

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-13392

PRIORITY: July 12, 1992

Maximum Diversion Rate: 0.09 CFS

It is hereby certified that:

SHIRLEY C HOVEN
9966 E HAWAII PL
DENVER CO 80231

And/Or

TINA MARIE HOVEN
PO BOX 300
GARDEN VALLEY ID 83622

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 12, 1992, and has submitted Proof of Beneficial Use on December 31, 2008. An examination confirms water is diverted from:

SOURCE:
DODGE CREEK

TRIBUTARY:
SOUTH FORK PAYETTE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 10/31	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

DODGE CREEK SW¼SW¼ Sec. 1, Twp 08N, Rge 05E, B.M. BOISE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	05E	1										1.5 L 6	1.5						3.0

Total Acres: 3

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2. Rights 65-13392 and 65-13963 when combined shall not exceed the irrigation of 3.0 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.

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4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
6. Place of use is located within Lot 25 and Lot 1, Blk 1, Payette River Heights Subdivision.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Water shall not be diverted under this right when flows in the South Fork Payette River are below established minimum flow amounts.
9. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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

Signed this 8th day of February, 2019.

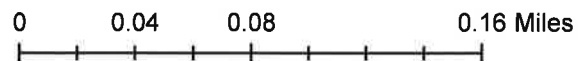
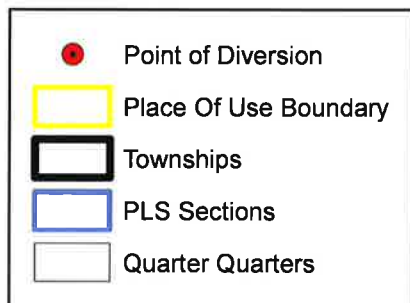
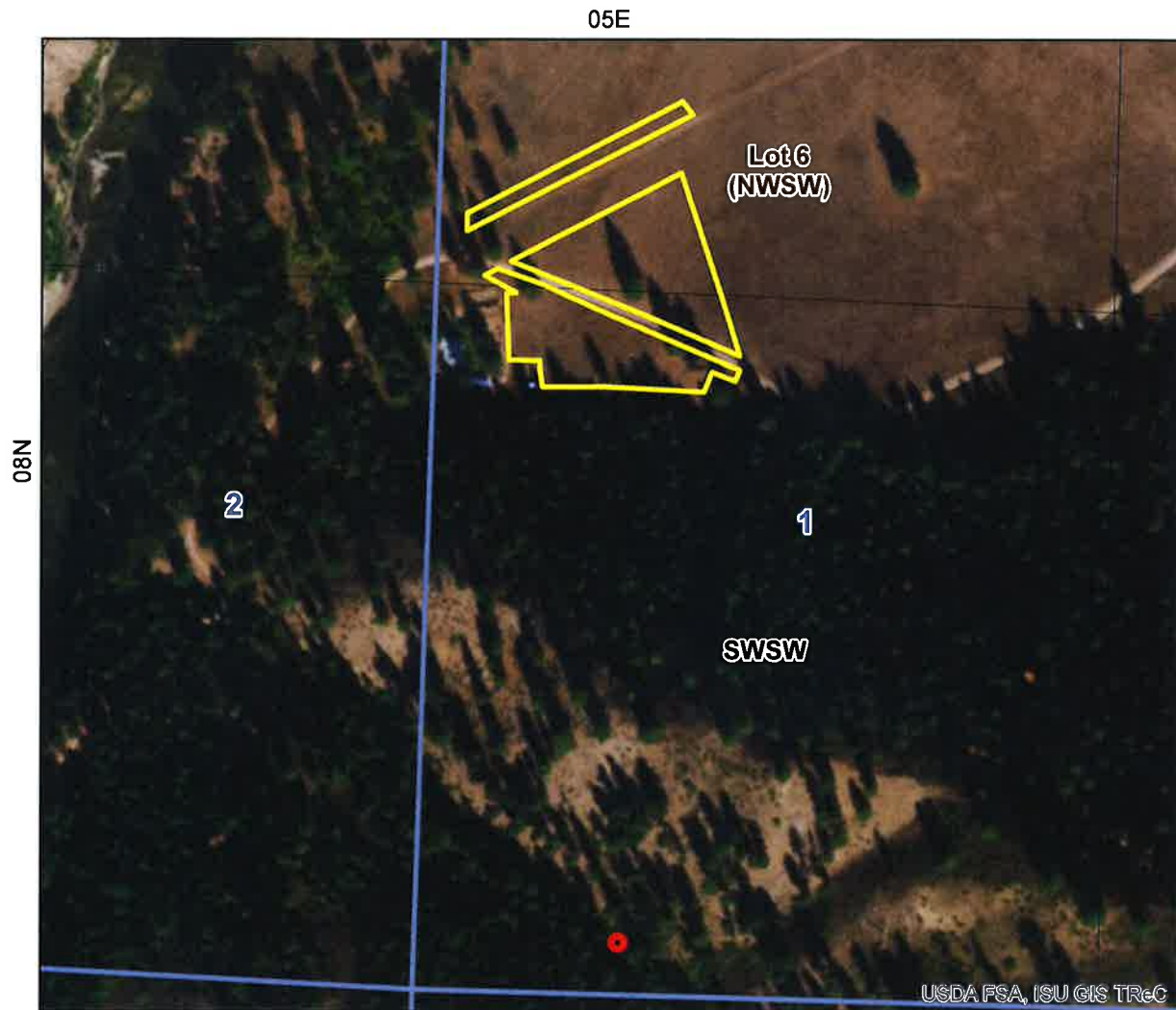


NICK MILLER
Western Regional Manager

State of Idaho
Department of Water Resources

Attachment to Water Right License 65-13392

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 08, 2019

SHIRLEY C HOVEN
9966 E HAWAII PL
DENVER CO 80231

TINA MARIE HOVEN
PO BOX 300
GARDEN VALLEY ID 83622

RE: License No. 65-13392

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Anna Kaiser

Anna Kaiser

For Nick Miller
Engineer, Manager 2

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on February 08, 2019, I served a true and correct copy of Water Right License No. 65-13392 by U.S. Mail, postage prepaid, to the following:

SHIRLEY C HOVEN (Current Owner)
9966 E HAWAII PL
DENVER CO 80231

TINA MARIE HOVEN (Current Owner)
PO BOX 300
GARDEN VALLEY ID 83622

WATER DISTRICT #65
RON SHURTLEFF (Watermaster)
102 N MAIN ST
PAYETTE ID 83661



Anna Kaiser
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

10/01/2018

TINA MARIE HOVEN
PO BOX 300
GARDEN VALLEY ID 83622

Re: Field Examinations for Permit No. 63-13392, 63-13963, and 63-22976

Dear Permit Holder:

On June 6, 2018 you indicated the diversion works for the above mentioned permits will be made available for examination by IDWR staff. This letter serves as a reminder that IDWR will take action to void these permits if a field examination is not conducted on or before October 15, 2018. Please contact this office to schedule the field examination.

Sincerely,

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Phone: (208) 334-2190
Fax: (208) 334-2348
Email: phill.hummer@idwr.idaho.gov



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

07/19/2018

TINA MARIE HOVEN
PO BOX 300
GARDEN VALLEY ID 83622

Re: Fax Received June 6, 2018 in Reference to Permit Nos. 65-13392, 65-13963, and 65-22976

Dear Applicant:

The department received your fax on June 6, 2018. In the fax you indicated the points of diversion and places of use for permit nos. 65-13392, 65-13963, and 65-22976 will be made available for examination by October 15, 2018. A field examination to confirm development of a beneficial use of water under these permits *will* be conducted on October 15, 2018 unless you are able to coordinate access sooner. If a field examination of the above mentioned permits can not be conducted they will become void.

Sincerely,

Phill Hummer
Water Resource Agent, Sr.
Idaho Department of Water Resources
Phone: (208) 334-2190
Email: phill.hummer@idwr.idaho.gov

FACSIMILE COVER SHEET

To: IDAHO DEPARTMENT OF WATER RESOURCES

Company: ATT: NICK MILLER

Phone: _____

FAX: 208-334-2348

From: TINA MARIE HOVEN

Garden Valley District Library

Phone: 208-462-3317

FAX: 208-462-4418

Date: JUNE 7, 2018

Pages including this cover sheet: _____

Comments: WATER PERMIT NUMBERS #

65-13392

65-13963

65-22976

June 6, 2018

Idaho Department of Water Resources

Att: Nick Miller

2735 Airport Way

Boise, Idaho 83705-5082

Dear Nick and other Interested Parties;

Reference to Water Right Permit Numbers :

65-13392

65-13963

65-22976

I will to the best of my ability provide proof of beneficial use by a Department field examination by the date of October 15 , 2018 or sooner. I will confirm 2 weeks prior to this date or a sooner date to allow the Department enough scheduling time to complete this examination.

Also enclosed is a letter sent to the Bureau of Reclamation to gain the evidence needed to provide the proof of beneficial use for the permit # 65-22976. I will forward to the Department all response letters from them, The Department of the Interior and all other Federal Agencies involved.

Sincerely;

A handwritten signature in cursive script, reading "Tina Marie Hoven".

Tina Marie Hoven

June 5, 2018

Bureau Of Reclamation

Lanie Paquin- Deputy Area Manager

230 Collins Road

Boise, Idaho 83702

Dear Lanie;

Enclosed is some information per our conversation on May 25, 2018 at 2:30 pm. My original FOIA request letter was stolen with the many break-ins but the response letter proves I did submit a request. Individuals in Government Intelligence have come forward and informed me that Jerry Gregg, Gail McGarry and Rob Daniels of Idaho Power were involved in orchestrating the underground conduit power system that is trespassing on my land. Many people are coming forward to help me resolve this issue and I need to prove a beneficial water right to The Idaho Department of Water Resources. I was told the power system was running a Gold dredge and a pump system for oil and gas, which with the fracking done is also on my property. I need all the government entities and private companies to come forward and work with me on this difficult and frustrating situation and to get a lease agreement finalized. To complete this investigation I need access to the tunnel opening and to document where my land was dynamited and the water was diverted. Should this option not be favorable I will have to move forward to uphold the law and gain help from Attorneys and Media to resolve this problem. This is not in everyone's best interest. My contact number is 208-489-6622. This is a Voicemail system for messages only. I hope to talk with you soon,

Sincerely;

A handwritten signature in cursive script that reads "Tina Marie Hoven". The signature is written in dark ink and is positioned above the printed name.

Tina Marie Hoven

Hello;

April 6, 2017

RECEIVED
APR 10 2017
WATER RESOURCES
WESTERN REGION

I SENT A LETTER LAST WEEK
WITH A NEW PHONE NUMBER.

ONCE AGAIN I GOT HACKED SO
I SET UP A COMPUTER GENERATED
VOICEMAIL SYSTEM THAT I
CAN RETRIEVE MY MESSAGES
FROM: THE NUMBER IS

208-489-6622

WATER PERMITS NUMBERS ARE:

65-13963

65-08992

65-13392

65-22976

SUPPORT DATA

IN FILE # 65-8992

This phone number is the only one
needed on these permits. Thank you

Tina Marie Hoven

TINA MARIE HOVEN

RECEIVED

March 29, 2017

MAR 30 2017

Hello:

WATER RESOURCES
WESTERN REGION

Please update my water rights
and pending water rights
with my new phone number.

My address has not changed-

65-13963

65-08992

65-13392

65-22976

Invalid per letter
received 4/10/17
-CJ

new number : 208-781-0348

Thank you

Tina Marie Hoven

Tina MARIE HOVEN