UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
SNAKE RIVER PROJECT
MOUNTAIN HOME DIVISION
IDAHO OREGON
GENERAL MAP
SCALE OF MILES
REGION 1 BOISE IDAHO, JULY 1955 NO. 162-125-659
Permit Map No. R-1183
As Approved MAR 20 1964
CARL E. TAPPAN
State Reclamation Engineer
LOCATION MAP
AREA COVERED BY GENERAL MAP
EXPLANATION
GUFFEY UNIT
DRY LAKE
SOUTH SIDE
HILLCREST UNIT
LONG TOM UNIT
EXCHANGE GROUND WATER PUMPING AREA
PROPOSED WORKS
BENCH FLUME
BIFURCATION WORKS
CANAL
CHANNEL IMPROVEMENT
PENSTOCK
PUMPING PLANT
SIPHON
SURGE TANK
TUNNEL
WASTE WAY
RESERVOIR
IRRIGATED LAND
VICINITY OF MT HOME
DRY LAKE
WATER GAGE
CONTENT
DISCHARGE
SNAKE RIVER
BOISE RIVER
Arrowrock Res.
Anderson Ranch Res.
Lucky Peak Res.
South Fork Boise River
Parma
Caldwell
Nampa
Meridian
Boise
Mountain Home
MOUNTAIN HOME AIR BASE
PROPOSED SOUTH SIDE PUMPING PLANT No 2
PROPOSED GUFFEY DAM
PROPOSED GUFFEY GRAVITY CANAL
PROPOSED GUFFEY PUMPING PLANT
PROPOSED CANAL ENLARGEMENT
SWAN FALLS POWER PLANT
C.J. STRIKE POWER PLANT IDAHO POWER CO
ADA CO
ELMORE CO
R 46 E
R6W
R5W
R4W
R3W
R2W
R1W
R1E
R2E
R3E
R4E
R5E
R6E
R7E
R8E
R9E
T5N
T3N
T2N
T1N
T1S
T2S
T3S
T4S
T5S

DEPARTMENT OF WATER RESOURCES

The Idah[o] [D]epartment of Water Resources w[ill] c[on]sider this ca[se] a statement that the permit holder(s) [has] completed development to the extent shown below o[n] Permit No. 63-3618/R-1183

Name(s) of Permit Holder: United States of America acting through the Regional Director, Pacific Northwest Region Bureau of Reclamation

Post Office Address: Box 043-550 West Fort Street

Boise, Idaho 83724 Tel. No. 334-1165

MICROFILMED
JAN 2 3 1987

Source of Water: Boise River

Extent of Use: Storage for Irrigation - 111,950 acre ft.
Irrigation from storage - 111,950 acre ft.
Storage for Streamflow maintenance 152,300 acre ft.
Streamflow Maintenance from storage 152,300 acre ft.
Storage for recreation. 28,800 acre ft.

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

Aug. 15, 1986
Date

John W. Keys, III
Signature of Permit Holder

RECEIVED
AUG 19 1986
Department of Water Resources

E
ENT
STAMP
HERE

MICROFILMED
JAN 29 1987

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

Debbie Walsh, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the

issue of April 5, 1984, and ending with the

issue of April 12, 1984.

Debbie Walsh

Subscribed and sworn to before me this 12th

day of April, 1984.

Dorothy Erquiaga

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF APPLICATION FOR AMENDMENT

Notice is hereby given that permit No. 63-3618, in the name of the United States Bureau of Reclamation was filed on 4/12/1963 for the diversion of 307,000 acre feet from the Boise River with a point of diversion within the SENE Sec. 11 T 2N R 3E, to be used for storage for irrigation from 1/1 to 12/31 and irrigation from storage 4/15 to 10/15 within the irrigation system of the Boise Valley.

The permit holder now proposes to amend the permit by changing the nature of use to 111,950 acre feet storage for irrigation from 1/1 to 12/31 and 111,950 acre feet irrigation from storage 4/15 to 10/15, 152,300 acre feet storage for instream flow maintenance from 1/1 to 12/31 and 152,300 acre feet instream flow maintenance from storage from 1/1 to 12/31, 13,950 acre feet storage for flood control from 1/1 to 12/31 and 13,950 acre feet flood control from storage from 1/1 to 12/31 and 28,800 acre feet for dead storage (recreation) from 1/1 to 12/31.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before April 23, 1984.

A. KENNETH DUNN
Director

Pub. April 5, 12, 1984 4610

MICROFILMED

Form 211
5/78

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

APPROVED

The United States of America acting through the
Regional Director, Pacific Northwest Region,
Comes now Bureau of Reclamation

of (address) Box 043-550 West Fort Street, Boise, Idaho 83724 , and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-3618/R-1183 , and requests that the permit ~~and permit map~~ be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 11 , Township 2N , Range 3E , B.M., County of Ada . Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 111,950 (cfs or acre feet per annum) for storage for* irrigation purposes from ~~April 15~~ January 1 to ~~Oct. 15~~ December 31* (both dates inclusive)

Amount 152,300 (cfs or acre feet per annum) for storage for streamflow maintenance* purposes from Jan. 1 to Dec. 31 (both dates inclusive)

152,300 streamflow maintenance from storage Jan. 1 to Dec. 31*

Amount ~~13,950~~ (cfs or acre feet per annum) for ~~Flood Control~~ purposes from ~~Jan. 1~~ to ~~Dec. 31~~ (both dates inclusive)

Amount 28,800 (cfs or acre feet per annum) for Storage for recreation* ~~Dead Storage~~ purposes from Jan. 1 to Dec. 31 (both dates inclusive)

111,950 irrigation from storage March 15 November 15*

*per letter dated 5/15/1984 - DRT

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
						BOISE FEDERAL RECLAMATION PROJECT LANDS													

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? United States of America

b. Who owns the land to be irrigated or the place of use? Various landowners

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Federal Reclamation Project contracts with various water user organizations.

MICROFILMED

Form 204
3/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 15.00 mg.
Date 8-30-84
Receipt # 35029

RECEIVED
AUG 30 1984
Department of Water Resources

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

United States of America, acting through the Regional Director, Pacific Northwest Region, Bureau of Reclamation (Name) of Box 043 - 550 West Fort Street, Boise, Idaho 83724 (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. R-1183 (63-3618).

That under the terms and conditions of said permit, work thereunder was required to be completed on or before November 1, 19 84.

That he has heretofore performed the following work described under said permit:
(This must be filled out! If no work has been completed put none.)

Construction of Anderson Dam, Arrowrock Dam, Lucky Peak Dam, as well as extensive distribution system construction and rehabilitation for the Boise Project has been completed. Costing $ 90,000,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Additional time is needed for review of the application for changing the use of the storage water as indicated in the Boise Project Power Modification Study. We anticipate approval of the change and issuance of a license.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to November 1, 19 86.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980, THERE IS A $15.00 CHARGE FOR REQUESTS FOR EXTENSION OF TIME.

R. W. Lloyd
(Signature)*
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the proof of beneficial use is extended to November 1, 1986.

Signed this 14th day of February, 19 85.

L. Glen Saxton
Chief, Operations Bureau

MICROFILMED

Form 204
5/78

Identification No. R-1183

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 26 1982
Department of Water Resources

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

United States of America, acting through the Regional Director, Pacific Northwest Region, Bureau of Reclamation (Name) of Box 043 - 550 W. Fort Street Boise, Idaho 83724 (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. R-1183 (63-3618).

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 20, 1982.

That he has heretofore performed the following work described under said permit:

Construction of Anderson Dam, Arrowrock Dam, Lucky Peak Dam, as well as extensive distribution system construction and rehabilitation for the Boise Project has been completed.

Costing $90,000,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Additional time is needed to complete the Boise Project Power and Modification study now in progress requisite to utilization of the remaining noncontracted space in Lucky Peak Reservoir. These comprehensive feasibility studies are now being conducted by the Bureau of Reclamation in cooperation with others. The available uncontracted space is a significant consideration and will have an influence on study recommendations.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to March 20, 1987.

L. W. Lloyd
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to November 1, 1984.

Signed this 29th day of November, 1982.

for Norman C. Young
A. KENNETH DUNN, Director

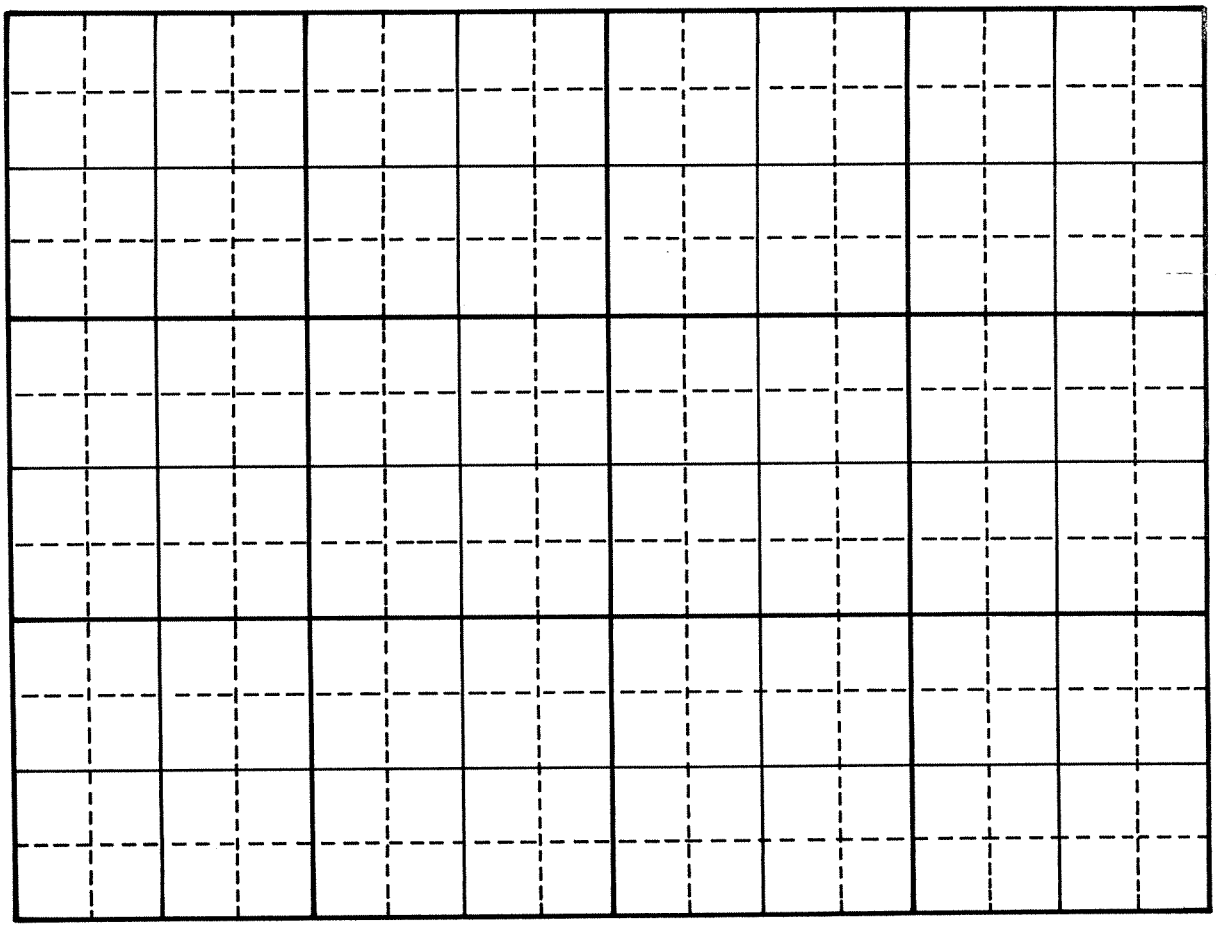
IF OTHER THAN HOLDER, Power of Attorney must be supplied.

Accepted by mf 9-16-82 A/S 82 #24677

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

MICROFILMED



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 9th day of March, 1984.

John W. Keys, III
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = $20.00 # 32576 Receipted by JP Date 3/15/84

Publication prepared by JP Date 3/29/84 Published in Idaho Statesman

Publication dates 4/5 & 4/12/84

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby APPROVE the above Application for Amendment of Permit No. R-1183 (63-3618) provided the following condition are met:

1. The allocation of 152,300 acre feet of storage space for stream flow maintenance includes 50,000 acre feet allocated for same purpose under the original permit.

Witness my hand this 14th day of February, 1985.

R. Glen Saxton

DRT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 16 1979
Department of Water Resources

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

R-1183
Permit No. (63-3618)

United States of America, acting through the Regional Director, Pacific Northwest Region, (name) Bureau of Reclamation of Box 043 - 550 West Fort Street Boise, Idaho 83724 (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. R-1183 (63-3618).

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 20, 1979.

That he has heretofore performed the following work described under said permit:
Construction of Anderson Dam, Arrowrock Dam and Lucky Peak Dam, as well as extensive distribution system construction and rehabilitation for the Boise Project has been completed.

(over)
Costing $ 90,000,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Additional time is needed to complete studies now in progress requisite to utilization of the remaining uncommitted storage in Lucky Peak Reservoir. Comprehensive studies are now being conducted by the Idaho Department of Water Resources, the Corps of Engineers and the Bureau of Reclamation. The available uncommitted storage space is a major consideration and could have a significant influence on study conclusions.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to March 20, 1982.

Rodney J. Vinci
(signature) *

Subscribed and sworn before me this 14 day of February, 1979.

seal

Notary Public residing at
Boise, Idaho

My commission expires I.f.e

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. Glen Saxton, Chief, Operations Bureau of the Idaho Department of Water Resources, hereby APPROVE this extension of time. The time within which to submit proof of beneficial use of water is extended to March 20, 1982.

Witness my hand this 9th day of March, 1979.

L. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

R-1183
Permit No. (63-3618)

United States of American, acting through the Regional Director, Pacific Northwest Region, (name) Bureau of Reclamation of Box 043 - 550 West Fort Street Boise, Idaho 83724 (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. R-1183 (63-3618).

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 20, 1976.

That he has heretofore performed the following work described under said permit:

Construction of Anderson Dam, Arrowrock Dam, and Lucky Peak Dam, as well as extensive distribution system construction and rehabilitation for the Boise Project has been completed.

Costing $ 85,280,185

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Additional time is needed to complete studies now in progress requisite to utilization of the remaining uncommitted storage in Lucky Peak Reservoir. Such studies are now being conducted by the Idaho Department of Water Resources, the Corps of Engineers, and the Bureau of Reclamation. Completion of these studies and formulation of plans is anticipated to require about three years.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to March 20, 1979.

Norman H. Moore
Acting Regional Director (signature) *

Subscribed and sworn before me this 8th day of March, 1976.

E. A. Thomas
Notary Public residing at
Boise, Idaho

seal

My commission expires 1-1-77

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Keith Higginson, Director of the Idaho Department of Water Resources, hereby approve the above application for extension of time for Permit No. 63-3618 to March 20, 1979.

Witness my hand this 30 day of March, 1976.

K. Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

(63-3618)
Permit No. R-1183

United States of America, acting through the Regional Director - Pacific Northwest Region, Bureau of Reclamation (name) of Box 043 - 550 West Fort Street Boise, Idaho 83724 (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. R-1183.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 20, 1975.

That he has heretofore performed the following work described under said permit:
Construction of Anderson Dam, Arrow Rock Dam, and Lucky Peak Dam, as well as extensive distribution system construction and Rehabilitation for the Boise Project has been completed.

Costing $85,280,185

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Additional time is needed to complete planning and to obtain authorization and appropriations for construction of facilities shown on Drawing No. 162-125-659, dated July 1955, which is attached to and made a part of Permit R-1183.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to March 20, 1985.

Norman H. Nicol
ACTING Regional Director, Pacific Northwest Region, Bureau of Reclamation
(signature) *

Subscribed and sworn before me this 8 day of January, 1975.

seal

C. J. Thomas
(notary public)

My commission expires 1-1-77

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. R-1183/63-3618 to March 20, 1976.

Witness my hand this 25th day of February, 1975.

R. Keith Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1183)
in the name of United States of America)
Bureau of Reclamation, Federal Building)
Boise, Idaho)

ORDER MODIFYING REQUIREMENTS FOR COMPLETION OF PERMIT TO APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1183 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.

2. The conditions of the above-numbered permit are modified as follows:

a. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before March 20, 1975. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 10th day of January, 1969.

R. KEITH HIGGINSON
State Reclamation Engineer

R-1183

APPLICATION FOR PERMIT 63-3619

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 35086
Permit No. R 1183

1. Name of Applicant: United States of America, acting through the Regional Director, Region 1, Bureau of Reclamation
Post office address: P.O.Box 937 Boise State Idaho
and for the benefit of the users of Boise River water.

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 corporation are:

(a) Cash on hand: $

(b) Treasury Stock: $

(c) Bonds to be issued: $

(d) Other resources:

2. Quantity of water to be stored: 307,000 acre feet per annum.

3. Source of water supply is Boise (River) a tributary of Snake River.

4 The outlet of the proposed reservoir is located intake tower to the S6°20'W (bearing) 2300 feet, distant from the NE corner of Section 11, Township 2 N., Range 3 E., B.M. and is in the SE ¼ of NE ¼ of Section 11, Township 2 N., Range 3 E., B.M. County of Ada

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Boise (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located feet distant from the corner of Section, Township, Range, B.M., and is in the (bearing) ¼ of ¼ of Section, Township, Range, B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is 2,850 acres.

(b) The reservoir capacity is 307,000 (total capacity); 278,200 (usable storage) acre feet.

7. Height of reservoir dam 340 feet, length of crest 1,700 feet, length at bottom variable feet, size of outlet 23 feet inside diameter. The dam is to be constructed of materials as follows: the existing Lucky Peak Dam and is Rolled earth and gravel fill.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Boise (River)? No

(b) Water stored in reservoir will be carried in the channel of Boise (Creek) (River) a distance of 2 miles to point of diversion located at the existing Boise Diversion Dam S41°45' E (bearing) 356 feet, distant from the E¼ corner of Section 4 Township 2 N., Range 3E., B.M., and Lot 9 of Section 3 Township 2 N., Range 3 E., B.M., and to other points of diversion in the Boise River downstream therefrom.

9. (a) Area of watershed above dam site 2,650 square miles.

(b) Estimated maximum flow of stream (unregulated natural flow) 35,000 to 40,000 cubic feet per second.

10. Water is to be used for irrigation purposes.

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

(a) Point of use of water feet, distant from Corner of Section, Township, Range (bearing), B.M., and is in the ¼ of ¼ of Section, Township, Range, B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet (bearing) distant from the corner of Section, Township, Range, B.M. in the ¼ of ¼ of Section, Township, Range, B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed or enlarged, as described in Permit No. 1600 & 1605, which are hereby referred to and made a part hereof., and other existing canals diverting from the Boise River.

13. Kind of diversion works: Rubble concrete weir dam (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet, length at bottom 400 feet. The dam is constructed of materials as follows: Rubble concrete. Diversion will be through the existing New York Canal and other canals diverting from the Boise River.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

5. Size of headgate: New York Canal - 8 [illegible]s each, 5' x 9' feet.

6. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9 feet, Dimensions of Flume

Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

7. Estimated Cost of Works: Storage Works: $ Constructed Diversion Works: $ Constructed

8. Time required for completion of work 5 years.

9. Time required for complete application of water to proposed beneficial use is 6 years.

10. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			Lucky Peak stored waters will be utilized in the Boise Valley on presently irrigated lands for supplemental irrigation water.																

Total Number of Acres to Be Irrigated

1. Existing rights and/or valid permits appurtenant to lands described above are Water License No. R-698, No. R-652, No. 430, No. 7180, No. 4800, No. 16098, and the rights described in the Bryan and Stewart decrees.

Remarks: The water to be stored under this permit will be used to supplement lands having existing water rights in the Boise Valley who desire to contract therefor.

REMARKS: This permit is issued on condition - "That the yield of water from 50,000 acre feet of space be available for maintaining minmum winter time flow in the Boise River below Boise Diversion Dam under a release pattern established from time to time by the Director of the Idaho Fish and Game Department.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho s herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA, *Applicant.*

By s/ M. B. Austin, *Agent.*
Acting Regional Director

Date of first receipt at Department of Reclamation: 8:00 A.M. April 12, 1963

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1183

Recorded in book R 5, page 1183. Approved March 20, 1964

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $, to be filed on or before

Work to begin on or before May 20, 1964 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 20, 1966

The whole of said work to be completed on or before March 20, 1969

Beneficial use of water stored in accordance herewith, to be made on or before March 20, 1975

Witness my hand this 20th day of March, 19 64

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th day of March, 19 64

COUNTERSIGNED

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO
By s/ ROBERT E. SMYLIE
Governor.

(SEAL)

February 22, 1985

Jerry Eggleston
CH2M Hill
700 Clearwater Lane
Boise, ID 83707

Dear Mr. Eggleston:

Re: 63-3618 - Bureau of Reclamation

Pursuant to your conversation with Glen Saxton, enclosed is a copy of the request for extension of time and also a copy of a letter dated May 15, 1984 to the Bureau from Dave Tuthill.

If you need any further assistance, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

February 15, 1985

Regional Director
Pacific Northwest Region
Bureau of Reclamation
Box 043-550 West Fort St.
Boise, ID 83724

Dear Sir:

Re: Permit No. 63-36187R-1183

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use is extended to November 1, 1986.

Also enclosed is a copy of the approved application for amendment. Note the condition of approval on the second page.

If you have any questions concerning this water right, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

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United States Department of the Interior
BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

RECEIVED
AUG 30 1984
Department of Water Resources

IN REPLY
REFER TO PN 420
870.

AUG 27 1984

Mr. A. Kenneth Dunn, Director
Idaho Department of Water
Resources
450 West State Street
Boise, Idaho 83702

Dear Mr. Dunn:

Enclosed is an application for an extension of time for Permit No. R-1183/63-3618 for storage and use of water in Lucky Peak Lake.

Your office is currently reviewing the application for change of the uses authorized by this permit. When this action is complete, we anticipate that the water right can be finalized and a license issued. However, since the permit currently requires completion of beneficial use by November 1, 1984, we are requesting a 2-year extension of time (until November 1, 1986) to complete beneficial use of the project waters.

Sincerely yours,

L. W. Lloyd

Regional Director

Enclosure

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Agenda Item No. 8. Review of Application for Amendment of Permit No. 63-3618, Lucky Peak Reservoir - USBR

Wayne T. Haas, Administrator, Resources Analysis Division, reported that the U.S. Bureau of Reclamation (BoR) submitted on March 15, 1984 an application for amendment of permit for storage at Lucky Peak Reservoir. No protests were received on the amendment. In accordance with Section 42-1737, Idaho Code, the amendment is being submitted to the Board for approval or disapproval. The amendment proposes to maintain the 50,000 af streamflow, change the 28,800 af dead storage to storage for recreation, and change the 228,200 af for irrigation to 102,300 af streamflow maintenance and 111,950 af for irrigation (allowing 13,950 af flood control). Two issues the Board may wish to consider are: "Is streamflow maintenance from storage in conformance with the State Water Plan?" and "Should the duration of the water right be conditioned?". In regard to the first issue, Lucky Peak Reservoir is not a natural body of water and the stored quantities are not subject to the provisions of Chapter 15, Idaho Code. Most water rights in Idaho require diversion and beneficial use. The dam is considered to be the diversion for a storage water right, and if the streamflow maintenance uses can be considered to be beneficial, a valid water right can be constituted. Historically the BoR has not allowed the 102,300 acre feet of storage to be contracted except on a limited basis. On the issue of conditioning a water right, the Board may wish to consider the increased competition between the various uses of the limited water supplies in Idaho and the notion that "higher and better use" now may be viewed differently in the future.

Ron Golus, Bureau of Reclamation, discussed the development of the recommendations for the noncontracted space in Lucky Peak Reservoir. On March 20, 1964 a storage permit was granted to the BoR with a stipulation that beneficial use of water storage be made on or before March 20, 1975. In 1975, no designation use had been made for 116,250 af of noncontracted space. At that time, the directors of Idaho Dept. of Water Resources and Bureau of Reclamation met to discuss the potential uses of stored water. The permit issued stated that the water from Lucky Peak storage would be used as supplemental supply for irrigated lands in the Boise River valley, but the existing Boise River valley irrigation entities could not prove beneficial use for supplemental water from the uncontracted space. It was also agreed that using noncontracted storage space for maintaining flows in the Boise River to dilute the city of Boise's Lander Street sewage discharge into the river was not a beneficial use. Two studies were recommended: (1) review ways to improve the flood control and maintain streamflow operation of the river, and (2) review the possibility of irrigating parts of the Mountain Home and Bruneau plateaus. The studies were accomplished through the Boise Project Power Modification Study and the Corps/BoR Regulation Manual Study for the Boise River System. Upon completion of the studies, agency meetings from the federal, state, county and city were held to receive input and a public meeting and workshop were held to inform the public and receive comments. The recommended plan agreed upon was for the Lucky Peak Lake noncontracted space to be used for the Boise River streamflow maintenance jointly with the authorized flood control use.

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Will Reid, Dept. of Fish and Game, commented that 150 cfs has been identified as the practical streamflow maintenance for the Boise River from the Diversion Dam to Star diversion.

F. Dave Rydalch, Member, moved Board adoption that "streamflow maintenance from storage" is a water use in conformance with the State Water Plan and recommended director approval of the application for amendment. Robert M. Hammes, Member, seconded the motion.

Motion passed by voice vote: 8 Ayes, 0 Nays.

Gene M. Gray, Vice Chairman, moved the Board adopt a recommendation that the term of the Lucky Peak storage permit be thirty (30) years prior to review. James Shawver, Member, seconded the motion.

Motion passed by voice vote: 8 Ayes, 0 Nays.

Agenda Item No. 9. IWRB Financing Programs
a. Loan and Grant Applications
b. Bond and Inducement Resolutions
c. Boise Water Corporation Revenue Bond

a. Loan and Grant Applications. Fred Eisenbarth, department staff, advised the Board that Goose Creek Flood Control District #16 requested in a letter of December 5, 1984 the Board make a $164,000 loan to them from the Revolving Development Account for one year at nine percent interest to repair, maintain and enlarge the West Canal from Oakley Reservoir to Murtaugh Lake. The West Canal was constructed last spring to accommodate the high spring runoffs to avoid excessive flooding. The district was legally organized in August, 1984, but in accordance with Idaho law, the district is unable to levy a tax for operating money until next year. The flood control district is a legal entity and both the applicant and project do qualify for a Board loan as outlined in the rules and regulations of the Revolving Development Account.

Leland Baker, Chairman of the Goose Creek Flood Control District #16, informed the Board the district had the taxing authority, but timing was such that they could not get a tax levy on this year's tax bills.

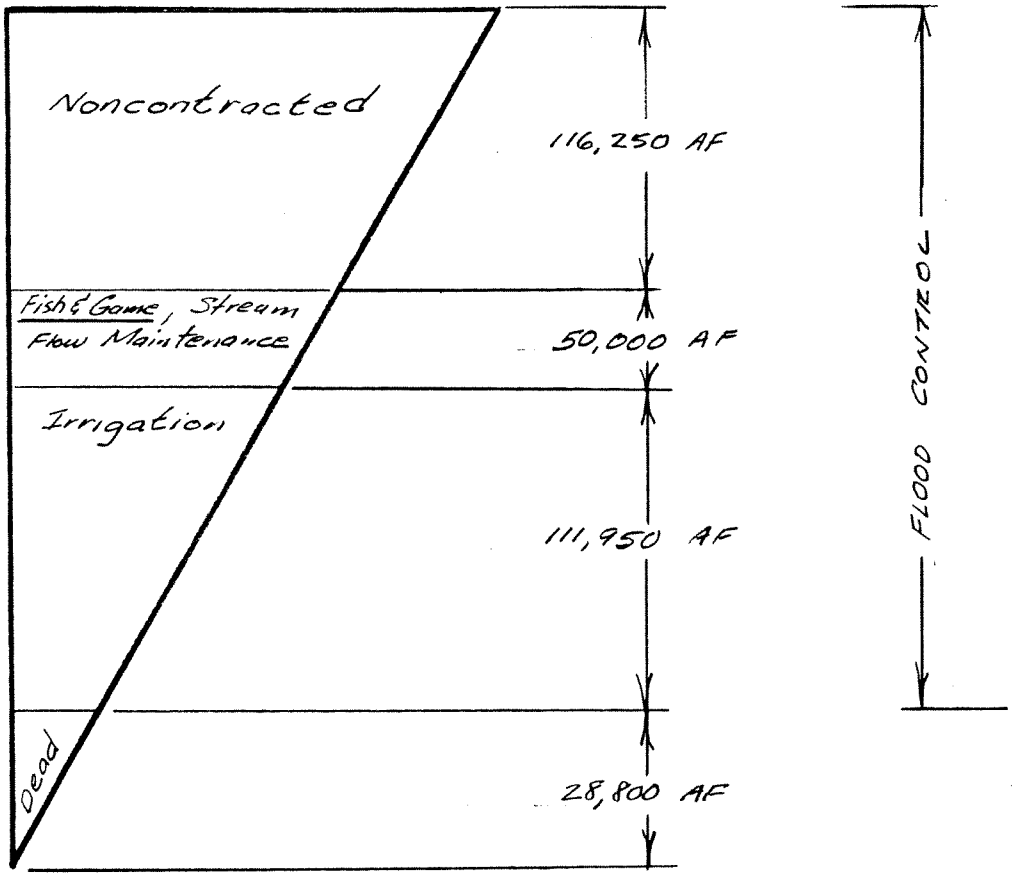
J. D. Williams, Member, moved Board adoption of a resolution (ATTACHMENT 3) to make a $164,000 loan for one year at nine percent interest from the Revolving Development Account to Goose Creek Flood Control District #16 to be used for payment of costs associated with the repair and enlargement of the West Canal. Richard W. Wagner, Member, seconded the motion.

Motion passed by roll call vote: 8 Ayes, 0 Nays. Gray, Aye; Hammes, Aye; Jones, Aye; Kramer, Aye; Rydalch, Aye; Shawver, Aye; Wagner, Aye; and Williams, Aye.

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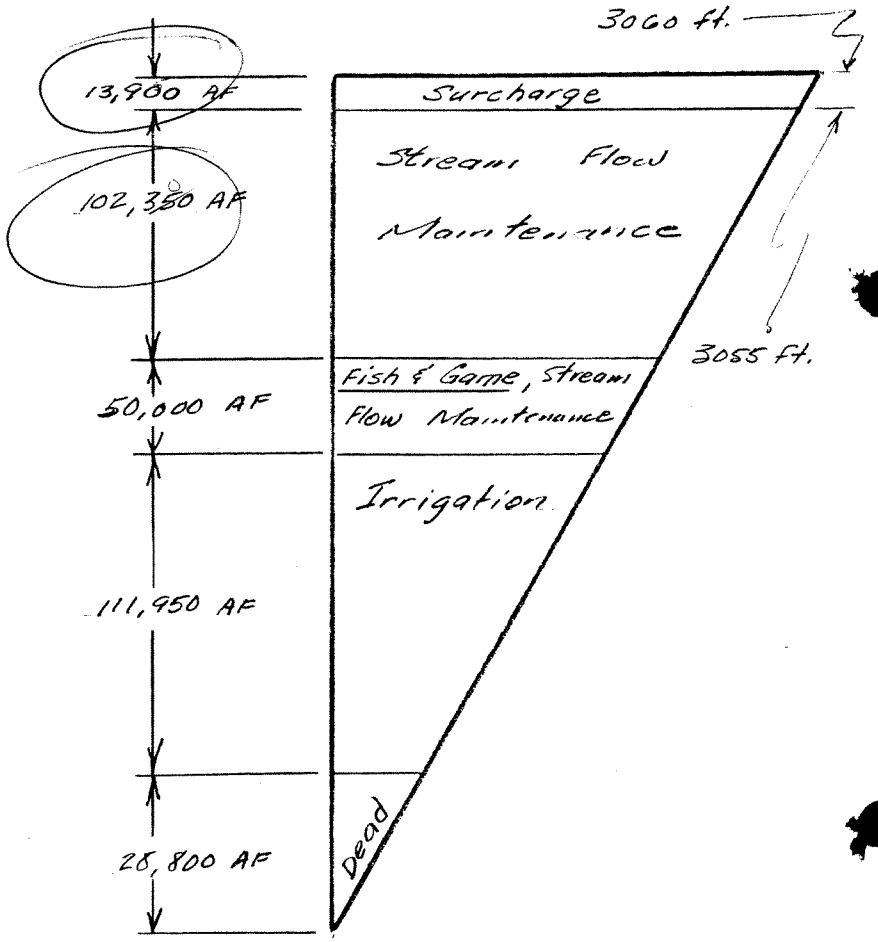
LUCKY PEAK LAKE

EXISTING, Space



SURCHARGE	0
ACTIVE STORAGE	278,200 AF
DEAD STORAGE	28,800 AF
TOTAL STORAGE	307,000 AF

RECOMMENDED, Space



SURCHARGE	50
	13,900 AF
ACTIVE STORAGE	264,300 AF
DEAD STORAGE	28,800 AF
TOTAL STORAGE	307,000 AF

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Review of Application for Amendment of Permit No. 63-3618

Lucky Peak Reservoir, U.S. Bureau of Reclamation

ISSUES

The U.S. Bureau of Reclamation has applied to amend the uses on their permit for storage at Lucky Peak Reservoir. Issue 1: Is "streamflow maintenance from storage" a reasonable beneficial use? Issue 2: Should the duration of the water right be conditioned?

BACKGROUND

The following dates describe the history of actions with respect to the storage water right at Lucky Peak Reservoir in the name of the U.S. Bureau of Reclamation.

- April 12, 1963	Application for Permit submitted to the IDWR
- March 20, 1964	Permit Approved for: - 278,200 acre-feet for Irrigation - 28,800 acre-feet for Dead Storage
- February 25, 1975 March 30, 1976 March 9, 1979 November 29, 1982	Extensions of Time to Submit Proof of Beneficial Use approved
- March 15, 1984	Application for Amendment of Permit submitted
- April 23, 1984	Final date for protests - no protests received

Pursuant to Section 42-1737, Idaho Code, "all project proposals involving the impoundment of water in a reservoir with an active storage capacity in excess of ten thousand (10,000) acre feet shall be submitted to the Board for approval or disapproval". This requirement in connection with Policy 16 of the State Water Plan has been interpreted to apply to an Application for Amendment of an existing permit.

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Amended uses requested by the U.S. Bureau of Reclamation are summarized as follows:

Amount(acre-feet)	Use	Period: From	To
111,950	Storage for Irrigation	Jan. 1	Dec. 31
111,950	Irrigation from Storage	Mar. 15	Nov. 15
152,300	Storage for Streamflow Maintenance	Jan. 1	Dec. 31
152,300	Streamflow Maintenance from Storage	Jan. 1	Dec. 31
28,800	Storage for Recreation	Jan. 1	Dec. 31

Total of 293,050 acre feet

Note 1: Flood Control of an additional 13,950 acre-feet resulting from surcharging the reservoir is not considered to be a beneficial use and the allotment for this use will be shown in Remarks.

Note 2: The condition of approval on the original permit "That the yield of water from 50,000 acre-feet of space be available for maintaining a minimum winter-time flow in the Boise River below Boise Diversion Dam under a release pattern established from time to time by the Director of the Idaho Fish and Game Department" will be maintained after amendment.

ANALYSIS

Issue 1. Chapter 15, Title 42, Idaho Code established that the protection of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, transportation and navigation values, and water quality can be considered to be beneficial uses, when the uses are recorded pursuant to the minimum stream flow act. The act can apply to "any lake, spring, creek, stream, river or other natural body of standing or moving water which is subject to appropriation under the laws of Idaho". A minimum stream flow water right can be approved only in the name of the Idaho Water Resource Board, pursuant to the provisions of Chapter 15.

Lucky Peak Reservoir is not a natural body of water, and the stored quantities are not subject to the provisions of Chapter 15. Because Chapter 15 does recognize that certain instream uses can be beneficial, however, the precedent for recognizing such uses is established in Idaho water law. Most water rights in Idaho require diversion and beneficial use. The dam is considered to be the diversion for a storage water right, and if the streamflow maintenance uses can be considered to be beneficial, a valid water right can be constituted.

Establishment of a resource maintenance flow as proposed would preclude the use of as much as 152,300 acre-feet per year for irrigation uses. As shown above, the Idaho Department of Fish and

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Game is allocated 50,000 acre-feet of Lucky Peak storage water pursuant to a condition of approval of the water right permit. This volume has been used to augment winter time natural flows in the Boise River, and the priority of fill is the same as for the 111,950 acre-feet of contracted irrigation storage water. Of the remaining 102,300 acre-feet of storage, the "firm yield" has been estimated by the Bureau of Reclamation to be limited to 30,000 acre-feet, because of the need to provide adequate security against flooding.

The Bureau of Reclamation (BOR) has indicated that the primary agricultural entity to have shown an interest in contracting storage space in Lucky Peak is a group of "Dry Lake irrigators". This group has found, however, that the cost of enlarging the New York and Mora canals to provide the required increased flows renders the use of Lucky Peak storage water infeasible.

Historically the BOR has not allowed the 102,300 acre-feet of storage to be contracted. One exception was 1977, when 76,643 acre-feet were available for contracting. That year an allotment of 50,000 acre-feet was contracted to nine irrigation entities, resulting in an actual combined use of 35,400 acre-feet. Thus, even in a severe drought year the additional storage water requirement for the irrigation of currently irrigated acres is very limited.

Regarding other proposed uses of storage water in the Boise River Basin, the BOR has indicated that the approximately 5,000 acre-feet for municipal-industrial uses have been requested by Boise Water Corporation. The BOR has indicated that this water will be provided from Anderson Ranch Reservoir. Storage water in that reservoir is currently totally appropriated for power generation use, and the municipal-industrial use would be filed as an additional use.

Issue 2. Because of increasing competition between various users of the limited water supplies in Idaho, the notion of "higher and better use" is receiving increasing attention. A use that is considered to be reasonable and beneficial in 1984 may be viewed differently in thirty years.

In order to provide for long-term options regarding interpretations of beneficial use, the following condition of approval has recently been utilized for the issuance of some permits to appropriate water for hydropower purposes:

> "The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director thirty (30) years from the date of issuance of this permit. 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."

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At this time, the addition of this condition of approval may be appropriate in conjunction with the change in nature of use from "irrigation from storage" to the more unconventional use of "streamflow maintenance from storage".

ALTERNATIVES

Issue 1.

A. Determine that "streamflow maintenance from storage" is not a valid, beneficial use. Recommend denial or amendment of the Application for Amendment.

B. Determine that an excessive amount of water has been proposed to be identified as "streamflow maintenance from storage". Recommend that a different quantity be allocated under this designation.

C. Determine that "streamflow maintenance from storage" is a valid, beneficial use. Recommend approval of the Application for Amendment.

Issue 2.

A. Recommend that the term of the permit be thirty (30) years prior to review.

B. Recommend that the term of the permit be some other duration prior to review.

C. Recommend that the permit not be conditioned with any term.

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CONVERSATION MEMORANDUM

DATE 11/16/84

FILE 63-2892 & 3618

NAME OF PARTY Ron Golus

EMPLOYEE David Shaw

RE: Letter to Boise Water Corp.

I told Ron we planned to send a letter to BWC urging them to reach an agreement on the impact of the Ronney collectors on the Boise River.

Ron said the Bureau was also interested in a determination. I told him we were doing that to try to reach a solution before the Lucky Peak amendment is final.

Ron said if BWC decides to purchase storage water the Bureau has 5000 ac-ft of storage water for power (multi-use) in Anderson and they would probably offer that water to BWC.

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CONVERSATION MEMORANDUM

DATE 11/2/84

FILE 63-3618

NAME OF PARTY RON GOLUS, BILL LLOYD

EMPLOYEE DAVE TUTHILL

RE: APP FOR AMENDMENT

Wayne Hass called the above to see if it would be acceptable to delay the review of the App for Amendment by the IWRB. Mr. Hass indicated to me that neither party had a problem with the delay.

DMT

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State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 25, 1984

U.S. Bureau of Reclamation
Attn: Ron Golus
Box 043
Boise, ID 83724

Re: Application for Amendment of Permit No. 63-3618

Dear Ron:

The next meeting of the Idaho Water Resource Board in Boise has been set for Friday, November 2 at the Idaho Department of Water Resources conference room on the third floor, Towers building, 450 West State St. As we had indicated to you in a letter dated June 7, 1984, the above-referenced matter will be scheduled as an agenda item for that meeting.

No changes to our Issue Paper have been made since my letter to you dated June 18, 1984. This Issue Paper will be distributed to the Board members prior to the meeting, and they will likely have additional questions, so we would request that the U.S. Bureau of Reclamation be represented at the meeting. Also, per our previous discussions, input from a representative from the Idaho Department of Fish and Game (IDFG) may be helpful. As before, it may be most efficient for you to coordinate with the IDFG.

We will send you a copy of the agenda as soon as it is finalized. Please give me a call at 334-4104 if you wish to discuss, or have any changes to this plan.

Sincerely,

Dave

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:ls

cc: Wayne Haas

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 18, 1984

Hank Koelling
Watermaster, Water District 63
214 Broadway Ave.
Boise, ID 83702

RE: Application to Amend Permit No. 63-3618, Lucky Peak Reservoir

Dear Hank:

Please find enclosed copies of the Application for Amendment and the Issue Paper which I mentioned that we were reviewing in our recent conversation. The Idaho Water Resource Board will be reviewing the documents this fall -- please let me know if you have any comments.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:ns

Enclosures

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State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 18, 1984

U.S. Bureau of Reclamation
Attn: Ron Golus
Box 043
550 West Fort St.
Boise, ID 83724

RE: Application for Amendment of Permit No. 63-3618

Dear Ron:

Enclosed please find a copy of an updated revision of the Issue Paper that has been prepared for the Board's review. Note that the only change is that on page 2 a Note 2 has been added per your telephonic request.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:ns

Enclosure

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June 7, 1984

U.S. Bureau of Reclamation
Attn: Ron Golus
550 W. Fort St.
Boise, ID 83702

RE: Application for Amendment of Permit No. 63-3618

Dear Ron:

As I indicated in our conversation on Monday, June 4, Wayne Haas of this Department has asked if it would be acceptable to delay a review by the Idaho Water Resources Board of the above referenced Application for Amendment. It is my understanding that you foreee no problem with such a delay, and you would be willing to reschedule for the next time the Board is scheduled to meet in Boise, probably this fall. By copy of this letter to Wayne Haas, I would request that this matter be scheduled as an agenda item for the next such meeting.

Please find enclosed a copy of the Issue Paper that has been prepared for the Board's review. You are welcome to submit any comments you may have on this matter.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

cc: Wayne Haas

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State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 15, 1984

U.S. Bureau of Reclamation
Attn: Ron Golus & Ed Thomas
Box 043
550 West Fort St.
Boise, ID 83724

RE: Application for Amendment of Permit No. 63-3618

Gentlemen:

This Department is currently reviewing the above-referenced Application for Amendment. The application has been advertised and no protests were received.

Based on the uses identified on the application, and the comments in your transmittal letter dated March 12, 1984, we have made a preliminary analysis of how the uses can be most accurately described in the standard format system of the Idaho water right data base.

The uses that you showed on the application are as follows:

Amount(acre-feet)	Use	Period: From	To
111,950	Irrigation	Apr. 15	Oct. 15
152,300	Streamflow	Jan. 1	Dec. 31
13,950	Flood Control	Jan. 1	Dec. 31
28,800	Dead Storage	Jan. 1	Dec. 31

The uses described in your transmittal letter are as follows:

	Amount(acre-feet)	Use
	111,950	Irrigation
	50,000	Streamflow Maintenance (Fish & Game (current allocation)
	102,300	Streamflow Maintenance
Subtotal	264,250	Conservation Storage
	13,950	Exclusive flood control
Subtotal	278,200	Active capacity
	28,800	Unusable storage
	307,000	Total capacity

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The uses on the original Permit are as follows: 307,000 acre-feet total capacity; 278,200 useable storage for irrigation purposes.

Based on this information, our initial recommendation for a description of uses for the Permit after the Amendment is approved is as follows:

Amount(acre-feet)	Use	Period: From	To
111,950	Storage for Irrigation	Jan. 1	Dec. 31
111,950	Irrigation from Storage	Mar. 15	Nov. 15
152,300	Storage for Streamflow Maintenance	Jan. 1	Dec. 31
152,300	Streamflow Maintenace from Storage	Jan. 1	Dec. 31
28,800	Storage for Recreation	Jan. 1	Dec. 31

Total of 293,050 acre feet

Note 1: Flood Control is not considered to be a beneficial use and the allotment of 13,950 acre feet for this use will be shown in Remarks.

Note 2: We will allow an irrigation season of March 15 to November 15 for irrigation due to the location of the anticipated place of use.

The purposes of this letter are to (1) provide an initial response indicating the Department analysis of projected uses, (2) advise that because the application involves more than 10,000 acre feet, the requested changes must be reviewed by the Idaho Water Resource Board (IWRB) pursuant to Section 42-1737, Idaho Code, and (3) notify you that the IWRB will probably review this matter at a meeting scheduled for June 8, 1984 to be held in Weiser, Idaho. One primary item of review by the IWRB will be the relationship between the proposed "streamflow maintenance" use and the minimum stream flow defined by Chapter 15 of the Idaho Code.

This office will attempt to provide further information regarding a more precise time and the scope of review by the IWRB. In the meantime, please provide any response to the preliminary description of uses shown above.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

vcc: Wayne Haas L5 T 27 T 51 J 70

MICROFILMED

CONVERSATION MEMORANDUM

DATE May 8 1984

FILE 63-3618

NAME OF PARTY Ed Thomas & Ron Golus, Bur of Rec

EMPLOYEE Dave Tuthill

RE: App for Amendment

I called to say that based on a prelim review, this App for Permit would probably have to be reviewed by the Id Water Resource Board, because the volume involved is > 10,000 AF (Per 42-1737, Idaho Code). Per a check w/ Wayne Haas this morning, there is time to schedule such a review on the Board's agenda.

Ron Golus, who ~~is~~ the primary contact with this water right, said that someone from the Bur of Rec could attend, as well as probably a rep from Id Fish & Game. I suggested that they be thinking of material for a 5 to 10 min presentation to the Board on the most controversial issue: Instream "wildlife" use.

I indicated that this conversation was just a preliminary Contact, and we would follow up with a letter containing specific Department proposals.

DRT

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MEMORANDUM

TO: Dave T.

FROM: Jim

DATE: May 4, 1984

RE: Application for Amendment of Permit 63-3618

Per discussion with Dave Shaw, he forwarded this amendment to the State Office knowing that additional staff review may result in changing some of the initial uses proposed on the amendment application.

He pointed out that the Water Resource Board approval may be required because of the size of the storage involved. He did not cite the statutory authority nor have I attempted to locate it.

He explained that the purpose of this amendment was to identify allocations of the stored water for the uses shown on the amendment. The amount originally identified for irrigation apparently has not been fully developed. The USBR also now has an agreement with Fish and Game for additional instream maintenance flows. He stated that USBR would like to submit proof of water to beneficial use so that a license could be issued. The USBR is attempting to show beneficial use for the entire capacity of the reservoir.

I concur with the changes proposed to the amendment by Dave Shaw. Please review. Are you aware of the Board approval requirement?

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Form No. 211a
11/78

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 63-3618 Applicant Bur. of Rec.

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☒ Other Nature of Use

CHECK:

- ☑ Description of amended point(s) of diversion.
- ☑ Amount, nature and period of use. If increased, delay date of priority.
- ☑ Description of amended places of use. If expanded, delay date of priority.
- ☑ Ownership of point of diversion and place of use.
- ☐ Map.
- ☑ Signature (must be permit holder).
- ☑ Fee.
- ☑ Existing water rights from the same source, amended place of use.
- ☑ Right number(s) _____
- ☑ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☑ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. 4/16/84
- ☑ Amendment published correctly. Idaho Statesman 4/5 & 4/12/84 20/32576
- ☐ Protests processed.
- ☑ Approve.
- ☐ Deny.

Conditions Boise River Water Master Control (District 63) Release of stream flow storage for stream flow augmentation shall be as recommended by Director of IDFG.

By DDS Date 4/23/84

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

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POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

NOTICE OF (APPLICATION FOR AMENDMENT) / (AMENDED APPLICATION FOR PERMIT)

Notice is hereby given that (application) / (permit) No. 63-3618 in the name of the United States Bureau of Reclamation was filed on 4/12/1963 for the diversion of 307,000 acre feet from the Boise River with a point of diversion within the SENE Sec. 11 T 2N R 3E to be used for storage for irrigation from 1/1 to 12/31 and irrigation from storage 4/15 to 10/15 within the irrigation system of the Boise Valley.

The (applicant) / (permit holder) now proposes to amend the (application) / (permit) by changing the nature of use to 111,950 acre feet storage for irrigation from 1/1 to 12/31 and 111,950 acre feet irrigation from storage 4/15 to 10/15, 152,300 acre feet storage for instream flow maintence from 1/1 to 12/31 and 152,300 acre feet instream flow maintence from storage from 1/1 to 12/31, 13,950 acre feet storage for flood control from 1/1 to 12/31 and 13,950 acre feet flood control from storage from 1/1 to 12/31 and 28,800 acre feet for dead storage (recreation) from 1/1 to 12/31.

Any protest against the approval of the proposed amendment must be filled with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before April 23, 1984

[redacted]

Director

Published Idaho Statesman

4/5 and 4/12/84

MICROFILMED

United States Department of the Interior
BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

RECEIVED
MAR 13 1984
Department of Water Resources

IN REPLY
REFER TO:
PN 420
870.

MAR 12 1984

Mr. A. Kenneth Dunn, Director
Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702

Dear Mr. Dunn:

The Bureau of Reclamation requests that the Idaho Department of Water Resources amend our Lucky Peak Lake Water Storage Permit (number R-1183, 63-3618) by changing the nature of use of a portion of the stored water.

The existing permit provides for storage and use of Lucky Peak water for irrigation with the approval conditioned upon 50,000 acre-feet of space being made available for winter time streamflow maintenance under a release pattern established by the Director of the Idaho Department of Fish and Game.

The Boise Project Power Modification Study has resulted in the following allocation:

	111,950 acre feet	Irrigation
	50,000 acre feet	Streamflow Maintenance (fish & Game current allocation)
	102,300 acre feet	Streamflow Maintenance
Subtotal	264,250 Acre feet	Conservation Storage
	13,950 Acre feet	exclusive Flood Control
Subtotal	278,200 Acre feet	Active Capacity
	28,800 Acre feet	Unusable Storage
Total	307,000 Acre feet	Total Capacity

Additional irrigation in the Dry Lake area was considered, however, it is apparent from recent discussions with the interested landowners that it would not be feasible for them to proceed with development.

Our Boise Project Power and Modification Study analysis has found that there would be no significant adverse environmental impacts due to using the space for minimum streamflows. Our National Environmental Policy Act (NEPA) compliance activities are well advanced on this action, and we will include our analysis in the feasibility report/environmental compliance document for the Boise River basin portion of the current feasibility study.

The enclosure to this letter is the completed form, "Application for Amendment of a Permit."

MICROFILMED

If you require further information for processing the amendment to the permit, plase contact Ron Golus, Boise Project Power and Modification Study Coordinator.

Sincerely yours,

John W. Keys, III

ACTING
Regional Director

Enclosure

cc: Colonel Robert Williams, District Engineer
Walla Walla District, Corps of Engineers
Building 602, City-County Airport
Walla Walla, Washington 99362
(w/enclosures)

MICROFILMED

United States Department of the Interior
BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

RECEIVED
MAR 16 1983

IN REPLY REFER TO: PN 440
832.

Lucky Peak Permit
File 63-3618

MAR 15 1983

11, 2m, 3E

Mr. Robert P. Walker, P.E.
Boise Water Corporation
P.O. Box 7488
Boise, Idaho 83707

Dear Mr. Walker:

Please refer to your letter of July 29, 1982, and our reply of August 19, 1982, which discussed your concerns regarding utilization of your Ranney Collector systems after June 15, 1983.

In your letter you anticipated that as a result of a study to be completed prior to June 15, 1983, it will be determined that the waters pumped from the collectors are essentially surface flows, and that being the case, the Boise Water Corporation's water right would be placed under the control of the Watermaster of Water District 63. The surface flows, being primarily storage water released from Lucky Peak Reservoir, would therefore require upstream storage rights to permit continued operation of the collector system.

Our letter suggested that pending completion of the Boise Project Power Modification Study, it may be possible to provide the Boise Water Corporation interim water service in order for Boise Water Corporation to continue diversions. We note that no subsequent discussions have occurred and recommend that we begin discussions as soon as possible. If discussions do not begin soon, it may be difficult to process a temporary contract in time.

Please write or call so that contract preparation may begin soon.

Sincerely yours,

L. W. LLOYD

Regional Director

cc: Mr. Kenneth Dunn, Director
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

MICROFILMED

November 30, 1982

L. W. Lloyd
Regional Director
Bureau of Reclamation
Box 043, 550 W. Fort St.
Boise, ID 83724

Dear Mr. Lloyd:

Re: R-1183 (63-3628)

We inadvertently failed to sent you a signed copy of the Request for Extension of Time enclosed is our letter dated November 24, 1982. Please accept our apology for the error and find enclosed a properly executed copy.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure.

November 24, 1982

L. W. Lloyd
Regional Director
Bureau of Reclamation
Box 043, 550 W. State St.
Boise, ID 83724

Dear Bill:

Enclosed find a copy of the approved request for extension of time to submit proof of beneficial use on permit No. 63-3618 (Lucky Peak Dam). The time has been extended to November 1, 1984, rather than to March 20, 1987, as requested to allow time for the Bureau of Reclamation to seek and obtain any needed amendments to the types of uses authorized by the permit. Additional time can perhaps be authorized to implement the new uses if permit amendments are made and more time is then needed.

It is my understanding that the ongoing Boise River Modification Study has identified several additional or expanded uses from those now authorized on the permit. Before these additional uses (i.e., municipal water supply and increased instream maintenance flows) can be implemented or a license issued for them, an amendment application must be submitted and processed in accordance with Section 42-211, Idaho Code. Also if additional land areassarreto receive irrigation water such as Dry Lake,that will also require amendment of the permit.

If I can answer questions on this matter, please contact me.

Sincerely,

A. KENNETH DUNN
Director

AKD:alw
Enc.

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 3, 1982

Ron Golus
Bureau of Reclamation
Federal Bldg. 550 W. Fort St.
Boise, ID 83724

RE: Boise River Modification Study

Dear Ron:

I appreciate the efforts you have made to keep us informed of progress on the Boise Project Power and Modification Study. This letter is a response to the letter of July 16, 1982, conveying the results of the workshop. I want to be certain you are aware that the proposed changes in nature of use for the Lucky Peak stored water would be a modification to the water rights requiring approval by the Department. Changing the use of part of the stored water to municipal-industrial and another part to maintaining instream resource values will require the filing of an application to amend permit #63-3618. This proposal will then be given public notice providing an opportunity for anyone believing themselves to be injured by the proposed change to protest. If protests are received, a hearing will be held.

Policy 16 of the State Water Plan provides for review by the Idaho Water Resource Board of any allocation exceeding 500 acre feet of water from a federal reservoir. It may also be desirable to follow the process for establishing an instream flow right using natural flow (Chapter 15, Title 42 Idaho Code) to allow a full evaluation of the public interest and a verification of the quantity needed for minimum flow. To the extent that unappropriated natural flow may be available in the reach of a stream to be protected, this process could prevent appropriation of that natural flow by others causing a further demand to release storage.

I have been delaying action on the request for extension of time on Lucky Peak (#63-3618) awaiting the outcome of the ongoing study. However, I note that the required $15.00 fee was not submitted with the request. Please submit this fee to complete the requirements for a valid extension of time request.

Sincerely,

/s/ A. Kenneth Dunn
A. Kenneth Dunn
Director

AKD:NCY:dc

Enclosure A

BOISE PROJECT POWER AND MODIFICATION STUDY
BUREAU OF RECLAMATION

WORKSHOP RECOMMENDED PLAN

The workshop was held in the Boise Federal Building on Thursday, June 24, 1982.

The workshop recommended plan for the Boise basin portion of the study is as follows:

1. Lucky Peak noncontracted space be assigned to (a) maintain Boise River minimum streamflows and (b) municipal and industrial use by the Boise Water Corporation by its three collectors adjacent to the Boise River in the vicinity of Warm Springs Golf Course and another collector adjacent to the river in the vicinity of Veterans State Park. The three collectors near the Warm Springs Golf Course have been operated under a state ground water permit since 1952. The other collector is not yet in operation.

2. Maintain an Arrowrock Reservoir minimum pool of 28,700 acre-feet for fish as long as the Boise system irrigation and flood control constraints are met.

3. Lucky Peak Reservoir Recreation

a. Try to fill reservoir to elevation 3032 feet as early as possible during spring to improve boating season. (Full reservoir pool is at elevation 3055 feet.)

b. Try to maintain a nonfluctuating reservoir pool during the summer recreation season.

c. Any opportunities to vary the operation of Lucky Peak Reservoir in August, such as the starting of a gradual drawdown of Lucky Peak Reservoir sometime in August for purposes of extending the maintenance of a near full reservoir prior to significantly reducing reservoir volume due to mandatory irrigation releases, should be agreed upon through annual Idaho Boaters Association discussion with the Bureau of Reclamation Central Snake Projects Office in Boise.

4. Boise System Hydropower

If an Arrowrock powerplant is constructed, a 5-foot change in Lucky Peak Reservoir maximum full pool elevation from 3055 feet to 3050 feet during the

---

1/ A contract for purchase of the water supply by Boise Water Corporation would have to be consummated before the beneficial use of noncontracted space for municipal and industrial purposes can be satisfied.

DEPARTMENT OF THE INTERIOR

summer months to increase Boise system hydropower production was generally acceptable to workshop participants. Further study is required to determine whether more or less drawdown would be acceptable.

5. Improve Boise system flood control operation by rehabilitating and/or replacing Arrowrock Dam valves and/or sluice gates. This would permit moving more water from Arrowrock to Lucky Peak during the period before Arrowrock fills and spills.

6. Construct a powerplant at Boise Diversion Dam to replace existing power facility.

7. Arrowrock and Boise Diversion Dam historical opportunities should be pursued.

8. Boise Project, Arrowrock Division Wildlife Opportunities

a. The 80-acre Leavitt Tract near Lake Lowell should be improved for wildlife habitat. The tract is located within the Deer Flat National Wildlife Refuge. At the east end of Lake Lowell there is an 80-acre seasonally flooded area of public land called the Leavitt Tract, which is usually dry during the nonirrigation season. This tract could be significantly improved for water fowl and other wetland wildlife by the installation of several small water control structures in dikes presently surrounding a portion of the tract. Installation of these control structures would allow the establishment of a permanent shallow marsh on the tract.

b. The potential wildlife developments related to the Cloverdale Pond and areas near Kuna and Marsing should be pursued.

Development of the Cloverdale Pond would be directed at preserving and improving upland habitat used by raptors, and consideration would be given to the establishment of a warm-water fishery.

Development of the two other tracts would be directed at improving wetland and upland wildlife resources.

9. No consensus was reached on the proposal to maintain a 6,500 ft^3/s channel in the lower Boise River to safely pass releases from Lucky Peak Reservoir.

The proposal was a cooperative approach to removing some fallen trees, selectively cutting down a limited number of trees that are about ready to fall in the river, and clearing some brush where necessary. The trees and other obstructions to be removed would be selected in cooperation with the Idaho Department of Fish and Game and others. The river section under consideration was from near Eagle Island to the interstate bridge that crosses the river near Caldwell.

No channel dredging or diking was proposed--just enough selective cleanup of trees and debris to maintain a 6,500 ft^3/s river channel capacity.

Enclosure B

BOISE PROJECT POWER AND MODIFICATION STUDY
BUREAU OF RECLAMATION

PROPOSED BOISE RIVER SYSTEM OPERATION CHANGES, INCLUDING WORKSHOP STIPULATIONS AND ACTIONS TO BE TAKEN

1A. Boise River minimum streamflows would be met from water released from Lucky Peak Reservoir noncontracted space. This use of the water that accumulates in the Lucky Peak noncontracted space would be a beneficial use.

The Standard Operating Procedures (S.O.P.) for the Boise River system would include language stating that an 80 ft^3/s minimum streamflow release would be maintained by releasing water to the river from the Lucky Peak noncontracted space.

The Idaho Department of Fish and Game would have to use the water that accumulates in its existing 50,000 acre-feet of Lucky Peak Reservoir space to meet the 150 ft^3/s stream resource maintenance flow (S.R.M.F.) fish requirements. That means a 70 ft^3/s release would have to be made from the Fish and Game space. The 80 ft^3/s release from the noncontracted space plus the 70 ft^3/s Fish and Game space water release equals the 150 ft^3/s S.R.M.F. release. The Idaho Department of Fish and Game would have the option to use the water that accumulates in its 50,000 acre-feet space to meet other fish flow needs, such as the 225 ft^3/s flow release needed during October and November for brown trout spawning flows.

1B. Boise Water Corporation municipal and industrial water supplies obtained from surface water supplies through its three collectors near the Warm Springs Golf Course and one collector near Veterans Park would be met from Boise system flow releases attributed to the Lucky Peak noncontracted space. This would be a beneficial use of storage water supplies.

The Boise Water Corporation has requested a Boise system flow of 25 ft^3/s based upon an average for a 24-hour period which does not take into account the instantaneous peaking requirements which would occur throughout the day.

Workshop stipulations

(1) Workshop participants approved of the Boise Water Corporation contracting for a water supply for its four collectors and tying it to the Lucky Peak Reservoir noncontracted space.

The Boise Water Corporation should explore alternative means of obtaining water supplies to meet its increasing future water needs other than the noncontracted space.

(2) A Lucky Peak Reservoir winter minimum flow release of 80 ft^3/s may be all that can be maintained in the Boise River during a dry or water-short period.

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It may be necessary to protect the minimum river flow from being depleted by the collectors during a water-short period by including a clause providing for an interruptable supply in any contract that would be negotiated with Boise Water Corporation.

Actions to be taken

The Bureau of Reclamation would begin the process of obtaining a Lucky Peak Reservoir final state storage permit.

The Bureau would send a letter to the Idaho Department of Water Resources requesting that the Lucky Peak noncontracted space water supply be assigned to maintaining minimum Boise River streamflows and Boise Water Corporation municipal and industrial water supplies for their two previously constructed collector sites.

The designation of Lucky Peak Reservoir noncontracted space as a beneficial use for the Boise Water Corporation municipal and industrial use is dependent upon the water corporation being successful in contracting for the water.

The Lucky Peak noncontracted space would still be jointly used for system flood control purposes.

2. The Arrowrock Reservoir minimum pool requirement for fish of 28,700 acre-feet would be maintained in most years.

Workshop stipulations

The Arrowrock Reservoir minimum pool requirement of 28,700 acre-feet can be violated if the water has to be used to meet contractual irrigation demands or flood control space requirements.

Actions to be taken

The recommendation will be discussed with the Bureau and Corps Boise River system operators for purposes of incorporating it into the Boise System operation SOP as an operation objective.

3. The Lucky Peak Reservoir recreation recommendations to

(a) try to fill reservoir to elevation 3032 feet as early as possible during spring to improve boating season, and

(b) try to maintain a nonfluctuating reservoir pool during the summer recreation season would be accomplished whenever possible.

Any opportunities to vary the operation of Lucky Peak Reservoir during the latter part of the summer should be agreed upon through annual (or more frequent) Idaho Boaters Association discussions with the Bureau Central Snake Projects Office.

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Workshop stipulations

The Boise system operation near the end of the summer boating season should be discussed with the boaters to determine how to best meet all needs.

Actions to be taken

These recommendations will be disucssed with the Boise River reservoir system operators for purposes of incorporating them into the system operation.

4. Boise system hydropower production can be enhanced by dropping Lucky Peak Reservoir maximum water surface 5 feet (3055 to 3050 feet) during the summer recreation season.

Workshop stipulation

Further studies may show that more or less drawdown can be acceptable.

Any impacts to reservoir recreation resulting from a drawdown in Lucky Peak Reservoir should be mitigated.

The drawdown impact upon Robie Creek recreation site is an important consideration. More data are needed on effect of drawdown at Robie Creek and possibly other key recreation sites.

Actions to be taken

Arrowrock hydropower construction could be implemented through the Boise Project Power and Modification Study feasibility process which would require congressional authorization, or by the Boise Project Board of Control through the Federal Energy Regulatory Commission (FERC) process.

5. Boise System Flood Control Operation

The present system operation for vacant flood control storage space is about 60 percent in lower reservoirs (Lucky Peak and Arrowrock) and 40 percent in Anderson Ranch."

The revised storage regulation manual that is nearing final approval is proposing variable vacant space assignment, depending upon date and volume forecast.

Actions to be taken

The review process of the revised regulation manual has to be completed with Pacific Northwest Division General, Corps of Engineers, and Pacific Northwest Regional Director of Bureau of Reclamation providing signatory approval.

6. The Boise system flood control operation could be improved by replacing and/or rehabilitating the Arrowrock Dam valves and/or sluice gates. Operational flexibility would be enhanced and Lucky Peak boating may benefit.

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Actions to be taken

The Bureau would include this recommendation in the Boise Project Power and Modification Feasibility Study. Other possible avenues would be explored to try and improve Arrowrock Dam valves and/or sluice gates.

7. No consensus was reached on the selective clearing of shrubs and trees from the Boise River channel from near Eagle Island to the Caldwell interstate river crossing bridge to maintain a 6,500 ft^3/s channel capacity.

Workshop stipulations

(1) It was suggested that a comprehensive plan be developed with one aspect being Boise River channel maintenance. One entity would manage the study with involvement from other entities.

(2) The proposal to clear a section of the river channel or side channels of some of the debris and a limited number of trees to maintain a 6,500 ft^3/s channel capacity might gain some acceptance if a site-by-site proposal were developed and presented in detail to the interested parties.

Actions to be taken

The Boise Project Power and Modification Study would not recommend implementation of the proposal.

Enclosure C

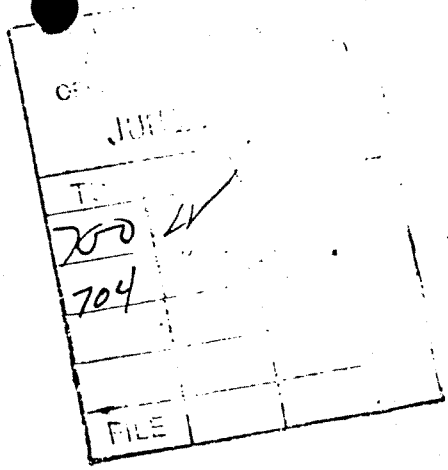
List of Workshop Participants--June 24, 1982

Al-Greene, Frank	Idaho Public Utilities Commission
Brown, Robert	Bureau of Reclamation
Brownell, Dave	Corps of Engineers
Brush, Harold	Bureau of Reclamation
Burrows, Erv	U.S. Forest Service
Crase, Fred	Bureau of Reclamation
Doty, Jim	Bureau of Reclamation
Eggleston, Jerry	CH2M Hill, representing City of Boise
Ellsworth, Carl	City of Boise
Entwistle, Bob	U.S. Forest Service
Golus, Ron	Bureau of Reclamation
Griswold, Ed	Bureau of Reclamation
Haumann, Richard	Nampa and Meridian Irrigation District
Hayes, Marjorie	Boise River Watch
Kelley, Fenton	Boise Valley Fly Fishermen
King, Pam	Idaho Boaters Association
Lyle, Irma	Bureau of Reclamation
Masarik, Mark	Environmental Protection Agency
Minter, Robert	Ada County
Padour, Carl	Boise Project
Paulson, Jim	Idaho Department of Parks and Recreation
Ray, Walt	U.S. Fish and Wildlife Service
Reese, Dave	Corps of Engineers
Reid, Will	Idaho Department of Fish and Game
Reiners, Al	Bureau of Reclamation
Ries, Norbert	Bureau of Reclamation
Schmitt, Ed	Nampa-Meridian Irrigation District
Stillings, Fred	Bureau of Reclamation
Stoors, Gerald	Lucky Peak Spring Shores Marina
Sutherland, Roy	Idaho Boaters Association
Van Curen, Royse	Project Manager, Boise Project Board of Control
Walker, Robert	Boise Water Corporation
Williams, Everett	Bureau of Reclamation
Young, Norman	Idaho Department of Water Resources

ENCLOSURE

300

June 9, 1982



Memorandum

To: Regional Director, Boise, Idaho
Attention: 440, 700

From: Project Superintendent, Boise, Idaho.

Subject: Request for M & I Water Storage Space in Lucky Peak Reservoir by Boise Water Corporation - Boise Project, Idaho

Enclosed is a copy of the letter of request from the Boise Water Corporation for water from the Boise River system.

The Corporation told this office that the 25 cfs requested would be a year around need which equates to approximately 18,100 acre-feet of storage space per year.

Please advise.

Robert J. Dawson

Enclosure

JBrooks:ki

UNCLASSIFIED

BOISE WATER CORPORATION • P.O. BOX 7388 • BOISE, IDAHO 83707 • (208) 362-7300

100
300 B

May 28, 1982

Robert J. Brown
Projects Superintendent
Central Snake Project
Bureau of Reclamation
U.S. Department of the Interior
214 Broadway Avenue
Boise, Idaho 83702

Re: Application for Uncontracted Storage Capacity from the Boise River System

Dear Mr. Brown:

I appreciated the opportunity to meet with the Bureau of Reclamation to discuss the present and future water requirements of Boise Water Corporation. This has been a subject of concern to my company for several years and, due to the water right situation on the Boise River system, it has always seemed to be an insurmountable problem. You have suggested some alternatives which appear to provide us with a feasible way to proceed. We are indeed interested in making application for any uncontracted storage space that may be available within the Boise River system to meet a portion of Boise Water Corporation's water requirements.

Boise Water Corporation presently has three Ranney Collector systems adjacent to the Boise River in the vicinity of the Warm Springs Golf Course and another collector adjacent to the river in the vicinity of Veterans State Park. The three collectors near the Warm Springs Golf Course have been operated under a ground water permit since 1952. When application was made for a ground water permit on the fourth collector, which is presently under construction in Veterans State Park, the Idaho Department of Water Resources rejected said application and stated that this should be an application for surface water rights. My company does agree with the reasoning that a portion of the water being withdrawn from the collector systems may be associated with the surface flow of the Boise River, however, we do feel this change of condition after 30 years presents us with undue hardships.

RECEIVED
JUN 1 1982

We would like to proceed with an application to your department for 25 cubic feet per second (cfs) of surface flow from the uncommitted storage capacity within the three Boise River system reservoirs. This would provide an assured water supply for all four of our collector systems. The 25 cfs required is based upon an average for a 24-hour period and does not take into account the instantaneous peaking requirements which would occur throughout the day.

The long term requirements of Boise Water Corporation for uncommitted storage capacity from the Boise River system reservoirs could be as high as 175 cfs in the year 2000 if total system requirements were to be met from this source. However, we visualize meeting these requirements through a combination of stored surface water and ground water. With such a concept, we estimate that the maximum requirement for water from the Boise River system reservoirs by the year 2000 would be in the range of 75 to 100 cfs. Of course, a more detailed study will be required in order to accurately project the long range requirements of the water company. We would appreciate the opportunity to work with your organization in order to refine our estimates and determine what the supply availability is from the Boise River system for municipal consumption.

Thank you for your considerations of our application for 25 cfs of surface flow from the uncommitted storage capacity within the Boise River system reservoirs to serve our immediate needs and we would appreciate the opportunity to negotiate on our future water requirements. If you have any questions or need additional information, please let us know.

Sincerely yours,

BOISE WATER CORPORATION

Robert P. Walker

Robert P. Walker, P.E.
District Engineer

RPW:cm

cc: Kenneth Dunn, Idaho Dept. of Water Resources
Jack Kelly, Anderson & Kelly
Phillip M. Barber, Hawley, Troxell, Ennis & Hawley
Wayne L. Booe, Boise Water Corporation

MICROFILMED

United States Department of the Interior
BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043 - 550 WEST FORT STREET
BOISE, IDAHO 83724 - 0430

RECEIVED
MAR 29 1982
Department of Water Resources

IN REPLY
REFER TO: PN 704
500.2

MAR 26 1982

A. Kenneth Dunn
Director, Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702

Dear Mr. Dunn:

The Bureau of Reclamation has completed most of the Boise River basin preliminary analysis phase of the Boise Project Power and Modification feasibility study. We have scheduled an agency meeting for Thursday, April 15, 1982, to discuss the results of this analysis and to help us scope the detailed study phase of the investigation. We would appreciate your participation. The meeting will be held in room 429 of the Federal Building in Boise and will begin at 8:30 a.m. Ron Golus, Study Coordinator, will be the meeting chairman.

We held a meeting for the agencies and discussed problems, needs, and potential plan elements in October 1980. You may have attended that meeting. At the April meeting we will be discussing the results of our analysis which addressed those problems and needs previously identified. The analysis focused on Boise River reservoir system hydropower development but careful consideration in plan formulation was given to fish, wildlife, recreation, flood control, irrigation and other related water and land needs. The Payette River basin will not be discussed in this meeting since those studies are not yet complete.

We have evaluated some possible changes in the present Boise River reservoir system operations through our computer studies and will be discussing these. Proposed alternative uses of the 116,250 acre-feet of noncontracted space in Lucky Peak Reservoir have been evaluated and will be reported on. Enclosed is an information document that briefly discusses the findings of our preliminary analysis. Recently we transmitted to the agencies and the public a Progress Report, dated October 1981, that contains a considerable amount of background information and potential study elements. If you are interested in a complete overview of the study, please refer to the Progress Report.

This meeting will give you an opportunity to ask questions and state your views on the plan proposals to date. Your input will help us in formulating plan recommendations for the detailed study phase.

The agenda for the meeting is also enclosed.

If you have any questions or need a copy of the Progress Report, please contact Ron Golus, whose telephone numbers are 334-1147 and FTS 554-1147.

Sincerely yours,

Parry D. Harrison

Acting Regional Planning Officer

Enclosures - Agenda
Information document

cc: Wayne Haas, Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702
(w/enclosure)

Norman Young, Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702
(w/enclosure)

Division of Energy Resources
Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702
(w/enclosure)

DEPARTMENT COPY

RECEIVED
JUL 19 1982
Department of Water Resources

United States Department of the Interior

BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043 - 550 WEST FORT STREET
BOISE, IDAHO 83724 - 0430

IN REPLY REFER TO: PN 704
500.2

JUL 16 1982

Mr. A. Kenneth Dunn, Director
Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702

Dear Mr. Dunn:

The Bureau of Reclamation conducted a Boise Project Power and Modification Study workshop in the Federal Building in Boise, Idaho, on June 24, 1982, with the purpose being the development of a "workshop recommended plan" for the Boise basin portion of the study.

Enclosed for your information are copies of the Workshop Recommended Plan (Enclosure A), Proposed Boise River System Operation Changes, including Workshop Stipulations and Actions to be Taken (Enclosure B), and a listing of workshop participants (Enclosure C).

We intend to prepare designs and estimates for a 60,000-kilowatt power facility at Arrowrock Dam and complete detailed studies for the Boise basin portion of the study. We will also intensify our Payette basin study analysis.

We appreciate the interest you have taken in the study and public involvement activities and your participation in the workshop.

If you have any questions, please direct them to Ron Golus, Boise Project Power and Modification Study Coordinator.

Sincerely yours,

Robert J. Riley

Acting Regional Planning Officer

Enclosures

cc: Norman Young, Idaho Department of Water Resources, 450 West State Street, Boise, Idaho 83702
(w/enclosures)

UNCLASSIFIED

AGENCY MEETING AGENDA

BOISE PROJECT POWER AND MODIFICATION STUDY
Place: Boise Federal Building, Room 429
Date: April 15, 1982
Time: Meeting Begins at 8:30 a.m.
Chairman: Ron Golus, Study Coordinator, USBR
Objective of Meeting: Inform State and Federal Agencies and other entities of our Preliminary Study Analysis Results and give the agencies and entities an opportunity to participate in the plan formulation process

1.	Introductory Remarks, Public Involvement Process, and Format for Presentation	8:30-8:45
2.	Alternative Boise Reservoir System Operations, Arrowrock Dam Powerplant Proposal and Potential Lucky Peak Reservoir Noncontracted Space Use (116,250 acre-feet)	8:45-11:20
3.	Arrowrock Reservoir Road Improvement Problem	11:20-11:35
4.	Lunch	11:35-12:20
5.	Pump-Generation Between Arrowrock and Lucky Peak Reservoirs	12:20-12:45
6.	Boise Diversion Dam Powerplant Proposal	12:45-1:00
7.	Historical Proposals	1:00-1:10
8.	Potential for Raising Arrowrock Dam	1:10-1:30
9.	Potential Twin Springs Dam and Reservoir	1:30-1:40
10.	Recreation Proposals	1:40-2:00
11.	Break	2:00-2:15
12.	Water Quality Proposals	2:15-2:30
13.	Fish, Wildlife and Environmental Quality Proposals	2:30-3:15
14.	Pump-Generation Hydropower Potential, Low-Head Hydropower, Boise Urban Area Water Supply, Boise River Flood Control, Irrigation System Improvement and Fencing Federal Project Canals and Laterals	3:15-4:00
15.	Meeting Wrap-up	4:00-4:15

BOISE PROJECT

POWER and MODIFICATION STUDY

IDAHO-OREGON

Potential Solutions
to
Problems and Needs

Boise River Portion Only

WITHDRAWN

For Agency Meeting
April 15, 1982

Bureau of Reclamation
Boise, Idaho

Water resource problems and needs were identified early in this study with the help of cooperating agencies and the public. Resources, problems and needs, and potential means of solving those problems were discussed in our Progress Report of October 1981.[1/]

Preliminary studies have now been completed on most of the potential solutions to water resource problems in the Boise River basin (the Payette River basin studies are scheduled for completion at a later date).

This booklet summarizes the findings of the preliminary studies on:

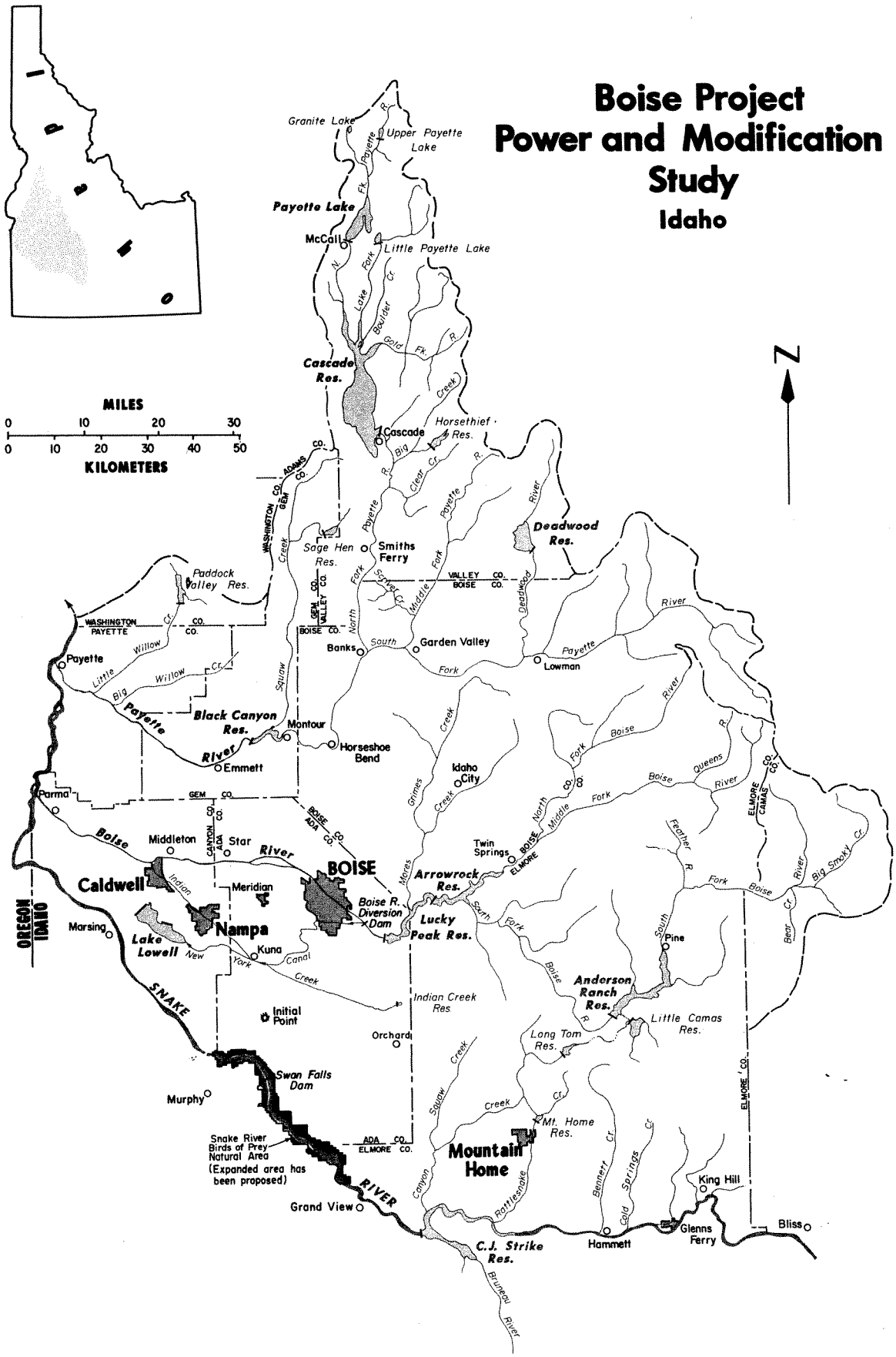
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1/ For additional copies of the Progress Report, contact Study Coordinator Ron Golus, Bureau of Reclamation, Boise, phone (208) 334-1147 (FTS 554-1147).

DENIED

Boise Project Power and Modification Study

Idaho



FILE COPY

October 1981

1367-100-9

ARROWROCK POWERPLANT

Studies to date show that a powerplant at Arrowrock Dam would be justified by benefits in excess of costs. The powerplant location and basic powerplant layout have been selected. Detailed geologic studies on the site are near completion.

Initial powerplant and reservoir operation studies have analyzed powerplants of several generating capacities, including 40 megawatts (40,000 kilowatts), 60 megawatts, and others. Detailed studies will be made on powerplants in the 50- to 80-megawatt range.

Several items must be considered in the construction of Arrowrock Powerplant. The lower tier of outlets is located at riverbed level. The gates on the outlets need replacing . If new gates were installed, the outlets could be used to help safely pass major floods. They could also eliminate the need to drain Arrowrock Reservoir to inspect the gates every few years, thus improving the reservoir fishery. Replacement of the gates in connection with powerplant construction is under study.

Access to the powerplant site on the left side of the river (looking downstream) is difficult. The existing bridge over the spillway is inadequate for powerplant construction activities. Alternative means of access are under study.

The rock bench where the powerplant would be built is under water when Lucky Peak Reservoir is full. Alternative means of dewatering the powerplant site during construction are under study. Alternatives include building a cofferdam at the site or limiting the filling of Lucky Peak Reservoir during part of the construction period.

Arrowrock Reservoir Road

The road skirting the north side of Arrowrock Reservoir is narrow and hazardous in places. The Forest Service, which manages the lands around the reservoir, is reluctant to upgrade recreational facilities at the reservoir unless the road is improved because the additional recreational traffic would make the road more hazardous.

Reclamation estimated the cost of upgrading the road, but the costs were found to exceed the benefits. Even so, the potential road improvement is still a consideration because it is needed. Justifying the improvement remains a problem.

Pumped-Storage Powerplant at Arrowrock

A pumped-storage hydropower project could be built at Arrowrock Dam. Water would be pumped from Lucky Peak Reservoir up to Arrowrock Reservoir at night or during other periods of low power demand. The water would then be released as needed through the Arrowrock Powerplant to generate high value power during periods of peak power demand.

UNCLASSIFIED

A pump-back hydro development may be warranted in the future at Arrowrock. The potential will be evaluated during detailed planning on the proposed Arrowrock Powerplant to determine whether the plant should be designed to permit its future use as a pumped-storage installation.

There are two major obstacles to serious consideration of a pumped-storage development at Arrowrock in the near-term future. First, this general area has at least one other potential pumped-storage site with much more available head (elevation differential between the upper pool and the lower pool). Most importantly, a pumped-storage project needs plentiful power supplies for the off-peak pumping required. Southwest Idaho now has no such source of pumping power.

Additional Storage Possibilities

Additional storage capacity on the Boise River could be used to better meet water demands and provide flood control. There is a basic problem in justifying any new Boise River storage, however. In dry years, the existing reservoirs can store all or nearly all available runoff. Little or no storage yield could be credited to a new reservoir in a dry year or a series of dry years.

Three major storage possibilities remain in the basin.

1. Arrowrock Reservoir enlargement. Arrowrock Dam could be raised to provide new storage capacity. Because of the configuration of the damsite, raising the dam would be costly, however. A preliminary analysis will be made of the costs and benefits of enlarging the reservoir. It is unlikely that further studies will be warranted.

2. Lucky Peak Reservoir enlargement. The Corps of Engineers evaluated the potential for enlarging Lucky Peak Reservoir in a recent study. Based on that study and public and agency input, the Corps rejected the proposal.

3. Potential Twin Springs Reservoir. The Corps proposed the development of storage at the Twin Springs site a number of years ago. Storage at this site, which is on the Boise River just upstream from Arrowrock Reservoir, could create major power and other benefits, particularly when operated in coordination with Lucky Peak and Arrowrock Reservoirs. The Corps dropped the proposal because of opposition by the State of Idaho based on adverse effects on wildlife and other impacts. Reclamation made a brief reanalysis of the Twin Springs project during the current study. Although the dollar benefits of the project were found to slightly exceed its dollar costs, wildlife and other environmental losses would be substantial. As a result, Reclamation plans no further work on the Twin Springs project.

INTERIOR DEPARTMENT

ALTERNATIVES STUDIED

A. Based on present reservoir operations
B. Increase Arrowrock Powerplant generation
C. Improve Boise River flows and Arrowrock minimum pool
D. Improve reservoir recreation
E. Improve flood control
F. Provide municipal and industrial water

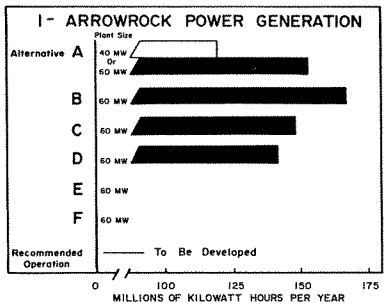
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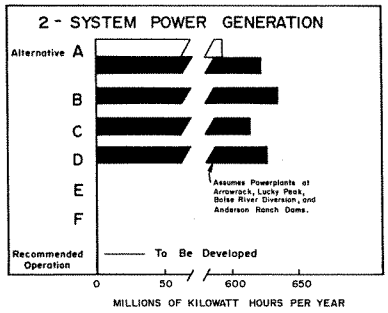
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Alternatives include a 40 megawatt powerplant with existing reservoir water releases (top bar on chart). A 60 megawatt powerplant was assumed in the other alternatives, along with minor changes in the timing of water releases. In Alternative B, power generation would be further improved by assuming a minor reduction in Lucky Peak Reservoir's maximum water surface elevation in order to increase the head available for generation at Arrowrock Powerplant.



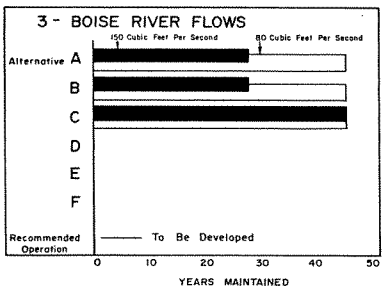
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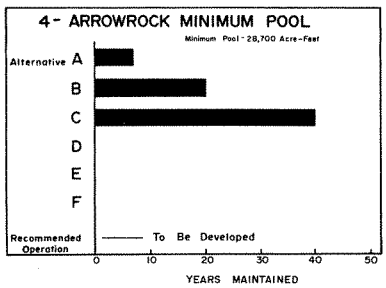
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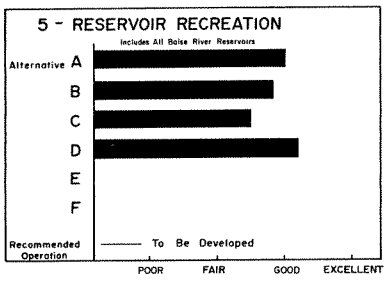
4--ARROWROCK MINIMUM POOL

Arrowrock Reservoir now has no designated minimum pool although an attempt is made to maintain a minimum pool. Under this proposal, a minimum pool would be maintained if storage water were available in the reservoir system. No existing water rights would be affected. If a minimum pool of about 28,700 acre-feet (10 percent of total storage capacity) were maintained in Arrowrock, a good reservoir fishery should develop since trout in Arrowrock can use all three forks of the Boise River for spawning. The studies assume that the low-level outlets in Arrowrock Dam will be replaced, thus eliminating the need to drain the reservoir every few years.



5--RESERVOIR RECREATION

The Boise River reservoirs are already operated for recreation, with operations favoring Lucky Peak first, Anderson Ranch second, and Arrowrock last. If recreation season water levels are improved at one reservoir, the other reservoirs may be harmed when water supplies are limited. The potential for improving the operation of one or more of the reservoirs for recreation is still under study.



Lucky Peak Reservoir Uncontracted Space

The three Boise River reservoirs, Lucky Peak, Arrowrock, and Anderson Ranch, contain about 1.0 million acre-feet of active storage capacity. Nearly 90 percent of that space is under contract to specific water users or assigned to a specific use such as flood control. The remaining uncontracted space (116,250 acre-feet) is all located in Lucky Peak Reservoir.

The space is now operated for flood control and other joint uses that complement the flood control operation. In the alternative plans studied, the Lucky Peak uncontracted space was treated as joint-use space for flood control and for the particular function emphasized in each alternative. A number of other future uses have been suggested for portions of the uncontracted space, including irrigation (through the proposed water bank or other means), municipal and industrial water supplies for the Boise area, and others.

The water yield from the uncontracted space is a constraint on some new uses. Since this storage space is the last space to be filled in the Boise River system, little or no water is available for storage in a dry year. In a repetition of the actual precipitation and runoff over the 50-year study period (1928-1977), the 116,250 acre-feet of uncontracted space would yield about 30,000 acre-feet annually, based on a maximum water shortage of no more than 50 percent about once every 10 years.

Assured minimum flows are needed in the Boise River below Lucky Peak Dam. The congressional authorizations of the existing projects did not specifically provide for minimum flows, but the need for flows has become widely recognized.

Irrigation releases provide adequate streamflows during the irrigation season, about half the year. The Idaho Department of Fish and Game has 50,000 acre-feet of space in Lucky Peak Reservoir to meet minimum winter streamflow needs. The Department of Fish and Game is reluctant to release all its stored water in a given winter because of the risk that sometimes the space may not refill the next year.

It has therefore been suggested that the uncontracted reservoir space be used to provide a basic minimum flow, perhaps the 80 cubic-feet-per-second needed to meet minimum flow requirements for fish survival and for Boise's Lander Street sewage treatment plant. Studies indicate that the 80-cubic-foot-per-second flows could be provided in 46 years of the 50-year study period. If no other water were available during the 6-month nonirrigation season, a maximum of about 29,000 acre-feet would be required to maintain the 80 cubic-foot-per-second flows in dry years.

The possibility of coordinating the operation of the Idaho Department of Fish and Game's storage space and the uncontracted storage space to meet an absolute minimum 80 cubic-foot-per-second flow and a 150 cubic-foot-per-second stream resource maintenance flow whenever possible is being explored in this study. The stream resource maintenance flow is the total flow needed to maintain a viable stream and to protect fish and other aquatic life.

DRAFT

BOISE RIVER DIVERSION DAM POWERPLANT

A new powerplant at Boise River Diversion Dam is justified by benefits in excess of costs, based on preliminary studies. The generating capacity of the powerplant would be about 5 megawatts. Generation would average about 20 million kilowatt-hours per year. The existing powerplant would be removed from service.

The pool formed by the diversion dam has been suggested for use as a reregulating pool in order to permit power peaking releases from the proposed Lucky Peak Powerplant. This proposal was rejected because of the small size of the diversion pool (only about 1,000 acre-feet) and the excessive costs which would be involved in raising the height of the diversion dam and modifying the New York Canal headwaters at the dam.

The new powerplant would probably be a tube turbine buried in the dam's right abutment (looking downstream). A tube turbine is a horizontal turbine. It is less bulky than the traditional vertical turbine, and it is more efficient at low-head sites such as the Boise River Diversion Dam.

HISTORICAL PROPOSALS

Arrowrock and Boise River Diversion Dams are on the National Register of Historic Places. Public interpretive facilities are needed at both sites.

Historical and archeological evaluations will be made at any site to be affected by proposed developments. Adverse effects would be avoided wherever possible. Unavoidable adverse impacts would be mitigated.

Arrowrock Dam

Arrowrock Dam is a good subject for an interpretive exhibit because of its interesting construction history and engineering significance. When completed in 1915, Arrowrock Dam was the highest dam in the world. A scenic overlook could be developed along the existing road a short distance downstream from the dam. A small outdoor exhibit at that site would describe the construction of the dam and explain its importance to the area.

Boise River Diversion Dam

The Boise River Diversion Dam and the existing powerplant have potential as a major interpretive facility because of their unaltered condition and their significance to this part of Idaho. The powerplant is one of the oldest operating powerplants in the Northwest. Reclamation now has a limited interpretation program, but because of the safety hazards associated with the old equipment, visitor access to the powerplant must be restricted.

Since the existing powerplant would be taken out of service and all flows would be passed through a new powerplant, Reclamation could open the entire existing facility to the public and greatly expand the interpretive facilities. In addition, the contrast between modern design of the new power unit and the design of the existing unit could be used to illustrate the technical advances over the past 70 years.

UNDER DEVELOPMENT

Visitor Access to Diversion Dam

Improved visitor parking and passage across State Highway 21 are needed at Boise River Diversion Dam. Visitors to this historical site must now park on the side of the highway away from the river and cross the highway at an uncontrolled crossing. This situation will become more hazardous as visitation and traffic increase and as further improvements are made in the highway. Potential solutions to be studied include moving the parking lot to the river side of the road and improving the pedestrian crossing.

RECREATION

No recreational developments have been recommended to date. Studies of recreational potentials will continue where warranted.

Recreational Developments at Reservoirs

No recreational developments are proposed at project reservoirs at this time.

1. No improvements in recreation sites are planned at Arrowrock Reservoir because suitable sites are limited. Furthermore, the Forest Service, which manages the lands around the reservoir, does not support the development of new recreation facilities because the additional facilities would encourage more people to use the hazardous road along the reservoir.

2. No recreation development is recommended at the Boise River Diversion Dam pool because no suitable sites are available.

3. No new recreational development is proposed for Lake Lowell, the key feature of the Deer Flat National Wildlife Refuge. The U.S. Fish and Wildlife Service considers additional recreational facilities to be incompatible with the basic mission of the wildlife refuge.

Bicycle Paths

A bike path has been considered along the existing Penitentary Canal. It would extend downstream 2 miles from Boise River Diversion Dam, allowing bikers to avoid a dangerous section of State Highway 21. A non-Federal entity would probably have to share in the costs of building the path and assume the responsibility for maintaining the path. There is public support for developing the path, but no entity has stated a willingness to cost-share on it.

A second bike path extending from Boise along the New York Canal to Hubbard Reservoir near Kuna has been studied. The canal would have to be fenced. As in the case of the above bike path, no cost-sharing entity has been identified.

Although Reclamation has no authority to construct the paths at this time, other means of developing them will be explored if warranted by public interest. For example, the Idaho Department of Transportation has considered developing the Penitentary Canal bike path in the past, and the Idaho Department of Parks and Recreation has shown a recent interest in developing the path. If either of these agencies develops the Penitentary Canal bike path, Reclamation would make the Federal lands along the canal available for development if at all possible.

WATER QUALITY

Water quality problems were identified, and potential solutions to two problems were studied.

Reduce Sediment Reaching Boise River

Development of settling ponds in the Boise Valley would improve Boise River water quality by reducing the amount of sediment reaching the river from irrigation return flows. Settling ponds would be created by building small earth dams. Once a settling pond fills with silt, the area would probably be usable for farming. This gain in farmable land would provide an incentive for landowner participation.

Sites have been identified where ponds could be developed on a demonstration basis. Development could be a cooperative venture with the landowner, the Boise Project Board of Control, and Reclamation. If the demonstration ponds prove successful, landowners would likely develop additional ponds.

Improve Lake Lowell Water Quality

Several alternatives for improving water quality in Lake Lowell were studied, but none were found to be feasible at this time. Lake Lowell was developed by Reclamation. It is a large shallow irrigation reservoir located in the Deer Flat National Wildlife Refuge. Existing water quality problems include low dissolved oxygen concentrations and high phosphorus levels which increase the growth of algae. These problems restrict water sports and favor trash fish rather than game fish such as bass or crappie.

Possible solutions studied included diverting some inflows around the reservoir in new canals. The possible addition of chemicals to remove phosphorus from the water was also studied. Since the costs of each solution exceeded its benefits by a wide margin, no further studies are planned at this time.

FISH, WILDLIFE, AND ENVIRONMENTAL QUALITY

Proposals were studied for improving wildlife habitat to replace some of the habitat being lost to suburban development and other causes. Potential plan elements to enhance fishery resources and environmental quality were also evaluated.

Develop Wetland Tract at Lake Lowell

An 80-acre area at the upper end of Lake Lowell could be improved for waterfowl and other wildlife. This tract is located within the Deer Flat National Wildlife Refuge. The area is usually dry in the summer and fall and flooded by irrigation drainage water the rest of the year. Several small water control structures would be needed, and about 18 nesting islands would be constructed. Creating a permanent shallow wetland area at this site would provide quality habitat for ducks, geese, and other wetland wildlife.

FINAL

Develop Wildlife Tracts in Boise Project

Numerous isolated tracts of land in the Boise Valley have been identified as having good potential for development of improved wildlife habitat. Many of the tracts already provide some habitat, and improvements should be compatible with nearby farming operations.

A potential first phase development has been briefly evaluated. The development would consist of three tracts of land already owned by the Federal government. Improvement of these three tracts would provide wetlands and other habitat to increase goose and duck nesting and increase upland game populations. Benefits would result from hunting and other recreational use. The Idaho Department of Fish and Game would probably manage the tracts.

The second phase wildlife development would probably be much more costly because tracts would have to be purchased or easements would have to be obtained from willing landowners. About 25 isolated tracts with wildlife habitat potential have been identified. Cost-sharing would probably be required to acquire and develop some or all of these lands, and management would be by the Idaho Department of Fish and Game.

Improve Hubbard Reservoir

Hubbard Reservoir is an offstream irrigation reservoir near Kuna. The possibility of improving the reservoir and the shore area was studied. Potential improvements include developing a warm water game fishery, wildlife habitat areas, and picnic areas. Since the costs of the development would exceed its benefits by a wide margin, the potential project was dropped from further consideration.

Place Spawning Gravel in the Boise River

It was suggested that trout spawning could be improved in the Boise River by placing gravel in side channels. Suitable side channels are those that would not be dewatered during the spawning and rearing season and would not be subject to high flows that would wash out the gravels.

Non-Federal cost-sharing would be required on this project. Since the Idaho Department of Fish and Game could not state an interest in cost-sharing at this time, no further studies were made on this proposal.

Acquire Land Near Barber Dam

Barber Dam is located 2 miles downstream from Boise River Diverson Dam. The Barber pool area is recognized as important wildlife habitat. Several hundred acres are now in public ownership, and local attempts have been made to establish a park to protect this natural area.

The acquisition of three private parcels totaling 37 acres to further protect the area has been proposed. Since no dollar benefits have been identified, a decision will be needed on whether the nonmonetary environmental quality benefits are significant enough to justify the costs involved. An additional 3 to 4 acres of Reclamation lands are located near the upper end of the Barber pool. These lands could be included in any natural area that is established, whether or not the above land aquisition takes place.

OTHER HYDROPOWER

Potential pumped storage power projects were evaluated, and the potentials for low-head power development were deleted from this study.

In additon to the possibility for pumped storage hydropower at Arrowrock (discussed above), there are potentials for pumped storage projects at Anderson Ranch Reservoir and Lake Lowell. In a pumped storage project, water is pumped from a lower pool to the upper pool during periods of low power demand. The water is then released from the upper pool to generate power during periods of peak electrical demand.

At Anderson Ranch Reservoir, Little Camas Reservoir would serve as the upper reservoir. About 770 feet of head would be involved.

Much less head would be available at Lake Lowell; the Snake River would serve as the lower pool in this development. Either project would create some environmental problems.

Further studies are not warranted on these potential projects at this time because the large quanitities of relatively low-cost power needed for pumping are not now available and will not be available in the near term future.

A number of low-head hydropower sites were identified in the Boise Project system, including sites at existing canal drops and wasteways. The Boise Project Board of Control is now independently pursuing the development of all or nearly all of those sites through the Federal Energy Regulatory Commission process. The study of low-head hydro sites was therefore deleted from the current Reclamation investigation in order to avoid duplication of effort.

BOISE URBAN AREA WATER SUPPLY

Expanding suburban development around Boise is converting irrigated farmlands to residential lots. In many cases, the developers have not provided facilities to continue irrigation service. The irrigation water right still remains with the lands, but the homeowners cannot get the irrigation water, even though they must continue to pay annual water charges.

An estimated 6,500 acres in the Boise urbanized area still have water rights but cannot get irrigation water. A brief study was made of the potential for providing water to that acreage, mainly for lawn and garden irrigation. Water would be diverted from the New York Canal and other canals and delivered under pressure to individual lots. Pumping plants and a distribution system would be required.

Based on the preliminary study, the potential project appears economically feasible and environmentally acceptable. It is attractive because it appears that the cost to the landowners could be less than the cost of service from the Boise Water Corporation. It would provide the landowners with a surface water supply, and it would conserve the ground-water resource now used for municipal and industrial purposes in the Boise area.

Bureau of Reclamation

A more detailed analysis of this proposal cannot be accomplished under the present study schedule. If there is enough support from the public and from the Boise Project Board of Control for a project to serve all or part of the area identified, detailed studies could be scheduled at a later date.

IRRIGATION SYSTEM IMPROVEMENTS FOR WATER SAVINGS

The Boise Project contains some high water-loss sections of canals and laterals that could be lined or put into pipe to reduce water losses. Preliminary studies indicate that these off-farm improvements could produce substantial water savings.

The water saved could be used for other purposes elsewhere in the system. The impacts of the water savings on ground-water recharge and reusable return flows would have to be carefully studied, however.

The distribution system improvements would be costly if considered only in relationship to the amount of water saved. However, improvements in key areas can be beneficial in distributing water efficiently and solving drainage problems. The Boise Project Board of Control is encouraged to continue and expand its program of system improvements. Further studies of system improvements by Reclamation do not appear warranted at this time.

BOISE RIVER FLOOD CONTROL

There continues to be strong public interest in reducing flood problems along the Boise River. Three partial solutions were considered: clearing trees and debris out of the river channel, reducing the problem sometimes created by irrigation diversion dams, and diverting some Boise River floodflows to the Snake River.

The second two possibilities were deleted from the study because they are not now within Reclamation's scope of responsibility. Irrigators should be encouraged to work with the Idaho Department of Water Resources and others to design diversion dams that minimize restrictions to streamflows and debris during floods and to remove temporary diversion dams when they are no longer needed.

The Corps of Engineers developed a proposal several years ago to divert Boise River floodflows through the existing canal system and to the Snake River through the Fargo Wasteway. Although that proposal was not implemented, the Board of Control is using the Fargo Wasteway to divert some floodflows. The Board of Control has partially rehabilitated the wasteway and is studying it as a potential site for a low-head hydro project. Reclamation therefore plans no studies on this item.

Removing fallen trees and debris from the Boise River channel would increase the carrying capacity of some reaches, particularly side channels where flows are now seriously restricted. Trees which have fallen or are about to fall into the river would be removed. The process should then be repeated every few years. Landowner cooperation to allow access for the work would be essential.

UNCLASSIFIED

The initial analysis indicates that the benefits of tree removal would exceed its costs. The trees to be removed would have to be carefully selected to avoid adverse effects on fish and wildlife. If there is public and agency support for this proposal, further studies by Reclamation may be warranted. The Corps of Engineers is now attempting to implement this proposal through its existing channel clearing authority. If it appears that approach will be successful, no further Reclamation studies will be made.

SAFETY FENCING OF CANALS

Canals and laterals in the Arrowrock Division of the Boise Project were considered for safety fencing if they were within a 1-mile radius of schools and parks. The Arrowrock Division includes the lands south of the Boise River. Possible locations for safety fencing were reviewed onsite, but it was found that either potentially hazardous canal reaches near schools and parks were already fenced or the waterways were safe enough that fencing is not needed. As a result of that review, no further studies are planned on safety fencing.

If hazardous canal reaches are identified in the future, determinations would be required on the extent of Federal involvement warranted, funding and cost-sharing requirements, and identification of a non-Federal entity to maintain the fence.

BOISE RIVER RESERVOIR SYSTEM OPERATIONS

ALTERNATIVES STUDIED

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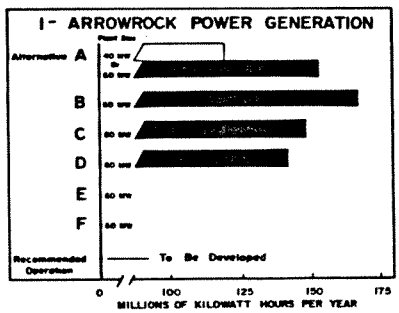
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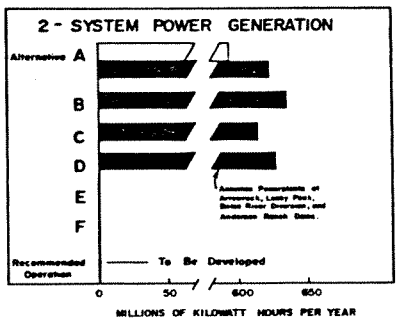
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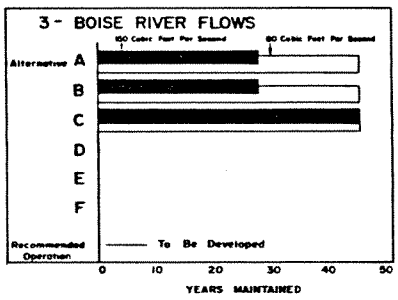
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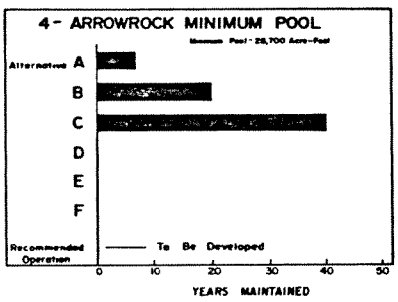
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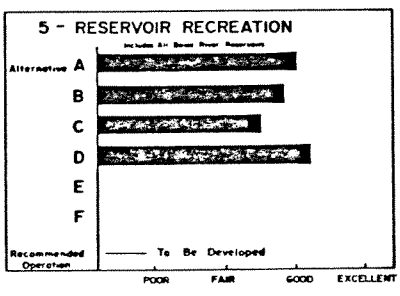
4--ARROWROCK MINIMUM POOL

Arrowrock Reservoir now has no designated minimum pool although an attempt is made to maintain a minimum pool. Under this proposal, a minimum pool would be maintained if storage water were available in the reservoir system. No existing water rights would be affected. If a minimum pool of about 28,700 acre-feet (10 percent of total storage capacity) were maintained in Arrowrock, a good reservoir fishery should develop since trout in Arrowrock can use all three forks of the Boise River for spawning. The studies assume that the low-level outlets in Arrowrock Dam will be replaced, thus eliminating the need to drain the reservoir every few years.



5--RESERVOIR RECREATION

The Boise River reservoirs are already operated for recreation, with operations favoring Lucky Peak first, Anderson Ranch second, and Arrowrock last. If recreation season water levels are improved at one reservoir, the other reservoirs may be harmed when water supplies are limited. The potential for improving the operation of one or more of the reservoirs for recreation is still under study.



(-1654 (7-73)
Water and Power

COMPUTATION SHEET

BY	DATE	PROJECT	SHEET ___ OF ___
J. Doty	3-30-82	BPPMS	
CHKD BY	DATE	FEATURE	
		Recreation Impacts - CS04 vs. BS01	
DETAILS		Lucky Peak Lake	

	RECREATION SEASON				
	MAY	JUNE	JULY	AUGUST	SEPTEMBER
BS01 - EXISTING OPER.					
Average Area, Ac	2332	2608	2665	2459	1919
Minimum Area, Ac.	1420	1770	1650	1220	810
Maximum Area, Ac.	2690	2730	2740	2720	2410
CS04 - Maximize Power					
Average Area, Ac.	2313	2561	2588	2398	1923
Minimum Area, Ac.	1420	1770	1650	1220	810
Maximum Area, Ac.	2690	2730	2740	2670	2360
Difference - Average Acres	-19	-47	-77	-61	+4
Percent	-.8%	-1.8%	-2.9%	-2.5%	+.2%

DEPARTMENT OF THE INTERIOR

KWH/CFAR BPANS KJZ6 7/1/78 C

TOTAL	ARROWROCK	LUCKY PEAK 87.5 MW	ANDERSON RANCH 70 MW	BOISE D. DAM 5 MW
A 591,900,000	121,300,000	271,400,000	179,500,000	19,700,000
A(1) 624,300,000	153,700,000	271,400,000	179,500,000	19,700,000
B 634,900,000	168,300,000	267,700,000	179,200,000	19,700,000
C 615,000,000	148,900,000	268,400,000	177,800,000	19,900,000
D 620,100,000	148,900,000	280,900,000	170,700,000	19,600,000
E				
F 616,700,000	151,200,000	267,900,000	177,700,000	19,900,000
I(1) 536,900,000	127,600,000 50 MW 3045'	218,900,000	175,000,000	15,400,000
I(2) 456,300,000	102,600,000 50 MW 3045'	171,500,000	163,500,000	18,700,000

A - BASED ON PRESENT RESERVOIR OPERATIONS ARROWROCK POWERPLANT BASELOAD.

A(1) - SAME AS "A" EXCEPT MINOR CHANGE IN TIMING OF WATER RELEASES. ARROWROCK POWERPLANT PEAKING

B - INCREASE ARROWROCK POWER GENERATION

C - IMPROVE BOISE RIVER FLOWS AND ARROWROCK MINIMUM POOL

D - IMPROVE RESERVOIR RECREATION

E - IMPROVE FLOOD CONTROL

F - PROVIDE MUNICIPAL AND INDUSTRIAL WATER

I(1) - 35,000 ACRES IRRIGATED

I(2) - 160,000 ACRES IRRIGATED

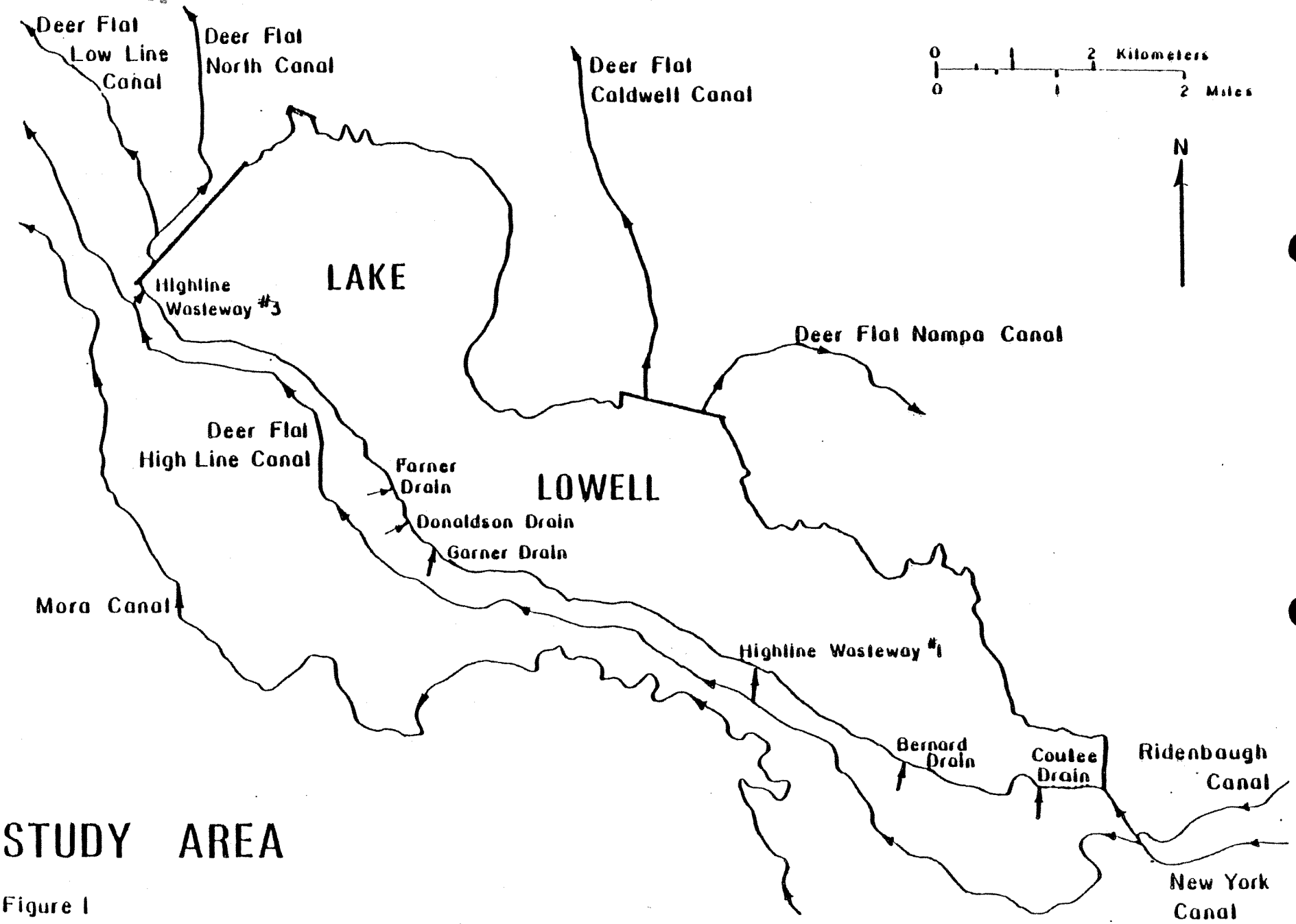
UNCONTROLLED

SUMMARY AND CONCLUSIONS

Lake Lowell is a eutrophic lake caused by high phosphorus loading (see figure 1). The lake develops algal blooms in the summer that diminish the fishery, recreation, and esthetics. Two options for diverting water with high phosphorus concentrations around the lake were studied and one for chemically treating the lake. An additional option for routing flood flows through the reservoir was explored.

None of the options for improving water quality were found to have a benefit to cost ratio above 0.67 to 1. None of these options should be carried forward into the detailed portion of the study unless nonreimbursable, environmental benefits are sought.

WATER RESOURCES



STUDY AREA

Figure 1

INTRODUCTION

Lake Lowell, the first stoarge feature on the Boise Project, lies 22 miles southwest of Boise, Idaho. The reservoir sits in a natural depression with three earthfill dams that are 16, 46, and 74 feet high. The reservoir has a total storage capacity of 190,000 acre-feet and a surface area of 9,840 acres. Mean depth is 17.3 feet, mean annual capacity is 136,200 acre-feet and mean annual outflow is 277,900 acre-feet.

Following the irrigation season the reservoir surface elevation is raised via flows down the New York Canal for the purpose of improving waterfowl hunting. The reservoir is completely filled in the spring also via the New York Canal. The reservoir is drafted during the growing season for irrigation, but there continues to be inflow from the New York and Ridenbaugh Canals as well as from wasteways on the Deerflat Highline Canal and drains. During the nonirrigation season the reservoir continues to receive subsurface return flows from irrigated land to the south and southeast.

Since its construction, the reservoir has suffered from algae blooms that have reduced water clarity and esthetic qualities. The problem is caused from phosphorus loading to the reservoir. The impact has been felt in both recreation and fishery uses of the reservoir. The algae forms dense, floating mats that limit light penetration, cause diel oxygen sags in the epilimnion (surface water) and anaerobic conditions in the hypolimnion (bottom).

In 1980 Water and Power Resources Service published Algae Blooms and Phosphorus Loading in Lake Lowell, Boise Project, Idaho. That publication developed the following phosphorus budget for Lake Lowell.

Source	Annual Loading kg/yr
Gaged inflows	30,010
Local return flows:	
Surface	7,100
Subsurface	410
Waterfowl	5,600
Precipitation	560
Septic tank drainage	10
Total	43,690

Jones and Bachman (1976) determined that total phosphorus concentrations of north temperate lakes can be predicted from annual phosphorus loading and lake morphometry. Other limnological studies have shown that the magnitude of algae blooms is determined by the concentration of phosphorus in the surface water. Jones and Bachman's model used the following expression to predict summer phosphorus concentrations.

$$TP = .84L/Z\ (e + .65)$$

L = Annual Phosphorus Loading
Z = Mean Depth
e = Flushing Rate

Using a mean depth of 17.3 feet and a flushing rate of 2.04/yr., the model yielded a phosphorus concentration of 0.82 mg/l for Lake Lowell.

In order to reduce algae growth to the point that water clarity is visibly improved, total phosphorus concentration would have to be reduced to about 0.025 mg/l. This level of reduction may not be required to improve the water enough so that fisheries and esthetics are improved. Cascade Lake, a quality fishery and recreation reservoir to the north, has a mean annual total phosphorus concentration of 0.039 mg/l, and we believe that this would be a more reasonable goal for Lake Lowell in order to improve recreation and fisheries.

RECEIVED

HIGHLINE CANAL

Since summer phosphorus concentrations are related by the factors of annual phosphorus loading, mean depth, and flushing rate, we believe that it would be possible to reduce algae growth by reducing phosphorus loading. The reservoir presently operates with irrigation withdrawals to several canals and summer inflows from the New York and Ridenbaugh Canals and several drains. The quality of inflows is greatly influenced by irrigation return flows which raise the phosphorus concentrations.

Two of the strategies for reducing algae blooms that we considered involved diverting some or all of the irrigation season inflows around the reservoir and into the Deer Flat Lowline Canal. This water would be supplemented by withdrawals from the reservoir to meet irrigation requirements.

Approximately 1 mile above Lake Lowell, a diversion structure diverts most of the New York Canal irrigation season flow into the Deer Flat Highline Canal. One option for lowering summer phosphorus loading would be to enlarge the Highline Canal to accept all irrigation season flow in the New York Canal and to accept flow from the Ridenbaugh Canal and Garland drain. The Ridenbaugh Canal and Garland drain enter the New York Canal just downstream from the Highline Canal diversion and would need to be picked up by pumping.

The Deer Flat Highline Canal would have its capacity increased from 132 cubic feet per second (ft^3/s) to 1,111 ft^3/s.

A pumping plant would be constructed below the diversion on the New York Canal, the canal would be enlarged and concrete lined, several bridges would be replaced, and a wasteway would be constructed from the Highline to the Lowline Canal. Estimated construction costs were $10,513,000 and annual operation, maintenance, and rehabilitation cost of $45,000.

The enlarged Highline Canal would reduce annual phosphorus loading to 22,350 kg/yr and the flushing rate to 1.02 times per year. The predicted summer phosphorus concentration would be 0.067 mg/l which is above the target level.

Since no visible change in water clarity would occur, no recreation benefits were assigned. Fish benefits were estimated to be $414,700 which is the same amount as was anticipated by meeting the 0.039 mg/l target. Fish benefits would actually be somewhat less in this alternative. To achieve these fish benefits, spawning habitat improvement was required which amounted to the emplacement of 150 acres of gravel 6 inches deep. The cost for gravel emplacement was $1.2 million.

The benefit/cost ratio for this option was 0.43 to 1. A breakdown of costs is given in table 1.

DRAFT

Water Bypass

Item (January '80 Costs 7-1/8 percent)	Lowline Canal	Enlarged Deer Flat Canal		Chemical Amendments
	dollars	*dollars*		*dollars*
1. Construction cost (January 1980)	6,785,000	10,513,000		N.A.
2. Construction period	2 yr.	2 yr.		N.A.
3. Gravel placement cost	1,200,000 1/	1,200,000 2/		1,200,000
4. IDC on canal (compound "i")	492,000 1/	1,168,000 2/		N.A.
5. Total investment (1+3+4)	8,477,000	12,881,000		1,200,000
6. Annual costs (operation & other)	40,000	45,000	Material Application	4,420,000 478,000
Annual Cost (7-1/8---.07132)				
Investment	604,600	918,700		85,600
Annual operating	40,000	45,000		4,898,000
Total	644,000	963,700		4,983,600
Benefit				
Fish enhancement	414,700 3/	414,700		414,700
Recreation	16,600 3/	0		49,900
Total	431,300	414,700		464,600
B/C ratio	.67	.43		.09

1/ .07250
2/ .11106
3/ Recreation benefit equal to one-third of those from chemical treatment

WITHDRAWN

REFUGE BOUNDARY CANAL

A second option for bypassing irrigation season inflows around Lake Lowell was a canal running along the inside of the southern perimeter of the Deer Flat National Wildlife Refuge. The canal would divert from the New York Canal a few tenths of a mile below the Highline diversion. The canal would be an earth-lined ditch with a maximum capacity of 979 ft^3/s. A diversion structure would be required on the New York Canal, several road and recreation access bridges would have to be built, and a wasteway to the Lowline Canal.

In addition to capturing all but 29,400 acre-feet of irrigation flow to Lake Lowell down the New York Canal, the canal would pick up miscellaneous inflows from several small drains. This canal would reduce phosphorus import to 15,250 kg/yr. and the flushing rate to 0.98 times per year. The predicted phosphorus concentration would be 0.047 mg/l.

Construction costs for the Refuge Boundary Canal would be $6,785,000 with annual operation, maintenance, and rehabilitation costs of $40,000. Costs for fish habitat improvements were $1.2 million for 150 acres of gravel 6 inches thick.

Recreation would benefit some from this option by decreasing floating algae and reducing the severity of algae blooms. Recreation benefits were estimated to be $16,600 per year. Fish benefits were $414,700 per year as described in the Highline Canal option.

The benefit/cost ratio for this option was 0.67 to 1. A breakdown of costs is shown in table 1.

ENGINEERING

CHEMICAL AMENDMENTS

A third option considered was the treatment of the reservoir in the late spring and early summer with alum to remove phosphorus and bring the concentration down to 0.039 mg/l. The phosphorus would be removed prior to the period of bloom and would greatly reduce its impacts. Floating mats would be gone and the oxygen depletion conditions would be reduced.

Tests on water samples taken from Lake Lowell indicated that 13.2 mg/l of aluminum would be required to lower the phosphorus concentration to the desired level. With an average end of June contents of 117,700 acre-feet, it would require 2,123 tons of aluminum or 26,200 tons of alum ($Al_2(SO_4)_3 - 18H_2O$) to treat the lake. Annual material costs would be $4,420,000 and annual application costs of $478,000.

Fish habitat improvement costs of $1.2 million would be required in this option for 150 acres of gravel. Fish benefits would be $414,700. Recreation benefits would be increased to $49,900 per year.

The cost/benefit ratio for this option was 1 to 0.09. A more detailed accounting is shown in table 1.

WITHDRAWN

United States Department of the Interior
BUREAU OF RECLAMATION
WATER AND POWER RESOURCES SERVICE
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

RECEIVED
JAN 26 1982
Department of Water Resources

IN REPLY
REFER TO: PN 420
500.2

JAN 25 1982

Idaho Department of Water Resources
450 West State Street
Boise, Idaho 83702

Ladies and Gentlemen:

Enclosed is an application for an extension of time on Permit No. R-1183/63-3618 for storage and use of water in Lucky Peak Lake.

The Bureau of Reclamation is conducting the Boise Project Power and Modification Feasibility Study. Use of Lucky Peak uncontracted space will be addressed in the feasibility study report, which should be completed in 1984.

Consequently, we are asking for a 5-year extension which allows us time to complete the Boise Basin portion of the report, and to make some disposition of remaining waters.

Sincerely yours,

L. W. Lloyd

Regional Director

Enclosure

ENCLOSURE

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

U.S. DEPT. OF INTERIOR
BUREAU OF RECLAMATION
ATTN: 424 BOX 043
550 W. FORT ST.
BOISE, ID 83724

138107

DECEMBER 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-3618 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 20 ~~01~~, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECIEVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

ECB

CHRONIC & ASSOCIATES
CONSULTING ENGINEERS
707 NORTH 27TH
BOISE, IDAHO 83702
PHONE (208) 345-0780

September 25, 1980

Mr. Ervin Ballou
Idaho Dept. of Water Resources
92 S. Cole Road
Boise, Idaho

Re: Request for Purchase of Storage Water
from W. & P.R.S. for Recreational and
Fisheries Beneficial Use

Dear Mr. Ballou:

With reference to the above matter, enclosed are copies of my letter of request to W. & P.R.S. and their response, signed by John W. Keys, III. I belive their response is most encouraging, and I ask that you please advise me of your opinion and recommendations.

It appears that a requisite action is an evaluation and response to the "beneficial use" consideration by the Idaho Department of Water Resources.

It is my current understanding that a sale of storage water for the purposes of maintaining fish and other aquatic life and recreational benefits is limited to a charge of $1.00. The charge for other purposes is based on an entirely different rate schedule and would be prohibitive.

Please advise me on this matter.

Sincerely,

CHRONIC & ASSOCIATES

Bill M. Chronic

Bill M. Chronic, P.E.

BMC:pc

cc: Jim Keating, Idaho Fish & Game Dept.
Peter O'Neill, River Run Development Co.

RECEIVED
OCT 7 1980
Department of Water Resources

RECEIVED
SEP 26 1980
Department of Water Resources
Western Regional Office

August 5, 1980

Mr. William Lloyd, Director
U. S. Department of the Interior
Water and Power Resources Service
Pacific Northwest Region
Federal Building & U. S. Courthouse
Box 043-550 West Fort Street
Boise, Idaho 83724

Re: Uncommitted Storage in the Boise River Reservoir System

Dear Mr. Lloyd:

This is a formal request to purchase water from the referred source for non-consumptive use at the rate of 10 c.f.s. during the period of October 15 to April 15 on a yearly basis. The amount required is 3,610 acre feet of storage.

The purpose of this water is to maintain fish and other aquatic life in the 100-year flood relief channels and to maintain environmental and recreational amenities during low river flows, along that reach of the left bank of the Boise River in Section 24, T.3N., R.2E., B.M., which is adjacent to River Run Development and including the Greenbelt development between River Run Development and the left bank of the Boise River.

If additional information is required in order for a decision to be made on this request, please contact me.

Sincerely,

CHRONIC & ASSOCIATES

Bill M. Chronic, P.E.

BMC:pc

cc: Idaho Dept. of Fish & Game
Idaho Dept. of Water Resources

CONFIDENTIAL

United States Department of the Interior

WATER AND POWER RESOURCES SERVICE
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

IN REPLY REFER TO: PN 704
840.

SEP 4 1980

Mr. Bill M. Chronic, P.E.
Chronic & Associates Consulting Engineers
707 North 27th
Boise, Idaho 83702

Dear Mr. Chronic:

We have reviewed your request, letter of August 5, 1980, to purchase water from the Corps of Engineers Lucky Peak Reservoir uncontracted space for use, at the rate of 10 cubic feet per second during the period of October 15 to April 15, on a yearly basis. The Water and Power Resources Service has authority under the Lucky Peak Project authorization to market the noncontracted space on a permanent basis for irrigation purposes. The Corps of Engineers and Water and Power Resources Service also have certain authority for permitting permanent disposition of uncommitted space for municipal and miscellaneous purposes.

Your proposed use for storage water is to maintain fish and other aquatic life in the Boise River relief channels and to maintain environmental and recreational amenities during low river flows along the reach of the left bank of the Boise River in Section 4, T. 3 N., R. 3 E., B.M., which is adjacent to River Run development and including the Greenbelt development between River Run development and the left bank of the Boise River. We are not certain that this use would fall within the authorities that exist on the project. As a prerequisite to considering your request further, we believe it is necessary for you to solicit the advise of the Idaho Department of Water Resources as to whether your proposed use would be considered a beneficial use of water. Upon receipt of a response in regard to the beneficial use question, we will be in a position to consider your request further.

Sincerely yours,

John W. Keys, III

Acting Regional Director

cc: Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Corps of Engineers, Bldg. 602, City-County Airport,
Walla Walla, Washington 99362
(w/copy of incoming letter to each)

October 31, 1980

Bill M. Chronic, P.E.
Chronic & Associates
707 North 27th
Boise, ID 83702

Dear Mr. Chronic:

RE: Storage Water in Lucky Peak Reservoir

This letter is in response to your letter addressed to Mr. Ervin Ballou requesting a determination as to whether the Department of Water Resources would consider as "beneficial" the use of storage water to maintain fish and other aquatic life in the 100-year flood relief channel and to maintain environmental and recreational amenities during low river flows.

From subsequent discussions with you and a review of an application you filed for construction of a diversion channel and structure to carry the requested flows, it is my understanding that the flow would be diverted from the natural Boise River channel and used in manmade channels and ponds before returning to the river. The Department has issued permits in the past for similar uses, thus the administrative precedent seems to be that such uses are "beneficial." However, information would need to be provided to quantify the flow rates and periods of time that the proposed use justifies.

Also, the existing water right for Lucky Peak, Permit No. 63-3618, describes only irrigation as an intended use. Therefore, the permit holder, U.S. Water & Power Resources Service, would have to seek a change in the permit to include additional uses. This would involve the filing by the Service with the Department an application to amend the permit. This application would be advertised to notify others having an interest of the requested change. If protests were received, a hearing would be required. The Director can approve the permit if he finds the public interest to be served, no expansion to the right, and no injury to other rights.

If I can provide additional information on this matter, please contact me.

Sincerely,

NORMAN C. YOUNG
Administrator
Resources Administration Division

NCY:alw
cc: Ed Thomas, WPRS
Erv Ballou, Western Region

SEP 5 1980

Department of Water Resourc

United States Department of the Interior

WATER AND POWER RESOURCES SERVICE
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

6

IN REPLY REFER TO: PN 704
840.

SEP 4 1980

Mr. Bill M. Chronic, P.E.
Chronic & Associates Consulting Engineers
707 North 27th
Boise, Idaho 83702

Dear Mr. Chronic:

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Your proposed use for storage water is to maintain fish and other aquatic life in the Boise River relief channels and to maintain environmental and recreational amenities during low river flows along the reach of the left bank of the Boise River in Section 4, T. 3 N., R. 3 E., B.M., which is adjacent to River Run development and including the Greenbelt development between River Run development and the left bank of the Boise River. We are not certain that this use would fall within the authorities that exist on the project. As a prerequisite to considering your request further, we believe it is necessary for you to solicit the advise of the Idaho Department of Water Resources as to whether your proposed use would be considered a beneficial use of water. Upon receipt of a response in regard to the beneficial use question, we will be in a position to consider your request further.

water rights

Sincerely yours,

ACTING

Regional Director

cc: Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Corps of Engineers, Bldg. 602, City-County Airport,
Walla Walla, Washington 99362
(w/copy of incoming letter to each)

CHRONIC & ASSOCIATES
CONSULTING ENGINEERS
707 NORTH 27TH
BOISE, IDAHO 83702
PHONE (208) 345-0780

August 5, 1980

AUG 6 1980
~~440~~
700
704 R/2 8/18

Mr. William Lloyd, Director
U. S. Department of the Interior
Water and Power Resources Service
Pacific Northwest Region
Federal Building & U. S. Courthouse
Box 043-550 West Fort Street
Boise, Idaho 83724

Re: Uncommitted Storage in the Boise River Reservoir System

Dear Mr. Lloyd:

This is a formal request to purchase water from the referred source for non-consumptive use at the rate of 10 c.f.s. during the period of October 15 to April 15 on a yearly basis. The amount required is 3,610 acre feet of storage.

The purpose of this water is to maintain fish and other aquatic life in the 100-year flood relief channels and to maintain environmental and recreational amenities during low river flows, along that reach of the left bank of the Boise River in Section 24, T.3N., R.2E., B.M., which is adjacent to River Run Development and including the Greenbelt development between River Run Development and the left bank of the Boise River.

If additional information is required in order for a decision to be made on this request, please contact me.

Sincerely,

CHRONIC & ASSOCIATES

Bill M. Chronic

Bill M. Chronic, P.E.

BMC:pc

cc: Idaho Dept. of Fish & Game
Idaho Dept. of Water Resources

ENCLOSURE

March 12, 1979

Regional Director
Pacific Northwest Region
Bureau of Reclamation
Box 043 - 550 West Fort St.
Boise, ID 83724

Dear Sir:

Re: Permit No. 63-3618 (R-1183)

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 20, 1982.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc: 1

MICROFILMED

United States Department of the Interior

BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

IN REPLY
REFER TO: 420

FEB 15 1979

RECEIVED
FEB 16 1979
Department of Water Resources

Idaho Department of Water Resources
State Office
373 West Franklin Street
Boise, Idaho 83702

Gentlemen:

Attached is an application for extension of time on Permit No. R-1183/63-3618 for storage and use of water in Lucky Peak Lake.

The U.S.B.R. is now conducting the Southwest Idaho Water Management Study. This study will provide guidance for an interim decision on use of the unallocated space by early in calendar year 1980.

A revision of the Boise System Manual is under way by the Corps of Engineers, Bureau of Reclamation and the State of Idaho. This could influence the use of the present unallocated space.

The Boise Project Power and Modification Study has been initiated in FY 1979. This study will look at alternate hydropower developments at Arrowrock Dam. The Lucky Peak unallocated space will be considered in some of the alternatives.

Consequently, we are asking for a three-year extension which allows time for obtaining results and formulating plans from these studies.

Sincerely yours,

Regional Director

Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

December 29, 1978

Re: Permit No. 63-3618 100540

Bureau of Reclamation
Box 043
550 West Fort St.
Boise, ID 83724

Gentlemen:

One of the conditions of approval of your water Permit No. 63-3618 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 20, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

Rita Fleck
RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED

file - Lucky Peak
water right

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION 1
BOX 8008
BOISE, IDAHO 83707

IN REPLY REFER TO 439

NOV 12 1968

Mr. John R. Woodworth, Director
Idaho Department of Fish and Game
600 South Walnut
Boise, Idaho 83706

Dear Mr. Woodworth:

The water right permit (R1183) for Lucky Peak Reservoir provides that the yield of water from 50,000 acre-feet of space will be used for maintaining minimum winter-time flow in the Boise River below Boise Diversion Dam under a release pattern established from time to time by your office. Streamflow in the Boise River during the last two years has been less than normal and the flow available for storage in Lucky Peak Reservoir was not sufficient to completely fill the reservoir in 1967. In 1968 all of the storable natural flow was required to be stored in the older reservoirs, Lake Lowell, Arrowrock, and Anderson Ranch, which have earlier storage rights under Idaho law. There was no new storage accrual to Lucky Peak Reservoir in 1968.

The foregoing arrangement involving 50,000 acre-feet of storage capacity has been in effect since March 1964 when the storage permit for Lucky Peak Reservoir was approved by the State Reclamation Engineer. Since that time, water creditable to the 50,000 acre-feet of capacity in Lucky Peak Reservoir has been released each winter in accordance with schedules provided by your office. Storage creditable to the 50,000 acre-feet of space has now been practically exhausted with remaining storage sufficient only to maintain the current rate of release of 25 cubic feet per second at Lucky Peak Dam until about mid-December. Your office has indicated that 70 cubic feet per second is the considered minimum flow which would support a winter fishery.

In response to a recent inquiry from Mr. Simpson of your office to the Superintendent of the Central Snake Projects Office, Mr. Applegate, as to the possibility of obtaining additional water for maintenance of minimum

MICROFILMED

flow below Lucky Peak Dam this winter, we have reviewed the overall water outlook for the Boise River reservoir system. We have discussed this matter with Mr. Roy Musselman, Boise River Watermaster, and with representatives of some of the principal irrigation water-user organizations.

As a result of the unusual rains last August, irrigation diversions during the past season were reduced, and there was more storage carryover in the reservoir system at the end of the season than had been contemplated earlier. This includes some storage water creditable to the uncontracted space in Lucky Peak Reservoir. This uncontracted space is reserved for use in connection with irrigation development.

Because of the availability of storage carryover in the uncontracted space, it will be possible to provide additional water for maintenance of minimum flows this winter without interference with any established water rights. Sufficient water from the uncontracted space can be made available to sustain a minimum flow of 70 cubic feet per second, the balance of the winter. It should be emphasized that this is possible only because of the particular circumstance this year with storage hold-over available in the uncontracted space in Lucky Peak Reservoir.

As indicated in our letter to you of October 2, 1963, the 50,000 acre-feet of space in Lucky Peak Reservoir will provide a water yield adequate to maintain a minimum winter flow of 80 cubic feet per second approximately 60 percent of the time. This fact should be recognized in the scheduling of water releases in future years, and the desirability for reducing release rates to minimum practical amounts during prolonged cycles of below normal runoff so as to extend the period when some flow is provided should be considered. We will be glad to assist you in developing this type schedule, if desired.

After a very careful analysis of the current water outlook, it appears that it would be appropriate and desirable, both to maintain a minimum flow for a winter fishery and to improve water quality in the river, to utilize a part of the water now carried over in the system creditable to the uncontracted space in Lucky Peak Reservoir. With your concurrence we will take the necessary steps immediately to schedule additional releases sufficient to meet the 70 cubic feet per second flow in the river below Lucky Peak Reservoir, as requested by your office.

Sincerely yours,

April 1, 1976

Re: Permit No. R-1183/63-3618

Bureau of Reclamation
Box 043, Federal Bldg.
550 West Fort Street
Boise, Idaho 83724

Gentlemen:

Enclosed herewith is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 20, 1979.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 26, 1976

MEMORANDUM

TO: Ken Dunn

FROM: Steve Allred

SUBJECT: Permit on Lucky Peak Reservoir

Attached you will find a memorandum for Hydrology regarding the permit on Lucky Peak Reservoir. That memo pretty well outlines ongoing studies except for one effort. We have been working with both the USBR and Corps of Engineers to initiate efforts to develop a "master plan" for development of the Mountain Home Plateau. Our studies to date have identified this area as an area in which new irrigation can occur with little environmental drainage. We have also met with other interests (local) regarding a joint effort. We have been critical about unilateral decisions on the part of the federal agencies that impact alternatives available to develop the Mountain Home plateau. Such development cannot occur without significant water exchanges in the Boise System. I would hope that we would not take action on our own that would inhibit our ability to integrate the Boise-Snake systems in Southwest Idaho. The alternatives to a coordinated approach can only place more severe pressures on existing and potential problem areas.

I would ask that the request for extension by the USBR be granted for at least one year in order for us to finalize the study effort and begin to identify alternatives. If we can develop alternatives, then they could be used as the basis for further extension requests. I believe that extension of the permit is necessary if we are to organize any kind of a meaningful study on the Mountain Home Plateau. We are already committed to considerable effort and expense on this effort.

CSA:lm
Attachment
cc: Hydrology

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 19, 1976

MEMORANDUM

TO: Steve Allred

FROM: Bob Sutter, Alan Robertson

SUBJECT: Lucky Peak Extension

The application for extension of the Lucky Peak permit is based upon ongoing studies of the Bureau, Corps and IDWR. The Bureau studies are those included within the Southwest Idaho Water Management Study.

The plan of study for the Bureau of Reclamation's Southwest Idaho Water Management Study has not yet been completed and the items to be studied have not yet been chosen. A few studies are underway or have been completed which the Bureau considers a part of the Management Study. Those affecting the Boise River are Boise Valley urbanization, third power unit at Anderson Ranch (Western Energy Expansion Study), and use of Fargo Wasteway on the Boise Project for flood relief. Possible future studies are miscellaneous in nature, one of which may be a study of alternate uses of the unallocated Lucky Peak space. This is tentatively scheduled for F.Y. 1977. The end result of the management study will be solution to specific problems, not a comprehensive plan. In summary, the Bureau has no definite thoughts at this time on the possible use of Lucky Peak space.

Corps studies include the Boise Valley Regional Water Management Study and the Lucky Peak Modification Study. The Lucky Peak Study is examining alternative uses of Lucky Peak including installation of a power plant, release of flows for in-stream fishery purposes, release of flows to assist the Boise City treatment plant to meet the water quality standards, and flood control. As part of the study, the Corps has looked at three possible increases in reservoir capacity. A 12-foot raise, by gating the spillway, appears to have a good chance of being feasible. This study is scheduled to be completed at the District level by September, 1976.

The Regional Water Management study which will be completed by October 1976 is closely related. Within that study, the Corps has

WATER RESOURCE BOARD: John F. Streiff, *Chairman*; George L. Yost, *Vice-Chairman*; Donald R. Kramer, *Secretary*; Edwin C. Schlender, *Member*; Franklin Jones, *Member*; M. Reed Hansen, *Member*; Scott W. Reed, *Member*; Joseph H. Nettleton, *Member*

evaluated water quality problems and the related flow needs. They have also studied M&I needs to determine whether they are a potential user of Lucky Peak water.

With regard to the IDWR studies, it is not clear whether the Bureau is referring to IDWR work for the Corps study or to the State Water Plan. The hydrology studies for the Corps form a portion of their analyses within the Lucky Peak study. The State Water Plan is much to general to define a use for the Lucky Peak unallocated space. The potential IDWR-Bureau study of the Mountain Home plateau would seem to be excluded as a reason for the permit extension since the Bureau specifically excluded the Mountain Home irrigation from their permit application because of protests.

Of the studies described above, only the Lucky Peak Modification Study will result in recommendations for changes in reservoir use in the foreseeable future. These recommendations will result from an examination of all reasonably possible uses of the project. In our opinion the reservoir yield is far too small for any significant irrigation project, the only use which has not been studied.

In order for the Bureau to obtain a license for the full capacity of Lucky Peak it will be necessary to amend the permit which now is only for supplemental irrigation water on presently irrigated lands in the Boise Valley and the Fish and Game space. Completion of the Lucky Peak study late this year will provide the information needed to amend the permit. We recommend that an extension be granted until December 31, 1976, with the understanding that a further extension will be granted if the Bureau has requested amendment by that time. The further extension would probably be needed to complete the facilities involved in the proposed changes (such as a power plant). The Bureau should also be advised that they must provide proof of beneficial use of the irrigation space by the December 31, 1976 date.

ACR:RJS:nc

United States Department of the Interior
BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGIONAL OFFICE
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

RECEIVED
MAR 9
Department of Water Resources

IN REPLY
REFER TO: 760
870.

MAR 8 1976

Idaho Department of Water Resources
State Office
373 West Franklin Street
Boise, Idaho 83702

Gentlemen:

Attached is an application for extension of time on Permit No. 63-3618 for storage and use of water in Lucky Peak Lake.

A meeting was held last June concerning this permit at which the Department objected to the beneficial use proposed. Attending were Ken Dunn and Bob Fleenor of your staff and Allen McGregor, Ed Thomas, Dan Yribar and Bob Brown of our staff. It was agreed that use of the unallocated Lucky Peak water as a supplemental supply for irrigated lands in Boise Valley (as stated in the permit) is not a desirable long-range use for the water.

It was further agreed that the Department would not object to a temporary extension providing studies are in progress to determine the proper beneficial use of the uncommitted storage. We believe this question will be answered by the major Boise system studies now underway by our office, your office, and the Corps of Engineers. These studies include:

A. Southwest Idaho Water Management Study (ongoing)

B. State of Idaho has approached Bureau of Reclamation with Comprehensive Study of Mountain Home Plateau (proposed)

C. Western Energy Expansion Study. Study potential of hydro-electric additions to existing facilities and existing dams without hydroelectric facilities plus pump-back potential

Consequently, we are asking for a three-year extension which allows time for obtaining results and formulating plans from these studies.

Sincerely yours,

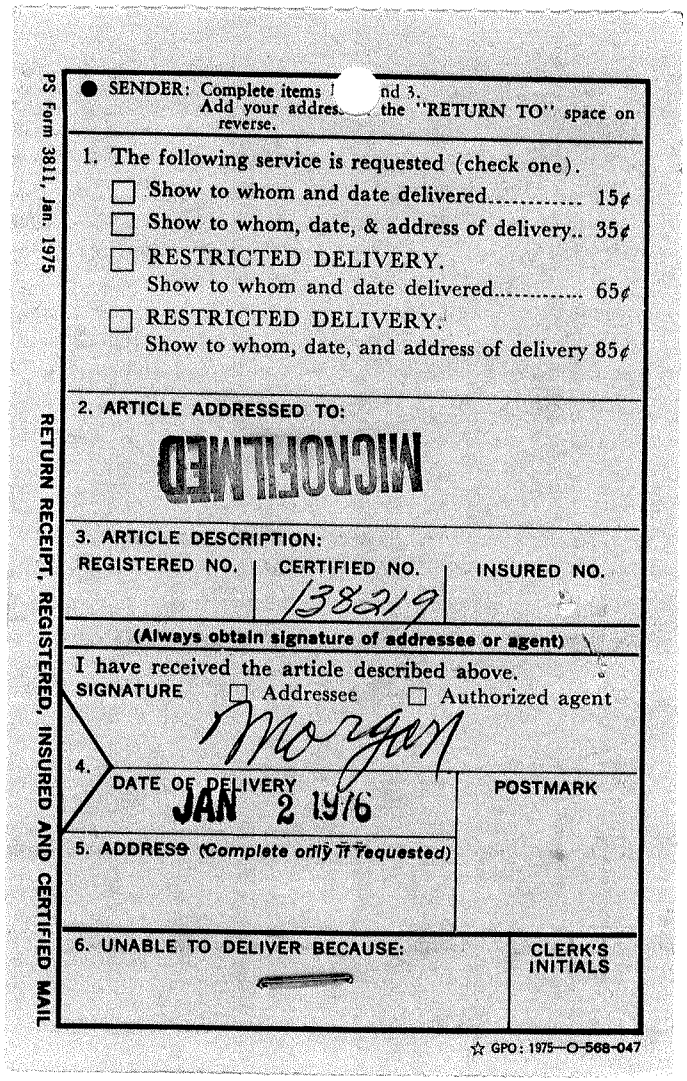
Norman H. Moore

Acting Regional Director

Enclosure

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!



PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
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- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

MICROFILMED

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	138219	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Morgan

4. DATE OF DELIVERY: JAN 2 1976

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1975—O-568-047

UNITED STATES POSTAL SERVICE

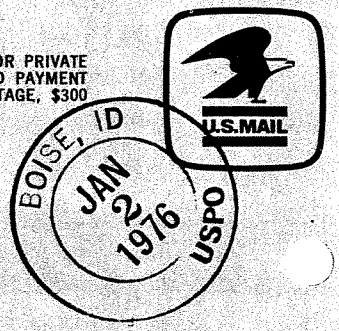
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN TO



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

February 25, 1975

U. S. Department of the Interior
Bureau of Reclamation
Pacific Northwest Regional Office
Box 043, 550 West Fort Street
Boise, Idaho 83724

Gentlemen:

We have reviewed the Application for Extension of Time submitted on Permit No. 63-3618 for the storage and use of the water in Lucky Peak Reservoir. An extension of time of one year (March 20, 1974 to March 20, 1975) is hereby granted.

Your extension request is based, in part, upon the fact that the facilities for the delivery of the water to the Mountain Home Project have not been constructed, or authorized. However, Permit No. 63-3618 does not include the Mountain Home Project as a part of the place of use, but to the contrary it was specifically excluded from the permit in an attempt to satisfy the protestants.

This extension is to provide you time to submit to the Department information concerning the intended use of stored water, including any plans you have for negotiating commitment with potential users for water not presently being used. Any future extension will be subject to review of progress toward putting the water to beneficial use.

There appear to be potential uses for the stored water. I would suggest that your staff arrange to meet with my staff to discuss these potential uses during the next year.

Very truly yours,

R. KEITH HIGGINSON
Director

AKD:RKH:mjr

December 31, 1975

CERTIFIED MAIL 138219

Re: Permit No. 63-3618

U. S. Department of the Interior
Bureau of Reclamation
Pacific Northwest Regional Office
Box 043, 550 West Fort Street
Boise, Idaho 83724

Gentlemen:

One of the conditions of approval of your water Permit No. 63-3618 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 20, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

ENCLOSED

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN TO

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

BOISE, ID JAN 2 1975 USPO

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Compl[illegible]rms 1 and 2.
Add y[illegible]ddress in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
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- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery ..... 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	26347	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Mike Morgan
Bur. Reclamation

4. DATE OF DELIVERY: JAN 2 1975

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1974 O - 527-803

United States Department of the Interior

BUREAU OF RECLAMATION

PACIFIC NORTHWEST REGIONAL OFFICE
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043 - 550 WEST FORT STREET
BOISE, IDAHO 83724

IN REPLY
REFER TO: 424

Department of Water Resources

JAN 8 1975

Idaho Department of Water Resources
Western District Office
Statehouse - Annex 3
Boise, Idaho 83720

Gentlemen:

Enclosed is our application on behalf of the United States of America, for extension of time for completion of construction of works and application to beneficial use of the waters of Lucky Peak Reservoir until March 20, 1985, as provided by Section 42-204.3 of the Idaho Code.

Sincerely yours,

Norman H. Moore

Acting Regional Director

Enclosure

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!

December 31, 1974 CERTIFIED MAIL #26347

Re: Permit No. R-1183 (New No. 63-3618)

Bureau of Reclamation
Federal Bldg., 550 W. Fort St.
Boise, Idaho 83724

Gentlemen:

One of the conditions of approval of your water Permit No. R-1183/63-3618 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 20, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

January 2, 1969

COPY

Re: Permit No. R-1183

United States of America
Bureau of Reclamation
Federal Building
Boise, Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations.

Should you required additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: order

R-1183

June 2, 1966

RE: Permit R-1183

Mr. H. T. Nelson, Regional Director
U. S. Bureau of Reclamation
P.O. Box 8008
Boise, Idaho

Dear Mr. Nelson:

We acknowledge receipt of your letter of June 1, 1966, in which you report completion of at least one-fifth of the required work under Permit No. R-1183. This letter will be placed in the file of this permit for further reference.

Very truly yours,

R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

RKH:ejw

COPY

D-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION 1
BOX 8008
BOISE, IDAHO 83707

IN REPLY
REFER TO: 424

RECEIVED
JUN 2 1966
Department of Reclamation

JUN 1 1966

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
107 Statehouse
Boise, Idaho

Dear Mr. Tappan:

Storage Permit No. R1183, Application No. R35086, for Lucky Peak Reservoir specifies that one-fifth of the work is to be completed on or before September 20, 1966. As you know, additional construction is not necessary under this storage permit, as the water is to be used on presently irrigated land in the Boise Valley.

As of this date irrigation districts and canal companies in the Boise Valley have contracted for 32,880 of space in Lucky Peak Reservoir. This space, plus the 50,000 acre feet of space that is available to the Fish and Game Department under the permit, represents an accomplishment that is more than one-fifth of the work contemplated in the application and the resultant permit.

Very truly yours,

H. T. Nelson

Regional Director

R-1183

April 21, 1964

Re: Permit No R-1183

John R. Woodworth, Director
Idaho Dept. of Fish and Game
BUILDING

Dear Sir:

Enclosed is a copy of Permit R-1183, in connection with Lucky Peak Dam. Under "Remarks" will be found the clause giving the condition of the release flow, with pattern established from time to time by the Director of the Fish and Game Department.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

Enc. copy of Permit

R-1183

STATE OF IDAHO

ROBERT E. SMYLIE
GOVERNOR

COMMISSION
GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
WILLIAM B. DURBON MOSCOW
FRANK CULLEN COEUR D'ALENE

Fish and Game Department

JOHN R. WOODWORTH
DIRECTOR

518 FRONT STREET BOISE, IDAHO

February 27, 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
107 Statehouse
Boise, Idaho

In re: THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER

Dear Mr. Tappan:

As you know, agreement has now been reached between the Idaho Fish and Game Department and the United States Department of the Interior, Bureau of Reclamation, regarding the above-mentioned application for storage permit and making available water from the yield of 50,000 acre-feet of storage capacity in Lucky Peak Reservoir for minimum wintertime releasing under the direction of the Idaho Fish and Game Department for maintaining minimum water flows in the Boise River below Boise Diversion Dam for the benefit of the fishery of said river.

In consideration of this agreement and upon the terms and conditions that the following quoted language will be incorporated as a limitation and condition on the storage permit to be issued to the United States Department of the Interior, Bureau of Reclamation, the Idaho Fish and Game Department herewith withdraws its protest against the above-mentioned application No. 35086.

P-1183

The language to be incorporated in the permit as a limitation and condition is:

> That the yield of water from 50,000 acre-feet of space be available for maintaining minimum wintertime flow in the Boise River below Boise Diversion Dam under a release pattern established from time to time by the Director of the Idaho Fish and Game Department.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

John R. Woodworth

John R. Woodworth
Director

cc: Mr. Harold T. Nelson, Regional Director
Bureau of Reclamation, Boise

R-1183

HILLCREST UNIT BY 40'S — IRRIGABLE ACREAGE

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				
TWP.	RGE.	SEC.	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	T'TLS
2N	1E	1	6.4																6.4
2N	1E	12	11.1	0.4	4.4	35.2									16.5			6.3	73.9
2N	2E	4	27.7	41.2	9.7		40.5	39.7	35.5	32.3		3.2							229.8
2N	2E	5	38.5	40.1	39.5	39.7	40.0	40.6	40.9	39.7	35.1	20.3	28.2	36.2	39.4	35.9	26.1	36.1	576.3
2N	2E	6	39.7	38.6	25.9	40.6	35.6	30.6	21.7	21.7	40.6	33.2	8.2	31.2	28.7	26.2	30.9	32.8	489.2
2N	2E	7	28.6	39.1	41.6	39.7	35.2	16.5	36.8	40.3	5.6	0.6			1.6	3.0			288.5
2N	2E	8	38.7	30.5	39.0	30.6	38.4	31.7	38.2	38.5	10.	3.1			9.0	16.4			324.1
3N	1E	25									0.	0.6	6.8	32.9			30.0	30.3	100.7
3N	1E	36	38.3	40.3	39.3	38.4	28.8	3.4	11.7	39.4	20.9				38.8	39.4	27.5	39.8	406.0
3N	2E	20													23.6			19.5	43.1
3N	2E	21									6.0	31.7	40.6	35.6			17.7	0.4	132.2
3N	2E	25									0.1	4.8	15.5	31.6	1.0	2.8	32.8	35.1	123.7
3N	2E	26									13.7	22.4	8.7	21.8	6.7	1.6	16.2	7.5	98.6
3N	2E	27			16.0	4.7	0.4	14.5	36.8	33.1	40.3	40.3		36.9	33.2	35.1	6.6	2.1	300.0
3N	2E	28	32.0	37.3			36.4	37.6											143.3
3N	2E	29	36.2	10.4				2.2	40.1			2.3	19.2						109.4
3N	2E	30				7.7							29.7	8.0	24.1			7.4	76.9
3N	2E	31	2.6	16.6	40.7	33.5	39.9	43.6	43.0	40.4	40.7	43.0	42.7	40.8	40.6	40.7	40.9	40.6	590.3
3N	2E	32			20.1	9.5	28.5	19.4	40.6	31.8	21.2	31.4	41.4	41.2	30.4	30.0	39.8	29.3	414.6
3N	2E	33										20.0	33.9	39.6					93.4
3N	2E	34	11.6	36.1	37.3	38.8									40.6	41.2	6.0	7.9	219.6
3N	2E	35	17.4	3.0					23.6	1.9	6.6	30.0							82.6
3N	2E	36	38.1	13.0		6.0	9.3	26.7											93.1
3N	3E	29											14.5	0.4					14.9
3N	3E	30										0.4	29.4	29.1			23.8	27.1	109.8
3N	3E	31	36.0	36.2			39.3	33.8	13.5	8.0									166.8
3N	3E	32		0.5	27.0	2.4	28.0	39.4	9.0	29.3					31.3	9.4		7.5	183.8
3N	3E	33										5.5	32.6	17.4					55.5
2N	3E	4		14.2	8.7		27.8	3.3		0.3									54.3
Totals			401.9	397.5	349.1	326.8	428.1	383.0	391.4	356.7	240.9	292.8	351.4	405.8	369.6	281.7	298.3	329.7	5600.6

March 31, 1964

Re: Permit No. R-1183

Bureau of Reclamation,
P.O.Box 937,
Boise, Idaho.

Gentlemen:

We enclose Permit No. R-1183 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32139 which was issued covering payment in the amount of $ 311.75 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

R-1183

B-128
Fin. 4-61
USBR-Region 1

CHECK TRANSMITTAL SLIP A.E. No. 702

RECEIVED
MAR 20 1964
Bureau of Reclamation

Bureau of Reclamation
Box 937, Boise, Idaho

PAYEE State of Idaho, State Reclamation Engineer

Permit No. R-35086

~~Purchase Order No.~~

Your Invoice No. _____ Amount $ 211.75

R-1193

March 4, 1964

Re: Application No. R-35086

Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Sir:

Enclosed is signed voucher, dated April 12, 1963, for $311.75 filing fee on storage in Lucky Peak Reservoir.

The State Fish and Game Department has withdrawn its protest to approval of the application.

The Application for Permit can be approved subject to condition: "That the yield of water from 50,000 acre feet per annum of space be available for maintaining minimum winter-time flow in the Boise River below Boise Diversion Dam under a release pattern established from time to time by the Director of the Idaho Fish and Game Department."

The application to be approved is the amended form, filed April 11, 1963.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. voucher

R-1183

Standard Form No. 1034a—Revised
Form prescribed by
Comptroller General, U. S.
September 1950
(Gen. Reg. No. 51, Supp. No. 11)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. .....

Bu. Vou. No. .....

U. S. Department of the Interior - Bureau of Reclamation
(Department, bureau, or establishment)

Voucher prepared at Boise, Idaho April 12, 1963
(Give place and date)

PAID BY

(For use of Paying Office)

THE UNITED STATES, Dr., Payee's Account No. .....

To State of Idaho, State Reclamation Engineer
(Payee)

Boise Idaho
(Address) (City) (State)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Filing fee for application for storage in Lucky Peak Reservoir, Boise River, for irrigation purposes, per Idaho Code 42-202.					
		307,000 acre ft. @ $5.00 for first 250 acre-feet and 25¢ for each additional 250 acre-ft. or fraction	250 acre-ft.	-		$ 5.00	
			306,750 acre-ft.	.25	250 acre-ft.	306.	75
		Application No. R-35086					
		Use continuation sheet(s) if necessary					
Shipped from	to	Weight	Government B/L No.		Total	$311.	75

PAYMENT:
Complete ☐
Partial ☐
Final ☐

(Payee must NOT use this space)

Differences .....

Account verified; correct for .....

(Signature or initials) .....

Contract No. Date Req. No. Date Invoice Rec'd.

MEMORANDUM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n. or Proj't. Amount	Appropriation Amount

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount

Paid by { Check No. ..... dated ....., 19....., for $..... } on Treasurer of the United States in favor of payee named above.
{ Cash, $....., on ....., 19..... }

16—22900a-2

R-1183

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐.
2. (*a*) Advertising by circular letters sent to ---------- dealers.
   (*b*) And by notices posted in public places Yes ☐ No ☐.

   (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with ----------
5. Without advertising, it being impracticable to secure competition because of ----------

---

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

U. S. GOVERNMENT PRINTING OFFICE : 1950—O-69547

16—22900a-2

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
P.O. Box 937
Boise, Idaho

APR 16 1963

Mr. Ralph W. Thomas
Deputy State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho

Dear Mr. Thomas:

As requested in your telephone conversation of April 11 regarding Lucky Peak Reservoir application for permit No. R-35086, I am enclosing the original and one copy of a voucher in the amount of $311.75 covering filing fee for the storage permit which was sent to you on April 10 in an amended form to date from the filing of the initial application in your office on December 18, 1957.

Sincerely yours,

William Burpee
Field Solicitor

Enclosure

R-1183

January 23, 1964

RE: Application No. R-35086

Leon W. Murphy
Idaho Department of Fish & Game
Building

Dear Mr. Murphy:

Enclosed is the photo copy of Application No. R-35086 and of the Protest to the Application which you requested.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. photo copies 2

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

IN REPLY
REFER TO:

150

JAN 13 1964

JAN 14 1964
Department of Reclamation

Mr. John R. Woodworth, Director
Idaho Department of Fish and Game
518 Front Street
Boise, Idaho

Dear Mr. Woodworth:

In connection with current discussions concerning utilization of Lucky Peak for irrigation development, we are being requested for information about the status of the pending water filing. You will recall that we wrote you on October 2, 1963, with a suggestion for handling the protest filed on behalf of your agency in connection with that permit so that the objectives of providing wintertime water releases for fishery purposes could be solved. It would be helpful if some progress could be made on this matter, and as indicated in our letter, we would be willing to provide any further information that would be helpful in working out some arrangement so that the state water right permit could be issued.

Sincerely yours,

E. L. White
ACTING Regional Director

Copy to: ✓ Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO 83701

RECEIVED
OCT 3 1956
Department of Reclamation

IN REPLY
REFER TO: 150
430

OCT 2 1956

Mr. John R. Woodworth, Director
Idaho Department of Fish and Game
518 Front Street
Boise, Idaho

Dear Mr. Woodworth:

As you know, we have discussed with you and your staff the matter of wintertime operations of the storage system on the Boise River relating to providing increased winter flow in the reach of the river stretching from the Boise Diversion Dam past the City of Boise. Improved winter water flow conditions would result in important recreational and pollution abatement benefits. Also wintertime minimum flows on a reliable basis would make it possible to maintain a resident trout sport fishery.

The possibilities for providing wintertime flows in this stretch of the Boise River have been discussed at length with your office and with other interested parties. It has been found as a result of these discussions that the most practical means to provide a source of water to assure wintertime flows would be through making available water from the yield of 50,000 acre-feet of storage capacity in Lucky Peak Reservoir. Our planning report for the proposed Guffey Project is currently being prepared on the basis of such a storage space allocation.

The water supply studies worked out in connection with the Guffey plan of development indicate that 50,000 acre-feet of storage capacity in Lucky Peak Reservoir would provide a yield of water adequate to maintain a minimum winter release schedule of 80 cubic feet per second for at least sixty percent of the time. During prolonged cycles of below normal runoff, the storage capacity in Lucky Peak could not be refilled and consequently the release rate would need to be adjusted accordingly. But in any event, as our discussions indicate, the wintertime releases would be subject to scheduling and adjustment in accordance with the desires of your Department to attain flows at the times needed to best maintain the fishery within the framework of the water supply available from the 50,000 acre-feet of storage space in Lucky Peak.

R-1183

Accordingly, with general agreement on the plan of operation, we have been giving consideration to the most effective manner of putting the plan into operation. Although we had in the past considered formalizing the matter through some type of inter-agency agreement, upon further study we are convinced that the most desirable method of effecting the immediate implementation of the plan is through the State of Idaho established water filing procedures. Of course, this action would also be supplemented by the incorporation of the plan into our Guffey plan of development for the Mountain Home Project, which is now in the final stages of preparation and which will be forwarded ultimately to the Congress for its consideration.

As your office is aware, there was filed with the Idaho Reclamation Engineer an application for a storage permit for Lucky Peak Reservoir. This storage application is now pending and has been adjusted to the satisfaction of the water users in the Boise Valley. However, your Department has on file a formal protest of the application. We are informed by State Reclamation Engineer Tappan that he is in a position to issue the permit as soon as arrangements have been made to take care of this protest.

Since the management of the Boise River with respect to the distribution and release of water for irrigation use is under the control of the office of the State Reclamation Engineer, acting through a State Watermaster elected in accordance with State law, it would appear appropriate that the actual implementation of the wintertime operations of water releases be included in the water permit issued by the State of Idaho and, thus, there would be a formal establishment of this matter in such a way that the people in actual charge of water operations would be committed to the plan. Moreover, as we envisioned it, such a procedure would have the advantage of putting the plan into effective operation at once without waiting for formal approval of the plan of development for the Mountain Home Project. Accordingly, we suggest that arrangements be made to withdraw the protest to the pending application for storage permit for Lucky Peak on the understanding that the approval and issuance of the permit would be on the condition that the water accruing to 50,000 acre-feet of space in the Reservoir be available for release under the direction of the Idaho Fish and Game Department for maintaining minimum water flows in the Boise River below Lucky Peak Reservoir. We have discussed this matter with Idaho State Reclamation Engineer and he sees no objection to this proposal.

With the permit issued we can set up the administrative mechanics between our offices, the Board of Control, and the Watermaster of Water District 12A for handling the actual scheduling of water. It is hoped that this

R-1183

provides a solution to this long-standing matter in a manner satisfactory to you. We will, of course, be happy at any time to discuss it further with you if you desire.

Sincerely yours,

(Sgd.) Merrill J. Martz

Regional Director

ACTING

Copy to: Mr. Carl Tappan
State Reclamation Engineer
Boise, Idaho

R-1183

9-27-63

Rec'd 9/30/63
CEG.

Water Supply for Boise Valley Lands

1,000 Acre-Feet

Water Year	Total Requirement	Satisfied from Boise River and Project Storage	Met from Lucky Peak	Shortage	Demand which could be served from Guffey Pumps	Remaining Shortage
28	1940.6	1940.6	0	0		
29	1865.4	1724.2	141.2	0		
1930	1940.6	1779.0	50.0	111.6	37.6	74.0
31	1940.6	1184.7	0	755.9	225.6	530.3
32	1940.6	1915.5	0	25.1	25.1	0
33	1865.4	1865.4	0	0	0	0
34	2015.8	1525.0	252.6	238.2	71.5	166.7
1935	1865.4	1860.4	0	5.0	5.0	0
36	1940.6	1940.6	0	0	0	0
37	1865.4	1611.0	254.4			
38	1940.6	1940.6	0			
39	2015.8	1942.5	73.3			
1940	1940.6	1940.6	0			
41	1956.9	1800.1	156.8			
42	1914.2	1914.2	0			
43	1940.6	1940.6	0			
44	1806.4	1795.6	10.8			
1945	1839.0	1839.0	0			
46	1940.6	1940.6				
47	1910.5	1910.5				
48	1806.4	1806.4				
49	2015.8	2015.8				
1950	1940.6	1940.6				
51	2015.8	2015.8				
52	1940.6	1940.6				
53	1925.5	1925.5				
54	1985.7	1985.7				
1955	1722.8	1722.8				
56	2047.5	2047.5				
57	1877.4	1877.4				
58	1905.2	1905.2				
59	1983.1	1983.1				
1960	2018.9	2018.9	0	0	0	0
61	1986.8	1715.3	192.9	78.6	23.8	54.8

D-1183

9-27-63

Use of Lucky Peak Storage in Non-Critical Years to Reduce Pumping from Snake River

Water Year	1,000 A.F.
28	62.8
29	21.3
1930	0
31	0
32	0
33	0
34	37.5
1935	0
36	13.7
37	0
38	63.1
39	48.6
1940	14.9
41	0
42	0
43	30.6
44	0
1945	33.3
46	63.3
47	66.6
48	62.2
49	60.9
1950	66.7
51	63.4
52	63.4
53	63.4
54	70.9
1955	64.9
56	63.2
57	51.3
58	53.1
59	174.8
1960	0
61	0

July 25, 1963

Re: Application for Permit
R-35086

William Burpee
Field Solicitor
U. S. Dept. of Reclamation
Box 937, Boise, Idaho

Dear Mr. Burpee:

We received your letter of July 24th, in regard to protests in regard to the Lucky Peak application.

All valid protests have been withdrawn except the protest of the State Department of Fish and Game. We have a copy of their letter to you dated May 2, 1963, in regard to negotiations in regard to this matter.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
Box 937
Boise, Idaho

JUL 24 1963

State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho

Dear Sir:

I would appreciate knowing the status of the application for a permit on Lucky Peak, No. R-35086, sent to you on December 17, 1957, and amended by letter of April 3, 1963. I believe that all parties still interested in this matter have withdrawn their protests in order to allow the amended application to be approved. If a discussion would be helpful, please let us know.

Sincerely yours,

William Burpee

William Burpee
Field Solicitor

R-1183

RECEIVED
MAY 6
Department of Reclamation

STATE OF IDAHO

ROBERT E. SMYLIE
GOVERNOR

COMMISSION
GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
TOM FELTON MOSCOW
FRANK CULLEN COEUR D'ALENE

Department of Fish and Game

JOHN R. WOODWORTH
DIRECTOR

518 FRONT STREET BOISE, IDAHO

May 2, 1963

COPY

Mr. Harold T. Nelson
Regional Director
U. S. Bureau of Reclamation
P. O. Box 937, Fairgrounds
Boise, Idaho

Dear Mr. Nelson:

We have been advised that the U. S. Bureau of Reclamation on April 10, 1963, filed an amended application for the storage of irrigation water in Lucky Peak Reservoir with the State Reclamation Engineer. We have been advised also that all objections to the original filing of December 18, 1957, with the exception of the one filed by this Department, have been removed following the filing of the amended application.

It appears appropriate at this time that our agencies should resume negotiations to prepare an operating agreement for winter release of flood storage water in Lucky Peak Reservoir. Our records indicated that a rough draft of such an agreement was prepared and discussed in early 1962.

Can you suggest a date to confer on this problem?

Sincerely,

IDAHO DEPARTMENT OF FISH AND GAME
John R. Woodworth, Director

COPY Original Signed by Robert L. Salter
Robert L. Salter
Assistant Director

RLS:LWM:jf

cc: George Carter, State Reclamation Department
Don Orcutt, U. S. Bureau of Commercial Fisheries, Boise
Ted Miller, U. S. Fish & Wildlife Service, Boise



R-1183

ANDERSON, KAUFMAN AND ANDERSON
LAWYERS
IDAHO BUILDING
BOISE, IDAHO

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT

TELEPHONE 342-4591
POST OFFICE BOX 2773

April 24, 1963

RECEIVED
APR 25
Department of Reclamation

State Reclamation Engineer
Statehouse
Boise, Idaho

Dear Sir:

Reference is to the last amended application filed with you by the United States Bureau of Reclamation covering the Lucky Peak stored waters to supplement existing water rights in Boise Valley.

I am attorney for the Nampa and Meridian Irrigation District.

The objections of Nampa and Meridian Irrigation District to the filing are hereby withdrawn so that the application may be processed and the permit issued.

Yours very truly,

ANDERSON, KAUFMAN AND ANDERSON

By

Eugene H. Anderson

EHA:pho
cc: Mr. Ernest Anderson, Lawyer
Box 205, Parma, Ida.
Mr. Maurice H. Greene, Lawyer
Box 1554, Boise, Ida.
Mr. William Burpee
U.S. Dept. of Reclamation
Fairgrounds, Boise, Ida.

MAURICE H. GREENE
ATTORNEY AT LAW
BOISE, IDAHO

POST OFFICE BOX 1554
TELEPHONE 3-2841

April 22, 1963

State Reclamation Engineer
107 State House
Boise, Idaho

Dear Sir:

I am attorney for the Boise Project Board of Control. Recently I and other attorneys interested in the matter have had several conferences with officials of the United States Bureau of Reclamation concerning the filing made by it covering Lucky Peak Dam and Reservoir on the Boise River. As a result of these conferences, the Bureau has submitted to you an amended filing. If the amended filing is accepted by your office, the Boise Project Board of Control withdraws its objections to the issuance of the permit.

Very truly yours,

Maurice H. Greene

MHG:ih

CC: Mr. Ernest Anderson, Parma, Idaho
Mr. Eugene H. Anderson, Boise, Idaho
Mr. William Burpee, Boise, Idaho
Mr. W. J. Farrell

D-1183

Farmers' Co-Operative Ditch Company

Parma, Idaho

File application Pending

April 18, 1963.

State Reclamation Engineer,
State of Idaho,
Boise, Idaho,

Dear Sir:

The United States of America acting through the Bureau of Reclamation, having on the 10th day of April, 1963, filed in your office an AMENDED -APPLICATION FOR PERMIT to appropriate the storage waters of the Lucky Peak Reservoir for the benefit of, and to the use of, the present irrigated lands of the Boise Valley, and such amended application meeting the requirements of this company, you are hereby notified that no protest will be filed against the approval of said amended application, and we will plead no further in the matter.

Very truly yours,

FARMERS' CO-OPERATIVE DITCH COMPANY, LTD.,

By Ernest Anderson
Its President and Attorney.

CC To Mr. William Burpee,
Field Solicitor,
Bureau of Reclamation,
Portland Region,
P. O. Box 937
Boise, Idaho

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

IN REPLY
REFER TO: 150

APR 10 1963

State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho

Dear Sir:

As requested in your letter of April 4 we enclose our amended application for permit for Lucky Peak Reservoir, on which the corrections to items 11, 18, and 19 have been made. The references to power features of the reservoir have been deleted, and if and when such features are planned for incorporation into the reservoir a new application will be submitted covering the diversions needed to take care of such power features.

Very truly yours,

M. B. Austin

Assistant Regional Director

Enclosure

R-1183

April 4, 1963

Re: Application for Permit
Lucky Peak Reservoir

Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Sir:

Returned herewith is amended application for permit.

Under 10, you show water is to be used for irrigation. Under 11 (b) you show power will be developed. Under 17 works constructed. Is the power plant constructed? The time under 18 should be shown as five years. Time under 19 should be reduced to 11 years. Additional time can be allowed later.

Kindly complete or correct the application and return.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application

D-1183

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 35086
Permit No. R 1183

1. Name of Applicant: United States of America, acting through the Regional Director, Region 1, Bureau of Reclamation
Post office address: P.O.Box 937 Boise State Idaho
and for the benefit of the users of Boise River water.

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 corporation are:

(a) Cash on hand: $ (b) Treasury Stock: $

(c) Bonds to be issued: $ (d) Other resources:

2. Quantity of water to be stored: 307,000 acre feet per annum.

3. Source of water supply is Boise (River) (Spring), a tributary of Snake River.

4. The outlet of the proposed reservoir is located S6°20'W 2300 feet, distant from the NE corner of Section 11, Township 2 N., Range 3 E., B.M. and is in the SE ¼ of NE ¼ of Section 11, Township 2 N., Range 3 E., B.M. County of Ada
(bearing)
intake tower to the

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Boise (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located feet distant from the corner of Section, Township, Range, B.M., and is in the ¼ of ¼ of Section, Township, Range, B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second
(bearing)

6. (a) The area of the high water line of the reservoir is 2,850 acres.

(b) The reservoir capacity is 307,000 (total capacity); 278,200 (usable storage) acre feet.

7. Height of reservoir dam 340 feet, length of crest 1,700 feet, length at bottom variable feet, size of outlet 23 feet inside diameter. The dam is to be constructed of materials as follows: the existing Lucky Peak Dam and is Rolled earth and gravel fill.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Boise (River)? No

(b) Water stored in reservoir will be carried in the channel of Boise (Creek) (River) a distance of 2 miles to point of diversion located at the existing Boise Diversion Dam S41°45' E 356 feet, distant from the E¼ corner of Section 4, Township 2 N., Range 3E., B.M., and Lot 9 of Section 3 Township 2 N., Range 3 E., B.M., and to other points of diversion in the Boise River downstream therefrom.
(bearing)

9. (a) Area of watershed above dam site 2,650 square miles.

(b) Estimated maximum flow of stream 35,000 to 40,000 (unregulated natural flow) cubic feet per second.

10. Water is to be used for irrigation purposes.

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

(a) Point of use of water feet, distant from Corner of Section, Township, Range
(bearing)
, B.M., and is in the ¼ of ¼ of Section, Township, Range, B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet
(bearing)
distant from the corner of Section, Township, Range, B.M. in the ¼ of ¼ of Section, Township, Range, B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed or enlarged, as described in Permit No. 4800 & 16098 which is hereby referred to and made a part hereof, and other existing canals diverting from the Boise River.

13. Kind of diversion works: Rubble concrete weir dam
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet, length at bottom 400 feet. The dam is constructed of materials as follows: Rubble concrete. Diversion will be through the existing New York Canal and other canals diverting from the Boise River.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

R-1183

15. Size of headgate: [redacted] gates each, 5[redacted] 9[redacted]

16. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9 feet, Dimensions of Flume

Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated Cost of Works. Storage Works: $ Constructed Diversion Works: $ Constructed

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is 6 years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			Lucky Peak stored waters will be utilized in the Boise Valley on presently irrigated lands for supplemental irrigation water.																

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are Water License No. R-698, No. R-652, No. 430, No. 7280, No. 16098, and the rights described in the Bryan and Stewart decrees.

22. REMARKS: The water to be stored under this permit will be used to supplement lands having existing water rights in the Boise Valley who desire to contract therefor.

CONDITIONS: This permit is issued on condition - "That the yield of water from 50,000 acre feet of space be available for maintaining minimum winter time flow in the Boise River below Boise Diversion Dam under a release schedule established from time to time by the Director of the Idaho Fish and Game Department.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA, *Applicant.*

By s/ M. B. Austin, *Agent.*
Acting Regional Director

Date of first receipt at Department of Reclamation: 8:00 A.M. April 12, 1963

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

This permit is numbered R 1183

Recorded in book R 5, page 1183. Approved March 20, 1964

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before Mar 20, 1964, to be filed on or before

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of the work above specified to be completed on or before September 20, 1966

Application of said work to be completed on or before March 20, 1969

Complete use of water stored in accordance herewith, to be made on or before March 20, 1975

Witness my hand this 20th day of March, 19 64

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN WITNESS WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th day of March, 19 64

COUNTERSIGNED

s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor.

(SEAL)

R-1183

K-1183

See U.S.B.R. letter to Roy Musselman, Watermaster 12-17 in Water District file for 1964.

R. H.

R-1183

Address all communications to

(Form No. 2)

P. O.

AMENDED

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store the Public Waters of the State of Idaho

Application No. R

Permit No. R

1. Name of Applicant: The United States of America, acting through the Regional Director, Region 1, Bureau of Reclamation

Postoffice address: P.O. Box 937, Boise, County Ada, State Idaho

and for the benefit of the users of Boise River water.

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 corporation are:

(a) Cash on hand: $

(b) Treasury Stock: $

(c) Bonds to be issued: $

(d) Other resources:

2. Quantity of water to be stored: 307,000 acre feet per annum

3. Source of water supply is Boise (~~Creek~~) (River) ~~(Spring)~~ a tributary of Snake River.

4. The intake tower to the outlet of the proposed reservoir is located S6°20'W 2300 (bearing) feet, distant from the NE corner of Section 11, Township 2 N., Range 3 E., B. M., and is in the SE ¼ of NE ¼ of Section 11, Township 2 N., Range 3 E., B. M. County of Ada

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Boise (~~Creek~~) (River)

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet, distant from the corner of Section, Township, Range, B. M., and is in the ¼ of ¼ of Section, Township, Range B. M width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.

6. (a) The area of the high water line of the reservoir is 2,850 acres.

(b) The reservoir capacity is 307,000 (total capacity); 278,200 (usable storage) acre feet.

7. Height of reservoir dam 340 feet, length of crest 1,700 feet, length at bottom variable feet, size of outlet 23 feet inside diameter. The dam is to be constructed of materials as follows: the existing Lucky Peak Dam and is Rolled earth and gravel fill.

(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Boise ~~(Creek)~~ River? No.

(b) Water stored in reservoir will be carried in the channel of Boise (River,) a distance of 2 miles to point of diversion located at the existing Boise Diversion Dam S41°45'E (bearing) 356 feet, distant from the E¼ corner of Section 4 Township 2 N., Range 3 E., B. M., and Lot 9 of Section 3, Township 2 N., Range 3 E. B. M., and to other points of diversion in the Boise River downstream therefrom.

9. (a) Area of watershed above dam site 2,650 square miles

(b) Estimated maximum flow of stream (unregulated natural flow) 35,000 to 40,000 cubic feet per second.

10. Water is to be used for irrigation purposes.

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

(a) Point of use of water S6°20'W (bearing) 2,300 feet, distant from NE Corner of Section 11, Township 2 N., Range 3 E. B. M. and is in the SE ¼ of NE ¼ of Section 11, Township 2 N., Range 3 E., B. M.

(b) Amount of power generated: 40,200 H. P., under 240 maximum feet head.

(c) Water is to be returned to Boise (River) at the point of use. (bearing) feet distant from the corner of Section, Township, Range, of Section, Township, Range,

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed or enlarged, as described in 16098 Permit No. 4800 &, which are hereby referred to and made a part hereof, and other existing canals diverting from the Boise River.

13. Kind of diversion works: Rubble concrete weir dam (Dam, canal, flume pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet length at bottom 400 feet. The dam is constructed of materials as follows: Rubble concrete. Diversion will be through the existing New York Canal and other canals diverting from the Boise River.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: New York Canal - 8 gates each, 5' x 9'.

16. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9 feet, Dimension of Flume

Diameter of Pipe inches: Length of Conduit Miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ Constructed Diversion Works: $ Constructed

18. Time required for completion of work years.

19. Time required for complete application of water to proposed beneficial use is 15 years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

TP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			Lucky Peak stored waters will be utilized in the Boise Valley on presently irrigated lands for supplemental irrigation water.																

Total Number of Acres to be Irrigated

R-1183

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 are Water License No. R-698, No. R-652, No. 430, No. 7180, No. 4800, No. 16098 and the rights described in the Bryan and Stewart decrees.

Remarks: The water to be stored under this permit will be used to supplement lands having existing water rights in the Boise Valley who desire to contract therefor.

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA
Applicant.

By H. T. Nelson Regional Director Agent.

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, _____ of _____, County of _____ State of _____, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of _____ is located, to-wit: _____ and that I do hereby grant unto the said _____ _____ permission to file on the said spring as set forth in the foregoing application for permit to construct reservoir and store and appropriate the water from said spring.

_____

STATE OF IDAHO,
County of _____ } ss.

On this _____ day of _____, 19____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name, _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

_____
Notary Public.

My commission expires: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

IN REPLY
REFER TO: 150

APR 2 1962

RECEIVED
APR 5 1962
Department of Reclamation

Boise Project Board of Control
P.O. Box 2298, Boise, Idaho

Boise Valley Irrigation Ditch Co.
5717 Elmer Street, Boise, Idaho

Nampa & Meridian Irrigation Dist.
1503 - 1st So., Nampa, Idaho

Wilder Irrigation District
P.O. Box 406, Caldwell, Idaho

New Dry Creek Ditch Co., Ltd.
c/o Boyd L. Burnett
Route 1, Eagle, Idaho

Maurice H. Greene, Attorney for
Boise Project Board of Control
300 North 6th, Boise, Idaho

Ernest Anderson, Attorney for
Farmers' Co-Operative Ditch Co.
P.O. Box 205, Parma, Idaho

Mr. John Demond, Chairman,
Supervisory Committee of
Water District 12-A
Route 2, Boise, Idaho

Farmers' Co-Operative Ditch Co. Ltd.
Parma, Idaho

New York Irrigation District
P. O. Box 697, Boise, Idaho

Boise-Kuna Irrigation District
Kuna, Idaho

Big Bend Irrigation District
Route 3, Parma, Idaho

State Engineer, State of Idaho
State House
Boise, Idaho

Eugene H. Anderson, Attorney for Nampa &
Meridian Irrigation District
Box 2773, Boise, Idaho

Grant L. Ambrose, Attorney for New Dry
Creek Ditch Company, Ltd.
929 East 1st, Meridian, Idaho

Mr. Edwin B. Karn,
Boise River Watermaster
214 Broadway, Boise, Idaho

Gentlemen:

The application of the United States of America to appropriate the storage of Lucky Peak Reservoir on the Boise River for irrigation purposes has been before the Idaho State Reclamation Engineer since December 1957. It is our purpose in this letter to review the standing of this application and to propose a program for future action with respect thereto.

R-1183

The decision to file this application was made after discussions with the Boise Project Board of Control, the Boise River Watermaster, and other parties interested in having the storage in this reservoir available for irrigation use. The Corps of Engineers, who built and operate the reservoir were informed of this application and they recognized that greater multiple use of the reservoir would be accomplished by establishing an irrigation right for the stored water. The opinion of all concerned at that time was that the filing should be made and therefore the application was filed. The purpose of the filing was to establish under state water law procedures a water right for irrigation for Lucky Peak stored water. This should be done in order to establish a primary right for irrigation use ahead of possible uses for secondary purposes.

The application was presented to the State Reclamation Engineer on December 18, 1957, and such notice of application was duly made with the last date for protest to the State Reclamation Engineer being for January 27, 1958. Protests to this application were made by the Farmers' Co-Operative Ditch Co., Ltd. on January 23, 1958, and the Department of Fish and Game of the State of Idaho on January 24, 1958. These protests were timely made. Later additional protests were filed as follows: the Boise Valley Irrigation Ditch Co. on September 21, 1959; a joint protest of the New York Irrigation District, the Nampa & Meridian Irrigation District, the Boise-Kuna Irrigation District, the Wilder Irrigation District, and the Big Bend Irrigation District, on September 21, 1959; and the New Dry Creek Ditch Co. on November 2, 1959.

I am enclosing a copy of the application to appropriate and store Lucky Peak water and copies of the protests on such application. From the protests as filed we have difficulty in determining the principal purpose of the objections to the filing.

When the application was under discussion and submitted it was our understanding that there would be no interference with prior water rights in the natural flow and flood waters of the Boise River, and the application would supplement the storage rights in Arrowrock or Anderson Ranch Dam to the extent required. Likewise, it was our understanding that the application was consistent with the coordination plan agreed on among the Bureau of Reclamation, the Corps of Engineers, and the Boise Valley water users concerning flood control operations of the Boise River reservoir system. Obviously, a filing to provide a state water right for the use of Lucky Peak stored water for irrigation use by state law is subject to all prior rights, but if there are any doubts concerning this, perhaps the application could be approved in a manner to further strengthen the position of all of us that the application should not change or interfere with any established rights or operational agreements. This approval could contain an explicit disclaimer along these lines:

R-1183

The right to store and use of such stored water under this application is subject to all existing rights in the Boise River, including rights to natural flow, flood or stored waters, and to the integrated operational plan for joint system-wide operation as reflected in the 1954 agreements between the United States and the water users organizations participating in storage in the Boise Valley. The stored water under this permit will be available first as supplemental water for any existing water right lands which desire to contract therefor.

As to the measurement and distribution of water, mentioned in some of the protests, this is a matter for the Watermaster, acting pursuant to state law. A water right permit, if issued, could not possibly detract from his authority and responsibility to measure and distribute the waters of the river in accordance with state water rights. We emphasize again that the purpose of the filing is to establish a right under state law for the use of Lucky Peak stored water for irrigation. As matters now stand there is no established state water right for Lucky Peak stored waters.

It is our understanding from informal discussions with the State Engineer's office that if the existing protests were withdrawn that office would be in a position to issue a permit which would, of course, contain the safeguards as discussed herein. It is hoped that some common agreement can be worked out so that a state water right can be secured as initially planned when the application was filed. It is the purpose of this letter to inform you of the present status of this matter and obtain your present views as to the proper procedure to be followed.

If there is any further information that you desire we will be glad to provide it. Perhaps agreement on a course of action can be best accomplished at a joint discussion, and we will be glad to arrange one at a convenient time.

Very truly yours,

H. T. Nelson

Regional Director

Enclosures

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

IN REPLY
REFER TO: 150

RECEIVED
APR 4 1963
Department of Reclamation

APR 3 1963

State Reclamation Engineer
107 State House
Boise, Idaho

Dear Sir:

The application for reservoir permit filed by the United States of America covering the Lucky Peak Dam and Reservoir on the Boise River for irrigation purposes, has been before you since December 1957. After discussions with the parties who protested this filing, I believe that agreement has been reached as to a solution to these protests.

This solution involves confining the application of stored water to lands now entitled to receive water in the Boise Valley, leaving for further action any matter of application of Lucky Peak water to additional land until a later time. As no additional waters or lands are involved in making such a change in the wording of the application, it was thought that an amended application and a withdrawal of the protests would make it possible for you to issue the permit.

I am forwarding, therefore, for your consideration, an amended application for this filing with the belief that this amended application will meet with the approval of the irrigation protestants who have indicated objections to the original application. I am supplying a copy of this amended filing to the representatives of the protestants. It is our understanding that the protests now before you will be withdrawn in view of the amended application.

Very truly yours,

A. T. Nelson

Regional Director

Enclosure

Copy to: Ernest Anderson, Attorney, Parma, Idaho
Maurice H. Greene, Attorney, Boise, Idaho
Eugene H. Anderson, Attorney, Boise, Idaho
(with enclosure)

R-1183

File
B & R Applin. Lucky Peak storage

RECEIVED
JUN 5 1961
Department of Reclamation

IN

ater Supply and Pollution Control
Program, Pacific Northwest
oom 570 Pittock Block
ortland 5, Oregon

June 2, 1961

Mr. Ross Leonard, Director
Idaho Department of Fish and Game
Boise, Idaho

Dear Ross:

I have a copy of your letter of May 19, 1961, to Harold Nelson, Regional Director, Bureau of Reclamation, in which you propose that a meeting be held to develop an interim operating agreement for winter releases of water from Lucky Peak Reservoir. I am extremely interested in your proposed plan of action and feel that it is an important step in the direction of giving full consideration to the problems of fish, recreation, pollution control, and the like.

I hope that you will keep us informed of the progress made along the lines of your suggestion. If we can be of any assistance on this matter, please let me know.

Sincerely yours,

Leonard B. Dworsky
Officer-in-Charge

cc-Mr. Harold Nelson, Regional Director
Mr. George Carter, State Reclamation Engineer
District Engineer, U. S. Army Corps of Engineers, Walla Walla
Mr. Terrel O. Garver, Idaho Administrator of Health
Regional Director, Bureau of Sport Fisheries and Wildlife
Regional Director, Bureau of Commercial Fisheries.

D-1183

RECEIVED
MAY 22 1961
Department of Reclamation

STATE OF IDAHO

ROBERT E. SMYLIE
GOVERNOR

GMC 5-26

COMMISSION
GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
TOM FELTON MOSCOW
FRANK CULLEN COEUR D'ALENE

Department of Fish and Game

ROSS LEONARD
DIRECTOR

COPY

May 19, 1961

Mr. H. T. Nelson, Regional Director
U. S. Bureau of Reclamation
Fair Grounds
Boise, Idaho

Dear Mr. Nelson:

Almost two years ago the desirability of an interim operating agreement for winter releases of water from Lucky Peak Reservoir was discussed in your office by ourselves, members of our staffs, and representatives of the Fish and Wildlife Service. Purpose of the winter releases would be for the rehabilitation and maintenance of the game fish populations in the Boise River below diversion dam.

Such an interim operating agreement would make it possible for us to withdraw our objection to the Bureau's application for the flood control storage in Lucky Peak Reservoir now pending before the State Reclamation Engineer. It is understood, of course, that such an agreement would not in any way jeopardize the rights others have established for the use of Boise River waters, nor would it effect the present operational plan for winter releases. It would give this Department the right to the winter release of flood storage waters from Lucky Peak Reservoir, which waters would be part of those included in the pending application.

R-1183

Since the meeting in your office, considerable time has been spent studying and discussing the various facets of such an interim agreement: legal, hydrological, public health, recreational, and biological. These studies and discussions have reached the point where the most fruitful effort would be one directed toward drafting such an agreement.

We are proposing, therefore, that you designate two members of your staff to meet with two of my staff and representation from the Fish and Wildlife Service to work up a draft of an interim operating agreement. Copies of the draft would then be mailed to the State Reclamation Engineer, U. S. Army, Corps of Engineers, Boise Board of Control, State Land Board, State Health Board, U. S. Public Health Service, and other interested agencies, for their review and comment. Following this a conference at the administrative level would be called to discuss the terms of the agreement as revised from comments of the various groups. The agreement could then be finalized and executed.

It is understood, of course, that no winter releases for the benefit of fish could be made until waters had been stored over and beyond the needs of all the existing water rights. This fact should remove objections which might be raised by irrigators fearful of the possibility of drought years following this year.

We would appreciate your early consideration of this request.

Sincerely yours,

COPY Original Signed by Ross Leonard

Ross Leonard
Director

cc:
(See attached list)

COPY

Distribution List
Mr. H. T. Nelson, Regional Director
May 19, 1961

cc: Honorable Robert E. Smylie, Governor
Mr. George Carter, State Reclamation Engineer
Mr. John Walters, State Land Commissioner
District Engineer, U. S. Army Corps of Engineers, Walla Walla
Mr. Royce VanCuren, Boise Board of Control
Mr. Terrel O. Carver, Idaho Administrators of Health
Regional Director, Bureau of Sport Fisheries and Wildlife
Regional Director, Bureau of Commercial Fisheries
Regional Director, Bureau of Public Health
Members, Idaho Fish and Game Commission

COPY

R-1183

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER AND PROTESTS BY FARMERS COOPERATIVE DITCH COMPANY STATE OF IDAHO, DEPARTMENT OF FISH AND GAME NEW DRY CREEK DITCH COMPANY BOISE VALLEY DITCH COMPANY NEW YORK IRRIGATION DISTRICT NAMPA AND MERIDIAN IRRIGATION DISTRICT BOISE-KUNA IRRIGATION DISTRICT WILDER IRRIGATION DISTRICT BIG BEND IRRIGATION DISTRICT	NOTICE OF HEARING

The notice of continued hearing on the above named Application No. 35086, growing out of a stipulation between the Field Solicitor, Department of the Interior, and the Attorney General of Idaho, said stipulation indefinitely vacating and setting aside the hearing set for the 14th day of November, 1958 on this matter, the same to be reset at the convenience of the State Reclamation Engineer upon fifteen days notice to applicant, is hereby called as follows:

Date	Time	Location
December 13, 1960	10:00 A. M.	__ ____, Mountain Home, Idaho
December 14, 1960	10:00 A. M.	State House, Boise, Idaho
December 15, 1960	10:00 A. M.	__ _____, Caldwell, Idaho

Witnesses appearing before the State Reclamation Engineer to give sworn testimony shall be prepared to arrange for the cost of a court reporter and costs of transcripts.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this _____ day of November, 1960.

_____

State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER AND PROTESTS BY FARMERS COOPERATIVE DITCH COMPANY STATE OF IDAHO, DEPARTMENT OF FISH AND GAME NEW DRY CREEK DITCH COMPANY BOISE VALLEY DITCH COMPANY NEW YORK IRRIGATION DISTRICT NAMPA AND MERIDIAN IRRIGATION DISTRICT BOISE-KUNA IRRIGATION DISTRICT WILDER IRRIGATION DISTRICT BIG BEND IRRIGATION DISTRICT	NOTICE OF HEARING

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Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this _____ day of November, 1960.

_____

State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER

AND PROTESTS BY

FARMERS COOPERATIVE DITCH COMPANY
STATE OF IDAHO, DEPARTMENT OF FISH AND GAME
NEW DRY CREEK DITCH COMPANY
BOISE VALLEY DITCH COMPANY
NEW YORK IRRIGATION DISTRICT
NAMPA AND MERIDIAN IRRIGATION DISTRICT
BOISE-KUNA IRRIGATION DISTRICT
WILDER IRRIGATION DISTRICT
BIG BEND IRRIGATION DISTRICT

NOTICE OF HEARING

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December 14, 1960	10:00 A. M.	State House, Boise, Idaho
~~December 15, 1960~~	10:00 A. M.	_____, ~~Caldwell, Idaho~~

Witnesses appearing before the State Reclamation Engineer to give sworn testimony shall be prepared to arrange for the cost of a court reporter and costs of transcripts.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 15th day of November, 1960.

_____

State Reclamation Engineer

CORN - ONION
CARROT - LETTUCE

SELECT STRAINS
IDAHO GROWN

CROOKHAM COMPANY

Seed Growers

ESTABLISHED 1911

TELEPHONE: 9-7451 ADDRESS: P. O. BOX 651

CALDWELL, IDAHO

October 31, 1960

RECEIVED
OCT 3 1960
Department of Reclamation

George N. Carter
State Reclamation Engineer
107 State Capitol Building
Boise, Idaho

Dear George:

THE CROOKHAM COMPANY WARRANTS TO THE EXTENT OF THE PURCHASE PRICE, THAT SEEDS OR BULBS SOLD ARE AS DESCRIBED ON THE CONTAINER, WITHIN RECOGNIZED TOLERANCES. WE GIVE NO OTHER OR FURTHER WARRANTY, EXPRESS OR IMPLIED.

Papers pertaining to the call of the Interstate Conference on Water Problems at Chicago, Illinois, December 5-6 are enclosed. Undoubtedly you have a similar set, but I thought you might want to extend an invitation to someone else in Idaho. I shall not attend this meeting.

Through the Chamber of Commerce in Caldwell tentative plans have been made for the joint hearing of the Bureau of Reclamation and the Army Engineers for a hearing on the Upper Snake River Report to be held at the Jefferson Junior High School 14th and Everett Street on Friday, December 9, 1960. I scheduled the building between the hours of 10:00 a.m. and 4:00 p.m. and have tentative plans for luncheon arrangements for the staff and others such as yourself. The Chamber has advised the Walla Walla office by phone so the next order is the official say so.

Very truly yours,

CROOKHAM COMPANY

George

George L. Crookham, Jr.

GLC bb
encl

0 1183

RECEIVED
OCT 3 1960
Department of Reclamation

STATE OF IDAHO

OFFICE OF THE GOVERNOR

BOISE

ROBERT E. SMYLIE
GOVERNOR

September 30, 1960

9.7451

Honorable Geo. N. Carter
State Reclamation Engineer
BUILDING

Dear George:

I would be more than happy to have your remarks relative to the enclosed letter from Mr. Crookham.

Would you draft a suggested reply and return Mr. Crookham's letter with your response?

Sincerely yours,

GOVERNOR

RES:c

Encl.

R-1183

DIRECTORS:
JOHN H. BRANDT
LEONARD TIEGS
REX JENSEN

The Guffey Association

OFFICERS:
GEORGE L. CROOKHAM, JR., PRES.
JOHN D. GLASBY, VICE PRES.
EARL C. REYNOLDS, JR., SECY.-TREAS.

Dedicated to the Beneficial Use of Water For Irrigation

P. O. BOX 651
CALDWELL, IDAHO

September 29, 1960

The Honorable Robert E. Smylie
Governor, the State of Idaho
State House
Boise, Idaho

RECD SEP 29 1960

Dear Governor Smylie:

ORGANIZED DECEMBER 28, 1956, TO ASSIST THE IRRIGATED RECLAMATION OF ARID LANDS ON THE SNAKE RIVER DRAINAGE IN IDAHO

A preliminary report has been completed by the Burau of Reclamation on the Guffey B proposal. When this report is finalized and submitted through regular channels the project can be considered by the Congress for authorization.

For sometime the Bureau of Reclamation have had an application for filing on certain waters in Lucky Peak reservoir before the State Reclamation Engineer. It is my suggestion, as President of the Guffey Association, that public hearings be held on this application sometime in mid-November or December and that adequate time be granted for proponents and opponents of the Guffey proposal to enter their opinions on the hearing record.

Another suggestion for your consideration is that these hearings be continued into three separate locations, namely; Boise, Mountain Home and Nampa to allow local interests full choice of expression of their concern.

Very truly yours,

G. L. Crookham, Jr., President

GLC bb
cc: George N. Carter

0-1183

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

ROBERT E. SMYLIE
Governor

R- 35086
Lucky Peak

To the Governor:

Mr. G. L. Crookham, Jr. discussed his idea of holding public hearings on the Guffey-Mountain Home Project with me before addressing his letter of September 29 to you.

It was my suggestion that the hearings Mr. Crookham wishes held might be called under the guise of hearing on the application of the Bureau of Reclamation to appropriate the stored water of Lucky Peak Reservoir for irrigation in Ada, Canyon and Elmore Counties and for power purposes. This application was filed Decemver 18, 1957. Protests against its approval were filed by the State Fish and Game Commission and the Farmer's Cooperative Canal Company.

By stipulation between the Attorney General for Idaho and the Field Solicitor for the Interior Department the hearing on the application and protests originally set for February 14, 1958 was indefinitely vacated to be reset at some future date. And there the matter has since rested except that other canal companies have from time to time filed further protests.

Discussed matter with Governor - agreed to hold hearings on the application - R- 35086 Dec 13, 14, 15
Notices should go out Nov. 15th date

R-1183

DIRECTORS:
JOHN H. BRANDT
LEONARD TIEGS
REX JENSEN

The Guffey Association

OFFICERS:
GEORGE L. CROOKHAM, JR., PRES.
JOHN D. GLASBY, VICE PRES.
EARL C. REYNOLDS, JR., SECY.-TREAS.

Dedicated to the Beneficial Use of Water For Irrigation

P. O. BOX 651
CALDWELL, IDAHO

September 29, 1960

RECEIVED
SEP 30 1960
Dept. ...on

The Honorable Robert E. Smylie
Governor, the State of Idaho
State House
Boise, Idaho

Dear Governor Smylie:

ORGANIZED DECEMBER 28, 1956, TO ASSIST THE IRRIGATED RECLAMATION OF ARID LANDS ON THE SNAKE RIVER DRAINAGE IN IDAHO

A preliminary report has been completed by the Burau of Reclamation on the Guffey B proposal. When this report is finalized and submitted through regular channels the project can be considered by the Congress for authorization.

For sometime the Bureau of Reclamation have had an application for filing on certain waters in Lucky Peak reservoir before the State Reclamation Engineer. It is my suggestion, as President of the Guffey Association, that public hearings be held on this application sometime in mid-November or December and that adequate time be granted for proponents and opponents of the Guffey proposal to enter their opinions on the hearing record.

Another suggestion for your consideration is that these hearings be continued into three separate locations, namely; Boise, Mountain Home and Nampa to allow local interests full choice of expression of their concern.

Very truly yours,

G. L. Crookham, Jr., President

GLC bb
cc: George N. Carter

Rec'd. Nov. 2, 1959
Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO

George Carter, State Engineer

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	PROTEST

Comes now the New Dry Creek Ditch Company, hereinafter designated as the protestant, and for grounds of protest, alleges:-

I.

That the protestant herein, the New Dry Creek Ditch Company, is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Eagle, Ada County, State of Idaho.

II.

That your protestant herein, now operates, and for many years has continuously operated a canal system, distributing the waters of Boise River upon hundreds of acres of land, upon which there resides a great many farm-owners of the said canal company; that said lands are located in the vicinity of Eagle, in Ada County, Idaho.

III.

That heretofore, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters. Operating under said decree, the waters of Boise River have been distributed to the protestant, continuously for many years.

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IV.

That your protestant herein expresses the fear that the impounding by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth will endanger the decreed rights of this company by diverting the waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safe-guards are imposed upon the applicant for the measurement and distribution of both the natural flow and flood waters of the Boise River, during the irrigation season.

V.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season, so long as the rights of the protestant to those waters is not infringed upon.

VI.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation-State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

By order of the Board of New Dry Creek Ditch Company.

DATED and filed this 30th day of September, 1959.

By: /s/ C. F. Purdy
President

Attest:

/s/ Loyd McGrath
Secretary

GRANT L. AMBROSE
Attorney for Protestant
Residing at Meridian, Idaho.

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BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

George N. Carter, Engineer.

In the Matter of the Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	)))))))	PROTEST

COME NOW the New York Irrigation District, the Nampa and Meridian Irrigation District, the Boise-Kuna Irrigation District, the Wilder Irrigation District, and the Big Bend Irrigation District, hereinafter designated as protestants, and protest the above entitled application and for grounds of protest allege:

I

That these protestants are irrigation districts originating and existing under and by virtue of the laws of the State of Idaho, except that the Big Bend Irrigation District originated and exists under and by virtue of the laws of the State of Oregon.

That the address of the New York Irrigation District is Boise, Idaho; that the address of the Nampa and Meridian Irrigation District is Nampa, Idaho; that the address of the Boise-Kuna Irrigation District is Kuna, Idaho; that the address of the Wilder Irrigation District is Wilder, Idaho; and that the address of the Big Bend Irrigation District is Route 3, Parma, Idaho.

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II

That your protestants are engaged in the diversion and delivery of water for irrigation purposes to lands within the boundaries in their respective districts. That all of the irrigated lands within the boundaries of said districts are irrigated by means of water diverted from the Boise River, and that each of said districts are the owners of water rights in the waters of the Boise River or entitled to the beneficial use of such waters; that such water rights include natural stream flow rights, flood water and storage rights in Anderson Ranch Dam and Arrowrock Dam, and in some instances both natural stream flow rights and flood water rights in said Anderson Ranch Dam and Arrowrock Dam; that these protestants have diverted and delivered for irrigation upon lands within their boundaries the waters of the Boise River for a period in excess of twenty-five years.

III

That your protestants presently store or cause to be stored and divert or cause to be diverted the waters of the Boise River by means of a joint and co-ordinated plan of operations by the United States Bureau of Reclamation in the impounding of said waters in Anderson Ranch Dam and Arrowrock Dam and the impounding by the United States Army Corps. of Engineers of the waters of the Boise River in Lucky Peak Dam, and delivery of said waters to the diversion points in the channel of the Boise River of the irrigation works operated by these protestants; under which plan the impounding of the waters and the release of the same is in the best interest of

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flood control of the Boise River and in the fulfillment of the needs of the irrigators in these protesting districts.

IV

That your protestants herein believe the impounding and the storage of Boise River waters in Lucky Peak Dam for the purpose of the above application and the use of said waters as set forth therein will endanger the water rights of these protestants by diverting said waters to the Mountain Home Project and the Hillcrest Project and certain areas in the Boise Project, and will disrupt and destroy the storage and the use of the waters of the Boise River under the co-ordinated plan now in effect between the Bureau of Reclamation, the United States Army Corps. of Engineers, and the Boise Project Board of Control, unless safeguards are made by the applicant in the impounding and the utilization of said waters in Anderson Ranch Dam, Arrowrock Dam and Lucky Peak Dam.

V

Your protestants further allege that the primary purpose in the construction of said Lucky Peak Dam was for flood control, and that if the use of said Dam is changed to irrigation purposes, said change in use will interfere with and impair the diversion and use of said waters of the Boise River now being made by your protestants and which have been made ever since the construction of said Luck Peak Dam.

WHEREFORE, your protestants pray that the application of the United States Bureau of Reclamation, above referred to, be deferred until it has filed in the office of the Department

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of Reclamation in the State of Idaho, detailed plans for the proposed method of operation of Lucky Peak Dam for irrigation purposes; that a hearing be held upon said application; and that your protestants be permitted to appear at said hearing, and introduce evidence in support of this protest.

Dated and filed this ____ day of June, 1959.

New York Irrigation District

By GAYLE JOHNSON

The Nampa and Meridian Irrigation District

By ROBERT P. BROWN

The Boise-Kuna Irrigation District

By W. D. REYNOLDS

The Wilder Irrigation District

By O. W. BUNTON

The Big Bend Irrigation District

By JOSEPH KING

Chairmen of its Board of Directors.

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COPY

Recd Sept 21, 1959
Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO

George Carter, State Engineer

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	)	PROTEST

Comes now the Boise Valley Irrigation Ditch Company, hereinafter designated as the protestant, and for grounds of protest, alleges:-

I.

That the protestant herein, the Boise Valley Irrigation Ditch Company, is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Boise, Ada County, Idaho.

II.

That your protestant herein, now operates and for many years has continuously operated a canal system, distributing the waters of Boise River upon hundreds of acres of land, upon which there resides a great many farm-owners of the said canal company; that said lands are located in the vicinity of Eagle, in Ada County, Idaho.

III.

That heretofore, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree" firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters. Operating under said decree, the waters of Boise River have been distributed to the protestant, continuously for many years.

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[redacted]

IV.

That your protestant herein expresses the fear that the impounding by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth will endanger the decreed rights of this company by diverting these waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safeguards are imposed upon the applicant for the measurement and distribution of both the natural flow and flood waters of the Boise River, during the irrigation season.

V.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season, so long as the rights of the protestant to those waters is not infringed upon.

VI.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation - State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

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COPY

By order of the Board of Directors of the Boise Valley Irrigation Ditch Company.

DATED and filed this 17 day of September, 1959.

s/ By: J. T. MAJORS

Attest:

s/ MRS. RAY FRANZ

GRANT L. AMBROSE
Attorney for Protestant
Residing at Meridian, Idaho.

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[redacted]

COPY

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

Mark R. Kulp, State Engineer.

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code,

PROTEST

Comes now the Farmers' Co-Operative Ditch Company, Ltd., hereinafter designated as the protestant, and for grounds of protest, alleges:-

1.

That the protestant herein, the Farmers' Co-Operative Ditch Company, Ltd., is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Parma, Canyon County, State of Idaho.

2.

That your protestant herein, now operates, and for more than the last fifty years has continuously operated a canal system, distributing the waters of Boise River upon approximately 15,500 acres of land, upon which there resides more than 300 farm-owners of the said canal company; that said lands are located on the northwesterly side of Boise River in Canyon County, Idaho.

3.

That heretofore, namely on January 15, 1906, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters, and on the 14th day of February,

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BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER.

PROTEST

COMES NOW the State of Idaho on behalf of the Department of Fish and Game of the State of Idaho, and protests the granting of Application No. 35086, and respectfully represents that the address of the Department of Fish and Game of the State of Idaho is 518 Front Street, Boise, Idaho; and as grounds for such protest alleges as follows:

(1) That there is already pending before the Department of Reclamation of the State of Idaho Application No. 34892 to appropriate 100 cubic feet per second of the waters of the Boise River stored in Lucky Peak Reservoir, said waters being the same and identical waters sought to be appropriated by the applicant herein by Application No. 35086; and that because of this conflict, Application No. 34892 should be finally determined prior to the consideration of this Application No. 35086.

(2) That the Application No. 35086 shows in Section 19 thereof that the time required for complete application of water to proposed beneficial use is 15 years after the date set for the completion of the applicant's proposed diversion and pumping works, which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that the time required for the complete application of the water to the proposed use must be within six years after the date set for the completion of such works.

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(3) That the Application No. 35086 in Section 2 thereof shows that the applicant seeks to store 57,600 acre feet of water per annum for purposes of irrigating approximately 14,400 acres of unirrigated lands for which no water has been previously appropriated, all of which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that for irrigation purposes, an applicant may not claim for storage more than 5 acre feet of water per acre of land to be irrigated.

(4) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "appropriate contract" whereby said waters will be immediately applied as "supplemental water" upon lands already irrigated by appropriated waters of the Boise River, that said "supplemental water" method of irrigation is not an application of the water to a beneficial use such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

(5) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "exchange agreement" whereby the greatest portion of said waters would be "exchanged" for waters stored in Anderson Ranch Reservoir that will in turn be applied at some undetermined date in the future to lands of the "Mountain Home Project" that is not now under construction, nor proposed for construction at a determined future date, and for which construction funds have not been appropriated by the United States Congress; that the

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appropriation of said waters for an uncommitted project is not an application of the water to a specific use, such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

WHEREFORE, protestant prays that this matter be set down for hearing, after notice as provided by law, and that upon completion of said hearing, said application be dismissed and that the applicant take nothing thereby.

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME OF THE STATE OF IDAHO

By _____
GRAYDON W. SMITH
Attorney General of Idaho

_____
T. J. JONES, III
Assistant Attorney General

ATTORNEYS FOR PROTESTANT
Residing at Boise, Idaho

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STATE OF IDAHO)
) ss.
County of Ada)

ROSS LEONARD, being first duly sworn on oath, deposes and says:

That he is the Director of the Department of Fish and Game of the State of Idaho; that he has read the foregoing Protest, knows the contents thereof, and believes the facts therein stated to be true.

Ross Leonard

SUBSCRIBED AND SWORN to before me this 20th day of January, 1958.

Anna Mastro
Notary Public for Idaho
Residing at Boise, Idaho

(SEAL)

Service of the above and foregoing Protest is hereby acknowledged by receipt of a copy thereof this _____ day of January, 1958.

UNITED STATES OF AMERICA ACTING
THROUGH THE BUREAU OF RECLAMATION

By_____

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11-10-60

Hearings postponed until
Jan '61 at least if ever.
G.W.C.

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File with pending application
of Bureau of Reclamation
to appropriate Lucky Peak
Stored Water.

GWC

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Copy of application on file & mailed 12/17/3[illegible] to State engineer.

Address all communications to

(Form No. 2)

P. O.

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R

Permit No. R

1. Name of Applicant: **United States of America, acting through the Bureau of Reclamation**

Postoffice address: **P. O. Box 937** **Boise** State **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation: **Applicant is the United States Government, acting**

(b) Amount of Capital Stock: **pursuant to the provisions of the act of June 17, 1902**

(c) Amount paid in: **(32 Stat. 388) and acts amendatory thereof or supplementary**

(d) Names and addresses of directors: **thereto.**

II. The financial resources of the corporation are:

(a) Cash on hand: **Receipts in the Reclamation Fund from the sale of Public lands,**

(b) Treasury Stock: $ **mineral leases, etc., and appropriations made by the Congress.**

(c) Bonds to be issued $

(d) Other resources:

2. Quantity of water to be stored 307,000 acre feet per annum

3. Source of water supply is **Boise** (River), a tributary of **Snake** River

4. The outlet of the proposed reservoir is located **intake tower to the** (bearing) 2300 feet, distant from the corner of Section 11, Township 2N, Range 3E, B. M., and is in the SE¼ of NE¼ of Section 11, Township 2N, Range 3E, B. M., County of **Ada**

5. Fill out either (a) or (b)

(a) The reservoir is located in the channel of **Boise** (River)

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet, distant from the corner of Section, Township, Range, B. M., and is in the ¼ of ¼ of Section, Township, Range B. M., width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.

6. (a) The area of the high water line of the reservoir at maximum capacity is 2,850 acres

(b) The reservoir capacity is 307,000 (total capacity); 278,200 (usable storage) acre feet. Height of reservoir dam 340 feet, length (of crest) 1,700 feet, length at bottom variable feet, size of outlet 23 inside diameter. the existing Lucky Peak Dam and is/earth rolled and gravel fill. The dam as to be constructed of materials as follows:

(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre feet, plans must be approved by Department of Reclamation, before beginning construction.)

7. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of **Boise** (River)? **No**

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(b) Water stored in reservoir will be carried in the channel of Boise (River.)

a distance of 2 miles to point of diversion/located the existing Boise Diversion Dam S41°45'E (bearing) 356 feet, distant

from the NE corner of Section 4 Township 2N, Range 3E, B. M. and in Lot 9 of Section 3, Township 2N, Range 3E B. M.

9 (a) Area of watershed above dam, site 2,650 square miles

(b) Estimated maximum flow of stream (unregulated natural flow) 35,000 to 40,000 cubic feet per second.

10. Water is to be used for irrigation and power for irrigation pumping purposes.

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

(a) Point of use of water S86°20'W (bearing) / 2,300 feet, distant from NE Corner of Section 11,

Township 2N, Range 3E B. M. and is on the SE ¼ of NE ¼ of Section 11,

Township 2N, Range 3E B. M.

(b) Amount of power generated 40,200 H. P. under 240 maximum feet head.

(c) Water is to be returned to Boise (River) at the point of use (bearing), Township, Range, Meridian

12. Water stored in accordance with this Permit will be carried in place of use through a canal heretofore constructed / for the most part / or enlarged, as described in Permit No. 16098, which is hereby referred to and made a part hereof.

13. Kind of diversion works: rubble concrete weir dam (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet, length at bottom 400 feet. The dam is constructed of materials as follows: rubble concrete. Diversion will be by pumping from pool behind Boise Diversion Dam and through the existing New York Canal.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: New York Canal - 8 gates each, 5' x 9'. Discharge line to Hillcrest Unit is 60" in diameter.

16. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9 feet, Dimensions of Flume

Diameter of Pipe inches; Length of Conduit miles Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ Constructed Diversion Works: $ Constructed in part Pumping plant $585,000.00

18. Time required for completion of work years.

19. Time required for complete application of water to proposed beneficial use is 15 years.

20. The land to be irrigated is described in the following tabulation: (see below)

(Give Irrigable acreage in each 40-acre subdivision.)

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
		20. There is attached and made a part hereof a tabulation of the area to be irrigated in the Hillcrest Unit. This tabulation is based upon preliminary surveys and will be adjusted in the course of final design and construction. Lucky Peak stored water will also be utilized on Boise Project lands, as set out in Water Licenses No. R-696, under arrangements described in section 21.																	

Total Number of Acres to be Irrigated

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(b) Water stored in reservoir will be carried in the channel of Boise (River.)
a distance of 2 miles to point of diversion located the existing Boise Diversion D[illegible] S81°45'E (bearing) 356 feet, distant
from the [illegible] corner of Section 4 Township 2S, Range 3E, B. M. and in [illegible]
Lot 9 [illegible] of Section 3, Township 2S, Range 3E B. M.

9 (a) Area of watershed above dam site 2,650 square miles
(unregulated natural flow)
(b) Estimated maximum flow of stream 35,000 to 40,000 cubic feet per second

10. Water is to be used for irrigation and power for irrigation pumping purposes.

11. If for mining, milling, power or manufacturing purposes give:
(a) Point of use of water 86°20'W (bearing) 2,300 /feet, distant from NE Corner of Section 11,
Township 2S, Range 3E B. M. and is in the SE ¼ of NE ¼ of Section 11,
Township 2S, Range 3E B. M
(b) Amount of power generated 40,200 H. P. under 240 maximum feet head.
(c) Water is to be returned to Boise (Snake (River) stream) at a point the
of use (bearing) [illegible], Township [illegible], Range [illegible],
[illegible], Township [illegible], Range [illegible], Ada

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed
/ or enlarged, as described in / 16098, for the most part
Permit No. 3000 & / which are hereby referred to and made a part hereof.

13. Kind of diversion works: rubble concrete weir dam
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet, length at bottom 400 feet. The dam
is constructed of materials as follows: rubble concrete. Diversion will be by pumping
from pool behind Boise Diversion Dam and through the existing New York Canal.
(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: New York Canal - 8 gates each, 5' x 9'. [illegible] Discharge line to Hillcrest
Unit is 60" in diameter.

16. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9
feet, Dimensions of Flume
Diameter of Pipe inches; Length of Conduit miles Average grade
per mile feet.

17. Estimated cost of Works: Storage Works: $ Constructed Diversion Works: $ Constructed in part
Pumping plant $585,000.00

18. Time required for completion of work years.

19. Time required for complete application of water to proposed beneficial use is 15 years.

20. The land to be irrigated is described in the following tabulation: (see below)

(Give Irrigable acreage in each 40-acre subdivision.)

WP.	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
		20.	There is attached and made a part hereof a tabulation of the area to be irrigated in the Hillcrest Unit. This tabulation is based upon preliminary surveys and will be changed in the course of final design and construction. Lucky Peak stored water will also be utilized on Boise Project lands, as set out in Water Licenses No. 3-698, under arrangements described in section 21.																

Total Number of Acres to be Irrigated

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21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 and in Water License No. R-698 are: Water License No. R-698; No. R-652, No. 730, No. 7180, No. 4800, No. 16098 and other small rights privately held and held by the United States.

Remarks: Water secured under this permit will be used to supplement the existing right under Water License No. R-652 for the lands described in the tabulation made a part of section 20. These lands constitute the Hillcrest Unit of the Mountain Home Division of the Snake River Project and will be served by pumping from behind Boise Diversion Dam. A portion of the Lucky Peak stored water will be diverted into the New York Canal and will be used to serve land tabulated in Water License No. R-698. This use will be under an appropriate exchange agreement and the water stored under Water License No. R-698 in Anderson Ranch Reservoir and so exchanged, will be used in the Mountain Home area by diversion into the Long Tom Tunnel from the South Fork of the Boise River about five miles downstream from Anderson Ranch Dam at a point in the northwest quarter of the northwest quarter (NW¼NW¼) of section seventeen (17), township one (1) south, range eight (8) east, Boise meridian. It is contemplated that the specific area to be irrigated by this exchange arrangement will be described when a filing for the Long Tom Tunnel diversion is submitted prior to its construction. In the meantime, the Lucky Peak storage water will be utilized through an appropriate contract with the Boise Project Board of Control as supplemental water for the project lands. Lucky Peak storage could provide water for only about 14,400 acres of new previously unirrigated land, and the bringing of the new land under irrigation will be possible only through completion of the exchange arrangements discussed above.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the statements herein made a part of this application.

UNITED STATES OF AMERICA
Applicant

By T. T. Nelson, Regional Director Agent

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, ... of ....., County of .....

State of ..... hereby certify that I am the owner in fee lessee of the land on which the spring mentioned in the application of ..... is located, to-wit: ..... and that I do hereby grant unto the said ..... permission to file on the said spring as set forth in the foregoing application for permit to construct reservoir and store and appropriate the water from said spring.

STATE OF IDAHO,
) ss.
County of .....

On this ..... day of ....., 19.., before me, a Notary Public for the State of Idaho, residing at ....., personally appeared ..... known to me to be the person whose name ..... subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public

My commission expires .....

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Approval of State Reclamation Engineer

The number of this permit is R

Recorded in book R , page Approved

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions.

Bond in the sum of $, to be filed on or befor

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before

Beneficial use of water stored in accordance herewith, to be made on or before

Witness my hand this day of , 19 .

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, , Governor of the State of Idaho, and , Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho and caused the Great Seal of the State of Idaho to be hereunto affixed, this day of , 19 .

Countersigned:

STATE OF IDAHO

By , Secretary of State.

By , Governor.

No. R

STORAGE PERMIT

Date of first receipt at office of State Reclamation Engineer

Returned to applicant for correction

Corrected application received

Fees, $ Paid.

FILING FEES FOR STORAGE PERMITS.

For the first 250 acre-feet $5.00

For each additional 250 acre-feet or fraction thereof $0.25

FOR NORMAL FLOW PERMITS.

For the first Second foot $5.00

For each additional second foot or fraction thereof $0.25

R-1183

INTER-DEPARTMENT MEMO --1

DATE

SIGNATURE

FROM

TO

SUBJECT

Board of Control's Protest

Diversion of Lucky Peak H2O to Mt. Home and Fellows endanger Boise Valley rights + disrupt Flood Control plans of Lucky Peak

Fish + Game Comm. Protest.

1. Filed before their applin was disallowed. Wanted Applin held in until decision on their
2. Said applin asked for too much time 15 yrs Didn't know the law - Permit other orgs can have up to 20 yrs
3. Said filing was for 307,000 Ac. Ft. - for only 14,400 acres too much. Applin included Boise Valley lands and via exchange Mt. Home
4. Applin planned supplemental use. said not beneficial - wrong.
5. Exchange agreement - permit for use in conjunction project - not beneficial use

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
P. O. Box 937
Boise, Idaho

RECEIVED
NOV 2 1959
Department of Reclamation

October 30, 1959

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear George:

We have received the enclosed document which was misdirected to this office. I assume it can be added to the existing stack of protests relating to the Lucky Peak Reservoir filing of the Bureau of Reclamation. We have taken the liberty of making a copy for our files. I am enclosing the incoming envelope which may be useful to you in establishing the date of receipt.

Mr. Applegate and I discussed the protests made by the irrigation districts comprising the board of control with the board of control in an endeavor to determine what type of operating plan they had in mind that should be made available to them. As a result of discussions, it was felt that perhaps a conference with you and with the attorney for the board of control might result in a mutual understanding as to the purposes of the filing and lead the way to the issuance of a permit with whatever safeguards are needed concerning the need for exchange agreements before water is diverted out of the Boise drainage into the Mountain Home area. Until this possibility is explored further, it is not proposed that the Bureau make any formal requests with respect to the disposition of these protests. We want to save, of course, all available formal objections to these protests, such as lateness of filing, immateriallity, and the like.

Sincerely yours,

William Burpee
Field Solicitor

Enclosure

R-1183

RECEIVED
NOV 2 1959
Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

George Carter, State Engineer.

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.

PROTEST

Comes now the New Dry Creek Ditch Company, hereinafter designated as the protestant, and for grounds of protest, alleges:-

I.

That the protestant herein, the New Dry Creek Ditch Company, is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Eagle, Ada County, State of Idaho.

II.

That your protestant herein, now operates, and for many years has continuously operated a canal system, distributing the waters of Boise River upon hundreds of acres of land, upon which there resides a great many farm-owners of the said canal company; that said lands are located in the vicinity of Eagle, in Ada County, Idaho.

III.

That heretofore, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters. Operating under said decree, the waters of Boise River have been distributed to the protestant, continuously for many years.

GRANT L. AMBROSE
ATTORNEY AND
COUNSELOR
929 EAST FIRST
MERIDIAN, IDAHO
TELEPHONE 8-2381

R-1183

IV.

That your protestant herein expresses the fear that the impounding by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth will endanger the decreed rights of this company by diverting the waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safe-guards are imposed upon the applicant for the measurement and distribution of both the natural flow and flood waters of the Boise River, during the irrigation season.

V.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season, so long as the rights of the protestant to those waters is not infringed upon.

VI.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation-State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

By order of the Board of New Dry Creek Ditch Company.

DATED and filed this 30 day of September, 1959.

By: C. F. Purdy
President

Attest: Joyce McGrath
Secretary

GRANT L. AMBROSE
Attorney for Protestant
Residin g at Meridian, Idaho.

GRANT L. AMBROSE
ATTORNEY AND
COUNSELOR
929 EAST FIRST
MERIDIAN, IDAHO
TELEPHONE 8-2381

September 21, 1959

Re: Application No. R-35086

Mr. William Burpee,
Field Solicitor,
Bureau of Reclamation,
Box 937,
Boise, Idaho.

Dear Mr. Burpee:

Enclosed are copies of two protests filed in this office against allowance of a permit as described in Application No. R-35086.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Encl.
GNC:pmk

R-1183

RECEIVED
SEP 2 1 1959
Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

George Carter, State Engineer.

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	PROTEST

Comes now the Boise Valley Irrigation Ditch Company, hereinafter designated as the protestant, and for grounds of protest, alleges:-

I.

That the protestant herein, the Boise Valley Irrigation Ditch Company, is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at ~~Eagle~~ Boise, Ada County, Idaho.

II.

That your protestant herein, now operates and for many years has continuously operated a canal system, distributing the waters of Boise River upon hundreds of acres of land, upon which there resides a great many farm-owners of the said canal company; that said lands are located in the vicinity of Eagle, in Ada County, Idaho.

III.

That heretofore, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters. Operating under said decree, the

RANT L. AMBROSE
ATTORNEY AND
COUNSELOR
929 EAST FIRST
MERIDIAN, IDAHO
ELEPHONE 8-2381

waters of Boise River have been distributed to the protestant, continuously for many years.

IV.

That your protestant herein expresses the fear that the impounding by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth will endanger the decreed rights of this company by diverting these waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safe-guards are imposed upon the applicant for the measurement and distribution of bothe the natural flow and flood waters of the Boise River, during the irrigation season.

V.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season, so long as the rights of the protestant to those waters is not infringed upon.

VI.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation-State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

RANT L. AMBROSE
ATTORNEY AND
COUNSELOR
929 EAST FIRST
MERIDIAN, IDAHO
TELEPHONE 8-2381

0-1183

By order of the Board of Directors of the Boise Valley Irrigation Ditch Company.

DATED and filed this 17 day of September, 1959.

By: J. Mayer
President

Attest:
Mrs. Ray Lamy
Secretary

GRANT L. AMBROSE
Attorney for Protestant
Residing at Meridian, Idaho.

GRANT L. AMBROSE
ATTORNEY AND
COUNSELOR
929 EAST FIRST
MERIDIAN, IDAHO
TELEPHONE 8-2381

R-1183

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

George N. Carter, Engineer.

RECEIVED
JUL 9 1959
Department of Reclamation

In the Matter of the Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	)))))))	PROTEST

COME NOW the New York Irrigation District, the Nampa and Meridian Irrigation District, the Boise-Kuna Irrigation District, the Wilder Irrigation District, and the Big Bend Irrigation District, hereinafter designated as protestants, and protest the above entitled application and for grounds of protest allege:

I

That these protestants are irrigation districts originating and existing under and by virtue of the laws of the State of Idaho, except that the Big Bend Irrigation District originated and exists under and by virtue of the laws of the State of Oregon.

That the address of the New York Irrigation District is Boise, Idaho; that the address of the Nampa and Meridian Irrigation District is Nampa, Idaho; that the address of the Boise-Kuna Irrigation District is Kuna, Idaho; that the address of the Wilder Irrigation District is Caldwell, Idaho; and that the address of the Big Bend Irrigation District is Route 3, Parma, Idaho.

R-1183

II

That your protestants are engaged in the diversion and delivery of water for irrigation purposes to lands within the boundaries in their respective districts. That all of the irrigated lands within the boundaries of said districts are irrigated by means of water diverted from the Boise River, and that each of said districts are the owners of water rights in the waters of the Boise River or entitled to the beneficial use of such waters; that such water rights include natural stream flow rights, flood water and storage rights in Anderson Ranch Dam and Arrowrock Dam, and in some instances both natural stream flow rights and flood water rights in said Anderson Ranch Dam and Arrowrock Dam; that these protestants have diverted and delivered for irrigation upon lands within their boundaries the waters of the Boise River for a period in excess of twenty-five years.

III

That your protestants presently store or cause to be stored and divert or cause to be diverted the waters of the Boise River by means of a joint and co-ordinated plan of operations by the United States Bureau of Reclamation in the impounding of said waters in Anderson Ranch Dam and Arrowrock Dam and the impounding by the United States Army Corps. of Engineers of the waters of the Boise River in Lucky Peak Dam, and delivery of said waters to the diversion points in the channel of the Boise River of the irrigation works operated by these protestants; under which plan the impounding of the waters and the release of the same is in the best interest of

0-1183

flood control of the Boise River and in the fulfillment of the needs of the irrigators in these protesting districts.

IV

That your protestants herein believe the impounding and the storage of Boise River waters in Lucky Peak Dam for the purpose of the above application and the use of said waters as set forth therein will endanger the water rights of these protestants by diverting said waters to the Mountain Home Project and the Hillcrest Project and certain areas in the Boise Project, and will disrupt and destroy the storage and the use of the waters of the Boise River under the co-ordinated plan now in effect between the Bureau of Reclamation, the United States Army Corps. of Engineers, and the Boise Project Board of Control, unless safeguards are made by the applicant in the impounding and the utilization of said waters in Anderson Ranch Dam, Arrowrock Dam and Lucky Peak Dam.

V

Your protestants further allege that the primary purpose in the construction of said Lucky Peak Dam was for flood control, and that if the use of said Dam is changed to irrigation purposes, said change in use will interfere with and impair the diversion and use of said waters of the Boise River now being made by your protestants and which have been made ever since the construction of said Luck Peak Dam.

WHEREFORE, your protestants pray that the application of the United States Bureau of Reclamation, above referred to, be deferred until it has filed in the office of the Department

E-1183

of Reclamation in the State of Idaho, detailed plans for the proposed method of operation of Lucky Peak Dam for irrigation purposes; that a hearing be held upon said application; and that your protestants be permitted to appear at said hearing, and introduce evidence in support of this protest.

Dated and filed this ____ day of June, 1959.

New York Irrigation District
By Gayle Johnson

The Nampa and Meridian Irrigation District
By Robert P Brown

The Boise-Kuna Irrigation District
By W. D. Reynolds.

The Wilder Irrigation District
By O W Burton

The Big Bend Irrigation District
By Joseph King

Chairmen of its Board of Directors.

A 1183

File 69B

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER.	)	P R O T E S T

COMES NOW the State of Idaho on behalf of the Department of Fish and Game of the State of Idaho, and protests the granting of Application No. 35086, and respectfully represents that the address of the Department of Fish and Game of the State of Idaho is 518 Front Street, Boise, Idaho; and as grounds for such protest alleges as follows:

(1) That there is already pending before the Department of Reclamation of the State of Idaho Application No. 34892 to appropriate 100 cubic feet per second of the waters of the Boise River stored in Lucky Peak Reservoir, said waters being the same and identical waters sought to be appropriated by the applicant herein by Application No. 35086; and that because of this conflict, Application No. 34892 should be finally determined prior to the consideration of this Application No. 35086.

(2) That the Application No. 35086 shows in Section 19 thereof that the time required for complete application of water to proposed beneficial use is 15 years after the date set for the completion of the applicant's proposed diversion and pumping works, which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that the time required for the complete application of the water to the proposed use must be within six years after the date set for the completion of such works.

D-1183

(3) That the Application No. 35086 in Section 2 thereof shows that the applicant seeks to store 307,000 acre feet of water per annum for purposes of irrigating approximately 14,400 acres of unirrigated lands for which no water has been previously appropriated, all of which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that for irrigation purposes, an applicant may not claim for storage more than 5 acre feet of water per acre of land to be irrigated.

(4) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "appropriate contract" whereby said waters will be immediately applied as "supplemental water" upon lands already irrigated by appropriated waters of the Boise River, that said "supplemental water" method of irrigation is not an application of the water to a beneficial use such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

(5) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "exchange agreement" whereby the greatest portion of said waters would be "exchanged" for waters stored in Anderson Ranch Reservoir that will in turn be applied at some undetermined date in the future to lands of the "Mountain Home Project" that is not now under construction, nor proposed for construction at a determined future date, and for which construction funds have not been appropriated by the United States Congress; that the

appropriation of said waters for an uncommitted project is not an application of the water to a beneficial use, such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

WHEREFORE, protestant prays that this matter be set down for hearing, after notice as provided by law, and that upon completion of said hearing, said application be dismissed and that the applicant take nothing thereby.

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME OF THE STATE OF IDAHO

By_____
GRAYDON W. SMITH
Attorney General of Idaho

_____
T. J. JONES, III
Assistant Attorney General

ATTORNEYS FOR PROTESTANT
Residing at Boise, Idaho

0.1183

STATE OF IDAHO,)
) ss.
County of Ada.)

ROSS LEONARD, being first duly sworn on oath, deposes and says:

That he is the Director of the Department of Fish and Game of the State of Idaho; that he has read the foregoing Protest, knows the contents thereof, and believes the facts therein stated to be true.

_____

SUBSCRIBED AND SWORN to before me this _____ day of January, 1958.

_____
Notary Public for Idaho
Residing at Boise, Idaho

(SEAL)

Service of the above and foregoing Protest is hereby acknowledged by receipt of a copy thereof this _____ day of January, 1958.

UNITED STATES OF AMERICA ACTING
THROUGH THE BUREAU OF RECLAMATION

By_____

R-1183

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
JUL 8 1959
Department of the Interior

IN REPLY
REFER TO:
150

JUL 7 1959

#35086

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter:

In connection with the pending application for a storage permit for Lucky Peak Reservoir, we provided you with a copy of our letter of March 9 to Mr. Ernest Anderson, Parma, Idaho, suggesting withdrawal of a protest filed by him. For convenience, I am enclosing a copy of his reply of April 25. Since it appears that the suggestion to withdraw the protest is not being acted upon, there is no alternate but to schedule the required hearing. We have no objection to the requested delay until Mr. Anderson is available this fall.

Sincerely yours,

Acting Regional Director

Enclosure

R-1183

RECEIVED
JUL 8 1959
Department of Reclamation

COPY

FARMERS' Co-OPERATIVE DITCH COMPANY

Parma, Idaho

April 25, 1959

Mr. H. T. Nelson
Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Re: Matter of Filing on storage waters in Lucky Peak Reservoir

Dear Mr. Nelson:

Replying to your letter dated March 9, 1959, a copy of which you sent to Mr. George N. Carter, State Reclamation Engineer, Boise, Idaho.

Since receiving your letter the matter has been before our Board of Directors, and other interested water users of Boise Valley.

In view of the limited amount of precipitation on the Boise Water Shed this year, we would like to have the hearing on this matter go over until this fall, so that we might observe water supplies during the crop year of 1959, and see just how we come out with our irrigatinn requirements.

And, another matter, I am leaving shortly for Hawaii for a six weeks trip, and would very much appreciate this matter going over until later in the year, a courtesy that I am sure both you and Mr. Carter would extend to me.

I am mindful that the application on the part of the United States of America, acting through its Bureau of Reclamation was filed in the fall of 1957, it would appear that a delay or deferment until fall would not jeopardize the interest of either or any of the parties hereto, or the water users of Boise Valley.

Very truly yours,

/s/ Ernest Anderson

President--Farmers Co-Operative Ditch Co.

R-1183

(COPY)

Farmers' Co-Operative Ditch Company
Parma, Idaho

RECEIVED
APR 27 1959
Department of Reclamation

April 25, 1959.

Mr. N. T. Nelson,
Regional Director,
Bureau of Reclamation,
P. O. Box 937,
Boise, Idaho,

Dear Mr. Nelson: Re: Matter of Filing on storage waters in Lucky Peak Reservoir

Replying to your letter dated March 9, 1959, a copy of which you sent to Mr. George N. Carter, State Reclamation Engineer, Boise, Idaho.

Since receiving your letter the matter has been before our Board of Directors, and other interested water users of Boise Valley.

In view of the limited amount of precipitation on the Boise Water Shed this year, we would like to have the hearing on this matter go over until this fall, so that we might observe water supplies during the crop year of 1959, and see just how we come out with our irrigation requirements.

And, another matter, I am leaving shortly for Hawaii for a six weeks trip, and would very much appreciate this matter going over until later in the year, a courtsy that I am sure both you and Mr. Carter would extend to me.

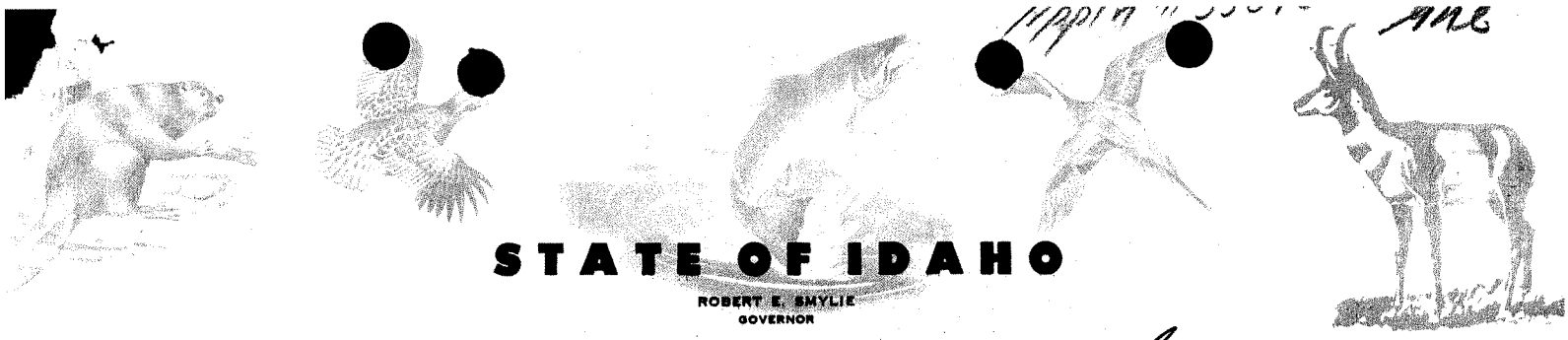
I am mindful that the application on the part of the United States of America, acting through it Bureau of Reclamation was filed in the fall of 1957, it would appear that a delay or deferment until fall would not jeopardize the interest or either or any of the parties hereto, or the water users' of Boise Valley.

Very truly yours,

ERNEST ANDERSON

President-Farmers CoOperative Ditch Co.

Copy to Mr. George N. Carter



STATE OF IDAHO

ROBERT E. SMYLIE
GOVERNOR

COMMISSION
GLENN STANGER IDAHO FALLS
R. J. HOLMES TWIN FALLS
ARLIE JOHNSON BOISE
TOM FELTON MOSCOW
FRANK CULLEN COEUR D'ALENE

Department of Fish and Game

ROSS LEONARD
DIRECTOR

518 FRONT STREET BOISE, IDAHO

April 1, 1959

RECEIVED
APR 2 1959
Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Carter:

I regret that we have not replied to your letter of March 11 at an earlier date; however, we have been extremely busy and have been absent from the office a number of days in recent weeks.

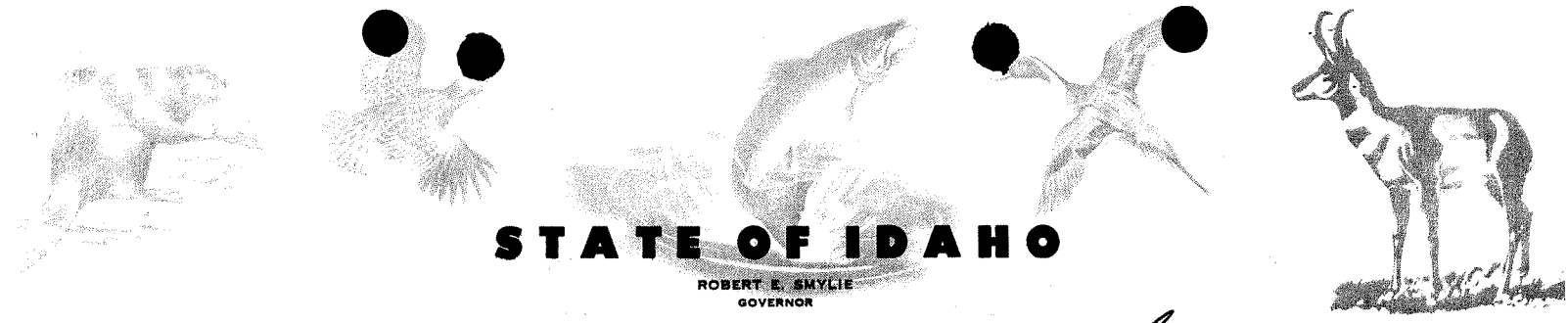
We are presently working with the U. S. Bureau of Reclamation on their application to appropriate the stored waters of Lucky Peak Reservoir. We are hopeful that our differences with the Bureau can be ironed out without the necessity of a hearing and, if they can, we will then be willing to withdraw our protest. However, until such time as we have reached an agreement with them, we would like our protest to continue in force.

Yours very truly,

Ross Leonard

Ross Leonard
Director

D-1183



STATE OF IDAHO

ROBERT E. SMYLIE
GOVERNOR

COMMISSION
GLENN STANGER IDAHO FALLS
I. J. HOLMES TWIN FALLS
CARLIE JOHNSON BOISE
TOM FELTON MOSCOW
FRANK CULLEN COEUR D'ALENE

Department of Fish and Game

518 FRONT STREET BOISE, IDAHO

ROSS LEONARD
DIRECTOR

March 13, 1959

RECEIVED
MAR 1 6 1959
Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
107 Statehouse
Boise, Idaho

Dear Mr. Carter:

I have not, as yet, had an opportunity to discuss your letter of March 11, 1959, regarding our application for stored waters in Lucky Peak Reservoir with members of our staff.

I shall endeavor to do this the forepart of next week, and we shall advise you of our position in this matter.

Sincerely,

Ross Leonard
Director

RL:jt

Rec'd. Nov. 2, 1959
Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO

George Carter, State Engineer

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	PROTEST

Comes now the New Dry Creek Ditch Company, hereinafter designated as the protestant, and for grounds of protest, alleges:-

I.

That the protestant herein, the New Dry Creek Ditch Company, is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Eagle, Ada County, State of Idaho.

II.

That your protestant herein, now operates, and for many years has continuously operated a canal system, distributing the waters of Boise River upon hundreds of acres of land, upon which there resides a great many farm-owners of the said canal company; that said lands are located in the vicinity of Eagle, in Ada County, Idaho.

III.

That heretofore, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters. Operating under said decree, the waters of Boise River have been distributed to the protestant, continuously for many years.

R-1183

IV.

That your protestant herein expresses the fear that the impounding by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth will endanger the decreed rights of this company by diverting the waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safe-guards are imposed upon the applicant for the measurement and distribution of both the natural flow and flood waters of the Boise River, during the irrigation season.

V.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season, so long as the rights of the protestant to those waters is not infringed upon.

VI.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation-State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

By order of the Board of New Dry Creek Ditch Company.

DATED and filed this 30th day of September, 1959.

By: /s/ C. F. Purdy
President

Attest:

/s/ Loyd McGrath
Secretary

GRANT L. AMBROSE
Attorney for Protestant
Residing at Meridian, Idaho.

R-1183

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

George N. Carter, Engineer.

DEP
Department of Reclamation

In the Matter of the Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.	)))))))	PROTEST

COME NOW the New York Irrigation District, the Nampa and Meridian Irrigation District, the Boise-Kuna Irrigation District, the Wilder Irrigation District, and the Big Bend Irrigation District, hereinafter designated as protestants, and protest the above entitled application and for grounds of protest allege:

I

That these protestants are irrigation districts originating and existing under and by virtue of the laws of the State of Idaho, except that the Big Bend Irrigation District originated and exists under and by virtue of the laws of the State of Oregon.

That the address of the New York Irrigation District is Boise, Idaho; that the address of the Nampa and Meridian Irrigation District is Nampa, Idaho; that the address of the Boise-Kuna Irrigation District is Kuna, Idaho; that the address of the Wilder Irrigation District is Wilder, Idaho; and that the address of the Big Bend Irrigation District is Route 3, Parma, Idaho.

R-1183

II

That your protestants are engaged in the diversion and delivery of water for irrigation purposes to lands within the boundaries in their respective districts. That all of the irrigated lands within the boundaries of said districts are irrigated by means of water diverted from the Boise River, and that each of said districts are the owners of water rights in the waters of the Boise River or entitled to the beneficial use of such waters; that such water rights include natural stream flow rights, flood water and storage rights in Anderson Ranch Dam and Arrowrock Dam, and in some instances both natural stream flow rights and flood water rights in said Anderson Ranch Dam and Arrowrock Dam; that these protestants have diverted and delivered for irrigation upon lands within their boundaries the waters of the Boise River for a period in excess of twenty-five years.

III

That your protestants presently store or cause to be stored and divert or cause to be diverted the waters of the Boise River by means of a joint and co-ordinated plan of operations by the United States Bureau of Reclamation in the impounding of said waters in Anderson Ranch Dam and Arrowrock Dam and the impounding by the United States Army Corps. of Engineers of the waters of the Boise River in Lucky Peak Dam, and delivery of said waters to the diversion points in the channel of the Boise River of the irrigation works operated by these protestants; under which plan the impounding of the waters and the release of the same is in the best interest of

R-1183

flood control of the Boise River and in the fulfillment of the needs of the irrigators in these protesting districts.

IV

That your protestants herein believe the impounding and the storage of Boise River waters in Lucky Peak Dam for the purpose of the above application and the use of said waters as set forth therein will endanger the water rights of these protestants by diverting said waters to the Mountain Home Project and the Hillcrest Project and certain areas in the Boise Project, and will disrupt and destroy the storage and the use of the waters of the Boise River under the co-ordinated plan now in effect between the Bureau of Reclamation, the United States Army Corps. of Engineers, and the Boise Project Board of Control, unless safeguards are made by the applicant in the impounding and the utilization of said waters in Anderson Ranch Dam, Arrowrock Dam and Lucky Peak Dam.

V

Your protestants further allege that the primary purpose in the construction of said Lucky Peak Dam was for flood control, and that if the use of said Dam is changed to irrigation purposes, said change in use will interfere with and impair the diversion and use of said waters of the Boise River now being made by your protestants and which have been made ever since the construction of said Luck Peak Dam.

WHEREFORE, your protestants pray that the application of the United States Bureau of Reclamation, above referred to, be deferred until it has filed in the office of the Department

L-1183

of Reclamation in the State of Idaho, detailed plans for the proposed method of operation of Lucky Peak Dam for irrigation purposes; that a hearing be held upon said application; and that your protestants be permitted to appear at said hearing, and introduce evidence in support of this protest.

Dated and filed this ____ day of June, 1959.

New York Irrigation District

By GAYLE JOHNSON

The Nampa and Meridian Irrigation District

By ROBERT P. BROWN

The Boise-Kuna Irrigation District

By W. D. REYNOLDS

The Wilder Irrigation District

By O. W. BUNTON

The Big Bend Irrigation District

By JOSEPH KING

Chairmen of its Board of Directors.

R-1183

COPY

Recd Sept 21, 1959
Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO

George Carter, State Engineer

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code.

PROTEST

Comes now the Boise Valley Irrigation Ditch Company, hereinafter designated as the protestant, and for grounds of protest, alleges:-

I.

That the protestant herein, the Boise Valley Irrigation Ditch Company, is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Boise, Ada County, Idaho.

II.

That your protestant herein, now operates and for many years has continuously operated a canal system, distributing the waters of Boise River upon hundreds of acres of land, upon which there resides a great many farm-owners of the said canal company; that said lands are located in the vicinity of Eagle, in Ada County, Idaho.

III.

That heretofore, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree" firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters. Operating under said decree, the waters of Boise River have been distributed to the protestant, continuously for many years.

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[redacted]

COPY

IV.

That your protestant herein expresses the fear that the impounding by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth will endanger the decreed rights of this company by diverting these waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safeguards are imposed upon the applicant for the measurement and distribution of both the natural flow and flood waters of the Boise River, during the irrigation season.

V.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season, so long as the rights of the protestant to those waters is not infringed upon.

VI.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation - State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

R-1183

COPY

By order of the Board of Directors of the Boise Valley Irrigation Ditch Company.

DATED and filed this 17 day of September, 1959.

s/ By: J. T. MAJORS

Attest:

s/ MRS. RAY FRANZ

GRANT L. AMBROSE
Attorney for Protestant
Residing at Meridian, Idaho.

R-1183

[redacted]

Copy

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

Mark R. Kulp, State Engineer.

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code,

PROTEST

Comes now the Farmers' Co-Operative Ditch Company, Ltd., hereinafter designated as the protestant, and for grounds of protest, alleges:-

1.

That the protestant herein, the Farmers' Co-Operative Ditch Company, Ltd., is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Parma, Canyon County, State of Idaho.

2.

That your protestant herein, now operates, and for more than the last fifty years has continuously operated a canal system, distributing the waters of Boise River upon approximately 15,500 acres of land, upon which there resides more than 300 farm-owners of the said canal company; that said lands are located on the northwesterly side of Boise River in Canyon County, Idaho.

3.

That heretofore, namely on January 15, 1906, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters, and on the 14th day of February,

R-1183

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER.

PROTEST

COMES NOW the State of Idaho on behalf of the Department of Fish and Game of the State of Idaho, and protests the granting of Application No. 35086, and respectfully represents that the address of the Department of Fish and Game of the State of Idaho is 518 Front Street, Boise, Idaho; and as grounds for such protest alleges as follows:

(1) That there is already pending before the Department of Reclamation of the State of Idaho Application No. 34892 to appropriate 100 cubic feet per second of the waters of the Boise River stored in Lucky Peak Reservoir, said waters being the same and identical waters sought to be appropriated by the applicant herein by Application No. 35086; and that because of this conflict, Application No. 34892 should be finally determined prior to the consideration of this Application No. 35086.

(2) That the Application No. 35086 shows in Section 19 thereof that the time required for complete application of water to proposed beneficial use is 15 years after the date set for the completion of the applicant's proposed diversion and pumping works, which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that the time required for the complete application of the water to the proposed use must be within six years after the date set for the completion of such works.

R-1183

(3) That the Application No. 35086 in Section 7 thereof shows that the applicant seeks to store 30,000 acre feet of water per annum for purposes of irrigating approximately 14,400 acres of unirrigated lands for which no water has been previously appropriated, all of which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that for irrigation purposes, an applicant may not claim for storage more than 5 acre feet of water per acre of land to be irrigated.

(4) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "appropriate contract" whereby said waters will be immediately applied as "supplemental water" upon lands already irrigated by appropriated waters of the Boise River, that said "supplemental water" method of irrigation is not an application of the water to a beneficial use such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

(5) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "exchange agreement" whereby the greatest portion of said waters would be "exchanged" for waters stored in Anderson Ranch Reservoir that will in turn be applied at some undetermined date in the future to lands of the "Mountain Home Project" that is not now under construction, nor proposed for construction at a determined future date, and for which construction funds have not been appropriated by the United States Congress; that the

R-1183

appropriation of said waters for an uncommitted project is not an application of the water to a beneficial use, such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

WHEREFORE, protestant prays that this matter be set down for hearing, after notice as provided by law, and that upon completion of said hearing, said application be dismissed and that the applicant take nothing thereby.

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME OF THE STATE OF IDAHO

By _____
GRAYDON W. SMITH
Attorney General of Idaho

_____
T. J. JONES, III
Assistant Attorney General

ATTORNEYS FOR PROTESTANT
Residing at Boise, Idaho

R-1183

STATE OF IDAHO)
) ss.
County of Ada)

ROSS LEONARD, being first duly sworn on oath, deposes and says:

That he is the Director of the Department of Fish and Game of the State of Idaho; that he has read the foregoing Protest, knows the contents thereof, and believes the facts therein stated to be true.

Ross Leonard

SUBSCRIBED AND SWORN to before me this 20th day of January, 1958.

Emma Master
Notary Public for Idaho
Residing at Boise, Idaho

(SEAL)

Service of the above and foregoing Protest is hereby acknowledged by receipt of a copy thereof this _____ day of January, 1958.

UNITED STATES OF AMERICA ACTING
THROUGH THE BUREAU OF RECLAMATION

By_____

R-1183

11-10-60

Hearings postponed until
Jan '61 at least if ever.
G.H.B.

R-1183

File with pending application
of Bureau of Reclamation
to appropriate Lucky Peak
Stored Water.
GHB

R-11

March 11, 1959

Re: Application No. 35086

Mr. Ross Leonard, Director
Idaho Dept. of Fish and Game
518 Front Street
Boise, Idaho

Dear Mr. Leonard:

You will recall the Application by the United States for Permit to appropriate the stored waters of the Lucky Peak Reservoir and the protest against its approval filed by the Attorney General in your department's behalf.

The first and possibly the principal ground for protest was the pendency of Application No. 34892 of the Idaho Fish and Game Dept. to appropriate 100 second feet of the waters of the Boise River stored in Lucky Peak Reservoir. That application failed to receive approval by the State Reclamation Engineer, consequently the permit was not allowed. It would appear that ground for protest is now resolved.

The other grounds for protest No. 2, 3, 4 and 5 might or might not be sustained if all facts were brought out in a hearing.

I should like to somehow dispose of this application and would prefer to do so without the formality of a hearing with its attendant expense.

In view of the present situation of the application would you be willing to withdraw the protest?

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:ew

Blind to Bureau of Rec.

R-1183

IN REPLY REFER TO:

Applu. No. 35086

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

Department of Reclamation

150

Mr. Ernest Anderson
Attorney at Law
Parma, Idaho

MAR 9 1959

Dear Mr. Anderson:

State Reclamation Engineer George N. Carter discussed with me recently the matter of the issuance of the irrigation storage permit for Lucky Peak Reservoir. You will recall that you filed a protest to the issuance of this permit on behalf of the Farmers' Cooperative Ditch Company. We provided information to you about this filing in our letter of January 28, 1958, and thereafter Mr. Burpee discussed the matter with you and provided further information in his letter of February 4, 1958.

As you are no doubt aware, the filing by the State Fish and Game Department for winter flow water and stored water which was the subject of a hearing in Boise, Idaho, held on January 31, 1958, was decided adversely to the Fish and Game Department, and this water filing has been denied. The way is now cleared for the issuance of the irrigation storage filing which, of course, would be subject to the flood control operating requirements of Lucky Peak Reservoir and other guarantee of assurance of water in that space to back up any operating errors in Anderson Ranch and Arrowrock reservoirs, all as provided in the contracts with the Boise valley irrigation interests. To accomplish this, however, without the formality of a hearing, would require the withdrawal of the protest of the Farmers' Cooperative Ditch Company. It would be greatly appreciated, therefore, if you could provide a letter to this effect to Mr. Carter's office. If there is any further information you would need about this matter, we will be most happy to discuss it with you and Mr. Carter at any time convenient to you.

Sincerely yours,

(Signed) H. T. Nelson

Regional Director

Copy to: Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

R-1183

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ DELIVER ONLY TO ADDRESSEE (*20¢ additional*)

☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (*31¢ additional*)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

Ernest Anderson

2. SIGNATURE OF ADDRESSEE'S AGENT (*Agent should enter addressee's name in item 1 above*)

3. DELIVERY DATE

FEB 1 1953

4.

O.P.O. 3-8817-6-10

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1. SIGNATURE OR NAME OF ADDRESSEE

X Alvin Fuehrer

2. SIGNATURE OF ADDRESSEE'S AGENT (*Agent should enter addressee's name in item 1 above*)

Lucille Young

3. DELIVERY DATE

JAN 31 1953

19

4.

O.P.O. 3-8817-6-10

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ DELIVER ONLY TO ADDRESSEE (*20¢ additional*)

☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (*31¢ additional*)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X Bureau of Reclamation

2. SIGNATURE OF ADDRESSEE'S AGENT (*Agent should enter addressee's name in item 1 above*)

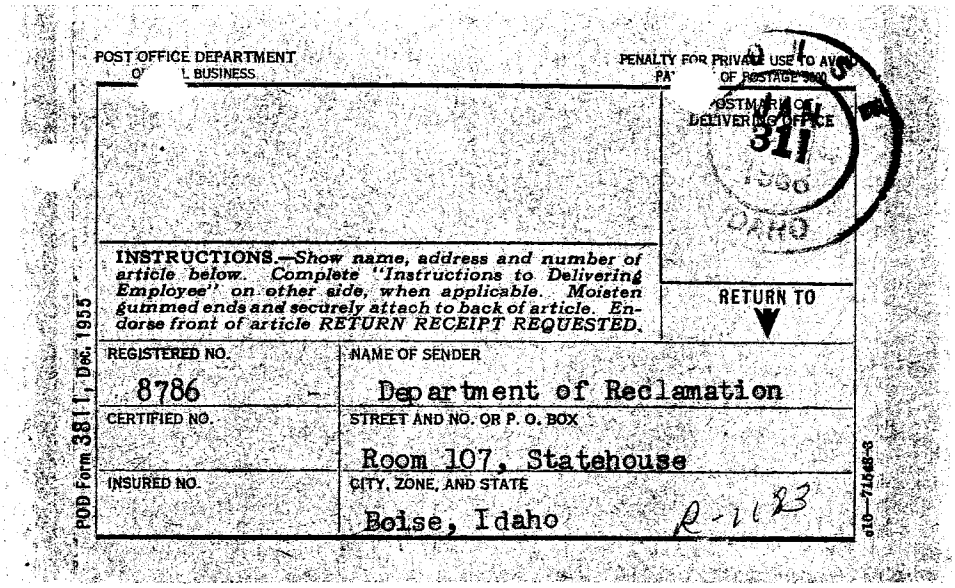
F. A. Shurz

3. DELIVERY DATE

19

4. JAN 31 1953

O.P.O. 16—71648-6



POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300

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1958
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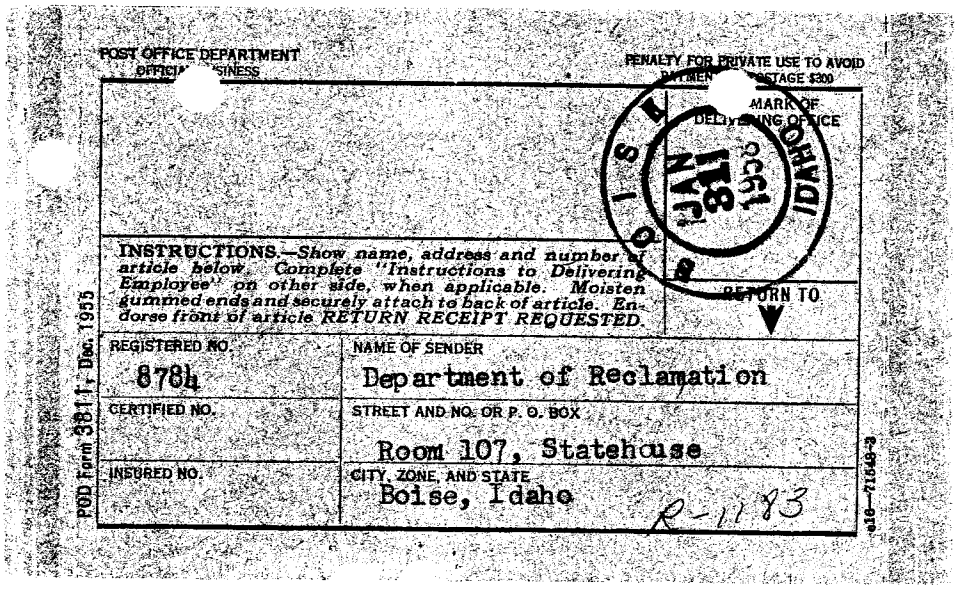
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RETURN TO

REGISTERED NO.	NAME OF SENDER
8786	Department of Reclamation
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
	Room 107, Statehouse
INSURED NO.	CITY, ZONE, AND STATE
	Boise, Idaho R-1183

POD Form 3811, Dec. 1955

a10—71548-8



POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300

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JAN 18 1958
BOISE IDAHO

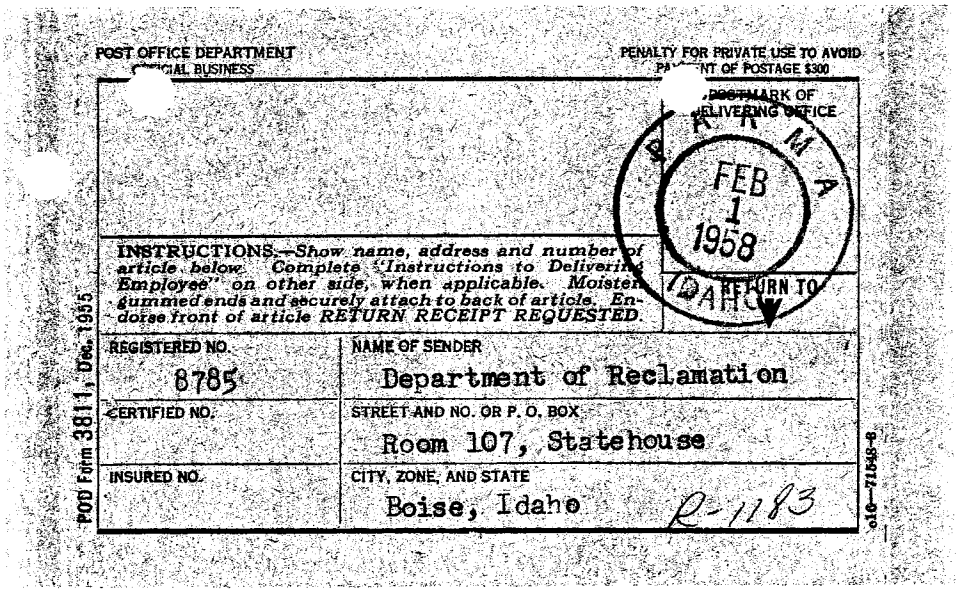
INSTRUCTIONS.—*Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.*

RETURN TO

REGISTERED NO.	NAME OF SENDER
8784	Department of Reclamation
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
	Room 107, Statehouse
INSURED NO.	CITY, ZONE, AND STATE
	Boise, Idaho R-1183

POD Form 3811, Dec. 1955

a10—71548-8



POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300

POSTMARK OF DELIVERING OFFICE
FEB 1 1958
BOISE IDAHO

INSTRUCTIONS.—*Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.*

RETURN TO

REGISTERED NO.	NAME OF SENDER
8785	Department of Reclamation
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
	Room 107, Statehouse
INSURED NO.	CITY, ZONE, AND STATE
	Boise, Idaho R-1183

POD Form 3811, Dec. 1955

a10—71548-8

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

RECEIVED
FEB 13 1958
Department of Reclamation

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER.

STIPULATION

COME NOW the respective parties hereto, by and through their attorneys, and stipulate that the hearing in the above-entitled matter, now set for the 14th day of February, 1958, in the State Capitol Building at Boise, Ada County, Idaho, be indefinitely vacated and set aside, the same to be reset at the convenience of the State Reclamation Engineer upon fifteen days' notice to applicant and protestant.

William Burpee

WILLIAM BURPEE, Field Solicitor
Department of the Interior
Attorney for Applicant
Residing at Boise, Idaho

GRAYDON W. SMITH
Attorney General of Idaho

T. J. JONES, III
Assistant Attorney General

By T. J. Jones III
Attorney for Protestant
Residing at Boise, Idaho

Notify Mr. Jim [redacted]wlton, P. O. Box 2837
Boise, Idaho regarding the hearing on this
Application

R-1183

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application For Permit No. 35086 by the United States of America Bureau of Reclamation And Protest by Farmers Cooperative Ditch Company And State of Idaho, Department of Fish and Game	NOTICE OF HEARING

On December 18, 1957, the United States of America, acting through the Bureau of Reclamation, Boise, Idaho, made application for Permit to Appropriate 307,000 acre feet per annum of the waters of Boise River for irrigation, power and irrigation pumping.

Water to be stored in the Lucky Peak Reserveir and to be used in exchange of water on the Mountain Home, Hillcrest and Boise Projects.

The application was duly published as required by Section 42-203 of the Idaho Code and protests were received from the Farmers Cooperative Ditch Company on January 23, 1958 and from the Fish and Game Department, State of Idaho, on January 24, 1958.

Hearing on the above noted protests and the above noted application to be held before the State Reclamation Engineer on February 14, 1958, at 10:00 A. M. in room 107, State Capitol, at Boise, Ada County, Idaho.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 30th day of January, 1958.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

R-1183

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

JAN 24 1958
Department of Reclamation

IN THE MATTER OF APPLICATION NO. 35086 OF THE UNITED STATES OF AMERICA, ACTING THROUGH THE BUREAU OF RECLAMATION, FOR PERMIT TO APPROPRIATE AND STORE THE WATERS OF THE BOISE RIVER.

P R O T E S T

COMES NOW the State of Idaho on behalf of the Department of Fish and Game of the State of Idaho, and protests the granting of Application No. 35086, and respectfully represents that the address of the Department of Fish and Game of the State of Idaho is 518 Front Street, Boise, Idaho; and as grounds for such protest alleges as follows:

(1) That there is already pending before the Department of Reclamation of the State of Idaho Application No. 34892 to appropriate 100 cubic feet per second of the waters of the Boise River stored in Lucky Peak Reservoir, said waters being the same and identical waters sought to be appropriated by the applicant herein by Application No. 35086; and that because of this conflict, Application No. 34892 should be finally determined prior to the consideration of this Application No. 35086.

(2) That the Application No. 35086 shows in Section 19 thereof that the time required for complete application of water to proposed beneficial use is 15 years after the date set for the completion of the applicant's proposed diversion and pumping works, which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that the time required for the complete application of the water to the proposed use must be within six years after the date set for the completion of such works.

(3) That the Application No. 35086 in Section 2 thereof shows that the applicant seeks to store 307,000 acre feet of water per annum for purposes of irrigating approximately 14,400 acres of unirrigated lands for which no water has been previously appropriated, all of which is contrary to and not in accordance with the provisions of subsection 6 of Section 42-202, Idaho Code, which provides that for irrigation purposes, an applicant may not claim for storage more than 5 acre feet of water per acre of land to be irrigated.

(4) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "appropriate contract" whereby said waters will be immediately applied as "supplemental water" upon lands already irrigated by appropriated waters of the Boise River, that said "supplemental water" method of irrigation is not an application of the water to a beneficial use such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

(5) That the Application No. 35086 in Section 21 thereof shows that the applicant seeks to appropriate and store the said waters of the Boise River for purposes of entering into an "exchange agreement" whereby the greatest portion of said waters would be "exchanged" for waters stored in Anderson Ranch Reservoir that will in turn be applied at some undetermined date in the future to lands of the "Mountain Home Project" that is not now under construction, nor proposed for construction at a determined future date, and for which construction funds have not been appropriated by the United States Congress; that the

appropriation of said waters for an uncommitted project is not an application of the water to a beneficial use, such as is contemplated by the statutes of the State of Idaho and by Article XV of the Constitution of the State of Idaho.

WHEREFORE, protestant prays that this matter be set down for hearing, after notice as provided by law, and that upon completion of said hearing, said application be dismissed and that the applicant take nothing thereby.

STATE OF IDAHO, DEPARTMENT OF FISH AND GAME OF THE STATE OF IDAHO

By _____
GRAYDON W. SMITH
Attorney General of Idaho

_____
T. J. JONES, III
Assistant Attorney General

ATTORNEYS FOR PROTESTANT
Residing at Boise, Idaho

R-1193

STATE OF IDAHO,)
) ss.
County of Ada.)

ROSS LEONARD, being first duly sworn on oath, deposes and says:

That he is the Director of the Department of Fish and Game of the State of Idaho; that he has read the foregoing Protest, knows the contents thereof, and believes the facts therein stated to be true.

Ross Leonard

SUBSCRIBED AND SWORN to before me this 20th day of January, 1958.

Anna Mastro
Notary Public for Idaho
Residing at Boise, Idaho

(SEAL)

Service of the above and foregoing Protest is hereby acknowledged by receipt of a copy thereof this _____ day of January, 1958.

UNITED STATES OF AMERICA ACTING
THROUGH THE BUREAU OF RECLAMATION

By_____

R-1183

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.750

480

'72 5-40
4 980
77 5-20

mplat
dding

by Certified Mail.

Notice - to be notified of Hearing
Called on Application No. R-35086,

New Dry Creek Ditch Co.
Grant L. Ambrose, Atty.
Meridian, Idaho

Boise Valley Ditch Co.,
Grant L. Ambrose, Atty.
Meridian, Idaho

New York Irrigation District
P.O. Box 697, Boise, Idaho

Nampa and Meridian Irrig. Dist.
1503 First Street South
Nampa, Idaho

Boise-Kuna Irrig. Dist.
~~Maurice H. Greene, Atty.~~
~~300 North H. Street~~
Kuna, Idaho

Wilder Irrig. Dist.
P.O. Box 406
Caldwell, Idaho

R-1183

Big Bend Irrig Dist
R.R. 3. Payma, Ida

Department of Fish & Game
518 Front Street, Boise, Ida.

Farmers Cooperative Ditch Co.
Payma, Idaho

U.S. Bureau of Reclamation
P.O. Box 936, Boise. Idaho

Mail copies of notice, not certified
to

Mr. Jim Knowlton, P.O. Box 2837, Boise

George Crookham Jr. P.O Box 651. Caldwell.
Corps of Engineers Bldg. 602, City County Airport
Walla. Walla. Wash

Oregon State Engineer. Salem, Oregon
Lynn Crandall. 363 No. Placer Idaho Falls
Robert E Smylie, Governor, Bldg

R-1183

S T A T E OF I D A H O

DEPARTMENT OF RECLAMATION

In the Matter of the Application For Permit No. 35086 by the United States of America Bureau of Reclamation And Protest by Farmers Cooperative Ditch Company And State of Idaho, Department of Fish and Game	NOTICE of CONTINUED HEARING

The hearing set on the above matter for February 14, 1958, in the office of the State Reclamation Engineer in Room 107 State Capitol, at Boise, Idaho, is hereby vacated and set aside by stipulated request of the attorneys for the principals.

The hearing will be continued to a date set by the State Reclamation Engineer upon fifteen (15) days notice to the applicant and the protestants.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 13th day of February, 1958.

MARK R. KULP
State Reclamation Engineer

Farmers' Co-Operative Ditch Company
Parma, Idaho

RECEIVED
JAN 2 3 1958
Department of Reclamation

January 23, 1958.

Mr. Mark R. Kulp, State Engineer,
Department of Reclamation,
State of Idaho,
Boise, Idaho,

Dear Sir: Re: Application No. R-35086
Bureau of Reclamation,
U. S. A. Applicant.

I am enclosing a formal PROTEST to the above application, a copy of which is being mailed to Mr. H. T. Nelson, Regional Director, at Box 937, Boise, Idaho, to-day.

You will file the original that is enclosed herewith, and when you set this matter down for hearing, I will appreciate being notified so that I may attend the said hearing.

The right is hereby reserved to file further proceedings in the said matter, as well as supplemental protests and amendements to the present protest.

Very truly yours,

Ernest Anderson.

Attorney for Protestant.

R-1183

BEFORE THE DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

Mark R. Kulp, State Engineer.

RECEIVED
JAN 2 3 1958
Department of Reclamation

In the Matter of Application No. R-35086 by the United States of America, acting through its Bureau of Reclamation, for a permit to appropriate and store public waters of the State of Idaho, in the channel of the Boise River, by the Lucky Peak Dam, under the provisions of Section 43-203, Idaho Code,

PROTEST

Comes now the Farmers' Co-Operative Ditch Company, Ltd., hereinafter designated as the protestant, and for grounds of protest, alleges:-

1.

That the protestant herein, the Farmers' Co-Operative Ditch Company, Ltd., is a mutual irrigation company, organized and existing under the laws of the State of Idaho, having its principal place of business at Parma, Canyon County, State of Idaho.

2.

That your protestant herein, now operates, and for more than the last fifty years has continuously operated a canal system, distributing the waters of Boise River upon approximately 15,500 acres of land, upon which there resides more than 300 farm-owners of the said canal company; that said lands are located on the northwesterly side of Boise River in Canyon County, Idaho.

3.

That heretofore, namely on January 18, 1906, there was allocated to this company for the use upon the said lands, by what is commonly designated as the "Stewart Decree", firm rights to the waters of Boise River, and its tributaries. This decree established in the protestant certain priority rights to said waters, and on the 14th day of February,

R-1183

1929, a certain proportion of the flood waters of the Boise River, were allocated and decreed to the lands of the protestant by what is commonly known as the "Bryan Decree". Operating under these two decrees, the waters of Boise River have been distributed to the protestant, continuously, for more than twenty-seven years.

4.

That on the 20th day of August, 1954, the applicant, the United States of America, acting by its Bureau of Reclamation, entered into a contract with the protestant, the Farmers' Co-Operative Ditch Company, Ltd., for the impounding of the natural run and the flood waters of Boise River belonging to this company in the Lucky Peak Dam, in the form of an exchange agreement, as to storage, which contract provides, among other things, as follows, to-wit:-

> "(e) This supplemental contract, notwithstanding any of the other provisions hereof, is executed on the express condition that no part of the regular and flood waters of Boise River, heretofore decreed and allocated to the Farmers' Co-Operative Ditch Company by the "Stewart" and "Bryan" decrees, shall at any time hereafter be withheld from this company and its stockholders"

5.

That your protestant herein expresses the fear that the impounding, by the applicant, and the storage of Boise River waters in the Lucky Peak Dam, for the purposes in its application set forth, will endanger the decreed rights of this company by diverting these waters to the Mountain Home Project, Hillcrest Project and a portion of the Boise Project, unless proper safeguards are imposed upon the applicant for the measurement and distribution of both the natural flow and flood waters of the Boise River, during the irrigation season.

6.

The protestant does not, however, oppose the impounding of waters in the said dam for beneficial purposes during the non-irrigation season,

R-1183

[redacted]

so long as the rights of the protestant to those waters is not infringed upon.

7.

Your protestant further alleges that the primary purpose in the construction of the Lucky Peak Dam was for flood control, rather than for irrigation purposes; that if the said Dam is not used and operated for flood control, it imposes upon the protestant the danger of serious damage to the diversion works of the protestant, located as it is, near the headgate of the main canal of the company, located near Caldwell, Idaho.

WHEREFORE, Your protestant herein prays that the application by the petitioner be deferred until it shall file in the office of the Department of Reclamation-State of Idaho, detailed plans and specifications for the measurement and distribution of both the natural and flood waters of the Boise River in accordance with the decreed water rights of the protesting company.

By order of the Board of Directors of the Farmers' Co-Operative Ditch Company, Ltd.,

Dated and filed this 23rd day of January, 1958.

By Ernest Anderson
President and Manager.

Attest:
Agnes L. Anderson
Secretary.

Ernest Anderson
Attorney for Protestant
Residing at Parma, Idaho.

R-1183

Form 3882
(Rev. 7-49)

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

DEPARTMENT OF RECLAMATION
(Name of sender)

Room 107, Statehouse, Boise, Idaho
(Address)

hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of nonnegotiable securities.

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and endorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

	(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted—Fee paid	(7) Full value or cost of duplication if nonnegotiable securities*	(8) Surcharge on entire contents of article	(9) REMARKS†
1	8784	State of Idaho, Department of Fish and Game	3	50	10				
2		518 Front Street, Boise, Idaho. Att: Ross Lenord							
3	8785	Ernest Anderson - Attorney - Parma, Idaho	3	50	10				
4	8786	United States Bureau of Reclamation, P. O. Box 937	3	50	10				
5		Boise, Idaho							

Affix stamps for additional copies of this bill

BOISE, IDAHO JAN 30 1958

Postmark and date of receipt

*When an article contains matter declared for full value and that for which the cost of duplication is declared, enter in column (7) the sum of the declarations for "full value" and "cost of duplication."

†Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special Delivery"; "AM" if "Air Mail"; and "C. O. D." and amount due sender if registered C. O. D. mail.

Total number of pieces listed by sender five
(Write number here in words)

Total number of pieces received at post office 5

Postmaster, per [signature]
(Name of receiving employee)

R-1183

U. S. GOVERNMENT PRINTING OFFICE 16—8793-4

January 9, 1958

Re: Application for Permit No. R-35086

Statesman Newspaper
300 N. 6th St.,
Boise, Idaho

Gentlemen:

This will acknowledge receipt of the affidavit of publication for a public notice published by you under dates of December 23rd and 30th, and January 6, 1958.

We are returning your invoice to the amount of $22.05, publication costs. We wish to refer you to our letter of December 20, 1957 in which we state that the expenses of the publication notice is to be paid by the applicant, the United States Bureau of Reclamation, P. O. Box 937, Boise, Idaho. Kindly mail the bill to them.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. (1)

R-11 93

RECEIVED
JAN 27 1958
Department of Reclamation

STATE OF IDAHO DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE AND STORE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, that the United States of America, acting through the Bureau of Reclamation by H. T. Nelson, Regional Director, P. O. Box 937, Boise, Idaho, has made application No. R-35086 on December 18, 1957 to appropriate 307,000 acre feet of water to be stored in the channel of Boise river by the Lucky Peak Dam.

That the point of outlet is located S-6° 20' West 2300 feet distant from the NE corner of Section 11, Township 2 North, Range 3 East and is in the SE¼ of the NE¼ of Section 11, Township 2 North, Range 3 East, County of Ada.

That the lands proposed to be irrigated are lands under the Mountain Home Project, Hillcrest Project and the Boise Project in Elmore, Ada and Canyon Counties, Idaho, more fully described in the application on file in the Department of Reclamation, Boise, Idaho.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 18th day of December, 1957.

State Reclamation Engineer.
MARK R. KULP

Date of first publication, December 23, 1957.

Date of last publication, January 6, 1958.

Late date for protest, January 27, 1958.

SERVICE OF THE FOREGOING, by copy is hereby acknowledged, this 19th day of December, 1957.

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
STATE OF IDAHO
By /s/ H. T. NELSON
H. T. NELSON
Its Regional Director.

3t—Dec. 23, 30, 1957, Jan. 6, 1958.

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Edith Ferguson, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Daily Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular Monday edition of The Idaho Daily Statesman in conformity with Sec. 60-108, Idaho Code, for three consecutive weekly insertions beginning with the issue of December 23, 19 57, and ending with the issue of January 6, 19 58.

Edith Ferguson, Principal Clerk

Subscribed and sworn to before me this 10th day of January, 19 58.

Notary Public for Idaho, Residing at Boise, Idaho.

RECEIVED
JAN 8 1958
Department of Reclamation

STATE OF IDAHO DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE AND STORE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

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That the lands proposed to be irrigated are lands under the Mountain Home Project, Hillcrest Project and the Boise Project in Elmore, Ada and Canyon Counties, Idaho, more fully described in the application on file in the Department of Reclamation, Boise, Idaho.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 18th day of December, 1957.

State Reclamation Engineer.
MARK R. KULP

Date of first publication, December 23, 1957.

Date of last publication, January 6, 1958.

Late date for protest, January 27, 1958.

SERVICE OF THE FOREGOING, by copy is hereby acknowledged, this 19th day of December, 1957.

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
STATE OF IDAHO
By /s/ H. T. NELSON
H. T. NELSON
Its Regional Director.

3t—Dec. 23, 30, 1957, Jan. 6, 1958.

STATE OF IDAHO, }
COUNTY OF ADA } ss.

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three consecutive weekly insertions

beginning with the issue of December 23, 19 57,

and ending with the issue of January 6, 19 58.

Edith Ferguson, Principal Clerk

Subscribed and sworn to before me this 7th day of

January, 19 58.

Notary Public for Idaho, Residing at Boise, Idaho.

January 28, 1958

Re: Application No. 35086

Mr. H. T. Nelson
Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

In connection with your Application for Permit for storage in Lucky Peak Reservoir on the Boise River, this department has received a protest from the Farmers Cooperative Ditch Company. A letter accompanying said protest stated that a copy of said protest was being mailed to your office, therefore we are not enclosing a copy of same.

We are also in receipt of a protest against said application by the Department of Fish and Game of the State of Idaho. We are enclosing a copy of said protest for your information.

You will be advised at a later date as to the date of hearing relative to your application and protest of same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. (1)

R-1183

January 27, 1958

Re: Application No. R-35086

Mr. William Tuller
Assistant Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Tuller:

Relative to our telephone conversation of this date, we are returning invoice from the Statesman Newspapers, in connection with Application No. R-35086, as per copy of publication notice enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. (1)

R-1183

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE AND STORE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

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That the lands proposed to be irrigated are lands under the Mountain Home Project, Hillcrest Project and the Boise Project in Elmore, Ada and Canyon Counties, Idaho, more fully described in the application on file in the Department of Reclamation, Boise, Idaho.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 18th day of December, 1957.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication _____
Date of last publication _____
Last date for protest January 27, 1958

SERVICE OF THE FOREGOING, by copy is hereby acknowledged, this 19th day of December, 1957.

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
STATE OF IDAHO

By _____

Its _____
Regional Director

Standard Form No. 1034—Revised
Form prescribed by
Comptroller General, U. S.
September 1950
(Gen. Reg. No. 51, Supp. No. 11)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. _____

Bu. Vou. No. _____

U. S. Department of the Interior - Bureau of Reclamation
(Department, bureau, or establishment)

Voucher prepared at Boise, Idaho 12/13/57
(Give place and date)

PAID BY

(For use of Paying Office)

THE UNITED STATES, Dr., *Payee's Account No.* _____

To State of Idaho, State Reclamation Engineer
(Payee)

Boise Idaho
(Address) (City) (State)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Filing fee for application for storage in Lucky Peak Reservoir, Boise River, for irrigation purposes, per Idaho Code 42-202.					
		307,000 acre ft. @ $5.00 for first 250 acre feet and 25¢ for each additional 250 acre ft. or fraction	250 A.Ft.	5.00		5	00
			306,750 A.Ft.	.25	250 A.Ft.	305	75
		Application No. _____ Use continuation sheet(s) if necessary					

PAYMENT:
Complete ☐
Partial ☐
Final ☐

Shipped from to Weight Government B/L No. Total 311 75

I certify that the above bill is correct and just and that payment therefor has not been received.

(Sign original only)

Date _____ *Payee _____
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

(Payee must NOT use this space)

Differences _____

Account verified; correct for 311 75

(Signature or initials) hec

Contract No. Date Req. No. Date Invoice Rec'd.

Pursuant to authority vested in me, I certify that this account is correct and proper for payment.

† Approved for $ 311.75

By _____

Title _____

SIGN ORIGINAL ONLY

† _____
(Authorized Certifying Officer)

Title _____

Date _____

THE REVERSE OF THIS FORM MUST BE EXECUTED WHEN PURCHASES ARE MADE OR SERVICES SECURED WITHOUT WRITTEN AGREEMENT IN ANY FORM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n. or Proj't. Amount	Appropriation Amount
11x0660	General Investigations		
	Bureau of Reclamation, Region 1		311.75

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } { on Treasurer of the United States in favor of payee named above. }
{ Cash, $_____, on _____, 19____. } { Payee _____ (Sign original only) }

Per _____

Title _____

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign on the line below "Approved for $_____", and over his official title.

U. S. GOVERNMENT PRINTING OFFICE 16—22900-2

R-1183

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐.
2. (*a*) Advertising by circular letters sent to ---------- dealers.
   (*b*) And by notices posted in public places Yes ☐ No ☐.

   (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with ----------
5. Without advertising, it being impracticable to secure competition because of ----------

---

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

16—22900-2 U. S. GOVERNMENT PRINTING OFFICE

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: December 20, 1957

The Idaho Statesman
300 N. 6th
Boise, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for ~~two~~ three consecutive weeks prior to January 27, 1958 the date set for hearing, the expense of the publication to be paid by the applicant, United States Bureau of Reclamation / of P. O. Box 937 Boise, Idaho, to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encl.

R-1183

IN REPLY REFER TO:

150

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

RECEIVED
DEC 20 1957
Department of Reclamation

DEC 19 1957

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

As requested in your letter of December 18, I have executed the two forms transmitted to me in connection with application No. R-35086 relating to Lucky Peak Reservoir.

Sincerely yours,

H. T. Nelson

H. T. Nelson
Regional Director

Enclosures

R-7183

Form No. 11

RECEIVED
DEC 2 0 1957
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)_____

_____
Address

_____
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the _____ of _____ _____ published in the county in which the works are situated.

By H. T. Nelson

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

_____
Engineer

D-1183

December 18, 1957

Re: Application No. R-35086

United States Bureau of Reclamation
Regional Office
Region No. 1
Box 937
Boise, Idaho

Attention: Mr. H. T. Nelson
Regional Director

Dear Mr. Nelson:

We are enclosing the original and one copy of notice of application for permit No. R-35086 by the United States of America, acting through the Bureau of Reclamation, which requires publication once a week for three weeks in a county newspaper.

Please acknowledge service on the original and return it to this department together with Form 11 (enclosed) which is authorization for us to have the notice published in the designated county newspaper at the expense of the applicant.

The duplicate may be retained for your files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Form 11

R-1183

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE AND STORE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, that the United States of America, acting through the Bureau of Reclamation by N. T. Nelson, Regional Director, P. O. Box 937, Boise, Idaho, has made application No. R-35086 on December 18, 1957 to appropriate 307,000 acre feet of water to be stored in the Channel of Boise River by the Lucky Peak Dam.

That the point of outlet is located S-6° 20' West 2300 feet distant from the NE corner of Section 11, Township 2 North, Range 3 East and is in the SE¼ of the NE¼ of Section 11, Township 2 North, Range 3 East, County of Ada.

That the lands proposed to be irrigated are lands under the Mountain Home Project, Hillcrest Project and the Boise Project in Elmore, Ada and Canyon Counties, Idaho, more fully described in the application on file in the Department of Reclamation, Boise, Idaho.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 18th day of December, 1957.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication _____
Date of last publication _____
Last date for protest January 27, 1958

SERVICE OF THE FOREGOING, by copy is hereby acknowledged, this _____ day of December, 1957.

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
STATE OF IDAHO

By _____

Its _____

IN REPLY REFER TO:

150

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

DEC 1 1957

RECEIVED
DEC 18 1957
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

There are enclosed an original and one copy of an Application for Permit To Construct a Reservoir and Appropriate and Store The Public Waters of the State of Idaho. This Application for Permit is filed on behalf of the United States and pertains to the waters of Lucky Peak Reservoir. I believe that you will recall discussing the matter with Mr. Burpee, the Field Solicitor of the Department of the Interior. The Corps of Engineers has been contacted and has given its approval to the idea of applying for permit to store the Lucky Peak waters for irrigation purposes.

There are enclosed the original and one copy of a voucher for the filing fee. The yellow copy is for your files. Please date, sign and return in the space indicated "Payee", and the voucher will be placed in line for payment.

If there is anything further I can do with respect to this matter, please let me know.

Sincerely yours,

H. T. Nelson
Regional Director

Enclosures

R-1183

Address all communications to

(Form No. 2) ....

P. O. ....

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store The Public Waters of the State of Idaho

Application No. R..............................

Permit No. R..............................

1. Name of Applicant: United States of America, acting through the Bureau of Reclamation

Postoffice address: P. O. Box 937 xxxxxy Boise State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Applicant is the United States Government, acting

(b) Amount of Capital Stock: pursuant to the provisions of the act of June 17, 1902

(c) Amount paid in: (32 Stat. 388) and acts amendatory thereof or supplementary

(d) Names and addresses of directors: thereto.

....

....

II. The financial resources of the corporation are:

(a) Cash on hand: $Receipts in the Reclamation Fund from the sale of Public lands,

(b) Treasury Stock: $mineral leases, etc., and appropriations made by the Congress.

(c) Bonds to be issued: $..............................

(d) Other resources: ....

2. Quantity of water to be stored 307,000 acre feet per annum

3. Source of water supply is Boise (xCreek) (River) (Spring), a tributary of Snake River.

4. The outlet (intake tower to the) of the proposed reservoir is located S6°20'W 2300 (bearing) feet, distant from the NE corner of Section 11, Township 2N, Range 3E, B. M., and is in the SE ¼ of NE ¼ of Section 11, Township 2N, Range 3E, B. M. County of Ada

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Boise (xCreek) (River)

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located .... (bearing) .... feet, distant from the .... corner of Section ...., Township ...., Range ...., B. M., and is in the .... ¼ of .... ¼ of Section ...., Township ...., Range .... B. M. width at bottom .... feet, width at top .... feet, depth of water .... feet; average grade per mile .... feet; Capacity .... cubic feet per second.

6. (a) The area of the high water line of the reservoir is 2,850 acres.

(b) The reservoir capacity 307,000 (total capacity); 278,200 (usable storage) acre feet.

7 Height of reservoir dam 340 feet, length of crest 1,700 feet, length at bottom variable feet, size of outlet 23 feet inside diameter. The dam/is to be constructed of materials as follows: the existing Lucky Peak Dam and is/earth rolled and gravel fill.

....

....

(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or acqueduct, thence to land to be irrigated without commingling with natural flow of Boise (xCreek) (River)? No

(b) Water stored in reservoir will be carried in the channel of Boise ~~Creek~~ (River,) a distance of 2 miles to point of diversion at the existing Boise Diversion Dam located S41°45'E (bearing) 356 feet, distant from the E¼ corner of Section 4 Township 2N, Range 3E, B. M., and in ~~the~~ Lot 9 ~~xxxxxxxxxx~~ of Section 3, Township 2N, Range 3E B. M.

9. (a) Area of watershed above dam site 2,650 square miles

(b) Estimated maximum flow of stream 35,000 to 40,000 (unregulated natural flow) cubic feet per second.

10. Water is to be used for irrigation and power for irrigation pumping purposes.

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

(a) Point of use of water S6°20'W (bearing) / 2,300 feet, distant from NE Corner of Section 11, Township 2N, Range 3E B. M. and is in the SE ¼ of NE ¼ of Section 11, Township 2N, Range 3E, B. M.

(b) Amount of power generated: 40,200 H. P., under maximum 240 feet head.

(c) Water is to be returned to Boise ~~Creek~~ (River) ~~Junction~~) at the point of use (bearing) ~~xxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxx~~, ~~Township~~, ~~Range~~, ~~xxxxxxxxx~~ ~~xxxxx~~ ~~xxxxxxxxxxxx~~, ~~Township~~, ~~xxxxx~~, ~~xxM~~.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed / ~~under the terms of~~ or enlarged, as described in Permit No. 16098, for the most part, 4000 & /, which is hereby referred to and made a part hereof.

13. Kind of diversion works: rubble concrete weir dam (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet, length at bottom 400 feet. The dam is ~~xxxx~~ constructed of materials as follows: rubble concrete. Diversion will be by pumping from pool behind Boise Diversion Dam and through the existing New York Canal.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: ~~xxxx~~ ~~Width~~, ~~xxxxxxxx~~ ~~Height~~ New York Canal - 8 gates each, 5' x 9'. ~~xxxx~~ Discharge line to Hillcrest Unit is 60" in diameter.

16. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9 feet, Dimensions of Flume

Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ Constructed Diversion Works: $ Constructed in part Pumping plant $585,000.00

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is 15 years.

20. The land to be irrigated is described in the following tabulation: (see below)

(Give Irrigable acreage in each 40-acre subdivision.)

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
	20.	There is attached and made a part hereof a tabulation of the area to be irrigated in the Hillcrest Unit. This tabulation is based upon preliminary surveys and will be adjusted in the course of final design and construction. Lucky Peak stored water will also be utilized on Boise Project lands, as set out in Water License No. R-698, under arrangements described in section 21.																	

Total Number of Acres to be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 and in Water License No. R-698 are: Water License No. R-698; No. R-652, No. 430, No. 7180, No. 4800, No. 16098 and other small rights privately held and held by the United States.

Remarks: Water secured under this permit will be used to supplement the existing right under Water License No. R-652 for the lands described in the tabulation made a part of section 20. These lands constitute the Hillcrest Unit of the Mountain Home Division of the Snake River Project and will be served by pumping from behind Boise Diversion Dam. ~~xxxxxxx~~: A portion of the Lucky Peak stored water will be diverted into the New York Canal and will be used to serve land tabulated in Water License No. R-698. This use will be under an appropriate exchange agreement and the water stored under Water License No. R-698 in Anderson Ranch Reservoir and so exchanged, will be used in the Mountain Home area by diversion into the Long Tom Tunnel from the South Fork of the Boise River about five miles downstream from Anderson Ranch Dam at a point in the northwest quarter of the northwest quarter (NW¼NW¼) of section seventeen (17), township one (1) south, range eight (8) east, Boise meridian. It is contemplated that the specific area to be irrigated by this exchange arrangement will be described when a filing for the Long Tom Tunnel diversion is submitted prior to its construction. In the meantime, the Lucky Peak storage water will be utilized through an appropriate contract with the Boise Project Board of Control as supplemental water for the project lands. Lucky Peak storage could provide water for only about 14,400 acres of new previously unirrigated land, and the bringing of the new land under irrigation will be possible only through completion of the exchange arrangements discussed above.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA
Applicant.

By M. T. Nelson Agent.
M. T. Nelson, Regional Director

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, ..., of ....., County of ..... State of ....., do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of ..... is located, to-wit: .....and that I do hereby grant unto the said ..... permission to file on the said spring as set forth in the foregoing application for permit to construct reservoir and store and appropriate the water fromsaid spring.

STATE OF IDAHO, }
County of ..... } ss.

On this.....day of....., 19....., before me, a Notary Public for the State of Idaho, residing at ....., personally appeared .....

known to me to be the person.... whose name.... ..... subscribed to the foregoing certificate, and acknowledged to me that ....he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

.....
Notary Public.

My commission expires .....

R-1183

Approval of State Reclamation Engineer

The number of this permit is R.....

Recorded in book R....., page..... Approved .....

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions:

Bond in the sum of $....., to be filed on or before. .....

Work to begin on or before.....and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before .....

The whole of said work to be completed on or before.....

Beneficial use of water stored in accordance herewith, to be made on or before .....

Witness my hand this .....day of ....., 19.....

.....
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ..., Governor of the State of Idaho, and ....., Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho and caused the Great Seal of the State of Idaho to be hereunto affixed, this ..... day of ....., 19.....

Countersigned: STATE OF IDAHO

By ....., Secretary of State.

By ....., Governor.

No. R.....

STORAGE PERMIT

Date of first receipt at office of State Reclamation Engineer .....

Returned to applicant for correction .....

Corrected application received .....

Fees, $.....Paid.

FILING FEES FOR STORAGE PERMITS:

For the first 250 acre-feet.....$5.00

For each additional 250 acre-feet or fraction thereof $0.25

FOR NORMAL FLOW PERMITS:

For the first Second foot.....$5.00

For each additional second foot or fraction thereof $0.25

Address all communications to

(Form No. 2) .....

P. O. .....

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 35086

Permit No. R .....

1. Name of Applicant: United States of America, acting through the Bureau of Reclamation

Postoffice address: P. O. Box 937 ~~County~~ Boise State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Applicant is the United States Government, acting

(b) Amount of Capital Stock: $ pursuant to the provisions of the act of June 17, 1902

(c) Amount paid in: $ (32 Stat. 388) and acts amendatory thereof or supplementary

(d) Names and addresses of directors: thereto.

II. The financial resources of the corporation are:

(a) Cash on hand: $ Receipts in the Reclamation Fund from the sale of Public lands,

(b) Treasury Stock: $ mineral leases, etc., and appropriations made by the Congress.

(c) Bonds to be issued: $

(d) Other resources:

2. Quantity of water to be stored: 307,000 acre feet per annum

3. Source of water supply is Boise (~~Creek~~) (River) (~~Spring~~), a tributary of Snake River.

4. The outlet of the proposed reservoir is located S6°20'W 2300 feet, distant from the NE corner of Section 11, Township 2N, Range 3E, B. M., and is in the SE ¼ of NE¼ of Section 11, Township 2N, Range 3E, B. M. County of Ada

(bearing)

intake tower to the

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Boise (~~Creek~~) (River)

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located ..... (bearing) ..... feet, distant from the ..... corner of Section ....., Township ....., Range ....., B. M., and is in the ..... ¼ of ..... ¼ of Section ....., Township ....., Range ..... B. M., width at bottom ..... feet, width at top ..... feet, depth of water ..... feet; average grade per mile ..... feet; Capacity ..... cubic feet per second.

6. (a) The area of the high water line of the reservoir is 2,850 acres.

(b) The reservoir capacity is 307,000 (total capacity); 278,200 (usable storage) acre feet.

7. Height of reservoir dam 40 feet, length at top ~~at top~~ 1,700 feet, length at bottom variable feet, size of outlet ~~x~~ feet by ~~xxxxxxxxxx~~ feet. The dam is to be constructed of materials as follows: rolled earth and rock fill dam, to be constructed as an extension of the existing Lucky Peak Dam and is of crest inside diameter.

(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of ..... (~~Creek~~) (River)?

(b) Water stored in reservoir will be carried in the channel of Boise ~~(Creek)~~ (River,) a distance of 2 miles to point of diversion located at the existing Boise Diversion Dam S41°45'E (bearing) 356 feet, distant from the E¼ corner of Section 4 Township 2N, Range 3E, B. M., and in the Lot 9 ~~¼ of ¼~~ of Section 3, Township 2N, Range 3E B. M.

9. (a) Area of watershed above dam site 2,650 square miles

(b) Estimated maximum flow of stream (unregulated natural flow) 35,000 to 40,000 cubic feet per second.

10. Water is to be used for irrigation and power for irrigation pumping purposes.

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

(a) Point of use of water S6°20'W (bearing) / 2,300 feet, distant from NE Corner of Section 11, Township 2N, Range 3E B. M. and is in the SE ¼ of NE ¼ of Section 11, Township 2N, Range 3E, B. M.

(b) Amount of power generated: 40,200 H. P., under 240 maximum feet head.

(c) Water is to be returned to Boise ~~(Creek)~~ (River) ~~(Spring)~~ at a point the most of use ~~feet distant from the corner of Section~~, Township, Range (bearing) ~~, B. M. in the ¼ of Section~~, Township, Range, B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed for the most part, / ~~under the terms of~~ Permit No. 4800 & 16098 / which is are hereby referred to and made a part hereof.

13. Kind of diversion works: rubble concrete weir dam (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 52 feet, length at top 500 feet, length at bottom 400 feet. The dam is ~~to be~~ constructed of materials as follows: rubble concrete. Diversion will be by pumping from pool behind Boise Diversion Dam and through the existing New York Canal.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: ~~Width~~, ~~feet, Height~~ ~~feet~~ New York Canal - 8 gates each, 5' x 9'. Discharge line to Hillcrest Unit is 60" in diameter.

16. Diversion Canal: Width at bottom 40 feet, width at water line 67 feet, depth of water 9 feet, Dimensions of Flume

Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ Constructed Diversion Works: $ Constructed in part Pumping plant $585,000.00

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is 15 years.

20. The land to be irrigated is described in the following tabulation: (see below)

(Give Irrigable acreage in each 40-acre subdivision.)

WP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
	20.	There is attached and made a part hereof a tabulation of the area to be irrigated in the Hillcrest Unit. This tabulation is based upon preliminary surveys and will be adjusted in the course of final design and construction. Lucky Peak stored water will also be utilized on Boise Project lands, as set out in Water License No. R-698, under arrangements described in section 21.																	

Total Number of Acres to be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 ~~are~~ and in Water License No. R-698 are: Water License No. R-698; No. R-652, No. 430, No. 7180, No. 4800, No. 16098 and other small rights privately held and held by the United States.

Remarks: Water secured under this permit will be used to supplement the existing right under Water License No. R-652 for the lands described in the tabulation made a part of section 20. These lands constitute the Hillcrest Unit of the Mountain Home Division of the Snake River Project and will be served by pumping from behind Boise Diversion Dam.

~~Remarks:~~ A portion of the Lucky Peak stored water will be diverted into the New York Canal and will be used to serve land tabulated in Water License No. R-698. This use will be under an appropriate exchange agreement and the water stored under Water License No. R-698 in Anderson Ranch Reservoir and so exchanged, will be used in the Mountain Home area by diversion into the Long Tom Tunnel from the South Fork of the Boise River about five miles downstream from Anderson Ranch Dam at a point in the northwest quarter of the northwest quarter (NW¼NW¼) of section seventeen (17), township one (1) south, range eight (8) east, Boise meridian. It is contemplated that the specific area to be irrigated by this exchange arrangement will be described when a filing for the Long Tom Tunnel diversion is submitted prior to its construction. In the meantime, the Lucky Peak storage water will be utilized through an appropriate contract with the Boise Project Board of Control as supplemental water for the project lands. ~~Lucky Peak storage could provide water for only about 14,400 acres~~ of new previously unirrigated land, and the bringing of the new land under irrigation will be possible only through completion of the exchange arrangements discussed ~~above.~~

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA Applicant.

By H. T. Nelson Agent.

H. T. Nelson, Regional Director

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, ..., of ....., County of ..... State of ....., do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of ..... is located, to-wit: .....and that I do hereby grant unto the said ..... permission to file on the said spring as set forth in the foregoing application for permit to construct reservoir and store and appropriate the water fromsaid spring.

STATE OF IDAHO,)
) ss.
County of .....)

On this ..... day of ....., 19....., before me, a Notary Public for the State of Idaho, residing at ....., personally appeared ..... known to me to be the person ... whose name ..... subscribed to the foregoing certificate, and acknowledged to me that ... he ... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

.....
Notary Public.

My commission expires .....

Approval of State Reclamation Engineer

The number of this permit is R.....

Recorded in book R....., page..... Approved .....

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions:

Bond in the sum of $....., to be filed on or before. .....

Work to begin on or before.....and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before .....

The whole of said work to be completed on or before.....

Beneficial use of water stored in accordance herewith, to be made on or before .....

Witness my hand this .....day of ....., 19.....

.....
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ..., Governor of the State of Idaho, and ....., Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho and caused the Great Seal of the State of Idaho to be hereunto affixed, this ..... day of ....., 19.....

Countersigned: STATE OF IDAHO

By ....., Secretary of State.

By ....., Governor.

No. R.....

STORAGE PERMIT

Date of first receipt at office of State Reclamation Engineer .....

Returned to applicant for correction .....

Corrected application received .....

Fees, $.....Paid.

FILING FEES FOR STORAGE PERMITS:

For the first 250 acre-feet.....$5.00

For each additional 250 acre-feet or fraction thereof $0.25

FOR NORMAL FLOW PERMITS:

For the first Second foot.....$5.00

For each additional second foot or fraction thereof $0.25

HILLCREST UNIT BY 40'S — IRRIGABLE ACREAGE

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				
TWP.	RGE.	SEC.	NEI/4	NWI/4	SWI/4	SEI/4	NEI/4	NWI/4	SWI/4	SEI/4	NEI/4	NWI/4	SWI/4	SEI/4	NEI/4	NWI/4	SWI/4	SEI/4	T'TLS
2N	1E	1	6.4																6.4
2N	1E	12	11.1	0.4	4.4	35.2									16.5			6.3	73.9
2N	2E	4	27.7	41.2	9.7		40.5	39.7	35.5	32.3		3.2							229.8
2N	2E	5	38.5	40.1	39.5	39.7	40.0	40.6	40.9	39.7	35.1	20.3	28.2	36.2	39.4	35.9	26.1	36.1	576.3
2N	2E	6	39.7	38.6	25.9	40.6	35.6	30.6	21.7	21.7	40.6	33.2	8.2	31.2	28.7	26.2	30.9	32.8	489.2
2N	2E	7	28.6	39.1	41.6	39.7	35.2	16.5	36.8	40.3	5.6	0.6			1.6	3.0			288.5
2N	2E	8	38.7	30.5	39.0	30.6	38.4	31.7	38.2	38.5	10.0	3.1			9.0	16.4			324.1
3N	1E	25									0.1	0.6	6.8	32.9			30.0	30.3	100.7
3N	1E	36	38.3	40.3	39.3	38.4	28.8	3.4	11.7	39.4	20.9				38.8	39.4	27.5	37.8	406.0
3N	2E	20													23.6			17.5	43.1
3N	2E	21									6.0	31.7	40.6	35.5			17.7	0.4	132.2
3N	2E	25									0.1	4.8	15.5	31.6	1.0	2.8	32.8	35.1	123.7
3N	2E	26									13.7	22.4	8.7	21.8	6.7	1.6	16.2	7.5	98.6
3N	2E	27			16.0	4.7	0.4	14.5	36.8	33.1	40.3	40.3		36.9	33.2	35.1	6.6	2.1	300.0
3N	2E	28	32.0	37.3			36.4	37.6											143.3
3N	2E	29	36.2	10.4				2.2	40.1			2.3	19.2						109.4
3N	2E	30				7.7							29.7	8.0	24.1			7.4	76.9
3N	2E	31	2.6	16.6	40.7	33.5	39.9	43.6	43.0	40.4	40.7	43.0	42.7	40.8	40.6	40.7	40.9	40.6	590.3
3N	2E	32			20.1	9.5	28.5	19.4	40.6	31.8	21.2	31.4	41.4	41.2	30.4	30.0	39.8	29.3	414.6
3N	2E	33										20.0	33.9	39.6					93.4
3N	2E	34	11.6	36.1	37.3	38.8									40.6	41.2	6.0	7.9	219.6
3N	2E	35	17.4	3.0					23.6	1.9	6.6	30.0							82.6
3N	2E	36	38.1	13.0		6.0	9.3	26.7											93.1
3N	3E	29											14.5	0.4					14.9
3N	3E	30										0.4	29.4	29.1			23.8	27.1	109.8
3N	3E	31	36.0	36.2			34.3	33.8	13.5	8.0									166.8
3N	3E	32		0.5	27.0	2.4	28.0	39.4	9.0	29.3					31.3	9.4		7.5	183.8
3N	3E	33										5.5	32.6	17.4					55.5
2N	3E	4		14.2	8.7		27.8	3.3		0.3									54.3
Totals			401.9	397.5	349.1	326.8	428.1	383.0	391.4	356.7	240.9	292.8	351.4	405.8	369.6	281.7	298.3	329.7	5600.6