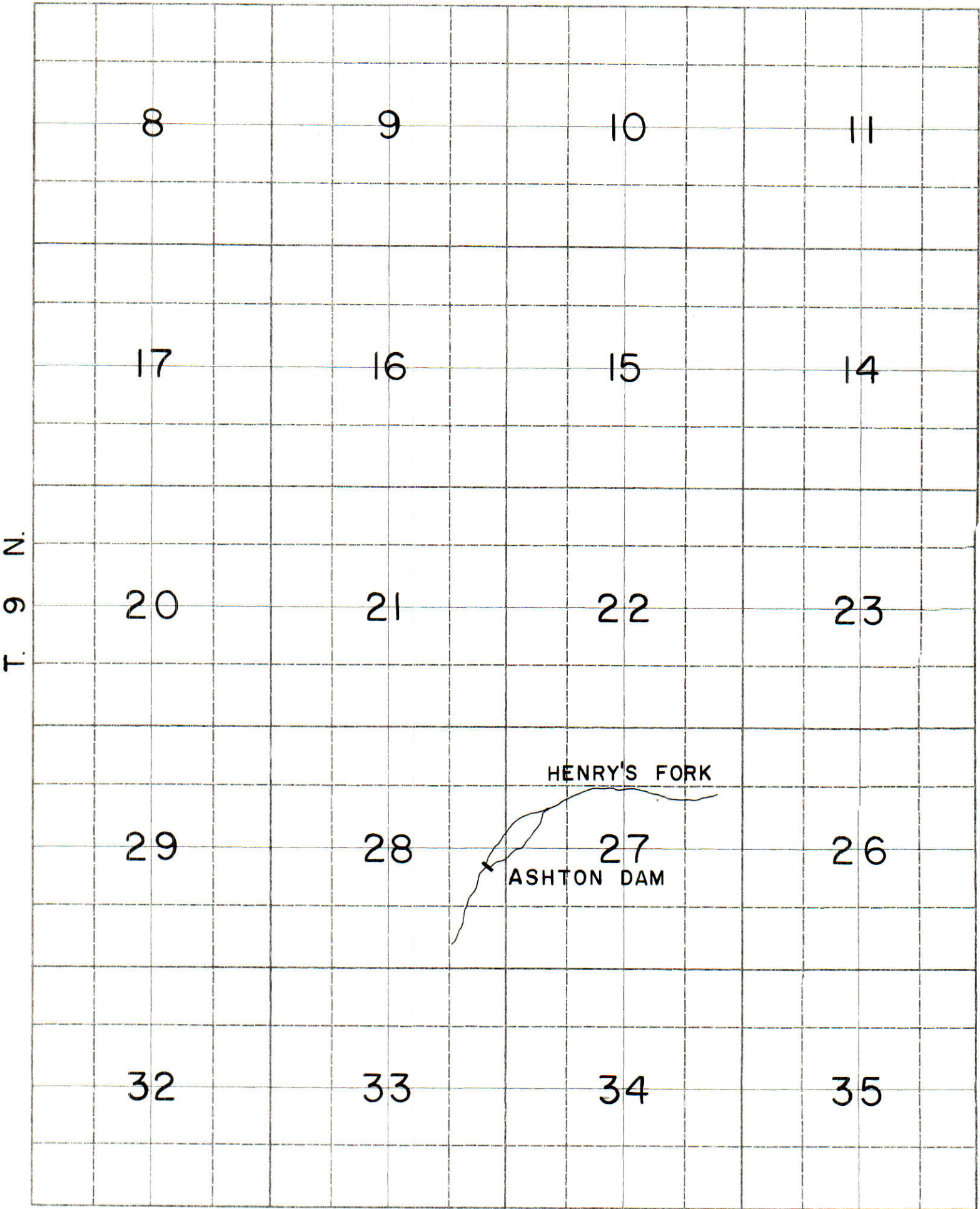


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

R. 42 E.

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

Samuel H. Hays
(Applicant)
Vice President
Utah Power & Light Company

RECORDED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Debra L. Grube

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

That he is the *business clerk*
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of

Notice! Correction

No. 21-7363

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for *2* consecutive
issues thereof; first publication

having been made on the *7th*

day of *November*, 19*85*,

and the last publication on the

14th day of *November*

19*85*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

Debra L. Grube
Subscribed in my presence and

sworn to before me this *17th*

day of *November*,

19*85*.

Linda Sheldon

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

NOV 21 1985

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Application
No. 21-7363 in the name of Utah Power and
Light was advertised incorrectly on October
10 and 17, 1985. The place of use was
advertised as being within the NESE Sec 28
T 09 R 42E.

WHEREAS, the actual place of use is
within the NESE Sec 28 T 9N R 42E.

Any protest against the granting of this
permit as a result of this correction must be
filed with the Idaho Department of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402, on or before
November 25, 1985.

A. KENNETH DUNN
Director

Publ Nov. 7 and 14, 1985AH

MICROFILMED

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 101785 INVOICE No. L00059031Account No. 44660Description 59031NOTICTimes 2 Lines 33

Tab Lines _____

\$ 28.88**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
150 SHOUP AVE. SUITE 15
IDAHO FALLS
ID 83402RECEIVED
OCT 25 1985
Department of Water Resources
Eastern District OfficeNOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.**AFFIDAVIT OF PUBLICATION**STATE OF IDAHO, ss.
County of Nez Perce**NOTICE OF APPLICATION FOR
WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

21-7363

UTAH POWER & LIGHT
P.O. BOX 899, SALT LAKE CITY,
UT 84110Source: HENRY'S FORK trib. to
SNAKE RIVER

Date Filed: 07/22/1985

Diversion Pt: NESE Sec 28 T 09N R
42E

Use: POWER (433.00 CFS)

POWER STORAGE (9796.0 AF)

POWER FROM STORAGE

(9796.0 AF)

In: NESE Sec 28 T 09N R 42E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

KENN DUNN
DirectorS. L. Stone

, being duly sworn,

deposes and says, I am the Legal Clerk

of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION FOR WATER RIGHTattached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 101085week for two consecutive weeks, the first publication thereof being on the 101085, and the last publication thereof being on the 101785, and said**NOTICE OF APPLICATION FOR WATER RIGHT**

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

S. L. StoneSUBSCRIBED AND SWORN BEFORE ME THIS THE 22day of October 1985Shirley M. Lutz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.**MICROFILMED**

**NOTICE OF
APPLICATION**

FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

21-7363

UTAH POWER & LIGHT
P.O. Box 899, Salt
Lake City, UT 84110

Source: Henry's Fork
trib. to Snake River

Date Filed: 07/22/1985

Diversion Pt: NESE

Sec 28 T 09N R 42E

Use: Power (433.00
CFS)

Power Storage (9796.0
AF)

Power from Storage
(9796.0 AF)

In: NESE Sec 28 T 09N
R 42E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.
Ken Dunn
Director

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

No 15565

I, Linda Copps McBaine being first duly sworn upon oath, depose and say that I am Print 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

October 10, 1985, and ending with the issue dated October 17, 1985.

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 published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Linda Copps McBaine
Subscribed and sworn to before me on this 17 day of October, 1985.

Diana House
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

William S. Grube

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

That he is the *business clerk* of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Application for
Water Right 21-7763

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for consecutive issues thereof; first publication

having been made on the *12th*.....

day of *October*, 19*85*,

and the last publication on the

17th day of *October*.....

19*85*.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

William S. Grube
Subscribed in my presence and

sworn to before me this *22nd*

day of *October*.....

19*85*.

James E. Holcomb

[SEAL] Notary Public for the
State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

OCT 23 1985

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho

Code.

21-7363

UTAH POWER & LIGHT

P.O. BOX 899, SALT LAKE CITY, UT
84110

Source: HENRY'S FORK trib. to SNAKE
RIVER

Date Filed: 07/22/1985

Diversion Pt: NESE Sec 28 T 09N R 42E

Use: POWER (433.00 CFS), POWER
STORAGE (9796.0 AF), POWER FROM
STORAGE (9796.0 AF)

In: NESE Sec 28 T 09 R 42E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

KEN DUNN
Director

Publ. Oct. 10 and 17, 1985AH

MICROFILMED

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Laura Gay Barnes, 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 Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) consecutive weekly insertions beginning with the issue of

October 10, 1985, and ending with the issue of October 17, 1985.

Laura Gay Barnes

Subscribed and sworn to before me this 17th
day of October, 1985.

Jeannette Hawk

Notary Public for Idaho, Residing at Boise, Idaho.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

21-7363

Utah Power and Light
P.O. Box 899
Salt Lake City, UT 84110

Source: Henry's Fork trib
to Snake River

Date Filed: 7/22/85

Diversion Pt: NESE Sec 28

T 09N R 42E

Use: Power (433.00 CFS)

Use: Power Storage (9796.0 AF)

Use: Power From

Storage (9796.0 AF)

In: NESE Sec 28 T 09N R 42E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

KEN DUNN
Director

Pub. Oct. 10, 17, 1985

9323

RECEIVED

Department of Water Resources
Eastern District Office

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

G. F. RAMSEY

21-7363

INITIAL REVIEW BY:

APPLICATION NUMBER:

CHECK:

JUL 23 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by:

Date:

Comments:

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Telecon 7/29/85 greater than 100% agreement

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other *01*

Copies sent by:

Date:

8-7-85

8-7-85

8-7-85

8-7-85

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. *01-0277, 0278, 0279*
☒ Yes ☐ No* In form for advertising. *10-28-85*
☐ Yes ☒ No Final date for protests: *11-25-85* *8-26-85*
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: *8-21-85*
☒ Application published correctly. If not, record action taken: *Lead Ashton Herald*
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? *W.D. #1*
7-22-85 Date of priority recommended.
Special conditions of approval or cover letter. _____

MICROFILMED

RECEIVED

check mine streamflow 21-7282 - this app. is downstream from minimum streamflow

By: *Ernest Carlson*

Date: *Aug 26, 1985*

STATE OFFICE REVIEW:

LO9

08A 18A 18B 05(01, Snake River

09D 17M 17K 25 27

☐ See attached sheet for more information.

By: *KW*

Date: *1/7/86*

Department of Water Resources

RECEIVED

SEP 06 1985

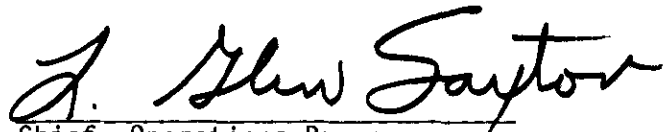
Department of Water Resources

ATTACHMENT TO CONDITIONS OF APPROVAL

For Permit No. 21-7363

- d. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
- e. The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
- f. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
- g. Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.
- h. The Director retains jurisdiction of this permit 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.
- i. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- j. Use of water under this permit shall be non-consumptive.
- k. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- l. Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 20th day of January, 1986.


Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Utah Power & Light Company Phone (801) 535-2174

Post office address P. O. Box 899, Salt Lake City, Utah 84110

2. Source of water supply Henry's Fork which is a tributary of Snake River

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9N.

Range 42E. B.M. Fremont County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 9796AFA for power storage purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(~~acre~~ acre-feet per annum) power from

Amount 9796AFA for storage purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(~~acre~~ acre-feet per annum)

Amount 433 CFS for 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)

5. Total quantity to be appropriated:

a. 433 cubic feet per second and/or b. 9796.0* acre-feet per annum.
*kw 1/3/86

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Ashton Dam

b. Height of storage dam 56.5 feet, active reservoir capacity 9796 acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: rock-earth fill

Period of year when water will be diverted to storage Jan. 1 to Dec. 31 inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9 N.

Range 42 E. B.M.

(2) Amount of power to be generated: 2000 ~~2400~~ ^{PER TELECON 7/24/85} horsepower under 48 feet of head.

(3) List number of each kind of livestock to be watered NA

(4) Name of municipality to be served NA, or number of families to be supplied with domestic water NA.

(5) If water is to be used for other purposes describe: Hydro-electric power generation at Ashton hydro plant (see remarks).

MICROFILMED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. See remarks.

9. a. Who owns the property at the point of diversion Utah Power & Light Company

b. Who owns the land to be irrigated or place of use Utah Power & Light Company

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Paragraph 8a(5) - The number one unit will be upgraded from 1800 Kw at a flow of 570 CFS to 3300 Kw at a flow of 1003 CFS. This amounts to an additional flow requirement of 433 CFS.

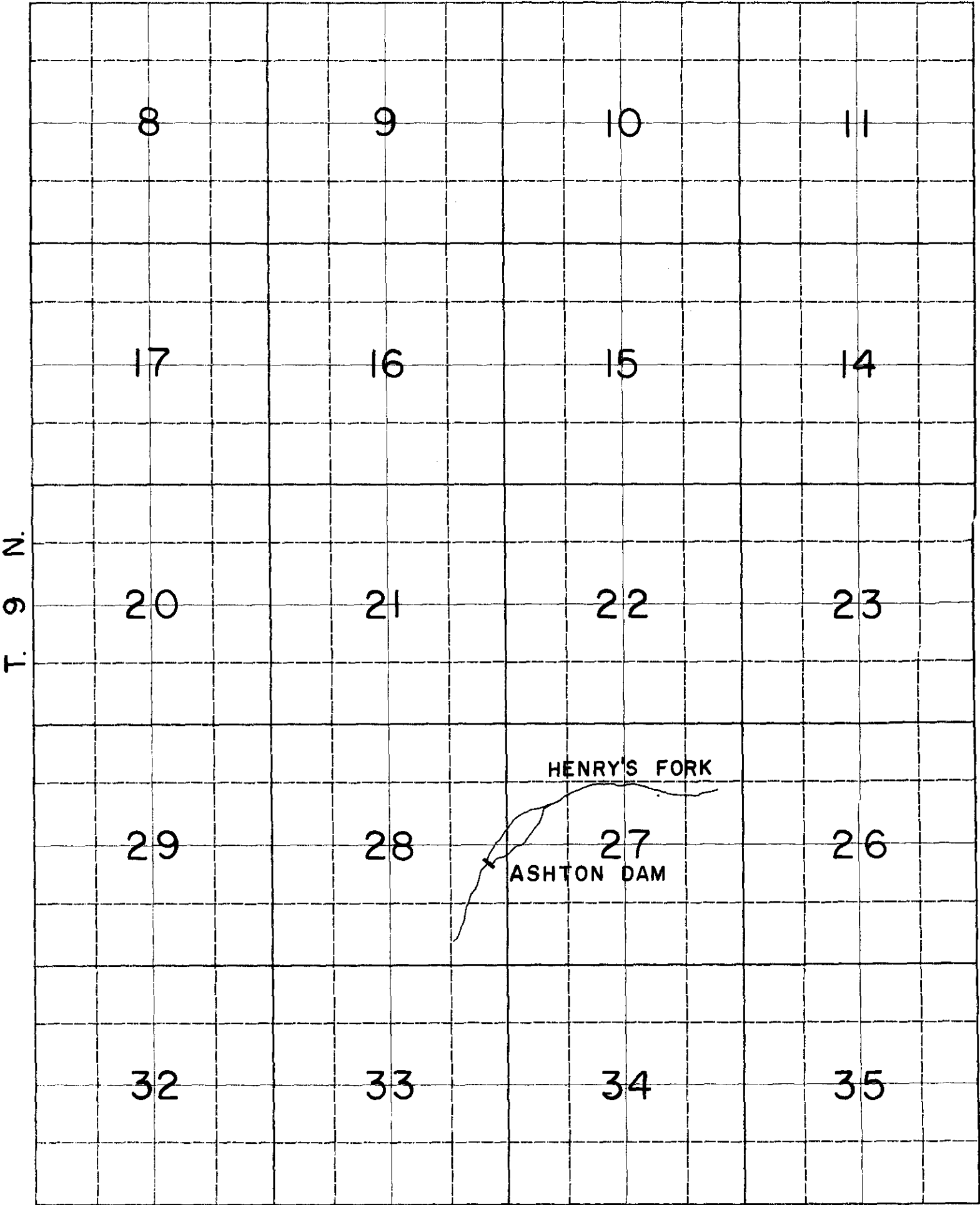
Paragraph 8c - 01-0277 - 1000 CFS

01-0278 - 500 CFS

01-0279 - 1000 CFS

Please be advised that diversion of water under this application will not change flows in Henry's Fork above or below Ashton plant. The same amount of water will pass Ashton Dam. During spring runoff, the amount of spillway flow will be reduced by 433 CFS with a corresponding increase in flow through the plant after the #1 unit is upgraded. No new reservoir storage will occur under existing operating agreements and there will be no impact on the downstream fishery resources or other water uses.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

R. 42 E.

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

Ashton H. Hays
(Applicant)
Vice President
Utah Power & Light Co.
JAN 1938

Proposed Priority 7/22/85

MICROFILMED

Received by CW Date 7-22-85 Time 3:30 p

Preliminary check by for Fee \$ 2890.00 # 35458

Receipted by ct Date 7-30-85

Publication prepared by ct Date 7-31-85

Published in Bozton Herald Lewiston Morning Tribune, Times-News, The Idaho Statesman

Publication dates 8-8 & 8-15-85 Read Statewide 10/02/19/85

Publication approved CW Date 8-21-85

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 21-7363, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 91.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: SEE ATTACHED SHEET FOR CONDITIONS d thru l.

Witness my hand this 20th day of January, 1986.

J. Glen Saxton
Chief, Operations Bureau

1986
RECEIVED
DEC 13 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$15 FEE Received by 12
Date 12/13/90
Receipt # CO 194.33

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

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

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 21-07363Name(s) of Permit Holder: UTAH POWER & LIGHT COMPANYPost Office Address: 1407 WEST NORTH TEMPLE, SALT LAKE CITY, UTAH 84140 (ROOM 195)Telephone No. (801) 220-2174Date Proof is Due: JANUARY 1, 1991

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

THE ENGINEERING FEASIBILITY STUDY IS COMPLETED, AND A CONTRACTOR HAS BEEN SELECTED. CONSTRUCTION ON THE
ASHTON UNIT #1 UPGRADE WILL BEGIN IN SEPTEMBER 1991 AND WILL BE COMPLETED BY DECEMBER 1992.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

PRELIMINARY AND FINAL ENGINEERING STUDIES WERE NEEDED PRIOR TO STARTING CONSTRUCTION.

Permit holder(s) request an extension to DECEMBER 31, 19 92.
(1 yr. minimum)

(Signature)*

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

MICROFILMED

JAN 28 1991

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 1993.

Signed this 11th day of January, 19 91.

H. Glen Saxton
Chief, Water Allocation Bureau

RECEIVED

JUL 22 1985

Department of Water Resources
Eastern District OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

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

1. Individual Applicant or Individual Members of a Partnership:

I, _____ of _____,
(name) (city)county of _____, State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, Richard Westerberg of Rexberg,
(name) (city)County of Madison, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the Utah Power
& Light Company: 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

Rexburg Idaho, wherein are kept the corporate records required
(city)by Section 30-1-52, Idaho Code: and that Utah Power & Light Company
(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. Utah Power's application utilizes its existing dam built, used and owned by it for hydropower generation.
- ☐ 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 signer of this affidavit.

Richard D. Westerberg
Applicant

State of Idaho }
County of Franklin } ss.

On this 18th day of July, 1985, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

Mura Palmer
Notary Public residing at

Preston, Idaho

My commission expires:

7-21-1991

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Deles H. Grube

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

That he is the *business manager*
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of

Notice of Correction

No. 21-7363

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for *2* consecutive
issues thereof; first publication

having been made on the *7th*

day of *November*, 19*85*,

and the last publication on the

14th day of *November*

19*85*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

Deles H. Grube

Subscribed in my presence and

sworn to before me this *19th*

day of *November*,

19*85*.

Linda Sheldon

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.

Ashton

RECEIVED

NOV 21 1985

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Application
No. 21-7363 in the name of Lish Power and
Light was incorrectly recorded on October
20 and 21, 1985. The date of said was
advertised as being in the NESE Sec 25
T 8 S 2 E.

Whereas, the actual record of use is
within the NESE Sec 25 T 8 S 2 E.

Any person having this
notice in a form of the Department of Water
Resources, 150 South Ave., Suite 15,
Idaho Falls, Idaho 83402, on or before
November 1, 1985.

A. J. BOWEN
Director

Published 1985AH

MICROFILMED

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 101785 INVOICE No. L00059031

Account No. 44660

Description 59031NOTIC

Times 2 Lines 33

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
150 SHOUP AVE. SUITE 12
IDAHO FALLS
ID 83402

\$ 28.88

RECEIVED
OCT 25 1985
Department of Water Resources
Eastern District Office

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

S. L. Stone, being duly sworn,
deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION FOR WATER RIGHT

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 101085, or once a
week for two consecutive weeks, the first
publication thereof being on the 101085, and the last pub-
lication thereof being on the 101785, and said

NOTICE OF APPLICATION FOR WATER RIGHT

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

S. L. Stone

SUBSCRIBED AND SWORN BEFORE ME THIS THE 22
day of October 1985

Shirley M. Lentz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

MICROFILMED

**NOTICE OF
APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

21-7363

UTAH POWER & LIGHT
P.O. Box 899, Salt
Lake City, UT 84110
Source: Henry's Fork
trib. to Snake River

Date Filed: 07/22/1985

Diversion Pt: NESE

Sec 28 T 09N R 42E

Use: Power (433.00

CFS)

Power Storage (9796.0

AF)

Power from Storage

(9796.0 AF)

In: NESE Sec 28 T 09N

R 42E

The permit(s) will be subject to all prior water rights. Protests are invited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

Don Dunn

Director

PUBLISH: Thursdays,

October 10 and 17 1985.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

No 15565

I, Linda Copps McSquire being first duly sworn upon oath, depose and say that I am Print 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 October 10, 1985, and ending with the issue dated October 17, 1985.

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 published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Linda Copps McSquire
Subscribed and sworn to before me on this 17 day of

October, 1985.

Barbara House
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

William H. Grube

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

That he is the *business clerk* of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Application for
Water Right 21-7263

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for *2* consecutive issues thereof; first publication

having been made on the *16th*

day of *October*, 19*85*,

and the last publication on the

17th day of *October*

19*85*.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

William H. Grube

Subscribed in my presence and

sworn to before me this *22nd*

day of *October*,

19*85*.

James E. Holcomb

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

OCT 20 1985

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the waters of the State of Idaho and are being reexamined to allow evaluation of the public interest criteria under Section 42-201, Idaho Code.

Date: 10-16-85
Applicant: **UTAH POWER & LIGHT**
P.O. BOX 200, SALT LAKE CITY, UT 84110
Source: **RENTON'S FORK** to **GRACE**
Firm: **GRACE**
Div: **GRACE**
Description: **GRACE**
Use: **GRACE**
STOP
STON
In accordance with the provisions of the Idaho Water Right Act, the following notice is hereby given to all water users in the State of Idaho who may be affected by the proposed water right application. The applicant is hereby notified that the proposed water right application is being reexamined to allow evaluation of the public interest criteria under Section 42-201, Idaho Code. The applicant is hereby notified that the proposed water right application is being reexamined to allow evaluation of the public interest criteria under Section 42-201, Idaho Code.

WILLIAM D. DUNN
Director

MICROFILMED

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Laura Gay Barnes, 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 Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) consecutive weekly insertions beginning with the issue of

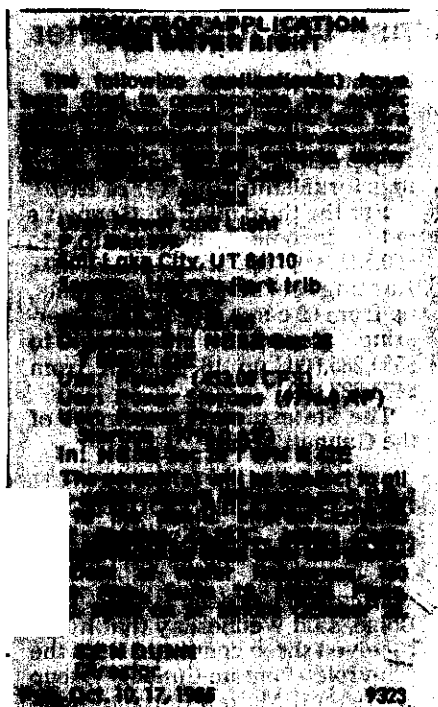
October 10, 1985, and ending with the issue of October 17, 1985.

Laura Gay Barnes

Subscribed and sworn to before me this 17th
day of October, 1985.

Jeanne M. Howell

Notary Public for Idaho, Residing at Boise, Idaho.



Department of Justice
Eastern District Office

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

.....*Helena L. Bucke*.....

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

That she is the *business club*
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of *notice of application*

for water rights.....
21-7347.....21-7363

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for *2* consecutive
issues thereof; first publication

having been made on the *8*.....

day of *August*....., 19*85*,

and the last publication on the

15 day of *August*.....

19*85*

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

.....*Helena L. Bucke*.....
Subscribed in my presence and

sworn to before me this *20*.....

day of *August*.....,

19*85*

.....

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

AUG 21 1985

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have been fil-
ed to appropriate the public waters of the
State of Idaho

21-7347

HILL, RAYMOND ZOLLINGER &/or
MARGUERITE P.
168 N. CENTER, REXBURG, ID 83440
Source: GROUNDWATER
Date Filed: 06/13/1983
Diversion Pt: NWNW Sec 16 T 13N R 43E
Use: IRRIGATION (0.03 CFS),
DOMESTIC (0.06 CFS)
In NWNW Sec 16 T 13N R 43E FOR 1
ACRES

21-7363

UTAH POWER & LIGHT
P.O. BOX 899, SALT LAKE CITY, UT
84110
Source: HENRY'S FORK trib. to SNAKE
RIVER
Date Filed: 07/22/85
Diversion Pt: NESE Sec 28 T 09N R 42E
Use: POWER (433.00 CFS), POWER
STORAGE (9796.0 AF), POWER FROM
STORAGE (9796.0 AF)
In: NESE Sec 28 T 09N R 42E
The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before AUGUST 26, 1985.

KEN DUNN
Director

Publ. Aug. 8 and 15, 1985AH

MICROFILMED

**MEMORANDUM OF AGREEMENT
REGARDING ASHTON-ST. ANTHONY PROJECTS**

RECEIVED

NOV 8 - 1999

Department of Water Resources

This AGREEMENT REGARDING ASHTON-ST. ANTHONY ("Agreement") is made and entered into this 22nd day of October, 1999, between the STATE OF IDAHO, by and through the Director of the Idaho Department of Water Resources ("IDWR"); and PACIFICORP, an Oregon corporation doing business in Idaho as Utah Power & Light Company ("PacifiCorp"), and SCOTTISH POWER plc, a public limited company registered in Scotland ("ScottishPower").

RECITALS

A. PacifiCorp and ScottishPower are parties to a merger transaction that is currently the subject of approval proceedings before the Idaho Public Utilities Commission ("IPUC"). After the proposed merger, PacifiCorp will operate as an indirect, wholly-owned subsidiary of ScottishPower and will continue to exist as a separate corporate entity providing electrical service to Idaho customers subject to the jurisdiction of the IPUC.

B. The parties to this Agreement recognize and acknowledge that the economic well-being of Southeastern Idaho is dependent upon the diversion and use of water for irrigated agriculture and other beneficial uses, and that to achieve that purpose, the water rights presently owned by PacifiCorp on the North Fork (Henry's Fork) of the Snake River must continue to be used consistent with historical practices.

C. PacifiCorp owns the following six decreed water rights used for hydropower generation at the Ashton and St. Anthony hydropower plants. The water rights were decreed to the Utah Power & Light Company in *Woodville Canal Co. v. Clark & Edwards Canal & Irrigation Co., et al.*, No. 661 (D. Idaho, Eastern Div. June 25, 1929).

Ashton Hydroelectric Plant, Fremont County, Idaho

<u>Right No.</u>	<u>Amount</u>	<u>Priority Date</u>	<u>Status</u>	<u>PLACE OF USE</u>
01-00277	1000 cfs	July 16, 1913	Decreed	Sec. 28,T9N,R42E
01-00278	500 cfs	Nov. 1, 1915	Decreed	Sec. 28,T9N,R42E
01-00279	1,000 cfs	Mar. 7, 1924	Decreed	Sec. 28,T9N,R42E
21-04060	500 cfs (9,796 afa)	Jan. 1, 1913	Ben. Use	Sec. 28,T9N,R42E
21-07363	433 cfs (9,796 afa)	July 22, 1985	Permit	Sec. 28,T9N,R42E

Microfilm No. 460279
_____1____ Day Nov 19 99
At 12:30 O'clock PM
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 12. Ch Deputy

Recorded At Request of
State of Idaho
1301 N. Orchard St. Boise, ID 83725

St. Anthony Hydro Plant, Fremont County, Idaho

01-00280

700 cfs

Dec. 20, 1913 Decree

Sec. 1, T7N,R,40E

D. Under a Contract dated September 28, 1935, between the U. S. Bureau of Reclamation, Fremont-Madison Irrigation District, City of Idaho Falls, and Utah Power and Light Company, as modified by Letter of Agreement on Operations dated July 3, 1984, PacifiCorp's use of water for power generation at the Ashton and St. Anthony hydropower facilities between November 15 and May 1 of each year is secondary to the right to impound up to 110,000 acre feet of water in Island Park Reservoir in any one season for irrigation, domestic, and incidental purposes. Except as modified by the Letter of Agreement on Operations, under the Contract PacifiCorp has no right to interrupt, fluctuate, or interfere with the release of stored water or dictate or determine the time, rate, or manner of release of stored water. Generation of power with water released from Island Park Reservoir during the irrigation season of each year is incidental to all rights to the use of water released from storage.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES AS FOLLOWS:

1. PacifiCorp and ScottishPower agree that PacifiCorp's water rights listed in Paragraph C. above are constrained by the Contract dated September 28, 1935, the Letter of Agreement on Operations dated July 3, 1984, and the historic practice of not making a delivery call for hydropower generation.
2. PacifiCorp and ScottishPower agree to continue to operate the Ashton and St. Anthony hydropower plants on the North Fork Snake River (Henry's Fork) in a manner that recognizes that PacifiCorp's rights to the use of water for power generation are incidental to the rights to the use of water for other purposes, except for junior water rights for hydropower generation.
3. PacifiCorp and ScottishPower agree that in order to ensure that the terms of this Agreement are preserved, PacifiCorp and IDWR shall immediately undertake to enter into a stipulation in the pending Idaho Snake River Basin Adjudication, Twin Falls County Case No. 39576, to reflect the provisions of paragraphs 1 and 2 of this Agreement.
4. PacifiCorp and ScottishPower agree that upon execution and acknowledgment, this Agreement shall be recorded with the County Recorders Office in Fremont County, Idaho, as an instrument affecting the title to or possession of real property for the purpose of ensuring that the subject water rights are held and utilized in a manner consistent with the provisions of this Agreement.
5. In the event any party deems that the terms of this Agreement have been breached or that it is entitled to declaratory or injunctive relief in relation to the Agreement, ScottishPower and PacifiCorp consent to being sued and/or being named as a defendant in any action in any federal or Idaho state court of competent jurisdiction, including but not limited to the United States Supreme Court.

6. ScottishPower and PacifiCorp acknowledge receiving sufficient consideration for the commitments contained in this Agreement, and waive any argument they might have in any judicial proceeding that consideration is not sufficient.

7. This Agreement is intended to be a final and binding settlement agreement between the State of Idaho, ScottishPower and PacifiCorp, jointly and severally, and inures to and is binding upon the representatives, successors in interest, constituencies, and assigns of each entity. This Agreement represents a personal obligation of each of the parties hereto.

8. The State of Idaho does not waive its sovereign immunity by entering into this Agreement and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

9. ScottishPower and PacifiCorp each warrant and represent that the person executing this Agreement is empowered to do so on behalf of each company and thereby binds each entity by signing this Agreement.

10. The failure to object to any breach of any term or condition in this Agreement shall not constitute a waiver and no failure to object shall be deemed a waiver of any prior or subsequent breach.

11. This Agreement represents the entire and integrated agreement between the parties regarding the commitment of PacifiCorp and ScottishPower. No promise or inducement has been offered or made except as herein set forth and this Agreement is executed without reliance upon any statement or representation by any other party or their agent.

12. The provisions of this Agreement may be amended only upon the written mutual agreement of the parties.

13. This Agreement is executed in triplicate counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

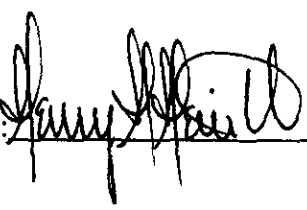
IN WITNESS WHEREOF, the parties have executed this Agreement the day and the year first above written.

STATE OF IDAHO

By: 

Karl J. Dreher, Director
Department of Water Resources

PACIFICORP

By: 

SCOTTISH POWER plc

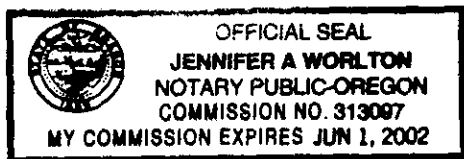
By: 

460279

ACKNOWLEDGEMENTS

STATE OF Oregon)
 COUNTY OF Multnomah) ss.

On this 21st day of October, 1999, before me, Jennifer A Worlton, a notary public of the State of Oregon, personally appeared HENRY H. HEWITT, Executive Vice President of PacifiCorp, known or identified to me to be the person who executed the foregoing instrument on behalf of PacifiCorp, and he acknowledged to me that he executed the same.



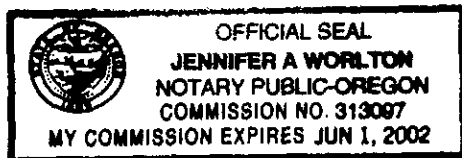
Jennifer A. Worlton
 NOTARY PUBLIC FOR OREGON
 Residing at:

5305 SE Woodland Dr
Mresham, OR 97080

My commission expires:

STATE OF Oregon)
 COUNTY OF Multnomah) ss.

On this 21st day of October, 1999, before me, Jennifer A. Worlton, a notary public of the State of Oregon, personally appeared MATTHEW R. WRIGHT, a Manager of Scottish Power plc, known or identified to me to be the person who executed the foregoing instrument on behalf of Scottish Power plc, and he acknowledged to me that he executed the same.



Jennifer A. Worlton
 NOTARY PUBLIC FOR OREGON
 Residing at:

5305 SE Woodland Dr
Mresham, OR 97080

My commission expires:

December 23, 1992

UTAH POWER & LIGHT
1407 W. N. TEMPLE
SALT LAKE CITY UT 84140

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07363

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

JAN 21 1993

DEC 21 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 600.00

Date 12-22-92

Receipt No. 0026346

Receipt by

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 21-07363 Telephone No. 801-220-2174
2. Name(s) of Permit Holder(s): Utah Power & Light Company
3. Mailing Address: 1407 West North Temple, SLC, Utah 84140
4. Source of Water: Henry's Fork

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other Hydro Power (See Explanatory Attachment)

6. Total rate and/or volume for which proof is submitted 380 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 600.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Ross Henderson (208) 652-3207

Name Telephone No.

Route 1, P. O. Box 86A, Ashton, Idaho 83420

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

12-16-92
Date

SA deLouse Director, Hydro Resources
Signature (and title, if on behalf of a company or organization)

JAN 21 1993

EXPLANATORY ATTACHEMENT

RECEIVED

DEC 21 1992

Paragraph 5

The #1 Unit was refurbished with a new turbine and the generator was rewound. This upgrade increased the unit generation from 1.5 mw to 2.85 mw and increased the hydraulic capacity from 570 cfs to 950 cfs. Therefore, the flow requested under Permit #21-07363 is equal to 380 cfs.

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 21-07363

Reviewed by llg

Date 12/22/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

hydropower
yes Correct Uses?

SOURCE OF WATER

✓ Surface water source
Ground water source

NA Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
600 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes ~~NA~~ Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

~~needs a m~~

DATA ENTRY

New Address _____

Proof Made 12/23/92
llg



RECEIVED

DEC 21 1992

Department of Water Resources

NORTH TEMPLE OFFICE

1407 WEST NORTH TEMPLE • SALT LAKE CITY, UTAH 84140

December 18, 1992

Karen L. Gustafson
Idaho Dept. of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Ms. Gustafson:

The attached "Proof of Beneficial Use" and check for \$600 is for Permit #21-07363. This Proof covers the additional flow requirement of 380 cfs related to the #1 unit refurbishment of PacifiCorp's Ashton Hydroelectric Facility on Henry's Fork.

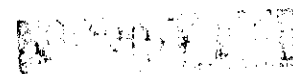
Very truly yours,

A handwritten signature in cursive script that reads "Carly B. Burton".

Carly B. Burton
Hydrological Supervisor

CBB:cs

Attachment



JAN 21 1993

October 31, 1992

UTAH POWER & LIGHT
1407 W. N. TEMPLE
SALT LAKE CITY UT 84140

PROOF DUE NOTICE

RE: PERMIT NO. 21-07363

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

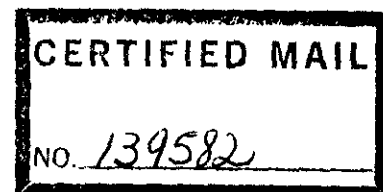
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JAN 21 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 16, 1991

David M. Daley, P.E.
PACIFICORP Electric
168 North 1950 West
Salt Lake City, UT 84140

RE: Ashton Dam Construction Modifications

D21-2164

Dear Mr. Daley:

The Department received and has completed review of the drawings (Released for Construction) for Ashton Dam, and noted the following revisions:

- increased mass and top width of upstream random rockfill berms (placed underwater) top of lower berm lowered 5ft; removal of reservoir deposits prior to placement of rockfill
- elevated walkway bridge deleted; replaced with steps to access dam crest
- in lieu of fill, lean concrete placed in low level outlet conduits and access shaft
- downstream construction access, from right bank, eliminated

Other minor revisions in the detail drawings were indicated; however, there appears to be no significant design revisions of structural features, that detract from safety. Accordingly, construction specification(s) revisions were indicated in the NOTES on the respective drawings.

The Department's technical review has been completed; the Ashton Dam modifications are hereby approved. Construction may proceed, which we understand will extend to mid-November.

During the course of construction, please notify Dave Walrath (phone 525-7161) in our Eastern Regional office, so that inspections can be conducted at the following times:

- During placement (underwater) of the random rockfill
- After dewatering, during placement of the RCC toe (pad) and
- During placement of RCC on the downstream slope; and
- During placement of the reinforced concrete cap on the dam crest
- During filling of the low level outlet conduits, with lean concrete
- After construction work has been completed

NOV 20 1991
JAN 21 1993

David M. Daley, P.E.
RE: D21-2164
Page 2

If there are other (minor) revisions, during the course of construction, any changes should be noted in the construction log and/or on the construction drawings. During construction please compile a construction log (including test results) for subsequent submittal to the Department, with record as-built drawings.

The engineer in responsible charge shall submit a brief narrative account of work completed and certify that modifications were completed in accordance with the approved plans (or explain any deviation). Please refer to Rule 8,1,13 through 8,1,13,2, Safety of Dams, Rules and Regulations.

As previously indicated, the modifications (underway) fulfill the requirements for accommodating the inflow design flood (IDF) for an existing large, high risk dam (Rule 8,2,1,1 and Rule 8,2,1,4) and the consultant's design analyses fulfills the seismic requirements. However, an operation plan must be filed in accordance with Rule 7. The Ashton Dam EAP (on file) can be incorporated in the operation plan, which should describe normal operating procedures and monitoring of the project.

Please advise if you need copies of the approved plans; the set of reproducible drawings have been filed with the other design information on file in the State office. If there are questions regarding the approval or submittal of the construction information requested, please advise. Also contact me (phone 327-7957) if you have any questions about developing the operation plan for Ashton Dam.

Very truly yours,

David H. Hollingshead

DAVID H. HOLLINGSHEAD
Dam Safety Section, Manager

DHH:nl

cc: IDWR - Eastern Region

RECEIVED
1 NOV 29 1993
JAN 21 1993

January 14, 1991

UTAH POWER AND LIGHT COMPANY
1407 WEST NORTH TEMPLE
SALT LAKE CITY, UT 84140

Gentlemen:

Re: Permit No. 21-7363

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1993.

Note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JAN 28 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 21-7363Reviewed by [Signature]Date 1-10-91

BASIC INFORMATION

9 Date stamp received
9 Extension received timely (not too early not too late)
9 Fee received and receipted
9 Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

4 Has adequate work been completed to demonstrate due diligence?
9 Has the cost incurred been adequate to demonstrate an intent to complete the project?
 _____ Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

_____ Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence for 2 years*

4/8 Reinstate Date extension received _____ = _____
 Proof due date _____ = -
 No. of days late _____ = _____
 Priority date _____ = +
 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

1/10 Change proof due date _____ Address change
 Priority date change _____

138539
October 31, 1990

UTAH POWER & LIGHT
1407 W. N. TEMPLE
SALT LAKE CITY, UT 84140

PROOF DUE NOTICE

RE: PERMIT NO. 21-07363

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 28 1991

UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET
SALT LAKE CITY, UTAH 84140

LEGAL DEPARTMENT
JODY L. WILLIAMS
ATTORNEY AT LAW
801-220-2851

RECEIVED
APR 4 1990

Department of Water Resources

April 2, 1990

RECEIVED
APR 6 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

Re: Notice to Change Mailing Address

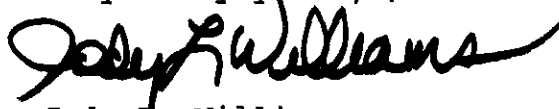
Dear Dept. of Water Resources representative:

Please change your mailing records (~~which are currently as shown on the attached mailing label~~) to reflect the following corrected address (P.O. Box 899 is no longer being used by our Company):

Ms. Jody L. Williams
Utah Power & Light Company
1407 W. North Temple
Salt Lake City, Utah 84140

Thank you.

Very truly yours, .



Jody L. Williams

JLW:cld

RECEIVED

JAN 28 1991

21-7363	13-4128
25-7403	4129
01-7051	21-4060
11-2081	27-7018
2084	35-2830
4004	

+ misc. decreed files - computer updated 4-17-90
SC

24-Aug-1987

SOURCE: HENRY'S FORK

TRIBUTARY: SNAKE RIVER

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WR-NUMBER:
21-7363

CURRENT OWNER:
UTAH POWER & LIGHT
P.O. BOX 899
SALT LAKE CITY, UT 84110

PRIORITY DATE:
22-Jul-1985

STAGE:
PERMIT

COUNTY: FREMONT

WATER DISTRICT: 01

SOURCE: HENRY'S FORK

TRIBUTARY: SNAKE RIVER

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

POWER	433.000	CFS
POWER STORAGE	0.000	CFS
POWER FROM STORAGE	0.000	CFS
TOTAL RATE:	433.000	CFS

	0.00	AF
	9796.00	AF
	9796.00	AF
TOTAL VOLUME:	0.00	AF

REMARKS: 2000 HP UNDER 48 FEET OF HEAD.

POINT OF DIVERSION: T09N R42E S28 NESE

PLACE OF USE: T09N R42E S28 NESE

MICROFILMED

SEP 28 1987

Norm *NZ*

file 21-7363

MEMORANDUM

TO: Dave Shaw *JBS*

FROM: Gary Spackman *Gary*

DATE: August 27, 1987

RE: Ashton - St. Anthony hydropower project: FERC No. 2381 on the Henry's Fork

FERC Project No. 2381 covers two specific hydropower sites, one just upstream from St. Anthony, and another hydropower plant on the Ashton Dam. The apparent purpose of the filing for the St. Anthony project was for relicensing without any substantial changes in the mode of operation. The St. Anthony site is covered by Water Right No. 01-0280.

The Ashton Dam portion of the FERC filing proposes upgrading of some of the generating facilities. Water Right Nos. 01-0277, 01-0178, 01-0279, and Claim No. 21-4060 represents the recorded water rights of the Ashton Dam site.

In evaluating the FERC application, the Department informed Utah Power and Light that the proposed diversion of water for hydropower use at Ashton Dam exceeded the traditional use of the water, and that an additional application to appropriate water must be filed and a permit obtained prior to diverting the additional water in excess of traditional use. Application No. 21-7363 was filed by Utah Power and Light in August, 1985, and was approved January 20, 1986. The notes in the file indicate that the permit was approved because of the pending FERC application for license.

Utah Power and Light has until January 1, 1991, to complete the project and submit proof of beneficial use.

My research concludes that no filing with the Department of Water Resources was required for FERC relicensing of the St. Anthony project.

MICROFILMED

SEP 28 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JANUARY 24, 1986

UTAH POWER & LIGHT
P.O. BOX 899
SALT LAKE CITY, UT 84110

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-7363

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

IF THE DIVERSION DAM IS 10 FEET OR MORE IN HEIGHT, OR HAS AN IMPOUNDING CAPACITY OF 50 ACRE-FEET OR MORE, CERTAIN DAM SAFETY REQUIREMENTS MUST BE MET. PLEASE CONTACT THE REGIONAL OFFICE NEAREST YOU FOR ADDITIONAL INFORMATION.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 1/10/86

TO File 21-7363

SUBJECT Waiver of Feasibility of Project, Financial Ability & FERC Approval

UP&L Co. is an established business for power generation and since the purpose of the application for permit is to increase the capacity of an existing facility, the normal requirements for project feasibility and financial ability should be waived.

UP&L Co. has submitted an application for FERC license.

MICROFILMED

SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

G. F. RAMSEY

217363

INITIAL REVIEW BY:

APPLICATION NUMBER:

CHECK:

JUL 23 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by:

Date:

Comments:

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Telecon 7/29/85 greater than 100% agreement

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other *CI*

Copies sent by:

Date:

8-7-85

8-7-85

8-7-85

CI

8-10-85

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. _____
01-0277, 0278, 0279
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: *10-25-85* ~~8-26-85~~
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- published statewide*
☒ Affidavit of publication received. Date: *8-21-85*
☒ Application published correctly. If not, record action taken: *Lead Ashton Branch*
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? *W.D. #1*
7-22-85 Date of priority recommended.
Special conditions of approval or cover letter. _____

MICROFILMED

RECEIVED

check mine streamflow 21-7282 - this app. is dangerous from minimum streamflow

By: *Ernest Carlson*

Date: *Aug 26, 1985*

STATE OFFICE REVIEW:

109

08A 18A 18B 05(C), Snake River

09D 17M 17K 25 27

- ☐ See attached sheet for more information.

By: *KW*

Date: *1/7/86*

Department of Water Resources

RECEIVED

SEP 06 1985

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

POWER CALCULATIONS FOR APPLICATION NO. 21-7363

1480.
P = Kilowatts .74 X hp

Q = cfs 433.0

H = feet 48'

e = efficiency

- 1.) Affidavit of Residency
2.) Ownership of Facilities
3.) *Financial Ability
4.) Feasibility of Project
a. Plans, drawings
b. Economic analysis
5.) *Compliance w/FERC
*only for projects of more than 25 cfs or more than 500 horsepower.

App. For
Lic. Submitted Sim. 3.

$$e = \frac{P(11.8)}{QH} = \frac{1480(11.8)}{433 \times 48} = \frac{17464}{20784} = 0.84$$

✓ OK

Based on the above calculations the proposed project must have an 84 % efficiency.

OVERLAP REVIEW per VAX 1/3/86:

P/D 21-4060 - power & power to & from storage, same rtt. holder

P/U 21-0167 irrig.
01-0277 power ✓
01-0278 power ✓
01-0279 power ✓
21-4060 power ✓
21-0041E irrig. } SAME SITE - see attached printouts -

BYPASSED AREA none.

MICROFILMED

21-2164 ? - see 21-0277

fw

01 Water Right Number - 01-0279 02 Old (D) Number -

03001 - UTAH POWER & LIGHT CO. LAST NAME
04001 - FIRST NAME
05001 - C ORIG. OWNER
06 Add Line 1 -
07 Add Line 2 -
08 Add Line 3 -
09 City -
10 State -
11 ZIP -
12 Stage - D DECREE
13 Status -

14001 - HENRYS FORK SNAKE RIVER SOURCE
15001 - SNAKE RIVER TRIBUTARY OF
16 Diversion Means -
17 County - 43 FREMONT
18 Diversion Capacity - .000
19 Total Diversion Rate - 1000.000
20 Total Diversion Volume - .00
21 Water District - 01

----- DIVERSION POINTS -----
Tract Sec Twn Rng Lot Rfls STREAM INDEX FIELDS
22001 - 23001 - 24001 - 25001 - 26001 - 27001 -
28001 -

29 Non-Irrigation Use -

----- PLACE OF USE -----
Use Code / Use Twn Rng Sec Tract Acres Lot
30001 - 28 POWER same as 21-7363 31001 - 09N 32001 - 42E 33001 - 28 34001 - NESE 35001 - 36001 -
Total Acres: 0

----- WATER USE -----
Period From Period To Use Code / Use Diversion Rate Diversion Volume
37001 - 38001 - 39001 - 28 POWER 40001 - 1000.000 41001 - 0.00

42 Decree Plaintiff Name - WOODVILLE CANAL 43 Decree Defendant Name - CLARK AND EDWARDS CANAL ET AL.

REMARKS
44001 - P/D NOT GIVEN IN DECREE.

Approval Conditions: 45001 -

46 Other Rights for Same Use - RT, 01-0277, 01-0278.

----- D A T E S ----- D A T E S ----- F L A G S -----
47 Priority - 7-Mar-1924 55 License - 63 Transfer/Amended -
48 Proof Due - 56 Appl Received - 64 DLE/Carey Act -
49 Proof Made - 57 Field Exam Made - 65 Flag_1 -
50 Approve/Denied- 58 Decree - 25-Jun-1929 66 Flag_2 -
51 Protested - 59 Start Work - 67 Flag_3 -
52 Hearing - 60 Order Show Cause -
53 Verified - 24-Jun-1985 61 Date_1 -
54 Last Update - 24-Jun-1985 62 Date_2 -

01 Water Right Number - 01-0278 02 Old (D) Number -

03001 - UTAH POWER & LIGHT CO.
06 Add Line 1 -
08 Add Line 3 -
12 Stage - D DECREE

04001 -
07 Add Line 2 -
09 City -
13 Status -

05001 - C
10 State -
11 ZIP -

14001 - HENRYS FORK SNAKE RIVER
16 Diversion Means -
18 Diversion Capacity - .000
21 Water District - 01

15001 - SNAKE RIVER
17 County - 43 FREMONT
19 Total Diversion Rate - 500.000
20 Total Diversion Volume - .00

DIVERSION POINTS				STREAM INDEX FIELDS											
Tract	Sec	Twn	Rng	Lot	Rflg										
22001 -	23001 -	24001 -	25001 -	26001 -	27001 -										
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 Non-Irrigation Use -

Use Code / Use		Twn	Rng	Sec	Tract	Acres	Lot
30001 - 28 POWER	<i>same as 21-7363</i>	31001 - 09N	32001 - 42E	33001 - 28	34001 - NESE	35001 -	36001 -
Total Acres: 0							

WATER USE		Diversion Rate		Diversion Volume	
Period From	Period To	Use Code / Use			
37001 -	38001 -	39001 - 28 POWER	40001 -	500.000	41001 - 0.00

42 Decree Plaintiff Name - WOODVILLE CANAL 43 Decree Defendant Name - CLARK AND EDWARDS CANAL ET AL.

REMARKS
44001 - P/D NOT GIVEN.

Approval Conditions: 45001 -

46 Other Rights for Same Use - RTS, 01-0277, 01-0279.

D A T E S		D A T E S		F L A G S	
47 Priority	- 1-Nov-1915	55 License	-	63 Transfer/Amended	-
48 Proof Due	-	56 Appl Received	-	64 DLE/Carey Act	-
49 Proof Made	-	57 Field Exam Made	-	65 Flag_1	-
50 Approve/Denied	-	58 Decree	- 25-Jun-1929	66 Flag_2	-
51 Protested	-	59 Start Work	-	67 Flag_3	-
52 Hearing	-	60 Order Show Cause	-		
53 Verified	- 18-Jun-1985	61 Date_1	-		
54 Last Update	- 18-Jun-1985	62 Date_2	-		

01 Water Right Number - 01-0277 02 Old (D) Number -

03001 - UTAH POWER & LIGHT CO. LAST NAME
04001 - FIRST NAME
05001 - C ORIG. OWNER
06 Add Line 1 -
07 Add Line 2 -
08 Add Line 3 -
09 City -
10 State -
11 ZIP -
12 Stage - D DECREE
13 Status -

14001 - HENRYS FORK SNAKE RIVER SOURCE
15001 - SNAKE RIVER TRIBUTARY OF
16 Diversion Means -
17 County - 43 FREMONT
18 Diversion Capacity - .000
19 Total Diversion Rate - 1000.000
20 Total Diversion Volume - .00
21 Water District - 01

DIVERSION POINTS				STREAM INDEX FIELDS										
Tract	Sec	Twn	Rng	Lot	Rfls									
22001 -	23001 -	24001 -	25001 -	26001 -	27001 -									
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0

29 Non-Irrigation Use -

Use Code / Use		Twn	Rng	Sec	Tract	Acres	Lot
30001 - 28 POWER	same as 21-7363	31001 - 09N	32001 - 42E	33001 - 28	34001 - NESE	35001 -	36001 -
							Total Acres: 0

WATER USE		Diversions		
Period From	Period To	Use Code / Use	Diversion Rate	Diversion Volume
37001 -	38001 -	39001 - 28 POWER	40001 - 1000.000	41001 - 0.00

42 Decree Plaintiff Name - WOODVILLE CANAL 43 Decree Defendant Name - CLARK AND EDWARDS CANAL ET AL.

REMARKS
44001 - P/D NOT GIVEN.

Approval Conditions: 45001 -

46 Other Rights for Same Use - RTS. 01-0278, 01-0279.

D A T E S		D A T E S		F L A G S	
47 Priority	- 16-Jul-1913	55 License	-	63 Transfer/Amended	-
48 Proof Due	-	56 Appl Received	-	64 DLE/Carey Act	-
49 Proof Made	-	57 Field Exam Made	-	65 Flas_1	-
50 Approve/Denied	-	58 Decree	- 25-Jun-1929	66 Flas_2	-
51 Protested	-	59 Start Work	-	67 Flas_3	-
52 Hearings	-	60 Order Show Cause	-		
53 Verified	- 24-Jun-1985	61 Date_1	-		
54 Last Update	- 24-Jun-1985	62 Date_2	-		

01 Water Right Number - 21-4060 02 Old (D) Number -

03001 - UTAH POWER & LIGHT CO. 04001 - FIRST NAME ORIG. OWNER
05001 - C
06 Add Line 1 - 1407 WEST NORTH TEMPLE 07 Add Line 2 -
08 Add Line 3 - 09 City - SALT LAKE CITY 10 State - UT 11 ZIP - 84110
12 Stage - S STATUTORY CLAIM 13 Status -

SOURCE TRIBUTARY OF
14001 - HENRYS FORK SNAKE RIVER 15001 - SNAKE RIVER
16 Diversion Means - RESERVOIR. 17 County - 43 FREMONT

18 Diversion Capacity - .000 19 Total Diversion Rate - 500.000 20 Total Diversion Volume - 9796.00

21 Water District - 01

----- DIVERSION POINTS -----
Tract Sec Twn Rng Lot Rfls S T R E A M I N D E X F I E L D S
22001 - NESE 23001 - 28 24001 - 09N 25001 - 42E 26001 - 27001 -
Same 28001 - 0 272.0 489.0 0.0 0.0 0.0 0.0 0.0 0 0 0 4.9

29 Non-Irrigation Use - P/HYDRO-ELECTRIC POWER AT ASHTON PLANT.

----- PLACE OF USE -----
Use Code / Use Twn Rng Sec Tract Acres Lot
30001 - 28 POWER *Same as 21-7363* 31001 - 09N 32001 - 42E 33001 - 28 34001 - NESE 35001 - 36001 -
Total Acres: 0

----- WATER USE -----
Period From Period To Use Code / Use Diversion Rate Diversion Volume
37001 - 0101 38001 - 1231 39001 - 28 POWER 40001 - 500.000 41001 - 0.00
37002 - 0101 38002 - 1231 39002 - 29 POWER STORAGE 40002 - 0.000 41002 - 9796.00
37003 - 0101 38003 - 1231 39003 - 30 POWER FROM STORAGE 40003 - 0.000 41003 - 9796.00

42 Decree Plaintiff Name -

43 Decree Defendant Name -

REMARKS
44001 -

Approval Conditions: 45001 -

46 Other Rights for Same Use -

----- D A T E S ----- D A T E S ----- F L A G S -----
47 Priority - 1-Jan-1913 55 License - 63 Transfer/Amended -
48 Proof Due - 56 Appl Received - 64 DLE/Carey Act -
49 Proof Made - 57 Field Exam Made - 65 Flag_1 -
50 Approve/Denied - 58 Decree - 66 Flag_2 -
51 Protested - 59 Start Work - 67 Flag_3 -
52 Hearing - 60 Order Show Cause -

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

RECEIVED

APR 29 1985

Department of Water Resources

OHL-PM
Project No. 2381-001 - Idaho
Utah Power & Light Company

APR 25 1985

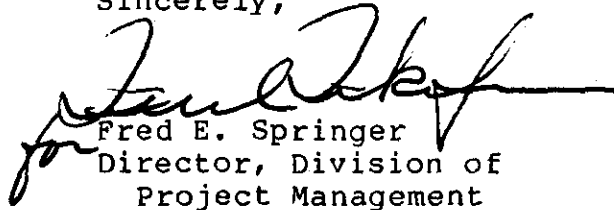
TO THE AGENCY ADDRESSED:

Subject: Utah Power & Light Company's application for new major license for constructed Ashton - St. Anthony Project No. 2381 located on the Henry's Fork of the Snake River in Fremont County, Idaho

The subject application has been accepted for filing by the Commission. Enclosed is a proposed public notice describing the application. Within approximately 30 days, the Applicant will forward to you an appropriate number of copies of the application for your information and any comments and recommendations you may have involving your interests.

Please submit any comments on the application to the Secretary of the Commission, with a copy to the Applicant, within 60 days of the date the applications are mailed. If you have not submitted comments or a request for a specific extension of time within that period, we will assume that you have none.

Sincerely,


Fred E. Springer
Director, Division of
Project Management

Enclosures:
Proposed Notice
List of Addressees

MICROFILMED

copy from
dam safety file 21-2164

- a. Type of Application: New Major License (over 5 MW)
- b. Project No.: 2381-001
- c. Date Filed: December 31, 1984
- d. Applicant: Utah Power & Light Company
- e. Name of Project: Ashton - St. Anthony
- f. Location: On Henry's Fork of the Snake River in Fremont County, Idaho
- g. Filed Pursuant to: 16 U.S.C. §§791(a) - 825(r)
- h. Contact Person: Ms. Jody L. Williams
1407 West North Temple Street
Salt Lake City, UT 84110
- i. Comment Date:
- j. Description of Project: The run-of-river Ashton - St. Anthony Project as currently licensed consists of: (1) the Ashton Development comprising: (a) a 65-foot-high 252-foot-long earth and rock-fill dam having an 82-foot-long reinforced-concrete spillway with crest elevation 5146.6 feet MSL surmounted by six 10-foot-high radial gates; (b) a reservoir having a surface area of 404 acres, a gross storage capacity of 9,800 acre-feet and a usable storage capacity of 3,988 acre-feet at normal water surface elevation 5,156.6 feet MSL; (c) a reinforced-concrete powerhouse located at the right bank and having integral intakes controlled by vertical slide gates and containing a generating unit rated at 1,800-kW and two generating units each rated at 2,000-kW; (d) a tailrace; (e) a 133-foot-long 46,000-volt transmission line; and (f) a 2,160-foot-long access road. (2) the St. Anthony Development comprising: (a) a 9.5-foot-high 863-foot-long concrete diversion dam having a 206-foot-long spillway with crest elevation 4949.0 feet MSL surmounted by 2.5-foot-high flashboards and having an 81.5-foot-long wasteway with crest elevation 4947.0 feet MSL surmounted by 4.5-foot-high flashboards; (b) a 41-foot-wide reinforced-concrete canal intake structure; (c) a 35-foot-wide 1,350-foot-long power and irrigation canal; (d) an irrigation canal headworks structure; (e) a 16-foot-wide 145-foot-long screened and lined wooden-box flume having an overflow spillway and an ice chute; (f) a reinforced-concrete powerhouse containing a generating unit rated at 500-kW; (g) a tailrace; and (h) a 150-foot-long 24,000-volt underground transmission line.

RECEIVED

Water is available for generation at the St. Anthony Development only when irrigation needs are satisfied. The average annual energy production at the Ashton Development is 36,000,000-kWh and at the St. Anthony Development is 3,922,000-kWh. The existing project would be subject to Federal takeover under Sections 14 and 15 of the Federal Power Act. Based on the license expiration date of December 31, 1987, UP&L's estimated net investment in the project would amount to \$2,000,000; estimated severance damages would amount to \$19,100,000.

Proposed redevelopment and improvements at the Ashton Development would cost \$3,389,570 and would consist of: (1) removal of the No. 1 generating unit rated at 1,800-kW operated at a flow of 567 cfs; (2) installation within the existing powerhouse of a new generating unit rated at 3,400-kW operated at a flow of 1,000 cfs; (3) construction of: (a) 15 goose nesting structures; (b) 5.7 miles of fencing; (c) 10 raptor perches; and (d) 11 nesting platforms; (4) land treatment measures; and (5) miscellaneous recreational facilities. The average annual energy production at the Ashton Development would be increased to 46,000,000-kWh. At the St. Anthony Development diversion dam a new fishway would be constructed at a cost of \$20,000.

The Project would be operated in the future as it has been operated in the past.

- k. Purpose of Project: Project energy is utilized within UP&L's interconnected system for eventual delivery to its customers.
- l. This notice also consists of the following standard paragraphs: A3, A9, B, and C

UNCLASSIFIED

ADDRESSEE

Regional Administrator, Region X
Environmental Protection Agency
1200 Sixth Avenue
Seattle, WA 98101

Historic Preservation Coordinator
Idaho Historical Society
610 North Julia Davis Drive
Boise, ID 83706

State of Idaho
Department of Parks and Recreation
State House
Boise, ID 83720

Office of Environmental Project
Review
Department of the Interior
Washington, DC 20240

Director, Northwest Region
National Marine Fisheries Service, NOAA
7600 Sand Point Way, NE
Bin C15700
Seattle, WA 98115

State of Idaho
Department of Lands
State Capitol Building
Boise, ID 83701

State of Idaho
Department of Water Resources
State House
Boise, ID 83720

State of Idaho
Fish and Game Department
600 S. Walnut Street
P.O. Box 25
Boise, ID 83707

Governor of Idaho
State Capitol
Boise, ID 83720

APPROVED

ADDRESSEE

Regional Director
Region 1
U.S. Fish and Wildlife Service
Lloyd Building, Suite 1692
500 NE Multnomah Street
Portland, OR 97232

Idaho Public Utilities Commission
State House
Boise, ID 83720

Water Resources Coordinator
U.S. Coast Guard (G-WS/73)
Department of Transportation
Washington, DC 20590

Egin Irrigation Company
P.O. Box 607
St. Anthony, ID 83445

Chairman
Board of County Commissioners
Fremont County
St. Anthony, ID 83445

Northwest Power Planning Council
Suite 1100, 850 S.W. Broadway
Portland, OR 97205

U.S. Army Engineer Division
North Pacific
P.O. Box 2870
Portland, OR 97208

Bureau of Land Management
3380 Americana Terrace
Boise, ID 83705

The Mayor
City of St. Anthony
St. Anthony, ID 83445

The Mayor
City of Ashton
Ashton, ID 83420

Chief, Soil Conservation Service
Department of Agriculture
P.O. Box 2890
Washington, DC 20013

ADDRESSEE

Regional Forester
Intermountain Region
324 25th Street
Ogden, UT 84401

Bonneville Power Administration
Box 3621
Portland, OR 97208

MICROFILMED

MEMORANDUM

TO: File for FERC Project No. 2381

FROM: Dave Tuthill *DET*

DATE: January 22, 1985

RE: Application for Permit

In response to my letter dated January 10, 1985 to CH2M Hill, Inc. regarding the above-numbered FERC project for Ashton and St. Anthony power sites, I received a call on this day. The call was from Mr. Carly Burton from the operations branch of Utah Power and Light Co. (telephone no. 801-535-2174). Mr. Burton asked what they should do to properly establish a water right for the proposed increased hydraulic capacity of the number one unit at the Ashton power plant. I explained that they would need to file an Application for Permit, and he explained that he had the proper forms on hand.

We have received an Application for License for the FERC project at Ashton and St. Anthony. Because the application contains information more related to dam safety than to water rights, the application has been forwarded to the Dam Safety Section for storage.

cc: Dam Safety

MICROFILMED

STAFF SHEET FOR POWER GENERATION

I Initial Review By: GFR Application No. _____

Date Requested _____ In File _____

A. _____ ON FILE Form 205/206.B. _____ YES Efficiency is between 85% and 60%.2000 HP

$$E = \frac{P (11.8)}{QH} = \frac{(\quad)(11.8)}{(433)(48)} = \quad \times 100 = \underline{85\%}$$

II Post Publication Review By: _____

A. Not Protested

1. 0 to 373 kw (500 Hp)

Date Requested _____ Date Received (one or more) _____

_____ Engineering feasibility report.

_____ Preliminary design report.

_____ Contracts to construct project.

_____ Contracts to purchase power.

_____ Verification that an application
has been submitted to F.E.R.C.

_____ Other: _____

2. 373 kw (500 Hp) and higher

Date Requested _____ Date Received (all three are required) _____

_____ Preliminary Engineering Report.

_____ Itemized cost estimate.

_____ Verification of financial ability.

B. Protested

1. 0 to 111 kw (150 Hp)

_____ Supplement information has been submitted.

_____ Hearing should be scheduled.

2. 111 kw (150 Hp) and higher

_____ Supplemental information has been submitted.

_____ Received verification of a F.E.R.C. ruling.

_____ Hearing should be scheduled.

MICROFILMED

October 30, 1985

The Ashton Herald
P.O. Box 258
Ashton, Idaho 83420

Gentlemen:

We are resubmitting a legal notice to be published on November 7, and 14, 1985. This notice was originally published in your paper on October 10 and 17, 1985. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by November 25, 1985. Your cooperation in this matter is greatly appreciated.

Very truly yours,

Michele Davis
Secretary

10-25-85
MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Application No. 21-7363 in the name of Utah Power and Light was advertised incorrectly on October 10 and 17, 1985. The place of use was advertised as being within the NESE Sec 28 T 09 R 42E.

WHEREAS, the actual place of use is within the NESE Sec 28 T 9N R 42E.

Any protests against the granting of this permit as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before November 25, 1985

A. Kenneth Dunn

Director

Published in the Ashton Herald November 7 and 14 1985.

dc
11/25/85

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 2, 1985

The Ashton Herald
P. O. Box 258
Ashton, Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 28, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

*10-28-85
Aff. rec'd 10-23-85
read over*

MICROFILMED

Times News Aff rec'd 10-24-85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 2, 1985

The Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 28, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

*Affidavit rec'd
10-21-85*

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 2, 1985

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 28, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

*Affidavit Recd
10-25-85
CW*

MICROFILMED

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

21-7363

UTAH POWER & LIGHT

P.O. BOX 899, SALT LAKE CITY, UT 84110

Source: HENRY'S FORK trib. to SNAKE RIVER

Date Filed: 07/22/1985

Diversion Pt: NESE Sec 28 T 09N R 42E

Use: POWER	(433.00 CFS)
POWER STORAGE	(9796.0 AF)
POWER FROM STORAGE	(9796.0 AF)

In: NESE Sec 28 T 09N R 42E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

KEN DUNN

Director

Published 10/10 and 10/17/85.

RECEIVED

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 21-7363 and
have the following comments/objections to the approval of this
application for permit:

*I know of no adverse impacts
on the river or other water
rights that will result from the
proposed expansion of the Ashton
Power facility of UP&L*

Aug 22, 1985

Date



RONALD D. CARLSON, WATERMASTER
Water District No. 01

MICROFILMED
MICROFILMED

IDAHO DEPARTMENT OF FISH AND GAME
REGION 6
1515 Lincoln Road
Idaho Falls • Idaho • 83401

RECEIVED

AUG 15 1985

Department of Fish and Game
Eastern District Office

August 14, 1985

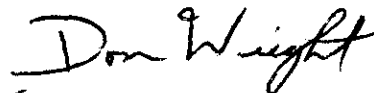
Mr. Ernest Carlson
Assistant Regional Supervisor
Idaho Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

RE: Permit No. 21-7363 Utah Power

Dear Ernest:

Idaho Department of Fish and Game personnel have reviewed the referenced water right application and has no objections based on the conditions listed. Our Department supports the conditions of Inflow matching outflow with no fluctuation in reservoir level. No new storage or drawdown in Ashton Reservoir and no downstream dewatering should occur due to the granting of the additional water right.

Sincerely,



For Herbert A. Pollard II
Regional Supervisor
Region 6

HAP:dnb

cc: USFWS - Wolfli
Bureau of Fisheries
Bureau of Program Coordination

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

August 13, 1985

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUPT OF PUBLIC INSTRUCTION

RECEIVED

AUG 14 1985

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen
Asst. Regional Supervisor
Idaho Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, ID 83402

RE: Application for Permit No. 21-7363 (NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section
28, Township 9 North, Range 42 East, B.M.

Dear Mr. Carlsen:

Thank you for the opportunity to comment on the abovementioned permit. The project proposed (Ashton Hydroelectric Project) will require an easement from our department. The F.E.R.C. and Utah Power and Light have been so advised (copy attached).

Sincerely yours,

Don F. McNarie

DON F. McNARIE,
Land Records Specialist
Bureau of Lands

DFM:ab
Attachment
cc: AS-EI

EQUAL OPPORTUNITY EMPLOYER

MICROFILMED

May 30, 1986

C
O
P
Y

Mr. Fred Springer, Director
Division of Project Mgmt.
F.E.R.C.
Washington, D.C. 20426

RE: FERC Project No. 2381.

State land involved: Bed of Henry's Fork of the Snake River
in Sections 13, 14, 15, 21, 22, 23, 27 & 28, Township 9 North,
Range 42 East, B.M.

Dear Mr. Springer:

It appears that portions of the abovementioned hydroelectric project are on state land in the sections mentioned above. An easement shall be required for the portion of the project lying below the ordinary high water-marks. The Idaho Board of Land Commissioners may grant an easement for a specific term for hydro projects. However, the Board has determined that prior to making a decision to grant or deny such an easement, the applicant must submit written approval of state agencies including Fish & Game, Health & Welfare (Bureau of Water Quality), Water Resources (Water Rights & Stream Channel Alteration Permits), Parks & Recreation (if park land is affected), and federal agencies including the Army Corps of Engineers, Forest Service, BLM, or others (if their land or rights are affected).

At this date, it appears that your applications are the first in priority of filing date for an easement. Please be advised further that priority of water rights is a separate issue and is dependant upon the priority of filing with the Department of Water Resources.

It is the applicant's responsibility to contact these state and federal agencies, coordinate any necessary studies, and submit the written approvals to this department. It is further the applicant's responsibility to respond to the comments and/or objections of the local citizenry and to hold a public hearing if sufficient objections are timely presented.

MICROFILMED

Mr. Fred Springer
Page 2.
May 30, 1985

The Land Board is currently considering policy on charges for hydroelectric projects on state land. They are working on the development of a formula which, when applied to a specific hydroelectric project, will result in an annual payment to the state for the life of the project.

In addition to this annual payment there will be a one-time charge for the easement based on the land value and the acreage involved in the easement. An application fee of \$50.00 is also required.

Before an easement can be issued, the department requires a survey indicating the location of that portion of the project on state land. We require that the survey be tied to a quarter corner or section corner.

We suggest you obtain and submit to us the approval of all other agencies involved as referred to above prior to expending funds for the survey.

Sincerely yours,

DON F. McNARIE, Land Records Specialist
Bureau of Lands

DFM:ab

cc: AS-EI

cc: Ms. Jody L. Williams
Utah Power & Light Co.
1407 West North Temple St.
SLC, UT 84110

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
150 North 3rd Avenue
Pocatello, Idaho
83201

August 12, 1985

Mr. Ernest Carlsen
Assistant Regional Supervisor
Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

RE: Application for Permit No. 21-7363
Utah Power

Dear Mr. Carlsen:

Regarding the above application for Permit, No. 21-7363,
we appreciate the opportunity to review this application and
have no objections at this time.

Sincerely,

A handwritten signature in cursive script, reading "Gordon J. Hopson".

Gordon Hopson
Source Control Field Officer

GH/jd

RECEIVED

AUG 14 1985

Department of Water Resources
Eastern District Office

EQUAL OPPORTUNITY EMPLOYER

MICROFILMED

August 7, 1985

RE: Application for Permit No. 21-7363 UTAH POWER

Idaho Department of Lands
Statehouse
Boise, ID 83720

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is August 26, 1985, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

August 7, 1985

RE: Application for Permit No. 21-7363 UTAH POWER

Idaho Department of Fish & Game
1515 Lincoln Road
Idaho Falls, ID 83401

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is August 26, 1985, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

August 7, 1985

RE: Application for Permit No. 21-7363 UTAH POWER

Idaho Department of Health & Welfare
150 North Third
Pocatello, ID 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is August 26, 1985, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 31, 1985

The Ashton Herald
P. O. Box 258
Ashton, Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 26, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 26, 1985.

KEN DUNN, Dir.

Published 8/8 & 8/15/85.

MICROFILMED

21-7363

UTAH POWER & LIGHT

P.O. BOX 899, SALT LAKE CITY, UT 84110

Source: HENRY'S FORK trib. to SNAKE RIVER

Date Filed: 07/22/1985

Diversion Pt: NESE Sec 28 T 09N R 42E

Use: POWER	(433.00 CFS)
POWER STORAGE	(9796.0 AF)
POWER FROM STORAGE	(9796.0 AF)

In: NESE Sec 28 T 09N R 42E

MICROFILMED

UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET
P. O. BOX 899
SALT LAKE CITY, UTAH 84110

JUL

Department of Water Resources
Eastern District Office

July 19, 1985

Idaho Dept. of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Gentlemen:

The enclosed check and application for permit for 433 CFS will be for Utah Power & Light Company's proposed enlargement and upgrading of the Ashton hydroelectric plant Unit #1.

Use of water under this application will not alter the flow of water in Henry's Fork above or below the Ashton plant. During spring runoff, the amount of spillway flow will be diminished by 433 CFS with a corresponding increase in flow through the plant after the Ashton #1 unit is upgraded.

If you have any questions or problems, please feel free to contact me at (801) 535-2174.

Truly yours,



Carly Burton
Hydrological Supervisor

CBB:sce

Enclosures

MICROFILMED