

JUL 27 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 63-34944

1. Name of applicant(s) City of Nampa Phone 208-468-5409
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 411 3rd Street South City Nampa
 State ID ZIP 83651 Email _____
2. Name of representative, if any SPF Water Engineering Phone 208-383-4140
 Mailing address 300 E Mallard Dr, Ste 350 City Boise
 State ID ZIP 83706 Email lgraves@spfwater.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 Indian 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 #
3N	2W	16			SW	NE	Canyon	Indian Creek	

5. Water will be used for the following purposes:
- Amount 0.18 cfs for Water Quality Improvement 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) 0.18 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. 3/4 hp submersible pump, water supply line to spray bars and nozzles on City's WWTP existing outfall structure
- 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 KT Date 7/27/2020 Time 2:37pm Preliminary check by TS
 Fee \$ \$100.00 Receipted by KT Receipt No. W04559 Date 7/27/2020

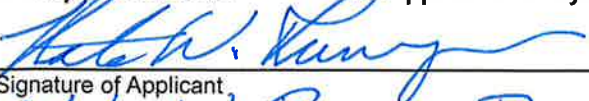
8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. Utilize Indian Creek water for defoaming wastewater effluent from City's WWTP
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.
X = Water Quality Improvement

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	16			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? Indian Creek water will replace a municipal water source formerly used for this purpose.
11. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The City of Nampa is proposing to utilize Indian Creek water for defoaming of wastewater effluent as the effluent is discharged into Indian Creek at the City's wastewater treatment plant. Water use will be completely non-consumptive, with the water returning to Indian Creek within inches of the location where it is pumped. See attached memorandum dated 6/11/2020 and associated Department email correspondence for further details.
13. Time required for completion of works and application of water to proposed beneficial use is 5 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
Nate W. Runyan, Deputy
Print Name (and title, if applicable)


Signature of Applicant
Director Public Works
Print Name (and title, if applicable)

Legend

- Proposed POD and POU



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

City Of Nampa Application for Permit

Wastewater Treatment Plant Site

DATE: 7/6/2020

CREATOR: Igraves

PROJECT: 270.0471



Absolute Scale: 1:5,383

0 250 500
Feet

MEMORANDUM



DATE: June 11, 2020

TO: Gary Carroll, P.E., Boise Regional Idaho Department of Environmental Quality

FROM: Shannon M. Johnson, Nampa Assistant Superintendent Wastewater

Cc: Emily Montague, Boise Regional Idaho Department of Environmental Quality
Nate Runyan, Nampa Deputy Public Works Director
Andy Zimmerman, Nampa Wastewater Superintendent

RE: IPDES Permit Number ID0022063 - Outfall Spray Bars

1.0 Overview

The City of Nampa's Wastewater Treatment Plant (WWTP) received an Idaho Pollution Discharge Elimination System Wastewater Treatment Plant Compliance Evaluation Inspection Report from Idaho's Department of Environmental Quality (DEQ) on August 21, 2019. At that time the City received two Violation's due to the spray bars at the Outfall.

1. *"to be emitting an unauthorized discharge of chlorinated utility water through their sprayers located at the discharge point (Outfall 001) to break up any developing foam"*
2. *"The sampled effluent is obtained upstream of the sprayers and the addition of the chlorinated utility water is not a representative sample of the effluent that is discharged to Indian Creek."*

To be back in compliance the City's WWTP maintenance staff disconnected and capped the water source to the spray bars in October of 2019.

Due to the requirement for dissolved oxygen in the City's WWTP National Pollution Discharge Elimination System (NPDES) permit foam can be created. The (NPDES) Permit requires *"The permittee must not discharge floating, suspended or submerged matter of any kind in amounts causing nuisance or objectional condition or that may impair designated beneficial uses of the receiving water"* in Part I.B.3.a.

2.0 Objective

The City of Nampa's WWTP staff propose to connect the Outfall's spray bars to help knock down any foam which may be leaving the City's Outfall. The new source of water to the spray bars would be Indian Creek. Water from Indian Creek would be pumped through the spray bars and nozzles and returned to the creek as a non-consumptive use. By using Indian Creek as the water supply the City WWTP would still comply with issues 1 and 2 noted above. The City's WWTP Staff also considered using Plant Effluent from below the sampler. This option was

Figure 1. Plan View of Outfall -- Nitrification & Chlorination Facilities, Contract 5, CH2MHill 1980.



Figure 2. Proposed location of Water Supply Pump in Indian Creek at Outfall.

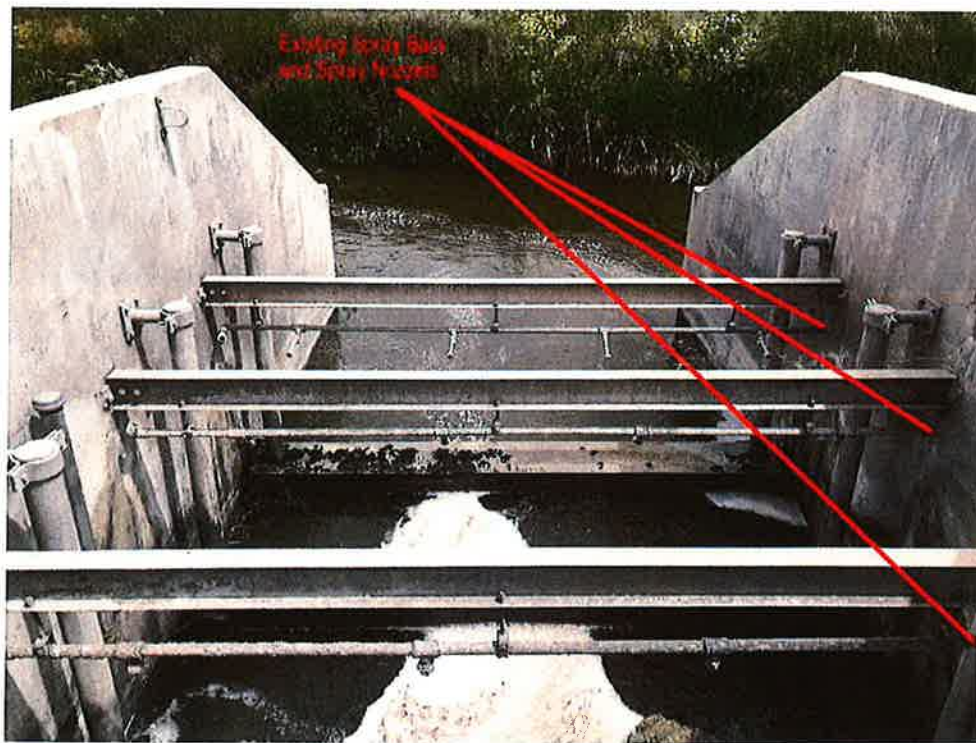


Figure 3. Existing Spray Bars with Spray Nozzles.

From: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Sent: Tuesday, June 16, 2020 3:14 PM
To: Terry Scanlan <TScanlan@spfwater.com>
Subject: RE: Water Right Needed?

This does appear to technically need a water right since it is a diversion of water from a public resource for a beneficial purpose. It really seems like one of those de minimis kinds of things that ought to have some kind of exemption, but I can't think of one that applies. The upside is having a water right could provide some protection against future appropriators, so it probably is worth doing, even if wasn't necessary. Even if there were an argument that a new water right is not necessary, the City can still apply for one. The water use would best be described as Water Quality Improvement since the purpose of the diversion is to remove the foam and increase the quality of the effluent. I also would avoid Municipal, since the use is dedicated to this location and purpose and really is a specific use, rather than a general municipal supply.

Again, it is possible one could come up with some kind of argument that a right isn't necessary, but that seems more difficult and less certain than just getting a water right.

Nick.

From: Terry Scanlan [<mailto:TScanlan@spfwater.com>]
Sent: Monday, June 15, 2020 11:44 AM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Cc: Shannon Johnson <johnsons@cityofnampa.us>; Nate Runyan <runyann@cityofnampa.us>
Subject: Water Right Needed?

Nick –

The City of Nampa is proposing to utilize Indian Creek water for defoaming of wastewater effluent as the effluent is discharged into Indian Creek at the City's wastewater treatment plant. The Indian Creek water will replace a municipal water source formerly used for this purpose. The project is described in the attached memorandum. Water use will be completely non-consumptive, with the water returning to Indian Creek within inches of the location where it is being pumped.

The proposed project raises the following questions that we hope that you can answer.

1. Is a water right required for this water use?
2. If a water right is not required, can the City obtain a water right?
3. If the City seeks a water right, would the purpose of use be "Water Quality Improvement", "Industrial", or "Municipal"? My inclination would be to avoid "Municipal" due to the complications and delays we see with municipal permits.

Terry M. Scanlan, P.E., P.G. | Principal Engineer/Hydrogeologist

SPF Water Engineering, LLC
300 E Mallard Drive, Suite 350 | Boise, ID 83706
p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2121
e. tscanlan@spfwater.com | w. www.spfwater.com

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, August 27, 2020 11:52 AM
To: 'Danielle.Merriman@deq.idaho.gov'
Cc: 'Lance.Holloway@deq.idaho.gov'
Subject: Application for Permit 63-23944
Attachments: Agency Recommendation Form.docx

Dear Interested Party:

The Idaho 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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office on or before **09/21/2020**.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. 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 after final publication.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, August 27, 2020 11:52 AM
To: 'Bassista,Tom'
Subject: Application for Permit 65-23971, 63-23944
Attachments: IDFG Recommendation Form.docx

Dear Interested Party:

The Idaho 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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office on or before **09/21/2020**.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. 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 after final publication.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, August 27, 2020 11:51 AM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Permit 63-34944
Attachments: Watermaster Recommendation Form.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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office by **09/21/2020**.

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 past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by **09/21/2020**, 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.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



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

August 27, 2020

WOODGRAIL MILLWORK INC
PO BOX 9489
NAMPA ID 83652

RE: Application for Permit No. 63-34944

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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. 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,

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



Brad Little
Governor

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

Gary Spackman
Director

August 27, 2020

CITY OF NAMPA
411 3RD ST S
NAMPA, ID 83651-3721

RE: Application for Permit No. 63-34944

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 PRESS TRIBUNE on 9/3/2020 and 9/10/2020. 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,

Kensie Thorneycroft
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O TERRY SCANLAN
300 E MALLARD DR STE 350
BOISE, ID 83706-6660

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, August 27, 2020 11:47 AM
To: 'legals@idahopress.com'
Subject: Canyon Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 09/03/2020 and 09/10/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



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

August 27, 2020

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No. 63-34944, 63-34947, 63-34948

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 9/21/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

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

63-34944

CITY OF NAMPA

411 3RD ST S

NAMPA, ID 83651-3721

Point of Diversion SWNE S16 T03N R02W CANYON County Source INDIAN CREEK Tributary BOISE RIVER

Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 07-27-2020

Place Of Use: WATER QUALITY IMPROVEMENT

T03N R02W S16 SWNE

63-34947

COLBY BROWN

AMY BROWN

24403 FALCON LN

CALDWELL, ID 83607-0815

Point of Diversion NESE S34 T05N R03W CANYON County Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 07-29-2020

Place Of Use: IRRIGATION

T05N R03W S34 NESE

Total Acres: 4.5

Water bearing zone to be appropriated is from 58 to 174 feet.

63-34948

KIETH BRADSHAW

LAUREL BRADSHAW

161 W 850 S

LEHI, UT 84043-3157

Point of Diversion NWNW S17 T05N R03W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/01 to 11/15 0.1 CFS

Total Diversion: 0.14 CFS

Date Filed: 08-17-2020

Place Of Use: DOMESTIC, IRRIGATION

T05N R03W S17 NWNW

Total Acres: 3.3

Domestic use is for 1 home in Butterfly Ridge No. 1 Subdivision.

Water bearing zone to be appropriated is from 100 to 250 feet.

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 9/21/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/3/2020 and 9/10/2020



SPF WATER
ENGINEERING

July 24, 2020

Patrick Kelly
Western Region Water Right Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

JUL 27 2020

WATER RESOURCES
WESTERN REGION

Subject: Application for Permit – City of Nampa

Dear Patrick,

On behalf of the City of Nampa, enclosed please find an application for permit proposing appropriation of water from Indian Creek to supply a defoaming spray system at the City's municipal wastewater treatment plant outfall to Indian Creek. The use will be non-consumptive because the water will discharge back to the creek within a few feet of the point of diversion. Included is a check for the \$100 filing fee.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan

Terry M. Scanlan, P.E., P.G.

Enclosures: Application, \$100 Filing Fee

Cc: Nate Runyan – Deputy Director of Public Works Director
Shannon Johnson – Assistant Superintendent Wastewater

SPF file number: 270.0471