

RECEIVED

OCT 29 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 63-34972

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Dustin and Katie Portela Phone 208-969-0306
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 8095 S. Cloverdale Rd. City Boise
 State Idaho ZIP 83709 Email allenkati@gmail.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- 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 Tenmile Creek which is a tributary of Boise River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
02N	01E	9		SE	NE	NE	Ada	Tenmile Creek	

5. Water will be used for the following purposes:
- Amount .20 for Irrigation purposes from 03-01 to 11-15 (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) .20 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. We will use a 5 horse self primer pump to divert the water from Tenmile Creek. And plan to put in a sprinkler system to irrigate pasture.
- 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? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by LE Date 10/29/2020 Time 10:50AM Preliminary check by AK
 Fee \$ 100.00 Received by LE Receipt No. W046833 Date 10/29/2020

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. _____
 - 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	
02N	01E	9	3																3

Total number of acres to be irrigated: 3

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? NO
11. a. Who owns the property at the point of diversion? Dustin and Katie Portela
- b. Who owns the land to be irrigated or place of use? Dustin and Katie Portela
- c. 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. We want to pump the run-off water from Tenmile creek to irrigate the 3 acres around our house. We will use a 5 horse pump to do that. We plan to plant grass for pasture on these 3 acres to get rid of noxious weeds that are taking over.
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.

Katie Portela
 Signature of Applicant
Katie Portela
 Print Name (and title, if applicable)

[Signature]
 Signature of Applicant
Dustin Portela
 Print Name (and title, if applicable)



I want to...

Tools

Search...

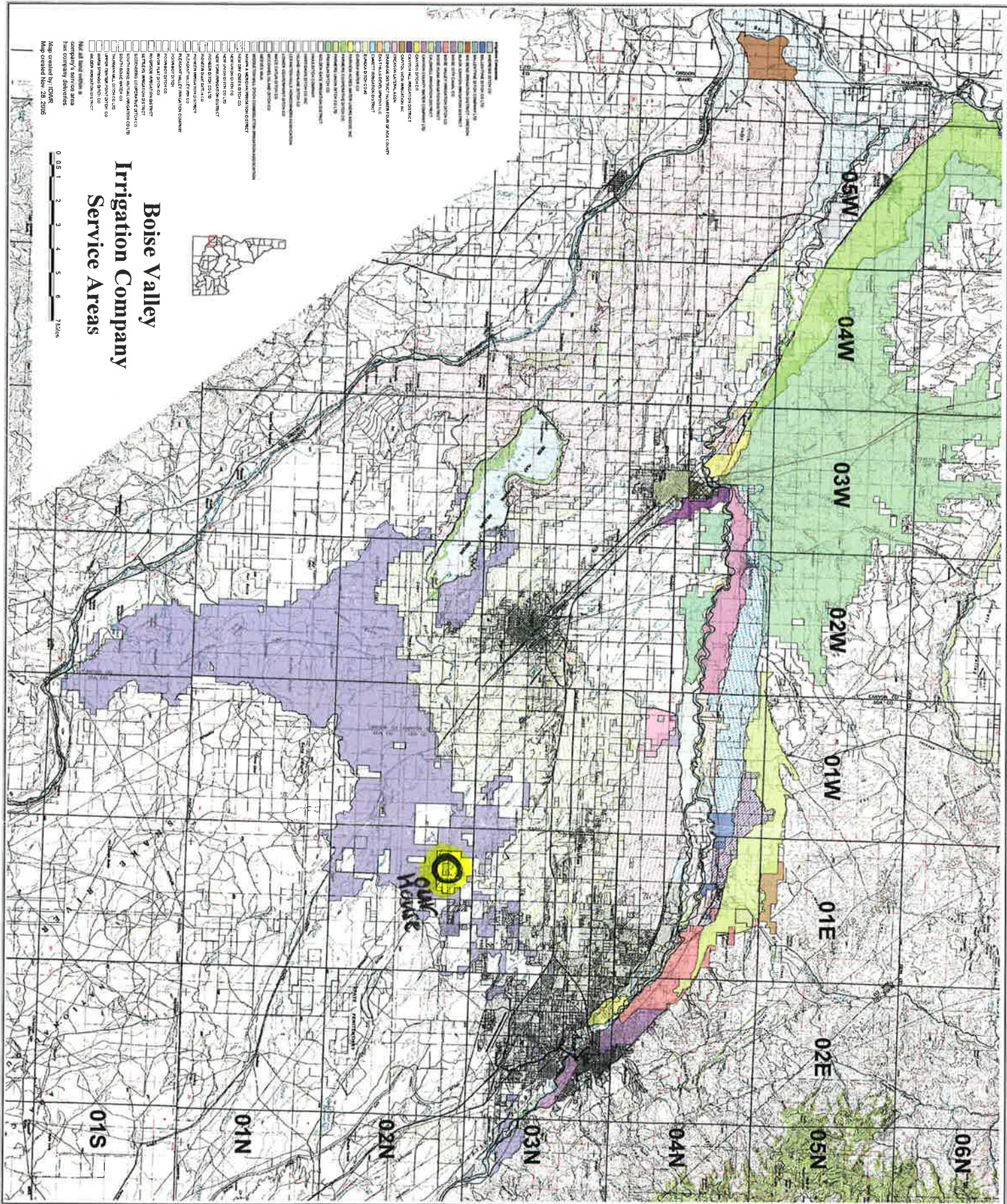
Sign in





Imagery ©2020 Maxar Technologies, State of Oregon, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 200 ft

● point of diversion (Tennile)
 ▨ place of use



Boise Valley Irrigation Company Service Areas

- 01S
- 02S
- 03S
- 04S
- 05S
- 06S
- 01N
- 02N
- 03N
- 04N
- 05N
- 06N
- 01W
- 02W
- 03W
- 04W
- 05W
- 06W
- 01E
- 02E
- 03E
- 04E
- 05E
- 06E
- 01S
- 02S
- 03S
- 04S
- 05S
- 06S
- 01N
- 02N
- 03N
- 04N
- 05N
- 06N
- 01W
- 02W
- 03W
- 04W
- 05W
- 06W
- 01E
- 02E
- 03E
- 04E
- 05E
- 06E

Map created by: IDWR
Map created Nov. 28, 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 13, 2020

BOISE KUNA IRRIGATION DIST
209 S SCHOOL AVE
KUNA ID 83634

NEW YORK IRRIGATION DISTRICT
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Permit No. 63-34972

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you wish to formally protest the approval of the application, you must submit a protest with the \$25.00 protest fee to this office by **5:00 p.m., December 7, 2020**. You must also send a copy of your protest to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, November 13, 2020 1:32 PM
To: 'waterdistrict63@qwestoffice.net'; 'mikemeyerswd63@gmail.com'
Subject: Application for Permit No. 63-34972 & Transfer No. 82161
Attachments: Watermaster Recommendation Form.docx; 63-34972.pdf; 84105.pdf

November 13, 2020

WATER DISTRICT #63

RE: Application for Permit No. 63-34972 & Transfer No. 82161

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **December 7, 2020**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 13, 2020

DUSTIN PORTELA
KATIE PORTELA
8095 S CLOVERDALE RD
BOISE, ID 83709-7318

RE: Application for Permit No. 63-34972

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 11/19/2020 and 11/26/2020. 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,

Anna Kaiser
Water Resource Agent

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, November 13, 2020 11:40 AM
To: 'BOI Legals'
Subject: ADA Legal Notice
Attachments: ADA Cover Letter.docx; ADA Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/19/2020 and 11/26/2020.

Please confirm this is okay to publish as shown and send confirmation and all other correspondence to this email and to westerninfo@idwr.idaho.gov.

Thank you,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Brad Little
Governor

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Director

November 13, 2020

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application for Permit No. 63-34953, 63-34972
RE: Transfer No. 84105

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 12/7/2020. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Water Resource Agent

Enclosure(s)

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

63-34953

WNBC GROUP, LLC
C/O JULIE KLEIN FISCHER
MORROW & FISCHER, PLLC
332 N BROADMORE WAY STE 102
NAMPA, ID 83687-5331
Point of Diversion L7(NESE) S18 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER
Use: IRRIGATION 03/15 to 11/15 0.15 CFS
Use: AESTHETIC STORAGE 01/01 to 12/31 36 AF
Total Diversion: 0.15 CFS 36 AF
Date Filed: 08-31-2020
Place Of Use: AESTHETIC STORAGE
T04N R01W S18 L7(NESE) NWSE
Place Of Use: IRRIGATION
T04N R01W S18 L7(NESE) L6(NWSE)
Water bearing zone to be appropriated is from 0 to 30 feet.

63-34972

DUSTIN PORTELA
KATIE PORTELA
8095 S CLOVERDALE RD
BOISE, ID 83709-7318
Point of Diversion NENE S9 T02N R01E ADA County Source TENMILE CREEK Tributary BOISE RIVER
Use: IRRIGATION 03/01 to 11/15 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-29-2020
Place Of Use: IRRIGATION
T02N R01E S9 NENE
Total Acres: 3

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84105

THURMAN MILL DITCH CO LTD, 10611 W TREELINE CT, BOISE, ID 83713 has filed Application No. 84105 for changes to the following water rights within ADA County(s): Right No(s). 63-135, 63-176, 63-193, 63-210, 63-211, 63-221, 63-250, 63-30125, 63-30129, 63-30130, 63-30131; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the transfer is to change the nature of use of a portion of the identified water right to provide diversion to storage and municipal storage in excavated ponds at Bernadine Quinn Riverside Park and Esther Simplot Park. Applicants also propose changing their current service area boundary to account for the park pond and irrigated areas. Water will be diverted from the Boise River at the Thurman Mill Ditch Company headgate.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western 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 12/7/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/19/2020 and 11/26/2020