

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

P/U AT PONDS LODGE AT THE CONFLUENCE OF BUFFALO R. & HENRYS FORK. *** OLD POWER PLANT BURNED AND WAS DESTROYED IN 1986. OWNERS HAVE OBTAINED NEW FERC LICENSE TO RECONSTRUCT POWER PLANT THIS YEAR. FERC LICENSE NO. 1413.

SCANNED

AUG 15 2001

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: A21-02097
Date Received: 1/11/1991
Receipt No: E015595
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BANK OF EASTERN IDAHO
Address: PO BOX 1487
IDAHO FALLS ID

83403-1487

2. Date of Priority: MAR 13, 1939

3. Source: BUFFALO RIVER

Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	43E	33	NW	NE	NW		FREMONT

5. Description of diverting works:
ROCK/TIMBER FACED DAM WITH 250KW TURBINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	100.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER GENERATION
GENERATING CAPACITY 250.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	43E	33	NW	NW		POWER	

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/U AT PONDS LODGE AT THE CONFLUENCE OF BUFFALO R. & HENRYS FORK.
*** OLD POWER PLANT BURNED AND WAS DESTROYED IN 1986. OWNERS
HAVE OBTAINED NEW FERC LICENSE TO RECONSTRUCT POWER PLANT THIS
YEAR. FERC LICENSE NO. 1413.

15. Basis of Claim: LICENSE

Water Right Number: 18796

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: A21-02097
Date Received: 1/11/1991
Receipt No: E015595
Received By: SB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BUFFALO HYDRO, INC. 208-529-8115
Address: C/O BRENT L. SMITH, PRES.
P.O. BOX 51016
IDAHO FALLS, ID 83405

2. Date of Priority: MAR 13, 1939

3. Source: BUFFALO RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	43E	33	NW	NE	NW		FREMONT

5. Description of diverting works:
ROCK/TIMBER FACED DAM WITH 250KW TURBINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	100.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER GENERATION
GENERATING CAPACITY 250.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	43E	33	NW	NW		POWER	

A21-02097

Page 1

Date: 01/11/91



MICROFILMED
OCT 20 1992

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/U AT PONDS LODGE AT THE CONFLUENCE OF BUFFALO R. & HENRYS FORK.
*** OLD POWER PLANT BURNED AND WAS DESTROYED IN 1986. OWNERS
HAVE OBTAINED NEW FERC LICENSE TO RECONSTRUCT POWER PLANT THIS
YEAR. FERC LICENSE NO. 1413.

15. Basis of Claim: LICENSE

Water Right Number: 18796

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: 3

For Organizations:

I do solemnly swear or affirm that I am SECRETARY of
Title

BUFFALO HYDRO INC., that I have signed the foregoing
Organization

document in the space below as SECRETARY of
Title

BUFFALO HYDRO INC and that the statements contained in the
Organization

foregoing document are true and correct.

George L Smith
Signature of Authorized Agent

Secretary Buffalo Hydro INC
Title and Organization

1/11/91
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21 day

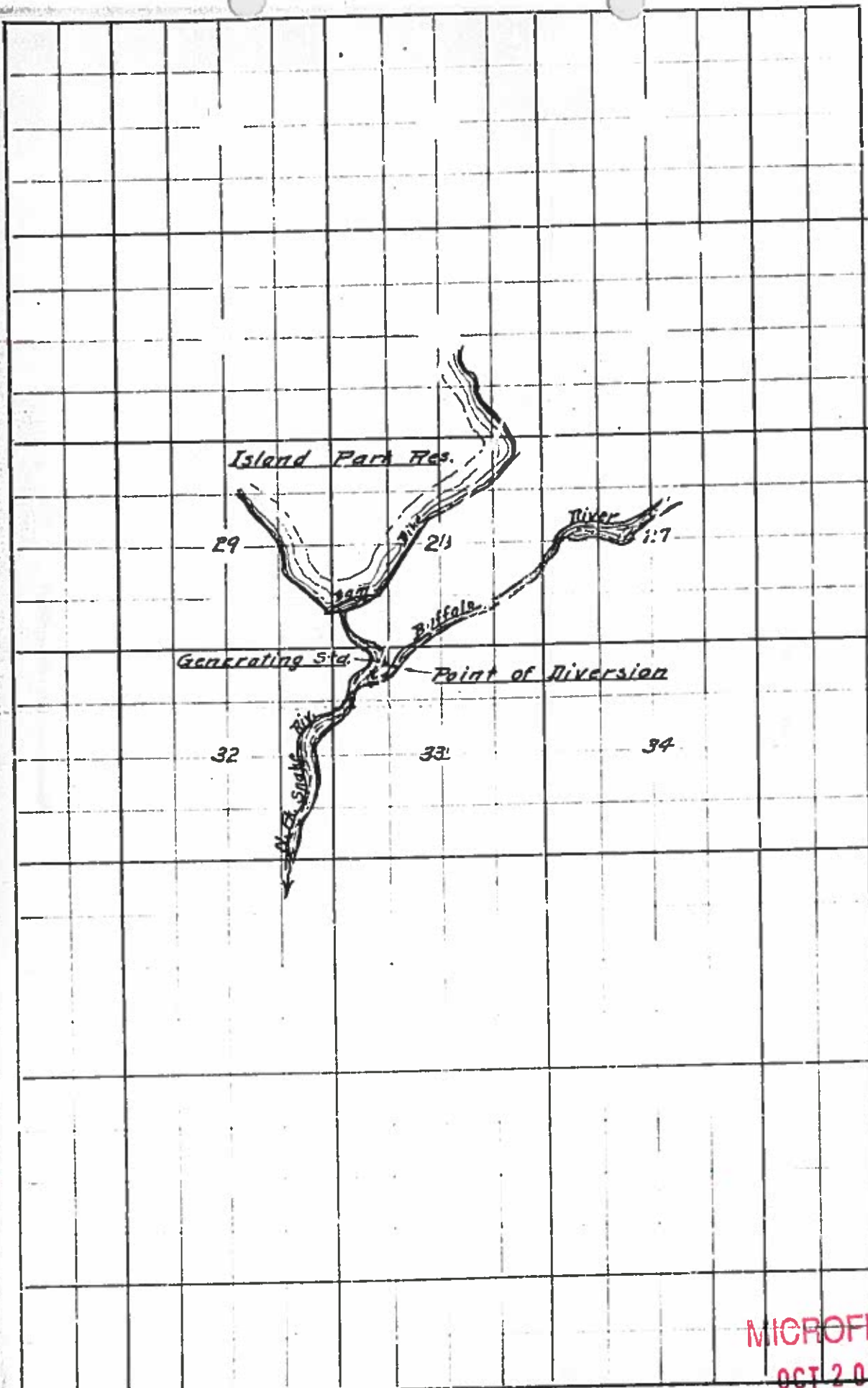
of January 19 91

Seal

[Signature]
Notary Public

Residing at Latah Falls, ID.

My Commission Expires 22 Aug 1994

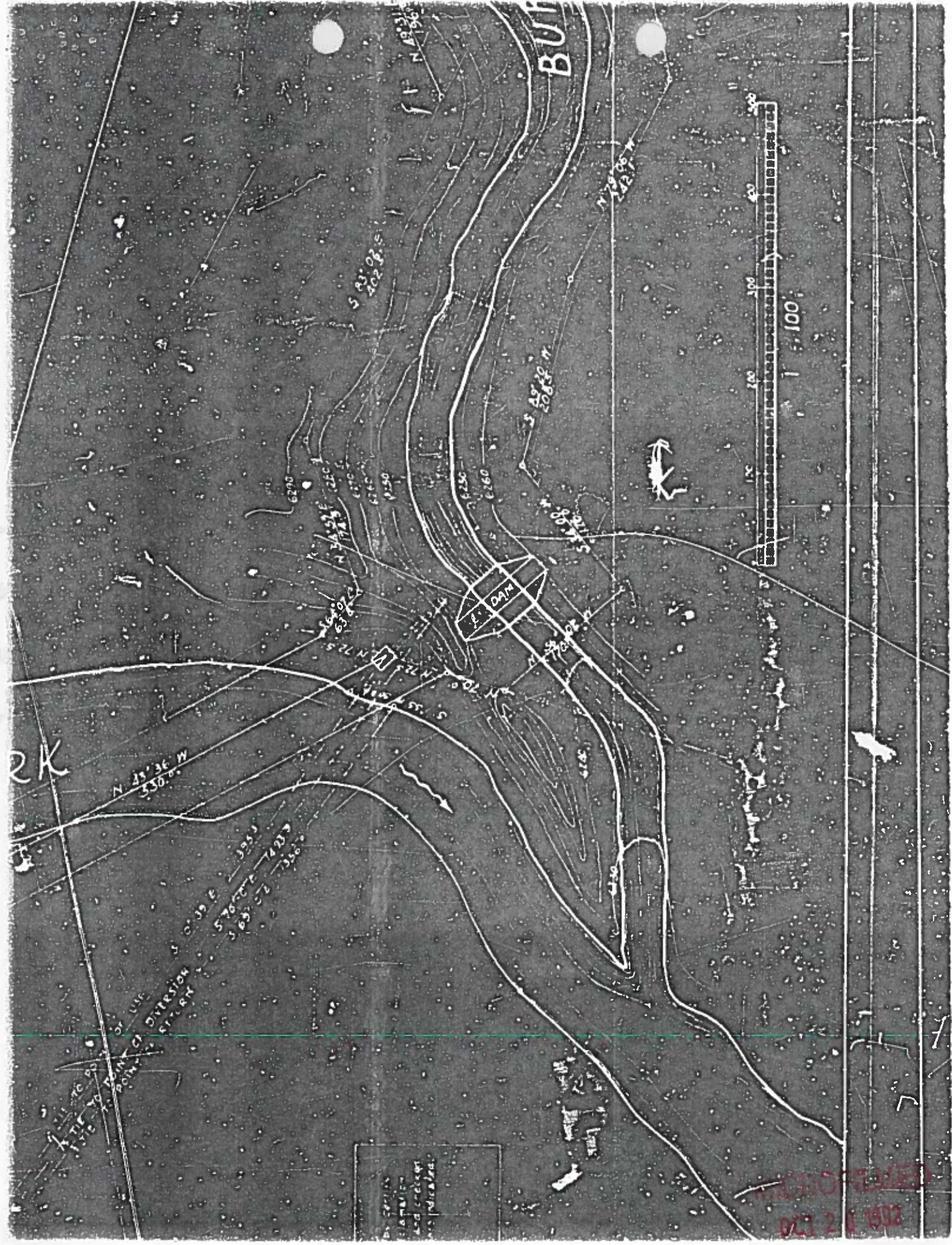


Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

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OCT 20 1997

18796



RK

N 28° 36' W
350.0'

S 0° 35' E 395.3
570.0' - 140.0'
569.0' - 350.0'

ALL LINES OF USE
TO BANK OF INTERIOR
ARE INDICATED
BY DOTTED LINES



0 100

RECEIVED
OCT 24 1952

Claim No. 2420017

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☒ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☐ Generate Arcview Map

— not irrigation —

Claim no. 131

Claimant Contact Log

Date _____

Remarks

Agent initials

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Reviewer: _____ Date: _____

Claim Number: _____

Claimed Priority Date: _____ Claimed Basis: _____

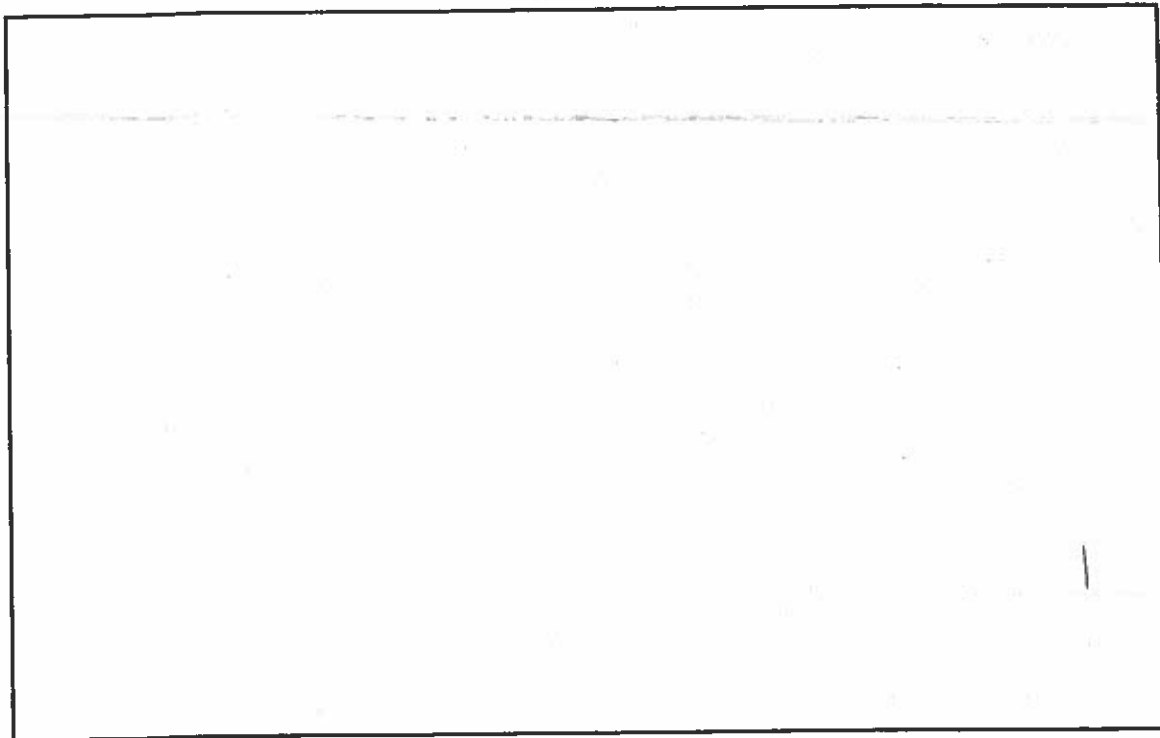
Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

[illegible]

Date: _____

Water Right No(s). _____



GPS DATA:

Tag # _____ Location: _____

Diversion Data:

Source: _____ Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to : _____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

[illegible]

Reviewer: _____ **Date:** _____

Claim Number: _____

[illegible]

Recommended Place of Use					County	Lot Num	Acre s	Purpose of Use
Twp	Rge	Sec	QQ	Q				

[illegible]

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

[illegible]

Reviewer: _____ Date: _____

Claim Number: _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

[illegible]

Reviewer: _____

Date: _____

State of Idaho

Amount 100 second test.

Priority March 13, 1968

THIS IS TO CERTIFY that CHARLES FOND

CHARLES POND

The Point of Diversion is located

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 100 cubic feet per second.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
At the	confluence of		Buffalo River and Henry's Fork, at Fond's		Lodge.

MARK R. KULP

(SRL)

21-2097

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

Permit No. 18796This proof is for Completion of works and Beneficial use In Water District No. _____1. Name of applicant Charles Pond, Island Park, Idaho2. Source of water supply: Buffalo River3. Location of point of diversion: Is in the NE 1/4 NW 1/4 of Section 33T. 13 N. R. 43 E. County of Fremont

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by means of a Rock fill, and derth dam, 90 feet of which is plank faced, Max depth 15 Ft, A Spillway crest of 40 feet long, with a 2 foot wide fishway, and four stopping openings three feet in height, Control gates, and a 5foot diameter Penstock leading to a Westinghouse D.C. Generator, 250 K.V.A., 2800 Volts, 62 Amps per terminal, 8 Phase 80 Cycles, 450 R.P.M., Serial 1828781. also a D.C. Motor #1104, 3.5 K.W. 125volt 68 Amps, 450 R.P.M. Serial 1829793, All housed in a station of 18' X 24' floor pla

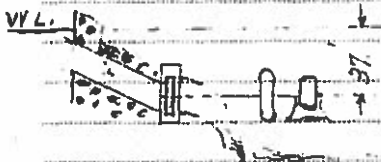
5. Water is used for: Power for Pond's Lodge, and Carstakers house at U.S.R.S. Dam6. State whether or not water has been turned into works of diversion: Yes

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- At confluence of Buffalo River and Henry's Fork, at Pond's Lodge

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

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

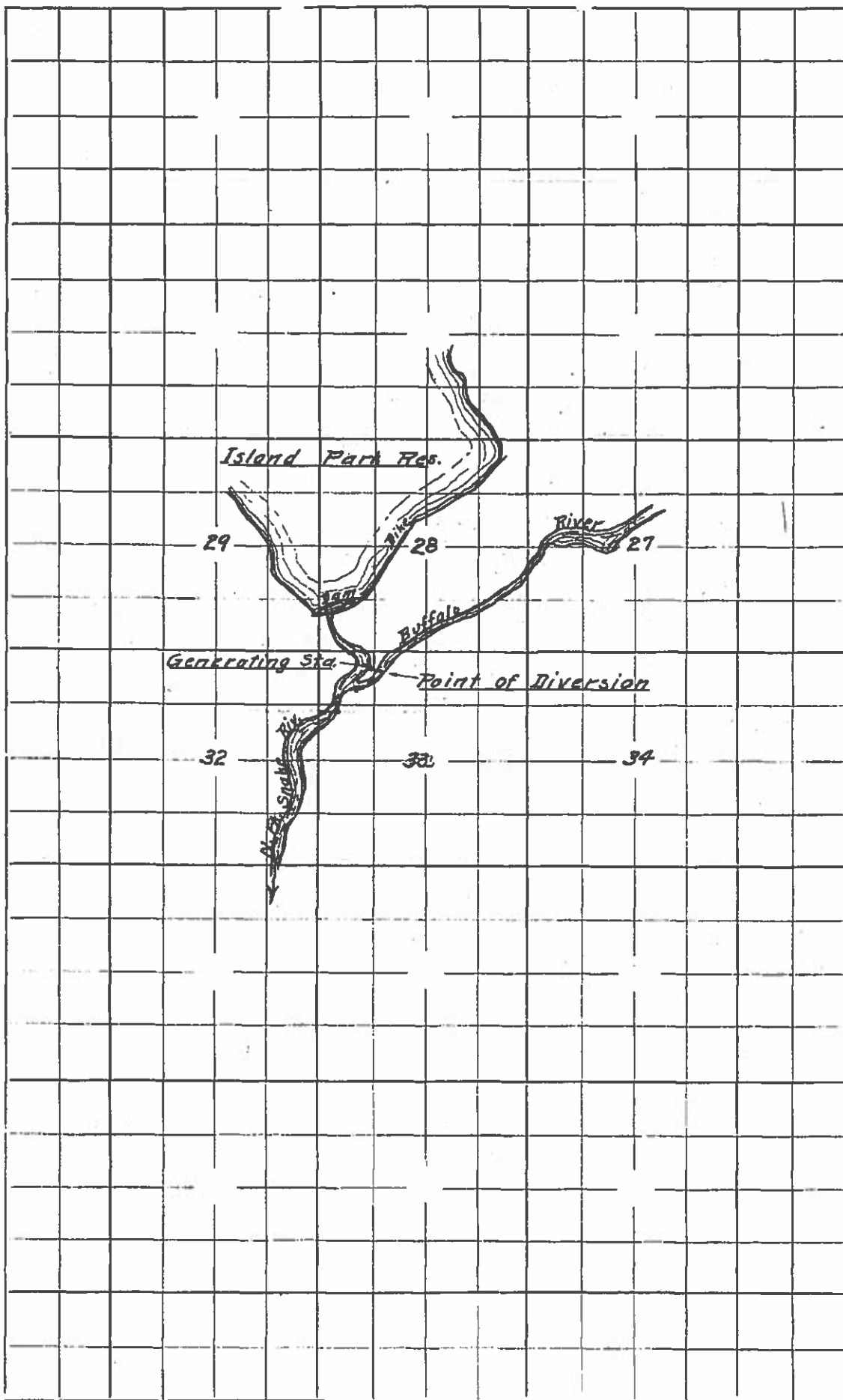
Remarks: The penstock is of five feet diameter, and 60 feet long, with vertical slide gate control.

This examination was made on the 20th day of July, 1929

(Signed)

H. H. Tolman
Examiner.

18796



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

18796



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAY 28, 1993

BANK OF EASTERN IDAHO
PO BOX 1487
IDAHO FALLS ID 834031487

RE: CHANGE IN OWNERSHIP FOR A21-02097

Dear Sirs:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner. There were two water rights on the property you purchased.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

gc
R. Thompson
Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notice of Claim

cc: Copy of Change of Ownership/Bank of Eastern Idaho
Copy of Assignment

MICROFILMED

APR 08 1994



Bank of Eastern Idaho

500 North Capital
1800 Channing Way
P.O. Box 1487
Idaho Falls, ID 83403

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

RECEIVED

May 11, 1993

MAY 24 1993

State of Idaho
Department of Water Resources
Attn: Ron Carlson
150 Shoup Ave.
Idaho Falls, ID 83402

Department of Water Resources
Eastern District Office

Re: Buffalo Hydro, Inc.
Assignment of Permit #A21-02097

Dear Mr. Carlson:

Please be advised that Bank of Eastern Idaho has taken as collateral an assignment of any and all proceeds of the Permit #A221-02097 issued by the State of Idaho to Buffalo Hydro, Inc. dated 01-11-91.

Please include the name of Bank of Eastern Idaho on any and all proceeds paid to Buffalo Hydro, Inc. in relation to the above mentioned Permit. We would appreciate your acknowledgment by signing where indicated on the attached copy of our assignment and returning to us in the enclosed envelope at your earliest convenience.

Thank you for your prompt cooperation in this matter. Should you have any questions, or require additional information, please do not hesitate to call me at 524-5500.

Sincerely,

Blair W. Dance
Vice President/Manger

va

enclosures

ASSIGNMENT

This agreement entered into this 15th day of April, 1993, between Bank of Eastern Idaho hereinafter referred to as Bank and Buffalo Hydro, Inc. hereinafter referred to as Borrower does hereby assign with right of reassignment to Bank:

All Borrower's rights and interest in and to State Department of Water Resources Water Right Permit #A21-02097 .

BORROWER:

Buffalo Hydro, Inc.

BY: Brent L Smith
Title:

BANK:

Bank of Eastern Idaho

BY: Balance
Title:

CONSENT TO ASSIGNMENT:

State Department of Water Resources

BY: Administration Secretary
Title:

DATE: 5-28-93

MICROFILMED

APR 08 1994

State of Idaho

Water District No.

Priority. March 15, 1958

CHARLES POND

of Island Park, Idaho

of Island Park

The Point of Diversion is located

In the 1980s, the NW 1/4, Sec. 35

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
At the	confluence of	Buffalo River and	Henry's fork, at	Pond's	Lodge.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

BPn1 day of

State Reclamation Engineer

(SEAL)

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

Permit No. 18796

This proof is for Completion of works and Beneficial use In Water District No.

1. Name of applicant Charles Pond, Island Park, Idaho
2. Source of water supply: Buffalo River
3. Location of point of diversion: Is in the NE 1/4 NW 1/4 of Section 33
T. 13 N. R. 43 E. County of Fremont
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by means of a Rock fill, and derth dam, 90 feet of which is plank faced, Max depth 15 Ft, A Spillway crest of 40 feet long, with a 2 foot wide fishway, and four stoplog openings three feet in height, Control gates, and a 5 foot diameter Penstock leading to a Westinghouse D.C. Generator, 250 K.V.A., 2800 Volts, 62 Amps per terminal, 8 Phase 80 Cycles, 450 R.P.M., Serial 1828781. also a D.C. Motor #110L, 3.5 K.F., 125 volt 68 Amps, 450 R.P.M. Serial 1829793, All housed in a station of 18' X 24' floor pla

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This examination was made on the

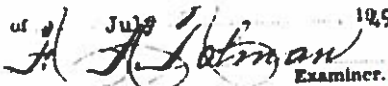
30th

day of

July

1929

(Signed)



Examiner.

18796

MICROFILMED
OCT 20 1952