

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 20 day of March, 1980, and the last publication being on the 27 day of March, 1980;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 27 day of

March, 1980.

Leon S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

02 - 7296

HAWES, RODNEY A. & / or
LEONA S.
BOX 426, MARSING, ID
83639

Source: SNAKE RIVER

Date Filed: 03/07/1980

Amount: 0.04 CFS

Diversion Point: NWNE Sec
03 T 02N R 04W, OWYHEE
Co.

Use: DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: NWNE Sec
03 T 02N R 04W

Diversion Means: PUMP &
SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before APRIL 7, 1980.

C. STEPHEN ALLRED,
Director

Published 3/20 & 3/27/80, in
the Owyhee Nugget, Marsing,
Owyhee County, Idaho 83639.

RECEIVED

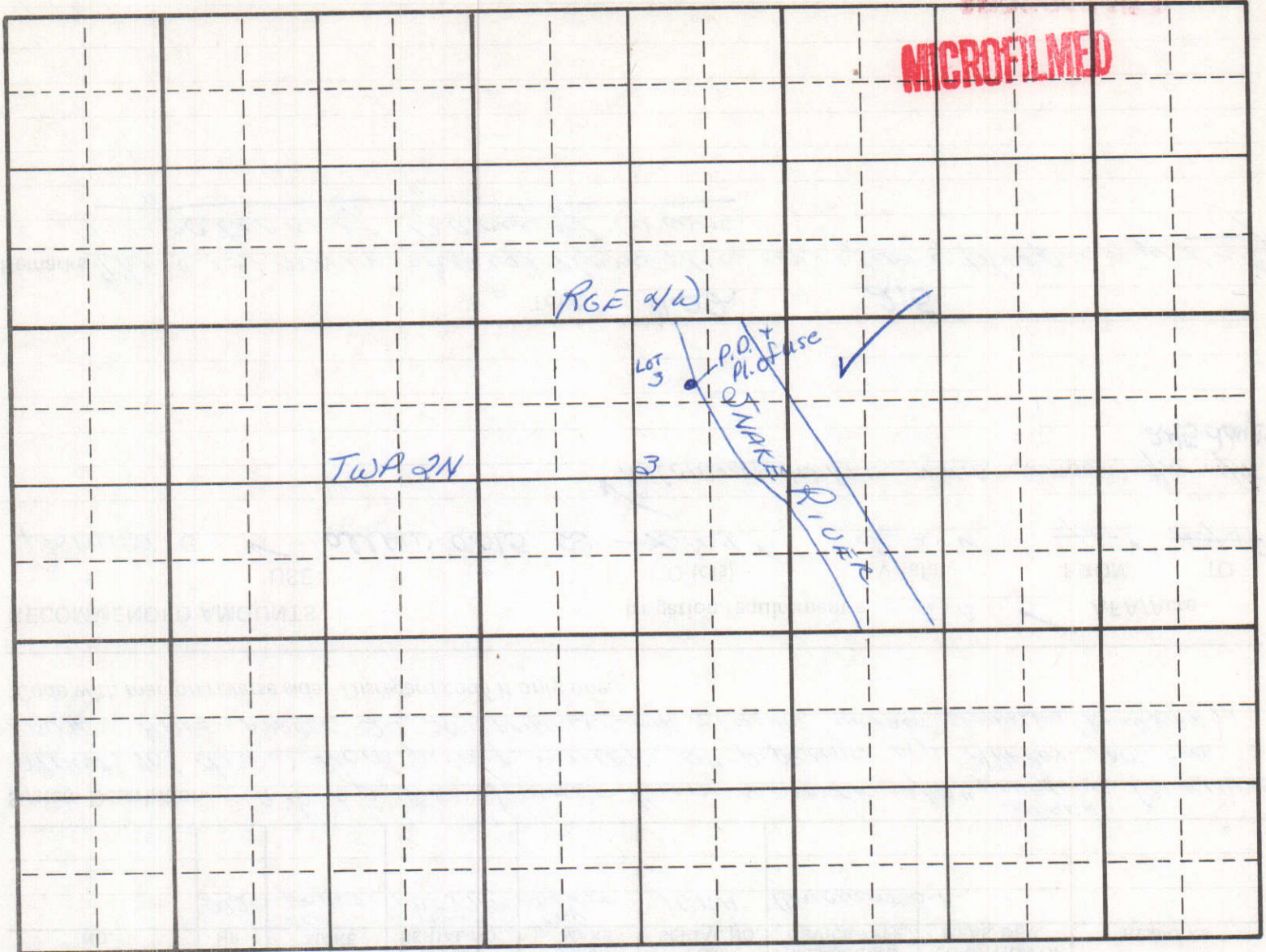
MAR 28 1980

Department of Water Resources
Western Regional Office

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MAP (Attach Aerial Photo)

MICROFILMED



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW 1/4 NE 1/4 (LOT 3), Sec. 3, TWP. 2N, RGE. 4W.

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
2N	4W	3		1/2															1/2
																			1/2

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

Examiner's Signature

Jan Grover

Date

5/26/81

Checked by

DBS

Date

5/27/81

Approved by

Ray Walker

Date

1-9-85

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7296 Priority March 7, 1980 Amount 0.04 cfs

THIS IS TO CERTIFY, that Rodney A. &/or Leona S. Hawes
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7296 issued pursuant to Application for Permit dated March 7, 1980,
and has submitted proof to the Department of Water Resources on May 19, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.08 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>2.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.5 acre feet per year, said waters to be diverted within the Gov. Lot 3 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
Section 3, Twp 2N, Rge 4W in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	4W	3		L3 X															

Total number of acres irrigated _____

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CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17TH day of OCTOBER, 19 85.

Acting for the Norman C. Young
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant RODNEY A. AND/OR LEONA S. HAWES Phone 896-4393

Post office address Box 426, Marsing, ID 83639

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 2N

Range 4W B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 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. .04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2½ hp pump into sprinkler system

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:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 2N

Range 4W B.M.

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

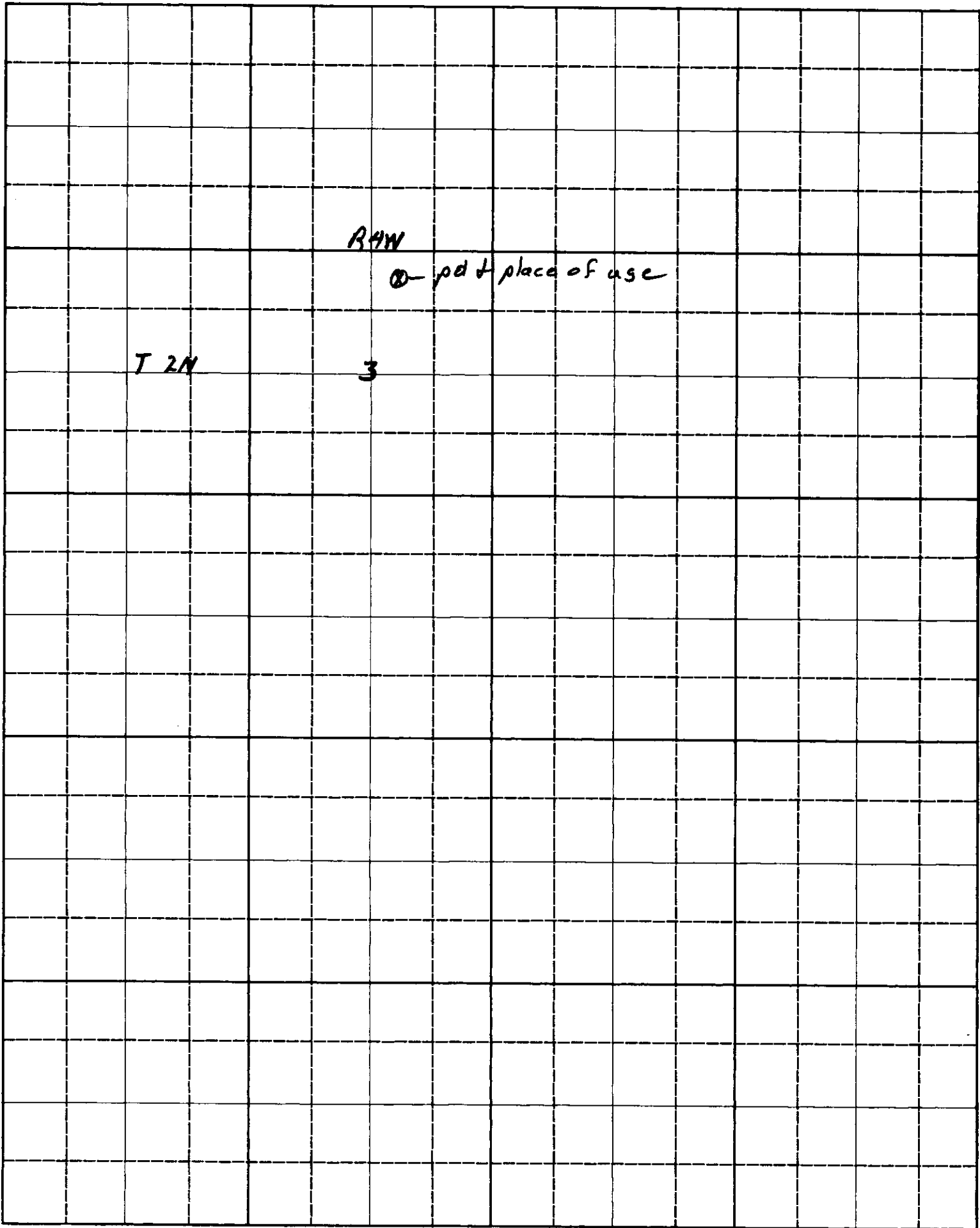
(3) List number of each kind of livestock to be watered _____

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

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

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



Scale: 2 inches equal 1 mile.

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

Rodney H. Hume
(Applicant)

Proposed Priority 3/7/80

Received by GLS Date 3/7/80 Time 2:15

Preliminary check by CWB Fee \$ 20.00

Receipted by GLS Date 3/7/80 # 15381

Publication prepared by KK Date 3/13/80

Published in Owyhee Nuggett

Publication dates 3/20 + 2/27/80

Publication approved jl Date 4-8-80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS Jim

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. 02-7296, 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 April 1, 19 85.
- 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: (1) Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s.

Witness my hand this 16th day of April, 19 80.

L. Glen Saxton
Chief of Water Resources

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 20 day of March, 1980, and the last publication being on the 27 day of March, 1980;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 27 day of

March, 1980

Leonard Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)



OK
J

RECEIVED
MAR 22 1980

Department of Water Resources
Western Regional Office

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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

October 24, 1985

RE: Permit No. 02-7296

Rodney A. &/or Leona S. Hawes
Box 563
Marsing, ID 83639

Dear Mr. and Mrs. Hawes:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

Hues -- 83639



Attn: Glen Saxton
Chief, Operations Bureau

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

MICROFILMED

Marsing, Idaho 83639
March 27, 1985

RECEIVED
MAR 29 1985

Mr. L. Glen Saxton
Chief, Operations Bureau
State of Idaho
Department of Water Resources
State Office
Statehouse
Boise, Idaho 83720

Department of Water Resources

Re: Permit No. o2-7296

Dear Mr. Saxton:

In reply to your letter of March 15, 1985 in regard to the above permit, will say we have an approved water permit issued by the State of Idaho for .04 cfs for domestic purposes to be used from January 1, to December 31 -- said field examination made by Jan Grover and approved as to irrigation and domestic purposes.

Our irrigation system consists of sprinklers used to irrigate our lawn, trees, etc. The system ALSO includes six garden hose outlets that are used for domestic purposes. Although we do not drink this water from the hoses, the water is used for washing and other domestic uses.

You say application of water to a lawn in December is, in most cases, not recognized as a beneficial use of the water. We say that is a matter of opinion, not of law. Perhaps I don't want to water my lawn in December -- but -- what if I needed to? If it keeps on snowing, as it did last night, we probably wouldn't need any water except the domestic water, to water our lawn.

We have our permit to use the water from Snake River -- January 1 to December 31, water we have put to beneficial use -- please don't give it ~~up~~ away to Idaho Power Company -- they have more than their share already.

Sincerely,


Rodney A. Hawes.

P. S. Come and visit us anytime.

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INTER-DEPARTMENT MEMO — 1

FROM Glen Saxton

DATE 4-3-85

TO File 02-7296

SUBJECT — A copy of my 3-15-85 correspondence to Mr. Hawes inadvertently was not placed in this file.

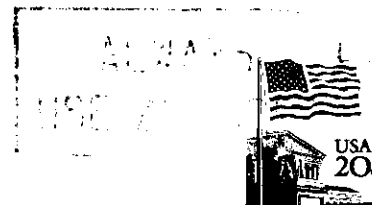
— The letter essentially inquired of Mr. Hawes existing uses and described some general principles of water rights.



SIGNATURE

MICROFILMED

Hawes - 83639



Ms. Kay Walker
Technical Records Specialist
State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

RECEIVED
FEB 19 1985

Marsing, Idaho 83639
Box 563
February 15, 1985

Department of Water Resources

Ms. Kay Walker
Technical Records Specialist
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Ms. Walker:

Re: Permit No. 02-7296

In reply to your letter of February 1, 1985 in regard to the above permit, will say we have an approved water permit for .04 cfs for domestic purposes to be used from January 1, to December 31.

There were no conditions when this permit was issued.

I might want to water my lawn in December and I need the water available at all times.

It is understandable we will not use any more water that can be pumped, and we certainly don't run the pump continually.

When Ms. Jan Grover examined our diversion and use of the water she found all in order under the approved permit which we have and we would be pleased if you would adhere to your former rules.

Sincerely,


Rodney A. Hawes.

MICROFILMED



ate 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

February 1, 1985

RE: Permit No. 02-7296

Rodney A. &/or Leona S. Hawes
P.O. Box 563
Marsing, ID 83639

Dear Mr. and Mrs. Hawes:

We are in receipt of your letter dated January 29, 1985, in regard to the above referenced permit.

In reviewing our files, we find that the adjudication claim you filed on May 19, 1981 is a reflection of the permit you filed on March 7, 1980. We have enclosed a copy of each of these documents for your information.

Please be advised that our Department can only license the amount of water being beneficially used at the time of the field examination. When Ms. Jan Grover examined your diversion and use of the water under this permit she found that you were only using water for 1/2 acre of lawn. Idaho law limits the rate of diversion to 0.02 cubic feet per second (cfs) of water per acre of ground being irrigated. However, in irrigation of small areas the Department allows a rate of up to 0.03 cfs per acre. We find that in your situation we can allow you up to 0.02 cfs which is 2 inches of water for your 1/2 acre of lawn, and is sufficient for your needs. We have also reduced the period of use under this right since lawns are not watered through the winter months in Idaho.

Regarding the condition we have recommended for your water right license, please note that it is listed as a condition of approval on the fourth page of Permit 02-7296.

If you still disagree with the findings listed in our letter of January 9, 1985 (copy enclosed), please contact our office on or before February 19, 1985. If we do not hear from you by that date we will assume you are satisfied and will proceed with the issuance of your license.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
Enclosures

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Marsing, Idaho 83639
January 29, 1985
P. O. Box 563

RECEIVED
JAN 30 1985

RE: Permit No. 02-7296

Rodney A. &/or Leona S. Hawes
P. O. Box 563
Marsing, Idaho 83639

Department of Water Resources

Dear Jim Johnson
Water Distribution Supervisor
State of Idaho
Department of Water Resources
State Office, 450 W. State Street, Boise, Idaho 83720

We do not agree with your findings in your letter of January 9, 1985.

This installation was inspected and approved by Jan Grover -- receipt no. 359 -- fee of \$10.00 paid -- 0.06 cfs with a period of use from the 1st of January to the last of December each year.

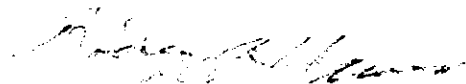
2.5 h.p. pump with sprinkler system. Says nothing about conditions.

Date of Priority: 3/7/1980.

This claim to a water right was issued in the District Court of the Fourth Judicial District of the State of Idaho, in and for the county of Ada.

Would appreciate you looking into the matter and ^{finding} fin ding for the above. We have followed all your instructions and have complied with them ~~in~~ in the past.

Sincerely,


RODNEY A. HAWES.

MICROFILMED



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

January 9, 1985

RE: Permit No. 02-7296

Rodney A. &/or Leona S. Hawes
Box 426
Marsing, ID 83639

Dear Mr. and Mrs. Hawes:

A representative of this Department has made an examination of the works covered by your Permit No. 02-7296, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.02 cfs Source: Snake River

The maximum quantity diverted shall not exceed 2.5 acre feet per
year.

Point of diversion: Government Lot 3(NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 3, Twp. 2N,
Rge. 4W, Owyhee County

Beneficial use: Domestic use for the irrigation of $\frac{1}{2}$ acre of lawn
from March 15 to November 15 within Government Lot 3(NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section
3, Twp. 2N, Rge. 4W.

Priority date established: March 7, 1980

Conditions: Water shall not be diverted under this license unless the
flow of the Snake River at the U.S. Geological Survey stream gaging
station at Murphy exceeds 3,300 cfs and at Weiser exceeds 4,750 cfs.

If you do not concur with these findings, please contact us within 10 days,
otherwise a water license will be issued as set forth above.

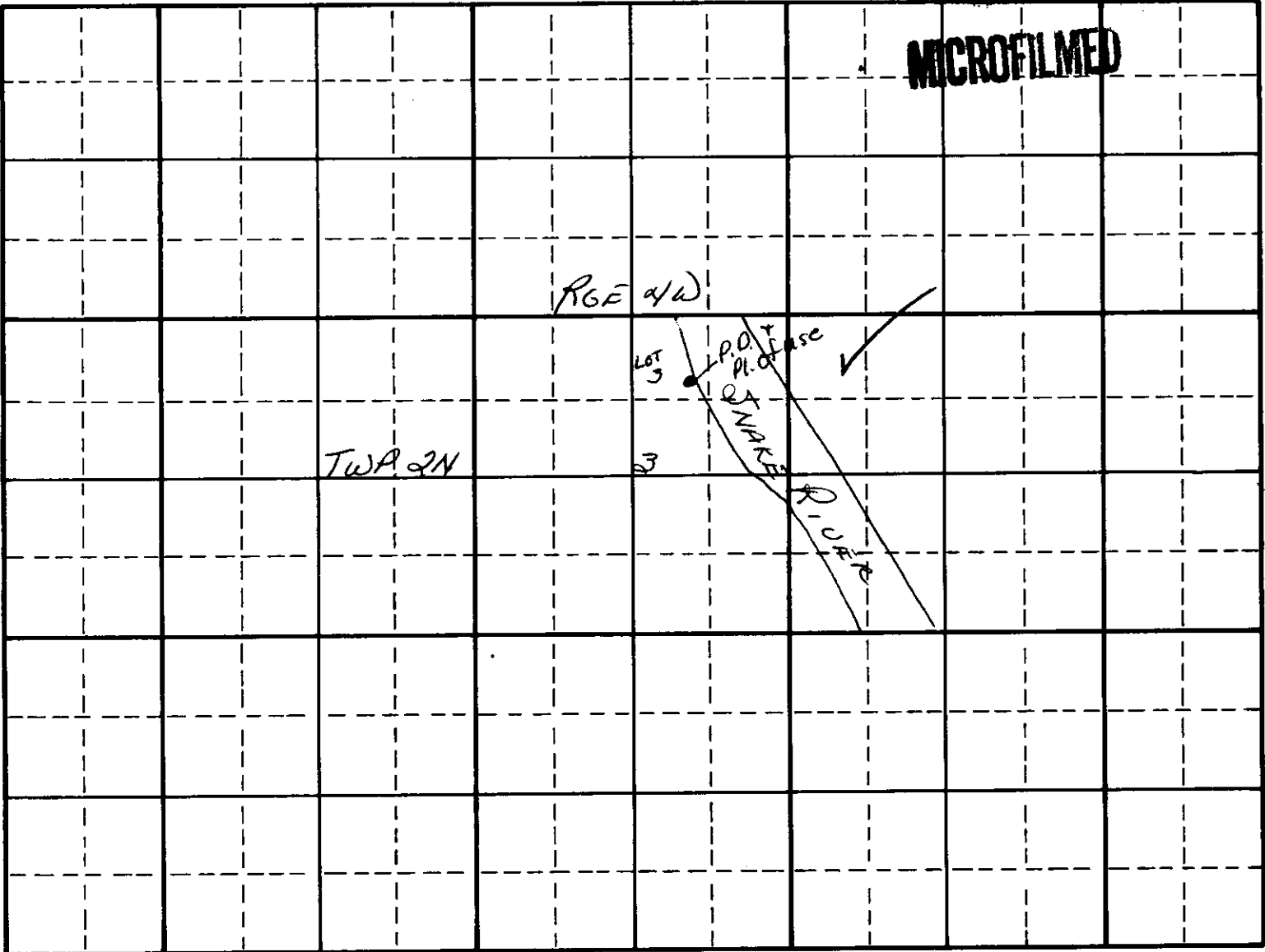
Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW 1/4 NE 1/4 (LOT 3), Sec. 3, TWP. 2N, RGE. 4W.

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	4W	3		1/2															1/2
																			1/2

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

Examiner's Signature Jan Grover

Checked by DBS

Approved by Ray Walker

Date 5/26/81

Date 5/27/81

Date 1-9-85

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below c permit No. 02-7296

Name(s) of Permit Holder: RODNEY A. & LONNA S. HAWES

Post Office Address: Box 400, MARSHING, ID 83639

Tel. No. 896-4393

Source of Water:

Extent of Use:

☒ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

1 AWN

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

Access Port:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

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

5/19/81

Date

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Rodney Hawes
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

April 16, 1980

Rodney & Leona Hawes
Box 426
Marsing, Idaho 83639

Dear Mr. & Mrs. Hawes,

RE: Permit No. 02-7296

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

02-0293

Rodney A. And/Or Leona S. Hayes.....

BOX 426, MARSING, ID 83639

Source: SNAKE RIVER

Date Filed: 03/07/1980

Amount: 0.04 CFS

Diversion Point: NWNE Sec 03 T 02N R 04W, Owyhee Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 03 T 02N R 04W

Diversion Means: PUMP & SPRINKLER SYSTEM

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