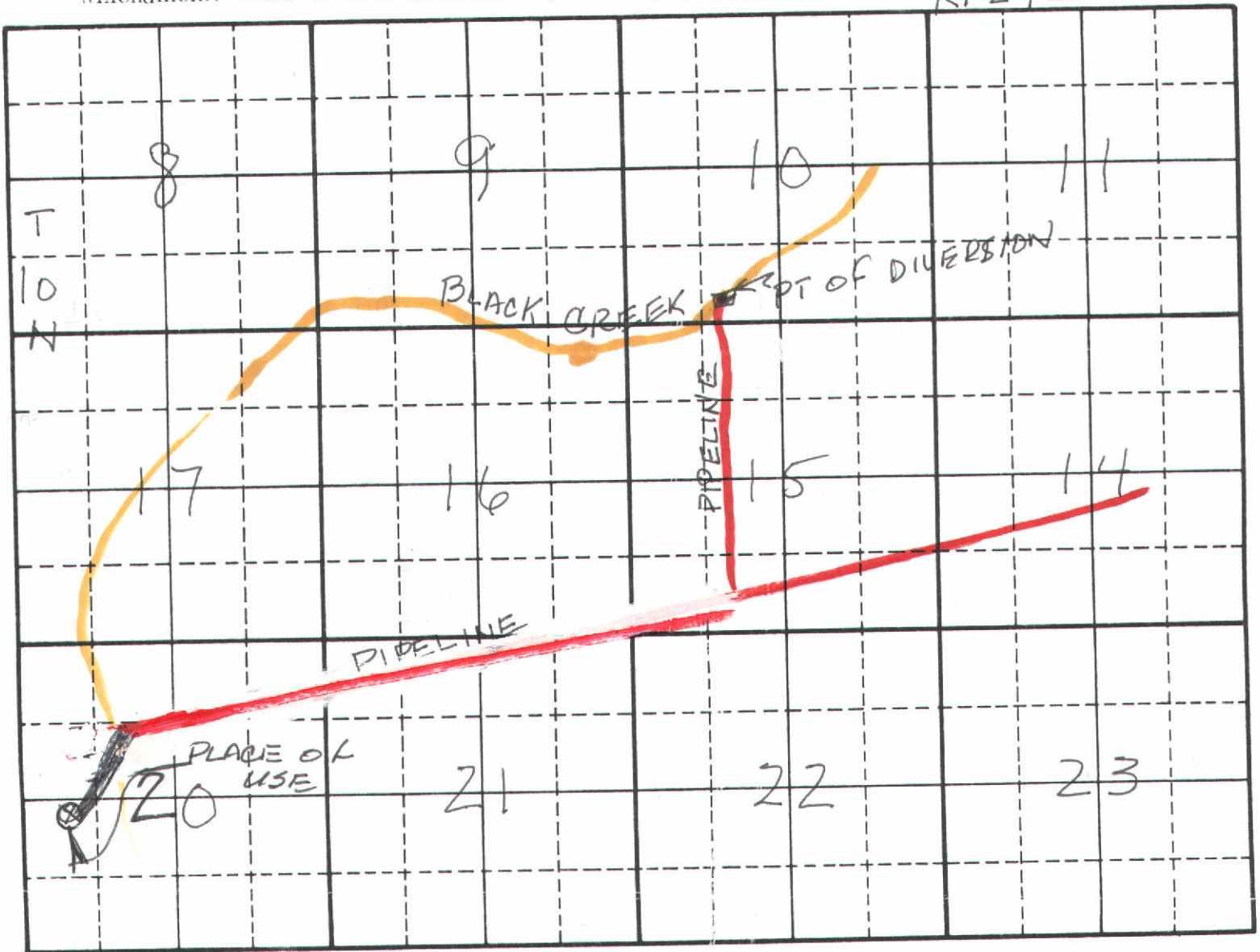


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches. R. 27E



Scale: 2 inches equal 1 mile

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

Signed at Buhl, Idaho, this 12th day of November, 19 86.

[Signature]
(signature)

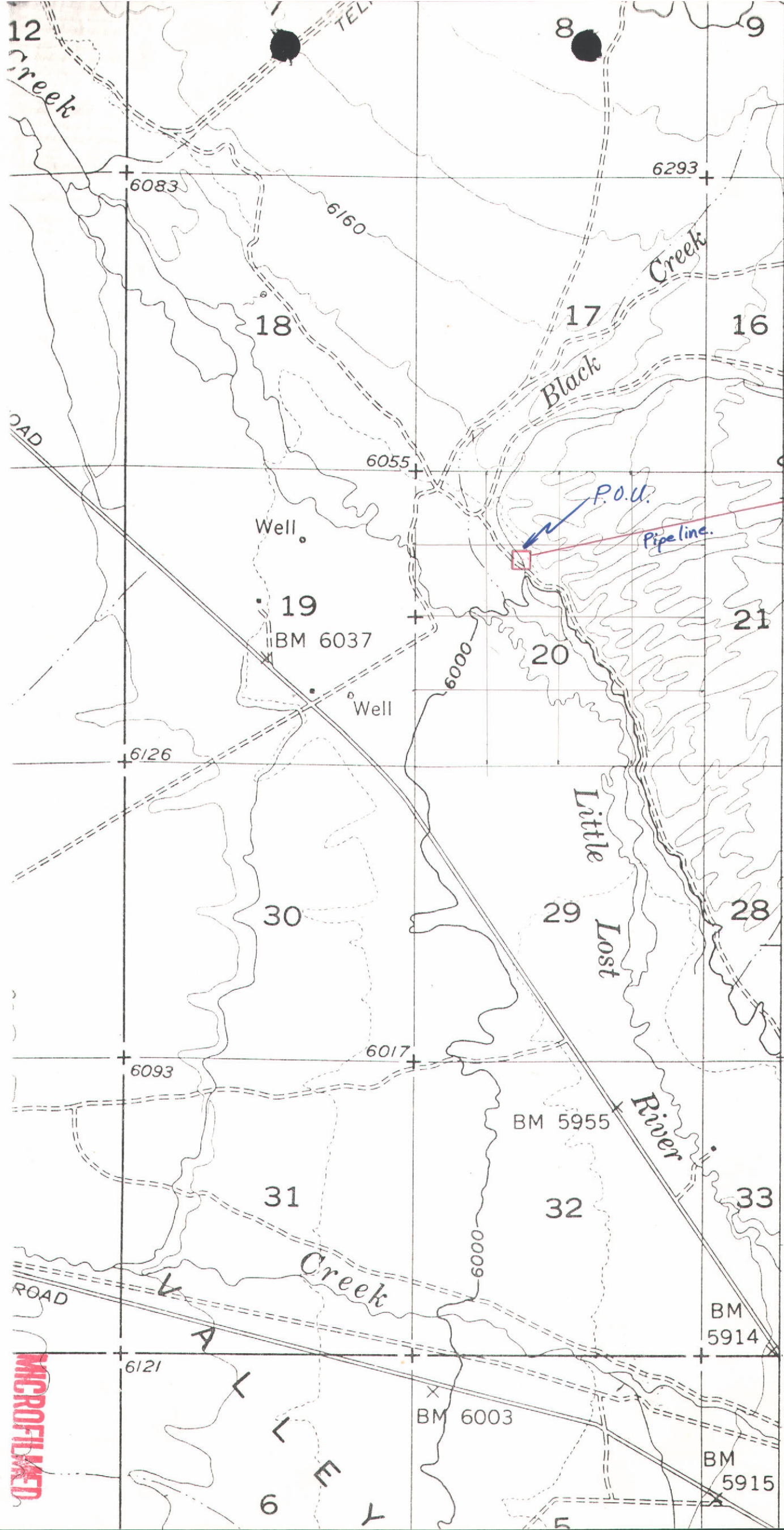
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, NORMAN C. YOUNG, of the Department of Water Resources hereby Approve the above referenced Amendment provided the conditions as set forth in Permit No. 33-7159 are met.

Witness my hand this 16TH day of January, 19 87.

[Signature]
Administrator

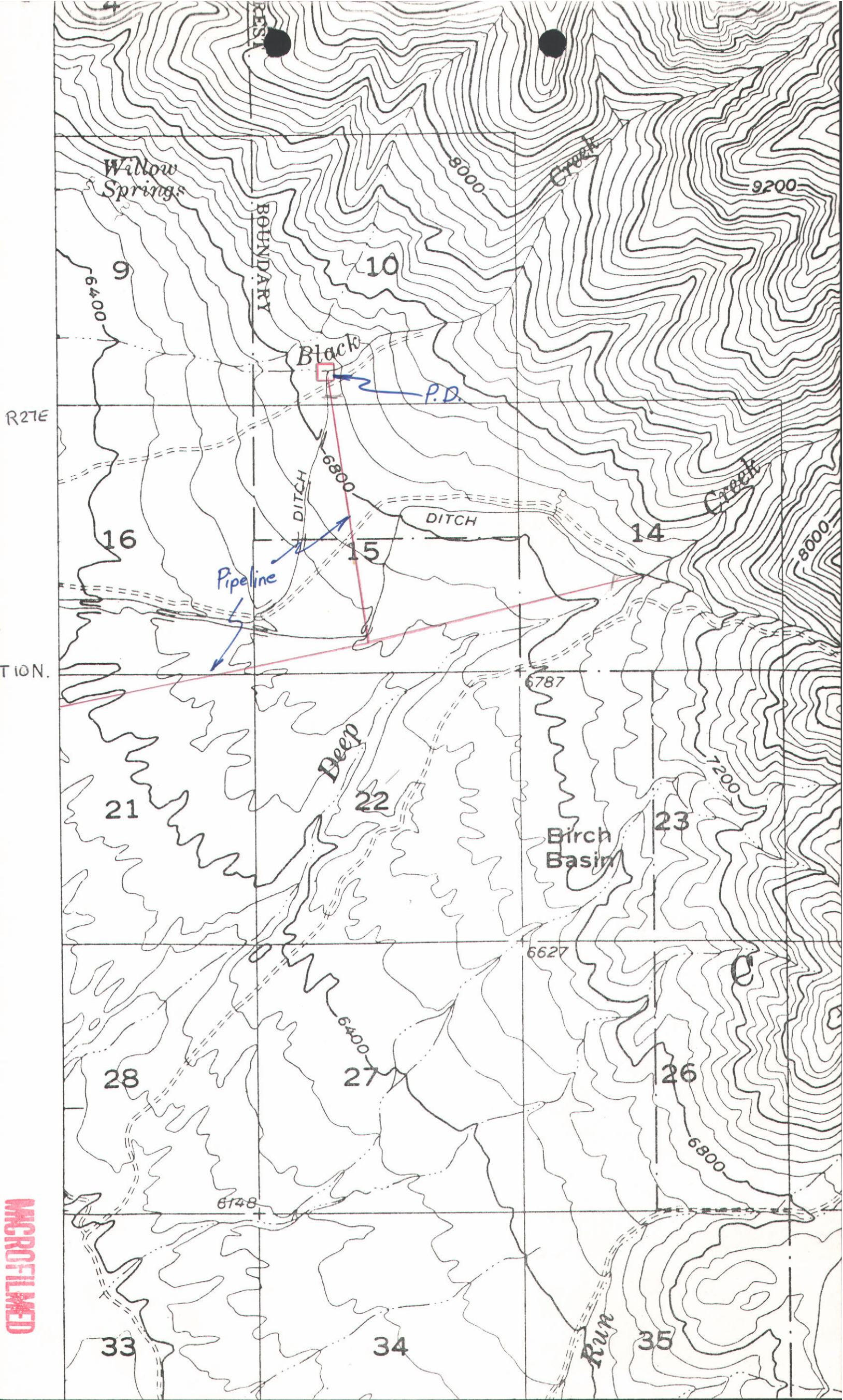
MICROFILMED
JAN 29 1987

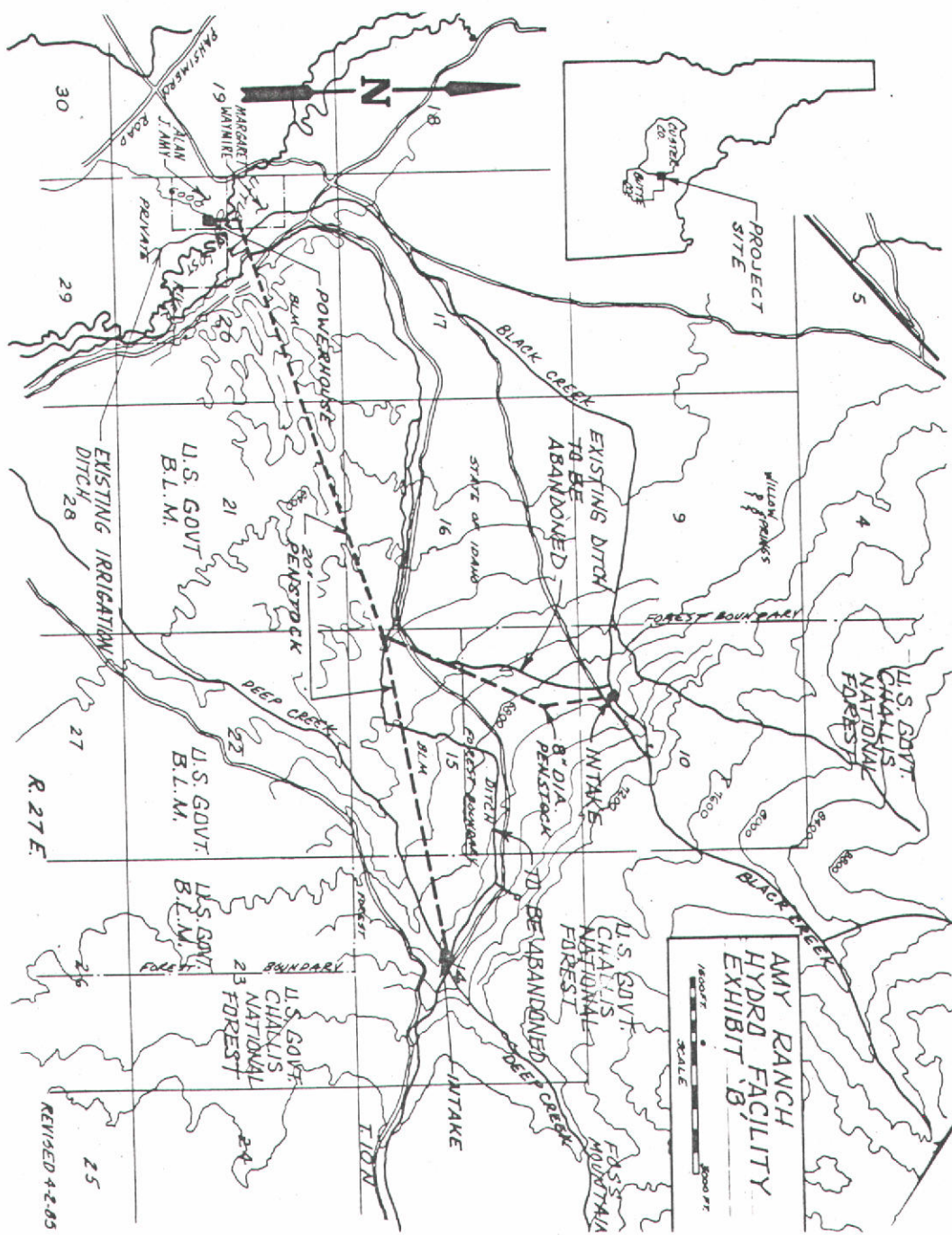


R27E

T.10 N.

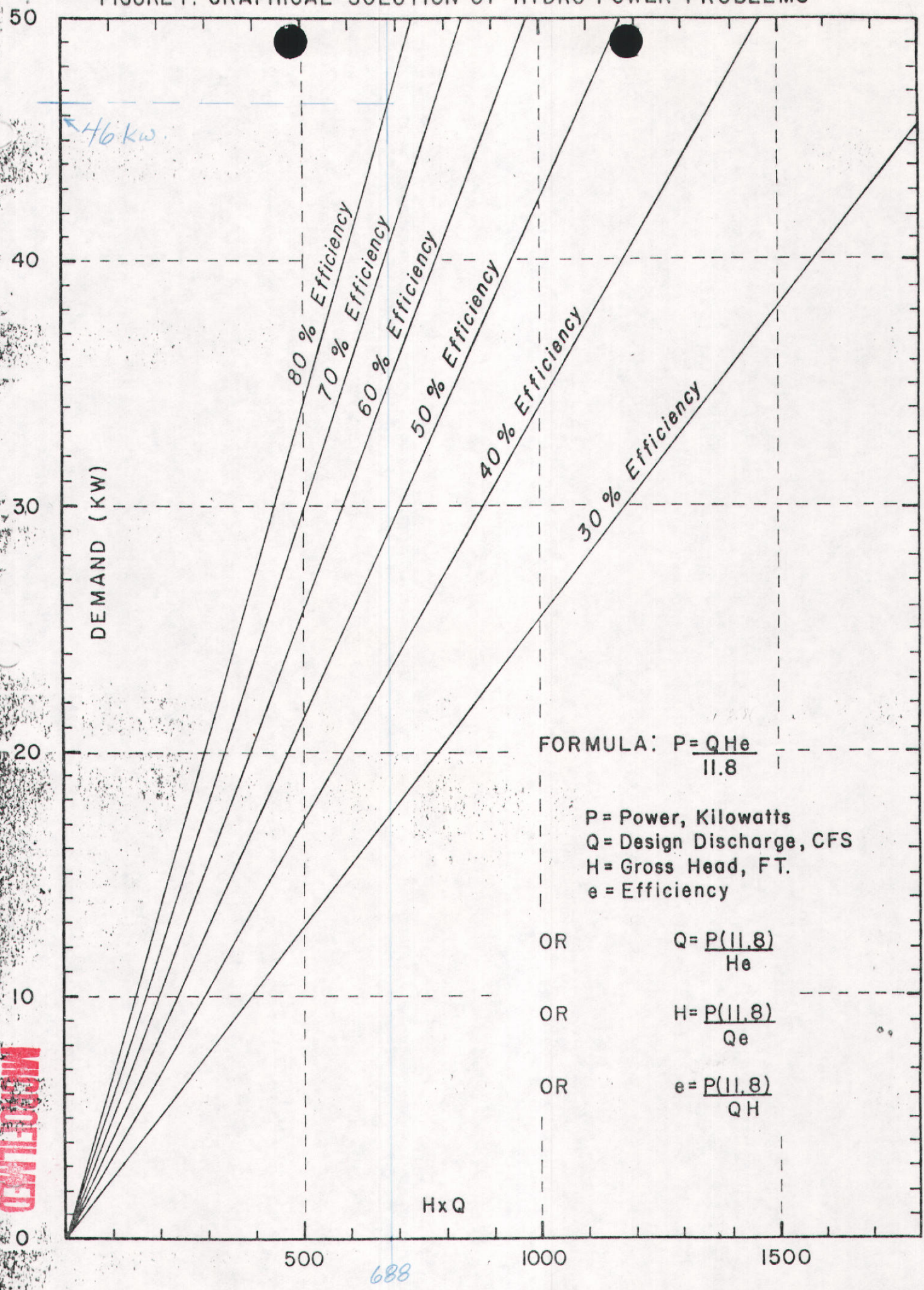
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MICROFILMED

FIGURE 1. GRAPHICAL SOLUTION OF HYDRO POWER PROBLEMS



MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 33-7159) ORDER
IN THE NAME OF NEW ENERGY, INC.)

WHEREAS, on April 3, 1984, the Department of Water Resources issued Permit No. 33-7159 in the name of Alan J. Amy with the requirement that:

The permit holder shall either install a measuring device or an access port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer;

and,

WHEREAS, December 15, 1986, the permit holder assigned all right, title, and interest in and to the permit to New Energy, Inc.; and,

WHEREAS, on July 22, 1987, the Department received a request from the permit holder to waive the measuring device requirement at the point of diversion; and,

WHEREAS, the Department of Water Resources has determined that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit at the point of diversion;

NOW, THEREFORE, the condition of approval on said water right requiring that a measuring device or access port be installed or a certified measurement be made is hereby REMOVED.

Dated this 28th day of September, 1987.

MICROFILMED

OCT 09 1987

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
Original Permit	33-7159	Amy, Alan J.	0.80
Full Assignment	33-7159	New Energy, Inc.	0.80

MICROFILMED

JAN 29 1987

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

We, Alan J. Amy and
M. Afton Amy, husband & wife, hereby assign to New Energy, Inc., a corporation
of c/o David Snedigar, Route #4, Buhl, Idaho 83316
Address

Department of Water Resources
Eastern District Office

RECEIVED
DEC 18 1986

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 33-7159 to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.
- (Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 14th day of November, 19 86.

Permit Holder

Alan J. Amy

Spouse of Permit Holder Afton Amy

State of Idaho)

County of Twin Falls) ss.

On this 14th day of November, 19 86, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Notary Public residing at

Buhl, Idaho

My commission expires:

May 12, 1992

MICROFILMED

JAN 29 1987

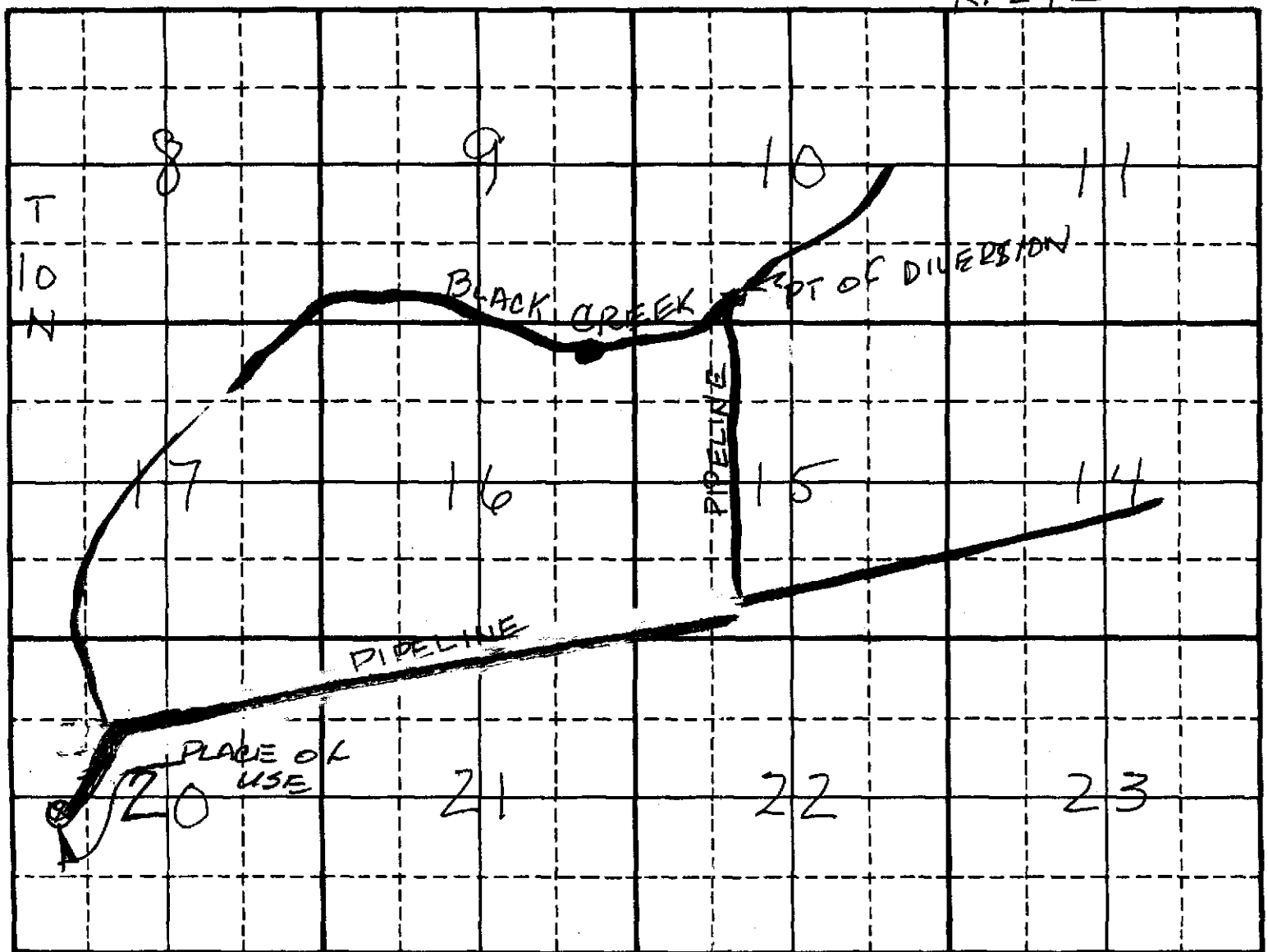
Rec'd

RECEIVED
NOV - 7 1966
Department of Water Resources
Eastern District Office

Permit No. 33-7159

JAN 22 1970

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches. R. 27E



Scale: 2 inches equal 1 mile

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

Signed at Buhl, Idaho, this 12th day of November, 19 86.

Norman C. Young
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, NORMAN C. YOUNG, of the Department of Water Resources hereby Approve the above referenced Amendment provided the conditions as set forth in Permit No. 33-7159 are met.

Witness my hand this 16th day of January, 1987.

Norman C. Young
Administrator

MICROFILMED

JAN 28 1987

Affidavit of Publication

I, Jo Pruett
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for 2 consecutive weeks, commencing with
the issue dated Dec 4-1986
and ending with the issue dated

Dec-11-1986

Jo Pruett

Subscribed and sworn to before me this

11th day of December, 1986

Thomas D. Cannon
Notary Public

Residence: Arco, Idaho.

My commission expires 12-17, 1991

RECEIVED
JAN 13 1986

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 33-7159 in the name of Alan J. Amy, Howe, Idaho was issued for the diversion of .08 cfs of water from Black Creek, tributary to sinks, with the point of diversion within the SE1/4SW1/4, Sec. 10, T. 10N, R. 27E, B.M., Butte County; to be used for Power purposes, from Jan. 1 to Dec. 31 within the SE1/4NW1/4, Sec. 20, T. 10N, R. 27E, B.M.

The permit holder now proposes to amend Permit No. 33-7159, changing the place of use to within the NW1/4SW1/4 Sec. 20, T. 10N, R. 27E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before December 22, 1986.

A. KENNETH DUNN
Director

Published 12-4 & 12-11-86.

RECEIVED
JAN 13 1986

JAN 13 1986

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 Alan J. Amy Phone 767-3374

Post office address Box 170 Star Route Howe, ID 83244

2. Source of water supply Black Creek which is a tributary of Sinks

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 10N

Range 27E B.M. Butte County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.80 for Power Generation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.80cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate, 3 1/4 miles of pipeline
and generating facility.

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

Period of year when water will be diverted to storage _____ to _____ 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: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 10N
Range 27E B.M.

(2) Amount of power to be generated: 46 kw. horsepower under 860 feet of head.

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

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

(5) If water is to be used for other purposes describe: _____

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[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion United States Forest Service

b. Who owns the land to be irrigated or place of use Bureau of Land Management

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

~~Applicant to make this filing Applicant will obtain a special use permit from the~~

~~U.S.F.S. and an easement from the B.I.M.~~

10. Remarks

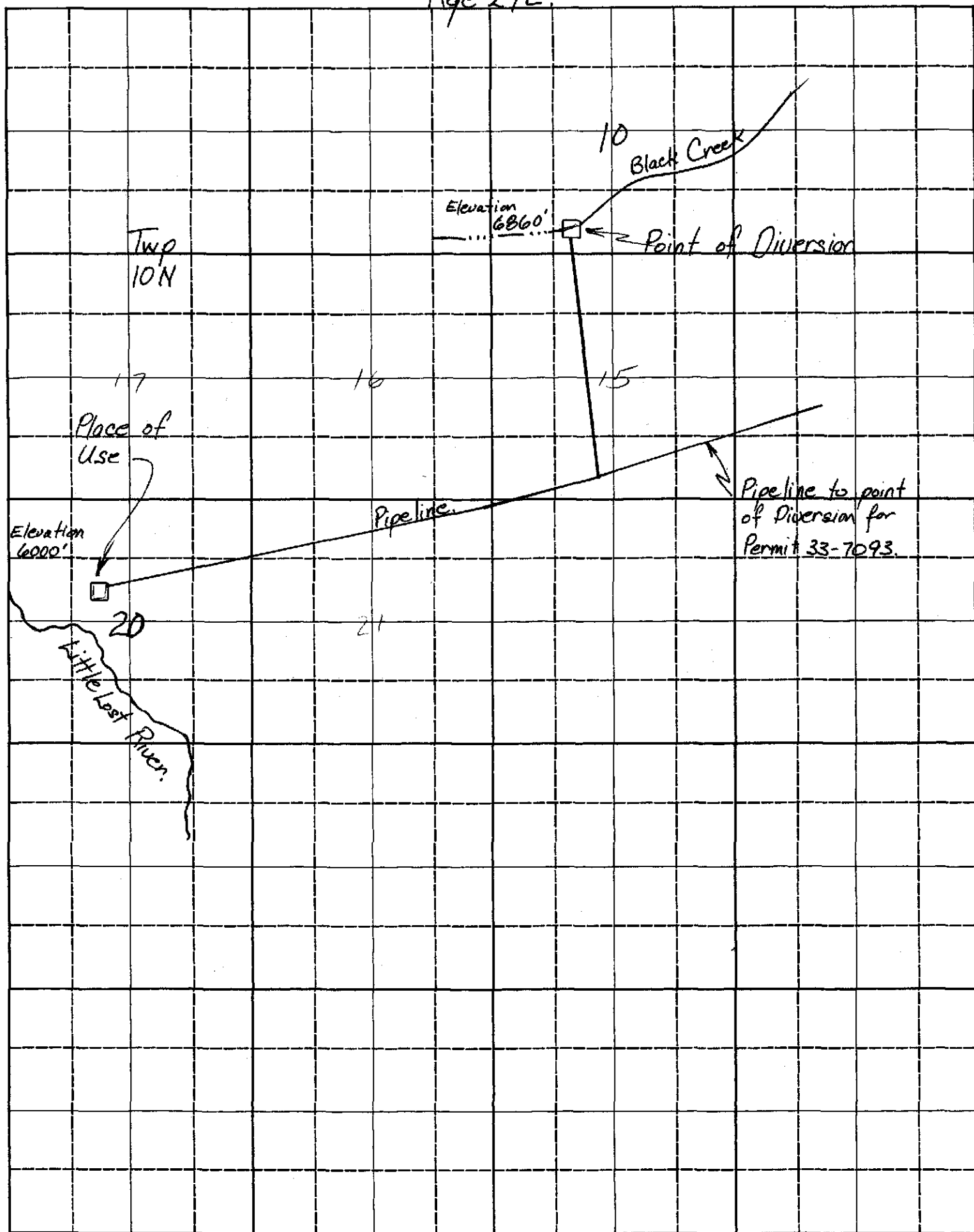
Water will be discharged into the Little Lost River in Sec. 20, T. 10N

~~R. 27E. The water under this application will be remingled with water under~~

~~permit #33-7093. The generated power will be sold to an existing utility company.~~

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

Rge 27E.



Scale: 2 inches equal 1 mile.

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.

Alan J. Army
(Applicant)

MICROFILMED

11/8/83

Proposed Priority

MICROFILMED

Received by BMC Date 11-08-83 Time 3:00
Preliminary check by KCW Fee \$ 45.00
Received by cu Date 11-08-83 # 29725
Publication prepared by BP Date 11/16/83
Published in Arco Advertiser
Publication dates 11/24 & 12/1/83
Publication approved BP Date 2/11/84
Protests filed by: Forest Service William

Copies of protests forwarded by cu
Hearing held by _____
Date _____
Recommended for approval denial by cu

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. 33-7159, 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

for April 1, 19 89.

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: 26P of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
25 or Federal Energy Regulatory Commission approval that may be required.
26P 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.
26P The issuance of this permit in no way grants any right-of-way or easement across the land of another.

The permit holder shall either install a measuring device or an access port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
Use of water under this permit is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.
The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director thirty (30) years from the date of issuance of this permit or the date of FERC approval expiration (if applicable). Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

Dated this 3rd day of April, 1984.

Chief, Operations Bureau

J. M. Saylor

NOV 8 1983

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

2. Corporation:

I, _____ of _____,
(name) (city)County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the __________;
(name of corporation)

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

_____ Idaho, wherein are kept the corporate records required
(city)by Section 30-1-52, Idaho Code: and that _____
(name of corporation)is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

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

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

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

State of Idaho }
County of Bonneville } ss.

Applicant

On this 8th day of November, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

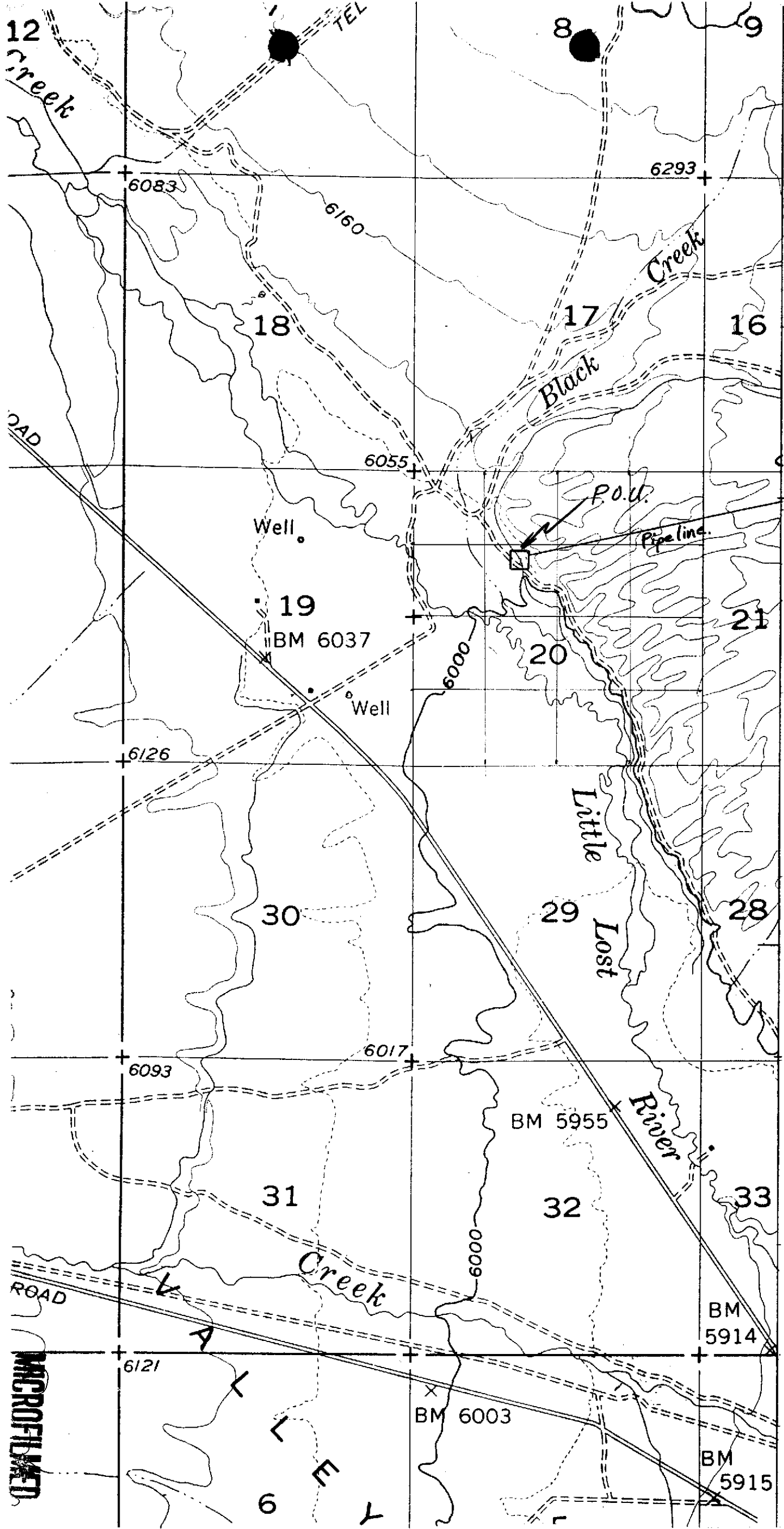
Notary Public residing at

My commission expires:

6-15-85

#29725

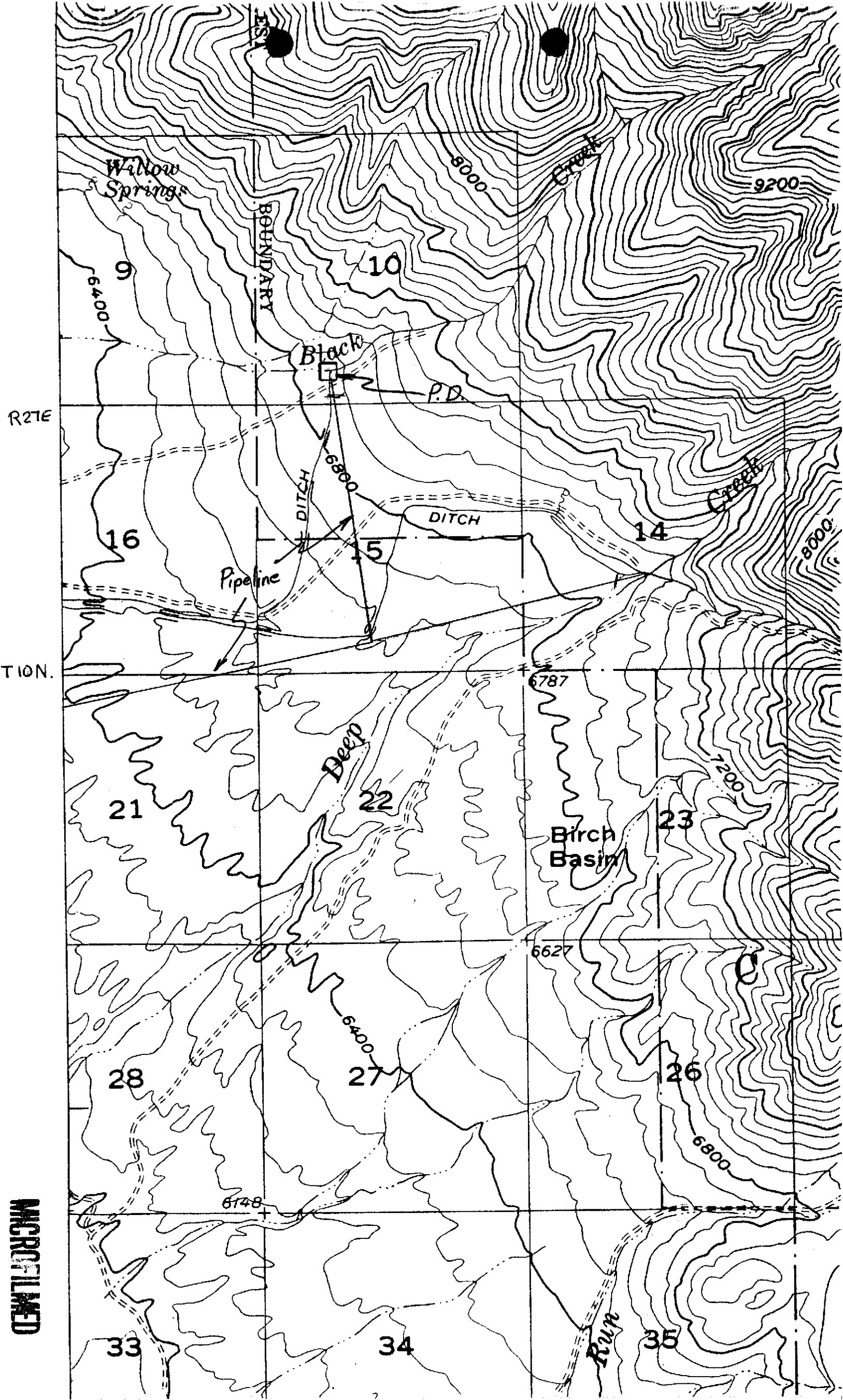
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R27E

T.10 N.

MICROFILMED



Willow Springs

BOUNDARY

Black

P.D.

DITCH

DITCH

Pipeline

Deep

Birch Basin

Run

R27E

TION.

MICROFILMED

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, UT 84401

2540

JAN 27 1984



Mr. Ronald D. Carlson
Idaho Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, ID 83402

Dear Mr. Carlson:

We have resolved our protest of Application for Permit No. 33-7159
with the applicant, Mr. Alan J. Amy. Please cancel our protest of
December 9, 1983.

Sincerely,

J. S. TIXIER
Regional Forester

RECEIVED

JAN 27 1984

Department of Water Resources
Eastern District Office

MICROFILMED

Tuth, 11 *DWR*
UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE
324 25th Street
Ogden, UT 84401

RECEIVED
DEC 12 1983

2540 Department of Water Resources

DEC 9 1983



NOT
Mr. A. Kenneth Dunn
Director
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720

Dear Mr. Dunn:

We wish to protest the granting of Application for Permit No. 33-7159.
We believe Forest Service water rights may be affected by this proposed
use of water.

Additional details concerning our protest will follow in a short time.

Sincerely,

J. S. Tixier
for J. S. TIXIER
Regional Forester

RECEIVED
DEC 19 1983

Department of Water Resources
Eastern District Office

RECEIVED

Affidavit of Publication

I, Donald L. Cammack
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for 2 consecutive weeks, commencing with

the issue dated November 24, 1983

and ending with the issue dated

..... December 1, 1983

Donald L. Cammack

Subscribed and sworn to before me this

... 10th ... day of ... December ..., 19 83 ..

L. Ella A. Cammack
Notary Public

Residence: Arco, Idaho.

My commission expires Life, 19

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been
filed to appropriate the public waters
of the State of Idaho:

33-7159

AMY, ALAN J.
BOX 170, STAR RT., HOWE, ID
83244

Source: BLACK CREEK trib. to
SINKS

Date Filed: 11-08-1983

Diversion Pt: SESW Sec 10 T 10N R
27E

Use: POWER (0.80 CFS)

In: SIENW Sec 20 T 10N R 27E

The permit 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 DECEMBER 12, 1983.

KEN DUNN, Dir.

Published 11-24 & 12-1-83.

RECEIVED

FEB 21 1984

Department of Water Resources
Eastern District Office

September 29, 1987

New Energy, Inc.
c/o David Snedigar
Rt. 4
Buhl, ID 83316

Gentlemen:

Re: Permit No. 33-7093 & 33-7159

This office acknowledges receipt of the proof of beneficial use forms submitted to this office on July 22, 1987. Note that the permit No. 33-7093 has been reinstated with the enclosed order and that your request to waive the measuring device requirements has been granted.

The next step is for the regional office to conduct a field inspection to determine the extent of use of each permit. I cannot tell you just when these inspection will be conducted, but the department representative will try to contact you to schedule a convenient time.

If you have any questions concerning this inspection, please call the regional office in Idaho Falls - 525-7161.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enc.

c: region

MICROFILMED

OCT 09 1987

July 22nd 1987

Re: Permits # 33-7093 and # 33-7159

Dept of Water Resources
Boise, Id

GENTLEMEN:

I hereby request a waiver of the measuring device requirements at the point of diversion for the above referenced permits. The sources of water are high in the drainage with no competing users. I have a measuring device installed near the powerhouse which can be used to determine total rate of flow.

Sincerely

David R. Snedegar

David R. Snedegar

I request the examination be done in the spring time since that is when the flows are up. Please notify me or Jake Angus upon examination.

RECORDED

OCT 09 1987

Thankyou

David R. Snedegar

RECEIVED
JUL 22 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 100.00
Date 7-22-87
Receipt # 44058
Receipt by AD
Reviewed by AD
Sent to region

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 33-7159
Name(s) of Permit Holder: New Energy, Inc. a corporation
Post Office Address: c/o David Snedigan, Rt #4, Buhl, Id 83316
Telephone No. 543-6842

Source of Water: Black Creek

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)
Irrigation (acres) Other/Remark power Generation

Total rate and/or volume for which proof is submitted 0.8 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: Dec 31, 1986

Measuring Device: Required? ☒ Yes ☐ No Fee enclosed \$ 100.00
Installed? ☐ Yes ☒ No * (See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No * See letter attached
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Alan (Jake) Amy 767-3374
(Name) (Telephone Number)

H.C. 65, Box 3170, Howe, Id. 83244
(Address)

Note: Permit 33-7093 is a part of this project

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.

OCT 09 1987

Date

Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

January 16, 1987

RE: Permit Nos. 33-7093/7159/7177/7178

John M. Melanson
Weaver & Melanson
130 N. Broadway
Buhl, ID 83316

Dear Permit Holder:

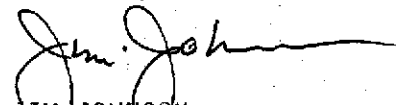
This office acknowledges receipt of the Assignment of the above referenced permits to New Energy, Inc.

Enclosed for your records are copies of the permits. Be sure to note the special conditions of approval on the fourth pages that identify requirements necessary for developing the permits into licensed water rights.

Also enclosed are copies of the approved Applications for Amendment of Permit Nos. 33-7159 and 33-7093.

If you have any questions on this matter, please feel free to contact us.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

RECEIVED

JAN 29 1987

WEAVER & MELANSON

Attorneys at Law

130 N. BROADWAY

BUHL, IDAHO 83316

ROBERT C. WEAVER

JOHN M. MELANSON

RECEIVED
JAN 13 1986
Department of Water Resources
Eastern District Office

PHONE (208) 543-8268

December 12, 1986

Idaho Department of Water Resources
150 Shoup Avenue
Suite 15
Idaho Falls, Idaho 83401

Re: Alan J. Amy
Permits No.: 33-7177, 33-7178, 33-7159,
33-7093

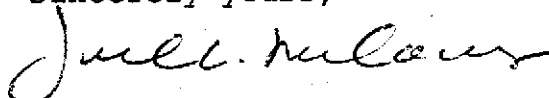
Dear Sirs:

I have enclosed four assignments of water permits from Alan J. Amy and Afton Amy, husband and wife, to New Energy, Inc., a corporation.

New Energy, Inc., is an Arizona corporation which is authorized to conduct business in Idaho. For your information, I have enclosed a copy of the Application for Certificate of Authority and the Certificate of Authority for New Energy, Inc.

Please do not hesitate to contact me if you require further information to approve the assignments.

Sincerely yours,



JOHN M. MELANSON

JMM:sh
Enc.

MICROFILMED

JAN 29 1987

DEC 15 1986

Department of Water Resources
Eastern District Office

State of Idaho

Department of State

CERTIFICATE OF AUTHORITY OF NEW ENERGY INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that
duplicate originals of an Application of NEW ENERGY INC.

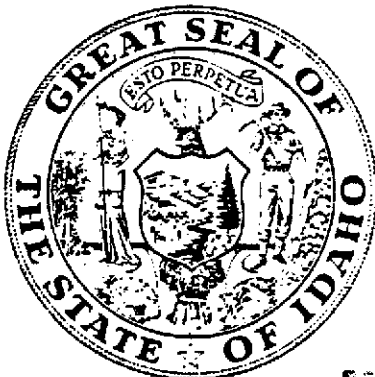
_____ for a Certificate of Authority to transact business in this State,
duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have
been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of
Authority to NEW ENERGY INC.

to transact business in this State under the name NEW ENERGY INC.

_____ and attach hereto a duplicate original of the Application
for such Certificate.

Dated July 19, 1985



Pete T. Cenarrusa
SECRETARY OF STATE

Scott J. Clark
Corporation Clerk

RECORDED

APPLICATION FOR CERTIFICATE OF AUTHORITY

(Profit Corporation)

52015 1986

To the Secretary of State of Idaho

Pursuant to Section 30-1-110, Idaho Code, the undersigned Corporation hereby applies for a Certificate of Authority to transact business in your State, and for that purpose submits the following statement:

1. The name of the corporation is NEW ENERGY INC.

2. The name which it shall use in Idaho is NEW ENERGY INC.

(To be used only when required to avoid a conflict with a name already on file. Must be accompanied by a Board of Directors resolution adopting assumed name in Idaho.)

3. It is incorporated under the laws of Arizona

4. The date of its incorporation is November 7, 1979 and the period of its duration is perpetual

5. The address of its principal office in the state or country under the laws of which it is incorporated is

321 E. Concorda Drive, Tempe, Arizona 85282

6. The address to which correspondence should be addressed, if different from that in item 5.

N/A

7. The street address of its proposed registered office in Idaho is 820 W. Washington,

P. O. Box 893, Boise, Idaho 83701, and the name of its proposed

registered agent in Idaho at that address is Consulting Associates, Inc.

8. The purpose or purposes which it proposes to pursue in the transaction of business in Idaho are:

Any and all lawful business for which corporations may be incorporated under the laws of Idaho.

9. The names and respective addresses of its directors and officers are:

Name	Office	Address
<u>Robert Snedigar</u>	<u>President</u>	<u>321 E. Concorda Dr., Tempe, AZ 85282</u>
<u>Shirley Snedigar</u>	<u>Vice President</u>	<u>321 E. Concorda Dr., Tempe, AZ 85282</u>
<u>David R. Snedigar</u>	<u>V.P./Sec.Treas.</u>	<u>Rt. 4 Box 238, Buhl, ID 83316</u>

MICROFILMED

JAN 29 1981

(continued on reverse)

Name

Office

Address

10. The corporation accepts and shall comply with the provisions of the Constitution and the laws of the State of Idaho.

11. This Application is accompanied by a certificate of Corporate Status or Existence, duly authenticated by the proper officer of the state or country under the laws of which it is incorporated.

Dated: June 25, 1985

NEW ENERGY INC.

(Corporation Name)

By

Robert Snedigar

Its President/Vice President (please specify)

and

Paul H. Snedigar

Its Secretary/Assistant Secretary (please specify)

STATE OF ARIZONA)

) ss:

COUNTY OF Maricopa)

I, S. J. EHMAN

, a notary public, do hereby certify that on

this 26th day of June, 19 85, personally appeared before

me ROBERT SNEDIGAR, who being by me first duly sworn, declared that (1) he

is the President of NEW ENERGY INC.

that (1) he signed the foregoing document as President of the corporation and that the statements therein contained are true.

MICROFILMED

My Commission Expires 6/23/88

Notary Public

JAN 29 1987

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

Right Number 33-7159 Applicant Amy

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

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

☒ Description of amended point(s) of diversion.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Description of amended places of use. If expanded, delay date of priority.

☒ Ownership of point of diversion and place of use. P.O.U. and by applicant

☒ Map. changed as per tel. con with Robt. Weaver

☒ Signature (must be permit holder).

☒ Fee.

☒ Existing water rights from the same source, amended place of use.

☒ Right number(s) Permit 33-7093

☒ Yes ☐ No Should amendment be advertised?

☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received.

☒ Amendment published correctly.

☐ Protests processed.

☒ Approve.

☐ Deny.

Conditions See permit

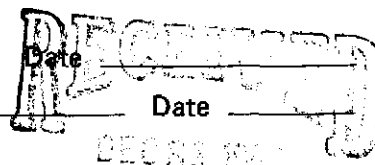
PROTEST DATE
12-22-86

By EMC Date 18 Dec 86

STATE OFFICE PROCESSING:

☐ Amendment correct and complete. By _____

☐ Approved copy sent to applicant and to Region. By _____



RECORDED

JAN 29 1987

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 26, 1986

The Arco Advertiser
Box "C"
Arco, Idaho 83213

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 DECEMBER 22, 1986.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

**NOTICE OF PROPOSED
AMENDING OF WATER PERMIT**

Notice is hereby given that Permit No. 33-7159 in the name of Alan J. Amy, Howe, Idaho was issued for the diversion of .08 cfs of water from Black Creek, tributary to sinks, with the point of diversion within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 10N, R. 27E, B.M., Butte County; to be used for Power purposes, from Jan. 1 to Dec. 31 within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 10N, R. 27E, B.M.

The permit holder now proposes to amend Permit No. 33-7159, changing the place of use to within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20, T. 10N, R. 27E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before December 22, 1986.

A. KENNETH DUNN
Director

Published 12-4 & 12-11-86.

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 33-7159 in the name of Alan J. Amy, Howe, Idaho was issued for the diversion of .08 cfs of water from Black Creek, tributary to sinks, with the point of diversion within the SE1/4SW1/4, Sec. 10, T. 10N, R. 27E, B.M., Butte County; to be used for Power purposes, from Jan. 1 to Dec. 31 within the SE1/4NW1/4, Sec. 20, T. 10N, R. 27E, B.M.

The permit holder now proposes to amend Permit No. 33-7159, changing the place of use to within the NW1/4SW1/4 Sec. 20, T. 10N, R. 27E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before December 22, 1986.

A. Kenneth Dunn

Director

Published 12/4 & 12/11/86

RECEIVED

JAN 29 1987

Permit No. 33-7159

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes -
2. Notary? Yes -
3. a. Full Assignment? Yes -
b. Partial Assignment?
4. "No assignment" condition on permit? Yes -
5. Commencement of Works received? -N/A
 - a. Commencement of works requested? NO
 - b. Show Cause Order drafted & sent? NO
 - c. Cancellation necessary? NO
6. Affidavit of residency required? Yes - rec'd - SEE file 33-7093
7. Extension granted due to litigation? for copy
(If yes, commencement of works is not required.)

1. Type permit summary sheet. ✓
2. Coding sheet. ✓
3. Acknowledgement letter type. ✓
4. Copy to region. ✓

Sharla -

Sharla -

1 ~~P~~

Sharla -

RECEIVED

JAN 29 1987

Date 12-30-86

Employee Jim

Pick

33-1093 permit
33-7159 permit

33 EERC 162, 045

-2-

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Alan J. Amy) Project No. 8700-001

ORDER GRANTING EXEMPTION FROM LICENSING FOR
A CONDUIT HYDROELECTRIC PROJECT

(Issued October 11, 1985)

The Applicant 1/ filed an application for exemption from all or part of Part I of the Federal Power Act pursuant to 18 C.F.R. Part 4 Subpart J (1980) implementing Section 30 of the Federal Power Act (Act) for a project as described in the attached public notice.

Notice of the application was published and comments were requested from interested Federal and State agencies including the U.S. Fish and Wildlife Service and the State Fish and Wildlife Agency. All comments, protests and petitions to intervene that were filed have been considered. No agency has any objection relevant to issuance of this exemption.

Standard Article 2, included in this exemption, requires compliance with any terms and conditions that Federal or State fish and wildlife agencies have determined appropriate to prevent loss of, or damage to, fish and wildlife resources. The terms and conditions referred to in Article 2 are contained in any letters of comment by these agencies which have been forwarded to the Applicant in conjunction with this exemption.2/

Should the Applicant contest any terms or conditions that were proposed by Federal or State agencies in their letters of comment as being outside the scope of Article 2, the Commission shall determine whether the disputed terms or conditions are outside the scope of Article 2.

1/ Alan J. Amy, Project No. 8700-001, filed on April 4, 1985.

2/ An exemption from licensing granted by this Commission does not serve as any basis for restricting hunting and fishing access to the waterway involved except to the extent required for public safety purposes.

DC-A-13

Based on the terms and conditions required by Federal and State fish and wildlife agencies, the environmental information in the application for exemption, other public comments, and staff's independent analysis, issuance of this order is not a major federal action significantly affecting the quality of the human environment.3/

Pursuant to 18 C.F.R. §375.314, the Director of the Office of Hydropower Licensing or the Director's designee orders:

(A) Amy Ranch Project No. 8700 as described and designated in Alan J. Amy's application filed on April 4, 1985, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.94 of the Commission's regulations attached hereto as Form E-1, 18 C.F.R. §4.94 (1985).

(B) This order is final unless appealed to the Commission by any party within 30 days from the issuance date of order under 18 C.F.R. §85.1902 (1985).

Don Gaber
for Kenneth M. Pusateri
Acting Director, Office of
Hydropower Licensing

3/ Environmental Assessment, Alan J. Amy, FERC Project No. 8700-001, Division of Environmental Analysis, Office of Hydropower Licensing, Federal Energy Regulatory Commission, September 30, 1985. This document is available in the Division of Public Information and in the Commission's public file associated with the proceeding.

Department of Water Resources

RECEIVED
OCT 21 1985

JAN 29 1986



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

JAN 29 1987

P-8700-001

UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission

(July 24, 1985)

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

- 33-7093 Permit
✓ 33-7159 Permit
- a. Type of Application: Conduit Exemption
 - b. Project No.: 8700-001
 - c. Date Filed: April 4, 1985
 - d. Applicant: Alan J. Amy
 - e. Name of Project: Amy Ranch
 - f. Location: At existing irrigation diversions on Deep Creek and Black Creek in Butte County, Idaho
 - g. Filed Pursuant to: Section 408 of the Energy Security Act of 1980 (16 U.S.C. §§2705 and 2708 as amended)
 - h. Contact Person: Ted S. Sorenson
Consulting Engineer
550 Linden Drive
Idaho Falls, ID 83401
 - i. Comment Date: SEP 3 1985
 - j. Description of Project: The proposed project would consist of: (1) a 6,600-foot-long, 8-inch-diameter pipe from the existing irrigation diversion on Black Creek to confluence with a 17,000-foot-long, 20-inch-diameter pipe from the existing irrigation diversion on Deep Creek; (2) a powerhouse containing a single generating unit with a capacity of 600 kW and an average annual generation of 3.7 GWh. The water will discharge into the applicant's irrigation ditch.
- Purpose of Exemption - An exemption, if issued, gives an Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.
- k. Purpose of Project: Project power would be sold.
 - l. This notice also consists of the following standard paragraphs: A3, A9, B, C, D3b

RECEIVED
AUG 5 1985

A3.

Development Application -- Any qualified development applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted in response to this notice.

A9.

Notice of intent -- A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, include an unequivocal statement of intent to submit, if such an application may be filed, either (1) a preliminary permit application or (2) a development application (specify which type of application), and be served on the applicant(s) named in this public notice.

B.

Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §§385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C.

Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE A COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing is in response. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Mr. Fred E. Springer, Director, Division of Project Management, Federal Energy Regulatory Commission, Room 203-RB, at the above address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D3b.

Agency Comments - The U.S. Fish and Wildlife Service and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 30 of the Federal Power Act, to file within 45 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 45 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Kenneth F. Plumb
Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

AMY, ALAN J.
BOX 170, STAR RT.
HOWE, ID 83244

APRIL 11, 1984

RE: PERMIT NO. 33-7159

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.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

MICROFILMED

POWER CALCULATIONS FOR APPLICATION NO. 33-7159

46
P = Kilowatts .74 X hp
0.80
Q = cfs
860
H = feet
e = efficiency

proposed

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

$$e = \frac{P(11.8)}{QH} = \frac{46(11.8)}{0.80 \times 860} = \frac{542.8}{688} = 0.7889 \quad \checkmark \text{OK}$$

Based on the above calculations the proposed project must have an 79 % efficiency.

OVERLAP REVIEW per terminal 3/28/84 - kw
P/D 33-2034 - License for irr - (Amy)

P/U 33-2100 (irr) SWSW - 36 ac.
33-2135A (irr) NWSW - 40 ac.
33-2141 (irr) NWSW - 40 ac.

BYPASSED AREA

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C. WILSON

APPLICATION NUMBER: 33 7159

CHECK:

- ☒ 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.
☐ 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.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

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 _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: Dec 12, 1983
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2/21/84
☒ Application published correctly. If not, record action taken: _____
☒ 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? _____
11-08-83 Date of priority recommended.
Special conditions of approval or cover letter.

Call #26, 08A, 25, 17, 01C, 04.

file copy destroyed

By: Ernest Calver

Date: March 22, 1984

STATE OFFICE REVIEW:

L19, L18, L17 17C 04 26A 01E 08A 25

- ☐ See attached sheet for more information.

By: KW

Date: 3/28/84

087 034

Swan Falls area - non consumptive
use - ok to date.

Department of Water Resources

kw

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

February 7, 1984

RE: Application for Permit No. 33-7159

Alan J. Amy
Box 170 Star Route
Howe, Idaho 83244

Dear Mr. Amy:

This is to advise you that J. S. Tixier, U. S. Forest Service has withdrawn their protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECEIVED

February 7, 1984

RE: Application for Permit No. 33-7159 AMY

J. S. Tixier
Regional Forester
U.S. Forest Service
324 25th Street
Ogden, UT 84401

Dear Mr. Tixier:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECEIVED

~~December 15, 1983~~

February 7, 1984

RE:: Application for Permit No. 33-7159

Arco Advertiser
Box "C"
Arco, ID 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on November 24 and December 1, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

*Please!
Thank you!
Colleen Wray*

MICROFILMED

January 11, 1984

Alan J. Amy
Box 170
Star Route
Howe, ID 83244

Dear Mr. Amy:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 33-7159. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

January 11, 1984

RE: Application for Permit No. 33-7159 ALAN J. AMY

J. S. Tixler
Regional Forester
U.S. Forest Service
324 25th Street
Ogden, UT 84401

Gentlemen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

MICROFILMED

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

RECEIVED

DEC 21 1983

Department of Water Resources
Eastern District Office

December 19, 1983

Mr. Ernie Carlsen
150 Shoup, Suite 15
Idaho Falls, ID 83402

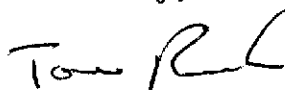
RE: Application for Permit No. 33-7159 Amy, Black Creek tributary
to Little Lost River.

Dear Ernie:

We have reviewed the above reference application to appropriate water for hydro power purposes and have no objections to its issuance. We would request that provisions for wildlife water be made available from the pipeline to offset the lost water in open ditches and channels. This will also be made a stipulation in the FERC permitting process.

If further information is needed, please feel free to contact us.

Sincerely,



Tom Reinecker
Regional Supervisor
Region 6

RECEIVED

December 15, 1983

RE:: Application for Permit No. 33-7159

Arco Advertiser
Box "C"
Arco, ID 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on November 24 and December 1, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECORDED

November 17, 1983

RE: Application for Permit No. 33-7159 AMY

Targhee National Forest
P.O. Box 208
ST. Anthony, ID 83445

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 December 12, 1983, 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

*Should have been Challis
Nat. Forest - Targhee
will forward
Emc
11-21-83*

MICROFILMED

November 17, 1983

RE: Application for Permit No. 33-7159 AMY

Bureau of Land Management
940 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 December 12, 1983, 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

RECEIVED

November 17, 1983

RE: Application for Permit No. 33-7159 AMY

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

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Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

RECEIVED

STAFF SHEET FOR POWER GENERATION

INITIAL REVIEW BY KETH C. Wilson

APPLICATION NO. 33 7159

DATE REQUESTED

IN FILE

YES

Form 205/206

N/A

Financial statement if
operating capacity is more than
500 HP
0.37 MW
373 KW

YES
Remarks item #10
of Application

Statement declaring what the
applicant proposes to do with
the generated power.
(NOT MANDATORY)

YES

Efficiency is between 85% and 60%

P = kilowatts .74 x hp

Q = c.f.s.

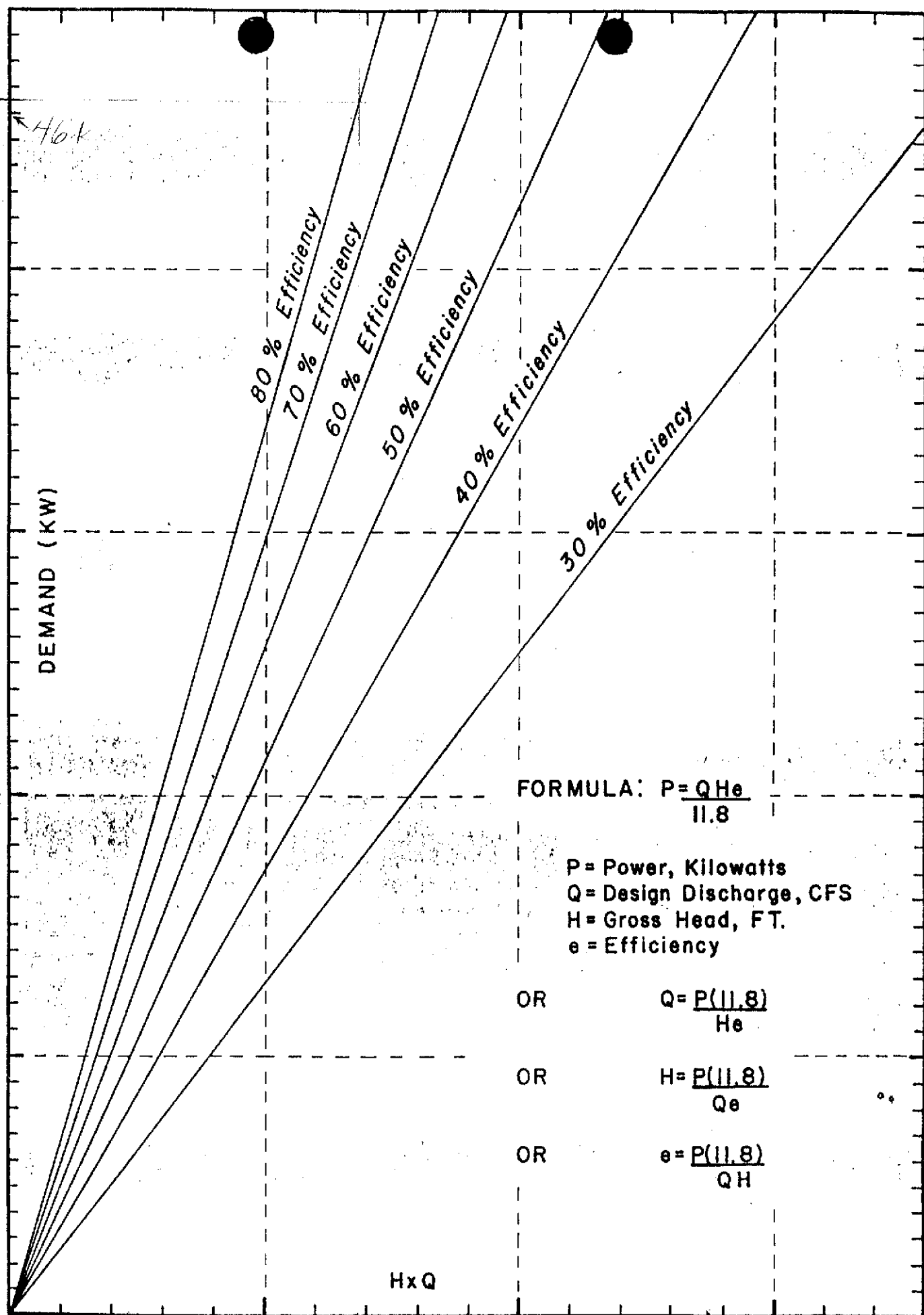
H = feet

e = efficiency

$$e = \frac{P (11.8)}{QH} = \frac{(46) (11.8)}{(0.8) (860)} = \frac{542.8}{688} = \underline{0.788} = 79\%$$

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FIGURE 1. GRAPHICAL SOLUTION OF HYDRO POWER PROBLEMS



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WATER RIGHT DATA ENTRY LOG

Item

11/16/83

Keypunched by State Office

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 16, 1983

The Arco Advertiser
Box "C"
Arco, Idaho 83213

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 billings to this office before DECEMBER 12, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
NOV 21 1983
IDaho DEPT. OF WATER RESOURCES

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 DECEMBER 12, 1983.

KEN DUNN, Dir.

Published 11/24 & 12/1/83.

33-7159

AMY, ALAN J.

BOX 170, STAR RT., HOWE, ID 83244

Source: BLACK CREEK trib. to SINKS

Date Filed: 11/08/1983

Diversion Pt: SESW Sec 10 T 10N R 27E

Use: POWER (0.80 CFS)

In: SENW Sec 20 T 10N R 27E

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