

1. Map of proposed project: Show clearly the proposed point of diversion, place of use, section number, township and range number.

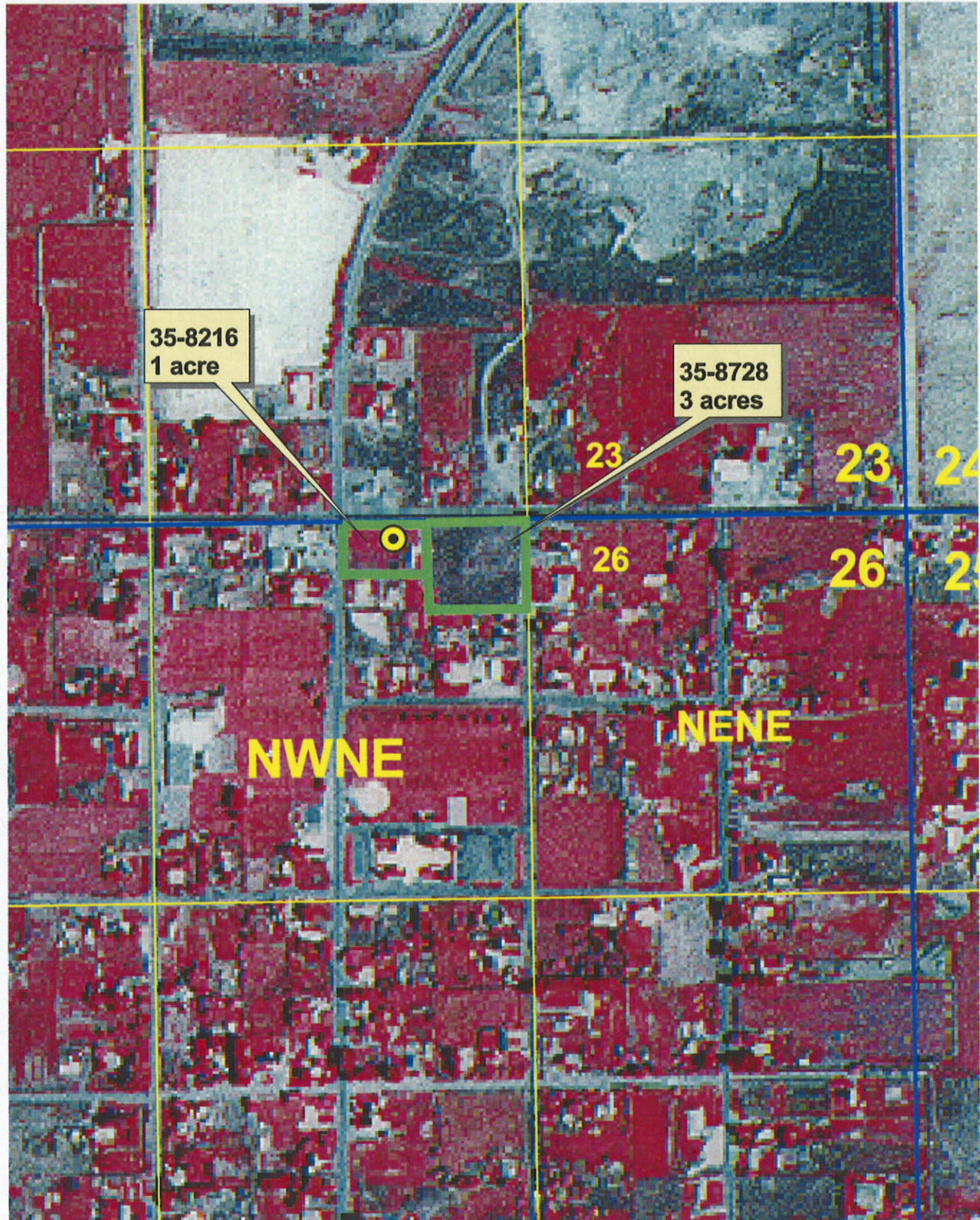


MICROFILMED

OCT 26 1989

35-08216, 35-08728

T2S, R34E sec 26



JUL 10 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08728

Priority: May 22, 1989

Maximum Diversion Rate: 0.06 CFS

It is hereby certified that TERRY COUMERILH
PO DRAWER H
MORELAND ID 83256 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 22, 1989; and has
submitted Proof of Beneficial Use on October 29, 1990. An examination indicates that the works have a
diversion capacity of 0.14 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

0.06 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 02S, Rge 34E, B.M., BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 34E 26			3.0														3.0

Total Acres: 3

CONDITIONS OF APPROVAL

1. Rights 35-08216, 35-11379 and 35-11380 are also diverted through the point of diversion described above.
2. Rights 35-08216, 35-11379, 35-11380 and 35-08728 when combined shall not exceed a total diversion rate of 0.14 cfs.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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State of Idaho
Department of Water Resources
Water Right License

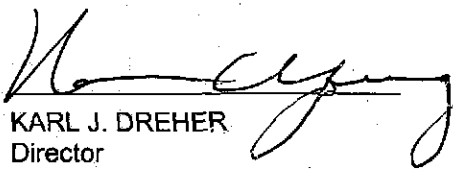
WATER RIGHT NO. 35-08728

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 12.0 af at the field headgate for the lands above.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
8. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of JUNE, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED
JUL 10 2002

Form 217
OCT 29 1990
RECEIVED

OCT 29 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

#1
For Office Use Only
Amt. of Fee \$ 50.00
Date 10/29/1990
Receipt No. E015385
Received by Kcw

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-8728 Telephone No. 684-5535

Name(s) of Permit Holder(s): Terry L. Coumerilh

Post Office Address: P.O. Drawer H Mooreland, ID 83256

Source of Water: Groundwater

If ground water, well driller's name: Cushman (Replacement well 35-90-E-043) Date drilled: Replacement 6/13/90 ^{Original - late 1800's}

Extent of Use:
Domestic _____ (No. of households) Irrigation 3 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.06 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1950

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No ☐ Installed? Yes ☒ No ☐

OR

Flow Measurement Port: Required? Yes ☒ No ☐ Installed? Yes ☒ No ☐

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Name See above Telephone No. _____

Address _____

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10/29/1990
Date

Terry L. Coumerilh
Signature (and title if on behalf of a company or organization)

RECEIVED
NOV 5 1990

Department of Water Resources

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DEC 17 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08728

Proposed Priority: May 22, 1989

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **TERRY L. COUMERILH**
P.O. DRAWER H
MOORELAND, ID 83256

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENWNE

Sec. 26, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

02S 34E 26

NWNE 3

3

Total number of acres irrigated:

3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

19th day of *October*, 19*89*

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OCT 26 1989

[Signature]
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: TERRY COUMERILH 208-684-5535
Address: DRAWER H
MOORELAND, ID 83256
2. Source: GROUNDWATER Trib. to:
3. Location of point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	34E	26	NE	NW	NE		BINGHAM
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
IRRIGATION	04/01	11/01		0.060	
5. Total quantity appropriated is:
0.060 CFS (and/or) AFA
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
60'X6" WITH 3HP SUBMERSIBLE PUMP INTO PIPELINE, HANDLINE SPRINK.
 - 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 6 inches; proposed depth of well is 60
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
IRR. OF PROPERTY DESCRIBED AS LOT 3 BLOCK 4 MOORELAND TOWNSITE

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OCT 26 1989

9. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	34E	26	NW NE		IRR	3.0

10. Describe any other water rights used for the same purposes.
DOMESTIC WELL A35-11379, 11380. APPLICATION 35-08216

11. 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.

12. Remarks:

THIS APPLICATION IS FILED TO COVER ADDITIONAL ACREAGE BOUGHT
THAT IS WATERED BY THIS WELL, FILED UNDER 35-08216.

13. Map of proposed point of diversion and place of use attached? [X]

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.

Ferry L. Coumerilh
Applicant

Received by ESV Date 5/2/89 Time 1615 Preliminary check by DMS

Fee \$ 30⁰⁰ Receipted by ESV # 6007802 Date 5-22-89

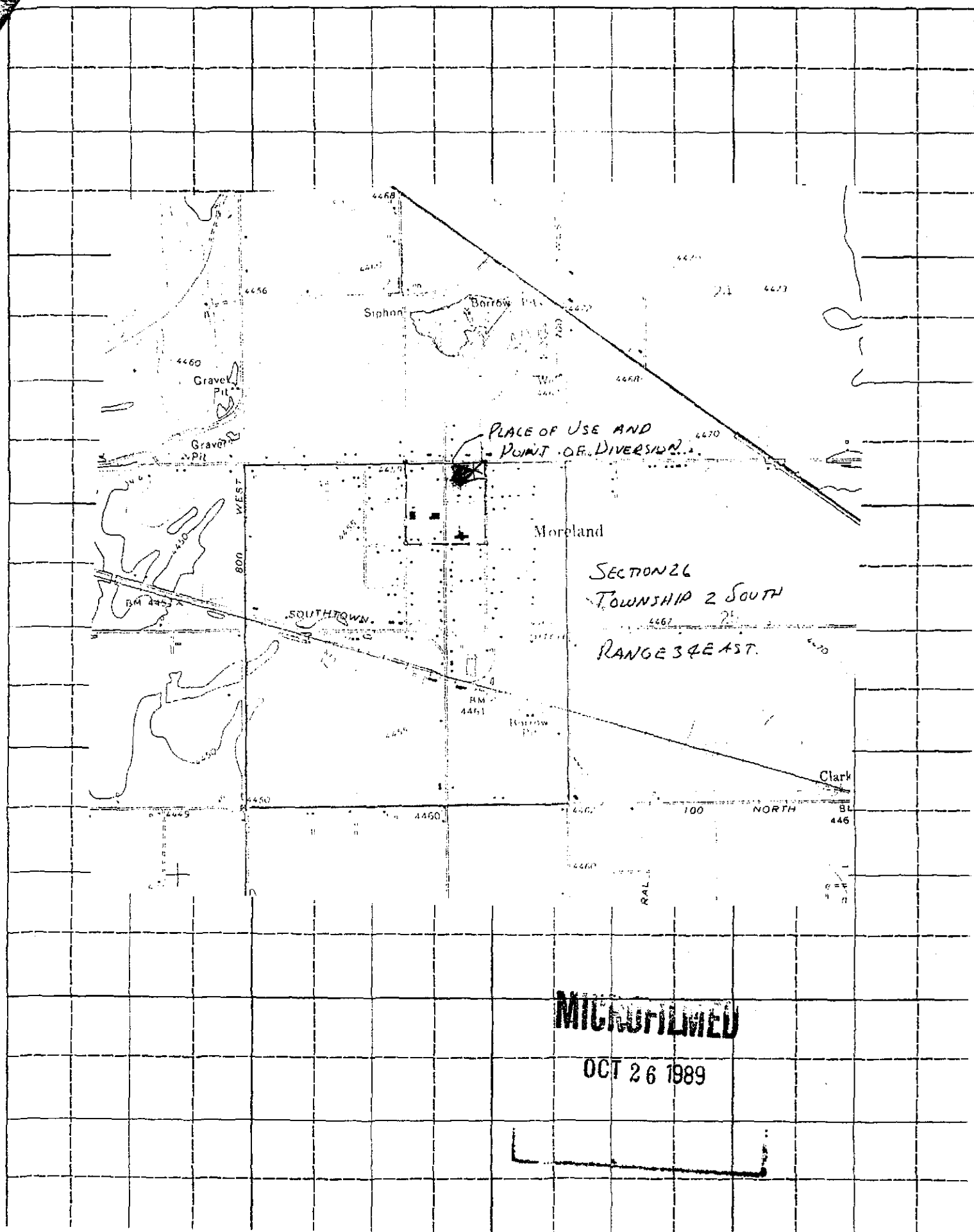
Publication prepared by RB Date 7-13-89 Published in Morning News 7-20, 27, 89

Publication approved OW Date 8-24-89 8-3, 10-89

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OCT 26 1989

1. Map of proposed project: Show clearly the proposed point of diversion, place of use, section number, township and range number.



35-08728

COUMERILH, TERRY L.
Drawer H
Moreland, ID 83256
Source: GROUNDWATER
Diversion Pt: NENWNE
Sec 26 T 02S R 34E
Use: IRRIGATION, (.060 CFS)
Date Filed: 5/22/1989
In: T02S R34E S26 NWNE
3.0 ACRES TOTAL

35-08731

COLLINS, DON J.
705 W. 100 S.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENE
Sec 11 T 03S R 34E
Use: COMMERCIAL, (.300 CFS)
Date Filed: 5/23/1989
In: T03S R34E S11 NENE

35-08761

TETON WEST STEEL INC.
P.O. Box 122
Rexburg, ID 83440
Source: GROUNDWATER
Diversion Pt: SENE
Sec 32 T 02S R 35E
Use: COMMERCIAL, (.040 CFS)
Date Filed: 5/23/1989
In: T02S R35E S32 SENE

35-08762

COX, RANDY
COX, PAMELA
555 W. 100 N.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENW
Sec 31 T 02S R 35E
Use: IRRIGATION, (.040 CFS);
COMMERCIAL, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/22/1989
In: T02S R35E S31 NENW
2.0 ACRES TOTAL

35-08764

LEAVITT, DENNIS
LEAVITT, KENEA
220 N. 740 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NWSW
Sec 1 T 02S R 34E
Use: COMMERCIAL, (.020 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/08/1989
In: T02S R34E S01 NWSW

35-08765

BROADHEAD, LYNN
P.O. Box 1067
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SESWSE
Sec 31 T 02S R 35E
Use: COMMERCIAL, (.500 CFS)
Date Filed: 5/23/1989
In: T02S R35E S31 SWSE

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

Michael Bell

I, _____ do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

3rd day of August, 19 89;

and the last publication having been made on the
10th day of August, 19 89;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Ray E. Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Microfilm

OCT 26 1989

Affidavit Processing Fee..... \$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 28, 2002

TERRY COUMERILH
PO DRAWER H
MORELAND ID 83256

RE: License No. 35-8728 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUL 10 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8728

**TERRY COUMERILH
PO DRAWER H
MORELAND ID 83256**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUL 10 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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JUL 10 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-8728 Date: 6-24-02 Reviewer: Kay Walker

Change/OK

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed

Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.06 cfs

Fee Limit 0.20 cfs

Measured 0.14 cfs

Theoretical 0.14 cfs

Recommended Total Diversion Rate 0.06

Water Uses

Change (P46)

Season of Use per new Standards

4/1 10/31

Irrigation 0.06 cfs 12.0 af

Stockwater 0.06 cfs 12.0 af

Domestic 0.06 cfs 12.0 af

0.06 cfs 12.0 af

0.06 cfs 12.0 af

Total 0.06 cfs 12.0 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.06 cfs x 1.9835 x 214 days = 12.0 af (vs) 3 acres x 4 (FHR) = 12.0 af

Remarks:

048, B04, W36

Additional Conditions

YES Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Mgmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority?

yes
no

If yes, explain why below.

SRBA Claim?

NO

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

MEMORANDUM

TO: Files 35-08216 and 35-08728

FROM: KAY WALKER *KW*

RE: License Recommendations

Date: June 24, 2002

.....

I called Terry Coumerilh this afternoon to find out if he uses canal water on the 4 acres under these permits. Mr. Coumerilh says he doesn't have any Snake River Canal water but uses surface water from People's Canal Company when it is available.

I also asked him about his mailing address. He says the post office won't deliver to P.O. Box 9 and to send his mail to P.O. Drawer H. I have made this correction to what field examiner listed as address.

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JUL 10 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 15 2002
Department of Water Resources

A. GENERAL INFORMATION

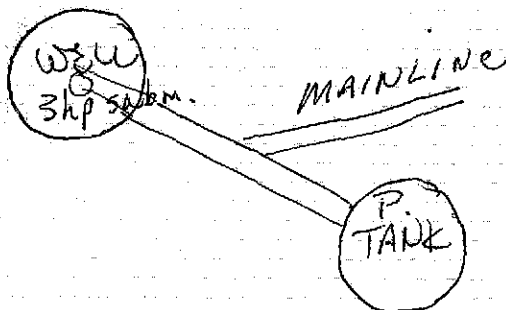
1. Owner: Terry L Coumenik Permit No. 35-8728
Current Address: 197N 740W Bluff Drawer H Moreland ID 8328 Phone No. 208-8535
2. Accompanied by: Terry Coumenik EXAM. DATE: 08/05/91
Address: same Phone No. same
Relationship to Permit Holder: holder
3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Snake River Canal Co.
01-52A, 53A, 92B, ☐ Copies Attached
2. Other water rights with same point of diversion: 35-8216 (35-11379, 11380 (Dom))
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well, pump, storage tank, house, & 3 acres
irrigation

MAINLINES ON WEST SIDE OF 3 ACRES

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
735W 200N	Berkeley	3HP			2" discharge

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
735W 200N				NE	26	25	34E	Brigham	USGS QUAD & onsite inspection
				NW					

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	34E	26																	3 AC

Do not use this space
MICROFILMED

JUL 10 2002

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
well probe	Olympic	Acet	500		500	

2. Measurements:

water
dynamic level - 36'
operating pressure - 40 psig (installed gage)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Theor. cal. $\frac{3.6 \times 6.16}{36 + 2.31(40)} = 0.14 \text{ cfs}$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 40 psi x 2.31 = 92.4 ft (1); Dynamic pumping level: 36 ft (2)

Total Head: (1) + (2) = 128.4 (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 4 = 12 \text{ AF/A}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.06 \text{ cfs} (214) 1.9835 = 25.4$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12 \text{ AF/A}$

2. Volume Calculations for Other Uses:

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JUL 10 2002

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Same well as 35-8216

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/01	10/31	0.06 cfs	12 AF/A
Totals:			0.06 cfs	12 AF/A

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name ALAN W PARIS
Signature Alan W Paris
Certification Date DAVE CARLSON
Field Report Preparation Date 4/9/2002

CONSULTANT SEAL

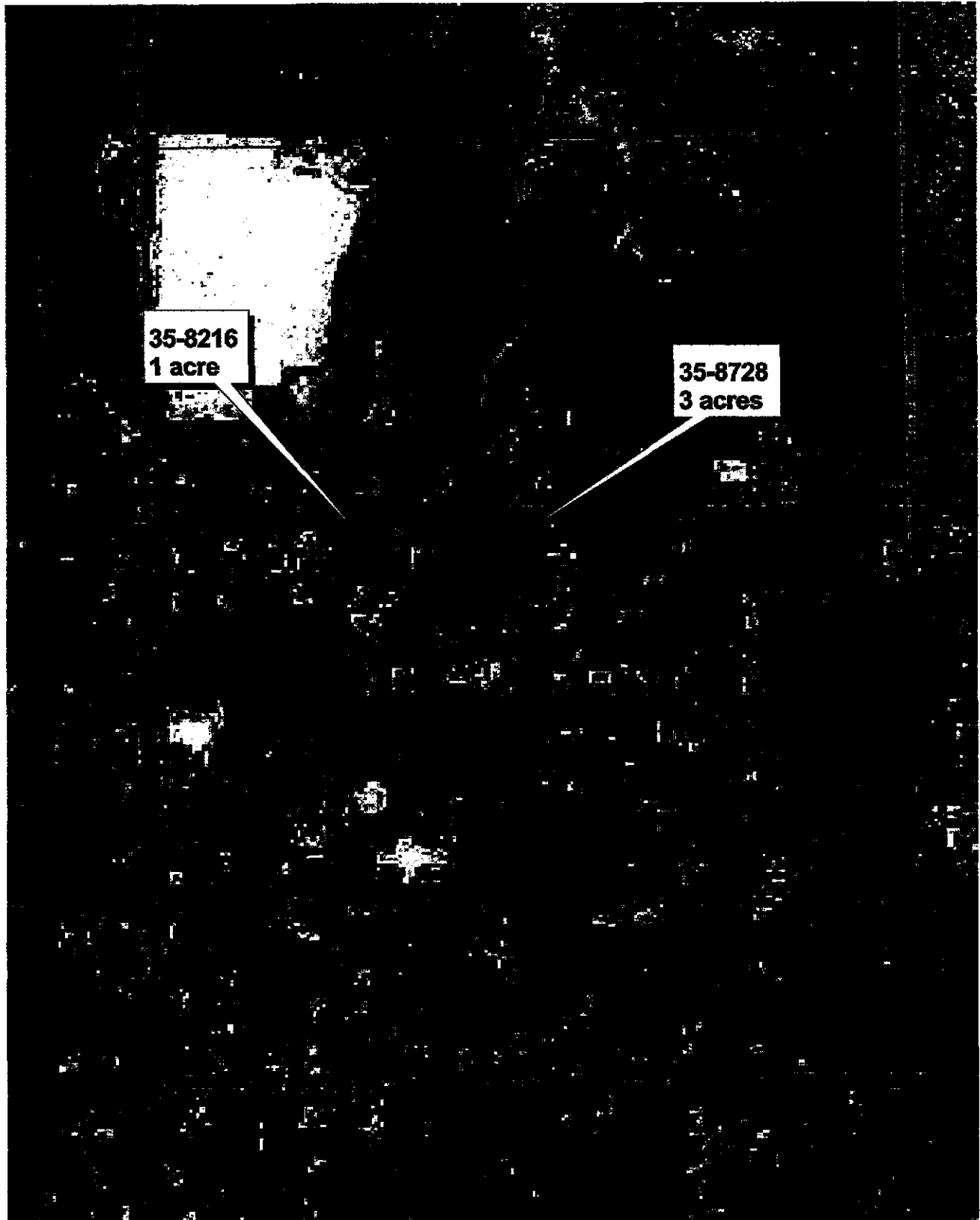
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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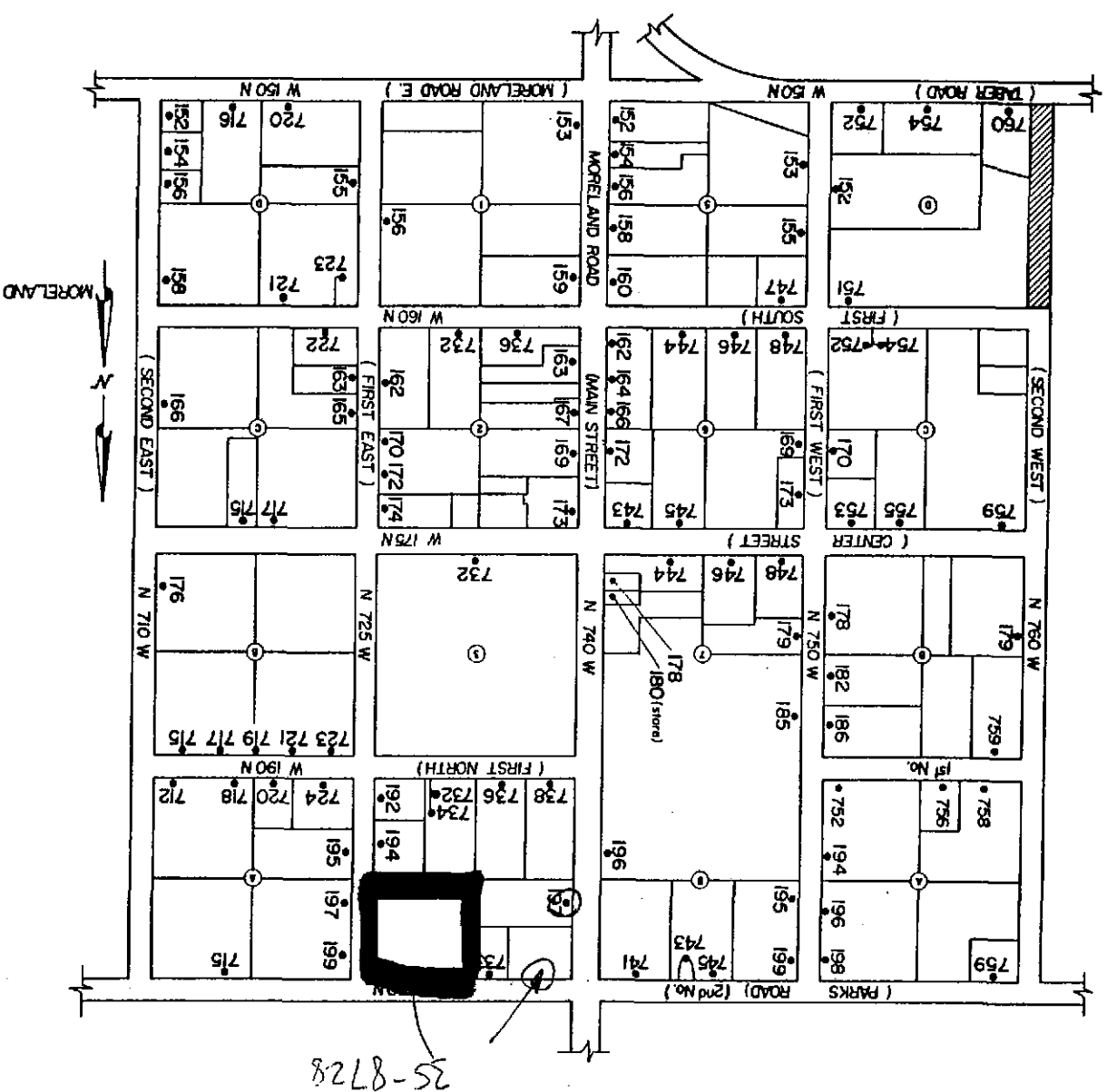
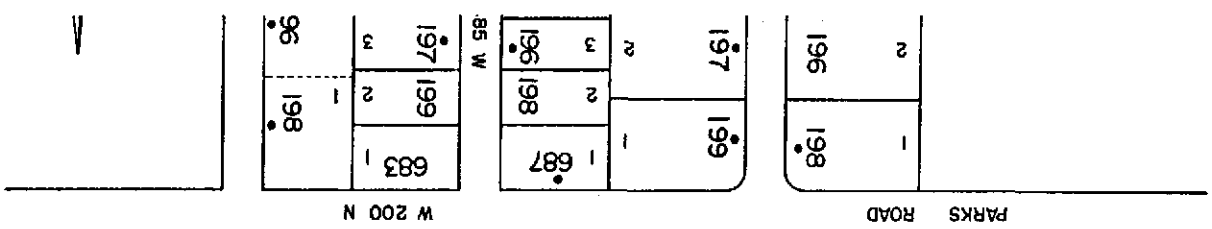
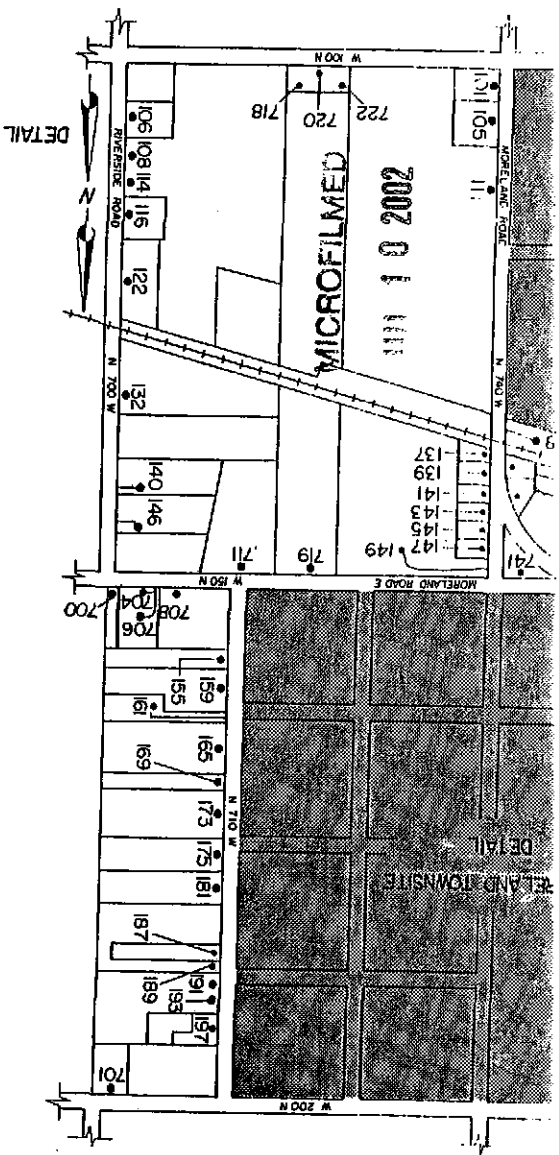
JUL 10 2002

35-08216, 35-08728

T2S, R34E sec 26



JUL 10 2002



35-8728

$$Q = \frac{(3410)(8.814)(.7)}{[(36 \text{ ft}) + (40 \text{ psi})(2.308)]}$$

$$= 0.144244 \text{ cfs}$$

$$= 0.14 \text{ cfs}$$

18.48

 128.4

MICROFILMED
 JUL 10 2002

35-8728

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-8216
35-8728

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 2S, Rge 37E, Sec. 26, NW 1/4 NE 1/4 or Lot _____.

2. Owner: Terry L. Commerahl
Address PO Drawer H, city Montealand, St. Id

3. Casing $\geq$ 12 inches above ground: Yes ☒ No _____

4. Access Port: Yes _____ No ☒ Static Water Level: 36'
Pressure Gauge: Yes ☒ No _____ Casing Diameter: 6"
Flowing: Yes _____ No ☒ Temperature: NA

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

MICROFILMED
JUL 10 2002

December 7, 1990

TERRY L. COUMERILH
P.O. DRAWER H
MOORELAND, ID 83256

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08728

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

DEC 17 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8728

Date: 12-7-90

General Considerations:

y Name same as permit
y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
y Proof received timely
_____ Reinstated

Source of Water:

y Surface water
y Groundwater
y 1. well log in file
y 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
y Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

W/A Is a measuring device or access port required?
W/A Has one been installed?
W/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

W/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

jb
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

9/89

Drilling Permit No. 35-90-E-043

Water Right Permit No. 35-878

Injection Permit No. _____

State of Idaho
Department of Water Resources
D R I L L I N G P E R M I T

RECEIVED
JUN 5 1990

Department of Water Resources

1. Applicant Terry L. Coumerilh
2. Mailing Address P.O. Drawer H
Moreland, Id 83256 Telephone 684-5535
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 26, Twp. 2S, Rge. 34E, County Bingham,
Street Address of Well Site _____,
Lot, block and subdivision _____
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
(X) Irrigation (more than 1/2 acre) 3 acres as per permit 35-8728
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
() Other (describe fully) _____
5. Well construction information:
A. () New well () Deepen (X) Replace - See Condition 9.
B. Proposed surface diameter 6" Maximum depth 100'
C. Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date 5-31-90
7. Anticipated Well Driller Cushman Drilling
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Terry L. Coumerilh Date 5/31/90
Title _____
(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is APPROVEDDate 5-31-90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
3. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

H. W. Jensen For Ron D. Carlson
Signature of Authorized Department Representative

EASTERN REGIONAL MANAGER
Title

Receipt No. E014710 Received by RB Fee \$100.00 Date 5-31-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

AUG 24 1990

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

WR#35-8216

Name

Terry L. Coumerilh

Address

P.O. Box Drawer H. Moreland, Idaho

Owner's Permit No.

35-90-E-043

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic

☒ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

☐ Waste Disposal or Injection

☐ Other (specify type)

4. METHOD DRILLED

☒ Rotary

☐ Air

☐ Hydraulic

☐ Reverse rotary

☐ Cable

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness

Diameter

From

To

.250 inches

6"

inches +

1 feet

43 feet

.219 inches

5"

inches

25 feet

70 feet

inches

inches

feet

feet

inches

inches

feet

feet

Was casing drive shoe used?

☒ Yes

☐ No

Was a packer or seal used?

☐ Yes

☒ No

Perforated?

☐ Yes

☒ No

How perforated?

☐ Factory

☐ Knife

☐ Torch

Size of perforation

inches by

inches

Number

From

To

perforations

feet

feet

perforations

feet

feet

perforations

feet

feet

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

20

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 strata

Describe access port

Well Seal

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

Subdivision Name

Lot No.

Block No.

County

Bingham

N 7 1/4 NE 1/4 Sec. 26 T. 2 S. R. 34 E. 1/4

7. WATER LEVEL

Static water level

40'

feet below land surface.

Flowing?

☐ Yes

☒ No

G.P.M. flow

Artesian closed-in pressure

p.s.i.

Controlled by:

☐ Valve

☐ Cap

☐ Plug

Temperature

52

°F.

Quality

Good

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump

☐ Bailer

☒ Air

☐ Other

Discharge G.P.M.

Pumping Level

Hours Pumped

50

100'

1 Hr.

9. LITHOLOGIC LOG

Bore Diam.

Depth

Material

Water

From

To

Yes

No

6"

0

4

Top Soil & Gravel

X

4

35

Sand & Gravel

X

35

43

Brown Clay

X

43

60

Gray Basalt

X

60

65

Red Chalk

X

65

70

Brown Sandy Clay

X

70

135

Gray Basalt, Streaks of Cinders

X

10.

Work started

6/12/90

finished

6/13/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name

Jack Cushman Drilling

Firm No.

#94

Address

1405 South Broadway

Date

6/28/90

Signed by (Firm Official)

Bob Cushman

and

(Operator)

Monte Staples

TERRY L. COUMERILH
P.O. DRAWER H
MOORELAND, ID 83256

138364
August 31, 1990

PROOF DUE NOTICE

RE: PERMIT NO. 35-08728

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 17 1990

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

TERRY L. COUMERILH
P.O. DRAWER H
MOORELAND, ID 83256

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08728

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

RECEIVED

OCT 26 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAIL ROOM
OCT 26 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY SCOTT DUNN DATE 10 July 89 APPLICATION NUMBER 35-8728

REQUIRED INFORMATION

Terry Coumerith

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion 35-08216
- ☒ Yes ☐ No Field check required See remarks
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested SEP 13 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 8-7-89 8-21-89
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01 ^{-P05}
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 5-22-89
By HWS Date 8-31-89

STATE OFFICE REVIEW P05, P23 P16 48 49 46

See below for additional information

By KW Date 10-12-89

ADDITIONAL INFORMATION

Remarks: I cannot tell if this application covers the 1 acre already covered by application
35-08216 or is for new ground. dmb
App. in NON-TRUST area -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

OCT 26 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

OCT 26 1989

35-08728

COUMERILH, TERRY L.
P.O. DRAWER H
MOORELAND, ID 83256

Source: GROUNDWATER

Diversion Pt: NENWNE Sec 26 T 02S R 34E

Use: IRRIGATION (.060 CFS)

Date Filed: 5/22/1989

In: T02S R34E S26 NWNE

3.0 ACRES TOTAL

MICROFILMED

OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

MICROFILMED

OCT 26 1989

18-July-1989

Terry Coumerilh
Drawer H
Mooreland, ID 83256

RE: Application for Permit No. 35-8728

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

Did not run
MICROFILMED

OCT 26 1989

NOTICE OF APPLICATION FOR WATER

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

MICROFILMED

OCT 26 1989

35-08728

COUMERILH, TERRY L.
DRAWER H
MOORELAND, ID 83256

Source: GROUNDWATER

Diversion Pt: NENWNE Sec 26 T 02S R 34E

Use: IRRIGATION (.060 CFS)

Date Filed: 5/22/1989

In: T02S R34E S26 NWNE

3.0 ACRES TOTAL

MICROFILMED

OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 7, 1989.

R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

MICROFILMED

OCT 26 1989