

RECEIVED

NOV 10 2015

WATER RESOURCES
WESTERN REGIONAMENDED
6-14-16

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 61-12304

AMENDED
RECEIVED
JUN 14 2016WATER RESOURCES
WESTERN REGION1. Name of applicant(s) Cold Springs, LLCPhone 208-412-2846Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 4421 N Creswell PLCity BoiseState ID Zip 83713Email robcombs@aol.com2. Source of water supply Gold Springs Creek RC 6/14/16 which is a tributary of Snake River3. Location of point(s) of diversion: Ground water

TWP	RGE	SEC	Covt Let	1/4	1/4	1/4	County	Source <u>RC 6/14/16</u>	Local name or tag #
05S	09E	31			SW	NE	Elmore	<u>Gold Springs Creek</u>	
								<u>Ground water</u>	

4. Water will be used for the following purposes:

Amount 0.03565 cfs for Domestic Use 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)5. Total quantity to be appropriated is (a) 0.03565 cubic feet per second (cfs) and/or (b) n/a acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Aermotor 16 GPM Well Pump for Domestic Use
(installed in 2007)b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a 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 OR reservoirs with a total 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 ☐ Noc. Proposed well diameter is 6 inches; proposed depth of well is 190 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? 1970's; drilling firm Unknown;
well was drilled for (well owner) Bobby Tucker; Drilling Permit No. Unknown

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. n/ab. Stockwatering; list number and kind of livestock. n/ac. Municipal; complete and attach the Municipal Water Right Application Checklist.d. Domestic; show number of households RV/Mobile Home Park Hook-ups (13 Spaces - 7 Permanent / 6 Seasonal)e. Other; describe fully. n/an/a

8. 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	
05S	09E	31			D														

Total number of acres to be irrigated: n/a

9. 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?

This Application is solely for Domestic Purposes. Water Right 61-12302 has been Obtained for Irrigation Purposes.

10. 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:
n/a

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Well Pump for Domestic Use in RV/Mobile Home Park

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2" x 11" 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.

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

Robert Combs, Member

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Received by [Signature]

Date 11/10/15

For Department Use:

Time 5:10

Preliminary check by K9

Fee \$ 100.00

Received by [Signature]

Receipt No. W043668

Date 11/10/15

*FEE RECEIVED WITH ORIGINAL APPLICATION.

Cold Springs LLC

Application for Permit No. 61-12304

5S 9E SEC 31 SWNE



POD

pg. 3

61-12304



pg 4

POU
61-12304

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.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

61-12304



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

July 14, 2016

SEMONE & ROB IRREVOCABLE LIVING TRUST
4421 N CRESWELL PL
BOISE, ID 83713

Application for Permit No. 61-12304

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the MOUNTAIN HOME NEWS on 7/20/2016 and 7/27/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, July 14, 2016 8:59 AM
To: 'Swenson, Stacy'
Subject: Elmore Legal Ads
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 7/20/2016 & 7/27/2016.

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

July 14, 2016

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Application for Permit No. 61-12304
Application for Transfer No. 80750,
Water Right No(s): 61-12290

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 8/8/2016. 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:

61-12304

SEMONE & ROB IRREVOCABLE LIVING TRUST

4421 N CRESWELL PL

BOISE, ID 83713

Point of Diversion SWNE S31 T05S R09E ELMORE County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/14/2016

Place of Use: DOMESTIC

T05S R09E S31 SWNE

Domestic use is for 13 space RV mobile home park

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80750

IDAHO WATER CO LLC, C/O DEL KOHTZ 1135 VALLEY RD S, EDEN, ID 83325; has filed Application No. **80750** for changes to the following water rights within ELMORE County(s): Right No(s): 61-12290; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The transfer proposes to split water right 61-12290, moving 15.5 acres of irrigation use per the purchase agreement and sale of the right between Idaho Water Company LLC (seller) and Barry and Phyllis Peterson (buyer). The site receiving the transferred irrigation use is east of Hwy 51, 0.5 miles south of W 8th S of Mountain Home.

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) or proposed transfer (s) please see

www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. 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 8/8/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/20/2016 and 7/27/2016

M E M O R A N D U M

Date: July 12, 2016
To: Water Right File 61-12304
From: Angela Grimm
Re: Amended Application Priority and Date Received Advancement

On June 14, 2016, the application was amended based on IDWR correspondence with the applicant dated 6/8/14. The amendment changed the source from Cold Springs Creek to Ground Water. IDAPA 37.03.08.035.04.b states an application may be amended to clarify the source, but not to change the source. While portions of the original application (items 6 and 11) indicated the proposed source is a well, items 2 and 3 stated Cold Springs Creek as the proposed source. Also, the application was originally advertised as Cold Springs Creek. Under these circumstances, the change to the application is considered a change in source. Therefore, the application as amended 6/14/16 is being treated as a brand new filing. The date received and priority date are being advanced to 6/14/16 accordingly.

Sommer, Rachel

From: Rob Combs [RobCombs@aol.com]
Sent: Monday, June 20, 2016 12:30 PM
To: Sommer, Rachel
Subject: RE: 61-12304 -- Amended Application for Permit

Great! Thank you again!

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Monday, June 20, 2016 12:22 PM
To: Rob Combs
Subject: RE: 61-12304 -- Amended Application for Permit

Rob,

Thank you for the clarification and for your timely replies. With the information you have provided I am able to complete my review and ready the file for advertising.

Let me know if you have any questions.

Rachel Sommer

From: Rob Combs [<mailto:RobCombs@aol.com>]
Sent: Monday, June 20, 2016 12:16 PM
To: Sommer, Rachel
Subject: RE: 61-12304 -- Amended Application for Permit

Hi Rachel,

I originally thought both of these reports were for the same well, but now I see they are different.

The well we are using is the one drilled in 1975.

The well drilled in 1999 appears to be for the Tucker's residence, which is located on a hill above the RV park, and that would account for the greater depth. We didn't purchase that property, so that tag (D0007953), should still be associated with the residence at 7540 w Tucker Dr Hammett, ID 83627.

We will be at the RV park this weekend, and will double check that well to make sure there is no tag on it--but I am fairly certain the 1975 report is the correct one.

Thanks,

Rob Combs

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Monday, June 20, 2016 10:45 AM

To: Rob Combs
Subject: RE: 61-12304 -- Amended Application for Permit

Also, if you look at the well depths it may help you determine which well is associated with the property. The 1975 well has a completed depth of 117 ft and would most likely not have any identifying tags located on it. The 1999 (1998) well has a completed depth of 190 ft and an should have an identifying tag on it (D0007953).

Rachel Sommer

From: Sommer, Rachel
Sent: Monday, June 20, 2016 10:23 AM
To: 'Rob Combs'
Subject: RE: 61-12304 -- Amended Application for Permit

Hi Rob,

The 1975 and the 1999 wells are considered separate wells as they are recorded as *new domestic wells* on the well log reports. I believe one well is associated with property listed on the application and the other associated with a home North of this property. Is there more than one well serving the RV/Mobile Homes, and if not, do you believe the 1975 well to be the well proposed in the application?

Rachel Sommer

From: Rob Combs [<mailto:RobCombs@aol.com>]
Sent: Monday, June 20, 2016 9:55 AM
To: Sommer, Rachel
Subject: RE: 61-12304 -- Amended Application for Permit

Hello Rachel,

Both documents you sent definitely appear to be associated with the ground water well that is the subject of the application.

The report dated 1/19/99 shows the owner as Bob Tucker, who was the seller of he property we purchased last year, and the report received 2/13/75 coincides with the time frame we were told the well was originally drilled. Plus both reports match the legal description of the property in the attached warranty deed. (I don't believe I have received the new deed from the transfer of the property into the trust, but I can get it if you need it).

Thank you again, and please let me know what else I can do,

Rob Combs'

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Monday, June 20, 2016 8:09 AM
To: Rob Combs
Subject: RE: 61-12304 -- Amended Application for Permit

Good Morning Rob,

IDWR has received the notarized assignment you completed.

Please address my email dated June 1, 2016, regarding the well on the property that I may continue processing the application.

Thank you.
Rachel Sommer

From: Rob Combs [<mailto:RobCombs@aol.com>]
Sent: Thursday, June 16, 2016 11:23 AM
To: Sommer, Rachel
Subject: RE: 61-12304 -- Amended Application for Permit

Hello Rachel.

I mailed the Notarized Application yesterday, so you should receive either today or tomorrow.

Thank you again.

Rob Combs

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Thursday, June 16, 2016 10:20 AM
To: Rob Combs
Subject: RE: 61-12304 -- Amended Application for Permit

Rob,

I have received your amended application, thank you. The application should be re-advertised on July 6th and 13th.

Yes, please send the notarized form to our office at 2735 Airport Way, Boise, Id 83705.

Please let me know if you have any questions and have a wonderful day.

Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

From: Rob Combs [<mailto:RobCombs@aol.com>]
Sent: Tuesday, June 14, 2016 10:47 AM
To: Sommer, Rachel
Subject: RE: 61-12304 -- Amended Application for Permit

Hello Rachel,

Here is the amended application you sent with the location of the well pump indicated on the map on page 3.

I have also filled out the Assignment of Application Form you sent and will have that notarized today.

Should I mail the original to your attention at your office on Airport Way?

Thank you for all of your help on this.

Rob Combs
208-412-2846

From: Sommer, Rachel [<mailto:Rachel.Sommer@idwr.idaho.gov>]
Sent: Wednesday, June 08, 2016 12:05 PM
To: robcombs@aol.com
Subject: 61-12304 Application for Permit

Good Morning Robert Combs,

The purpose of this email is to request clarification regarding the source listed on the above referenced application.

Item two and three on the application list the source as Sold Springs Creek tributary to the Snake River. Item six describes a well system in which the source would be described as ground water. Are you proposing to appropriate surface water or ground water for domestic uses? If surface water is sought, please describe the type and size of devices used to divert water from the source. If ground water is sought, please identify the exact well location on the attached blank map and amend the attached application to describe ground water as the source of water supply (items 2 and 3).

Please let me know if you have any questions.

Sincerely,
Rachel Sommer | Water Resource Agent
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705

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.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

