

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22852

Priority: December 10, 2003

Maximum Diversion Volume: 1.0 AF

This is to certify, that BRUCE F HEDGE And/Or JANET L HEDGE
5801 PEACHTREE ST
BOISE ID 83703

have applied for a permit to appropriate water from:

Source: UNNAMED STREAM **Tributary:** BROWNLEE CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31	1.0 AF
WILDLIFE STORAGE	01/01 to 12/31	1.0 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAM SW¼SE¼ Sec. 9, Twp 07N, Rge 02E, B.M., BOISE County

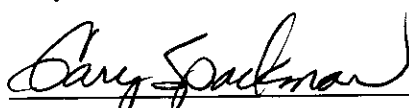
PLACE OF USE: STOCKWATER STORAGE & WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 02E 9																X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2005**.
2. Subject to all prior water rights.
3. Stockwater use is for 200 range cattle and 10 horses.
4. Project also known as Reservoir #4.
5. Use of water under this right will 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.
6. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of February, 2004.


Acting for KARL J DREHER, Director

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MAR 29 2004

FORM 202
12/99Ident. No. 05-22852

RECEIVED

FEB 18 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Bruce and/or Janet Hedge Phone (208) 859-4737
Mailing address 5801 Peachtree St., Boise, Id 83703
2. Source of water supply Spring & Runoff * which is a tributary of Brownlee Creek
3. Location of point of diversion is Township 7N Range 2E Sec. 9, in the Boise Co.,
SW 1/4, SE 1/4, Govt. Lot Boise B.M., Boise County;
additional points of diversion if any: 2 ponds, 1st from location
4. Water will be used for the following purposes:
Amount 1.0 0.5 for Stockwater storage purposes from 1-1 to 12-31 (both dates inclusive)
Amount 1.0 0.5 for Wildlife storage purposes from 1-1 to 12-31 (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) _____ and/or (b) 1.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Existing Pond with
5 ft Berm 240x80 with outlet culvert
b. Height of storage dam 5' feet; active reservoir capacity 0.5 acre-feet; total
reservoir capacity 1.0 acre-feet **
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. 100 PR CATTLE; 10 horses
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. Wildlife - Birds, deer, elk

* unnamed stream = runoff

** SEE Remarks & RESERVOIR REfill

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3. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	2E	9															SW		

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Interim State

65-22542, 65-22547

11. a. Who owns the property at the point of diversion? Bruce and Janet Hedge

b. Who owns the land to be irrigated or place of use? Bruce and Janet Hedge

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks:

CAPACITY of pond is 1/2 AF but filling on
1-0 AF. for potential Refill each year.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Janet L Hedge
Signature of Applicant (and title, if applicable)

Received by R Date 12/10/03 Time 4:10 Preliminary check by R
Fee \$ 100.00 Receipted by R # W031196 Date 12/10/03
Publication prepared by AR Date 1-7-04 Published in IDAHO WORLD
Publication approved AR Date 1-26-04

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MAR 29 2004

CONVERSATION MEMORANDUM

DATE 12/10/03
FILE _____

NAME OF PARTY Janet Hodge
EMPLOYEE JR

RE: 5 APPL. FOR Permit

Subm. #01 5 Appls. & office visit. *

Correction made during visit so considered
as endorsed by applicant.

Paid \$100 each with single check, Receipt W031176

HAS numerous instream stock rights, some for some
of same springs as applications

Follow up ✓ done 12/29/03

① let Applicant know once # assigned to each
Appl.

② id project name in Comments for each Appl -
SEE upper R. corner of each front page

③ note why "request to process" form N/A in
some cases

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④ State = 100 pr. content = 200
+ 10 horses = 210 total

* 6 B Appl. Rec'd 12/19/03 JWS:SW 513 P10 "Lower SW #7"

②

7N1E

7N2E

Hedge Ranch

60m CO
3015E 80

MAN 2 9 2003

BLM
387 AC

USGS
Survey
Marker

⑤

13

MONTOUR
2595

Peterson

2

18

Chicken Gulch

Gulch

South Mtn.

Peterson Gulch

Reservoir #4

no gov't title despite uneven
section lines

-56 12/22/03

65-22852

④

Reservoir

pto's
ptw
SW56

Reservoir #4

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 24, 2004

BRUCE F HEDGE
JANET L HEDGE
5801 PEACHTREE ST
BOISE ID 83703

RE: Permit No. 65-22852

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

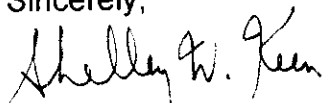
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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MAR 29 2004

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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MAR 29 2004

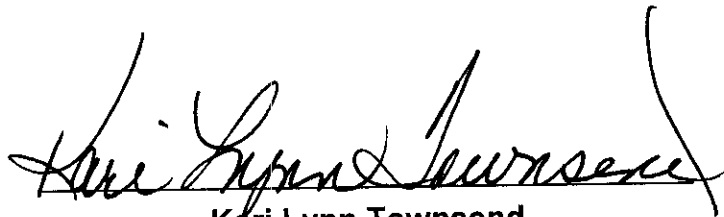
CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22852

BRUCE F HEDGE
JANET L HEDGE
5801 PEACHTREE ST
BOISE ID 83703



Kari Lynn Townsend
Secretary

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MAR 29 2004

**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. 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 issuance 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 ResourcesRECEIVED
FEB 09 2004
WATER RESOURCES
WESTERN REGION**RECOMMENDATION OF WATERMASTER**Application No: 65-22852Applicant's Name: Bruce and/or Janet Hedge

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows: _____

- c) ☐ I oppose approval of this application for the following reasons: _____

- d) Additional Comment: _____

Dated this 5th day of February, 2004

Water District No. 65


Ron Shurtleff, Watermaster

Use reverse side of page if you need more space.

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MAR 23 2004

HEDGE'S APPLICATIONS

SEPARATE SYSTEMS

SAME RANCH

EXAMINE TOGETHER IF DEVELOPED & PROOFS
OF B. U. ABOUT SAME TIME:

- 65-22821
- 65-22847
- 65-22849
- 65-22850
- 65-22851
- 65-22852

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MAR 29 2004

SL
2/3/04

Lester, Steve

From: Lester, Steve
Sent: Tuesday, February 03, 2004 12:31 PM
To: 'waterdist65@fmtc.com'
Subject: Watermaster Recommendations for Applications

Contacts: Shurtleff, Ron

Ron:

I am writing to ask for your recommendations for 3 new applications. Once we receive your comments, a final decision on the applications can be made. Comment letters/emails were sent to you a while ago on these.

The applications include Kuenzli Application for Transfer #70882 for right 65-7817, Coelho Application for Permit #65-22845 Hedge Application for Permit #65-22852.

Your earliest reply will be helpful. Email, fax or regular postal reply are equally welcome -- however you'd like to do it.

Thanks for your help.

Steve Lester
Water Rights Supervisor
IDWR Western Region
2735 Airport Way/Boise ID 83705
tel 208.334.2190
fax 208.334.2348

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MAR 29 2004
1

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

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JAN 20 2004

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

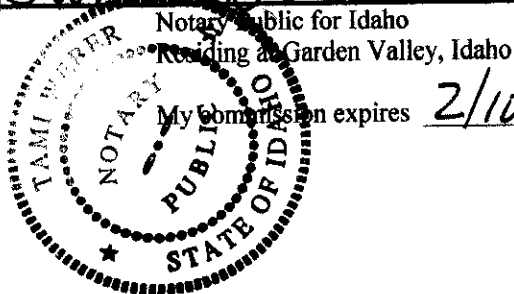
Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan 7, 2004 and ending with the issue of Jan 14, 2004.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 16 day of Jan in the year 2004, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Dreher



The following application(s) have been filed to appropriate the public waters of the State of Idaho:

BRUCE F HEDGE
5801 PEACHTREE ST
BOISE ID 83703
JANET L HEDGE
5801 PEACHTREE ST
BOISE ID 83703

Point(s) of Diversion	SWSE S9	T07N R02E	BOISE County
Source	UNNAMED STREAM		Tributary To BROWNLEE CREEK
Use:	STOCKWATER STORAGE	01/01 To 12/31	1 AFA
Use:	WILDLIFE STORAGE	01/01 To 12/31	1 AFA

Date Filed: 12/10/2003
Place Of Use: STOCKWATER STORAGE
T07N R02E S9 SWSE
Place Of Use: WILDLIFE STORAGE
T07N R02E S9 SWSE

Remark: Use is an existing development not already covered by a water right. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/26/2004. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in the Idaho World on January 7 and 14, 2004.

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MAR 29 2004

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Wednesday, December 31, 2003 10:29 AM
To: 'leitzin@IDFG.STATE.ID.US'
Cc: Kreger (Taylor), Sue
Subject: comment letters 1 @ 2 of 10

Contacts: Leitzinger, Eric

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

December 31, 2003

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Applications for Permit

Dear Eric:

I will e-mail these two at a time. That seems to be the only way I can get them to you. There are ten all together.

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by January 26, 2004.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
ID Dept Water Resources



65-22844.pdf



65-22847.pdf

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MAR 29 2004

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Wednesday, December 31, 2003 10:55 AM
To: 'eleitzin@IDFG.STATE.ID.US'
Cc: Kreger (Taylor), Sue
Subject: 7 & 8 of 10

Contacts: Leitzinger, Eric



65-22852.pdf



65-22853.pdf

MICRO
MAR 2 9 2004

Kreger (Taylor), Sue

To: WATERDIST65@FMTC.COM
Cc: Kreger (Taylor), Sue
Subject: comment letters
Contacts: WD65

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

December 31, 2003

RON SHURTLEFF
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Application(s) for Water Right

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,

Sue Kreger
Administrative Assistant


65-22844.pdf


Copy of
commendation of Wa


65-22852.pdf

MICROFILM

MAR 22 2004

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

December 30, 2003

Legal Notice Department
IDAHO WORLD
PO BOX 99
GARDEN VALLEY ID 83622

RE: Application for Permit No. 65-22851, 65-22852, 65-22853 and Application for Transfer Nos. 70464 and 70465

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 01/26/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

MICHELLE
MAR 2 0 2004

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-22852

BRUCE F HEDGE
5801 PEACHTREE ST
BOISE ID 83703
JANET L HEDGE
5801 PEACHTREE ST
BOISE ID 83703

Point(s) of Diversion SWSE S9 T07N R02E BOISE County Source UNNAMED STREAM

Tributary To BROWNLEE CREEK

Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA

Use: WILDLIFE STORAGE 01/01 To 12/31 1 AFA

Total Diversion: 1 AFA

Date Filed: 12/10/2003

Place Of Use: STOCKWATER STORAGE

T07N R02E S9 SWSE

Place Of Use: WILDLIFE STORAGE

T07N R02E S9 SWSE

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KARL J DREHER, Director

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