

07/2008

RECEIVED

DEC 09 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DWR / NORTH

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested APPLICATION NO. 83543
2. Name of protestant JAMES & NANCY MILLER
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 40880 LITTLE CANYON RD
5. Service telephone no. 1-208-486-7671 Email Address: MILLERTIME2152@GMAIL.COM
6. Basis of protest (including statement of facts and law upon which the protest is based)
SEE ATTACHED LETTER

(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? _____

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 5TH day of DECEMBER, 20 19.

Nancy Miller
Protestant

Protestant's Representative

December 5, 2019

James and Nancy Miller
Little Canyon Road
Peck, ID 83545

Department of Water Resources
Northern Region
7600 N Mineral Dr. Ste 100
Coeur d'Alene, ID 83815

To whom it may concern:

I am submitting the attached notice of protest regarding Application No. 83543 for changes to the following water rights within Nez Perce County: #85-15799 and #85-15800.

We live at 40880 Little Canyon Rd adjacent to Mr. Dave Renberg. Attached is a map printed from the Idaho Department of Water Resources (IDWR) website that identifies the location of our residence.

We are concerned that the proposed transfer of the point of diversion upstream of the current location would injure the water right associated with the domestic water supply for our home. We own water right #85-11198, a spring located on Mr. Renbergs property, which supplies both our residence, Mr. Renbergs residence and farm with domestic water supply. This sharing agreement is spelled out in the deeds for our properties. It's been our observance in the 40+ years we've lived here that this spring has very high connectivity to the level of Little Canyon Creek. Often, during the summer months of the year when the creek level is very low there is very little supply from the spring. Several times over the recent past summers we have had to truck water in to supply both domestic and stock water for our homes/farms. We are very concerned if the point of diversion change as proposed is moved upstream of our domestic spring location that it will have a negative and injurious impact on our domestic water supply.

I appreciate your review and consideration of my concerns and look forward to your response.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Miller". The signature is written in dark ink and is positioned above the printed name "Nancy Miller".

Nancy Miller

Enclosure

Cc: Jared M Holz and Jessica R Holz, 501 S Wickham Fen Way, Boise, ID 83709