

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 39511
PERMIT No. 31403
DISTRICT No.

1. Name of Applicant: Stanton M. Hawkes

Postoffice address: Preston, RFD 3,

1. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

County: Franklin State: Idaho

11. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 3.65

cubic feet per second.

3. Source of water supply: ^{flow}Unnamed stream (waster and over/ which is a tributary of Worm Creek

4. Location of point of diversion: 300 feet South and 300 feet/ East distant from the NW corner/ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, T.16 S, R. 39 E, B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 13, T.16 S, R. 39 E, B.M., County of Franklin

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water:

feet distant from

corner of Section

T., R., B.M., in the

of Section of

T., R., B.M.

(b) Amount of power generated:

H.P., under

feet head.

(c) Water is to be returned to

at a point

distant from the

corner of Section

T., R., B.M., in the

of Section T., R., B.M.

feet

7. Estimated cost of works: \$ None

8. Kind of works: Already have reservoir, pump, etc. under Water License No. 21728.

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom

fee; width at water line

feet; depth of water

dimensions of flume:

Diameter of pipe

inches; length of conduit

Average grade per mile

feet.

miles.

12. The time required for the completion of such work is 1

years.

13. The time required for the complete application of the water to the proposed use is none

additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

L. D. Bodily has Permit No. 21728 in which applicant shares, but this is not sufficient water to properly irrigate this land, as it is waste and overflow water and is not constant.

- (b) Name of Reservoir and number of Storage Permit: No. 21728, issued to L.D. Bodilly

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho herein set forth.

s/ Stanton M. Hawkes *Applicant.*

8:00 A.M. September 26, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer:

The number of this permit is 31403
Recorded in Book 110 Page 31403
Approved September 26, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before
 Work to begin on or before November 26, 1963

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before	March 26, 1964
The whole of said work to be completed on or before	September 26, 1964

WITNESS My hand this 26th day of September, 1963

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of September, 1963.

STATE OF IDAHO

day of September, 1963 STATE OF IDAHO
 Countersigned: _____
 (SEAL) By s/ ARNOLD WILLIAMS By s/ ROBERT E. STYLIE
 _____ Secretary of State. _____ Governor.

REMARKS: Applicant owns one-half interest in reservoir with L. D. Bodily and half interest in water under said permit No. 21728. Applicant needs additional water to that covered by said permit, as the water fluctuates from time to time, and applicant wants right to use additional water when available. As the amount is not constant, the applicant needs all the water available from this source. Owing to fact that another person is talking of interfering with this water right, applicant is making this filing. He is already using the water he is now filing on, and does not require any additional time to com-

Twp.	Range	Sec.	Irrigation Application to Ground Water 1987				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	
			NE 1/4, NW 1/4, SW 1/4, SE 1/4	NE 1/4, NW 1/4, SW 1/4, SE 1/4	NE 1/4, NW 1/4, SW 1/4, SE 1/4	NE 1/4, NW 1/4, SW 1/4, SE 1/4	
16S	39 E	13 24		40 40 40 40	40	40 40	160 160 320

August 28, 1963

Re: Application for Permit
Permit No. 21728

Stanton M. Hawkes
Route #3
Preston, Idaho

Dear Mr. Hawkes:

After reviewing Permit No. 21728, which shows
2.75 c.f.s. of water on the same land for waste water, we do
not feel that a greater amount has been substantiated.

We are, therefore, returning your application
for permit, together with your check in the amount of \$5.50
for filing fee.

Very truly yours,

CARL E. CAIRN
State Reclamation Engineer

CEH:aw

Enc. application
with check

21728

P. M. CONDIE
ATTORNEY AT LAW
PRESTON, IDAHO

RECEIVED
SEP 20 1963

Department of Reclamation

Sept. 19, 1963.

Hon. Carl A. Tappan,
State Reclamation Engineer,
Boise, Idaho.

Gentlemen:

I enclose herewith application for permit to appropriate
3 second feet of water, which was previously returned to me as
~~not approved; also application for storage permit.~~

You will recall that Mr. Hawkes and I met with you on Sept.
10th in your office and it was suggested that we follow this course.

Very truly yours,

P. M. Condie

31403

September 20, 1963

Re: Application for Permit
Stanton M. Hawken

P. H. Cordie
Attorney at Law
Fresno, Idaho

Dear Mr. Cordie:

The applications for permit with attached check in the amount of \$10.50 are returned herewith.

The application for 3.0 c.f.s. direct flow can be approved for 2.82 c.f.s., or if the NW $\frac{1}{4}$, Sec. 24, is included in the land list, the amount can be increased to 3.65 c.f.s.

The amount of water with license No. 21728 would amount to 1/50th cubic foot per second for each acre irrigated.

The application for storage of 13.8 acre feet per annum can be approved if the remarks under No. 2 of the application are deleted. A storage permit allows one filling of the reservoir each year from excess water.

Is this reservoir on the unnamed stream or an off-stream site? If off-stream complete 5 (b) of the application, or explain. Show stream and ditches on the map and place of use of the water. If on the stream 5 (a) should be unnamed stream.

Does any of this land have water from Cub Creek?

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. applications with
attached check

31403

ROBERT E. SMYLLIE
Governor



State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE

RECEIVED
SEP 23 1963

Department of Reclamation

September 20, 1963

Re: Application for Permit
Stanton M. Hawkes

P. M. Condie
Attorney at Law
Preston, Idaho

Dear Mr. Condie:

The applications for permit with attached check in the amount of \$10.50 are returned herewith.

The application for 3.0 c.f.s. direct flow can be approved for 1.82 c.f.s., or if the NW $\frac{1}{4}$, Sec. 24, is included in the land list, the amount can be increased to 3.65 c.f.s.

The amount of water with License No. 21728 would amount to 1/50th cubic foot per second for each acre irrigated.

The application for storage of 18.3 acre feet per annum can be approved if the remarks under No. 2 of the application are deleted. A storage permit allows one filling of the reservoir each year from excess water.

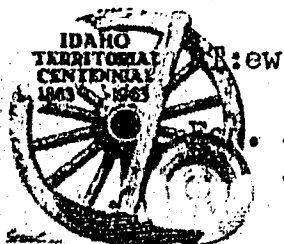
Is this reservoir on the unnamed stream or an off-stream site? If off-stream complete 5 (b) of the application, or explain. Show stream and ditches on the map and place of use of the water. If on the stream 5 (a) should be unnamed stream.

Does any of this land have water from Cub Creek?

Very truly yours,

Ralph W. Thomas

RALPH W. THOMAS, Deputy
State Reclamation Engineer



ew
Per. applications with
attached check

Dear Sir: I have made changes as above indicated in the applications. The reservoir site is in a ~~low~~ hollow away from a stream.

31403

September 24, 1963

39511-R39512

RE: Application Nos. ~~39506, 39507~~

P. M. Condie
Attorney at Law
Preston, Idaho

Dear Mr. Condie:

We received the revised applications for permit, one for 3.65 c.f.s. for which the fee is \$5.75, and one for 18.8 acre feet per annum for which the fee is \$5.00. Your check enclosed is returned as it is for \$10.50 whereas it should be \$10.75.

Kindly remit the proper fee.

Very truly yours,

RALEIGH W. THOMAS
Deputy State Reclamation Engineer

EW:rar

Enc. check

631403

NAME OF APPLICANT.....Stanton M. Hawkes.....

Form No. 0

Sec. 13, Tp. 16S,
R. 39 E. S. M.

Dot represents
point of diver-
sion.

Permit No. 31403

As follows:

CARL E. TERPAGH

State Reclamation Engineer

SEP 20 1981

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

31403

October 4, 1963

Re: Permit No. 31103
Permit No. R-1165
Stanton H. Hawkes

Mr. P. H. Condie,
Attorney at Law,
Preston, Idaho.

Dear Mr. Condie:

We enclose Permit Nos. 31103 and R-1165 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 31610 which was issued covering payment in the amount of \$77.75 for the filing fee of the above mentioned permits.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

(MRS.) KINA P. BULE
Chief Clerk

Encl - Permit
Receipt

EPR:omk

cc: Stanton H. Hawkes
RFD #3
Preston, Idaho

231403

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 31403

Date:

July 1, 1964

Stanton M. Hawkes
R. F. D. #3
Preston, Idaho

Dear Mr. Hawkes:

Under the terms of your Permit No. 31403 you are required to make proofs of completion of works and application of water to beneficial use on or before Sept. 26, 1964.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 36A-11
cc:

31403

Public Notices

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10 o'clock a.m. on the 22nd day of September, 1964, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at his office in Larson Building, proof will be submitted of the completion of works for the diversion of 3.65 cubic feet per second of the waters of an unnamed stream (water and overflow) which is tributary of Worm Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31403, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Stanton M. Hawkes, Preston, RFD 3, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 3.65 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.65 cubic feet per second.

4. The point of diversion of said water is 320 feet South and 300 feet East from NW corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Tp. 16 S., Range 39 E.B.M.

5. The place where said water is used is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and NW

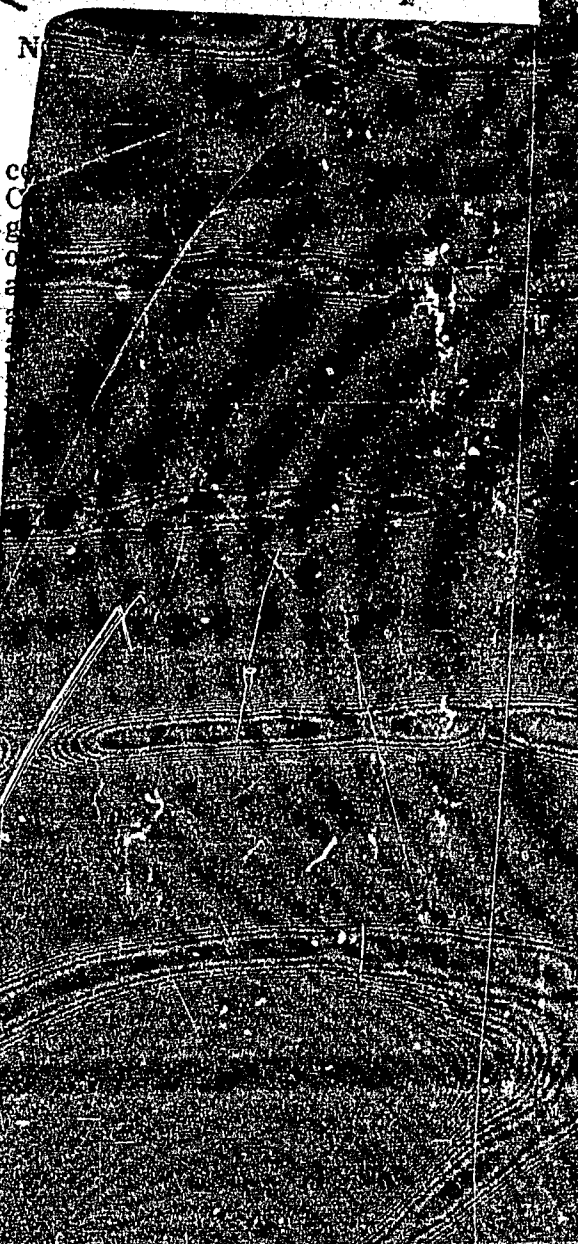
of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 13; and all of Northwest quarter of Sec. 24, Tp. 16 South, Range 39 East of Boise Meridian, Total 320 acres.

6. The date of priority which said user is prepared to establish is Sept. 26, 1963.

CARL E. TAPPAN
State Reclamation
Engineer

No. 743 — Published August 13, 1964 thru September 3, 1964.

N



Re: Permit No. 31403
Stanton M. Hawkes

Date: August 6, 1964

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to September 22, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant Stanton W. Hawkes
of RFD 3, Preston, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this
office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

31403

RECEIVED

AUG 6 1964

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

NOTICE is hereby given that at 10 O'clock^{A.M.} on the 22nd day of September,
1964, at Preston, County of Franklin, State of Idaho, before
P. M. Condie, Notary Public, at (address) his office in Larson
Building, proof will be submitted of the completion of works for the diversion of
3.65 cubic feet per second of the waters of an unnamed stream (waster and overflow)
which is tributary of Worm Creek, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 31463, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Stanten M. Hawkes, Preston RFD 3, Idaho
2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
3.65 cubic feet per second.
3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is 3.65 cubic
feet per second.
4. The point of diversion of said water is 300 feet South and 300 feet East from
NW corner of NW 1/4 of SE 1/4 of Section 13, Tp. 16 S., Range 39 E. B. M.
5. The place where said water is used is NW 1/4 of SW 1/4 and SE 1/4 of SW 1/4, and NW 1/4 of SE 1/4
and SW 1/4 of SE 1/4 Sec. 13; and all of Northwest quarter of Sec. 24, Tp. 16 South,
Range 39 East of Boise Meridian. Total 320 acres.
6. The date of priority which said user is prepared to establish is Sept. 26, 1963.

CARL E. TAPPAN

State Reclamation Engineer

31403

/s/

RECEIVED

AUG 8 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 5, 1964.

(P. O.) Franklin, Idaho, Preston, RFD 3.

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Preston Citizen of
Preston, Idaho published in the
county in which the works are situated.

Stanley M. Hawker

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

31403

Re: Permit No. 31403

August 6, 1964

Mr. Stanton M. Hawkes,
RFD 3,
Preston, Idaho.

Dear Mr. Hawkes:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 31403. The proofs are to be made at 10:00 o'clock A.M., on the 22nd day of September, 1964, before P. M. Cordie, Larson Building, Preston, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Preston Citizens, Preston, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

31403

August 24, 1964

Re: Permit No. 31403
Stanton M. Hawkes

Preston Citizen
Preston, Idaho

Gentlemen:

On August 6th we mailed you a Notice of Publication on the above numbered permit requesting a copy or tear sheet on the first publication.

To date we have not received such copy and ask at this time that one be mailed to this office as soon as possible.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

M. PETRI
State Water Rights Clerk

HP:ew

31403

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 23 1964
Department of Reclamation

Permit No. 31403

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and **Completion of Works**

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: Stanton M. Hawkes,
Preston, Idaho, post office address: Preston, RFD 3, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business
(if a foreign corporation, give name of postoffice of statutory agent), your position
with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority you propose to
establish under the permit; 31403 approved Sept. 26, 1963, date of priority
Sept. 26, 1963.

Ques. 4. State source of water supply: unnamed stream (waste and overflow)
Give location of point of diversion, showing subdivision, section, township and range:
300 feet South, 300 feet East from NW corner of NW 1/4 of SE 1/4, Sec. 13, Tp. 16 S.

R. 39 E. B. M.
Ques. 5. Describe your works of diversion: no works required, as this is additional
appropriation and same works are am constructing dam under Permit No. R1165
used as under Permit No. 21728; state amount of water they are capable of con-

veying from point of diversion to place of use 3.65 c.f.s.; Give name of canal or ditch
or other works by which water is conducted to such place of use: Gailey ditch used by
several private ditches

; if a well, state depth of well _____; depth and size of cas-
ing: _____; depth to water _____; if pump is used,

state discharge of pump: 3.65 c.f.s.; tell how it was measured or determined: stated
pump capacity; if sprinkler irrigation, give number and size of nozzles and
operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation
If for irrigation, name each subdivision in which used and number of acres in each
subdivision that have actually been irrigated with said water: additional water for 320
acres, described as follows:
NE 1/4, SE 1/4, SW 1/4, NW 1/4, Sec. 13, T. 16 S., R. 39 E., B. M.
SE 1/4, NW 1/4, Section 24, all in Tp. 16 South, Range 39 E. B. M.

State nature of all improvements which have been made as a direct result of said use:
Land is changed from dry farm land to irrigated land, and good crops are
being raised on said land.

31403

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, state purpose and how used: _____

Ques. 8. What is the minimum amount of water required for the purpose specified above:

The water flow fluctuates from season to season and during the seasons, all water available can be profitably used including the 3.65 c.f.s. covered by this permit.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder: _____

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: Since 1945 ✓ Time used since first use:

I, and my predecessor, have used this water for a long time, but did not file on it until last year, that is to say this additional water _____

Ques. 11. Describe all other water rights appurtenant to same place of use:

I have water right under Permit No. 21722 by L. D. Modily, in whose name the permit stands. ✓ My application is for additional water which is collected in the reservoir and pumped out into ditches. _____

(sign) _____

Stanley M. Hawke

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Preston

County of

Franklin

State of Idaho, on this 22nd day of September, A.D. 1966.

J. M. Leonard

Notary Public

My Commission expires: Nov. 29, 1966.

b 31403

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 23 1964

Department of Reclamation

PERMIT NO. 31403

**Proof of Application of Water to Beneficial Use
—and Completion of Works
Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. William A Davis, 58 years, Preston, RFD # 1, Idaho

Ques. 2. Are you acquainted with Stanton E. Hawkes, the holder of Permit No. 31403? How long have you known him and where does he reside?

Ans. Yes, 45 years; he resides at Preston, RFD 3, Idaho

Ques. 3. Have you read or heard read said Permit No. 31403, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. unnamed stream, from waste and overflow. Gailey Ditch and private ditch, water is pumped out of reservoir into which water has collected
Point of diversion: 300 feet S. 300 ft. E. from NW corner of NW 1/4 Sec. 13, Tn. 16 South, Range 39 E. B. M.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 3.65 c.f.s.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of 220 acres described as follows: NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 SE 1/4, SE 1/4 SE 1/4, Section 13; NW 1/4 NW 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4 of Section 24, Tn. 16 South, Range 39 E. B. M.

31403

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Clay loam; all of the water available is required for the irrigation of this land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen ~~xx~~ this water used at divers times for the past ten years by the applicant, the last time during the present summer of 1964.

(Signed) Wm. A. Davis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho on this 22nd day of September, A. D. 1964.

A. M. Condie
Notary Public.

My commission expires Nov. 29-1966

§ 31403

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 23 1964

Department of Reclamation

PERMIT NO. 31403

**Proof of Application of Water to Beneficial Use
and Completion of Works**
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Larrel G. Hobbs, 32 years, reside at E Franklin, Idaho

Ques. 2. Are you acquainted with Stanton E. Hawkes, the holder of Permit No. 31403? How long have you known him and where does he reside?

Ans. Yes. 20 years. He resides at Preston, RFD 3, Idaho

Ques. 3. Have you read or heard read said Permit No. 31403, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. unnamed stream, from waste and overflow. water is collected in a reservoir already existing, and is pumped therefrom into Gailey ditch and other private ditch. Diverted at 300 feet S. 300 feet E. from NW corner of Section 13, Tp. 16 South, Range 39 E. R. M.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 3.05 c.f.s. or more.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of 320 acres, this is additional water used in connection with other water. Sec. 13: NW 1/4, SE 1/4, NE 1/4, SW 1/4, 160 acres
Sec. 24: NW 1/4, NE 1/4, SE 1/4, SW 1/4, all in Tp. 16 S. R. 39 E. R. M.
160 acres.

31403

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Clay loam; all of the water available can be profitably used on this land, including the 3.65 c.f.s. applied for in application.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen water applied for in said Permit used on the land above described during the past several years, and particularly during past summer. I own land ^{close to} adjoining the land described in the permit.

(Signed)

Larnet L. Hobbs

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this 27nd day of September, A. D. 1964.

J. M. Pondie

Notary Public.

My commission expires November 29, 1966.

631403

RECEIVED
SEP 23 1964

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Seel

being duly sworn,

deposes and says:

That he is the *co-publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

four

consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Aug. 13, 1964, and ending

with the issue of *Sept 3*, 1964.

Wayne D. Seel

Fees, \$ *28.38*

Subscribed and sworn to before me this *22nd* day

of *September*, 19*64*.

P. M. Condie

Notary Public, Residing at Preston, Idaho

My Commission Expires

Nov. 29

19*66*

Department of Reclamation
NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10 o'clock a.m. on the 22nd day of September, 1964, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, at his office in Larson Building, proof will be submitted of the completion of works for the diversion of 3.65 cubic feet per second of the waters of an unnamed stream (water and overflow) which is tributary of Worm Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 31403, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Stanton M. Hawkes, Preston, RFD 3, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 3.65 cubic feet per second.

3. The use to which said water has been applied is: irrigation purposes, and the amount applied to beneficial use is 3.65 cubic feet per second.

4. The point of diversion of said water is 330 feet South and 300 feet East from NW corner of NW 1/4 of SE 1/4 of Section 13, Tp. 16 S., Range 39 E.B.M.

5. The place where said water is used is NE 1/4 of SW 1/4 and SE 1/4 of SW 1/4, and NW

of SE 1/4 and SW 1/4 of SE 1/4 Sec. 13; and all of Northwest quarter of Sec. 24, Tp. 16 South, Range 39 East of Boise Meridian, Total 320 acres.

6. The date of priority which said user is prepared to establish is Sept. 26, 1963.

CARL E. TAPPAN
State Reclamation
Engine-

No. 743 — Published August 13, 1964 thru September 3, 1964.

31403

1M April 1962

September 24, 1964

Re: Permit No. 31403
Stanton M. Hawkes

Stanton M. Hawkes
R.F.D. #3
Preston, Idaho

Dear Mr. Hawkes:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~PRESTON CITIZEN~~, all submitted in proof of completion of works and beneficial use on Permit No 31403

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

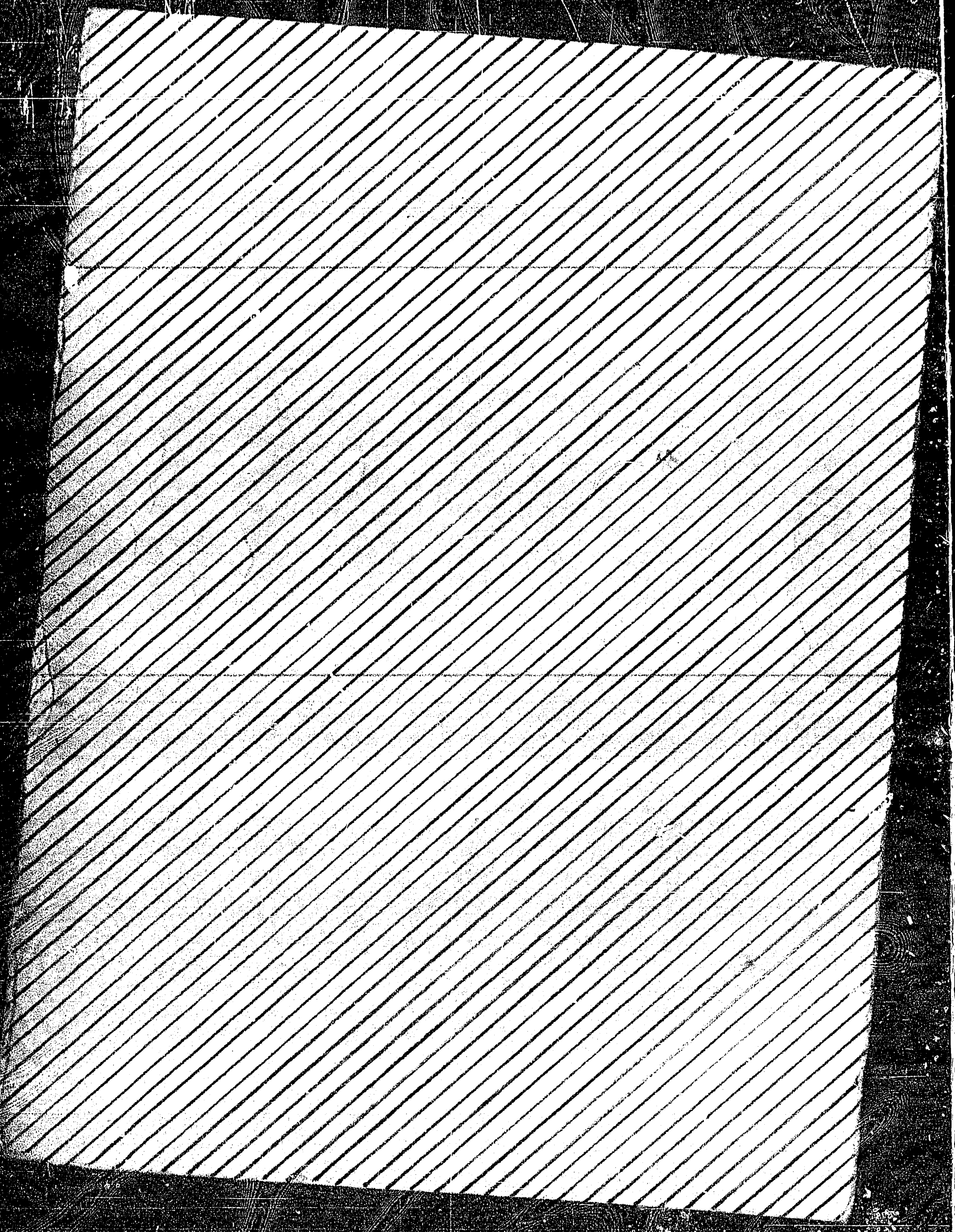
GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ot
EPR:

31403



Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 31103-13-2260

REPORT ON PROOF OF Completion of Works & Beneficial Use

Stanton M. Hawkes
E.F.D. 3
Preston, Idaho

13 2260

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 31403This proof is for Comp. of Works & Bene. Use

In Water District No. _____

1. Name of applicant Stanton M. Hawkes
2. Source of water supply: Un-named Stream, tributary of Worm Creek
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13
T. 16S R. 39E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same:

Fairbanks Morse 5hp electric motor (Pump S.N. PM 2387)
(8" pump discharge) Motor S.N. F-71216
Pumping from small pond (1 acre surface area)
into open ditches

5. Water is used for:
- Irrigation

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
- cut

E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 13; NW $\frac{1}{4}$, Section 24, 16S-39E making a total of
320 acres to be irrigated.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?
- Cub River

Remarks: STANTON M. Hawkes was contacted by examiner
prior to making exam. Mr. Hawkes could not
show the system but did go over the aerial
photos to show acres irrigated and did
give permission to start each of the pumps.
See attached notes.

This examination was made on the 20th day of September, 1972(Signed) Norman C. Young P.E.
Examiner.

Area divided into unit
water subsidies
July 70 WSD

One 2 R220

Dear Mr. [unclear]

div east

50 1/2 in

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Stanton M. Hawkes
R.F.D. 3
Preston, Idaho 31403
Permit No. 13-2260

Examination for Comp. of Works & Bene. Use

County Franklin

Quantity: 3.65 Sec. 13T. 16SR. 39E

Source: Un-named stream

P.D.: 300' ft S. 300' ft E from NW corner of NW 1/4 of SE 1/4 Sec 13 T 16S R 39E
Use: Irrigation

Filed: 26 Sept. 63

Due: 26 September 64

Extension: —

Protest: —

Completion of Works: —

Other Rights: Shaver Permit 21728
L.D. Solberg

13 2260

NW SE

5' x 10' PM 2382
8' x 10' G. L. 1 stage
2.75 cfs Est.

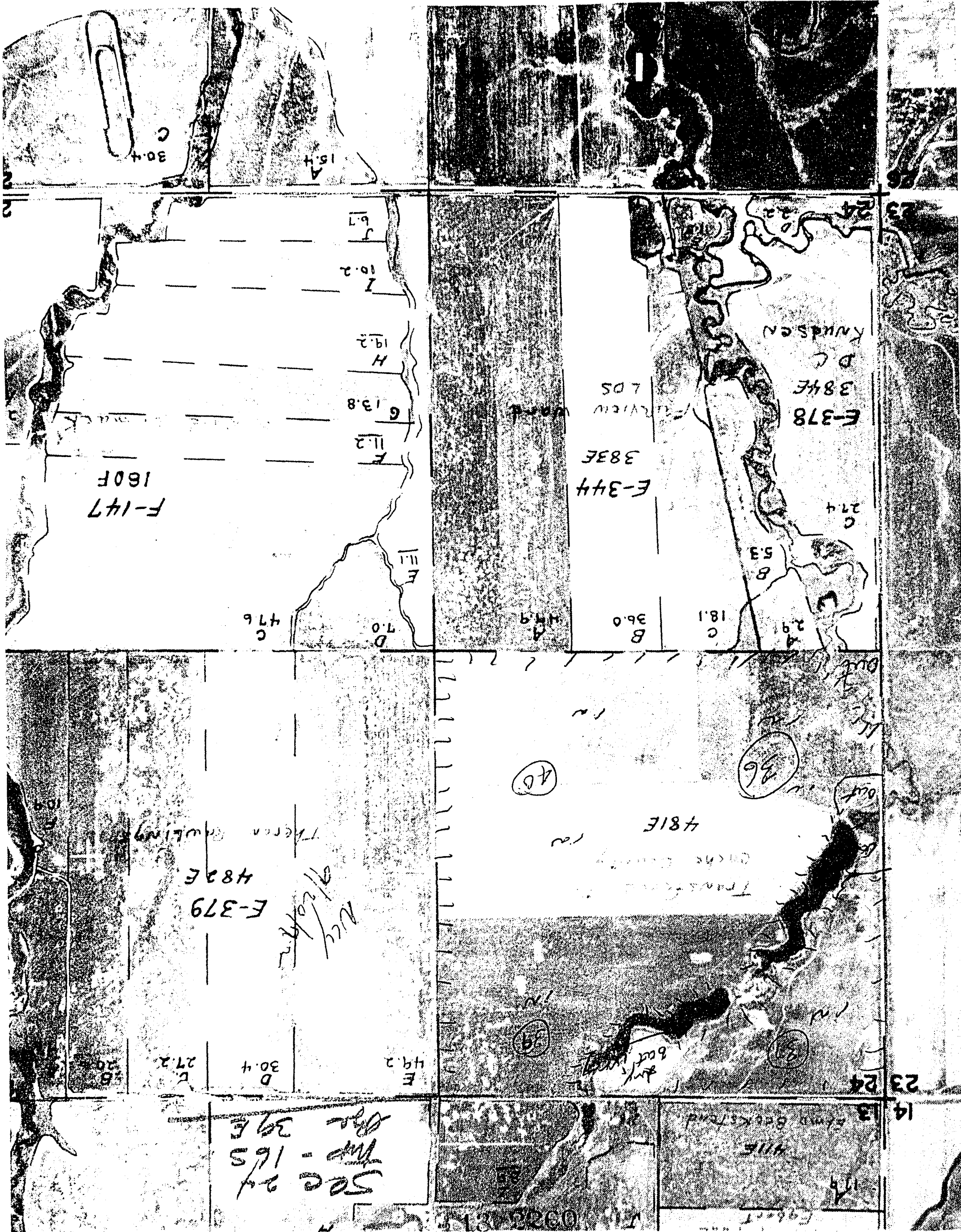
1-30' G.P. with 30' truck
tube that maintain a 3' flow
out 1-12' G.P. outlet to drive
P.D.

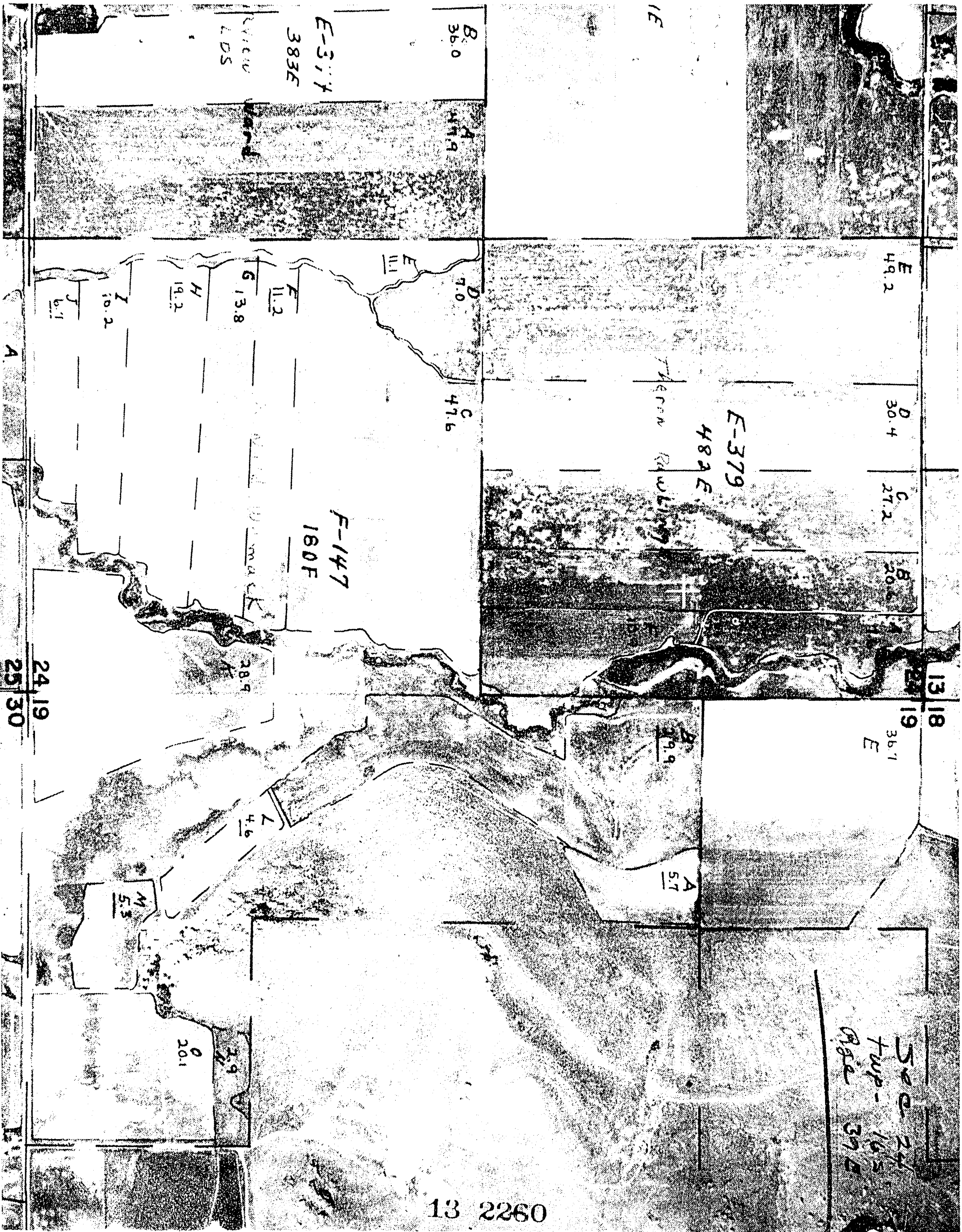
Pump connected to 5' x 4' x 10'
concrete pump base
Pump discharging into a concrete
distribution box in open ditch
P.D. 5' x 10' x 10' (8' x 10' x 10')

3' x 10' concrete pump with
a 6' x 10' x 10' (1' x 76-D) 6' x 10'
14' x 10' to concrete
5' x 10' x 10' 14' x 10' AAA3U91853
P.D. 14' x 10' x 10'

1-10' G.P. with pump 10' x 10'
P.D. 10' x 10' x 10' 14' x 10'
14' x 10' x 10' 14' x 10' x 10'

3' x 10' concrete pump with
a 6' x 10' x 10' (1' x 76-D) 6' x 10'
14' x 10' to concrete
5' x 10' x 10' 14' x 10' AAA3U91853
P.D. 14' x 10' x 10'





13 2260

See 24
Twp - 16.5
Page 390

.0 .10 .20 .30 .40 .50 .60 .70 .75 .80

LJ- 200
1- 63

ncy-meter + notes

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Date 9/20, 1972 **DISCHARGE MEASUREMENT NOTES** T/65 R39E

STANTON HOWES Div¹ River at Ramp (South) SW¹/₄ SE¹/₄ 13

[illegible]

No. 1 of 2 Sheets. Comp. by NCH Chk. by _____

0	10	20	30	40	50	60	70	75
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.0 .10 .20 .30 .40 .50 .60 .70 .75 .80

ncy-meter & notes

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 9/20, 1972 DISCHARGE MEASUREMENT NOTES

STANTON HAWKES Div River Pump (North) NW 1/4 Sec 13 T16S 39E

Angle coef- ficient	Dist. from initial point	Width	Depth	Observa- tion depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or -----	Area	Discharge
							At point	Mean in ver- tical			
	1.0	EDGE OF WATER									
	1.25	0.375	0.4		10	56			.217	.338	.073
	1.50	0.25	1.1		10	52			.230	.275	.063
	1.75	0.25	1.2		5	63			.122	.300	.037
	2.00	0.25	1.3		10	52			.230	.325	.075
	2.25	0.25	1.4		15	40			.405	.350	.142
	2.50	0.25	1.4		40	40			1.00	.350	.350
0	2.75	0.25	1.4		40	44			.915	.350	.320
	3.00	0.25	1.3		30	46			.669	.325	.217
	3.25	0.25	1.1		40	46			.877	.275	.241
	3.50	0.375	0.8		25	40			.644	.300	.193
	3.75	EDGE OF WATER									
											7.711
											1.7
		Leakage to South est @ +0.2									
		0.2 cfs									
											1.9 cfs
{ Reservoir nearly empty }											
{ pump bowl barely covered }											
										13	2260

No. 1 of 2 Sheets, Comp. by ncy Chk. by

.0 .10 .20 .30 .40 .50 .60 .70 .75

NOTES ON EXAM: 13-2660

1) TWO SMALL DAMS IN $SE\frac{1}{4}$ SEC 13 T16 R39E.
BOTH ALREADY HAVE WATER-RIGHTS ON THEM.
THE DAM IN $NW\frac{1}{4}SE\frac{1}{4}$ SEC 13 HAS LIC #
13-2160 TO DIVERT 2.75 cfs FOR 320 ACRES.
THE DAM IN $SW\frac{1}{4}SE\frac{1}{4}$ SEC 13 HAS LIC #
13-2304 (R-1165) FOR STORAGE OF 18.8 A-F. (250 ac)
BOTH LICENSES OR FOR USE ON THE SAME LAND
AS THE PERMIT 13-2660.

2) A LOW LIFT PUMP IS USED TO DIVERT FROM
EACH OF THE RESERVOIRS. THE WATER BEHIND THE
DAM IN THE $NW\frac{1}{4}SE\frac{1}{4}$ COULD BE USED ON ANY
OF THE LAND IN THE LAND LIST. THE WATER BEHIND
THE DAM IN THE $SW\frac{1}{4}SE\frac{1}{4}$ CAN ONLY BE USED
ON LAND LOCATED SOUTH AND WEST OF THE RESERVOIR.

3) MEASUREMENTS WERE MADE ON EACH OF THE PUMPS.
THE PUMP IN THE $NW\frac{1}{4}SE\frac{1}{4}$ SEC 13 WAS MEASURED
AT 1.9 cfs. THE RESERVOIR WAS ALMOST EMPTY. THIS
COULD ACCOUNT FOR THE DIFFERENCE BETWEEN THE RECENT
MEASUREMENT AND THE MEASUREMENT USED TO LICENSE
IT FOR 2.75 cfs.

THE PUMP IN THE $SW\frac{1}{4}SE\frac{1}{4}$ SEC 13 WAS MEASURED
AT 5.0 cfs. IT APPEARS TO THIS EXAMINER
THAT THE PRESENT PERMIT (13-2660) MUST HAVE BEEN
MEANT TO APPLY THIS PUMP ALTHOUGH THE POINT OF
13-2660

diversion is listed as being in the NW 1/4 SE 1/4 sec 13, the location of the other pump, already licensed.

4) Excluding the reservoir filling (13-2304) and assuming that License 13-2160 applies only to the 258 acres found to be irrigated by the examiner of Lic # 13-2304, this permit should be licensed for:

$$258 \times 0.02 = 5.16 \text{ cfs}$$

$$2.75 / 5.16 = 0.532 \text{ in/acre}$$

$$1.000 - 0.532 = 0.468 \text{ in/acre}$$

$$\begin{aligned} \text{Q Rate} &= 0.468 \text{ in/acre} \times 179 \text{ acres found} \\ &= 83.9 \text{ inches} = \underline{\underline{1.68 \text{ cfs}}} \end{aligned}$$

This assume that more than 1" / acre cannot be justified and that exchange with the upstream point of diversion or the Cub River Canal water is not considered

May 21, 1973

Mr. Stanton M. Hawkes
RFD # 3
Preston, Idaho 83263

Dear Mr. Hawkes:

A representative of this Department has made an examination of the works covered by your Permit No. 31403/13-2260 and has found the following:

Quantity of water diverted: 5.0 cfs

Amount of water that can be recognized as beneficially used under
Idaho law: 1.68 cfs 2.04 cfs

The maximum quantity diverted shall not exceed 626 acre feet per year.

Beneficial use: Irrigation of 179 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (27), Sec. 13;
NW $\frac{1}{4}$ (152), Sec. 24; Twp. 16S, Rge. 39E, B.M.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 16S, Rge. 39E, B.M.

Priority date established: September 26, 1963

Our exam report indicates that your point of diversion is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, whereas, your permit lists the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13. Therefore, it will be necessary for you to amend the permit before a water license can be issued. We are enclosing a partially completed application for amendment for your use in this matter. Please be advised that there is a \$10.00 filing fee required for the amendment.

We also wish to advise you that there is a \$15.00 licensing fee due, therefore, please submit the signed application along with a fee totaling \$25.00 within 30 days of the date of this letter in order that we may issue your water license as set forth above. If you do not concur with these findings or have any questions, contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Amendment form

13 2260

June 18, 1973

Re: Permit No. 31403/13-2260
License No.'s 21728/13-2160 & R-1165/13-2304

Larry Boyle
c/o Hanson and Hopkins
1st Security Bank Building
P. O. Box 96
Idaho Falls, Idaho 83401

Dear Mr. Boyle:

The water rights being used by Mr. Stanton M. Hawkes can be summarized as follows:

License No. 21728/13-2160, issued to Mr. L. D. Bodily, is for the diversion of 2.75 cubic feet per second of water from the upper reservoir. The 2.75 cfs rate of diversion is based upon the maximum output of the pump at the upper reservoir and is to be used to irrigate 320 acres of land, which is 0.0086 cfs for each acre of land.

License No. R-1165/13-2304, in the name of Stanton M. Hawkes, was issued for 18.8 acre feet of water to be stored and used for irrigation of 258 acres of land. This is diverted from the lower dam by an existing pump which has a capacity of 5.0 cubic feet per second of water.

Permit No. 31403/13-2260, in the name of Stanton M. Hawkes, in the one on which we have proposed a license by our letter of May 21, 1973. Our examiner found that the water was being used to irrigate 179 acres of land. These acres are also irrigated under License No. 21728/13-2160, at the rate of 0.0086 cfs for each acre. The maximum rate allowed under the Idaho Code is 0.02 cfs for each acre. If this difference between 0.02, allowed, and 0.0086, licensed, is multiplied by the 179 irrigated acres, the maximum rate of diversion for which this license can be issued is 2.04 cubic feet per second of water. This is slightly more than proposed by our letter of May 2, 1973, because the duty of water, under the existing license, was calculated as being on 258 acres instead of the 320 acres of land covered by License No. 21728/13-2160.

An amendment to Permit No. 13-2260 has also been proposed to change the point of diversion from the upper reservoir to the lower reservoir. The reason we felt it would be to Mr. Hawkes' advantage to amend the permit is that the upper reservoir pump is already

0.020
0.0086
0.0114 cfs per acre

13 2260

licensed for the capacity of the pump, while the pump at the lower reservoir has no rate of diversion specified.

We hope this has answered your questions concerning our proposed license, but feel free to contact us or our Eastern District Office in Idaho Falls if it has not.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

C BDF:jc
cc: Eastern District Office
Enclosures

O

P

Y

JOHN D. HANSEN
C. TIMOTHY HOPKINS
LARRY M. BOYLE

HANSEN & HOPKINS
LAWYERS

FIRST SECURITY BANK BUILDING
POST OFFICE BOX 96
IDAHO FALLS, IDAHO 83401
TELEPHONE [208] 523-5171

June 28, 1973

RECEIVED
JUN 30 1973
Department of Water Administration

SDF

Mr. Bobby D. Fleenor, Assistant Director
State of Idaho, Department of Water Administration
Annex 2, Statehouse
Boise, Idaho 83707

Re: Stanton M. Hawkes, Permit Number 31403/13-2260

Dear Mr. Fleenor:

Thank you for your letter of June 18, 1973, further explaining the status of water rights being used by Stanton M. Hawkes, Route 3, Preston, Idaho. Both Mr. Hawkes and I sincerely appreciate your cooperation and assistance in this regard.

We are reluctant to consent to the proposed amendment because of several factors. First of all, Mr. Hawkes assures me that he is applying water to beneficial use on the entire acreage, not merely on the 179 acres as suggested by the examiner's report. Although Mr. Hawkes acknowledges that more water is placed on some areas of his property, than on other portions, he strongly asserts that he is applying water to the entire acreage.

The second reason we are opposed to the amendment proposing to change the point of diversion from that listed on the permit is that Mr. Hawkes in fact is actually diverting most of his water under permit number 13-2260 from the upper pond, just as the location is listed on the permit. Although an amendment to have permit 13-2260 read that the point of diversion is at the lower pond is partially correct because some water is diverted by Mr. Hawkes at that point, the great majority of water diverted and applied to beneficial use on Mr. Hawkes' property is diverted from the upper pond that is listed under Bodily's name.

As they have done for many years, both Mr. Hawkes and Mr. Bodily use water from the other's pond. This is necessitated by the location and elevation of their respective properties. Mr. Hawkes pumps onto his land from the upper pond. The permit

13 2260

Mr. Bobby D. Fleenor
Continued (2)

June 28, 1973

off water pumped by Mr. Hawkes from that upper pond then returns to the lower pond which is then utilized by Mr. Bodily on his land. Mr. Hawkes and Mr. Bodily have cooperated in this fashion for many years and through their cooperation in this regard they are using the water resources in the most efficient manner possible and are actually conserving this valuable resource. Therefore, we are reluctant to agree to the amendment changing the point of diversion as suggested in the proposed amendment to permit 13-2260.

I would like to propose that the license to be issued for the water used under permit 13-2260 be granted as the State proposes, with the following modifications:

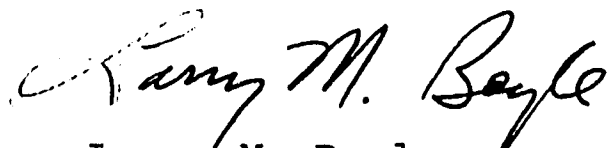
1. That the license reflect that the point of diversion for water diverted under permit 13-2260 is actually located at the upper pond as listed on the permit; and also a point of diversion at the lower pond; and
2. That the license be issued for the entire acreage rather than just the 179 acres as proposed.

We would be most happy to discuss this matter further with you and in the event you are going to have some time available the next time you are in Eastern Idaho, we would be pleased to have a meeting with you. At that time we could discuss the alternatives available resolving this matter and seeing that a water license is issued for the water under permit 13-2260.

Thank you for your assistance and interest. I shall look forward to hearing from you in this regard.

Very truly yours,

HANSEN & HOPKINS


Larry M. Boyle

LMB/cc

CC: Mr. Norman Young
Mr. Stanton M. Hawkes

July 13, 1973

Mr. Stanton M. Hawkes
Route #3
Preston, ID 83263

Dear Mr. Hawkes:

Attached herewith is departmental receipt No. 10269 in the amount of \$10.00 for your application for amendment which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Attachment

13 2260

July 17, 1973

Re: Permit No. 31403/13-2260

Mr. Stanton M. Hawkes
Route #3
Preston, Idaho 83263

Dear Mr. Hawkes:

Enclosed please find a copy of the approved application for amendment in connection with the above referenced permit. The Department is prepared to issue a water license under this permit as follows:

Quantity: 2.55 cfs Source: unnamed stream

Point of diversion: SW1/4SE1/4 Sec. 13, Twp.
16 S, Rge. 39 E, B.M.

Beneficial use: Irrigation of 224 acres within
the SE1/4SW1/4 (27), W1/2SE1/4 (45) Sec. 13;
NW1/4 (152) Sec. 24, Twp. 16 S, Rge. 39 E, B.M.

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

Priority date established: September 26, 1963

Please be advised that there is now a \$19.00 licensing fee due. Upon receipt of the fee a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:bjg

Enc.: Copy of amendment

cc: Eastern District Office

13 2260

August 10, 1973

C
Re: Permit No. 31403/13-2260

O
Mr. Stanton M Hawkes
Route #3
Preston, Idaho 83263

P
Dear Mr. Hawkes:

Enclosed please find a copy of the Water License issued on the above referenced permit.

We are also enclosing Receipt #11450 for \$19.00 covering the licensing fee.

Sincerely,

Y
BOBBY D. FLEENOR
Assistant Director

bjg

Enclosures

13 2260

JUL 10, 1973

FEE: \$ 10.00

JUL 19 1973

mb Receipt # 10269

Department of Water Administration Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR AMENDMENT

Permit No. 13-2260

Comes now STANTON M. HAWKES of (address) _____
RTE 3 PRESTON IDAHO, and represents to the State Reclamation
 Department of Water Administration

No. 31403/13-2260 and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 16S,
R. 39E, B.M. Other points of diversion —

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

mo. - day

mo. - day

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

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

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

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

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

3. Place of use or land to be irrigated:

NO CHANGE

[illegible]

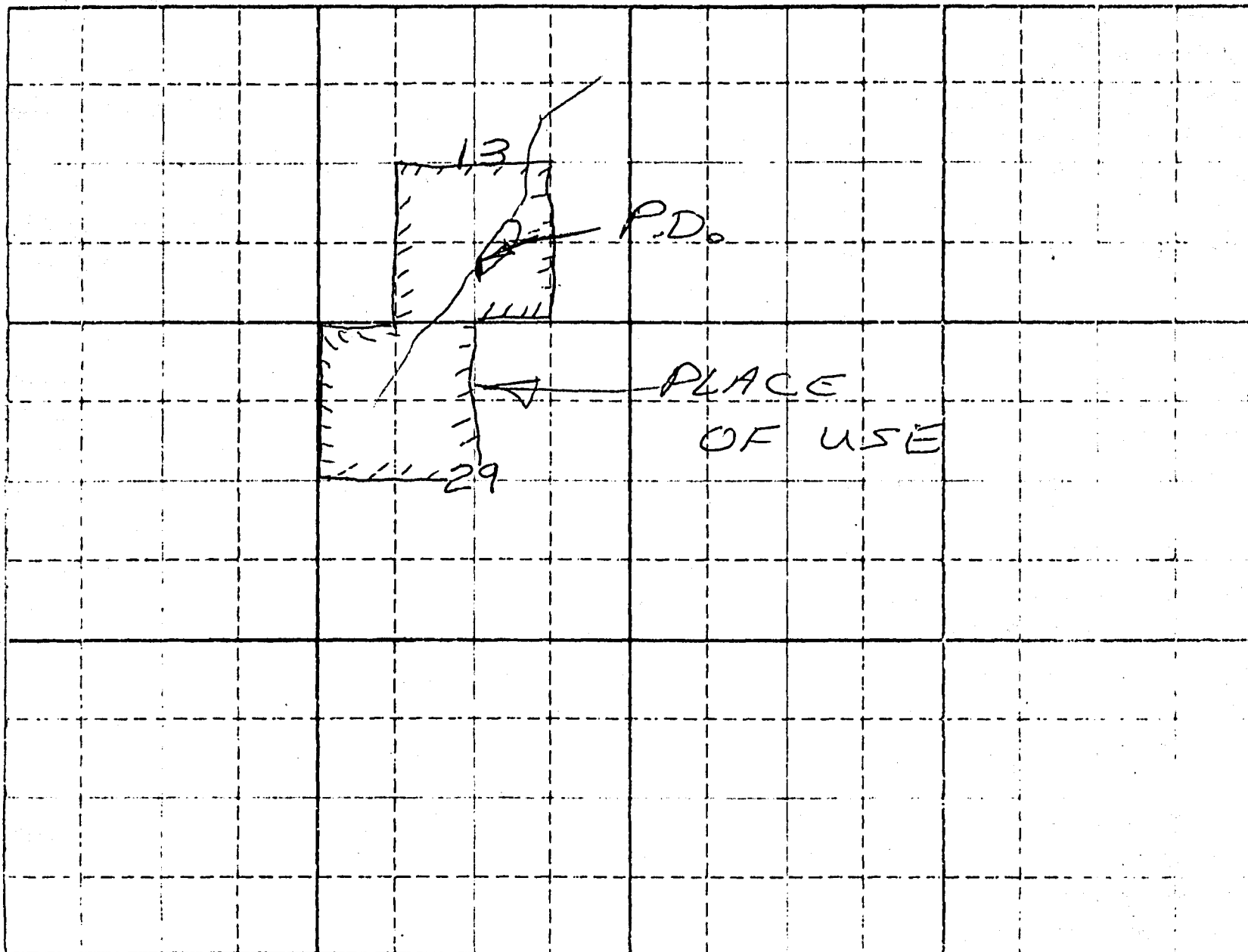
Total number of acres to be irrigated

13 2260

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
240 S. HOLMES
IDAHO FALLS, IDAHO 83401

13 2260

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at PRESTON, this 11TH day of JULY 19 73
Stanley M. Hawkes
 (signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration
 hereby approve the above application for amendment for Permit No. 31403/13-2260.

Witness my hand this 16TH day of JULY 19 73

R. Keith Higgins
 Director

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31403/13-2260 Priority Sept. 26, 1963 Amount 2.55 cfs

THIS IS TO CERTIFY, that STANTON M. HAWKES
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 31403/13-2260 issued pursuant to Application for Permit dated September 26, 1963,
and has submitted proof to the Department of Water Administration on September 22, 1964,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.0 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed stream
tributary of Worm Creek, is hereby confirmed in the following amounts:
Amount 2.55 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.55 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Twp. 16 S, Rge. 39 E, B.M.

in the county of Franklin; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 784 acre feet per year or _____
3.5 acre feet per acre.

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 $\frac{1}{4}$	
16 S	39 E	13												27		10	35		72
		24					39	37	36	40									152

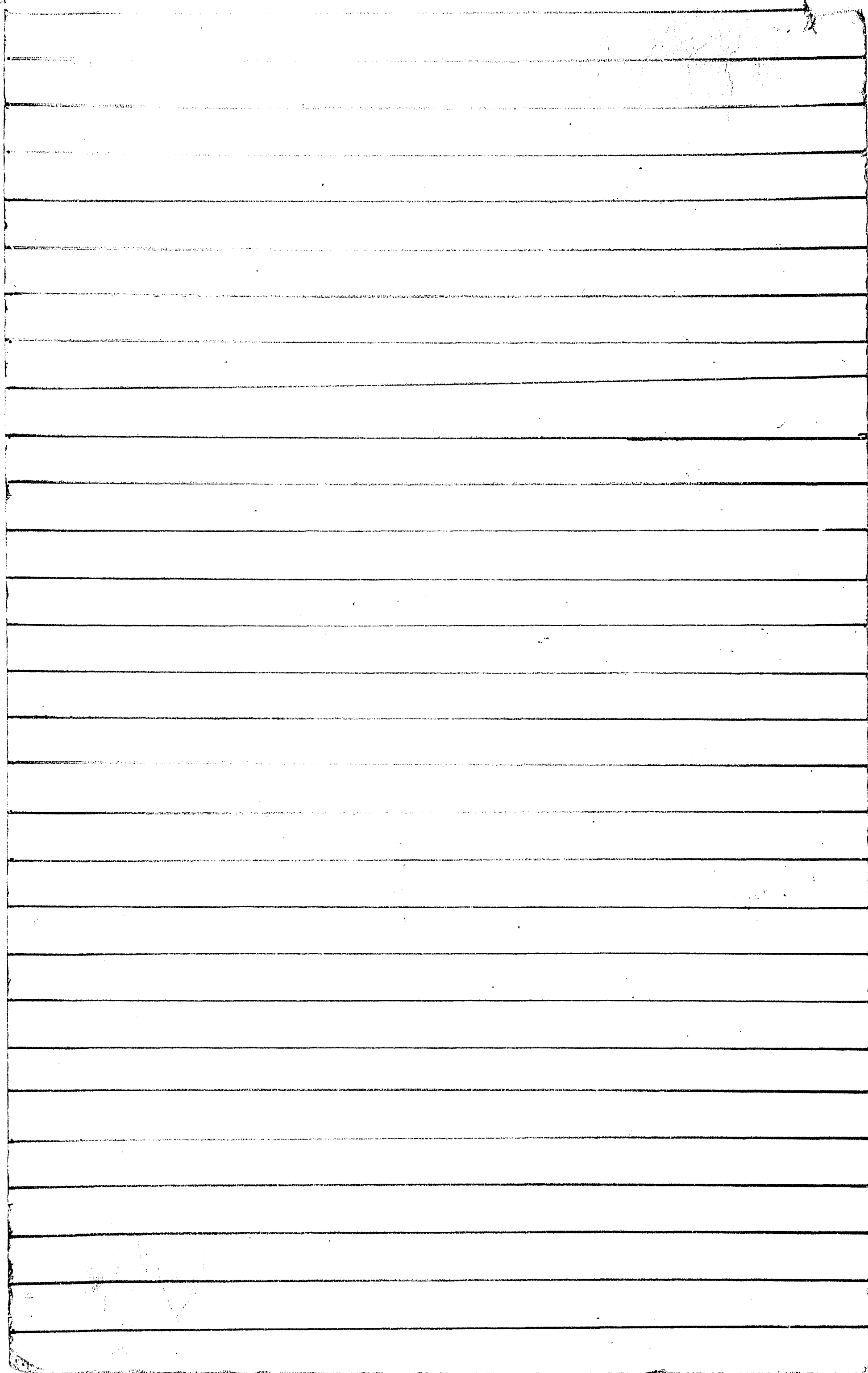
Total number of acres irrigated 224

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of
August, 19 73.

Director

13 2260



13-2260

Unnamed Streams in
SOURCE: Kirby Pond Drainage

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE From To	AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
13-0214	BODILLY, L.D. Lewiston, Utah	9-01-1952	Irrigation	4-1 11-1	24.0	---	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S.24 T16S, R39E	Sec. 24 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ T16S, R39E	Beneficial Use On Stream Reservoir
		9-01-1952	Storage for irrigation	4-1 11-1	24.0	---			
			The amount of water diverted using this right, 13-2160, 13-0330, 13-2260, and 13-2304 shall not exceed 3.5 af/acre or 1040 af/yr.						
13-2260	HAWKES, Stanton M. Rt. #3 Preston, Idaho	9-26-1963	Irrigation	4-1 11-1	784.0	2.55	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S.13 T16S, R39E	Sec. 13 SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ T16S, R39E	License
			The amount of water diverted under this right 13-2304, 13-0330, 13-0214, and 13-2160 shall not exceed 3.5 af/acre or 1040.0 af/yr.						
✓13-2304	Hawkes, Stanton M. Rt. #3 Preston, Idaho	10-11-1963	Irrigation	4-1 11-1	18.8	---	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S.13 T16S, R39E	Sec. 13 SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ T16S, R39E	License
		10-11-1963	Storage for 1-1 irrigation	12-31	18.8	---			
			The amount of water diverted using this right, 13-0214, 13-2160, 13-0330, and 13-2260 shall not exceed 3.5 af/acre or 1040 af/yr.						