

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 22-02123A 197  
Date Received 10-6-88  
Receipt Number 600296A

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 ) 652-7431  
Mailing Address P.O. Box 617, Ashton ID Zip 83422
2. Date of Priority (Only one (1) per claim) 11-17-1936
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

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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 70.00 or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 70.00 (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 |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | 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 | 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

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, 02123B, 02126, 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

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# FELT POWER PLANTS

NEW POWER HOUSE

OLD POWER HOUSE

POINT OF DIVERSION

TN

R44E

FALL RIVER RURAL ELECTRIC COOP, INC.

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661.23.042

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 22-02123A  
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 \_\_\_\_\_  
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 George E. Mangon  
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

SEAL

Notary Public Debra A. Keller

Residing at Rexburg, Idaho

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 Ray W. Rigby

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

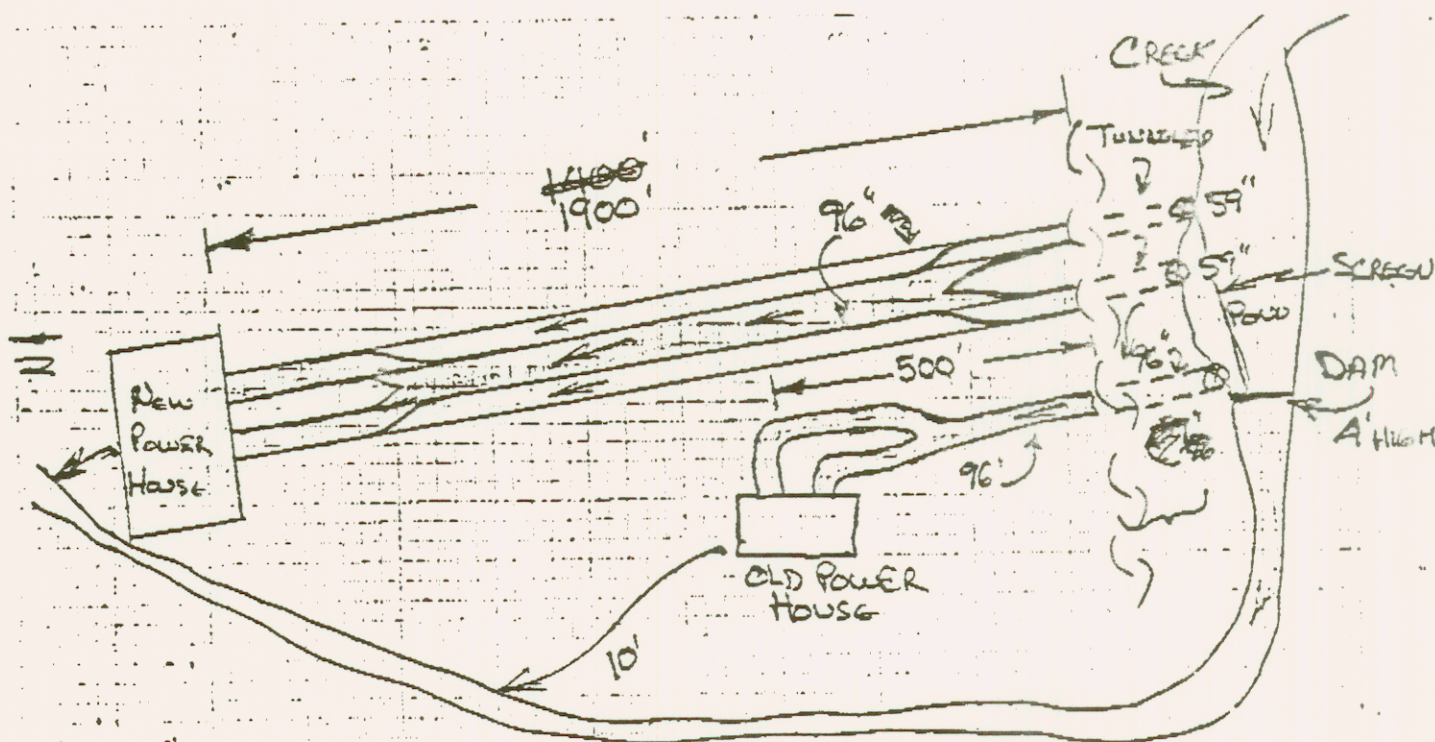
Date 10/6/88

Last Name FALL RIVER RURAL Ident. Number \_\_\_\_\_

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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.

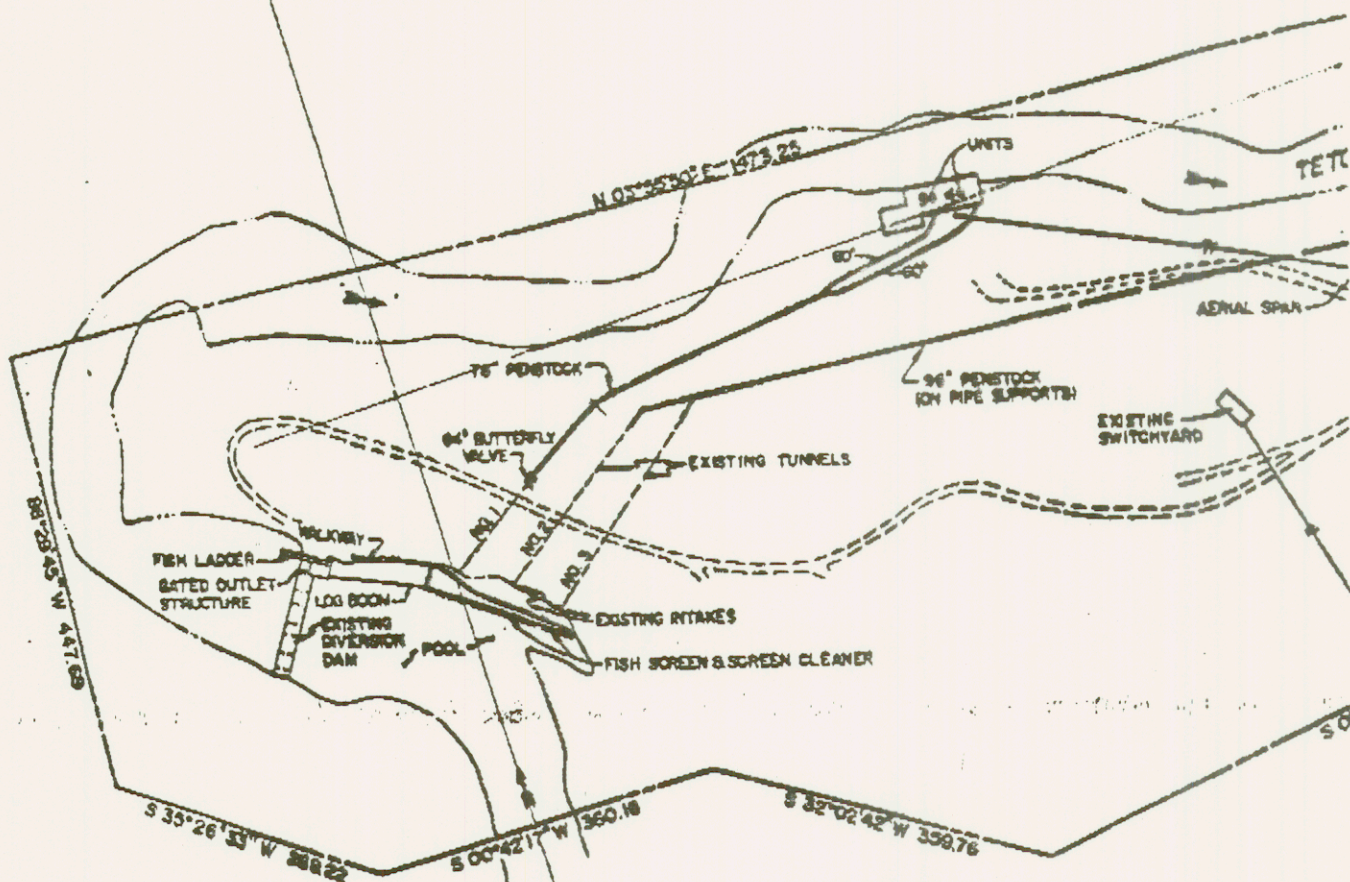
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A parcel of land located in Sections 20 and 21, Township 7 North, Range 44 East, House Meridian, Teton County, Idaho, being more particularly described as follows:

beginning at a point which lies North 29°58'17" East, 1,058.67 feet from the North 1/4 corner of said Section 21, and running thence South 89°02'17" East, 119.97 feet; thence South 77°06'47" West, 398.76 feet; thence North 08°27'17" West, 360.16 feet; thence South 37°26'37" West, 227.72 feet; thence North 36°29'47" West, 467.67 feet; thence North 28°19'30" East, 1,175.21 feet; thence North 29°19'57" West, 1,059.88 feet; thence North 8°21'20" West, 118.00 feet; thence North 10°42'16" East, 218.00 feet; thence North 33°11'27" East, 733.65 feet; thence North 30°30'37" East, 1,744.25 feet; thence South 89°02'17" East, 307.23 feet; thence South 38°40'37" West, 622.07 feet; thence South 29°02'17" East, 363.36 feet to the point of beginning, containing 67.52 acres.



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

A parcel of land located in Section 20, Township 7 North, Range 44 East, Boise Meridian, and being 25 feet on either side of the following described center line:

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°02'06" East, 117.50 feet more or less to the point of intersection of two existing Teton County Roads.

**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, Boise Meridian, and being 25 feet on either side of the following described center line:

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 North 63°02'06" West, 81.67 feet to the point of tangency on the arc of a 750.00 foot radius curve to the right (central angle = 77°07'30") thence Northwesterly 334.52 feet along the arc of said curve thence North 13°01'24" East, 73.82 feet to the point of tangency on the arc of a 100.00 foot radius curve to the right (central angle = 18°51'30") thence South 63°02'06" East, 197.31 feet to the point of tangency on the arc of a 60.00 foot radius curve to the left (central angle = 19°20'18") thence Northwesterly 20.16 feet along the arc of said curve to the point of reverse curvature on the arc of a 350.00 foot radius curve to the right (central angle = 36°21'47") thence Northwesterly 209.91 feet along the arc of said curve thence North 10°16'40" West, 94.79 feet to the point of tangency on the arc of a 100.00 foot radius curve to the left (central angle = 77°26'31") thence Southerly 173.56 feet along the arc of said curve thence South 39°17'22" West, 61.97 feet to the point of tangency on the arc of a 350.00 foot radius curve to the right (central angle = 28°34'21") thence Southerly 264.00 feet along the arc of said curve to the point of reverse curvature on the arc of a 350.00 foot radius curve to the left (central angle = 36°21'47") thence Southwesterly 153.17 feet along the arc of said curve thence South 39°17'22" West, 194.16 feet to the point of tangency on the arc of a 350.00 foot radius curve to the right (central angle = 16°12'20") thence Southwesterly 83.81 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 = 31°14'48") thence Southerly 223.75 feet along the arc of said curve to the point of reverse curvature on the arc of a 350.00 foot radius curve to the right (central angle = 36°21'47") thence Southwesterly 87.04 feet along the arc of said curve to the

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NOT TO SCALE

C  
R41E  
T7N

## 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.

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