

RECEIVED

SEP 13 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Ident. No. 36-17116

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

1. Name of applicant(s) Hagerman Wings Farm Phone 208-837-9153  
Name connector (check one):  and  or  and/or  
Mailing address 823 East 2700 South City Hagerman  
State ID Zip 83332 Email \_\_\_\_\_

2. Source of water supply Unnamed Stream which is a tributary of Sinks

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
7S	13E	15		NE	SE	NE	Gooding	Unnamed Stream	

4. Water will be used for the following purposes:

Amount 2.5 cfs for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)

Amount 2.5 cfs for Diversion to Storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)

Amount 6.2 acft for Wildlife Storage 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)

5. Total quantity to be appropriated is (a) 2.5 cubic feet per second (cfs) and/or (b) 6.2 acre feet per year (af).

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Water right permit no. 36-17068 authorizes the applicant to divert 2.5 cfs for wildlife use. This permit would replace existing permit and authorize wildlife storage.
- 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 11. For dams 10 feet or more in height OR reservoirs with a total 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 \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ 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. \_\_\_\_\_.

7. Description of proposed uses (if irrigation only, go to item 8):

- a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households \_\_\_\_\_
- e. Other; describe fully. Wildlife storage: existing water right permit no. 36-17068 authorizes 2.5 cfs diversion for wildlife uses. This permit will not increase diversion rate from unnamed stream, but allows for new wildlife pond.

FORM 102 (11) RECEIVED

AUG 07 2017

DEPT OF WATER RESOURCES SOUTHERN REGION

Ident. No. 36-17

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

1. Name of applicant(s) Hagerman Wings Farm Phone 208-837-9153 Name connector (check one):  and  or  and/or Mailing address 823 East 2700 South City Hagerman State ID Zip 83332 Email \_\_\_\_\_

2. Source of water supply Unnamed Stream which is a tributary of Sinks

3. Location of point(s) of diversion:

Table with columns: TWP, RGE, SEC, Govt Lot, 1/4, 1/4, 1/4, County, Source, Local name or tag #. Row 1: 7S, 13E, 15, NE, SE, NE, Gooding, Unnamed Stream.

4. Water will be used for the following purposes:

Amount 2.5 cfs for Diversion to Storage purposes from 1/1 to 12/31 (both dates inclusive) (cfs or acre-feet per year) Amount 1,811 acft for Wildlife Storage purposes from 1/1 to 12/31 (both dates inclusive) (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 2.5 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre feet per year (af).

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Water right permit no. 36-17068 authorizes the applicant to divert 2.5 cfs for wildlife use. This permit would replace existing permit and authorize wildlife storage. 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 11. For dams 10 feet or more in height OR reservoirs with a total 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 \_\_\_\_\_ inches, proposed depth of well is \_\_\_\_\_ feet. d. Is ground water with a temperature of greater than 80°F being sought?  Yes  No e. If well is already drilled, when? \_\_\_\_\_; drilling firm \_\_\_\_\_; well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_.

7. Description of proposed uses (if irrigation only, go to item 8):

- a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_ b. Stockwatering; list number and kind of livestock. \_\_\_\_\_ c. Municipal; complete and attach the Municipal Water Right Application Checklist. d. Domestic; show number of households \_\_\_\_\_ e. Other; describe fully. Wildlife storage: existing water right permit no. 36-17068 authorizes 2.5 cfs diversion for wildlife uses. This permit will not increase diversion rate from unnamed stream, but allows for new wildlife pond.

8. 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	
7S	13E	15				W													

Total number of acres to be irrigated: \_\_\_\_\_

9. 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?

- 10. 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:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

See attached page

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" 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.

**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.**

[Signature]  
Signature of Applicant

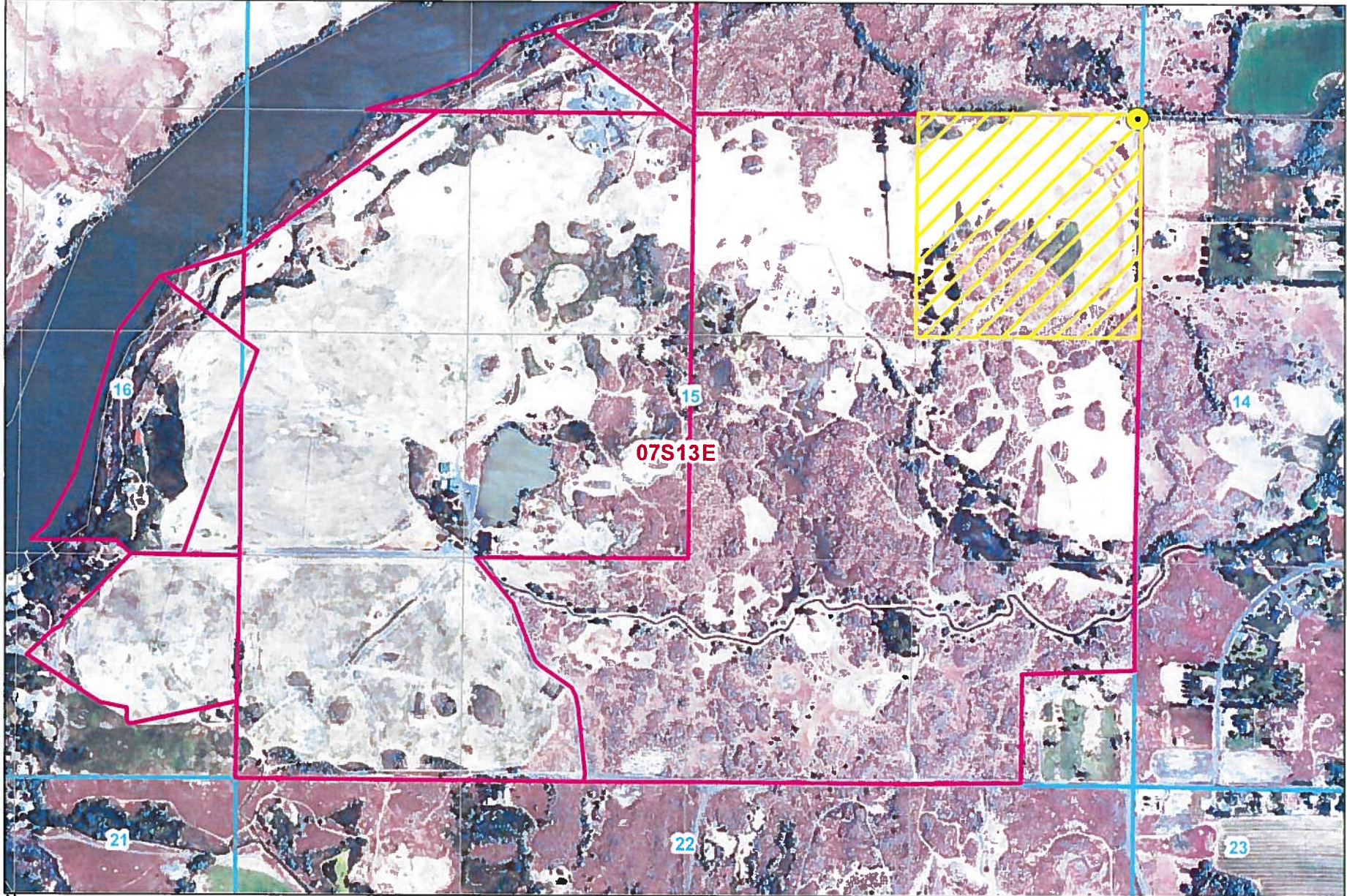
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name (and title, if applicable)

\_\_\_\_\_  
Print Name (and title, if applicable)

**For Department Use:**




Received by DM Date 8-7-2017 Time 12:45pm Preliminary check by \_\_\_\_\_  
 Fee \$ 330- Received by DM Receipt No. 5036271 Date 8-7-2017



36-17116

**FIGURE 1: PERMIT APPLICATION MAP  
HAGERMAN WINGS FARM - WATER RIGHTS  
T. 07S., R.13E.  
NAIP 2015 AERIAL PHOTOGRAPH**

**Legend**

-  Donkey\_Springs\_Storage\_POU
-  Donkey Springs POD
-  Hagerman Wings Farm

## **Narrative to Support Permit and Transfer Applications**

Hagerman Wings Farm  
Brockway Engineering, PLLC  
GEP, PE  
July 28, 2017

**RECEIVED**

**AUG 07 2017**

**DEPT OF WATER RESOURCES  
SOUTHERN REGION**

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This narrative describes the proposed permit application mitigation filed by Hagerman Wings Farm to create a new wildlife pond in the SENE of Section 15, Township 7 South, Range 13 East, Boise Meridian. In 2015, Hagerman Wings Farm filed a permit application to divert water from unnamed stream for wildlife use. This permit was approved as water right permit no. 36-17068 authorizing 2.5 cfs for wildlife use. The original intent was to divert this flow into the Hagerman Wings Farm existing wildlife system.

During development of permit no. 36-17068, the applicant decided a new wildlife pond was wanted. The contemplated wildlife pond is located in a quarter-quarter that does not have wildlife uses. Therefore, a new permit application has been prepared and mitigated with irrigation rights.

The source and rate of the new wildlife pond permit is the same as permit no. 36-17068, which is unnamed stream for 2.5 cfs. It is the intent of the applicant if this permit application is approved, that this new permit would replace the existing permit from unnamed stream (permit no. 36-17068).

The applicant proposes to build a pond in the SENE of Section 15, Township 7 South, Range 13 East, Boise Meridian, right next to the existing unnamed stream. The proposed pond no more than 1.25-acre surface area and an average depth of 2 feet. The year round diversion rate of 2.5 cfs would equate to 1,811 acft/year. Diversion of unnamed stream to this wildlife pond will immediately return to the natural unnamed stream where it sinks into the ground.

The first fill volume is 2.5 acft. The evaporation from the pond is anticipated to be 3.57 acft based on ET Idaho estimates of evaporation of open water (shallow systems) near Hagerman, ID (Allen and Robison, 2012). According to the applicant, the ponds will be lined with clay with no seepage. Based on IDWR administrative Memorandum dated March 5, 2015 titled "Seepage Loss Standards for Ponds and Reservoirs", the seepage rate for high plasticity clay lined ponds is 0.0003 ft/day or 0.14 acft/year.

The total amount of mitigation required will be 6.21 acft during the first year and then 3.71 acft for each subsequent year. Alfalfa with less frequent cuttings has an ET rate of 3.81 ft/acre (Allen and Robison, 2012). Therefore, during the first year it is proposed that 1.63 acres be used as mitigation for the first fill and the subsequent mitigation will be from drying up 0.97 acres of irrigation from water right no. 36-99 to mitigate for evaporation and seepage. The location of the 0.97 acres will be in the same QQ as the pond footprint.

# Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 53941

<b>Publication</b>	<b>Times News</b>		
<b>Contact</b>	ID DEPARTMENT OF WATER RESOURCES	<b>PO Number</b>	
<b>Address 1</b>	650 ADDISON AVE W, STE 500	<b>Rate</b>	Legal Notice
<b>Address 2</b>		<b>Order Price</b>	154.50
<b>City St Zip</b>	TWIN FALLS ID 83301	<b>Amount Paid</b>	0.00
<b>Phone</b>	2087363033	<b>Amount Due</b>	154.50
<b>Fax</b>			
<b>Section</b>	Legals	<b>Start/End Dates</b>	09/21/2017 - 09/28/2017
<b>SubSection</b>		<b>Insertions</b>	2
<b>Category</b>	50 Legal	<b>Size</b>	100
<b>Ad Key</b>	53941-1	<b>Salesperson(s)</b>	Ruby Aufderheide
<b>Keywords</b>	Hagerman Wings Farm & Double Eagle Properties	<b>Taken By</b>	Ruby Aufderheide
<b>Notes</b>			

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

**36-17116**  
**HAGERMAN WINGS FARM LLC**  
823 E 2700 S  
HAGERMAN, ID 83332  
Point of Diversion NESENE S15 T07S R13E GOODING County  
Source UNNAMED STREAM Tributary SINKS  
Use: DIVERSION TO STORAGE 01/01 to 12/31 2.5 CFS  
Use: WILDLIFE 01/01 to 12/31 2.5 CFS  
Use: WILDLIFE STORAGE 01/01 to 12/31 6.2 AF  
Total Diversion: 2.5 CFS  
Date Filed: 8/7/2017  
Place Of Use: WILDLIFE STORAGE  
T07S R13E S15 SENE  
Application proposes diverting 2.5 cfs of water from unnamed stream for wildlife storage use in a lined pond located approximately 0.5 mile west of the City of Hagerman. Evaporative and seepage losses will be mitigated from an existing irrigation water right.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 81885**

**DOUBLE EAGLE PROPERTIES LLLP**, 3173 N 4900 E, MURTAUGH, ID 83344; has filed Application No. 81885 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14469. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a new point of diversion (POD) and correct the currently described location of another POD for ground water right 45-14469 (0.29 cfs) used at an existing CAFO facility. The new well and correctly described existing well are located approximately 5.2 miles south and 0.2 mile west of Murtaugh and will be used with another well listed as a POD on right 45-14469 to provide water to the CAFO facility.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). For additional information on new permits, please see [www.idwr.idaho.gov/WaterManagement/WaterRights/#New](http://www.idwr.idaho.gov/WaterManagement/WaterRights/#New) Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before October 10, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
PUBLISH: September 21 and 28, 2017

✓ OK DM  
9-14-2017  
(E-mail sent)

**Proof of legal notice  
received from Times News  
9/14/2017 (2 total pgs)**

# Customer Ad Proof

**60002276 ID DEPARTMENT OF WATER RESOURCES**

**Order Nbr 53941**

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GARY SPACKMAN, Director  
**PUBLISH: September 21 and 28, 2017**



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 14, 2017

HAGERMAN WINGS FARM LLC  
823 E 2700 S  
HAGERMAN, ID 83332

RE: Application For Permit No. 36-17116

Dear Applicant(s):

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 **TIMES NEWS on 9/21/2017 and 9/28/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **October 10, 2017**

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,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline  
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC  
C/O ERICK POWELL  
2016 N WASHINGTON ST STE 4  
TWIN FALLS, ID 83301



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 14, 2017

WATER DISTRICT #130  
NATHAN ERICKSON  
650 ADDISON AVE W, STE 500  
TWIN FALLS, ID 83301

*via hand delivery*

RE: Application for Permit No(s). 36-17116

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline".

Denise Maline  
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 14, 2017

IDAHO DEPT OF FISH & GAME  
324 S 417 E, STE 1  
JEROME, ID 83338

RE: Application for Permit No(s). 36-17116

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can be found on our website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before October 10, 2017**).

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

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Thursday, September 14, 2017 9:28 AM  
**To:** Times News  
**Subject:** LEGAL NOTICE  
**Attachments:** Times News cover letter.docx; Times News ad.doc

Attached please find (1) legal notice being submitted for publication on September 21<sup>st</sup> & 28<sup>th</sup>, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline*

*Administrative Assistant*

*Idaho Dept of Water Resources, Southern Region*

*650 Addison Ave W, Ste 500*

*Twin Falls, ID 83301*

*(208) 736-3033*

*[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)*



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 14, 2017

**LEGAL NOTICE DEPARTMENT**

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17116

RE: Transfer No. 81885  
Water Right No(s): 45-14469

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 October 10, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

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HAGERMAN WINGS FARM LLC

823 E 2700 S

HAGERMAN, ID 83332

Point of Diversion NESENE S15 T07S R13E GOODING County Source UNNAMED STREAM Tributary SINKS

Use: DIVERSION TO STORAGE 01/01 to 12/31 2.5 CFS

Use: WILDLIFE 01/01 to 12/31 2.5 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 6.2 AF

Total Diversion: 2.5 CFS

Date Filed: 8/7/2017

Place Of Use: WILDLIFE STORAGE

T07S R13E S15 SENE

Application proposes diverting 2.5 cfs of water from unnamed stream for wildlife storage use in a lined pond located approximately 0.5 mile west of the City of Hagerman. Evaporative and seepage losses will be mitigated from an existing irrigation water right.

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GARY SPACKMAN, Director

Published on September 21<sup>st</sup> & 28<sup>th</sup>, 2017

**Aasa, Kent**

**From:** Erick Powell <erick.powell@brockwayeng.com>  
**Sent:** Wednesday, September 13, 2017 10:53 AM  
**To:** Aasa, Kent  
**Cc:** Skinner, Corey  
**Subject:** Hagerman Wings Farm  
**Attachments:** Updated first page for Donkey Springs Permit Application.pdf

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SEP 13 2017  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

Hi Kent,

Please find attached a revised first page for the permit application filed for Hagerman Wings Farm. This revision was made to reflect the intent of the permit application as described in the original narrative, and conform to current IDWR descriptions. The permit application now includes a wildlife use of 2.5 cfs, diversion to storage of 2.5 cfs, and wildlife storage of 6.2 acft. The permit will be limited to a diversion rate of 2.5 cfs. The volume was obtained by the following: Pond volume of 2.5 acft, seepage estimate of 0.14 acft, and evaporation estimate of 3.57 acft. Together this totals 6.21 acft. This volume discussion is outlined in the original narrative.

Given the location of the proposed pond in relationship to the original unnamed stream sink, the seepage component could be considered no-consumptive, but we have not provided any calculations to support that claim. If IDWR considers the seepage component to be non-consumptive based on the destination of Unnamed Stream, then the corresponding volume would be 6.07 acft (rounded to 6.1 acft). The corresponding mitigation would also be adjusted accordingly.

Thanks,  
Erick

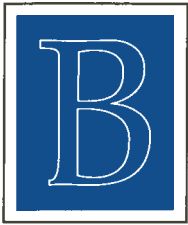
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**G. Erick Powell, Ph.D., P.E.**  
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*All information, calculations, maps, drawings, or other documents transmitted via email are preliminary unless explicitly stated in the email text or in the documents themselves.*



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DEPT OF WATER RESOURCES  
SOUTHERN REGION

July 28, 2017

Mr. Corey Skinner  
Idaho Department of Water Resources  
650 Addison Avenue West, Suite 500  
Twin Falls, ID 83301

Re: Hagerman Wings Farm Permit and Proof of Beneficial Use

Dear Corey,

As we discussed, here is a permit application for a new water right for diversion to storage and wildlife storage from unnamed stream. This permit, if approved, will replace approved permit no. 36-17068.

Also accompanying this letter is the proof of beneficial use for permit no. 36-17064.

If you have any questions, please let me know.

Cordially,

G. Erick Powell, P.E.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

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BROCKWAY,  
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