

**RECEIVED**  
**SEP 06 2017** **JUL 25 2017**  
WATER RESOURCES DIVISION COMPLETE  
WESTERN REGION WATER RESOURCES  
WESTERN REGION

# APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) William and Amelia Whelan Phone 208)938-2400  
Name connector (check one):  and  or  and/or  
Mailing address 3949 N. FALCON RIDGE LANE City EAGLE  
State ID ZIP 83616 Email bwhelan84@gmail.com

2. Name of representative, if any \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing address \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ ZIP \_\_\_\_\_ Email \_\_\_\_\_

- 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 N/A

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>5N</u>	<u>1E</u>	<u>32</u>					<u>ADA</u>	<u>GROUND WATER</u>	

5. Water will be used for the following purposes:  
Amount 135 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) \_\_\_\_\_ 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. WELL FOR IRRIGATION SYSTEM/PURPOSES
- 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 [Signature] Date 7/25/17 Time 12:00 Preliminary check by P. Kelly  
Fee \$ 100.00 Received by [Signature] Receipt No. W045520 Date 7/25/17

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	
5N1E		32			4.5														4.5

Total number of acres to be irrigated: 4.5

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? N/A

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. WELL FOR IRRIGATION PURPOSES

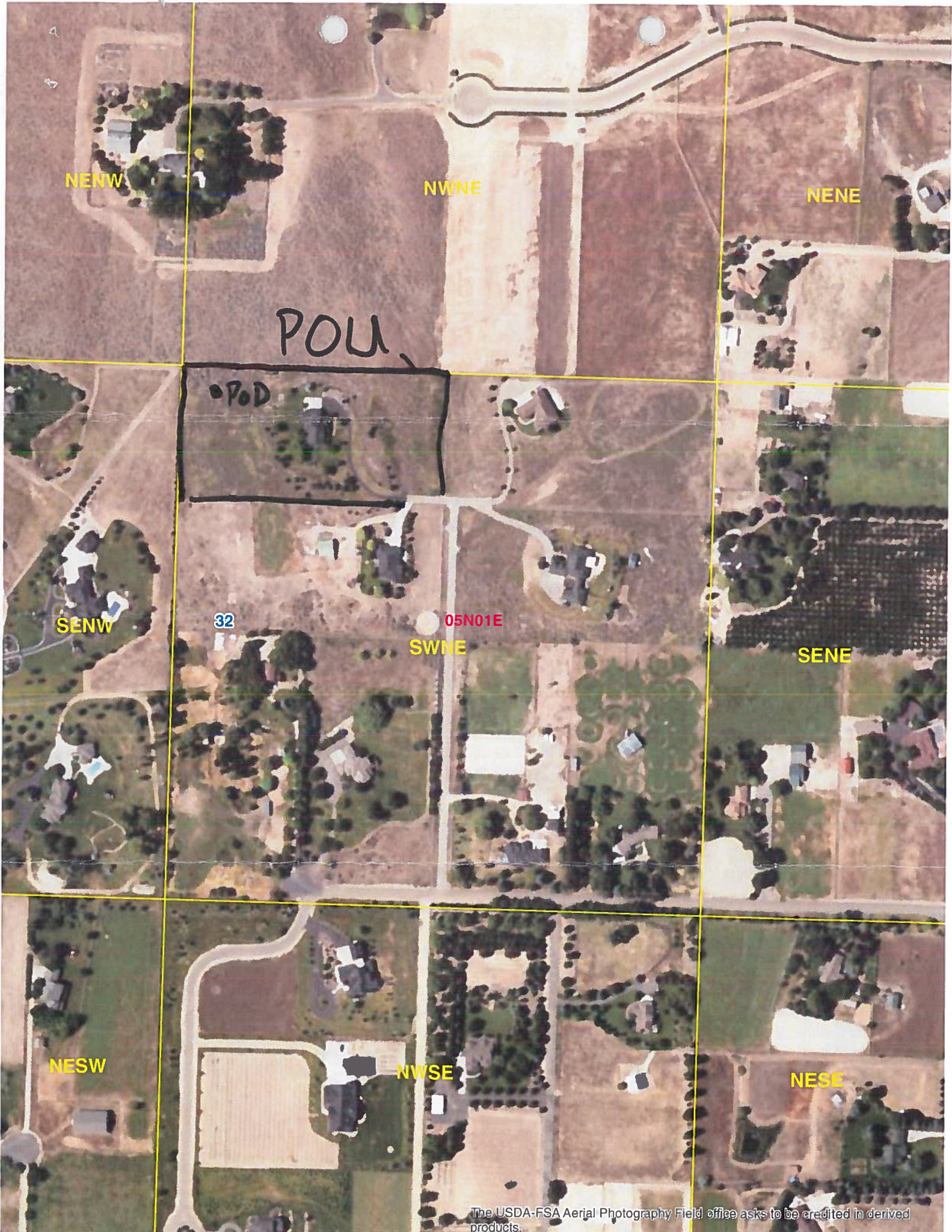
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

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]  
 Signature of Applicant  
William J. Wheelan, Sr.  
 Print Name (and title, if applicable)

[Signature]  
 Signature of Applicant  
Amelia S. Wheelan  
 Print Name (and title, if applicable)



NENW

NWNE

NENE

POU

POD

SENW

32

05N01E

SWNE

SENE

NESW

NWSE

NESE

## Neely, Rachel

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**From:** Neely, Rachel  
**Sent:** Friday, September 15, 2017 12:22 PM  
**To:** 'BOI Legals'  
**Subject:** Ada Legal Ads  
**Attachments:** Ada Cover Letter.docx; Ada Legal Notice.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 9/21/2017 & 9/28/2017.

Please confirm these are okay to publish as shown.

Thank you,

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*Rachel Neely*

Administrative Assistant I  
IDWR-Western Region  
2735 Airport Way Boise, ID 83705  
[Rachel.Neely@idwr.idaho.gov](mailto:Rachel.Neely@idwr.idaho.gov)

September 15, 2017

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

RE: Application for Permit No. 63-34219  
Application for Permit No. 63-34220  
Application for Permit No. 63-34275  
Application for Permit No. 63-34364  
Application for Permit No. 63-34421  
Application for Transfer No. 81879  
Application for Transfer No. 81213

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 10/10/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely  
Administrative Assistant

Enclosure(s)

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

**63-34219**

RIVER STONE LLC  
1500 W BANNOCK  
BOISE, ID 83702

HERON LAKES DEVELOPMENT INC  
2970 E RIVERNEST CT  
BOISE, ID 83706

HERON RIVER HOMEOWNERS ASSOCIATION, INC.  
9601 W STATE STSTE 203  
BOISE, ID 83714

Points of Diversion SENW L2(NWSE) NENE S17 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

(3)Points of Diversion SENE S17 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

(2)Points of Diversion NWNW S16 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion SWNW S16 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC STORAGE 01/01 to 12/31 625 AF

Total Diversion: 625 AF

Date Filed: 4/19/2016

Place of Use: AESTHETIC STORAGE

T04N R01W S16 NWNW SWNW

T04N R01W S17 NENE SWNE SENE L3(NESW) L2(NWSE)

Water bearing zone to be appropriated is from 0 to 35 feet.

**63-34220**

RIVER STONE LLC  
1500 W BANNOCK  
BOISE, ID 83702

HERON LAKES DEVELOPMENT INC  
2970 E RIVERNEST CT  
BOISE, ID 83706

HERON RIVER HOMEOWNERS ASSOCIATION, INC.  
9601 W STATE STSTE 203  
BOISE, ID 83714

(2)Points of Diversion NWNW S16 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC 11/01 to 03/31 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 4/19/2016

Place of Use: AESTHETIC

T04N R01W S16 NWNW

Water bearing zone to be appropriated is from 0 to 200 feet.

**63-34275**

RIVER STONE LLC  
1500 W BANNOCK  
BOISE, ID 83702

HERON LAKES DEVELOPMENT INC  
2970 E RIVERNEST CT  
BOISE, ID 83706

Point of Diversion SENE S17 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

Use: AESTHETIC 01/01 to 12/31 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 9/16/2016

Place of Use: AESTHETIC

T04N R01W S16 SWNW

T04N R01W S17 SENE

Water bearing zone to be appropriated is from 0 to 200 feet.

**63-34364**

C15 LLC  
4824 W FAIRVIEW AVE  
BOISE, ID 83706

Point of Diversion SWSE S32 T03N R01E ADA County Source GROUND WATER  
Use: IRRIGATION 03/01 to 11/30 0.22 CFS  
Total Diversion: 0.22 CFS  
Date Filed: 4/27/2017  
Place of Use: IRRIGATION  
T03N R01E S32 SWSE

**63-34421**

AMELIA WHELAN  
WILLIAM WHELAN  
3949 N FALCON RIDGE LN  
EAGLE, ID 83616

Point of Diversion SWNE S32 T05N R01E ADA County Source GROUND WATER  
Use: IRRIGATION 03/15 to 11/15 0.14 CFS  
Total Diversion: 0.14 CFS  
Date Filed: 7/25/2017  
Place of Use: IRRIGATION  
T05N R01E S32 SWNE  
Total Acres: 4.5  
Water bearing zone to be appropriated is from 200 to 300 feet.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 81879**

**CITY OF BOISE, DEPT OF PARKS & RECREATION 1104 ROYAL BLVD, BOISE, ID 83706-2898; has filed Application No. 81879** for changes to the following water rights within ADA County(s): Right No(s). 63-34438. This transfer proposes to add a second point of diversion to the water right to be located in the same lot as the original point of diversion. The City plans to divert water from a depth of 100 to 150 feet in the new well. The site is located on the southwest side of the intersection between W Franklin Rd and S Orchard St in Boise Idaho.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 81213**

**PIONEER DITCH CO LTD, PO BOX 70, STAR, ID 83669; has filed Application No. 81213** for changes to the following water rights within ADA County(s): Right No(s). 63-183. The purpose of the transfer is to change the nature of use from irrigation to aesthetic storage by retiring 36 acres. This action will provide the required mitigation for consumptive losses associated with Application for Permit 63-34219. Aesthetic storage water will be used within the current Pioneer Ditch Company place of use boundary, 0.75 miles SE of Star.

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) or proposed transfer (s) please see [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. 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 10/10/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/21/2017 and 9/28/2017



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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

September 14, 2017

AMELIA WHELAN  
WILLIAM WHELAN  
3949 N FALCON RIDGE LN  
EAGLE, ID 83616

Application for Permit No. 63-34421

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 IDAHO STATESMAN on 9/21/2017 and 9/28/2017. 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 black ink, appearing to read 'Rachel Neely'.

Rachel Neely  
Administrative Assistant

8/31/17  
Hello,

IF YOU COULD  
EXPEDITE OUR  
APPLICATION, WE  
WOULD REALLY  
APPRECIATE IT.

THANK YOU  
BILL & AMELIA



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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 29, 2017

WILLIAM WHELAN  
AMELIA WHELAN  
3949 N FALCON RIDGE LN  
EAGLE ID 83616

Re: Water Right Application, Incomplete - Returned

Dear Applicant:

This office received your application on July 25, 2017. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following item is addressed:

- **Section 5-** Period of Use was not provided correctly. Please complete section 5 to include irrigation season of use. For your area, this period is March 1st through November 15<sup>th</sup>.

The original incomplete application is enclosed. Please make the necessary amendments to the original form, **initial and date next to the changes**, and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please consult the IDWR website or contact this office at (208)334-2190 and ask for the "office day person" if you have any questions about the necessary information.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application