

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73742**CORRECTED AS APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of applicant Hagerman Wings Farm, LLC Phone (208) 481-0509Post Office address 823 East 2700 South, Hagerman, Idaho 83332**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add point of injection
2. Describe the reason for the proposed changes This transfer allows for water from Billingsley Creek to enter the Snake River (point of injection) and adds a point of redirection from the Snake River.

RECEIVED**JUL 25 2008****B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**DEPT. OF WATER RESOURCES
SOUTHERN REGION

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | | | |
|-----------------|-------------------|--------------------|-------------------|-------------|-----------|--------------|
| <u>36-15467</u> | <u>04/01/1905</u> | <u>2.95 cfs</u> | <u>Irrigation</u> | <u>3/15</u> | <u>to</u> | <u>11/15</u> |
| <u>36-98</u> | <u>04/01/1895</u> | <u>7.00 cfs</u> | <u>Irrigation</u> | <u>2/15</u> | <u>to</u> | <u>11/30</u> |
| | | | | | <u>to</u> | |
| | | | | | <u>to</u> | |
2. Total amount of water being transferred 9.95 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Billingsley Creek tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NE	11	7S	13E	Gooding	Sands Ditch Diversion
	SW	NE	SE	16	7S	13E	Gooding	Point of Injection
	NW	NE	SE	16	7S	13E	Gooding	Point of Rediversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	13E	15							28	37	23	40	40	11					179*
7S	13E	16				3									20				23*

PART 1

6. General Information:

a. Description of diversion system Billingsley Creek water flows through Sands Ditch to
irrigation distribution system or water flows into the Snake River and can be
diverted by a booster pump in the Snake River (POD for WR 2-10338).

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change on the irrigated land.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-15467 Decreed to _____
in case of SRBA vs. _____
dated 3/31/1998 in Twin Falls county of Twin Falls
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Billingsley Creek tributary to Snake River4. Date of priority 04/01/1905

5. Water is used for the following purpose:

Amount 2.95 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.95 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NE	11	7S	13E	Gooding	Sands Ditch Diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	13E	15							13	1		31	18	10					73
7S	13E	16													18				18

* A PPU of 202 acres was created with Transfer #73561 Total acres 91*

9. Describe any other water rights used for the same purpose as described above 36-98 and part of water right
2-10208 (Split in transfer #73568)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-98 Decreed to _____
in case of SRBA vs. _____
dated 3/31/98 in Twin Falls county of Twin Falls
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Billingsley Creek tributary to Snake River

4. Date of priority 4/1/1895

5. Water is used for the following purpose:

Amount 7.0 cfs for Irrigation purposes from 2/15 to 11/30
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 7.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NE	11	7S	13E	Gooding	Sands Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	13E	15							28	37	23	40	40	11					179
7S	13E	16				3									20				23

*Permissible Place of Use

Total acres 202*

9. Describe any other water rights used for the same purpose as described above 36-15467

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe the effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this _____

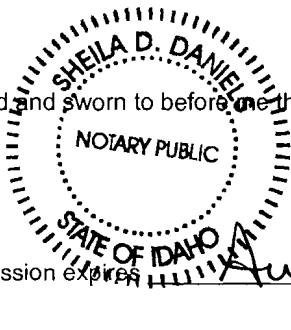
23rd

day of

(Signature of Applicant)

July

2008.



Sheila D. Daniels
(Notary Public)

My commission expires

Aug. 6, 2013

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Date

7-25-08

Protest filed by _____

Prelim. check by _____

Fee

\$280 = 5030326

Received by _____

Date

7-28-08

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____

Date

Watermaster recommendation requested on _____

Recommended for

☐ Approval

☐ Denial

rec'd.

by _____

Copy of transfer sent to lien holder _____

Jul 23 2008 12:15PM BROCKWAY ENGINEERING

2087368506

RECEIVED

JUL 25 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGIONLIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, John Shaw and/or Beverly Shaw, hereby nominate and appoint
G. Erick Powell as my attorney-in-fact with full authority to
 act for and on my behalf to undertake any and all acts or matters pertaining to water right
 transfers before the Idaho Department of Water Resources for the following water right
 transactions:

Transfer application for water rights: 36-15467 and 36-98 to add point of injection
and point of diversion.

in Gooding County, Idaho. Additionally, I hereby ratify and confirm any
 and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
 instruments of writing that may be necessary or proper to carry into execution and effect the
 applications, and transfers above-mentioned. Further, I hereby declare that each and every
 application, transfer, agreement, receipt, or payment which shall be by my said agent given,
 made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
 been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
 all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
 concerning the said premises by virtue of these present. This Limited Power of Attorney will
 become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 23 day of July, 2008

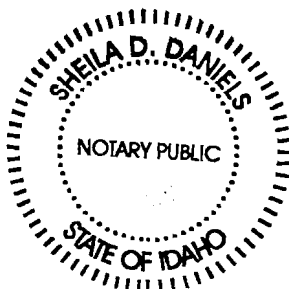
Beverly Shaw Signature
Beverly Shaw Signature

State of Idaho)

County of Twin Falls) ss.

On this 23rd Day of July, 2008, before me, a Notary
 Public in and for said County and State, personally appeared John + Beverly Shaw
 known or identified to me to be the individual whose name and subscription to the within
 instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
 seal the day and year in this certificate first above written.

S
E
A
L

Sheila D. Daniels
 Notary Public

In and for said State and County

Aug. 6, 2013
 My Commission Expires