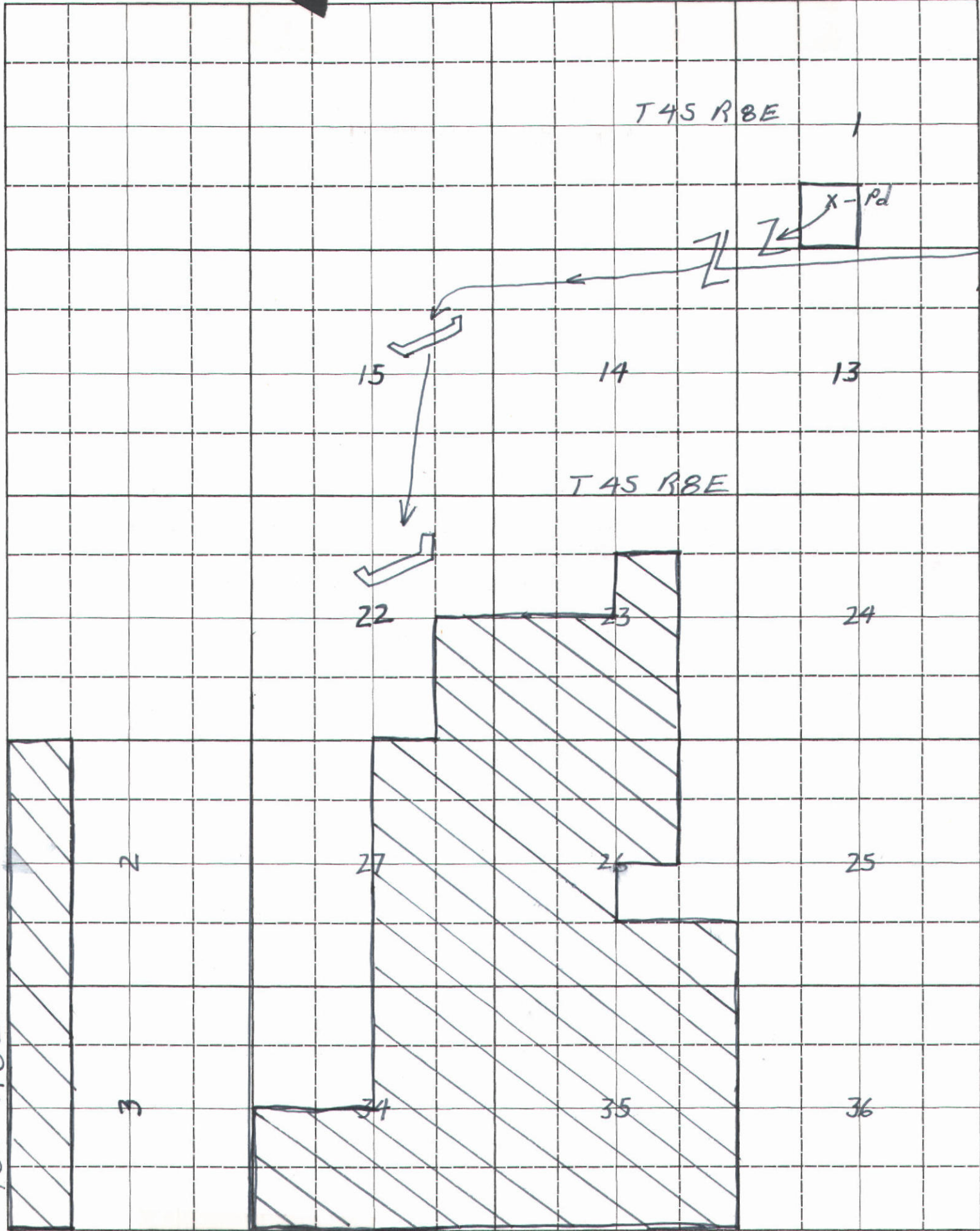
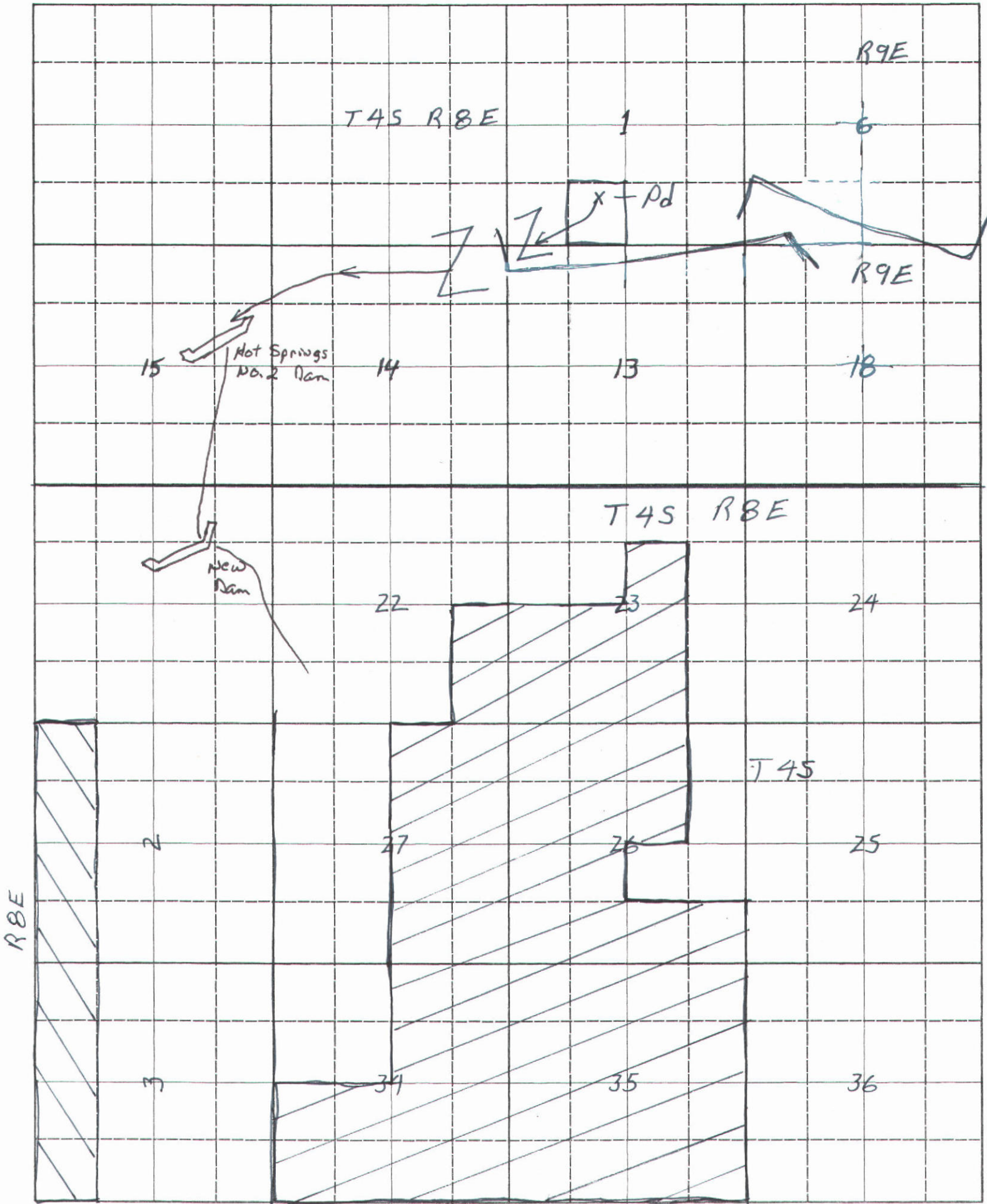


TSS RBE



Scale: 2 inches equal 1 mile.

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

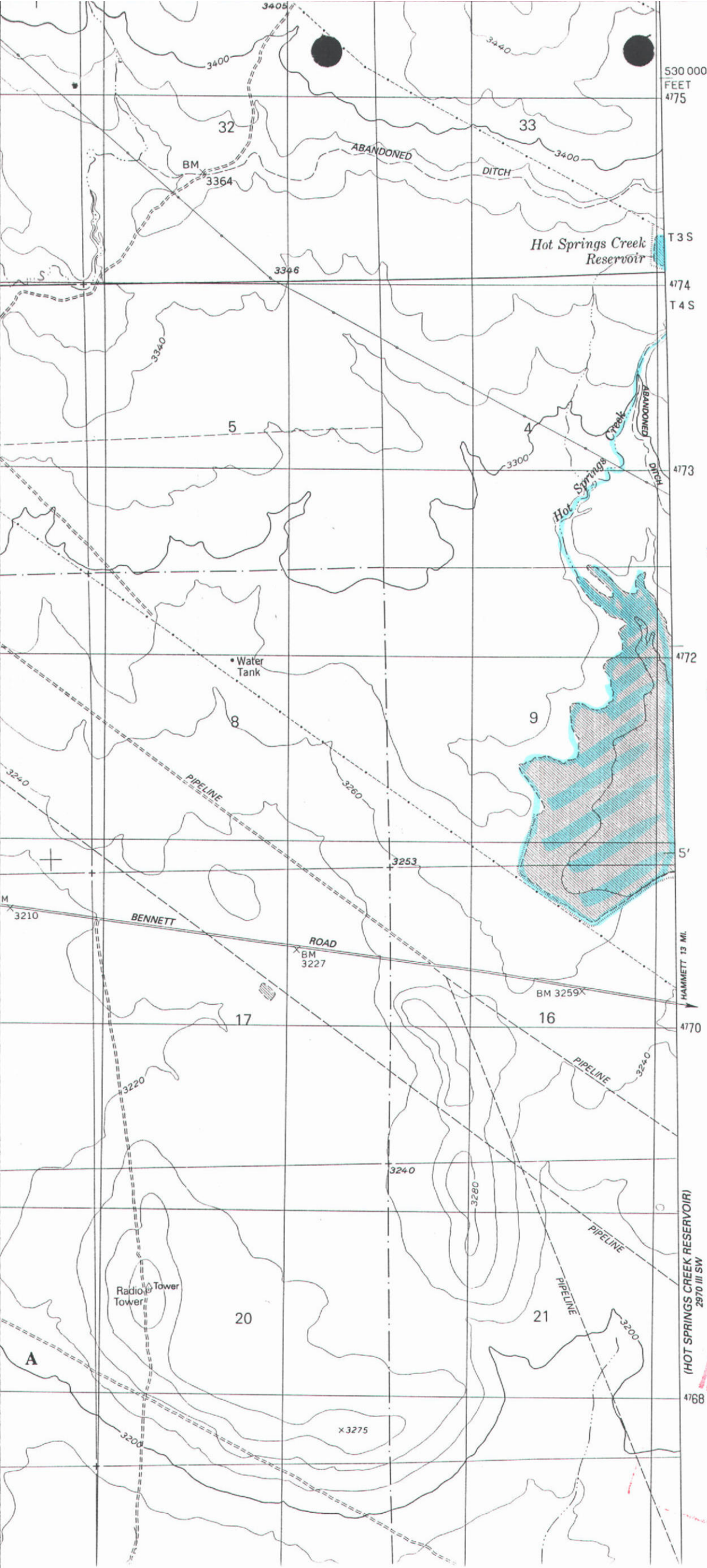


Scale: 2 inches equal 1 mile.

T5S

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.

Frank S. Galey Jr.
(Applicant)



3S 8E

Reservoir #1

SHOWS HOT SPRINGS
CREEK FLOWING
INTO RESERVOIR

HOT SPRINGS
Creek Reservoir
#2

4S 8E

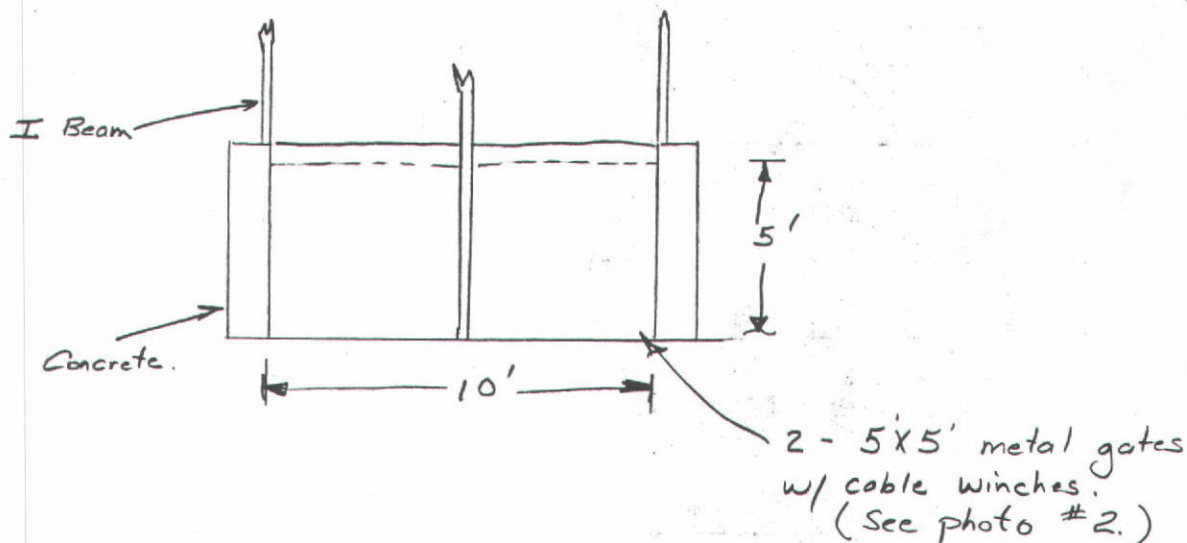
(HOT SPRINGS CREEK RESERVOIR)
2970 III SW

UNCLASSIFIED
JUN 28 1996

File Nos: 61-7273; 61-7561

CHANNEL Capacity MEASUREMENT.

Channel: Abt Springs #2 Diversion Canal

Calculate flow capacity of the concrete gate structure at the Bennett Creek Diversion.

Assume structure opening 5' X 10', gates are not submerged.

$$Q = C L H^{3/2} \quad - \quad (\text{Rect. Weir equation})$$

$$C = 3.33$$

$$L = 10 \text{ Ft}$$

$$H = 5 \text{ Ft MAX.}$$

$$Q = 3.33 (10 \text{ Ft}) (5 \text{ Ft})^{3/2}$$

$$Q = 372.3 \text{ CFS}$$

Estimated max. discharge through gate structure = 372 CFSEstimated max. discharge through canal = 508 CFS
(Per attached Manning Calc.)∴ The gate structure is the capacity limiter.MICROFILMED
JUN 28 1996

IDAHO DEPARTMENT OF WATER RESOURCES
DAM SAFETY PHOTOGRAPHS

DAM NAME: HOT SPRINGS #2

DATE: July 22, 1991

NO: 61-7273; 61-7561

BY: J. Westra, Western Region



1. Diversion gate-dam in Bennett Creek.



2. Diversion canal headgate to Hot Springs #2 Reservoir.
2-5ft. wide gates.



3. Diversion canal to the reservoir taken near the old bridge.

MICROFILMED
JUN 28 1995

RESOURCES

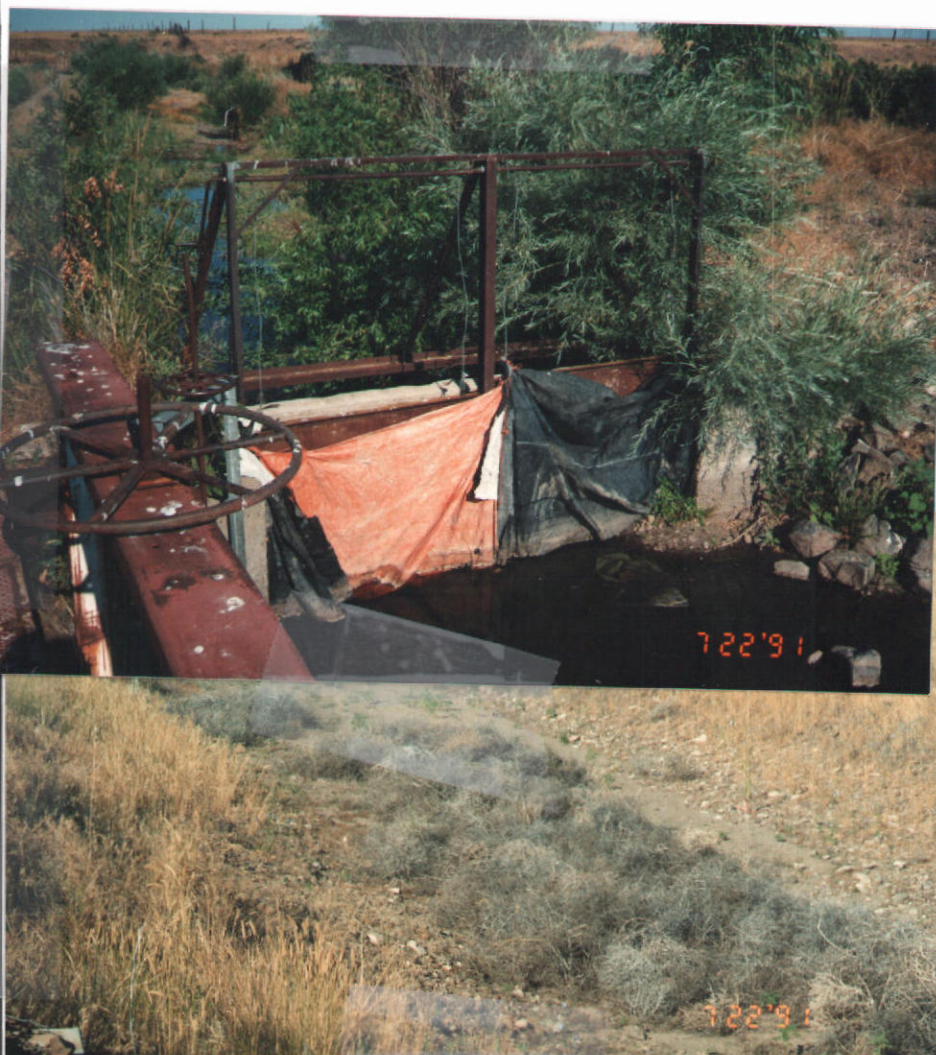
DATE: July 22, 1991

BY: J. Westra, Western Region

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MICROFILMED
JUN 28 1996

RESOURCES
S

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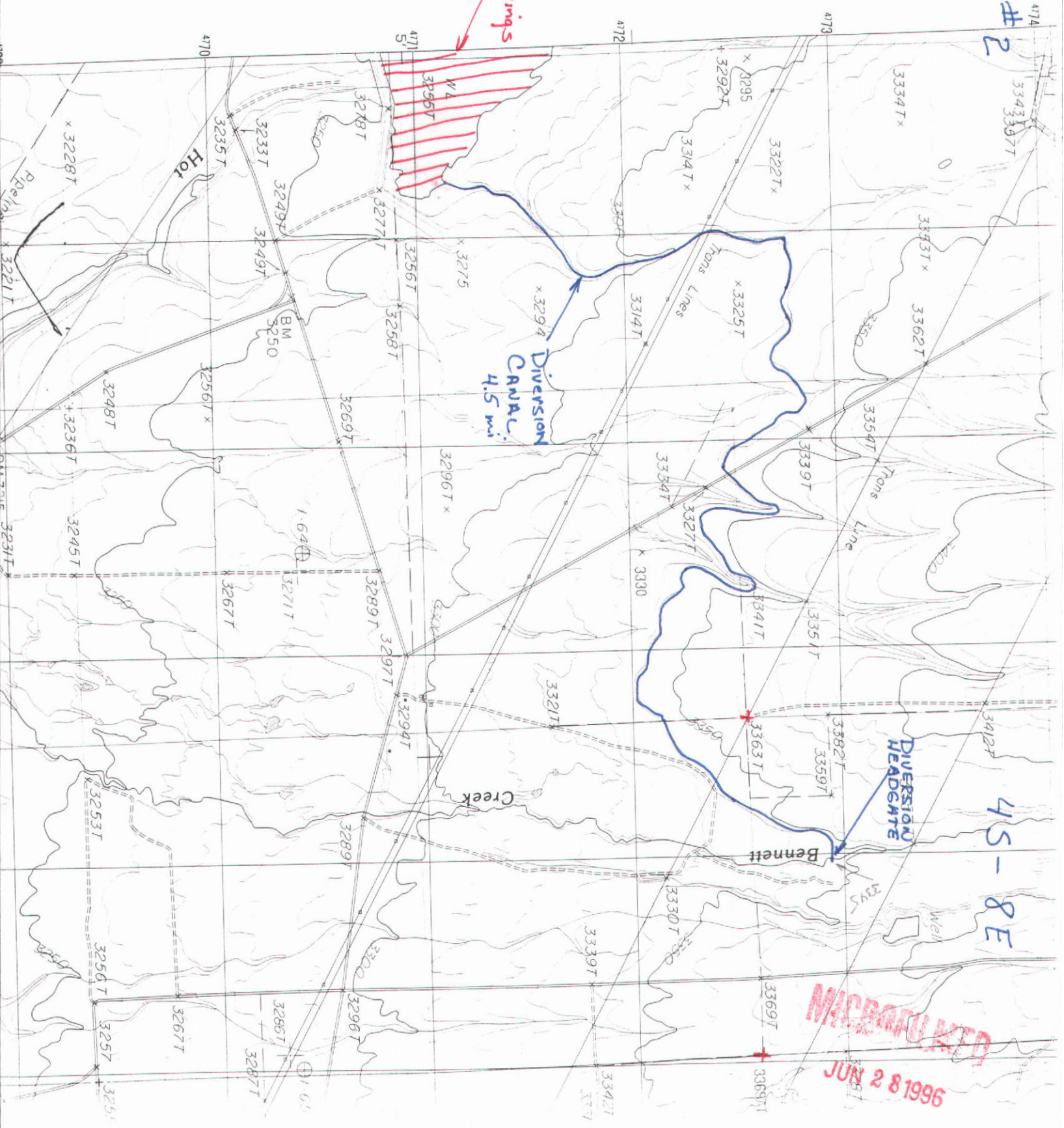


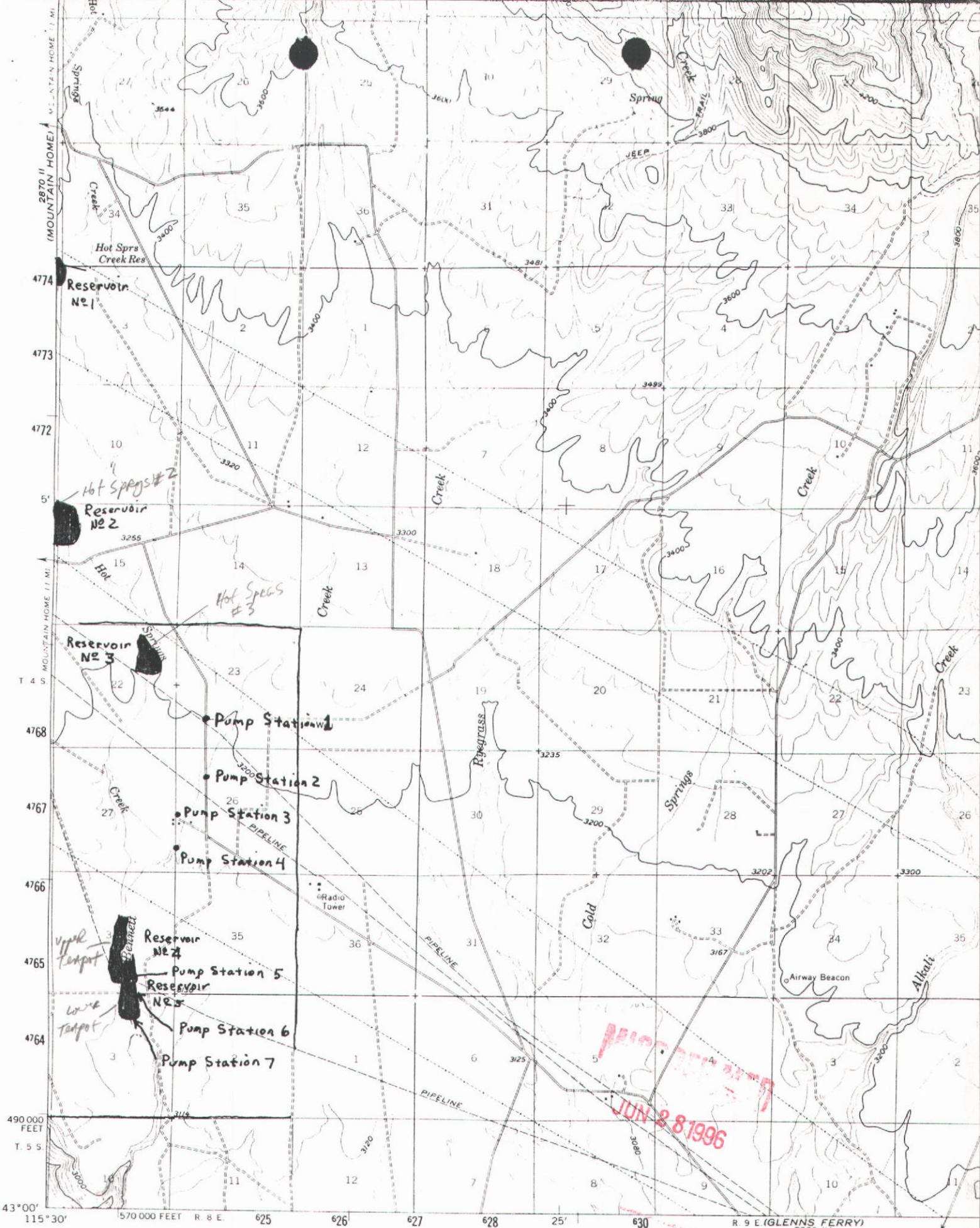
MICROFILMED
JUN 28 1996

Hot Springs #2
61-7273
61-7561

7/22/91 JFW

Hot Springs #2 Res.

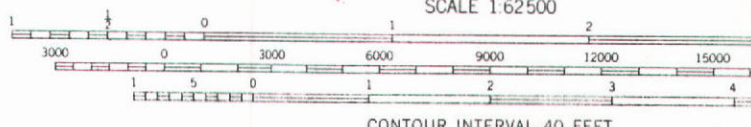




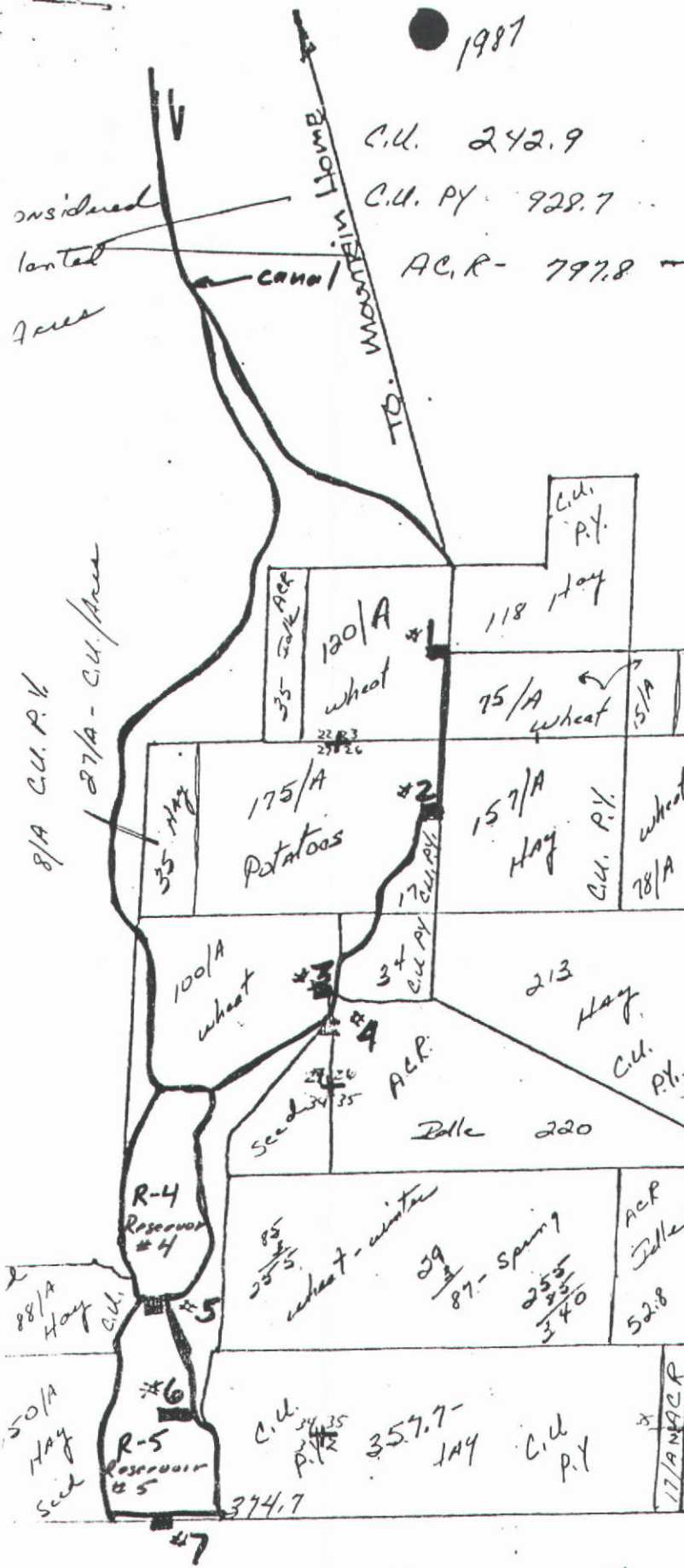
Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1953. Field check 1958

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, west zone



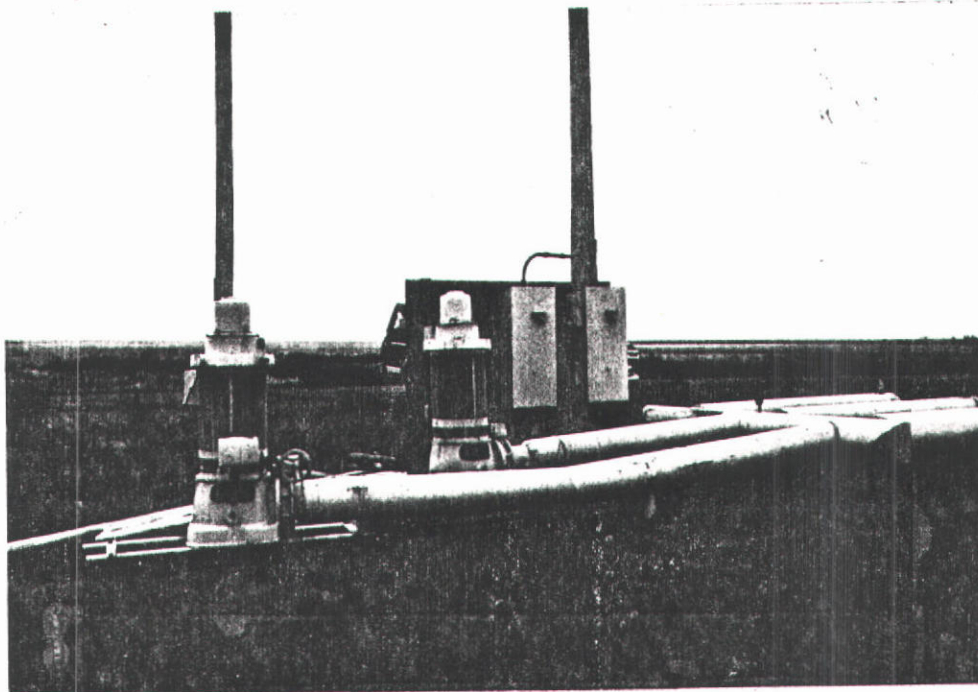
(INDIAN COVE)
2869 1



1052	wheat
80	Barley
1040	Alfalfa
270	Alfalfa Seed
600	GRASS Seed
800	Idle - S.A.
175	Potatoes

BENNETT CREEK FARMS
4,267 ACRES
Elmore County

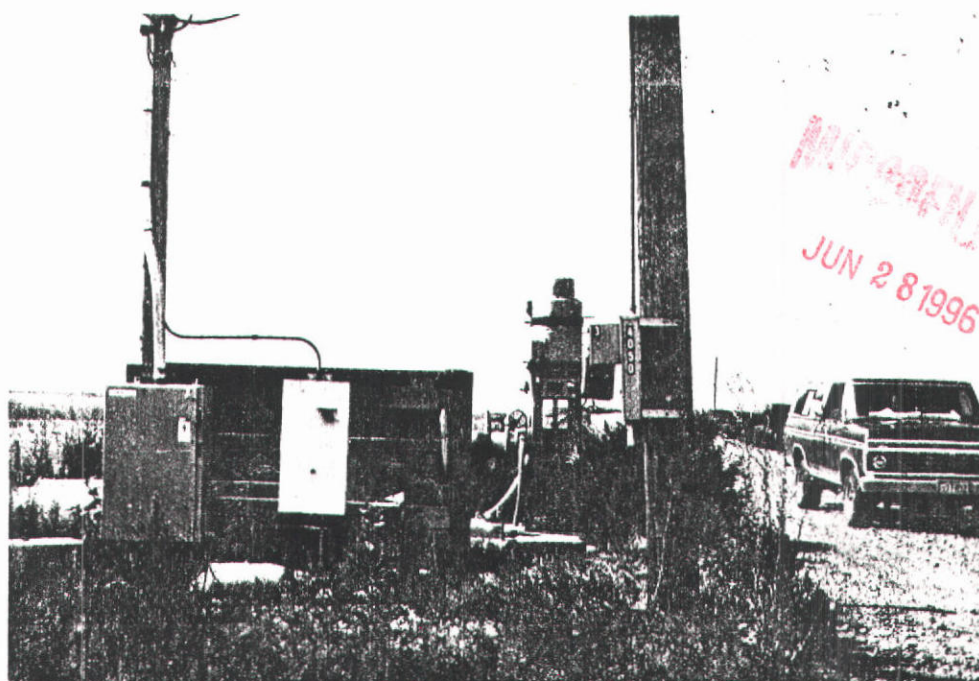
RECORDED
JUN 28 1996



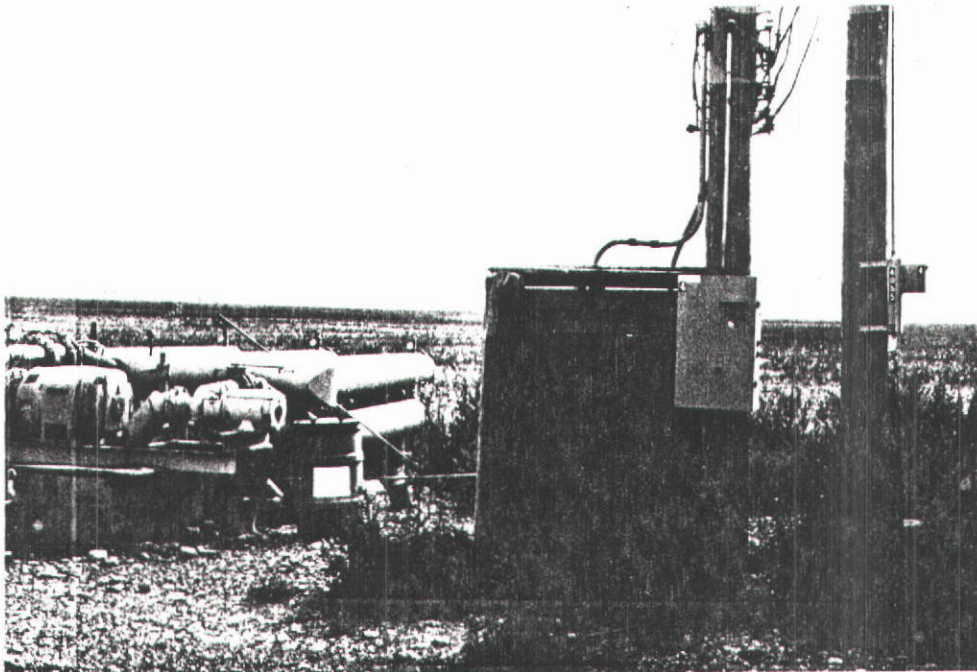
Pump Station #1



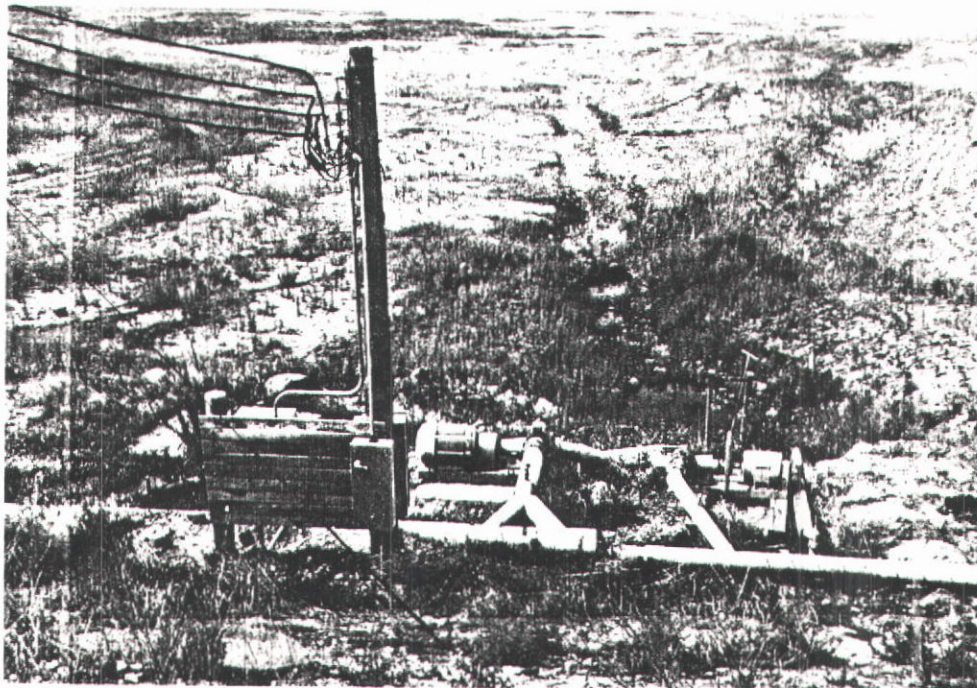
Pump Station #2



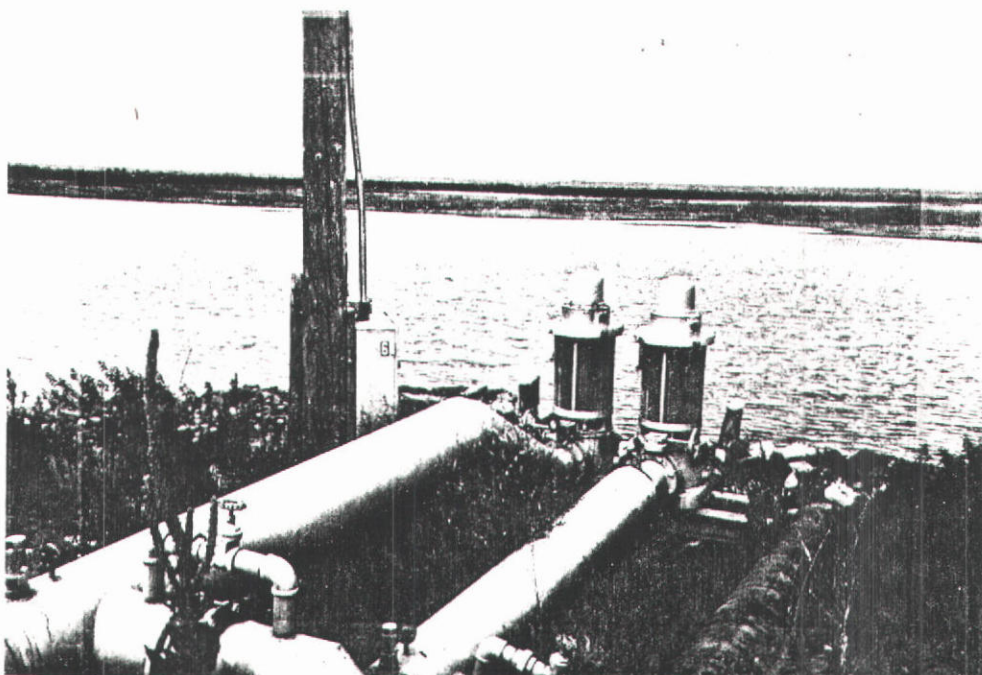
Pump Station #3



Pump Station #4

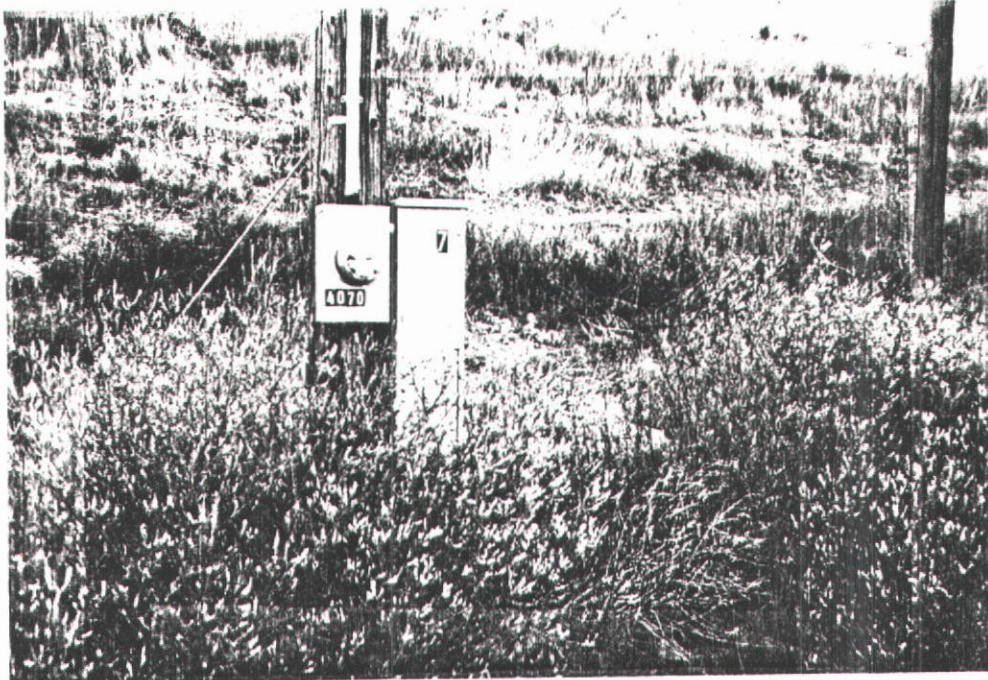


Pump Station #5

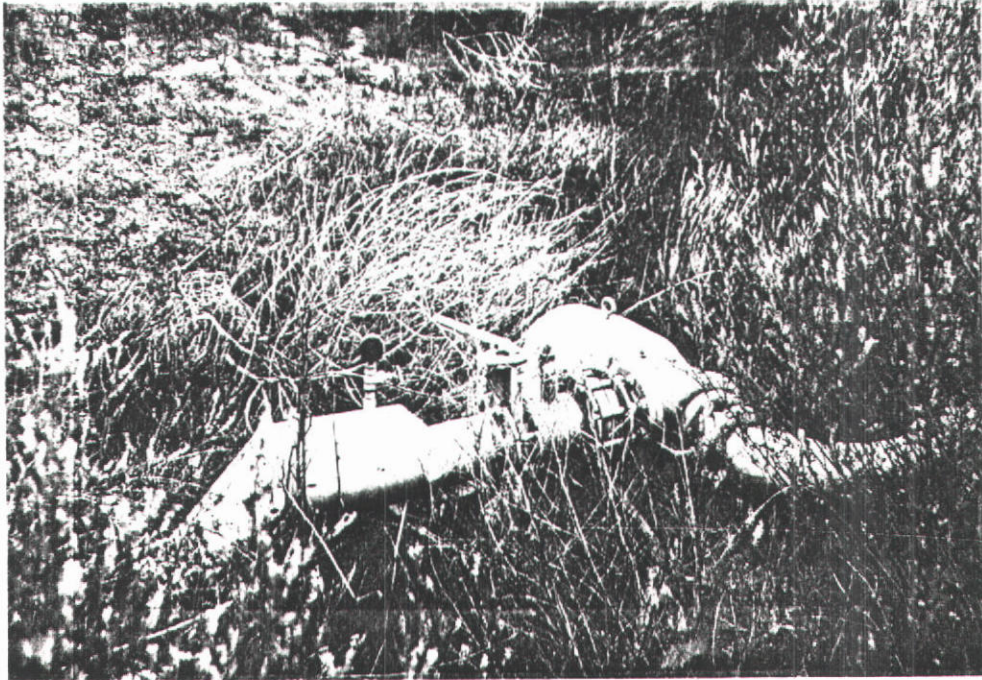


Pump Station #6

ARNDTSON
JUN 28 1996



Pump Station #7



Pump Station #7



Reservoir #1

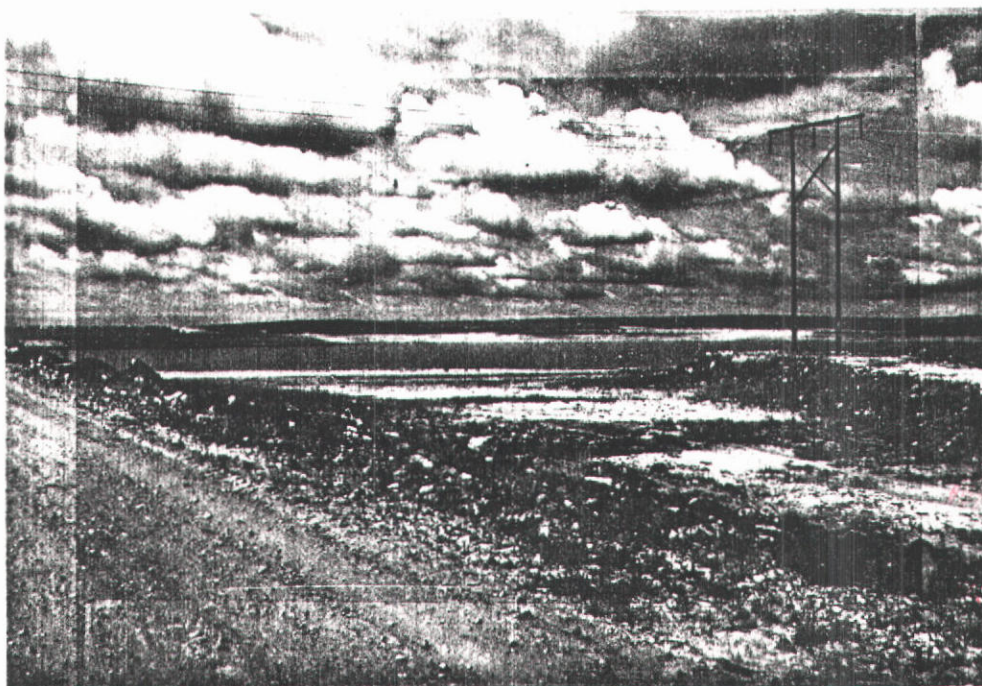
WILSON
JUN 28 1996



Reservoir #1

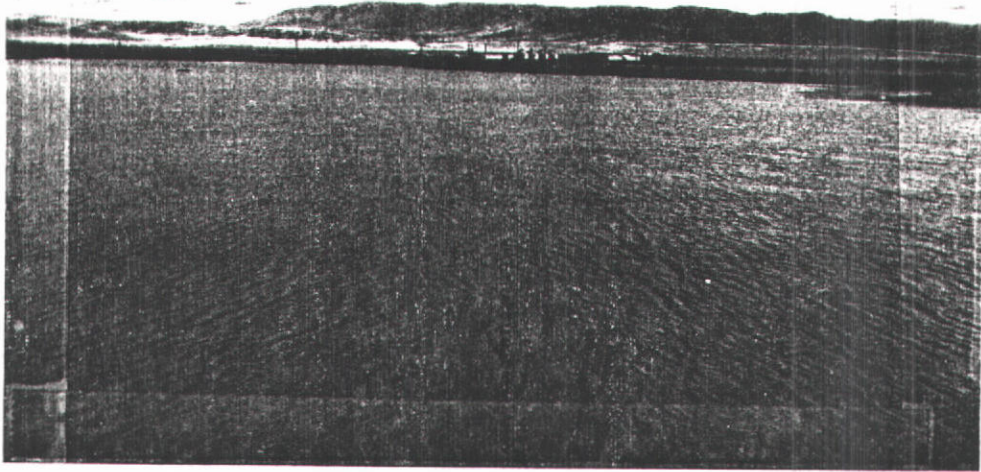


Reservoir #2

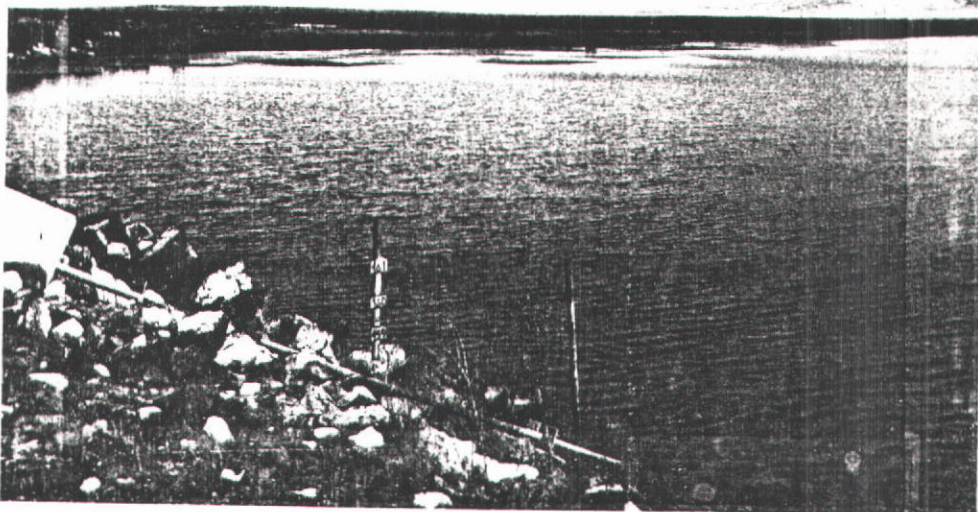


Reservoir #3

RECEIVED
JUN 28 1996



Reservoir #4



Reservoir #4



Reservoir #5

INDEXED
JUN 28 1996

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

61-7561 *JP*

GALEY, JR., FRANK S.
P.O. BOX 5305, BOISE, ID 83705
Source: BENNETT CREEK trib.
to SNAKE RIVER
Date Filed: 04/19/1984
Diversion Pt: SESW Sec 01 T 04S
R 08E

Use: IRRIGATION STORAGE
(1400.0 AF); IRRIGATION FROM
STORAGE (1400.0 AF); DIVER-
SION TO STORAGE (50.00 CFS)

In: NESE SESE Sec 22 T 04S R
08E SWNE NESW NWSW SWSW
SESW NWSE SWSE Sec 23 T 04S R
08E NWNE SWNE NENW NWNW
SWNW SENW NESW NWSW
SWSW SESW SWSE SESE Sec 26
T 04S R 08E NENE NWNE SWNE
SENE NESE NWSE SWSE SESE
Sec 27 T 04S R 08E NENE NWNE
SWNE SENE NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE Sec 34 T 04S R 8E NWNE
NWNE SWNE SENE NENW
NWNW SWNW SENW NESW
NWSW SWSW SESW NESE NWSE
SWSE SESE Sec 35 T 04S R 08E
NENENWNE NENW NWNW Sec
02 T NW Sec 03 T 05S R 08E FOR
2600 ACRES

The permit will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Wa-
ter Resources, Western Region,
Statehouse, Boise, Idaho 83720 on or
before JUNE 4, 1984.

KEN DUNN, Dir.

Published 05/17 & 05/24/84.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Floyd S. Waters* do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-
tion having been made on the *17*.... day
of *May*....., 19*84*, and
the last publication having been made on the
24..... day of *May*.....
19*84*...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Floyd S. Waters

Subscribed and sworn to me this *31st*....

day of *May*....., 19*84*

Alan W. Swenson
Notary Public

RECEIVED
JUN 5 1984

Department of Water Resources
Western Regional Office

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07561

Priority: April 19, 1984

Maximum Diversion Rate: 50.00 CFS
Maximum Diversion Volume: 553.0 AF

This is to certify, that FRANK S GALEY JR
C/O CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 19, 1984; and
has submitted Proof of Beneficial Use on April 1, 1988. An examination indicates
that the works have a diversion capacity of 508.000 cfs of water from:

BENNETT CREEK tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		553.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		553.0 AF
DIVERSION TO STORAGE	11/01 to 04/15	50.00 CFS	
	Totals	50.00 CFS	553.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection	SESW , Sec. 1, Township 04S, Range 08E
Rediversion	SESW , Sec. 10, Township 04S, Range 08E
Rediversion	SWSE , Sec. 34, Township 04S, Range 08E
Rediversion	NWNE , Sec. 3, Township 05S, Range 08E

ELMORE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	08E	22	NESE 40	SESE 40		80
		23	SWNE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NWSE 40	
			SWSE 40	SESE 40		320
		24	SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	240
		25	NENW 35	NWNW 35	SWNW 35	
			SENW 35	NESW 35	NWSW 35	
			SWSW 35	SESW 35	NESE 35	
			NWSE 35	SWSE 35	SESE 35	420
		26	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		27	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 10	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07561

PLACE OF USE: IRRIGATION FROM STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			SWSE 10	SESE 40		260
		34	NENE 35	SENE 35	NESW 35	
			NWSW 35	SWSW 35	SESW 35	
			NESE 35	SESE 35		280
		35	NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 35	NWNW 35	
			SWNW 35	SENW 35	NESW 35	
			NWSW 35	SWSW 35	SESW 35	
			NESE 35	NWSE 35	SWSE 35	
			SESE 35			560
		36	NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 35	SWNW 35	
			SENW 35	NESW 35	NWSW 35	
			SWSW 35	SESW 35	NESE 35	
			NWSE 35	SWSE 35	SESE 35	525
05S	08E	2	NENE 40	NWNE 40	NENW 40	
			NWNW 40			160
		3	NENE 40	NENW 20	NWNW 40	100

Total number of acres irrigated: 3585

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 61C.
6. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

81936

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 61-07561

CONDITIONS OF APPROVAL AND REMARKS

7. Rights 61-02236D and 61-07273 are also diverted at the point of diversion described above.
8. Water diverted under this right is injected into and rediverted from Hot Springs Creek.
9. The reservoir used to store water under this right is located in S22, T4S, R8E, and is locally known as Hot Springs Creek Reservoir No. 3.
10. Two points of rediversion are located within the NWNE, S3, T5S, R8E.
11. This right is limited to the irrigation of 2600 acres within the place of use described above in a single irrigation season.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of MAY, 19 96.

Acting for Karl J. Dreher
KARL J. DREHER, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07561

Date of Priority: April 19, 1984 Maximum Diversion Rate: 50.00 CFS
Maximum Diversion Volume: 553.0 AF

Comes now FRANK S GALEY JR
C/O CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

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. 61-07561, and requests that the permit be changed as follows:

Source: BENNETT CREEK tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		553.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		553.0 AF
DIVERSION TO STORAGE	11/01 to 04/15	50.00 CFS	
	Totals	50.00 CFS	553.0 AF

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	
Injection	SESW , Sec. 1, Township 04S, Range 08E
Rediversion	SESW , Sec. 10, Township 04S, Range 08E
Rediversion	SWSE , Sec. 34, Township 04S, Range 08E
Rediversion	NWNE , Sec. 3, Township 05S, Range 08E
	ELMORE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	08E	22	NESE 40	SESE 40			80
		23	SWNE 40	NESW 40	NWSW 40		
			SWSW 40	SESW 40	NWSE 40		
			SWSE 40	SESE 40			320
		24	SWSW 40	SESW 40	NESE 40		
			NWSE 40	SWSE 40	SESE 40		240
		25	~~NENE 35~~	~~NWNE 35~~	~~SWNE 35~~		2/9/96
			~~SENE 35~~	NENW 35	NWNW 35		Steve Reynolds
			SWNW 35	SESW 35	NESW 35		M.A.S.
			NWSW 35	SWSW 35	SESW 35		
			NESE 35	NWSE 35	SWSE 35		
			SESE 35				560 420
		26	NENE 40	NWNE 40	SWNE 40		
			SENE 40	NENW 40	NWNW 40		
			SWNW 40	SESW 40	NESW 40		
			NWSW 40	SWSW 40	SESW 40		
			NESE 40	NWSE 40	SWSE 40		
			SESE 40				
		27	NENE 40	NWNE 40	SWNE 40		640

JUN 28 1986

Form 217
03/86

RECEIVED

APR 06 1988

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by _____

Sent to region _____

Should questions arise during
the processing of this application
please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

Department of Water Resources of IDAHO
Regional Office

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. 61-7561

Name(s) of Permit Holder: Frank S. Galey, Jr.

Post Office Address: P.O. Box 5305, Boise, Idaho 83705

Telephone No. 362-0704

Source of Water: Bennett Creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 2600 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted --- cfs 553 acre-feet

Show the date water was first diverted and beneficially used under this permit: 1985

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

Fee enclosed \$ -0-
(See License Examination Fee Schedule)

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

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

(Name)

(Telephone Number)

(Address)

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.

Date

Signature of Permit Holder (and title, if appropriate)

JUN 28 1996

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 FRANK S. GALEY, JR. Phone 343-4681

Post office address P.O. Box 5305, Boise, ID 83705

2. Source of water supply Bennett Creek which is a tributary of Snake River

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

Range 8E B.M. Elmore County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1400 for storage for irrigation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1400 for irrigation from storage purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 50cfs for diversion to storage purposes from 11/1 to 4/15 (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. 50 cubic feet per second and/or b. 1400 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Dams with pipelines and
ditches, could possibly be up to 3 dams

b. Height of storage dam 30 feet, active reservoir capacity 553 acre-feet; total reservoir capacity 553 acre-feet, materials used in storage dam: earth

Period of year when water will be diverted to storage 11/1 to 4/15 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ 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: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	8E	22													40			40	80
		23			40						40	40	40	40		40	40		280
		26		40	40		40	40	40	40	40	40	40	40			40	40	480
		27	40	40	40	40									40	40	40	40	320
		34	40	40	40	40					40	40	40	40	40	40	40	40	480
		35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
5S	8E	2	40	40			40	40											160
		3	40	40			40	40											160

Total number of acres to be irrigated 2600

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

Permit 61-7244, 61-7273, 61-2236

9. a. Who owns the property at the point of diversion Tom Gill

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The water will be diverted into a canal with an existing easement

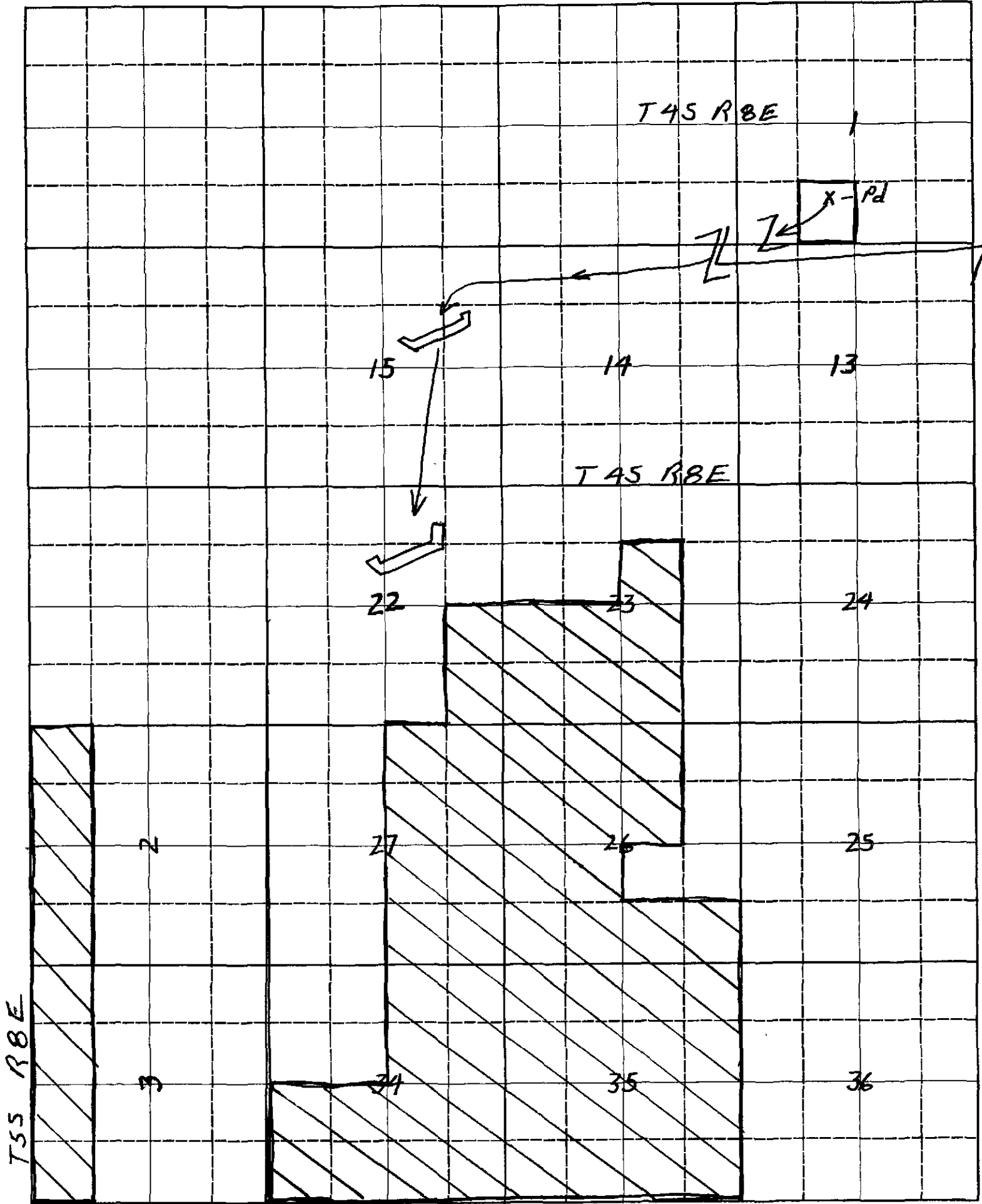
10. Remarks The terms and conditions arrived at and agreed upon at a public hearing held in February with regard to Permit No. 61-7244 will also apply to and will be abided by as a part of this application.

RE: State of Idaho Department of Water Resources correspondence dated

April 27, 1976 addressed to William F. Ringert, signed by L. Glen Saxton

Several reservoirs will be constructed to store the water. The first dam

built on this permit will be in the NE¼NW¼, NW¼NE¼, Sec. 22, T. 4S, R. 8E, B.M.



Scale. 2 inches equal 1 mile.

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. _____, and said application is hereby _____.

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

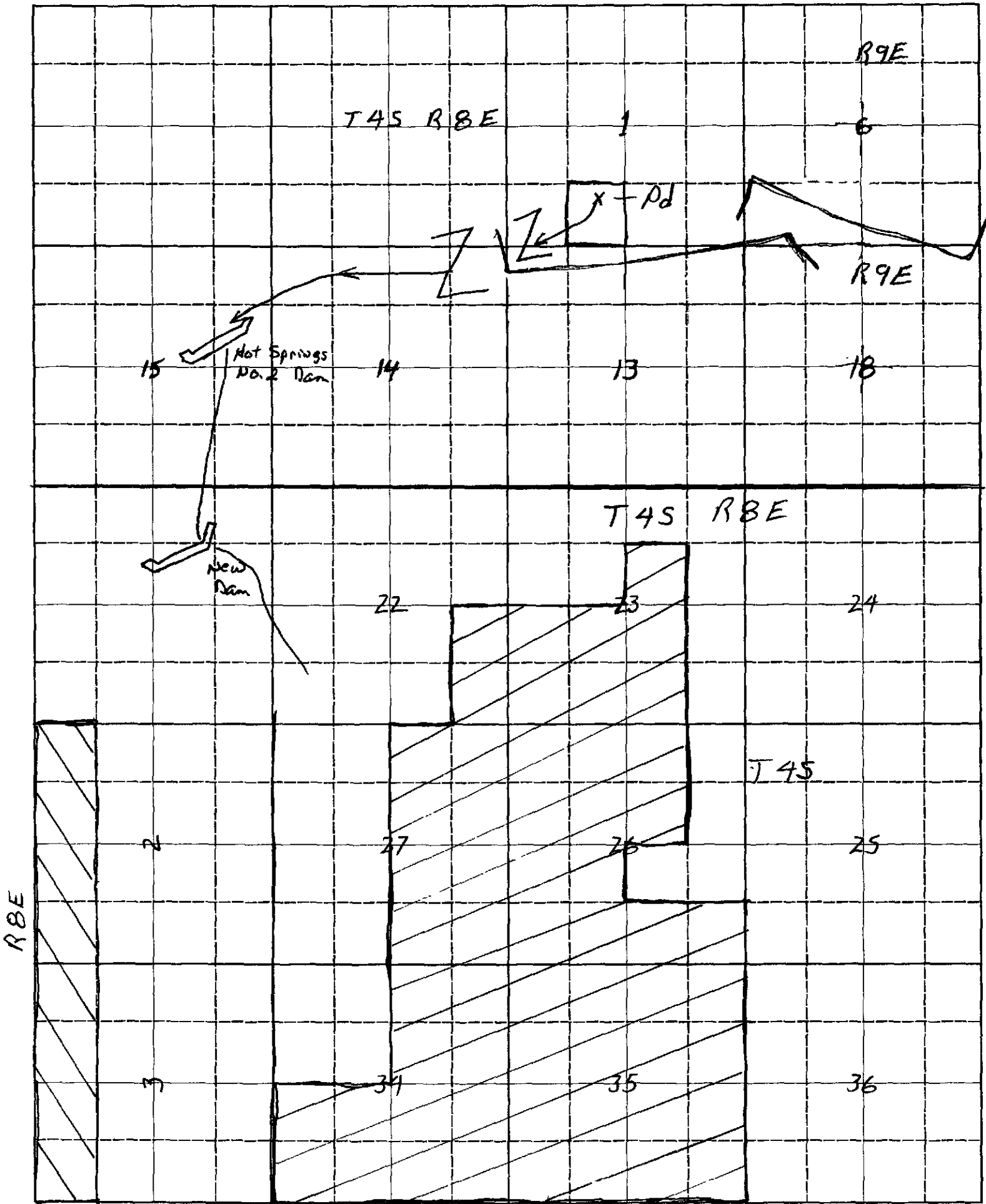
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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:

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.

T55

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.

Frank S. Galey Jr.
(Applicant)

Proposed Priority 4/19/84

Received by DL Date 4/19/84 Time 5:00 pm
Preliminary check by ELS Fee \$ 305.00 # 34404 # 420.00 # 34425
Receipted by mm Date 4-19-84 / 5/9/84
Publication prepared by jp Date 5/10/84
Published in The Mountain Home News
Publication dates 5/17 & 5/24/84
Publication approved SP Date 6/5/84
Protests filed by: Idaho Power Company by Robert W. Stahman, Atty. no protest
5/19/84
Copies of protests forwarded by jp
Hearing held by _____ Date _____
Recommended for approval denial by DBS KW

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. 61-7561, 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 August 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:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

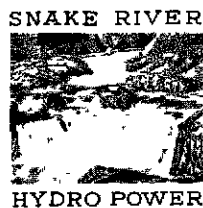
Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

Use of water under this permit is subject to control by the watermaster of State Water District No. 61C, Bennett Creek.

Witness my hand this 7th day of August, 1984.

J. Glen Sayton
Chief, Operations Bureau



IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

June 13, 1984

Mr David B Shaw
Western Regional Supervisor
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Protest of Idaho Power Company to
Application No 61-7561 of Frank S Galey, Jr

Dear Mr Shaw:

By Protest dated the fourth day of June, 1984, Idaho Power Company ("Protestant") protested Application No 61-7561 ("Application") filed by Frank S Galey, Jr ("Applicant"), to divert and apply to beneficial use 50 cfs of water and to store 1,400 acre-feet of water from Bennett Creek, a tributary of the Snake River. The basis of the Protest was that Applicant's project would result in a reservoir that would to some level inundate three two-pole structures of Protestant's Upper Salmon-Caldwell 138 KV transmission line, located in Section 15, Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho.

Protestant has had discussions with Applicant and has resolved to Protestant's satisfaction all matters concerning Protestant's Upper Salmon-Caldwell 138 KV transmission line impacted by Applicant's project.

Therefore, the Idaho Department of Water Resources should consider this letter as a withdrawal of Protestant's Protest to Applicant's Application No 61-7561.

In the event you have any questions or desire additional information, please feel free to contact Mr Robert W Stahman at telephone number 383-2676.

Very truly yours,

T A Spafford
Vice President - Division Operations

Robert W Stahman
Attorney

RECEIVED
JUN 14 1984

RWS:slp

Department of Water Resources
Western Regional Office

RECEIVED
JUN 10 1984

Department of Water Resources
Western Regional Office

BEFORE THE
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 4 1984

Department of Water Resources

In the Matter of Application No)
61-7561 for a Permit by Frank S Galey,)
Jr, to Divert and Apply to Beneficial) PROTEST
Use 50 cfs of Water and to Store 1,400)
Acre-Feet of Water from Bennett Creek,)
a tributary of the Snake River.)
_____)

COMES NOW IDAHO POWER COMPANY ("Protestant") and protests Application No 61-7561 ("Application") for a Permit by Frank S Galey, Jr ("Applicant"), for the diversion and application to beneficial use of 50 cfs of water and the storage of 1,400 acre-feet of water from Bennett Creek, a tributary of the Snake River, on the following grounds:

I

The Applicant is proposing to build a project known as Hot Springs Dam No 3 utilizing the waters applied for under Application No 61-7561.

II

The Protestant is the owner of a transmission line referred to as the Upper Salmon-Caldwell 138 KV transmission line.

III

Applicant's Hot Springs Dam No 3 Project will result in a reservoir which will impound water such that three two-pole structures of the Protestant's Upper Salmon-Caldwell 138 KV transmission line, located in Section 15, Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho, will be located in the reservoir created as a result of the Applicant's

Hot Springs Dam No 3. The result will be a substantial adverse and costly encroachment on Protestant's easement and transmission line structures.

IV

Protestant has contacted Applicant proposing a rerouting of the Upper Salmon-Caldwell 138 KV transmission line at Applicant's cost which would keep all poles fully accessible and provide safety clearance over bodies of water this size as required by national safety codes. Applicant's project will result in an impoundment covering 40 acres of water surface area. A minimum height of 31.1 feet is required for any impoundment over 20 acres. To date, Protestant has received no response from Applicant.

V

Protestant hereby protests the granting of said Application on the grounds it constitutes an encroachment on Protestant's transmission line easement and transmission line structures and upon any and all other grounds legally available to it.

WHEREFORE, it is respectfully requested that the State of Idaho Department of Water Resources, acting by and through its Director, reject and deny Application No 61-7561 by Frank S Galey, Jr, on the above and foregoing grounds and reasons.

DATED at Boise, Idaho, this 4th day of June, 1984.

IDAHO POWER COMPANY

By

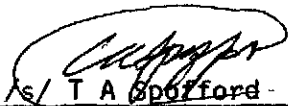

/s/ Robert W Stahman

Attorney for
Idaho Power Company
P O Box 70
Boise, Idaho 83707

STATE OF IDAHO)
) ss
County of Ada)

T A SPOFFORD, being first duly sworn, deposes and says:

That he is the Vice President-Division Operations of Idaho Power Company, Protestant in the above entitled matter; that he has read the foregoing Protest and knows the contents thereof; and that the statements therein are true to the best of his knowledge and belief.


/s/ T A Spofford -

Vice President -
Division Operations

SUBSCRIBED AND SWORN to before me this 4th day of June, 1984.


/s/ Sally L Penfold

(NOTARIAL SEAL)

Notary Public for Idaho
Residing at: Boise, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 28, 1996

CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

RE: WATER RIGHT NOS. 61-02236C/61-02236D/61-07244
AND 61-07273/61-07561

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

A faint, circular official stamp, likely from the Idaho Department of Water Resources, located in the bottom right corner of the page.

JUN 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1996

ED ENSLEY
1513 ALDER
LEWISTON ID 83501

RE: Water Right Nos. 61-07561, 61-02236D, 61-02236C, 61-07244, 61-07273

Dear Mr. Ensley:

The Department of Water Resources (IDWR) is currently preparing water right licenses to be issued on the permits referenced above. The rights are all for reservoir storage and irrigation as developed by Frank S. Galey and/or Carl F. Reynolds and Sons in the Bennett Creek drainage.

During our verification process, it was discovered that water from these projects may have been used to irrigate property you own in the NE¹/₄ of Section 25, Township 4 South, Range 8 East. When the development of a water project does not conform exactly to the authorization on the permit approval, it is necessary to amend the permit to cover the lands actually irrigated before a license is issued. Steve Reynolds has submitted amendment applications that reconfigure the points of diversion and places of use of the rights to conform with actual development. However, the amendment applications do not include your land within the place of use descriptions.

I am writing you to ascertain your interest, if any, in the water rights. If the water was beneficially used on your land and has continued to be used on your land at least once every five years, you may have some entitlement to a portion of some or all of the water rights.

Please contact me within fourteen days if you wish to explore your options in this matter. You may reach me at 208-327-7946. If I do not hear from you within fourteen days, the amendments will be processed and the licenses will be prepared without your property in the legal place of use for the water rights.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

JUN 28 1996

MEMORANDUM

TO: Files 61-02236C/02236D/07244/07273/07561
Carl F. Reynolds and Sons

FROM: Brenda Chapman *BC*

DATE: March 6, 1996

RE: Ownership Information

=====

Per 2/15/96 telephone conversation with a representative from the Elmore County Assessor's Office, Mr. Ed Ensley is the owner of the NE $\frac{1}{4}$ of Section 25, Township 4S, Range 8E. Therefore, the recommended number of acres to be licensed under the above storage water rights will be reduced to 3,585.

[Handwritten signature]
JUN 28 1996

MEMORANDUM

To: Permit files 61-02236C, 61-02236D, 61-07244, 61-07273 & 61-07561

From: Mel Schulte *MTS*
Western Region

RECEIVED

Date: February 9, 1996

FEB 13 1996

Re: Applications for Amendment

Department of Water Resources

On this date the Place of Use land list on the Applications for Amendment for the Permits described above were changed by myself and Steve Reynolds. The alteration deleted the NE1/4, Sec 25, 04S, 08E from the Place of Use. This parcel is not owned by Reynolds & Sons Partnership but by a Mr & Mrs Ensley. It has however been included in their farm's operation for many years. Due to the non-ownership issue they do not want their water rights to become appurtenant to this land.

The history of the Ensley property as understood and explained by Steve Reynolds is as follows: The prior owner, Frank Galey, by virtue of some kind of lease arrangement, included this land in his farming operation in the late 1970's or early 1980's. He supposedly raised potatoes on the land for one year using his own water but didn't continue irrigating the land in future years due to a lack of water. The Reynolds family began leasing Mr Galey's farm in 1986 and purchased it in 1989. In 1987 a large part of the Galey farm, including the Ensley parcel, was entered into the CRP program. The Reynolds family, at the request of Mr Ensley, planted the Ensley property with a dry land cover crop to meet the CRP requirements but never irrigated the land.

The ownership of the Ensley parcel was not known when the licensing amendments were prepared. This issue was subsequently discovered and rather than re-print the amendment applications they were altered at the time they were executed by Steve Reynolds on 2/9/1996.

MTS

61-02236C
JUN 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 8, 1996

FRANK S GALEY JR
C/O CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

RE: WATER RIGHT NO. 61-07561 and 61-02236C/D

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, the permits must be amended to depict the water use as it has actually been developed.

The enclosed Application for Amendment for 61-07561 contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description.

For licensing purposes, water right no. 61-02236A has been split into 61-02236C and 61-02236D, depicting the two separate developments. Both Applications for Amendment 61-02236C and 61-02236D reflect the correct point(s) of diversion and place(s) of use description.

Please review the amendment forms carefully. If you concur with the information presented, sign the amendments and return them with the \$150.00 (\$50.00 each) filing fee within 14 days.

The last page of each Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

JUN 28 1996

SK:rl
Enclosure

MEMORANDUM

TO: Files 61-02236C/02236D/07244/07273/07561
Frank Galey, Jr and Travelers Insurance
SRBA claims filed by Carl F. Reynolds and Sons

FROM: Brenda Chapman

DATE: January 3, 1996

RE: Recommendation Adjustment(s)

=====

Per the December 28th meeting with Jim Johnson, Shelley Keen, and I, the final licensing recommendations for the above rights are based on the following information:

* Ownership Change: Mr. Galey is deceased and according to the exams and the SRBA claims filed, the new owners are Carl Reynolds and Sons. Two of the permits (61-7244 and 61-07273) are owned by Mr. Galey's lienholder, The Travelers Insurance Company and the licenses will be issued in their names. Those licenses in Mr. Galey's name will be sent in care of the new owners, Carl Reynolds and Sons. Claims have been filed by the new owner on four of the five rights. A claim is not required for 61-07561.

* A statement on the application for Permit 61-02236 mentions the feeder channel from Bennett Creek has a capacity of 20 cfs. However, the permit as approved without an active flow component. Per the 6/21/78 Administrative Memorandum guidelines for off stream storage, a rate of 20 cfs can be included in the recommendations. This will not constitute an expansion of the permit.

* Hot Springs Creek will not be added as one of the sources for 61-02236D/07273/07561/07244. It would change the original intent of the permit holder to divert water into storage reservoirs that happen to be on another stream.

* The above rights divert water to a combined total of 3,725 acres. All of the water can be diverted to the entire place of use; ~~therefore, all of the acres will be recommended on all of the licenses.~~ According to Idaho Code § 42-222, as long as other water right holders are not injured, the number of acres irrigated from stored water can be increased.

* The point of injection from Bennett Creek into Hot Springs Creek Reservoir has been added to 61-02236D, 61-07273 and 61-07561. The same points of redirection have been added to all of the rights.

JUN 28 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 61-07561

DATE 9-22-95



NAME Change ☒ OK

Or Address Change? Permit holder

PRIORITY DATE 12-24-95 ☒

Advance? decease Advanced to:
Order to reinstate needed?
Incorrect fee for rate recommended? NA

SOURCE ☒

Certified examiner.
Changes or just clarification of originally intended source? Add Hot Springs Creek SEE MAP
Notice of Intent to Void necessary?

POINT OF DIV ☒

Amendment needed? OK - DO NOT LIST OUT OF RESERVOIR AS P/D
Overlaps? 61-02236D, 61-07273

PLACE OF USE ☒

Amendment needed?
Overlaps? Same as ABOVE? DO APOW WHEN DO

DIV RATE ☒

Permit/fee limits: 50 CFS
Meas Q = 508 CFS Theo Q = Recommend: 50

Combined rates exceed capacity

ANNUAL VOLUME ☒

Volume Limit: 1400 Season: NEW 4.0 (4-1 to 10-31)
Calculations: HOT SPRINGS RESERVOIR #3

2400 x 4 = 9600 af

CAPACITY IS 553 GF
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable

USES ☒

Change in Nature of Use or additional uses? 1
Amendment necessary? IRR STORAGE & FOR IRR FROM STOR. UN

ADDITIONAL INFO

Supplemental Groundwater PPU Scenario YES
Irr/Dom Combination Shared G/W System

NEW REMARKS YES

Multiple p/d(s) in 1/4 1/4?
Other W36 (att 3) 2

NEW CONDITIONS RO4

Watermaster control - District 61C Bennett Creek
Measuring/Locking Devices 18A
Irrigation Overlap
Other
Water Quality Heat/Cool/Fish verified

COMMENTS ① Reduce volume to capacity of pond/reservoir
② Reduce acres
③ Different owner
④ Add second source - HOT SPRINGS CREEK. AMEND PPU

RECOMMENDATION	CFS	VOLUME
<u>Irr Storage</u>	<u> </u>	<u>553</u>
<u>Irr FROM STOR</u>	<u> </u>	<u>553</u>
<u>DIV TO STOR</u>	<u>50</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

SRBA Claim Filed NO
Adjustment Memo Needed NO

LICENSE

1ST AMEND LETTER P41 + P38
2ND AMEND LETTER P42

System Description (continued)

Exam ACU/101-07561

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

☐ See Remarks on page 4 for continuation

4. SEE ATTACHMENT "A"

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion: SEE ATTACHMENT "B"

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	8E	19								40	40	40	30		40			40	150
4S	8E	22																	80
4S	8E	23			40						40	40	40	40		40	40	40	320
4S	8E	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
4S	8E	27	40	40	40	40	25			25					40	10	10	40	310
4S	8E	34	35			35					35	35	35	35	35			35	280
4S	8E	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	560
5S	8E	2	40	40			40	40											160
5S	8E	3	40				20	40											100

2400 acres

○ new acres
Delete highlighted acres per Tim's 9/6/91 memo

Do not use this space

MEMORANDUM

TO: ~~SHARLA, JIM~~ Files

FROM: TIM LUKE

DATE: September 6, 1991

RE: GALEY PERMIT No.s 61-7561, 61-2236A, 61-7273 & 61-7244
AND FIELD EXAMS

=====

I originally reviewed the above permits over a year ago in connection with Swan Falls processing. In particular, I was reviewing the permits to determine development prior to July of 1985 and whether the permits were subject to reprocessing under Section 42-203D, I.C.

My review raised several questions about the field exams. These questions were sent to the field examiner, Sherl Chapman, and the present owner (see correspondence in file). After more than a year, I think I have obtained the information I needed. It appears that all of the development represented by these permits and exams was completed prior to July of 1985. The permits therefore are not subject to reprocessing requirements of Section 42-203D. The department can continue reviewing the exams and proceed with licensing. Please note that we have obtained some additional information concerning the exams. This information is outlined below.

Field Exam Report Information/Clarification:

1) Name/Ownership change:

- The permits and farm operation are now owned by Carl Reynolds. Frank S. Galey died at least several years ago. I have not previously discussed or advised Reynolds as to what we might require to reflect the ownership change.

2) Place of use:

- My review of the exams revealed that some land was included as the irrigated place of use on the exam but recent aerial photos did not show that land as irrigated. Also, the examiner's maps did not include this land. It appeared that this land may have had an incorrect legal description. My letter of June 17, 1991 describes the land in question (see specific descriptions for land within sections 19, 30, & 27, T4S, R8E). The present owner, Carl Reynolds, called me on July 15, 1991 and explained that the land in question has not been developed and is not irrigated. Reynolds verified that the land in question should not be included on the field exam or any forthcoming license.

JUN 28 1995

3) Points of Diversion/storage volume for permit no. 61-2236A:

- Permit no. 61-2236A is the only permit which includes Hot Springs Creek as a source of water (this permit also includes Bennet Creek as a source). Only this permit should include Hot Springs Creek Reservoir No. 1 as a point of diversion and storage facility. This reservoir is actually identified as Hall reservoir in the department's dam safety records. The difference in names between the dam records and Sherl Chapman's field exam report probably accounts for why Sherl did not report a volume for this reservoir. The dam safety records reports a volume of 450 AF for this reservoir. John Westra, who regularly inspects this dam, says that this reservoir rarely fills and that Hot Springs Creek is generally a very low yield stream. However, John also told me that this capacity is essentially correct and has suggested that this capacity should be licensed.

I have also noted that this reservoir is also included on license no. 61-2225. Under this license, the reservoir has a capacity of only 164.7 AF. The place of use under this license overlaps the place of use of the Galey permits. Perhaps permit no. 61-2236A should only include the additional capacity above that licensed for 61-2225.

4) Rates of Diversion/Storage Volume:

- Two of the remaining four reservoirs are located directly on Bennet Creek. Permit no. 61-7244 and accompanying field exam includes these two reservoirs (Upper and Lower Teapot Reservoirs). The field exam storage volume for permit 61-7244 is based on the combined capacity of the two reservoirs. Both John Westra and Mike Stubblefield have reported to me that these capacities are accurate and should approximately reflect current storage capacities.

The other two reservoirs on the system, Hot Springs reservoir 2 and 3, store water from both Bennet and Hot Springs Creek. A ditch diverts water from Bennet Creek to Hot Springs Reservoir with a headgate on Bennet Creek located in the SESW sec. 1, T4S, R8E. The combined capacity of the two reservoirs per dam safety records is 5443 AF. A report found in the dam safety files (see attached), indicates that the canal from Bennet Creek has a discharge capacity of 900 cfs. To check this latter figure, John Westra collected data on the ditch this summer and calculated a flow capacity of the ditch using the Manning's Equation. The capacity of the ditch using Manning's is 508 cfs. (see attached calculations and photos submitted by John Westra).

Recommendations:

Permit no. 61-7244 should be licensed for irrigation storage and irrigation of 1238 AF from the Upper and Lower Teapot Reservoirs.

Permit no. 61-2236A should be split, with one license issued for irrigation storage of 450 AF from Hot Springs Creek in Hot Springs Creek Reservoir no. 1, and the second license issued for irrigation storage of 2433 AF from Hot Springs Creek and Bennett Creek in Hot Springs Reservoir no. 2. The second license may include a

JUN 28 1996

diversion to storage from Bennett Creek up to the permitted rate of 500 cfs.

Permit 61-7273 should be licensed for irrigation storage and irrigation of 3000 AF from Bennett Creek in Hot Springs Reservoir no. 2, and diversion to storage from Bennett Creek of 100 cfs.

Permit no. 61-7561 should be licensed for irrigation storage and irrigation of 553 AF in Hot Springs Reservoir no.3, with diversion to storage of 50 cfs from Bennet Creek. Permit no.s 61-2236A, 61-7273 and 61-7561 should be conditioned so that the maximum combined rate of diversion from Bennet Creek under the three rights does not exceed 500 cfs.

Place of use recommendations:

When I last spoke with the present owner, Carl Reynolds, we discussed his system and the operation of his different pumping plants. Reynolds explained that several of the plants are interconnected and that the lower most plants (stations no. 5, 6 & 7), have been used to pump water back up to higher ground and used on land normally irrigated via pumps 1 through 4. Since water from all of the reservoirs can be used on all of the irrigated acreage, the licensed place of use for all of the permits should be consistent. Other than the acreage described in this memo which the present owner confirmed was not irrigated, all of the remaining acreage recommended for licensing in the exam report should be licensed.

JUN 28 1995

]Galey Permits:

1. 61-2336A

Permit:

Source= Bennet & Hot Springs Cks.

POD= 4S 8E sec 15 NWNW; 4S 8E sec 1 SENW

Use= Irrigation storage; Irrig. from storage

Div. Volume= 2996 AF

Field Exam:

Source= Bennet & Warm Springs Ck.

POD= Attachment B, 7 pump stations & 5 reservoirs

Use= Irrigation

Volume= 4880 Af (refers to Hot Sprgs Ck Resrv #2)

Recommended Changes:

Source= Bennett Ck & Hot Springs Ck.

POD= NWSW sec 1 (diversion from Bennett Ck) & SWNW sec 15 4S8E (RES. #2). Pump stations 1 through 4 if necessary.

Use= Irrigation Storage; Irrig. from storage

Volume total= 2996 AF

Note: If permit holder wants Hot Sprgs Res #1 included, storage volume must be provided. Volume of 2996 AF would include volume of reservoir #1.

2. 61-7244

Permit:

Source= Bennet Ck.

POD= 5S 8E sec 3 NENE & NWNE

Use= Irrigation

Volume= 2000 AF

Field Exam:

Source= Bennet Ck.

POD= Attachment B, 7 pump stations & 5 reservoirs

Use= Irrigation

Volume= 1238 AF (refers to rervoirs #4 & #5, Upper & Lower Teapot)

Recommendations:

Source= Bennet Ck.

POD= NWSE 4S8E SEC 34 (RES. #4), NWNE 5S8E SEC 3 (RES. #5) & pump stations #5, 6, 7 if necessary.

Use= Irrigation Storage; Irrig. from storage

Volume total= 1238 AF (for resrvrs 4 & 5)

3. 61-7273

Permit:

Source= Bennet Ck

POD= SESW sec 1 4S8E, NWNW sec 15 4S8E (diversion to canal & storage in Hot Springs #2 Res)

Use= div. to storage (100 CFS); storage for irrigation; irrigation from storage

Volume= 3000 AF

JUN 28 1996

See
memo
9-6-91

Field Exam:

Source= Bennett Ck

POD= Attachment B

Use= Irrigation

Volume= 4880 AF (refers to Hot Sprgs Res. #2)

Note: Field exam does not indicate diversion from Bennett Ck to storage at Hot Sprgs Res #2.

Reommendations:

Source= Bennett Ck.

POD= NWSW sec 1 (diversion from Bennett Ck) & SWNW sec 15 4S8E (Hot Sprgs Res. #2). Pump stations 1-4 if necessary.

Use= Irrigation storage, irrigation from storage

Rate of flow= diversion to storage? Rate for irrigation?

Volume= 1884 AF (for remaining volume in Hot Spgs Res #2). Adjust for volume of Reservoir #1 if included.

4. 61-7561

Permit:

Source= Bennet Ck

POD= SESW sec 1 4S8E (diversion to canal and storage in reservoirs located in Secs. 15 & 22 (Hot Sprgs 2 & 3)

Use= div. to storage(50cfs), irrig storage, irrig. from storage

Volume= 1400 AF

Field Exam:

Source= Bennet Ck

POD= Attachment B

Use= Irrigation

Volume= 553 AF (refers to volume of Hot Spgs. Res #3)

Note: Field exam does not indicate diversion from Bennett Ck to storage at Hot Sprgs Res #2 and/or #3.

Recommendations:

Sourc= Bennett Ck

POD= ~~S~~WWSW sec 1 (diversion from Bennett Ck) & SENE sec 22 (Hot Sprgs Res. #3)

Use= Irrigation storage, irrigation from storage

Rate of flow: diversion to storage? rate for irrigation?

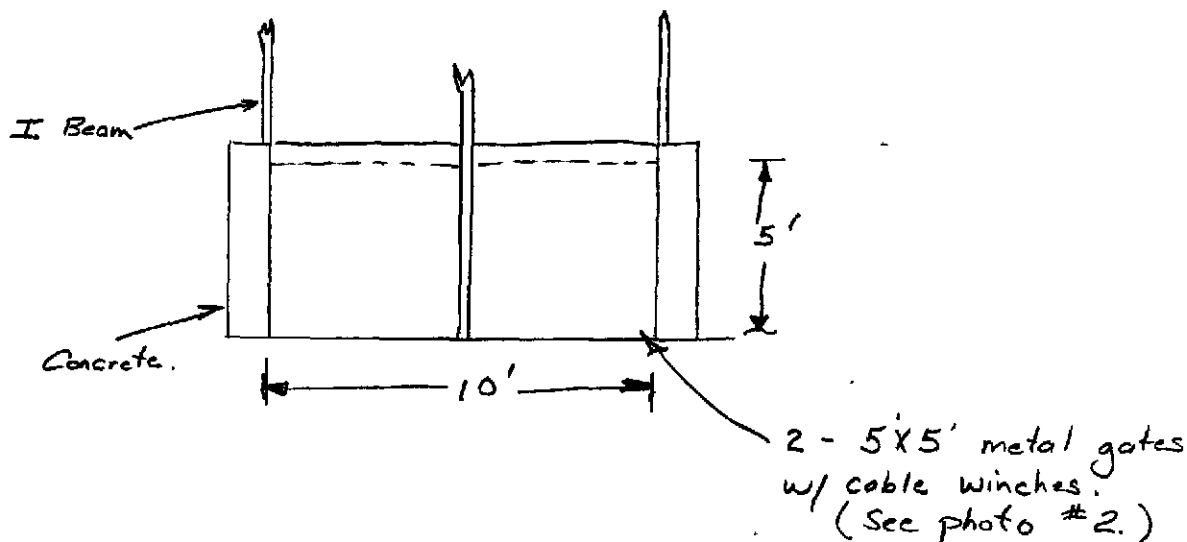
Volume= 553 AF

JUN 28 1994

File Nos: 61-7273; 61-7561

CHANNEL Capacity MEASUREMENT.

Channel: Abt Springs #2 Diversion Canal

Calculate flow capacity of the concrete gate structure at the Bennett Creek Diversion.

Assume structure opening 5' x 10', gates are not submerged.

$$Q = C L H^{3/2} \quad - \quad (\text{Rect. Weir equation})$$

$$C = 3.33$$

$$L = 10 \text{ Ft}$$

$$H = 5 \text{ Ft MAX.}$$

$$Q = 3.33 (10 \text{ Ft}) (5 \text{ Ft})^{3/2}$$

$$Q = 372.3 \text{ CFS}$$

$$\text{Estimated max. discharge through gate structure} = \underline{\underline{372 \text{ CFS}}}$$

$$\text{Estimated max. discharge through canal} = 508 \text{ CFS}$$

(Per attached Manning Calc.)

∴ The gate structure is the capacity limiter.

JUN 28 1996

IDAHO DEPARTMENT OF WATER RESOURCES
DAM SAFETY PHOTOGRAPHS

DAM NAME: HOT SPRINGS #2

DATE: July 22, 1991

NO: 61-7273; 61-7561

BY: J. Westra, Western Region



1. Diversion gate-dam in Bennett Creek.

2. Diversion canal headgate to Hot Springs #2 Reservoir. 2-5ft. wide gates.

3. Diversion canal to the reservoir taken near the old bridge.

JUN 28 1991

IDAHO DEPARTMENT OF WATER RESOURCES
DAM SAFETY PHOTOGRAPHS

DAM NAME: HOT SPRINGS #2

DATE: July 22, 1991

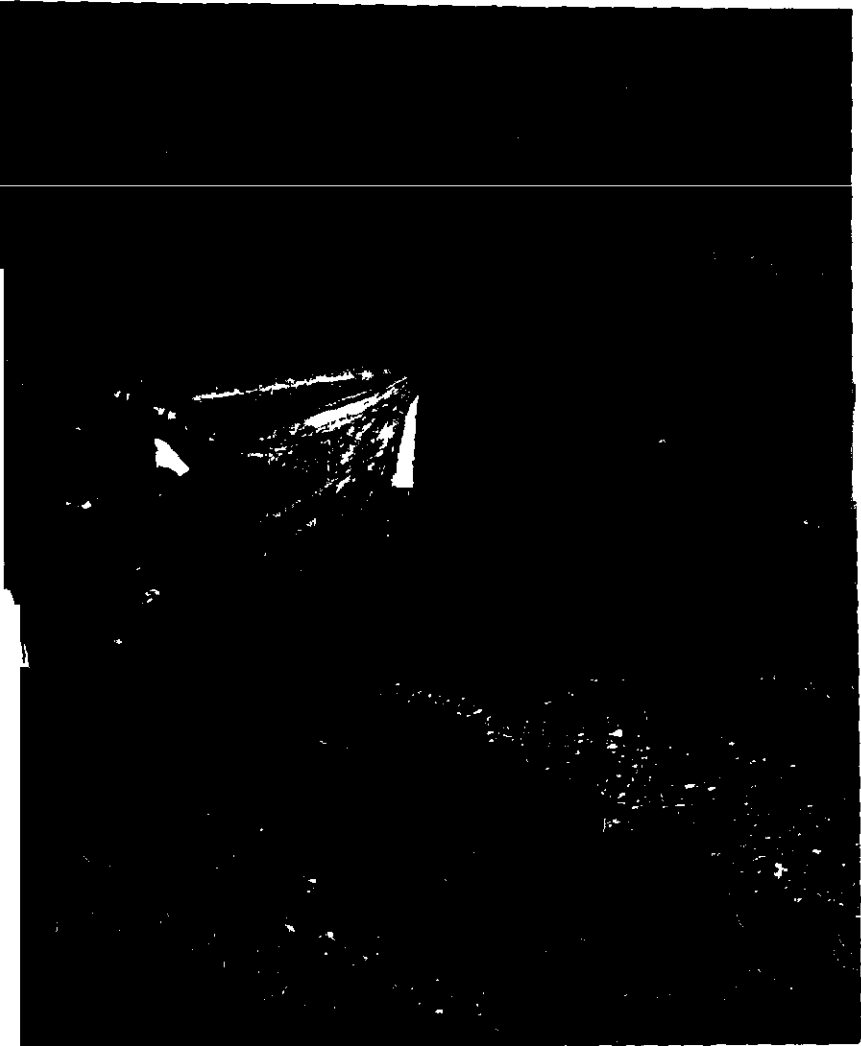
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JUN 28 1995

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JUN 28 1995

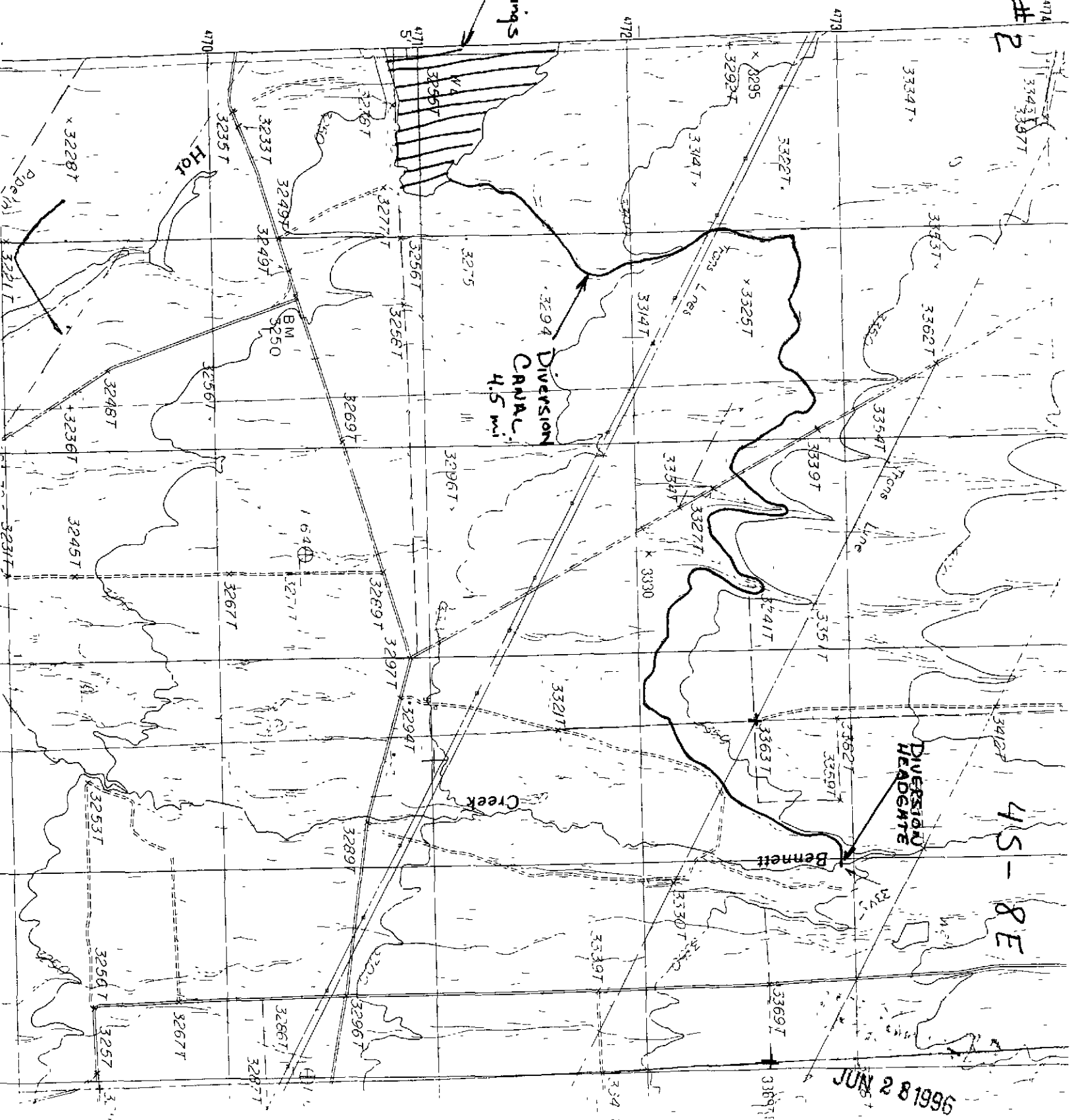
61-7273
61-7561

1/6 Springs
#2 Res.

45-8E

Division
Headquarters

JUN 28 1996



MANNING EQUATION CHANNEL CAPACITY RESULTS

05-24-1980

File Number: 61-7273; 61-7561
Claimant: Bennett Creek Farms
Channel measured: Hot Springs #2 Diversion Canal
Date of measurement: 7/22/91
Measurement location:
near the old bridge area on the McGrew property
Calculation prepared by: J. Westra
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 27300 feet.
The upstream and downstream rod readings are 3255 and 3345 feet.
The channel cross section is 116.00 ft-sq.
The wetted perimeter is 33.18 feet.
The hydraulic radius is 3.50 feet.
The slope is 0.0033
The roughness coefficient is 0.0450
The flow velocity is 4.380 ft/sec.
The rate of flow is 508.04 cfs.

CROSS SECTION NUMBER 1

For File Number 61-7273; 61-7561 for the Hot Springs #2 Diversion Canal

Number	Rod Reading	Water Depth	Distance
1	9.50	0.00	5.00
2	13.50	4.00	10.00
3	14.70	5.20	15.00
4	14.60	5.10	20.00
5	14.50	5.00	25.00
6	13.50	4.00	30.00
7	9.30	-0.20	35.00

The area for this cross section is 116.00 square feet
and the wetted perimeter is 33.18 feet.

JUN 28 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 17, 1991

Carl Reynolds
3169 Maverick Lane
Boise, ID 83709

RE: Permit No.s 61-2236A, 61-7273, 61-7244 & 61-7561

Dear Mr. Reynolds:

Pursuant to our discussion from several days ago concerning the above permits and my past correspondence with Sherl Chapman, I am forwarding you a copy of the letter which I sent to Sherl in April of 1990.

Question no. three of my letter asked for some information about specific tracts of land and whether those tracts were irrigated prior to July of 1985. I have attempted to answer this question on my own. This question was asked because the permits were being reviewed in connection with potential processing under the Swan Falls settlement. Permits with development prior to July of 1985 are exempt from Swan Falls processing requirements. Nearly all of the development shown on Sherl's field exams appears to have been in place prior to 1985. Certain tracts however were not irrigated as per my review of 1984 aerial photos. As I reviewed Sherl's exams and the aerial photos, I was concerned that perhaps a mistake was made in describing the location of several tracts. The tracts which I did not find irrigated and are of question are as follows:

T4S, R8E, Section 19: SW1/4, SENW, & W1/2SE, containing 200 acres
Section 30: W1/2, containing 280 acres
Section 27: W1/2, containing 50 acres

If you consult a map, you will notice that sections 19 and 30 of T4S, R8E are located some two to three miles west of Bennett Creek and your lower reservoirs. Most of the irrigated land under the permits and shown on Sherl's exams are east of Bennett Creek and the reservoirs. I wondered if perhaps these tracts should have been located in Township 4 South, Range 9 East, instead of Range 8 east. One of the maps submitted with Sherl's exams does appear to show that the land is located in Range 9 East instead of Range 8 East.

In either case, I did not find any irrigated acreage in sections 19 or 30 in the 1984 photos, but perhaps the acreage was in place

JUN 18 1991

at the time of Sherl's field exam in 1987. This may also be the case with the 50 acres in section 27. However, the aerial photos submitted with Sherl's exams (photos undated) do not show the lands in sections 19, 30 (either R8E or R9E) and 27 as irrigated.

Before we can continue with licensing the permits, I will need to clarify the questions concerning the acreage identified in this letter. Please clarify if and when this land has been irrigated under your system and if so, verify the correct legal description of the lands in sections 19 and 30.

Please also consider the other questions raised in my April, 1990 letter. As we discussed, you may not wish or need to include the Hot Springs Creek Reservoir no. 1 in any of the permits being considered for licensing. In regard to the question about rate of diversion from Bennett Creek, I think we probably have enough information in the dam safety records concerning the design of the diversion ditch which will allow us to license the permits and show a diversion to storage.

Please provide a response to this inquiry at your earliest convenience. You may contact me directly at 327-7864 if you have questions concerning this matter.

Sincerely,



Tim Luke

Sr. Water Resource Spec.

JUN 28 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 14, 1990

Sherl Chapman
410 S. Orchard
Suite 144
Boise, ID 83705

RE: Galey Field Exams

Dear Sherl:

Attached is a copy of correspondence from me dated April 20, 1990 pertaining to certain questions about exams which you submitted for permits under the name of Frank S. Galey.

We have still not received any response from you to our last correspondence. We would like to proceed with the licensing of these permits. We ask again that you address our concerns and questions raised in the April 20th letter at your earliest convenience. If I don't receive any response concerning this matter I will recommend the Department make certain assumptions about your exams and use any available data of our own to answer questions and issue draft licenses. This latter action may not be in your client's best interest. The Department however wishes to proceed with the licensing of these permits.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tim Luke'.

Tim Luke
Sr. Water Resource Agent

JUN 28 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 20, 1990

Sherl Chapman
410 S. Orchard
Suite 144
Boise, ID 83705

Re: License Exams for Permit No.s 61-2336A, 61-7244, 61-7273 &
61-7561 in name of Frank S. Galey

Dear Sherl:

I have been reviewing the above exams for licensing and have developed several questions and concerns which are outlined below.

1) On all four of the exams, you recommend listing reservoir no.s one through five as points of diversions. The Department will most likely not list the five reservoirs as point of diversions on the four licenses. Reservoir no. 1 can only be included on permit no. 61-2336A since this is the only permit which lists Hot Springs Ck. as a source. It appears that any storage held in reservoir no. 1 is water from Hot Springs Ck. None of the four field exams you submitted includes any volume measurement for reservoir no. 1.

If you or your client intend to have reservoir no. 1 included on a license for permit 61-2336A, you must submit a volume measurement for this reservoir.

2) Two of the permits above, 61-7273 & 61-7561 include flow rates for diversion to storage. Your field exams include no measurements for diversion from Bennett Ck. to the diversion ditch which provides inflow to Hot Springs Reservoirs 2 & 3. You also did not include the diversion ditch headgate as a point of diversion.

The Department will have to include a rate of diversion for the ditch from Bennett Ck and requests that you provide diversion flow data or measurements for this purpose. If data is unavailable, we may have to rely on past dam inspection records.

3. My final concern regards whether certain acreage under permit no.s 61-7273 & 61-7561 was irrigated prior to July 1, 1985. According to the Department's 1984 remote sensing data, acreage in the following sections was not irrigated at that time:

Section 19 T4S R8E

Sections 2 & 3 T5S R8E

If there is no evidence that the acreage listed in the exam for the above sections was not developed prior to July 1, 1985,

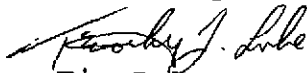
JUN 28 1990

then water diverted for that acreage will be considered trust water, and the acres will count toward the 20,000 acre annual trust water depletion limit as per section 42-203C, Idaho Code. Trust conditions will be added to any license issued for the permits and the Department may be required to re-advertise those permits as well.

The Department therefore asks that you provide information as to whether or not the acreage in the above sections were irrigated prior to July 1, 1985. If the lands were irrigated prior to July of 1985, please provide some documentation which may confirm dates of first development.

Your earliest response to the above questions and concerns will help expedite the licensing of these permits. Please do not hesitate to call me directly or visit if you have questions concerning this matter.

Sincerely,



Tim Luke

Sr. Water Resource Agent

JUN 28 1985

MEMORANDUM

TO:FILE 61-7561

FROM:ROXANNE MCCARTHY

RE: PRE-LICENSE REVIEW

DATE: 12-FEB-1990

=====

A review of this file indicates that it requires processing under 42-203A &/or 42-203C due to its location within the Swan Falls Trust Water Area.

44-281906

RECEIVED

APR 06 1988

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
BENEFICIAL USE FIELD REPORT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

A. GENERAL INFORMATION

1 Owner Frank S. Galey, Jr. Permit No 61-7561
Current Address P.O. Box 5305, Boise, ID 83705 Phone No. 362-0704
2 Accompanied by: Mike Reynolds EXAM. DATE 7/10/87
Address: P.O. Box 5305, Boise, ID 83705 Phone No 587-8752
Relationship to Permit Holder: Farm Manager
3. Source Bennett Creek tributary to Snake River

B. OVERLAP REVIEW

1 Other water rights with same place of use 61-2236; 61-7244; 61-7273
_____ ☐ Copies Attached
2. Other water rights with same point of diversion 61-2236; 61-7244; 61-7273
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1 **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe id as applicable. ☒ Alternative diagram attached

JUN 28 1986

Scale: 1" = _____

- 2 ☒ Copy of U.S.G.S. Quadrangle Attached ☒ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

☐ See Remarks on page 4 for continuation

4. SEE ATTACHMENT "A"

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5 **Point(s) of Diversion:** SEE ATTACHMENT "B"

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

6. **Place(s) of Use:** Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	8E	19								40	40	40	30		40			40	150
4S	8E	22																	80
4S	8E	23			40						40	40	40	40		40	40	40	320
4S	8E	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
4S	8E	27	40	40	40	40	25			25					40	10	10	40	310
4S	8E	34	35			35					35	35	35	35	35			35	280
4S	8E	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	560
5S	8E	2	40	40			40	40											160
5S	8E	3	40				20	40											100

Do not use this space

JUN 28 1996

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements:

Water is supplied from Hot Springs Reservoir No. 3. Storage capacity is 553
acre feet (IDWR records)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head (1) + (2) = _____ (3), Flow rate, _____ cfs (4)

Water HP (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x 0.01732 = _____ (6)

Panel Input HP (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2600 \times 4.5 = 11,700 \text{ ac ft}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 11,700 \text{ ac ft}$

2. Volume Calculations for Other Uses:

JUN 28 1996

H REMARKS AND OVERLAP REVIEW ANALYSIS

PD should be changed to SW NE, Sec. 22, T4S, R8E

The measuring devices required by the permit have not been completely installed as of yet. The remaining measuring devices are under design and will be installed in 1988.

I. RECOMMENDATIONS

1 Recommended Amounts

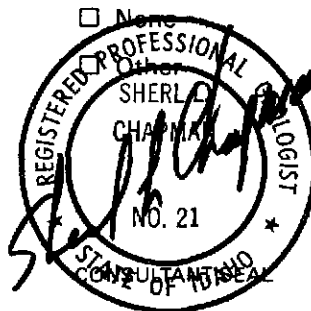
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	N/A	553
Totals:				553

2 Recommended Amendments

- ☒ Change P D as reflected above ☐ Add P D as reflected above
☒ Change P U as reflected above ☐ Add P U as reflected above

J. AUTHENTICATION

Field Examiner's Name Sheri L. Chapman
Signature *Sheri L. Chapman*
Certification Date 5/5/87
Field Report Preparation Date 7/31/87



- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JUN 28 1996

FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO

ATTACHMENT "A"

DIVERSION DESCRIPTION

DIVERSION IDENT. #	MOTOR MAKE	HP	MOTOR SERIAL #	PUMP MAKE	PUMP SERIAL #
1	General Electric	100	45902	Well Line	JNV928417
1	General Electric	100	45903	Well Line	FRJ620306
2	Westinghouse	50	62116		1257495
2	General Electric	100	45901	Well Line	253AB
2	Westinghouse	50	21180		GNJ720331
3	Westinghouse	100	DVR7	Singer	EAJ505189
4	General Electric	50	17677	Well Line	HK403039
4	Westinghouse	10	L1104		12L
5	Westinghouse	50	6620		RS141020
5	General Electric	100	21179	Well Line	319B522B57
5	Westinghouse	50	1414202		1257496
6	General Electric	100	45904	Well Line	JN921404
6	General Electric	100	45905	Well Line	GNJ720271
7	Westinghouse	100	AK075007		15803

FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO

ATTACHMENT "B"

POINTS OF DIVERSION

DIVERSION IDENT. #	LOCATION			SEC.	TWP	RGE	COUNTY	METHOD OF DETERMINATION
	1/4	1/4	1/4					
Pump Station 1	NE	SW	SW	23	4S	8E	Elmore	Field Survey
Pump Station 2	NE	SW	NW	3	4S	8E	Elmore	Field Survey
Pump Station 3	NE	NE	SE	27	4S	8E	Elmore	Field Survey
Pump Station 4	SE	SE	SE	27	4S	8E	Elmore	Field Survey
Pump Station 5	NW	NW	SE	34	4S	8E	Elmore	Field Survey
Pump Station 6	NE	NW	NE	3	4S	8E	Elmore	Field Survey
Pump Station 7	SE	NW	NE	3	4S	8E	Elmore	Field Survey
Reservoir #1 (Hot Springs Crk)	SW	SW	SW	34	3S	8E	Elmore	Field Survey
Reservoir #2	SW	SW	NW	15	4S	8E	Elmore	Field Survey
Reservoir #3	NW	SE	NE	22	4S	8E	Elmore	Field Survey
Reservoir #4	NW	NW	SE	34	4S	8E	Elmore	Field Survey
Reservoir #5	SW	NW	NE	3	5S	8E	Elmore	Field Survey

JUN 28 1996

INVENTORY OF DAMS BY DAM NUMBER

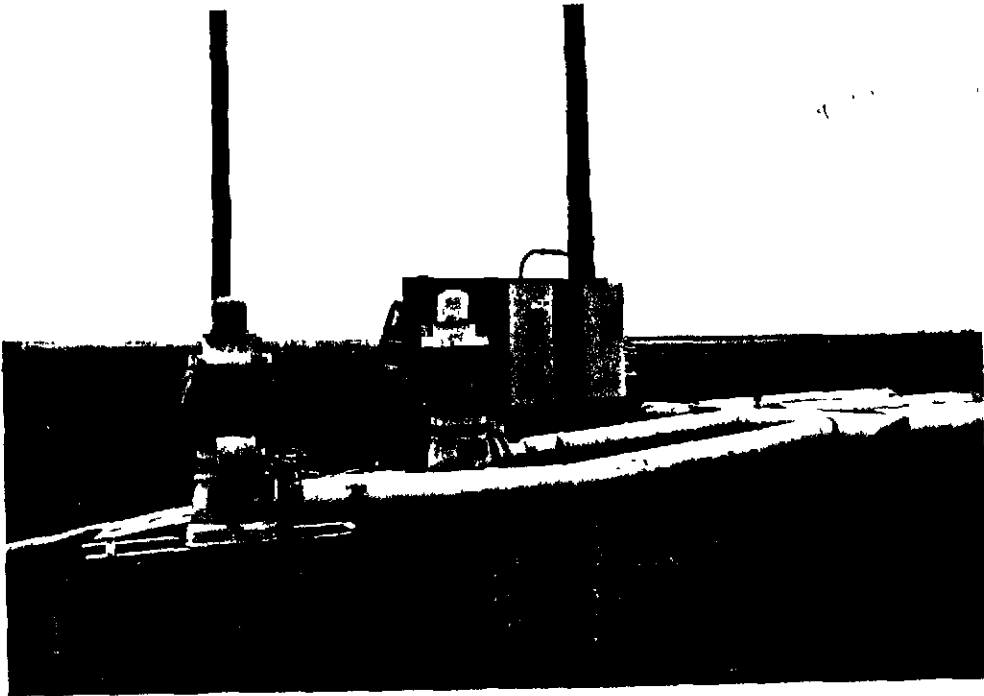
19-Feb-1987
Page 6

NAME OF DAM			NAME OF OWNER				COUNTY		STREAM		PURPOSE		LOCATION	
DAM NUMBER	HAZARD CLASS	TYPE	STORAGE CAPACITY	HEIGHT FT	DRAINAGE SQ MI	RES AREA ACRES	YEAR COMP	CREST LENGTH	SPILLWAY TYPE	DEPTH	DISC-CFS	INSPECT DATE	CERT COND	EXPIR

D61-7071B	WATSON LOWER 3	EARTH	GLOBEX DEVELOPERS INC 100	16.0	128.0	16	ELMORE 1966	1200	RATTLESNAKE CREEK PIPE	3.0	1	I 585	15-058-06E GD	1187
D61-7244A	TEAPOT UPPER 3	EARTH	BENNETT CREEK RANCH 424	25.0	74.0	50	ELMORE 1977	1800	BENNETT CREEK RKCHAN	5.0	1185	JG 685	34-04S-08E GD	1187
D61-7244B	TEAPOT LOWER 2	EARTH	BENNETT CREEK RANCH 814	27.0	75.0	82	ELMORE 1977	3650	BENNETT CREEK RKCHAN	5.0	1185	JG 685	03-05S-08E GD	1187
D61-7267	BATRUEL 3	EARTH	PETE BATRUEL 24	14.0	7.8	4	ELMORE PROP	100	SAND SPRINGS GULCH RPCHAN	5.0	400	I 686	12-05S-09E UF	0000
D61-7561	HOT SPRINGS NO 3 2	EARTH	BENNETT CREEK RANCH 553	25.0	21.5	60	ELMORE 1984	2360	HOT SPRINGS CREEK RPCHAN	5.0	840	I 986	22-04S-08E GD	1187
D63-0009	LITTLE CAMAS 2	EARTH	MOUNTAIN HOME IRRIGATION DIST 18400	44.0	40.0	1455	ELMORE 1912	1957	LITTLE CAMAS CREEK RKCHAN	10.0	833	I 586	09-01S-09E GD	1188
D63-0379	BLACKS CREEK 1	EARTH	PLEASANT VALLEY IRRIGATION CO 3640	48.0	39.0	300	ADA 1915	1700	BLACKS CREEK RKCHAN	6.5	570	L 586	31-02N-03E GD	1188
D63-10221	MICRON TECHNOLOGY 2	EARTH	MICRON TECHNOLOGY INC 155	9.0	3.2	30	ADA 1984	550	TR-FIVE MILE CREEK RPCHAN	5.0	240	NO 586	07-02N-03E GD	1188
D63-2004	HUBBARD 1	EARTH	U S BUREAU OF RECLAMATION 4060	19.0	9.0	450	ADA 1902	6189	BOISE RIVER (OS) ERCHAN	4.0	0	I 386	17-02N-01E GD	1188
D63-2010	BARBER 1	EARTH	ADA COUNTY 188	21.0	2886.0	60	ADA 1965	850	BOISE RIVER CNOVFL	14.0	27500	PGO 1185	29-03N-03E F2	1187
D63-2063	KIRBY (ATLANTA POWER) 3	TMCRB	ATLANTA POWER CO 5	52.0	110.0	1	ELMORE 1908	78	MID FK BOISE RIVER OVFL	8.0	2600	PNB 1086	05-05N-11E GD	1188
D63-2388	BOISE DIVERSION 1	CNGRV	U S BUREAU OF RECLAMATION 800	35.0	2800.0	80	ADA 1908	500	BOISE RIVER CNOVFL	17.0	40000	IP 386	03-02N-03E GD	1188
D63-3613	ARROWROCK 1	CNAR	U S BUREAU OF RECLAMATION 286600	257.0	2210.0	3100	BOISE-ELMR 1915	1150	BOISE RIVER CNCHAN	6.0	16080	LFR 986	13-03N-04E GD	1188
D63-3614	ANDERSON RANCH 1	EARTH	U S BUREAU OF RECLAMATION 493161	336.0	980.0	4741	ELMORE 1950	1350	S FK BOISE RIVER CNCHAN	32.0	20000	IPF 986	01-01S-08E GD	1188
D63-3818	LUCKY PEAK 1	EARTH	U S ARMY CORPS OF ENGINEERS 307000	240.0	2650.0	2820	ADA 1954	2340	BOISE RIVER RKCHAN	18.0	93300	FIR 1086	11-02N-03E GD	1188

90538
JUN 2 1987

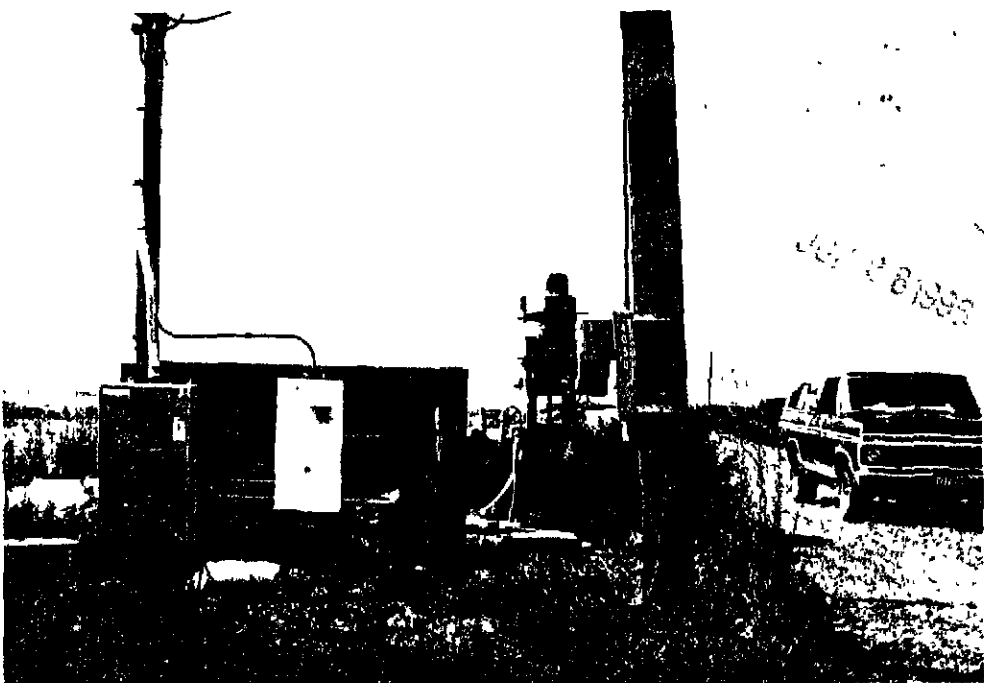
FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO



Pump Station #1



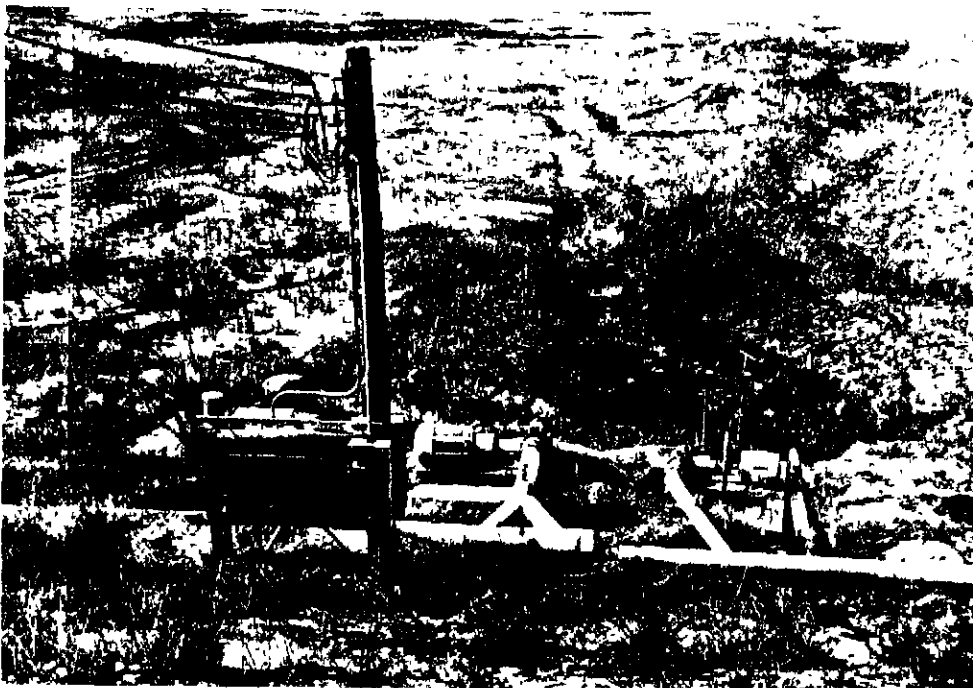
Pump Station #2



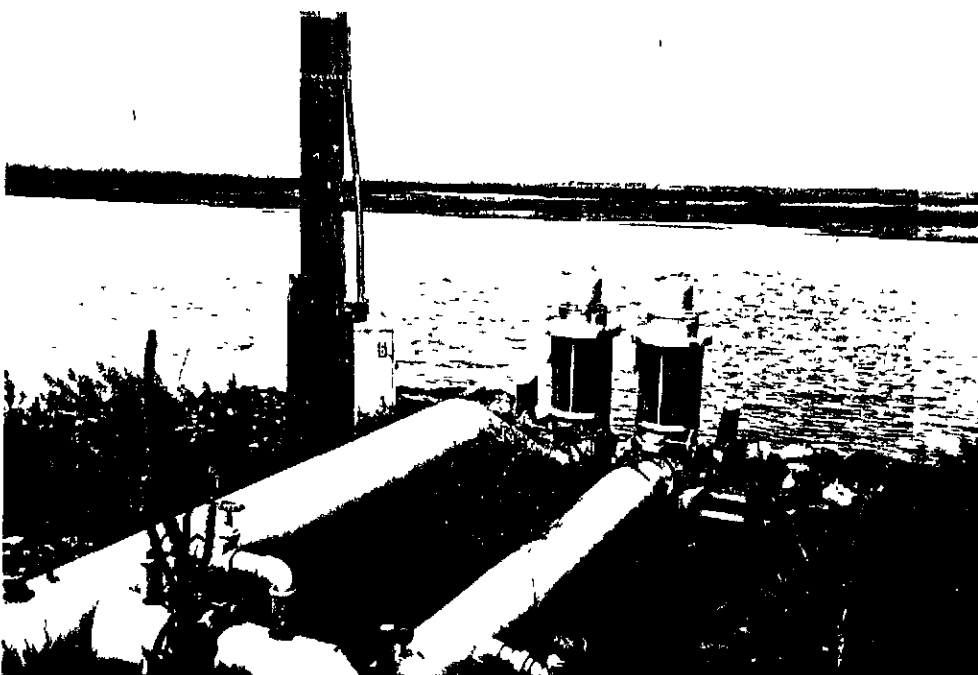
Pump Station #3



Pump Station #4

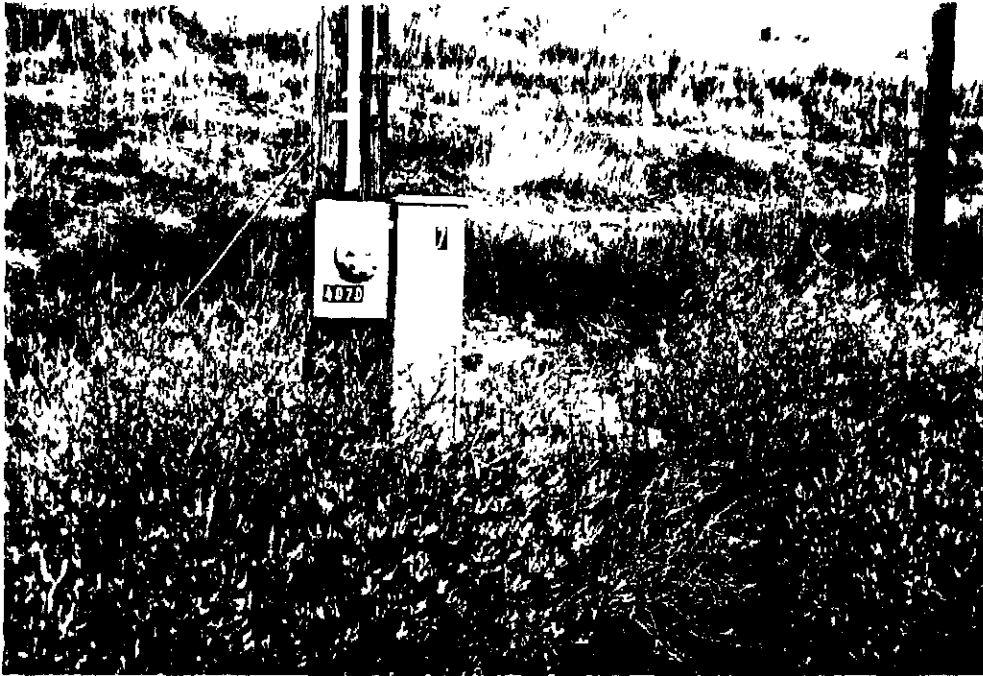


Pump Station #5



Pump Station #6

JUN 28 1965



Pump Station #7



Pump Station #7



Reservoir #1

JUN 28 1995

FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO



Reservoir #1



Reservoir #2



Reservoir #3

281395



Reservoir #4



Reservoir #4



Reservoir #5

JUN 28 1996



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

JUN 28 1986

August 10, 1984

RE: Permit Nos. 61-7561

Frank S. Galey, Jr.
Box 5305
Boise, ID 83705

Dear Permit Holder:

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

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

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 a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

DRT:sc
Enclosures

SPECIAL NOTE: _____

Application No. 61-7561

PROTEST INFORMATION SHEET

Protestant - Name(s)

Idaho Power Company by Robert W. Stahman, Attorney

Address P. O. Box 70, Boise, ID 83707

Attorney - Name & Address _____

Date Filed 6/4/84

Protest Date 6/4/84

withdrawal
6/14/84

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

Protest Information submitted in Computer (following hearing): _____

AGREEMENT

WHEREAS, JOE A. LAMB, whose address is P. O. Box 686, Mountain Home, Idaho, has filed Application No. 61-7244 for a permit to appropriate 2,000 acre feet per annum of water from Bennett Creek, a tributary of Snake River, by means of a dam, pump and pipeline to be located within the Northeast Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section Three, Township Five South, Range Eight East, Boise Meridian, in Elmore County, Idaho, and,

WHEREAS, Protests against the granting of said permit were filed with the Idaho Department of Water Resources by Double Anchor Ranches, Inc., a corporation; Leslie Beam and Gwinn Rice Ranch, Inc., a corporation, and,

WHEREAS, on the 4th day of February, 1976, hearing upon the application and protests was held at the County Courthouse in Mountain Home, Idaho, before a representative of the Idaho Department of Water Resources, NOW, THEREFORE;

For the purpose of resolving the disputes between the applicant and the protestants, IT IS HEREBY AGREED as follows:

1. The applicant, Joe A. Lamb, for himself, his heirs and assigns, hereby agrees that he will not contest or challenge the rights of the protestants to divert water, including flood waters, from Bennett Creek in accordance with existing facilities and in the same manner in which protestants have heretofore put said waters to beneficial use on their land by recharging the sub-surface strata of the land with said flood waters, commencing on or about February 1st of each year, and the applicant recognizes that the rights of protestants as set forth above take precedence over any rights to be acquired by applicant under Application No. 61-7244.

2. The above restrictions shall be attached to and become a condition in connection with the issuance of a permit under Application No. 61-7244.

3. In consideration of the issuance of said permit subject to the conditions above mentioned, the protestants hereby agree to withdraw their protests.

IN WITNESS WHEREOF, said parties have hereunto set their hands this 27th day of February, 1976.

Joe A. Lamb
Joe A. Lamb, Applicant

DOUBLE ANCHOR RANCHES, INC.,
a corporation,

By Guido E. Lenz
Protestant

Leslie G. Beam
Leslie Beam, Protestant

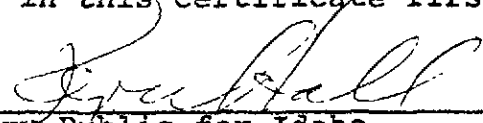
CWINN RICE RANCH, INC.,
a corporation,

By Tom Lee
Protestant

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 28th day of February, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared LESLIE BEAM, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

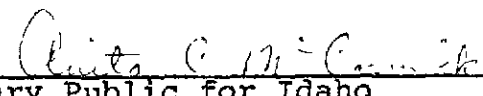


Notary Public for Idaho
Residing at Mountain Home, Idaho

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 25th day of ^{March} ~~February~~, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared JOE A. LAMB, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

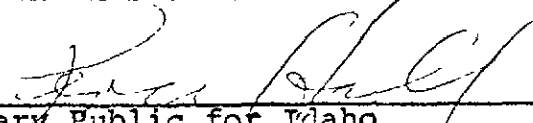


Notary Public for Idaho
Residing at ~~Mountain Home~~, Idaho

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 28th day of February, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared GOLDIE E. HENLEY, known to me to be the president of DOUBLE ANCHOR RANCHES, INC., the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho
Residing at Mountain Home, Idaho.

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 2nd day of ^{April}~~February~~, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared TOM GILL, known to me to be the manager of GWINN RICE RANCH, INC., the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho
Residing at Mountain Home, Idaho.

MICROFILMED

A G R E E M E N T

THIS AGREEMENT, Made and entered into this 25TH day of March, 1976, by and between JOE A. LAMB of Mountain Home, Elmore County, Idaho, party of the first part, hereinafter referred to as "Lamb", and GWINN RICE RANCH, INC., an Idaho corporation, party of the second part, sometimes hereinafter referred to as the "Protestant",

W I T N E S S E T H:

WHEREAS, Lamb has filed Application No. 61-7244 for a permit to appropriate 2,000 acre feet per annum of the waters of Bennett Creek, a tributary of Snake River, by means of a dam, pump and pipeline to be located within the Northeast Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section Three, Township Five South, Range Eight East, Boise Meridian, in Elmore County, Idaho; and,

WHEREAS, a protest against the granting of said permit was filed with the Department of Water Resources by Gwinn Rice Ranch, Inc., a corporation; and,

WHEREAS, on the 4th day of February, 1976, a hearing upon the application and protest was held at the County Courthouse in Mountain Home, Idaho, before representatives of the Idaho Department of Water Resources, for the purpose of resolving the disputes between Lamb and the said Protestant; and,

WHEREAS, Lamb diverts water from Bennett Creek under Water Permit No. 61-2236, issued by the Department of Water Resources of the State of Idaho, at a point of diversion which is located within the easement awarded to Adin B. Hall and Ruby Hall by the Final

Judgment and Decree of Condemnation entered October 23, 1976, in the case of Hall v. Lee, Case No. 2518, by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore, which said easement is described as follows:

A right of way and perpetual easement for the installation, construction, and continued operation, maintenance, repair, alteration, inspection and replacement of said dam, and the backwaters therefrom, over, upon, across and in the following premises:

Commencing at the Southwest corner of Section 1, Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho; thence North 61°51' East 2750.0 feet to a point in Bennett Creek; thence North 50 feet, more or less, to a point where the centerline of Bennett Creek crosses the North Boundary of the SE 1/4 of the SW 1/4 of said Section 1, which point is the real point of beginning;

thence East along the North Boundary of said SE 1/4 of the SW 1/4, 50.0 feet to a point; thence South 100.0 feet to a point; thence West 100.0 feet to a point; thence North 100.0 feet to a point; thence East 50.0 feet to the real point of beginning, containing 0.023 acres, more or less,

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and for the purpose of resolving and settling the protest of Gwinn Rice Ranch, Inc., the parties agree as follows:

Lamb, for himself, his heirs and assigns, hereby agrees that he will construct, or cause to be constructed, at or near the location of the existing diversion works and facilities under which Lamb diverts water from Bennett Creek under said Water Permit No. 61-2236, an adjustable diversion facility that will control the maximum and minimum flows into Lamb's canal and that will prevent the diversion into such canal of more water than the canal can properly carry. Such adjustable diversion facility shall be properly designed and engineered and shall be constructed

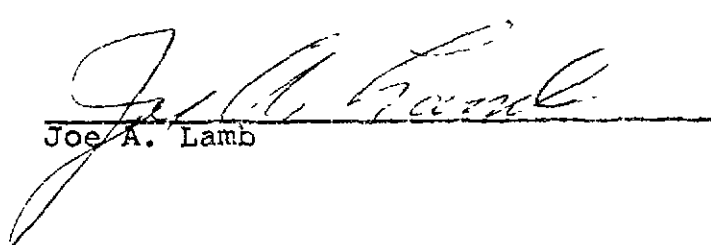
in a good and workmanlike manner and in accordance with proper engineering standards.

In consideration of Lamb's agreement to construct said adjustable diversion facility as hereinbefore specified, Gwinn Rice Ranch, Inc., agrees to withdraw its protest against the approval and granting of said Application No. 61-7244. In that regard, the parties agree that a signed copy of this Agreement shall be filed with the Idaho Department of Water Resources and that the filing of such copy shall constitute, and shall be deemed, a withdrawal of the protest made and filed by Gwinn Rice Ranch, Inc. Lamb agrees that no water shall be stored under any permit issued pursuant to said Application No. 61-7244 until construction of said adjustable diversion facility shall have been completed as hereinbefore specified.

The parties acknowledge and agree that this Agreement shall not modify or supersede any agreements previously entered into between these two parties or any of their predecessors in interest regarding the waters of Bennett Creek or regarding any diversion works or facilities or canals, ditches or other facilities through which any of the parties divert or carry waters of Bennett Creek.

The covenants herein contained shall bind, and the benefits and advantages hereof shall inure to the parties hereto, their heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, said parties have hereunto set their hands this 25th day of March, 1976.



Joe A. Lamb

GWINN RICE RANCH, INC., a
corporation

By Gwinn Rice
Gwinn Rice, Its President

STATE OF IDAHO)
) ss.
COUNTY OF ADA ~~ELMORE~~)

On this 25th day of March, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared JOE A. LAMB, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Quita C. McCombs
Notary Public for the State of Idaho
Residing at Boise, Idaho.

STATE OF IDAHO)
) ss.
COUNTY OF ADA ~~ELMORE~~)

On this 31st day of March, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared GWINN RICE, known to me to be the president of GWINN RICE RANCH, INC., the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Quita C. McCombs
Notary Public for the State of Idaho
Residing at Boise, Idaho.

ADDENDUM TO AGREEMENT

FRANK S. GALEY, JR., and GWENDOLYN GALEY, husband and wife, being prospective purchasers of the lands to which water rights under Permit No. 61-2236 are appurtenant and to which water rights obtained under Application No. 61-7244 will be appurtenant, hereby join and concur in the within and foregoing Agreement between JOE A. LAMB and GWINN RICE RANCH, INC., and agree that, if they purchase said lands, they shall be bound by, and shall be entitled to the benefits of, the provisions of said Agreement, and in witness thereof have hereunto subscribed their names this 25TH day of March, 1976.

Frank S. Galey, Jr.
Frank S. Galey, Jr.

Gwendolyn Galey
Gwendolyn Galey

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 25th day of March, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANK S. GALEY, JR. and GWENDOLYN GALEY, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Glenn A. Packer
Notary Public for the State of Idaho
Residing at Boise, Idaho.

June 18, 1984

Frank S. Galey, Jr.
P. O. Box 5305
Boise, ID 83705

Re: 61-7561

Dear Mr. Galey:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

This office can now take further action on the application.

Sincerely,

DAVID E. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

June 18, 1984

Robert W. Stahman
Attorney
Idaho Power Company
Box 70
Boise, ID 83707

Dear Mr. Stahman:

This office acknowledges receipt of the withdrawal of protest against Application No. 61-7561 in the name of Frank S. Galey, Jr.

This office now will continue to process the application, since the protest has been withdrawn.

Sincerely,

DAVID D. SHAW
Western Regional Supervisor

DBS:jp



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 5, 1984

Robert W. Stahman
Attorney
Idaho Power Company
P.O. Box 70
Boise, ID 83707

Re: No. 61-7561/Frank S. Galey, Jr.

Dear Mr. Stahman:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised 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 purposes 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.

Yours truly

DAVID B. SHAW
Western Regional Supervisor

RECEIVED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 5, 1984

Frank S. Galey, Jr.
P. O. Box 5305
Boise, ID 83705

Dear Mr. Galey:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 61-7561. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) 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 purposes 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.

Yours truly,


DAVID B. SHAW

Western Regional Supervisor

Enc:

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director
May 10, 1984

Marv Vandenberg
Bureau of Navigable Waters
Idaho Department of Lands
Statehouse
Boise, ID 83720

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Re: No. 61-7561/Galey, Jr.

Dear Mr. Vandenberg:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by June 4, 1984.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director
May 10, 1984

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Vincent S. Strobel
Bureau of Land Management
3380 Americana Terrace
Boise, ID 83706

57-7427/Kershner, 57-7428/Kershner, 57-7429/Kershner
Re: No. 61-7561/Galey, Jr.

Dear Mr. Strobel:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by June 4, 1984.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application was
filed for the purpose of
of this

GALEY, JR. BANKS.
P.O. BOX 551, BOISE, ID 83705
Source: BENNETT CREEK trib.
to SNAKE RIVER
Date Filed: 04/19/1984
Diversion Pt: SESW Sec 01 T 04S
R 08E

Use: IRRIGATION STORAGE
(1400.0 AF); IRRIGATION FROM
STORAGE (1400.0 AF); DIVER-
SION TO STORAGE (50.00 CFS)

In: NESE SESE Sec 22 T 04S R
08E SWNE NESW NWSW SWSW
SESW NWSWSE Sec 23 T 04S R
08E NWNE SWNE NENW NWNW
SWNW SENW NESW NWSW
SWSW SESW SWSE SESE Sec 26
T 04S R 08E NENE NWNE SWNE
SENE NESE NWSE SWSE SESE
Sec 27 T 04S R 08E NENE NWNE
SWNE SENE NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE Sec 34 T 04S R 8E NWNE
NWNE SWNE SENE NENW
NWNW SWNW SENW NESW
NWSW SWSW SESW NESE NWSE
SWSE SESE Sec 35 T 04S R 08E
NENE NWNE NENW NWNW Sec
02 T NW Sec 03 T 05S R 08E FOR
2600 ACRES

The permit will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Wa-
ter Resources, Western Region,
Statehouse, Boise, Idaho 83720 on or
before JUNE 4, 1984.

KEN DUNN, Dir.
Published 05/17 & 05/24/84.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-
tion having been made on the 17.... day
of May....., 1984, and
the last publication having been made on the
24..... day of May.....
1984...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 31st...
day of May....., 1984

Oben W. Swenson
Notary Public

RECORDED
JUN 5 1984

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MAY 10, 1984

Mountain Home News
Drawer 0
Mountain Home, ID 83647

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. 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 JUNE 4, 1984.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JUNE 4, 1984.

KEN DUNN, Dir.

Published 05/17 & 05/24/84.

MICROFILMED

61-7561

GALEY, JR., FRANK S.

P.O. BOX 5305, BOISE, ID 83705

Source: BENNETT CREEK trib. to SNAKE RIVER

Date Filed: 04/19/1984

Diversion Pt: SESW Sec 01 T 04S R 08E

Use: IRRIGATION STORAGE (1400.0 AF)
IRRIGATION FROM STORAGE (1400.0 AF)
DIVERSION TO STORAGE (50.00 CFS)

In: NESE SESE Sec 22 T 04S R 08E SWNE NESW NWSW SWSW SESW NWSE SWSE
Sec 23 T 04S R 08E NWNE SWNE NENW NWNW SWNW SENW NESW NWSW SWSW SESW SWSE
SESE Sec 26 T 04S R 08E NENE NWNE SWNE SENE NESE NWSE SWSE SESE
Sec 27 T 04S R 08E NENE NWNE SWNE SENE NESW NWSW SWSW SESW NESE NWSE SWSE
SESE Sec 34 T 04S R 08E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW
SWSW SESW NESE NWSE SWSE SESE Sec 35 T 04S R 08E NENE NWNE NENW NWNW
Sec 02 T 05S R 08E NENE NWNE NENW NWNW Sec 03 T 05S R 08E
FOR 2600 ACRES

MICROFILMED