

AJ0749NP
No. A22-07482

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	10/03/1984	POWER	01-01 12-31	80.00 CFS	
TOTAL DIVERSION:					80.00 CFS	

Water Source: TETON RIVER

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion: T07N R44E S29 NWNE SWNE TETON County

Place of use Legal Description for: POWER

NE				NW				SW				SE								
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
07N	44E	20	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
07N	44E	29	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: TETON

Non-Irrigation Uses: 150' OF HEAD; 1100 KW NAMEPLATE TOTAL - BOTH UNITS

Other Rights: 22-00606, 02123A, 02123B, 02126, 07351, 07487

Conditions of Approval:

- 09D - Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.
- 17G - The diversion and use of water under this right and any license subsequently issued is subject to review by the Director on the date(s) of expiration of any license issued by the Federal Energy Regulatory Commission. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
- 17K - The water right acquired under this permit 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 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.
- 08A - This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
- 01E - A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

NOV 06 1996
MICROFILMED

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No. A22-07482

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

DATE: 04/21/94
PAGE: 2

Remarks: 1200 HORSEPOWER UNDER 150 FEET OF HEAD
USE OF WATER UNDER THIS PERMIT SHALL BE NON-CONSUMPTIVE.
THE ISSUANCE OF THIS PERMIT IN NO WAY GRANTS ANY RIGHT-OF-WAY OR
EASEMENT ACROSS THE LAND OF ANOTHER.
ADDRESS CHANGE REC'D 04/06/1994 SS.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 6 1996

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: A22-07482
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 CO-OP, INC. 208-652-7431
Address: P.O. BOX 617
ASHTON, ID 83420

2. Date of Priority: OCT 03, 1984

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION STRUCTURE, PENSTOCKS WITH HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	80.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
150' OF HEAD; 1100 KW NAMEPLATE TOTAL - BOTH UNITS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	44E	20	SW	SE		POWER	
		29	NW	NE		POWER	

A22-07482

Page 1

Date: 10/21/88

OCT 29 1988



11. Place of use in counties: TETON

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

13. Other Water Rights Used:

22-00606, 02123A, 02123B, 02126, 07351, 07487

14. Remarks:

1200 HORSEPOWER UNDER 150 FEET OF HEAD

USE OF WATER UNDER THIS PERMIT SHALL BE NON-CONSUMPTIVE.

THE ISSUANCE OF THIS PERMIT IN NO WAY GRANTS ANY RIGHT-OF-WAY OR
EASEMENT ACROSS THE LAND OF ANOTHER.

15. Basis of Claim: PERMIT

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 _____

OCT 29 1988

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 22-57482Date Received 10-6-88Receipt Number 6002969

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

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) 652-7431Mailing Address P.O. Box 617, Ashton ID Zip 834222. Date of Priority (Only one (1) per claim) 10-03-19843. Source of water supply (a) TETON RIVER
which is tributary to, (b) SNAKE RIVER4. 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 _____ OCT 29 1988

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.

Two six foot diameter diversion pipelines penetrate the
hillside along side the creek and converge into an eight foot
diameter pipeline which sends water to the new powerhouse. The
length of the pipeline as it emerges from the hillside to the
powerhouse installation is approximately 1900 feet in length.
Two vertical turbine generators with a combined KW nameplate
total of 5500 KW's are turned by the flow and the discharge
goes back into the adjacent creek bed.

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 80.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 80.00 (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.) 150' of Head. 1100 KW nameplate total - both units

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
07N	44E	20																P	
		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 XXX OCT 29 1992
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, 02126, 07351, 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

FELT POWER PLANTS

NEW POWER HOUSE

OLD POWER HOUSE

POINT OF DIVERSION

TN
30
R44E

FALL RIVER RURAL ELECTRIC COOP. INC. 1952
OCT 29 1952

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X
Decree _____
If applicable provide IDWR Water Right Number 22-07482
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 Cooperative, 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

Manager

Title and Organization Fall River Rural Electric Coop., Inc. Date 10/6/88

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

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

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.

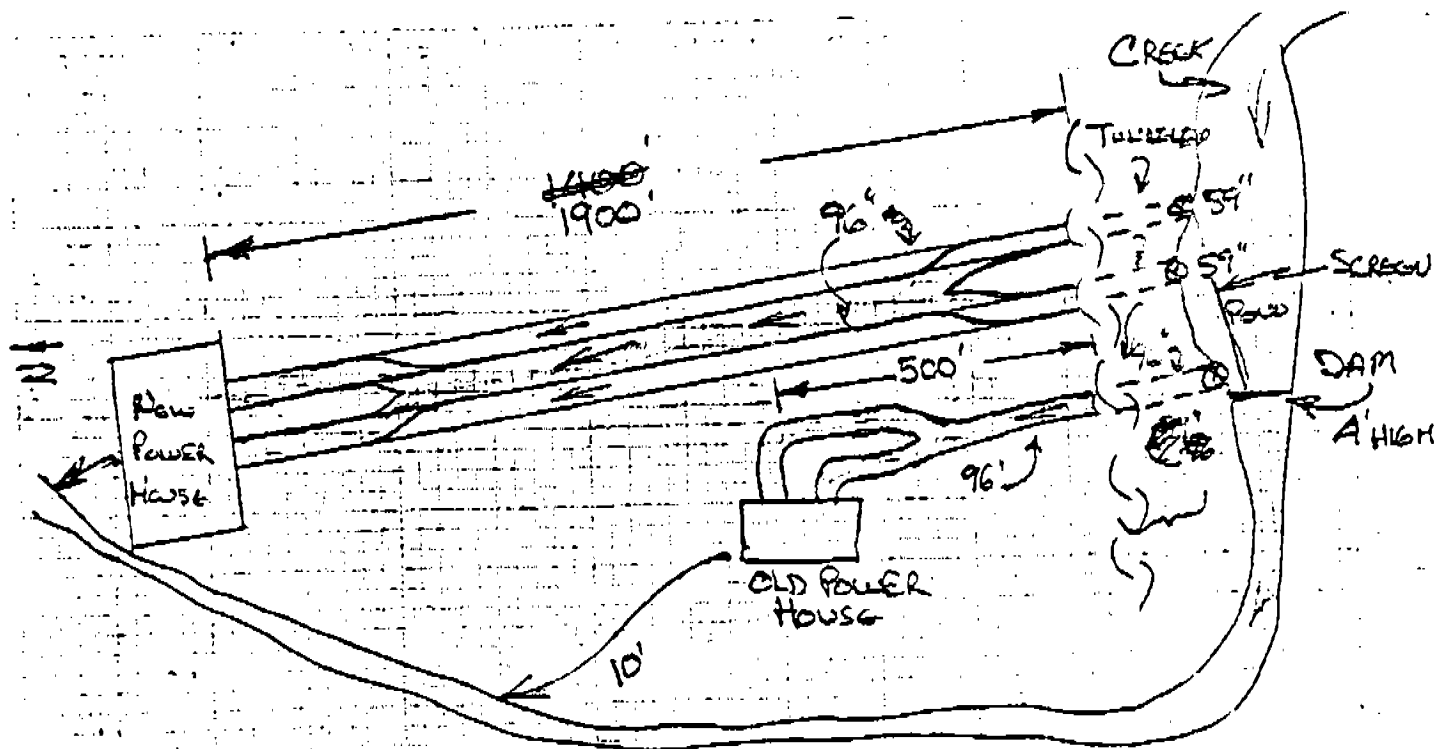
Signature

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

Date 10/6/88

Last Name FALL RIVER RURAL Ident. Number _____

Copies White-State, Yellow-Claimant _____



NOT TO SCALE

Scale: 1" = _____.

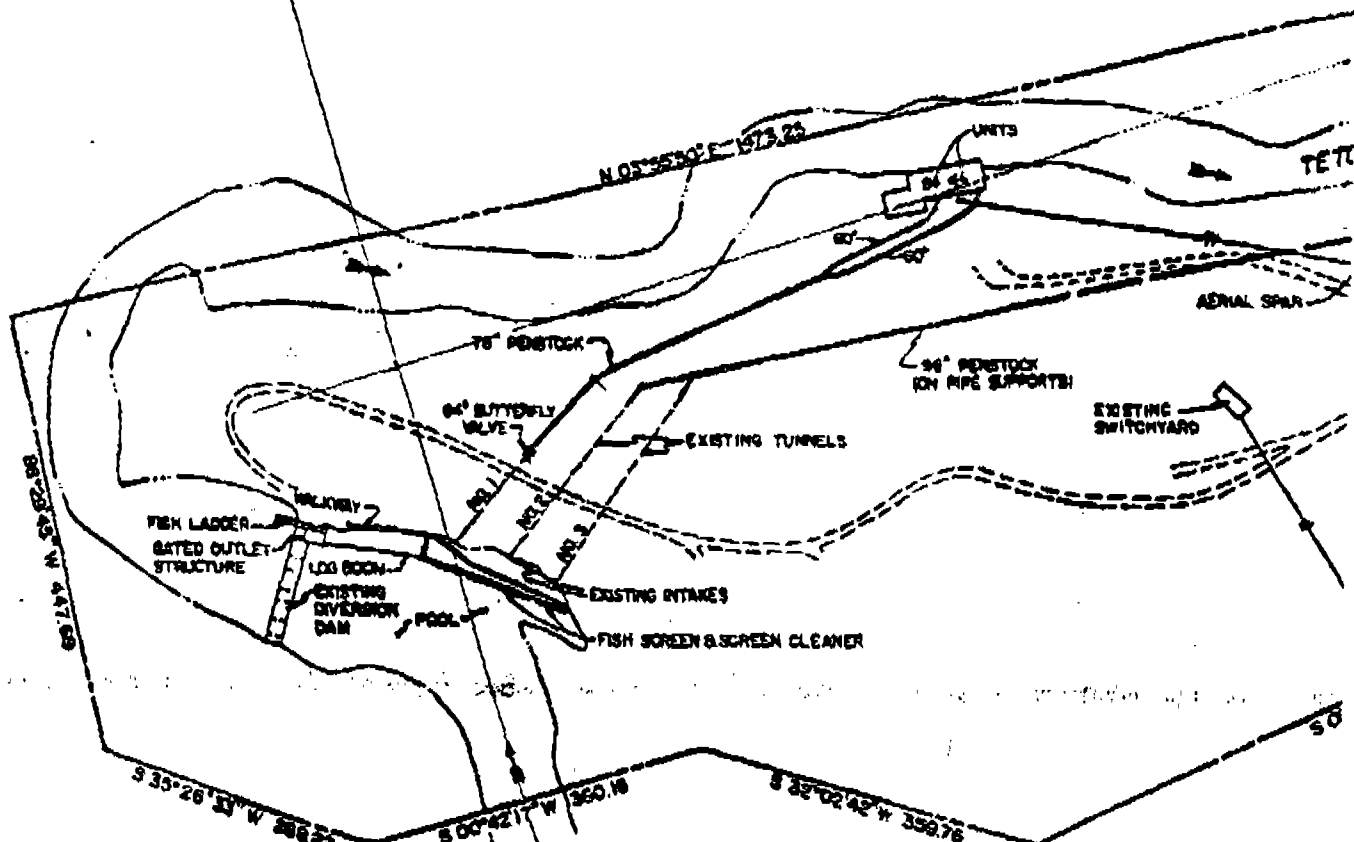
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
- ☐ Aerial Photo Attached
(required for irrigation of 10 acres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

FALL RIVER RURAL ELECTRIC COOP, INC.

OCT 29 1982

A parcel of land located in Sections 20 and 21, Township 7 North, Range 44 East, House Meridian, Teton County, Idaho, being more particularly described as follows:

Beginning at a point which lies North 299°52'20" East, 1,032.69 feet from the North 17°4' corner of said Section 29, and running thence North 299°52'20" East, 117.09 feet; thence South 77°06'42" West, 338.76 feet; thence North 084°21'17" West, 340.16 feet; thence South 35°26'57" East, 287.72 feet; thence North 304°29'42" West, 407.49 feet; thence North 297°30' East, 1,075.21 feet; thence North 33°19'37" West, 1,069.22 feet; thence North 307°1'30" West, 118.00 feet; thence North 109°42'16" East, 211.50 feet; thence North 33°11'12" East, 732.65 feet; thence North 300°52'39" East, 1,742.15 feet; thence South 89°47'17" East, 307.23 feet; thence South 304°07'31" West, 679.07 feet; thence South 290°21'17" East, 363.36 feet to the point of beginning, containing 47.52 acres.



**LEGAL DESCRIPTION
FOR
AN ACCESS EASEMENT
FOR
FELT HYDROELECTRIC PROJECT
ON BUREAU OF RECLAMATION LAND**

A parcel of land located in Section 21, Township 7 North, Range 44 East, House Meridian, and being 25 feet on either side of the following described centerline:

Beginning at a point which lies South 00°18'19" West, 17.45 feet along the west line of said Section 29 from the northeast corner of said Section 29, and running thence South 63°26'06" East, 117.70 feet; more or less to the point of intersection of the existing Teton County Road.

**LEGAL DESCRIPTION
FOR
AN ACCESS EASEMENT
FOR
FELT HYDROELECTRIC PROJECT
ON BUREAU OF LAND MANAGEMENT LAND**

A parcel of land located in Sections 20, 21, and 29, Township 7 North, Range 44 East, House Meridian, and being 25 feet on either side of the following described centerline:

Beginning at a point which lies South 09°18'19" West, 17.45 feet along the west line of said Section 29 from the northeast corner of said Section 29, and running thence North 63°26'06" West, 87.64 feet to the point of tangency on the arc of a 799.04 foot radius curve to the right (central angle = 77°06'42") thence Northwesterly 334.32 feet along the arc of said curve; thence North 17°04'24" East, 73.32 feet to the point of tangency on the arc of a 100.00 foot radius curve to the right (central angle = 103°01'30") thence Easterly 180.21 feet along the arc of said curve; thence South 63°03'32" East, 197.31 feet to the point of tangency on the arc of a 60.00 foot radius curve to the left (central angle = 192°04'18") thence Northerly 201.66 feet along the arc of said curve to the point of reverse curvature on the arc of a 150.00 foot radius curve to the right (central angle = 34°21'47") thence Northwesterly 209.31 feet along the arc of said curve; thence North 61°16'09" West, 94.79 feet to the point of tangency on the arc of a 100.00 foot radius curve to the left (central angle = 99°25'31") thence Easterly 171.36 feet along the arc of said curve; thence South 304°17'22" West, 61.79 feet to the point of tangency on the arc of a 150.00 foot radius curve to the right (central angle = 30°40'21") thence Southwesterly 29.66 feet along the arc of said curve to the point of reverse curvature on the arc of a 150.00 foot radius curve to the left (central angle = 99°18'07") thence Southwesterly 163.17 feet along the arc of said curve; thence South 33°42'48" East, 195.16 feet to the point of tangency on the arc of a 150.00 foot radius curve to the right (central angle = 107°22'09") thence Southwesterly 85.31 feet along the arc of said curve to the point of reverse curvature on the arc of a 750.00 foot radius curve to the left (central angle = 91°14'05") thence Southwesterly 223.73 feet along the arc of said curve to the point of reverse curvature on the arc of a 150.00 foot radius curve to the right (central angle = 107°22'09") thence Northwesterly 85.31 feet along the arc of said curve to the

29 1982

OCT 29 1964

NEW
PLANT

SOLD

OLD
PLANT

SOLD
NEW

A-25

A-41

C
2
R44E
T7N

NOT TO SCALE

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

FELT PLANT DESCRIPTION

LOCATIONS

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.

OCT 29 1952

Water Right Number - 22-07462

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

FALL RIVER RURAL ELECTRIC CO-OP, INC.

1 - P.O. BOX 617

2 -

3 -

City- ASHTON

State- ID Zip- 83420

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/01/1984 15 P - PERMIT+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
TETON RIVER SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)07N 44E 29 NW NE (81) TETON
07N 44E 29 SW NE (81) TETON+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
28 - POWER 01/01 12/31 80.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
80.000+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10 diff. 07N 44E 20 * SW SE 28 POWER (81) TETON
POU #1 07N 44E 29 NW NE 28 POWER (81) TETON
POD #1

Total Acres:

+ - - Diversion Means - DIVERSION STRUCTURE, PENSTOCKS WITH HEADGATE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - * 155' in EXAM
- - - - - Remarks
1200 HORSEPOWER UNDER 150 FEET OF HEAD
USE OF WATER UNDER THIS PERMIT SHALL BE NON-CONSUMPTIVE.
THE ISSUANCE OF THIS PERMIT IN NO WAY GRANTS ANY RIGHT-OF-WAY OR
EASEMENT ACROSS THE LAND OF ANOTHER.+ - - - - Conditions of Approval - - - - - +
09D - Water used under this permit if discharged into a natural channel
- shall meet Idaho Water Quality Standards.

OCT 29 1987

Water right number - 22-07482

Adj. flag translation: Standard Water Right Number

- + - - - - Conditions of Approval - - - - - +
- 17G - The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director on the date(s) of expiration of any license issued by the Federal Energy Regulatory Commission. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
 - 17K - The water right acquired under this permit 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 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.
 - 04A - This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
 - 01E - A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 10/20/87 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 06/01/1986	Field Exam Made - 10/09/1987	Field Exam Fee - R
Approved/Denied - 05/08/1985	Protested Date - 00/00/0000	Swan Falls - 1
Proof Made Date - 04/28/1986	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 01
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

OCT 29 1987