

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 47-17094

Priority: April 25, 2003

Maximum Diversion Rate: 3.10 CFS

This is to certify, that JACK GOODMAN
4148 N 1100 E
BUHL ID 83316

has applied for a permit to appropriate water from:

Source: LATERAL NO 58

Tributary: MUD CREEK

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

POWER

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

3.10 CFS

LOCATION OF POINT OF DIVERSION:

LATERAL NO 58 NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp 09S, Rge 14E, B.M., TWIN FALLS County

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S 14E 33							X										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2004**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. This approval does not constitute approval for a Stream Channel Alteration Permit which may be necessary at the outfall of the powerplant on Mud Creek.
5. The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
6. Use of water under this right shall be non-consumptive.
7. The rights for the use of water acquired under this right shall be junior and subordinate to all other rights for the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

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State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 47-17094

8. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
9. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
10. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
11. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 13th day of August, 2003


for
KARL J DREHER, Director

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OCT 29 2003

RECEIVED

JAN 15 2003

Department of Water Resources
STATE OF IDAHO

Ident. No.

47-17094

Department of Water Resources
RECEIVED

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AUG 8 2003

Department of Water Resources

1. Name of Applicant Jack Goodman Phone 543-4461
Mailing address 4148 North 1100 East, Bonanza, Idaho 83316
2. Source of water supply irrigation ditch which is a tributary of a lateral @ Mud Creek
3. Location of point of diversion is Township 9S Range 14E Sec. 33 in the NE 1/4, SW 1/4, Govt. Lot _____ B.M., Twin Falls County;

additional points of diversion if any: NONE

4. Water will be used for the following purposes:

- Amount 3.1 cfs for hydro power purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 3.1 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Small concrete structure
to divert flow to 12" pipe

b. Height of storage dam N/A feet; active reservoir capacity 0 acre-feet; total
reservoir capacity 0 acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. 25 kW @ 120 foot head
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

MICHAEL

OCT 29 2003

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9	14	33						H											

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Jack Goodman
b. Who owns the land to be irrigated or place of use? Jeffrey P. Comer
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Both property owners are cooperating to develop hydroplant.

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

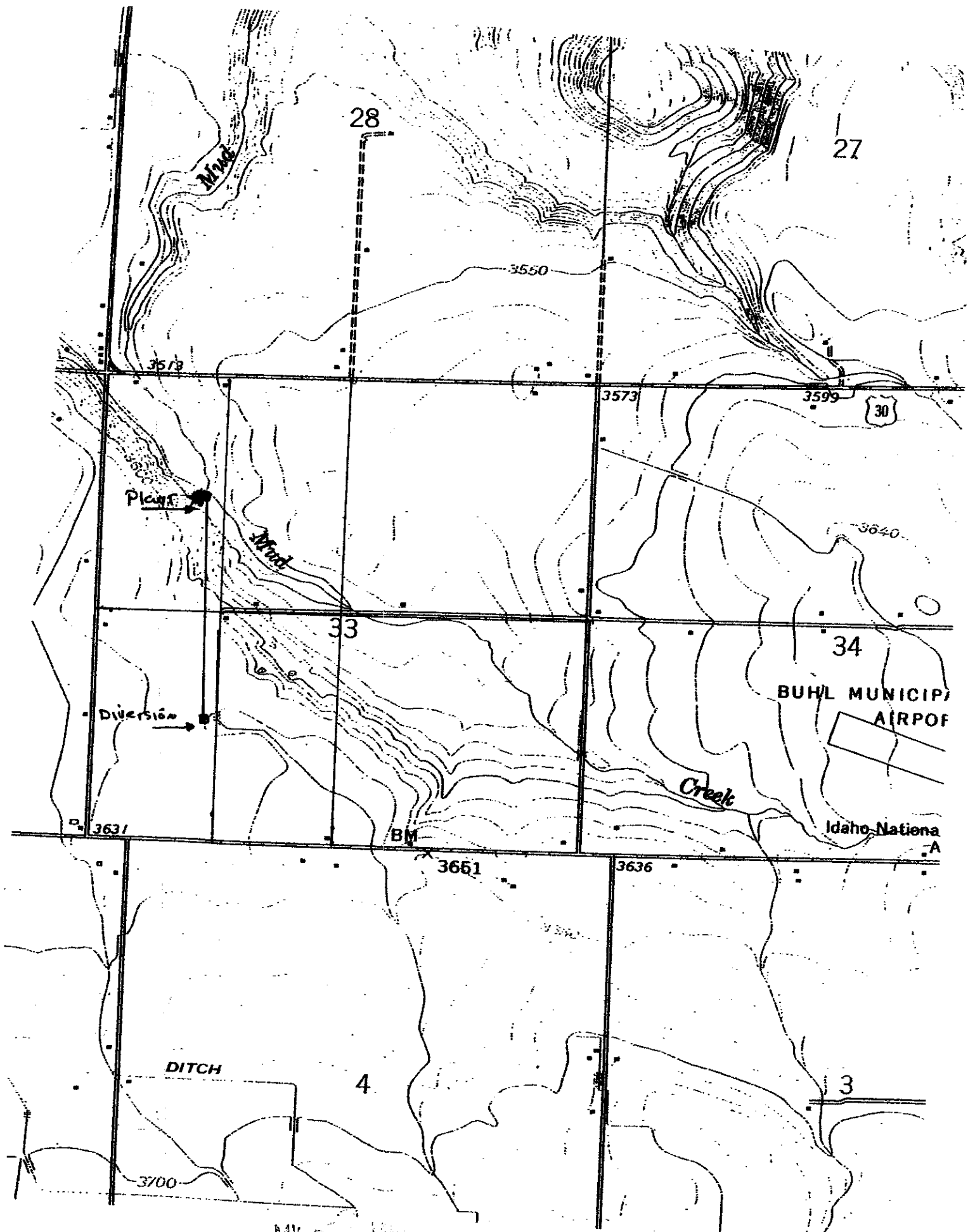
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Jack Goodman
Signature of Applicant (and title, if applicable)

Received by J.F. Date 4-25-03 Time 3:00 PM Preliminary check by J.F.
Fee \$ 370.00 Receipted by J.F. # 5025758 Date 4-25-03
Publication prepared by MB Date 6/27/03 Published in Spencer News
Publication approved MB Date 7/25/03

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OCT 29 2003

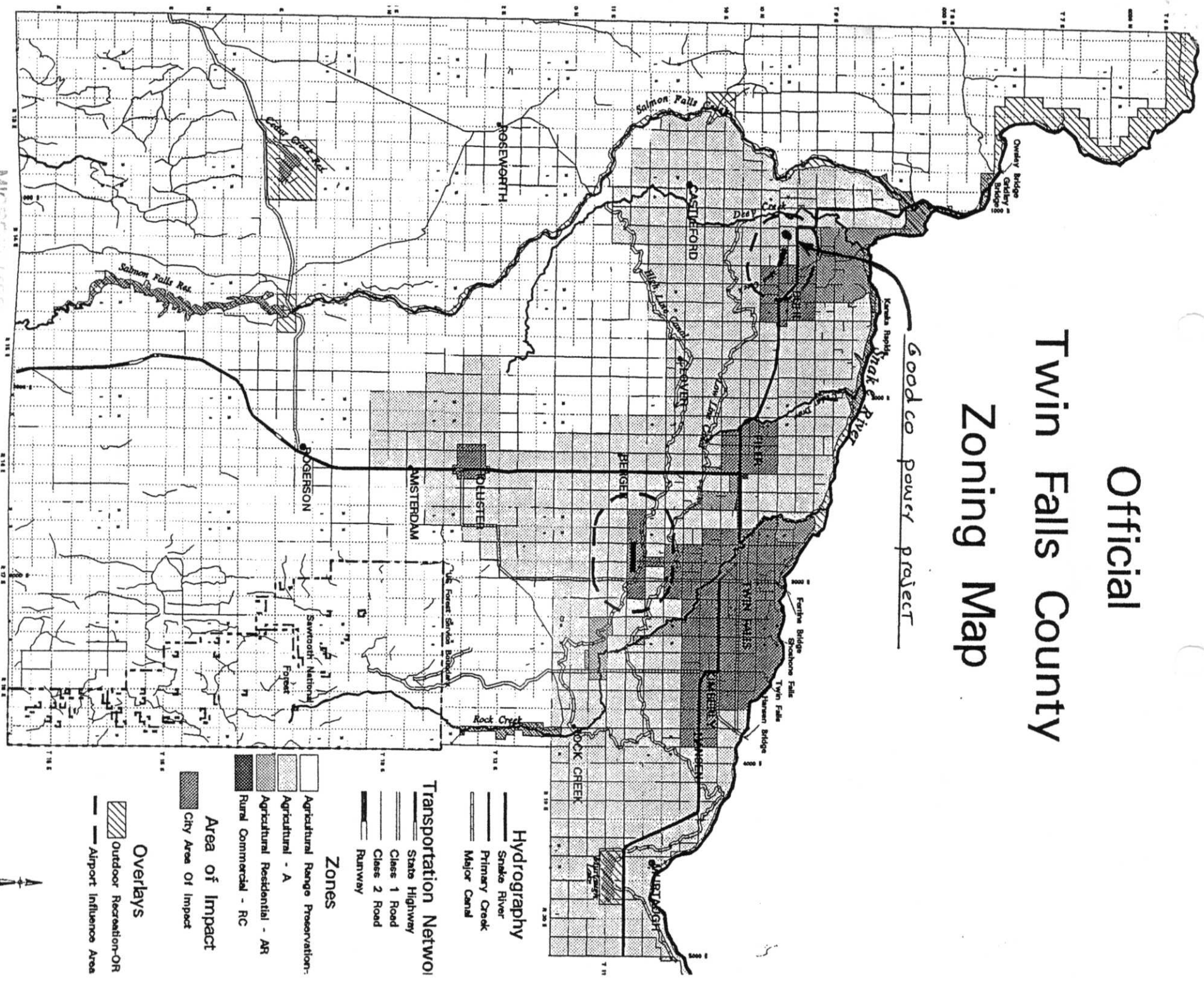


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OCT 24 2005

Official Twin Falls County Zoning Map

Goodco power project



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OCT 29 2003

Scale 1:410,000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

RECEIVED
APR 25 2003
Department of Water Resources
Carmichael Building

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, JEFFREY P. COMER & JACK GOODMAN of BUTTE,
(name) (city)

county of TWIN FALLS, State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city)

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

_____ Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that _____
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

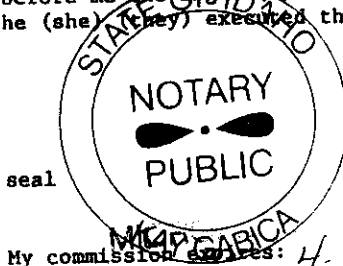
The hydropower facility to be developed pursuant to the attached Application for
Permit:

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit.

Jack Goodman
Applicant

State of Idaho }
County of Twin Falls } ss.

On this 29th day of January, 2003, personally appeared
before me the undersigned of the above instrument, who duly acknowledged to me that
he (she) they executed the same.



Kay Gabica
Notary Public residing at
Twin Falls, Idaho

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 14, 2003

JACK GOODMAN
4148 N 1100 E
BUHL ID 83316

RE: Permit No. 47-17094

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

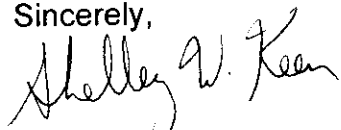
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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OCT 29 2003

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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NOV 24 2003

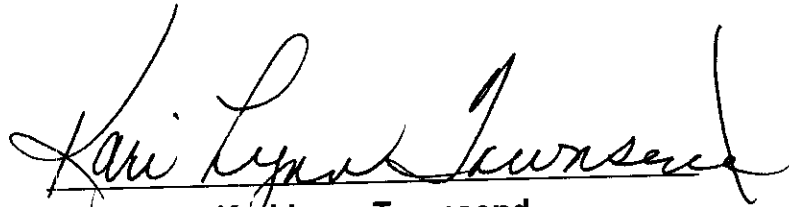
CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

47-17094

JACK GOODMAN
4148 N 1100 E
BUHL ID 83316

A handwritten signature in black ink, reading "Kari Lynn Townsend". The signature is written in a cursive style with a horizontal line underneath the name.

Kari Lynn Townsend
Secretary

MICROFILMED

AUG 26 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

JULY 14 03

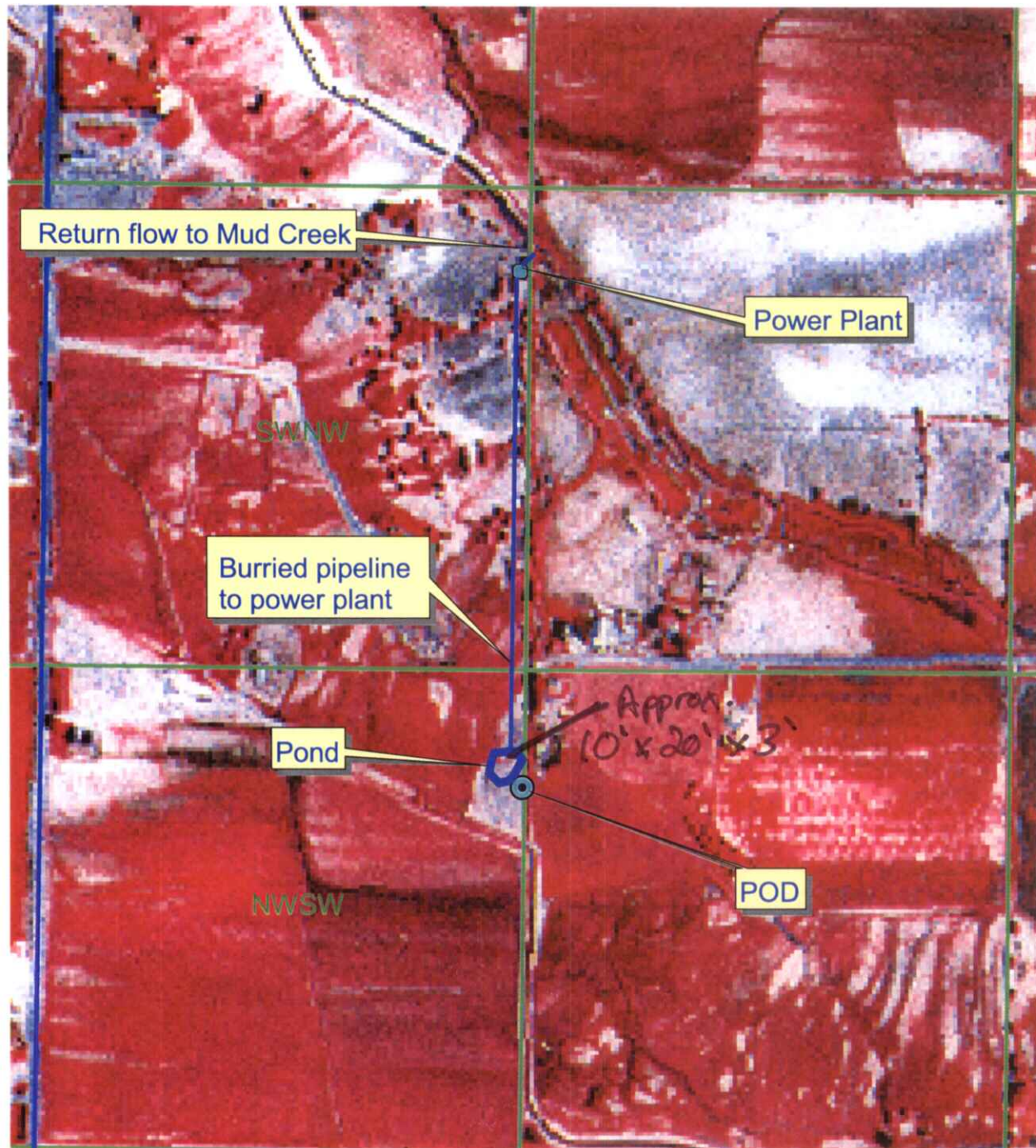
IN REGARDS TO THE HYDRO ELECTRIC PROJECT
PROPOSED BY JEFF COMER AND JACK GOODMAN.
I GIVE THEM THE RIGHT OF WAY FOR A PIPELINE.

STEWART D. MABEY

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OCT 29 2003

Pre-exam for Jack Goodman application 47-17094
done on 7-7-03. T09S, R14E, S33



Quarter quarter lines

Section Lines

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1986 and 1987 NAPP photo
Jfreitag 7-14-03

Pre-exam for Jack Goodman, application 47-170⁰⁴ done on
7-7-03 T09S, R14E, S33



Proposed location for POD. Wastewater ditch.
Located in the NWSW of S33

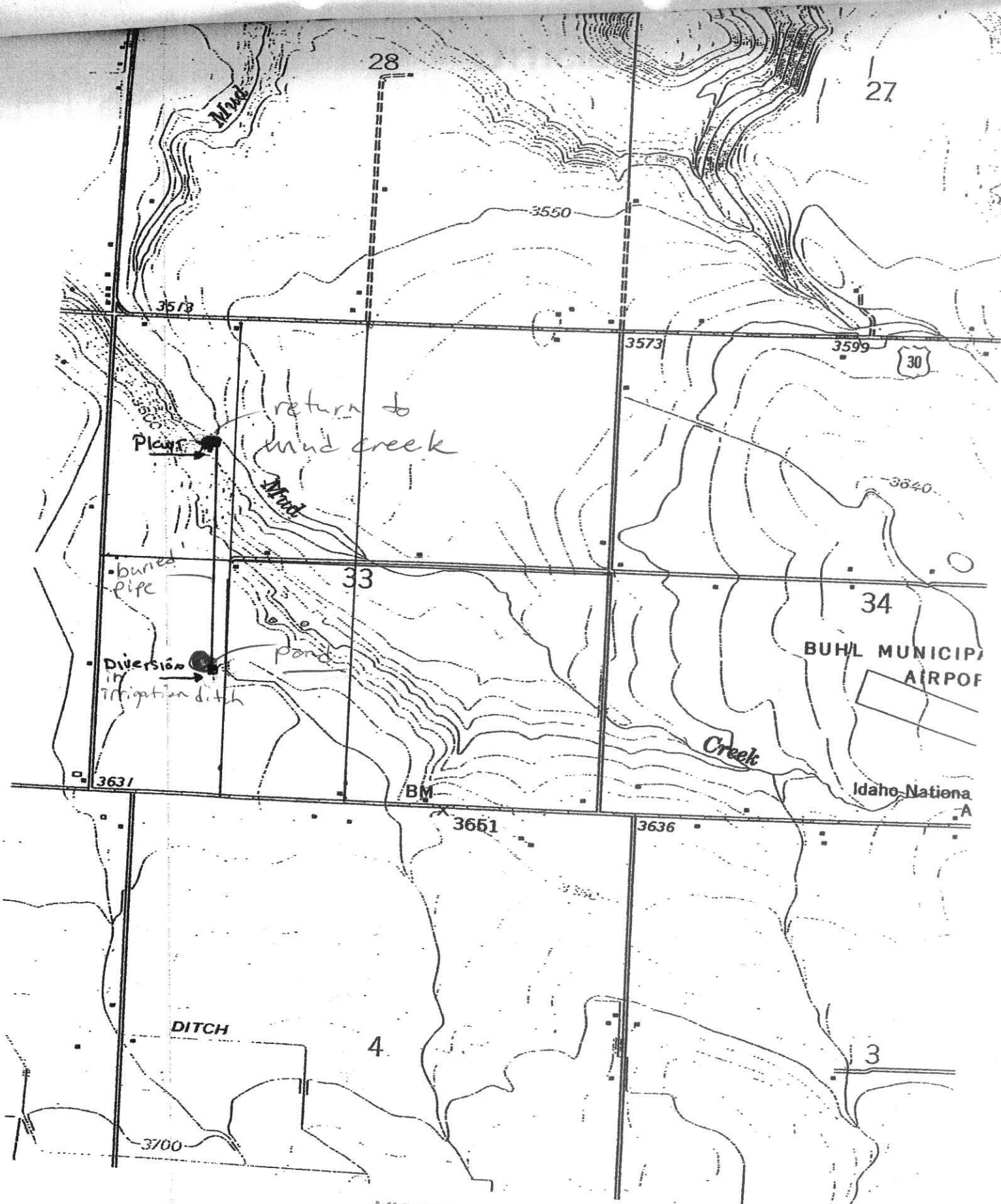


Proposed settling pond location (approx. 10' x 20' x 3')
Located in the NWSW of S33 adjacent to POD.



Proposed POU, water from power plant will discharge
into Mud Creek in the background. Located in the
SWNW of S33.

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OCT 29 2003



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OCT 29 2003

NOTICE OF APPLICATION

The following application has been filed to appropriate the public waters of the State of Idaho, Twin Falls County:

County:
47-17094

JACK GOODMAN

4148 N 1100 E

Buhl, ID 83316

Point(s) of Diversion:

NWSE S33 T09S R14E

Source: IRRIGATION

DITCH Tributary To MUD

CREEK

Use: POWER (3.1 CFS)

01/01 TO 12/31

Date Filed: 04/25/2003

Place of Use: SWNW S33

T09S R14E

Remark: Application is proposing to divert 3.1 cfs for power. Location is 3 miles west of Buhl, Idaho. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before 07/21/2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

PUBLISH: July 3 and 10, 2003

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I, Ruby Ayderheide being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated July 3, 20 03, and ending with the issue dated July 10, 20 03.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 10th day of July in the year 2003, before me, a Notary Public, personally appeared Ruby Ayderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

SPS-McGUIRE

BY PUBLIC

STATE OF IDAHO

MICROFILM

Notary Public for Idaho

Residing at Twin Falls, Idaho.

Commission expires:

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JUL 11 2003

Department of Water Resources
Southern Region

45533

OK MB
7/25/03

0002

5-19-07



IDAHO FISH & GAME

MAGIC VALLEY REGION
868 East Main Street
P.O. Box 428
Jerome, Idaho 83338-0428

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

June 30, 2003

State of Idaho
Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls, ID 83301-3380

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JUL 01 2003

Department of Water Resources
Southern Region

Re: Application for Permit No. 47-17094 – Jack Goodman

The Idaho Department of Fish and Game (Department) has reviewed the application for permit for 3.1 cfs of water for hydropower generation. It is our understanding this application is for 3.1 cfs of wastewater from an irrigation ditch that carries water from lateral 58 of the Twin Falls Canal Company system in Twin Falls County. Issuance of this permit should have minimal negative impacts on fish and wildlife resources *unless* an additional 3.1 cfs of Snake River water is required to satisfy the permit.

Thank you for the opportunity to provide comment. If you have further questions please contact Mike McDonald, Environmental Staff Biologist, at this office.

Sincerely,

David Parrish
Magic Valley Regional Supervisor

Cc: Jack Goodman (Applicant)
IDFG (NRPB)
ECc: IDFG (Region 4 staff)

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OCT 29 2003

Keeping Idaho's Wildlife Heritage

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033
Fax: 736-3037

June 27, 2003

ATTN RUBY AUFDERHEIDE
LEGALS DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Dear Ruby:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,



Mary Baldwin

Administrative Assistant

Enclosure

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OCT 29 2003

Notice of Application

The following application has been filed to appropriate the public waters of the State of Idaho, Twin Falls County:

47-17094

JACK GOODMAN
4148 N 1100 E
BUHL ID 83316

Point(s) of Diversion: NWSE S33 T09S R14E
Source: IRRIGATION DITCH Tributary To MUD CREEK
Use: POWER (3.1 CFS) 01/01 To 12/31
Date Filed: 04/25/2003
Place of Use: SWNW S33 T09S R14E
Remark: Application is proposing to divert 3.1 cfs for power. Location is 3 miles west of Buhl, Idaho

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 07/21/2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in the Times News on 7/3 & 7/10/03.

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SEP 29 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 27, 2003

JACK GOODMAN
4148 N 1100 E
BUHL ID 83316

RE: Application for Permit No 47-17094

Dear Mr. Goodman:

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared for publication in the Times News on 7/3 & 7/10/03. Submittal of protests to the application will be allowed for a period ending ten days after the second publication. (July 21, 2003)

If an application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an un-protested application is about eight weeks.

Please be advised that we also need additional information regarding

Please feel free to contact this office if you have any questions.

Sincerely,

Mary A. Baldwin
Administrative Assistant I

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OCT 28 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 27, 2003

ATTN MIKE MC DONALD
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

Re: Application for Permit No. 47-17094 (Goodman)

Dear Mr. McDonald:

The Department is seeking a written Comment &/or Recommendation from your agency regarding the above referenced application for surface water; a copy of the application is enclosed for your information and reference.

Regional review of an un-protested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure

MICHAEL

OCT 28 2003

Comment Report

47-17094

1. jfreitag 6/26/2003

Legal Notice Remarks

Application is proposing to divert 3.1 cfs for power. Source is an irrigation ditch tributary to Mud Creek.

Location is 3 miles west of Buhl, Idaho

MICRO...

OCT 23 2003



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



April 2, 2003

Tom McCauley
Little Mac Power Services
324 Eleventh Ave N
Buhl, Idaho 83316

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APR 25 2003

Department of Water Resources
Boise, Idaho

RE: Comer/Goodman Hydro Application

Dear Tom,

TFCC has reviewed your application for a Hydro on the tail spill of Lateral 58. Pursuant to the attached agreement TFCC has entered into with Jeff Comer and Jack Goodman, we have no objections to your construction of this project.

Thank you for the opportunity to work with you on this proposal. Please call us at 733-6731 if you have further questions or need more information.

Sincerely,

John Honcik
Chairman

MICRO

APR 29 2003

357 6th Ave. West

Twin Falls 83301

Phone (208) 733-6731

Fax (208) 733-1958

www.tfcanal.com

January 28, 2003

RECEIVED
APR 25 2003
Department of Water Resources
Outflow Office

State Department of Water Resources
Attn: John Freitag, Water Resource Agent Sr.
1341 Fillmore Street, Suite 200
Twin Falls, Id 83301-3380

Dear Mr. Freitag:

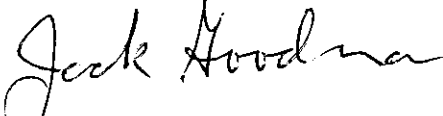
As requested in your letter dated January 16, 2003, is the following signed agreement by both parties describing the agreement between the owner of the place of use and the applicant.

We, Jack Gooman and Jeff Comer agree to share all costs, obligations and revenues to build and maintain a power plant of 20-25 KW with approximately 3.1 CFS.

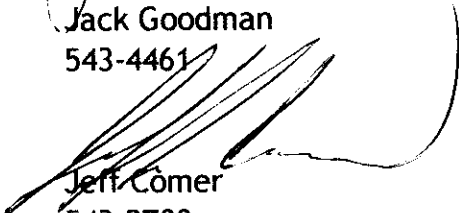
The facility will exist on both properties.

If you have any additional questions, please contact either of us.

Respectfully,



Jack Goodman
543-4461



Jeff Comer
543-2700

MICROFILMED
OCT 23 2003

MAGIC VALLEY BANK

222 Shoshone St. E.
Twin Falls, ID 83301
(208) 736-2400 • Fax (208) 733-8833

RECEIVED
APR 25 2003
Department of Water Resources
Southern Region

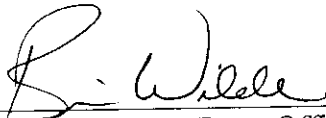
March 18, 2003

To: Idaho Water Resources Board

From: Magic Valley Bank

Re: Jeffery Comer

Magic Valley Bank has made a commitment to Jeffery Comer in the amount of \$30,000.00 to help finance the proposed hydroelectric project. Jeff has been a good customer of the bank since 1999 and has handled all of his financial obligations as agreed and we look forward to helping Jeff in this venture. If you have any questions concerning this matter, please give me a call at 734-2600.



Brian Wilde VP/Loan Officer

RECEIVED
APR 25 2003

Little Mac Power Services

4/21/03

John Freitag
Dept. of Water Resources
1341 Fillmore Street Suite 200
Twin Falls, Idaho 83301-3380

Dear John,

I have enclosed the documents which you requested. These documents should complete the information needed to file the application for Water permit which was first filed on January 15, 2003. Please contact me if there are any questions.

Thank you,


Tom McCauley

Cc:

Jack Goodman
Jeffrey Comer

RECEIVED
APR 25 2003
Department of Water Resources
Twin Falls, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 16, 2003

Jack Goodman
4148 North 1100 East
Buhl, ID 83316

RECEIVED
APR 25
Department of Water Resources
Twin Falls, Idaho

Dear Mr. Goodman:

Please find enclosed your application for permit along with a check for \$370 in the name of Tom McCauley DBA Little Mac Power Services.

I am returning your application for the following reasons:

- Based on flow rate, power applications have additional requirements. I have included a description of the additional information to be submitted with the application based on the proposed 3.1 cfs flow rate.
- The source of water appears that it is possibly part of the Twin Falls Canal Co. (TFCC) system. If it is indeed TFCC water, an agreement with TFCC allowing your proposed development is required.
- Since the owner of the place of use is different from the applicant, a signed agreement by both parties describing the agreement is required.

If you have questions regarding this matter please feel free to contact our office.

Sincerely,

John Freitag
Water Resource Agent Sr.

Encl.

Return to:

6/11/03 2:00