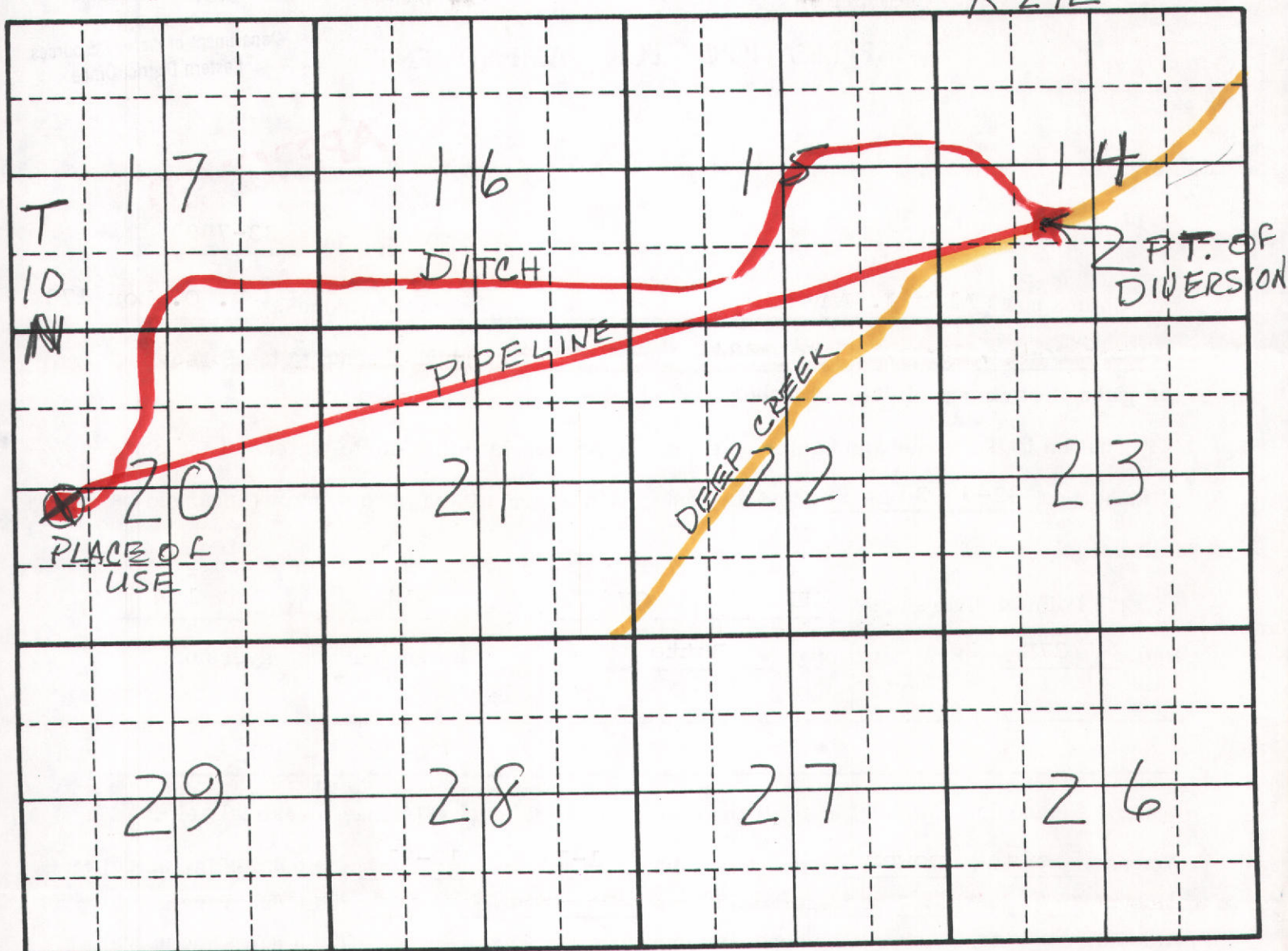


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches. R 27E



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.

Alan J. 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. 33-7093 are met.

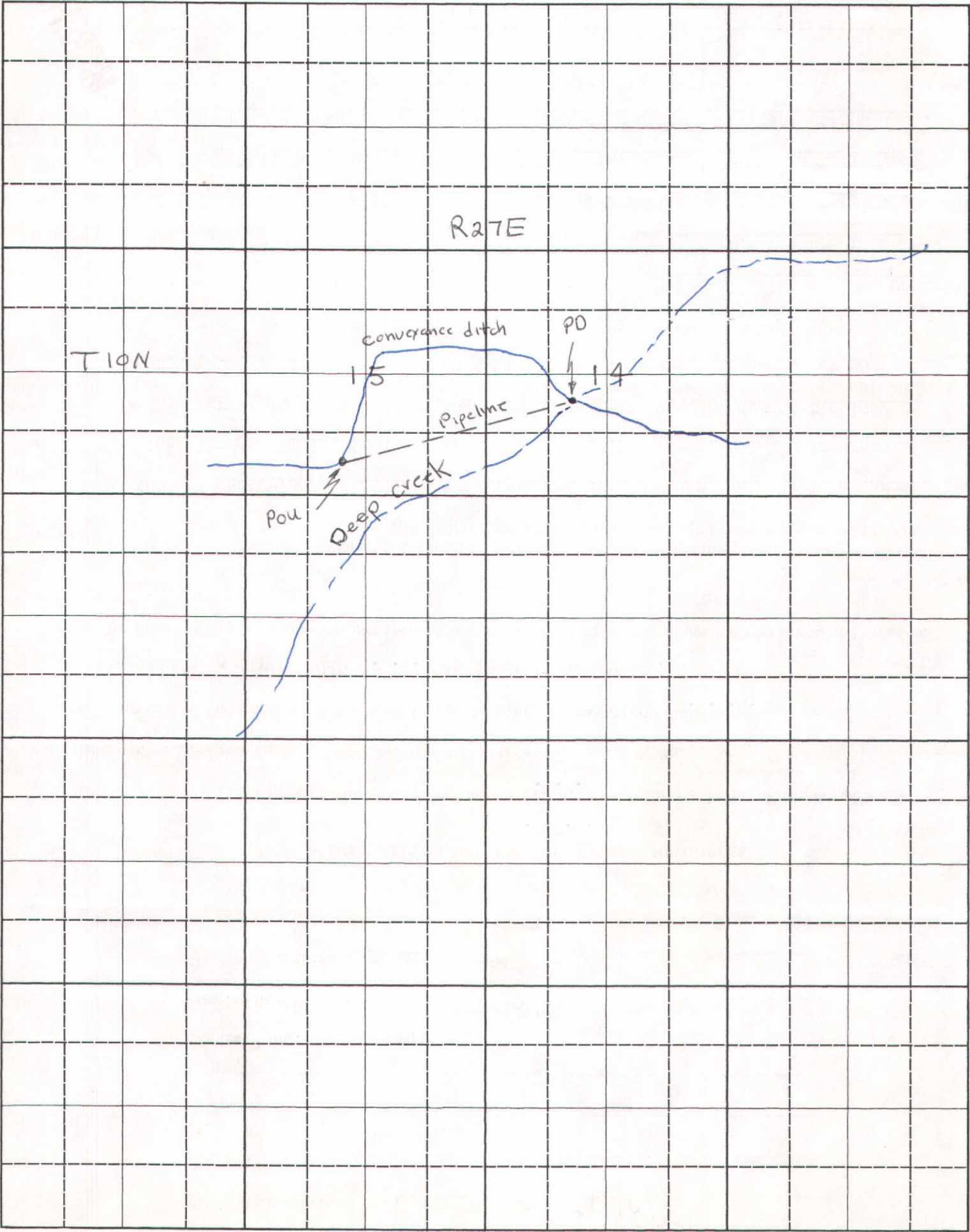
Witness my hand this 16TH day of January, 19 87.

Norman C. Young
Administrator

MICROFILMED

JAN 29 1987

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.

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.

MICROFILMED

X Alan J. Amy
(Applicant)

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

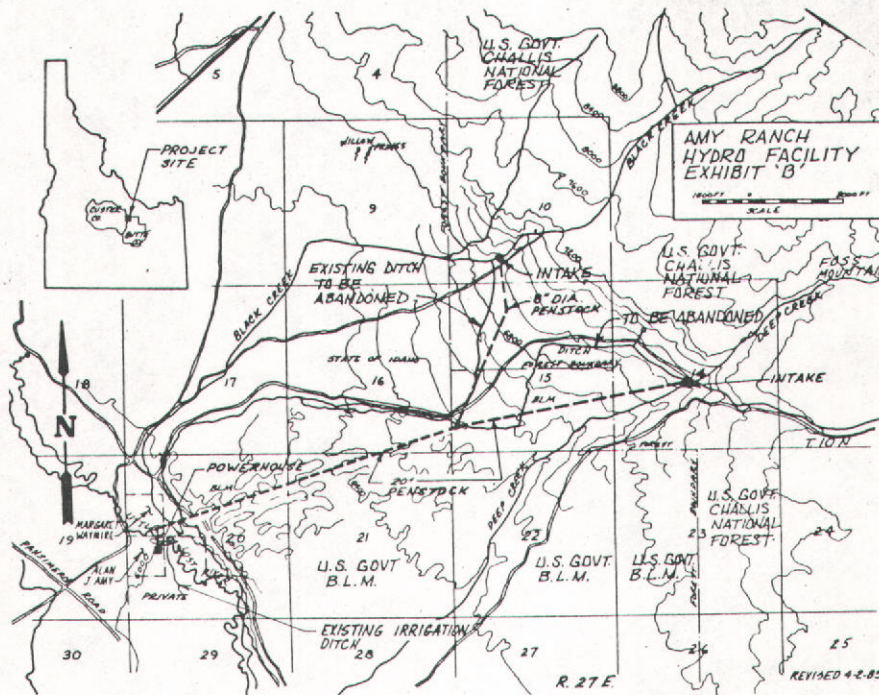
Notice of Application Filed with the Commission

(July 24, 1985)

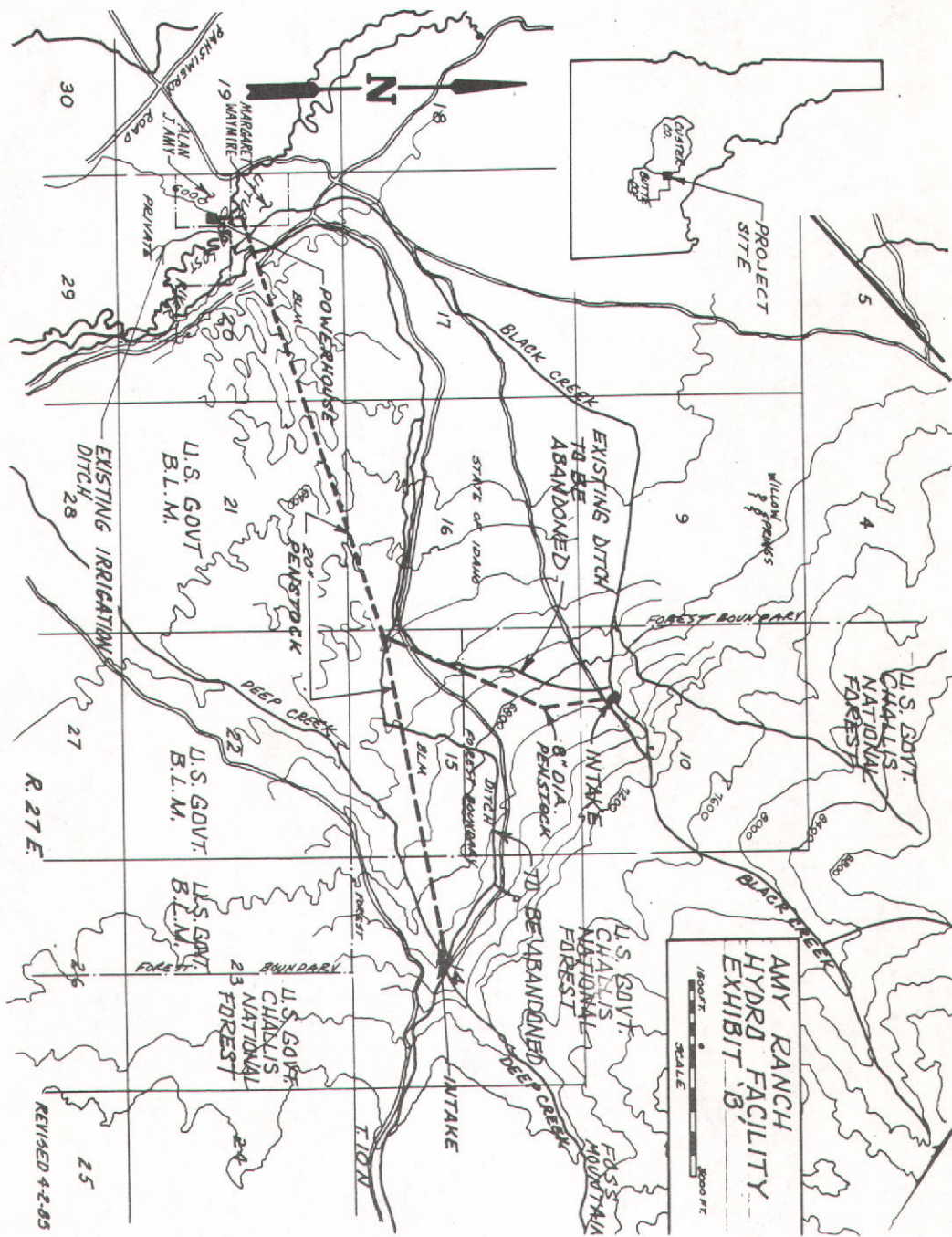
Take notice that the following hydroelectric application has been filed with the Federal Energy Regulatory Commission and is available for public inspection:

- 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 2 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

DC-A-30



MICROFILMED



MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 33-7093) ORDER
IN THE NAME OF NEW ENERGY, INC.)
_____)

WHEREAS, on July 8, 1981, the Department of Water Resources issued Permit No. 33-7093 in the name of Alan J. Amy with the requirement that:

A measurnig device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works;

and,

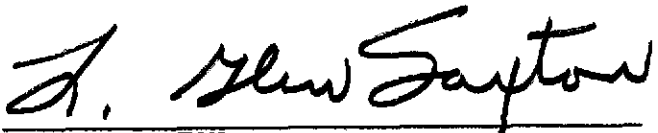
WHEREAS, December 15, 1986, the permit holder assigned all right, title, and interest in and to the permit to New Energy, Inc.; and,

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 be installed is hereby REMOVED.

Dated this 29th day of September, 1987.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

OCT 09 1987

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33-7093 IN THE)
NAME OF NEW ENERGY, INC.) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1987; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 22, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 33-7093 be REINSTATED and the priority advanced to April 10, 1981.

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	33-7093	Amy, Alan J.	5.0
Full Assignment	33-7093	New Energy, Inc.	5.0

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, Id 83316
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 33-7093
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, 1986.

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, 1986, 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

Receipt # 39956

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 27 1965
Department of Water Resources
Eastern District Office

APPLICATION FOR AMENDMENT

Permit No. 33-7093

Comes now Alan J. Amy of (address) P. O. Box 170

Star Route, Howe, Idaho 83244, and represents to the Director of
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 33-7093, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14 Twp. 10N
Rge. 27E, B. M., County of Butte. Other points of diversion:

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

Amount 5 cfs for power purposes from 1-1 to 12-31 (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

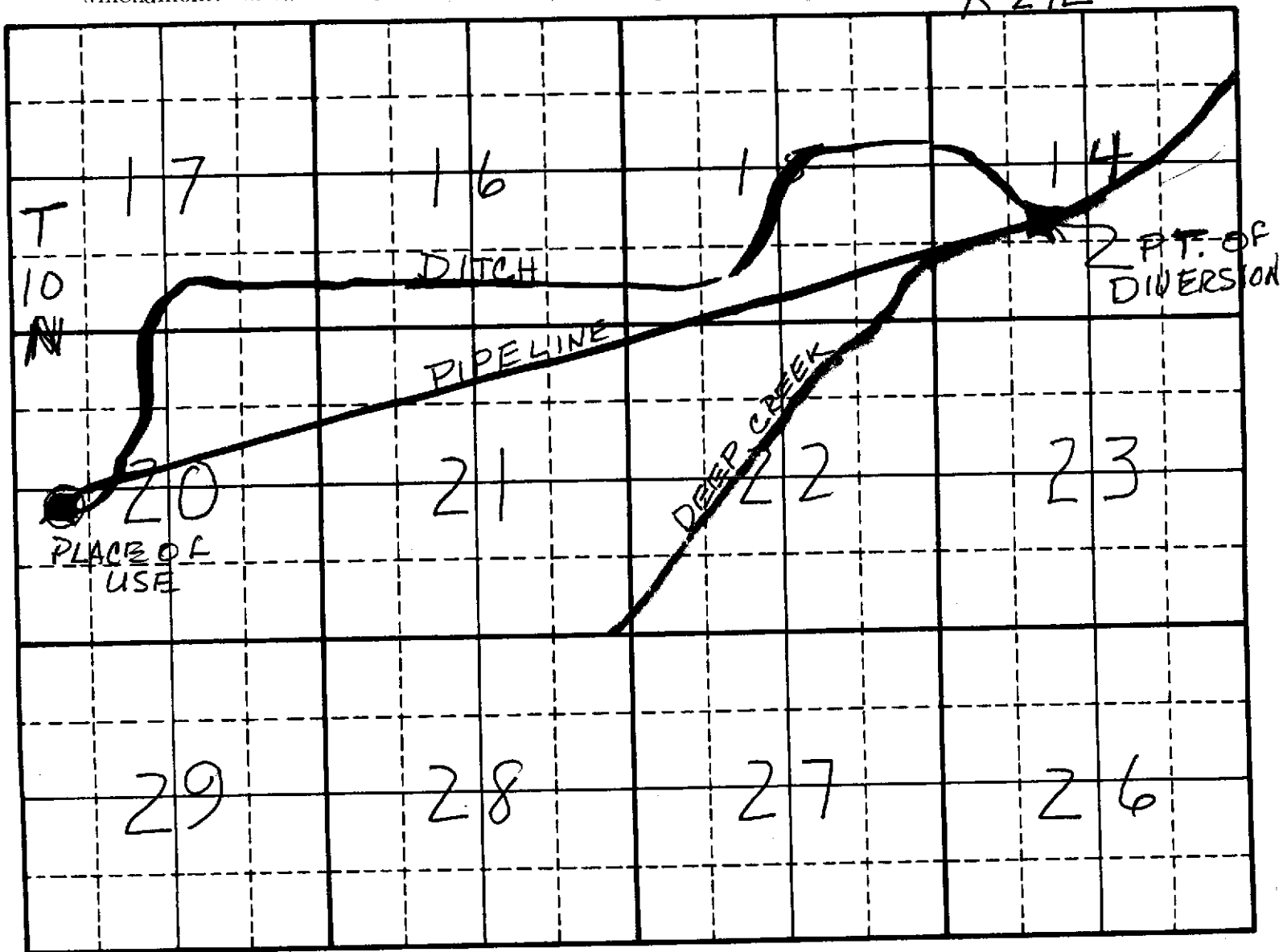
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

JAN 28 1987

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.

Alan J. 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. 33-7093 are met.

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

Norman C. Young
Administrator

MICROFILMED

JAN 29 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. Camm
Notary Public

Residence: Arco, Idaho.
My commission expires 12-12-1991

RECORDED
2001 6 1006

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 33-7093 in the name of Alan J. Amy, Howe, Idaho was issued for the diversion of 5.00 cfs of water from Deep Creek, tributary to sinks, with the point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 10N, R. 27E, B.M., Butte County; to be used for Power purposes, from Jan. 1 to Dec. 31 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 10N, R. 27E, B.M.

The permit holder now proposes to amend Permit No. 33-7093, 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.

RECORDED

JAN 4 9 1987

Department of Water Resources

CAU 779

APPLICATION FOR CERTIFICATE OF AUTHORITY

(Profit Corporation)

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>

RECORDED
INDEXED

JAN 20 1980

(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. Snelin
Its Secretary/Assistant Secretary (please specify)

STATE OF ARIZONA)

COUNTY OF Maricopa) ss:

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 (X) he is the President of NEW ENERGY INC.

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

My Commission expires 6/23/88

S. J. Ehma
Notary Public

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 19 1986

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Eastern District Office

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

ALAN J. Amy

(Name)

of Star Rt Box 170 Howe Id 83244

(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the
State of Idaho No. 33-7093.

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

July 1, 19 86.

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

(This must be filled out! If no work has been completed put none.)

received F.E.R.C. Approval, Applied for & received Financing, Applied for
BLM and Forest Service Special use permits and ordered turbine

Costing \$ 50,000.00

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

Failure of BLM and Forest Service to issue special use permits (proposed
final approval by June 15, 86). Which would not allow adequate time for
completion of system & application to beneficial by July 1986. Request for extension
done in conjunction with extension request for 33-7094.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to July 1, 19 87

(1 yr. minimum,
5 yrs. maximum)

Alan J. Amy
(Signature)*

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

FEE: \$15.00

UNRECORDED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to July 1, 1987.

Signed this 25th day of July, 19 86.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Alan J. Amy Phone 767-3374

Post office address Howe, ID 83244

2. Source of water supply Deep Creek which is a tributary of sinks

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 Township 10N

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

4. Water will be used for the following purposes:

Amount 5.00 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)

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. 5.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. From confluence of Deep Creek and conveyance ditch into 6000' of 16" steel buried line to a turbine generator, and back into ditch.

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 SW $\frac{1}{4}$ of Section 15 Township 10N
Range 27E B.M.

(2) Amount of power to be generated: 114 horsepower under _____ 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: _____

MICROFILMED

Michigan

process of applying with B.L.M. for special use permit.

applicant to make this filing Special use permit on file with U.S.F.S. and in

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

Who owns the land to be irrigated or place of use
B. L. M.

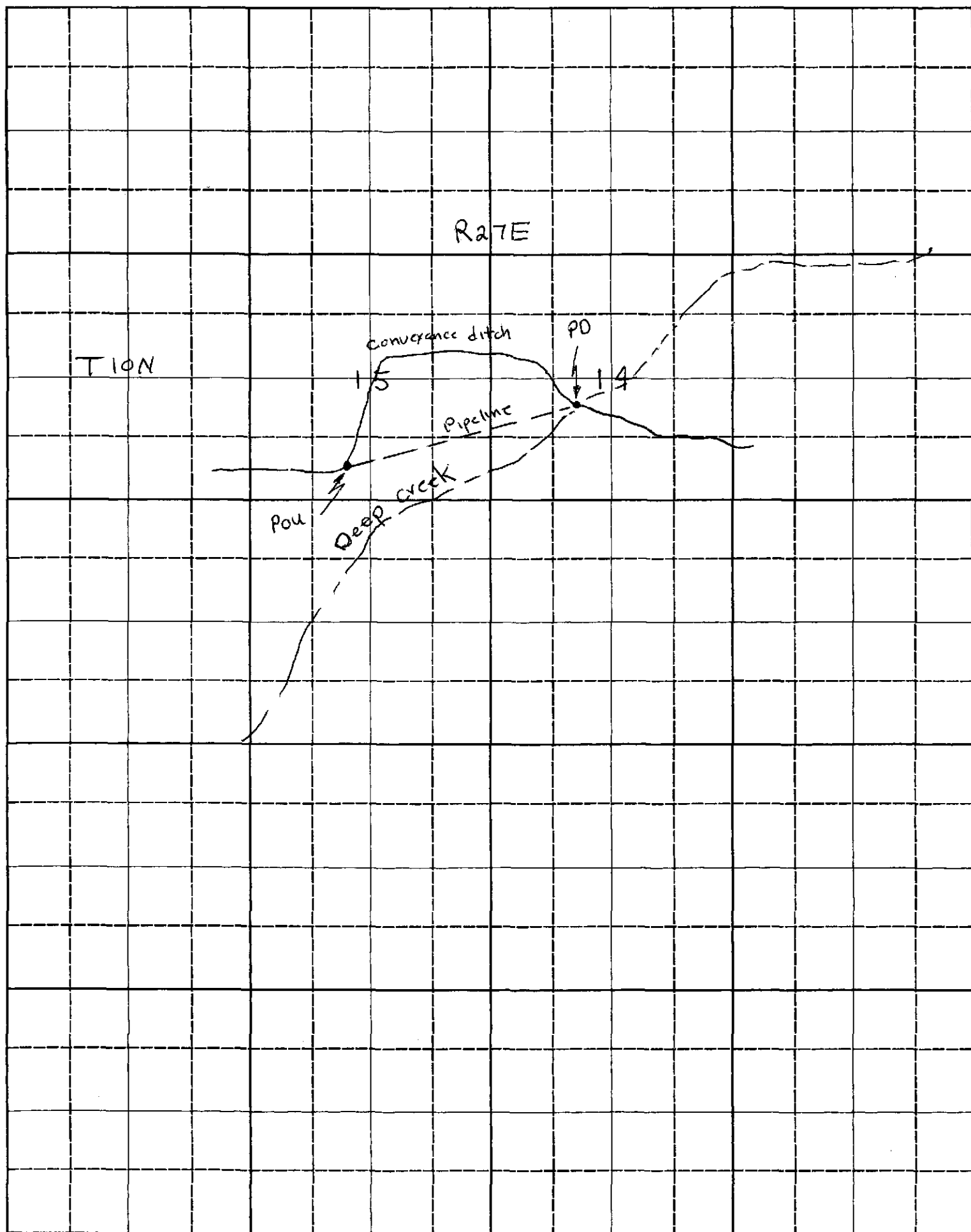
Who owns the property at the point of diversion
U.S.F.S.

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

[illegible]

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

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.

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.

X Alan J. Amy
(Applicant)

MICROFILMED

MICROFILMED

Chief, Operations Bureau
J. H. H. H. H.

Witness my hand this 8th day of July, 1981.

Energy Regulatory Commission approval that may be required.
(6) This permit does not constitute Idaho Public Utilities Commission or Federal

the future diversion of water for irrigation or other beneficial consumption.
project shall be operated in a manner that will not conflict or interfere with
with these provisions is cause for immediate cancellation of this permit. (5) This
the sale, transfer, assignment, or mortgage of this permit. Failure to comply
subject to the provisions of Sections 42-205 through 24-210, Idaho Code, restricting
master of State Water District # 33, Little Lost River. (4) This permit is

another. (3) Use of water under this permit is subject to control by the water-
this permit in no way grants any right-of-way or easement across the land of
installed and maintained as part of the diverting works. (2) The issuance of

d. Other: A measuring device of a type approved by the Department shall be permanently
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.
fore July 1, 19 86.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

of Idaho No. 33-7093, and said application is hereby approved
This is to certify that I have examined Application for Permit to appropriate the public waters of the State

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Recommended for approval denial by ENC.
Hearing held by _____ Date _____
Copies of protests forwarded by _____
Protests filed by: None
Publication approved ENC Date 4/6/81
Publication dates 4/6 & 4/9/81
Published in Arco Advertiser
Publication prepared by ENC Date 3/27/81
Received by ENC Date 3/24/81 # 17121
Preliminary check by JK Fee \$ 125.00
Received by Dr. H. H. H. Date 3/20/81 Time 10:40

Proposed Priority 3/20/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT OF RESIDENCY OR QUALIFICATION TO DO BUSINESS
IN AND UNDER THE LAWS OF IDAHO

A. Individual Applicant or Individual Members of a Partnership:

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

/s/ Alan J. Amy

Subscribed and sworn to before me this 19th day of March, 19 81

/s/ Gloria Aldrich

Notary Public [Signature]

Residence Terreton, Idaho

My Commission expires October 10, 1981

B. Corporation:

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

that as such I am in charge of the registered office of the said corporation as required by Section 30-1-12, *Idaho*
Code, at _____
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, *Idaho Code*; and that _____
_____ is a corporation qualified to do business in the
(name of corporation)

State of Idaho under the laws of the State of Idaho.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 19 _____

/s/ _____

Notary Public

Residence _____

My Commission Expires _____

NOTED

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

RECEIVED

JUL 31 1981

Department of Water Resources

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

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

☒ 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.

(check one)

Alan J. Army
Applicant

State of Idaho)
County of Butte) ss.

On this 29th day of July, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

William Thurler
Notary Public residing at

seal

Geo. Lelubo

My commission expires:

4/5/83

RECEIVED

WILLIAM G. CARLSON

ATTORNEY AT LAW

P.O. DRAWER 804

ARCO, IDAHO 83213

MICROFILMED



State of Idaho Department of Water Resources
State Office (STATEHOUSE)
450 W. State Street
Boise, Idaho 83720

Affidavit of Publication

Lee Ellen Conners
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 *4-2-81*

and ending with the issue dated *4-9-81*

Lee Ellen Conners

Subscribed and sworn to before me this

12th day of *April*, 19*81*

Notary Public

Residence: Arco, Idaho.

My commission expires *6-30-81* 19*81*

RECEIVED

APR 16 1981

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATIONS FOR WATER RIGHTS

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

33-7090

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE, ID 83702
Source: COYOTE SPRINGS
tributary to SINKS
Date Filed: 03-04-1981
Amount: 0.03 CFS
Diversion Point: NESE Sec 08 T
08N R 28E, BUTTE Co.
Use: STOCKWATER — (0.02 CFS)
from 05-01 to 01-15 — WILDLIFE —
(0.01 CFS) from 05-01 to 01-15
Place of Use: NESE Sec 08 T 08N R
28E
Diversion Means: HEADBOX &
PIPELINE.

33-7091

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE, ID 83702
Source: HAWLEY MOUNTAIN
SPRING tributary to SINKS
Date Filed: 03-04-1981
Amount: 0.02 CFS
Diversion Point: SENW Sec 15 T
09N R 26E, BUTTE Co.
Use: STOCKWATER — (0.02 CFS)
from 05-01 to 01-15
Place of Use: SWNW Sec 02 T 09N
R 26E
Diversion Means: SPRINGBOX &
PIPELINE.

33-7092

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE, ID 83702
Source: WET CREEK tributary to
LITTLE LOST RIVER
Date Filed: 03-04-1981
Amount: 0.04 CFS
Diversion Point: NWSW Sec 20 T
09N R 26E, BUTTE Co.
Use: STOCKWATER — (0.03 CFS)
from 05-01 to 10-31 — WILDLIFE —
(0.01 CFS) from 05-01 to 10-31
Place of Use: NWNE Sec 28 T 09N
R 26E
Diversion Means: PIPELINE &
HYDRAULIC RAM.

33-7093

AMY, ALAN J.
HOWE, ID 83244
Source: DEEP CREEK tributary
to SINKS
Date Filed: 03-20-1981
Amount: 5.00 CFS
Diversion Point: NESW Sec 14 T
10N R 27E, BUTTE Co.
Use: POWER — (5.00 CFS) from
01-01 to 12-31
Place of Use: SESW Sec 15 T 10N R
27E
Diversion Means: DITCH,
PIPELINE & GENERATOR.

33-7094

AMY, ALAN J.
HOWE, ID 83244
Source: DEEP CREEK tributary
to SINKS — DEEP CREEK SPRING
tributary to SINKS — BLACK
CANYON SPRING tributary to
SINKS
Date Filed: 03-20-1981
Amount: 5.90 CFS
Diversion Point: NESW Sec 14 T
10N R 27E SENE Sec 13 T 10N R 26E
SENE Sec 35 T 10N R 26E, BUTTE
Co.
Use: IRRIGATION — (5.90 CFS)
from 04-01 to 11-01
Place of Use: NESE SWSE SESE
Sec 19 T 10N R 27E NWNW Sec 29 T
10N R 27E NENE Sec 30 T 10N R 27E
SWNE SWNW SENW Sec 36 T 10N R
26E FOR 295 ACRES
Diversion Means: DITCH &
PIPELINE.

If issued, the permits will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave.,

MICROFILMED

33-7093

AMY, ALAN J.

HOWE, ID 83244

Source: DEEP CREEK tributary
to SINKS

Date Filed: 03-20-1981

Amount: 5.00 CFS

Diversion Point: NESW Sec 14 T
10N R 27E, BUTTE Co.

Use: POWER — (5.00 CFS) from
01-01 to 12-31

Place of Use: SESW Sec 15 T 10N R
27E

Diversion Means: DITCH,
PIPELINE & GENERATOR.

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 33-7093

DATE: 9-9-87

Date proof received

Proof due

Number of day proof late

Priority date

New priority date

- _____

21

+ 79

100

July 22
July 21

March 20, 1981

Apr. 10, 1981

Remarks:

REPROFILMED

OCT 09 1981

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. Snelgar

David R. Snelgar

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

RECEIVED

OCT 09 1987

Thankyou

David R. Snelgar

RECEIVED
JUL 22 1987

For Office Use Only
Fee Received 200
Date 7-22-1987
Receipt # 44058
Receipt by [Signature]
Reviewed by [Signature]
Sent to region 9-87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 33-7093

Name(s) of Permit Holder: New Energy, Inc. a Corporation

Post Office Address: c/o David. Snedigar, Rt #4, Buhl, Id 83316

Telephone No. 543-6842

Source of Water: Deep 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 5.0 cfs _____ acre-feet

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

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ 200.00
(See License Examination Fee Schedule)

* see waiver request

Flow Measurement Port: Required? ☐ Yes ☐ No
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 33-7159 is also a part of this project.

MICROFILMED

The above information is my true statement of the extent to which the above number of 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)

July 15, 1987

NEW ENERGY, INC.
C/O DAVID SNEDIGAR
RT. 4
BUHL, ID 83316

LAPSE NOTICE

RE: Permit No. 33-7093

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated April 30, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

ENCLOSURE

OCT 09 1987

7-16-87
By _____
Special Agent in Charge

FROM

Peter Fleck

TO

File 33-7093

SUBJECT

Returned B/L Notice

*The notice was returned marked
"unclaimed".*

*I'm returning the notice to the same
address. This time it will not be
sent certified mail.*

MICROFILMED

OCT 09 1987


SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Boise, Idaho 83720

CLAIM CHECK
NO.

139185

☐ HOLD

DATE

5-2-87

LIST NO.

5727

2ND NO.

5-17-87

RETURN

OCT 09 1987

RECEIVED

RECEIVED

MAY 21 1987

Department of Water Resources

CERTIFIED MAIL

NO.

1384634

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
APRIL 30, 1987

138434

NEW ENERGY, INC.
C/O DAVID SNEDIGAR
RT. 4
BUHL, ID 83316

PROOF DUE NOTICE

RE: PERMIT NO. 33-7093

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 JULY 1, 1987. (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 COMPLETED 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

OCT 09 1987



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

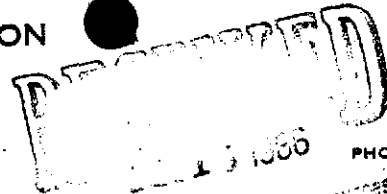
JJ:sc
Enclosures

RECEIVED
JAN 29 1987

WEAVER & MELANSON

Attorneys at Law
130 N. BROADWAY
BUHL, IDAHO 83316

ROBERT C. WEAVER
JOHN M. MELANSON



PHONE (208) 543-8288

December 12, 1986

DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO 83725

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.

RECEIVED

JAN 23 1987



DEC 15 1986

Department of Water Resources
Eastern District Office

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.

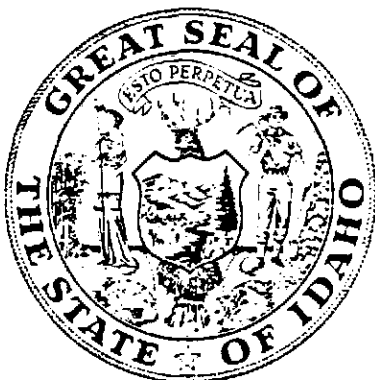
_____ for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

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



MICROFILMED

JAN 29 1987

Pete T. Cenarrusa
SECRETARY OF STATE

Shirley J. Clark
Corporation Clerk

APPLICATION FOR CERTIFICATE OF AUTHORITY

(Profit Corporation)

JAN 15 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>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

(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 R. Saul

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.

My Commission expires 6/23/88

MICHAEL

S. J. Ehma
Notary Public

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 33-7090

Applicant Alan J. 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. owned by applicant

☒ Map.

☒ Signature (must be permit holder).

☒ Fee.

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

☒ Right number(s) Permit 33-7159

☒ 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 _____

Date _____

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

Date _____

JAN 29 1987

Department of Water Resources

December 8, 1986

Alan J. Amy
Star Route
Howe, Idaho 83244

Dear Mr. Amy:

Attached herewith is Departmental receipt no. 39956 in the amount of \$40.00 for Amendments to 33-7093 and 33-7159.

Sincerely,

Michele Davis
Office Secretary

Enclosure

RECEIVED
FBI
JAN 29 1987

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.

MICROFILMED

JAN 29 1987

**NOTICE OF PROPOSED
AMENDING OF WATER PERMIT**

Notice is hereby given that Permit No. 33-7093 in the name of Alan J. Amy, Howe, Idaho was issued for the diversion of 5.00 cfs of water from Deep Creek, tributary to sinks, with the point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 10N, R. 27E, B.M., Butte County; to be used for Power purposes, from Jan. 1 to Dec. 31 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 10N, R. 27E, B.M.

The permit holder now proposes to amend Permit No. 33-7093, 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. 33-7093 in the name of Alan J. Amy, Howe, Idaho was issued for the diversion of 5.00 cfs of water from Deep Creek, tributary to sinks, with the point of diversion within the NE1/4SW1/4, Sec. 14, T. 10N, R. 27E, B.M., Butte County; to be used for Power purposes, from Jan. 1 to Dec. 31 within the SE1/4SW1/4, Sec. 15, T. 10N, R. 27E, B.M.

The permit holder now proposes to amend Permit No. 33-7093, 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

MICROFILMED

JAN 29 1987

WEAVER & MELANSON

Attorneys at Law

130 N. BROADWAY
BUHL, IDAHO 83316

ROBERT C. WEAVER
JOHN M. MELANSON

PHONE (208) 543-8268

November 14, 1986

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

Re: Alan J. Amy - Permit No.s 33-7159 & 33-7093

Gentlemen:

Please find enclosed Applications for Amendment for the above two water permits. Also enclosed is this firm's check in the amount of \$40.00 to cover the filing of these applications.

Would you please cause these Applications for Amendment to be filed with the Department of Water Resources. Thank you for your help.

Sincerely yours,



ROBERT C. WEAVER

RCW:sh
Enc.

RECEIVED
NOV 17 1986

Department of Water Resources
Eastern District Office

RECEIVED
JAN 29 1987

Permit No. 33-7093

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?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? Yes - Rec'd
7. Extension granted due to litigation? N/A
(If yes, commencement of works is not required.)

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

Shavla —
Shavla —
1 p
Shavla

Date 12-30-86

RECEIVED

Employee Jim

JAN 29 1987

WEAVER & MELANSON

Attorneys at Law
130 N. BROADWAY
BUHL, IDAHO 83316

ROBERT C. WEAVER
JOHN M. MELANSON

PHONE (208) 543-6268

December 12, 1986

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

RECEIVED
DEC 18 1986

Department of Water Resources

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

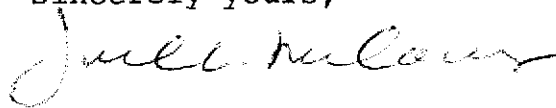
Dear Sirs:

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.

RECEIVED

JAN 29 1987



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

July 28, 1986

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

Dear Mr. Amy:

Re: Permit No. 33-7093 & 33-7094

Enclosed are two requests for extension of time. The time within which to submit proofs of beneficial use has been extended to July 1, 1987 for each permit.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 33-7093Reviewed by [Signature]Date 7-25-1986

BASIC INFORMATION

9 Date stamp received
9 Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
9 Fee received and receipted
9 Name and signature same as permit
9 Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Has adequate work been completed to demonstrate due diligence?
 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 = _____

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

ACTION TAKEN

*Recommend approval based on delay
 by a governmental office - 1 yr.*

Special conditions or remarks:

Reinstate	Date extension received	=	_____
	Proof due date	=	_____
	No. of days late	=	_____
	Priority date	=	_____
	ADJUSTED PRIORITY DATE	=	_____

Prepare coding sheet- *address*
 Change rolodex card

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
APRIL 30, 1986

138333

AMY, ALAN J.
HOWE, ID 83244

PROOF DUE NOTICE

RE: PERMIT NO. 33-7093

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 JULY 1, 1986. (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 COMPLETED 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

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 this order under 18 C.F.R. 385.1902 (1985).

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

3/ Environmental Assessment, Alan J. Amy, EERC 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.

RECEIVED
OCT 31 1985

Department of Water Resources

MICROFILME

33-70951 permit
33-7159 permit

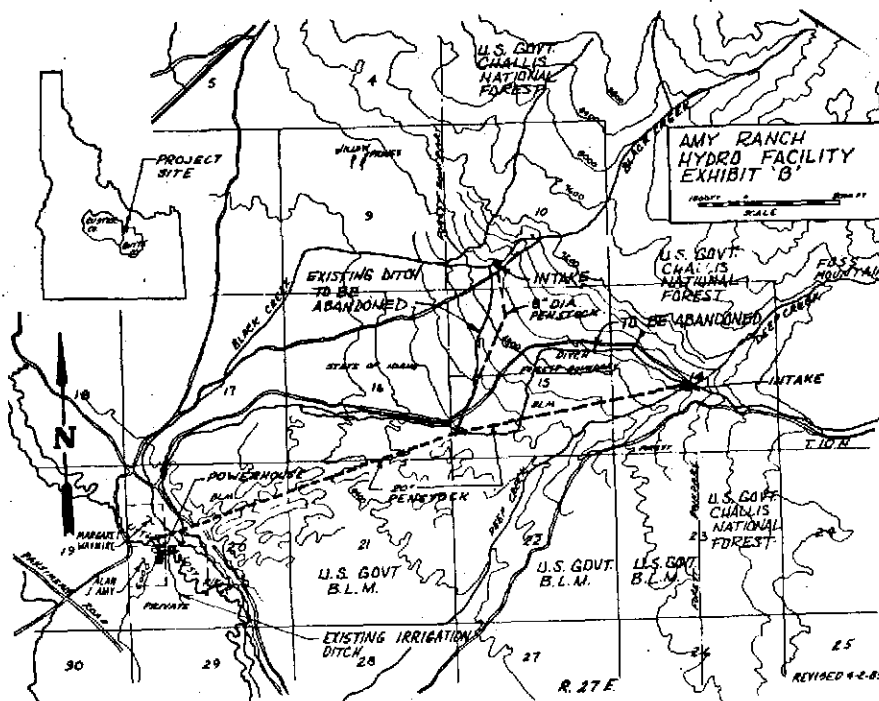
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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:

- 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

DC-A-30



MICROFILMED

§ 4.94 Standard terms and conditions of exemption

Any exemption granted under §4.93 for a small conduit hydroelectric facility is subject to the following standard terms and conditions:

(a) Article 1. The Commission reserves the right to conduct investigations under sections 4(g), 306, 307, and 311 of the Federal Power Act with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of the exempt facility. If any term or condition of the exemption is violated, the Commission may revoke the exemption, issue a suitable order under section 4(g) of the Federal Power Act, or take appropriate action for enforcement, forfeiture, or penalties under Part III of the Federal Power Act.

(b) Article 2. The construction, operation, and maintenance of the exempt project must comply with any terms and conditions that the United States Fish and Wildlife Service and any state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or otherwise to carry out the purposes of the Fish and Wildlife Coordination Act, as specified in Exhibit E of the application for exemption from licensing or in the comments submitted in response to the notice of the exemption application.

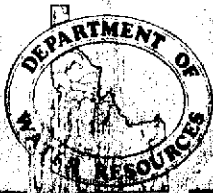
(c) Article 3. The Commission may revoke this exemption if actual construction of any proposed generating facilities has not begun within two years or has not been completed within four years from the effective date of this exemption. If an exemption is revoked under this article, the Commission will not accept from the prior exemption holder a subsequent application for exemption from licensing or a notice of exemption from licensing for the same project within two years of the revocation.

(d) Article 4. In order to best develop, conserve, and utilize in the public interest the water resources of the region, the Commission may require that the exempt facilities be modified in structure or operation or may revoke this exemption.

(e) Article 5. The Commission may revoke this exemption if, in the application process, material discrepancies, inaccuracies, or falsehoods were made by or on behalf of the applicant.

(f) Article 6. Before transferring any property interests in the exempt project, the exemption holder must inform the transferee of the terms and conditions of the exemption. Within 30 days of transferring the property interests, the exemption holder must inform the Commission of the identity and address of the transferee.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

KENNETH EVANS

KENNETH EVANS

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

September 5, 1985

Alan J. Amy
Howe, ID 83244

Re: Permit Nos. 33-7093 and 33-7094

Dear Mr. Amy:

Enclosed is a copy of the approved request for extension of time which you submitted for Permit No. 33-7094. Note that the proof due date has been extended to July 1, 1986, which is the same date that proof is due on your power permit, No. 33-7093. The Department then can consider future actions on the two permits concurrently.

I note that Permit No. 33-7094 has been named in, but not dismissed from, the Idaho Power Company's Swan Falls litigation. That litigation could be the basis for future requests for extensions of time.

Sincerely,

A handwritten signature in cursive script, reading "Rita I. Fleck", is written over the typed name.

RITA I. FLECK
Secretary/Records Manager

RIF/lis

Enclosure

RECEIVED
SEP 10 1985
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



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

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:

- 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.

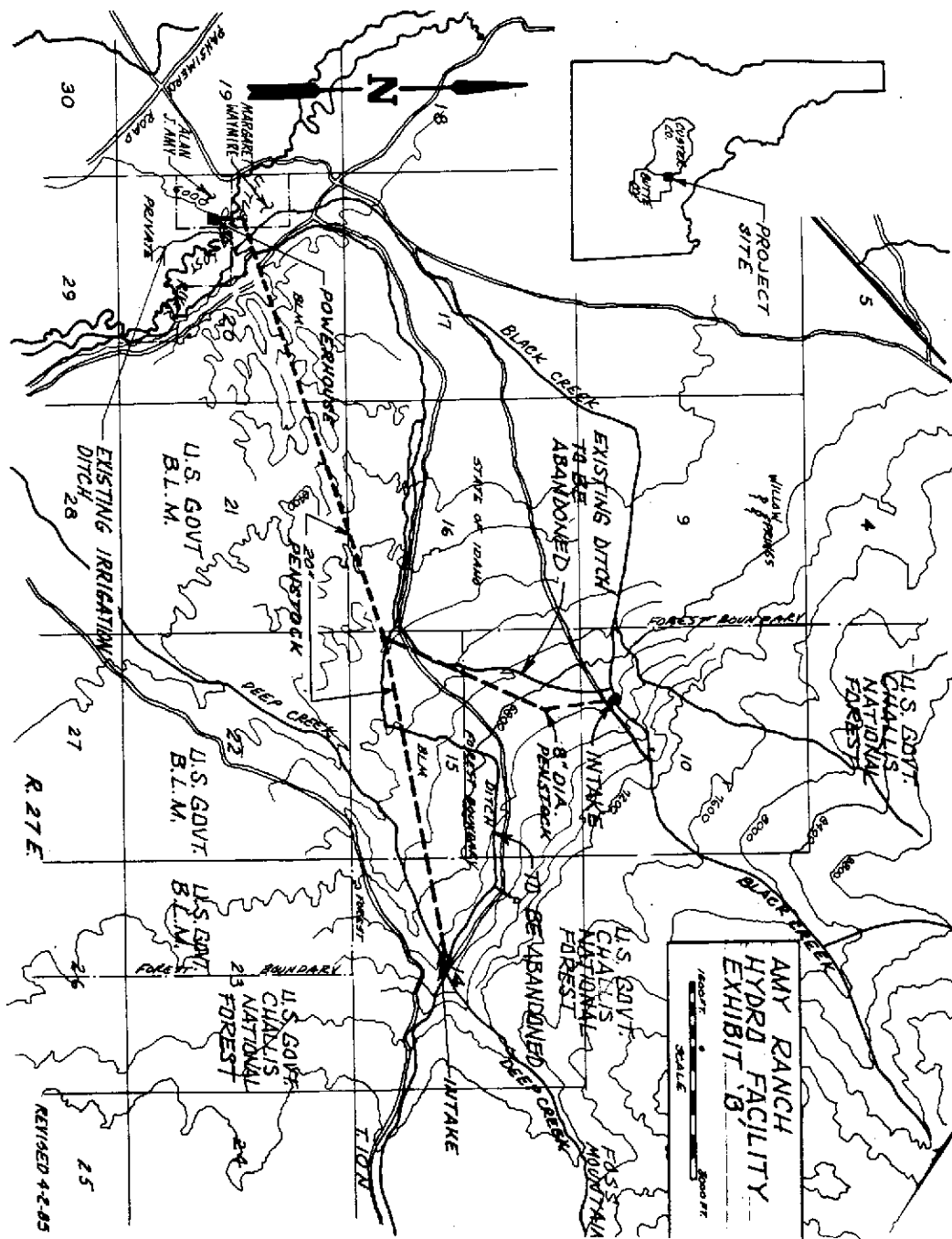
B. Comments, Protests, Or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §§385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all 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 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

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September 1, 1981

RE: Permit No. 33-7093

Alan J. Amy
Howe,
Idaho 83244

Dear Mr. Amy:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion. We have enclosed a description of the different types of measuring devices accepted by this office.

We have enclosed a form 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

DRT:kw
Enclosures

RECEIVED
SEP 11 1981
WATER DIVISION



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

copy

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

33-7093

July 24, 1981

RE: Application for Permit No.

Dear Applicant:

The 1981 Idaho Legislature made a change in Section 42-205, Idaho Code, that may affect the above referenced application. The change requires that if a proposed hydropower project will use existing irrigation facilities, the approval of the owner of the facilities must be obtained before an application for permit to develop a water right can be approved.

Please find enclosed an affidavit which we must receive before we can complete the review of your application. Please complete the affidavit, sign it before a notary, and return it to this office at your earliest convenience, no later than August 15, 1981.

Sincerely,

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

DRT:jg

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

33 7093

INITIAL REVIEW BY: JK

APPLICATION NUMBER: Amy (Power)
33-7093

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:

☒ Affidavit from Applicant

☐ Send FERC letter request to applicant.

See Power calculations attached

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. EW 4-2
☐ Idaho Department of Lands. EW 4-2
☒ U.S. Bureau of Land Management. EW 4-2
☒ U.S. Forest Service. EW 4-2
☒ Other Watermaster, District #33 ✓ EW 4-2

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. April 20 ✓
☐ Yes ☒ No Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: April 16, 1981 ✓
☒ 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? _____
March 20, 1981 Date of priority recommended.
Special conditions of approval or cover letter. _____

Code 04, 08A, 17.

This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be requested.

By: Ernest Carlson Date: April 22, 1981

STATE OFFICE REVIEW:

SWO/LO2 01, 04, 08A, 17 3 05 (33, Little Lost River)
special cond

☐ See attached sheet for more information.

By: [Signature] Date: 5/6/81

approve as above conditions
for 1/6/81

MICROFILMED

Power Calculations for 33-7093

proposed

84.36 kW

5.0 cfs

??

Assume 70% & 50%

P = kW

(hp x .74)

Q = cfs

H = ft

e = efficiency

$$H = \frac{P(11.8)}{Qe} = \frac{84.36(11.8)}{5.0 \times .7} = \frac{995.448}{3.5} = 284.4 \text{ ft.}$$

$$H = \frac{P(11.8)}{Qe} = \frac{84.36(11.8)}{5.0 \times .5} = \frac{995.448}{2.5} = 398.1792 \text{ ft.}$$

Conclusion - project will need 284 - 400 ft of head depending on the efficiency of the proposed project

5/6/81

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

REGION 6
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

April 29, 1981

Mr. Ernest M. Carlsen
Sr. Resource Analyst
Department of Water Resources
Eastern Region
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Ernie:

Re: Appls. No. 33-7093 & 7094
Alan J. Amy

The Department of Fish and Game is not opposed to the above referenced applications. Mr. Amy's point of diversion is below the spring outlets. The legal description was incorrect on the legal notice.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Reinecker".

Tom Reinecker
Regional Supervisor
Region 6

RECEIVED

MAY 1 1981

Department of Water Resources
Eastern District Office

COMMUNICATIONS SECTION

EQUAL OPPORTUNITY EMPLOYER



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

REGION 6
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

April 20, 1981

Mr. Ernest Carlsen
Sr. Resource Analyst
Department of Water Resources
Eastern Region
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Ernie:

Re: Appls. No. 33-7093 & 7094
Alan J. Amy

Personnel from our Department have reviewed the above referenced applications to appropriate water from Deep Creek, Deep Creek Spring and Black Canyon Spring, all located in Butte County.

We object to the appropriation of water as proposed from Deep Creek Spring and Black Canyon Spring from the standpoint that the water sources, if used as proposed, will not allow water for wildlife in this geographical area.

We would not oppose the request if adequate water was retained for wildlife use from these water sources.

Sincerely,

Tom Reinecker
Regional Supervisor
Region 6

RECEIVED

APR 21 1981

Department of Water Resources
Eastern District Office

NOTE: Application #33-7093 requests appropriation of water from Deep Creek, which is not one of the sources listed the Fish & Game is concerned with.

RECEIVED

EQUAL OPPORTUNITY EMPLOYER



United States Department of the Interior

IN REPLY REFER TO
7250

BUREAU OF LAND MANAGEMENT
Idaho Falls District
940 Lincoln Road
Idaho Falls, Idaho 83401

April 7, 1981

Ernest Carlsen
Sr. Resource Analyst
Idaho Dept. of Water Resources
150 Shoup
Idaho Falls, ID 83401

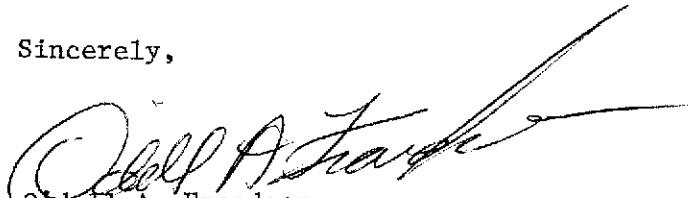
Dear Mr. Carlsen:

We have no objection to application 33-7093 (Alan J. Amy). The proposed pipeline would produce a net benefit by eliminating a highly erosive section of the existing conveyance ditch.

Mr. Amy is in the process of acquiring a right-of-way from BLM for the pipeline. Any generating facilities and powerlines would also require rights-of-way.

Thank you for the opportunity to comment.

Sincerely,


O'dell A. Frandsen
District Manager

RECEIVED

APR 8 1981

Department of Water Resources
Eastern District Office

100-100000-100000

April 1, 1981

RE: Applications for Permits No. 33-7093 and 33-7094
ALAN J. AMY

Mr. Tom Reinecker
Regional Supervisor
Department of Fish & Game
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Reinecker:

We are enclosing copies of applications that may be of interest to your agency. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is April 20, 1981, 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
Sr. Resource Analyst

EC:cw:kw

Enclosures

APR 1 1981

April 1, 1981

RE: Applications for Permits No. 33-7093 and 33-7094
ALAN J. AMY

Oscar Johnson, Watermaster
Water District No. 33
Box 166
Aroo, Idaho 83213

Dear Mr. Johnson:

We are enclosing copies of applications that may be of interest to your agency. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is April 20, 1981, 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
Sr. Resource Analyst

EC:cw:kw

Enclosures

RECEIVED
APR 1 1981
WATER DISTRICT NO. 33

April 1, 1981

RE: Applications for Permits No. 33-7093 and 33-7094
ALAN J. AMY

Salmon National Forest
Forest Supervisor
Salmon, Idaho 83467

Gentlemen:

We are enclosing copies of applications that may be of interest to your agency. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is April 20, 1981, 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
Sr. Resource Analyst

EC:cw:kw

Enclosures

APR 1 1981

April 1, 1981

RE: Application for Permit No. 33-7093 ALAN J. AMY

Bureau of Land Management
940 Lincoln Road
Idaho Falls, Idaho 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 April 20, 1981, 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
Sr. Resource Analyst

EC:cw:kw

Enclosure

APR 1 1981

33-7093

AMY, ALAN J.

HOWE, ID 83244

Source: DEEP CREEK tributary to SINKS

Date Filed: 03/20/1981

Amount: 5.00 CFS

Diversion Point: NESW Sec 14 T 10N R 27E, BUTTE Co.

Use: POWER (5.00 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 15 T 10N R 27E

Diversion Means: DITCH, PIPELINE & GENERATOR.