

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07853

Proposed Priority: August 3, 1988 Maximum Diversion Rate: 0.09 CFS

This is to certify, that DENNIS R. TEUSCHER
BETTY J. TEUSCHER
4590 BANNOCK HWY.
POCATELLO, ID 83204

has applied for a permit to appropriate water from: GROUNDWATER
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>
IRRIGATION	03/15 to 11/15	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSW Sec. 7, Township 07S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	35E	7	NWSW	3		3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

6th day of March, 1990.

INDEXED

MAR 20 1990

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dennis R. or Betty J. Teuscher Phone 232-0104
Post office address 4590 Bannock Hyway, Pocatello, ID 83204
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 7 Township 7S Range 35E B.M. Bannock County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.09 for Irrigation purposes from 03/15 to 11/15 (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) 0.09 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to three acres

 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 78 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	35E	7									3								3

Total number of acres to be irrigated 3

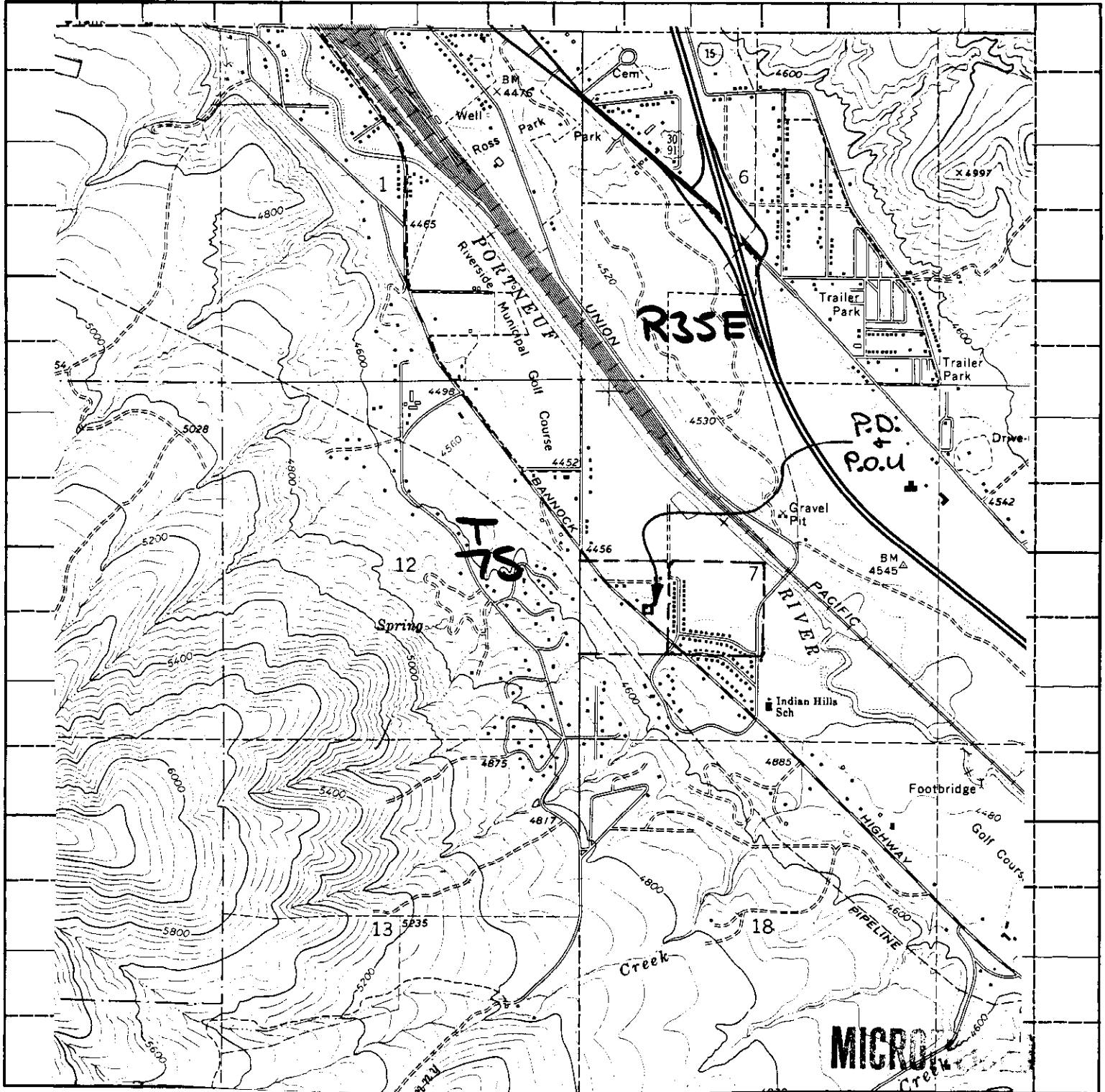
10. Describe any other water rights used for the same purposes as described above. _____
#29-2443 for domestic on adjacent home

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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



Scale: 2 inches equal 1 mile.

MAR 20 1988

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

Dennis P. Tenschel - 8/7/1988
(Applicant)
Betty J. Tenschel 2 Aug 1988

Received by RCW Date 8-03-88 Time 1:10 p. Preliminary check by RCW
Fee \$ 30.00 Received by CW # E00048 Date 8-05-88
Publication prepared by LB Date 1-18-25-90 Published in ID State Jnl
Publication approved RCW Date 2-12-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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PROOF OF PUBLICATION

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JAN 26 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-07844
STANGER, E. H.
STANGER, FRANCESANNE
2770 W. PORTNEUF RD.
INKOM, ID 832450000
Source: GROUNDWATER
Diversion Pt: NENW Sec 29 T 07S R 36E
Use: IRRIGATION (.140 CFS)
STOCKWATER (.090 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.270 CFS)
Date Filed: 2/10/1988
In: T07S R36E S29 NENW
7.0 ACRES TOTAL
29-07852

MONROC INC
ZIONS FIRST NATIONAL BANK
RT. 1 BOX 149
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt: NWSW Sec 22 T 06S R 34E
Use: INDUSTRIAL (1.500 CFS)
Total Diversion: (1.500 CFS)
Date Filed: 9/13/1988
In: T06S R34E S22 NWSW
29-07853

TEUSCHER, DENNIS R.
TEUSCHER, BETTY J.
4590 BANNOCK HWY.
POCATELLO, ID 83204
Source: GROUNDWATER
Diversion Pt: NWSW Sec 7 T 07S R 35E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 8/03/1988
In: T07S R35E S07 NWSW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 5, 1990.
S/R. Keith Higginson, Director
January 18, 25, 1990
No. 936

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>18 January</u>	<u>19 90</u>	<u>19</u>
<u>25 January</u>	<u>1990</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 25th day of January in the year of 1990, before me, a Notary Public, personally appeared Sandra K. Wann, 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 executed the same.

John T. Hansen
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

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MAR 20 1990

July 17, 1990

DENNIS R. TEUSCHER
BETTY J. TEUSCHER
4590 BANNOCK HWY.
POCATELLO, ID 83204

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07853

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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JUL 26 1990

For Office Use Only
Amt. of Fee \$ 50.00
Date 4/6/90
Receipt No. 091618
Received by C. Wong
MS-7-1-90

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APR 6 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 29-67853 Telephone No. 208-232-4104

Name(s) of Permit Holder(s): Dennis R. Teuscher & Betty J. Teuscher

Post Office Address: 4590 Bannock Highway, Pocatello, Idaho 83204

Source of Water: Well Subterranean water

If ground water, well driller's name: Bill Finley Date drilled: 2/25/1961

Extent of Use:
Domestic One (No. of households) Irrigation 3 (No. of acres)
Stockwater 5 (No. and type of stock) Other _____
Cattle

Total rate and/or volume for which proof is submitted 0.09 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Sept 30, 1963 - For Domestic and Stockwater - For irrigation of 3 acres May 1, 1977 - after the purchase of ditch Right-of-Way by Indian Hills Development
One of the following may be a condition of approval of your permit: 5/3/1976 - My old permit # 29669 for 0.14 cfm issued 4/27/1961

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

OR

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

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

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

Dennis R. Teuscher 232-4104
Name Telephone No.

4590 Bannock Highway Pocatello, Idaho 83204
Address

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

JUL 23 1990

4/4/1990 Dennis R. Teuscher
Date Signature (and title if on behalf of a company or organization)

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
March 6, 1990

DENNIS R. TEUSCHER
BETTY J. TEUSCHER
4590 BANNOCK HWY.
POCATELLO, ID 83204

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P29-07853

Dear Permit Holder:

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

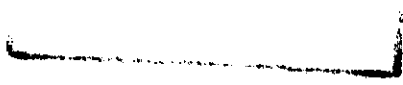
You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this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

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

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

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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PROCESSING

- ☒ Yes ☒ No 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
- ☐ Idaho Dept. of Fish & Game
- ☐ Idaho Dept. of Lands
- ☐ Adjudication Bureau Unit
- ☐ U.S. BLM
- ☐ U.S. Forest Service
- ☐ Water District
- ☐ 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
- ☐ Yes ☐ No Final date for protest 2-5-90
- ☐ 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. 29 ^{-POS}
- ☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended 8-03-1988 ☒ See below for additional information
By HWT Date 2-13-90

STATE OFFICE REVIEW P05, P23 P16 48 49 46
By KW ☐ See below for additional information
Date 2-26-90

ADDITIONAL INFORMATION

App. in NON-TRUST area

09-Jan-1990

Dennis R. Teuscher
4590 Bannock Hwy.
Pocatello, ID 83204

RE: Application for Permit No. 29-7853

Dear Water Right Applicant:

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

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 8, 1990

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

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 FEBRUARY 5, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

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MAR 20 1990

29-07853

TEUSCHER, DENNIS R.
TEUSCHER, BETTY J.
4590 BANNOCK HWY.
POCATELLO, ID 83204

Source: GROUNDWATER

Diversion Pt: NWSW Sec 7 T 07S R 35E

Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)

Date Filed: 8/03/1988

In: T07S R35E S07 NWSW

3.0 ACRES TOTAL

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42 A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 5, 1990.

R. Keith Higginson, Director

Published 1/18/1990 & 1/25/1990

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MAR 20 1990

October 20, 1988

Dennis R. or Betty J. Teuscher
4590 Bannock Hwy.
Pocatello, Idaho 83204

RE: Application for Permit #29-7853

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned identification No. 29-7853. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for considering new appropriations, the processing of applications in this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

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