

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: RICHARD H NACHBAR 208-455-0918
Address: 20796 LOWELL RD
CALDWELL ID 83605
AND/OR
Name: REGINA D NACHBAR 208-455-0918
Address: 20796 LOWELL RD
CALDWELL ID 83605
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: Lot 1(SWSW), Sec. 22, Township 03N, Range 04W
CANYON County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.120		
5. Total quantity to be appropriated is:
0.120 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when? 08/20/1991
Drilling Firm BILL DOTY
Well was drilled for STATNER
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
03N	04W	22	Lot 1(SWSW)	04		4

Total number of acres irrigated: 4

9. 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.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? ☒

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

X Richard H. Daphin
Applicant

Received by ijl Date 8/16/96 Time 0830 Preliminary check by ly

Fee \$ 50.00 ~~75.00~~ Received by ijl #W021365 Date 8/16/1996

Publication prepared by DB Date 9/10/08 Published in PRESS TRIBUNE

Publication approved _____ DATE: _____ Date 7 SEPTEMBER 18 & 25, 2008

Ident. No. 63-12357

Comments: Date: 8/16/1996 User-ID: CHODGES

Subject: APPLICATION INFO

Well was constructed in 1991 pursuant to 63-91-Z-116. Claim A63-30406 filed for D/1. This application to authorize additional irrigation from same well.

9209349

RECORDED

'92 APR 30 PM 12 51

REC'D
CANYON CNT RECORDER

RECORD OF SURVEY

A PORTION OF GOVT LOT 1, SECTION 22
TOWNSHIP 3 NORTH, RANGE 4 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO

SCALE: 1" = 100'

63-12357

LEGEND

- BASS CAP ANGLE - FOUND
- 5/8" IRON - FOUND
- 5/8" IRON - SET WITH PLASTIC CAP
- 1/2" IRON - FOUND
- 1/2" IRON - SET WITH PLASTIC CAP
- CALCULATED POINT
- WITNESS CORNER
- PROPERTY BOUNDARY LINE
- () DATA OF RECORD

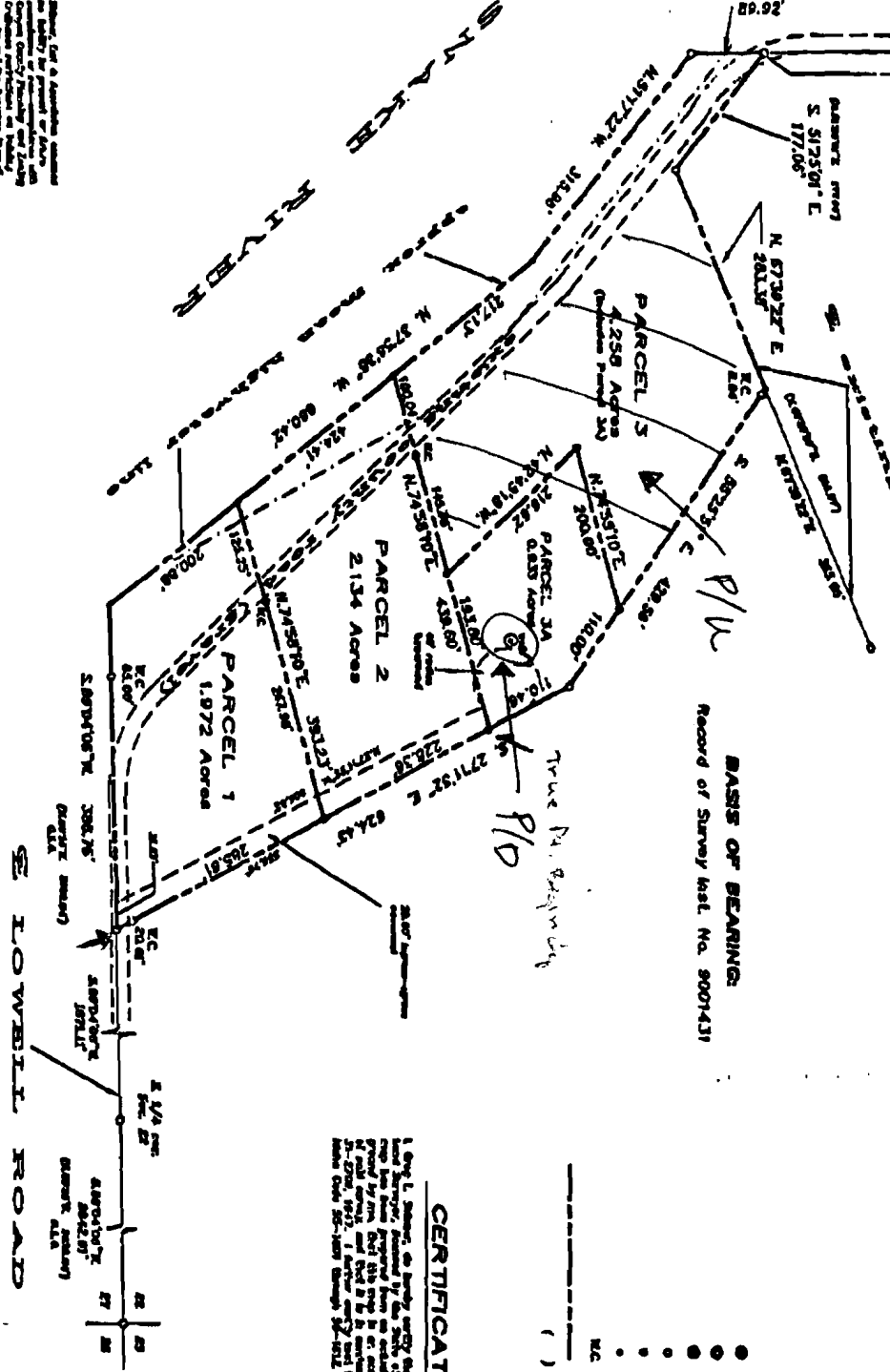
CERTIFICATION

I, Greg L. Statner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground by me. That this map is an accurate representation of the survey made by me, and that I am not aware of any error or mistake in this map. I further certify that I have complied with Idaho Code 20-1001 through 20-1012.



Surveyed May 25, 1992
Plotted and Printed 5
Days Later

Warning: This is a preliminary map and is not to be used for any purpose other than to show the location of the survey. It is not to be used for any other purpose without the written consent of the Surveyor.



JOHN STATNER

Surveyed May 25, 1992
Plotted and Printed 5
Days Later

Statner, Greg
26279
Idaho Code 20-1001 through 20-1012
Idaho Code 20-1001 through 20-1012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>JOHN STATNER</u> Address <u>CANYON COUNTY-LOWELL RD. (20796)</u> Drilling Permit No. <u>63-91-Z-116</u> Water Right Permit No. _____		7. WATER LEVEL Static water level <u>45</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ Describe artesian or temperature zones below																																																																																															
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☒ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td>75</td><td>100</td><td>1</td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	75	100	1																																																																																								
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>12</td><td>0</td><td>2</td><td>TOP SOIL</td><td></td><td>X</td></tr><tr><td>12</td><td>2</td><td>4</td><td>SANDY CLAY</td><td></td><td>X</td></tr><tr><td>12</td><td>4</td><td>9</td><td>HARD PAN</td><td></td><td>X</td></tr><tr><td>12</td><td>9</td><td>20</td><td>CLAY</td><td></td><td>X</td></tr><tr><td>8</td><td>20</td><td>29</td><td>CLAY</td><td></td><td>X</td></tr><tr><td>8</td><td>29</td><td>49</td><td>GRAVEL</td><td>X</td><td></td></tr><tr><td>8</td><td>49</td><td>51</td><td>BROWN CLAY</td><td></td><td>X</td></tr><tr><td>8</td><td>51</td><td>74</td><td>BLUE CLAY</td><td></td><td>X</td></tr><tr><td>8</td><td>74</td><td>83</td><td>HARD BLUE CLAY & SAND</td><td></td><td>X</td></tr><tr><td>8</td><td>83</td><td>90</td><td>BLUE CLAY</td><td></td><td>X</td></tr><tr><td>8</td><td>90</td><td>100</td><td>BROWN CLAY</td><td></td><td>X</td></tr><tr><td>8</td><td>100</td><td>130</td><td>BLUE SAND</td><td>X</td><td></td></tr><tr><td>8</td><td>130</td><td>136</td><td>BLUE SAND STONE WITH SOFT STREAKS OF SAND</td><td></td><td>X</td></tr><tr><td>8</td><td>136</td><td>150</td><td>BLUE SAND</td><td>X</td><td></td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	12	0	2	TOP SOIL		X	12	2	4	SANDY CLAY		X	12	4	9	HARD PAN		X	12	9	20	CLAY		X	8	20	29	CLAY		X	8	29	49	GRAVEL	X		8	49	51	BROWN CLAY		X	8	51	74	BLUE CLAY		X	8	74	83	HARD BLUE CLAY & SAND		X	8	83	90	BLUE CLAY		X	8	90	100	BROWN CLAY		X	8	100	130	BLUE SAND	X		8	130	136	BLUE SAND STONE WITH SOFT STREAKS OF SAND		X	8	136	150	BLUE SAND	X	
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		RECEIVED AUG 26 1991 Department of Water Resources RECEIVED AUG 27 1991 Department of Water Resources Western Regional Office																																																																																															
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>250 inches</td><td>8 inches</td><td>2 feet</td><td>78 feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between strings Describe access port _____				Thickness	Diameter	From	To	250 inches	8 inches	2 feet	78 feet													Number	From	To																																																																							
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6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td>W</td><td></td><td></td><td></td><td>E</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td>S</td><td></td><td></td><td></td><td></td></tr></table> County <u>CANYON</u> SW SE Sec 22 T 3N R 4W E		N					W				E											S																																																																											
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11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were Department of Water Resources complied with at the time the rig was removed. Firm Name <u>BILL DUTY</u> <u>DRILLING CO., INC.</u> Firm No. <u>42</u> Address <u>106 CALLOWAY</u> Date <u>8-22-91</u> <u>CALDWELL, ID.</u> 83605 Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator)																																																																																																	

8/7/96 TO: DICK NACHBAR
FROM: DANNI SMITH



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 4, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Richard and Regina Nachbar
20796 Lowell Rd
Caldwell ID 83605

RE: APPLICATION FOR PERMIT

Dear Mr. & Mrs. Nachbar:

Your application for permit, No. 63-12357, to appropriate ground water for irrigation was received on August 16, 1996. Processing of the application must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on May 15, 1992, concerning water right applications proposing new consumptive uses of public water. The moratorium has been lifted, but processing of all new or pending applications has been suspended until technical data are available from a comprehensive Treasure Valley ground water study now underway. Initial results of the study will not be available for at least one year.

To facilitate handling of your filing once it can be processed, please provide the following information.

1) What is the proposed depth(s) of the water bearing zone(s) to be developed within the aquifer. For example, a well with a total depth of 250 feet might be developed with a water bearing zone in the 140-190 feet depth interval. Since your well has already been constructed, refer to the well log for this information.

2) Please confirm if the acres are already irrigated from a surface water source. If so, what is the nature of this existing water use (private system or delivery organization; name of organization etc.)? What is the source of this surface water, e.g. Boise River via Farmers Union Ditch Co.? If surface water has been used on the land and will now be replaced with ground water, a mitigation plan will need to be submitted showing how the reduction in aquifer recharge from the surface water source will be compensated.

This office will hold your application and will begin processing as soon as possible. Delays related to department actions do not affect the date of priority or seniority of any application, once established.

October 4, 1996

Page 2

If you have any questions, please feel free to contact this office at 334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves

Sr Water Resource Agent

#163-12357

October 9, 1996

RECEIVED

OCT 11 1996

WATER RESOURCES
WESTERN REGION

Ms. Lori Graves
Sr Water Resources Agent
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

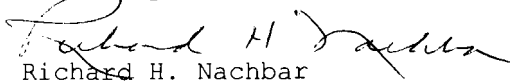
Dear Ms. Graves:

This letter is in response to your request of October 4:

1. Water bearing zone--my review of the well log suggests that water was found continuously from 100 feet to 150 feet; I believe your department has a copy of the log so you should be able to confirm my review.
2. Acres irrigated--there have been no crops grown since we purchased the property in 1994; I don't know the details on how the previous owners managed the acreage.

Hope this is useful, and thanks for your help.

Sincerely,


Richard H. Nachbar



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

July 23, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RICHARD H NACHBAR
REGINA D NACHBAR
20796 LOWELL RD
CALDWELL, ID 83605

RE: Held Application for Permit #63-12357--Filed August 16, 1996

Dear Applicant:

As you aware, the above reference application for permit located in the Boise River Basin has been held by our agency since the 1990s. The Department began holding new groundwater applications for consumptive use due to prolonged drought and concerns about declining aquifer levels. As a result, the Treasure Valley Ground Water Study was initiated. The study was completed in 2002, and now provides modeling for projecting future groundwater availability in the valley. Our agency will commence processing held applications as staff resources are available.

Attached is a profile report of your application as submitted to our agency. Please check carefully the specifics on the application. You must still have full possessory interest- ownership in the listed point of diversion and place of use land locations for processing consideration. Your application will need to have public notice published in your local county newspaper. The notice will be published once per week for 2 consecutive weeks. Anyone having issue with an application may file a protest within the time allowed.

We are asking for you to convey your intentions regarding this application by completing the attached response form. *Please respond to the following:*

- If you desire to develop the water use, and wish our agency to complete the processing of your application, please mark the *YES* response, provide any updates/changes needed, and list the water bearing zone for the well source.

OR

-Mark the *NO* response to withdraw the application. The application will be removed from processing and our records. Our agency will not be able to provide refunds of fees for withdrawn applications.

-Sign, date, and return the response. Response forms need to returned to this office no later than 30 days of this letter date.

Should you have questions about further processing of this application, please contact Denise Buffington or John Westra at the Western Regional Office, phone 334-2190.

Sincerely,


John Westra, Manager Western Region
Enclosure: Proof Report, Response Sheet

RECEIVED

JUL 28 2008

WATER RESOURCES
WESTERN REGION

Response Form

Name of Applicant: RICHARD H AND/OR REGINA D NACHBAR
Address: 20796 LOWELL RD
CALDWELL, ID 83605

Application No: # 63-12357

(Please read carefully and mark)

☒ **Yes, I intend to proceed with the water use development outlined in the application. I retain full possessory interest in the listed point of diversion and place of use locations on the application. I request the Department continue processing the application.** (Please describe on the back updates/changes needed on your application)

(Please fill in) **The estimated (well) water bearing zone will be**
100 ft to 150 ft below the ground surface.

☐ **No, I do not wish to proceed with final processing of this application. I hereby withdraw my Application for Permit to Appropriate the Public Water of the State of Idaho**

Signed this 25th day of July 2008

Applicant Signature Richard H. Nachbar

Printed Applicant Name Richard H. Nachbar

Return Form to: J. Westra
Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, September 10, 2008 3:03 PM
To: legals@idahopress.com
Subject: Legal Ads - Canyon County
Attachments: Canyon County Ads - Cover Letter.RTF; 63-12492 Ad.RTF; 63-12357 Ad.RTF; 63-12563 Ad.RTF; 63-12571 Ad.RTF

Attached please find (4) legal notices, being submitted for publication. Please contact me if you have any questions or are not able to run the ads on the dates listed.

Thank you,

Denise Buffington
Idaho Department of Water Resources
Western Region

9/10/2008

September 10, 2008

Legal Notice Department
PRESS-TRIBUNE
PO BOX 9399
NAMPA ID 83652

RE: Application for Permit No. 63-12357, 63-12492, 63-12563 and 63-12571

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 10/06/2008. 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:

63-12357

RICHARD H NACHBAR
REGINA D NACHBAR
20796 LOWELL RD
CALDWELL ID 83605

Point(s) of Diversion L1 (SWSW) S22 T03N R04W CANYON County Source GROUND WATER

Use: IRRIGATION 3/15 To 11/15 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 08/16/1996

Place Of Use: IRRIGATION

T03N R04W S22 SWSW Lot 1

Number of Acres 4

Remark: Water bearing zone to be appropriated is from 100 to 150 feet.

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 10/06/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on September 18th & 25th, 2008