

MAR 06 2020

FORM 1207-10-1  
WATER RESOURCES  
WESTERN REGION

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

Ident. No. 63-34865

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

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)



23 SWSE

SESE

24 SWSW

Existing 16-inch

Proposed 10-inch

NWNE

NENE

NWNW

4N 2W

26



25

Existing 6-inch Artesian

SWNE

SENE

### Legend

-  Proposed Wells
-  Proposed Place of Use



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

Application for Permit  
Proposed Retail Nursery &  
Landscape Facility

Flamingo West, LLC

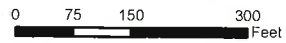
DATE: 3/4/2020

CREATOR: LGraves

PROJECT: 513.0290



Absolute Scale: 1:2,797







March 4, 2020

Patrick Kelly, Water Rights Supervisor  
IDWR Western Region Office  
2735 Airport Way  
Boise, ID 83705

***Subject: Application for Permit***

Dear Patrick,

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

Check No. 1009 for \$370 is enclosed for the filing fee. 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 "Lori Graves".

Lori Graves  
Water Rights Specialist

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

Enclosures

SPF file number: 513.0290



**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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

March 25, 2020

PIONEER IRRIGATION DISTRICT  
3804 S LAKE AVE  
CALDWELL, ID 83605

RE: Application for Permit No. 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 application. You can find a copy of the application at:  
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish revieweing 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)

## Thorneycroft, Kensie

---

**From:** Thorneycroft, Kensie  
**Sent:** Wednesday, March 25, 2020 11:13 AM  
**To:** 'Danielle.Merriman@deq.idaho.gov'  
**Cc:** 'Lance.Holloway@deq.idaho.gov'  
**Subject:** Application for Permit 63-34865  
**Attachments:** 63-34865.pdf

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of the application is enclosed with this email for your reference. Please review the application and submit your reply, if any, to this office by the protest deadline of April 20, 2020.

If your agency desires to formally protest approval of these applications, you can file a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

If you do not respond before the protest deadline, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

March 25, 2020

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

RE: Application for Permit No. 63-34865

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 4/2/2020 and 4/9/2020. 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 STEVE HANNULA)

## **Thorneycroft, Kensie**

---

**From:** Thorneycroft, Kensie  
**Sent:** Wednesday, March 25, 2020 11:17 AM  
**To:** 'IDAHO PRESS-TRIBUNE'  
**Subject:** Canyon Legal Notice  
**Attachments:** CoverLetter.docx; LegalNotice.docx

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 04/02/2020 and 04/09/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft  
Administrative Assistant 1  
Idaho Dept. of Water Resources  
208-334-2190





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](http://www.idwr.idaho.gov)

---

Gary Spackman  
Director

March 25, 2020

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

RE: Application for Permit No. 63-34858, 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 4/20/2020. 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:

**63-34858**

CANYON COUNTY

1115 ALBANY ST

CALDWELL, ID 83605-3522

Point of Diversion NENE S20 T02N R03W CANYON County Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 0.1 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.04 CFS

Total Diversion: 0.14 CFS

Date Filed: 01-27-2020

Place Of Use: COMMERCIAL, FIRE PROTECTION

T02N R03W S20 NENE, NESE, NWNE, NWSE, SWNE, SESE

Place Of Use: COMMERCIAL, FIRE PROTECTION

T02N R03W S21 SENW, SESW, NENW, NESW, NWNE, NWNW, NWSW, NWSE, SWNE, SWNW, SWSW, SWSE

Water bearing zone to be appropriated is from 1115 to 1120 feet.

**63-34865**

FLAMINGO WEST LLC

10906 W VEGA LN

STAR, ID 83669-5458

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

Point of Diversion NWNE S26 T04N R02W CANYON County Source GROUND WATER

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.

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 4/20/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/2/2020 and 4/9/2020



RECEIVED

MAR 19 2020

WATER RESOURCES  
WESTERN REGION

March 19, 2020

Shilynn Novak  
Idaho Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, ID 83705

Subject: Additional Information Request for Application for Permit 63-34865

Dear Ms. Novak,

In your letter dated March 20, 2020, you requested additional information relevant to the subject Application for Permit. You requested a description of how the water will be used and a justification for the amounts of domestic and commercial use. These items are discussed below.

Flamingo West LLC is the applicant (Applicant). The Applicant has purchased property that was formerly irrigated agriculture ground and intends to develop a retail and commercial landscaping material and nursery enterprise. The Flamingo West facility will consist of space for an irrigated nursery, greenhouses, maintenance building, bulk goods storage yard, commercial truck loading, public retail space, office building and parking lots. Water demand is for watering plants through sprinklers and hoses (commercial use), fire flow, and domestic use (potable).

A new public water system (PWS) is proposed that will include a new well and pumping system to meet potable water demands. The PWS will be connected to the fire flow system to maintain pressure. The PWS well will also be used to supply commercial water for watering plants. An existing well will be used for fire flow protection. Appropriate backflow prevention will be provided. An existing artesian well is included in the points of diversion for the potential connection of that well to supplement the water supply.

The application for permit seeks 0.13 cfs (60 gpm) for domestic use, 0.56 cfs (250 gpm) for commercial use and 3.3 cfs (1,500 gpm) for fire protection. Water system demands for the facility were calculated as follows.

#### **Domestic**

The Applicant estimates the facility will have 100 to 120 employees. SPF makes the following assumptions to estimate water demand.

Each employee could use an average of 15 gallons per day (gpd) for the restroom and drinking water, which equals a total of 1,800 gpd. Water demand from the retail customers will primarily be the use of the restrooms. Assuming retail customers cause 200 restroom visits per day at 3 gallon per visit adds an additional 600 gpd. The tally of average daily flow is 2,400 gpd. Using a demand multiplier of 1.6, the maximum daily flow is calculated to be 3,840 gpd.

The hours of operation will likely be 10 to 12 hours per day. Some of the employees will have their use of water concentrated in the morning in preparation for the day's work and again in the afternoon upon return to the facility, with a portion spread out during the regular business hours. Assuming one third of the Maximum Daily Demand occurs over 1 hour, and using a peaking multiplier of 1.4, the peak hourly demand is 30 gpm (0.07 cfs) for the employee drinking and restrooms. In addition, an existing single-family residence will be connected that adds 18 gpm (0.04 cfs). This calculation also assumes that two hose bibbs (in the retail space) are being operated simultaneously for 12 gpm (0.027 cfs). The total peak hourly demand on the domestic system is 0.13 cfs (60 gpm).

**Commercial**

Watering plants, running additional hose bibbs, using spray nozzles and filling tanks has been divided into 10 zones within the property. The Applicant estimates a peak flow of 250 gpm is needed for the size of the facility. The commercial zones will operate at a higher pressure than the PWS and is therefore calculated separately.

**Fire Protection**

Fire flow water will be provided by a separate well, with a ½-inch connection to the potable water system for pressure maintenance. The fire flow requirement is 1,500 gpm (3.3 cfs) per the Fire Marshall.

**Conclusion**

The domestic and commercial use tally to 310 gpm (0.69 cfs). Fire protection is 3.3 cfs. The application total is 3.3 cfs.

Sincerely,



Steven R. Hannula, P.E., P.G.  
Senior Project Manager

## Novak, Shilynn

---

**From:** Novak, Shilynn  
**Sent:** Thursday, March 19, 2020 1:43 PM  
**To:** 'Steve Hannula'  
**Subject:** RE: Additional Info Request - Flamingo West LLC

This is perfect! Thank you for this! I will continue processing the application.

Hope your day is well,  
Shilynn

**From:** Steve Hannula [mailto:SHannula@spfwater.com]  
**Sent:** Thursday, March 19, 2020 12:20 PM  
**To:** Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>  
**Subject:** RE: Additional Info Request - Flamingo West LLC

Shilynn,

Attached, please find a letter describing the water use at the Flamingo West facility for Application for Permit 63-34865.

Please let me know if you need anything further.

---

### Steve Hannula

SPF Water Engineering, LLC  
p. 208.383.4140 | d. 208.489.2135

**From:** Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>  
**Sent:** Thursday, March 19, 2020 11:04 AM  
**To:** Steve Hannula <SHannula@spfwater.com>  
**Subject:** RE: Additional Info Request - Flamingo West LLC

Thank you for your quick response, Steve. I will gladly take any information that you and the applicant can provide. If you can get something to me within 30 days, that would be very much appreciated. If you run into any questions, please let me know.

Thanks again,  
Shilynn

**From:** Steve Hannula [mailto:SHannula@spfwater.com]  
**Sent:** Wednesday, March 18, 2020 4:26 PM  
**To:** Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>  
**Subject:** RE: Additional Info Request - Flamingo West LLC

Hi Shilynn,



Yes, I can provide that information. I will gladly coordinate with the Flamingo West to let them know too. I can prepare a short response letter to you.

---

**Steve Hannula**

SPF Water Engineering, LLC

p. 208.383.4140 | d. 208.489.2135

**From:** Novak, Shilynn <[Shilynn.Novak@idwr.idaho.gov](mailto:Shilynn.Novak@idwr.idaho.gov)>

**Sent:** Wednesday, March 18, 2020 4:22 PM

**To:** Steve Hannula <[SHannula@spfwater.com](mailto:SHannula@spfwater.com)>

**Subject:** Additional Info Request - Flamingo West LLC

Hello Steve,

I am processing the application for permit for Flamingo West LLC (attached). I was planning on sending the attached letter on Friday (since the "Send original correspondence to the applicant and copies to the representative" box was checked), but I wanted to check in with you before I did so since you can submit information for the applicant.

The purpose of the attached letter is to request additional information describing the domestic and commercial use for this application. To continue processing this application, I need the following:

- a description of how water for the domestic and commercial use will be used
- a justification for the amount of water for domestic and commercial use

If this information is something that you would like to submit on behalf of the applicant, please let me know before 11am 3/20/2020 and I will not send the letter off. You do not need to have the information to me by that time, but I do need to know if you will be providing the information. Please let me know if I can answer any questions or if I can clarify anything.

Thank you for your attention in these matters,

**Shilynn Novak | Water Resource Agent**

Idaho Department of Water Resources

Western Regional Office

Phone: (208) 334-2190