

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, IL 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



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☐ UNDELIVERED, LEFT NO ADDRESS
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UNABLE TO FORWARD
☐ ATTEMPTED NO KICKBACK
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET - NUMBER
☐ NO NOT REMAIN IN THIS ENVELOPE
☐ INSUFFICIENT ADDRESS
☐ NO MAIL RECEIPTABLE
NOT A POSTAGE NECESSARY

78-71503 ✓
78-7154 ✓
78-7188
78-7188

RECEIVED

NOV 24 2005

DEPT. OF
WATER RESOURCES

SITHE ENERGIES/EL DORADO HYDRO
420 THIRD AVE
DORADO, CO 80626

06/16/2005

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

RIGHT NUMBER: 78-7150B

NAME AND ADDRESS: SITHE ENERGIES/EL DORADO HYDRO
420 THIRD AVE
FORD CITY PA 16226

Idaho Code, This right is subject to the provisions of Sections 42-205 through 42-210,
Failure to comply restricting the sale, transfer, assignment, or mortgage of this right.
with these provisions is cause for immediate cancellation of this right.

SOURCE: ELK CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 7.720 CFS
4,272.200 AFY

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

PRIORITY DATE: 06/23/1980

POINT OF DIVERSION:
T22N R01E S23 SENENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	7.720 CFS 4,272.20 AFY

PLACE OF USE: POWER Within IDAHO County
T22N R01E S27 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

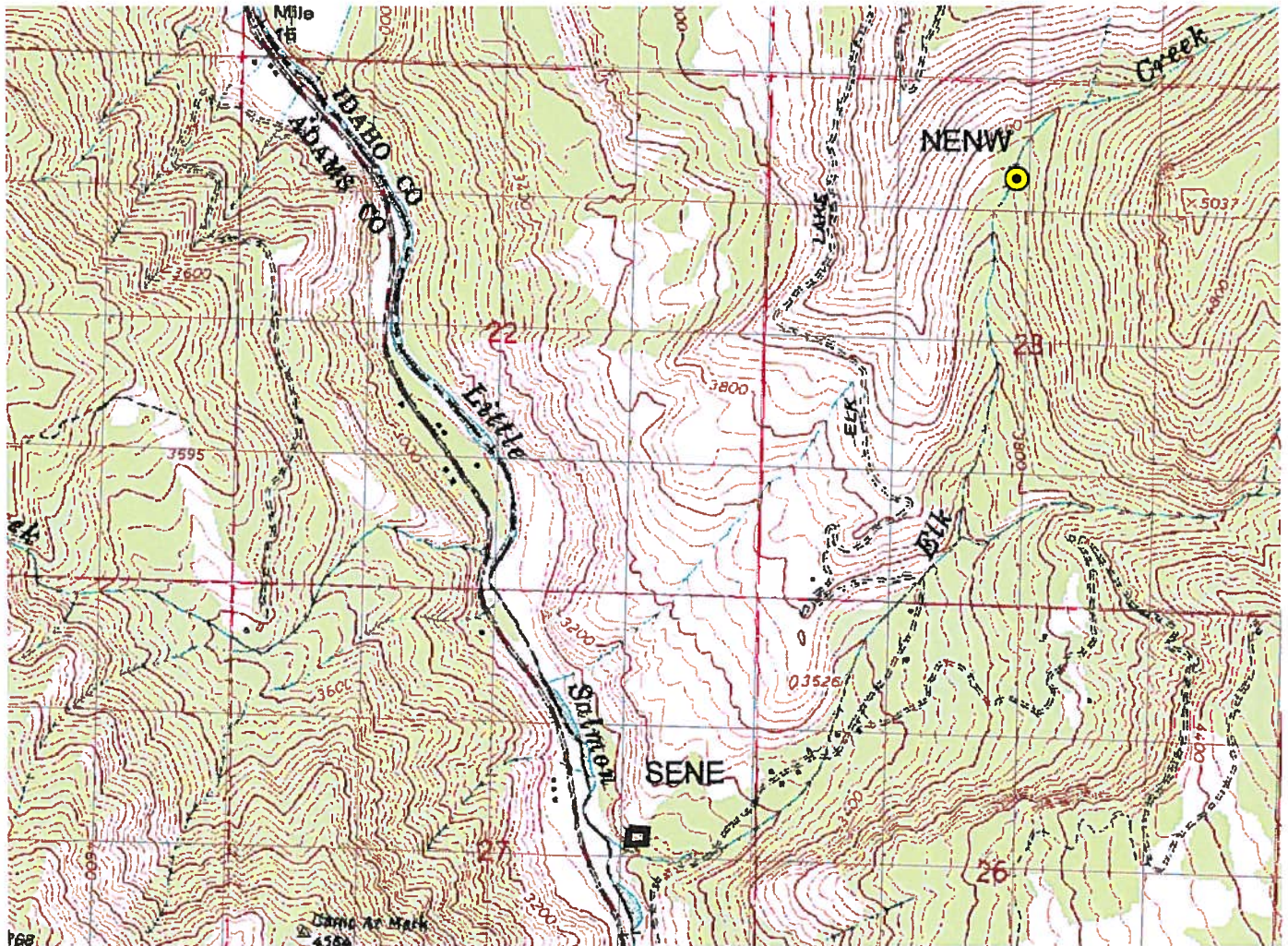
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The use of water under this right shall not conflict or interfere with the future upstream diversion of water for irrigation or other beneficial consumptive uses or with future instream flows authorized by state law

THE SAME SYSTEM IS CURRENTLY USED UNDER 78-07154 & 07188.

EXPLANATORY MATERIAL: License

78-7150B



0 1000 2000 Feet



Sections 23 & 27
T22N R1E



-  Point of Diversion
-  Place of Use

Map prepared on June 16, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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: A78-07150B
Date Received: 6/07/1988
Receipt No: W000552
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SITHE ENERGIES/EL DORADO HYDRO 208-375-1106
Address: 10464 GARVERDALE COURT,
SUITE 710
BOISE, ID 83704-0000

2. Date of Priority: JUN 23, 1980

3. Source: ELK CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	01E	23	SE	NE	NW		IDAHO

5. Description of diverting works:
MODIFIED DAM AND SLUICE-GATE, 24" PIPELINE TO POWER PLANT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	7.720		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HYDROPOWER, 1130' HEAD
GENERATING CAPACITY 696.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	01E	27	SE	NE		POWER	

A78-07150B

Page 1

Date: 07/26/88

MICROFILMED
OCT 05 1992

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
78-07154,07188.

14. Remarks:

THIS PERMIT SHALL BE SUBJECT TO FUTURE OPERATION SO THAT USE OF WATER UNDER THIS PERMIT WILL NOT CONFLICT OR INTERFERE WITH THE FUTURE UPSTREAM DIVERSION OF WATER FOR IRRIGATION OR OTHER BENEFICIAL CONSUMPTIVE USES OR WITH FUTURE INSTREAM FLOWS AUTHORIZED BY STATE LAW.

THE SAME SYSTEM IS CURRENTLY USED UNDER 78-07154 & 07188.
KW PRODUCTION IS 1880 AS OF 6/88, BUT CAPACITY IS 2320 KW.
CORPORATE HEADQUARTERS ADDRESS: 885 THIRD AVE., SUITE 3040
NEW YORK, NEW YORK 10022

THE KW PRODUCTION OF THIS WATER RIGHT AS COMPARED WITH THAT OF 78-07154 AND 07188 WAS COMPUTED USING THE PRO-RATA FLOW PROVIDED BY THIS WATER RIGHT (696 KW FOR THIS WATER RIGHT PER ATTACHED COMPUTATION SHEET).

15. Basis of Claim: PERMIT
Water Right Number: 07150B

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: 2

For Organizations:

I do solemnly swear or affirm that I am Operations Manager of Idaho Energy/El Dorado Hydro that I have signed the foregoing document in the space below as Operations Manager of Idaho Energy/El Dorado Hydro and that the statements contained in the foregoing document are true and correct.

Sherry R. Heller
Signature of Authorized Agent
Operations Mgr
El Dorado Hydro/Idaho Energy
Title and Organization
July 26, 1988
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of July 19 88

Nancy M. Lindgren
Notary Public

Seal

Residing at Boise
My Commission Expires 1-19-1994

A78-07150B

52

20'

53

55

55

17' 30"

56

13

HD

24"
PIPE

PU
ROAD
PLANT

ELK
CREEK

34

NOT TO SCALE

Elk Creek Hydropower Plant

			<u>KW Provided*</u>
A 78-07150 B	6/23/1980	7.72 cfs	696 kw
A 78- ⁰⁷¹⁵⁴ ~~07154~~	7/28/1980	10.0 cfs	902 kw
A 78-07188	10/29/1981	<u>8.0 cfs</u>	<u>722 kw</u>
		25.72 cfs	2320 kw

These three water rights combine to produce a total KW output capacity of ~~2320~~ 2320 KW.

Assume that each cfs of flow produces the same KW output.

$$\therefore \frac{2320 \text{ KW}}{25.72 \text{ cfs}} \Rightarrow * 90.202 \text{ KW/cfs}$$

Prepared by Linda Werner &
Dave Tuthill

7/26/88

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OCT 05 1992

Sithe Energies, Inc.

A Member of the Sithe/Energies Group

Hydro Operations

West Valley Business Center
9466 Fairview Avenue
Boise, Idaho 83704

Telephone (208) 375-1106
Fax (208) 375-1125

178-07154
✓ 07188
✓ 07150B

RECEIVED

MAY 26 1993

Department of Water Resources

May 21, 1993

IDAHO DEPARTMENT OF WATER RESOURCES
1301 N. Orchard
Boise, ID 83702

Reference: El Dorado Hydro
Account No. W000001 ✓

Subject: Change of Address for Billing and Correspondence

Please let this letter serve to advise you that the administrative portion of our Boise office will be relocating to Pennsylvania. Please begin sending all billing and correspondence to the address below as of June 1, 1993. Thank you for your cooperation.

Janice Padgett
Sithe Energies, Inc.
420 Third Avenue
Ford City, PA 16226

(412) 763-9038
(412) 763-9068 FAX

Sincerely,

SITHE ENERGIES, INC.

Janice Padgett
Administrative Assistant - Hydro

MICROFILMED

AUG 08 1994