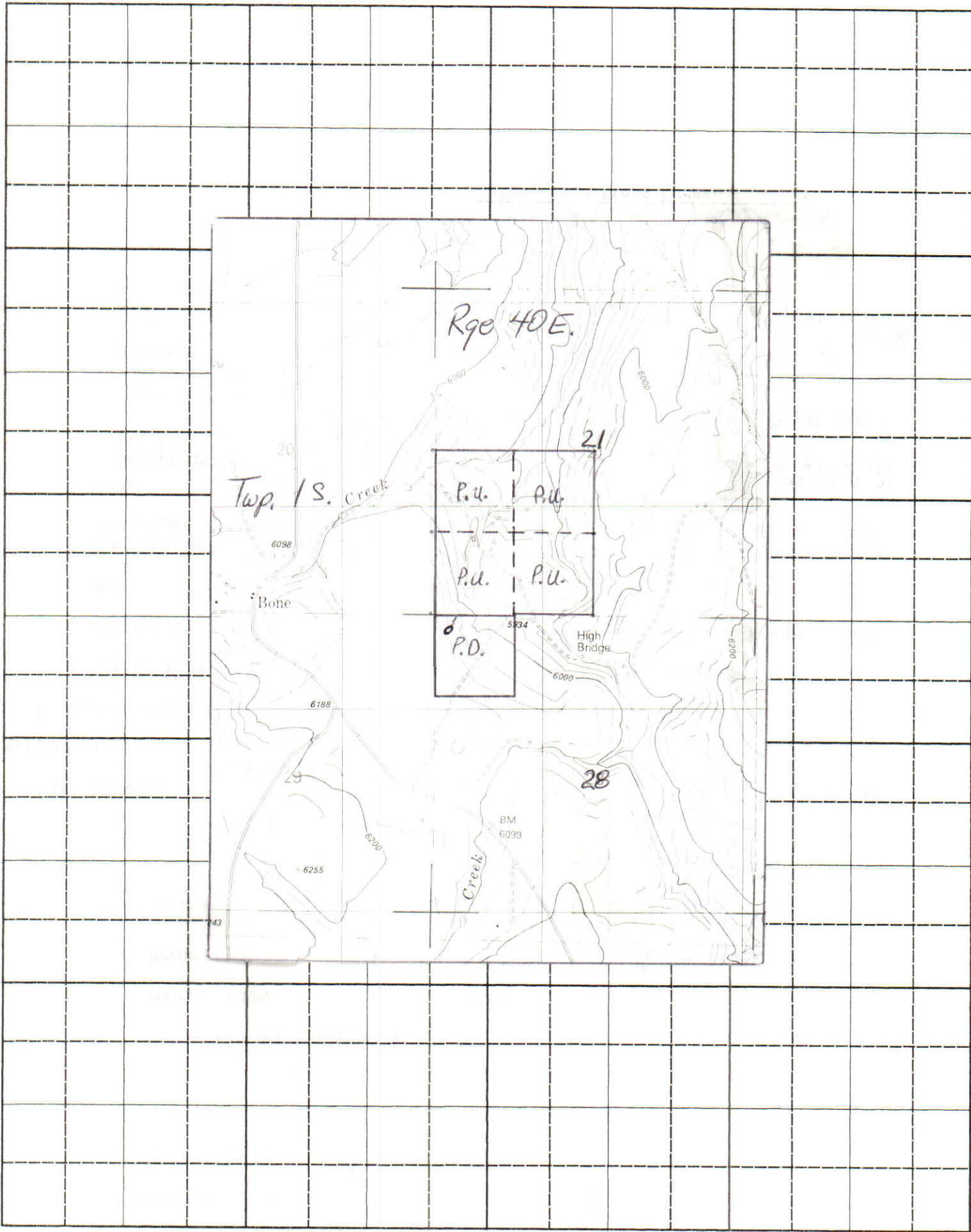
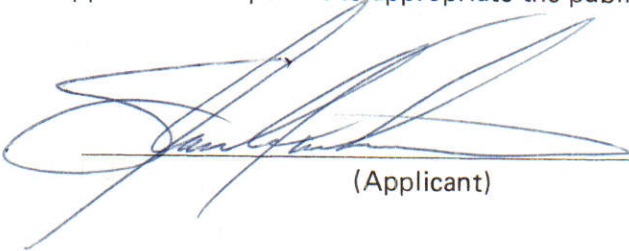


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.
1:24,000

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.


(Applicant)

MICROFILMED

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 8th day of December, 1983, last publication having been made on the 15th day of December, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 16th day of December, 1983

Ted Delezene
Deon R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

RECEIVED
DEC 19 1983
Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 25-7385 in the name of Stan Hawikins was advertised incorrectly on 11/17 & 11/24/83 as follows:

Any exception to a claim of water right may be filed with the Dept. of Water Resources 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401. The protest date was omitted.

WHEREAS, under this correction protests must be submitted to the Dept. of Water Resources on or before December 27, 1983.

A. KENNETH DUNN
Director

Published: December 8, 15, 1983

MICROFILMED

Proof of Publication
The Post-Register

RECEIVED
DEC 05 1983

Department of Water Resources
Eastern District Office

State of Idaho, {
County of Bonneville { ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 17th day of November, 1983, last publication
having been made on the 24th day of November, 1983, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd day of December, 1983.

[Signature]
Notary Public

My commission expires September 30, 1984

B10, 1M,

NOTICE OF CORRECTION

Notice is hereby given that Application for
Permit No. 25-7385 in the name of Stan Hawkins
was advertised incorrectly on 10/20 & 10/27/83.
The point of diversion was advertised as being
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T. 1S, R. 40E,
B.M. Bonneville County and the place of use was
advertised as being within the SW $\frac{1}{4}$ Sec. 28, T. 1S,
R. 40E, B.M.

WHEREAS, the actual point of diversion is the
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T. 1S, R. 40E, B.M.
Bonneville County and the place of use is within
the SW $\frac{1}{4}$ Sec. 21, T. 1S, R. 40E, B.M.

Any exception to a claim of water right may be
filed with the Dept. of Water Resources, 150

Shoup Ave., Suite 15, Idaho Falls, Idaho,
83401.

A. KENNETH DUNN
Director

Published: November 17, 24, 1983

MICROFILMED

Proof of Publication

The Post-Register

RECEIVED

NOV 3 1983

Department of Water Resources
Eastern District Office

State of Idaho, {
County of Bonneville { ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 20th day of October, 1983, last publication having been made on the 27th day of October, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 1st day of November, 1983.

Notary Public

My commission expires September 30, 1984.

B10, 1M,

NOTICE OF APPLICATION FOR WATER RIGHT

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

25-7385

HAWKINS, STAN
BOX 367, UCON, ID 83454
Source: SPRING

Date Filed: 10/03/1983

Diversion Pt: NWNW Sec 21 T 01S R 40E

Use: DOMESTIC (0.02 CFS)

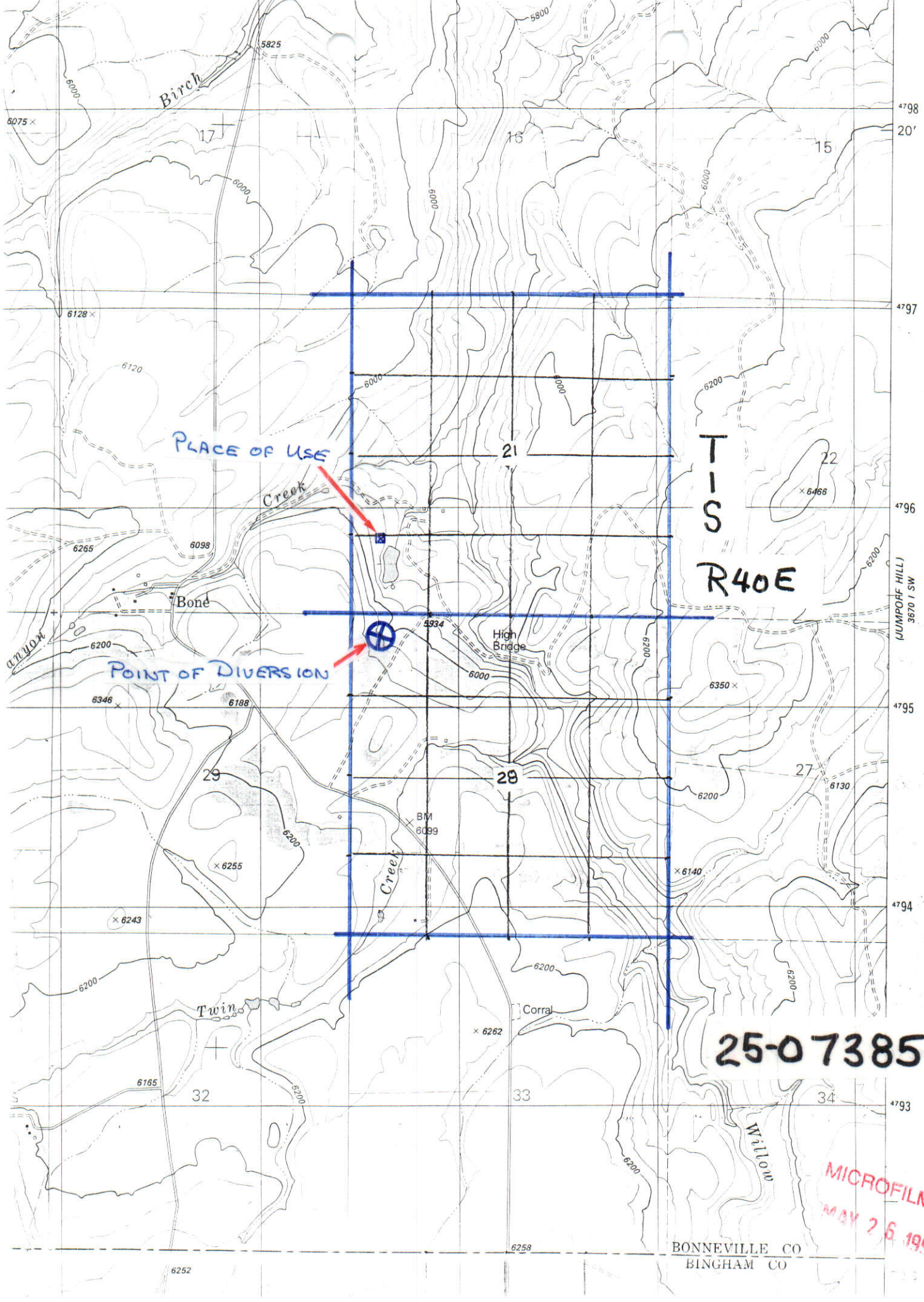
In: NESW NWSW SWSW SESW Sec 28 T 01S R 40E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 7, 1983.

KEN DUNN
Director

Published: October 20, 27, 1983

MICROFILMED



PLACE OF USE

POINT OF DIVERSION

TIS
R40E

25-07385

MICROFILMED
MAY 26 1999

BONNEVILLE CO
BINGHAM CO



DIVERSLOP
COLLECTION
PIPE AREA



STOCK TROUGH

MICROFILMED
25-7386
MAY 26 1999



STORAGE
TANK



PLACE OF USE

MICROFILMED
MAY 26 1999

25-7385



HOME SITE RELATIVE
TO POND

25-07385

MICROFILMED
MAY 26 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07385

Priority: October 3, 1983

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that STAN HAWKINS

PO BOX 367

UCON ID 83454

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 3, 1983; and has submitted Proof of Beneficial Use on September 18, 1989. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to **SINKS**

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>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWNW , Sec. 28, Township 01S, Range 40E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

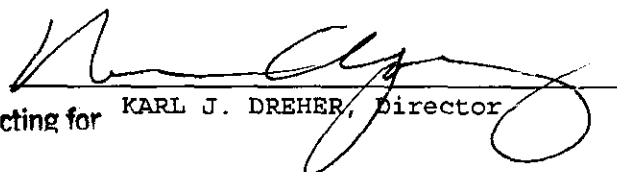
01S 40E 21 SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 13TH day of

MAY, 1989.


Acting for **KARL J. DREHER, Director**

MICROFILMED

MAY 26 1989

RECEIVED
SEP 18 1989

For Office Use Only
Fee Received _____
Date 9-14-89
Receipt # _____
Receipt by _____
Reviewed by ENC
Sent to region 10

STATE OF IDAHO
Department of Water Resources
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 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. 25-7385

Name(s) of Permit Holder: STAN HAWKINS

Post Office Address: P.O. BOX 367 UCAN IDAHO 83454

Telephone No. 523-2880

Source of Water: SPRING

Extent of Use: * Permit was issued for only one domestic
Domestic 2 (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark WATER IS ALSO USED

FOR LAWN CARE AND OCCASIONAL STOCKWATER USE

Total rate and/or volume for which proof is submitted 0.02 CFS cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: MAY 1 1978

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No Fee enclosed \$ _____
(See License Examination Fee Schedule)

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

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

STAN HAWKINS 523-2880
(Name) (Telephone Number)

370 N. 6th ST. UCAN ID.
(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.

OCT 18 1989

SEP 14 1989
Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Stan Hawkins Phone 523-2880

Post office address Box 367, Ucon, Idaho 83454

2. Source of water supply spring which is a tributary of sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 1S

Range 40E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

Amount _____ for _____ purposes from _____ to _____ (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. 0.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. springbox, pipeline, storage tank

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 _____ inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses: SEE ITEM 8b.

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

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

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

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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	
1S	40E	21-28									D	D	D	D					

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion BLM

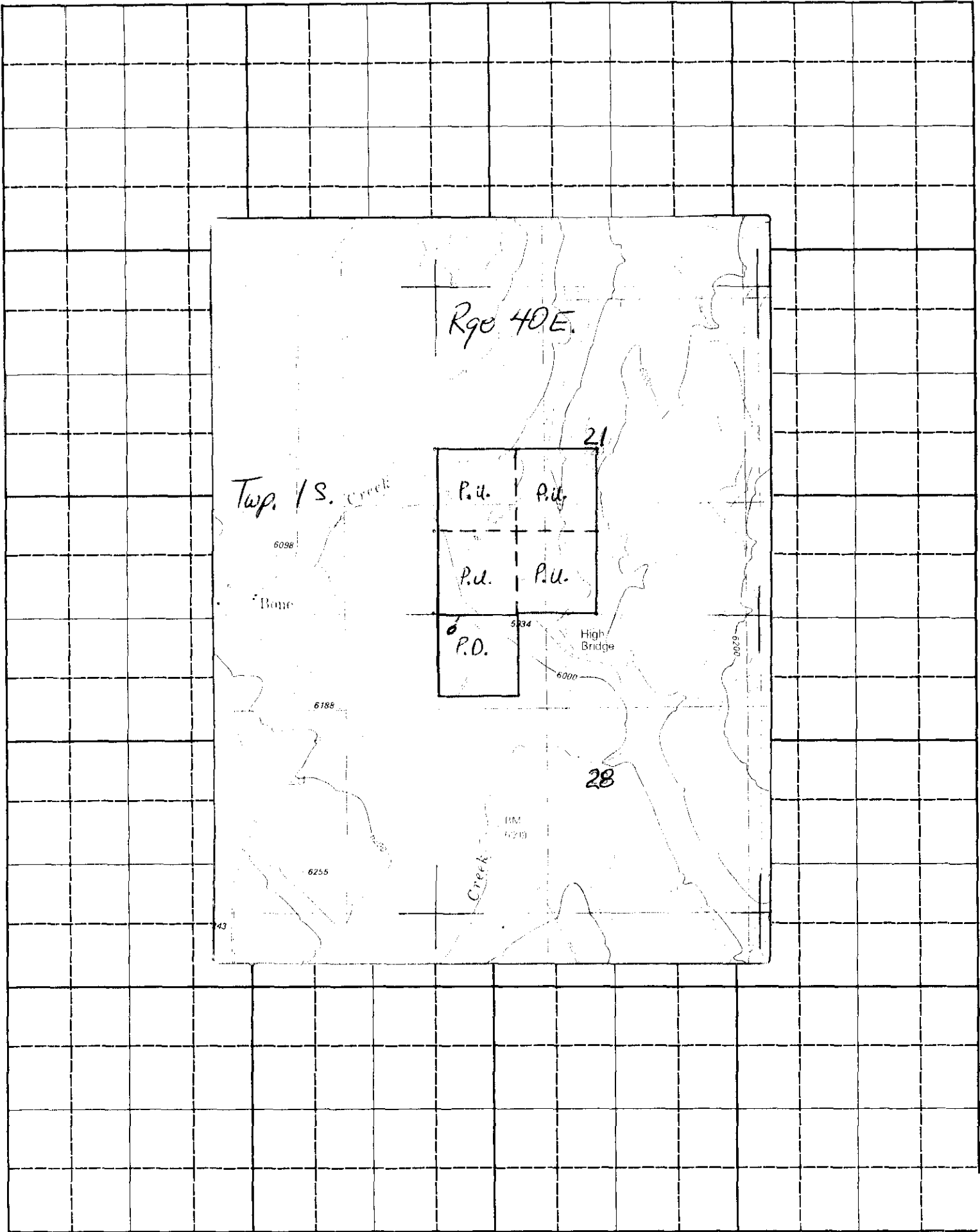
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant is negotiating with BLM for an easement

10. Remarks _____

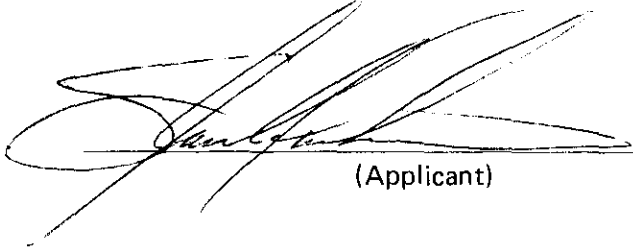
I am not certain which quarter-quarter section the home will be located in so all of the SW¼ has been identified as the place of use.

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



Scale: 2 inches equal 1 mile.
1:24,000

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.


(Applicant)

MICROFILMED

Proposed Priority 10/3/83

MICROFILMED

Received by EMC Date 10-03-83 Time 2:45p
9-27-83 Time 12:00

Preliminary check by KCW Fee \$ 30.00

Receipted by Qu Date 10-03-83 # 29697

Publication prepared by Qu Date 10-12-83

Published in Post Register

Publication dates Oct 20 & 27, 1983 11/17, 11/24, 12/8 & 12/15/83

Publication approved BP Date 11/4/83

Protests filed by: BLM W/H/Board 1-03-1984

Copies of protests forwarded by CW

Hearing held by _____ Date _____

Recommended for approval denial by EMC KW

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. 25-7385, 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 June 1, 19 90.
- 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 commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 12 day of June, 1985.

J. Glen Saxton
Chief, Operations Bureau

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 8th day of December, 1983, last publication having been made on the 15th day of December, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 16th day of December, 1983

Deon Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 25-7385 in the name of Stan Hawikins was advertised in the Post-Register on 11/24/83 as follows:

Any exception to a class of water right may be filed with the Director of Water Resources, Shoup Ave., Suite 15, Idaho Falls, Idaho 83401. The protest date was omitted.

WHEREAS, under the provisions of the protests must be submitted to the Director of Water Resources on or before December 27, 1983.

KENNETH DUNN
Director

Published December 6, 15, 1983

UNRECORDED

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

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lished in said Post-Register for two consecutive weeks, first publication having been made
on the 17th day of November, 1983, last publication
having been made on the 24th day of November, 1983, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd day of December, 1983

Donald Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

NOTICE OF CORRECTION

Notice is hereby given that Application for
Permit No. 25-7383 in the name of Stan Hawkins
was advertised incorrectly on 10/20 & 10/27/83.
The point of diversion was advertised as being
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T. 1S, R. 40E,
B.M. Bonneville County and the place of use was
advertised as being within the SW $\frac{1}{4}$ Sec. 28, T. 1S,
R. 40E, B.M.

Whereas, the actual point of diversion is the
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T. 1S, R. 40E, B.M.
Bonneville County and the place of use is within
the SW $\frac{1}{4}$ Sec. 21, T. 1S, R. 40E, B.M.

Any exception to a claim of water right may be
filed with the Dept. of Water Resources, 150

Shoup Ave., Suite 15, Idaho Falls, Idaho,
83401.

A. KENNETH DUNN
Director

Published: November 17, 24, 1983

REPROFILMED

Proof of Publication

The Post-Register

NOV 3 1983

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

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Subscribed and sworn to before me, this 1st day of November, 1983.

Notary Public

My commission expires September 30, 1984.

B10, 1M,

NOTICE OF APPLICATION FOR WATER RIGHT

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

25-7385

HAWKINS, STAN
BOX 367, UCON, ID 83454

Source: SPRING

Date Filed: 10/03/1983

Diversion Pt: NWNW Sec 21 T 01S R 40E

Use: DOMESTIC (0.02 CFS)

In: NESW NWSW SWSW SESW Sec 28 T 01S R 40E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 7, 1983.

KEN DUNN
Director

Published: October 20, 27, 1983

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STAN HAWKINS
PO BOX 367
UCON ID 83454

RE: WATER RIGHT NO. 25-07385

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

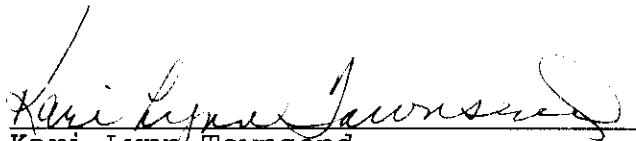
208-327-7946

CERTIFICATE OF MAILING

I hereby certify that on the **14th** day of **May, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 25-07385

STAN HAWKINS
PO BOX 367
UCON ID 83454


Kari Lynn Townsend
Secretary

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: File 25-07385

FROM: Sharla

DATE: May 10, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 25-7385 are as follows:

A. GENERAL INFORMATION

3. Source: spring tributary to sinks

H. RECOMMENDATIONS

Domestic	1/1 – 12/31	0.02 cfs	1.2 afa
----------	-------------	----------	---------

The source requires a listing for the tributary; in this case the tributary is as permitted -- sinks.

The permit did not limit the domestic use to either inside OR outside; the examiner did not indicate that the use was just one or the other. Therefore, the volume allows indoor and outside use.

Exam Date: May 29, 1998

Examiner: Keith Wilson/Lee Simmons

LICENSE REVIEW CHECKLIST

PERMIT NO. 25-07385 DATE 5/6/99 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .02 cfs
 Fee limit .04 cfs - No fee pd. as req'd at time of use.
 Measured W cfs
 Theoretical W cfs
 Recommended Total Div Rate .02 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Dom.</u>	<u>.02</u> cfs	<u>af</u>	Irrig - overlap (R58-R61, R62-R65, R66-R69)
	cfs	af	supp. gw (WB7/065/079)
	cfs	af	overlap spec. combined rts (W35)
	cfs	af	<1acre (W31)
	cfs	af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.02</u> cfs	<u>af</u>	Power (W42 or W43/025/027/R22 or R23)
		<u>1.2</u>	Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .02 cfs X 365 days X 1.98 = 145 af

REMARKS _____

ADD'L CONDITIONS P04 Watermaster Control WD# 01
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ✓ no SRBA Claim ✓ Adjust Memo Not required
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 25-7385

1. Owner: STAN HAWKINS Phone No. _____

Current Address: P.O. Box 367, Arco, ID 83443-4

2. Accompanied by: NO ONE EXAM DATE: 5-29-1998

Address: _____ Phone No. _____

Relationship to Permit Holder: -

3. Source: SUPPLUG tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NW	28	1S	40E	Bonneville	ON SITE

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	40E	21											D						

UNRECORDED

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
N/A					

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

D. FLOW MEASUREMENTS *NONE*

1.

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

2. Measurements: *NONE TAKEN*

E. NARRATIVE/REMARKS/COMMENTS

Burried collection line to STORAGE TANK to Single Domestic home

Tank was overflowing but there was no place to take a measurement.

Estimated flow @ 0.02 cfs

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: Estimated Q - 0.02 cfs**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

 $V_{Dom} = 0.6 \text{ afa}$ **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>1/1</u>	<u>12/31</u>	<u>0.02 cfs</u>	<u>0.6 afa</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.02 cfs</u>	<u>0.6 afa</u>

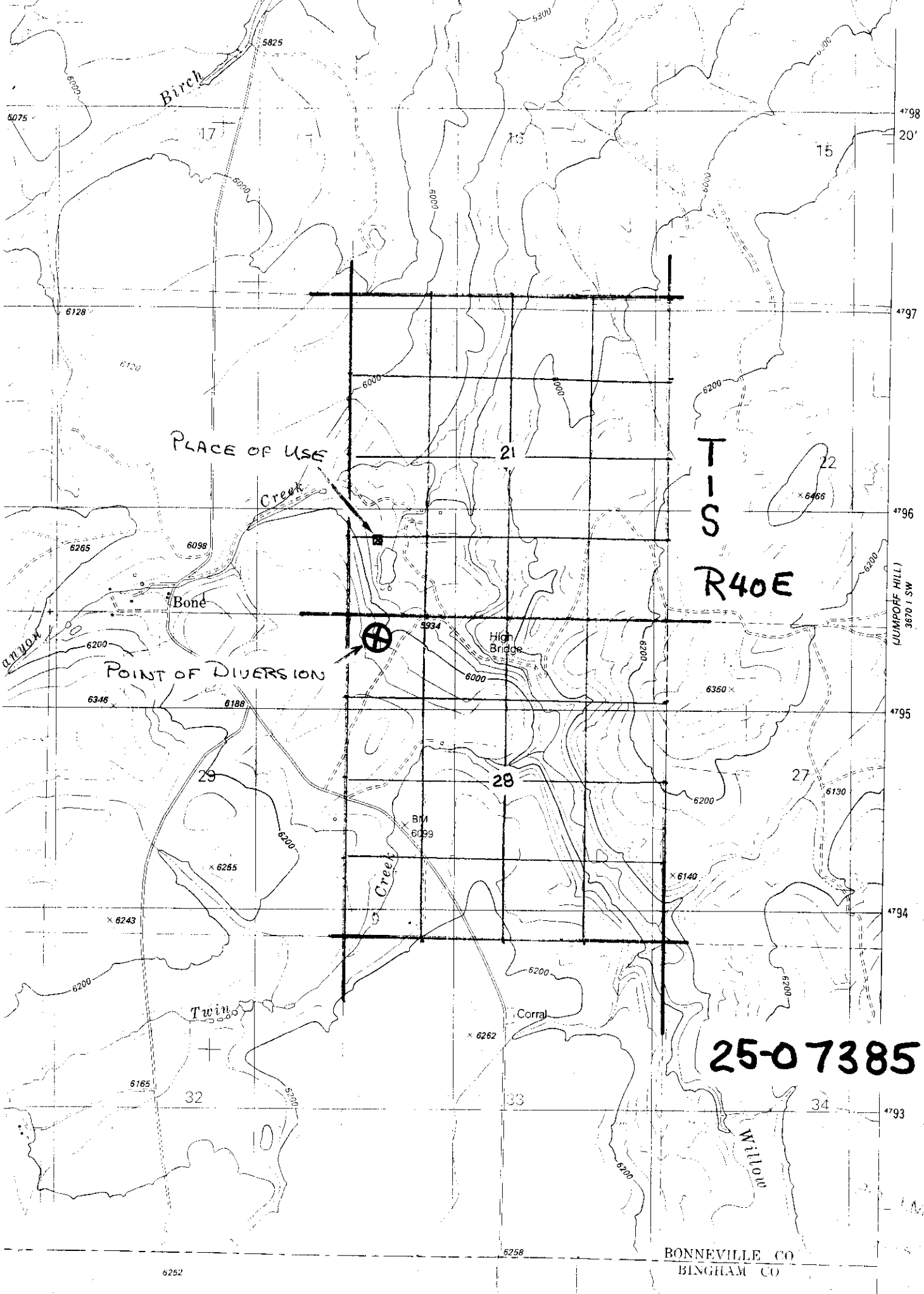
2. Recommended Amendments

☐ 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. AUTHENTICATIONField Examiner's Name KEITH C WILSON Date 5-29-1998

Reviewer _____ Date _____

SEAL



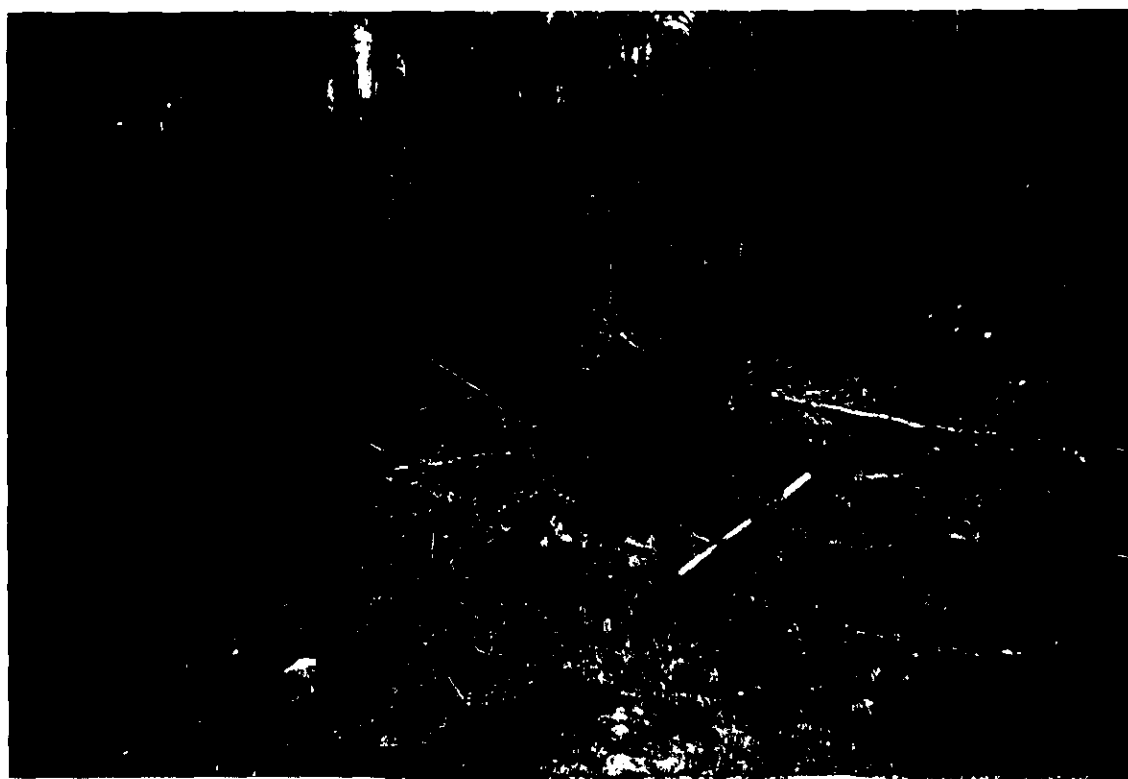
PLACE OF USE

POINT OF DIVERSION

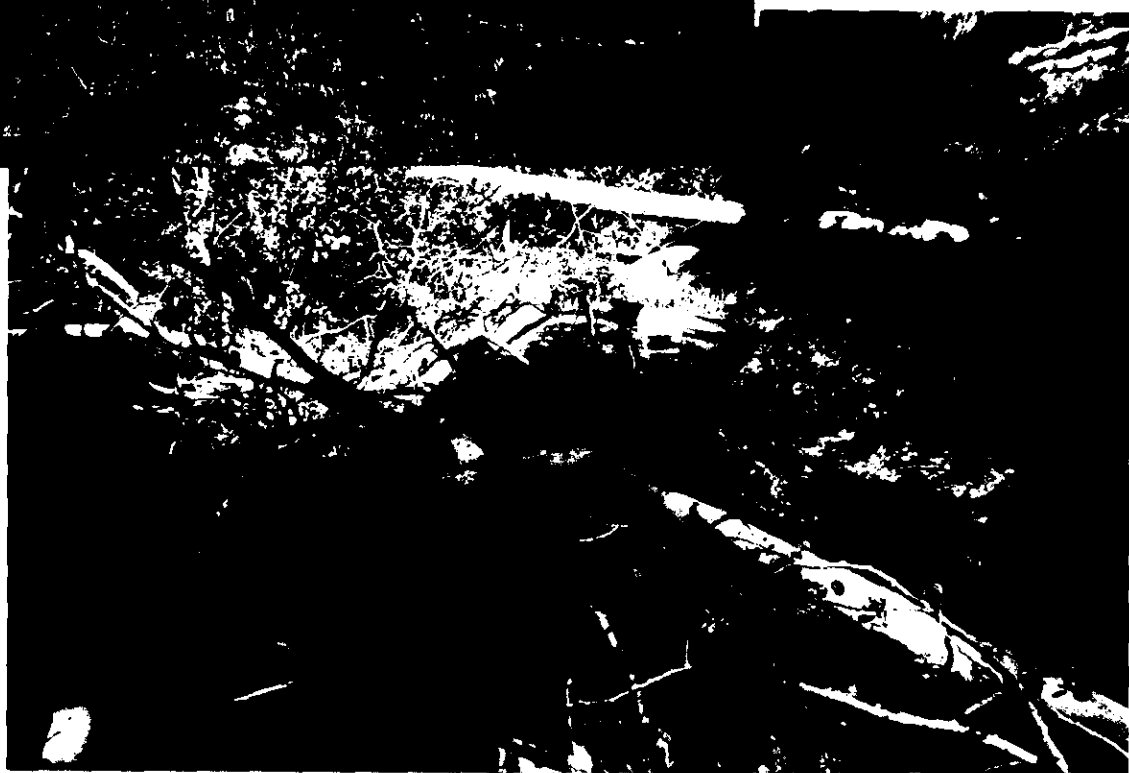
TIS
R40E

25-07385

BONNEVILLE CO
BINGHAM CO

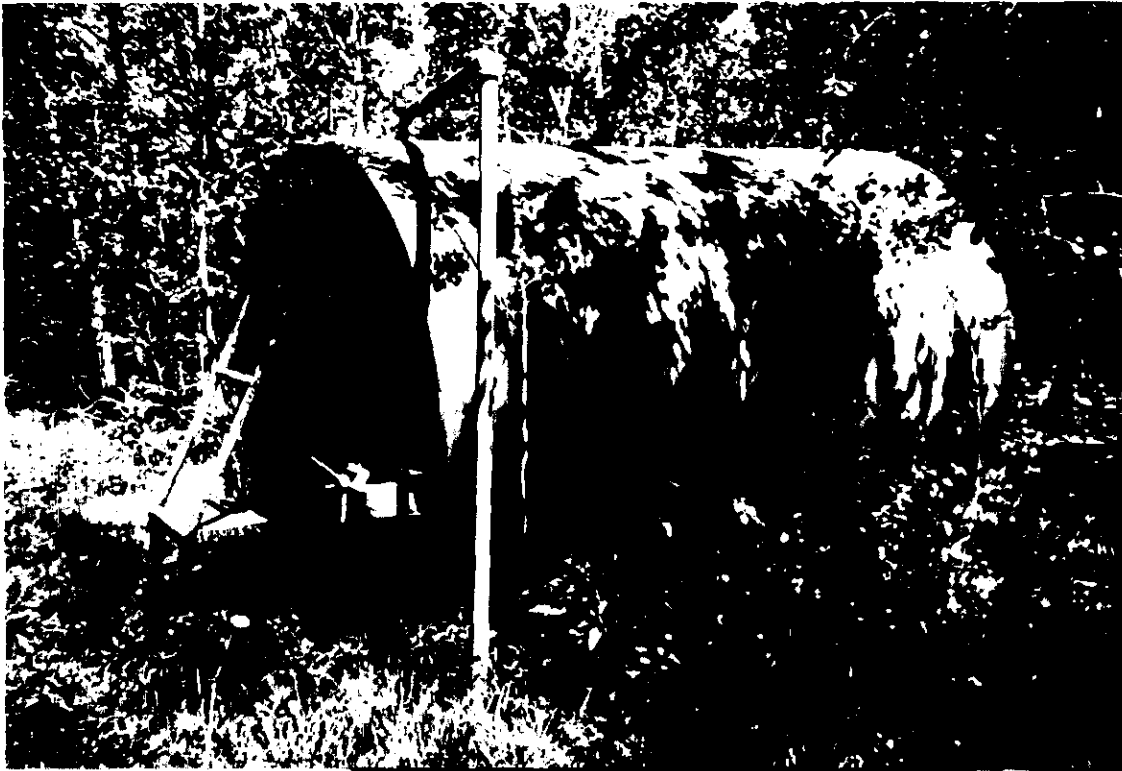


DIVERSION
COLLECTION
PIPE AREA

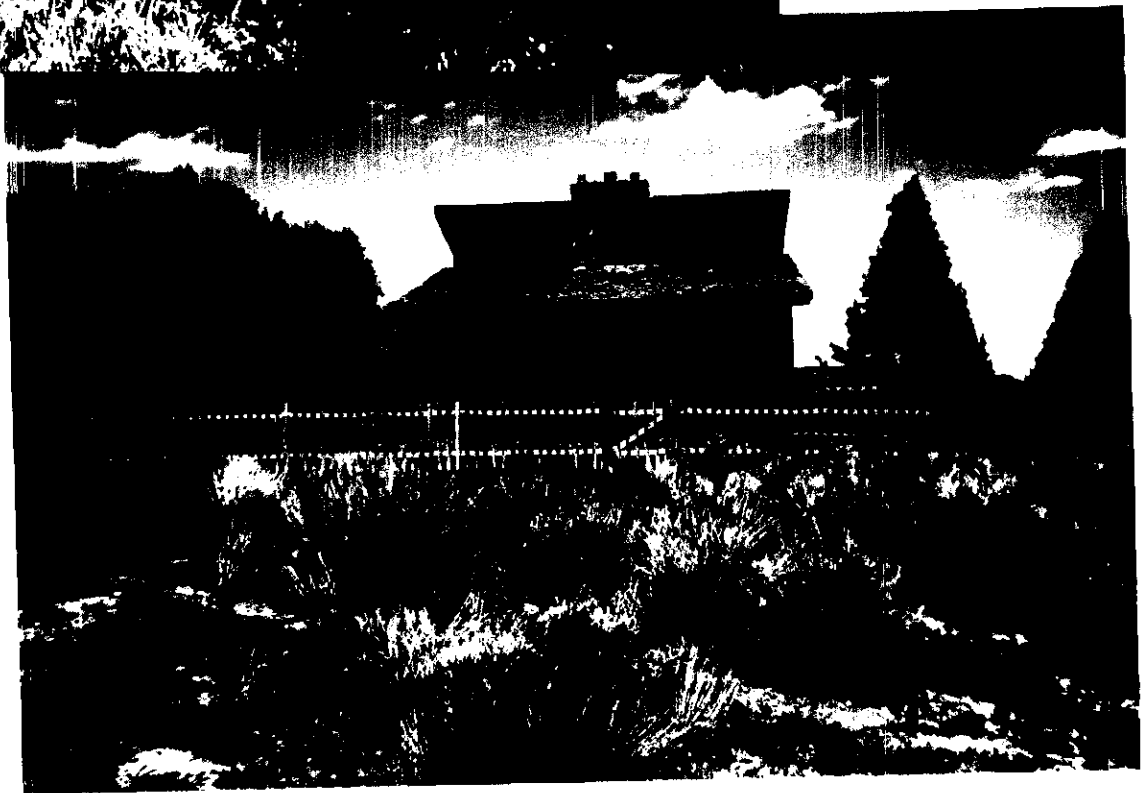


STOCK TROUGH

25-7385



STORAGE
TANK



PLACE OF USE

25-7385



HOME SITE RELATIVE
TO POND

25-07385



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 13, 1991

Stan Hawkins
P.O. Box 367
Ucon, ID 83454

RE: PERMIT NOS. 25-7385 AND 25-7386

Dear Senator Hawkins:

This letter is a follow-up to our phone conversation yesterday in connection with the above referenced permits. It is my understanding that you will let permit no. 25-7386 lapse and become of no force nor effect. This permit provided for the diversion of 0.12 cubic feet per second (cfs) of water from an unnamed stream for the irrigation of 4 acres of land.

You have filed proof of beneficial use for permit no. 25-7385 which authorizes the diversion of 0.02 cfs (9 gallons per minute) from a spring for domestic purposes year round. "Domestic use" includes the water for a home, livestock and for any other purpose in connection with the home including irrigation of up to one-half (1/2) acre of land if the total use is not in excess of thirteen thousand (13,000) gallons per day. This citation is in Section 42-111 A., Idaho Code. The department now needs to conduct a field examination of the use.

If you have additional questions or if this department can be of further assistance to you, please feel free to contact us.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region

RECEIVED
AUG 14 1991
IDWR

October 16, 1989

STAN HAWKINS
BOX 367
UCON, ID 83454

RE: PERMIT NO. 25-07385

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

10/16/89

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. _____

Date: _____

General Considerations:

____ Name same as permit
____ Signature the same as permit holder
____ Address change _____ If yes, prepare a data entry
____ Proof received timely
____ Reinstated

Source of Water:

____ Surface water
____ Groundwater
____ 1. well log in file
____ 2. drilling permit
____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

____ Rate of diversion appropriate for uses
____ Is rate or volume and fee appropriate?
____ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

____ Is a measuring device or access port required?
____ Has one been installed?
____ Waiver or modification of measuring device requested

Remarks:

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

opp. 25-7 07400
permit 25-7308
25-7385L

AUG 27 1987

Depos Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Stanley Hawkins)

Project No. 9633-001

ORDER CANCELING PRELIMINARY PERMIT

(Issued August 14, 1987)

Article 8 of the preliminary permit for this project requires the permittee to submit every six months a progress report on the feasibility studies conducted under the permit. On April 16, 1987, the Commission's Portland Regional Office notified the permittee by certified letter that the six month progress report due March 31, 1987, had not been received by the regional office. The regional office advised the permittee that the preliminary permit would be canceled under section 5 of the Federal Power Act if the progress report were not submitted within 30 days. The permittee did not submit the required progress report.

The Director Orders:

- (A) The preliminary permit for the Hawkins Willow Creek Project, Project No. 9633, is canceled.
- (B) This order is issued under authority delegated to the Director and is final unless appealed to the Commission under Rule 1902 within 30 days from the date of this order.

Ronald A. Corso

Ronald A. Corso, Director
Division of Inspections

DC-A-4



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HAWKINS, STAN
RDY 367
DCON, ID 83450

JUNE 19, 1986

RE: PERMIT NO. 25-7405

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FLYER ENTITLED "INSTRUCTIONS FOR PROVE OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID E. TOTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

25 73-5

INITIAL REVIEW BY: KCW APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☐ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☒ U.S. Bureau of Land Management. KW 10-12-83
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. new 7-1983 Dec 5, 1983 Dec 27
Final date for protests: _____
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/4/83
☒ Application published correctly. If not, record action taken: 10-00 11/17-11/24 rec'd 12/8-12/10
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 10-03-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

Consumptive use shall not exceed 13,000 gal/day
limit to be made later.

Code 6.26 file copy destroyed
app. released in 4th S.F. dismissal

By: Ernest Carter Date: 1-03-84

STATE OFFICE REVIEW:

217 26 04 05(01, Snake River)

- ☐ See attached sheet for more information.
By: KW Date: 1/10/84

Don Fallis 6/11/85

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 13, 1984

RE: Application for Permit No. 25-7385

Stan Hawkins
Box 367
Ucon, ID 83454

Dear Mr. Hawkins:

Per request from Mr. Ernest Carlson of our Eastern Regional Office in Idaho Falls, I am enclosing copies of all the correspondence regarding the protest of this application, which has been withdrawn.

Please note that your application still is not finalized due to the issue of Swan Falls water rights.

If we can be of any further assistance, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
Enclosures

RECORDED

January 3, 1984

RE: Application for Permit No. 25-7385

Stan Hawkins
Box 367
Ucon, ID 83454

Dear Mr. Hawkins:

This is to advise you that the Bureau of Land Management has withdrawn their protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

January 3, 1984

RE: Application for Permit No. 25-7385 HAWKINS

W. Bernard Jansen
Acting District Manager
Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Jansen:

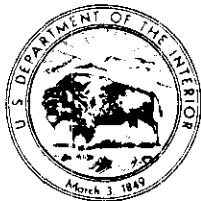
This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District
940 Lincoln Road
Idaho Falls, Idaho 83401

DEC 29 1983

IN REPLY
REFER TO: 7250.4

Mr. Ronald D. Carlson
Eastern Regional Supervisor
State of Idaho, Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

RE: Application for Permit No. 25-7385 Hawkins

Dear Mr. Carlson:

We have contacted Mr. Hawkins in regard to the above referenced application for permit. We have at this time resolved any conflicts and would withdraw any protest we may have regarding this application.

We appreciate the assistance your office has given us.

Very Respectfully,

W. Bernard Jansen
Acting District Manager

MICROFILMED

December 9, 1983

Stan Hawkins
Box 367
Ucon, ID 83454

Dear Mr. Hawkins:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 25-7385. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

December 9, 1983

RE: Application for Permit No. 25-7385 HAWKINS

Donald L. Watson
Acting District Manager
Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Watson:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District

940 Lincoln Road

Idaho Falls, Idaho 83401

NOV 22 1983

IN REPLY
REFER TO: 7250.4

RECEIVED

NOV 28 1983

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen
Assistant Regional Supervisor, Eastern Region
Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

RE: Application for Permit No. 25-7385 Hawkins (correction)

Dear Mr. Carlsen:

We have reviewed the above referenced application for permit by Mr. Hawkins. Our district has a prior filing on this spring, refer to permit 25-7311. We would protest the issuance of further permits with diversions in the NW 1/4 NW 1/4 Sec. 28, T. 1 S., R. 40 E. (BLM Public Lands). We would not protest any diversions on private lands located in Sec. 21, T. 1 S., R. 40 E.

We appreciate the opportunity to comment on this application.

Sincerely,

Donald L. Watson
Acting District Manager

ENCLOSURE

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 25-7385 in the name of Stan Hawkins was advertised incorrectly on 11/17 & 11/24/83 as follows:

Any exception to a claim of water right may be filed with the Dept. of Water Resources 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401. The protest date was omitted.

WHEREAS, under this correction protests must be submitted to the Dept. of Water Resources on or before December 27, 1983.

A. KENNETH DUNN

Director

Published in the Post Register on 12/8 & 12/15/83.

MICROFILMED

November 10, 1963

RE: Application for Permit No. 25-7565 HAWKINS (correction)

Bureau of Land Management
440 Lincoln Road
Boise Falls, ID 83401

TO: Mr. James Eabeitas

Dear Mr. Eabeitas:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is December 5, 1963, and we are required to take final action shortly thereafter.

If you may be of further assistance, please feel free to contact us.

Respectfully submitted,

HARVEY CARLSON
Assistant Regional Supervisor

HC:ev

Enclosure

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 25-7385 in the name of Stan Hawkins was advertised incorrectly on 10/20 & 10/27/83. The point of diversion was advertised as being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T. 1S, R. 40E, B.M. Bonneville County and the place of use was advertised as being within the SW $\frac{1}{4}$ Sec. 28, T. 1S, R. 40E, B.M.

WHEREAS, the actual point of diversion is the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T. 1S, R. 40E, B.M. Bonneville County and the place of use is within the SW $\frac{1}{4}$ Sec. 21, T. 1S, R. 40E, B.M.

Any exception to a claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Post Register on 11/17 & 11/24/83.

*Prooted
BP 11/13/83*

MICROFILMED

November 4, 1983

RE: Application for Permit No. 25-7335

Stan Hawkins
Box 367
Hoon, Idaho 83464

Dear Mr. Hawkins:

Enclosed is a copy of the above captioned application showing modifications we have made to the legal description for the point of diversion and the place of use under items 5 and 5b, respectively. Because of these changes, your application will have to be readvertised. To expedite the process, we have prepared a notice of correction that will be published in the Post Register for two consecutive weeks. The final date of protest on this readvertisement is tentatively scheduled to be December 5, 1983.

A copy of the corrected application will be routed to the Bureau of Land Management for comments.

If you have any questions concerning this matter, feel free to contact me at the above number.

Respectfully submitted,

ERNEST CARLSM
Assistant Regional Supervisor

EC:ev

Enclosure

11/10/83
11/10/83



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District
940 Lincoln Road
Idaho Falls, Idaho 83401

OCT 25 1983

IN REPLY 7250.4
REFER TO:

Mr. Ernest Carlsen
Assistant Regional Supervisor
State of Idaho
Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

RECEIVED

OCT 26 1983

Department of Water Resources
Eastern District Office

Re: Application for Permit No. 25-7385 HAWKINS

Dear Mr. Carlsen:

We have reviewed the above application for permit. There are no public lands located in Section 21, T. 1 S., R. 40 E. We therefore do not have a problem with a diversion in that section.

We have filed on the flow of an unnamed spring in Section 28, T. 1 S., R. 40 E. (see BLM application 25-7311). We would protest further application on that source by private landowners.

We appreciate the opportunity to comment on this application.

Sincerely,


James Gabettas
Acting District Manager

MICROFILMED

October 12, 1983

RE: Application for Permit No. 23-7385 HAWKINS

Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Gentlemen

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is November 7, 1983, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shour Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 7, 1983.

KEN DUNN, Dir.

Published 10/20 & 10/27/83.

MICROFILMED

25-7335

HAWKINS. STAN

SON 357. UCON. ID 83454

Source. SPRING

Date Filled. 10/03/1983

Diversion Pt. NNNW Sec 21 T 01S R 40E

Use DOMESTIC. (0.02 CFS)

In. NEEW NNEW SESEW SESEW Sec 28 T 01S R 40E

*Graded
10-19-83
CW*

MICROFILMED