

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 39512
Permit No. R 1165

1. Name of Applicant: Stanton M. Hawkes

Post office address: Preston, RFD 3

County Franklin

State Idaho

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:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 18.8 is capacity of reservoir

acre feet per annum.

3. Source of water supply is unnamed stream (waste and overflow)

River.

(Creek) (River) (Spring), a tributary of

Abt. 50 rods North SW corner of SE 4

of Section 13

The outlet of the proposed reservoir is located

of Section 13

(bearing)

Township 16S

Range 39 E, B.M. and is in the SW 1/4 of Section 13

Range 39 E., B.M. County of Franklin

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of a hollow

(Creek) (River).

(b) The reservoir is to be filled by catching waste and overflow water

feet distant from

the corner of Section , Township , Range , B.M., and is in the

(bearing)

Section , Township , Range , B.M.; width at bottom

1/4 of

feet, depth of water

feet, width at top

feet; average grade per mile

cubic feet per second

feet; Capacity

acres.

6. (a) The area of the high water line of the reservoir is five

acre feet.

(b) The reservoir capacity is 18.8

30 inch culvert

7. Height of reservoir dam 9.9

feet, length at top 25 1/2

feet, length at bottom 110

feet, size of outlet

by dam will be sixty eight feet through at the bottom and 18 feet through at the top

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of any stream

(Creek) (River)?

(b) Water stored in reservoir will be carried in the channel of

(Creek) (River) a distance

of miles to point of diversion located

feet, distant from the

(bearing)

corner of Section

Township , Range , B.M., and in the 1/4 of

1/4 of Section , Range

Water will be pumped into ditch from reservoir and diverted from ditch at various points over a distance

of half a mile for

9. (a) Area of watershed above dam site four

cubic feet per second.

(b) Estimated maximum flow of stream 10 or 12

with no water at times

10. Water is to be used for irrigation

purposes.

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

(a) Point of use of water

feet, distant from

(bearing)

Corner of Section , Township

B.M., and is in the 1/4 of

1/4 of Section , Range

(b) Amount of power generated:

H.P., under

(c) Water is to be returned to

corner of Section , Township

distant from the

(Creek) (River) (Spring) at a point

the 1/4 of

1/4 of Section , Range

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. 21728

which is hereby referred to and made a part hereof.

13. Kind of diversion works: concrete diversion box, pump into box and run into ditch

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam:

feet, length at top

of materials as follows:

feet. The dam is to be constructed

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

(Give Irrigable acreage in each 40-acre subdivision.)

The land in Section 13 belongs to Stanton M. Hawkes and the land in Section 24 belongs to L.D. Bodily. It is the same land and described by the same survey. Applicant has also made application to appropriate 3.00 second feet of water, which will be collected in the reservoir now used in connection with permit No. 21728 so far as it will hold the water, with the REMARKS: surplus collected and held by the reservoir mentioned in this application. The two permits and the two reservoirs will be used together to supply the necessary water for irrigation of 320 acres of land. In other words, the reservoir mentioned in this application is situated below the other reservoir and will catch any water flowing out of the other reservoir. Owing to fluctuation in flow, I am unable to fix a definite storage limit. There may be enough to fill the reservoir more than once, or it may be pumped out about as fast as it enters the reservoir, but amount to more than the reservoir capacity during the season. This reservoir will be situated in an offstream site - in a hollow.

s/ Stanton N. Hawkes Applicant.
By Agent.

APPROVAL OF STATE RECLAMATION ENGINEER

S/ CARL E. TAPPAN
State Reclamation Engineer.

COUNTERSIGNED

(SEAL)

Permit No. R-1165
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that STANTON M. HAWKES of Preston, County of Franklin, and State of Idaho, the holder of Permit No. R-1165, issued upon Application No. R-39512, bearing date of priority of Sept. 26, 1963, authorizing the diversion of 18.8 acre feet of waters of unnamed stream (waste and overflow), County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 18.8 acre feet of the waters of unnamed stream (waste and overflow); that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 16 S., R. 39 E., B. M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

EW $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13; NW $\frac{1}{4}$, Sec. 24, T. 16 S., R. 39 E., B. M.

Witness my hand this 5th day of November, A. D. 1965.

s/ RALPH W. THOMAS
 Deputy State Reclamation Engineer

Proof of Completion of Works Made: November 3, 1965

NAME OF APPLICANT Stanton M. Hawkes

Form No. 0

Sec. 13, Tp. 16 S.
Range 39 E. B. M.

Dam

Permit Map No. R-1165
As Approved SEP 26 1963
CARL E. YARFAN
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Encls.

R-1165

October 4, 1963

Re: Permit No. 31403
Permit No. R-1165
Stanton M. Hawkins

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

Dear Mr. Condie:

We enclose Permit Nos. 31403 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. 31810 which was issued covering payment in the amount of \$10.75 for the filing fee of the above mentioned permits.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl - Permit
Receipt
BTR:cmk
cc: Stanton M. Hawkins
RFD #3
Preston, Idaho

R-1165

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Re: Permit No. R-1165

July 1, 1965

Stanton M. Hawkes
Route #3
Preston, Idaho

Dear Mr. Hawkes:

Under the terms of your Permit No. R 1165 you are required to complete your diversion works on or before Sept. 26, 1965. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

Carl E. Tappan

State Reclamation Engineer

Enc. Form 6

Note: Failure to pay \$5.00 statutory fee leaves permit subject to cancellation

R-1165

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

October 20, 1965

Re: Permit No. R-1165

To Stanton M. Hawkes
Route #3
Preston, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. R-1165

to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works Proof which was due September 26, 1965

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. R-1165

is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. R-1165 claims the use of 18.8 Acre Feet ~~annular~~ ^{annular} cubic feet per second of the waters of an unnamed stream with point of diversion located

SW 1/4 Sec. 13., Twp. 16S., Rge. 39 E.B.M. FRANKLIN COUNTY, and

was approved September 26, 1963

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

21st day of October, 1965

Carl E. Tappan Reclamation Engineer.

By _____ Assistant.

R-1165

P. M. CONDIE
ATTORNEY AT LAW
PRESTON, IDAHO

RECEIVED
OCT 25 1965

Department of Reclamation

October 22, 1965.

Department of Reclamation,
Boise, Idaho.

Gentlemen: Re: Permit No. R-1165.

Mr. Stanton M. Hawkes has brought to me your notice of October 20th in which you state that the terms of said permit not having been complied with, you are holding the same for cancellation.

Mr. Hawkes states that he misplaced this permit and did not realize that he should have made proof of completion of works by September 26, 1965. Because he mislaid it, he was under the impression that he had till 1966. to make proof.

Now, Mr. Hawkes desires to know what he can do to rectify this situation. He would like to do whatever you demand at once and make his proof. 1965 has been a year of lots of water and he has used the water and is pumping the water with a portable pump. He has a stationery pump purchased, but has not needed it so far this year.

If you will indicate a course for Mr. Hawkes to follow he will proceed at once.

Very truly yours,

P. M. Condie

RFD 3, Preston

18.8 A.C.F.

c/w - 9-26-65

Notice sent July 1, 1965

Oct 21, 65

R-1165

October 25, 1965

Re: Permit No. R-1165
Stanton Hawkes

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

Dear Mr. Condie:

Enclosed are three forms, one for holder and two for disinterested witnesses for proof of completion of works under above noted permit.

Notice of date for completion of works was sent to Mr. Hawkes July 1, 1965.

Return completed forms with the \$5.00 fee at your earliest convenience.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Encl.- Form 15-R & 14-R
RWT:pak

R-1165

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to
addressee

☐ Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Stanton Hawkes

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Mrs. Stanton Hawkes

DATE DELIVERED

SHOW WILLINGNESS TO ACCEPT (only, if requested)

10-22-65



POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE 200%**

**POSTMARK IN
DELIVERING OFFICE**

INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

C55-16-71548-8-F

R-1165

3011 Sep. 1963

November 5, 1965

Re: Permit No. R-1165

Stanton M. Hawkes
Route #3
Preston, Idaho

Dear Mr. Hawkes:

Enclosed is the Certificate of Completion of
Works issued on the above numbered permit.

Also enclosed is departmental receipt No. 33007
in the amount of \$5.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

Permit No. R-1165

RECEIVED
NOV 5 1965

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Stanton M. Hawkes, farmer, Preston, RFD 3, Idaho

Residence at Franklin, Idaho.

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. No. R1165, dated Sept. 26, 1963, 18.8 acre feet, source is waste and overflow water.

Ques. 4. Under terms of permit construction was required to be completed by Sept. 26, 1965.
19

Ques. 5. Construction was actually completed on the date of Sept. 10, 1965

Ques. 6. Does the construction fully comply with the specifications? Dam completed August, 1965
Riprapping on face of the dam has not been completed. SCS statedQues. 7. Of what material was the dam built? riprapping unnecessary.
Earth (clay)

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Yes, September 20th, 1965; filled to capacity

Ques. 9. The capacity of the reservoir is 18.8 acre feet.

Ques. 10. The area of the high water line of the reservoir is 5 acres.

Ques. 11. The height of the dam above bottom of reservoir is 9.9 feet, above low water is 9.9 feet. Can drain reservoir completely.

Ques. 12. The dimensions of the spillway are 30 inch upright and the bottom of the spillway is abt. 3 feet below the top of the dam. metal pipe

Ques. 13. Dimensions of the reservoir outlet are 30 inch pipe

Ques. 14. Describe the gate and control unit.

Ans. Metal screw type gate.

Ques. 15. The reservoir outlet is made of Metal

Ques. 16. Is the reservoir filled through a feeder canal? None necessary.

Ques. 17. If so, where is the point of diversion for same?

Ans. 1/4 1/4 Section, Twp. Range

R-1165

Ques. 18. Does the feeder canal comply with the specifications in the permit? none

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? \$ none Cost of reservoir? \$

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Complete except installing pump, which is on premises and think best to install in spring. Used auxilliary pump in 1965.

Ques. 22. Water has (has not) been delivered to place of intended use? yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Dam of clay, 68 feet through at bottom and 18 feet through at top, 255 feet top length, 110 bottom length. Slope upstream 3 to 1; downstream 2 to 1

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. Irrigation; Used on following: Twp. 16 S., R. 39 E. B. M.

Sec. 13: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 160 acres

Sec. 24: Whole of NW $\frac{1}{4}$, 160 acres.

(Sign here)

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 third day of November, A. D. 1965.

A. M. Gardner
Notary Public

My commission expires Nov. 29, 1966

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-1165

NOV 5 1965

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Grant M. Doney, residence and post office address: Preston, RFD 3, Idaho

Ques. 2. Are you acquainted with Stanton M. Hawkes, the holder of Permit No. R-1165, authorizing the storage of 18.8 acre feet of the waters of waste and overflow of water caught in hollow, tributary of Worm Creek which is tributary to _____, in the County of Franklin, State of Idaho?

How long have you known him, and where does he reside?

Ans. 30 years; he resides at Preston, RFD 3, Idaho

Ques. 3. Have you read or heard read said Permit? Yes Are you familiar with its terms and conditions? Yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Red clay; constructed with heavy equipment, packed

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes And to what extent? Completely filled at this time, and is being used.

Ques. 6. Where is the point of diversion of the feeder canal? none

Ans. $\frac{1}{4}$ $\frac{1}{4}$ Section _____, Township _____ Range _____

Ques. 7. The outlet of the reservoir is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Twp. 16 S., Range 39 E., B. M.

Ques. 8. Describe the spillway.

Ans. 30 inch metal trickle pipe.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 4 Ft.

Ques. 10. State the dimensions of the outlet for the reservoir. 30 inches

Ques. 11. Of what material is the outlet made? metal

Ques. 12. How is the outlet gate operated?

Screw type gate- metal

Ques. 13. Of what material has the dam been constructed?

Red clay

Ques. 14. Are the works from the reservoir to place of use fully completed? Yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Water is pumped from concrete sump box into concrete diversion box, from thence it is carried by laterals to places of use.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation.

R-1165

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? Yes
How much water is required for its profitable cultivation?

Ans. All water availble is needed for irrigation of this land.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. Tw. 16 South, Range 39 E. B. M. Sec. 13: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
~~in common~~ SW $\frac{1}{4}$ SE $\frac{1}{4}$, 160 acres. Sec. 24: ~~NE~~ whole of NW $\frac{1}{4}$, 160 acres.

(Sign here) Grant M. Dorsey

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, at my office in Preston, County of Franklin,
State of Idaho, on this third day of November, 1965.

R. M. Leaudie

Notary Public

My commission expires Nov. 29, 1966

The Depositions of two Witnesses, in this form, taken separately, ~~permitted in each case~~

Permit No. R-1165

RECEIVED
NOV 5 1965

Department of Reclamation

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Clifford Whitehead, residence and post office address is Preston, RFD 3, Idaho, farmer.

Ques. 2. Are you acquainted with Stanton M. Hawkes, the holder of Permit No. R-1165, authorizing the storage of 18.8 acre feet of the waters of waste and overflow of water caught in hollow, tributary to Form Creek, in the County of Franklin, State of Idaho?

How long have you known him, and where does he reside?

Ans. 25 years, he resides at Preston, RFD 3, Idaho.

Ques. 3. Have you read or heard read said Permit? Yes. Are you familiar with its terms and conditions? Yes.

Ques. 4. Of what material and how has the dam been constructed?

Ans. Good red clay; constructed with heavy equipment, packed

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes
And to what extent? Reservoir is full at this time, and being used.

Ques. 6. Where is the point of diversion of the feeder canal? none

Ans. $\frac{1}{4}$ $\frac{1}{4}$ Section, Township RangeQues. 7. The outlet of the reservoir is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13
Twp. 16 S. Range 39 E. B. M.

Ques. 8. Describe the spillway.

Ans. 30 inch metal trickle pipe

Ques. 9. How much below the top of the dam is the bottom of the spillway? 4 Ft.

Ques. 10. State the dimensions of the outlet for the reservoir. 30 inches

Ques. 11. Of what material is the outlet made? metal

Ques. 12. How is the outlet gate operated?

Screw type gate - metal

Ques. 13. Of what material has the dam been constructed?

Red clay

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Water is pumped from concrete sump box into ~~humming~~ concrete diversion box, from thence is carried by laterals to places of use.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation.

R-1165

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated?.....yes
How much water is required for its profitable cultivation?

Ans. All available water can be profitably used.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use

Ans. Sec. 13- 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; and 40 acres in SW $\frac{1}{4}$ of 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 $\frac{1}{4}$, 160 acres. Town 7 N Range 10 E

(Sign here)

Clifford C. Hutchins

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, at my office in Preston, County of Franklin, State of Idaho, on this third day of November, 1965.

A. M. Cordie

Notary Public

My commission expires Nov. 29, 1966.

Re: Permit No. R-1165

June 29, 1967

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

Dear Mr. Hawkes:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than ~~September 26, 1967~~.

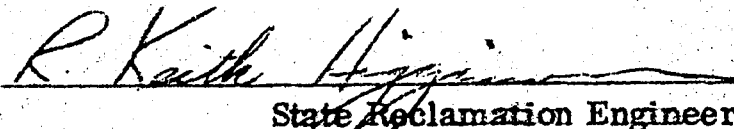
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

FEDERAL LAND BANK ASSOCIATION OF PRESTON

P. O. BOX 386 35 SOUTH STATE PRESTON, IDAHO 83263

TELEPHONE: 852-1145



Department of Reclamation

J. P. GARNER, MANAGER

September 1, 1967

Re: Permit No. R-1165 Stanton M. Hawkes
Permit No. 31403

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Attn - R. C. Higginsen, State Reclamation Engineer

Dear Mr. Higginsen:

Enclosed is Form 11 authorizing the Department of Reclamation to publish the required notice for both Permit No. R-1165 and Permit No. 31403.

Also enclosed is Notice of Proof of Application of Water to Beneficial Use properly completed for both permits referred to above. Will you please examine these forms, and if all is in order take the necessary steps to publish.

Since both the storage pond is complete for Permit No. R-1165 and the diversion of 3.65 c.s.f. for Permit No. 31403 from an unnamed spring supplying this pond, Mr. Hawkes would like to publish both of these simultaneously. I am assisting Mr. Hawkes in this matter and would appreciate it if you would direct your correspondence to me.

Very truly yours,

J. P. Garner
J. P. Garner
Manager

JPG:lt
Encl.



SERVING FRANKLIN, CARIBOU, ONEIDA, BEAR LAKE, & BANNOCK COUNTIES

R-1165

NOTICE OF PROOF

of

APPLICATION OF WATER TO BENEFICIAL USE Department of Reclamation

RECEIVED
SEP 5 1967

NOTICE IS HEREBY GIVEN THAT ON THE 11th day of October, 19 67
at Preston, County of Franklin, State of Idaho
before J. P. Garner, Notary Public at (address) 35 South State,
Preston, Idaho, proof will be submitted of the diversion of
3.65 cubic feet per second, of waters of unnamed stream,
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, RFD #3, Preston, Idaho 83263

2. Said works of diversion of water for storage 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 storage is 3.65 cubic feet per
second.

3. Reservoir capacity is _____ acre feet.

4. 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.

5. The point of diversion of said waters for beneficial use is _____
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 16 S, R. 39 EBM

_____ and the amount which can be diverted is
3.65 cubic feet per second.

6. The place where said water is used is E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13;
NW $\frac{1}{4}$, Sec. 24, T. 16 S, R. 39 EBM.

7. The date of priority which said user is prepared to establish is
September 26, 1963.

State Reclamation Engineer

R-1165

September 5, 1967

Re: Permit No. R-1165

Stanton M. Hawkes
Route 3
Preston, Idaho 83263

Dear Mr. Hawkes:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit R-1165.

We have mailed the notice to the Preston Citizen to be published once a week for four consecutive weeks prior to October 11, 1967, which is the hearing date when the permit holder Stanton M. Hawkes

and two disinterested witnesses must appear before J. P. Garner, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Stanton M. Hawkes

. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

P. S. Permit No. 31403 has been advertised, proofs have been made, and is awaiting examination.

R-1165

FEDERAL LAND BANK ASSOCIATION OF PRESTON

P. O. BOX 386 35 SOUTH STATE PRESTON, IDAHO 83263

TELEPHONE: 852-1145



J. P. GARNER, MANAGER

October 11, 1967

Re: Permit No. R-1165
Stanton M. Hawkes

Donald W. McEldowney
Water Rights Clerk
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Complying with your letter of September 5, 1967, enclosed are Depositions and Affidavit of Publication all properly notarized and completed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. P. Garner".

J. P. Garner
Manager

JPG:1t
Encl.



SERVING FRANKLIN, CARIBOU, ONEIDA, BEAR LAKE, & BANNOCK COUNTIES

R-1165

Permit No. R-1165

Proof of ~~Completion of Works~~ Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Stanton M. Hawkes - Rt. #3 Preston, Idaho - 83263 - Farmer

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. Permit R-1165 dated Sept. 26, 1963 for 18.8 acre feet of water storage from an unnamed stream, a tributary of Worm Creek

Ques. 4. Under terms of permit construction was required to be completed by Sept. 26 19 65

Ques. 5. Construction was actually completed on the date of Nov. 3 Sept. 26 19 65

Ques. 6. Does the construction fully comply with the specifications? yes

Ques. 7. Of what material was the dam built? Earth fill

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Water has been turned into reservoir for the past 2 years and filled to capacity.

Ques. 9. The capacity of the reservoir is 18.8 acre feet.

Ques. 10. The area of the high water line of the reservoir is 5 acres.

Ques. 11. The height of the dam above bottom of reservoir is 9.9 feet, above low water is 9.9 feet.

Ques. 12. The dimensions of the spillway are 30" trickle pipe and the bottom of the spillway is 2 feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 30" pipe

Ques. 14. Describe the gate and control unit.

Ans. Metal screw ~~mix~~ gate in a 30" pipe

Ques. 15. The reservoir outlet is made of metal

Ques. 16. Is the reservoir filled through a feeder canal? No, it is in the channel

Ques. 17. If so, where is the point of diversion for same?

Ans. SW ¼ SE ¼ Section, 13 Twp. 16 S Range 39 E

R-1165

Ques. 18. Does the feeder canal comply with the specifications in the permit? Yes

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? \$ none/located in channel Cost of reservoir? \$1000

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. fully completed

Ques. 22. Water has ~~been~~ been delivered to place of intended use? Yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Dam dimensions of earth fill is 68 feet at base, 18 feet at tip with a 30" trickle tube over flow with outlet connection with same 30" culvert. 9.9 ft high, 255 ft long at top and 110 feet long at bottom. Dam is well protected against wave action in natural channel

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. For the irrigation of 320 acres in $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, NW $\frac{1}{4}$ Sec. 24, Twp 16 S, Range 39 EBM.

(Sign here)

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 11th day of October A.D. 19 67.

J. P. Garner
Notary Public

My commission expires 5-31-71

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R- 1165

Proof of ~~Completion of Works~~ Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Clifford Whitehead, Rt. 3, Preston, Idaho 83263 - Farmer

Ques. 2. Are you acquainted with Stanton M. Hawkes, the holder of Permit No. R- 1165, authorizing the storage of 18.8 acre feet of the waters of unnamed stream which is tributary to Worn Creek, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. Residing at Rt. #3, Preston, Idaho and known him for 36 years

Ques. 3. Have you read or heard read said Permit? yes Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Earth fill material. 68 feet at base and 18 feet at top with 30" culvert in base. ~~XXXXXXXXXXXXXXXXXXXX~~ Dam is 9.9 feet high, 255 ft long, at top 110 ft. long at bottom.

Ques. 5. Is the reservoir fully constructed? yes. Has water been turned into it? yes. And to what extent? Filled to capacity 18.8 acre feet

Ques. 6. Where is the point of diversion of the feeder canal? No feeder canl. Res. in natural channel

Ans. SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 16 S Range 39 EEM

Ques. 7. The outlet of the reservoir is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13 Twp. 16 S Range 39 EEM. The Reservoir is located in the natural channel of the unnamed stream & therefore the diversion & outlet points

Ques. 8. Describe the spillway. are the same.

Ans. A 30" trickle metal pipe located 2 feet below top of dam. Water flows to base into 30" pipe.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 2 Ft.

Ques. 10. State the dimensions of the outlet for the reservoir 30" pipe

Ques. 11. Of what material is the outlet made? metal 30" pipe

Ques. 12. How is the outlet gate operated? Metal screw gate in a 30" pipe

Ques. 13. Of what material has the dam been constructed? Earth fill

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. A short lift by pump from the Reservoir to a Gravity flow ditch distributes water to all points of the farm. Sufficient to irrigate all land described.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation of land

R-1165

Ques. 18. Does the feeder canal comply with the specifications in the permit? yes

Ques. 19. If not, explain _____

Ques. 20. Cost of constructing feeder canal? \$ none / (located in channel) Cost of reservoir? \$ 1000

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Completed

Ques. 22. Water has ~~been~~ been delivered to place of intended use? yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Dam dimensions of earth fill is 68 feet at base, 18 feet at top with a 30" trickle tube overflow with outlet connection with same 30" culvert. It is 9.9 feet high, 255 ft long at the top and 110 feet long at bottom. Dam is well protected against wave action.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. For the irrigation of 320 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 13, NW $\frac{1}{4}$ Sec. 24, Twp. 16 S, Range 39 EBM.

(Sign here) _____

Clifford S. Hitchcock

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 11th day of October A. D. 19 67.

J. P. Garner
Notary Public

My commission expires 5-31-71

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-1165

Proof of ~~Completion of Works~~ Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Grant M. Doney, Rt. 3, Preston, Idaho 83263 - Farmer

Ques. 2. Are you acquainted with Stanton M. Hawkes, the holder of Permit No. R-1165, authorizing the storage of 18.8 acre feet of the waters of unnamed stream which is tributary to Warm Creek, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. Residing at Rt. #3, Preston, Idaho & known him for 30 years.

Ques. 3. Have you read or heard read said Permit? Yes. Are you familiar with its terms and conditions? yes.

Ques. 4. Of what material and how has the dam been constructed?

Ans. Earth fill material. 68 feet at base and 18 feet at top with 30" culvert in base. ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ Dam is 9.9 feet high, 255 ft long at top & 110 ft. long at bottom.

Ques. 5. Is the reservoir fully constructed? yes. Has water been turned into it? yes. And to what extent? Filled to capacity 18.8 acre feet

Ques. 6. Where is the point of diversion of the feeder canal? No feeder canl. Res. in natural channel

Ans. SW ¼ SE ¼ Section 13, Township 16 S, Range 39 EBM.

Ques. 7. The outlet of the reservoir is located in the SW ¼ SE ¼ Section 13 Twp. 16 S Range 39 EBM. The Reservoir is located in the natural channel of the unnamed stream & therefore the diversion & outlet points

Ques. 8. Describe the spillway. are the same.

Ans. A 30" trickle metal pipe located 2 feet below top of dam. Water flows to base into 30" pipe.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 2 Ft.

Ques. 10. State the dimensions of the outlet for the reservoir. 30" pipe

Ques. 11. Of what material is the outlet made? metal 30" pipe

Ques. 12. How is the outlet gate operated? Metal screw gate in a 30" pipe

Ques. 13. Of what material has the dam been constructed? Earth fill

Ques. 14. Are the works from the reservoir to place of use fully completed? Yes.

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. A short lift by pump from the Reservoir to a Gravity flow ditch distributes water to all points of the farm. Sufficient to irrigate all land described.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation of land

R-1165

Ques. 18. Does the feeder canal comply with the specifications in the permit? Yes

Ques. 19. If not, explain _____

Ques. 20. Cost of constructing feeder canal? \$ none / located in channel Cost of reservoir? \$ 1000

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Completed

Ques. 22. Water has ~~been~~ not been delivered to place of intended use? yes

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. Dam dimensions of earth fill is 68 feet at base, 18 feet at top with a 30" tri-culvert overflow with outlet connection with same 30" culvert. It is 9.9 feet high, 255 ft long at the top and 110 feet long at bottom. Dam is well protected against wave action.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. For the irrigation of 320 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 13, NW $\frac{1}{4}$ Sec. 24, Twp. 16 S, Range 39 EEM.

(Sign here) Grant M. Doney

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 11th day of October A.D. 19 67.

J. P. Garner
Notary Public

My commission expires 5-31-71

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

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 *4* 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

Sept. 14, 19*67*, and ending

with the issue of *October 5*, 19*67*.

Wayne D. Bell

Fees, \$ *24.94*

Subscribed and sworn to before me this *5th* day

of *October*, 19*67*.

Beverly W. Mortensen

Notary Public, Residing at Preston, Idaho

My Commission Expires *Dec 1*, 19*67*.

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN THAT ON THE 11th day of October, 1967 at Preston, County of Franklin, State of Idaho before J. P. Garner, Notary Public at 35 South State, Preston, Idaho, proof will be submitted of the diversion of 18.8 acre feet of storage, of waters of unnamed stream, and of the application to Beneficial Use of said water, in accordance with the terms and conditions of Permit No. R-1165, 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, R.D No. 3, Preston, Idaho 83263.

2. Said works of diversion of water for storage 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 storage is 18.8 acre feet.

3. Reservoir capacity is 18.8 acre feet.

4. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 18.8 acre feet.

5. The point of diversion of said waters for beneficial use is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 16 S, R. 39 E, B.M. and the amount which can be diverted is 18.8 acre feet.

6. The place where said water is used is E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13; NW $\frac{1}{4}$, Sec. 24, T. 16 S, R. 39 E, B.M.

7. The date of priority which said user is prepared to establish is September 26, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer
Legal No. 1268—Pub. Sep-
tember 14, September 21,
September 28, October 5, 1967.

R-1165

September 5, 1967

Re: Permit No. R-1165
Stanton M. Hawkes

Preston Citizen
Preston, Idaho 83263

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to October 11, 1967. The expense of the publication is to paid by Stanton M. Hawkes, Route 3, Preston, Idaho,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

Enc: Legal Notice

DWM:dj

R-1165

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

Department of Reclamation

NOTICE IS HEREBY GIVEN THAT ON THE 11th day of October, 19 67
at Preston, County of Franklin, State of Idaho
before J. P. Garner, Notary Public at ~~(address)~~ 35 South State,
Preston, Idaho, proof will be submitted of ~~Completion of Works for~~ the
diversion of 18.8 acre feet of storage, of waters of unnamed stream
, and of the application to Beneficial Use of said water, in
accordance with the terms and conditions of Permit No. R-1165, 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, RFD # 3, Preston, Idaho 83263

2. Said works of diversion of water for storage 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 storage is 18.8 ~~cubic foot per second~~ acre feet.

3. Reservoir capacity is 18.8 acre feet.

4. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is 18.8 acre feet.

5. The point of diversion of said waters for beneficial use is

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

and the amount which can be diverted is
18.8 ~~cubic foot per second~~ acre feet.

6. The place where said water is used is E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13;

NW $\frac{1}{4}$, Sec. 24, T. 16 S, R. 39 E, B.M.

7. The date of priority which said user is prepared to establish is September
26, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

R-1165

RECEIVED
SEP 5 1967

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

For Permit No. R-1165 and for Permit No. 31403

State Reclamation Engineer:

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.

Stanton M. Hawkes
(signature)

Stanton M. Hawkes

Rt. #3 - Preston, Idaho
(address)

Sept. 1, 1967
(date)

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 when proof is for completion of works.

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

Engineer

R-1165

October 13, 1967

Re: Permit No. R-1165

Stanton M. Hawkes
Route 3
Preston, Idaho 83263

Dear Mr. Hawkes:

We acknowledge receipt of the depositions and affidavit of publication in the
Preston Citizen submitted as proof of com-
pletion of works and beneficial use on Permit R-1165.

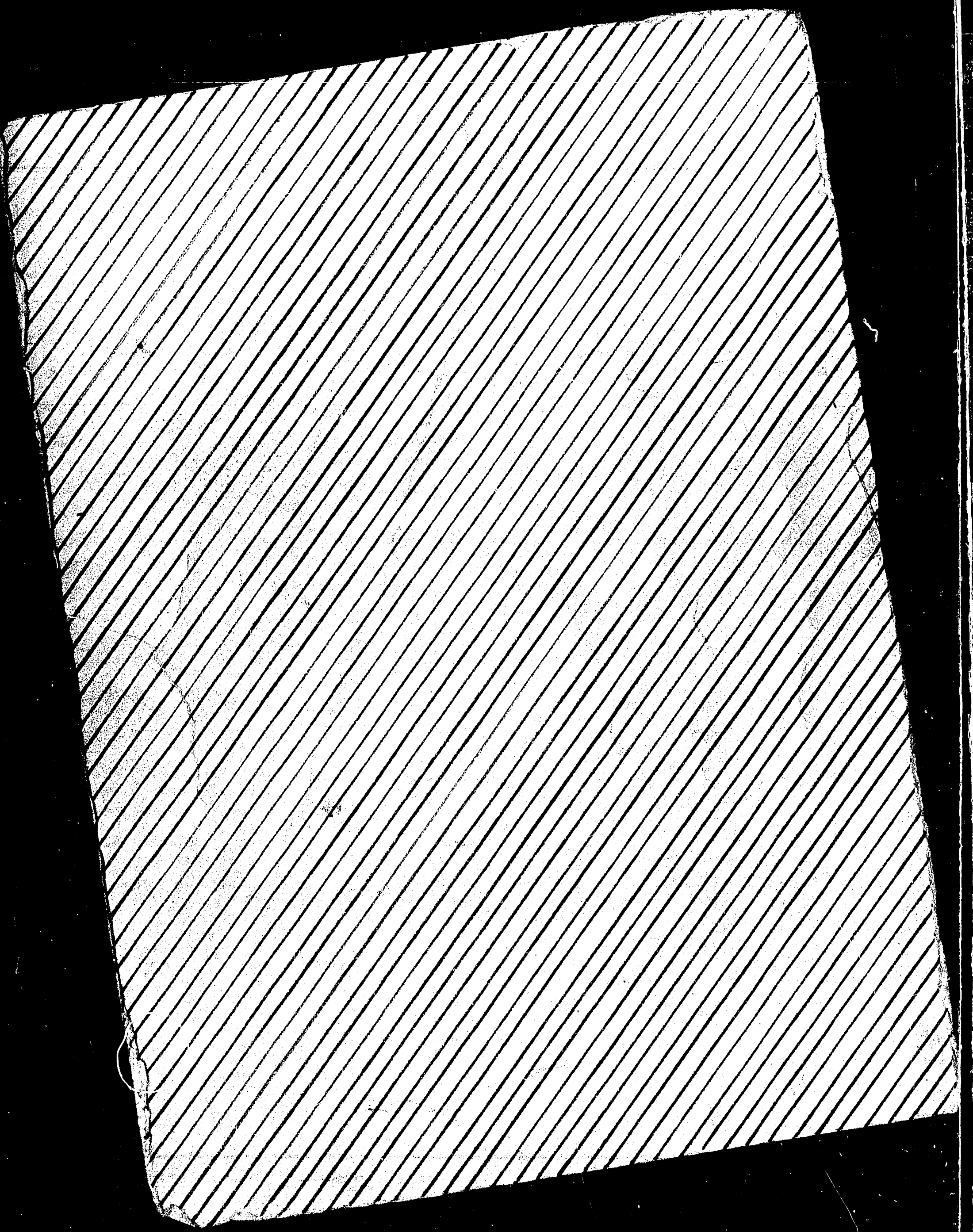
Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

R-1165



November 5, 1965

Re: Permit No. R-1165

C
O
P
Y

Stanton M. Hawkes
Route #3
Preston, Idaho

Dear Mr. Hawkes:

Enclosed is the Certificate of Completion of
Works issued on the above numbered permit.

Also enclosed is departmental receipt No. 33007
in the amount of \$5.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

R-1165

13-2304

July 15, 1970.

Re: Permit Nos. 13-2260
13-2304

Mr. Stanton Hawkes
Box 19
Fenn, Idaho 83531

Dear Mr. Hawkes:

I checked on the reservoir as much as I could without an official request. If you want to know anything about it or the other filing on the reservoir, please feel free to contact us.

Very truly yours,

William S. Davis
Field Examiner

WSD:mjl

C
O
P
Y

13 2304

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. R-1165

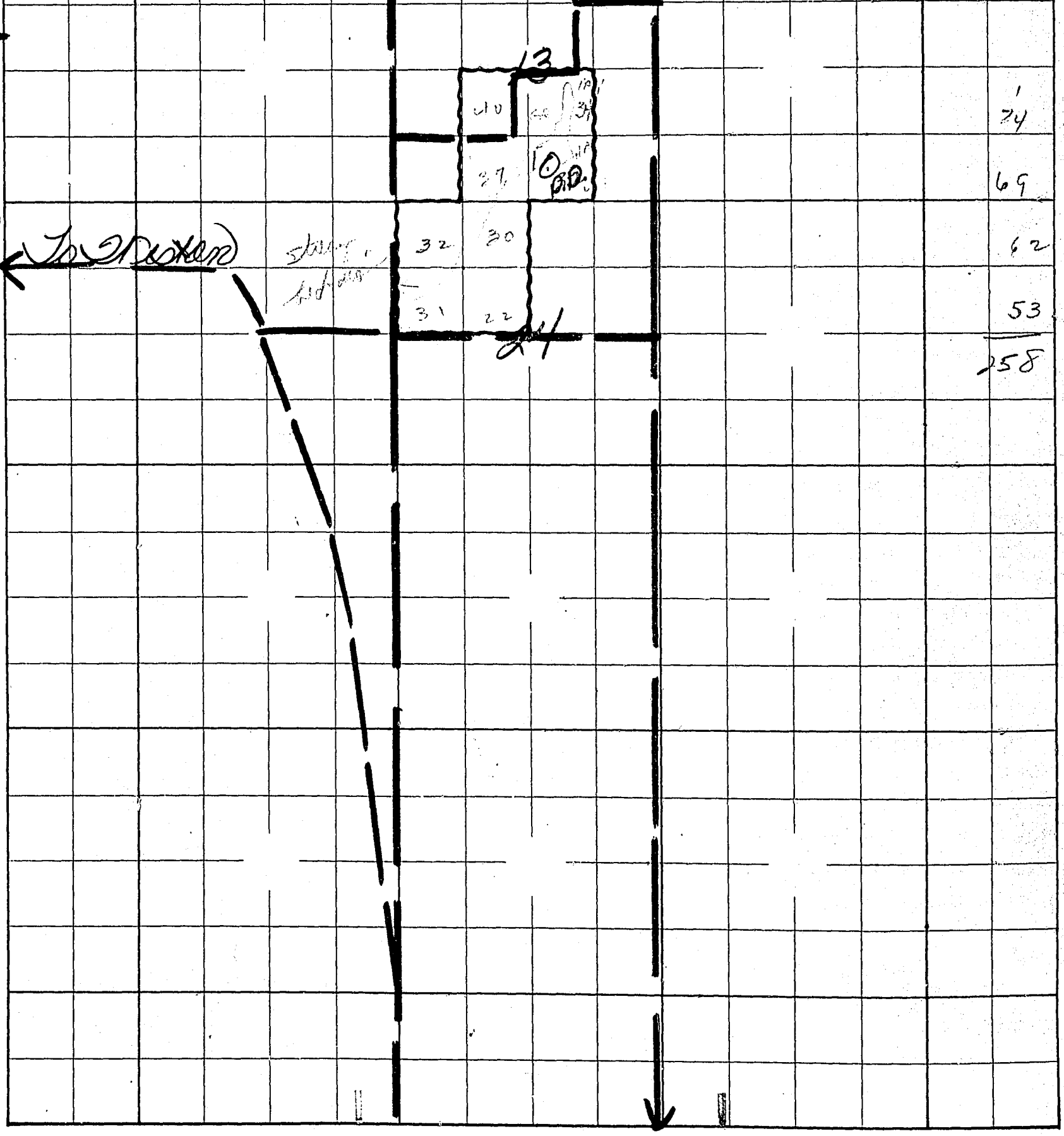
REPORT ON PROOF OF Beneficial Use

304

13 39E

↑ 39E
↑ To Creston

↑ 16S



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. R-1165

This proof is for Beneficial Use In Water District No.

1. Name of applicant Stanton M. Hawkes

2. Source of water supply: unnamed stream

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13

T. 16 S R. 39 E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: base 68'

top 18' 10 ft high 250 ft long at top 110' ft long at bottom.
Spilling in a 30" corrugated pipe that goes through the dam.
Pipe is 70 ft long, soldered.

5. Water is used for: irrigation

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

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):

E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13; NW $\frac{1}{4}$, Sec. 24, T. 16 S, R. 39 E, B.M.

(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: Water for reservoir comes from south bank of the
reservoir immediately adjacent.
Reservoir is 35 ft average depth and covers 5.1 acres.

Land in Sec 24 is owned by J. D. B. B. but water is for
joint use.

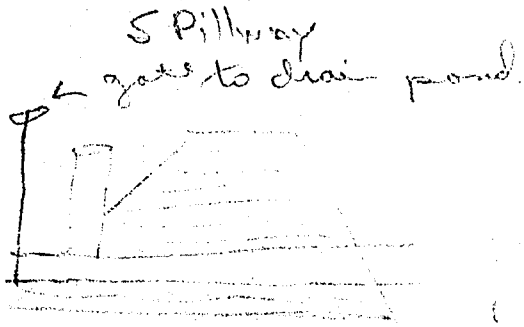
$V = (3.5)(5.1) = 17.85$ (Examiner) Permit states 18.8

Allow 18.8 ac ft As this figure is from survey

This examination was made on the 9 day of July, 1970

(Signed) William J. Davis Examiner.

mjl
8-20-70



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 *earth fill*
R.F.D. 3
Preston, Idaho
Permit No. R-1165 / *13-2304*
Examination for Beneficial Use
County Franklin
Quantity: 18.8 a.f. *13-*
Source: unnamed stream

*base - 68'
top - 18'
Height - 9.9' high
255' long by
110' long bottom
Q - 18.8 a.f.*

13 2304

P.D.: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 16 S, R. 39 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works: November 3, 1965

Other Rights:

Filed: September 26, 1963

Due: b/u - September 26, 1967

Made: October 11, 1967

Priority: October 11, 1963

July 17, 1972

Mr. Stanton M. Hawkes
R.F.D. # 3
Preston, Idaho 83263

Dear Mr. Hawkes:

A representative of this department has made an examination of the works covered by your Permit No. R-1165/132304 and has found the following:

Quantity of water diverted: 18.8 acre feet

Amount of water that can be recognized as beneficially used under Idaho law: 18.8 acre feet

The maximum quantity of water diverted shall not exceed 3.5 acre ~~feet per season~~ feet per acre per year.

Beneficial Use: Irrigation of 258 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$ (77), W $\frac{1}{2}$ SE $\frac{1}{4}$ (66), Sec. 13; NW $\frac{1}{4}$ (115), 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.

The priority date established is : October 11, 1963 (late proof)

A fee totaling \$ 16.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLENNOR
Assistant Director

BDF:DR

13 2304

August 3, 1972

Re: Permit No. R-1165/13-2304

C
Mr. Stanton M. Hawkes
R.F.D. # 3
Preston, Idaho 83263

O
Dear Mr. Hawkes:

Enclosed herewith is your Water License issued on the above referenced permit.

Also enclosed is departmental receipt No. 8622 in the amount of \$16.00 covering the licensing fee.

P
Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y

BDF:DR
Enc: License
Receipt #8622

bc: Eastern District Office

13 2304

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. R-1165/13-2304 Priority Oct. 11, 1963 Amount 18.8 af
(late proof)

THIS IS TO CERTIFY, that STANTON M. HAWKES
of Preston, Idaho, has complied with the terms and conditions of Permit
No. R-1165/13-2304 issued pursuant to Application for Permit dated September 26, 1963,
and has submitted proof to the Department of Water Administration on October 11, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 18.8 acre feet, and that the water has in fact been applied to a
beneficial use; a right to the use of water from surface water (unnamed stream)
tributary of Worm Creek, is hereby confirmed in the following amounts:
Amount 18.8 af for irrigation from April 15 to Nov. 1 (both dates inclusive)
Amount 18.8 af for storage for from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for irrigation from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 18.8 af 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 ~~18.8 af per year~~
3.5 acre feet per acre per year.

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									40			37		34	32		143
		24					30	32	31	22									115

Total number of acres irrigated 258

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 2nd day of
August, 19 72.


Director

13 2304

