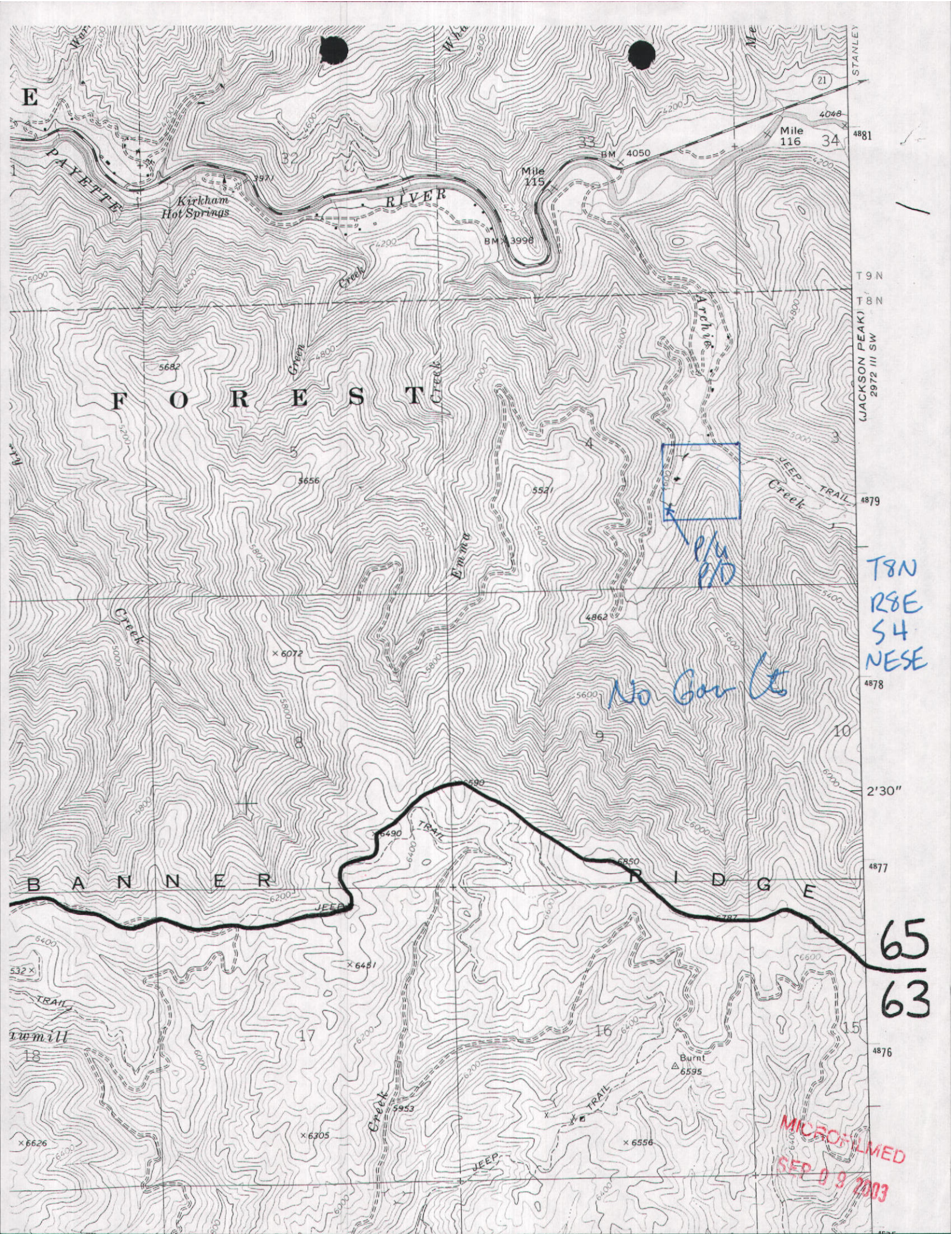




E

PAYETTE

Kirkham Hot Springs

RIVER

F O R E S T

Creek

B A N N E R

No Gar Co

T8N
R8E
S4
NESE

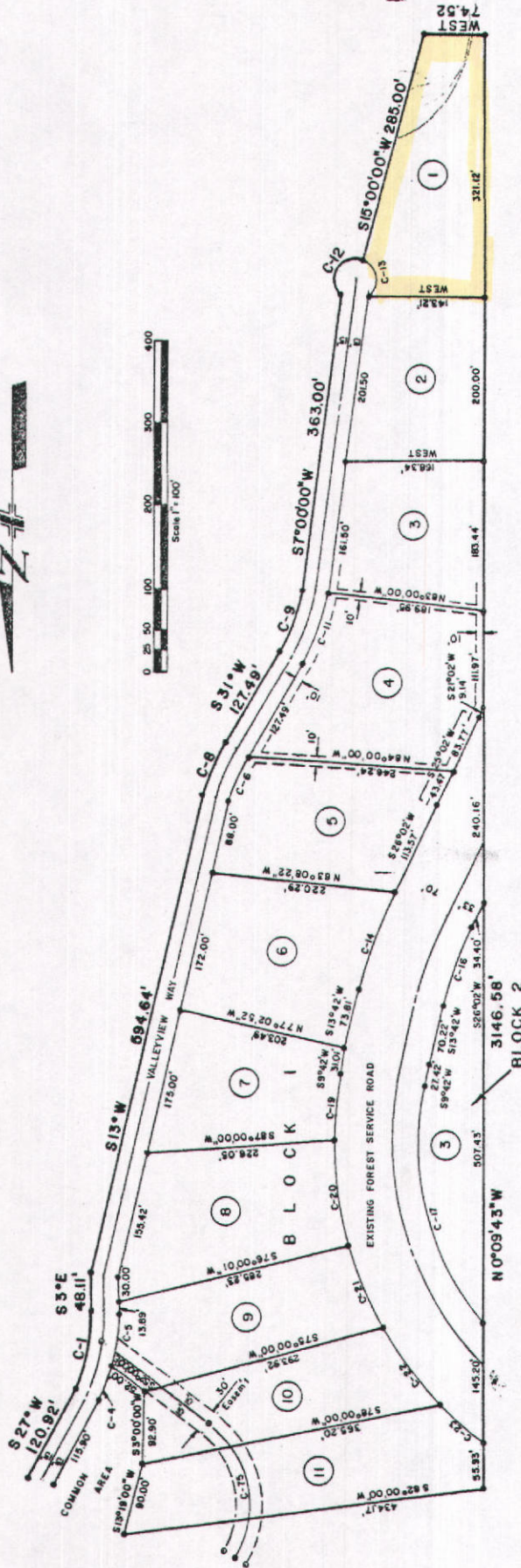
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MICROFILMED
SEP 09 2003

ENCHANTED VALLEY SUBDIVISION NO. 3

A TRACT OF LAND SITUATED IN A PORTION OF E 1/2 OF NE 1/4 & E 1/2 OF SE 1/4 OF SECTION 4, T8N, R8E, B.M., BOISE COUNTY, IDAHO

ROYALANCE ENGINEERING 1976



MICROFILMED
SEP 09 2003

LEGEND

- (1) ALL EXISTING ROADS AND ANY FUTURE ROADS CONSTRUCTED WILL BE PRIVATE ROADS. BOISE COUNTY ASSUMES NO RESPONSIBILITY FOR MAINTENANCE OR SNOW REMOVAL. SUBJECT TO SEC. 4, BOISE COUNTY ORDINANCE DATED JUNE 9, 1969.

• 1/2" x 24" REBAR

• 5/8" x 30" REBAR

--- 10' Utility & Drainage Easements.
10' Inside All Lot Lines Along Roads, Subdivision Boundary and Common Area Boundary
10' Centered on All Interior Lot Lines.

5 Lot Numbers

CURVE TABLE

No.	Ch. Bearing	Ch. L.	R.	d	Arc L.	Tan.
C-1	S15°00'00"W	95.76'	185.00'	30°00'00"	48.57'	48.57'
C-2	S27°18'00"W	120.92'	215.00'	12°30'45"	48.17'	24.19'
C-3	S13°00'00"W	115.90'	215.00'	17°09'44"	64.40'	32.44'
C-4	S13°00'00"W	115.90'	190.00'	18°00'00"	59.69'	30.09'
C-5	S13°00'00"W	115.90'	185.00'	18°00'00"	68.11'	34.84'
C-6	S13°00'00"W	115.90'	185.00'	24°00'00"	77.49'	39.32'
C-7	S13°00'00"W	115.90'	215.00'	15°07'48"	90.06'	45.70'
C-8	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'
C-9	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'
C-10	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'
C-11	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'
C-12	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'
C-13	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'
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C-23	S13°00'00"W	115.90'	215.00'	13°55'07"48"	65.94'	33.12'

NOTES

- (1) ALL EXISTING ROADS AND ANY FUTURE ROADS CONSTRUCTED WILL BE PRIVATE ROADS. BOISE COUNTY ASSUMES NO RESPONSIBILITY FOR MAINTENANCE OR SNOW REMOVAL. SUBJECT TO SEC. 4, BOISE COUNTY ORDINANCE DATED JUNE 9, 1969.

NOTE: SANITARY RESTRICTIONS IN FORCE



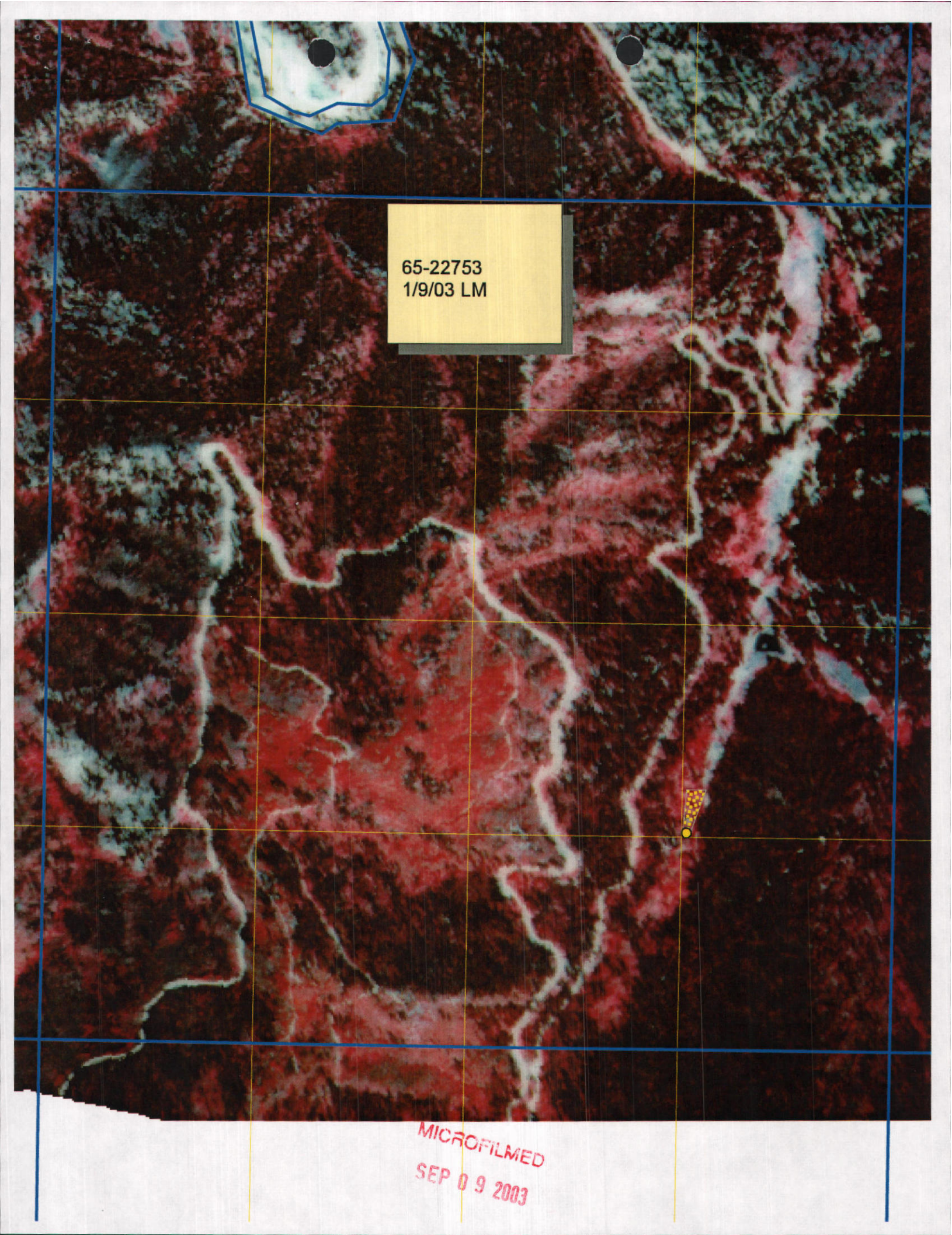
STATE OF IDAHO)
COUNTY OF BOISE) ss

I, DAVID H. ROYLANCE, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER, LICENSED TO PRACTICE ENGINEERING IN THE STATE OF IDAHO, AND THAT THE ABOVE COPY WITH THE ORIGINAL PLAT AND THE SAME IS A TRUE AND EXACT COPY OF SAID PLAT.

DAVID H. ROYLANCE P.E. NO. 2848



KEY MAP



65-22753
1/9/03 LM

MICROFILMED
SEP 09 2003

The Idaho World

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

State of Idaho)
County of Boise)

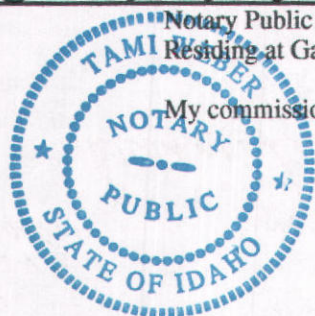
Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; 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 MAR 5, 2003 and ending with the issue of MAR 12, 2003.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 13 day of Mar in the year 2003, 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.

Jami Weber



Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires

2/10/05

MICROFILMED

SEP 09 2003

RECEIVED

MAR 14 2003

WATER RESOURCES
WESTERN REGION

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

65-22753

BRIAN HAGEN
10883 WEST VEGA LN
STAR ID 83669

Point(s) of Diversion NESE S4

Source UNNAMED STREAM

Use: DOMESTIC 01/01 To 12/31

Total Diversion: 0.04 CFS

Date Filed: 01/03/2003

Place Of Use: DOMESTIC

T08N R08E S4 NESE

T08N R08E BOISE County

Tributary To ARCHIE CREEK

0.04 CFS

0.04 CFS

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 03/24/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in The Idaho World March 5 and 12, 2003.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 65-22753

Priority- January 03, 2002

Maximum Diversion Rate 0.04 CFS

This is to certify, that BRIAN HAGEN
10883 WEST VEGA LN
STAR ID 83669

has applied for a permit to appropriate water from

Source: UNNAMED STREAM

Tributary: ARCHIE CREEK

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(S) OF DIVERSION:

UNNAMED STREAM NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp 08N, Rge 08E, B M., BOISE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08N	08E	4	NE	NW	SW	SE	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2006**.
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 permit holder had no control.
4. 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.
5. Water shall not be diverted under this right when flows in the South Fork of the Payette River are below established minimum flow amounts.
6. Diversion of water under this permit is limited to a portable pump. A permanent diversion structure shall not be installed in the unnamed stream, locally known as the West Fork of Archie Creek.
7. Use of water under this right and Water Right No. 65-11340A shall not exceed a combined diversion rate of 0.04 cfs for the domestic use occurring on Lot 1, Block 1, Enchanted Village Subdivision No. 3.
8. 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.
9. Point of diversion and place of use is located within Lot 1, Blk 1, Enchanted Valley Subdivision.
10. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of May, 2003

MICROFILMED


for KARL J DREHER, Director

* UNNAMED STREAM, TRIBUTARY OF ARCHIE CREEK
BH

Ident. No. 65-22753

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY 20 2003

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant BRIAN HAGEN Phone 208-286-9246
Mailing address 10883 W. VEGA LN, STAR, ID., 83669
2. Source of water supply W. FORK ARCHIE CR. which is a tributary of PALETTE RIVER *
3. Location of point of diversion is Township T8N Range R8E Sec. 4 in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., BOISE County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 CFS and/or (b) _____
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 PORTABLE 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 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. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. ONE
 - e. Other; describe fully. _____

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MAY 20 2003

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	
8N	8E	4													X				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. ALSO USE GROUND WATER FOR DOMESTIC USE

11. 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: _____

12. Remarks: PLACE OF USE AND POINT OF DIVERSION ALSO KNOWN AS LOT 1, BLOCK 1, ENCHANTED VALLEY SUBDIVISION 3

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.)

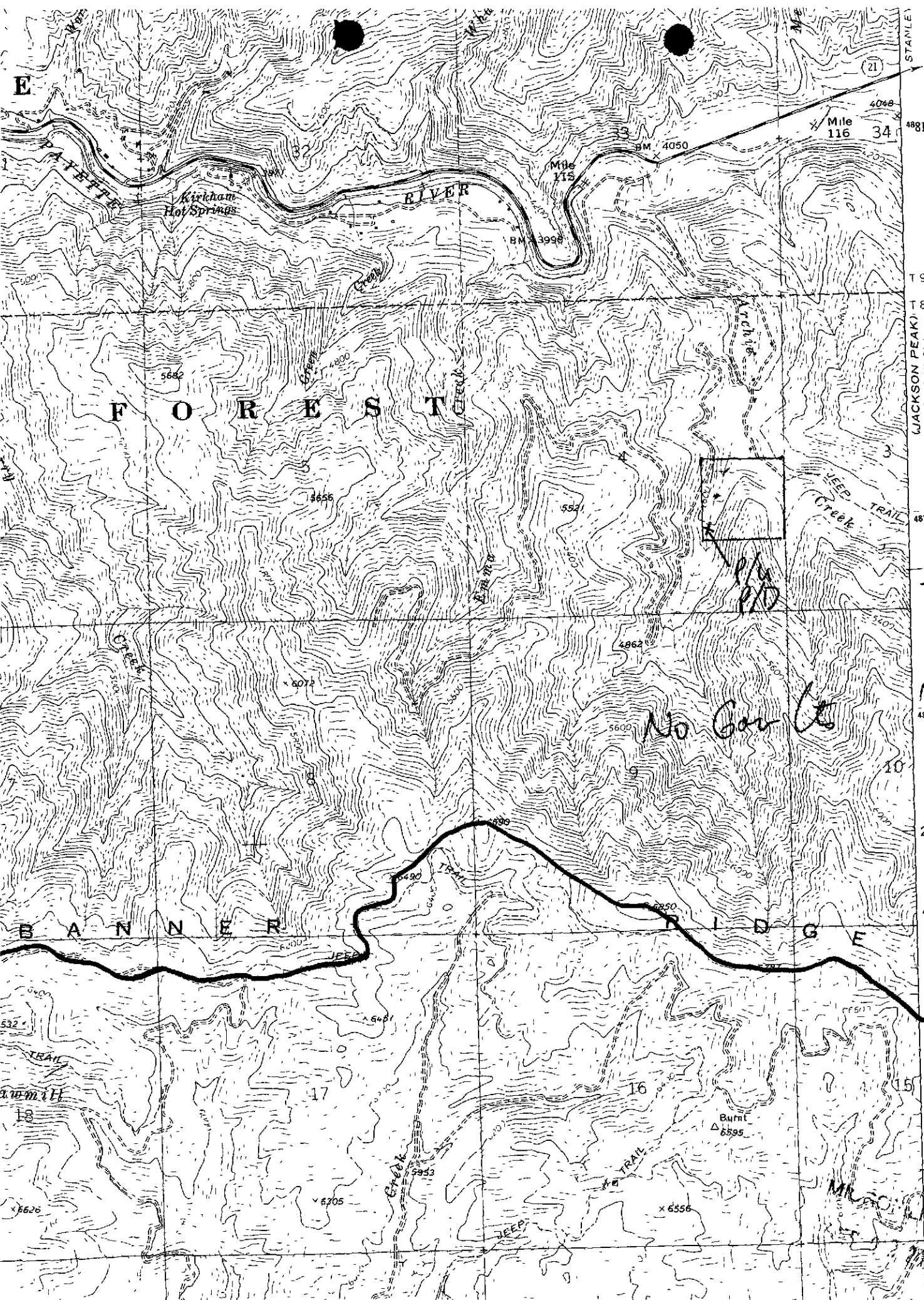
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Brian Hagen
Signature of Applicant (and title, if applicable)

Received by 6 Date 1/3/03 Time 3 PM Preliminary check by 6
Fee \$ 100 Receipted by 6 # W029956 Date 1/3/03
Publication prepared by 6 Date 2-5-03 Published in _____
Publication approved 6 3-5-03 Date 4-2-03 IDAHO WORLD

MICROFILMED

APR 6 2003



T8N
R8E
S4
NESE

65
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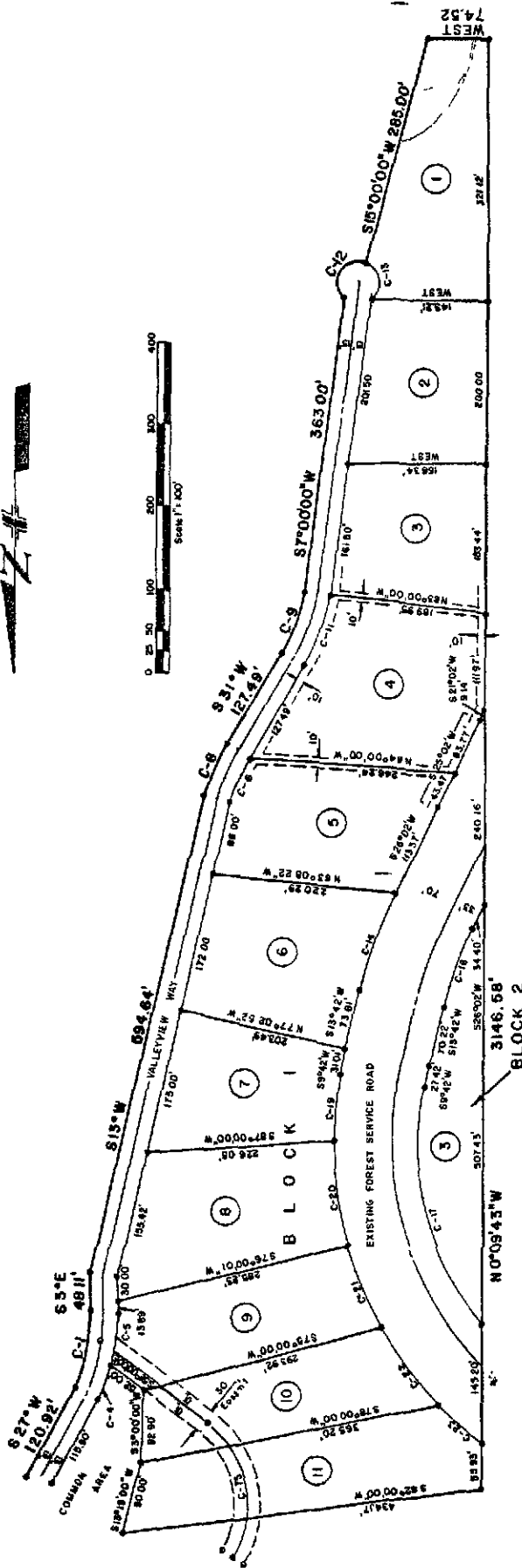
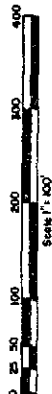
MR. SO. LIND

ENCHANTED VALLEY SUBDIVISION NO. 3

A TRACT OF LAND SITUATED IN A PORTION OF E 1/2 OF NE 1/4 & E 1/2 OF SE 1/4 OF SECTION 4,

T8N, R8E, BM., BOISE COUNTY, IDAHO

ROYLANCE ENGINEERING 1976



NOTE: SANITARY RESTRICTIONS IN FORCE

LEGEND

- (1) ALL EXISTING ROADS AND ANY FUTURE ROADS CONSTRUCTED WILL BE PRINCE ROADS. BOISE COUNTY ASSUMES NO RESPONSIBILITY FOR MAINTENANCE OR SNOW REMOVAL SUBJECT TO SEC 4, BOISE COUNTY ORDINANCE DATED JUNE 9, 1969

• 1/2" x 24" REBAR

⊙ 5/8" x 30" REBAR

10' Utility & Easement
10' Inside All Lot Lines Along Roads, Subdivision Boundary and Common Area Boundary
10' Centered on All Interior Lot Lines

Let Numbers

CURVE TABLE

NO	CH. BEARING	CH. L.	B	A	ARC L.	TA
C-1	S15°00'00"W	94.76'	185.00'	15°30'14"	94.86'	48.82'
C-2	S20°34'55"W	48.03'	215.00'	17°09'44"	48.17'	84.14'
C-3	S20°34'48"W	59.48'	190.00'	16°00'00"	59.89'	32.84'
C-4	S22°00'00"W	68.83'	185.00'	16°00'00"	68.11'	30.06'
C-5	S19°00'00"W	76.53'	185.00'	2°40'00"	77.49'	34.84'
C-6	S19°00'00"W	89.40'	215.00'	2°40'00"	90.06'	39.32'
C-7	S19°00'00"W	48.42'	25.00'	15°07'48"	55.94'	45.70'
C-8	S19°00'00"W	48.42'	25.00'	15°07'48"	55.94'	97.12'
C-9	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	60.55'
C-10	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
C-11	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
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C-18	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
C-19	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
C-20	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
C-21	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
C-22	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'
C-23	S19°00'00"W	100.13'	48.00'	15°00'00"	102.70'	61.09'



KEY MAP



STATE OF IDAHO
COUNTY OF BOISE

I, DAVID H. ROILANCE, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER LICENSED TO PRACTICE BY THE STATE OF IDAHO, THAT I HAVE COMPARED THE ABOVE COPY WITH THE ORIGINAL PLAT AND THAT THE SAME IS A TRUE AND EXACT COPY OF SAID PLAT

DAVID H. ROILANCE P.E. NO. 2848

ENCHANTED VALLEY SUBDIVISIONS

PROPOSED DIVISION OF WATER RIGHT NO. A65-02597 (Irrigation):

Source: Archie Creek
Purpose: Irrigation
Total Acres: 50.0

The original irrigation water right ("Right") was for a total of 50 acres in Section 4, T8N, R8E, Boise County, Idaho, which had not yet been platted. The applicable acreage was divided as follows:

NENE	10 acres
SENE	15 acres
NESE	14 acres
SESE	11 acres

The five Enchanted Valley subdivisions were developed over a period of years and eventually occupied somewhat different areas than originally envisioned by the developer, e.g., none of them were located on the 11 acres allotted water in the SESE of Section 4, and only a portion of Subdivision No. 3 occupies the 14 acres allotted in the NESE. Therefore, this allocation is currently being undertaken in connection with the Snake River Adjudication in order to clarify the Right.

The five Enchanted Valley subdivisions contain the following number of Lots:

No. 1	25 lots
No. 2	12 lots
No. 3	23 lots
Gordon Segregated	3
Enchanted View	10 lots

In addition, the unplatted area in the NESE contains one lot within the area described in the Right, for a total of 74 parcels.

However, the only lots potentially irrigable from Archie Creek without a pressure irrigation system are as follows:

No. 1	Lots 21, 22, 23, 24 and 25
No. 2	Lots 1 through 12
No. 3	Lots 6, 7, 8, 9, 10 and 11
	(extremely steep, only about one-third of each is feasible for irrigation)
	Lots 12, 13, 14, 15 and 16

U1 not included



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

May 29, 2003

BRIAN HAGEN
10883 WEST VEGA LN
STAR ID 83669

RE: Permit No. 65-22753

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.

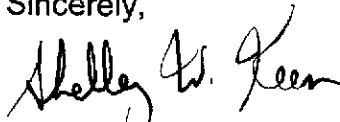
MICROFILMED

MAY 29 2003

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.

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

ENCHANTED VALLEY RANCH TRUST

MICROFILMED

SEP 8 2003

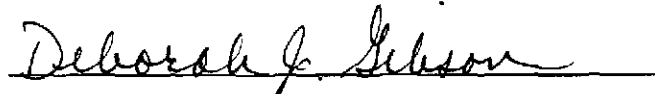
CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2003 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. 65-22753

**BRIAN HAGEN
10883 WEST VEGA LN
STAR ID 83669**

**ENCHANTED VALLEY RANCH TRUST
50 ARCHIE CREEK RD
LOWMAN ID 83637**


**Deborah J. Gibson
Administrative Assistant**

MICROFILMED

MAY 29 2003

**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.

MICROFILMED
JUN 10 2003

MEMORANDUM

Date: May 22, 2003
To: Water Right File 65-22753
From: dgibson
Re: Permit Review

The permit was issued with a provision that water shall not be diverted when flows in the S.F. of the Payette are below established min flow amounts per a comment on file from Bill Graham, Planning Section.

This application was protested. The protest was withdrawn based on a condition on the permit that the diversion is limited to a portable pump. A permanent diversion structure shall not be installed in the stream. A second condition being placed on the permit is regarding use of this right and right no 65-11340A shall be limited to 0.04 cfs to avoid the permit holder from being able to connect to the community system at a later date.

MICROFILMED

SEP 30 2003

RECEIVED

Comments

MAY 20 2003

Form No 202a
November 2002

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by lg Date 1/6/03 Application # 65-22753

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and /or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area $\geq$ 5 homes in non-restricted area)
- ☒ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
☒ P/D
☒ P/U N

ADDITIONAL INFORMATIONN **ADVERTISE REMARKS (Yes or No)**

YES NO

- ☒ Overlapping place of use (Describe source and relationship to present application on next page)
- ☒ Overlapping point of diversion
- ☒ Critical groundwater area
- ☒ Ground water management area
- ☒ 1992 moratorium
- ☒ Surface water source, IDFG letter needed
- ☒ Protected river or minimum flow reach, notify water planning bureau 1/6/03 lg
- ☒ E-mail to Dam Safety staff (for any storage)
- ☒ Mitigation plan Check any that apply
- ☐ Immediate = acceptable plan required and submitted
- ☐ Future = open areas, acceptance of condition of approval is in file
- ☒ 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 THE APPLICANT**

Date Requested _____ Date Response Received _____

reviewed
 done for
 permit - kw
 5/23/03

PROCESSINGAPPLICATION # 65

YES NO

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

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

- ☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

- ☐ ☒ US BLM
☐ ☒ US Forest Service
☒ ☐ Water Dist # 65
☒ ☐ Water Planning Bureau 1/6/03 done
☒ ☐ Other see attached

FINAL REGIONAL PROCESSING REVIEW

YES NO

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

- ☒ ☐ Publication dates and paper recorded on application
☐ ☐ Final date for protest 2-24-03 3-24-03
☒ ☒ Protests received
☒ ☐ Recommendations attached see Steve's memo dated 5/8/03
☒ ☐ Measuring device required
☒ ☐ Water delivered by water master? District # 65
☒ ☐ Special conditions of approval or cover letter _____

Per Bill Graham - water shall not be diverted when
S. F. Payette flows are below established min.
stream flows.

Recommended Date of Priority 1/3/02Recommendation ☒ Approve ☐ Deny by Loi Granger Date 5/12/03**ADDITIONAL INFORMATION**☒ See attached proof report, note any Legal Notice Remarks &/or Comments☐ See attached shapefile

Hagen Application
Mailing List For Archie Creek Users

Water District No. 65

Idaho Dept of Fish & Game

Fred Kopke
421 S Curtis Rd #24
Boise ID 83705

Enchanted Valley Ranch Trust
50 Archie Creek Rd
Lowman ID 83637

Lewis Davis
1811 N Maple Grove
Boise ID 83704

Julie Jurica
11501 Highlander Rd
Boise ID 83709

Robert Farber
General Delivery
Lowman ID 83637

Roberta Jean Marmon
Rt 1 Box 1328
Homedale ID 83628

Donald Lynn Dixon
PO Box 1313
Caldwell ID 83606

MICROFILMED

APR 12 1983

State of Idaho
Department of Water Resources

RECEIVED
MAY 16 2003
WATER RESOURCES
NORTHWEST REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-22753

Applicant's Name: Brian Hagen

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 15th day of May, 2003

Water District No. 65

Ron Shurtleff
Ron Shurtleff, Watermaster

Use reverse side of page if you need more space

MICROFILMED
MAY 16 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22753

WATER RIGHT NUMBER 65-22753

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRIAN HAGEN 10883 WEST VEGA LN STAR, ID 83669 (208)286-9246

Priority Date: 01/03/2002

Basis

Status Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	ARCHIE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SE1/4	Sec 4, Twp 08N, Rge 08E, B.M.
BOISE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08N	08E	4	NE	NW	SW	SE	
			X				

Conditions of Approval.Remarks:Comments:

1 Imattson 1/9/2003 Comment/Analysis

Comment: The p/u and p/d is aka L1 1 Blk 1 Enchanted Valley Subdivision No. 3. Because of its location, this lot cannot utilize the subdivisions gravity irrigation system from Archie Creek and was not included on right 65-2597A. Applicant plans to use a portable pump.

Dates and Other Information:

MICROFILMED

SEP 11 2001

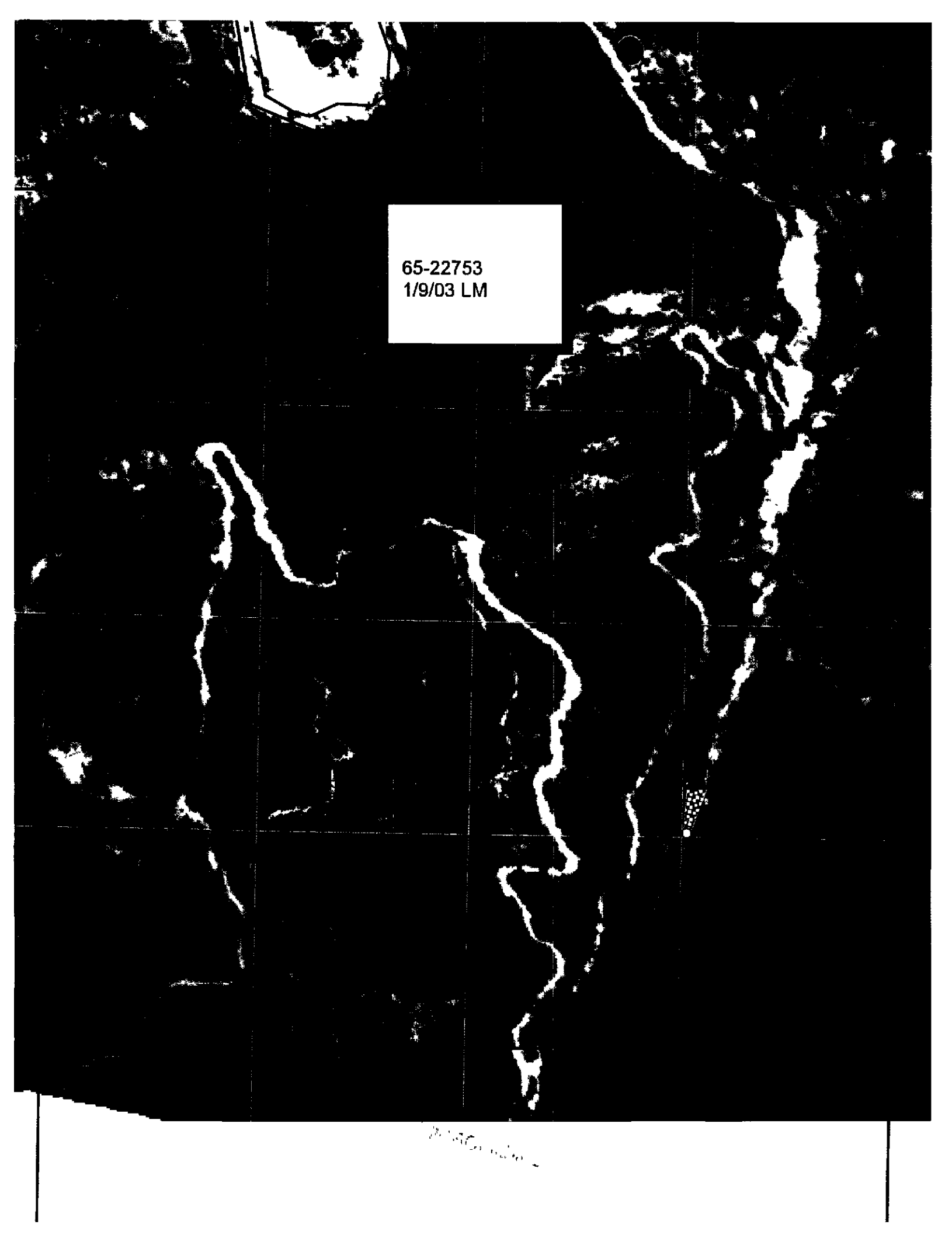
IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22753

Dates and Other Information.

Application Received Date 1/3/2003
Application Denied Date
Last Date of Beneficial Use
Extension End Date
Protest Deadline Date:
Number of Protests. 0
Enlargement Use Priority Date
Enlargement Statute Priority Date
State or Federal
Owner Name Connector:
Water District Number 65
Generic Max Rate Per Acre.
Generic Max Volume Per Acre
Application Type New Appropriation
Applicant Remarks Place of Use and Point of Diversion also known as Lot 1 Block 1 Enchanted Valley
Subdivision 3
Other Water Rights Also use ground water for domestic use
Time to Complete Works 3
Transfer Affected Description
Transfer Affected Contracts
Old Transfer Number
Transfer Reason.
Transfer Return Flows
Swan Falls Trust or Nontrust:
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan: False

MICROFILMED
JAN 15 2003



65-22753
1/9/03 LM

2000000000

MEMORANDUM

TO: File

FROM: Steve Lester 

DATE: May 8, 2003

RE: Applications 65-22753, 65-22754 and 65-22755

*Steve's
5/8/03 Memo*

I conducted a joint prehearing conference for these three protested applications for permit yesterday. One party, Robert Farber, protested all three applications.

The applications are very simple. Each proposes a pump to serve one home in a subdivision near Lowman. Numerous complex issues surround the situation, and the issues involve things normally outside of department jurisdiction – subdivision covenants, disputes over ownership of the community water system and so forth. The parties discussed the issues at length.

The protests were withdrawn after it was revealed that the applicants intend to use portable pumps for occasional use, most likely for weekend visits. The protestant was not concerned about portable pumps. All the parties signed a settlement agreement and withdrawal of protests. The settlement agreement noted that specific conditions of approval as suggested might not be used by the department.

I think we can include the specific conditions as matters clearly within department jurisdiction. The applications can be approved and should include the following special conditions of approval:

Diversion of water under this approval is limited to a portable pump. A permanent diversion structure shall not be installed in the unnamed stream, locally known as the West Fork of Archie Creek.

Use under this approval and all other rights for the same use shall be limited to 0.04 cfs.

The first condition is preferred over the generic “subject to a private agreement” language. The second condition protects against “stacking” if a permit holder decides to hook up to the Archie Creek community system in the future.

Please send a copy of approved applications to the protestant.

MICHAEL BOWEN

CLERK, BOARD

Applications 65-22753

65-22754

65-22755

Settlement Agreement &
Withdrawal of Protests:

Each Applicant agrees to divert water
using a portable pump.

A permanent structure will not be installed
in the creek.

I understand approval of each application
probably will not include this specific language
but probably will reference a private agreement.

The protest against ~~the~~ each application is withdrawn
based on this agreement.

Roberta J. Marmore

Roberta J. Marmore

Brian Hagen

Brian Hagen

Donald Lynn Dixon

Donald Lynn Dixon

Robert Farber

Robert Farber

MAY 7, 2003

Lowman Ranger District

Lowman, Idaho

MISS. LANCE

MAY 7, 2003

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES 2735 AIRPORT WAY, BOISE, IDAHO 83705

Re: Application for Permit No. 65-22755 in the Name of Roberta Jean Marmon } *
65-22754 " " DONALD LYNN DIXON
Place: Garden Valley Ranger Station 65-22753 " " BRIAN HAGEN

Date: May 7, 2003

Conducted by: Steve Lester & Gary Spackman

NAME

ADDRESS

Roberta Marmon Rt. 1, Box 1528 Homedale, ID 83628
Brian Hagen 10853 W. Viper Ln. Star, ID, 83669
Dixon RT. BOX 1528, HOMEDALE, ID 83628
Bob Furbush 50 Archie Creek Road
Kathy Furbush 50 Archie Creek Road Lorman, ID 83637
Barney Furica 81 Archie Creek Rd. Lorman 83637
↳ Director Enchanted Valley Water Users Corp

* all 3 Apps. protested by Robert Furber Trustee, Enchanted Valley Ranch Trust

MICROFILM

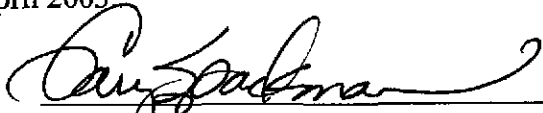
1950-1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR WATER RIGHT NOS. 65-22753)	NOTICE OF CHANGE OF
IN THE NAME OF BRIAN HAGEN,)	LOCATION OF PREHEARING
65-22754 IN THE NAME OF DONALD)	CONFERENCE
LYNN DIXON AND 65-22755 IN THE)	
NAME OF ROBERTA MARMON)	
_____)	

IDWR scheduled a prehearing conference for the above protested matter to be held on Wednesday, May 7, 2003. The location was scheduled for the Garden Valley Ranger District in Garden Valley, Idaho. The location has been changed to the **Lowman Ranger District, 7359 Hwy 21, Lowman, Idaho 83637. The date and time remain the same at 2:00 pm on May 7, 2003.**

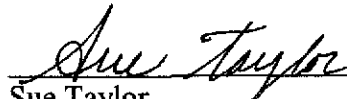
Dated this 15th day of April 2003



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of April 2003 I mailed a true and correct copy, postage prepaid, of the Notice of Change of Location of Prehearing Conference to those listed:



Sue Taylor
Senior Secretary

ROBERTA JEAN MARMON
RT 1 BOX 1328
HOMEDALE ID 83628

DONALD L DIXON
PO BOX 1313
CALDWELL ID 83606

BRIAN HAGAN
10883 W VEGA LN
STAR ID 83669

ENCHANTED VALLEY RANCH
50 ARCHIE CREEK RD
LOWMAN ID 83757

MICROFILMED
3/1/04



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2003

LOWMAN RANGER DISTRICT
7359 HWY 21
LOWMAN ID 83637

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources for Wednesday, May 7, 2003 at 2:00 pm.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

Sue Taylor
Senior Secretary

MICROFILMED
APR 16 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR WATER RIGHT NOS. 65-22753)
IN THE NAME OF BRIAN HAGEN,)
65-22754 IN THE NAME OF DONALD)
LYNN DIXON AND 65-22755 IN THE)
NAME OF ROBERTA MARMON)

**NOTICE OF PREHEARING
CONFERENCE**

On January 3, 2003 Brian Hagen filed with the Department of Water Resources (IDWR) application for water right no. 65-22753. On November 29, 2003 Donald Lynn Dixon filed application for water right no. 65-22754. On November 29, 2002 Roberta Marmon filed application for water right no. 65-22755. The applications were protested by Enchanted Valley Ranch Trust, Inc.

IDWR has scheduled a conference for the protests to be held on **Wednesday, May 7, 2003 at 2:00 p.m. at the Garden Valley Ranger Station, 1219 Banks-Lowman Rd., Garden Valley, Idaho 83622.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise IDWR within (10) days prior to the conference.

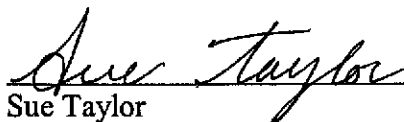
Dated this 7th day of April 2003.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of April 2003 I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:



Sue Taylor
Senior Secretary

ROBERTA JEAN MARMON
RT 1 BOX 1328
HOMEDALE ID 83628

BRIAN HAGAN
10883 W VEGA LN
STAR ID 83669

DONALD L DIXON
PO BOX 1313
CALDWELL ID 83606

ENCHANTED VALLEY RANCH
50 ARCHIE CREEK RD
LOWMAN ID 83757

NOTICE OF PREHEARING CONFERENCE

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

MICAC, INC.

10/1/00

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a preliminary order for the Director's consideration. Parties can file exceptions to a preliminary order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a preliminary order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 7, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ENCHANTED VALLEY RANCH
50 ARCHIE CREEK RD
LOWMAN ID 83757

Re: Application for Permit Nos. 65-22753 in the Name of Brian Hagan, 65-22754 in the Name of Donald L. Dixon, and 65-22755 in the Name of Roberta Marmon

Dear Protestant:

This office acknowledges receipt of your protests to the issuance of a permit pursuant to the above referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for May 7, 2003 at the Garden Valley Ranger Station, Garden Valley, Idaho 83622. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If this office can be of further assistance, please contact us.

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application
Notice of Prehearing Conference

MICRO

7/21/03



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 4, 2003

ROBERTA JEAN MARMON
RT 1 BOX 1328
HOMEDALE ID 83628

BRIAN HAGAN
10883 W VEGA LN
STAR ID 83669

DONALD L DIXON
PO BOX 1313
CALDWELL ID 83606

Re: Application for Permit No. 65-22755 in the Name of Roberta Jean Marmon, 65-22753 in the name of Brian Hagan, and 65-22754 in the Name of Donald L. Dixon

Dear Applicant:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to the above-referenced applications.

The following are the criteria the department must consider in either approving or denying an application for permit (per Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for May 7, 2003 at the Garden Valley Ranger Station in Lowman, Idaho 83637. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

Marmon, Dixon, Hagen
April 4, 2003
Page -2-

The department suggests you contact the protestant(s) directly in an effort to determine what is in dispute in the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

Please contact this office if you have questions regarding this procedure.

Sincerely,



Gary Spackman

GS:st

Enclosure: Copy of protest(s)
Notice of Prehearing Conference

ENCLOSURE

RECEIVED

FEB 14 2003

WATER RESOURCES
WESTERN REGION

W030060
kg
Enchanted Valley Ranch Trust

50 Archie Creek Rd
Lowman, Idaho 83637
(208) 259-3823

February 11, 2003

Idaho Dept Water Resources
2735 Airport Way
Boise Idaho, 83637-5082
(208) 334-2190 fax 334-2348

Attn: Lori Graves

Re. Application for Water Right No. 65-22754 applicant Donald Dixon
Application for Water Right No 65-22755 applicant Roberta Marman
Application for Water Right No. 65-22753 applicant Brian Hagen

Dear Lori Graves

We do indeed wish to file a formal protest against the approval of the above mentioned applications, please schedule a hearing so we may attend to give testimony as to the evidence we feel is pertinent as to why these permits should be denied. Our ck.#1420 in the amount of \$75 00 enclosed

cc. to Jim Gillespie. P.A.

Sincerely, Enchanted Valley Ranch Trust



Robert Farber trustee

8/11/03

The Idaho World

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

State of Idaho)
County of Boise)

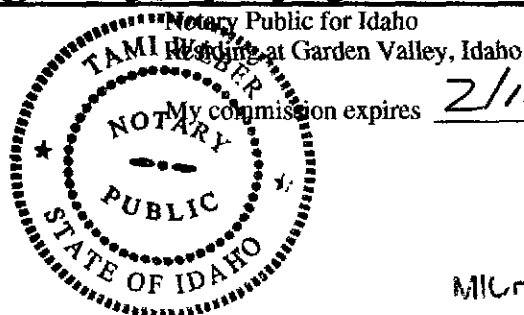
Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; 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 Mar 5, 2003 and ending with the issue of Mar 12, 2003.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 13 day of Mar in the year 2003, 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.

Jami Weber



MICRO

RECEIVED

MAR 14 2003

WATER RESOURCES
WESTERN REGION

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

65-22753

BRIANHAGEN

10883 WEST VEGA LN

STAR ID 83669

Point(s) of Diversion NESE S4

Source UNNAMED STREAM

Use DOMESTIC 01/01 To 12/31

Total Diversion.

Date Filed 01/03/2003

Place Of Use DOMESTIC

T08N R08E S4 NESE

T08N R08E BOISE County

Tributary To ARCHIE CREEK

0 04 CFS

0 04 CFS

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

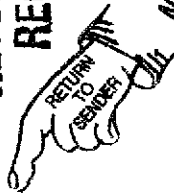
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25 00 for each application on or before 03/24/2003 The protestant must also send a copy of the protest to the applicant

KARL J DREHER, Director

Published in The Idaho World March 5 and 12, 2003.

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

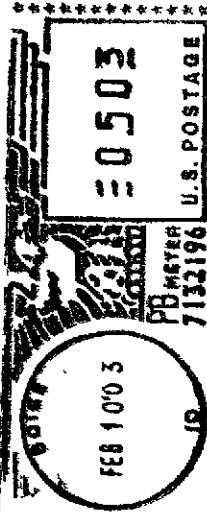
RETURN SERVICE
REQUESTED



RETURN
TO
SENDER

UNDELIVERABLE AS
ADDRESSED.
NO FORWARDING
ORDER ON FILE

POSTAGE
FIRST CLASS



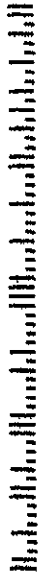
RECEIVED

FEB 12 2003

WATER RESOURCES
WESTERN REGION

FRED KOPKE
421 S CURTIS RD #24
BOISE ID 83705

LAAGTMS 83705



*Comment letter was returned
with no forwarding address.*

30503 2003
MICHAEL

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

RECEIVED

FEB 14 2003

WATER RESOURCES
WESTERN REGION

JULIE JURICA
11501 HIGHLANDER RD
BOISE ID 83709

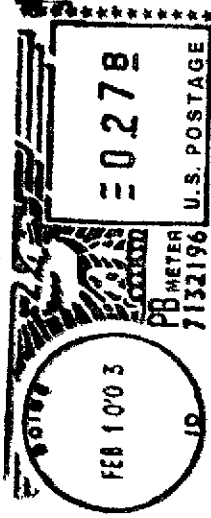
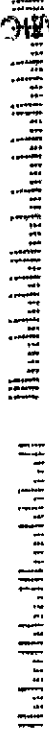


PHOTO
FIRST CLASS

2735 AIRPORT WAY
BOISE, ID 83705-5082





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 10, 2003

ROBERT FARBER
GENERAL DELIVERY
LOWMAN ID 83637

Re: Application for Water Right No. 65-22754 in the Name of Donald Dixon.
Application for Water Right No. 65-22755 in the Name of Roberta Marman.
Application for Water Right No. 65-22753 in the Name of Brian Hagen.

Dear ROBERT FARBER:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications 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 you desire 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 February 24, 2003.

If you have any questions regarding the application, please contact this office.

Sincerely,

Lori Graves

LG:lm

Encl: Copy of Application

MICRO

Letter mailed to attached list 2/10/03
LM

FRED KOPKE
421 S CURTIS RD #24
BOISE ID 83705

ENCHANTED VALLEY RANCH
TRUST
50 ARCHIE CREED RD
LOWMAN ID 83637

LEWIS DAVIS
1811 N MAPLE GROVE
BOISE ID 83704

JULIE JURICA
11501 HIGHLANDER RD
BOISE ID 83709

ROBERT FARBER
GENERAL DELIVERY
LOWMAN ID 83637

ROBERT JEAN MARMON
RT 1 BOX 1328
HOMEDALE ID 83628

DONALD DIXON
PO BOX 1313
CALDWELL ID 83606

MICHAEL J. JONES
JAN 11, 2000

Mattson, Lisa

To: waterdist65@fmtc.com
Subject: comment letters

February 10, 2003

RON SHURTLEFF
WATER DISTRICT 65

Re Application for Water Right No 65-22753 in the Name of Brian Hagen.
Application for Water Right No 65-22754 in the Name of Donald Dixon.
Application for Water Right No. 65-22755 in the Name of Roberta Marman.
Application for Water Right No. 65-22715 in the Name of Daryl J Sermersheim

Dear Mr. Shurtleff:

Enclosed are copies of the above-referenced applications for permit. Please note the change in place of use for Water Right No 65-22715 in the Name of Daryl J. Sermersheim. Please review the applications and submit any comments you have. We must have your comments within two weeks.

If you have any questions on application for Water Right No 65-22715 in the Name of Daryl J. Sermersheim please contact Dan Nelson at this office.

For questions on the remaining applications, please contact Steve Lester at this office

Sincerely,

Lisa Mattson
Water Resources Agent
Idaho Department of Water Resources
2735 Airport Way
Boise ID 83705
334-2190 phone
334-2348 fax



Recomm
atermaster Eform.d



65-22753 2-03.pdf



65-22754 2-03.pdf



65-22755 2-03.pdf



65-22715 2-03 pdf

*PAID
Rec'd 5-13-03
[Signature]*

Mattson, Lisa

To: elertzin@idfg.state.id.us
Subject: Comment Letters

FEBRUARY 5, 2003

ERIC LEITZINGER
STATE OF IDAHO
DEPT OF FISH & GAME

Re: Application for Water Right No. 65-22715 in the Name of Daryl J Sermersheim.
Application for Water Right No. 77-14145 in the Name of Regents of the University of Idaho.
Application for Water Right No. 65-22756 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22757 in the Name of Ronald J Pascoe.
Application for Water Right No. 65-22753 in the Name of Brian Hagen
Application for Water Right No. 65-22754 in the Name of Donald Lynn Dixon.
Application for Water Right No. 65-22755 in the Name of Roberta Marmon.
Application for Water Right No. 67-14405 in the Name of Kermit Wiggins.

Dear Mr. Leitzinger:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications 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 February 24, 2003.

If you have any questions regarding the application, please contact this office at 334-2190. Contact the following agents for questions on a specific permit:

Lori Graves

Application for Water Right No. 65-22753 in the Name of Brian Hagen.
Application for Water Right No. 65-22754 in the Name of Donald Lynn Dixon.
Application for Water Right No. 65-22755 in the Name of Roberta Marmon.
Application for Water Right No. 67-14405 in the Name of Kermit Wiggins.

Dan Nelson

Application for Water Right No. 65-22715 in the Name of Daryl J Sermersheim.
Application for Water Right No. 77-14145 in the Name of Regents of the University of Idaho.

Steve Lester

Application for Water Right No. 65-22756 in the Name of MacGregor Land & Livestock.
Application for Water Right No. 65-22757 in the Name of Ronald J Pascoe.



65-22753 2-03.pdf 65-22754 2-03.pdf 65-22755 2-03.pdf 67-14405 2-03.pdf

MICHAEL

2003



65-22715 2-03.pdf 77-14145 2-03.pdf



65-22756 2-03.pdf 65-22756 2-03.pdf



Sincerely,

Lisa Mattson
Water Resources Agent
Idaho Department of Water Resources
2735 Airport Way
Boise ID 83705
334-2190 phone
334-2348 fax

MICRO -
SEP 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 26, 2003

Legal Notice Department

Idaho World

PO Box 99

Garden Valley ID 83622

RE: Application for Permit No. 65-22753

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 03/24/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor

Senior Secretary

MICROFILMED
2003 JUL 23

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

65-22753

BRIAN HAGEN
10883 WEST VEGA LN
STAR ID 83669

Point(s) of Diversion NESE S4 T08N R08E BOISE County Source UNNAMED STREAM
Tributary To ARCHIE CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 01/03/2003

Place Of Use: DOMESTIC

T08N R08E S4 NESE

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 03/24/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho World on March 5 and 12, 2003

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SEP 15 2004