

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02126
Date Received: 10/06/1988
Receipt No: E002969
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FALL RIVER RURAL ELECTRIC COOP., INC. 208-652-7431
Address: P.O. BOX 617
ASHTON, ID 83422

2. Date of Priority: FEB 02, 1946

3. Source: TETON RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	44E	29	NW	NE			TETON

5. Description of diverting works:
SEE A2202123A FOR DESCRIPTION OF DIVERSION WORKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	150.000		

7. Total Quantity Appropriated is:
150.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
2200 KW NAMEPLATE TOTAL FOR THIS PAIR OF GENERATORS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	44E	29	NW	NE		POWER	

11. Place of use in counties: TETON

A22-02126

Page 1

Date: 10/21/88

A2202126



OCT 29 1988

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

22A0606, 02123A, 02123B, 07351, 07482, 07487

14. Remarks:

ATTACHED IS A COPY OF LETTER FROM ELMER C. NEWMAN OF THE BONNEVILLE PACIFIC CORP. LESSEE OF CLAIMANT INDICATES THAT THE "AS-BUILT DRAWINGS FOR THE PROJECT USED A DIFFERENT POINT OF DIVERSION, AND IN SOME CASES A DIFFERENT PLACE OF USE. ALL PARTIES WILL ATTEMPT TO LEARN IF THERE HAS BEEN ANY OFFICIAL SURVEY, AND IF NOT, ONE COULD BE MADE. THE POINT OF DIVERSION AND PLACE OF USE USED HEREIN IS FROM AN AERIAL PHOTO, A COPY OF WHICH IS ALSO ENCLOSED, AS WELL AS A TOPOGRAPHY MAP.

15. Basis of Claim: LICENSE

10/21/88

OCT 23 1988

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

AJ0749NP
No. A22-02126

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/21/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FALL RIVER RURAL ELECTRIC PO BOX 830 ASHTON ID 83420 (208) 652-7431	02/02/1946	POWER	01-01 12-31	150.00 CFS	
TOTAL DIVERSION:					150.00 CFS	

Water Source: TETON RIVER

Tributary to: SNAKE

Stage: LICENSE

Point(s) of Diversion:

T07N R44E S29

NWNE

TETON County

Place of use Legal Description for: POWER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	44E	29	:			P														:

POU County: TETON

Non-Irrigation Uses: 2200 KW NAMEPLATE TOTAL FOR THIS PAIR OF GENERATORS

Other Rights: 22A0606, 02123A, 02123B, 07351, 07482, 07487

Remarks: ATTACHED IS A COPY OF LETTER FROM ELMER C. NEWMAN OF THE BONNEVILLE PACIFIC CORP. LESSEE OF CLAIMANT INDICATES THAT THE "AS-BUILT" DRAWINGS FOR THE PROJECT USED A DIFFERENT POINT OF DIVERSION, AND IN SOME CASES A DIFFERENT PLACE OF USE. ALL PARTIES WILL ATTEMPT TO LEARN IF THERE HAS BEEN ANY OFFICIAL SURVEY, AND IF NOT, ONE COULD BE MADE. THE POINT OF DIVERSION AND PLACE OF USE USED HEREIN IS FROM AN AERIAL PHOTO, A COPY OF WHICH IS ALSO ENCLOSED, AS WELL AS A TOPOGRAPHY MAP.
ADDRESS CHANGE REC'D 04/06/1994 SS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

NOV 06 1994
ADJUDICATION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number: 22-02126

Date Received: 10-6-88

Receipt Number: 6002969

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

OCT 6 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) FALL RIVER RURAL ELECTRIC COOP., INC. Phone (208) 652-7431
Mailing Address P.O. Box 617, Ashton ID Zip 83422
2. Date of Priority (Only one (1) per claim) 02-02-1946
3. Source of water supply (a) TETON RIVER
which is tributary to (b) SNAKE RIVER
4. a. Location of existing point of diversion is: Township 07N Range 44E Section 29
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of TETON
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

_____ The diversion structure is a 100 foot long dam with a by-pass
_____ gate and fish ladder that backs up water to an impoundment.
_____ The water is diverted into two large pipelines to the original
_____ powerhouse established under Water Rights 22-00606; 22-02123A
_____ and 22-02123B; and 22-02126. Diversion is made at the dam
_____ impoundment through a six foot diameter pipeline which travels
_____ through the hillside along the creek and after emerging from
_____ the hillside is split into two five foot diameter penstocks
_____ entering the powerhouse where flow is directed through two
_____ turbine generators and then discharged back into the creek. 2002

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For POWER purposes from 01-01 to 12-31 amount 150.00 or _____
For _____ purposes from _____ to _____ amount: _____ or _____
For _____ purposes from _____ to _____ amount: _____ or _____
For _____ purposes from _____ to _____ amount: _____ or _____

7. Total quantity claimed (a) 150.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2200 KW nameplate total for this pair of generators.

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07N	44E	29		P															

Total number of acres irrigated N/A

11. In which county (ies) are lands listed above as place of use located? TETON

12. Do you own the property listed above as place of use? Yes _____ No XXXX
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
22: 00606, 02123A, 02123B, , 07351, 07482, 07487 or None ()

14. Remarks:

Attached is a copy of letter from Elmer C. Newman of the Bonneville Pacific Corp. Lessee of Claimant indicates that the "As-Built" drawings for the project used a different point of diversion, and in some cases a different place of use. All parties will attempt to learn if there has been any official survey, and if not, one could be made. The point of diversion and place of use used herein is from an aerial photo, a copy of which is also enclosed, as well as a topography map.

Last Name FALL RIVER RURAL Ident No. _____

Copies: White - State, Yellow - Claimant

00129 1002

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-02126
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 8 sheets

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Manager
Title
of Fall River Rural Electric Coop., Inc. that I have signed the foregoing
Organization
document in the space below as _____ Manager of Fall River Rural Electric Coop., Inc.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 6th day of October 19 88

SEAL

Notary Public

Residing at

My Commission Expires

11-15-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature

Address P.O. Box 250, Rexburg, Idaho 83440

Date 10/6/88

Last Name FALL RIVER RURAL Ident. Number _____

OCT 29 1988
Copies White-State, Yellow-Claimant

FELT POWER PLANTS

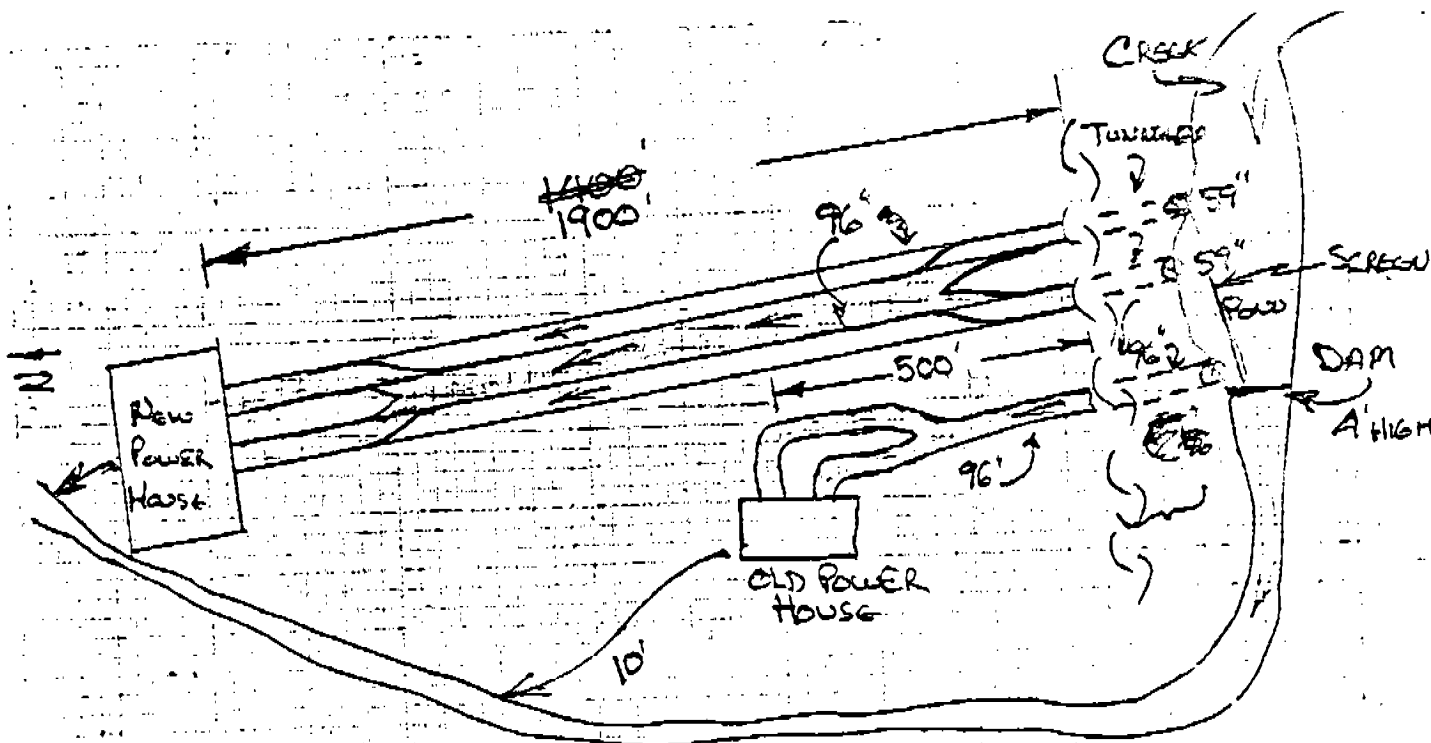
NEW POWER HOUSE

OLD POWER HOUSE

POINT OF DIVERSION

TN
R44E

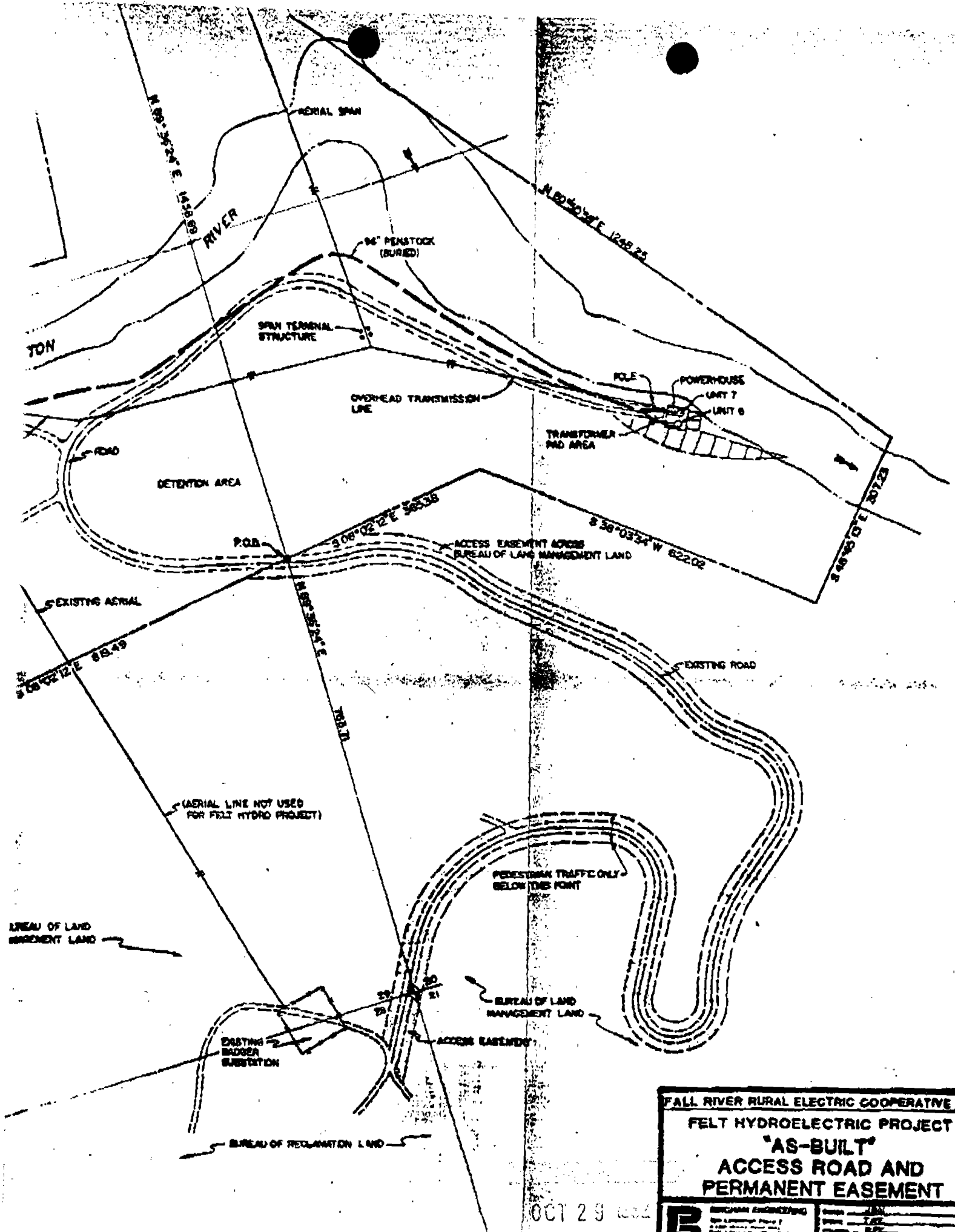
FALL RIVER RURAL ELECTRIC COOP, INC.



NOT TO SCALE

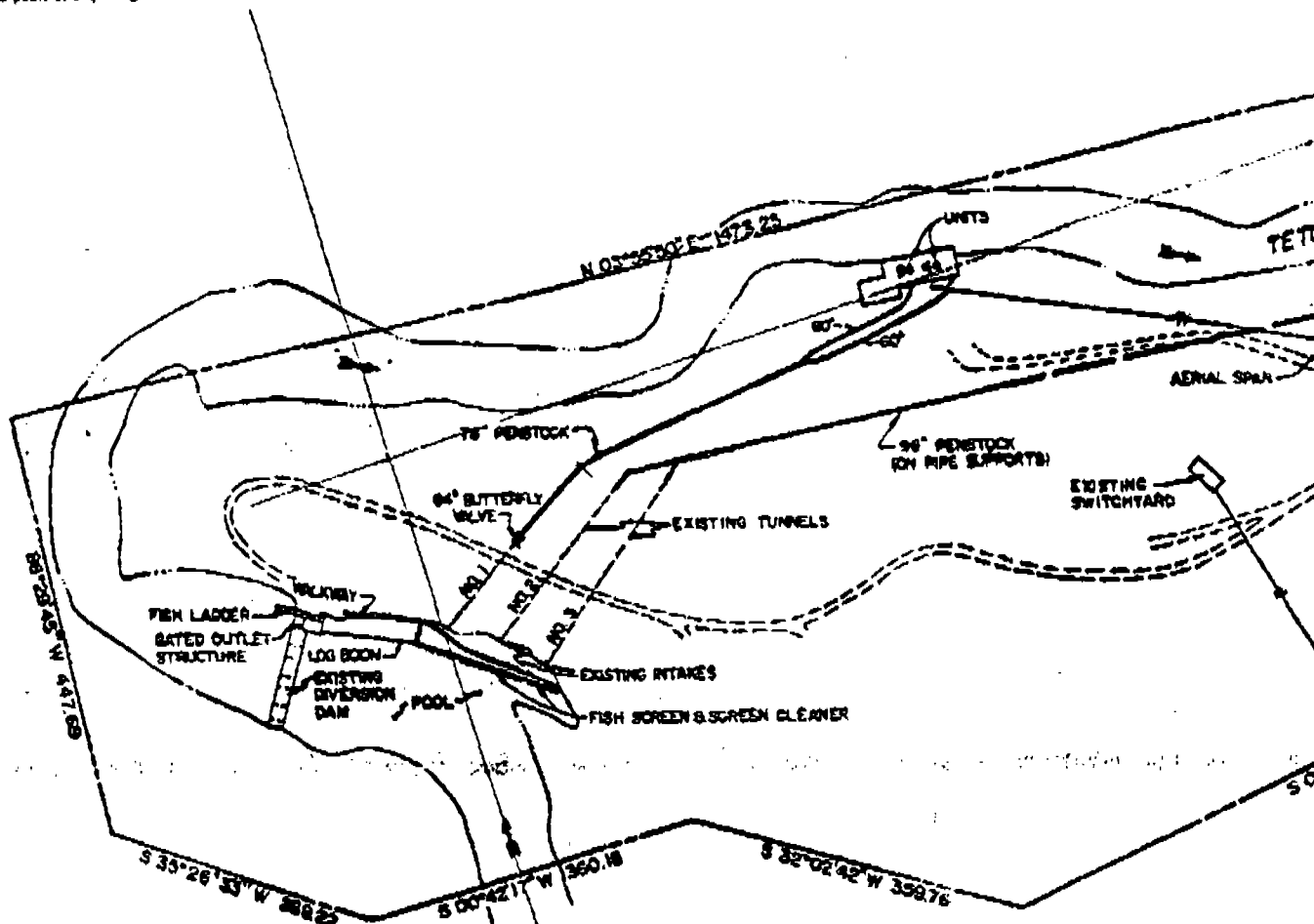
Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).



FALL RIVER RURAL ELECTRIC COOPERATIVE		
FELT HYDROELECTRIC PROJECT		
"AS-BUILT"		
ACCESS ROAD AND		
PERMANENT EASEMENT		
	Date: <u>10/29/84</u> Drawn: <u>1/82</u> Checked: <u>1/82</u> Project: <u>1/82</u>	
	** TOTAL PAGE.004 **	

Beginning at a point which lies North 290°37' East, 1,838.69 feet from the North 1/4 corner of said Section 29, said point being on the North section line of said Section 29, and running South 89°01' East, 811.99 feet; thence South 37°04' West, 339.76 feet; thence South 69°17' West, 342.16 feet; thence South 37°03' West, 253.21 feet; thence North 28°29' West, 227.69 feet; thence North 29°50' East, 1,679.31 feet; thence North 89°13' West, 1,209.23 feet; thence North 89°12' West, 118.00 feet; thence North 10°47' East, 211.00 feet; thence North 89°11' East, 728.63 feet; thence North 89°03' East, 1,268.25 feet; thence South 89°03' West, 507.23 feet; thence South 39°03' West, 672.07 feet; thence South 89°01' East, 363.36 feet to the point of beginning, containing 47.32 acres.



A parcel of land located in Section 26, Township 7 North, Range 28 East, Solar Meridian and being 25 feet on either side of the following described center line:

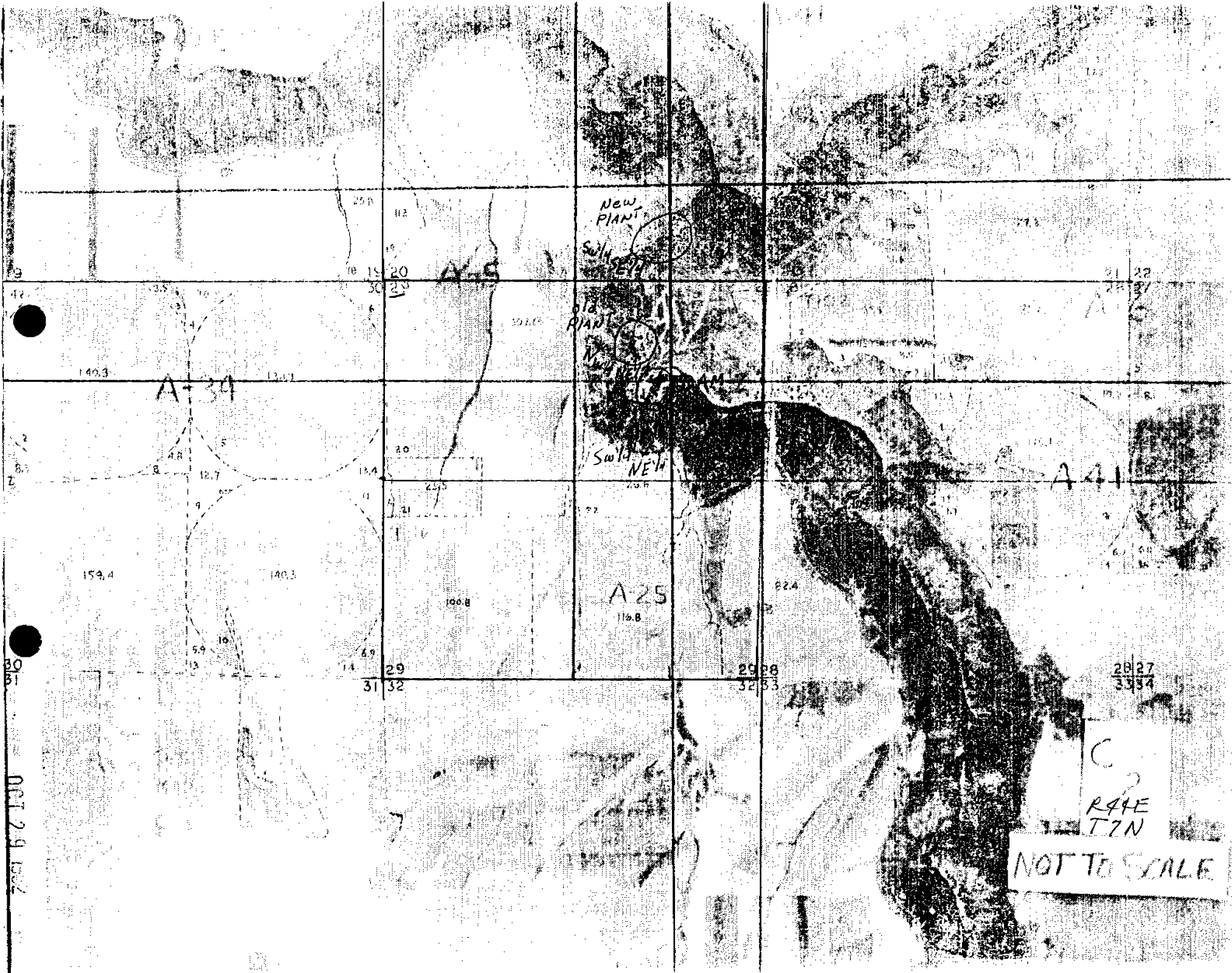
beginning at a point which lies South 00°15' West, 17.89 feet along the west line of said Section 29 from the northeast corner of said Section 29, and thence South 89°26'06" East, 117.50 feet more or less to the point of intersection of two existing Teton County Roads.

A parcel of land located in Sections 20, 21, and 29, Township 7 North, Range 48 East, Bismarck Division, and being 25 feet on either side of the following described centerline:

Beginning at a point which lies South 09°18'30" West, 17.95 feet along the west line of said Section 29 from the northerly corner of said Section 29, and running thence North 69°26'04" East, 67.65 feet to the point of tangency on the arc of a 390.00 foot radius curve to the right (central angle = 77°09'30") thence Northerly 34.32 feet along the arc of said curve thence thence North 130°12'24" East, 73.82 feet to the point of tangency on the arc of a 100.00 foot radius curve to the right (central angle = 189°19'04") thence Easterly 180.21 feet along the arc of said curve thence South 63°03'37" East, 137.31 feet to the point of tangency on the arc of a 60.00 foot radius curve to the left (central angle = 192°30'18") thence Northerly 201.66 feet along the arc of said curve to the point of reverse curvature on the arc of a 390.00 foot radius curve to the right (central angle = 30°21'43") thence Northerly 397.91 feet along the arc of said curve thence North 41°16'07" West, 79.79 feet to the point of tangency on the arc of a 100.00 foot radius curve to the left (central angle = 79°25'31") thence Westerly 175.36 feet along the arc of said curve thence South 89°17'22" West, 61.97 feet to the point of tangency on the arc of a 390.00 foot radius curve to the right (central angle = 289°49'21") thence Southerly 70.46 feet along the arc of said curve to the point of reverse curvature on the arc of a 390.00 foot radius curve to the left (central angle = 301°19'57") thence Southwesterly 163.17 feet along the arc of said curve thence South 33°32'30" East, 194.16 feet to the point of tangency on the arc of a 390.00 foot radius curve to the right (central angle = 10°32'33") thence Southerly 134.51 feet along the arc of said curve to the point of reverse curvature on the arc of a 390.00 foot radius curve to the left (central angle = 314°14'08") thence Southerly 223.75 feet along the arc of said curve to the point of reverse curvature on the arc of a 390.00 foot radius curve to the right (central angle = 309°04'08") thence Southwesterly 55.46 feet along the arc of said curve

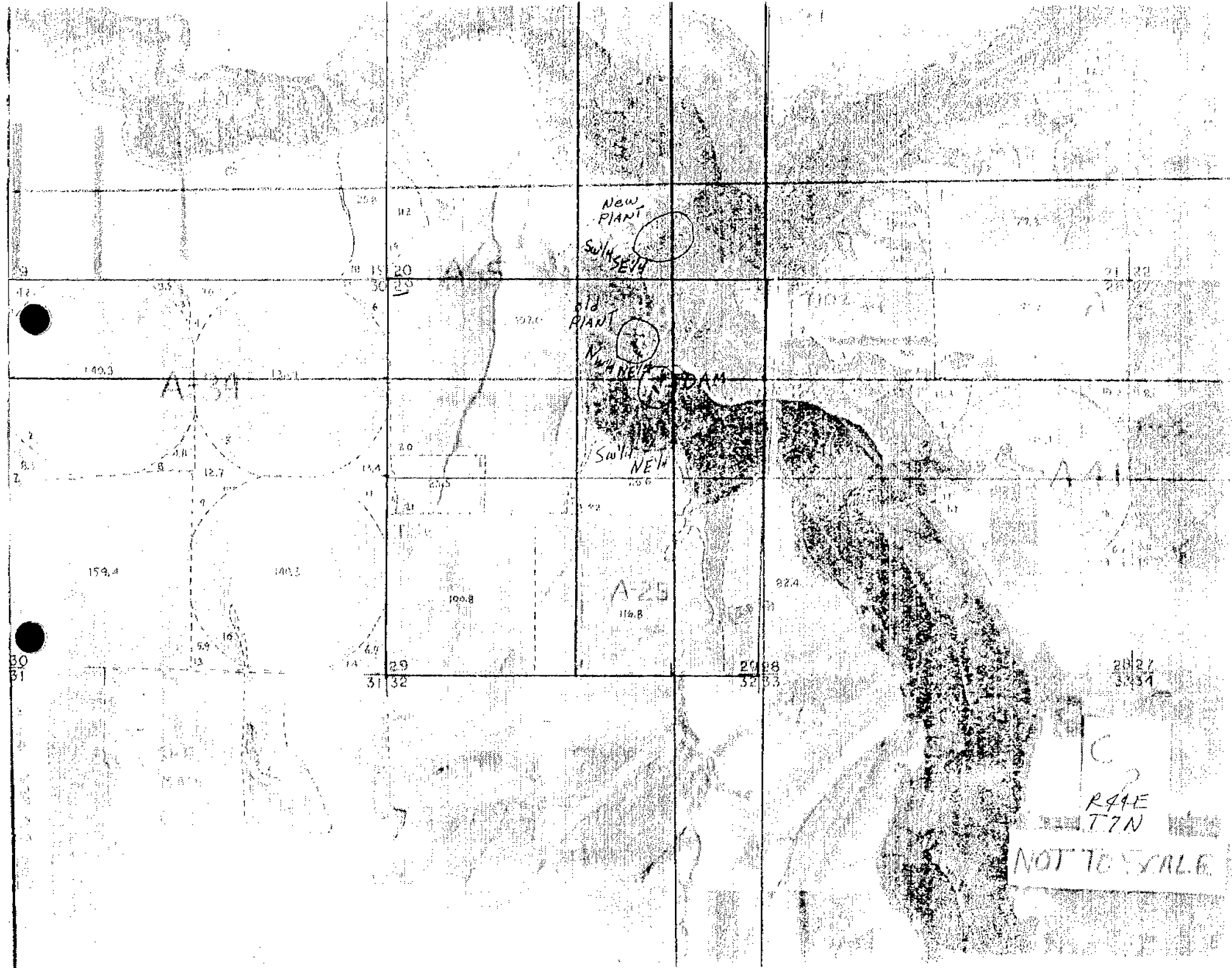
— BUREAU
MANAGER

OCT 29 1964



C
R44E
T2N
NOT TO SCALE

OCT 29 1967



NEW
PIANT

SWH
SEV

OLD
PIANT

SWH
NEW

DAM

SWH
NEW

A-34

A-25

C
R44E
T7N

NOT TO SCALE

FELT PLANT DESCRIPTION

LOCATION S

POINTS OF DIVERSION

NE $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 29 T7N R44E

POINTS OF USE

OLD PLANT

NW $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 29 T7N R44E

NEW PLANT

SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 20 T7N R44E

HEADWORKS DESCRIPTION

OLD PLANT

TUNNEL : 120' $\pm$ LONG

78" PENSTOCK : 370' $\pm$ LONG

SPLITS INTO TWO 60" PIPELINES : 75' $\pm$ & 100' $\pm$

FEEDING 2 UNITS : 950KW WESTINGHOUSE HORIZ

NEW PLANT : 1250KW G.E. HORIZONTAL

TUNNEL #2 : 200' $\pm$ LONG

TUNNEL #3 : 225' $\pm$ LONG

96" PENSTOCK : 1900' $\pm$ LONG

SPLITS INTO TWO 56" PIPELINES : 50' $\pm$ LONG

FEEDING 2 SIMILAR UNITS : IDEAL ELECTRIC

FRANCIS VERTICAL TURBINES 2750KW EACH.

Bonneville Pacific Corporation

September 29, 1988

Mr. Frank Hitchcock
Nelson, Rosholt, Robertson, Tolman & Tucker
P.O. Box 1906
Twin Falls, Idaho 83303-1906

RE: Water Right claims for Felt Hydroelectric Project,
Teton County, Idaho

Dear Frank:

Please find enclosed a copy of the "As-Built" Access Road and Permanent Easement Drawing for the Felt Hydroelectric project. Using this drawing as a basis, I have measured the following locations:

For "Old Water Rights" 22-00606, 22-02123A, 22-02123B and 22-02126:

Point of Diversion: NE NE 29T7NR44E
Point of Use: NW NE 29T7NR44E

For "New Water Rights" 22-07351, 22-07482 and 22-07487:

Point of Diversion: NE NE 29T7NR44E
Point of Use: SE SE 20T7NR44E

Also find enclosed your draft Notice of Claims for the foregoing rights, with changes I would suggest for the sake of accuracy.

Sincerely,



Elmer C. Newman
Assistant to the President

ECN: dbm
Enclosures

OCT 29 1988