

RECEIVED

JUN 21 2009

Ident. No. 67-14973

WATER RESOURCES
WESTERN REGION

Amended

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Amended

To appropriate the public waters of the State of Idaho

1. Name of Applicant Dennis D. Nyberg Phone 208-549-0358
Mailing address 1305 Price Rd., Weiser, ID 83672 Email nyberg10@juno.com
2. Source of water supply spring which is a tributary of Warm Springs Creek
3. Location of point of diversion is Township 12N Range 6W Sec. 34, in the NW $\frac{1}{4}$,
NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Washington County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 0.02 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)
- 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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 150' underground gravel bed & perforated pipe - 30" spring box - 1000 gallon storage tank
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
- 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? no
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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; show name of municipality. _____
- d. Domestic; show number of households. one
- 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	
12N	6W	34										X							

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? Domestic use will be for one home with lawn and garden.

11. a. Who owns the property at the point of diversion? Dennis D. & Debra Nyberg

b. Who owns the land to be irrigated or place of use? Dennis D. & Debra Nyberg

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. Filing on the water we use for household needs and some garden irrigation.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dennis D. Nyberg
Signature of Applicant

Dennis D. Nyberg
Print Name (and title, if applicable)

Received by JVO Date 9/18/2008 Time 11:18 Preliminary check by kw

Fee \$ 100.00 Receipted by DB Receipt No. W036940 Date 9/25/2008

RECEIVED

SEP 25 2008

RECEIVED

FORM 202 10/07 SEP 19 2008

WATER RESOURCES
WESTERN REGION

Ident. No.

67-14973

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Superceded

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Dennis D. Nyberg Phone 208-549-0358
Mailing address 1305 Price Road Weiser, Idaho Email nyberg10@juno.com
2. Source of water supply groundwater which is a tributary of n/a
3. Location of point of diversion is Township 12 North Range 6 West Sec. 34 in the SW 1/4 NW 1/4, NW 1/4 SW 1/4, Govt. Lot Boise Meridian, B.M., Washington County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount _____ for household purposes from Jan 1 to Dec 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)
 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)
5. Total quantity to be appropriated is (a) springwater and/or (b) * note below
 cubic feet per second acre feet per year
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 150' underground gravel bed & perforated water pipe - 30' spring box - 1000 gallon storage tank
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - 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? no
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is _____ years (minimum 1 year)
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; show name of municipality. _____
 - d. Domestic; show number of households. 1
 - e. Other; describe fully. _____

* our spring flows at an average year round of about 8 gallons per minute.

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	
12N	6W	34									D								

Total number of acres to be irrigated: 0

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 - lawn & garden

11. a. Who owns the property at the point of diversion? Dennis D. & DEBRA P Nyberg
- b. Who owns the land to be irrigated or place of use? same
- 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. filing on the water we use for household needs, and some garden irrigation

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dennis D. Nyberg
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by JLG Date Sept. 19, 08 Time 11:18 Preliminary check by _____
Fee \$ 100- Received by DB Receipt No. W036940 Date 9-25-08

Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____ Dates Published _____

CRP '87
HEL

14
9.6

28	27
33	34

CRP '86

15 NHEL
49.4

7308.

19 NHEL
18.4

HEL
14A
125.5

NHBL
20
20

21 NHBL
27.6

22 NHBL
25.2

33	34
4	3

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, June 25, 2009 2:23 PM
To: newsroom@ruralnetwork.net
Subject: LEGAL NOTICE - WEISER SIGNAL
Attachments: Wash. Cty Weiser Signal Cover Letter.RTF; 67-14973 Ad.RTF

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions about the attached information; or if you are not able to run the ad on the dates listed.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

6/25/2009

June 25, 2009

Legal Notice Department

WEISER SIGNAL
PO BOX 709
WEISER ID 83672

RE: Application for Permit No. 67-14973

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 07/20/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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

67-14973

DENNIS D NYBERG
1305 PRICE RD
WEISER ID 83672

Point(s) of Diversion NWNWSW S34 T12N R06W WASHINGTON County Source SPRING
Tributary To WARM SPRINGS CREEK

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 09/25/2008

Place Of Use: DOMESTIC

T12N R06W S34 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/20/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published in the Weiser Signal on July 1st & 8th, 2009

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, June 25, 2009 4:15 PM
To: 'Brandi Horton'
Subject: COMMENT LETTERS FOR 67-14973 & 75368
Attachments: Comment Letter to WD67.doc; 67-14973 App.pdf; X-fer 75368 App.pdf

Please review the attached information and comment as necessary. Please feel free to contact our office if you have any questions regarding this information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

6/25/2009

June 25, 2009

BRANDI HORTON, WATERMASTER 67
2574 SCHOOL RD
MIDVALE ID 83645

Re: Application for Permit No. 67-14973 and Application for Transfer No. 75368

Dear Watermaster:

Attached are copies of one or more applications that may be of interest to you.

Please complete the necessary recommendation form(s) and return to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

If after 21 days from the date of this letter the Department has not received your written recommendation, the Department will presume you do not oppose approval of the application and you have no comments for the Department to consider.

However, possible approval of the application(s) will include conditions of approval about standard controls for uses in your water district (lockable, measureable diversion works, etc).

Please contact this office at 334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure Copy of Applications(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

June 8, 2009

DENNIS D NYBERG
1305 PRICE RD
WEISER ID 83672

Re: Application for Permit 67-14973

Dear Mr. Nyberg:

We are in the process of reviewing the above referenced application for permit and find we need additional information. The application form, as submitted, needs some corrections so we have taken the liberty of typing up another form for your signature.

We have clarified the source of water you will be utilizing. You had inserted ground water under line 2 but indicated that you were actually using spring water under items 5 and 6. In light of this, we have inserted the source of spring tributary to Warm Springs Creek. Our office considers "ground water" to be a well more than 18 feet deep. Since you propose to use spring water, the spring should be described to a 10 acre tract description (i.e. NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$). Also, 8 gallons per minute converts to 0.0178 cfs which rounds to 0.02 cfs as inserted on the typed form. According to tax lot information, most of your property is located within the NWSW, Sec. 34, Twp. 12N, Rge. 6W. We have placed this information under the point of diversion and place of use descriptions. You should mark the location of the spring on the map that is attached to the application form. You also need to insert a time period in item 7. You can insert from 1 to 5 years as time needed to complete this development.

Please review the revised form and if you agree with the changes, sign the form on page two and return it to this office. We have also included a copy of your original application form for your information and convenience.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures