

03/02/2006

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

RIGHT NUMBER: 77-4184

NAME AND ADDRESS: TOM T ALLEGREZZA
7153 W EMERALD
BOISE ID 83704

SOURCE: BLUE MOON CREEK

TRIBUTARY: SULPHUR CREEK

QUANTITY: 2.530 CFS

PRIORITY DATE: 03/20/1950

POINT OF DIVERSION:

T14N R09E S16 SESW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS
POWER	01/01 12/31	2.350 CFS
DOMESTIC	01/01 12/31	0.150 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T14N R09E S21 SWNE 1.00

POWER Within VALLEY County

T14N R09E S21 SWNE

DOMESTIC Within VALLEY County

T14N R09E S21 SWNE

1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 2, 2006

Daniel Steenson
Box 2773
Boise, ID 83701

RE: 77-4184

Dear Dan:

We revised the preliminary recommendation that deletes the reference to the waters of Blue Moon Creek. Enclosed is the final recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

February 15, 2006

RECEIVED
FEB 17 2006
IDWR/North

BY FACSIMILE (208) 769-1454 AND MAIL

Ken Knoblock
Idaho Department of Water Resources
Northern Regional
Office 1910 Northwest Blvd.
Suite 210
Coeur d'Alene, ID 83814-2615

Re: Notices of Error re Preliminary Recommendations for Water Right Nos. 77-4184,
77-7052, and 77-10096

Dear Ken:

Enclosed are three Notices of Error for IDWR's preliminary recommendations for water right nos. 77-4184, 77-7052, and 77-10096. These water rights have common ownership, divert from the same point on Blue Moon Creek, for use on the Sulphur Creek Ranch.

One question I have is the 20 acre place of use recommended for irrigation under water right no. 77-10096. Did IDWR prepare a shape file to confirm this acreage? The claimant thinks 20 acres may be an understatement, and I have seen references to 30 acres having been irrigated in beneficial use reports and exams.

Please call me when you have had a chance to review the enclosed notices. Thanks as always Ken for your assistance.

Yours very truly,



Daniel V. Steenson

Enclosures

cc: Tom Allagrezza



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 1, 2006

Dan Steenson
Rigert & Clark
Box 2773
Boise, ID 83701

RE: Notices of Error for Sulphur Creek Ranch

Dear Dan:

I have made the following changes to the following claims:

77-4184 - the reference to hydropower has been changed.

77-7052 – the period of use has been changed to 4/15 to 11/1.

77-10096 – the priority date has been changed. The number of acres is based on water license 77-2106. As you can see from the application and license only 20 acres were mentioned. If a right for more than 20 acres is needed and application for permit needs to be submitted.

Sincerely,

Kenneth Knoblock
Water Resources Agent

02/28/2006

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

RIGHT NUMBER: 77-4184

NAME AND ADDRESS: TOM T ALLEGREZZA
7153 W EMERALD
BOISE ID 83704

SOURCE: BLUE MOON CREEK

TRIBUTARY: SULPHUR CREEK

QUANTITY: 2.530 CFS

PRIORITY DATE: 03/20/1950

The Condition Code 171 relating to the subordination of hydropower to other uses was deleted from this recommendation because there are no other upstream diversions from Blue Moon Creek, no other owners of Blue Moon Creek water rights, and not other private lands that could receive water from Blue Moon Creek

POINT OF DIVERSION:

T14N R09E S16 SESW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS
POWER	01/01 12/31	2.350 CFS
DOMESTIC	01/01 12/31	0.150 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T14N R09E S21 SWNE 1.00

POWER Within VALLEY County

T14N R09E S21 SWNE

DOMESTIC Within VALLEY County

T14N R09E S21 SWNE

1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**NOTICE OF ERROR
REPLY**

RECEIVED
FEB 17 2006
IDWR/North

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water Right Number: 77-4184

TOM T ALLEGREZZA
7153 W EMERALD
BOISE, ID 83704
Telephone Number: (208) 377-1188

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The remark that is included in the proposed recommendation under the priority date.

2. Describe the changes you wish to make in the proposed recommendation:

Remove the aforementioned remark.

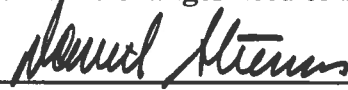
3. Give a brief explanation as to why you disagree with these portions:

(1) The factual predicate for the proposed remark does not apply to this water right. The Blue Moon Creek diversion for Water right no. 77-4184 (hydropower) is on federal land within the Frank Church - River of No Return Wilderness. The same diversion is used for water right nos. 77-10096, 77-7052. These water rights have a common owner, and are conveyed across federal land through a pipeline for beneficial use at the Sulphur Creek Ranch. (Copies of the proposed recommendations and maps for these two water rights are attached.) There are no other upstream diversions from Blue Moon Creek, no other owners of Blue Moon Creek water rights, and no other private lands that could receive water from Blue Moon Creek. Thus, there is no "historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes," and no junior water rights that could be subject to a delivery call to supply water right no. 77-4184.

(2) IDWR has no authority to include the proposed remark in this water right.

I AGREE with this proposed recommendation; no changes need to be made.

DATE: 2-15-06

SIGNATURE: 

Please print your name: Daniel V. Steenson

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

Knoblock, Ken

From: Hamlin Nygard, Susan
Sent: Thursday, February 16, 2006 12:52 PM
To: Fritschle, Carter
Cc: Knoblock, Ken
Subject: RE: hydropower

This looks fine.

-----Original Message-----

From: Fritschle, Carter
Sent: Thursday, February 16, 2006 1:14 PM
To: Hamlin Nygard, Susan
Cc: Knoblock, Ken
Subject: RE: hydropower

Susan,

If this statement were placed in the comment, would we be all right?

The Condition Code 171 relating to the subordination of hydropower to other uses was deleted from this recommendation because there are no other upstream diversions from Blue Moon Creek, no other owners of Blue Moon Creek water rights, and no other private lands that could receive water from Blue Moon Creek.

-----Original Message-----

From: Hamlin Nygard, Susan
Sent: Thursday, February 16, 2006 12:15 PM
To: Fritschle, Carter
Cc: Knoblock, Ken
Subject: RE: hydropower

I just reviewed the attachment, maybe I missed it but where did the give facts to show that the remark should not apply?

-----Original Message-----

From: Fritschle, Carter
Sent: Thursday, February 16, 2006 11:47 AM
To: Hamlin Nygard, Susan
Cc: Knoblock, Ken
Subject: FW: hydropower

Hi Susan,

This looks to me like the same situation we had with 77-14219 in which we removed Condition 171. However, I wanted to check with you before giving Ken the go ahead to remove the condition.

Thanks, Carter

-----Original Message-----

From: Knoblock, Ken
Sent: Thursday, February 16, 2006 10:48 AM
To: Fritschle, Carter
Subject: hydropower

Carter - page 3 is the request to delete the condition regarding hydropower on the Sulphur Creek Ranch.

I need some advise on what to do?

Thank you.

ken

-----Original Message-----

From: IDWR Fax Northern
Sent: Wednesday, February 15, 2006 1:13 PM
To: Knoblock, Ken
Subject: FW: From " 2083424657"(Fax Message NO.3531)

-----Original Message-----

From: idwrfaxnorth@idwr.idaho.gov [mailto:dwrfaxnorth@idwr.idaho.gov]
Sent: Wednesday, February 15, 2006 10:05 AM
To: IDWR Fax Northern
Subject: From " 2083424657"(Fax Message NO.3531)

This E-mail was sent from "North_N01_Color" (Aficio 2238C).

Queries to: webmaster@idwr.idaho.gov

01/07/2005

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

RIGHT NUMBER: 77-4184

NAME AND ADDRESS: TOM T ALLEGREZZA
7153 W EMERALD
BOISE ID 83704

SOURCE: BLUE MOON CREEK

TRIBUTARY: SULPHUR CREEK

QUANTITY: 2.530 CFS

PRIORITY DATE: 03/20/1950

POINT OF DIVERSION:

T14N R09E S16 SESW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS
POWER	01/01 12/31	2.350 CFS
DOMESTIC	01/01 12/31	0.150 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T14N R09E S21 SWNE 1.0

POWER Within VALLEY County

T14N R09E S21 SWNE

DOMESTIC Within VALLEY County

T14N R09E S21 SWNE

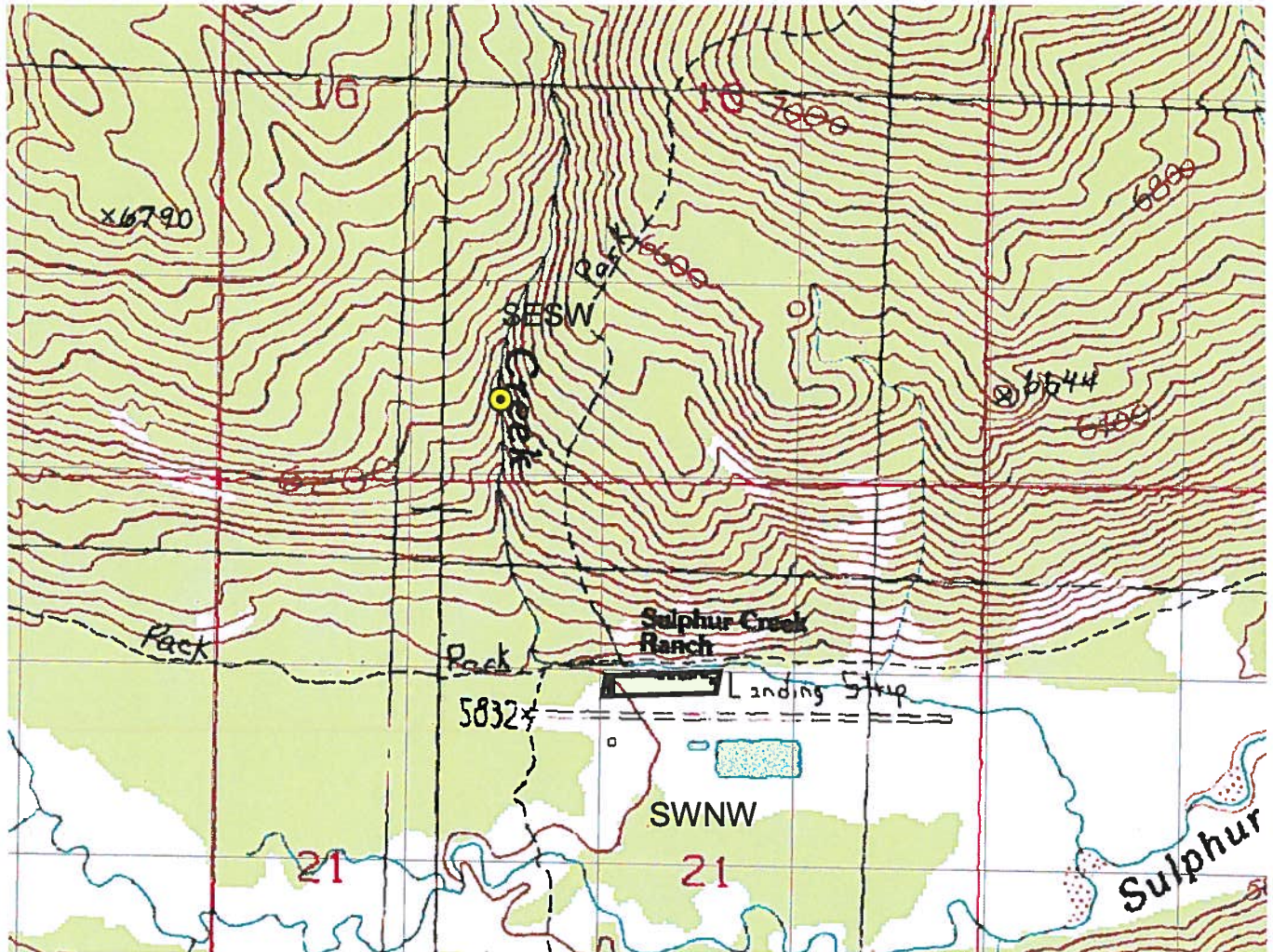
1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: Beneficial Use

77-4184



0 800 1600 Feet

Sections 16 & 21
T14N R9E



● Point of Diversion

□ Place of Use

Map prepared on January 10, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 7, 2005

Tom Allegrezza
7153 W. Emerald
Boise, ID 83704

RE: 77-4184

Dear Mr. Allegrezza:

We have reviewed your Claim to a Water Right files with the Snake River Adjudication and the determined that the amount of water that we will recommend for power production is 2.35 cfs. A field exam was made on June 3, 1976, and the discharge from the power plant was measured at 2.35 cfs.

If you have any questions, feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock'.

Kenneth Knoblock
Water Resources Agent

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: A77-04184

Date Received: 10/13/1988

Receipt No: 0002985

Received By: [Signature] 10/20/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TOM ALLEGREZZA
Address: 7153 W. EMERALD
BOISE, ID

83704

2. Date of Priority: MAY 01, 1935

3. Source: BLUE MOON CREEK Trib. to: SULPHUR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	09E	16	SE	SW			VALLEY

5. Description of diverting works:
PENSTOCK, PIPE & WOOD DIVERSION WORKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.030		
POWER	01/01	12/31	11.000		
DOMESTIC	01/01	12/31	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/LODGE, 8 CABINS.
GENERATING CAPACITY 15.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	09E	21	NW	NE		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: VALLEY

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: STATUTORY CLAIM

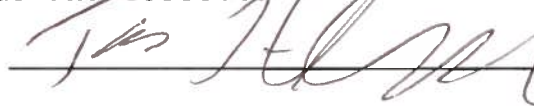
16. Signature(s)

(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 x do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

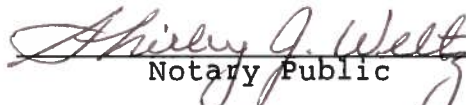
For Individuals:

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

Signature of Claimant(s):  Date: 10/19/88
Date:

State of Idaho)
County of Ada) SS.

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


Notary Public

Seal

Residing at Bow, ID

My Commission Expires 5-10-91

Permit No. 21416

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MARVIN E. HORNBACK of Boise, County of Ada, and State of Idaho, the holder of Permit No. 21416, issued upon Application No. 29110 bearing date of priority of March 20, 1950, authorizing the diversion of Three (3) second feet of the waters of Blue Moon Creek, a tributary of Sulphur Creek, thence Middle fork Salmon River, County of Valley, State of Idaho, for power purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Three (3) second feet of the waters of Blue Moon Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Township 14 North, Range 9 East, B.M. and that the place of use of said water is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 14 North, Range 9 East, B.M.

Witness my hand this 8th day of November, A. D. 1950.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made October 3, 1950.

Certificate of Completion of Works issued November 8, 1950.

ASSIGNMENT

For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 21416 to EUGENE J. BARTON, ~~of Mr. Arnold Lyons, 400 Rand Tower, Minneapolis, Minnesota~~
2945 Fairchild Ave. WAYSATA, "

s/ MARVIN E. HORNBACK
Permit Holder

s/ BARBARA HORNBACK
Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of :)

On this 8th day of May, 1962, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared MARVIN E. HORNBACK and BARBARA HORNBACK, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires 1/18/66

s/ Samuel Kaufman, Jr.
Notary Public
Residing at Boise, Idaho

Application for Amendment
To Permit to appropriate the Public Waters
OF THE STATE OF IDAHO, No. 21416

Comes now EUGENE J. BARTON (by Samuel J. Kaufman, attorney) and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21416, and requests that the purpose as described in said permit, be changed to read as follows: For irrigation only. He also requests that the list of lands to be irrigated be included in said permit to read as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T14N, R9E., B. M., Ida.

The date of priority of the irrigation right shall be July 13, 1962, making a total of 20 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 20 day of July, 1962.

EUGENE J. BARTON

By Samuel Kaufman, Agent

Date of Receipt at office of Department of Reclamation: July 23, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21416. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: July 24, 1962



Diversion Dam

305
121

DATE OF EXAM 6-3-76

ACREAGE

Found N/A
Recommended N/A

Irrigation Requirement N/A Ac Ft/Ac

USE

Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Power May 1 Nov 1
Generation

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.35 cfs Method of measurement current meter

Total Q recommended 2.35 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 856 AF/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

Total V = 2.35 cfs X 1.98 AF/day X 184 day season = 856.152 AF/ANN

SYSTEM DESCRIPTION:

3' high wooden diversion dam diverting water into 8" steel pipe from Blue Moon Creek. Pipe carries water about 1000' from creek by gravity flow with about 110' drop in elevation. Water flows to pelton wheel that generates 3.5 HP and about 125 lbs. pressure. Woodward generator brand governor type VG 32, serial # 152739.

REMARKS:

Discharge from power plant goes to fish pond and to irrigate about 30 acres. Generator runs 24 hrs per day during use period

Examiner's Signature Peter J. Chamberlin Date 6-14-76

Checked by JH Date 6-15-76

Approved by _____ Date _____

1HP = 746

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21416This proof is for Beneficial use In Water District No. _____

1. Name of applicant Marvin E. Hornback, Box 393, Boise, Idaho
2. Source of water supply: Blue Moon Creek, a tributary of Sulphur Creek, thence Middle fork
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16
T. 14 N. R. 9 E. County of Valley
4. Describe works as they exist, giving dimensions and capacities of same: 8" pipeline brings water
down the hill from a diversion out of Blue Moon Creek. Pressure at Pelton Wheel is 120
lbs. There is a double runner Pelton wheel, 18" dia. directly connected to the genera-
tor. There are 2, 2" nozzles. The 900 rpm generator is Westinghouse, 30 k.w., controlled
by Woodward Governor No. 182739.
5. Water is used for: Power
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number
of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other
than irrigation):

Place of Uses: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Twp. 14 N., Range 9 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Current from this generator is used at the main lodge and cabin on Upper
Sulphur Creek. Used for cooking, heating, refrigeration, water, etc.

25KW output reported

They are using at least 6 cfs of water for full
output

This examination was made on the 15 day of June, 1953

(Signed) E. J. Humphrey Examiner.

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

77-2106

APPLICATION No. 29110
PERMIT No. 21416
DISTRICT No.

Assigned to *Engene J. Burton*
2900 Fairchild Ave.
Wayzata Minn
State: Idaho

1. Name of Applicant: MARVIN E. HORNBACK

Postoffice address: Box 393, Boise

County: Ada

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: Three (3)

cubic feet per second.

3. Source of water supply: Blue Moon Creek

which is a tributary of Sulphur Creek, thence Middle fork Salmon River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. - , B.M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 16 , T. 14 N , R. 9 E. , B.M., County of Valley

5. Water is to be used for Power, *Navigation only*

6. If for mining, milling, power or manufacturing purposes, give:

2395 ft. West

(a) Point of use of water: 1360 ft. North of distant from the E. $\frac{1}{4}$ corner of Section 21

T. 14 N. , R. 9 E. , B.M., in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21 , T. 14 N. , R. 9 E. , B.M.

(b) Amount of power generated: 68 H.P., under 200 feet head.

(c) Water is to be returned to Sulphur Creek at a point 100 feet

distant from the E. $\frac{1}{4}$ corner of Section 21 , T. 14 N. , R. 9 E. , B.M., in the

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21 , T. 14 N. , R. 9 E. , B.M.

7. Estimated cost of works: \$ -

8. Kind of works: Diversion dam, 8 inch pipe line, Power plant

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

LICENSE ISSUED FOR 40 AC. FT.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

Permit No. 21416

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MARVIN E. HORNBACk of Boise, County of Ada, and State of Idaho, the holder of Permit No. 21416, issued upon Application No. 29110 bearing date of priority of March 20, 1950, authorizing the diversion of Three (3) second feet of the waters of Blue Moon Creek, a tributary of Sulphur Creek, thence Middle fork Salmon River, County of Valley, State of Idaho, for power purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Three (3) second feet of the waters of Blue Moon Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Township 14 North, Range 9 East, B.M. and that the place of use of said water is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 14 North, Range 9 East, B.M.

Witness my hand this 8th day of November, A. D. 1950.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made October 3, 1950.
Certificate of Completion of Works issued November 8, 1950.

ASSIGNMENT

For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 21416 to EUGENE J. BARTON, ~~of Mr. Arnold Lyons, 400 Rand Tower, Minneapolis, Minnesota~~
2960 Fairchild Ave.

WAZATA
s/ MARVIN E. HORNBACk
Permit Holder

s/ BARBARA HORNBACk
Wife of Permit Holder

STATE OF IDAHO)
: ss
County of)

On this 8th day of May, 1962, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared MARVIN E. HORNBACk and BARBARA HORNBACk, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires 1/18/66

s/ Samuel Kaufman, Jr.
Notary Public
Residing at Boise, Idaho

Application for Amendment
To Permit to appropriate the Public Waters
OF THE STATE OF IDAHO, No. 21416

Comes now EUGENE J. BARTON (by Samuel J. Kaufman, attorney) and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21416, and requests that the purpose as described in said permit, be changed to read as follows: For irrigation only. He also requests that the list of lands to be irrigated be included in said permit to read as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T14N, R9E., B. M., Ida.

The date of priority of the irrigation right shall be July 13, 1962, making a total of 20 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 20 day of July, 1962.

EUGENE J. BARTON

By Samuel Kaufman, Agent

Date of Receipt at office of Department of Reclamation: July 23, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21416. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: July 24, 1962



controlling
works for
domestic
system

Lodge -



1 acre irrigation
with 14 sprinkler
(5/16" nozzles)
(area directly
around the lodge
and upper west
end of air strip)



3' dam, 8" steel pipe
 Diverted in SE SW, sec 16
 14N, 9E
 ~1000' pipe, 400' elevation
 drop to power plant

power plant





Marathon
Electric
alternator
36ZPSL1604

(replaced original
generator in
1997)

"
Produces 44 KW and
125 PSI

Back-up
diesel engine



APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

77-2106

APPLICATION No. 29110
PERMIT No. 21416
DISTRICT No.

Assigned to

Eugene J. Barton
2900 Fairchild Ave.
Wayzata, Minn.
5/8/1962

1. Name of Applicant: MARVIN E. HORNBACH

Postoffice address: Box 393, Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: Three (3)

cubic feet per second.

3. Source of water supply: Blue Moon Creek

which is a tributary of Sulphur Creek, thence Middle fork Salmon River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 16 , T. 14 N , R. 9 E. , B.M., County of Valley

5. Water is to be used for Power ? *Drainage only*

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: 2395 ft. West 1360 ft. North of distant from the E. $\frac{1}{4}$ corner of Section 21
T. 14 N. , R. 9 E. , B.M., in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21 , T. 14 N. , R. 9 E. , B.M.
- (b) Amount of power generated: 68 H.P., under 200 feet head.
- (c) Water is to be returned to Sulphur Creek at a point 100 feet
distant from the E. $\frac{1}{4}$ corner of Section 21 , T. 14 N. , R. 9 E. , B.M., in the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21 , T. 14 N. , R. 9 E. , B.M.

7. Estimated cost of works: \$ -

8. Kind of works: Diversion dam, 8 inch pipe line, Power plant

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

LICENSE ISSUED FOR 40 AC. FT.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:



Land Patent Details

Quick Help Bookmark (Ctrl+D) Printer Friendly

[Home](#) > [Land Patent Search](#) > [Results List](#) > **Land Patent Details**

Help

Accession/Serial #: 925438 **BLM Serial #:** IDB 0025266

previous next

Patent Description Legal Land Description Document Image Certified Copy

Names

Patentee: SAMUEL PHILLIPS

Survey

State: IDAHO

Acres: 160

Metes/Bounds: No

Title Transfer

Issue Date: 12/3/1923

Land Office: Boise City

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: May 20, 1862: Homestead
EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 025266

Misc. Doc. Nr.: 0

Accession/Serial Nr.: 925438

BLM Serial Nr.: IDB 0025266

see 77-07052 for
more info

length: 1000'
Drop: 400'

8" steel pipe for Blue Moon Cr
Water flows to alternator that generates
44KW + 125 PSI

Discharge for power plant goes into 1'x1'
ditch for fish pond or a 4" buried
mainline for surrounding vegetation

Alternator: Marathon Electric

362PSL1604

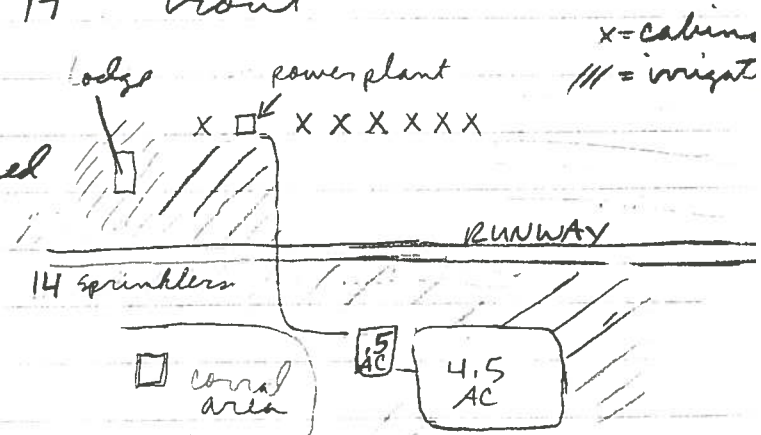
(Backup diesel
engine also on site)

Magnaplex Synchronous AC

Ponds: .5 ac small pond for fish rearing
4.5 ac large pond for "propagata"
22' deep
small to 17" trout

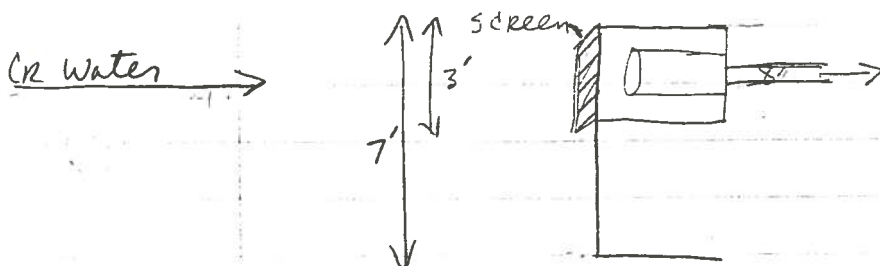
Irrigation: 20 ac
Flooded +
sprinkled

1 portable
13 off main
14 5/16" sprinklers
along runway



1.5 dia culvert-ditch to sm pond
1.5 dia culvert for sm pd to big pd

DAM on Blue Moon Cr



Knoblock, Ken

From: Knoblock, Ken
Sent: Monday, January 03, 2005 9:44 AM
To: Knoblock, Ken
Subject: FW: 77-4184

-----Original Message-----

From: McHugh, Candice
Sent: Monday, January 03, 2005 9:38 AM
To: Fritschle, Carter; Knoblock, Ken
Subject: RE: 77-4184

I say treat it as a beneficial use claim and recommend the power use as we have evidence to support it. I concur with Carter.

-----Original Message-----

From: Fritschle, Carter
Sent: Monday, January 03, 2005 8:13 AM
To: Knoblock, Ken
Cc: McHugh, Candice
Subject: RE: 77-4184

Ken,

It looks to me there is plenty of evidence to support it. Is there any information in the permit file to indicate the system was in use before March of 1950?

I have used field exams for canceled permits to support the recommendation of beneficial use claims. I found we have canceled a lot of permits after the owner died and failed to respond to our correspondence.

I copied Candice just in case there is a legal issue that I am overlooking.

Carter

-----Original Message-----

From: Knoblock, Ken
Sent: Wednesday, December 29, 2004 2:38 PM
To: Fritschle, Carter
Subject: 77-4184

On October 13, 1988, Tom Allegrezza filed a claim (77-4184) for irrigation, power and domestic from Blue Moon Creek. The date of priority was listed as May 1, 1935. This has to be the same system that Marvin Hornback filed on in March 1950 (77-2106). The use was listed as 3 cfs for power. On June 15, 1953, E.N. Humphrey inspected the system and confirmed the use for power, lodge and cabin use. He said they were using at least 6 cfs.

On May 8, 1962, the permit was assigned to Eugene Barton of Wayzata MN and the permit was amended to irrigation only which was approved with a date of priority of July 13, 1962.

Peter Chamberlin made an inspection on June 14, 1976. In the report he measured the discharge of the power plant at 2.35 cfs.

A memo was sent to Keith Higginson about the residency of the permit holder and the decision was - power use lost, recommend irrigation if there was irrigation.

The license was issued for .40 cfs for 20 acres of irrigation with a priority date of October 3, 1972. Where that date came from I know not.

Problem - there is no question that the water was used for power production before June 15, 1963, and it appears that it was used continuously since then. The argument can be made that there is a beneficial use right for power production. The requirement to notify the department before it is transferred only applies to permits.

My question is: Do we recommend power production as a use in the recommendation for this claim?

ken

DATE OF EXAM 6-3-76

ACREAGE

Found N/ARecommended N/AIrrigation Requirement N/A Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to Domestic Q = c.f.s. V = AF/Ann. from to Livestock Q = c.f.s. V = AF/Ann. from to Power May 1 Nov 1GenerationIs water co-mingled? yes no XName source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Exchange? yes no XName source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Total Q measured 2.35 cfs Method of measurement current meterTotal Q recommended 2.35 cfs Meter No. Type Condition Total V recommended 856 AF/ANN

Recommended Amendments:

P.D.
Place of Use
Other
None X

MEASUREMENT CALCULATION:

Total V = 2.35 cfs X 1.98 AF/day X 184 day season = 856.152 AF/ANN

SYSTEM DESCRIPTION:

3' high wooden diversion dam diverting water into 8" steel pipe from Blue Moon Creek. Pipe carries water about 1000' from creek by gravity flow with about 110' drop in elevation. Water flows to pelton wheel that generates 3.5 HP and about 125 lbs. pressure. Woodward generator brand governor type VG-32, serial # 152739.

REMARKS:

Discharge from power plant goes to fish pond and to irrigate about 30 acres. Generator runs 24 hrs per day during ice periodExaminer's Signature Peter J. Chamberlin Date 6-14-76Checked by PJC Date 6-15-76Approved by Date

Location (below the cage) and
time of day etc
STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Date 6-3, 1976 **DISCHARGE MEASUREMENT NOTES** / 0' below
Blue moon Cr. River at Discharge from Power Gen.

[illegible]

No. 1 of 1 Sheets. Comp. by PJC Chk. by CD

(see ATT-04184 +
77-07052 for more info)

length: 1000'
Drop: 400'

8" steel pipe for Blue Moon Cr
Water flows to alternator that generates
44KW + 125 PSI

Discharge for power plant goes into 1'x1'
ditch for fish pond or a 4" buried
mainline for surrounding vegetation

Alternator: Marathon Electric

362PSL1604

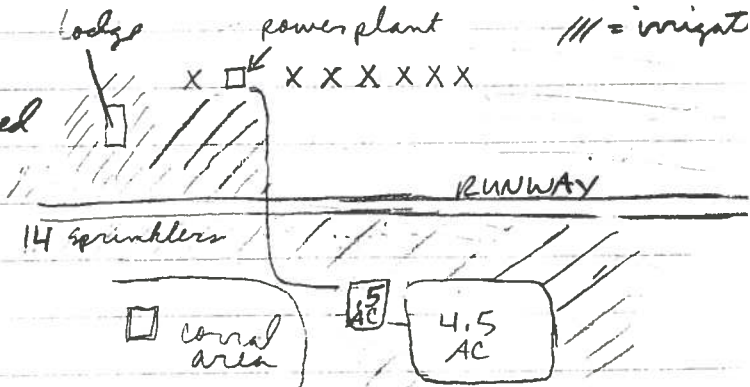
Magnaplex Synchronous AC

Backup diesel
engine also on site)

Ponds: .5 ac small pond for fish rearing
4.5 ac large pond for "propagate"
22' deep
small to 17" trout

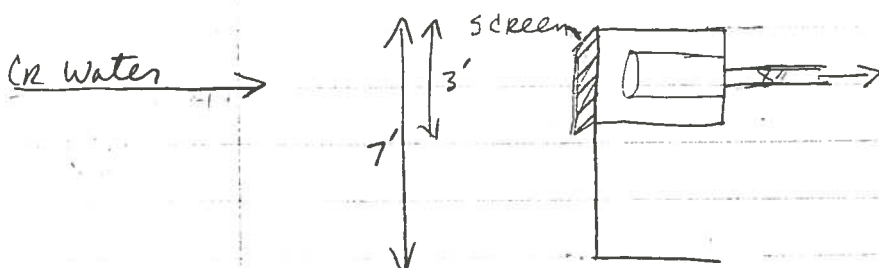
Irrigation: 20 ac
Flooded +
sprinkled

1 portable
13 off main
14 5/16" sprinklers
along runway



1.5 dia culvert-ditch to sm pond
1.5 dia culvert for sm pd to big pd

DAM on Blue Moon Cr



10/27/5

Head - ~~125~~ 125 psi

$Q = 3.5 \text{ cfs}$

35 HP

RECEIVED
OCT 11 2005
IDWR/North

June 17, 1953

RE: Permit No. 21416

Mr. Marvin Hornback
Box 393
Boise, Idaho

Dear Mr. Hornback:

Since returning to the office, I have checked the status of your filing for power at the Sulphur Creek Lodge.

You have Permit No. 21416 for 3 second feet of water from Blue Moon Creek for power purposes. Proof of completion of works was made on this permit in 1950, and beneficial use should have been made last year. Notice of same was mailed you at this same address on January 2, 1952. However, you apparently overlooked it or forgot to take the necessary steps to bring this to license. In case you have lost or misplaced this notice, we are sending you a second notice, inasmuch as I am sure you wanted to bring this permit to license.

For your further information, I am certain that you are diverting and using for power purposes approximately twice as much water as you asked for in your permit and you actually should make an additional filing on same to protect yourself.

If you do not fully understand this, or if there are any questions unanswered in your mind, it would be well to call at this office some day when you are in town and discuss this matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21416



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 28, 2005

Dana Hofstetter
Hofstetter Law Office
608 West Franklin
Boise, ID 83702

RE: 77-4184 – Sulphur Creek Ranch

Dear Ms Hofstetter:

We reviewed your letter regarding 6 cfs as the diversion rate for this water right. Mr. Humphrey's measurement was an estimate of the flow. Mr. Chamberlin's figure of 2.35 cfs was done using a measuring device. Both were done at the same time of the year.

If you can provide us with a water measurement that shows more than 2.35 cfs we will certainly re-evaluate our position.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a light blue circular stamp.

Kenneth Knoblock
Water Resources Agent

Knoblock, Ken

From: Fritschle, Carter
Sent: Friday, October 28, 2005 6:50 AM
To: Knoblock, Ken
Subject: 77-4184

Hi Ken,

I was calculating the head wrong. (I was dividing rather than multiplying.) Anyway, 125 psi at the generator would equal 288.75 feet of head. That amount of head would require only 1.33 cfs to operate the 35 HP generator at 80% efficiency. It looks like the 2.35 cfs is very adequate for what they are claiming.

Carter

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

October 5, 2005

RECEIVED
OCT 11 2005
IDWR/North

Kenneth Knoblock
Water Resources Agent
Northern Region
Idaho Department of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, Idaho 83814-2615

Re: Snake River Basin Adjudication – Water Right No. 77-4184

Dear Mr. Knoblock:

On behalf of Sulphur Creek Ranch, Inc. and Mr. Tom Allegrezza, I write to inform you of information that recently came to our attention concerning the water quantity associated with power purposes under Water Right No. 77-4184. This information establishes that at least 6 cubic feet per second ("cfs") has been used in the system for power purposes.

While the Sulphur Creek Ranch's power use is now associated with beneficial use Water Right No. 77-4184, originally, Permit No. 21416 (now Water Right No. 77-2106) covered this power use. However, eventually Permit No. 21416 was revised to cover only an irrigation use. Nevertheless, the Idaho Department of Water Resources' ("IDWR") file for that Permit contains relevant information concerning the power use. The June 15, 1953 Report of Engineer (copy enclosed) for Permit No. 21416 which investigated and described the power use stated: "They are using at least 6 cfs of water for full output." Additionally the map associated with that Engineer's Report noted, "amt [amount] = approx. 6 cfs."

Kenneth Knoblock
October 5, 2005
Page 2

A June 17, 1953 letter (copy enclosed) also in the IDWR file for Permit No. 21416 reiterates with "certainty" that 6 cfs was determined to have been used for power purposes and that the 3.0 cfs requested for the Permit was inadequate: "I am certain that you are diverting and using for power purposes approximately twice as much water as you asked for in your permit and you actually should make an additional filing on same to protect yourself." In view of this documentation describing a power use of at least 6 cfs, it appears that the subsequent pipeline output measurement of 2.35 cfs made on June 3, 1976 which is referred to in your January 7, 2005 letter does not represent maximum flow conditions.

Please contact me if you have any questions or need additional information. Thank you for your consideration of this matter.

Sincerely,

HOFSTETTER LAW OFFICE, LLC



Dana L. Hofstetter

Enclosures
cc: Tom Allegrezza
James Underwwood, Esq.
4048.1/6645

RECEIVED
OCT 11 2005
IDWR/North

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22116

REPORT ON PROOF OF Beneficial Use

MARTIN E. HORNBACK, Boise, Idaho

RECEIVED
OCT 11 2005
IDWR/North

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21116

REPORT ON PROOF OF Beneficial Use

MARVIN E. HORNBACK, Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21416

This proof is for Beneficial use

In Water District No.

1. Name of applicant Marvin E. Hornback, Box 393, Boise, Idaho

2. Source of water supply: Blue Moon Creek, a tributary of Sulphur Creek, thence Middle fork

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16 Salmon River

T 14 N. R. 9 E. County of Valley

4. Describe works as they exist, giving dimensions and capacities of same: 8" pipeline brings water down the hill from a diversion out of Blue Moon Creek. Pressure at Pelton Wheel is 120 lbs. There is a double runner Pelton wheel, 18" dia. directly connected to the generator. There are 2, 2" nozzles. The 900 rpm generator is Westinghouse, 30 k.w., controlled by Woodward Governor No. 182739.

5. Water is used for: Power

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of Use: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Twp. 14 N., Range 9 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Current from this generator is used at the main lodge and cabin on Upper Sulphur Creek. Used for cooking, heating, refrigeration, water, etc.

25 KW output reported

They are using at least 6 cfs of water for full output

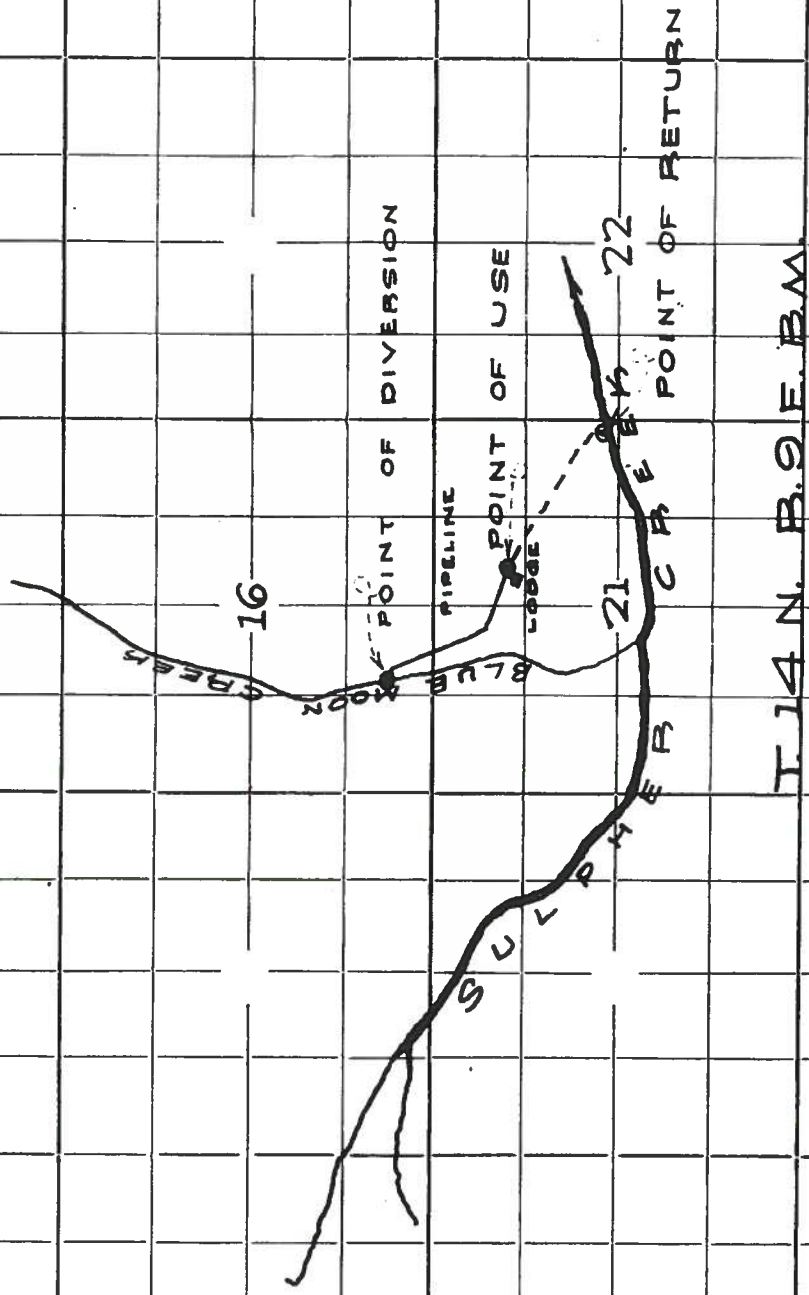
This examination was made on the

15

day of June

, 1953

(Signed) E. H. Humphrey Examiner.



P.D. = location was not checked by legal markers, but is approximately as indicated.

Place of use is in the lodge and cabins and other buildings at the Lupton Cr. landing field.

Dist = approx. 6 cfs.

✓
June 17, 1953

RE: Permit No. 21416

Mr. Marvin Hornback
Box 393
Boise, Idaho

Dear Mr. Hornback:

Since returning to the office, I have checked the status of your filing for power at the Sulphur Creek Lodge.

You have Permit No. 21416 for 3 second feet of water from Blue Moon Creek for power purposes. Proof of completion of works was made on this permit in 1950, and beneficial use should have been made last year. Notice of same was mailed you at this same address on January 2, 1952. However, you apparently overlooked it or forgot to take the necessary steps to bring this to license. In case you have lost or misplaced this notice, we are sending you a second notice, inasmuch as I am sure you wanted to bring this permit to license.

For your further information, I am certain that you are diverting and using for power purposes approximately twice as much water as you asked for in your permit and you actually should make an additional filing on same to protect yourself.

If you do not fully understand this, or if there are any questions unanswered in your mind, it would be well to call at this office some day when you are in town and discuss this matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21416

		77-4184			
	HP	H in feet	Efficiency as a decimal	Pumping lift in feet	System pressure in PSI
Q = HP*8.8/H*Eff	60	289.1156	0.5	0	125

Q = **3.658 cfs**

$$\frac{KW}{746} = HP$$

~~210~~
180 HP

~~1098 meg watts~~

11 cfs gives, 34.3 KW