

4793 x 18

4600

T09N R09E S18

SWSE
Lot 6

SESE
Lot 3

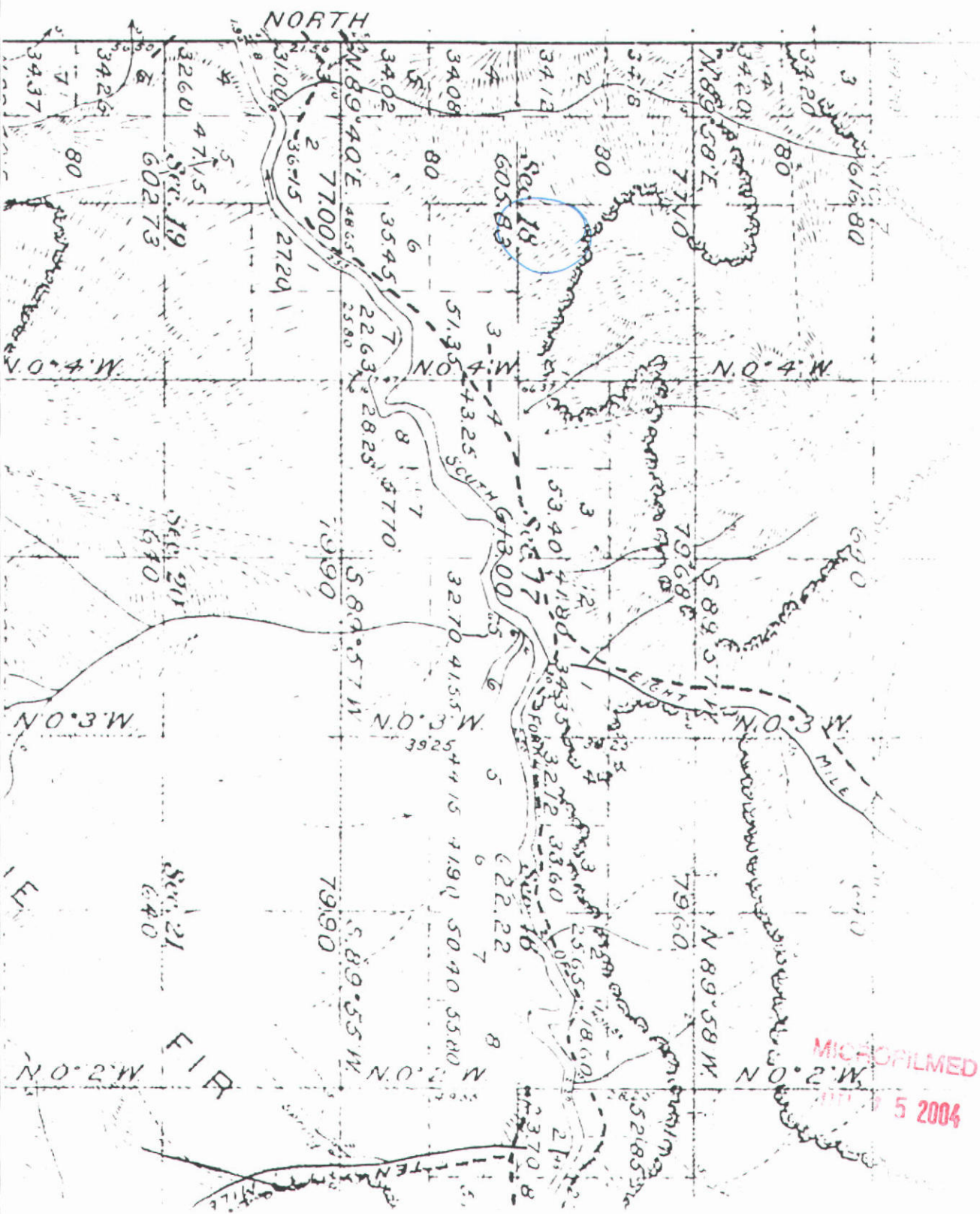
x BM 4268

P.D. 3-4
P.U. 3-4

DAYETTE

65-22886

RECORDED
JUL 15 2004

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The Idaho World

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

RECEIVED

JUL 06 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 June 16, 2004 and ending with the issue of June 23, 2004.

Deanna Stevenson

State of Idaho)
)
County of Boise)

On this 2 day of July 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.

Diane E. Caughlin

Notary Public for Idaho
Residing at Garden Valley, Idaho

MY COMMISSION EXPIRES

June 26, 2007

My commission expires, BONDED THRU NOTARY PUBLIC UNDERWRITERS

DIANE E. CAUGHLIN
Notary Public
State of Idaho

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 65-22886 ✓ sk

MARCUS RHAGENAUGH
4267 W QUAIL RIDGE DR
BOISE ID 83703

Point(s) of Diversion L6 (SWSE) S18 T09N R09E BOISE County
Source SOUTH FORK PAYETTE RIVER Tributary To PAYETTE RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 05/07/2004
Place Of Use: DOMESTIC
T09N R09E S18 SWSE Lot 6

Remark: Domestic use is for 1 yard in Scenic Properties Subdivision No. 3. Applicant agrees to mitigate consumptive use in the future as needed. 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 Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/06/2004. The protestant must also send a copy of the protest to the applicant. KARL J DREHER, Director

Published in the Idaho World on June 16 and 23, 2004.

MICROFILMED

JUL 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22886

Priority May 07, 2004

Maximum Diversion Rate 0.04 CFS

This is to certify, that **MARCUS R HAGENAUGH**
 4267 W QUAIL RIDGE DR
 BOISE ID 83703

has applied for a permit to appropriate water from

Source: SOUTH FORK PAYETTE RIVER **Tributary:** PAYETTE RIVER

and a permit is APPROVED for development of water as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT OF DIVERSION:

SOUTH FORK PAYETTE RIVER L6 (SW¼SE¼) Sec 18, Twp 09N, Rge 09E, B M , BOISE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 09E 18															X		
															L 6		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2009.**
2. Subject to all prior water rights
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control
4. Domestic use is for external use for 1 home
5. Point of diversion and place of use are located within Lot 9, Blk. 3, Scenic Properties Subdivision No. 3.
6. 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
7. 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.

MICHAEL J. HARRIS

JULY 1, 2009

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22886

8. Water shall not be diverted under this right when flows in the Payette River are below established minimum flow amounts.
9. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of July, 2004.


for KARL J DREHER, Director

Ident. No 65-22886

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY 06 2004

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

1 Name of Applicant Marcus R. Hagenah Phone 208-331-9099
Mailing address 4267 W. Quail Ridge Drive, Boise, ID 83703

2. Source of water supply South Fork Payette River which is a tributary of Payette River

3 Location of point of diversion is Township 09N Range 09E Sec. 18, in the NW 1/4,

SW SE 1/4, SE 1/4, Govt Lot _____, B M, Boise County,

additional points of diversion if any _____

4 Water will be used for the following purposes

Amount .04 cfs for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)

(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)

5 Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works

a Describe type and size of devices used to divert water from the source _____

Electric Pump

b Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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 5 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. _____

c Municipal, show name of municipality. _____

d Domestic, show number of households. one one home for external use

e Other, describe fully under 1/2 acre

5/27/04

5/27/04

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	
9N	9E	18															D	X	

Total number of acres to be irrigated _____

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

Scenic Properties Subdivision No. 3 Community Water System

- 11 a Who owns the property at the point of diversion? Marcus R. Hagena
- b Who owns the land to be irrigated or place of use? _____
- c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

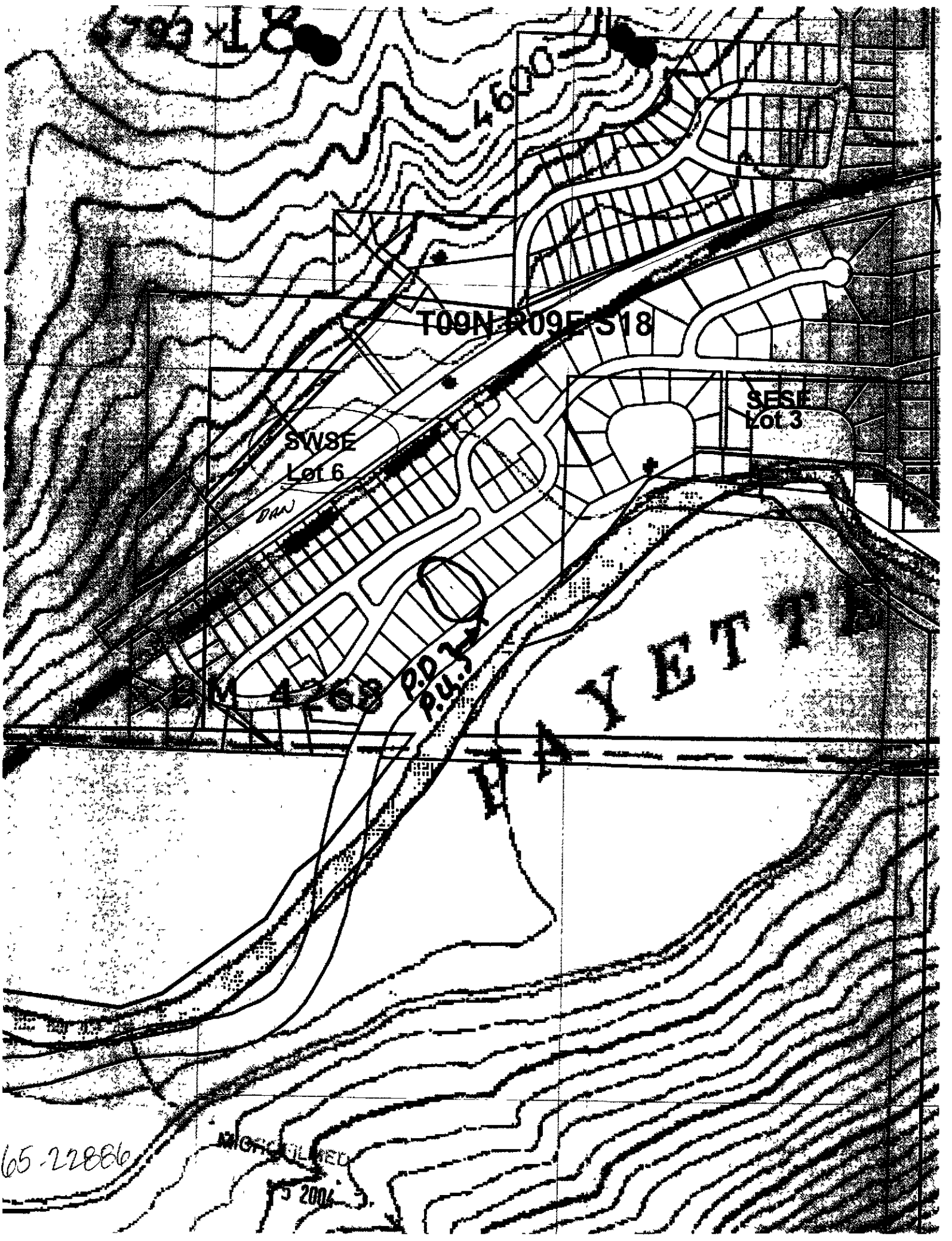
12 Remarks Place of use and Point of Diversion also known as: lot 9 in Block 3 of Scenic Properties Subdivision No. 3 according to the plat thereof filed December 14, 1970 as Instrument No. 76049, records of Boise County, Idaho

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 1/2 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

Marcus R. Hagena
Signature of Applicant (and title, if applicable)

Received by KLB Date 5/7/04 Time 3:48 Preliminary check by DAW
Fee \$ 100.00 Receipted by W. J. C. C. # 1117 Date 5/7/04
Publication prepared by et Date 6-16-04 Published in IDAHO WORLD
Publication approved _____ Date _____



T09N R09E S18

SWSE
Lot 6

SESE
Lot 3

DAN

P.U. 3

AYETTE

65-22886

RECORDED

5 2004

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Marcus R. Hagena

Mailing Address

4267 W. Quail Ridge Dr.
Boise, Idaho 83703

Application No.
(if known)

____ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

____ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Marcus R. Hagena

Date

5/7/04

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
Attn: Dan Nelson
2735 Airport Way
Boise, ID 82705-5082

PAID

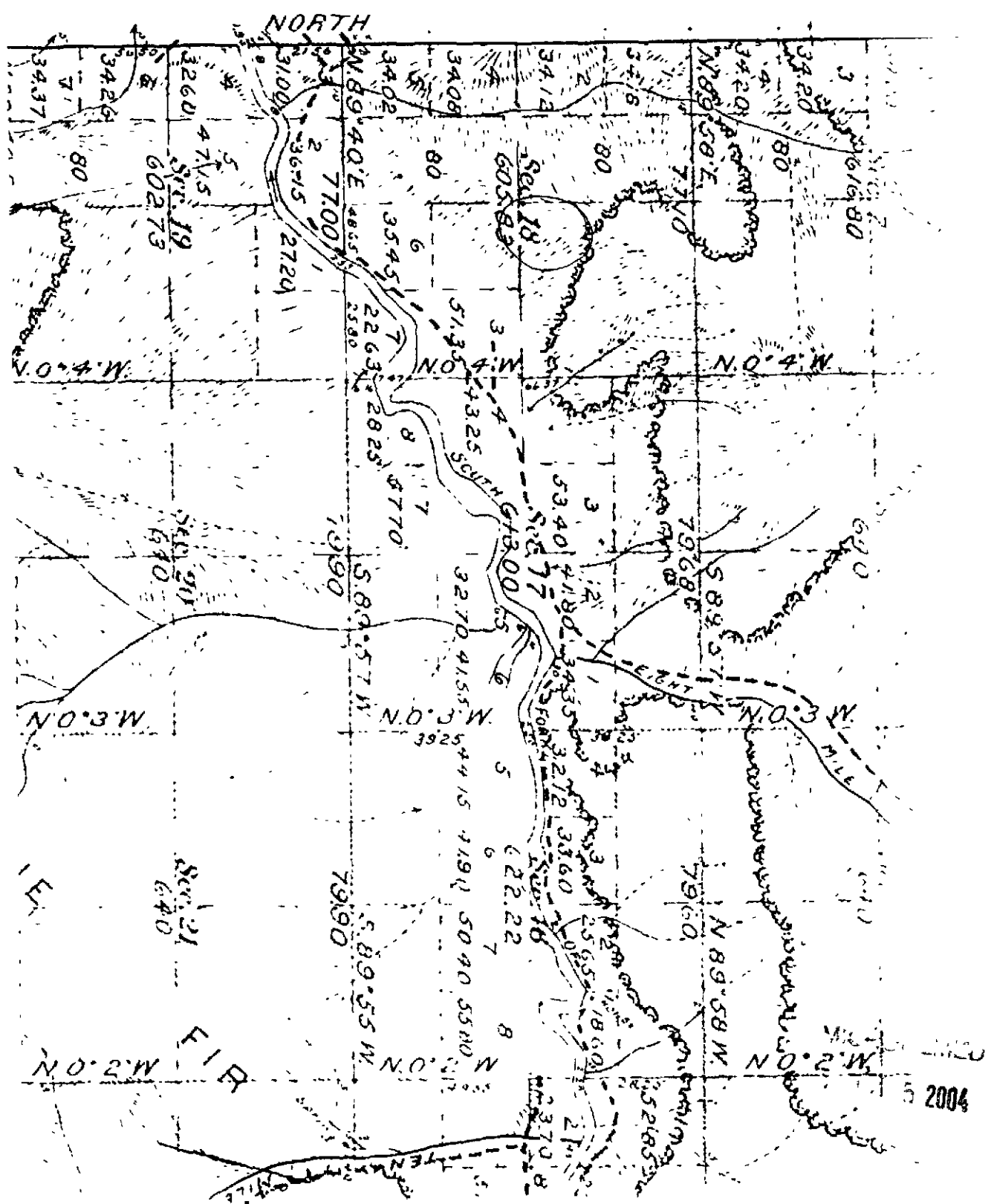
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2004



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

July 19, 2004

MARCUS R HAGENAUGH
4267 W QUAIL RIDGE DR
BOISE ID 83703

RE: Permit No. 65-22886

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

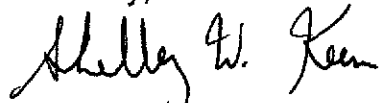
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions

MICROFILMED

JUL 15 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)

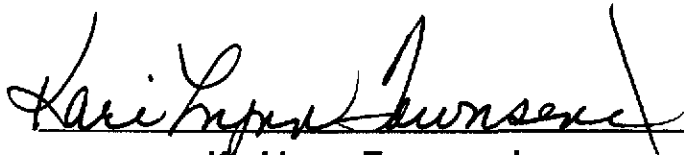
CERTIFICATE OF SERVICE

I hereby certify that on July 19, 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.

65-22886

MARCUS R HAGENAUGH
4267 W QUAIL RIDGE DR
BOISE ID 83703

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

7004
175120

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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.

Comment Report

65-22886

1. scurtis 6/8/2004 Legal Notice Remarks

Comment: Domestic use is for 1 yard in Scenic Properties Subdivision No. 3.

Applicant agrees to mitigate consumptive use in the future as needed.

2. dnelson 6/8/2004 Comment/Analysis

Comment: This application is for external domestic use for irrigation for a yard, not to exceed 1/2 acre. The place of use is also known as Lot 9, Block 3, Scenic Properties Subdivision, in Boise County. The applicant wishes to pump out of the river to irrigate his yard area. Scenic Properties Subdivision will supply the in-house use.

3. kwalker 7/15/2004 Permit Review

Comment: Recommend approval as region suggested.

MICROFILMED

JUL 15 2004

RECEIVED

JUL 14 2004

Form No 202a
April 2003IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETCOMMENT
LETTERS
ALREADY SCANNED.Initial review by DAN Date 5-24-04 Application # 65-22886

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
- ☒ Address
- ☒ Source (see USGS quad for source names)
- ☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of use (list details in appl. Item 8 if non-irrigation)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☐ P/U
- ☐ Map (show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (if > 1 home restricted area $\geq$ 5 homes non-restricted area)
- ☒ Signature (if corporation, partnership, municipality, need title of signatory)
- ☒ Correct fee paid
- Government Lots
yes P/D
yes P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ P/D overlap (explain) NO significant overlap.
- ☒ P/U overlap (explain) ONLY significant overlap is 65-13931 & 65-7297
- ☒ Critical groundwater area (send letter) FOR SCENIC PROPERTIES WATER
- ☒ Ground water management area (send letter) Assn. PROVIDES in House use.
- ☒ Drilling concern area (send letter)
- ☒ 1992 moratorium (send letter)
- ☒ Surface water source, IDFG comment letter
- ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ E-mail to Dam Safety staff (if any storage)
- ☒ Mitigation plan: "request to process form" in file:
- ☐ Immediate = closed areas, acceptable plan required & submitted
- ☒ Future = open areas, plan not required
- ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ Power residency affidavit
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Date Requested _____ Date Response Received _____

PROCESSINGAPPLICATION # 65-22886

YES NO

☒ ☐ In form for advertising
☐ ☒ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, & date recorded on application

COMMENT LETTERS

YES NO

☐ ☒ IDEQ
☐ ☒ District Health
☒ ☐ IDFG
☐ ☒ IDL

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☒ ☐ Water Dist # 65
☒ ☐ Water Planning Bureau
☐ ☒ Other

Sue, please note:
This application has been
scanned. It is in
AWO2 column → OANN →
scanned applications →
HAGONAL: THANK YOU
DAN.

DON P
OANN
6-2-04

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

☒ ☐ Publication dates & paper recorded on application
☒ ☐ Final date for protest 7-6-04
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☒ ☐ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter

Standard conditions - Lockable Diversion

Payette River Standard conditions

Water master control, minimum stream flow
conditions required.

Recommended Date of Priority May 7, 2004

(See Bill Graham
Email)

Recommendation ☒ Approve ☐ Deny by Daniel A. Nelson Date 7-12-04**ADDITIONAL INFORMATION**☒ See attached proof report, note Legal Notice Remarks &/or Comments☒ Shapefile completed (optional: attach with proof report)

Minimum stream flow conditions

see Bill Graham's Email

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22886

WATER RIGHT NUMBER: 65-22886

Owner Type

Current Owner

Name and Address

MARCUS R HAGENAUGH
4267 W QUAIL RIDGE DR
BOISE, ID 83703
(208)331-9099

Priority Date: ~~05/06/2004~~

5-7-04

CORRECTED.

Basis:

Status: Active

Source

SOUTH FORK PAYETTE RIVER

Tributary

PAYETTE RIVER

Beneficial Use

DOMESTIC

From To

01/01 to 12/31

Diversion Rate

0.040 CFS

Annual VolumeTotal Diversion:

0.040 CFS

Location of Point(s) of Diversion

SOUTH FORK PAYETTE RIVER

BOISE County

L6 (SW1/4SE1/4)

Sec. 18, Twp 09N, Rge 09E, B.M.

Place of Use

DOMESTIC

Twp Rge Sec

09N 09E 18

NE

NW

SW

SE

NW

NE

NW

SW

SE

SW

NE

NW

SW

SE

SE

NE

NW

SW

SE

Totals

X
L 6Remarks:Comments:

1. scurtis 6/8/2004 Legal Notice Remarks

Comment: Domestic use is for 1 yard in Scenic Properties Subdivision No. 3.

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Dates and Other Information:

Application Received Date: 5/6/2004

Protest Deadline Date:

Number of Protests: 0

Water District Number: 65

Application Type: New Appropriation

Applicant Remarks: Place of use and point of diversion also known as Lot 9, Blk. 3, Scenic Properties Subdivision No. 3 according to the plat thereof filed 12/14/1970 as Instrument 76049, records of Boise County, Idaho.

Other Water Rights: Scenic Properties Subdivision No. 3 Community Water System

Time to Complete Works: 5

Mitigation Plan: False

The Idaho World

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

RECEIVED

JUL 06 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 June 16, 2004 and ending with the issue of June 23, 2004.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 2 day of July 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.

Diane E. Caughlin

Notary Public for Idaho
Residing at Garden Valley, Idaho

MY COMMISSION EXPIRES

June 26, 2007

My commission expires BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

DIANE E. CAUGHLIN
Notary Public
State of Idaho

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

65-22

MARCUS R HAGENAUGH
4267 W QUAIL RIDGE DR
BOISE ID 83703

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T09N R09E S18 SWSE Lot 6

Remark, Domestic use is for 1 yard in Scenic Properties Subdivision No. 3. Applicant agrees to mitigate consumptive use in the future as needed.

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 Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/06/2004. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in the Idaho World on June 16 and 23, 2004.

MICROFILMED

JUL 15 2004

State of Idaho
Department of Water Resources

RECEIVED

JUN 18 2004

WATER RESOURCES
WESTERN REGION**RECOMMENDATION OF WATERMASTER**Application No: 65-22886Applicant's Name: Marcus R. Hagenah

Watermaster's Recommendation:

- a) X 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 16th day of June, 2004

Water District No. 65


Ron Shurtleff, Watermaster

Use reverse side of page if you need more space.

MICROFILM

• 3 2004

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Tuesday, June 15, 2004 2:29 PM
To: 'eleitzin@idfg.state.id.us'
Subject: COMMENT LETTERS

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

June 15, 2004

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Applications for Permit

Dear Eric:

Enclosed are three applications for permit. 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 July 6, 2004.

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

Sincerely,

Sue Kreger
(208) 334-2190
Id Dept Water Resources
skreger@idwr.state.id.us



57-11664.pdf



65-22886.pdf



67-14473.pdf

MICROFILMED

JUN 15 2004

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Tuesday, June 15, 2004 2:00 PM
To: 'Waterdist65@srvinet.com'
Subject: COMMENT LETTER

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

June 15, 2004

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
(208) 334-2190
Id Dept Water Resources
skreger@idwr.state.id.us



Copy of
commendation of Wa



65-22886.pdf

MICRO

JUN 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

~~IDAHO DEPARTMENT OF WATER RESOURCES~~

~~DICK REMPTHORNE~~

~~Governor~~

KARL J. DREHER

Director

**WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

June 10, 2004

Legal Notice Department

IDAHO WORLD

PO BOX 99

GARDEN VALLEY ID 83622

RE: Application for Permit No. 65-22886

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 07/06/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger

Administrative Assistant

RECEIVED

JUN 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

Any application(s) have been filed to appropriate the public waters of the State of Idaho: FAX (208) 334-2348

65-22886

DIRK KEMPTHORNE
Governor

MARCUS R HAGENAUGH
4267 W QUAIL RIDGE DR
BOISE ID 83703

KARL J. DREHER
Director

Point(s) of Diversion L6 (SWSE) S18 T09N R09E BOISE County

Source SOUTH FORK PAYETTE RIVER

Tributary To PAYETTE RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/07/2004

Place Of Use: DOMESTIC

T09N R09E S18 SWSE Lot 6

Remark: Domestic use is for 1 yard in Scenic Properties Subdivision No. 3.
Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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KARL J DREHER, Director

Published in the Idaho World on June 16 and 23, 2004.

7/10/04

2004

Nelson, Dan

From: Graham, Bill
Sent: Friday, June 04, 2004 1:13 PM
To: Nelson, Dan
Subject: RE: Application for Permit Review

Dan - I have reviewed this application. The approved permit should contain the standard permit language regarding appropriations junior to a minimum stream flow water right.

Thanks - BG

-----Original Message-----

From: Nelson, Dan
Sent: Wednesday, June 02, 2004 10:44 AM
To: Graham, Bill
Subject: Application for Permit Review

Hello Bill,

We have another application within the Planning Bureau's review requirement. I have attached a scanned copy of the application. If you need more details, please let me know.

Thank you.

Dan Nelson
Western Region

<< File: hagenah application.pdf >>