



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W Airport Way • Boise ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348

Website: idwr.idaho.gov • Email: westerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

01/30/2019

HGOAL LLC
7996 S BOGUS RIDGE WAY
BOISE ID 83716

SCOTT VER HAGEN
16057 MAP ROCK RD
CALDWELL ID 83607

Re: Application for Permit No. 2-10558 – Withdrawal of Protest and Draft Permit

Dear Parties:

The Idaho Department of Water Resources (the Department) is working to complete processing the above referenced application proposing diversion of water from the Snake River for irrigation. On December 13, 2018 the Department received a conditional withdrawal of protest that resolves Scott VerHagen's protest provided the Department include certain conditions on any permit approval issued.

In any conditional withdrawal, the Department must review the agreement to ensure that conditions to be included in the approval are acceptable. Further, the Department may modify the conditions as written to fit the approval format, to improve clarity, and may substitute standard conditions of the Department with essentially the same language and intent.

The enclosed draft permit approval incorporates the Department's standard conditions, as well as other conditions intended to address some of the issues in the withdrawal of protest. The conditions on the draft approval do not address all actions or responsibilities agreed to by the parties as some of these are outside the scope of the Department's authority to impose or enforce. The Department considers these actions and responsibilities part of an agreement between the parties.

Please review the draft approval carefully. If you think the draft approval is not substantially in conformance with your stipulated conditions, contact the Department within 14 days of the date of this letter with your concerns. The application has no remaining protests; therefore, if we do not hear from you, the Department will take the steps necessary to bring the application to final resolution. You may file a petition for reconsideration within 14 days after the preliminary order approving the permit is issued.

Please contact me at 208-334-2190 if you have any questions regarding this matter.

Sincerely,

Nick Miller
Manager, IDWR Western Region

Enclosure(s): Draft Permit Approval Application for Permit 2-10558 and Map

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 2-10558

Priority: February 12, 2018

Maximum Diversion Rate: 0.35 CFS

This is to certify, that HGOAL LLC
7996 S BOGUS RIDGE WAY
BOISE ID 83716

has applied for a permit to appropriate water from:

Source: SNAKE RIVER**Tributary:** COLUMBIA 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>
IRRIGATION	03/01 to 11/15	0.35 CFS

LOCATION OF POINTS OF DIVERSION:

SNAKE RIVER	L7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)	Sec. 8, Twp 01N, Rge 03W, B.M., CANYON County
SNAKE RIVER	L7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)	Sec. 8, Twp 01N, Rge 03W, B.M., CANYON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
01N	03W	8															2.0	22	24
																	L7	L7	

Total Acres: 24

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2024**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right authorizes a single point of diversion.
6. The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 2-10558

7. 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.
8. 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.

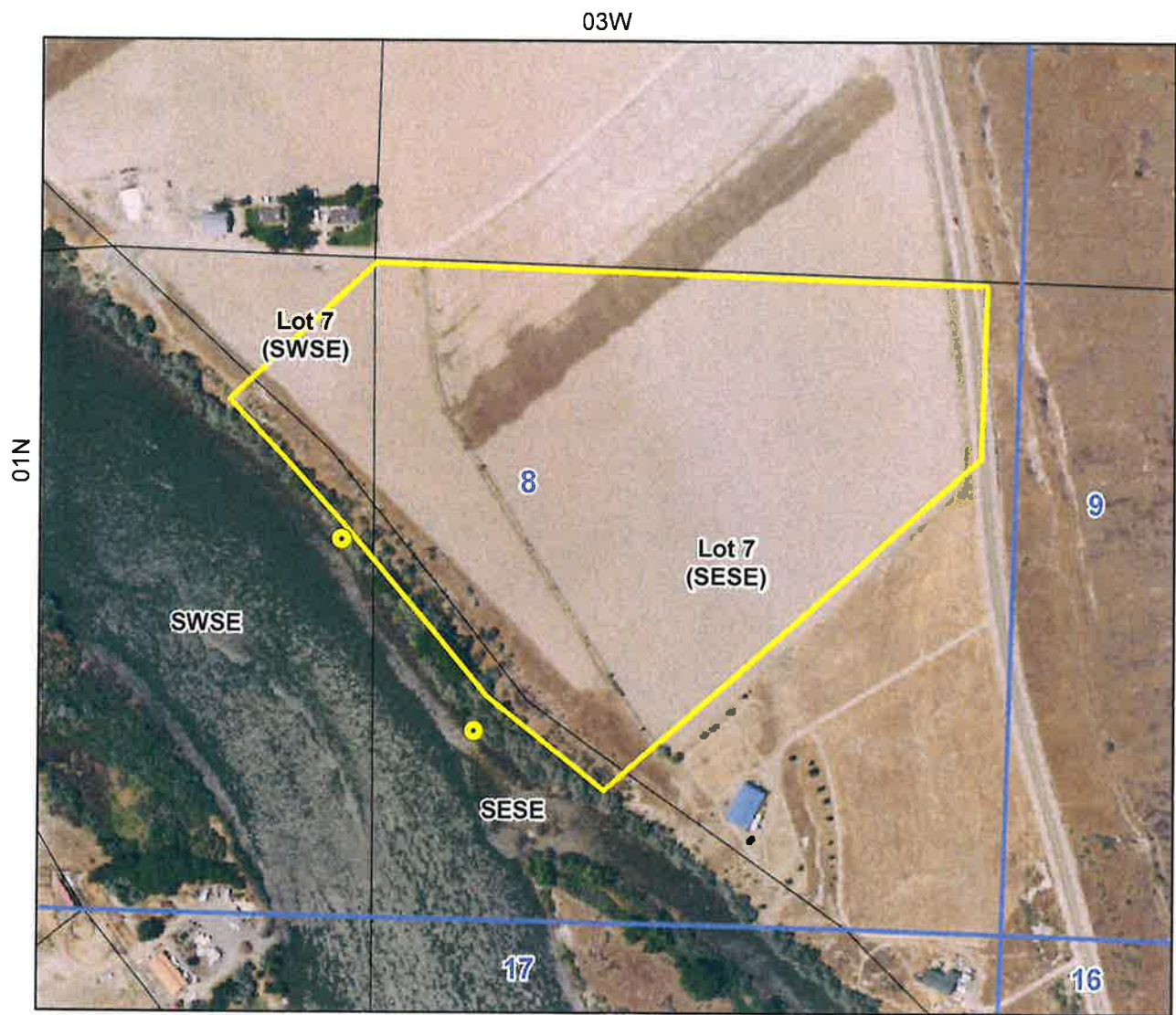
Signed this _____ day of _____, 20_____.

Nick Miller
Manager, IDWR Western Region

Attachment to Permit to Appropriate Water

2-10558

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



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.045 0.09 0.18 Miles

