

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 35-14460

Priority: April 07, 2016

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 1.8 AF

It is hereby certified that:

LYLE YANCEY
143 N 360 W
BLACKFOOT ID 83221-5654

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 07, 2016, and has submitted Proof of Beneficial Use on January 28, 2020. An examination confirms water is diverted from:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.8 AF

Location of Point(s) of Diversion

GROUND WATER NE¼ SW¼, Sec. 28, Twp 02S, Rge 35E, B.M. BINGHAM County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
02S	35E	28									X							

Conditions of Approval

1. Point of diversion is located within Lot 5, Blk 1; New Meadows III Subdivision.
2. Place of use is located within Lot 6, Blk 1; New Meadows III Subdivision.
3. Domestic use is for 1 duplex.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

This license is issued pursuant to the provisions of Idaho Code § 42-219. 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 this 13th day of March, 2020.


JAMES CEFALO
Eastern Regional Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 13, 2020

LYLE YANCEY
143 N 360 W
BLACKFOOT ID 83221-5654

RE: License No. 35-14460

Issuance of License

Dear Water Right Holder:

The Department of Water Resources ("Department") 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 all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

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. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 497-3784.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Cefalo'.

James Cefalo
Eastern Regional Manager

Enclosure(s)

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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 service date 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.

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2020, I served a true and correct copy of Water Right License No. 35-14460 by U.S. Mail, postage prepaid, to the following:

LYLE YANCEY
143 N 360 W
BLACKFOOT ID 83221-5654

WATER DISTRICT #120
BLAKE JORDAN
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402



Christina Henman
Administrative Asst. I

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
In-Office Beneficial Use Examination**

1. ☒ Copy of Permit
2. ☒ Copy of proof of beneficial use
3. ☒ Copies of amendments/orders
4. ☒ Qualifies under Rule 35.01.r (IDAPA 37.03.02)
5. ☒ Point of Diversion

Township 02S, Range 35E, Section 28, QQ NESW (Lot 5, BLK 1 New Meadows III Subdivision)

Method used to determine POD: Well drillers report.

6. ☒ Place of Use

Township 02S, Range 35E, Section 28, QQ NESW (Lot 6, Blk 1 New Meadows III Subdivision)

Method used to determine POU: 2019 aerial photography

7. ☒ POD and POU match Permit Approval
8. ☒ Aerial photo of place of use
9. ☒ Well driller's report
10. ☒ Within a water district? (WD# 120)
11. ☒ Volume Calculation

One duplex with two households. One-half acre irrigation. Total acre feet volume is 1.8 AF:

2 households * 0.6 acre-feet = 1.2 acre-feet.

1/2 acre = 0.6 acre-feet for irrigation

Total volume: 1.8 acre-feet.

12. ☒ Other information: Point of diversion is shared with 35-14461.

Examiner Name _____ Date _____

Reviewer Blake Jordan Date 3/9/2020

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 35-14460

Priority: April 07, 2016

Maximum Diversion Rate: 0.06 CFS

This is to certify, that **LYLE YANCEY**
143 N 360 W
BLACKFOOT ID 83221

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, Twp 02S, Rge 35E, B.M. BINGHAM 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	
02S	35E	28																	
											X								

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before June 01, 2021.
2. Subject to all prior water rights.
3. Domestic use is for 1 duplex.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature

affixed below this 26th day of May, 2016.


JAMES CEFALO
Water Resources Program Director

Water Permit 35-14460 Beneficial Use Exam



-  POD
-  35-14460
-  Township/Range
-  Sections
-  QQ

0 125 250 500 Feet



RECEIVED

FEB 03 2020

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 28 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee \$	50.00 (100 ches)
Receipt No.	E645593
Received By	C. M.
Date Received	1/28/2020

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed** and that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, contact any Department office or visit the Department's website at idwr.idaho.gov for an *Assignment of Permit* form. If you wish to relinquish your permit because you have not established the authorized use of the water and are **not** applying for an extension, please notify the Department in writing.

- Permit No. 35-14460 Telephone No. 208-643-5983
- Name of Permit Holder(s) Lyle Yancey
- Mailing Address 143 N 360 W City Blackfoot
State Idaho Zip 83221 Email yanceylm@hotmail.com
- Source of Water Groundwater If **GROUND WATER** (well), Date Drilled mo. June / yr. 2016
Well Driller Independent Drilling, Inc. Drilling Permit Number 0068776 Well Tag _____
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) 2 Stockwater (No. and type of stock) _____
Irrigation (No. of acres) Under 1/2 Other _____
- Total rate of diversion or storage volume for which proof is submitted .06 cfs OR _____ acre-feet.

- Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit:
Refer to the approval conditions on your permit and respond accordingly.

The Department will not issue a license if permit conditions are not met.

Measuring Device	Is a measuring device required?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If yes, has the measuring device been installed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Lockable Controlling Device	Is a lockable device required to control the diversion?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If yes, has the lockable device been installed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fish Screen	Is a fish screen required?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If yes, has the fish screen been installed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Other Conditions of Permit

Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

Completed? Yes ☐ No ☒

- Fee Enclosed \$ 50 or not applicable ☐. See fee schedule on page 2 of the instructions.
Proof statements filed without an appropriate fee, will be considered incomplete.
- Person to contact to accompany the Department representative during field examination of the water system.
Name Lyle Yancey Telephone Number 208-643-5983
Mailing Address 143 N 360 W City Blackfoot
State Idaho Zip 83221 Email yanceylm@hotmail.com

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 and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of Permit Holder  Date 1-28-2020
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0068776

Drilling Permit No. _____

Water right or injection well # 35-14461

2. OWNER:

Name Lyle Yancey

Address 143 North 360 West

City Blackfoot State ID Zip 83221

3. WELL LOCATION:

Twp. 2 North ☐ or South ☒ Rge. 35 East ☒ or West ☐

Sec. 28 1/4 NE 1/4 SW 1/4

Gov't Lot _____ County Bingham

Lat. 43 12.971 (Deg. and Decimal minutes)

Long. 112 22.127 (Deg. and Decimal minutes)

Address of Well Site 135 North 365 West

City Blackfoot

(Give at least name of road - Distance to Road or Landmark)

Lot. 5 Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Bentonite	0	-40'	1100 lbs	Poured

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
6"	+2'	-44'	.250	Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) -44'

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 58 Static water level (ft) 58

Water temp. (°F) _____ Bottom hole temp. (°F) _____

Describe access port Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
40		60

Test method:

Pump	Ballor	Air	Flowing artesian
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
10	0	40			
6	40	125			
	0	6	Top soil		X
	6	29	Sand & gravel		X
	29	31	Sand		X
	31	35	Sand & gravel		X
	35	42	Brown Clay & gravel		X
	42	44	Broken grey basalt		X
	44	56	Fractured grey basalt		X
	56	79	Fractured brown basalt	X	
	79	88	Broken brown basalt	X	
	88	111	Fractured grey basalt	X	
	111	116	Red cinder	X	
	116	125	Fractured grey basalt	X	

RECEIVED

JUN 23 2016

Department of Water Resources
Eastern Region

Completed Depth (Measurable) 125'

Date Started: Jun 15, 2016

Date Completed: Jun 15, 2016

14. DRILLER'S CERTIFICATION:

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

Company Name Independent Drilling/KC

Co. No. 343

*Principal Driller Eduardo Jimenez

Date Jun 15, 2016

*Driller

Date

*Operator II Jim (Kant)

Date Jun 15, 2016

Operator I

Date

* Signature of Principal Driller and rig operator are required.

State of Idaho
Department of Water Resources
Water Right License
35-14460

35E

02S



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles

