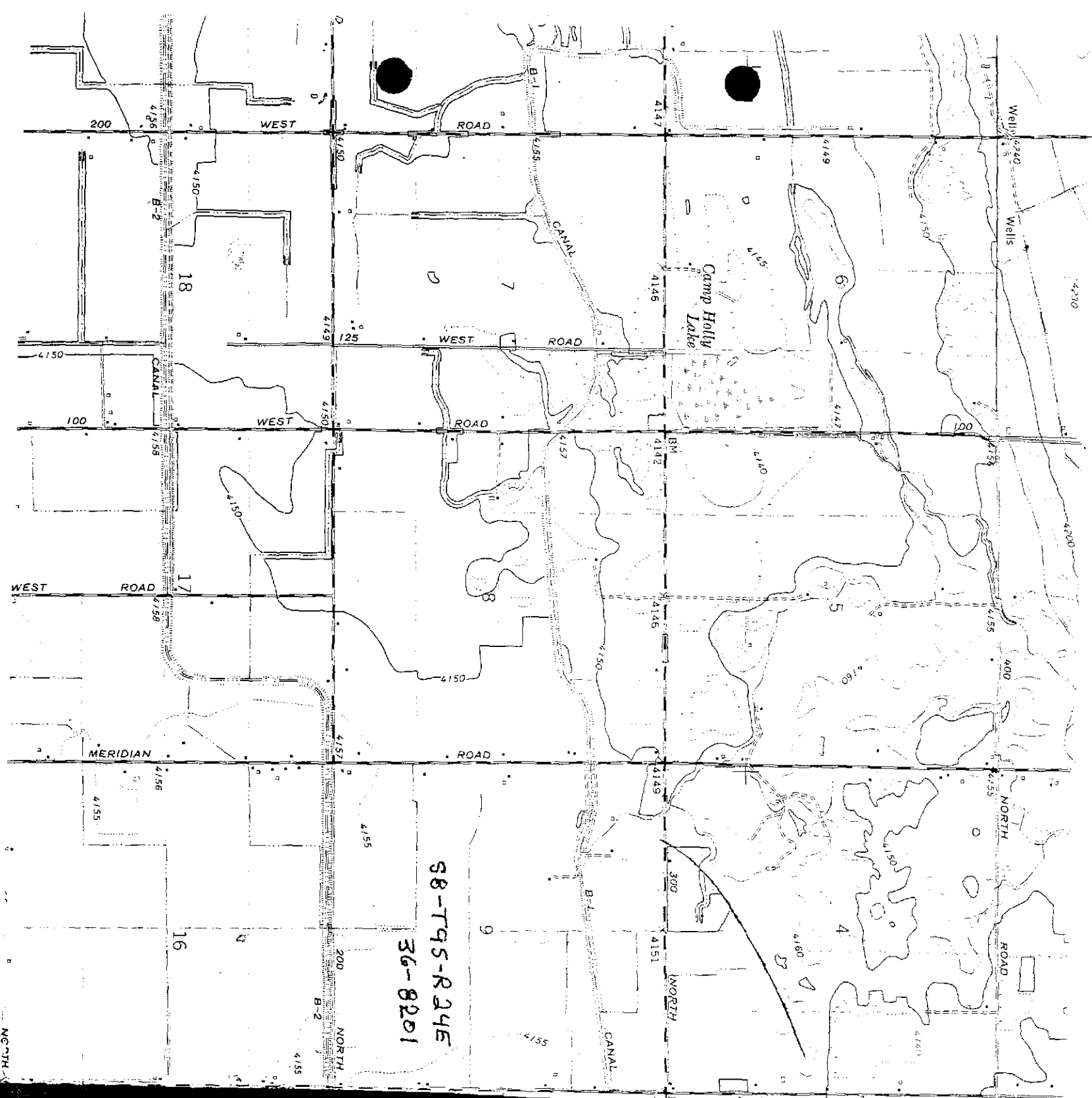
The domestic and irrigation volume recommendations have also been adjusted based on the above information.

Also note: the irrigation annual diversion volume is from the current standards.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	.11	22.0
Domestic	1-01 to 12-31	.02	.6



36-08201

23.6

T2188

2650

13.2

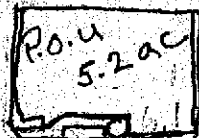
75.7

15

8

T1147

875



P.O.

T1149

877

300 NORTH

30.2

36.3

3
24.1

33.5

T1158

885

TRANSFERRED

92.5

T1157

884

3 2 5
16.2 10.7

38.0

T1160

887

T1159

2642

ACE-HEL

T1161-HEL

888

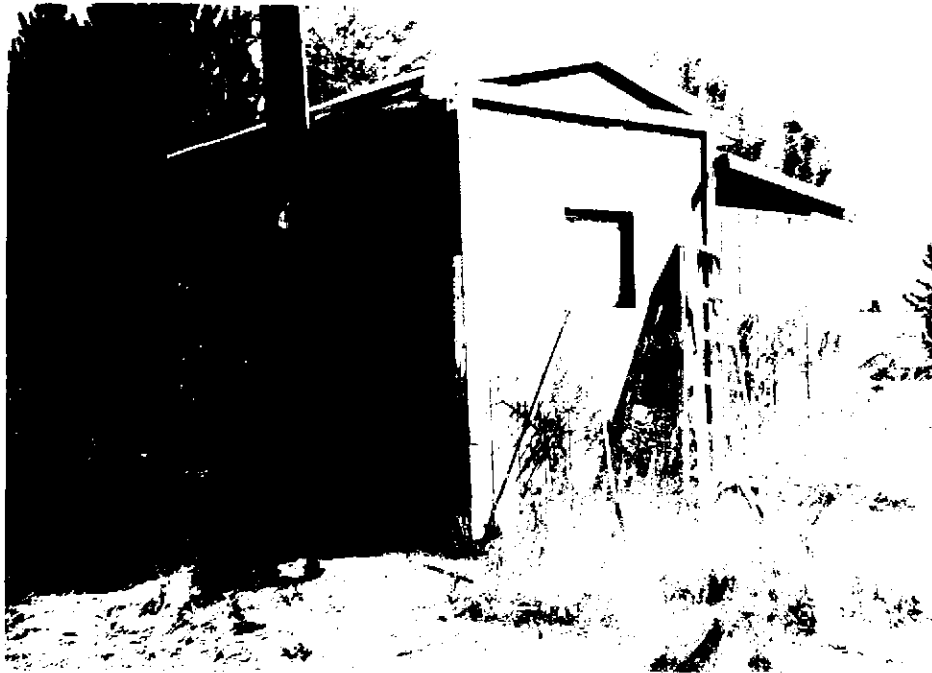
Ort 7.2

6 7
8.1 4.4

8

37.5

8



P.O.D.
WELL HOUSE



P.O.U.
LAWN
@
Domestic



P.O.D.



P.O.D.



P.O.U.
Looking EAST
From P.O.



P.O.U.
Looking
WEST From
EAST BORDER
OF Hayfield
ACROSS TOTAL
P.O.U.

April 25, 1991

GEORGE GALLEGOS
310 E. 15TH ST.
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08201

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MEMORANDUM

MARCH 21, 1991

TO: FILE 36-8201

FROM: RITA FLECK

RE: ASSIGNMENT

I RECEIVED A TELEPHONE CALL FROM DAVID ATKINS TODAY. MR. ATKINS IS THE PURCHASER OF THE LAND (ON CONTRACT) AND PRESENTLY LEASING THE PROPERTY FROM GEORGE GALLEGOS. HE IS TRYING TO SECURE AN ASSIGNMENT FOR THIS PERMIT FROM PHIL &/OR WESTON HAWKES TO GEORGE GALLEGOS. GEORGE GALLEGOS SUBMITTED THE PROOF OF BENEFICIAL USE FORM.

MR. AIKENS HAS LOCATED MR. PHIL HAWKES AND HE EXPECTS MR. HAWKES TO COMPLETE THE ASSIGNMENT AND TO FORWARD IT TO THE DEPARTMENT BY APRIL 4TH. LATER, IN ABOUT A YEAR AND A HALF THE LOAN WILL BE PAID OFF AND MR. AIKENS WILL SECURE AN ASSIGNMENT FROM GEORGE GALLEGOS.

February 28, 1991

GEORGE GALLEGOS
310 E 15TH
RUPERT ID 83350

Dear Mr. Gallegos:

Re: Permit No. 36-8201

On June 4, 1990, the department received the proof of beneficial use form along with the \$50 filing fee for the above referenced permit. Since that time, the department has held the proof processing since the permit is in the name of Phil and Weston Hawkes. I contacted the Hawkes and requested an assignment which would convey the permit to you and allow you to take action on it. I did not receive a response.

Enclosed is an assignment form. Is it possible for you to secure an assignment?

There are other options the department can consider which are not as desirable, but effective. These are: 1) a demonstration that you have possessory interest in the land by providing the department with a copy of the tax record, or 2) providing the department with a copy of your warrenty deed and/or sales contract. By submitting such document(s), the department may be able to accept the proof of beneficial use as action for maintaining the permit, but not necessary, as a documentation for conveying ownership of the permit.

I will hold action on the permit for 30 days. The department will be waiting for your response.

Please contact me if you have questions.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

January 28, 1991

PHIL HAWKES &/OR WESTON HAWKES
RT 1
PAUL ID 83347

Gentlemen:

Re: Permit No. 36-8201

On June 4, 1990, the department received the proof of beneficial use form and the \$50 license exam fee. Before the department can accept the form and conduct the field inspection, an assignment from you to George Gallegos or a demonstration by Mr. Gallegos that he has possessory interest in the permit.

Enclosed is an assignment. Please sign it before a notary public if it is your intention to convey this permit.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

138662
April 30, 1990

PHIL HAWKES
WESTON HAWKES
RT. 1
PAUL, ID 83347

PROOF DUE NOTICE

RE: PERMIT NO. 36-08201

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1990.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

REC-11 1351

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

PHIL HAWKES
WESTON HAWKES
RT. 1
PAUL, ID 83347

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 36-08201

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

RECEIVED

APR 10 1989

Department of Water Resources
Southern Region Office

County of Cassia,)
STATE OF IDAHO) ss.
Marge Barendregt being first
duly sworn, deposes and says that she is the
Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated March 16 1989, and ending
with the issue dated March 23 1989.
Marge Barendregt

Notice is hereby given that Application for
Permit No. 36-8201 in the name of Paul & for
Weston Hawkes was advertised incorrectly on 2/16
and 2/23/89. The place of use was advertised as
being within S8, T9S, R24E.

WHEREAS, the actual place of use is within
the NWNW, Sec. 8, T9S, R24E.

Any protest to the above correction must be
filed with the Idaho Department of Water Re-
sources, 2148 Fourth Avenue East, Twin Falls, ID
83301 on or before 4/3/89.

R. Keith Higginson, Director
Published in the South Idaho Press on March
16 and 23, 1989.

STATE OF IDAHO

COUNTY OF

On this 16th day of April in the year of 1989, before me,
a Notary Public, personally appeared Marge Barendregt,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Dolores M. A. [unclear]
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 7/1/92

Cost of Publication 18.08
Notary Fee 50
Total Cost 18.58

no charge

OK
MB
4/12/89

MICROFILMED

AUG 21 1989

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 36-8201 in the name of Phil &/or Weston Hawkes was advertised incorrectly on 2/16 and 2/23/89. The place of use was advertised as being within S8, T9S, R24.

WHEREAS, the actual place of use is within the NWNW, Sec. 8, T9S, R24E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 2148 Fourth Avenue East, Twin Falls, ID 83301 on or before 4/3/89.

R. KEITH HIGGINSON, DIRECTOR

Published in South Idaho Press on 3/16 & 3/23/89

MICROFILMED

AUG 21 1989

06-Mar-1989

South Idaho Press
Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

It is our understanding that this publication of the correction notice will be at no charge to the Department. Enclosed please find copies of the legal notice originally submitted for publication and a copy of the actual publication with the errors circled in red.

Please send the affidavit of publication and publication billing to this office before April 3, 1989.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosures (3)
Original legal notice
copy of first publication affidavit
Notice of Correction legal

MICROFILMED

AUG 21 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 2, 1989

Phil & Weston Hawkes
RT. 1
Paul ID 83347

Re: Application for Permit No. 36-8201

Dear Gentlemen:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published once a week for two consecutive weeks in a newspaper printed within the county wherein the point of diversion lies.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Loren O. Holmes".

Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

RECEIVED

AUG 21 1989

RECEIVED

FORM AFR 13 1987

STATE OF IDAHO

Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 16 1985

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 36-8201

Name(s) of Permit Holder: WESTON & Phil HAWKES

Post Office Address: RT 1 Box 1588 PAUL Idaho

Telephone No. 438-5684

Source of Water: WELL

Extent of Use: Domestic 1 (number of households)

Stockwater 10 HERFORD COWS (number and type of stock)

Irrigation 6.5 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: APRIL 7 1980

Measuring Device: Required? Yes X No
Installed? Yes X No 60 GAL
minute

Flow Measurement Port: Required? Yes X No
Required? Yes X No

Person to contact to accompany the Department representative during field examination: Phil HAWKES

RT 1 PAUL IDA
(Address)

438-5684
(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

March 11, 1985
Date

Phil Hawkes
Signature of Permit
(and Title, if appropriate)

AUG 21 1989

Statement of development for exemption from Swan Falls processing. Not acceptable as proof of beneficial use.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

MARGE BARENDREF being first
duly sworn, deposes and says that he is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated Feb. 16 1989, and ending
with the issue dated Feb. 23 1989.

Marge Barendref

STATE OF IDAHO

COUNTY OF

On this 27th day of Feb in the year of 1989, before
a Notary Public, personally appeared Marge Barendref
known or identified to me to be the person whose name subscribed to the within inst-
and being by me first duly sworn, declared that the statements therein are true,
acknowledged to me that he executed the same.

Colores Blakey
Notary Public for Idaho

Residing at Burley, IDMy commission expires: 7/4/92Cost of Publication 201.14Notary Fee 50Total Cost 201.64

RECEIVED

MAR 01 1989

Department of Water Resources
Southern Region Office

AUG 21 1989

89-71

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have been filed to
appropriate the public waters of the State of
Idaho:

36-08172

MONSON, WESLEY B.

MONSON, MABEL R.

RT. 2 BOX 2504

PAUL, ID 83347

Source: GROUNDWATER

Diversion Pt: NWNW Sec 24 T 08S R 22E

Use: IRRIGATION (2,000 CFS)

Date Filed: 4/14/1983

In: T08S R22E S24 NENE NWNE SWNE

SENE

NENW NWNW SWNW SENW

NESW NWSW SWSW SESW

167.0 ACRES TOTAL

36-08180

CHURCH OF JESUS CHRIST LATTER DAY
SAINTS

CAO JOHN A. STEVENSON

RT. 5 BOX 139

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NWNW Sec 34 T 09S R 23E

Use: IRRIGATION (.240 CFS) DOMESTIC (

.060 CFS)

Date Filed: 5/05/1983

In: T09S R23E S34 NWNW

12.0 ACRES TOTAL

36-08201

HAWKES, PHIL

HAWKES, WESTON

RT. 1

PAUL, ID 83347

Source: GROUNDWATER

Diversion Pt: NWNW Sec 8 T 09S R 24E

Use: IRRIGATION (.150 CFS) STOCKWATER

(0.020 CFS) DOMESTIC (.040 CFS)

Date Filed: 5/31/1983

In: T09S R24E S08

5.0 ACRES TOTAL

36-08212

MAX HERBOLD INC.

P.O. BOX 67

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SENW Sec 19 T 07S R 25E

Use: IRRIGATION (1.220 CFS)

Date Filed: 6/22/1983

In: T07S R25E S19 Lot 1 (NWNW) Lot 2

(SWNW) Lot 3 (NWSW) Lot 4 (SWSW)

61.0 ACRES TOTAL

36-08213

MAX HERBOLD INC.

P.O. BOX 67

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NESW Sec 18 T 07S R 25E

Use: IRRIGATION (2.800 CFS)

Date Filed: 6/22/1983

In: T07S R25E S18 NENW Lot 1 (NWNW) Lot 2

(SWNW) SENW Lot 3 (NWSW) Lot 4

(SWSW) SESW

140.0 ACRES TOTAL

36-08226

PATTERSON FARMS OF IDAHO INC.

RT. 1 BOX 1272

PAUL, ID 83347

Source: GROUNDWATER

Diversion Pt: LOT 4 (NWNE) Sec 18 T 09S R

25E

Use: IRRIGATION (1.380 CFS)

Date Filed: 6/30/1983

In: T09S R25E S18 Lot 4 (NWNE) Lot 7

(SWNE) NENW SENW

107.0 ACRES TOTAL

36-08277

WEEKS, KENYON

P.O. BOX 67

MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: NENW Sec 9 T 08S R 26E

Use: IRRIGATION

Date Filed: 6/03/1985

In: T08S R26E S04 NESW SESW NWSE SWSE

S09 NWNE NENW NWNW SWNW

266.0 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests may be submitted based on the
criteria of Sec. 42-203A, Idaho Code and/or the new
public interest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the Director,
Dept. of Water Resources, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before MARCH 6,
1989.

A/R. Keith Higginson
Director

Published in the South Idaho Press on February
16 and 23, 1989.

36-08201

HAWKES, PHIL
HAWKES, WESTON
RT. 1
PAUL, ID 83347

Source: GROUNDWATER

Diversion Pt: NWNW Sec 8 T 09S R 24E

Use: IRRIGATION	(.150 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 5/31/1983

In: T09S R24E S08 NWNW

5.0 ACRES TOTAL

MICROFILMED

AUG 21 1989