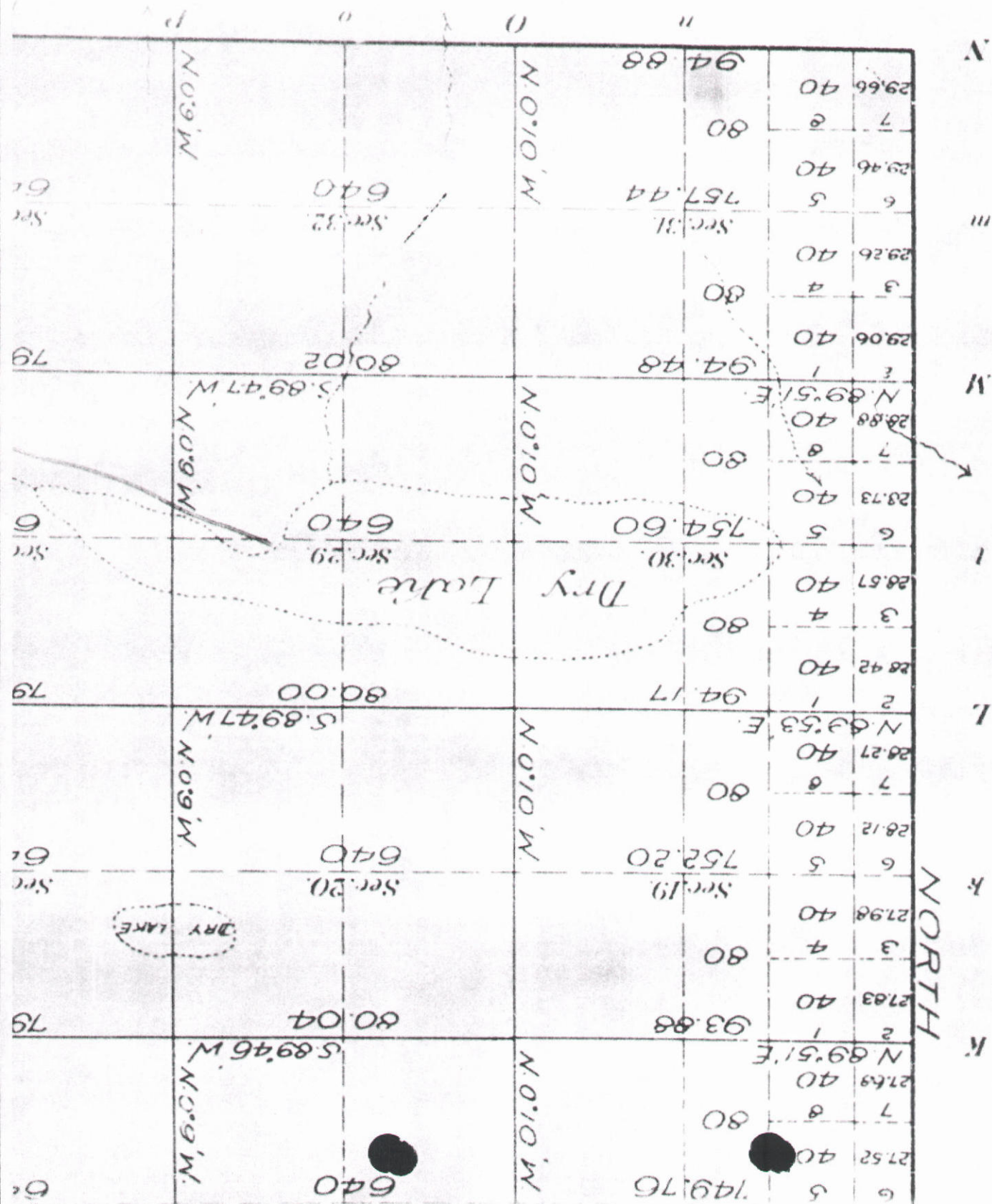




penultimately.

Hyman H. Kentall 100. May 29, 1907.

36-15565



# AFFIDAVIT of PUBLICATION

State of Idaho } ss.  
County of Jerome }

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

5<sup>th</sup> day of April, 2001, and the date of the last publication was on the 12<sup>th</sup> day of April, 2001.

On this 12<sup>th</sup> day of April, in the year of 2001, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name 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/she executed the same.

SHELLEY STURGEON  
Notary Public  
State of Idaho

Shelley Sturgeon  
Notary Public for Idaho  
Residing at Jerome  
My commission expires: 12/3/05

NORTH SIDE NEWS  
Jerome, Idaho

## COST OF PUBLICATION

Number of Picas per Line \_\_\_\_\_

Number of Lines in Notice \_\_\_\_\_

Number of Insertions 2x

Lines tabular at \_\_\_\_\_ 8.0¢/Pica

358.88 Lines straight at 25.12 7.0¢/Pica

358.88 Subsequent lines at 21.53 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 49.15

## COPY OF NOTICE

(Paste Here)

App #36-15565-Coombs  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

### NOTICE OF APPLICATION FOR PERMIT

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

36-15565

MICHAEL R COOMBS

1733 CRESWELL RD

SNOHOMISH WA 98290

Point(s) of Diversion: L5 NWSW S31

T09S R20E JEROME County

Source: GROUND WATER

Use: 01/01 to 12/31

DOMESTIC 0.08 CFS

Date Filed: 02/05/2001

Place Of Use: NWSW S31 T09S R20E

Remark: Domestic use is for 2 homes and yards.

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, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 on or before 04/23/2001. The protestant must also send a copy of the protest to the applicant.

/s/ KARL J DREHER, Director.

PUB: 4/5 - 4/12 N35811

No 8737

35811

RECEIVED

APR 17 2001

Department of Water Resource  
Southern Region

MICROFILMED

JUN 01 2001

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

JUN 07 2001

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 36-15565 Telephone No. 425-258-2770
2. Name of Permit Holder(s): Michael R. Coombs
3. Mailing Address: 1733 Creswell Rd. / P.O. BOX 1178  
City Shoshone State Id Zip 98290
4. Source of Water: well If **GROUNDWATER** (well), Date Drilled: mo. 3 / yr. 2001  
Well Driller: Eaton Drilling Drilling Permit Number: 76-80-79 - well tag #: 00016100
5. Use(s) (as authorized by the water right permit):  
Domestic (No. of households): 2 Stockwater (No. and type of stock): \_\_\_\_\_  
Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_
6. Total rate of diversion and/or volume for which proof is submitted: 0.08 cfs OR \_\_\_\_\_ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)  
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)  
Measuring Device: Is a measuring device required? Yes \_\_\_\_\_ or No X  
Has the measuring device been installed? Yes \_\_\_\_\_ or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.  
Name: Larry Nielson % Eaton Drilling Telephone Number: (208) 536-2223  
Address: P.O. BOX 230 / 485 So. Idaho St. , Wendell 83355
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.  
Signature of permit holder: Michael R. Coombs Date: 06-04-01  
(include your title, if on behalf of company or organization)

MICROFILMED

AUG 08 2001

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 36-15565

Priority: 02/05/2001

Maximum Diversion Rate: 0.08 CFS

This is to certify, that **MICHAEL R COOMBS**  
1733 CRESWELL RD  
SNOHOMISH WA 98290

has applied for a permit to appropriate water from:

**Source: GROUND WATER**

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.08 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER L5 NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 31, Twp 09S, Rge 20E, B.M. JEROME County

**PLACE OF USE:** DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 20E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before May 01, 2002.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater for irrigation under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. 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.
8. Domestic use is for 2 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15<sup>th</sup> day of May, 2001.

MICROFILMED

JUN 8 1 2001

*[Signature]*  
for **KARL J DREHER, Director**

RECEIVED

FEB 05 2001

FORM 202  
12/99Department of Water Resources  
Southern RegionIdent. No. 6888936-15565

RECEIVED

MAY - 4 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Michael R. Coombs Phone 425-258-2770Mailing address 1733 Creswell Rd. Everett, WA 982902. Source of water supply groundwater Snohomish which is a tributary of N-A3. Location of point of diversion is Township 9S Range 20E Sec. 31 in the NE  $\frac{1}{4}$ ,  
NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Govt. Lot 5, B.M., JEROME County;

additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.08 for single family residences purposes from Jan 1 to Dec 31 (both dates inclusive)(cfs or acre-feet per annum) (2 homes) purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

(cfs or acre-feet per annum) \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

(cfs or acre-feet per annum) \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

5. Total quantity to be appropriated is (a) 0.08 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source \_\_\_\_\_

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feetc. Proposed well diameter is 6 inches; proposed depth of well is 365 feetd. 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. 2

e. Other; describe fully. \_\_\_\_\_

MICROFILMED

JUN 01 2001

3. 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 |        |
| 9S  | 20E | 31  |    |    |    |    |    |    |    |    | D  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated N-A

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? Michael R. Coombs
- b. Who owns the land to be irrigated or place of use? Michael R. Coombs
- 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

12. Remarks:

This well will be a ~~proposed~~ two party well.

Well will be drilled by Eaton Drilling of Wendell, Idaho

phone number (208) 536-2223

Request 13,000 gallons per day for each lot for a total of 26,000

gallons per day. Each lot to have separate single family residence on it.

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.

Michael R. Coombs  
Signature of Applicant (and title, if applicable)

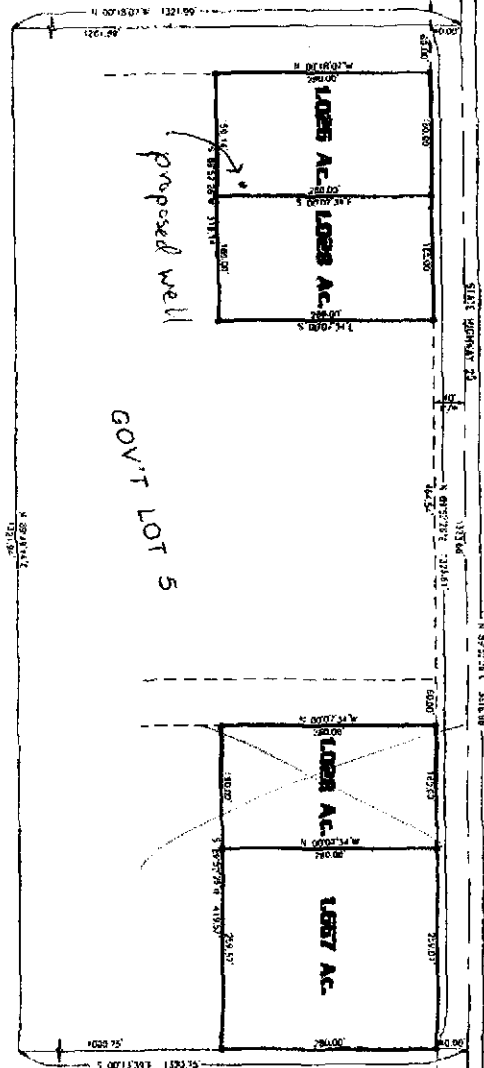
Received by J. Esten Date 2-5-01 Time 11am Preliminary check by Ham Jd  
Fee \$ 100 Receipted by no # 3022605 Date 2-5-01  
Publication prepared by MB Date 3/14/01 Published in North Side News  
Publication approved MB Date 4/20/01

MICROFILMED  
JUN 01 2001

36-15565

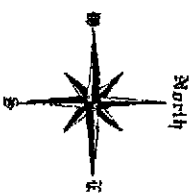
= Lots to be served by well.

# LAND DIVISION PLAT



LOCATED IN  
GOVERNMENT LOT 5, SECTION 31,  
TOWNSHIP 9 SOUTH,  
RANGE 20 EAST,  
BOULE MERIDIAN  
JEROME COUNTY, IDAHO  
ROAD

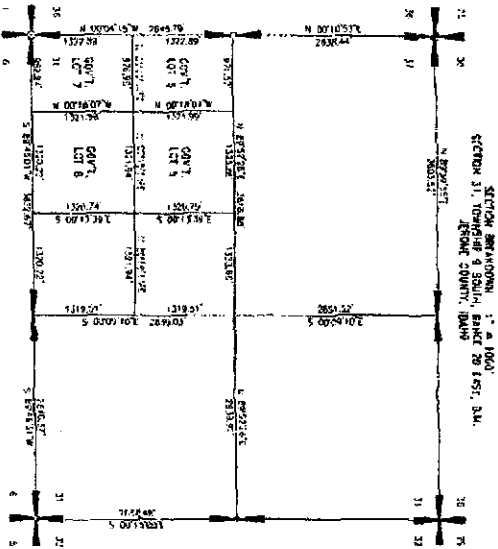
SCALE  
1" = 100'



## LEGEND

- SURVEY BOUNDARY LINE
- DEVELOPER HIGHWAY
- RIGHT-OF-WAY LINE
- FC&M GRASS CAP
- FC&M BRIDGE SPINE
- FC&M 3/8" STEEL PIN
- FC&M 1/2" STEEL PIN
- SP 1/2" REBAR & CAP

MICROFILMED



APPROVAL OF JEROME COUNTY PLANNING & ZONING  
COMMISSION  
JEROME COUNTY PLANNING & ZONING  
COMMISSION  
JEROME COUNTY PLANNING & ZONING  
COMMISSION

JOHN O. ROOT DO HEREBY CERTIFY THAT THIS  
MAP IS A TRUE AND ACCURATE MAP OF THE LAND  
SUBMITTED UNDER MY SUPERVISION AND DIRECTION.



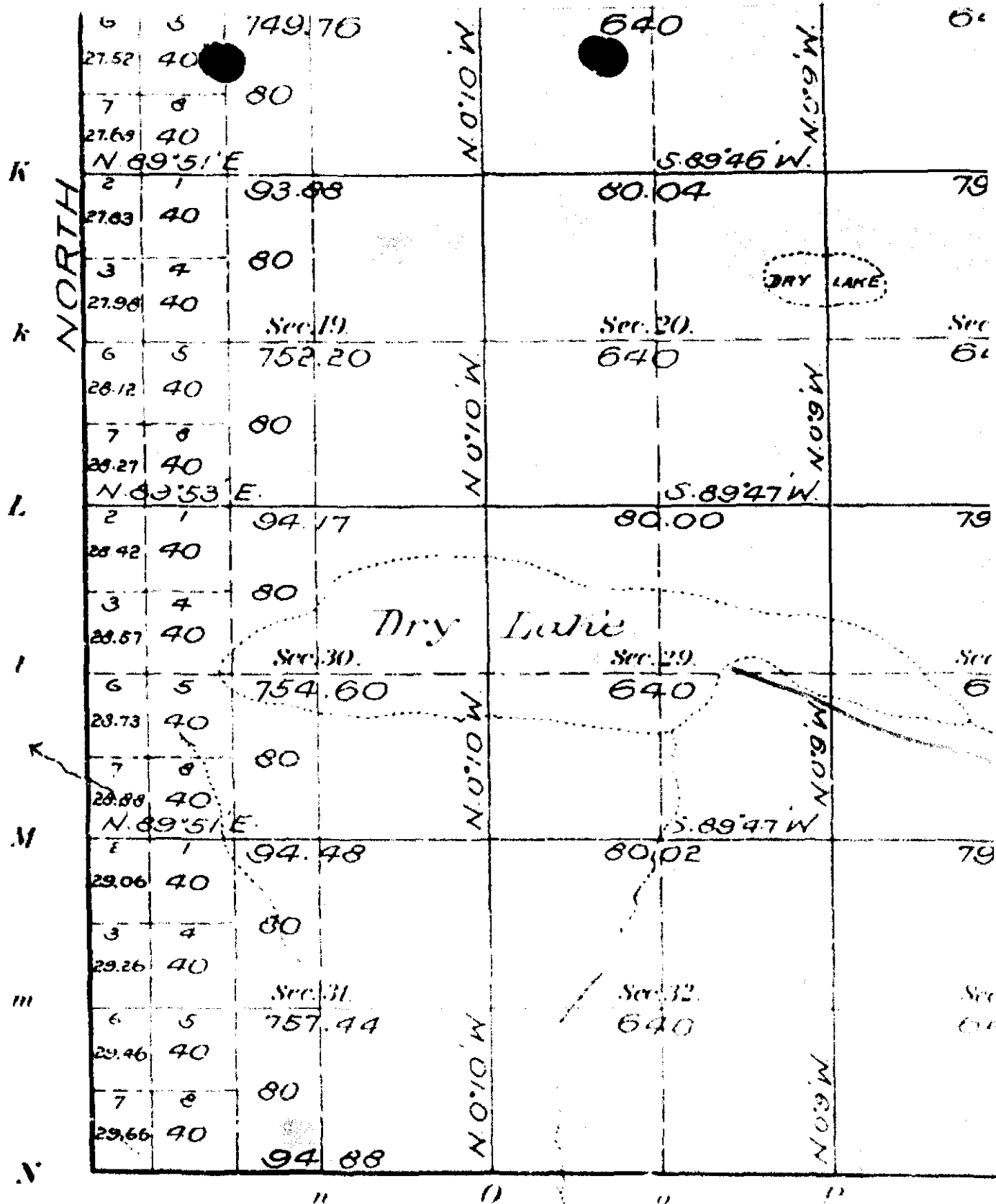
JOHN O. ROOT  
LAND SURVEYOR  
JEROME COUNTY, IDAHO  
KATHY KENT

DATE: 01/27/00  
BY: S. HASELL  
REVIEW: [blank]

FILE NO: 00-035  
SHEET NO: 1 OF 1

JUN 0 1 2001

36-15565



Surveys Designated *N. S. & 14* By Whom Surveyed *Lyman H. Hendrick* Date of Survey *100 May 20 1900*  
 Township lines  
 Subdivisions

F. Day  
 MICROFILMED  
 JUN 8 1 2001



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](http://www.idwr.state.id.us)

July 30, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

MICHAEL R COOMBS  
1733 CRESWELL RD  
SNOHOMISH WA 98290

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 36-15565**

Dear Permit Holder:

Thank you for your quick response to my July 16, 2001 letter requesting additional drilling permit fee. I have received that fee and have credited it to your drilling permit.

The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

AUG 08 2001

# Idaho Department of Water Resources Receipt

Receipt ID C055162

|                |          |               |                      |        |       |        |
|----------------|----------|---------------|----------------------|--------|-------|--------|
| Payment Amount | \$125.00 | Date Received | 7/27/2001 2:13:43 PM | Region | State | Status |
| Payment Type   | Check    | Check Number  | 1369                 |        |       |        |

Payer COOMBS MICHAEL R OR CAROLYN M

Comment ADDITIONAL PAYMENT FOR UPGRADING TO MULTIPLE DOMESTIC

## Fee Detail

| Amount   | Description      | Fund | FD | PCA   | SO   |
|----------|------------------|------|----|-------|------|
| \$125.00 | DRILLING PERMITS | 0229 | 21 | 54116 | 1205 |

Signature Line (Dept. Representative)

MICROFILMED

AUG 08 2001

# Idaho Department of Water Resources Receipt

Receipt ID C055162

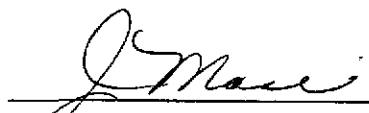
Payment Amount \$125.00 Date Received 7/27/2001 2:13:43 PM Region State Status ▼  
 Payment Type Check Check Number 1369

Payer COOMBS MICHAEL R OR CAROLYN M

Comment WATER RIGHT 30-15565-ADDITIONAL PAYMENT for upgrading to multiple domestic  
Drilling Permit 016100

## Fee Detail

| Amount   | Description    | Fund | FD | PCA   | SO    |
|----------|----------------|------|----|-------|-------|
| \$125.00 | BENEFICIAL USE | 0229 | 21 | 56104 | 11553 |

  
 Signature Line (Dept. Representative)

John: 7/27  
 Can you correct  
 this so it goes  
 toward the drilling  
 permit, not the  
 Ben. Use?

Thanks  
 Debbie S.

Mrs. Allen:

7/30/2001

Please change as above also Fund FD PCA etc.

Thankyou  
 JNC

MICROFILMED

AUG 08 2001

# Idaho Department of Water Resources Receipt

Receipt ID C055162

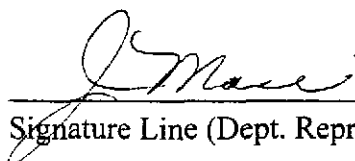
Payment Amount \$125.00    Date Received 7/27/2001 2:13:43 PM    Region    State    Status  
 Payment Type Check    Check Number 1369

Payer COOMBS MICHAEL R OR CAROLYN M

Comment WATER RIGHT 36-15565 ADDITIONAL PAYMENT

## Fee Detail

| Amount   | Description    | Fund | FD | PCA   | SO   |
|----------|----------------|------|----|-------|------|
| \$125.00 | BENEFICIAL USE | 0229 | 21 | 56104 | 1155 |

  
 Signature Line (Dept. Representative)

John: 7/27  
 Can you correct  
 this so it goes  
 toward the drilling  
 permit, not the  
 Ben. Use?

Thanks  
 Debbie S.

MICROFILMED  
 AUG 08 2001



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 16, 2001

MICHAEL R COOMBS  
1733 CRESWELL RD  
PO BOX 1178  
SNOHOMISH WA 98290

Re: Water Right Permit No. 36-15565 & Drilling Permit No. D16100

Dear Mr. Coombs:

I am in receipt of the Proof of Beneficial Use form you submitted in connection with the above referenced water right permit. Upon review of your file I find that the drilling permit fee you previously paid was not sufficient for this right. The fee paid was for a domestic use for one home, and the water right states the use is for two homes. A total fee of \$200 is appropriate, therefore since you have previously paid \$75.00 you must pay \$125.00 to complete the conditions of the water right and the drilling permit requirements.

Your payment of this amount is necessary in order to continue processing of this right and I will put this matter on hold for **15 days** from the date of this mailing to wait for your payment. If you have any questions, please contact me at (208)327-7953 or John Carlson in Ground Water Protection at (208)327-7936.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Cc: G. W. Protection file

MICROFILMED

AUG 3 8 2001

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 36-15565

Reviewed By: dgibson

Date: June 27, 2001

|                                   | <u>Yes</u> | <u>No</u>           |                                  | <u>Yes</u> | <u>No</u> |
|-----------------------------------|------------|---------------------|----------------------------------|------------|-----------|
| Proof received timely?            | X          |                     | Drilling permit required?        | X          |           |
| License examination fee required? | X          |                     | Drilling permit No.:             |            | 76-80-79  |
| Appropriate fee submitted?        | X          |                     | Drilling permit upgrade needed?  |            |           |
| Receipt No.:                      |            | S023605,<br>C054162 | Well driller's report filed?     |            | X         |
| Additional Amount Due:            |            |                     | Measuring device required?       |            | X         |
| Name and address same as permit?  | X          |                     | Measuring device installed?      |            | X         |
| Are the water uses correct?       | X          |                     | Measure device waiver requested? |            |           |

### Priority Calculation

|                     |   |            |
|---------------------|---|------------|
| Date proof received |   | 06/07/2001 |
| Date proof due      | - | 05/01/2002 |
| Lapse notice sent   | - |            |
| No. of days late    | = | 0          |
| Holiday allowance   | + |            |
| Priority date       | + | 02/05/2001 |
| New priority date   | = | 02/05/2001 |

### Deficiencies of Actions Items

Acknowledge proof. Have John Carlson check to be sure the drilling permit fee was appropriate.

*John found that the fee paid for the drilling permit was calculated for 1-home. Additional fee is necessary for the 2<sup>nd</sup> home.*

Printed 07/10/2001  
Ident No. 768079  
Well Tag No. D0016100  
Well ID # 340076  
Receipt # S023542  
Approved Date

*Start Card*

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
DRILLING PERMIT**

Relationship: Owner/Operator  
Name: MIKE COOMBS  
Address: 3122 BROADWAY AVE  
DVH MOTORS  
EVERETT WA 98201

Phone: (425)258-2770

Proposed Well Location: Township 09S, Range 20E, Section 31, Government Lot Number 5  
COUNTY JEROME

Street Address of Well Site: VALLEY ROAD AND HWY 25 INTERSECTION  
JEROME ID

Proposed Use of Well: Domestic-Single Residence

**Well Construction Information:**

- A. New Well
- B. Proposed Surface Diameter: Inches. Proposed Depth Feet.
- C. Anticipated Bottom Hole Temperature: 85F and less

Construction Start Date: Feb 28 2001

Anticipated Well Drilling Company: EATON DRILLING & PUMP SERVICE INC (No. 26)

Applicant's Signature: \_\_\_\_\_ Date \_\_\_\_\_

Title: \_\_\_\_\_

MICROFILMED  
AUG 08 2001



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](http://www.idwr.state.id.us)

May 17, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

MICHAEL R COOMBS  
1733 CRESWELL RD  
SNOHOMISH WA 98290

RE: Permit No. 36-15565

### Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

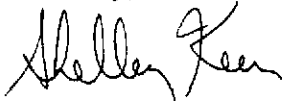
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, 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.

MICROFILMED  
JUN 01 2001

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

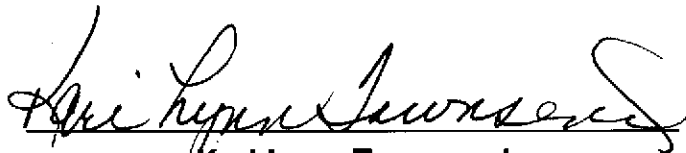
JUN 01 2001

**CERTIFICATE OF MAILING**

I hereby certify that on May 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO. 36-15565**

**MICHAEL R COOMBS  
1733 CRESWELL RD  
SNOHOMISH WA 98290**

  
**Kari Lynn Townsend  
Secretary**

**MICROFILMED  
JUN 01 2001**

**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).

## 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.

**APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS**  
Reviewed by Sharla Curtis on 5/8/01

No. 36-15565 Name: Coombs Corp. Officers N/A Ad ok ☒ Govt Lots ☒

AREA OF CONCERN: No/Yes ESPA Moratorium GWMA TRUST/NON-TRUST

**GROUNDWATER:** (✓Flow Chart)

**DRILLING PERMIT**

All wells - 046  
Basin 34 - 084 (if necessary)  
WMD - North/East/West  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 067  
~~WMD~~  
Supp irr (irr = only use) - 065-104  
Supp irr (+ other uses) - 100-105  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M

**LOCATION:**

Boise Front LoGeo - 058 (<85 GW)  
Mitigation - 121

Trust - 051 (consumptive uses) N/A  
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

**USES:**

STORAGE - 18A-01H-01P-18B-NA  
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)  
STOCKWATER - R37 (BLM/FS)  
MINING - 054-106  
FISH PROP - 029 (70's only)-007-042-106  
HEAT/COOL - R07 (injection well)  
FIRE PROT - 077  
COMMERCIAL/  
INDUSTRIAL - 106-R07  
DAIRY - 082-WD8

**BENEFICIAL USE DUE:** 5/01/2002

**MISC CONDITIONS/REMARKS:**

Protested - 020-W19  
Development Period  
> 1 yr - 26A  
Ownership - 004  
Non-consumptive - 027  
Water Quality - 106-R07

**SURFACE WATER:** (✓Flow Chart)

F&G contacted - Yes/No Response \_\_\_\_\_  
In/Above MSF - WB9  
PLANNING REVIEW/RESPONSE \_\_\_\_\_  
WD - R04 (WD# \_\_\_\_\_)  
≤ 0.20 cfs/others - 01H(P01), 01P or No MD  
> 0.20 cfs - 01J

**SPRINGS/SINK, INACTIVE WD or WD**

≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M or No MD

**RIVER BASINS:** (SW special considerations)

Snake R (01) - W22, N/A  
(02,03) - 007 (w/ remark WB9 if above Weiser)  
Payette R (65) - W22, 047 (Payette Lake)  
Salmon R (70's) - 029 (fish screens)  
Weiser R (67) - 086-087

**USES:**

POWER - 17H or 17K (+uses)-17G (not under FERC)  
or 17M (FERC regulated >25 cfs or 500hp)  
08A-025-027-01N-106-W13 (if dewatering stream)  
MUNICIPAL  
Restricted area - 022,075  
Irr., GW supp to SW - 102  
DOMESTIC  
Surface water - WB5 (Big Wood or Boise above Star Bridge)  
27A (Payette R)  
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)  
Irr use listed separate  
or none allowed - WB5  
Moratorium approvable - W03 (2500 gpd - meets domestic definition  
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32  
Subd lot desc (pd) - W59  
Subd lot desc (pu) - W60  
Use definitions - W02 example - S/50 range  
Pre-1987 development - 068-074 (allow 120 days for proof due)  
Single p/d intended - 076

IRRIGATION SEASON \_\_\_\_\_ - \_\_\_\_\_ (Per updated map) IRR VOLUME/ACRE \_\_\_\_\_

**OTHER CONDITIONS/REMARKS** \_\_\_\_\_

**COMMENTS** \_\_\_\_\_

STATE OF IDAHO  
IDWR SOUTHERN REGION  
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

MAY 4 2001

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY J. E. Linton DATE 2-9-01

REQUIRED INFORMATION (Ck if OK)

- ☒ 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 &/or volume.
- ☒ County
- ☒ Quantity (flow &/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?

++++PROPOSED PRIORITY DATE 2-5 99, 01

ADDITIONAL INFORMATION

- ☒ Overlapping place of use( Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☒ Yes ☒ No Is Source Surface Water?  
If Yes Send Copy to F&G.  
If Yes Field check/memo required.  
Field check/memo by \_\_\_\_\_
- ☒ Yes ☒ No Field report attached?
- ☒ Yes ☒ No Critical Ground water area?
- ☒ Yes ☒ No Groundwater management area?
- ☒ Yes ☒ No Measurement District or Groundwater District?  
What District? \_\_\_\_\_
- ☒ Yes ☒ No Send Dam safety information?
- ☒ Yes ☒ No Send power requirement letter?
- ☒ Yes ☒ No Send fish farm requirement letter?
- ☒ Yes ☒ No Power residency affidavit attached?
- ☒ Yes ☒ No Power efficiency form?
- ☒ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☒ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☒ Yes ☒ No Is Application made to record Pre Nov 1987 Development?  
If Yes then request clear evidence of when use started.

\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date Requested \_\_\_\_\_

Date Sent      Comments Received

SEND COPIES TO:

|                                                         |                          |                          |
|---------------------------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> Idaho Dept of Health & Welfare | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> USDI BLM                       | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Idaho Dept of Fish & Game      | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> USFS                           | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Idaho Dept of Lands            | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Water Dist. No. _____          | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adjudication Bureau Unit       | <input type="checkbox"/> | <input type="checkbox"/> |
| _____                                                   | _____                    | _____                    |
| _____                                                   | _____                    | _____                    |

PROCESSING ☒ Yes ☐ No In form for Advertising?  
☐ Yes ☒ No Statewide Advertising?  
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☒ No Has all requested additional information been received?  
If not, describe action taken: \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

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

☐ Yes ☒ No Publication dates and paper recorded?

Final date for protest: \_\_\_\_\_

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: \_\_\_\_\_

☐ Yes ☒ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? \_\_\_\_\_

☐ Yes ☒ No Special conditions codes: \_\_\_\_\_

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo 4/30/01

Date of priority recommended: 2/5/01

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By 10 Date 4/30/01

MEMO

RECEIVED

MAY - 4 2001

FROM: Allen Merritt 

Department of Water Resources

DATE: April 30, 2001

TO: Application for Permit No: 36-15565

In the Name of: Michael Coombs

SUBJECT: Review and Recommendation

This proposed development is within the ESPA moratorium area. It was processed pursuant to the exception for processing of domestic uses within multi-ownership subdivisions. This application was advertised without protest.

#### RECOMMENDATION

- Subject to other federal, state or county requirement that may be required.
- Allow 13,000 gpd for up to 2 homes in separate ownership or subdivided lot. Each lot allowed up to 1/2 acre irrigation when house is present.
- Subject to drilling permit requirement.

MICROFILMED

JUN 6 1 2001

# AFFIDAVIT of PUBLICATION

State of Idaho } ss.  
County of Jerome }

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

5<sup>th</sup> day of April, 2001, and the date of the last publication was on the 12<sup>th</sup> day of April, 2001.

On this 12<sup>th</sup> day of April in the year of 2001, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name 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/she executed the same.

SHELLEY STURGEON  
Notary Public  
State of Idaho

Shelley Sturgeon  
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

NORTH SIDE NEWS  
Jerome, Idaho

## COST OF PUBLICATION

Number of Picas per Line \_\_\_\_\_

Number of Lines in Notice \_\_\_\_\_

Number of Insertions 2x

Lines tabular at \_\_\_\_\_ 8.0¢/Pica  
358.88 Lines straight at 25.12 7.0¢/Pica  
358.88 Subsequent lines at 21.53 6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 49.15

MICROFILMED

JUN 6 2001

## COPY OF NOTICE

(Paste Here)

App # 36-15565-Coombs  
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

### NOTICE OF APPLICATION FOR PERMIT

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

36-15565  
MICHAEL R COOMBS  
1733 CRESWELL RD -  
SNOHOMISH WA 98290  
Point(s) of Diversion: L5 NWSW S31  
T09S R20E JEROME County  
Source: GROUND WATER  
Use: 01/01 to 12/31  
DOMESTIC 0.08 CFS  
Date Filed: 02/05/2001  
Place Of Use: NWSW S31 T09S  
R20E

Remark: Domestic use is for 2 homes and yards.

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, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 on or before 04/23/2001. The protestant must also send a copy of the protest to the applicant.

/s/ KARL J DREHER, Director  
PUB: 4/5 - 4/12 N35811

No 8737

RECEIVED

APR 17 2001

Department of Water Resource  
Southern Region

NOTICE OF APPLICATION FOR PERMIT

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

36-15565

MICHAEL R COOMBS  
1733 CRESWELL RD  
SNOHOMISH WA 98290

Point(s) of Diversion: L5 NWSW S31 T09S R20E

JEROME County

Source: GROUND WATER

Use: 01/01 To 12/31

DOMESTIC 0.08 CFS

Date Filed: 02/05/2001

Place Of Use: NWSW S31 T09S R20E

Remark: Domestic use is for 2 homes and yards.

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, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 on or before 04/23/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the North Side News on 04/05 & 04/12/01

MICROFILMED

JUN 01 2001



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**  
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380  
Phone: (208) 736-3033 FAX: (208) 736-3037

---

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 14, 2001

**Legal Notice Department**  
NORTH SIDE NEWS  
PO BOX 468  
JEROME ID 83338

RE: Application for Permit No. 36-15565

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 04/02/2001.

Your cooperation is appreciated.

Sincerely

Mary A. Baldwin  
Administrative Assistant

MICROFILMED

JUN 11 2001