

Identification No.

Application No.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant WILLIAM ARIEL HAWKES
post office address Route 2, Box 315 Preston, Idaho Ph: 852-1300
2. Source of water supply unnamed springs and surface runoff which is a tributary of Bear River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 15S
Range 39E B.M. Franklin County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 10 af for storage / purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 1.0 for diversion to storage purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 1.0 for diversion from storage for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second ~~XXXXX~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dam and reservoir, pump and sprinkler

b. Height of storage dam 10 feet, active reservoir capacity 10 acre feet; total reservoir capacity 10 acre feet, materials used in storage dam: earth fill
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 1,000.
8. Description of proposed uses:
a. If water is not for irrigation: N.A.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

13 1912

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
15S	39E	9															30	25	55
"	"	16	25																25

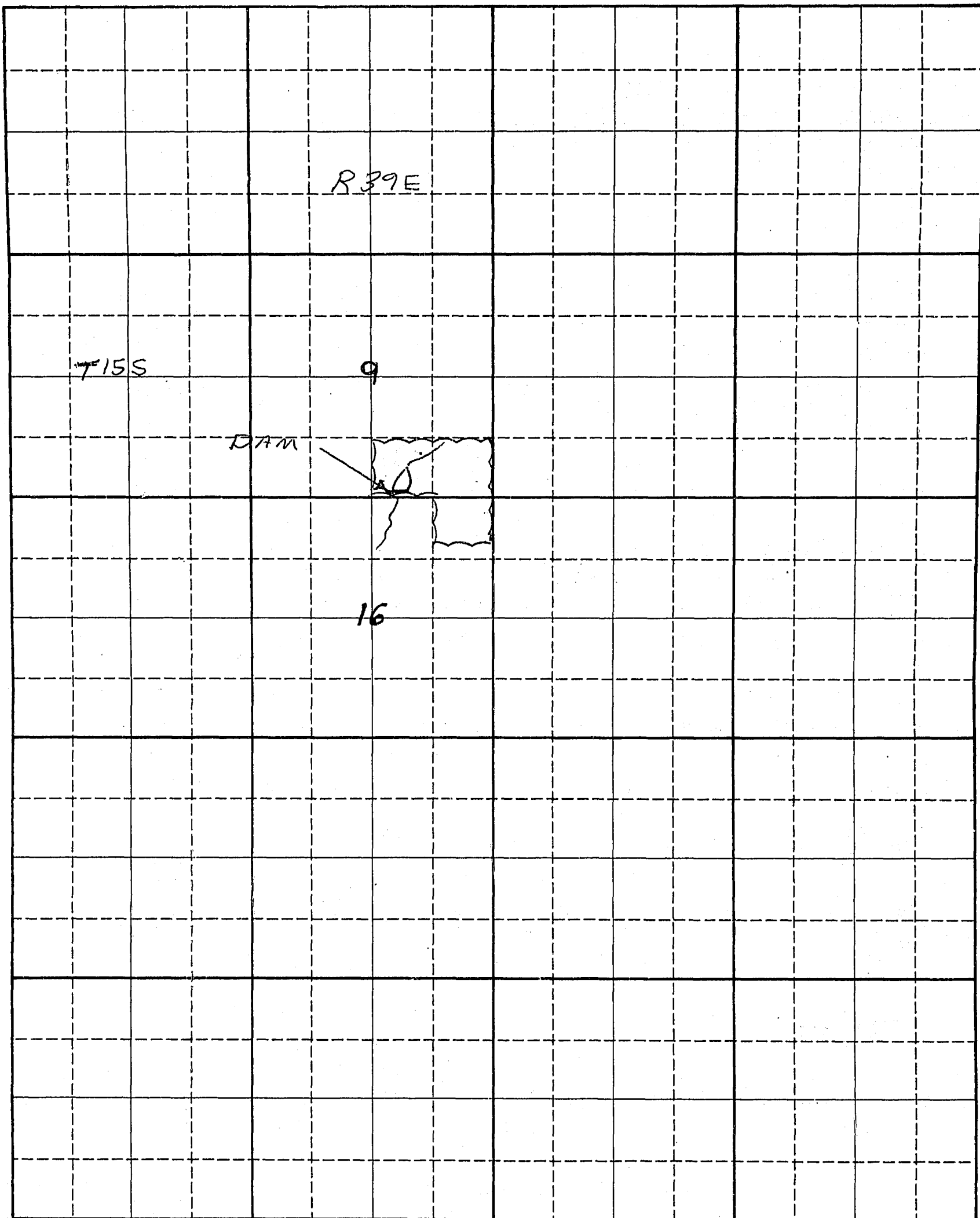
Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. Mink Creek Irrigation Co. water - 0.5 cfs

9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or place of use Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Mink Creek water is often unavailable
 1. Applicant desires to construct a reservoir to shorten distance water is moved from canal.
 2. Even out supply rate to allow pumping for sprinkler.
 3. To clean up property that is now swampy.

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



Scale: 2 inches equal 1 mile

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

William Arnet Hawkes
(Applicant)

13 7042

Proposed Priority 4/30/1973

Received by ha Date 4-30-73 Time 10:30 AM
Preliminary check by GF Fee \$ 25.00
Receipted by ha Date 4-30-73 Receipt # 7175
Publication prepared by ha Date 5-3-73
Published in Preston Citizen
Publication dates 5-10-73
Publication approved NCY Date 6/18/73
Priority reduced to 4/30/73 Reason Fee

Protests filed by: _____

• 13 704

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7042, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

2. Denial of said application is for the following reasons: _____

Witness my hand this 26th day of June, 1973.

L. Keith Higney
Director

No 2391

RECEIVED

MAY 31 1973

Department of Water Administration
Eastern District Office

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 *two* 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

May 10, 19 *73*, and ending

with the issue of *May 17*, 19 *73*.

Fees, \$ *13.58*

Subscribed and sworn to before me this *30* day

of *May*, 19 *73*.

Debra D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that William Ariel Hawkes, Route 2, Preston, Idaho has on 4-30-73 submitted Application No. 13-7042 for a permit to appropriate 1.0 cubic feet per second of water from unnamed springs and surface runoff by means of dam, reservoir, pump and sprinkler within the SW 1/4, Sec. 9, T. 15S, R. 39E, B.M., Franklin County, approximately 2 miles NW of Preston; to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the S 1/2 SE 1/4, Sec. 9, NE 1/4 NE 1/4, Sec. 16, T. 15S, R. 39E, B.M. The reservoir will be filled from Jan. 1 to Dec. 31.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before May 29, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on May 10 and May 17, 1973.

Legal No. 2391—Pub, May 10, 17, 1973.

13 7042

April 16, 1973

Mr. William Ariel Hawkes
Route #2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

We are returning your application for permit to appropriate water in Franklin County. The application appears to be in proper form and would be acceptable for processing if accompanied by the required filing fee of \$25. Please return the application with the required fee to this office for processing.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

Encl: app. for per.

13 7042

April 30, 1973

Mr. William Ariel Hawkes
Route #2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

Attached herewith is departmental receipt No. 7175 in the amount of \$25 for your application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

13 7042

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William Ariel Hawkes, Route 2, Preston,
Idaho
has on 4-30-73 submitted Application No. 13-7042
for a permit to appropriate 1.0 cubic feet per second ~~acres feet per annum~~
of water from unnamed springs and surface runoff
by means of dam, reservoir, pump and sprinkler
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E, B.M., Franklin County, approximately
2 miles NW of Preston;

to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$,
~~for~~ Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 15S, R. 39E, B.M. The reservoir will be filled
from Jan. 1 to Dec. 31
~~within the~~

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before
May 29, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho
on May 10 and May 17, 1973

13 7042

JA

May 3, 1973

Re: Application No. 13-7042 - William Ariel Hawkes

Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

RICHARD M. TURNIPSEED
Water Resource Administrator

Bill submitted _____ by _____

RMT:BA
Enc: Legal notice

13 7042

NOTICE TO THE PUBLIC

NOTICE TO THE PUBLIC

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that William Ariel Hawkes, Route 2, Preston, Idaho has on 4-30-73 submitted Application No. 13-7042 for a permit to appropriate 1.0 cubic feet per second of water from unnamed springs and surface runoff by means of dam, reservoir, pump and sprinkler within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 15S, R. 39E, B.M., Franklin County, approximately 2 miles NW of Preston; to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 15S, R. 39E, B.M. The reservoir will be filled from Jan. 1 to Dec. 31.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before May 29, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on May 10 and May 17, 1973.

Legal No. 2391 — Pub. May 10, 17, 1973.

13 7042

RECEIVED 10 10 1973
FOR 11
BUREAU OF REVENUE

NOTICE TO THE PUBLIC

NOTICE TO THE PUBLIC

May 29, 1973

RE: Application No. 13-7042 - William Ariel Hawkes

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above reference application. The legal notice was to have been published in your paper on May 10 and May 17, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7042

Application No. 13-7042

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☒ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

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

☐ The proposed well shall not be drilled within _____ feet of another well.

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

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

13-7042

June 27, 1973

Re: Permit No. 13-7042

**William Ariel Hawkes
Route #2, Box 315
Preston, Idaho 83263**

Dear Mr. Hawkes:

Enclosed is a copy of your approved Application for Permit No. *13-7042*. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

13 7042

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JF</u>	<u>4/30/73</u>	Application No. <u>13-7042</u> Name <u>Wm R. Hawkes</u>
(2)	<u>JF</u>	<u>"</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>"</u>	<u>"</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>JF</u>	<u>4/30/73</u>	In form for advertising <u>Yes</u>
(6)	<u>mb</u>		Affidavit of Publication received <u>5-31-73</u>
(7)	<u>mb</u>	<u>5-29-73</u>	Final date for protests <u>5-29-73</u> Protests received: yes <u> </u> no <u>X</u>
(8)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(9)	<u>JF</u>	<u>4/30</u>	Located within Water District No. <u>13</u>
(10)	<u>N/A</u>		Critical groundwater area: yes <u> </u> no <u> </u>
(11)	<u>N/A</u>		Groundwater levels: ☐ Decline (comment) <u> </u> ☐ Stable (comment) <u> </u> ☐ Increasing (comment) <u> </u>
(12)	<u>JF</u>	<u>4/30/73</u>	Comments: <u>Records check reveals no conflicting surface rights for place of use</u>
(13)	<u>NCY</u>	<u>6/12/73</u>	Action recommended: ☒ Approve Priority <u>4/30/73</u> ☐ Deny Reason for Reduction <u>Fee</u> <u>"</u> <u>"</u> (See attached sheet for conditions of approval <u> </u> <u> </u> No conditions for approval
(14)			District <u>E</u> By <u>NCY</u> Date <u>6/12/73</u> Title <u>D. RECEIVED</u>

13 7042

JUN 21 1973

Department of Water Administration

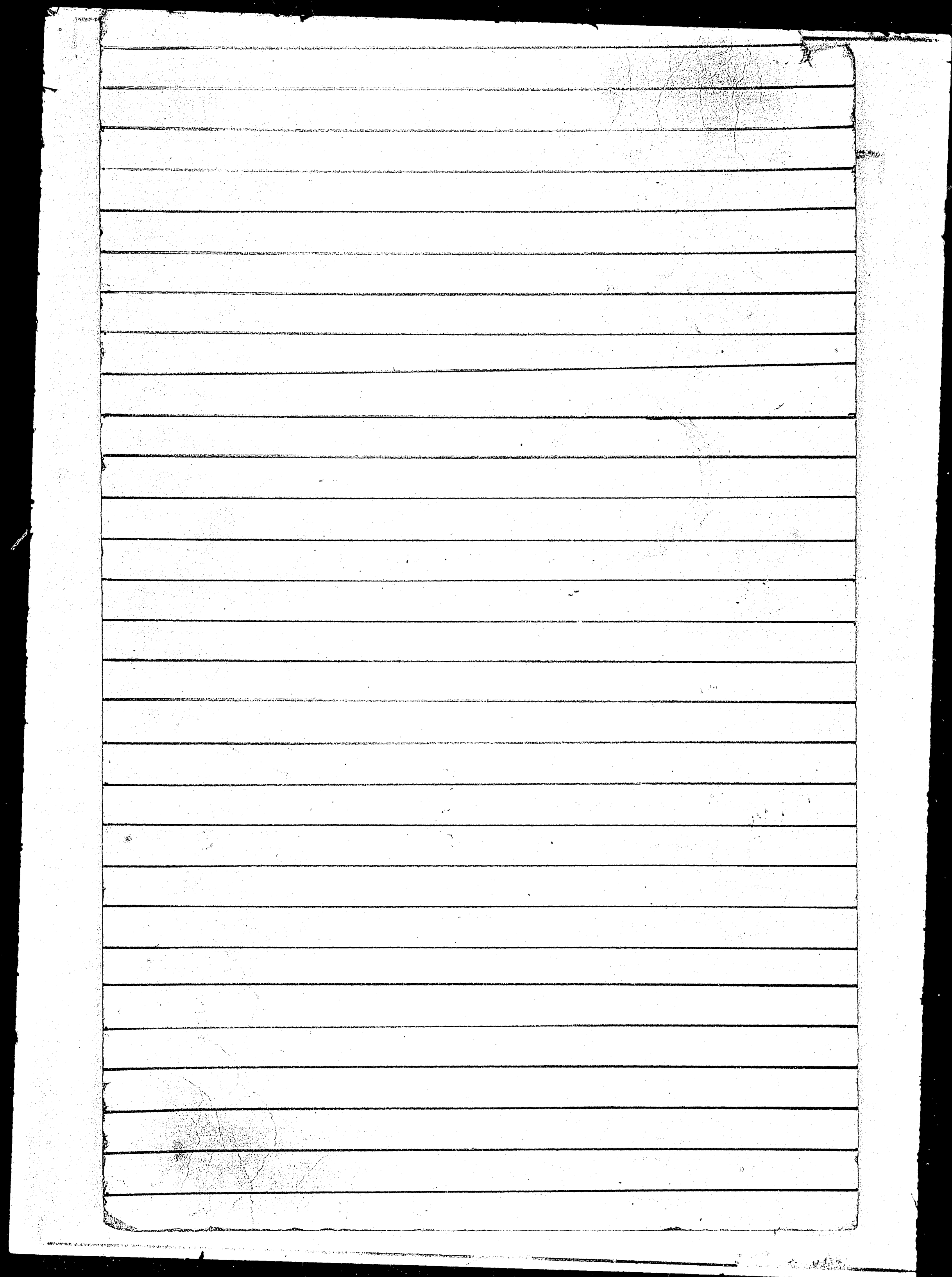
DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JF</u>	<u>4/30/73</u>	Application No. <u>13-7042</u> Name <u>Wm R. Hawkes</u>
(2)	<u>JF</u>	<u>"</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>"</u>	<u>"</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>JF</u>	<u>4/30/73</u>	In form for advertising <u>Yes</u>
(6)	<u>mb</u>	<u>"</u>	Affidavit of Publication received <u>5-31-73</u>
(7)	<u>mb</u>	<u>5-29-73</u>	Final date for protests <u>5-29-73</u> Protests received: yes <u>"</u> no <u>X</u>
(8)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(9)	<u>JF</u>	<u>4/30</u>	Located within Water District No. <u>13</u>
(10)	<u>N/A</u>	<u>"</u>	Critical groundwater area: yes <u>"</u> no <u>"</u>
(11)	<u>N/A</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) <u>"</u> ☐ Stable (comment) <u>"</u> ☐ Increasing (comment) <u>"</u>
(12)	<u>JF</u>	<u>4/30/73</u>	Comments: <u>Records check reveals no conflicting surface rights for place of use</u>
(13)	<u>NCY</u>	<u>6/12/73</u>	Action recommended: ☒ Approve Priority <u>4/30/73</u> ☐ Deny Reason for Reduction <u>Fee</u> <u>"</u> <u>"</u> <u>See attached sheet for conditions of approval</u> <u>"</u> <u>"</u> <u>No conditions for approval</u>
(14)	<u>"</u>	<u>"</u>	District <u>E</u> By <u>NCY</u> Date <u>6/12/73</u> Title <u>D. RECEIVED</u>

13 7042

JUN 21 1973

Department of Water Administration



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 13-7042
IN THE NAME OF WILLIAM ARIEL HAWKES

ORDER

WHEREAS, on April 30, 1973, William Ariel Hawkes applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.00 cubic per second of water from unnamed springs and surface runoff tributary to Bear River within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 15S, Rge. 39E, B.M., Franklin County, to be used for storage for irrigation, diversion to storage and diversion from storage purposes; and,

WHEREAS, on June 26, 1973, the Department approved said application and issued Permit No. 13-7042 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1978; and,

WHEREAS, notice was not given to the permit holder 60 days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS, THEREFORE, HEREBY ORDERED THAT the time within which to submit proof of beneficial use of water under Permit No. 13-7042 be extended to October 1, 1978.

Dated this 25th day of July, 1978.


L. GLEN SAXTON

Chief, Operations Bureau

138904

July 31, 1978

Re: Permit No. 13-7042

William Ariel Hawkes
Route 2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

Enclosed is an Order that extends the proof of beneficial use date for your permit to October 1, 1978. The Department did not send a proof due notice 60 days prior to June 1, the date indicated on the fourth page of your permit, so to adjust for our error the enclosed order extends your proof of beneficial use date. Also enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

Sincerely,

RITA FLECK
Water Rights

Enc. Proof affidavit
Order

Identification No. _____

Permit No. 13-7042

RECEIVED
SEP 22 1978

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder William Ariel Hawkes
b) Post Office Address Route #2, Box 315, Preston, Idaho phone 852-1300
2. Permit Number 13-7042
3. Date of Priority that you are prepared to establish April 30, 1973
4. a) Source from which water was appropriated Unnamed springs, surface run-off, Mink Creek Canal Co.
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 9
Township 15S, Range 39E, Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
Amount 10 acre-feet for irrigation purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 1.0 cfs for diversion to storage purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
diversion from storage
Amount 1.0 cfs for to irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated approximately 240 acre-feet during a good water year.
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Rate of flow determined by Mink Creek Canal Co. personnel through Parshall flumes. Company watermaster superintended measurements. There has been practically no surface run-off during the five year period, 1973 through 1978.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

- a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
For about 160 feet the diversion ditch crosses a neighbors field. He allowed the placement of a concrete ditch through his field for this diversion.
b) Describe the agreement or understanding by which you take water from the works: Private agreement with neighbor as noted in section 6 a.

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Water runs from the canal through a headgate and then through a small ditch to our reservoir. Parshall flume is used for measuring. A 25 hp. electric motor driven pump lifts the water from the reservoir about 4 to 10 feet and into the sprinkler system and the lateral lines.

- b) Describe the type and size of measuring device which you have installed at your point of diversion: The Canal Company has provided a 9 inch Parshall flume for our diversion ditch. They also have 24 inch Parshall flumes in the main canal to monitor and help control water distribution in the system.

- c) Give well driller's name and address and the date the well was completed: No well.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: None.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____
Lands irrigated with the water impounded are described in the chart below.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	39E	9															30	25	55
"	"	16	25																25

Total number of acres irrigated 80

10. Remarks: 1.0 cfs water is owned by applicant in Mink Creek Canal Co. and/or
rented annually from the Preston-Whitney Canal Co. This water system served
by the reservoir and dam has greatly improved the productivity of the land
involved. Much of the land was practically unfarmable prior to installation
of the system due to the difficulty involved in getting water on it.

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

9/18/78

(Date)

x *Wm. A. Harkness*
(Signature)

State of Idaho)

) ss.

County of Franklin)

On this 18 day of Sept. 1978, 19____, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Paul S. Simpson
Notary Public residing at Preston, Idaho

My commission expires 3/4/82



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 3, 1978

William Ariel Hawkes
Route 2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

Re: Permit No. 13-7042

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

If you have any questions regarding the field examination, please contact our regional office in Idaho Falls.

Sincerely,

RITA FLECK
Water Rights

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7042 Priority April 30, 1973 Amount 6.0 acre feet

THIS IS TO CERTIFY, that William Ariel Hawkes
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7042 issued pursuant to Application for Permit dated April 30, 1973,
and has submitted proof to the Department of Water Resources on September 22, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the ~~diversion~~ ^{storage} of 6 acre feet of water from springs,
tributary to Bear River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for	from <u>January 1</u> to <u>December 31</u> at <u>--</u>	<u>--</u> cfs and <u>6 acre feet</u>	
Irrigation	from <u>April 1</u> to <u>November 1</u> at <u>--</u>	<u>--</u> cfs and <u>6 acre feet</u>	
Irrigation from storage	from <u>from</u> to <u>at</u>	<u>--</u> cfs and <u>--</u>	

(both dates inclusive)

Subject, however, to the condition that no more than --- of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Twp.
15S, Rge. 39E in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
15S	39E	9																25	21	46
		16	14																	14

Total number of acres irrigated 60

Use of water under this license is subject to control by the watermaster of
State Water District No. 11, Bear River.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 31ST day of
October, 1981.

Acting for the Director

Norman C Young

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 11/23/81

TO File

SUBJECT

This license may be subject
to change - Field exam returned
to region - see file

SIGNATURE



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

October 13, 1981

RE: Permit No. 13-7042

William Ariel Hawkes
Route #2, Box 815
Preston, ID 83263

Dear Mr. Hawkes:

A representative of this Department has made an examination of the works covered by your Permit No. 13-7042, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 6 acre feet Source: springs tributary to Bear River

The maximum quantity diverted shall not exceed 6.0 acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 15S, Rge. 39E, Franklin County

Beneficial use: Irrigation storage and Irrigation from storage within the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; Twp. 15S, Rge. 39E

Priority date established: April 30, 1973

Conditions (if any): Use of water under this license is subject to control
by the watermaster of State Water District No. 11, Bear River.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

November 19, 1981

RE: Permit No. 13-7042

William Ariel Hawkes
Route #2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", is written over the typed name.

JIM JOHNSON
Water Distribution Supervisor

Enclosure

CONVERSATION MEMORANDUM

DATE 11/23/81

FILE 13-7042

NAME OF PARTY VAUGHN HAWKES - PH 785-2424

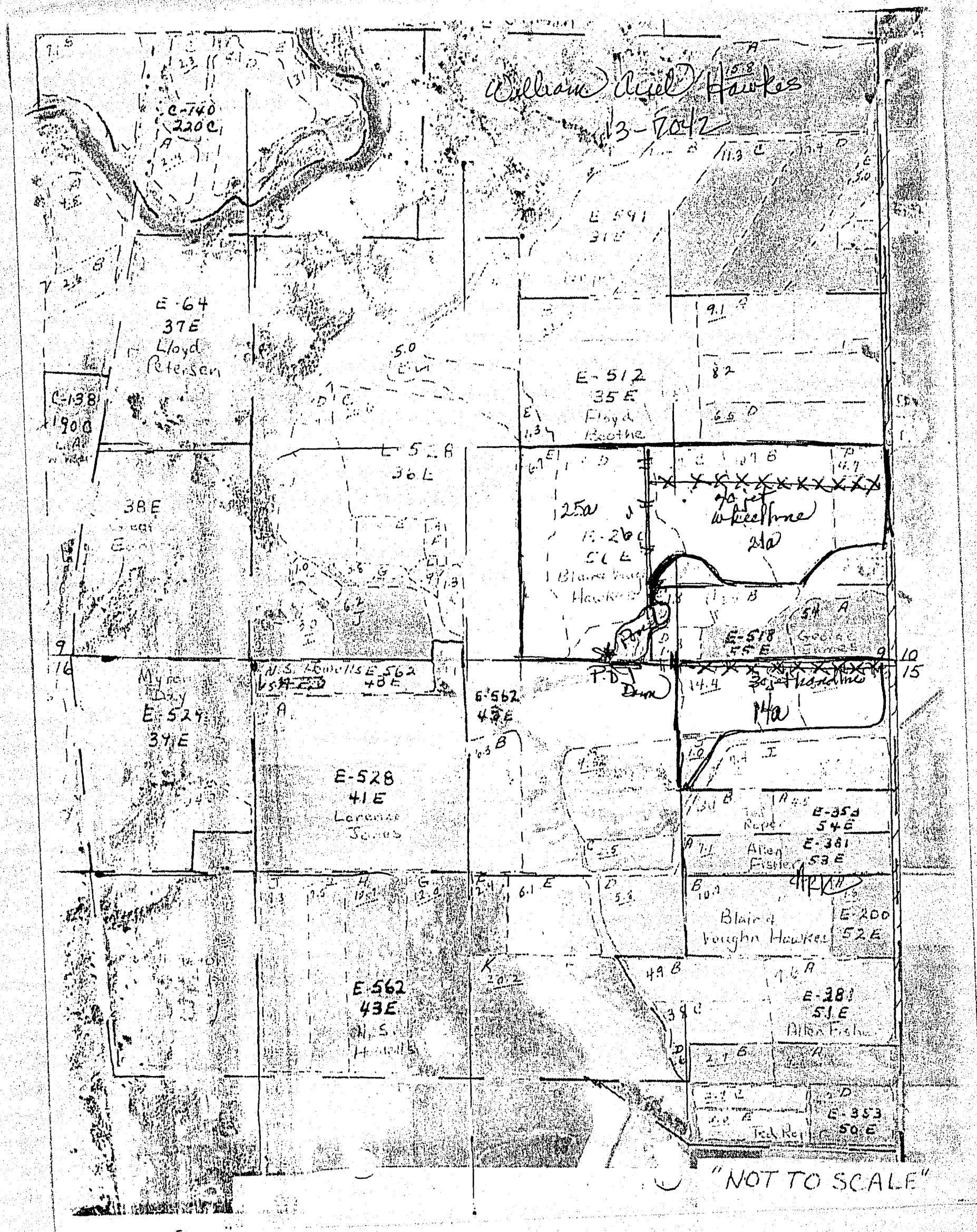
EMPLOYEE JIM JOHNSON

RE: MR. HAWKES CALLED TO INFORM US
OF AN ERROR FOUND ON THE LICENSE.

The acres irrigated should be 79
rather than 60.

He felt the field examiner missed
a part of the land lying south
of the irrigation ditch which is
irrigated by hand line sprinklers.

Mr. Hawkes said that the
letter we sent to him on Oct 13
1981 did not contain the acres
so therefore he did not respond.
since.



Pilot tube measurement

46
5/32

40' jet
whirl line

32
5/32

$$\text{Avg psi/jet} = 39$$

$$\text{Avg gpm/jet} = 5.42 \text{ gpm}$$

$$5.42 \times 40 = 216.80 \text{ gpm}$$

Point of
diversion

42
1/4

30' jet
hand line

28
13/64

$$\text{Avg gpm/jet} = 6.12$$

$$6.12 \times 30 = 183.60 \text{ gpm}$$

Q total

$$\begin{array}{r} 216.80 \\ 183.60 \\ \hline 400.40 \text{ (gpm)} \end{array} \div 448.8 \text{ gpm/cfs} = .89 \text{ cfs}$$

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

Accepted
Oct-10, 1978

1. Name of permit holder William Ariel Hawkes
Post office address Rt 2 Box 315, Preston, Id Phone 852-1300
Person to contact Vaughn Hawkes Phone 785-3243
2. Source of water supply: Groundwater ☐ Surface water ☒ surface runoff
unnamed spring
Mink Creek
canal water
tributary to Bear River
3. Water will be used for the following purposes:
Amount 10 c.f.s. for storage for irrigation
AF/Annum (nature of use)
Period of Use: from Jan 1 to Dec 31
(mo.-day) inclusive (mo.-day)
Amount 1.00 c.f.s. for diversion to storage
AF/Annum (nature of use)
Period of Use: from Jan 1 to Dec 31
(mo.-day) inclusive (mo.-day)
Amount 1.00 c.f.s. for diversion from storage for irrig
AF/Annum (nature of use)
Period of Use: from April 1 to Nov 1
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 155 N/S, Range 34E E/W, B.M., Section 9, Subdivision SW 1/4 SE 1/4 Franklin
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: Water runs from Mink Creek (canal) thru a
headgate and then thru a small ditch to reservoir,
parallel flume, a 25 H.P. electric motor, sprinkler system

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
155	34E	9															30	25	55
155	34E	16	25																25

TOTAL ACREAGE

80

Permit No. 13-7242
Examination for b/c

Rge 39E

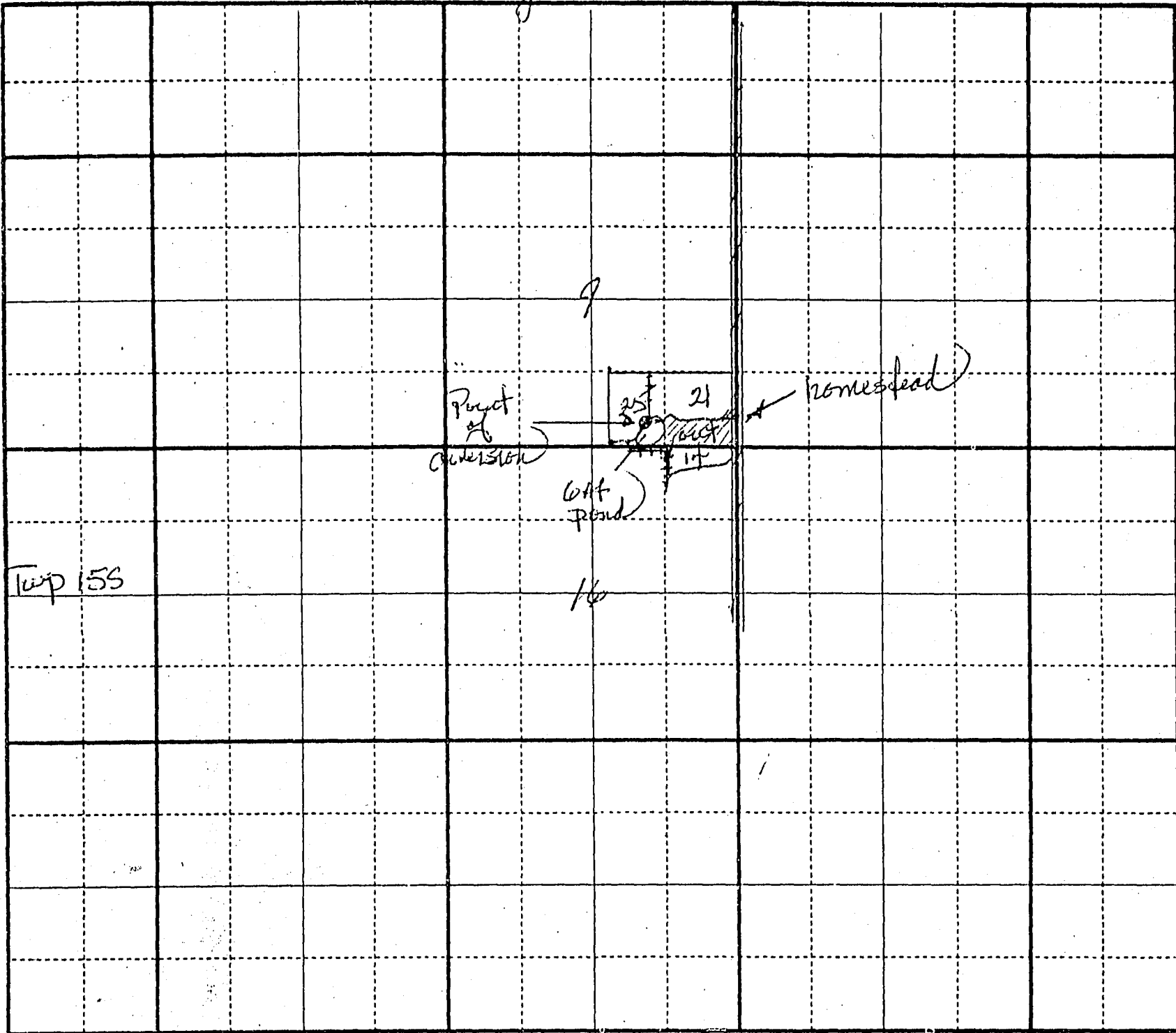
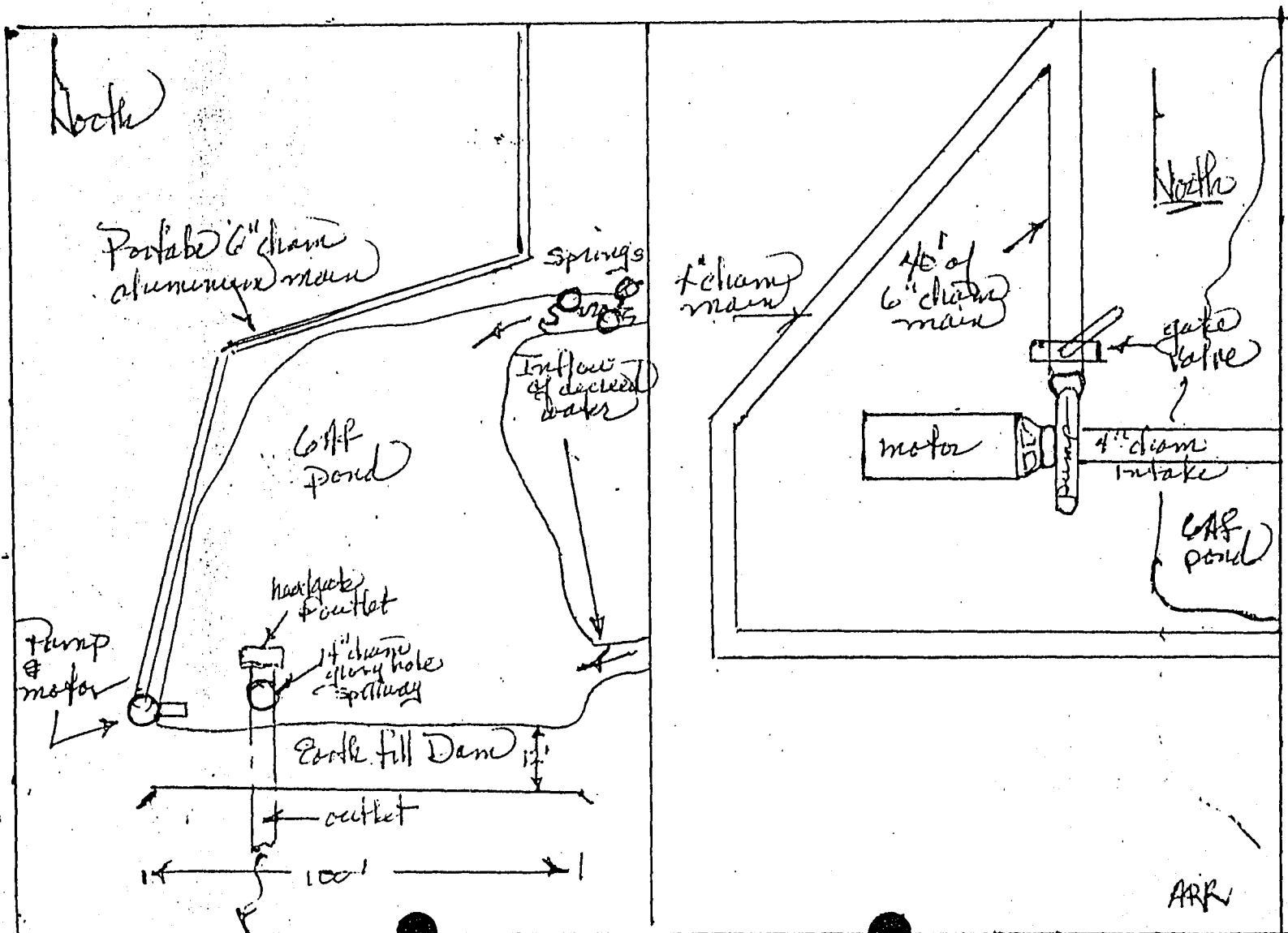


Diagram of System



DATE OF EXAM 8th day of June, 1979

ACREAGE
Found (wa) ✓
Recommended (wa)

Irrigation Requirement 3.5 Ac Ft/Ac ✓

USE

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
GAF storage for irrigation 1-1 to 12-31 ✓
GAF irrigation from storage 1-1 to 11-1 ✓

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 89 cfs * diverted from storage Method of measurement Pilot tube ✓

Total Q recommended none Meter No. HR-111 Type Marshall Condition std

Total V recommended GAF pilot tube

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

* measurement of decreed water diversion - see reverse side for ✓
pilot tube measurement. Q = 89 cfs
size of pond - 180' wide x 400' long x 3' deep = 5.7 AF

SYSTEM DESCRIPTION:

Surface water from runoff and unnamed springs is collected in a GAF ✓
pond and redirected into a sprinkler system for the irrigation of GAF
of land. The water is diverted by a 25 H.P. Century Horizontal pump motor
#6-321220-01 2561CZ and by a Berkeley centrifugal pump # H.689 GW. Acreage
is irrigated by 1-40 jet wellline and 1-30 jet handline.

REMARKS:

System described by the permit holder.
* The permit holder's decreed water is not stored. The pond fills one ✓
time from runoff and contributing springs. During the irrigation
season when the permit holder's decreed right is on, the level of water
in the pond is maintained because the amt. of decreed water diverted
into the pond is equivalent to the amt. of water diverted from the pond.

Examiner's Signature Anthony R. Kozlowski Date 1-24-80

Checked by John D. Corbo Date 3/31/80

Approved by John Date 10/5/81

NO OTHER STORAGE RIGHT FOUND ON P/4 MICRO FISH

INTER-DEPARTMENT MEMO — 1

FROM Robyn

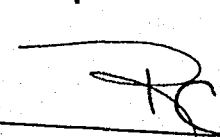
DATE 10/21/82

TO File 13-7042

SUBJECT

RE: Re Exam

I talked to Skip today & he has completed the reexam, but is still in the process of writing up the report. He said he found 67 acres.


SIGNATURE

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

License of Water Right No. 13-7042 Priority April 30, 1973 Amount 6.0 acre feet

THIS IS TO CERTIFY, that William Ariel Hawkes
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7042 issued pursuant to Application for Permit dated April 30, 1973,
and has submitted proof to the Department of Water Resources on September 22, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
storage capacity for the ~~XXXXXX~~ 6.0 acre feet of water from springs,
tributary to Bear River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for Irrigation from	January 1 to December 31	at <u>n/a</u> cfs and	<u>6.0 acre feet</u>
Irrigation from Storage	from April 1 to November 1	at <u>n/a</u> cfs and	<u>6.0 acre feet</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than n/a of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9
Twp 15S, Rge 39E in the County of Franklin

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 $\frac{1}{4}$	
15S	39E	9															25	21	46
		16																	21

Total number of acres irrigated 67

Use of water under this license is subject to control by the watermaster of
State Water District No. 11, Bear River.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of

JUNE, 19 84.

Director

DICT

13-7042

Re-Exam

HWS

F-10 Lo

B
31.4

E-353

35E

Ted Roper

36.3

E-200

56E

B18

B
9.6

C 4.6

B 3.3

E 5.8

55E

A 5.4

out

George James

E
7.3

E-353

54E

Roper

F10 Lo

E-562

43E

N. Snowell

Form 219
12/79

RECEIVED
APR 2 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

Re-Exam;
(Place of use, only)

13-7042

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date July 1982 Accompanied by NA Total Q measured _____
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets Permit requirements? _____

Measurement calculations:

Re-Exam request was to see
if more acres irrigated than
original exam found

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description _____

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO

Remarks Total extra acreage found irrigated over original exam was
7 additional acres in the NE NE Sect. 16 T15S R39E

[illegible]

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

Point(s) of diversion: SW 1/4 SE Sect. 9 T15S R39E

[illegible]

Total 67

☐ Other

Date 4-30-84

amend license per memo of 11/23/81.

State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

June 5, 1984

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

RE: Permit No. 13-7042 (Amended License)

William Ariel Hawkes
Rt. 2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

A representative of this Department has made ~~an examination~~ ^{a re-examination} of the works covered by your Permit No. 13-7042, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 6.0 acre feet Source: springs trib to Bear River

The maximum quantity diverted shall not exceed 6.0 acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp 15S, Rge 39E

Beneficial Use: Storage for irrigation and irrigation from storage of
25 acres within SW $\frac{1}{4}$ SE $\frac{1}{4}$, 21 acres within SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9 and 21 acres within
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp 15S, Rge 39E
Priority date established: April 30, 1973

Conditions (if any): Use of water under this license is subject to control by the watermaster of State Water District No. 11, Bear River.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

July 18, 1984

RE: Permit No. 13-7042

William Ariel Hawkes
Rt. 2, Box 315
Preston, ID 83263

Dear Mr. Hawkes:

Enclosed herewith is a copy of your amended Water Right License on the above referenced permit. This license was amended to increase the number of acres irrigated from 60 to 67.

Should you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure