

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

Ident. No. 63-34849
RECEIVED
DEC 30 2019

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) City of Boise, Department of Parks & Recreation Phone 208-608-7600
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 1104 Royal Blvd City Boise
State ID _____ ZIP 83706 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 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 #
3N	1E	23			SE	SE	Ada	Ground Water	D0064131

5. Water will be used for the following purposes:

Amount 0.52 for Municipal 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) 0.52 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 well & pump
- 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 8 inches; proposed depth of well is 167.5 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 1/5/2013; drilling firm Stevens & Sons
well was drilled for (well owner) City of Boise Parks & Rec. Dept.; Drilling Permit No. 916530-867750

For Department Use

Received by KT Date 12/30/19 Time 11:58am Preliminary check by [Signature]
Fee \$ 250 Received by KT Receipt No. W047953 Date 12/30/19

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. Splash pad

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	
3N	1E	23																M	

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? No other water will be used for the splash pad. The proposed well also provides storage water for supplemental irrigation within the park authorized under water right 63-33655.

- Who owns the property at the point of diversion? City of Boise
- Who owns the land to be irrigated or place of use? City of Boise
- 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. Applicant proposes use of ground water from an existing well for a new splash pad proposed at Molenaar Park. The proposed flow rate reflects the system capacity measured and licensed for water right 63-33655. Water-bearing zone to be appropriated is from 147 to 167 feet.

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

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)



Legend



Proposed POD (existing)



Proposed POU



SPF WATER
ENGINEERING

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

City of Boise, Parks & Recreation
Application for Permit

Molenaar Park Splash Pad

DATE: 12/10/2019

CREATOR: LGraves

PROJECT: 389.0960



Absolute Scale: 1:4,463

0 250 500
Feet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MUNICIPAL WATER RIGHT APPLICATION CHECKLIST

This checklist must be completed and submitted with an application to appropriate water for municipal purposes. There are two types of permits for municipal water use. The first type of municipal permit provides water for reasonably anticipated future needs (RAFN) over a defined planning horizon.¹ The second type of municipal permit, called **non-RAFN**, provides water solely for use to meet needs that will arise in the near-term (five years).² Each type of municipal water use has a distinct set of review requirements.

Applicant Name: City of Boise

1. Type of Municipal Provider. Applicant must qualify as a Municipal Provider to obtain a water right for municipal purposes. See [Idaho Code § 42-202B \(5\)](#). Check one:

- ☒ Type 1 - Municipality
☐ Type 2 - Franchise or political subdivision supplying water for municipal purposes
☐ Type 3 - Corporation or association regulated as a "public water supply" system by IDEQ
☐ Attach documentation of qualification as a Municipal Provider. See [Idaho Code § 42-202\(2\)](#).
☐ Check here if you are a Type 3 provider proposing to develop a new municipal system but have not yet received recognition as a Public Water Supply by Idaho DEQ.

- 2a. List existing water rights (permits, licenses, decrees, and beneficial use claims) available to the applicant for municipal needs. These rights may or may not have a purpose of use expressly defined as "municipal." Include a separate attachment as needed.

Right Number	Nature of Use	Diversion Rate (cfs)	Annual Volume (acre-feet)	Service Area
n/a				
Total		*	*	

* Be sure to account for any combined volume and/or diversion rate limits in the approval conditions of each right listed.

- 2b. List any overlapping water providers within your service area, such as irrigation districts, canal companies, or municipal providers:

SUEZ

- 3a. Currently or within five years will your municipal water system demand exceed the total diversion rate or annual volume authorized by the water rights listed in item #2a? **n/a**

- ☐ Yes, see item #4
☐ No, see item #3b

- 3b. Are you planning to replace an existing point of diversion, but will not develop a new water source nor exceed the total authorized diversion rate and volume of your current water rights? **n/a**

- ☐ Yes. Please file an Application for Transfer of Water Right *instead* of an Application for Permit.
☐ No, I am filing this Application for Permit for reasonably anticipated future needs (RAFN) pursuant to [Idaho Code § 42-202B\(8\)](#). See item #4.

¹ For a thorough discussion of RAFN water rights, see IDWR's *Recommendations for the Processing of Reasonably Anticipated Future Needs (RAFN) Municipal Water Rights at the Time of Application, Licensing, and Transfer* (Application Processing Memorandum No. 74).

² For a thorough discussion of non-RAFN water rights, see IDWR's Application Processing Memorandum No. 18.

4. Please specify the term for which you are making an application for permit. See [Idaho Code § 42-202B\(7\)](#). Check one:
- ☒ Non-RAFN: (planned water system improvements and beneficial use of the entire quantity of water will occur within 5 years). Go to item #5.
 - ☐ RAFN (water system improvements will occur within 5 years, but full water usage may take longer).³ Specify planning horizon: _____ years. Ending year of planning horizon: 20____. Skip to item #6.
5. Non-RAFN application. Per [Water Appropriation Rule 40.05.d.i](#), attach a water requirement narrative to your application. It should include the following information: **n/a**
- ☐ Attach a map of the municipal water service area defined by [Idaho Code §42-202B\(9\)](#). If applicable, map should delineate neighboring service areas associated with other municipal water providers.
 - ☐ Current water demand within the municipal service area expressed in average day demand, maximum day demand, and peak hour demand.
 - ☐ The required diversion rate during the peak and the average use period at the end of your project (5 years maximum). Typically, these values would be average day demand, maximum day demand, peak hour demand, and supporting information. State the capacity of any reservoirs which will be used to meet peak demand. Do not include demand solely for fire protection. If your fire protection demand exceeds your other municipal needs, you may request an appropriation for fire protection as a separate beneficial use.
 - ☐ Proposed future annual diversion volume needed by the end of your project (required only for providers not serving an incorporated municipality). Include a copy of your approved preliminary plat and the calculation method used to reach the requested volume.
 - ☐ Current and proposed capacity of entire diversion system (pumps).
 - ☐ If you are a Type 3 municipal provider, do you have a plan for assigning ownership of the water right permit to a subdivision HOA or other local entity? If so, attach a relevant excerpt from your CC&Rs or a description of the ownership change agreement between the HOA and the developer.
6. RAFN application.
- ☐ Attach a map of the current municipal water service area and the service area as it will be at the end of the planning horizon. Provide justification for inclusion of areas currently served by another municipal provider or by large industrial, commercial, or domestic water systems. Areas overlapped by conflicting comprehensive land use plans may not be included. See [Idaho Code § 42-202\(2\)](#) and [§ 42-202B\(9\)](#).
 - ☐ Attach justification for the proposed planning horizon. The planning horizon should be consistent with water infrastructure planning standards and current land use planning documents for the service area. See [Idaho Code § 42-202\(2\)](#) and [§ 42-202B\(7\)](#).
 - ☐ Attach a population projection within the service area over the planning horizon. The population projection should be based on planning and demographic studies, standard statistical methods, and evaluation of geography and other limiting factors. See [Idaho Code § 42-202\(2\)](#) and [§ 42-202B\(8\)](#).
 - ☐ Attach an evaluation of the water demand within the service area at the end of the planning horizon. Evaluate unaccounted for water (UAW) separate from municipal use. Do not include demand solely for fire protection. See [Idaho Code § 42-202\(2\)](#) and [§ 42-202B\(8\)](#). If your fire protection demand exceeds your other municipal needs, you may request an appropriation for fire protection as a separate beneficial use.
 - ☐ Attach a gap analysis: [Municipal Demand in Ending Year] x [UAW Factor] – [Sum of Existing WR Diversion Rates] = RAFN Application Diversion Rate.

³ Per [Idaho Code § 42-204\(4\)](#), the time for completion of works and application of the water to full beneficial use under any permit involving the diversion of two (2) or more cubic feet per second [...] may be extended by the director of the department of water resources upon application by the permittee for an additional period up to ten (10) years beyond the initial development deadline contained in the permit [...], provided the permittee establishes that the permittee has exercised reasonable diligence and that good cause exists for the requested extension.



December 23, 2019

RECEIVED

DEC 30 2019

WATER RESOURCES
WESTERN REGION

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 the City of Boise Parks and Recreation Department, is an *Application for Permit* requesting diversion from an existing well for a new splash pad proposed at Molenaar Park.

Check No. 014841 for \$250 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, appearing to read "Lori Graves", is written over a light blue horizontal line.

Lori Graves
Water Rights Specialist

Cc: Wendy Larimore, Boise Parks & Rec

Enclosures

SPF file number: 389.0960



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

January 29, 2020

CITY OF BOISE DEPT OF PARKS & RECREATION
1104 ROYAL BVLD
BOISE, ID 83706

Application For Permit No. 63-34849

Dear Applicants:

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 2/6/2020 and 2/13/2020. 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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a horizontal line.

Kensie Thorneycroft
Administrative Assistant

CC:

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706-6660

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, January 29, 2020 3:33 PM
To: 'BOI Legals'
Subject: Ada Legal Notice
Attachments: Cover Letter.docx; Legal Notice.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 02/06/2020 & 02/13/2020.

Please confirm these are okay to publish as shown.

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

January 29, 2020

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No.(s): 63-34849, 63-34850, 63-34852

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 2/24/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure

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

63-34849

CITY OF BOISE DEPT OF PARKS & RECREATION
1104 ROYAL BVLD
BOISE, ID 83706

Point of Diversion SESE S23 T03N R01E ADA County Source GROUND WATER

Use: MUNICIPAL 01/01 to 12/31 0.52 CFS

Total Diversion: 0.52 CFS

Date Filed: 12/30/2019

Place Of Use: MUNICIPAL

T03N R01E S23 SESE

Place of use is within the City of Boise Municipal service area.

Water bearing zone to be appropriated is from 147 to 167 feet.

63-34850

KAREN JIMMY KEE
2730 E KUNA MORA RD
KUNA, ID 83634-2708

Point of Diversion SWSW S31 T02N R03E ADA County Source GROUND WATER

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

Use: IRRIGATION 03/01 to 11/15 0.15 CFS

Total Diversion: 0.19 CFS

Date Filed: 1/17/2020

Place Of Use: IRRIGATION, DOMESTIC

T02N R03E S31 SWSW

Water bearing zone to be appropriated is from 576 to 700 feet.

63-34852

JASON MONKS
SHELLEY MONKS
3865 S BLACK CAT RD
NAMPA, ID 83687-9040

Point of Diversion SENE S28 T03N R01W ADA County Source GROUND WATER

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

Use: IRRIGATION 03/01 to 11/15 0.06 CFS

Total Diversion: 0.1 CFS

Date Filed: 1/23/2020

Place Of Use: COMMERCIAL, IRRIGATION

T03N R01W S28 SENE

Water bearing zone to be appropriated is from 100 to 300 ft.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 02/24/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/6/2020 and 2/13/2020