

02/11/2005

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

RIGHT NUMBER: 22-2126

NAME AND ADDRESS: FALL RIVER RURAL ELECTRIC CO-OPERATIVE
1150 N 3400 E
ASHTON ID 83420

SOURCE: TETON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 150.000 CFS

PRIORITY DATE: 02/02/1946

POINT OF DIVERSION:

T07N R44E S29 NESWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

POWER

1/01 12/31

150.000 CFS

PLACE OF USE: POWER Within TETON County

T07N R44E S29 NWNE

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: License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Recommendation:

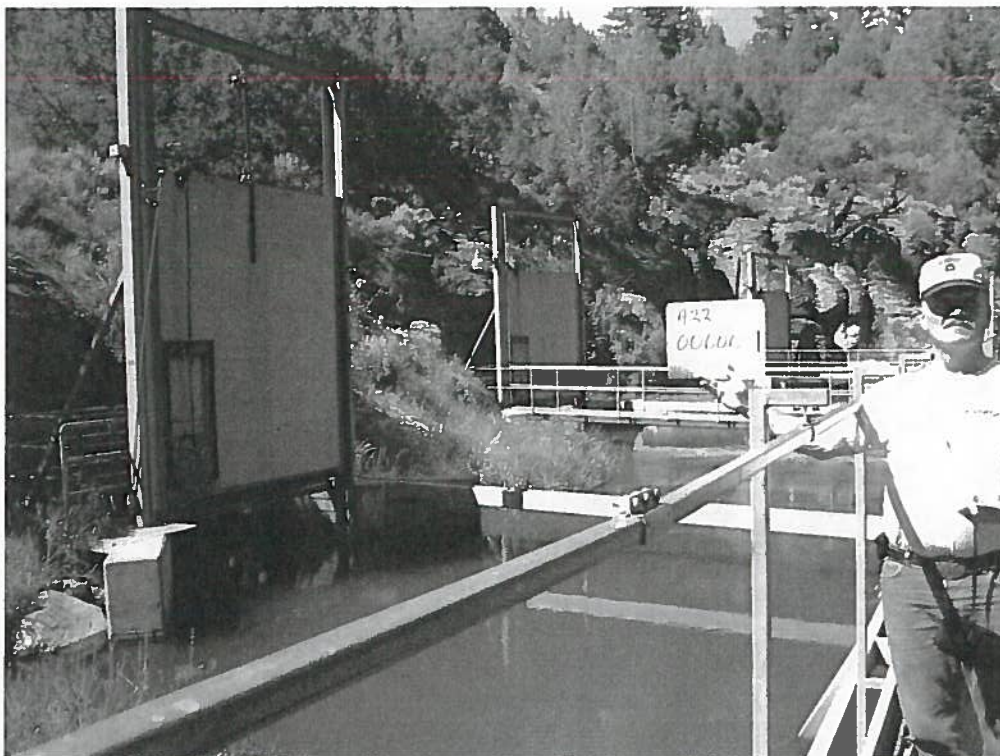
See Right No. 22-606

For field exam review notes and photos.

- ①. Recommend As Licensed/Claimed - Except For POO CØ3
WHICH IS ACTUALLY IN NBSNB SEC. 29.
- ②. For OHO Facility.

PROF

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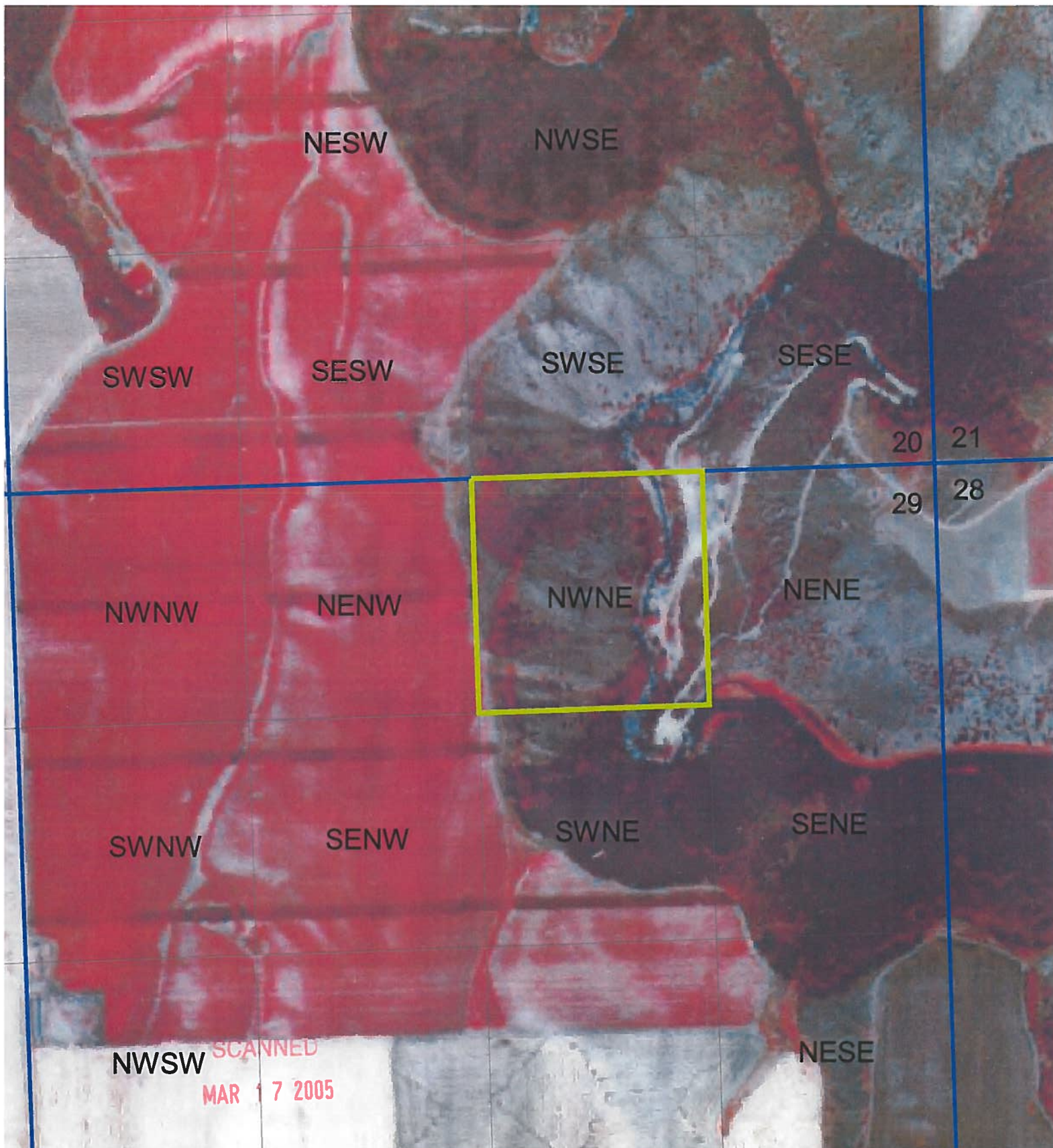
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PROFILE

22-2126
7N 44E

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Bonneville Pacific Corporation

September 29, 1988

Mr. Frank Hitchcock
Nelson, Rosholt, Robertson, Tolman & Tucker
P. O. Box 1906
Twin Falls, Idaho 83303-1906

RE: Water Right claims for Felt Hydroelectric Project,
Teton County, Idaho

Dear Frank:

Please find enclosed a copy of the "As-Built" Access Road and Permanent Easement Drawing for the Felt Hydroelectric project. Using this drawing as a basis, I have measured the following locations:

For "Old Water Rights" 22-00606, 22-02123A, 22-02123B and 22-02126:

Point of Diversion: NE NE 29T7NR44E
Point of Use: NW NE 29T7NR44E

For "New Water Rights" 22-07351, 22-07482 and 22-07487:

Point of Diversion: NE NE 29T7NR44E
Point of Use: SE SE 20T7NR44E

Also find enclosed your draft Notice of Claims for the foregoing rights, with changes I would suggest for the sake of accuracy.

Sincerely,



Elmer C. Newman
Assistant to the President

ECN: dbm
Enclosures

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PROFILE

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OCT 29 1982

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: A22-02126
Date Received: 10/06/1988
Receipt No: E002969
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FALL RIVER RURAL ELECTRIC COOP., INC. 208-652-7431
Address: P.O. BOX 617
ASHTON, ID 83422

2. Date of Priority: FEB 02, 1946

3. Source: TETON RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	44E	29	NW	NE			TETON

5. Description of diverting works:
SEE A2202123A FOR DESCRIPTION OF DIVERSION WORKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	150.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
2200 KW NAMEPLATE TOTAL FOR THIS PAIR OF GENERATORS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	44E	29	NW	NE		POWER	

11. Place of use in counties: TETON

A2202126



12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

22A0606, 02123A, 02123B, 07351, 07482, 07487

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.

15. Basis of Claim: LICENSE

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: _____

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: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

—

Stage: LICENSE

TETON County

SE

Field Inspection Flag:
Presumption Flag:

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NOV 06 1988

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: 22-02126

Date Received: 10-6-88

Receipt Number: E002969

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) 652-7431Mailing Address P.O. Box 617, Ashton ID Zip 834222. Date of Priority (Only one (1) per claim) 02-02-19463. Source of water supply (a) TETON RIVER
which is tributary to (b) SNAKE RIVER4. 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 150.00 or _____
For _____ purposes from _____ to _____ amount: _____ or _____
For _____ purposes from _____ to _____ amount: _____ or _____
For _____ purposes from _____ to _____ amount: _____ or _____

7. Total quantity claimed (a) 150.00 (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 XXXX
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, 02123A, 02123B, , 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. _____

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Copies: White-State, Yellow-Claimant
OCT 29 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-02126
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 X
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. Morgan
Title and Organization _____ Date _____

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, ID

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, Idaho 83440

Date 10/6/88

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Last Name FALL RIVER RURAL Ident. Number _____

Copies White-State, Yellow-Claimant

FELT POWER PLANTS

NEW POWER HOUSE

OLD POWER HOUSE

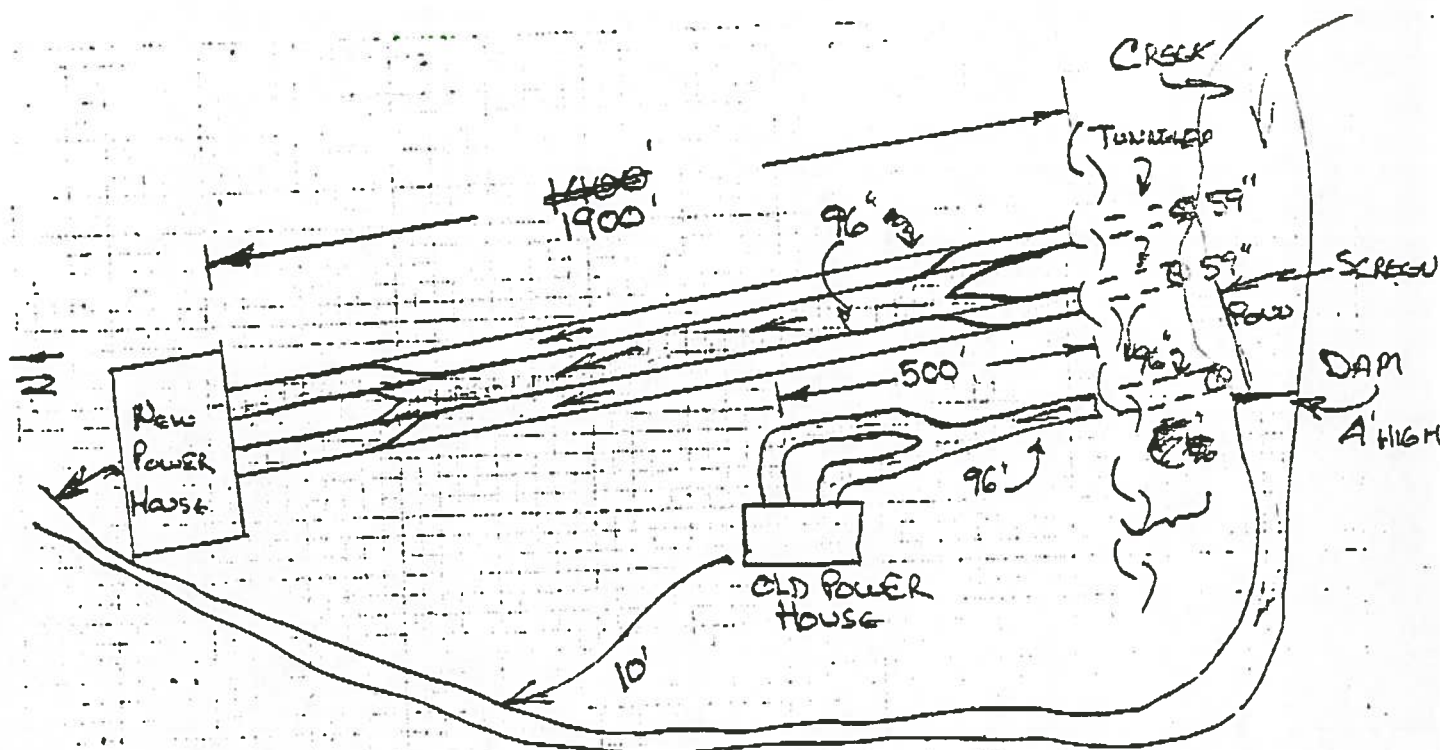
POINT OF DIVERSION

TN

R44E

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FALL RIVER RURAL ELECTRIC COOP, INC.



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).

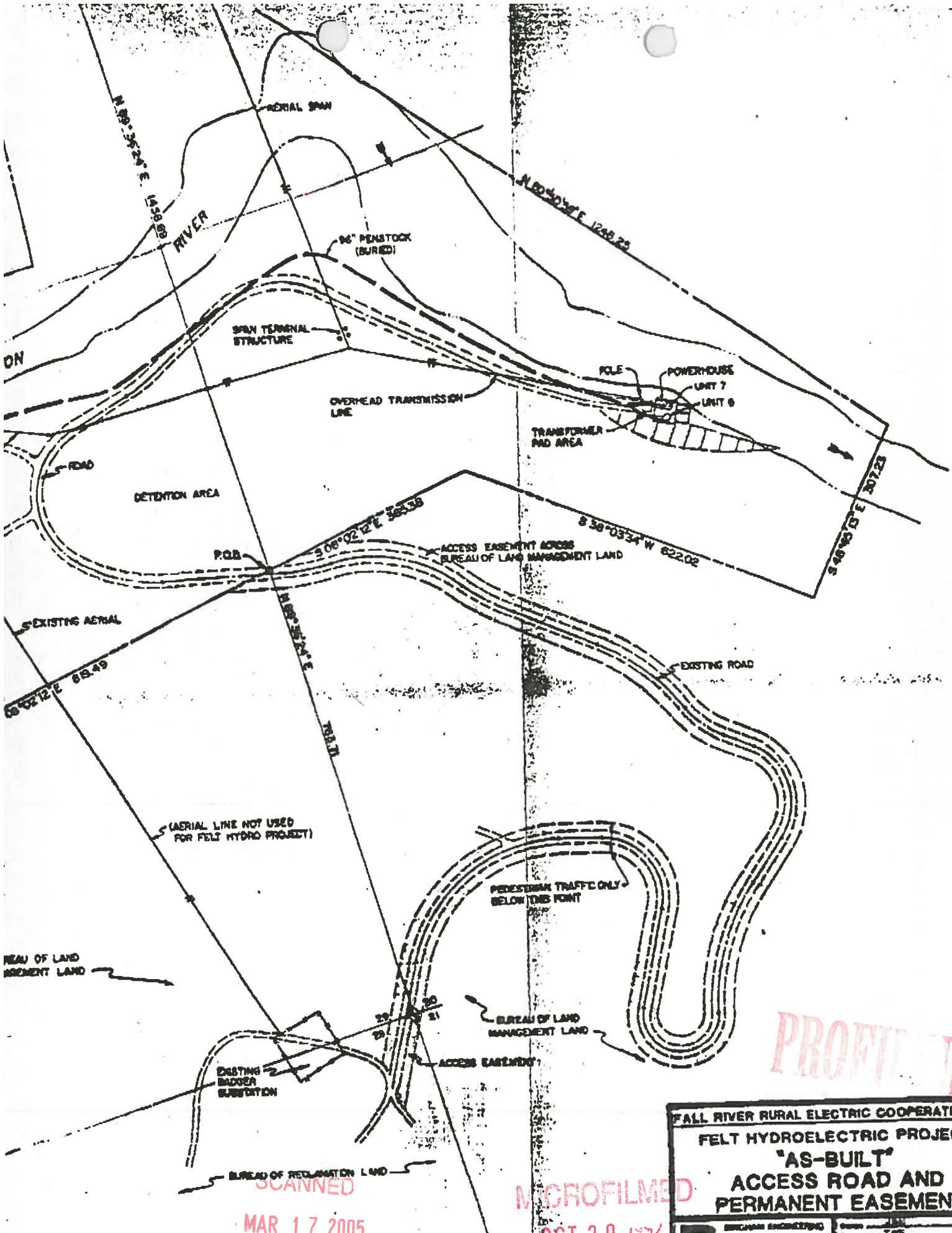
JOANNE
MAR 17 2005

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FALL RIVER RURAL ELECTRIC COOP, INC.

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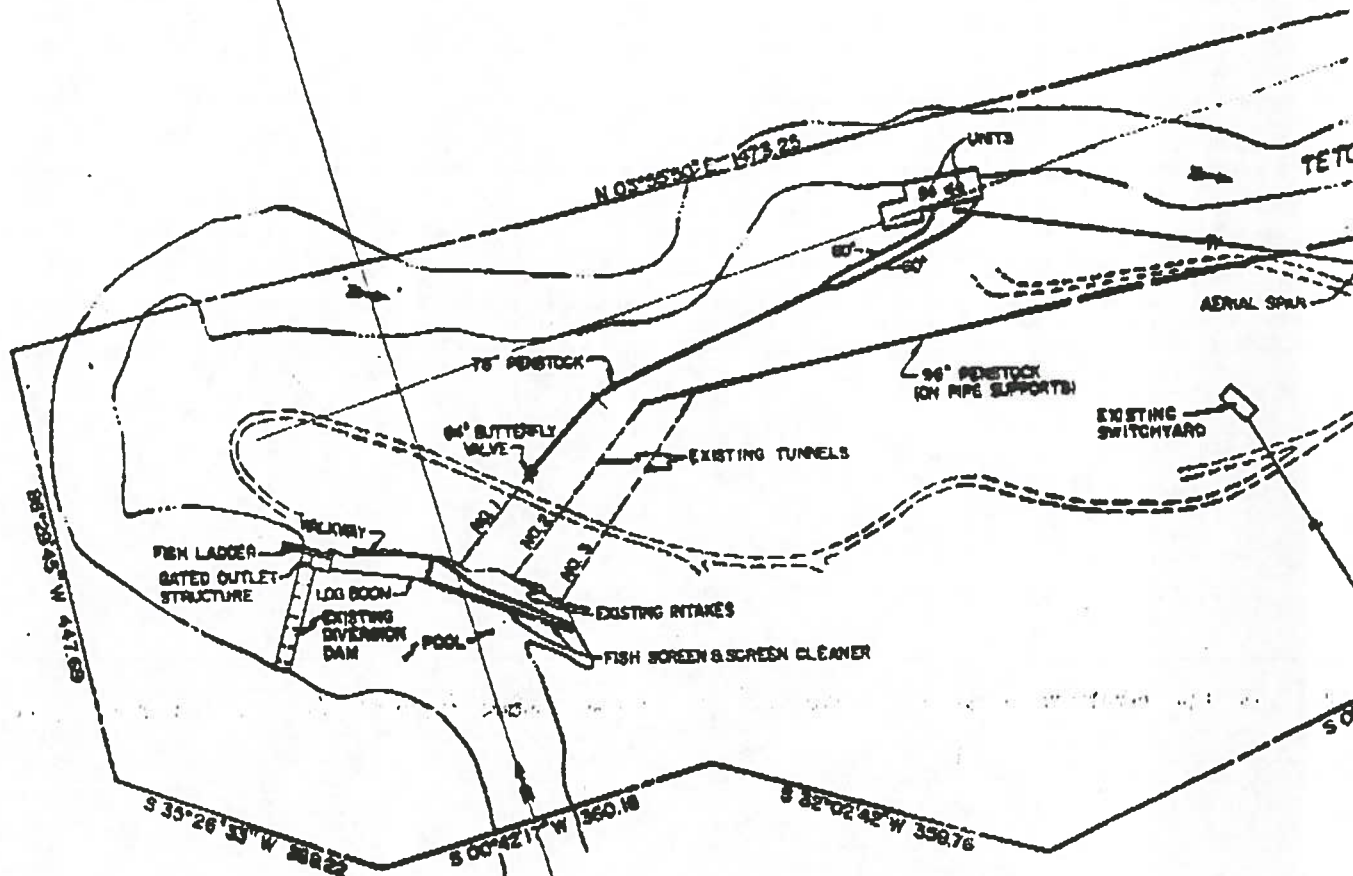
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FALL RIVER RURAL ELECTRIC COOPERATIVE &	
FELT HYDROELECTRIC PROJECT	
"AS-BUILT"	
ACCESS ROAD AND	
PERMANENT EASEMENT	
BUREAU OF RECLAMATION 1000 10th Street 1000 10th Street 1000 10th Street	SCALE 1" = 100' 1" = 100' 1" = 100'
** TOTAL PAGE.004 **	

A parcel of land located in Sections 20 and 21, Township 7 North, Range 04 East, Boise Meridian, Teton County, Idaho, being more particularly described as follows:

Beginning at a point which lies North 29°17'40" East, 1,051.67 feet from the North 1/4 corner of said Section 21, and running thence South 89°21'17" East, 117.09 feet; thence South 77°06'47" West, 398.76 feet; thence South 04°17'17" West, 346.16 feet; thence South 37°26'37" West, 257.71 feet; thence North 26°27'47" West, 407.69 feet; thence North 29°17'40" East, 1,051.67 feet; thence North 89°21'17" West, 1,059.23 feet; thence North 77°21'20" West, 118.00 feet; thence North 10°13'26" East, 211.00 feet; thence North 37°11'27" East, 793.63 feet; thence North 30°30'37" East, 1,244.21 feet; thence South 89°08'17" East, 307.23 feet; thence South 30°47'37" West, 627.07 feet; thence South 29°21'17" East, 363.38 feet to the point of beginning, containing 67.32 acres.



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

A parcel of land located in Section 21, Township 7 North, Range 04 East, Boise Meridian, and being 23 feet on either side of the following described centerline:

Beginning at a point which lies South 00°18'19" West, 17.03 feet along the west line of said Section 21 from the northeast corner of said Section 21, and running thence South 67°26'06" East, 117.90 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 22, Township 7 North, Range 04 East, Boise Meridian, and being 25 feet on either side of the following described centerline:

Beginning at a point which lies South 00°18'19" West, 17.03 feet along the west line of said Section 21 from the northeast corner of said Section 21, and running thence North 67°26'06" West, 87.69 feet to the point of tangency on the arc of a 790.00 foot radius curve to the right (central angle = 77°07'30"); thence Northwesterly 334.32 feet along the arc of said curve; thence North 17°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°01'50"); thence Easterly 180.21 feet along the arc of said curve; thence South 43°03'32" East, 177.31 feet to the point of tangency on the arc of a 60.00 foot radius curve to the left (central angle = 19°30'18"); thence Northerly 201.66 feet along the arc of said curve to the point of reverse curvature on the arc of a 150.00 foot radius curve to the right (central angle = 30°21'43"); thence Northwesterly 799.91 feet along the arc of said curve; thence North 01°16'43" West, 96.79 feet to the point of tangency on the arc of a 188.80 foot radius curve to the left (central angle = 7°02'51"); thence Southerly 173.36 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 150.00 foot radius curve to the right (central angle = 28°29'21"); thence Southwesterly 70.44 feet along the arc of said curve to the point of reverse curvature on the arc of a 150.00 foot radius curve to the left (central angle = 30°19'07"); thence Southerly 183.17 feet along the arc of said curve; thence South 37°47'16" West, 195.16 feet to the point of tangency on the arc of a 150.00 foot radius curve to the right (central angle = 10°13'37"); thence Southwesterly 151.11 feet along the arc of said curve to the point of reverse curvature on the arc of a 240.00 foot radius curve to the left (central angle = 31°16'48"); thence Southerly 223.73 feet along the arc of said curve to the point of reverse curvature on the arc of a 150.00 foot radius curve to the right (central angle = 30°07'07"); thence Northwesterly 52.04 feet along the arc of said curve to the

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NOT TO SCALE

R44E
T7N

2827
2534
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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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