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Amended
APR 17 2020FORM WATER RESOURCES
WESTERN REGIONWATER RESOURCES
STATE OF IDAHOIdent. No. 63-34865DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Flamingo West, LLC Phone (208)412-5467
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 10906 W. Vega Lane City Star
 State ID ZIP 83669 Email Seneca@franzwitte.com
2. Name of representative, if any Steve Hannula, SPF Water Engineering Phone (208)383-4140
 Mailing address 300 E. Mallard Dr., Suite 350 City Boise
 State ID ZIP 83706 Email shannula@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 Groundwater which is a tributary of na
4. Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County | Source | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|--------|--------------|-----------------------|
| 4N | 2W | 26 | | | NE | NE | Canyon | Ground Water | Proposed 10-inch well |
| 4N | 2W | 26 | | | NE | NE | Canyon | Ground Water | Existing 6-inch well |
| 4N | 2W | 26 | | | NW | NE | Canyon | Ground Water | Existing 16-inch well |
| 4N | 2W | 26 | | | NE | NE | Canyon | Ground Water | Proposed 16-inch well |

5. Water will be used for the following purposes:
- Amount 0.13 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.56 cfs for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 3.3 cfs for Fire Protection 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)
6. Total quantity to be appropriated is (a) 3.3 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. Existing 6-inch artesian well, existing 16-inch well and proposed 10-inch well, integrated pressurized system
- b. Height of storage dam N/A 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 6, 16, 10 inches; proposed depth of well is 920, 224, 225 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 6" well - 1944; drilling firm Unknown; 16" well - 1987 by Pete Cope Drilling
 well was drilled for (well owner) 6"-Wayne Naugle, 16"-Kenneth Naugle; Drilling Permit No. Unknown

For Department Use

Received by LE Date 03/06/2020 Time 9:30am Preliminary check by SN
 Fee \$ 370 Receipted by LE Receipt No. W048095 Date 03/06/2020

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. Domestic, commercial and fire protection uses are proposed for a new retail nursery and landscape facility.

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 | |
| 4N | 2W | 26 | D | D | | | | | | | | | | | | | | | |
| | | | C | C | | | | | | | | | | | | | | | |
| | | | FP | FP | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

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

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. Applicants propose year round diversion of ground water for uses associated with a new retail nursery and landscape facility. Water bearing zones to be appropriated are 180 to 245 feet for proposed 10-inch well, 820 to 920 feet for existing 6-inch artesian well and 42 to 224 feet for the existing 16-inch well. The proposed well will be drilled to PWS standards. Fire protection flow rate is based on Nampa Fire District's 1500 gpm requirement.

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

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

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APR 17 2020

SA 4/14/20



New map supersedes March 6 map



SPF WATER
ENGINEERING

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APR 17 2020

WATER RESOURCES
WESTERN REGION

April 17, 2020

Shilynn Novak
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Amended Application for Permit 63-34865

Dear Shilynn,

Enclosed on behalf of Flamingo West, LLC, is an amended *Application for Permit* requesting diversion of new ground water from two proposed wells and one existing well for uses associated with a new retail nursery and landscape facility in Canyon County.

This edited application is intended to replace the previously submitted application. The edits intend to modify the list of points of diversion, wherein the existing 16-inch well is removed from the application and a proposed 16-inch well in the NENE quarter-quarter is added.

Please utilize the \$370 filing fee from the previous application toward this amended version.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Steven R. Hannula".

Steve Hannula
Senior Project Manager

Cc: Flamingo West, LLC
Phil Hull, The Land Group

Enclosures

SPF file number: 513.0290

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, May 01, 2020 9:40 AM
To: 'Danielle.Merriman@deq.idaho.gov'
Cc: 'Lance.Holloway@deq.idaho.gov'
Subject: Application for Amendment of 2-10516 and Application for Permit 63-34865

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 applications. You can find a copies of the applications at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested applications 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 these applications, 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 applications.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
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

May 1, 2020

FLAMINGO WEST LLC
10906 W VEGA LN
STAR, ID 83669-5458

RE: Application for Permit No. 63-34865

Dear Applicants and Interested Parties:

A legal notice of the application has been prepared and is scheduled for re-publication in the PRESS TRIBUNE on 5/7/2020 and 5/14/2020 due to the application being amended. Protests to this application may be submitted for a period ending ten (10) days after the second publication. **Note that existing protests remain active and these protestants do not need to re-file their protest.**

Enclosed is a copy of the protests already filed against the issuance of the above-referenced application. As part of the application process, the following are options available for resolution of contested (protested) applications:

-Direct contact with the protestant to determine what is being disputed in the application and parties attempting to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest.

-Formal Proceedings consist of a pre-hearing conference & hearing through the water appropriation statute/rule process. A pre-hearing conference identifies the protest issues and reviews the resolution possibilities with the parties. If the issues cannot be resolved, a formal hearing will be scheduled.

-Mediation through a certified professional mediator. The advantages can include: reduced costs and time that are associated with formal proceedings, the ability to address non-water concerns, more influence over a final settlement, and fast track processing by the Department for parties reaching a mediated agreement. If you are interested in this option, please contact our office for details.

Please consider with the protestant the best option for resolution of the contested application. If the amended application resolves the protest, please send the Department a withdrawal of protest.

If the application is protested during the second round of advertising, you will be sent a copy of each new 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.

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

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s): (2) Protest

CC:
SPF WATER ENGINEERING LLC
PIONEER IRRIGATION DISTRICT
PRESCOTT CROSSING LLC

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Friday, May 01, 2020 9:18 AM
To: 'IDAHO PRESS-TRIBUNE'
Subject: Canyon Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Legal Clerk,

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

Please see the attached ad for publication on 05/07/2020 and 05/14/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
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

May 1, 2020

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

RE: Application for Amendment of Permit No. 63-34101
Application for Permit No. 63-34865

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 5/26/2020. 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:

63-34865

FLAMINGO WEST LLC

10906 W VEGA LN

STAR, ID 83669-5458

(3) Point of Diversion NENE S26 T04N R02W CANYON County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.13 CFS

Use: COMMERCIAL 01/01 to 12/31 0.56 CFS

Use: FIRE PROTECTION 01/01 to 12/31 3.3 CFS

Total Diversion: 3.3 CFS

Date Filed: 03-06-2020

Place Of Use: COMMERCIAL, DOMESTIC, FIRE PROTECTION

T04N R02W S26 NENE, NWNE

Water bearing zone to be appropriated is from 42 to 245 feet and 820 to 920 feet.

PROPOSED AMENDMENT OF WATER PERMIT

63-34101

G O INVESTMENTS IDAHO LLC, 1201 S KIMBALL AVE, CALDWELL, ID 83605-4626 filed an application to amend permit no. **63-34101** on **04-06-2020** to amend a water permit no. 63-34101 with a 2015 priority from groundwater totaling 7.99 cfs for supplementary irrigation of 640 acres. The permit provides irrigation water for property located approx. 4 miles south of Parma near Jacks Rd and US HWY 95. The applicant proposes to amend the permit to add a point of diversion to supply permitted water to a portion of the place of use. Water bearing zone to be appropriated is from 85 to 400 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/WRAJSearch/WRADJSearch.aspx>. 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 5/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/7/2020 and 5/14/2020