State of Idaho
Department of Water Resources

Water Right License

Water Right No. 37-23392

Priority: January 19, 2010

Maximum Diversion Rate: 10.84 CFS
Maximum Diversion Volume: 398.9 AF

It is hereby certified that:

HEART ROCK RANCH LLC
PO BOX 3724
HAILEY ID 83333

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 13, 2009, and has submitted Proof of Beneficial Use on March 31, 2016. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
WILDLIFE STORAGE	01/01 to 12/31		398.9 AF
RECREATION STORAGE	01/01 to 12/31		398.9 AF
AESTHETIC STORAGE	01/01 to 12/31		398.9 AF
DIVERSION TO STORAGE	01/01 to 12/31	10.84 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 12	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Injection	Ground Water to Crystal Creek	Blaine County
GROUND WATER	NE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundments	Blaine County
GROUND WATER	NE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundments	Blaine County
GROUND WATER	SW1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County

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Department of Water Resources

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Water Right No. 37-23392

GROUND WATER	NW1/4SE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Injection	Ground Water to Crystal Creek	Blaine County
GROUND WATER	SW1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Injection	Ground Water to Crystal Creek	Blaine County
GROUND WATER	NW1/4SE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County
GROUND WATER	NE1/4SW1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County
GROUND WATER	SE1/4SW1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County
GROUND WATER	SE1/4SW1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
GROUND WATER	SE1/4SW1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County

GROUND WATER	NE1/4NW1/4	Sec. 13	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE1/4NW1/4	Sec. 13	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE1/4NE1/4	Sec. 14	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE1/4NW1/4	Sec. 14	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
GROUND WATER	NE1/4NW1/4	Sec. 14	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County

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GROUND WATER	NE1/4NW1/4	Sec. 14	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County
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GROUND WATER	SE1/4NE1/4	Sec. 15	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 15	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
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GROUND WATER	NE1/4SW1/4	Sec. 15	Twp 01S	Rge 18E	Point of Injection	From Ditches to Black Slough	Blaine County

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GROUND WATER	NE1/4SW1/4	Sec. 15	Twp 01S	Rge 18E	Point of Rediversion	From Black Slough to Ditches	Blaine County

GROUND WATER	NW1/4SW1/4	Sec. 15	Twp 01S	Rge 18E	Point of Rediversion	From Black Slough to Impoundments	Blaine County
GROUND WATER	NE1/4SE1/4	Sec. 15	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE1/4SE1/4	Sec. 15	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE1/4SE1/4	Sec. 15	Twp 01S	Rge 18E	Point of Diversion	Ground Water to Ditches/Pipe	Blaine County
GROUND WATER	NE1/4SE1/4	Sec. 15	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
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GROUND WATER	SW1/4NW1/4	Sec. 12	Twp 01S	Rge 18E	Point of Injection	From Ditches to Spring Creek	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Spring Creek to Impoundments	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Spring Creek to Ditches	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Injection	From Ditches to Spring Creek	Blaine County
GROUND WATER	NE1/4SE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Spring Creek to Impoundments	Blaine County
GROUND WATER	NW1/4NE1/4	Sec. 14	Twp 01S	Rge 18E	Point of Injection	From Ditches to Crystal Creek	Blaine County
GROUND WATER	NW1/4NW1/4	Sec. 22	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
GROUND WATER	NE1/4NE1/4	Sec. 21	Twp 01S	Rge 18E	Point of Injection	From Ditches to Willow Creek	Blaine County
GROUND WATER	SW1/4NE1/4	Sec. 21	Twp 01S	Rge 18E	Point of Rediversion	From Willow Creek to Ditches	Blaine County

Place of Use: WILDLIFE STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	11	X		X	X					X			X	X	X			
01S	18E	12							X										
01S	18E	13					X												
01S	18E	14					X	X											
01S	18E	15	X			X					X	X	X	X	X	X			
01S	18E	21	X		X														
01S	18E	22						X											

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Water Right License

Water Right No. 37-23392

Place of Use: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	11	X		X	X					X			X	X	X			
01S	18E	12							X										
01S	18E	13					X												
01S	18E	14					X	X											
01S	18E	15	X			X					X	X	X	X	X	X			
01S	18E	21	X		X														
01S	18E	22						X											

Place of Use: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	11	X		X	X					X			X	X	X			
01S	18E	12							X										
01S	18E	13					X												
01S	18E	14					X	X											
01S	18E	15	X			X					X	X	X	X	X	X			
01S	18E	21	X		X														
01S	18E	22						X											

Conditions of Approval

1. Rights 37-22459, 37-23391, and 37-23392 when combined shall not exceed a total diversion rate of 76.36 cfs for the storage of water in 71 total ponds not exceeding a total capacity of 735.3 acre-feet or a total surface area of 129.3 acres.
2. The 38 ponds established by the storage of water under this right shall not exceed a total capacity of 398.9 acre-feet or a total surface area of 63.4 acres.
3. Within the project, Big Wood River water, Crystal Creek water and ground water are injected into and rediverted from Black Slough.

   Within the project, Big Wood River water and ground water are injected into and rediverted from Crystal Creek.

   Within the project, Big Wood River water and ground water are injected into and rediverted from Spring Creek.

   Within the project, Willow Creek through Crystal Creek and Spring Creek receives water originating from the Big Wood River and/or ground water.
4. This right authorizes the annual filling of ponds listed above subject to the conditions listed below. Diversion to storage for off-stream ponds shall be limited as provided below. Flows through on-stream ponds are not limited by the diversion to storage rate.
5. Diversion from Spring Creek to off-stream ponds is not allowed unless Big Wood River water &/or ground water is being injected into Spring Creek upstream of the diversion/rediversion from Spring Creek.

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Water Right License

Water Right No. 37-23392

6. This right does not authorize diversion to storage beyond the maximum rate identified by rights 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, and 37-22533. This right is limited to 10.84 cfs during the irrigation season at each off-stream pond diversion concurrently except that this right does not authorize diversion to storage during the non-irrigation season in excess of 6.58 cfs. (Ground water diversion of this right during the non-irrigation season when combined with rights 37-22051, 37-22052 and 37-22533 is limited to 6.58 cfs.) The right holder shall be able to pump from any ground water right point of diversion during the irrigation season to the extent permitted by law, but shall not pump from any ground water right point of diversion during the non-irrigation season. The right holder is free to maintain any ground water point of diversion in any lawful fashion during any time of year in order to maintain diversion rates under this right.
7. Rights 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, 37-22533, and 37-23392 when combined shall not exceed a total diversion rate of 10.84 cfs during the irrigation season, 6.58 cfs during the non-irrigation season, and a total annual maximum diversion volume of 5,704.8 acre-feet.
8. Rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, 37-22533, 37-22459, 37-23391, and 37-23392 when combined shall not exceed a total diversion rate of 76.74 cfs during the irrigation season.
9. Rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-310A, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764, 37-19831, 37-22050, 37-22051, 37-22052, 37-22459, 37-23391, 37-23392, and 37-22533 when combined shall not exceed a total diversion rate of 78.1 cfs.
10. 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. 37.
11. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions for rights 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, 37-22533, and 37-23392 at all listed points of diversion and points of injection as required by the watermaster.
12. The right holder shall maintain and comply with a plan acceptable to the watermaster and the Department that may include a description of pond usage, installation of staff gages on ponds, and the collection of other data sources as required by the watermaster to understand and monitor water use under this right. The Department retains the jurisdiction to require modification of the plan, now and in the future, as required to provide the watermaster the ability to adequately deliver the water under this right.
13. The pond within Section 13, T01S, R18E is allowed a total facility volume of 8.5 acre feet. A portion of this volume may be used up to and limited to 2.7 acre feet to facilitate irrigation in a 24 hour period. The 5.8 acre feet portion of the facility volume shall not be used to facilitate irrigation. This does not limit the total 8.5 acre feet facility volume of this pond to be used for Aesthetic Storage, Recreation Storage and Wildlife Storage under this right.
14. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under the Stipulation to Resolve Protests dated January 20, 2011 to which the Department is not a party and which may be enforceable by a court of law.
15. This right does not grant any right-of-way or easement across the land of another.

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APR 25 2023

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 37-23392

16. Use of water under this right shall be non-consumptive. The consumptive use of the water features developed under this right is provided for by the wildlife, recreation and aesthetic uses under rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764 and 37-22050 established under transfers 75838, 75840, 75849, 75850, 75851, 75852, 75853, 75854, 75855 and 75856. If, due to curtailment for any reason, the total remaining active rights are insufficient to provide consumptive mitigation volume for all water features, the right holder shall cease diversion to, but need not drain, one or more ponds in the system as required so that the active rights are sufficient to provide the consumptive mitigation volume. Alternatively, the right holder shall cease irrigation of an area sufficient to provide the consumptive mitigation volume that was lost due to curtailment.
17. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
18. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 19th day of April, 2023.

COREY SKINNER
Southern Regional Manager

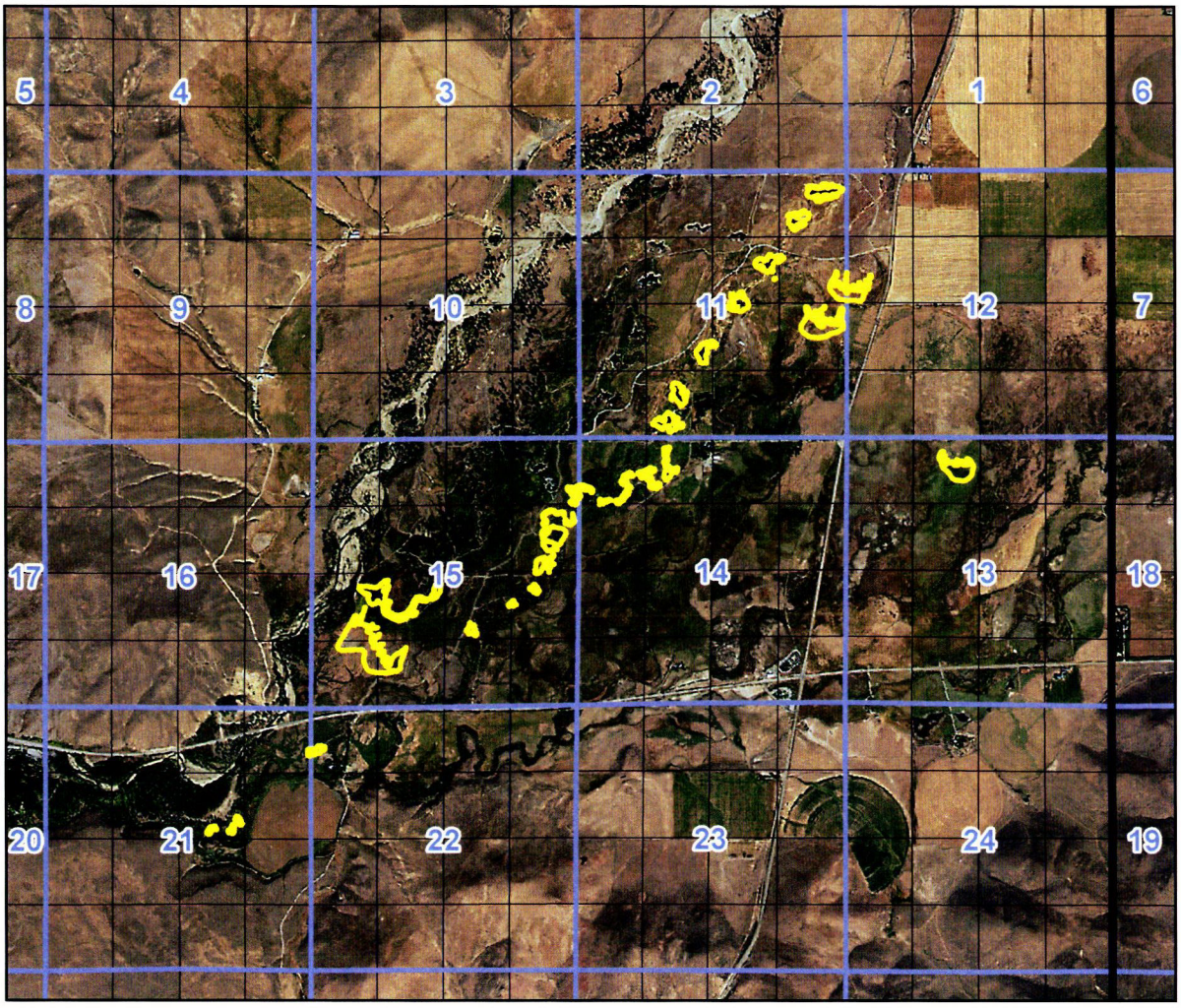
SCANNED
APR 25 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

37-23392

This map depicts the AESTHETIC, RECREATION, and WILDLIFE STORAGE 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.



0 0.45 0.9 1.8 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

N

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APR 25 2023

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 37-23392

RECEIVED
APR 17 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

Priority: January 19, 2010

Maximum Diversion Rate: 10.84 CFS
Maximum Diversion Volume: 398.9 AF

The owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-23392

HEART ROCK RANCH LLC
PO BOX 3724
HAILEY ID 83333

requests the permit be changed as follows:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
WILDLIFE STORAGE	01/01 to 12/31		398.9 AF
RECREATION STORAGE	01/01 to 12/31		398.9 AF
AESTHETIC STORAGE	01/01 to 12/31		398.9 AF
DIVERSION TO STORAGE	01/01 to 12/31	10.84 CFS	

Location of Point(s) of Diversion

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GROUND WATER	SW1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Impoundment	Blaine County
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Water Right No. 37-23392

GROUND WATER	SW1/4NW1/4	Sec. 12	Twp 01S	Rge 18E	Point of Injection	From Ditches to Spring Creek	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Spring Creek to Impoundments	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Spring Creek to Ditches	Blaine County
GROUND WATER	SE1/4NE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Injection	From Ditches to Spring Creek	Blaine County
GROUND WATER	NE1/4SE1/4	Sec. 11	Twp 01S	Rge 18E	Point of Rediversion	From Spring Creek to Impoundments	Blaine County
GROUND WATER	NW1/4NE1/4	Sec. 14	Twp 01S	Rge 18E	Point of Injection	From Ditches to Crystal Creek	Blaine County
GROUND WATER	NW1/4NW1/4	Sec. 22	Twp 01S	Rge 18E	Point of Rediversion	From Crystal Creek to Ditches	Blaine County
GROUND WATER	NE1/4NE1/4	Sec. 21	Twp 01S	Rge 18E	Point of Injection	From Ditches to Willow Creek	Blaine County
GROUND WATER	SW1/4NE1/4	Sec. 21	Twp 01S	Rge 18E	Point of Rediversion	From Willow Creek to Ditches	Blaine County

Place of Use: WILDLIFE STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	11	X		X	X					X			X	X	X			
01S	18E	12							X										
01S	18E	13					X												
01S	18E	14					X	X											
01S	18E	15	X			X					X	X	X	X	X	X			
01S	18E	21	X		X														
01S	18E	22						X											

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State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 37-23392

Place of Use: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	11	X		X	X					X			X	X	X			
01S	18E	12							X										
01S	18E	13					X												
01S	18E	14					X	X											
01S	18E	15	X			X					X	X	X	X	X	X			
01S	18E	21	X		X														
01S	18E	22						X											

Place of Use: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	11	X		X	X					X			X	X	X			
01S	18E	12							X										
01S	18E	13					X												
01S	18E	14					X	X											
01S	18E	15	X			X					X	X	X	X	X	X			
01S	18E	21	X		X														
01S	18E	22						X											

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 12TH day of April, 2023.

(Signature)

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APR 25 2023

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 37-23392

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = $100 Receipted by DM # S0397141 Date 4-17-2023

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 37-23392 with the following:

Conditions of Approval

1. Rights 37-22459, 37-23391, and 37-23392 when combined shall not exceed a total diversion rate of 76.36 cfs for the storage of water in 71 total ponds not exceeding a total capacity of 735.3 acre-feet or a total surface area of 129.3 acres.
2. The 38 ponds established by the storage of water under this right shall not exceed a total capacity of 398.9 acre-feet or a total surface area of 63.4 acres.
3. Within the project, Big Wood River water, Crystal Creek water and ground water are injected into and rediverted from Black Slough.

   Within the project, Big Wood River water and ground water are injected into and rediverted from Crystal Creek.

   Within the project, Big Wood River water and ground water are injected into and rediverted from Spring Creek.

   Within the project, Willow Creek through Crystal Creek and Spring Creek receives water originating from the Big Wood River and/or ground water.
4. This right authorizes the annual filling of ponds listed above subject to the conditions listed below. Diversion to storage for off-stream ponds shall be limited as provided below. Flows through on-stream ponds are not limited by the diversion to storage rate.
5. Diversion from Spring Creek to off-stream ponds is not allowed unless Big Wood River water &/or ground water is being injected into Spring Creek upstream of the diversion/rediversion from Spring Creek.
6. This right does not authorize diversion to storage beyond the maximum rate identified by rights 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, and 37-22533. This right is limited to 10.84 cfs during the irrigation season at each off-stream pond diversion concurrently except that this right does not authorize diversion to storage during the non-irrigation season in excess of 6.58 cfs. (Ground water diversion of this right during the non-irrigation season when combined with rights 37-22051, 37-22052 and 37-22533 is limited to 6.58 cfs.) The right holder shall be able to pump from any ground water right point of diversion during the irrigation season to the extent permitted by law, but shall not pump from any ground water right point of diversion during the non-irrigation season. The right holder is free to maintain any ground water point of diversion in any lawful fashion during any time of year in order to maintain diversion rates under this right.
7. Rights 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, 37-22533, and 37-23392 when combined shall not exceed a total diversion rate of 10.84 cfs during the irrigation

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(For Licensing Purposes)
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season, 6.58 cfs during the non-irrigation season, and a total annual maximum diversion volume of 5,704.8 acre-feet.

8. Rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, 37-22533, 37-22459, 37-23391, and 37-23392 when combined shall not exceed a total diversion rate of 76.74 cfs during the irrigation season.
9. Rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-310A, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764, 37-19831, 37-22050, 37-22051, 37-22052, 37-22459, 37-23391, 37-23392, and 37-22533 when combined shall not exceed a total diversion rate of 78.1 cfs.
10. 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. 37.
11. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions for rights 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052, 37-22533, and 37-23392 at all listed points of diversion and points of injection as required by the watermaster.
12. The right holder shall maintain and comply with a plan acceptable to the watermaster and the Department that may include a description of pond usage, installation of staff gages on ponds, and the collection of other data sources as required by the watermaster to understand and monitor water use under this right. The Department retains the jurisdiction to require modification of the plan, now and in the future, as required to provide the watermaster the ability to adequately deliver the water under this right.
13. The pond within Section 13, T01S, R18E is allowed a total facility volume of 8.5 acre feet. A portion of this volume may be used up to and limited to 2.7 acre feet to facilitate irrigation in a 24 hour period. The 5.8 acre feet portion of the facility volume shall not be used to facilitate irrigation. This does not limit the total 8.5 acre feet facility volume of this pond to be used for Aesthetic Storage, Recreation Storage and Wildlife Storage under this right.
14. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under the Stipulation to Resolve Protests dated January 20, 2011 to which the Department is not a party and which may be enforceable by a court of law.
15. This right does not grant any right-of-way or easement across the land of another.
16. Use of water under this right shall be non-consumptive. The consumptive use of the water features developed under this right is provided for by the wildlife, recreation and aesthetic uses under rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764 and 37-22050 established under transfers 75838, 75840, 75849, 75850, 75851, 75852, 75853, 75854, 75855 and 75856. If, due to curtailment for any reason, the total remaining active rights are insufficient to provide consumptive mitigation volume for all water features, the right holder shall cease diversion to, but need not drain, one or more ponds in the system as required so that the active rights are sufficient to provide the consumptive mitigation volume. Alternatively, the right holder shall cease irrigation of an area sufficient to provide the consumptive mitigation volume that was lost due to curtailment.

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APR 25 2023

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 37-23392

17. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
18. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 19th day of April, 2023.

COREY SKINNER
Southern Regional Manager

SCANNED
APR 25 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 20, 2023

HEART ROCK RANCH LLC
PO BOX 3724
HAILEY ID 83333-3724

RE: License No. 37-22459, 37-23391, 37-23392

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Also enclosed is a copy of the signed Application(s) for Amendment of Permit received April 17, 2023.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

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. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure(s)

SCANNED
APR 25 2023

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2023, I served a true and correct copy of Water Right License No(s). 37-22459, 37-23391, 37-23392 by U.S. Mail, postage prepaid, to the following:

HEART ROCK RANCH LLC (Current Owner)
PO BOX 3724
HAILEY ID 83333-3724

CHRIS M BROMLEY (Attorney)
MC HUGH BROMLEY PLLC
380 S 4TH ST STE 103
BOISE ID 83702-7687

BROCKWAY ENGINEERING PLLC (Representative)
C/O ZACH LATHAM
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

WATER DISTRICT #37
SUNNY HEALEY (Watermaster)
107 W 1ST ST
SHOSHONE ID 83352-5425

Denise Maline

Denise Maline
Administrative Assistant 1

SCANNED
APR 25 2023

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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.

SCANNED
APR 25 2023

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 service date 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.

SCANNED
APR 25 2023

April 12, 2023

Corey Skinner
IDWR
650 Addison Ave W STE 500
Twin Falls, ID 83301

Dear Corey,

Here are the three signed applications and a check for $300.00 - I decided to send all the pages.

Also for the record, please change the listed attorney for these records from Fritz Haemmerle to Chris Bromley

Thanks for your help!

Harry Hagy
Hunt Rock Ranch LLC

RECEIVED
APR 17 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

SCANNED
APR 25 2023

Skinner, Corey

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Friday, March 31, 2023 9:17 AM
To: Skinner, Corey
Cc: 'Chris Bromley'; charles.g.brockway@brockwayeng.com
Subject: RE: Heart Rock Ranch Licensing Amendments

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Corey-
Thank you for your very detailed explanations, I really appreciate it.
Your numbers and logic make sense relative to the flow rate and annual diversion volume under 37-23392.
As such, I will recommend the applicant sign the second draft of the licensing amendments.

I will be in touch-

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506
zach.latham@brockwayeng.com
All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Saturday, March 11, 2023 3:56 PM
To: Zach Latham
Cc: Chris Bromley; charles.g.brockway@brockwayeng.com
Subject: RE: Heart Rock Ranch Licensing Amendments

Zach,

Thanks for getting back to me on this. It looks like we are getting close to agreement on these. If I understand correctly, you agree with everything, but are questioning the diversion rate on 37-22459 (when compared to condition #8) and the overall diversion volume limit on 37-23392. I will try and address these two items (highlighted in yellow in your e-mail below)....

The original permit was for a total diversion rate of 76.36 cfs and had the following condition...

> *This right does not authorize diversion to storage from any source beyond the maximum rate and source identified by rights 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-69B, 37-70, 37-71B, 37-139, 37-180, 37-181, 37-230, 37-231A, 37-231B, 37-232, 37-233, 37-577AZ, 37-1187, 37-1207, 37-2492, 37-2538, 37-2597, 37-2764, 37-22050, 37-22051, 37-22052 and 37-22533. This right is limited to the following rates from the following sources for diversion to storage in off-stream ponds:*
>
> *Big Wood River 44.9 cfs*
> *Crystal Creek 9.4 cfs*

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APR 25 2023

Willow Creek	*16.4 cfs*
Black Slough	*16.4 cfs*
Ground water	*10.84 cfs*

This right allows for the diversion to storage at the rates identified above at each off-stream pond diversion concurrently during the entire year except that this right does not authorize diversion to storage from the Big Wood River during the non-irrigation season and does not authorize the diversion to storage from ground water during the non-irrigation season in excess of 6.58 cfs. (Ground water diversion of this right during the non-irrigation season when combined with rights 37-22051, 37-22052 and 37-22533 is limited to 6.58 cfs.) The right holder shall be able to pump from any ground water right point of diversion during the irrigation season to the extent permitted by law, but shall not pump from any ground water right point of diversion during the non-irrigation season. The right holder is free to maintain any ground water point of diversion in any lawful fashion during any time of year in order to maintain diversion rates under this right.

I believe that the section of the condition that identified the individual rates for specific sources was an attempt to match sources with the existing irrigation rights in the first sentence of the condition. Note that the sum of 44.9 cfs + 9.4 cfs + 16.4 cfs + 16.4 cfs + 10.84 cfs = 97.94 cfs is way more than the permitted rate of 76.36 cfs. The rates in the condition for Crystal Creek, Black Slough, and Willow Creek are somewhat double counted when looking by source. Some of the existing irrigation rights list combinations of these sources (Black Slough **and** Willow Creek & Black Slough, Crystal Creek, **and** Willow Creek). The 16.4 cfs represents the most that can be diverted out of Willow Creek and the Black Slough (summation of rights 37-180, 37-181, 37-231A, 37-233 and 37-1207). If all 16.4 cfs is diverted out of Willow Creek, then nothing can be diverted out of Black Slough, and only 4.6 cfs can be diverted from Crystal Creek (per rights 37-139 and 37-233). The 16.4 cfs represents the summation of rights 37-180, 37-181, 37-231A, 37-233 and 37-1207. The 9.4 cfs represents the summation of rights 37-139, 37-233, and 37-1207.

My logic for the groundwater diversion limit is as follows...

- Right 37-2492 (2.75 cfs) and right 37-22051 (2.75 cfs) have a condition limiting them to a combined 2.75 cfs. Right 37-2492 only allows diversion during the irrigation season, but right 37-22051 allows year-round diversion. Therefore, 2.75 cfs x 1.9835 AF/cfs x 365 days = **1990.9 acre-feet**.

- Right 37-2538 (1.65 cfs) and right 37-22052 (1.65 cfs) have a condition limiting them to a combined 1.65 cfs. Right 37-2538 only allows diversion during the irrigation season, but right 37-22052 allows year-round diversion. Therefore, 1.65 cfs x 1.9835 AF/cfs x 365 days = **1194.6 acre-feet**.

- Rights 37-2597 and 37-2764 have a condition limiting them to a combined **576.0 acre-feet**.

- Right 37-22050 (3.10 cfs) and right 37-22533 (2.18 cfs) have a condition limiting them to a combined 3.10 cfs. Right 37-22050 only allows diversion during the irrigation season, but right 37-22533 allows year-round diversion. The combined 3.10 cfs can only be diverted during the irrigation season. During the non-irrigation season, only 2.18 cfs can be diverted. Therefore, 3.10 cfs x 1.9835 AF/cfs x 200 days = **1229.8 acre-feet.** Therefore, 2.18 cfs x 1.9835 AF/cfs x 165 days = **713.5 acre-feet.**

The summation of **1990.9 acre-feet + 1194.6 acre-feet + 576.0 acre-feet + 1229.8 acre-feet + 713.5 acre-feet = 5704.8 acre-feet.**

Hopefully, this helps. Let me know what you think,

Corey

SCANNED
APR 25 2023

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Thursday, March 9, 2023 12:18 PM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; 'Chris Bromley' <cbromley@mchughbromley.com>; charles.g.brockway@brockwayeng.com
Subject: RE: Heart Rock Ranch Licensing Amendments

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Corey-
I have gone through all three of the 2nd draft licensing amendments. Here are my comments:

37-22459 SW East Side of BWR:

- POD modifications look good, I went through and found every addition and deletion on your 2nd draft and cross referenced them on my notes from our meeting. I understand the drop from 715.3 AF to 706.8 AF associated with the deletion of the storage facility on the east side of HWY 75 as it doesn't get water from the BWR, rather ground water. This reduction makes sense as its storage volume is included in 37-23392 and the total storage volume limit remained the same at 735.3 AF for the project (which is correct).
- Should the maximum diversion rate on page 1 match the sum of Condition 8's diversion rate limits during concurrent diversions? I can see a scenario wherein all sources would be in priority and able to divert the sum of the diversion rate for all surface water rights.

37-23391 SW West Side of BWR:

- No changes needed per our meeting.

37-23392 GW East Side of BWR:

- POD modifications also look good, I went through and found every addition and deletion on your 2nd draft and cross referenced them on my notes from our meeting including adding a POD in the NE SE Sec. 15, T.01S R.18E. From Ditches to Crystal Creek.
- On Condition #7, I did check the annual diversion volume limit and I came out with a larger volume based on a 200 day irrigation season @ 10.84 cfs and a 165 non-irrigation season @ 6.85 cfs as shown below:
    - 10.84 cfs x 200 days x 1.983 AF/cfs = 4,299.1 AF, and 6.58 x 165 days x 1.983 AF/cfs = 2,152.9 AF. 4,299.1 AF + 2,152.9 AF = 6,452.0 AF.

I think that's all I had, I don't see any other errors.

I believe Chris is satisfied with the conditions on the 2nd Drafts, but I will let him confirm in a reply email.

Thanks and let us know what you think on the diversion rate for 37-22459 and the annual diversion volume limit on 37-23392.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506
zach.latham@brockwayeng.com
All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

SCANNED
APR 25 2023

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Tuesday, February 21, 2023 3:48 PM
To: Zach Latham; Chris Bromley; charles.g.brockway@brockwayeng.com
Subject: Heart Rock Ranch Licensing Amendments

Gentlemen,

Please find attached new licensing amendments and new draft licenses for Heart Rock Ranch. I believe that all the proposed changes that we discussed during our January 18th meeting have been incorporated into the attached documents. These changes are summarized as follows...

- Remove pond east of Highway 75 (in Section 13) from right 37-22459. (This resulted in a change in place of use, changing amounts on condition # 2, and eliminating previous condition # 11).
- Adding injection point into the Big Wood River from the Bypass Canal and adding a rediversion point (Black # 61 headgate) to right 37-22459.
- Removing diversion points on right 37-22459 to reflect off stream storage facilities in portions of Section 10 and Section 15 (not actually on the Black Slough).
- Adjustments to diversion points on rights 37-22459 and 37-23392 (mostly due to removing Spring Creek rediversions).

With regards to conditions, the proposed language that Chris suggested for the "non-consumptive" condition has been incorporated into the following conditions...

- Condition of Approval # 9 on draft license and licensing amendment for 37-22459
- Condition of Approval # 7 on draft license and licensing amendment for 37-23391
- Condition of Approval # 16 on draft license and licensing amendment for 37-23392

We discussed the proposed Trust Water condition adjustments internally within IDWR and have decided to not go there. I believe that we are "dug in" on this issue. The attached documents reflect the standard IDWR practice of replacing permit condition "051" with licensing conditions "933" and "935".

If the attached documents are acceptable, then we need the amendments signed by a representative of Heart Rock Ranch (page 13 of 37-22459 amendment, page 2 of 37-23391 amendment, and page 6 of 37-23392 amendment) and returned to our office along with $300.00. We also need a request to remove Fritz Haemmerle as the attorney for these records (and perhaps add Chris as attorney?).

Let me know if you have any questions,

Corey

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APR 25 2023

Skinner, Corey

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Thursday, January 19, 2023 1:47 PM
To: Skinner, Corey
Cc: 'Zach Latham'; charles.g.brockway@brockwayeng.com
Subject: RE: Trust Water Conditions on Heart Rock Ranch Draft Licenses

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Corey,

Thanks for passing this along, I noticed that this morning too when I was thinking through an email to Shelley.

Again, thanks for taking the time to talk through the draft licenses yesterday with us. I thought it was an extremely good use of time and believe we're very close.

Chris

From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Thursday, January 19, 2023 1:21 PM
To: Chris Bromley <cbromley@mchughbromley.com>
Cc: Zach Latham <zach.latham@brockwayeng.com>; charles.g.brockway@brockwayeng.com
Subject: Trust Water Conditions on Heart Rock Ranch Draft Licenses

Chris,

I just wanted to clarify after yesterday's discussion that the "trust water condition" on permit 37-22459 **does** have the words "trust water" in the condition. In addition, IDWR has internally flagged water right records as trust water rights for querying purposes. Permit record 37-22459 has this flag set to identify it as a trust water right in IDWR's system. The following summarizes the conditions (with their corresponding condition codes) for the permit and draft licenses...

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Permit 37-22459

051	Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term

Draft Licenses

933	This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water
935	Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right

Hopefully this helps,

Corey

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APR 25 2023

Skinner, Corey

From: Skinner, Corey
Sent: Monday, January 2, 2023 11:34 AM
To: Keen, Shelley
Subject: Re: Request for Licensure: Heart Rock Ranch LLC Permit 37-22459

The amendments were sent to Zach and the permit holder Tuesday and Wednesday of last week. Currently waiting to hear back from them. I sent Zach draft licenses and shape files too.

Sent from my iPhone

> On Jan 2, 2023, at 11:20 AM, Keen, Shelley <Shelley.Keen@idwr.idaho.gov> wrote:
>
> Corey,
>
> I'm writing to check in on your progress getting Permit 37-22459 (Heart Rock Ranch) resolved. In November I told Zach we would have a decision by the end of December. Have you gotten the draft amendments to Zach yet?
>
> Shelley
>
> **From:** Keen, Shelley
> **Sent:** Thursday, November 10, 2022 9:55 AM
> **To:** Zach Latham <zach.latham@brockwayeng.com>
> **Cc:** Hansen, Angela <Angela.Hansen@idwr.idaho.gov>; Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
> **Subject:** RE: Request for Licensure: Heart Rock Ranch LLC Permit 37-22459
>
> Zach,
>
> Thanks for your letter asking IDWR to prioritize the licensing review for Permit 37-22459. Dan Nelson has put substantial effort into the review already. I've asked Dan and Corey Skinner to collaborate to finish the review and issue a decision by the end of December 2022.
>
> At this point, IDWR is considering issuing five licenses for the development under the single permit. We think the rights would be easier to define and administer if they were separated by drainage or source as follows – Black Slough, Willow Creek, Big Wood River west side, Big Wood River east side, and ground water.
>
> Dan and Corey will contact you if they have questions.
>
> Regards,
>
> Shelley Keen
> Water Allocation Bureau Chief
> Idaho Dept. of Water Resources
> 208-287-4947

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APR 25 2023

shelley.keen@idwr.idaho.gov

From: Zach Latham <zach.latham@brockwayeng.com>
Sent: Wednesday, November 9, 2022 10:34 AM
To: Hansen, Angela <Angela.Hansen@idwr.idaho.gov>
Cc: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; hrhagey@gmail.com; Shirley Hagey <shirley.hagey@gmail.com>; westinsley@gmail.com; charles.g.brockway@brockwayeng.com; cbromley@mchughbromley.com
Subject: Request for Licensure: Heart Rock Ranch LLC Permit 37-22459

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Angela-
Please see the attached letter and supporting documents requesting licensure of Heart Rock Ranch LLC's active permit 37-22459. A hard copy will be mailed to your office.

Let us know if you have any questions, we look forward to seeing a draft license for 37-22459.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506
zach.latham@brockwayeng.com
All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

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APR 25 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

December 27, 2022

HEART ROCK RANCH LLC
PO BOX 3724
HAILEY ID 83333

RE: Water Right Permit No. 37-22459

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing water right licenses. During review, it was noted that three systems were developed (surface water sources east of the Big Wood River, Big Wood River water west of the Big Wood River, and groundwater east of the Big Wood River). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that points of diversion have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Idaho Code § 42-211. Before licenses can be issued, your permit must be amended to depict your water use as it was actually developed.

The enclosed Application for Amendment forms depict the elements of the water rights as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, please sign and return the forms with the filing fee of $300.00 within fourteen (14) days.

If you have any questions, please call me at (208) 736-3033.

Sincerely,

Corey Skinner, P.E.
IDWR Southern Region Manager

Enclosure(s): Applications for Amendment (37-22459, 37-23391, and 37-23392)

cc: Zach Latham – Brockway Engineering

SCANNED
APR 25 2023