

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: A37-07854
Date Received: ~~7/27/1988~~ 10/24/88
Receipt No: M001759
Received By: JP JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF HAILEY 208-788-4221
Address: P.O.BOX 945
HAILEY, ID 83333

2. Date of Priority: JUL 23, 1980

3. Source: INDIAN CREEK SPRING Trib. to: INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	23	SW	SE	NW		BLAINE

5. Description of diverting works:
PIPELINE, TURBINE, STORAGE TANK, 67 KW SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	5.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER
GENERATING CAPACITY 67.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	33	NW	NE		POWER	

11. Place of use in counties: BLAINE

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Date: 10/25/88

COPY

MICROFILMED
FEB 24 1993

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

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: 1

For Organizations:

I do solemnly swear or affirm that I am MAJOR of HAILEU Title

Organization, that I have signed the foregoing document in the space below as MAJOR of Title

HAILEU and that the statements contained in the Organization foregoing document are true and correct.

Roschel O Drake
Signature of Authorized Agent

MAJOR OF HAILEU
Title and Organization

10-25-88
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Oct 19 88

Donna Schenella
Notary Public

Seal

Residing at Hailey

My Commission Expires 5/10/1991
2 Date: 10/25/88

A37-07854

Page

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MICROFILMED
FEB 24 1993

17. Notice of Appearance:

Notice is hereby given that I, JAMES P. SPECK will be
Print Name

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 James P. Speck

Address Box 987 Ketchikan, Id 83340

Date 10/25/88

COPY

MICROFILMED
FEB 24 1993

Hailey A37-07854



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-07854

Priority: July 23, 1980

Maximum Diversion Rate: 3.38 CFS
Maximum Diversion Volume: 2,450.0 AF

It is hereby certified that CITY OF HAILEY
115 S MAIN ST # H
HAILEY ID 83333 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 23, 1980; and has
submitted Proof of Beneficial Use on October 25, 1985. An examination indicates that the works have a
diversion capacity of 3.38 cfs of water from:

SOURCE

INDIAN CREEK SPRING

Tributary: BIG WOOD RIVER

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>
POWER	01/01 to 12/31	3.38 CFS	2,450.0 AF

LOCATION OF POINT OF DIVERSION:

INDIAN CREEK SPRING SW¼SE¼NW¼ Sec. 23, Twp 03N, Rge 18E, B.M., BLAINE County

PLACE OF USE: POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	33		X															

CONDITIONS OF APPROVAL

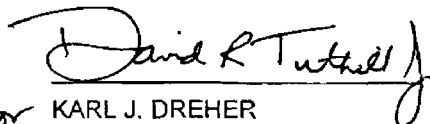
1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after June 14, 2020. 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.
5. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-07854

6. Use of water under this right shall be non-consumptive.
7. Rights 37-00296, 37-00717 and 37-01216 are also diverted through the point of diversion described above.
8. This right does not grant any right-of-way or easement across the land of another.

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 30th day of September, 2005.


for KARL J. DREHER
Director

10/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7854

NAME AND ADDRESS: CITY OF HAILEY
115 S MAIN ST # H
HAILEY ID 83333

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.

SOURCE: INDIAN CREEK SPRING

TRIBUTARY: INDIAN CREEK

QUANTITY: 3.380 CFS
2,450.000 AFY

PRIORITY DATE: 07/23/1980

This right shall be subject to future operation so that use of water under this right will not conflict or interfere with the future upstream diversion of water for irrigation or other beneficial consumption.

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

POINT OF DIVERSION:

T03N R18E S23 SENW Within BLAINE County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	3.380 CFS 2,450.00 AFY

Use of water under this right shall be non-consumptive.

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

PLACE OF USE: POWER Within BLAINE County

T03N R18E S33	NWNE	T03N R18E S33	NWNE
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

10/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Rights 37-00296, 37-00717 and 37-01216 are also diverted through the point of diversion described above.

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. 37.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after June 14, 2020. 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.



CITY OF
HAILEY
POWER PLANT

↑
INFLOW FROM SPRINGS.



PHOTO:
R37-1
by SC
9-28-94

↓
By Pass to
TANK

CITY OF HAILEY POWER PLANT

W/ JOHN MILLS

CURRENT TURBINE SET-UP:

CORNELL HYDRO GENERATION SYSTEM
MODEL NO. 5TR2-VM-6016CJ-4-CV
SER. NO. 44149
JOB 21788

Drawing
of
system
needed

SD-4112
INQUIRY

Idaho Department of Water Resources
Water Rights Screen 4

Date: 09/22/94
Time: 15:50:12

Water Right Number: 37-07854

Stage/Status : P/
Water District: 37
PoU Owned :

Temporary Right : P
Swan Falls Spec : 3
Transfer/Amended:
T/A Desc.:

Region : 17
Field Exam : R
DLE Carey Act :

Dates:
Priority : 7/23/1980
Proof Due : 12/ 1/1987
Exam to SO: / /
Show Cause: / /

→ Appl. Rec.: / /
→ Proof Made: 10/25/1985
Protested : / /
Licensed : / /

Appr/Deny : 11/18/1980
→ ~~Field Exam: / /~~
~~Hearing : / /~~
Decree : / /

Receipt No.:

Old Number:

Civil Case No.:
Defendant:
Plaintiff:

(Enter=Exit)

(GOLD8=Cancel)

9-22-94 Locating WR permit file.
May or May not do field exam for the WR also.
su



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

MAR 1 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1990

Hailey Water & Sewer
C/O Daryle James
P. O. Box 945
Hailey, ID 83333

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

f37-60296
00717
00906
01216
02698
02699

07305
07854
10717
00297

RECEIVED
FEB 24 1993