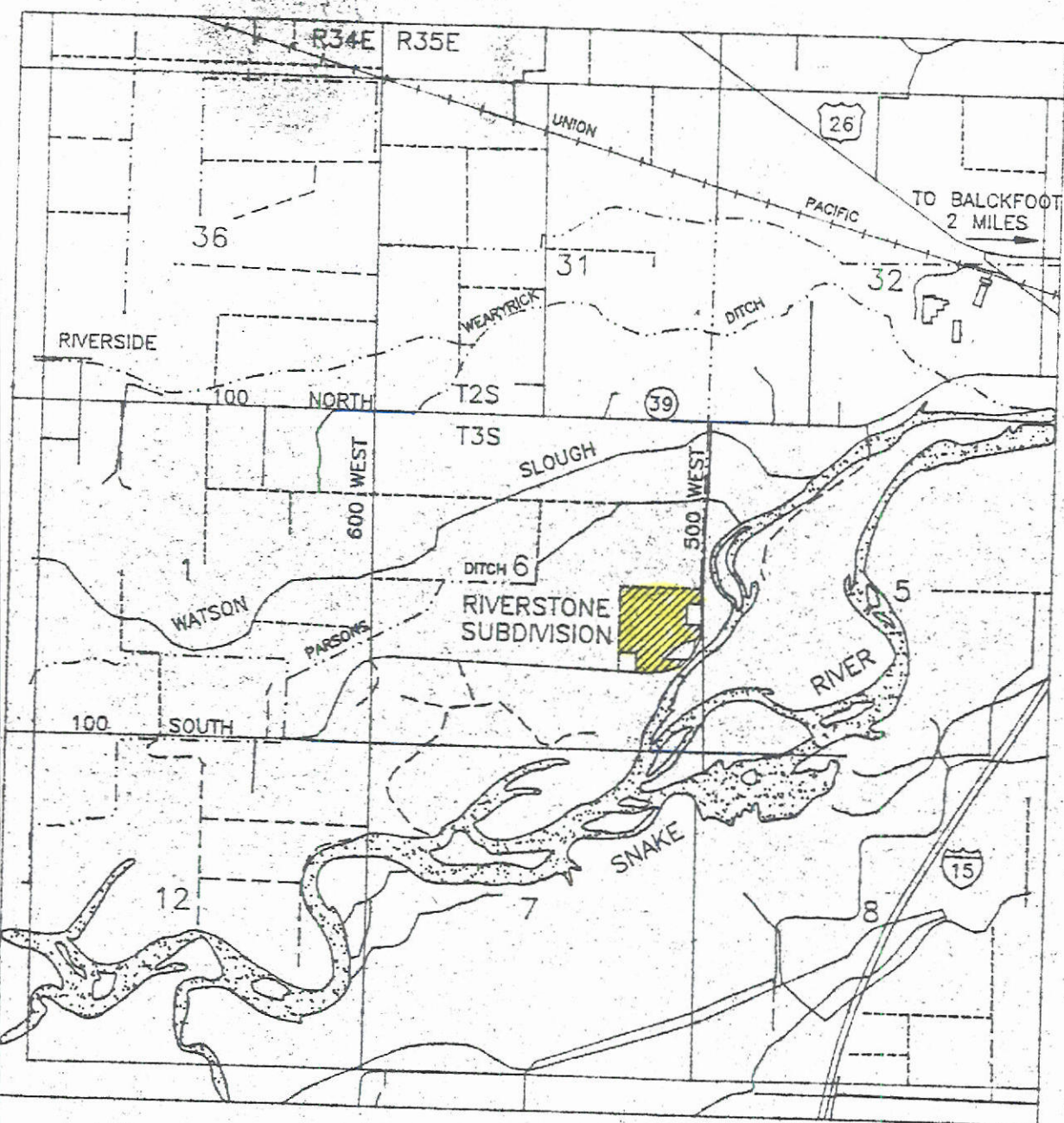




VICINITY MAP

SCALE: 1"=1/2 MILE

CURVE TABLE

DELTA	RADIUS	LENGTH
0°00'00"	40.00'	62.83'
0°00'00"	50.00'	78.54'
7°38'06"	100.00'	30.78'
1°03'49"	100.00'	10.59'

LEGEND



SECTION CORNER FOUND

1/4 SECTION CORNER FOUND

EXISTING STRUCTURE

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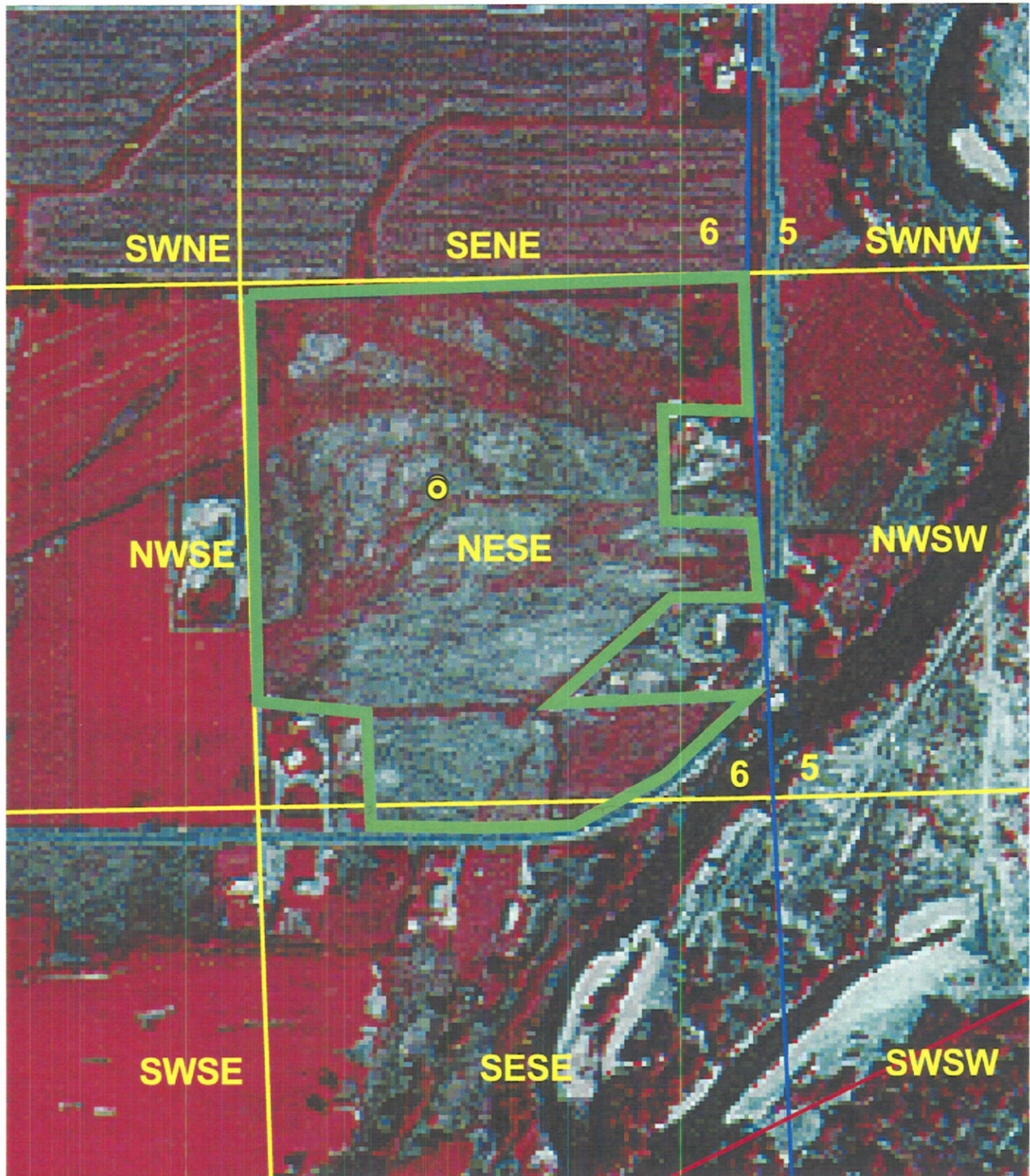
Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total	
Right	1 148	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	1 266	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	1 2A	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	1 4061	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Permit	35 9058	RENNY TENNEY, TRACY TENNEY,	GROUND WATER	03S35E6													X				0	
Right	35 13140	DARLENE CHERRY, DARREL BOYD CHERRY,	GROUND WATER	03S35E6													X				0	
Right	35 13140	DARLENE CHERRY, DARREL BOYD CHERRY,	GROUND WATER	03S35E6													X				0	
Right	35 9058	TRACY TENNEY, RENNY TENNEY,	GROUND WATER	03S35E6													X			X	0	
Right	1 10051	DOROTHY J COLLINS-CANNON,	WATSON SLOUGH	03S35E6								X									0	
Right	27 10497	ARVERD J HALL, MARY SUE HALL,	GROUND WATER	03S35E6						X											0	
Right	35 10097	BARBARA GAY, HARRY W GAY,	GROUND WATER	03S35E6						X											0	
Right	35 10361	PAUL SWARIN, JESSIE MAE SWARIN,	GROUND WATER	03S35E6		X															0	
Right	35 10526	CLYDE TWITCHELL, EVA TWITCHELL,	GROUND WATER	03S35E6	X																0	
Right	35 10577	LAN N BYINGTON, BILLY D BYINGTON,	GROUND WATER	03S35E6						X											0	
Right	35 10736	EDWARD L LOVELL, ARVA R LOVELL,	GROUND WATER	03S35E6								X									0	
Right	35 10736	EDWARD L LOVELL, ARVA R LOVELL,	GROUND WATER	03S35E6								X									0	
Right	35 11157	AURELLA MATHEWS, LELAND P MATHEWS,	GROUND WATER	03S35E6																X	0	
Right	35 11249	ROY H MEESE,	GROUND WATER	03S35E6														X			0	
Right	35 11249	ROY H MEESE,	GROUND WATER	03S35E6														X			0	
Right	35 11250	VERA L KOOPS,	GROUND WATER	03S35E6							X										0	
Right	35 11252	GERALDINE LAMBSON, M KAY LAMBSON,	GROUND WATER	03S35E6							X										0	
Right	35 11607	RITA RAE HALE, DAVID JAY HALE,	GROUND WATER	03S35E6							X										0	
Right	35 11758	WALTER HALE,	GROUND WATER	03S35E6							X										0	
Right	35 11899	REYNOLD B MORGAN, KATHY L MORGAN,	GROUND WATER	03S35E6							X										0	
Right	35 11940	THOMAS W PACKER, SANDRA PACKER,	GROUND WATER	03S35E6											X						0	
Right	35 11940	THOMAS W PACKER, SANDRA PACKER,	GROUND WATER	03S35E6											X						0	
Right	35 12046	P MERRILL PACKER, RUTH PACKER,	GROUND WATER	03S35E6												X					0	
Right	35 12147	CLYDE A SIGLIN, DEBRA J SIGLIN,	GROUND WATER	03S35E6						X											0	
Right	35 12828	GAIL G DALLEY, FRANK DALLEY,	GROUND WATER	03S35E6															X		0	
Right	35 13137	JOE HUMPHERYS, ANNETTE HUMPHERYS,	GROUND WATER	03S35E6								X									0	
Right	35 13137	JOE HUMPHERYS, ANNETTE HUMPHERYS,	GROUND WATER	03S35E6							X										0	
Right	35 13138	ELDON C DAVIDSON, JUDY K DAVIDSON,	GROUND WATER	03S35E6							X										0	
Right	35 13139	ARVERD J HALL, MARY SUE HALL,	GROUND WATER	03S35E6							X										0	
Right	35 13163	STEVEN D FULLMER, DIANE FULLMER,	GROUND WATER	03S35E6										X							0	
Right	35 13164	THOMAS MCGINNESS, TINA MCGINNESS,	GROUND WATER	03S35E6										X							0	
Right	35 7669	DONALD W HENMAN, SHERRIE HENMAN,	GROUND WATER	03S35E6							X										0	
Right	35 9065	O DEVAUGHN SHIPLEY, PATRICIA K SHIPLEY,	GROUND WATER	03S35E6							1										1	

No
OL
see
Arc
View

35-09058

T3S, R35E sec 6



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OCT 02 2002

Riverstone Subdivision

is the ideal choice for those seeking large homesites of better than one acre and an ambient community in the country.

Conveniently situated only two miles from Blackfoot with easy access

to the Interstate, it combines

the best of both worlds.

The subdivision is within both Blackfoot and Snakewater school districts.

All lots include river access with

attractive views.

Underground utilities include gas and

a DEQ-approved abundant water system.

Lots are excellent for basements.

Low rural property tax rates apply

to these large lots.

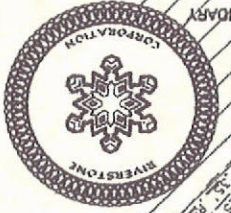
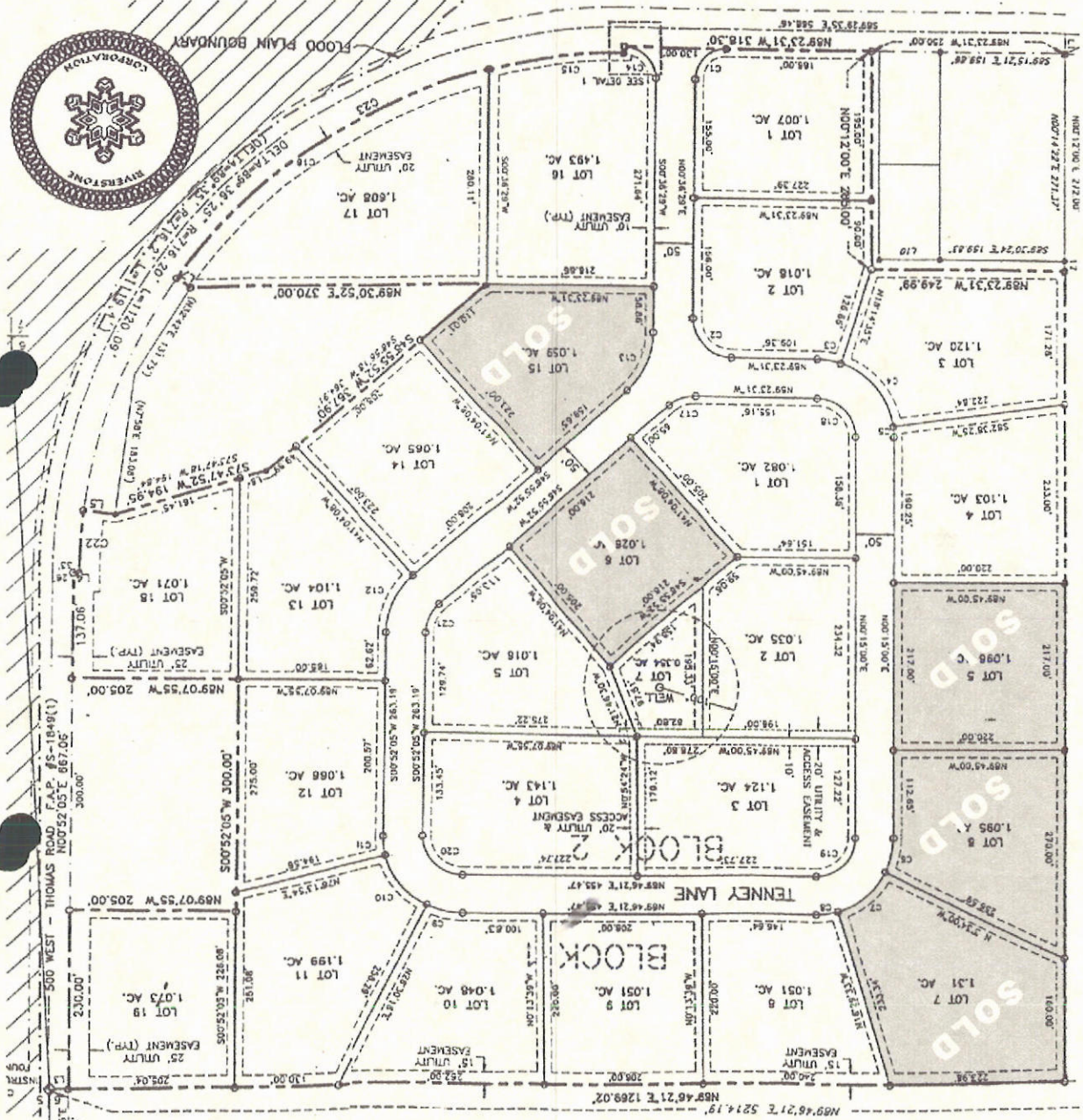
A Homeowners Association and Protective Covenants ensure continuing high standards.

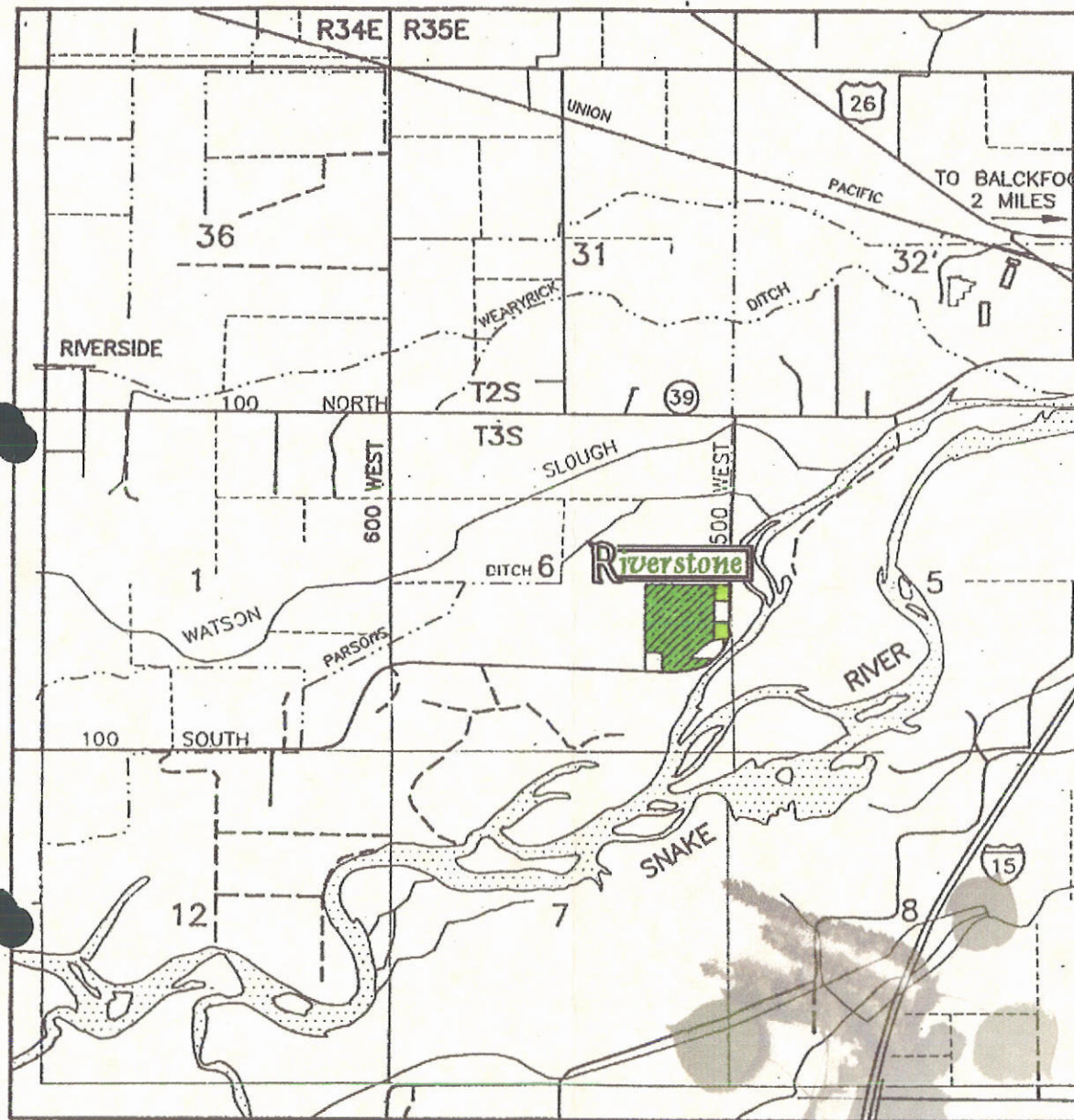
Homesites from \$24,500

MICROFILMED
OCT 02 2002



SECTION 6, TOWNSHIP 3 SOUTH
RANGE 36 EAST
BINGHAM COUNTY, IDAHO





For further information
Phone (808) 552-2761, ext. 103

Tenney Lane off Thomas Road
PO Box 45
515 West 75 South
Blackfoot, Idaho 83221

(208) 785-2541

Riverstone

An
Upscale
Large-Lot
Subdivision
in a
Country Setting

A Good Choice
for Your
New Home

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OCT 02 2002





35-9058 two wells/well house
7/24/2002

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OCT 02 2002



35-9058 well house / pressure tanks.

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OCT 02 2002

RECEIVED
SEP 25 1996

Department of Water Resources
Eastern Region

Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

35-09058

TENNEY, Tracy
TENNEY, Renny
P.O. Box 451
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NESE, Sec. 6, T. 03S, R.
35E, in BINGHAM County.
Use: DOMESTIC (0.470 CFS)
Total Diversion: (0.470 CFS)
Date Filed: 8/20/1996
In: BINGHAM County
T03S, R35E, S06, NESE.

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and the Director, Dept., of
Water Resources, along with a \$25.00 fil-
ing fee, Eastern Region, 900 N. Skyline,
Idaho Falls, Idaho, 83402, on or before
SEPTEMBER 23, 1996.

KARL J. DREHER
Director

(3006)
Pub.: 9/5, 12

Legals

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

State of Idaho)

I, Jacqueline Graham do
solemnly Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper 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 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices 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 at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive weeks
the first publication having been made on
the 5th day of Sept,
1996, and the last publication having
been made on the 12th day of
Sept, 1996; 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 pub-
lished in the newspaper and not in a sup-
plement.

On this 23rd day of Sept, in
the year 1996, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that he executed the same.

Page 1/1
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

November 10, 2000

Affidavit Processing Fee. \$5.00

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NOV 8 4 1996

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-09058

Priority: August 20, 1996

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 30.0 AF

It is hereby certified that TRACY TENNEY Or RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 20, 1996; and have
submitted Proof of Beneficial Use on September 27, 1999. An examination indicates that the works
have a diversion capacity of 0.09 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.09 CFS	30.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 6, Twp 03S, Rge 35E, B.M., BINGHAM County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 6, Twp 03S, Rge 35E, B.M., BINGHAM County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03S 35E 6													X				

CONDITIONS OF APPROVAL

1. Points of diversion are located within Lot 7, Blk. 2, Riverstone Subdivision.
2. Place of use is located within Lots 1-19, Blk. 1; Lots 1-6, Blk. 2; Riverstone Subdivision.
3. Domestic use is for 25 homes.
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 right owner shall only divert groundwater for lawn and garden irrigation under this right when the appurtenant surface water rights cannot be delivered to the right holder.

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OCT 02 2002

State of Idaho
Department of Water Resources
Water Right License

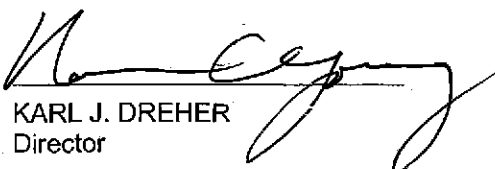
WATER RIGHT NO. 35-09058

6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
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 for lawn and garden irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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 6TH day of SEPTEMBER, 2002.

Acting for


KARL J. DREHER
Director

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OCT 02 2002

RECEIVED

SEP 27 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 who has been appointed by the department.

1. Permit No. 35-09058 Telephone No. 208-785-2541
2. Name(s) of Permit Holder(s): Tracy & Penny Tenney
3. Mailing Address: P.O. Box 45 ; Blackfoot
4. Source of Water: Domestic If **GROUNDWATER** (well), Date Drilled: mo. 11 / yr. 96
- a. Well Driller: Independent Driller Drilling Permit Number: 35-96E-01-23
- b. **OPTIONAL:** Grent Hendricks
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 25 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: _____ 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 <u>X</u>
Has the measuring device been installed?	Yes _____ or No _____
Flow Measurement Port: Is a flow measurement port required?	Yes _____ or No <u>X</u>
Has the measurement port been installed?	Yes _____ or No _____

8. Fee Enclosed: \$ 100.00 (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: Tracy Tenney Telephone Number: 208-785-2541Address: Box 45 - 516 South 500 West, Blackfoot

10. The information given on this form 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.

Signature of permit holder: Penny Tenney
(include your title, if on behalf of company or organization)Date: 9-22-99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 35-9058

OCT 7 1996

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Tracy or Renwy Tenney Phone 785-2541
Mailing address P.O. Box 45 Blackfoot, ID 83221
2. Source of water supply Community Well which is a tributary of _____
3. Location of point of diversion is Township 3S Range 3SE Sec. 6 in the _____ 1/4,
NE 1/4, SE 1/4, Govt. Lot _____, B.M., Bingham County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.47 cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.47 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 well + pump to
25 homes

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

(2 wells) c. Proposed well diameter is 8 inches; proposed depth of well is 120 feet

d. Is ground water with a temperature of greater than 85° F being sought? NO

e. If well is already drilled, when? NO; 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 3 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. 25 Homes

e. Other; describe fully. _____

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9. 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	3SE	6													D 25				

Total number of acres to be irrigated _____

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

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 is for 25 Homers + 12 1/2 acres of allowable
irrigation. 1/2 acre per lot. This is for Riverstone
Subdivision

Will need to submit approved plat on subdivisions

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

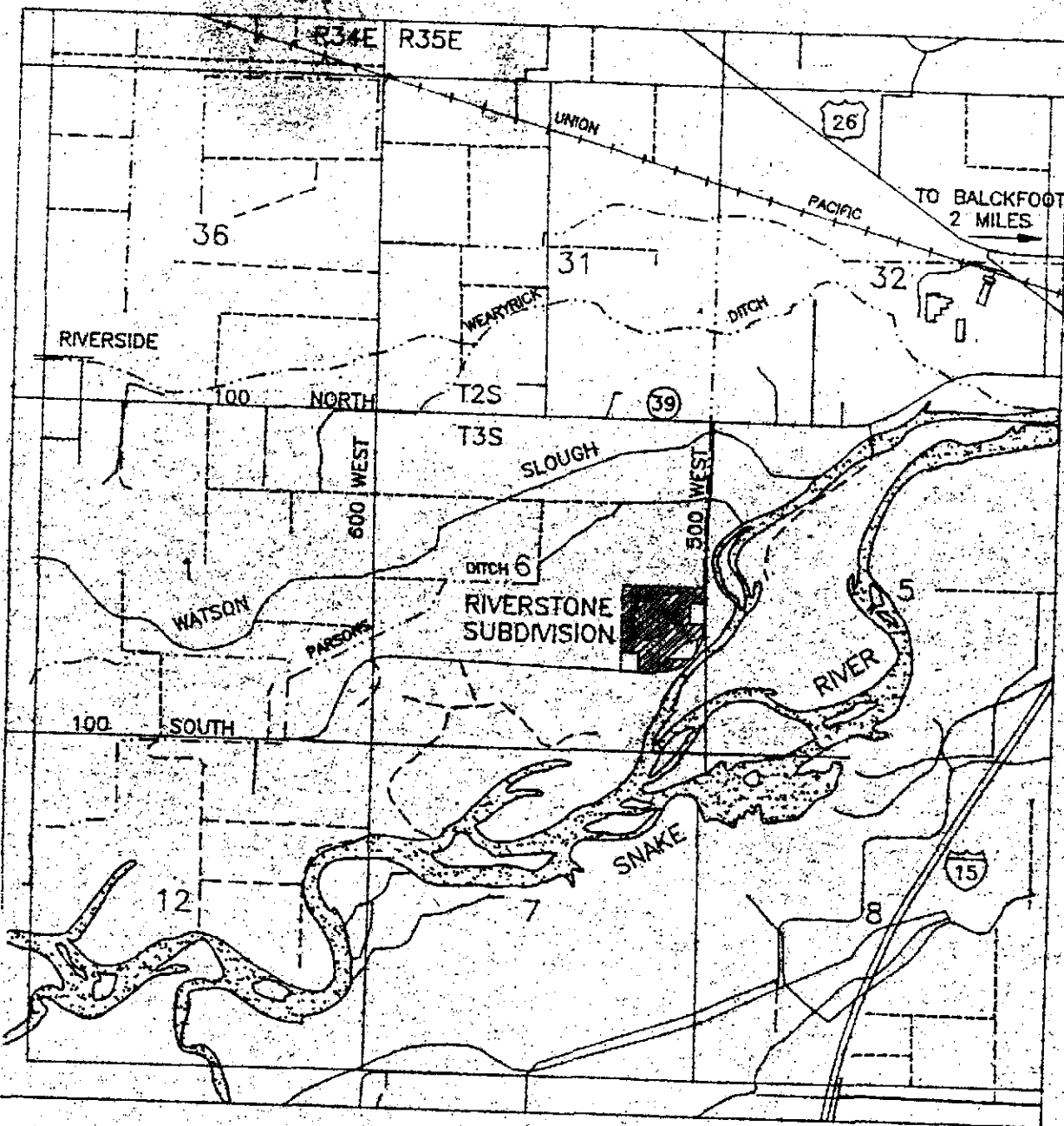
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
 Signature of Applicant (and title, if applicable)

Received by HWT Date 8-20-96 Time 2:41 Preliminary check by _____
 Fee \$ 100.00 Receipted by [Signature] # E022498 Date 8-20-96
 Publication prepared by _____ Date 9-5-96 Published in Morning News
 Publication approved _____ Date _____

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NOV 04 1996



CURVE TABLE

DELTA	RADIUS	LENGTH
0°00'00"	40.00'	62.83'
0°00'00"	50.00'	78.54'
7°38'06"	100.00'	30.78'
1°23'49"	100.00'	112.39'

LEGEND



SECTION CORNER FOUND

1/4 SECTION CORNER FOUND

EXISTING DITCH

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NOV 04 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 35-09058

Proposed Priority: August 20, 1996

Maximum Diversion Rate:

0.47 CFS

This is to certify, that **TRACY TENNEY**
RENNY TENNEY

PO BOX 451

BLACKFOOT ID 83221-0451

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

DOMESTIC

01/01 to 12/31

0.47 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 6, Township 03S, Range 35E
BINGHAM County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03S 35E 6

NESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1999**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
7. Point of diversion is located within Lot 7, Blk. 2; Riverstone Subdivision.
8. Place of use is located within Lots 1-19, Blk. 1; and Lots 1-6, Blk. 2; Riverstone Subdivision.
9. Domestic use is for 25 homes.
10. Any irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
11. The right owner shall only divert groundwater for lawn and garden irrigation under this right when the appurtenant surface water rights cannot be delivered to the right holder.

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-09058

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

9th day of October, 1996

Karl J. Dreher
for Karl J. Dreher, Director

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NOV 04 1995

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM				
		NE		NW		SW		SE		NE		NW		SW		SE						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
T03S R35E S 6																						
0100002A	SNAKE RIVE	:	01-1	02-1			:	03-1	04-1	05-1	1	:	1	06-1		:	1	1		:		
A0100002A	SNAKE RIVE	:	01-40	02-40	40	40	:	03-40	04-40	05-40	40	:	40	06-33		07-28	:	38	40	40	15	554
0100148	SNAKE RIVE	:					:					:					:					
A0100148	SNAKE RIVE	:	01-40	02-40	40	40	:	03-40	04-40	05-40	40	:	40	06-33		07-28	:	38	40	40	15	554
0100266	SNAKE RIVE	:					:					:					:					
A0100266	SNAKE RIVE	:	01-40	02-40	40	40	:	03-40	04-40	05-40	40	:	40	06-33		07-28	:	38	40	40	15	554
0104061	SNAKE RIVE	:	01-40	02-40	40	40	:	03-40	04-40	05-40	40	:	40	06-33		07-28	:	38	40	40	15	554
A0104061	SNAKE RIVE	:	01-40	02-40	40	40	:	03-40	04-40	05-40	40	:	40	06-33		07-28	:	38	40	40	15	554
2707465	GROUNDWATE	:					:		1			:					:				1	
PLSS DATA	LEGAL LOOK	:	01	15	02	15	15	:	03	15	04	15	05	15	15	:	15	15	15	15	:	

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NOV 04 1996



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

September 10, 2002

TRACY TENNEY
RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045

RE: License No. 35-9058 - 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:klf

Enclosure(s)

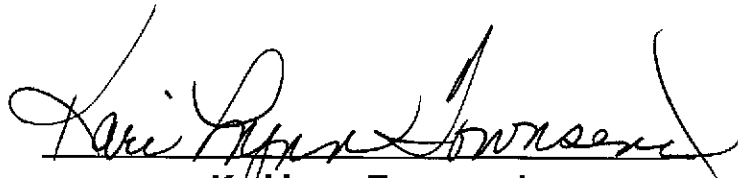
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CERTIFICATE OF SERVICE

I hereby certify that on September 10, 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. 35-9058

**TRACY TENNEY
RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 02 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.

For Your Files

Aug 27, 2002

Page 1

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

RECEIVED
SEP - 3 2002

(For Licensing Purposes)
WATER RIGHT NO. 35-09058

Department of Water Resources

Date of Priority: August 20, 1996

Maximum Diversion Rate: 0.47 CFS
Maximum Diversion Volume: 30.0 AF

Comes now TRACY TENNEY Or RENNY TENNEY
PO BOX 45

BLACKFOOT ID 83221-0045 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-09058, and requests that the permit be changed as follows:

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	0.47 CFS	30.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 6, Twp 03S, Rge 35E, B.M., BINGHAM County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 6, Twp 03S, 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		
03S 35E 6													X				X	

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.

Kay Walker,

(Signature)

As per are phone conversation with Kay Walker Aug 27, 2002 and according to the side ~~map~~ map - the land in question is unusable, waste land so no need to amend -

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OCT 02 2002

Thank you

Tracy & Renny Tenney



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

August 22, 2002

TRACY TENNEY
RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045

RE: Water Right Permit ~~63-14701~~

35-9058 kw
2/14/02

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received the amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you have been misplaced, a new one is enclosed. Please note that the filing fee for the amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

Kay Walker
for KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

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OCT 02 2002

8/27/02
Renny Tenney
called - they do
not want the little
strip of land in
SESE included
under this right
Will send me
written doc.
KW

MEMORANDUM

TO: File 35-9058

FROM: KAY WALKER *KW*

RE: Proposed License

Date: August 9, 2002

.....

Tracy Tenney called me this morning in regard to the licensing amendment that I had sent to him. He thought the amendment was to increase the rate of diversion under this right. I told him that we were adding a small strip of land to the right that was located in the SESE. I will send him a copy of the arial photo that examiner prepared so he could see what examiner proposed. He did not think that they wanted this tract added to the water right.

Mr. Tenney also told me that the wells under this system could only produce a maximum of 50 gallons per minute. One of the wells has a 1 horsepower pump in it and it only produces 18 gpm. The second well has a 2 horsepower pump in it and it can produce 21 - 23 gpm. This new information would change the system capacity to 0.09 cfs.

*17.7 gpm on polysonic msmtt
rather than 177.7 —
KW*

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OCT 02 2002



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

August 1, 2002

TRACY TENNEY
RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045

RE: Water Right Permit No. 35-09058

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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OCT 02 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-9058

Date: 7-30-02

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

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 add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): surface water - Trego Ditch
File reviewed _____ Profile reports printed _____

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

Rate of Diversion:

Permitted rate 0.47 cfs
Fee Limit 1.0 cfs
Measured 0.80 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.80 0.47

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.47 cfs 30. af
_____ cfs _____ af
_____ cfs _____ af
Total 0.47 cfs 30. 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)~~

25 homes x 1.2 = 30.0

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions

YES Watermaster Control 120
_____ GW Measurement/Measuring Device
_____ Other
~~Trust R65 - remove 051~~
~~Non-trust (048)~~

GW Dist? _____
Water Msmt. 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 P44

S06

MEMORANDUM

TO: File 35-09058

FROM: KAY WALKER

RE: Rate of Diversion

Date: July 31, 2002

.....

I called Dave Carlsen about the capacity of this system and the rate of diversion he had recommended. He stated that both of the wells had the same size pump and pumping levels so recommends we use the measurement of the well that was in use (177.7 gpm) multiplied by two. He is convinced that each of the wells could provide 177.7 gpm and we should license the full permitted rate under this right.

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	1 148	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	1 266	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	1 2A	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	1 4061	TREGO DITCH co.	SNAKE RIVER	03S35E6	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
Right	35 9065	RENNY TENNEY, TRACY TENNEY	GROUND WATER	03S35E6																	0
Right	35 13140	DARLENE CHERRY, DARREL BOYD CHERRY,	GROUND WATER	03S35E6												X					0
Right	35 13140	DARLENE CHERRY, DARREL BOYD CHERRY,	GROUND WATER	03S35E6												X					0
Right	35 9068	TRACY TENNEY, RENNY TENNEY,	GROUND WATER	03S35E6												X			X		0
Right	1 10051	DOROTHY J COLLINS-CANNON,	WATSON SLOUGH	03S35E6								X									0
Right	27 10497	ARVERD J HALL, MARY SUE HALL,	GROUND WATER	03S35E6					X												0
Right	35 10097	BARBARA GAY, HARRY W GAY,	GROUND WATER	03S35E6					X												0
Right	35 10361	PAUL SWARIN, JESSIE MAE SWARIN,	GROUND WATER	03S35E6		X															0
Right	35 10526	CLYDE TWITCHELL, EVA TWITCHELL,	GROUND WATER	03S35E6	X																0
Right	35 10577	LAN N BYINGTON, BILLY D BYINGTON,	GROUND WATER	03S35E6					X												0
Right	35 10736	EDWARD L LOVELL, ARVA R LOVELL,	GROUND WATER	03S35E6				X													0
Right	35 10736	EDWARD L LOVELL, ARVA R LOVELL,	GROUND WATER	03S35E6				X													0
Right	35 11157	AURELLA MATHEWS, LELAND P MATHEWS,	GROUND WATER	03S35E6															X		0
Right	35 11249	ROY H MEESE,	GROUND WATER	03S35E6													X				0
Right	35 11249	ROY H MEESE,	GROUND WATER	03S35E6													X				0
Right	35 11250	VERA L KOOPS,	GROUND WATER	03S35E6					X												0
Right	35 11252	GERALDINE LAMBSON, M KAY LAMBSON,	GROUND WATER	03S35E6					X												0
Right	35 11607	RITA RAE HALE, DAVID JAY HALE,	GROUND WATER	03S35E6					X												0
Right	35 11758	WALTER HALE,	GROUND WATER	03S35E6					X												0
Right	35 11899	REYNOLD B MORGAN, KATHY L MORGAN,	GROUND WATER	03S35E6					X												0
Right	35 11940	THOMAS W PACKER, SANDRA PACKER,	GROUND WATER	03S35E6											X						0
Right	35 11940	THOMAS W PACKER, SANDRA PACKER,	GROUND WATER	03S35E6											X						0
Right	35 12046	P MERRILL PACKER, RUTH PACKER,	GROUND WATER	03S35E6												X					0
Right	35 12147	CLYDE A SIGLIN, DEBRA J SIGLIN,	GROUND WATER	03S35E6					X												0
Right	35 12828	GAIL G DALLEY, FRANK DALLEY,	GROUND WATER	03S35E6														X			0
Right	35 13137	JOE HUMPHERYS, ANNETTE HUMPHERYS,	GROUND WATER	03S35E6			X														0
Right	35 13137	JOE HUMPHERYS, ANNETTE HUMPHERYS,	GROUND WATER	03S35E6			X														0
Right	35 13138	ELDON C DAVIDSON, JUDY K DAVIDSON,	GROUND WATER	03S35E6					X												0
Right	35 13139	ARVERD J HALL, MARY SUE HALL,	GROUND WATER	03S35E6					X												0
Right	35 13163	STEVEN D FULLMER, DIANE FULLMER,	GROUND WATER	03S35E6									X								0
Right	35 13164	THOMAS MCGINNESS, TINA MCGINNESS,	GROUND WATER	03S35E6									X								0
Right	35 7669	DONALD W HENMAN, SHERRIE HENMAN,	GROUND WATER	03S35E6					X												0
Right	35 9065	O DEVAUGHN SHIPLEY, PATRICIA K SHIPLEY,	GROUND WATER	03S35E6						1											1

No
OL
see
Arc
View

JUL 29 2002

Department of Water Resources
Page 1

Permit No: 35-9058

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 35-9058

Exam Date: 7/24/2002

1. Current Owner: RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045
(208)785-2541

OR

TRACY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045
(208)785-2541

2. Accompanied by: OWNERS

Address:

Relationship to Permit Holder:

3. SOURCETRIBUTARY

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 01-snake river-trego ditch shares

2. Other water rights with the same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM

TWO WELLS/PUMPS TO 25 homes

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

NE1/4SE1/4

Sec. 6,

Twp 03S,

Rge 35E, B.M.

BINGHAM County

NE SE

sec 6

3s

35E

Method of Determination: gps/field exam

2.

PLACE OF USE:

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03S	35E	6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X			X	

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two wells/pumps to 25 homes Riverstone
subdivision

H.P. of the pumps will have to be increased
as more of the lots are sold and occupied

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Method of Determination:

3. Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- X Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- X Aerial Photo Attached (required for irrigation of 10+ acres).
- X Photo of Diversion and System Attached

4.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
	Franklin				submersible pump
	Franklin				submersible pump

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

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
polysonic						

2. Measurements: polysonic shows 177.7 gpm from one well in use.

E. FLOW CALCULATIONS

 Additional Computation Sheets Attached

Measured Method:

polysonic

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F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

$$25 \text{ homes} \times 1.2 \text{ AF} = 30 \text{ AF/A}$$

G. NARRATIVE/REMARKS/COMMENTS

Have conditions of permit approval been met? X Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	1/01 to 12/31	0.470 CFS	30. AF/A
<u>Totals:</u>		0.470 CFS	30. AF/A

2. Recommended Amendments

____ Change P.D. as reflected above X Add P.D. as reflected above ____ None

____ Change P.U. as reflected above X Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Field Examiner's Name

DAVE Carlson

Date

7/24/2002

Reviewer

J. Lyons

Date

7-25-02

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OCT 02 2002

MODE SELECT
INPUT

OUTER DIAMETER
3.5540 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.20500 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
2.126 IN U

ZERO MODE
AUT ZERO

07-24 09:0600 *R
+177.787E-16PM

07-24 09:0700 *R
+002.90 % AI2

MODE SELECT
T0 CHECK

0119.2 MMSEC
101.48 % T0

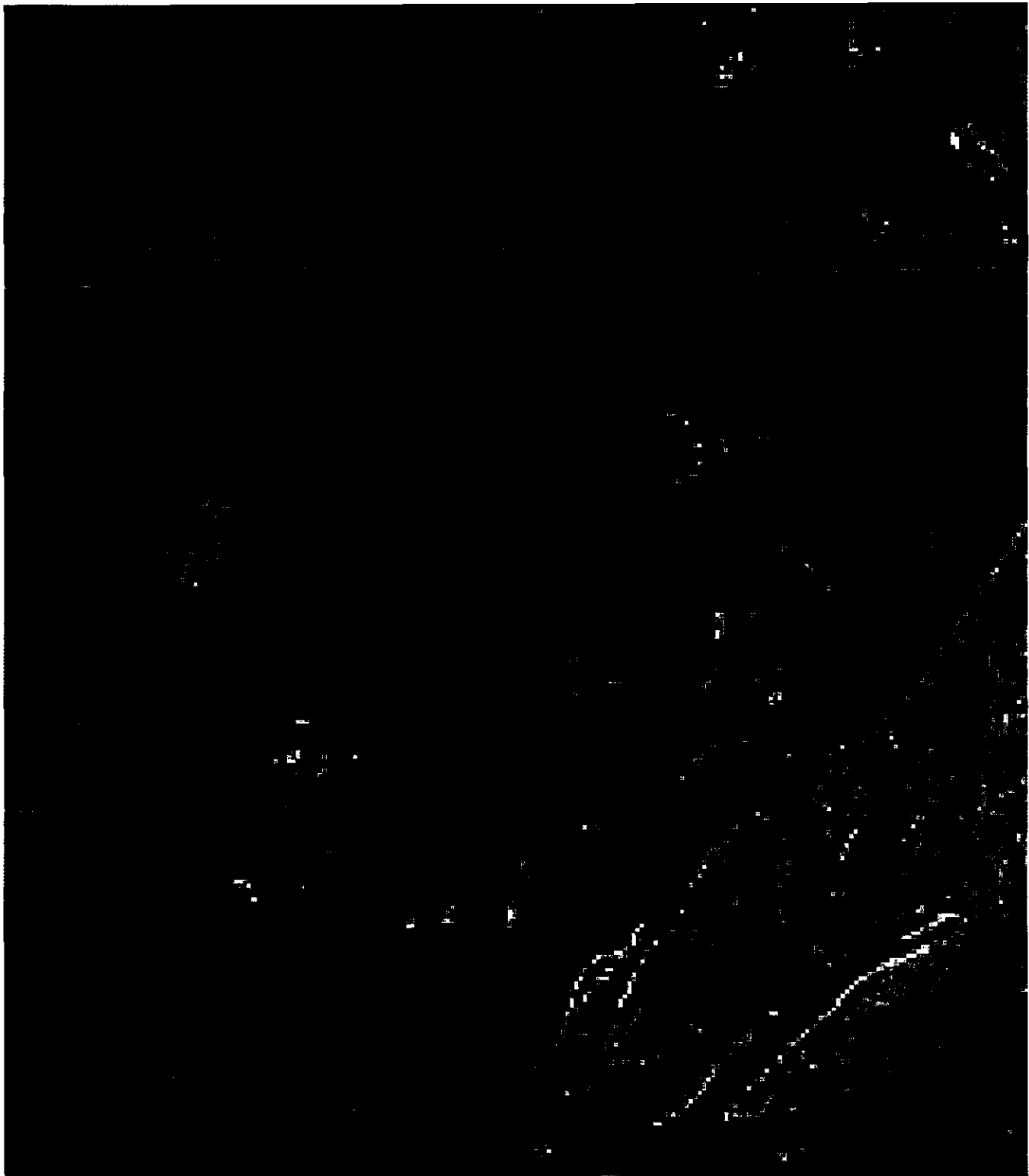
7/24/2002

35-9058

MICROFILMED
OCT 02 2002

35-09058

T3S, R35E sec 6



MICROFILMED

OCT 02 2002

OCT 02 2002

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Comesites from \$24,500

A Homeowners Association and Protective Covenants ensure continuing high standards.

to these large lots.

Low rural property tax rates apply

Lots are excellent for basements.

a DEQ-approved abundant water system.

Underground utilities include gas and

attractive views.

All lots include river access with

and snackbar school districts.

The subdivision is within both Blackfoot

the best of both worlds.

to the Interstate, it combines

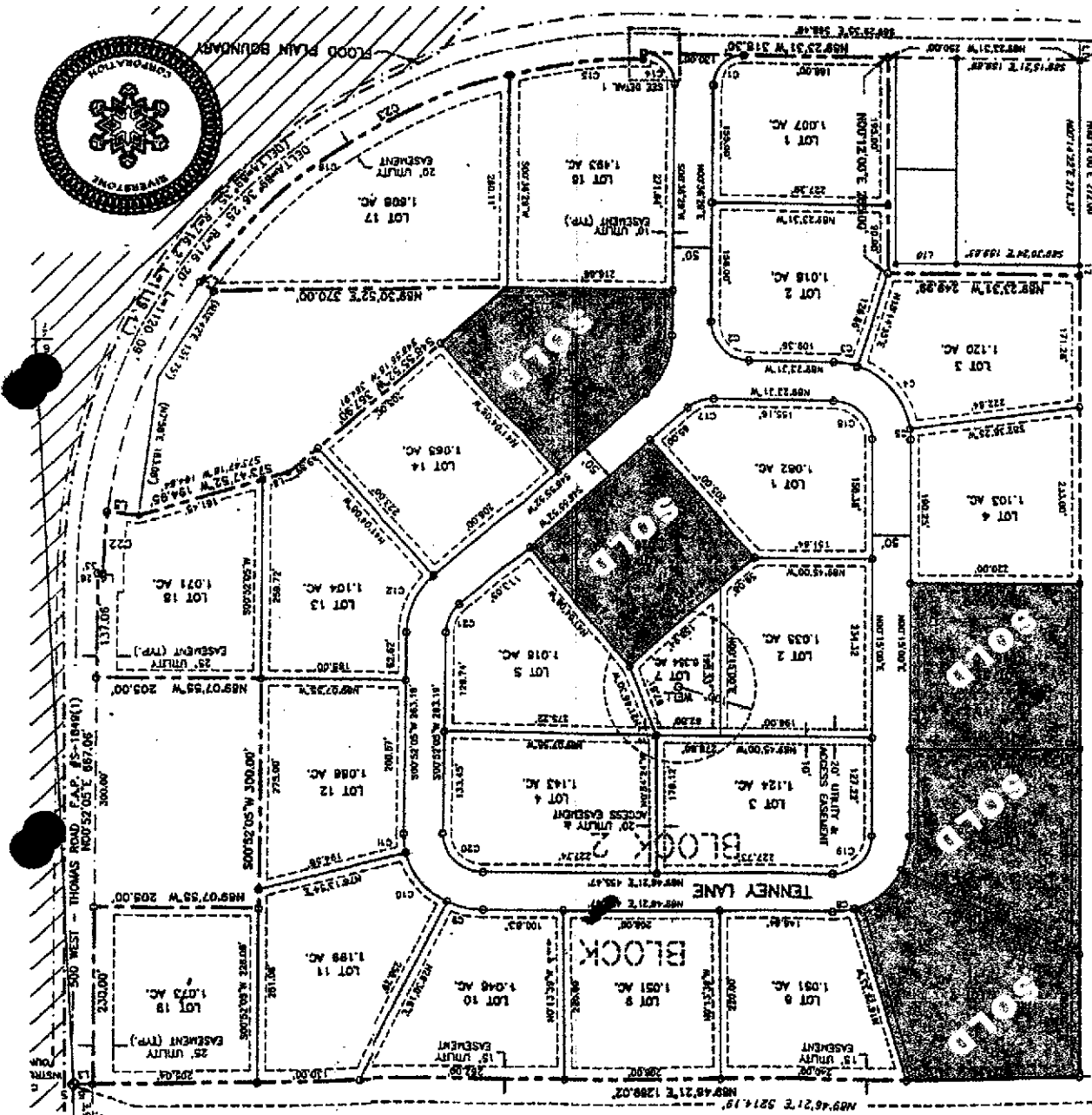
from Blackfoot with easy access

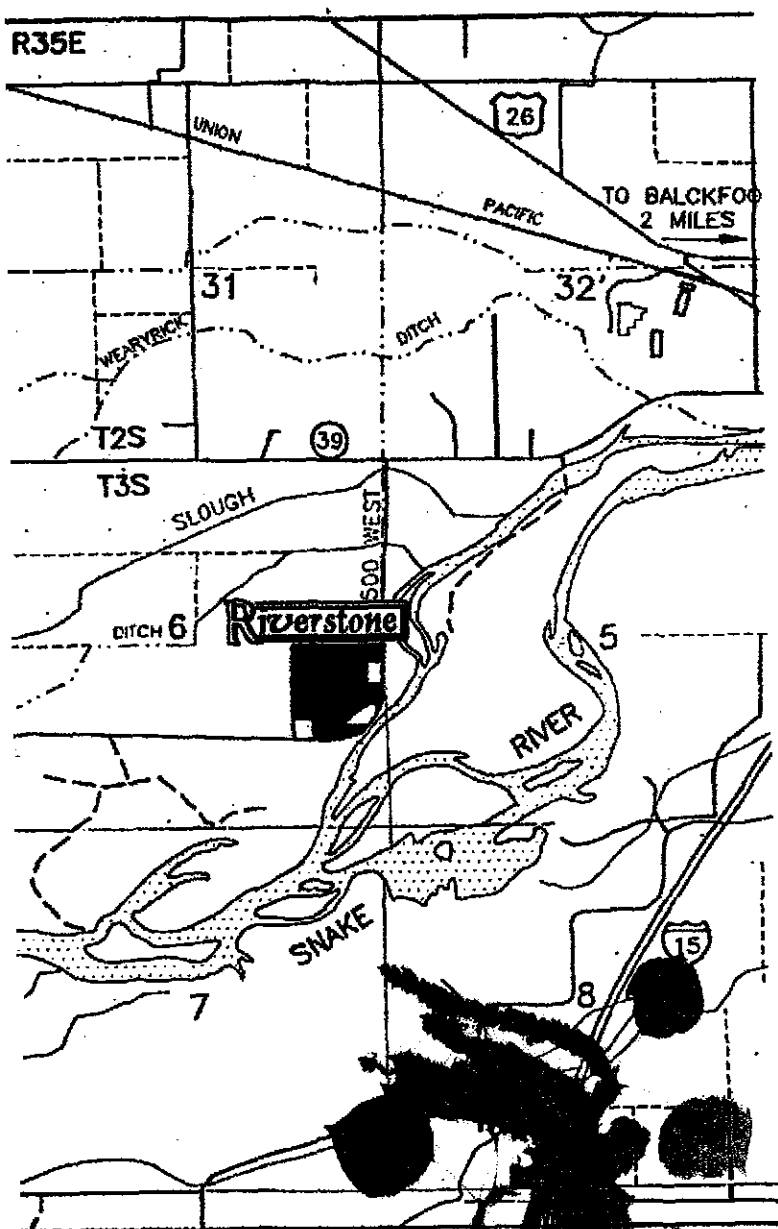
only two miles

community in the country.



SECTION 6, TOWNSHIP 3 SOUTH
RANGE 36 EAST
BINGHAM COUNTY, IDAHO

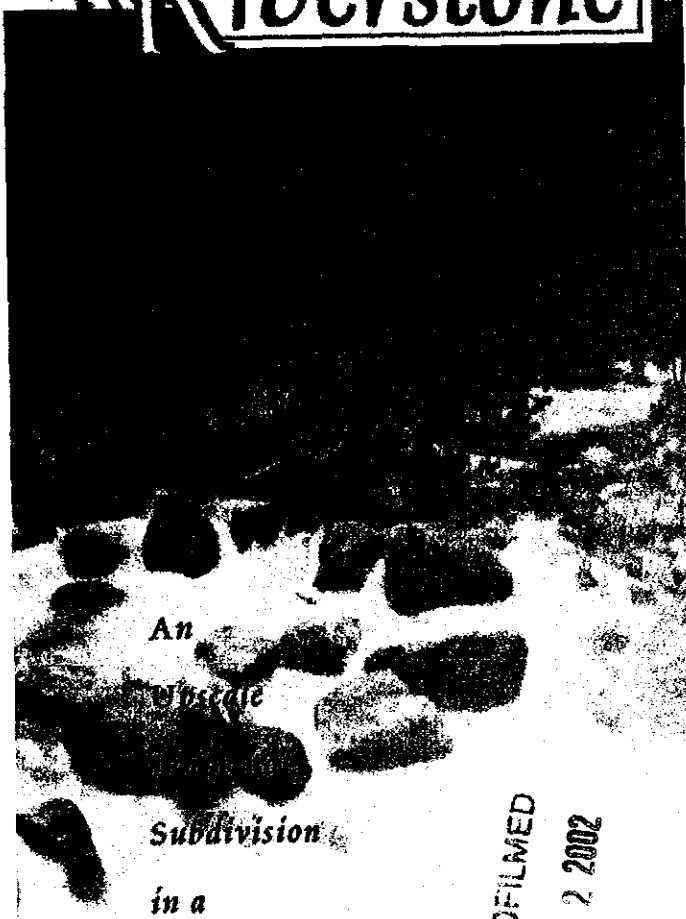




Tenney Lane off Thomas Road
PO Box 45
515 West 75 South
Blackfoot, Idaho 83221

(208) 785-2541

Riverstone

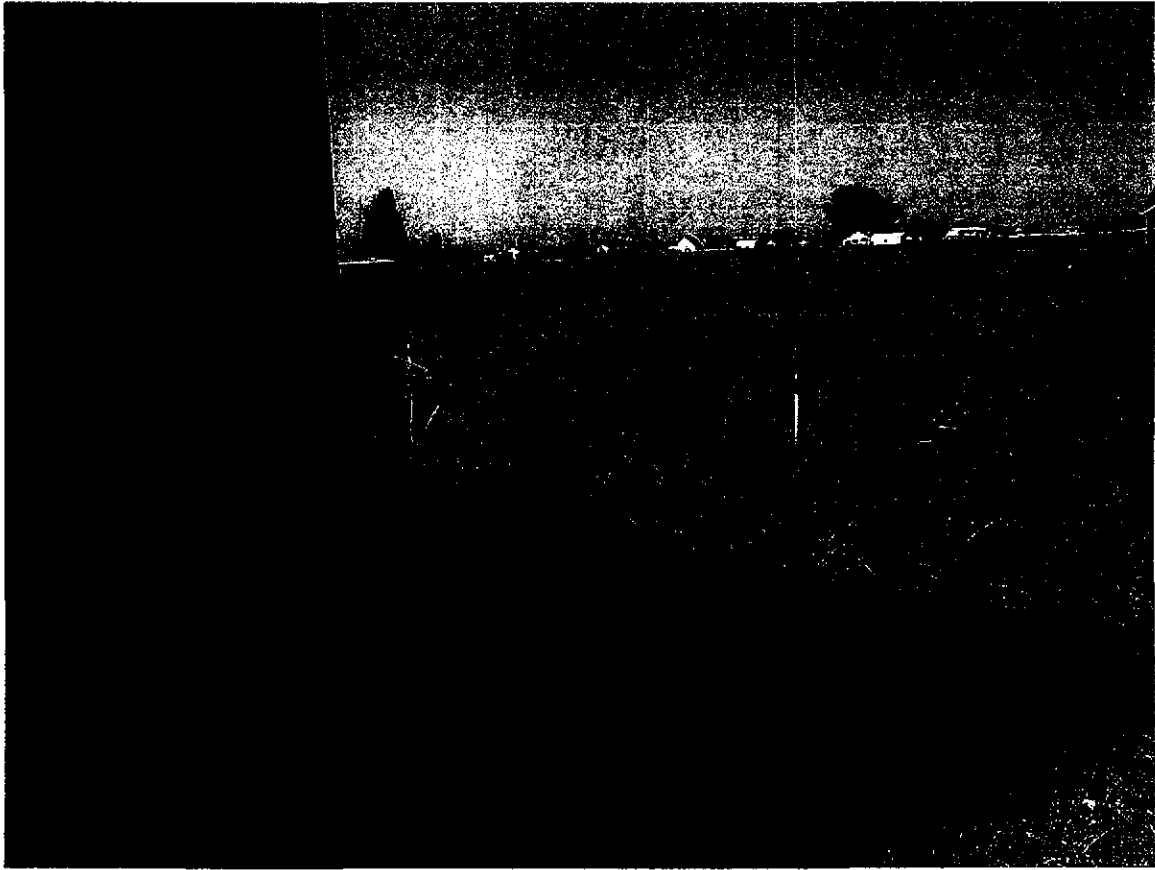


An
estate
Subdivision
in a
Country Setting

MICROFILMED
OCT 02 2002

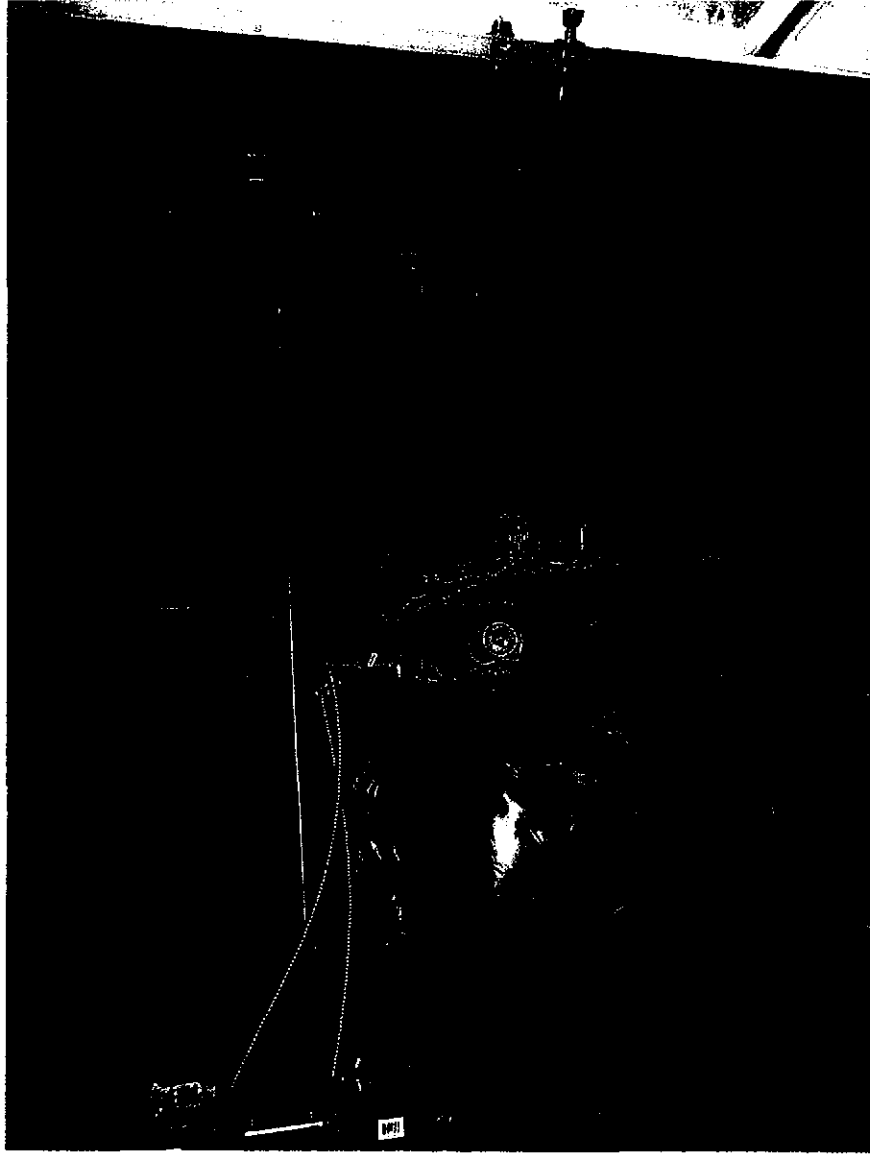
A Good Choice
for Your
New Home





35-9058 two wells/well house
7/24/2002

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OCT 02 2002



35-9058 well house / pressure tanks.

MICROFILMED
OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TRACY TENNEY
RENNY TENNEY
PO BOX 45
BLACKFOOT ID 83221-0045

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-09058

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.

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 **EASTERN** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

JAN 27 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-09058 Reviewed by [Signature] Date 1-17-00

GENERAL CONSIDERATIONS

yes Name same as permit?
NO Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dom-25
yes Correct Uses?

SOURCE OF WATER

 Surface water source
✓ Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

NO Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

none - ok proof

DATA ENTRY

New Address P.O. Box 45 Proof Made 9-27-99
Blackfoot, Id
83221

July 31, 1999

TRACY TENNEY
RENNY TENNEY
PO BOX 451
BLACKFOOT ID 832210451

PROOF DUE NOTICE

RE: PERMIT NO. 35-09058

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 October 1, 1999.

(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.

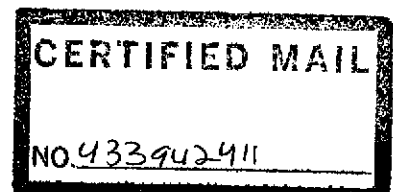
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
JAN 27 2000



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: : : Long: : :

Well #1

1. DRILLING PERMIT NO. 35-96-E-0123-000
Other IDWR No. 35-09058

2. OWNER:

Name Tracy Tenney
Address 56 S. 500 W.
City Blackfoot State ID Zip 83221

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W
E
S
Twp. 3 North ☐ or South ☒
Rge. 35 East ☒ or West ☐
Sec. 6 NE 1/4 NE 1/4 SE 1/4 1/4
Gov't Lot _____ County Bingham
Lat: : : Long: : :
Address of Well Site _____ City _____
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name Riverstone Sub.

4. USE:

- ☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other 25 Homes

5. TYPE OF WORK check all that apply (Replacement etc.)

- ☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

- ☒ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
<u>Bentonite</u>	<u>0</u>	<u>48</u>	<u>26 Sacks</u>	<u>Down Hammer</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 49'
Was drive shoe seal tested? ☒ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>8"</u>	<u>+2</u>	<u>48</u>	<u>26</u>	<u>Steel</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

- ☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

31 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

- ☒ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>250 +</u>			

Water Temp. Cold Bottom hole temp. _____
Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>12"</u>	<u>0</u>	<u>1</u>	<u>Top Soil</u>		
<u>"</u>	<u>1</u>	<u>13</u>	<u>Sand & Gravel</u>		
<u>"</u>	<u>13</u>	<u>18</u>	<u>Sand</u>		
<u>"</u>	<u>18</u>	<u>40</u>	<u>Sand & Gravel</u>	☒	
<u>"</u>	<u>40</u>	<u>41</u>	<u>Clay</u>		
<u>"</u>	<u>41</u>	<u>46</u>	<u>Black Basalt</u>		
<u>8"</u>	<u>46</u>	<u>58</u>	<u>Hard Black Basalt</u>		
<u>8"</u>	<u>58</u>	<u>62</u>	<u>Fractured Black Basalt</u>	☒	
<u>8"</u>	<u>62</u>	<u>84</u>	<u>Firm Grey Basalt</u>	☒	
<u>8"</u>	<u>84</u>	<u>85</u>	<u>Fractured Grey Basalt</u>	☒	

RECEIVED

JAN 21 1997

Department of Water Resources

RECEIVED

JAN 10 1997

Department of Water Resources
Eastern District

Completed Depth 85' (Measurable)
Date: Started 11-14-96 Completed 12-20-96

13. DRILLER'S CERTIFICATION

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

Firm Name Independent Drilling Firm No. 243

MICROFILMED Printed & Filed Date 1-1-97

Superintendent Operator Kelly Davis Date 1-1-97

(Sign once if Firm Official & Operator)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 9, 1996

TRACY TENNEY
RENNY TENNEY
PO BOX 451
BLACKFOOT ID 83221-0451

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-09058

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing

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NOV 04 1996

address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

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NOV 14 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman**

No.: 35-9058 Name: Tenney Date: 10/9/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: E022498 Priority: \$ 26/96 ☒ Gvmt Lts: ☒

AREA OF CONCERN? ⁴²⁻¹¹¹ - No/Yes ESRP Mor GWMA ~~Trust~~/Non-trust
PROTESTED: ^{example} - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: $\langle \sqrt{\text{FLO-CH}} \rangle$

- + 0.2 cfs - 01M
- =/- 0.2 cfs - No MD
- ~~0.15 cfs~~ - 01M, 065 (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
= / - 0.2 cfs - 01H(lock dev)-P01 or No MD
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
= / + 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-t Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - *WB5(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), *W07

LOCATION:

42-248 area	-	In 20/30/40/50/60/70/80 (87) basin?	P84
Boise Front LoGeo	-	058 (-85° GW temp only)	
In-stream dev.	-	P52 (stream channel alteration)	
Irr Dist/Canal Co.	-	023 (Twin Falls area)	
Swan Falls Flag	-	<u>C</u> <SEE CODE CHART>	
Trust	-	051-052-053- P74 (Consumptive Uses), NA	
Non-Trust <1>	-	048-049 (Consumptive Uses), NA	

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

① PD/LT 7B2 ② PU LT 1-9, B1; LT 1-6, BK 2 Riverstone Subd.
(3)

Dist. for staffing
Submitted for advertising 8-22-96

Form No. 202
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY DM DATE 8-22-96 APPLICATION NO. _____

REQUIRED INFORMATION

☐ 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 signatory 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 - A27-10959
☐ Yes _____ No _____ Field check required
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 APPROVED SUBDIVISION PLAT - Call Send

Date Requested _____

RECEIVED
OCT 7 1996

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 10-7-96
☒ 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. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 8-20-1996
By: Hwj Date: 10-3-96

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u>City</u>	<u>Idaho Fish & Game</u>	<u>Irrigation Dist.</u>
<u>County</u>	<u>Idaho Health & Welfare</u>	<u>Canal Company</u>
<u>Reservations</u>	<u>Div. of Environment</u>	<u>Other</u>

Project impacts/implications report

COMMENTS

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 27, 1996

Legal Notices Department
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 SEPTEMBER 23, 1996.

Yours truly,

Rita Bodell
Secretary

Encl.

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SEP 25 1996
Department of Water Resources
Eastern Region

Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1716
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

35-09058

TENNEY, Tracy
TENNEY, Renny
P.O. Box 451
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NESE, Sec. 6, T. 03S, R.
35E, in BINGHAM County.
Use: DOMESTIC (0.470 CFS)
Total Diversion: (0.470 CFS)
Date Filed: 8/20/1996
in: BINGHAM County
T03S, R35E, S06, NESE.

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and the Director, Dept., of
Water Resources, along with a \$25.00 fil-
ing fee, Eastern Region, 900 N. Skyline,
Idaho Falls, Idaho, 83402, on or before
SEPTEMBER 23, 1996.

KARL J. DREHER
Director

(3006)
Pub.: 9/5, 12

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

State of Idaho)

I, Jacqueline Graham do
solemnly Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper 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 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices 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 at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive Weeks
the first publication having been made on
the 5th day of Sept.
1996 and the last publication having
been made on the 12th day of
Sept. 1996; 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 pub-
lished in the newspaper and not in a sup-
plement.

On this 13th day of Sept.
in the year 1996, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that he executed the same.

[Signature]
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

November 10, 2000

Affidavit Processing Fee. \$5.00

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NOV 8 4 1996

NOTICE OF APPLICATION FOR WATER RIGHT

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

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NOV 04 1996

35-09058

TENNEY, TRACY
TENNEY, RENNY
PO BOX 451
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NESE Sec 6 T 03S R 35E in BINGHAM County.

Use: DOMESTIC	(	0.470 CFS)
Total Diversion:	(	0.470 CFS)

Date Filed: 8/20/1996

In: BINGHAM County	
T03S R35E S06	NESE

MICROFILMED
NOV 04 1996

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before SEPTEMBER 23, 1996.

KARL J. DREHER, Director

Published: 9/ 5/1996 & 9/12/1996

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NOV 04 1996