

RECEIVED
 FORM 202 Rev. 09/16
 JAN 22 2019
 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. 63-34667

1. Name of applicant(s) Creighton Woods Development, Incorporated Phone (208) 866-1100
 Name connector (check one): and or and/or
 Mailing address P.O. Box 95 City Meridian
 State Idaho ZIP 83680 Email mcanfield@cableone.net

2. Name of representative, if any SPF Water Engineering, LLC Phone (208) 383-4140
 Mailing address 300 E. Mallard Dr., Suite 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 Boise River

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
4N	1E	19	2		NW	NE	Ada	Ground Water	Pond Centroid

5. Water will be used for the following purposes:

Amount 0.50 cfs for Irrigation purposes from 3/1 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) 0.50 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. Pump station on pond excavated into subsurface ground water
- b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a 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 n/a inches; proposed depth of well is n/a feet.
- d. Is ground water with a temperature of greater than 85°F being sought? Yes No
- e. If well is already drilled, when? n/a; drilling firm n/a; well was drilled for (well owner) n/a; Drilling Permit No. n/a

For Department Use

Received by AK Date 1/22/2019 Time 1:16pm Preliminary check by [Signature]
 Fee \$ 250⁰⁰ Received by Ah Receipt No. W047082 Date 1/22/2019

8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - d. Domestic; show number of households _____
 - e. Other; describe fully. _____

9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - b. 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	1E	19		25	17	6.5													48.5
				L2															

Total number of acres to be irrigated: 25 acres irrigation within a 48.5 acre permissible place of use (ppu)

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? 63-213 & 63-16555 for irrigation, application 63-34620 for pond (see attached narrative)

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: n/a

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. See attached narrative

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.

Carlene M. Canfield
 Signature of Applicant
CARLENE M. CANFIELD, PRES.
 Print Name (and title, if applicable)

Mark C. Canfield
 Signature of Applicant
MARK C. CANFIELD, VICEPRES.
 Print Name (and title, if applicable)

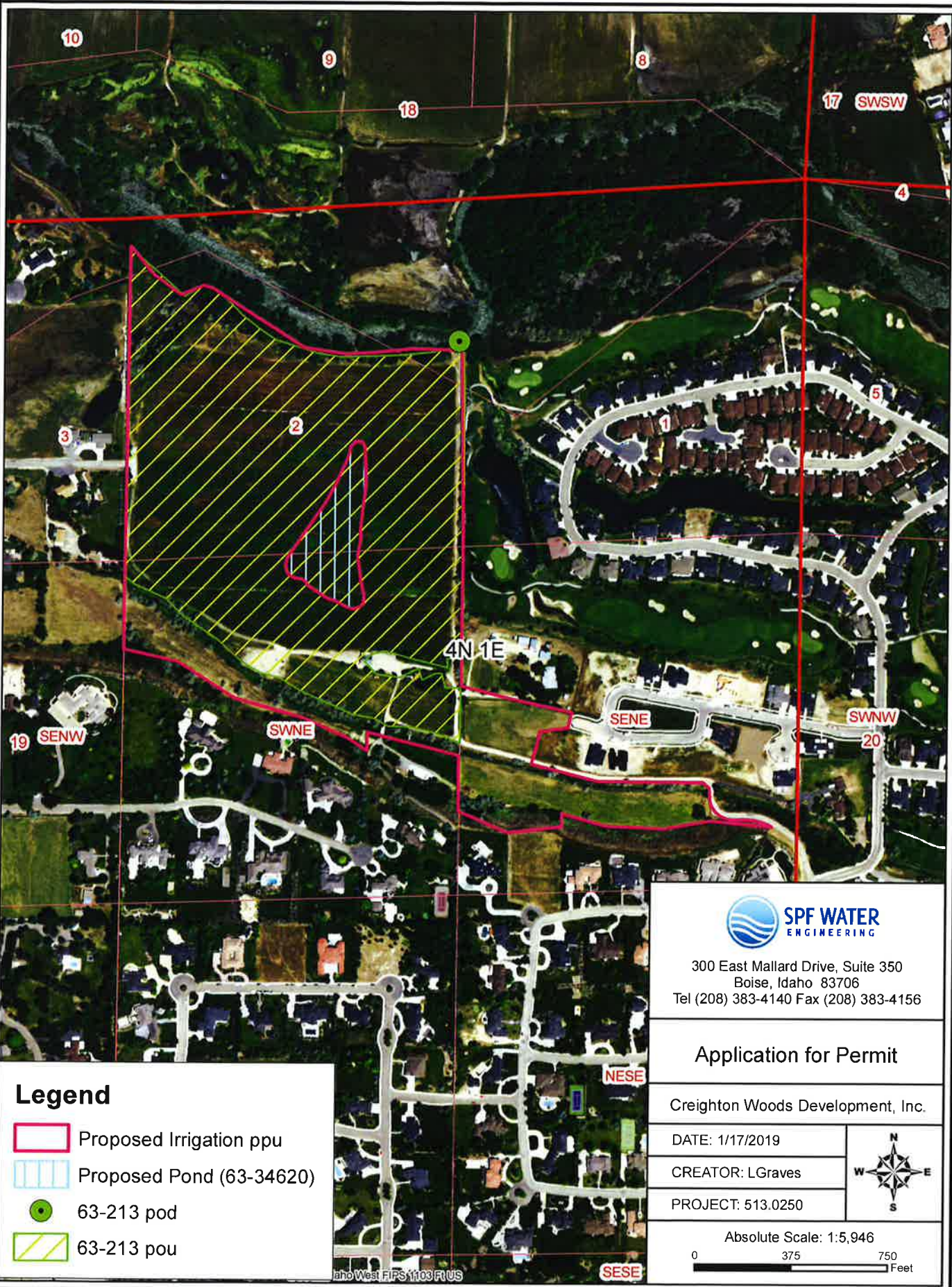
APPLICATION NARRATIVE & PROPOSED MITIGATION

Boise River water right 63-213 is currently authorized for irrigation of 39 acres within the proposed irrigation permissible place of use (ppu), which includes a 3.5-acre area proposed for pond development under application 63-34620. Ground water right 63-16555 is proposed for retirement to mitigate pond evaporation. Applicant proposes to divert shallow ground water from the pond for irrigation, rather than from the Boise River under water right 63-213. The property is subject to residential development resulting in an expected 25 acres irrigation within the development boundary (proposed ppu). The estimated 25 acres excludes the pond footprint and includes the acres where ground water right 63-16555 is currently appurtenant; right 63-16555 will be retired upon approval of application 63-34620.





The source of the water is shallow ground water assumed to be in direct hydraulic connection with the adjacent Boise River. Mitigation to Boise River flows is required to offset consumptive use resulting from the proposed irrigation and will be accomplished by leaving 0.78 cfs of water right 63-213 in the river un-diverted. Water right 63-213 is subject to watermaster control and Stewart Decree conditions. The proposed 0.5-cfs diversion rate can be maintained when Stewart Decree conditions limit diversions to 75% of their decreed quantities. When Stewart Decree conditions limit diversions to 60% of their decreed quantities, the diversion rate is expected to be reduced to 0.47 cfs ($0.78 \times 60\% = 0.47$ cfs). The proposed groundwater diversion rate will allow applicant to divert a flow rate that will meet the City of Eagle's pressurized irrigation requirements during times of Stewart Decree reductions. The applicant is aware that during times of low Boise River flows, the right may be further reduced based on the priority date of the mitigating right no. 63-213. Water-bearing zone to be appropriated is from 0 to 15 feet.

Proposed Mitigation. Mitigation will be accomplished using 39 acres and 0.78 cfs authorized for irrigation under water right 63-213, which will provide 0.59 cfs during 75% Stewart Decree cut and 0.47 cfs during the 60% Stewart Decree cut. Since the equivalent of 39 acres of water right 63-213 is un-diverted to supply irrigation for 25 acres, enlargement is not a concern.

Path: S:\PROJECTS\Irru L Projects\Irru L Projects\Wooda\PROJECT\GIS\A\Map_5130250_Creighton Woods\Map_5130250_Creighton\Irru L Projects\Irru L PMT_Map.mxd



Legend

-  Proposed Irrigation ppu
-  Proposed Pond (63-34620)
-  63-213 pod
-  63-213 pou



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

Application for Permit

Creighton Woods Development, Inc.

DATE: 1/17/2019
CREATOR: LGraves
PROJECT: 513.0250



Absolute Scale: 1:5,946
0 375 750 Feet

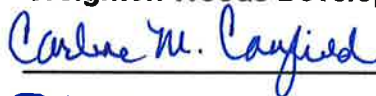

Idaho West FIPS 1103 FIPS US

**PROPOSED MITIGATION PLAN FOR CREIGHTON WOODS DEVELOPMENT
APPLICATION FOR PERMIT**

To the Idaho Department of Water Resources (IDWR):

Creighton Woods Development, Incorporated (Creighton Woods), agrees to utilize their private Water Right No. 63-213 to mitigate consumptive use associated with 25 acres irrigation from shallow ground water as proposed on an accompanying application for permit. Water right 63-213 allows diversion of 0.78 cfs from the Boise River for irrigation of 39 acres with a June 1, 1882 priority date. Creighton Woods agrees to this mitigation plan as follows:

- Water right 63-213 is the sole water right that provides irrigation water to the 39 acres in T4N, R1E, S19, SWNE and NWNE, L2. Mitigation for impacts to the Boise River flows resulting from diversion of shallow ground water by Creighton Woods for irrigation use will be accomplished by leaving 0.78 cfs of water right 63-213 in the river un-diverted.
- Upon IDWR approval of the Creighton Woods application for permit and this mitigation plan, Creighton Woods understands that IDWR will change the description of water right 63-213 from irrigation use to mitigation use. This will protect the water right for those acres from forfeiture according to I. C. §42-223(10).
- To the extent development proposed in Creighton Woods is not completed and/or discontinued, Creighton Woods understands this process is reversible by contacting IDWR with appropriate information for water and acres set aside for mitigation to be fully restored to irrigation use.

By:	Creighton Woods Development, Incorporated	
Signature:		
Title:	<u>PRES</u>	<u>VICE.PRES.</u>
Date:	<u>1-18-19</u>	<u>1-18-19</u>



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

March 28, 2019

SETTLERS IRRIGATION DISTRICT
1910 N GARDEN ST
BOISE ID 83706

Re: Application for Permit No. 63-34667

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 have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **April 22, 2019**. A copy of the protest must also be sent to the applicant.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser'.

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, March 28, 2019 1:41 PM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Permit 63-34667
Attachments: Watermaster Recommendation Form.docx; Permit Application 63-34667.pdf

March 28, 2019

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Permit No. 63-34667

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 **April 22, 2019**.

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 | Administrative Assistant I
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 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

March 28, 2019

CREIGHTON WOODS DEVELOPMENT INC
PO BOX 95
MERIDIAN, ID 83680-0095

Application for Permit No. 63-34667

Dear Applicant:

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 4/4/2019 and 4/11/2019. 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 that reads "Anna Kaiser".

Anna Kaiser
Administrative Assistant

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

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, March 27, 2019 3:50 PM
To: 'BOI Legals'
Subject: Ada Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 4/4/2019 & 4/11/2019.

Please confirm these are okay to publish as shown.

Thank You,

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

March 27, 2019

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

RE: Application For Permit Nos: 63-34660, 63-34667

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 **4/22/2019**. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34660

EAGLE SEWER DISTRICT
44 N PALMETTO AVE
EAGLE, ID 83616

(2) Point of Diversion SWSE S7 T04N R01E ADA County Source GROUND WATER

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

Use: FIRE PROTECTION 01/01 to 12/31 3.34 CFS

Use: INDUSTRIAL 01/01 to 12/31 0.03 CFS

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 3.44 CFS

Date Filed: 1/14/2019

Place Of Use: INDUSTRIAL, IRRIGATION

T04N R01E S7 SWSE SESE

Place Of Use: DOMESTIC, FIRE PROTECTION

T04N R01E S7 SESE

Total Acres: 2

Water bearing zone to be appropriated is from 250 to 400 feet.

Water bearing zone to be appropriated is from 200 to 400 feet.

63-34667

CREIGHTON WOODS DEVELOPMENT INC
PO BOX 95

MERIDIAN, ID 83680-0095

Point of Diversion L2(NWNE) S19 T04N R01E ADA County Source GROUND WATER Tributary BOISE RIVER

Use: IRRIGATION 03/01 to 11/15 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 1/22/2019

Place Of Use: IRRIGATION

T04N R01E S19 L2(NWNE) SWNE SENE

Total Acres: 48.5

Water bearing zone to be appropriated is from 0 to 15 feet.

Mitigation is proposed for consumptive use.

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 4/22/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/4/2019 and 4/11/2019



January 18, 2019

RECEIVED
JAN 22 2019
WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Creighton Woods Development Application for Permit

Dear Angie,

Enclosed on behalf of Creighton Woods Development, Incorporated, is an Application for Permit proposing irrigation use from shallow ground water diverted from a pond that is covered under application 63-34620 currently in the advertising process. Mitigation water will be provided by leaving applicant's water right 63-213 undiverted in the Boise River. Enclosed is a mitigation plan signed by the applicant. Please see the application narrative for further details.

Check No. 1042 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 that reads "Lori Graves".

Lori Graves
Water Rights Specialist

Cc: Carlene and Mark Canfield
Jason Desmer and Tamara Thompson, The Land Group

Enclosures

SPF file number: 513.0250