

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: **A36-08097**
Date Received: 6/24/1988
Receipt No: S000523
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: JOHN R LE MOYNE 208-837-4887
Address: 901A GRIDLEY ISLAND
HAGERMAN ID 83332

AND/OR

Name: MARGARET LE MOYNE 208-837-4887
Address: 901A GRIDLEY ISLAND
HAGERMAN ID 83332

2. Date of Priority: JUL 13, 1982

3. Source: RILEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	13E	1	SW	NE		6	GOODING

5. Description of diverting works:
HEADGATE & CONYERS DITCH TO FISH PONDS, OUTFALL TO PENSTOCK,

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	40.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER/ HYDRO-POWERPLANT
GENERATING CAPACITY 32.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	13E	1	SE	NW	3	POWER	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

SAME WATER IS USED FOR FISH PROP. & IRRIG. W/OTHER RIGHTS.

14. Remarks:

LAND IS OWNED BY EDNA RADERMACHER BUT IS LEASED BY US.

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 _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A36-00031, A36-00032, A36-02904
A36-00055AB, A36-07729, A36-08097
A36-10109, A36-10159 & A36-10160.

[] Old Mailing Address: John R⁺ / OR MARGARET LE MOYNE
RT 1 Box 148

[] New Mailing Address: 901A GRIDLEY ISLAND
HAGERMAN Idaho 83332

New Telephone Number: () - (SAME)

[] Signature of Claimant: Margaret Le Moyne
Date: 9-4-92

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9-4-92 By: See

Further Action Needed: NONE

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

MICROFILMED

FEB 09 1993

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: A36-08097
Date Received: 6/24/1988
Receipt No: 5000523
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R. LE MOYNE 208-837-4887
Address: RT. 1 BOX 148
HAGERMAN, ID 83332

AND/OR

Name: MARGARET LE MOYNE
Address: HAGERMAN, ID 83332

2. Date of Priority: JUL 13, 1982

3. Source: RILEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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6. Water is used for the following purposes:

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POWER	01/01	12/31	40.000		

7. Total Quantity Appropriated is:

40.000 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 32.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

SAME WATER IS USED FOR FISH PROP. & IRRIG. W/OTHER RIGHTS.

14. Remarks:

LAND IS OWNED BY EDNA RADERMACHER BUT IS LEASED BY US.

15. Basis of Claim: LICENSE

Water Right Number:

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: _____

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): John R. L. Mayne Date: 6-24-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, ID

My Commission Expires 10/16/1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September ??, 1997

John R. LeMoyne
901 A Gridley Island
Hagerman, ID 83332

D R A F T

*Never sent
11/20/97
AD*

RE: Powerplant supplied from Riley Creek

Dear Mr. LeMoyne:

Thank you for your letter dated August 25, 1997 setting forth your position regarding your present license #36-08097 covering your powerplant. I have placed your letter in the associated SRBA claim file for license 36-08097 for future reference. This letter is intended to document the department's position as well; a copy of this letter will also be placed in the same file for future reference.

As my August 19th, letter indicated, the department's understanding of the law is that the increase in beneficial use (increase from 32 kw to 75 kw generation capacity) is not covered under license 36-08097 with it's associated priority date of 7/13/1982. The department recommends that the incremental increase in beneficial use (43 kw) be covered under another water right filing. This position is consistent with the philosophy and understanding of the prior appropriation doctrine for all water rights and water uses in the state.

Having said this, the department has analyzed how far it should press this matter and as I indicated in our phone conversation on August 25th, the department has determined not to press this matter further.

As you may know, the department's options for pressing this matter further would include viewing the incremental increase as an illegal diversion of water. Section 42-351 of the IDAHO CODE provides that: *If the director of the department of water resources finds, on the basis of available information, that a person is diverting water or has diverted water from a natural watercourse or from a ground water source without having obtained a valid water right to do so or is applying water or has applied water not in conformance with a valid water right, then the director of the department of water resources shall have the discretion to take action against such person. The director may file an action seeking injunctive relief or may commence an administrative enforcement action by issuing the person a written notice of*

36-08097

violation directing the person to cease and desist the activity or activities alleged to be in violation of applicable law or any existing water right.

In analyzing your particular situation the director (department) has considered that:

- After the powerplant is modified the point of diversion, place of use and diversion rate for the powerplant does not change from that which is described on license 36-08097.

- License 36-08097 is subordinated to irrigation and other uses as would be any new water filing for power.

The department has no information

- Modification of the powerplant does not appear to impact the use of the water for other present or future uses or rights in either quantity or quality.

- License 36-08097 does not clearly state that the beneficial use is limited to 32 kw.

- Limitation of staff & time.

Having considered the above, the director, in his discretion has, as stated above, decided not to press this matter further; however, this does not change the director's (department's) understanding of the law that the increase in beneficial use at the plant should be covered under another filing other than license 36-08097.

In your letter you pose the question: "As to the question of me getting more beneficial use out of the water, is it any different than a farmer changing practices, adding fertilizer and getting increased yields?" I understand your point and I must grant you that irrigation water rights in Idaho have not historically been measured or defined by yields. Thus far irrigation rights have historically been quantified in terms of the justifiable rates of diversion and annual volumes for adequately irrigated crops generally grown in the area unless there are specific physical limitations to the diversion works. The total acres irrigated is generally the measure and not yields. These quantifications of irrigation rights generally give adequate latitude for farmers to improve yields and change crops without exceeding the determined beneficial use limits defined in terms of acres irrigated, cfs instantaneously diverted or annual volume diverted over the season. I see a difference between your example and your powerplant; however, I do not see this difference being enough to persuade you from your position.

I believe the director's understanding of water rights must prevail philosophically so as to measure one water right or development against all others within the priority system. In your situation for practical reasons the director has waived carrying this matter to the "n"th degree. For now maybe we can agree to disagree and put this matter to rest.

If you have questions or comments feel free to contact me at my office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

JOHN R. LEMOYNE

901 A Gridley Island
Hagerman, ID. 83332

Telephone 208-837-4887
Fax 208-837-6306

Email lemoyne@magiclink.com

RECEIVED

AUG 27 1997

Department of Water Resources
Southern Region

August 25, 1997

State of Idaho
Department of Water Resources
1341 Filmore St. Suite 200
Twin Falls, ID 83301-3380

Attention: Allen Merritt, P. E.

Dear Mr. Merritt:

This letter is in reply to your letter of August 19, 1997 and also in response to our phone conversation of today.

Since you said in your phone conversation that the State Office had changed their mind and had decided not to push me to transfer my present license or to file for a new license this may be moot, but I felt it prudent to have some hard copy from me on file.

My position is that the present license # 36-08097 covers me as it stands. Nowhere in the license is there any mention of the capacity of the plant. The license is for forty cfs from the same place as before and used in the same place as before. As to the question of me getting more beneficial use out of the water, is it any different than a farmer changing practices, adding fertilizer and getting increased yields? You are licensing water not yields.

I do not want to put my license into jeopardy, so if I am wrong please let me know in time to remedy the situation, but I feel I am on firm ground at the present.

Sincerely,



John R. LeMoyne

A36-08097

From: DWR60::AMERRITT 26-AUG-1997 15:32:15.52
To: DWR03::NYOUNG
CC: AMERRITT
Subj: LE MOYNE POWER LETTER

I CONTACTED LE MOYNE BY PHONE AND TOLD HIM THAT THE DEPARTMENT HAD REVIEWED THE SITUATION MORE CLOSELY AND IN LIGHT OF THE USE BEING NON-CONSUMPTIVE, AND THE POTENTIAL FOR INCREASED WATER QUALITY IMPACT TO THE WATER WAS NOT A CONCERN AND THAT THE PRESENT RIGHT WAS SUBORDINATED THAT THE DEPARTMENT WOULD NOT PRESS FOR TRANSFER OF THE FISH LICENSE TO POWER NOR PRESS FOR FILING OF A NEW APPLICATION FOR PERMIT.

I TOLD HIM THAT PHILOSOPHICALLY THE DIRECTOR'S IDEA THAT ALL INCREMENTAL BENEFICIAL USES SHOULD BE COVERED BY A WATER RIGHT STILL IS VALID BUT IN A PRACTICAL OR LEGAL SENSE THE DEPARTMENT HAS DECIDED NOT TO PRESS THE ISSUE.

HE THANKED ME FOR GETTING BACK WITH HIM AND THEN ASKED ABOUT HOW MUCH IT WOULD COST TO MAKE A FILING. HE INDICATED HE WAS RELUCTANT TO DO ANYTHING SINCE BOTH PROCESSES OPEN THE MATTER TO PUBLIC PROTEST SO HE VIEWED IT RISKY. HE SAID HE WOULD THINK ABOUT IT AND KEEP HIS OPTIONS OPEN.

A36-08097
A36-07729



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 19, 1997

John LeMoyne
901 A Gridley Island
Hagerman, ID 83332

RE: Powerplant supplied from Riley Creek

Dear Mr. LeMoyne:

The department's state office has reviewed a "Notice of Amendment of Exemption" from FERC which describes the modification of your powerplant to increase the generating capacity as a result of the removal of your fish propagation facility.

Since the beneficial use (capacity of the powerplant presently covered under license 36-08097) is being increased the question has been asked about the need to cover the increase in capacity of the powerplant under a water right filing. The administration believes that a water right filing is required. This can be accomplished in two ways: either file a transfer to change the nature of use of the fish propagation right (fish propagation use licensed under 36-07729) to that of power or file a new application for permit to increase the generation capacity of the facility.

Please consider these options. If you have questions regarding this matter or you need assistance in filing either a transfer or application for permit please feel free to contact our office.

Sincerely,

Allen Merritt
Allen Merritt, PE
Southern Region Manager

CC: Glen Saxton

8/26/97

Norm called & has talked with director. Do not press issue.

Still a good idea & probably should be covered.

Post-it® Fax Note		7671	Date	# of pages
To	Norm Y.		From	Allen M.
Co./Dept.			Co.	
Phone #			Phone #	
Fax #			Fax #	

UNITED STATES
FEDERAL ENERGY COMMISSION
NOTICE OF FILING

Take notice that the following application has been filed with the Commission for inspection:

- a. Type of Application:
- b. Project No.:
- c. Date Filed:
- d. Applicant:
- e. Name of Project:
- f. Location:
- g. Filed Pursuant to:

h. Applicant Contact:

Mr. John R. LeMoyné
901 A Gridley Island
Hagerman, ID 83332
(208) 837-4887

i. FERC Contact:

Robert Gwynn, (202) 219-2764

j. Comment Date:

JUNE 26, 1997

- k. Description of Filing: LeMoyné Power Plant proposes to remove the fish hatchery ponds from the project's water conveyance system, and replace the existing 50-foot long, 36-inch diameter penstock with a new 530-foot long, 52-inch diameter penstock that would convey water directly from the Riley Creek diversion to the project powerhouse. The project generator would be replaced, increasing the generating capacity from 32 kW to 75 kW.

- l. This paragraph also consists of the following standard paragraphs: B, C1, and D2.

B. Comments, Protests, or Motions to Intervene -- Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the

Allen Merritt
Forwarded pursuant
to phone conversation
RECEIVED
JUN 02 1997
Department of Water Resources
Southern Region
5-29-97

-004

- 2 -

On to take, the Commission will consider all comments filed, but only those who file a motion in accordance with the Commission's Rules may participate in the proceeding. Any comments, protests, or motions must be received on or before the specified date in the particular application.

Service of Responsive Documents -- Any filings in support of a motion must be titled "COMMENTS", "PROTESTS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", and the Project Number of the motion to which the filing refers. Any of the documents must be filed by providing the original and a copy provided by the Commission's regulations to: Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426. A copy of any motion to intervene must be served upon each representative of the parties in the particular application.

-- Federal, state, and local agencies are encouraged to file comments on the described application. A copy of any comments may be obtained by agencies directly from the applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Lois D. Cashell
Secretary

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE OF AMENDMENT OF EXEMPTION

(May 8, 1997)

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of Application: Amendment of Exemption
- b. Project No.: 4563-004
- c. Date Filed: March 17, 1997
- d. Applicant: John R. LeMoyne
- e. Name of Project: LeMoyne Power Plant
- f. Location: On Riley Creek near the town of Hagerman, Gooding County, Idaho.
- g. Filed Pursuant to: Federal Power Act, 16 U.S.C. §791(a)-825(r)
- h. Applicant Contact: Mr. John R. LeMoyne
901 A Gridley Island
Hagerman, ID 83332
(208) 837-4887
- i. FERC Contact: Robert Gwynn, (202) 219-2764
- j. Comment Date: JUNE 26, 1997
- k. Description of Filing: LeMoyne Power Plant proposes to remove the fish hatchery ponds from the project's water conveyance system, and replace the existing 50-foot long, 36-inch diameter penstock with a new 530-foot long, 52-inch diameter penstock that would convey water directly from the Riley Creek diversion to the project powerhouse. The project generator would be replaced, increasing the generating capacity from 32 kW to 75 kW.
- l. This paragraph also consists of the following standard paragraphs: B, C1, and D2.

B. Comments, Protests, or Motions to Intervene -- Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the

Project No. 4563-004

- 2 -

appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents -- Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments -- Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Lois D. Cashell
Secretary

AJ5809NP
No. 36-08097

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/19/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN R LE MOYNE	07/13/1982	POWER	01-01 12-31	40.00 CFS	
C	MARGARET LE MOYNE					
TOTAL DIVERSION:					40.00 CFS	

Water Source: RILEY CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T08S R13E S01 Lot06(SESWNE)

GOODING County

Place of use Legal Description for: POWER

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
08S	13E	1	:																	:			
								03-P															

POU County: GOODING

Non-Irrigation Uses: POWER/ HYDRO-POWERPLANT

Other Rights: NONE

Conditions of Approval:

- M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
- L05 - THIS RIGHT 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 DATE OF THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY DATE OF THIS RIGHT.

Remarks: GEN

WATER IS DELIVERED THROUGH CONYERS DITCH.
THE DIVERSION AND USE OF WATER UNDER THIS RIGHT IS SUBJECT TO REVIEW BY THE DIRECTOR UPON EXPIRATION OF THE POWER PURCHASE CONTRACT WITH IDAHO POWER CO. ON APPROXIMATELY 5/1/2020. 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.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 40.12 CFS, AND A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 9.0 AF.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07729 & 36-00032.

Dates: Exam Made Date: Verified Date: 09/04/1992 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. 36-07729

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/19/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET LE MOYNE	05/06/1977	FISH PROPAGATION	01-01 12-31	40.00 CFS	
C	JOHN R LE MOYNE					
TOTAL DIVERSION:					40.00 CFS	

Water Source: RILEY CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T08S R13E S01 Lot06(SESWNE)

GOODING County

Place of use Legal Description for: FISH PROPAGATION

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08S 13E 1	:		:		:		:		:		:		:		:	

POU County: GOODING

Non-Irrigation Uses: FISH PROPAGATION/ 30 CONCRETE RACEWAYS

Other Rights: NONE FOR FISH; SAME WATER IS USED FOR POWER & IRRIGATION.

Conditions of Approval:

- M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: GEN FACILITY VOLUME 240,000 CUBIC FEET.
WATER IS DELIVERED THROUGH CONYERS DITCH.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 40.12 CFS, AND A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 9.0 AF.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-00032 & 36-08097.

Dates: Exam Made Date: Verified Date: 09/04/1992 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

State of Idaho
Department of Water Resources

RECEIVED

SEP 11 1989

WATER RIGHT LICENSE

Department of Water Resources
Southern Region Office

WATER RIGHT NO. 36-08097

Priority: July 13, 1982

Maximum Diversion Rate: 40.00 CFS
Maximum Diversion Volume:¹ 28958.0 AF

This is to certify, that JOHN R. LE MOYNE
RT. 1 BOX 148
HAGERMAN, ID 83332

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 13, 1982; and
has submitted Proof of Beneficial Use on September 16, 1985. An examination indicates
that the works have a diversion capacity of 42.460 cfs of water from:

RILEY CREEK tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	40.00 CFS	28958.0 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 6(SWNE), Sec. 1, Township 08S, Range 13E
GOODING County

PLACE OF USE: POWER

TWN RGE SEC

08S 13E 1 LOT 3(SENW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

36-8097

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 36-08097

CONDITIONS/REMARKS:

6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this water right is subject to control by the watermaster of State Water District No. 36A
8. The diversion and use of water under this license is subject to review by the Director upon expiration of the power purchase contract with Idaho Power on approximately 5/1/2020. 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.
9. Use of water under this license shall be non-consumptive.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of AUGUST, 1989.

Acting for

R. Keith Higginson, Director



6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-08097

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

June 6, 1995 10:50am

NAME: VIC CONRAD CALLIN 389-6359 RE: CONYERS DITCH

HE ASKED SOME QUESTIONS ON THE RIGHTS AT CONYER'S DITCH OFF RILEY CREEK (IN HAGERMAN). I TOLD HIM FOR THE POWER RIGHT FOR LEMOYNE I HAD USED THE RECENT LICENSE TO REC'D TO DIR. REP. FOR B36. CLAIM: **A36-08097**

WE AGREED TO MEET ON WED. JUNE 14TH FOR GPS OF WELLS AT HEYBURN SITE.

MICROFILMED
DEC 5 1996

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

VIC CONRAD 389-7359

10 40 AM

SIMPLOT LAND & DEVELOPMENT
PO BOX 27

BOISE, ID. 83707

2. SUBJECT OF INQUIRY:

Copies of Claim files:

1) 36-07729

2) 36-08097

include invoice for costs

3. RESPONSE TO INQUIRY:

Claim files copied by TB - cc this form to files - cc phone memo to file #.

4. IDWR STAFF AND DATE:

Print name and initial

F. Hitchcock 11-30-1994

F. HITCHCOCK FH

WATER RIGHT CLAIM (Nos.):

36-07729 orig to file
✓ 36-08097 cc to file

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INFORMATION REQUEST

NAME: Vic Conrad

DATE: 11-30-94

ADDRESS: PO Box 27

CITY/ZIP: BOISE, ID 83707

PHONE: 389-7359

(please print)

I HAVE REQUESTED TO REVIEW AND/OR OBTAIN COPIES OF THE FOLLOWING DOCUMENTS ON FILE WITH THE DEPARTMENT OF WATER RESOURCES.

ADJUDICATION
CLAIM NUMBERS

ALLOCATION WATER RIGHT NUMBERS

OTHER
DOCUMENTS

A37-08097

A37-07729

RESEARCH SUBJECT: _____

COPIES MADE OF: _____

10 COPIES OR LESS: FREE

NUMBER OF COPIES MADE: 63

FEE DUE @ \$0.05 PER COPY: \$3.25

OTHER FEES: _____

RECEIPT NUMBER:

ASSISTING AGENT: _____

(customer signature)

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R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

1993

Water Right Number - R36-08097

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

LE MOYNE

JOHN R

1 - 901A GRIDLEY ISLAND

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4887

LE MOYNE

MARGARET

1 - 901A GRIDLEY ISLAND

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4887

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/13/1982 ERROR IN REGION L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
RILEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 13E 1 SE SW NE 6 (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
28 - POWER 01/01 12/31 40.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
40.000 0.0 32.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 13E 1 SE NW 3 28 POWER (47) GOODING

Total Acres:

+ - - Diversion Means - HEADGATE & CONYERS DITCH TO FISH PONDS, OUTFALL TO PENSTOCK,

+ - - Non-Irrigation Use - POWER/ HYDRO-POWERPLANT

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH CONYERS DITCH.
THE DIVERSION AND USE OF WATER UNDER THIS RIGHT IS SUBJECT TO
REVIEW BY THE DIRECTOR UPON EXPIRATION OF THE POWER PURCHASE
CONTRACT WITH IDAHO POWER CO. ON APPROXIMATELY 5/1/2020. UPON

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Water right number - R36-08097

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

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.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 40.12 CFS, AND A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 9.0 AF.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-07729 & 36-00032.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.
L05 - THIS RIGHT 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 DATE OF
- THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST
- ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER,
- WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE
- PRIORITY DATE OF THIS RIGHT.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 03/06/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
LAND IS OWNED BY EDNA RADERMACHER BUT IS LEASED BY US.
Date: 09/04/1992 User Id: CLELLAND Subject: CHANGE OF ADDRESS
FORM FILED TO STANDARDIZE ALL CLAIMS.

+ - - Audit Fields - - +

09/04/92 CLELLAND

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/04/1992	Old Judicial District	-
Claim Received Date	- 06/24/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000523	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:49:28
03/05/92

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-08097

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		HHT 3/5/92	HHT 3/6/92	HHT 3/9/92
POINT OF DIV	Y			Y ¹⁰ ac. + tract	5	S	S	S
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				Y	6			
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

FOI: Water delivered through Congers Ditch

POSTED
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:49:28
03/05/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-08097

LAST: LE MOYNE
ADDRESS: RT. 1 BOX 148
CITY: HAGERMAN
PHONE NUMBER: 208-837-4887

FIRST: JOHN R.

STATE: ID ZIP: 83332

OWNER CODE: C

LAST: LE MOYNE
ADDRESS:
CITY: HAGERMAN
PHONE NUMBER: 208-000-0000

FIRST: MARGARET

STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: LAND IS OWNED BY EDNA RADERMACHER BUT IS LEASED BY US.

Permit was assigned to LeMoigne by Radermacher in 1979

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

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

State of Idaho
DEPARTMENT OF WATER RESOURCES



CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-08097 PRIORITY DATE: 07-13-1982 STAGE: L
B. WR RECORD: # 36-08097 PRIORITY DATE: 07-13-1982 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
07-13-1982

REVIEWED BY HHT

DATE 3/5/92

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-08097	08S	13E	1		SW	NE	6	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-00031 NONE
A36-00032
A36-07729
A36-07842

WR RECORDS IN SAME 40 ACRE TRACT

36-00001
36-00002
36-00031
36-00032
36-00056
36-00126
36-00137
36-00195
36-02718
36-07729
36-07842

SOURCE: RILEY CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-08097	08S	13E	1		SW	NE	6	GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00001
36-00002
36-00031
36-00032
36-00056
36-00126
36-00137
36-00195
36-02718
36-07729
36-07842

A36-00031 NONE
A36-00032
A36-07729
A36-07842

SOURCE: RILEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N
N

10-ac. tract - See Remarks.

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REMARKS:

10-ac. tract identified through Steve Clelland; he has identified this ditch
(Conyers Ditch) through previous field work.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>08S</u>	<u>13E</u>	<u>1</u>	<u>SE</u>	<u>SW</u>	<u>NE</u>	<u>6</u>	<u>Gooding</u>

SOURCE: RILEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

HNT

DATE:

3/6/92

A. ROOT WATER RIGHT NUMBERS: A36-08097

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	13E	1	SE	NW	3	LE MOYNE , JOHN R.	A36-08097 /	36-08097 /			
			SE	NW		RADERMACHER , EDNA	R36-10160 /	- /			
			SE	NW	3	LE MOYNE , SANDRA	A36-07842 /	36-07842 /			
			SE	NW	3	LE MOYNE , MARGARET	A36-07729 /	36-07729 /			
			SE	NW	3	LE MOYNE , RUSSELL	R36-07842 /	- /			
			SE	NW	3	LE MOYNE , JOHN R.	A36-00031 /10.0	- /			
			SE	NW	3	LE MOYNE , JOHN R.	A36-00032 / 3.0	- /			
			SE	NW	3	LE MOYNE , JOHN R.	A36-10159 /	- /			
			SE	NW	3	LE MOYNE , JOHN R.	A36-10160 /	- /			
			SE	NW	3	RADERMACHER , EDNA	R36-10159 /	- /			
			SE	NW	3	LE MOYNE , MARGARET	R36-00031 / 4.0	- /			
			SE	NW	3	LE MOYNE , JOHN R.	R36-00032 / 3.0	- /			
TOTAL ACRES							A36-08097				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

POU COUNTY: GOODING

PRESUMPTION FLAG:

REMARKS:

Claim & license POU agree.

RECOMMENDATIONS:

TOTAL ACRES: ✓

REVIEWED BY: HHT

DATE: 3/5/92

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-08097 POWER	FROM 01-01 TO 12-31	40.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		40.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-08097 POWER	FROM 01-01 TO 12-31	40.000 CFS 28958.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		40.000 CFS 28958.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

Diversion volume shown on license. Per memo #34, rts based on license which shows volume will be recommended including volume

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 40.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 40.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: SAME WATER IS USED FOR FISH PROP. & IRRIG. W/OTHER RIGHTS.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00031	RILEY CREEK	LE MOYNE , JOHN R.	0.500	0.050	40.00	4.00
R36-00031	RILEY CREEK	LE MOYNE , MARGARET	0.120	0.030	16.00	4.00
R36-00032	RILEY CREEK	LE MOYNE , JOHN R.	0.090	0.030	12.00	4.00
A36-00032	RILEY CREEK	LE MOYNE , JOHN R.	0.310	0.103	9.00	3.00

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R36-10160	DOMESTIC	RADERMACHER , EDNA	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
POWER	01-01 12-31	DATABASE EXAMINER 40.000 <u>0</u>	DATABASE EXAMINER 28958.0 <u> </u>	DATABASE EXAMINER 0.0 <u>0</u>
TOTAL FOR THIS RIGHT		40.000	28958.0	0.0

REVIEWED BY: HAT

DATE: 3/5/12

RE: memo 34.

All claims based on licenses which state an annual diversion volume limitation are to include the volume.

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	(☒)	()
ADDITIONAL DIV. AMOUNT _____	(☒)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-08097

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	40.000		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-08097	40.000	-		36-08097	40.000
TOTAL CFS		40.000				40.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
Y	☒

REMARKS:

AUTHENTICATION:

SIGNATURE: William D. Thornton

DATE: 3/6/92

NAME OF FIELD EXAMINER: —

TITLE: Sr. Wtr Res. Agt.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:50:38
03/05/92

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A36-08097

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN R. LE MOYNE RT. 1 BOX 148 HAGERMAN ID 83332 (208) 837-4887	07/13/1982	POWER	01-01 12-31	40.00 CFS	
				TOTAL DIVERSION:	40.00 CFS	
C	MARGARET LE MOYNE HAGERMAN ID 83332					

Water Source: RILEY CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T08S R13E S01 Lot 6(SWNE)

GOODING County

Place of use Legal Description for: POWER

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
08S	13E	1	:					:					:					:					:

POU County: GOODING

Non-Irrigation Uses: POWER/ HYDRO-POWERPLANT

Other Rights: SAME WATER IS USED FOR FISH PROP. & IRRIG. W/OTHER RIGHTS.

Non-Irrigation Use: POWER/ HYDRO-POWERPLANT

Remarks: LAND IS OWNED BY EDNA RADERMACHER BUT IS LEASED BY US.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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FEB 09 1993

CONVEYANCE LOSS - WORSTELL METHOD

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	1900	12.0	2.00	0.58	40.00*	40.09	0.0144	0.57	40.70
2	100	12.0	2.00	0.03	0.09	0.09	0.3369	0.03	0.12
3	0	12.0	2.00	0.00	0.00	-0.00	0.0000	0.00	0.00
4	0	12.0	2.00	0.00	0.00	-0.00	0.0000	0.00	0.00
5	0	12.0	2.00	0.00	0.00	-0.00	0.0000	0.00	0.00
6	0	12.0	2.00	0.00	0.00	-0.00	0.0000	0.00	0.00
7	0	12.0	2.00	0.00	0.00	-0.00	0.0000	0.00	0.00
8	0			0.00	0.00	-0.00	0.0000	0.00	0.00
9				0.00		-0.00	0.0000	0.00	0.00
10				0.00		-0.00	0.0000	0.00	0.00
11				0.00		-0.00	0.0000	0.00	0.00
12				0.00		-0.00	0.0000	0.00	0.00
13				0.00		-0.00	0.0000	0.00	0.00
14				0.00		-0.00	0.0000	0.00	0.00
15				0.00		-0.00	0.0000	0.00	0.00
16				0.00		-0.00	0.0000	0.00	0.00
17				0.00		-0.00	0.0000	0.00	0.00
18				0.00		-0.00	0.0000	0.00	0.00
19				0.00		-0.00	0.0000	0.00	0.00
20				0.00		-0.00	0.0000	0.00	0.00
TOTALS	2000			0.61	40.09			0.61	

REACH = SECTION OF CHANNEL
LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
AVE WIDTH = AVERAGE TOP WIDTH OF REACH
SEEPAGE = SOIL SEEPAGE RATE OF REACH
WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
DELIVERY = TOTAL DELIVERIES IN REACH
DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH
FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

* This is estimated since
this is the diversion
fish & power and is
near Riley CK.

0.09 is 0.03 cfs/sec allowed
for small reaches and is a
continuous flow. As this system
operates this continuous flow
can be stored and redirected
at a rate of 0.31 cfs
to the sprinklers.

When all rights are combined the diversion into Conyers Ditch
is limited to $40.00 + 0.09 + 0.03 = 40.12$ cfs.

MICROFILMED

FEB 09 1993