

RECEIVED

FORM 202 Rev. 09/16

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 63-34676

1. Name of applicant(s) Eagle Wine Company LLC Phone 208-573-0960
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 5900 Pearl Road City Eagle
 State Idaho ZIP 83616 Email info@3horseranchvineyards.com
2. Name of representative, if any SPF Water Engineering Phone 208-863-6561
 Mailing address 300 E Mallard Dr, Ste 350 City Boise
 State Idaho ZIP 83706 Email tscanlan@spfwater.com
 - a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
 - b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Groundwater which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
6N	1W	25			SE	NW	Gem	Groundwater	

5. Water will be used for the following purposes:
 Amount 0.10 cfs for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.10 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source. one proposed 6-inch well with submersible pump.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
 - c. Proposed well diameter is 6 inches; proposed depth of well is 250 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 - e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by AK Date 2/13/2019 Time 8:47am Preliminary check by EB
 Fee \$ 100.00 Receipted by AK Receipt No. W047133 Date 2/13/2019

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. Proposed groundwater diversion will be used for commercial purposes at a proposed winery public water system including a tasting room, wine production facility, and kitchen.
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - 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	
6N	1W	25							C	C									

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? Gary and Martha Cunningham
- b. Who owns the land to be irrigated or place of use? Gary and Martha Cunningham
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: The Cunninghams are members of Eagle Wine Company LLC.
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. A new well is proposed to supply water for commercial use at a new winery including a tasting room, kitchen, wine production facility, and restrooms. Maximum occupancy of the proposed winery building is 119 persons.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Martha Cunningham
 Signature of Applicant
Martha Cunningham owner
 Print Name (and title, if applicable)

Gary Cunningham
 Signature of Applicant
Gary Cunningham Owner
 Print Name (and title, if applicable)





0003398384

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***AMENDMENT TO CERTIFICATE OF ORGANIZATION OF
LIMITED LIABILITY COMPANY**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00 - Make Checks Payable to Secretary of State

*For Office Use Only***-FILED-**

File #: 0003398384

Date Filed: 1/16/2019 12:43:50 PM

Amendment to Certificate of Organization of Limited Liability Company

The current name of the limited liability company is: **EAGLE WINE COMPANY, LLC**The file number of this entity on the records of the Idaho Secretary of State is: **0003307417**The date the certificate of organization was originally filed: **2018-10-01 08:40:00.000**

1. Limited Liability Company Name

Change Limited Liability Company Name? **I do not want to change the name of the LLC**

2. The complete street address of the principal office is amended to:

Principal Office Address **5900 PEARL RD
EAGLE, ID 83616-9008**

3. The mailing address of the principal office is amended to:

Mailing Address **5900 PEARL RD
EAGLE, ID 83616-9008**

4. Managers and Members

Name of individual or organization	Title	Address
Gary Cunningham	Member	GARY CUNNINGHAM 5900 PEARL RD EAGLE, ID 83616

Signature of Authorized Person:

Mark Pasculli

Sign Here

01/16/2019

Date

B0147-6633 01/16/2019 12:43 PM Received by ID Secretary of State Lawrence Denney



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 13, 2019

EAGLE WINE COMPANY, LLC
5900 PEARL RD
EAGLE, ID 83616-9008

Application for Permit No. 63-34676

Dear Applicant):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the MESSENGER INDEX on 3/20/2019 and 3/27/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Anna Kaiser
Administrative Assitant

CC:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706-6660

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, March 13, 2019 11:06 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Gem Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

Please see the attached ad for publication on 3/20/2019 & 3/27/2019.

Please confirm these are okay to publish as shown.

Thank you,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

March 13, 2019

LEGAL NOTICE DEPARTMENT
MESSENGER INDEX
PO BOX 577
EMMETT, ID 83617

RE: Application For Permit No: 63-34676

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 4/8/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

63-34676

EAGLE WINE COMPANY, LLC

5900 PEARL RD

EAGLE, ID 83616-9008

Point of Diversion SENW S25 T06N R01W GEM County Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 2/13/2019

Place Of Use: COMMERCIAL

T06N R01W S25 SWNW SENW

Water bearing zone to be appropriated is from 100 to 300 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 4/8/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/20/2019 and 3/27/2019

Boe, Erik

From: Lori Graves <LGraves@spfwater.com>
Sent: Monday, February 18, 2019 7:30 AM
To: Boe, Erik
Cc: Terry Scanlan
Subject: RE: Eagle Wine Company, Application 63-34676

Hi Erik,

The proposed water bearing zone is from 100 to 300 feet.

From: Boe, Erik <Erik.Boe@idwr.idaho.gov>
Sent: Friday, February 15, 2019 7:57 AM
To: Lori Graves <LGraves@spfwater.com>
Subject: Eagle Wine Company, Application 63-34676

Hi Lori,

I'm processing Eagle Wine Company's application for commercial use (0.1 cfs) that we received on 2/13/2019 (App No. 63-34676). Aside from the water bearing zone for the well, the application appears ready for advertising. When you have time, could you provide the water bearing zone for this POD? Note that since the POD is not within the Basin 63 restricted area, we just need this information for advertising purposes. Let me know if you have any questions.

Thanks, and hope all is well,

Erik

Erik Boe, P.E. | Staff Engineer

Idaho Department of Water Resources, Western Region
2735 Airport Way | Boise, ID 83705-5082
Office: (208) 334-2190 | Fax: (208) 334-2348



SPF WATER
ENGINEERING

February 11, 2019

Nick Miller
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit

Dear Nick,

Enclosed on behalf of the Eagle Wine Company LLC, is an *Application for Permit* requesting diversion from a new well for commercial uses in Gem County.

Check No. 9864 for \$100 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Gary and Martha Cunningham

Enclosures

SPF file number: 1446.0010