



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 15, 2020

LATAH COUNTY
PO BOX 8068
MOSCOW, ID 83843

RE: Withdrawal of Protest against Application for Permit No. 87-12219

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Adam Frederick

Adam Frederick
Water Rights Supervisor



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September 15, 2020

DEREK COMSTOCK
AUBREY COMSTOCK
5364 HIGHWAY 95
POTLATCH, ID 83855-9627

MARK COMSTOCK
JUDY COMSTOCK
5372 HIGHWAY 95
POTLATCH, ID 83855-9627

RE: Withdrawal of Protest against Application for Permit No(s). 87-12219

Dear Applicants:

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following protestants:

1) LATAH COUNTY

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Adam Frederick
Water Rights Supervisor

RECEIVED
SEP 14 2020
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☐ Transfer ☒ Permit ☐ Amendment of Permit No. 87-12219

In the Name of Derek and Aubrey Comstock and Mark and Judy Comstock
Applicant

Name of Protester: Latah County

Represented by: Latah County Board of County Commissioners

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☒ My withdrawal is conditioned on the following:

Subject to enclosed Settlement Agreement


Signature of Protester or Representative

Chair
Title

09/09/2020
Date

**SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO
DEREK AND AUBREY COMSTOCK AND
MARK AND JUDY COMSTOCK'S
WATER RIGHT APPLICATION #87-12219**

RECEIVED
SEP 14 2020

IDWR / NORTH

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #87-12219 made by Derek and Aubrey Comstock and Mark and Judy Comstock ("Applicant"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #87-12219. This Settlement Agreement by and between Applicant and County sets forth such terms and conditions.

SECTION 2. OBJECTIVE:

County seeks to ensure that Water Right #87-12219 complies with the Palouse Basin Aquifer Plan ("Plan"), and that the amounts withdrawn from surface water are not harmful to surrounding properties.

SECTION 3. TERMS AND CONDITIONS:

- a. The Applicant agrees that the following terms and conditions shall attach to Water Right #87-12219, and be binding upon Applicant as agreed to by and permitted by the Idaho Department of Water Resources.
 - i. The instantaneous flow rate/amount of water to be appropriated for "Irrigation" or "Agriculture Irrigation" from surface water (Palouse River) to Applicants under Water Right #87-12219 shall be no more than 1.0 cubic feet per second (cfs); and
 - ii. The total quantity of water to be appropriated for "Irrigation" or "Agriculture Irrigation" from surface water (Palouse River) to Applicants under Water Right #87-12219 shall be no more than 60 acre-feet per year (af).
- b. The Parties agree that the above terms and conditions shall inure to the benefit of, and be binding upon, the Parties and any of their successors and/or assigns.
- c. Following execution by the Parties of this Agreement, the Idaho Department of Water Resource's acceptance of this agreement, and the Agreement's attachment to Water Right #87-12219, County agrees to withdraw its protest of Water Right #87-12219.

SECTION 4. EFFECTIVE DATE:

This Agreement shall be effective upon its acknowledgement by the Parties below.

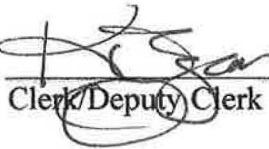
COUNTY:

DATED this 9th day of September ~~August~~ 2020.



Tom C. Lamar, Chair

Attest:



9-9-20
Clerk/Deputy Clerk of the Board

APPLICANT:

Derek Comstock 8/27/2020
Derek Comstock Date

Aubrey Comstock 8/27/20
Aubrey Comstock Date

Judy B. Comstock 8-27-2020
Judy Comstock Date

Mark Comstock 8/27/20
Mark Comstock Date