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FORM 202 Rev. 07/16

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OCT 05 2016

COMPLETE
WATER RESOURCES
WESTERN REGION

INCOMPLETE
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 63-34315

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Gary Heikes, Linda Heikes, Kozette Halley Phone 208-859-6653
 Name connector (check one): ☒ and ☐ or ☒ and/or
 Mailing address 4305 N Willow Creek Rd Eagle, ID 83616 Email Linda@HeikesHome.com
2. Name of representative, if any PAT Thacker Phone 208-283-6525
 Mailing address 4580 N Willow Creek Rd Eagle ID 83616 Email thackerp@gmail.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 providing authority to sign for the applicant.
3. Source of water supply Well Proposed 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 #
SN	1E	32		NE	NE	NE	ADA	Well/Groundwater	Proposed
				NE	NW	NE			

5. Water will be used for the following purposes:
- Amount .1 for IRRIGATION purposes from 3/1 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .02 for Stock Water purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .04 for Domestic 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) .16 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. IRRIGATION pipe, Well
Groundwater G/H
- 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 11. 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 inches; proposed depth of well is 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? na; drilling firm na; well was drilled for (well owner) na; Drilling Permit No. na

For Department Use

Received by CS Date 10/5/16 Time 11:30 Preliminary check by CP
 Fee \$ 100 Received by CS Receipt No. WD44687 Date 10/5/16

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. 5-10 head, horses, cattle, 5 sheep
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1
 - Other; describe fully. _____

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	
5N	1E	32	5				5												5
5N	1E	32	D				D												
5N	1E	32	5				5												

Total number of acres to be irrigated: 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? _____

YES

11. a. Who owns the property at the point of diversion? Gary Heikes, Linda Heikes, Kozette Holley
b. Who owns the land to be irrigated or place of use? " " "
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. want to be able to water livestock, irrigate pasture & landscape and domestic use

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

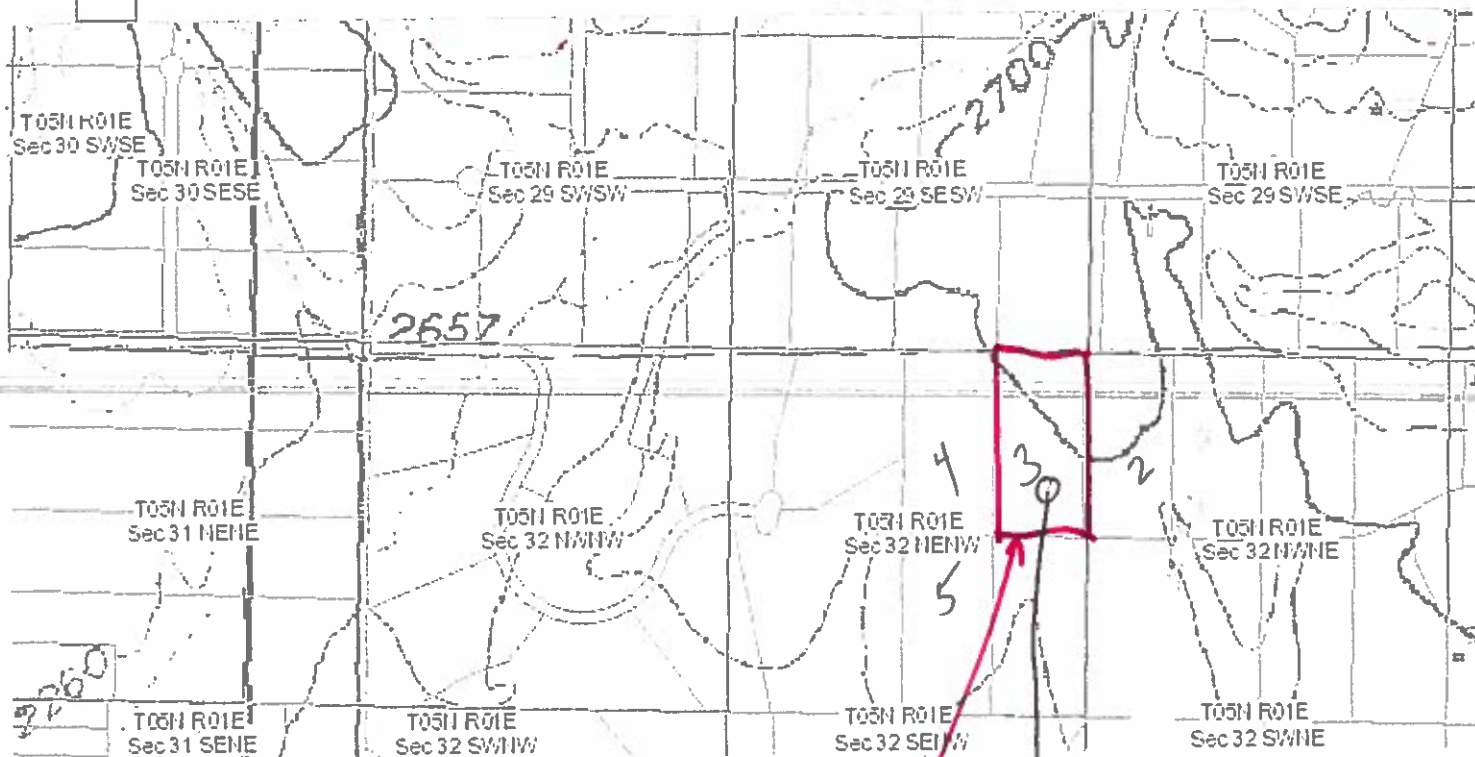
Print Name (and title, if applicable)

Print Name (and title, if applicable)



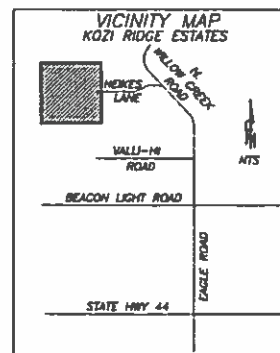
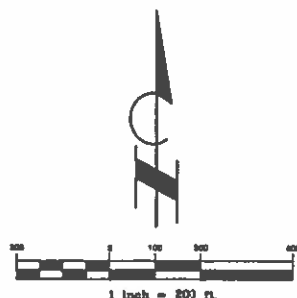
Department of Water Resources

Mapping Tool for Water Right Applications



[Help](#) [Other Maps](#) [Water Resources Home](#) [Idaho.gov](#)

A TRACT OF LAND SITUATE IN A PORTION OF THE NW 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 32, T. 5 N., R. 1 E., BOISE MERIDIAN, ADA COUNTY, IDAHO.



FOUND CONCRETE MONUMENT
W/BRASS CAP AT 1/4 CORNER
ACCEPTED AND USED SAME AS
INITIAL POINT MONUMENT
- FOR KOZI RIDGE ESTATES

STILLWELL ESTATES NO.4

STILLWELL ESTATES NO.3

UNPLATTED

SOUTHERLY EDGE OF 50'
WIDE ROAD EASEMENT PER
INSTR. NO. 8843886, RECORDS
OF ADA COUNTY, IDAHO.
(RECORD DATA)

"SEPTIC TANKS SHALL BE
PLACED BETWEEN THE
HOUSE AND THE ROADWAY"

STREET LIGHTS WILL BE
REQUIRED AT SUCH TIME
OTHER SUBDIVISIONS AROUND
KOZ BRIDGE LEVEL. 3.00
WHEN KOZ BRIDGE EX. IS IN
MORE THAN 2 LOTS.

DEVELOPER
GARY AND LINDA HEIKES
4305 WILLOW CREEK RD.
EAGLE, ID. 83616
(208) 939-8476

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 10, ARE IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING, OR SHEDS WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED.

DATE: 10/11/34

DISTRICT HEALTH DEPARTMENT, EHS

BASIS OF BEARINGS

THE BEARING N00°27'21"W ALONG THE MID-SECTION LINE FROM THE CENTER OF SECTION TO THE NORTH 1/4 CORNER AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED AS INSTR. NO. 9003080, SURVEY NO. 1554, RECORDS OF ADA COUNTY, IDAHO WAS TAKEN AS THE BASIS OF BEARING FOR THIS DRAWING.

LEGEND

- ⑤ FOUND BRASS CAP MONUMENT
- ⑥ FOUND 5/8" IRON PIN AS NOTED
- FOUND 1/2" IRON PIN NO CAP
- ⊙ SET 5/8" IRON PIN P.L.S. 4108
- SET 1/2" IRON PIN P.L.S. 4108

SERVICES

WATER INDIVIDUAL WELLS
SEWER INDIVIDUAL SEPTIC SYSTEMS
POWER IDAHO POWER COMPANY
TELEPHONE US WEST
12 FOOT PUBLIC UTILITIES AND DRAINAGE
EASEMENT ADJACENT TO ALL LOT LINES.

TOTAL ACRES = 39.91 ±

NOTES

1. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.

2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.

3. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, WHICH STATES "NO AGRICULTURAL, OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN: PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."



Fischer Land Surveying, Inc.

PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146

SEPT. 1994 INDEX NO. 511-32 00-00-00

SHEET 1 OF 2

JOB NO. 51-94

This part is included solely for the purpose of associating and locating said premises and Stewart Film assumes no liability for variations, if any, in dimensions and locating ascertained by actual survey.

KOZI RIDGE ESTATES

A TRACT OF LAND SITUATE IN A PORTION OF THE NW 1/4 OF
THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 32,
T. 5 N., R. 1 E., BOISE MERIDIAN, ADA COUNTY, IDAHO.

1994

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENT, That Gary W. Heikes and Linda K. Heikes, husband and wife, do hereby certify that we are the owners of the real property hereinafter described:

A tract of land situate in a portion of the NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of Section 32, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho; more particularly described as follows:

BEGINNING at the 1/4 corner common to sections 29 and 32, T.5N., R.1E., B.M., Ada County, Idaho; Thence N89°37'38"E, 640.00 feet along the North line of the NW 1/4 of the NE 1/4; Thence S00°27'21"E, 1317.99 feet to a point on the South line of the NW 1/4 of the NE 1/4; Thence S89°36'58"W, 640.00 feet along the South line of the NW 1/4 of the NE 1/4 to the CN 1/16 corner; Thence S89°35'49"W, 680.00 feet along the South line of the NE 1/4 of the NW 1/4; Thence N00°27'21"W, 1318.47 feet to a point on the North line of the NE 1/4 of the NW 1/4; Thence N89°37'36"E, 680.00 feet along the North line of the NE 1/4 of the NW 1/4 to the POINT OF BEGINNING.

Together with and subject to an ingress, egress and utility easement, 50 feet in width, the centerline of which is hereinafter described:

Commencing at said 1/4 corner; Thence N89°37'38"E, 640.00 feet along the North line of the NW 1/4 of the NE 1/4; Thence S00°27'21"E, 637.60 feet to the TRUE POINT OF BEGINNING; Thence S89°36'35"W, 1037.06 feet; Thence N00°23'25"W, 25.00 feet to the center of a 50 foot radius and the terminus of this easement.

Said tract of land containing therein a calculated area of .3994 acres, more or less.

IDAHO CODE 50-1334. The individual lots described in this plat will not be served by any water system common to one (1) or more lots, but will be served by individual wells.

Public utilities and drainage easements are not dedicated to the public, but the rights of access to and use of public utility and drainage easements required to serve all lots and parcels are perpetually reserved.

BUILDING AND OCCUPANCY RESTRICTIONS: See Instrument No. Records of Ada County, Idaho. Building and occupancy restrictions filed on this day of 1994, A.D. at o'clock m. in the office of the Ada County Recorder, Boise, Idaho.

The owners do hereby include the same in the plat.

In witness whereof, we have hereunto set our hands this 28 day of September, 1994.

Gary W. Heikes
Gary W. Heikes (owner)

Linda K. Heikes
Linda K. Heikes (owner)

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF Ada) SS.

On this 28 day of Sept, 1994, before me, Notary Public, personally appeared Gary W. Heikes and Linda K. Heikes, known to me to be the persons whose names are subscribed to the within instrument, and acknowledge to me that they executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public
Idaho.

Notary Public
Notary Public, residing at
Boise, ID.
Expires 3/17/98

CERTIFICATE OF SURVEYOR

I, Richard P. Fischer, do hereby certify that I am a Professional Land Surveyor P.L.S. 4108, licensed by the State of Idaho, and that this plat of KOZI RIDGE ESTATES, as described in the "Certificate of Owners", was drawn from an actual survey made on the ground under my direct supervision, and that this plat accurately represents the points platted thereon, and is in conformity with the State of Idaho Code relating to Plats and Surveys.



COUNTY SURVEYOR CERTIFICATE

I, the undersigned, County Surveyor for Ada County, Idaho, do hereby certify that I have checked this plat of KOZI RIDGE ESTATES and that it complies with the State of Idaho code relating to Plats and Surveys.



APPROVAL OF CITY ENGINEER

I, the undersigned, City Engineer, in and for Eagle, Ada County, Idaho, do hereby approve this Subdivision Plat.



APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

Sanitary restrictions of this proposed subdivision plat of KOZI RIDGE ESTATES are hereby removed according to the letter of approval on file with the Ada County Recorder or his/her agent.

SEE FRONT PAGE FOR S.I.

NAME _____ DATE _____

HIGHWAY DISTRICT CERTIFICATION

The foregoing plat was accepted and approved by the Board of Ada County Highway District Commissioners on the 28 day of October, 1994.

Chairman
Notary Public, residing at
Boise, ID.
Expires 3/17/98

CERTIFICATE OF TREASURER

I the undersigned County Treasurer in and for the County of Ada, Idaho per the requirements of 50-1308, Idaho Code, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this proposed subdivision have been paid in full. This certification is valid for the next 30 days only.

Barbara Chaves
County Treasurer
By *Karen Wilt Deputy Treasurer* Date Nov 22, 1994

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

Accepted and approved this 22 day of Nov, 1994, by the Board of County Commissioners of Ada County.

Approved by: *Hermon L. Bistefeldt*

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk, of Eagle, Ada County, Idaho, do hereby certify that at a regular meeting of the City Council held on Nov day of October, 1994, this Subdivision Plat was duly accepted and approved.

Approved by: *Shirley Barber, Mayor*

COUNTY RECORDER CERTIFICATE

INSTRUMENT NO. 94103048
STATE OF IDAHO
COUNTY OF ADA

I hereby certify that this plat of KOZI RIDGE ESTATES was filed at the request of *Fischer Land Surveying, Inc.* at 22 minutes past 11 o'clock A.M., this 23 day of November, 1994 in my office and was duly recorded in Book 68 of Plats, Page 6921-6922

B. Balazs
Deputy

Fee: 11.00

David Navarro
County Recorder

Fischer Land Surveying, Inc.



PROFESSIONAL LAND SURVEYING
404 So. Washington
Emmett, Idaho 83617
Phone (208) 365-4146



63-34315

CP&F No.
94087569

63-34316

UNPLATTED

SOUTHERLY EDGE OF 50'
WIDE ROAD EASEMENT PER
INSTR. NO. 8843886, RECORDS
OF ADA COUNTY, IDAHO.
(RECORD DATA)

(WEST)
N89°39'17"E
700.00' W. HEIKES LANE
IC-31-3805 (A) "KOZI RIDGE ESTATES"
IS NOT IN NOR DOES IT RECIEVE ANY
IRRIGATION WATER AND IS EXCLUDED
FROM ANY IRRIGATION ENTITY.

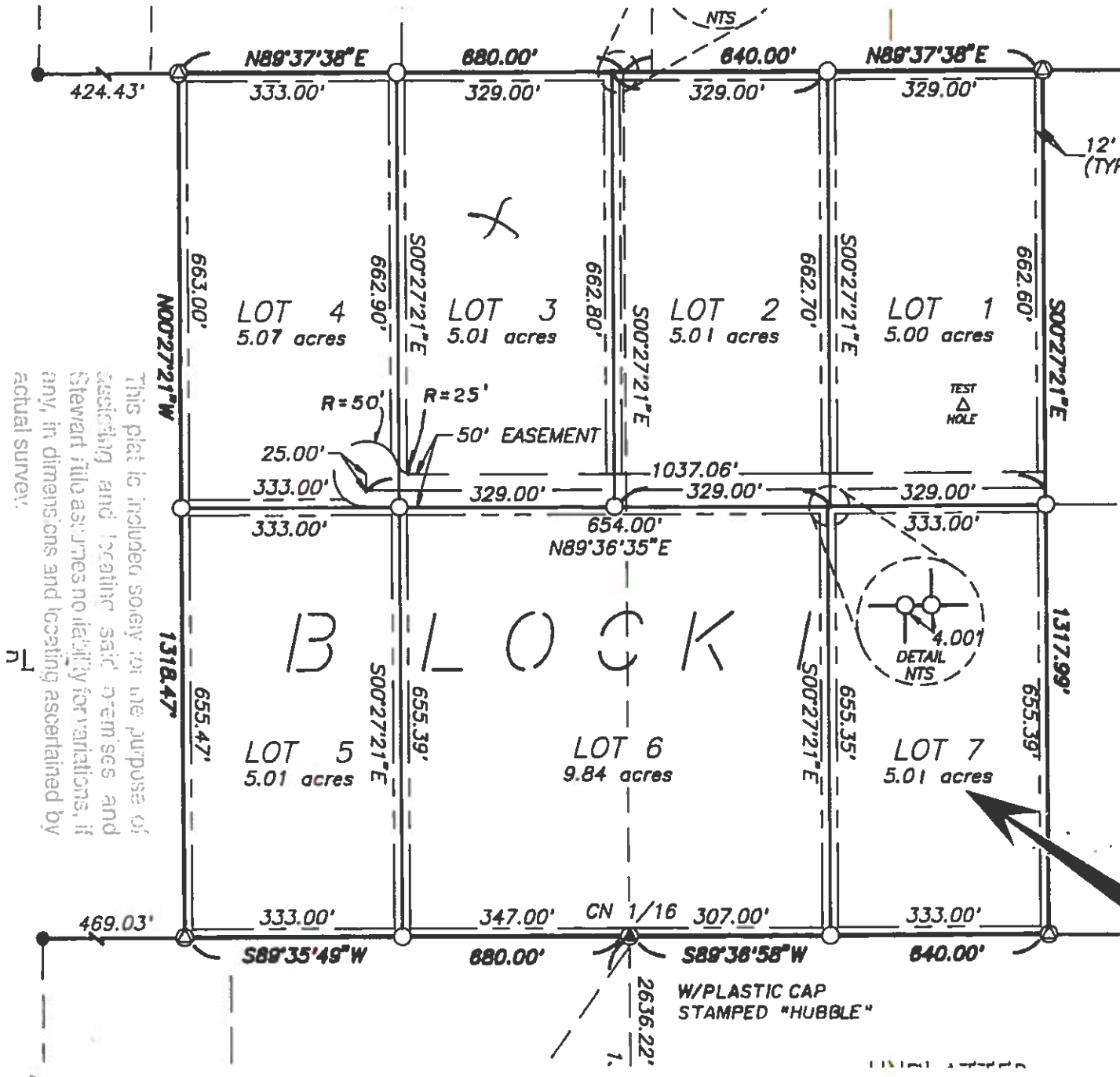
"SEPTIC TANKS SHALL BE
PLACED BETWEEN THE
HOUSE AND THE ROADWAY."

STREET LIGHTS WILL BE
REQUIRED AT SUCH TIME
OTHER SUBDIVISIONS AROUND
KOZI RIDGE DEVELOP AS FOR
WHEN KOZI RIDGE EXCEEDS 10
MORE THAN 2 LOTS.

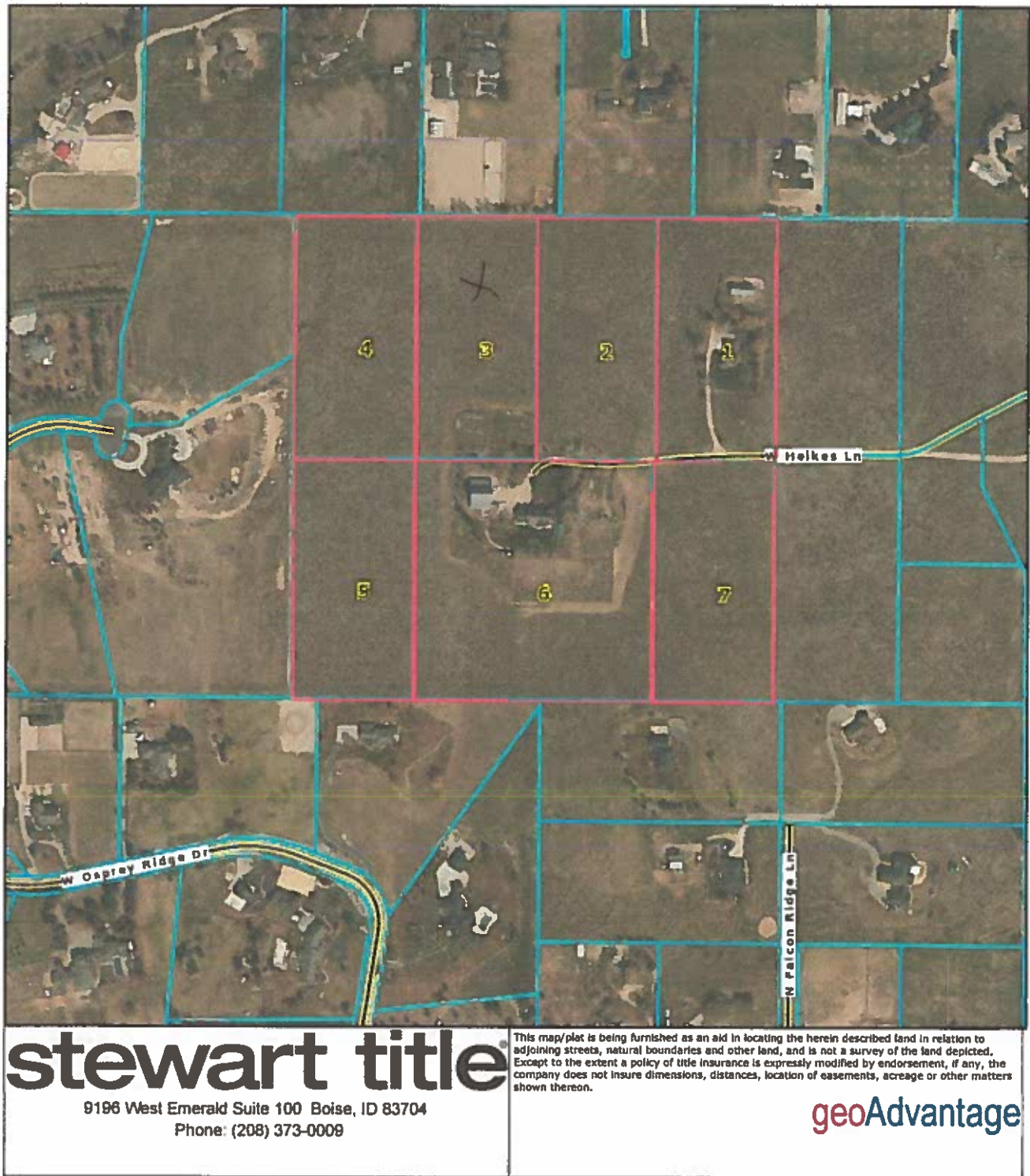
N 1/16 32|31

W/PLASTIC CAP
(UNREADABLE)

HEALTH CERTIFIC



This plat is included solely for the purpose of
establishing and locating said premises and
Stewart Title assumes no liability for variations, if
any, in dimensions and locating ascertained by
actual survey.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 12, 2017

GARY W HEIKES
LINDA HEIKES
KOZETTE HOLLEY
4305 N WILLOW CREEK RD
EAGLE, ID 83616

Applications for Permit Nos. 63-34314, 63-34315, 63-34316, & 63-34317

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

Legal notices of these applications have been prepared and are scheduled for publication in the IDAHO STATESMAN on 1/19/2017 and 1/26/2017. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If any of these applications are 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 any of these applications are not protested, the Department will process your application and notify you of any action taken on the application. If any of your applications are approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding these applications.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
PATRICK THACKER
4560 N WILLOW CREEK RD
EAGLE, ID 83616

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, January 12, 2017 10:16 AM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 1/19/17 & 1/26/17.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

January 12, 2017

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

RE: Application for Permit No. 63-34260
 Application for Permit No. 63-34266
 Application for Permit No. 63-34279
 Application for Permit No. 63-34298
 Application for Permit No. 63-34299
 Application for Permit No. 63-34301
 Application for Permit No. 63-34314
 Application for Permit No. 63-34315
 Application for Permit No. 63-34316
 Application for Permit No. 63-34317
 Application for Permit No. 63-34322

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 2/6/2017. 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:

63-34260

PHILIP M KRUEGER
1311 E WARM SPRINGS AVE
BOISE, ID 83712
Point of Diversion NESW S2 T02N R03E ADA County Source GROUND WATER Tributary BOISE RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 8/9/2016
Place of Use: DOMESTIC
T02N R03E S11 L1(NWNE) L2(NENW)
Water bearing zone to be appropriated is from 28 to 488 feet.

63-34266

DON DEWEY
1400 FALCON DR.
ONTARIO, OR 97914
PAUL D AND RAE LEVIE TRUST
PO BOX 350
CHINO VALLEY, AZ 86323
Points of Diversion NWSW NESW S3 T01N R03E ADA County Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 1.6 CFS
Total Diversion: 1.6 CFS
Date Filed: 9/7/2016
Place of Use: IRRIGATION
T01N R03E S3 NESW NWSW
Total Acres: 80
Water bearing zone to be appropriated is from 100 to 900 feet.

63-34279

BRIARHILL HOA
C/O SENTRY MANAGEMENT INC
6149 N MEEKER PL STE 150
BOISE, ID 83713
Point of Diversion NESESW S20 T04N R02E ADA County Source SPRING Tributary SINKS
Use: IRRIGATION 03/01 to 11/15 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 9/19/2016
Place of Use: IRRIGATION
T04N R02E S20 NESW SESW
Total Acres: 0.5

63-34298

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY
8169 W VICTORY RD
BOISE, ID 83709
Point of Diversion NWNW S11 T03N R02E ADA County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.6 CFS
Total Diversion: 0.6 CFS
Date Filed: 10/20/2016
Place of Use: IRRIGATION
T03N R02E S2 SWSW
T03N R02E S10 NENE
T03N R02E S11 NWNW
Total Acres: 17
Water bearing zone to be appropriated is from 200 to 400 feet.
Applicant proposes irrigation of 10 acres within a 17-acre permissible place of use.

63-34299

SUNROC CORPORATION
730 N 1500 W
OREM, UT 84057
Point of Diversion NWSW S21 T02N R02E ADA County Source GROUND WATER
Use: COMMERCIAL 01/01 to 12/31 2.23 CFS
Total Diversion: 2.23 CFS
Date Filed: 10/19/2016
Place of Use: COMMERCIAL
T02N R02E S20 NESW NWSW NESE NWSE
T02N R02E S21 NWNE SWNE NW(ALL) NWSW
Water bearing zone to be appropriated is from 540 to 800 feet.

63-34301

DAVID BENSINGER
DEBORAH BENSINGER
7258 N SPRINGCREST PL
MERIDIAN, ID 83646
Points of Diversion SE(ALL)S9 T05N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 2.2 CFS
Use: STOCKWATER 01/01 to 12/31 0.03 CFS
Total Diversion: 2.23 CFS
Date Filed: 10/28/2016
Places of Use: IRRIGATION, STOCKWATER
T05N R01W S9 SE(ALL)
Total Acres: 152
Water bearing zone to be appropriated is from 300 to 1000 feet.

63-34314

GARY W HEIKES
LINDA HEIKES
KOZETTE HOLLEY
4305 N WILLOW CREEK RD
EAGLE, ID 83616
Point of Diversion NWNE S32 T05N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.1 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.16 CFS
Date Filed: 11/8/2016
Places of Use: IRRIGATION, STOCKWATER, DOMESTIC
T05N R01E S32 NWNE
Total Acres: 5
Water bearing zone to be appropriated is from 200 to 400 feet.

63-34315

GARY W HEIKES
LINDA HEIKES
KOZETTE HOLLEY
4305 N WILLOW CREEK RD
EAGLE, ID 83616
Point of Diversion NENW S32 T05N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.1 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.16 CFS
Date Filed: 11/8/2016
Places of Use: IRRIGATION, STOCKWATER, DOMESTIC
T05N R01E S32 NENW
Total Acres: 5
Water bearing zone to be appropriated is from 200 to 400 feet.

63-34316

GARY W HEIKES
LINDA HEIKES
KOZETTE HOLLEY
4305 N WILLOW CREEK RD
EAGLE, ID 83616
Point of Diversion NENW S32 T05N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.1 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.16 CFS
Date Filed: 11/8/2016
Places of Use: IRRIGATION, STOCKWATER, DOMESTIC
T05N R01E S32 NENW
Total Acres: 5
Water bearing zone to be appropriated is from 200 to 400 feet.

63-34317

GARY W HEIKES
LINDA HEIKES
KOZETTE HOLLEY
4305 N WILLOW CREEK RD
EAGLE, ID 83616
Point of Diversion NENW S32 T05N R01E ADA County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.1 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.16 CFS
Date Filed: 11/8/2016
Places of Use: IRRIGATION, STOCKWATER, DOMESTIC
T05N R01E S32 NENW
Total Acres: 5
Water bearing zone to be appropriated is from 200 to 400 feet.

63-34322

JON SCOTT

3353 HOLL DR

EAGLE, ID 83616

Point of Diversion NESE S33 T05N R01E ADA County Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 0.8 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.15 CFS

Total Diversion: 0.15 CFS 0.8 AF

Date Filed: 11/25/2016

Place of Use: AESTHETIC STORAGE

T05N R01E S33 NESE

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

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/WaterManagement/WaterRights. 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 2/6/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/19/2017 and 1/26/2017

M E M O R A N D U M

Date: December 29, 2016
To: Water Right File 63-34315
From: cparker
Re: Water Bearing Zone

The water bearing zone is taken from a phone call with the representative on 12/06/16. It was determined by reviewing the zone for existing wells nearby. The water bearing zone is taken as clarifying information and the likely depth of the well is closer to 400 ft. rather than the 225 ft. stated on the application.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 19, 2016

GARY HEIKES
LINDA HEIKES
KOZETTE HOLLEY
4305 N WILLOW CREEK RD
EAGLE ID 83616

PAT THACKER
4560 WILLOW CREEK RD
EAGLE ID 83616

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your four applications on October 5, 2016. The applications cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **Section 4-** The source was not provided correctly. Your applications say well, however the source should be groundwater.
- **Section 9 and Section 14(map)** – The Place of Use (POU) and the Point of Diversion (POD) were not provided correctly. The map you have provided shows the POD in the NENW, however the POD listed in **Section 4** states it is in the NWNE. Lot 5 should be in the NENW and Lot 3, 2 and 1 should be in the NWNE. Please clarify your Place of Use and describe the Point of Diversion correctly.

The original incomplete applications are enclosed. Please make the necessary amendments to the original forms and re-submit in the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will issued for these filings. This letter is an attempt to ensure that your applications are complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your applications. IDWR forms and other information are available on the Internet at 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

RECEIVED

OCT 05 2016

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. _____

COPY

1. Name of applicant(s) Gary Heikes, Linda Heikes, Kozette Halley Phone 208-859-1653
 Name connector (check one): ☒ and ☐ or ☒ and/or
 Mailing address 4305 N Willow Creek Rd Eagle, ID 83616 Email Linda@HeikesHome.com
2. Name of representative, if any PAT Thacker Phone 208-283-6525
 Mailing address 4580 N Willow Creek Rd Eagle ID 83616 Email thackera@gmail.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 providing authority to sign for the applicant.
3. Source of water supply Well Proposed 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 #
5N	1E	32		NW	NE		ADA	Well	Proposed

5. Water will be used for the following purposes:
- Amount .1 for IRRIGATION purposes from 3/1 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .02 for Stock Water purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .04 for Domestic 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) .16 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. IRRIGATION pipe, well
- 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 11. 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 inches; proposed depth of well is 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? na; drilling firm na;
 well was drilled for (well owner) na; Drilling Permit No. na

For Department Use

Received by CS Date 10/5/16 Time 11:30 Preliminary check by _____
 Fee \$ 100.00 Received by CS Receipt No. W044687 Date 10/5/16

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. 5-10 head, horses, cattle, sheep
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households 1
- Other; describe fully. _____

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	
5N	1E	32	5																5
5N	1E	32	D																
5N	1E	32	5																

Total number of acres to be irrigated: 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? _____

yes

- Who owns the property at the point of diversion? Gary Heikes, Linda Heikes, Kozette Holley
- Who owns the land to be irrigated or place of use? " " "
- 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. want to be able to water live stock, irrigate

pasture & landscape and domestic use

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

Gary Heikes owner Linda Heikes owner

Print Name (and title, if applicable)

Signature of Applicant

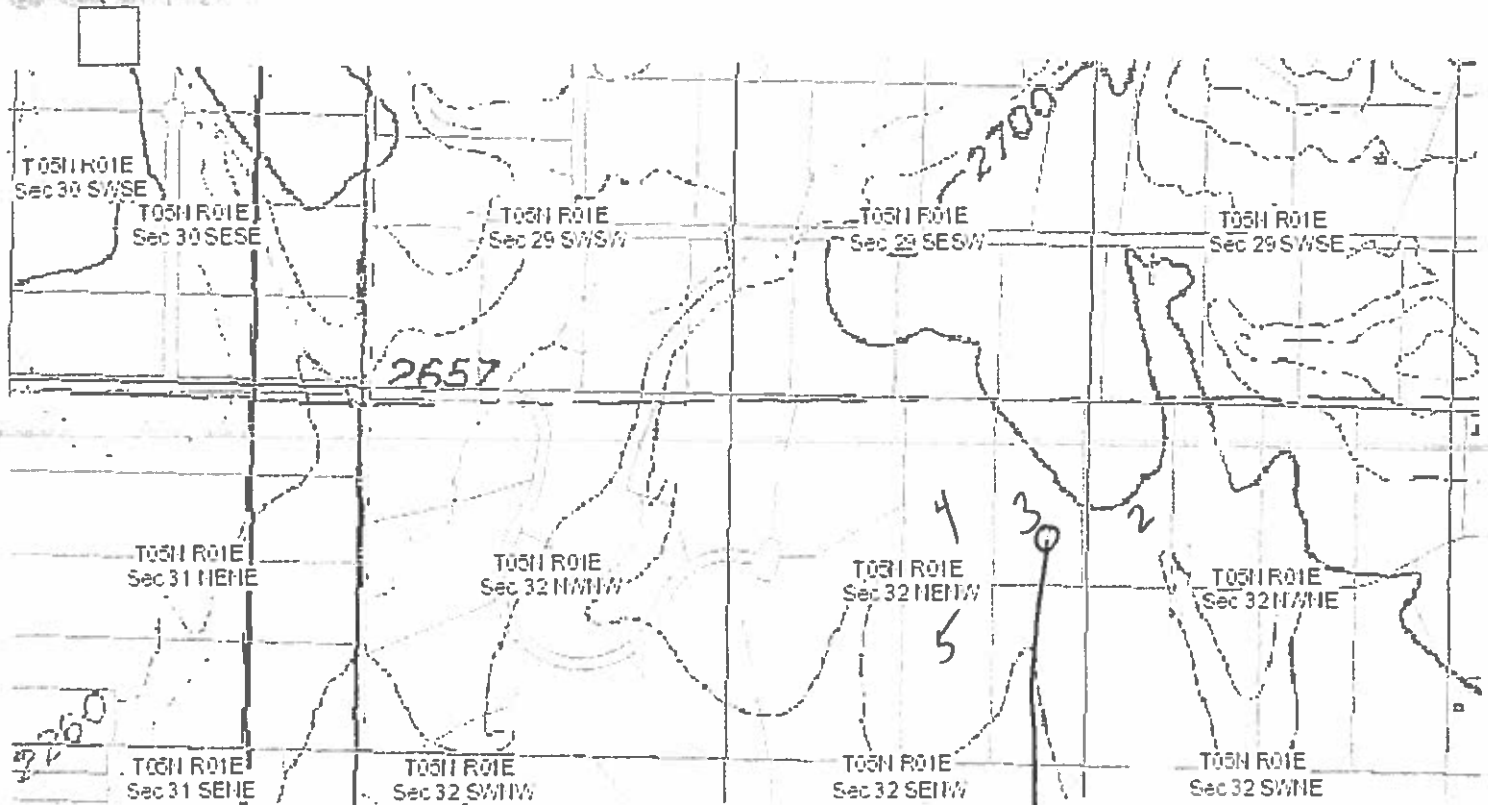
Kozette Holley owner

Print Name (and title, if applicable)



Department of
Water Resources

Mapping Tool for Water Right Applications

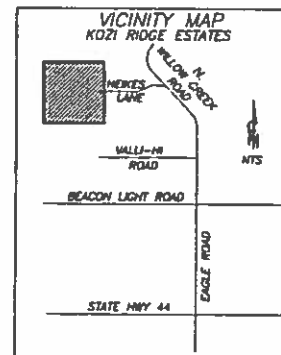
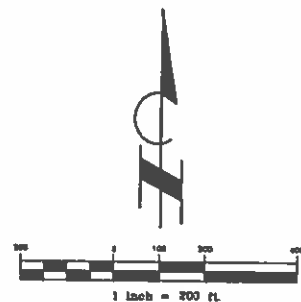


[Help](#) [Other Maps](#) [Water Resources Home](#) [Idaho.gov](#)

*Proposed
well site*

KOZI RIDGE ESTATES

A TRACT OF LAND SITUATE IN A PORTION OF THE NW 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 32, T. 5 N., R. 1 E., BOISE MERIDIAN, ADA COUNTY, IDAHO.



FOUND CONCRETE MONUMENT
W/BRASS CAP AT 1/4 CORNER
ACCEPTED AND USED SAME AS
INITIAL POINT MONUMENT
FOR KOZI RIDGE ESTATES

STILLWELL ESTATES NO.4

STILLWELL ESTATES NO.3

29.30
32.31 CP&F No.
94087563

UNPLATTED

SOUTHERLY EDGE OF 50'
WIDE ROAD EASEMENT PER
INSTR. NO. 8843888, RECORDS
OF ADA COUNTY, IDAHO.
(RECORD DATA)

(WEST)
N89°39'17"E
700.00' W. HEIKES LANE
IC-31-3805 (A) "KOZI RIDGE ESTATES"
IS NOT IN NOR DOES IT RECEIVE ANY
IRRIGATION WATER AND IS EXCLUDED
FROM ANY IRRIGATION ENTITY.

"SEPTIC TANKS SHALL BE
PLACED BETWEEN THE
HOUSE AND THE ROADWAY."

"STREET LIGHTS WILL BE
REQUIRED AT SUCH TIME
OTHER SUBDIVISIONS AROUND
KOZI RIDGE DEVELOPMENTS
WHEN KOZI RIDGE EXCEEDS
MORE THAN 2 LOTS."

DEVELOPER
GARY AND LINDA HEIKES
4305 WILLOW CREEK RD.
EAGLE, ID. 83616
(208) 939-8476

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 15 ARE
IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING, OR OTHER
WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR
PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS
ARE SATISFIED.

DATE: 10/11/24

Dorcas L. Thomas
DISTRICT HEALTH DEPARTMENT, EHS

BASIS OF BEARINGS

THE BEARING N00°27'21"W ALONG THE MID-SECTION LINE FROM THE CENTER OF SECTION TO THE NORTH 1/4 CORNER AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED AS INSTR. NO. 9003080, SURVEY NO. 1554, RECORDS OF ADA COUNTY, IDAHO WAS TAKEN AS THE BASIS OF BEARING FOR THIS DRAWING.

LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN AS NOTED
- FOUND 1/2" IRON PIN NO CAP
- SET 5/8" IRON PIN P.L.S. 4108
- SET 1/2" IRON PIN P.L.S. 4108

SERVICES

WATER INDIVIDUAL WELLS
SEWER INDIVIDUAL SEPTIC SYSTEMS
POWER IDAHO POWER COMPANY
TELEPHONE US WEST
12 FOOT PUBLIC UTILITIES AND DRAINAGE
EASEMENT ADJACENT TO ALL LOT LINES.

TOTAL ACRES = 39.91 ±

NOTES

1. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.
2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
3. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, WHICH STATES "NO AGRICULTURAL, OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN; PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."



Fischer Land Surveying, Inc.



PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146



KOZI RIDGE ESTATES

A TRACT OF LAND SITUATE IN A PORTION OF THE NW 1/4 OF
THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 32,
T. 5 N., R. 1 E., BOISE MERIDIAN, ADA COUNTY, IDAHO.

1994

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENT, That Gary W. Heikes and Linda K. Heikes, husband and wife, do hereby certify that we are the owners of the real property hereinafter described:

A tract of land situate in a portion of the NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of Section 32, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho; more particularly described as follows:

BEGINNING at the 1/4 corner common to sections 29 and 32, T.5N., R.1E., B.M., Ada County, Idaho; Thence N89°37'38"E, 640.00 feet along the North line of the NW 1/4 of the NE 1/4; Thence S00°27'21"E, 1317.99 feet to a point on the South line of the NW 1/4 of the NE 1/4; Thence S89°38'56"W, 640.00 feet along the South line of the NW 1/4 of the NE 1/4 to the CN 1/16 corner; Thence S89°35'49"W, 680.00 feet along the South line of the NE 1/4 of the NW 1/4; Thence N00°27'21"W, 1318.47 feet to a point on the North line of the NE 1/4 of the NW 1/4; Thence N89°37'38"E, 680.00 feet along the North line of the NE 1/4 of the NW 1/4 to the POINT OF BEGINNING.

Together with and subject to an ingress, egress and utility easement, 50 feet in width, the centerline of which is hereinafter described:

Commencing at said 1/4 corner; Thence N89°37'38"E, 640.00 feet along the North line of the NW 1/4 of the NE 1/4; Thence S00°27'21"E, 637.60 feet to the **TRUE POINT OF BEGINNING**; Thence S89°36'35"W, 1037.06 feet; Thence N00°23'25"W, 25.00 feet to the center of a 50 foot radius and the terminus of this easement.

Said tract of land containing therein a calculated area of 39.94 acres, more or less.

IDAHO CODE 50-1334. The individual lots described in this plat will not be served by any water system common to one (1) or more lots, but will be served by individual wells.

Public utilities and drainage easements are not dedicated to the public, but the rights of access to and use of public utility and drainage easements required to serve all lots and parcels are perpetually reserved.

BUILDING AND OCCUPANCY RESTRICTIONS: See Instrument No. Records of Ada County, Idaho. Building and occupancy restrictions filed on this day of 1994, A.D. at o'clock m. in the office of the Ada County Recorder, Boise, Idaho.

The owners do hereby include the same in the plat.

In witness whereof, we have hereunto set our hands this 28 day of September, 1994.

Gary W. Heikes
Gary W. Heikes (owner)

Linda K. Heikes
Linda K. Heikes (owner)

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF Ada) SS

On this 28 day of Sept, 1994, before me, Notary Public, personally appeared Gary W. Heikes and Linda K. Heikes, known to me to be the persons whose names are subscribed to the within instrument, and acknowledge to me that they executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public, reading at
Ada County, Idaho.

Notary Public, reading at
September 30, 1994

CERTIFICATE OF SURVEYOR

I, Richard P. Fischer, do hereby certify that I am a Professional Land Surveyor P.L.S. 4108, licensed by the State of Idaho, and that this plat of KOZI RIDGE ESTATES, as described in the "Certificate of Owners", was drawn from an actual survey made on the ground under my direct supervision, and that this plat accurately represents the points plotted thereon, and is in conformity with the State of Idaho Code relating to Plats and Surveys.



COUNTY SURVEYOR CERTIFICATE

I, the undersigned, County Surveyor for Ada County, Idaho, do hereby certify that I have checked this plat of KOZI RIDGE ESTATES and that it complies with the State of Idaho code relating to Plats and Surveys.



APPROVAL OF CITY ENGINEER

I, the undersigned, City Engineer, in and for Eagle, Ada County, Idaho, do hereby approve this Subdivision Plat.



APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

Sanitary restrictions of this proposed subdivision plat of KOZI RIDGE ESTATES are hereby removed according to the letter of approval on file with the Ada County Recorder or his/her agent.

See FRONT PAGE FOR S.I.

NAME _____ DATE _____

HIGHWAY DISTRICT CERTIFICATION

The foregoing plat was accepted and approved by the Board of Ada County Highway District Commissioners on the 30 day of October, 1994.

Chairman
Chairman of Ada County Highway Dist.

CERTIFICATE OF TREASURER

I the undersigned County Treasurer in and for the County of Ada, Idaho per the requirements of 50-1308, Idaho Code, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this proposed subdivision have been paid in full. This certification is valid for the next 30 days only.

Barbara Heikes
County Treasurer
Date: Nov 23, 1994

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

Accepted and approved this 22 day of Nov, 1994, by the Board of County Commissioners of Ada County.

Approved by: *Shannon B. Birtfeldt*

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk, of Eagle, Ada County, Idaho, do hereby certify that at a regular meeting of the City Council held on Nov day of October, 1994, this Subdivision Plat was duly accepted and approved.

Approved by: *Steve Johnson*, Mayor

COUNTY RECORDER CERTIFICATE

INSTRUMENT NO. 94103048
STATE OF IDAHO
COUNTY OF ADA

I hereby certify that this plat of KOZI RIDGE ESTATES was filed at the request of Fischer Land Surveying, Inc. at 20 minutes past 11 o'clock A.M., this 23 day of November, 1994 in my office and was duly recorded in Book 68 of Plats, Page 6921-6922

B. Balzano
Deputy

Fee: 11.00

J. Daniel Navarro
County Recorder

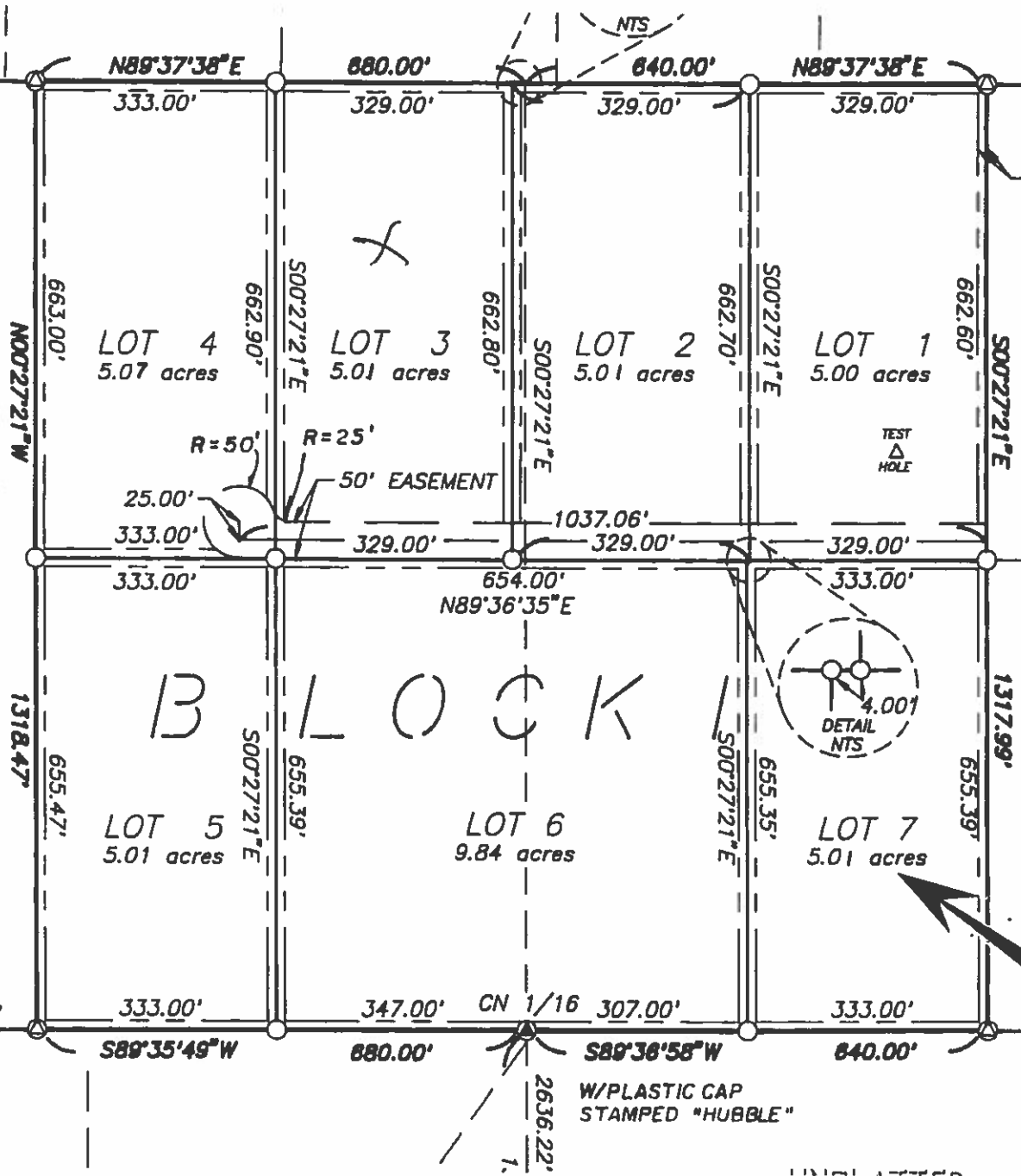
Fischer Land Surveying, Inc.



PROFESSIONAL LAND SURVEYING
404 So. Washington
Emmett, Idaho 83617
Phone (208) 365-4146



CP&F No.
94087569



UNPLATTED

SOUTHERLY EDGE OF 50'
WIDE ROAD EASEMENT PER
INSTR. NO. 8843886, RECORDS
OF ADA COUNTY, IDAHO.
(RECORD DATA)

(WEST)
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PLACED BETWEEN THE
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STREET LIGHTS WILL BE
REQUIRED AT SUCH TIME
OTHER SUBDIVISIONS AROUND
KOZI RIDGE DEVELOPMENT
WHEN KOZI RIDGE EXPOSES
MORE THAN 2 LOTS.

HEALTH CERTIFIC

This plat is intended solely for the purpose of
showing the location and dimensions of the
several subdivisions hereinafter mentioned, it
may, in dimensions and location ascertained by
actual survey.

