

RECEIVED

FORM 202 Rev. 09/16

JUL 12 2023

WATER RESOURCES
WESTERN REGION

Print Single Sided Only

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

Ident. No. 63-35459

1. Name of applicant(s) HA Winterfell LLC Phone 410-571-6197
Name connector (check one) ☐ and ☐ or ☐ and/or
Mailing address c/o HASI, One Park Place, Suite 200 City Annapolis
State MD ZIP 21401 Email legaldepartment@hasi.com, HALand@hasi.com
2. Name of representative, if any Dylan Lawrence, Varin Thomas LLC Phone 208-345-6021
Mailing address 242 N. 8th Street, Ste. 220 City Boise
State ID ZIP 83702 Email dylan@varinthomas.com
 - a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
 - b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
01N	01E	10			SW	NE	Ada	Ground water	
01N	01E	10			SE	SE	Ada	Ground water	396516

5. Water will be used for the following purposes:
Amount 0.02 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.02 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source. Two existing groundwater wells with water bearing zone between 150 and 290 feet
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
 - c. Proposed well diameter is _____ 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? 1973; drilling firm C. L. Hiddleston & Son; well was drilled for (well owner) Carl Nicholson; Drilling Permit No. 825888

For Department Use

Received by CC Date 7-12-23 Time _____ Preliminary check by _____
Fee \$ 100 Receipted by CC Receipt No. W051376 Date 7-12-23

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. 120 sheep
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	10			X		X	X	X	X	X			X	X		X	X	
01N	01E	11									X	X	X	X					

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None for stockwatering. Applicant holds permit 63-34961 for industrial, commercial, and fire protection purposes and several irrigation rights.

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Watering sheep for control of vegetation

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

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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



Signature of Applicant

Daniel K. McMahon, Authorized Signatory

Print Name (and title, if applicable)

Signature of Applicant

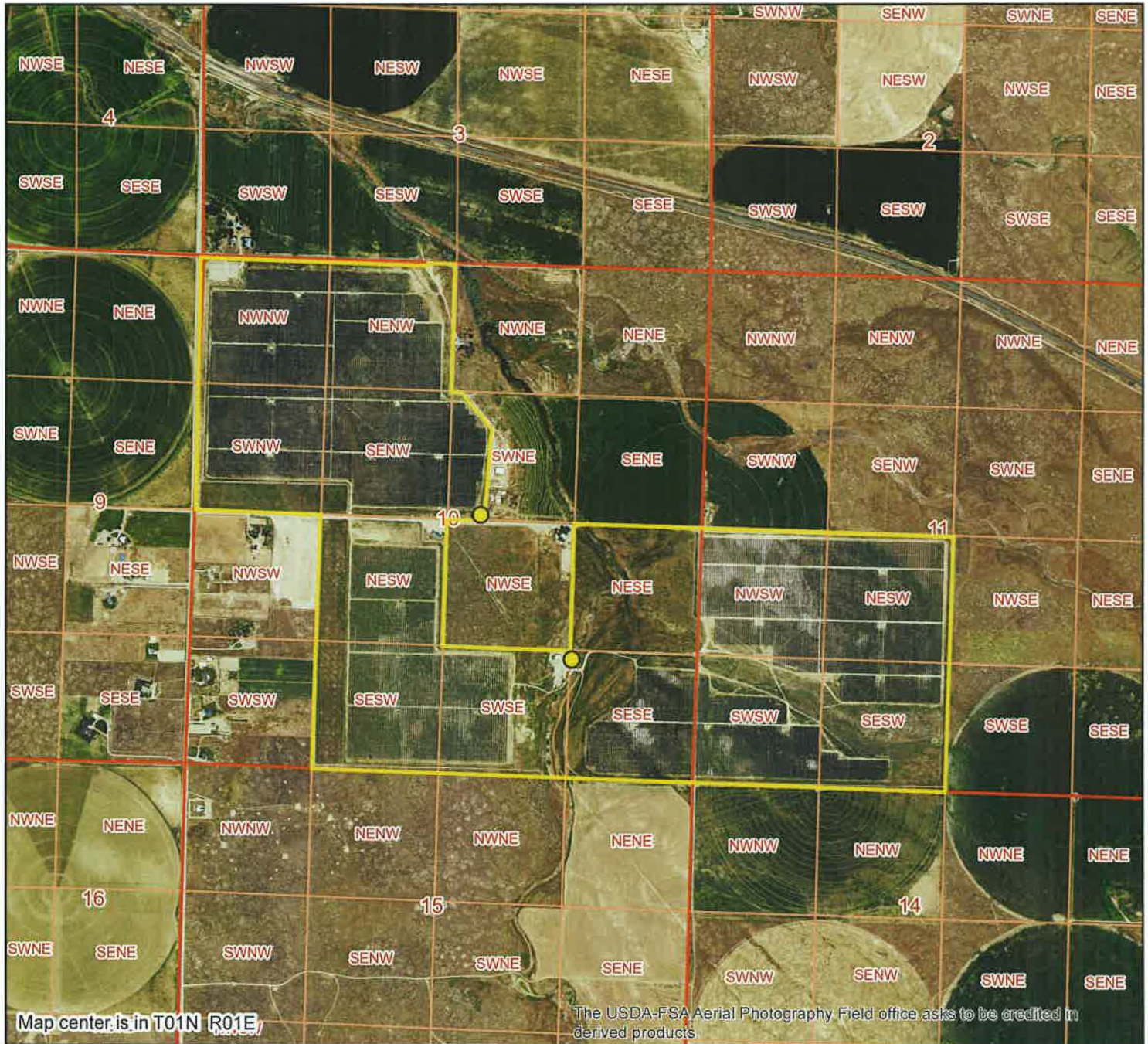
Print Name (and title, if applicable)

Application for Permit to Appropriate Water

HA Winterfell LLC

STOCKWATERING

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 6/21/2023



Legend

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





IDAHO DEPARTMENT OF
WATER RESOURCES

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

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 28, 2023

HA WINTERFELL LLC
C/O HASI
1 PARK PL STE 200
ANNAPOLIS MD 21401-3581

RE: Application for Permit No. 63-35459

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 IDAHO STATESMAN on 8/3/2023 and 8/10/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Lynne Evans
Administrative Assistant I

CC: DYLAN LAWRENCE, VARIN THOMAS LLC



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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Governor Brad Little

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July 28, 2023

CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE ID 83707-0027

RE: Application for Permit No. 63-35459

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization 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 of the final publication.

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

Sincerely,

Lynne Evans
Administrative Assistant I

Evans, Lynne

From: Evans, Lynne
Sent: Friday, July 28, 2023 10:18 AM
To: Daniel Hoke; Mike Meyers
Subject: Application for Permit Nos. 63-35459, 63-35446
Attachments: 63-35459 WM.docx; 63-35446 WM.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office by August 21, 2023.

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 watermaster, 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 can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by August 21, 2023, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Application for Permit No. 63-35459

New Appropriation Applicant's
Name:

HA WINTERFELL LLC
C/O HASI
1 PARK PL STE 200
ANNAPOLIS, MD 21401-3581

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned
as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____.

Watermaster's Signature

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, July 27, 2023 11:32 AM
To: BOI Legals
Subject: Legal Notice for Application for Permit No. 63-35459
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho Statesman 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 8/21/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

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

63-35459

HA WINTERFELL LLC

C/O HASI, 1 PARK PL STE 200

ANNAPOLIS, MD 21401-3581

Point of Diversion SWNE S10 T01N R01E ADA County

Point of Diversion SESE S10 T01N R01E ADA County

Source GROUND WATER

Use: STOCKWATER

01/01 to 12/31; 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 07-12-2023

Place Of Use: STOCKWATER

T01N R01E S10 SWNE, NENW, NWNW, SWNW, SENW, NESW, SESW, NESE, SWSE, SESE

T01N R01E S11 NESW, NWSW, SWSW, SESW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 8/21/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/3/2023 and 8/10/2023

RECEIVED

JUL 12 2023

WATER RESOURCES
WESTERN REGION

242 N. 8TH STREET

P.O. Box 1676

BOISE, IDAHO 83701

P: 208.345.6021

F: 1.866.717.1758

VARINTHOMAS.COM

VARIN THOMAS

ATTORNEYS AT LAW

DYLAN B. LAWRENCE

DYLAN@VARINTHOMAS.COM

July 12, 2023 July 11, 2023

VIA HAND DELIVERY

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Permit (HA Winterfell LLC)

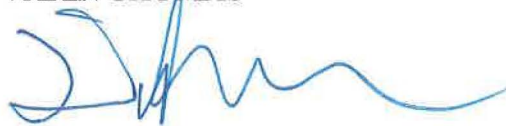
Dear Sir or Madam:

I have enclosed with this letter a signed application for permit, illustrative map, and process fee check in the amount of \$100.00. Please let me know of any questions or additional information needed from the applicant. Otherwise, please process these applications materials at your earliest convenience.

Thank you for your attention to this matter.

Sincerely,

VARIN THOMAS



Dylan B. Lawrence

Enclosures