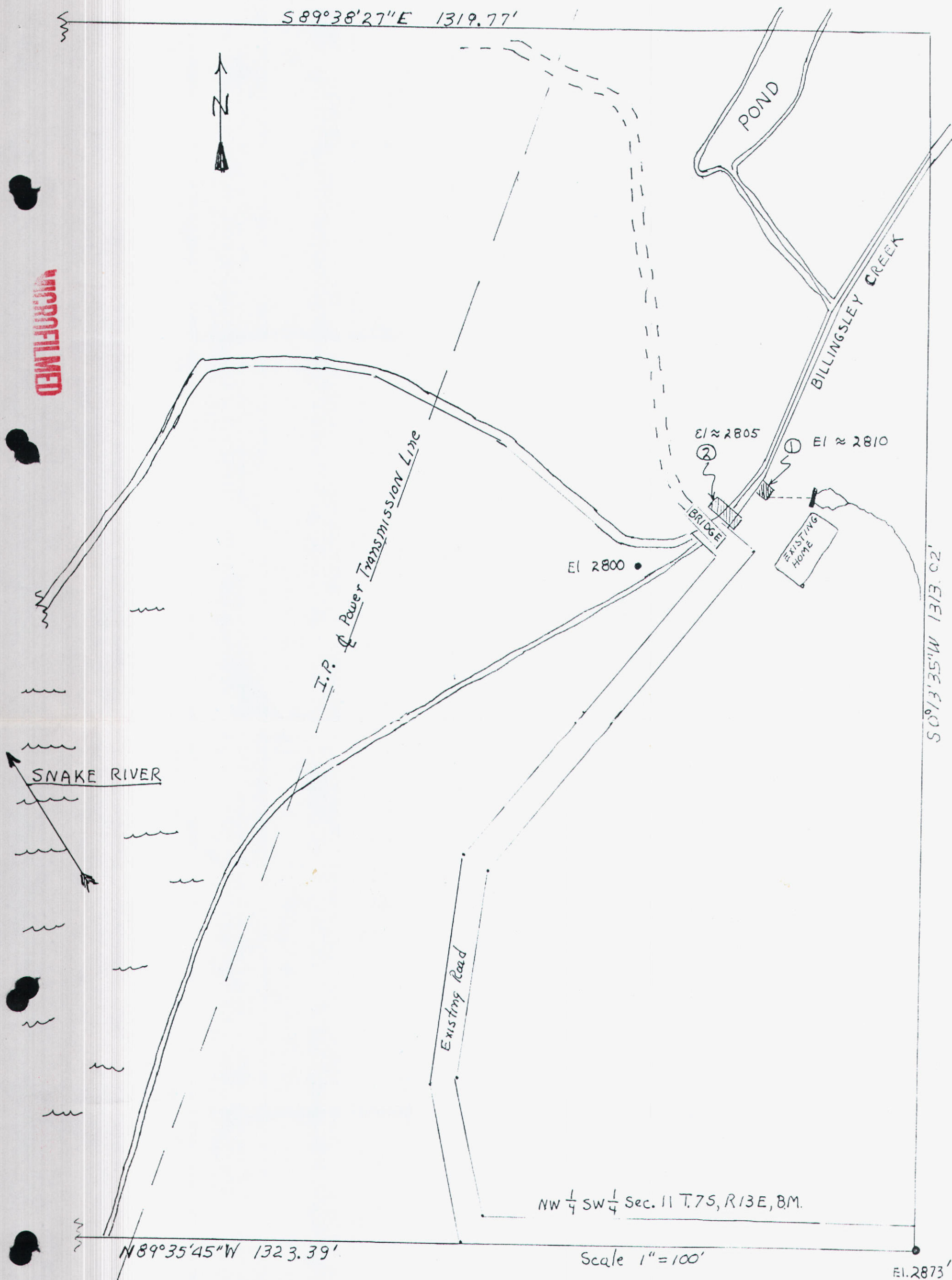




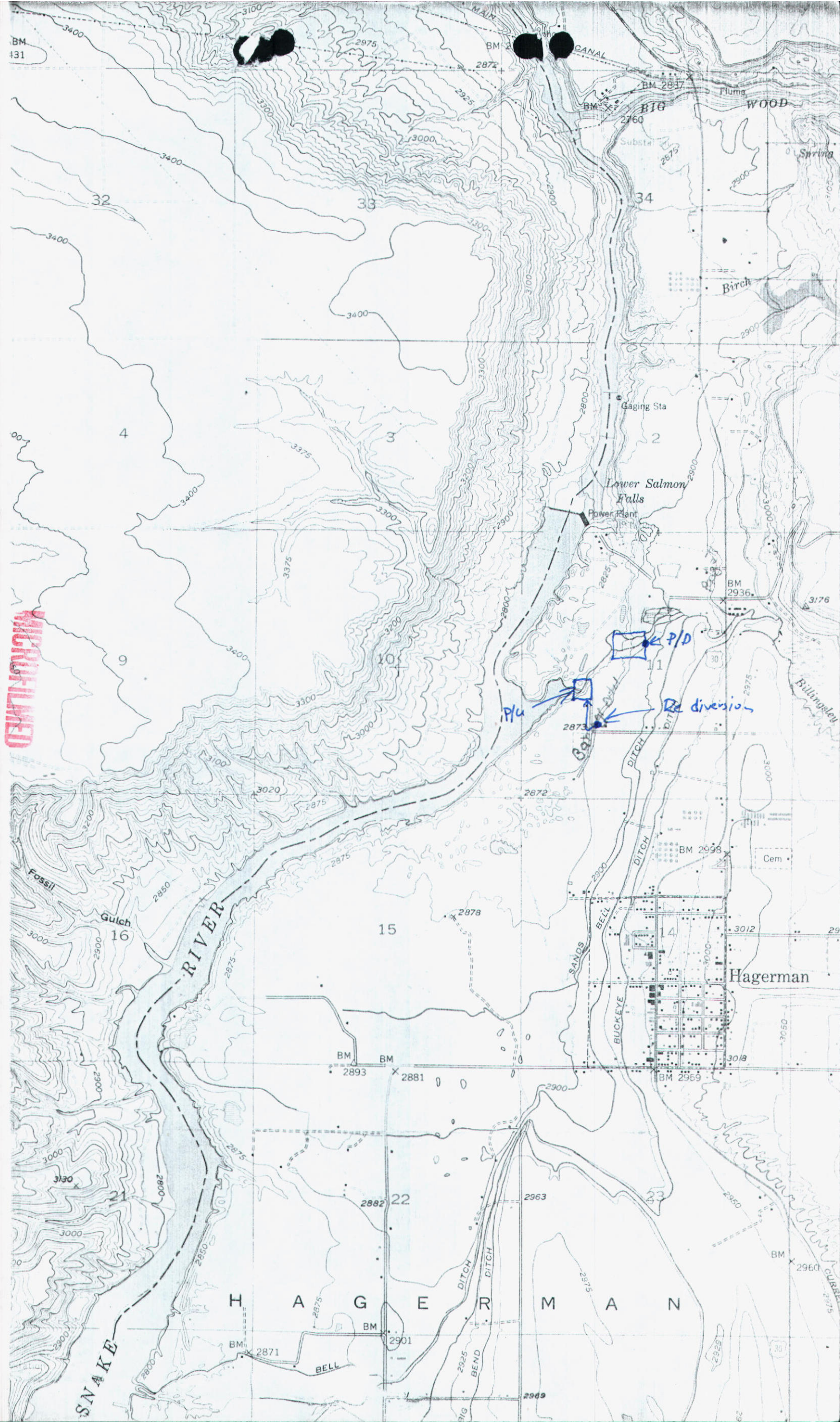
36-8099

36-8098

Part of Preliminary Plat, Indian Point P.U.D.

1. Proj. 360899 Power house (4x8), Penstock (8"x70') and check dam.
2. Project 360898: Power house (8x8), water wheel (20'x8'), and steel support struc.

Indian Point Associates July 28, 1982



AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

GARY GROSS, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of July 19 82, and the date of the last publication was on the 28 day of July, 19 82.

Gary Gross
Subscribed and sworn to before me this 28 day of July, 19 82.
(SEAL)

Cindy Adams
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.. 20
Number of Insertions. 2
Lines tabular at 42¢
20 Lines straight at 32¢ 6.40
20 Subsequent lines at 21¢ 4.20
Total Cost 10.60

COPY OF NOTICE (Paste Here)

Notice of App for Water Right
TITLE OF NOTICE RIGHT

36-8099

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water
BILL TO

36-8099
INDIAN POINT ASSOC.
RT. 1 BOX 412, HAGERMAN, ID 83332
Source: BILLINGSLEY CREEK tributary to SNAKE RIVER
Date Filed: 07/12/1982
Amount: 2.00 CFS
Diversion Point: SENW Sec 11 T 07S R 13E NESW Sec 11 T 07S R 13E (REDIVERSION), GOODING Co.
Use: POWER (2.00 CFS) from 01/01 to 12/31
Place of Use: NWSW Sec 11 T 07S R 13E
Diversion Means: HEADGATE, DIVERSION, DITCH

sb maye

RECEIVED

AUG 3 1982

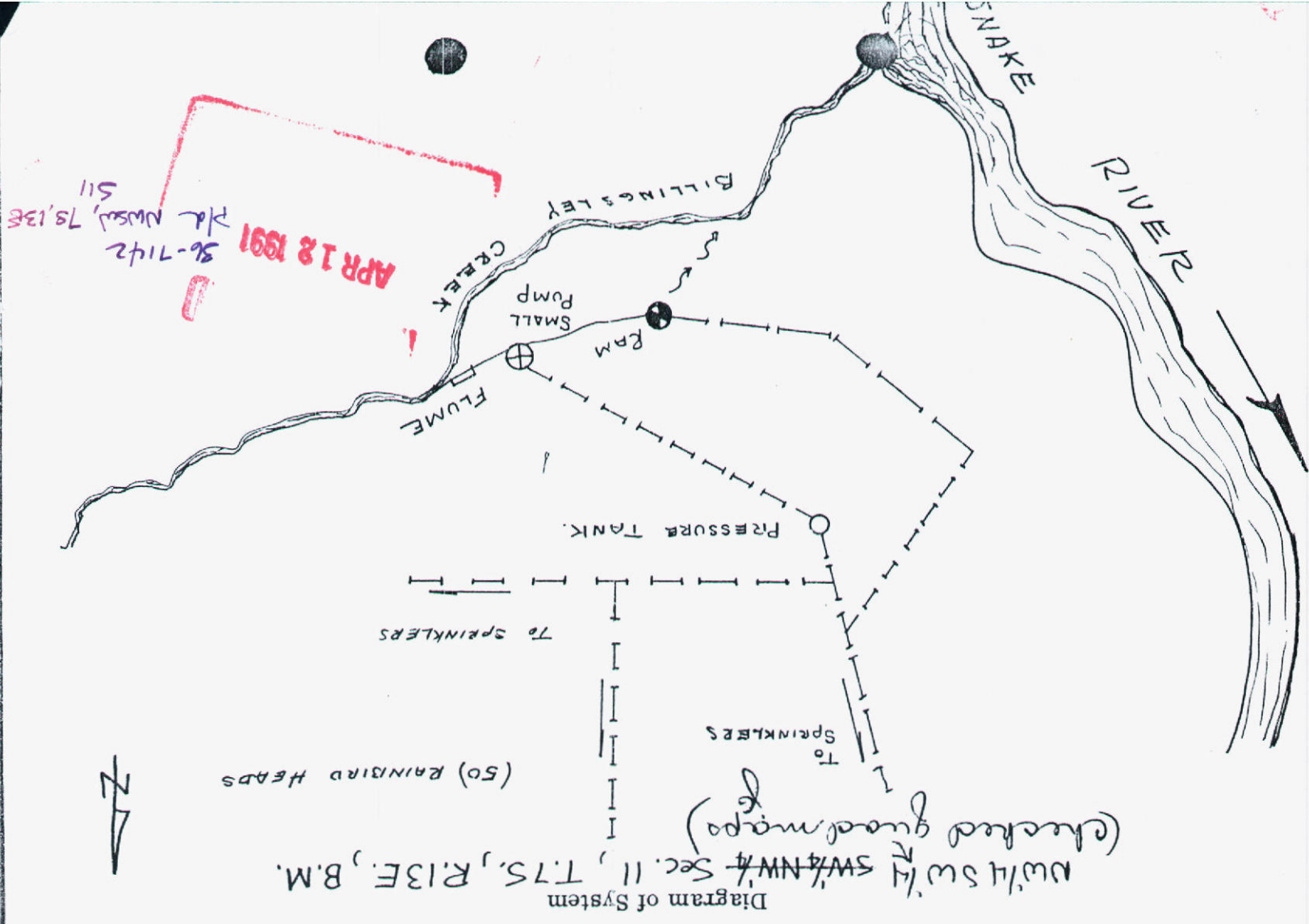
Department of Water Resources
Southern District Office

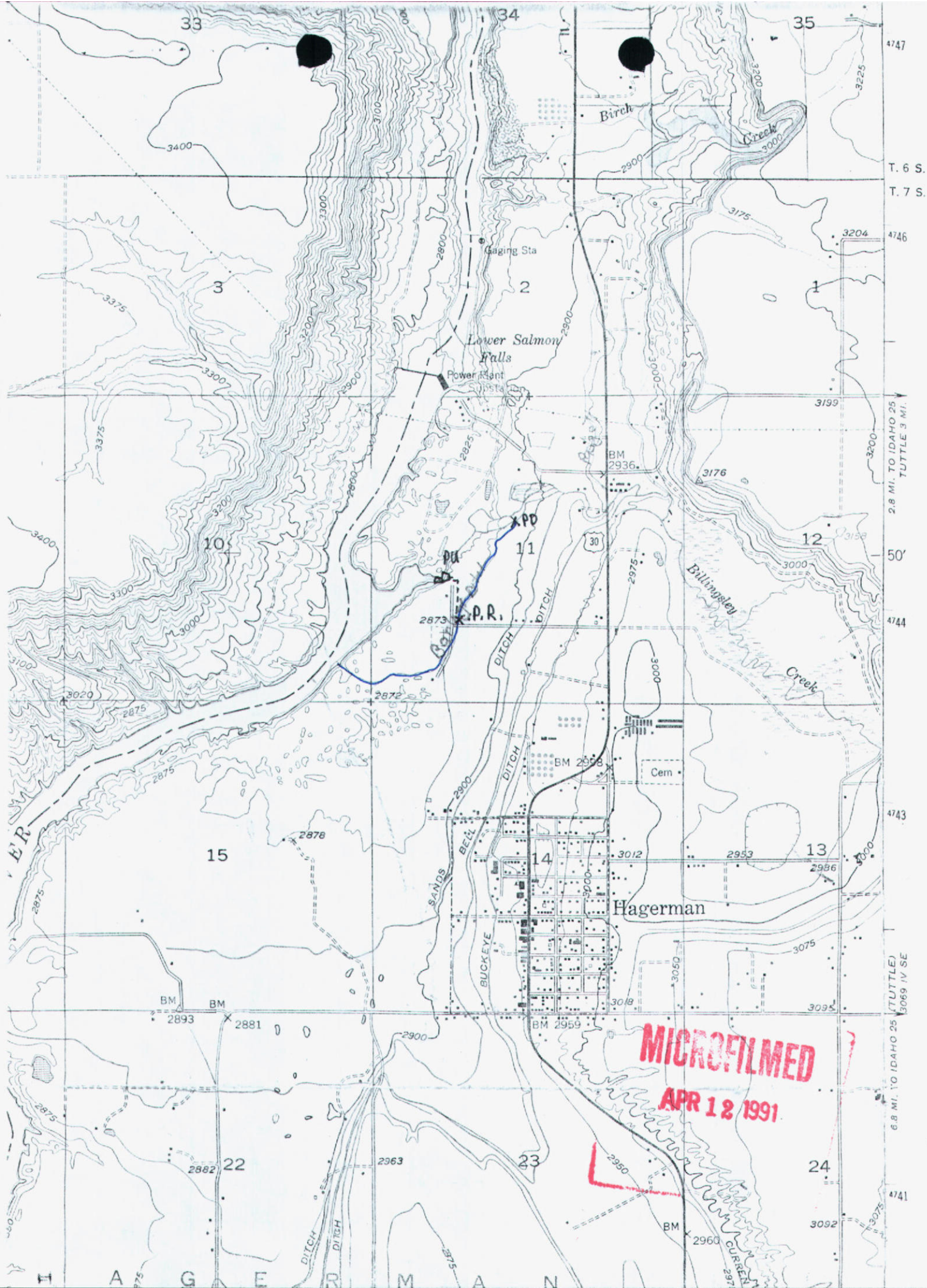
PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 32¢
7 pt. per line, tabular 42¢
7 pt. per line, successive insertions 21¢

No. 134





MICROFILMED
APR 12 1991

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY - 1 2002	
By _____	Clerk
_____	Deputy Clerk

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase 36-08099
	)	
Case No. 39576	)	ORDER OF PARTIAL DECREE
	)	TO CORRECT CLERICAL ERROR; I.R.C.P.
	)	60(a)

On September 28, 2000, a *Partial Decree* was issued for the above-captioned water right. The *Partial Decree* was issued subsequent to a *Memorandum Decision and Order on Challenge; Order on State of Idaho's Motion to Dismiss Claimant's Notice of Challenge ("Memorandum Decision")*, dated January 11, 2000. A comparison of the *Memorandum Decision* with the *Partial Decree* reveals that the *Partial Decree* does not comport with the Court's order in the *Memorandum Decision*. This is clearly due to a clerical error caused by oversight or omission from Court personnel. Specifically, the Court ordered that the water right is for a quantity of 2.0 cfs measured at the point of diversion. The *Partial Decree* erroneously contained language that the water right was to be measured in the penstock. Further, the *Partial Decree* erroneously stated "1.92 cfs" under the "Purpose and Period of Use Element." These errors have been corrected in the attached *Amended Partial Decree*.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the clerical errors are corrected and that water right 36-08099 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-08099*. This order is being entered *nunc pro tunc* as of September 28, 2000, and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

DATED May 1, 2002.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
JAN 12 2004

SCANNED
MAY 07 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-08099

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY - 1 2002	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: RIVER GROVE FARMS, INC.
C/O STURDIVANT
PO BOX 968
HAILEY, ID 83333-0968

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 07/12/1982

POINT OF DIVERSION: T07S R13E S11 SESENW Within Gooding County
SWNESW (Rediversion)

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	01-01 TO 12-31	2.00 CFS

PLACE OF USE: Power Within Gooding County
T07S R13E S11 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE INITIATED LATER IN TIME THAN THE PRIORITY DATE OF THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY DATE OF THIS RIGHT.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

JAN 12 2004

SCANNED
MAY 07 2002

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR; IRCP 60(A) AND AMENDED PARTIAL DECREE was mailed on May 01, 2002, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

CRANNEY BROS

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

PAUL WATKINS

RIVER GROVE FARMS, INC.

Represented by:
PATRICK D. BROWN
HUTCHINSON & BROWN, LLP
P O BOX 207
TWIN FALLS, ID 83303-0207
Phone: 208-733-9300

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

MICROFILMED

JAN 12 2004

SCANNED

MAY 07 2002

AMENDED PARTIAL DECREE

Page 1 5/01/02

FILE COPY FOR 00199

Deputy Clerk

RECEIVED

SEP 29 2000

Department of Water Resources

200 SEP 28 PM 2:45

FILED
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 36-08099

The Notice of Challenge filed in the above subcase having been heard and ruled upon, IT IS
THEREFORE ORDERED that water right 36-08099 is hereby decreed as set forth in the attached
Partial Decree Pursuant to I.R.C.P. 54(b).

IT IS SO ORDERED.

DATED SEP 28 2000



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

JAN 12 2004

RECEIVED

SEP 29 2000

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-08099

27 SEP 23 PM 2:45
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: RIVER GROVE FARMS, INC.
C/O STURDIVANT
PO BOX 968
HAILEY, ID 83333-0968

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED ABOVE FOR POWER PURPOSES AT A POINT OF MEASUREMENT IN
THE PENSTOCK.

PRIORITY DATE: 07/12/1982

POINT OF DIVERSION: T07S R13E S11 SESENW Within Gooding County
SWNESW (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	01-01 TO 12-31	1.92 CFS

PLACE OF USE: Power Within Gooding County
T07S R13E S11 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR
THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF
IDAHO THAT ARE INITIATED LATER IN TIME THAN THE PRIORITY DATE OF
THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST
ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER,
WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE
PRIORITY DATE OF THIS RIGHT.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-08099

MICROFILMED

JAN 12 2004 PAGE 1
Sep-28-2000

RECEIVED

SEP 29 2000

Department of Water Resources

2000 SEP 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-08099

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-08099 was mailed
on September 28, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

CRANNEY BROS
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

MICROFILMED

CERTIFICATE OF MAILING

JAN 12 2004

PAGE 1
09/28/00

This
Right has been
Decreed in the
SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08099

Priority: July 12, 1982

Maximum Diversion Rate:

1.92 CFS

This is to certify, that PAUL E. WATKINS
INEZ S. WATKINS

RT. 1 BOX 412

HAGERMAN, ID 83332

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 12, 1982; and has submitted Proof of Beneficial Use on February 14, 1985. An examination indicates that the works have a diversion capacity of 1.920 cfs of water from:

BILLINGSLEY 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>
POWER	01/01 to 12/31	1.92 CFS	

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SESW , Sec. 11, Township 07S, Range 13E
NESW , Sec. 11, Township 07S, Range 13E
GOODING County

PLACE OF USE: POWER
TWN RGE SEC

07S 13E 11 NWSW

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 36A
6. The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

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APR 12 1991

State of Idaho
Department of Water Resources

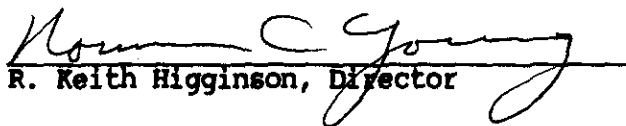
WATER RIGHT LICENSE
WATER RIGHT NO. 36-08099

CONDITIONS/REMARKS:

7. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
8. Use of water under this right shall be non-consumptive.

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 3rd day of April, 1991.

Acting for


R. Keith Higginson, Director

MICROFILMED

APR 12 1991

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	36-8099	Indian Point Associates	2.0 cfs
Full Assignment	36-8099	Paul E. &/or Inez S. Watkins	2.0 cfs

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED
JUN 28 1984

ASSIGNMENT OF PERMIT

I, INDIAN POINT ASSOCIATES, hereby assign to PAUL E. AND /OR INEZ S. WATKINS
of RT 1 Box 412 HAGERMAN, ID. 83332
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 36-8099
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 17 day of June, 19 June 1984

Paul E. Watkins
Permit Holder

Inez S. Watkins
Spouse of Permit Holder

State of Idaho)
County of Gooding) ss.

On this 19th day of June, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Leah L. Clark
Notary Public residing at

Hagerman

My commission expires:

9-15-84

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 Indian Point Associates Phone 208-837-6283
Post office address Route 1 Box 412 Hagerman, Ida. 83332
2. Source of water supply Billings Creek which is a tributary of Snake River
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11 Township 7S
Range 13E B.M. Gooding County, additional points of diversion if any: _____
Re-diversion from Barlogi Ditch NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 11 T7S, R13E.

4. Water will be used for the following purposes:

Amount 2 cfs for Power purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 2 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Existing headgate/diversion
to Barlogi Ditch to owners ditch

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11 Township 7S
Range 13E B.M.

(2) Amount of power to be generated: 12 horsepower under 70 feet of head.

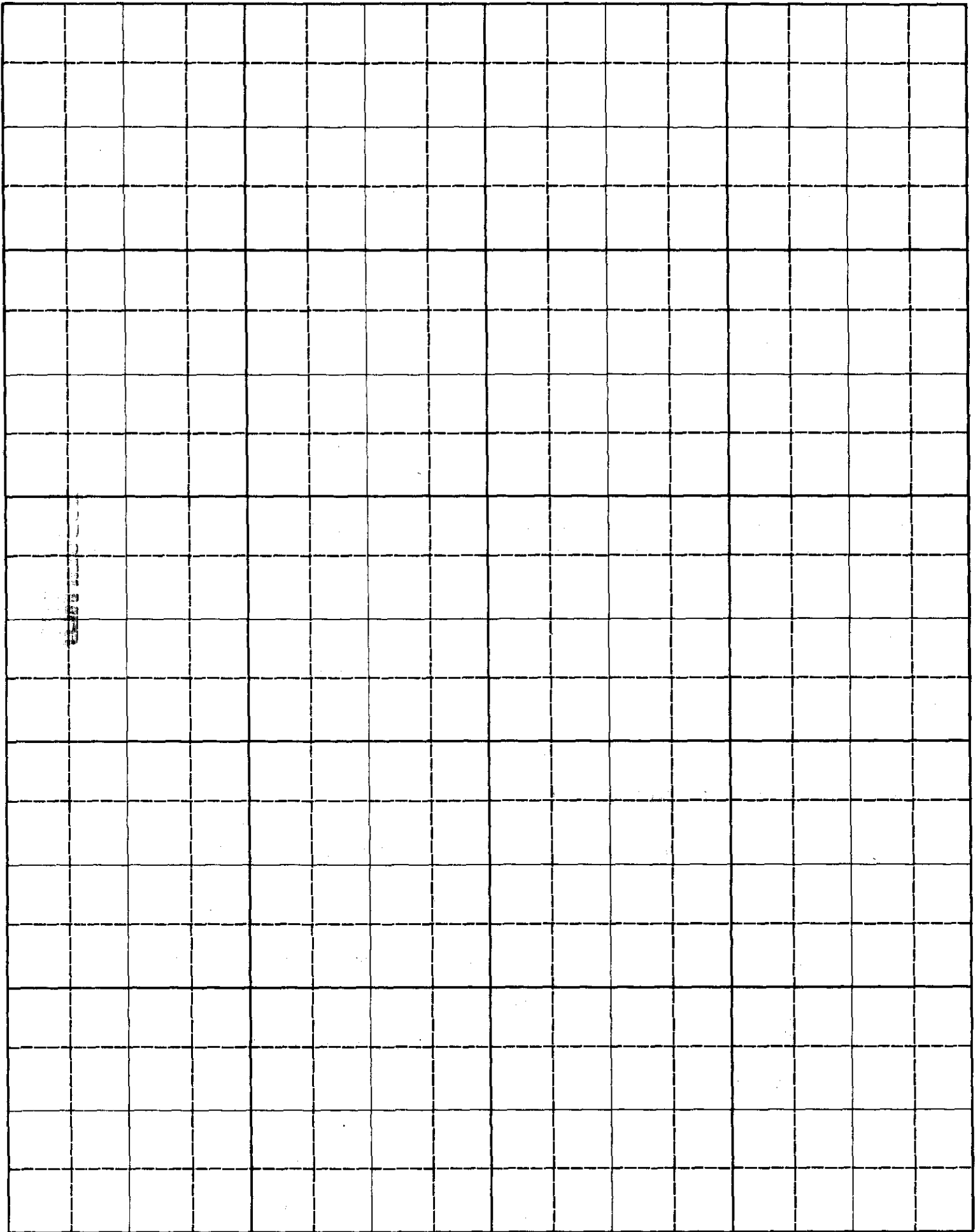
(3) List number of each kind of livestock to be watered _____

(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: _____

RECEIVED

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



Scale: 2 inches equal 1 mile.

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

Paul E. Watkins
(Applicant)

Proposed Priority 7-12-82

Received by J Date 7-12-82 Time 8:45 am

Preliminary check by ADM Fee \$ 65.00

Receipted by J Date 7-12-82 # 20870

Publication prepared by manya Date 7/16/82

Published in Grading Co. Leader

Publication dates 7/21 + 7/28/82

Publication approved RCR MA Date 8/17/82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RCR

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. 36-8099, 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 October 1, 19 88.

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:

1. 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.

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

3. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.

4. Use of water under this permit is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.

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

6. Use of water under this permit is subject to control by the watermaster of State Water District No. 36, Billingsley Creek.

Witness my hand this 18th day of October, 1983.

L. Glen Saxton
Chief, Operations Bureau

S 89° 38' 27" E 1319.77'



UNPROFILED

PON

El ≈ 2805

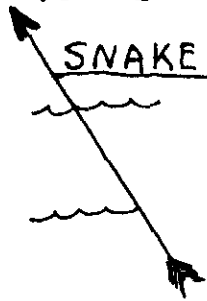
②

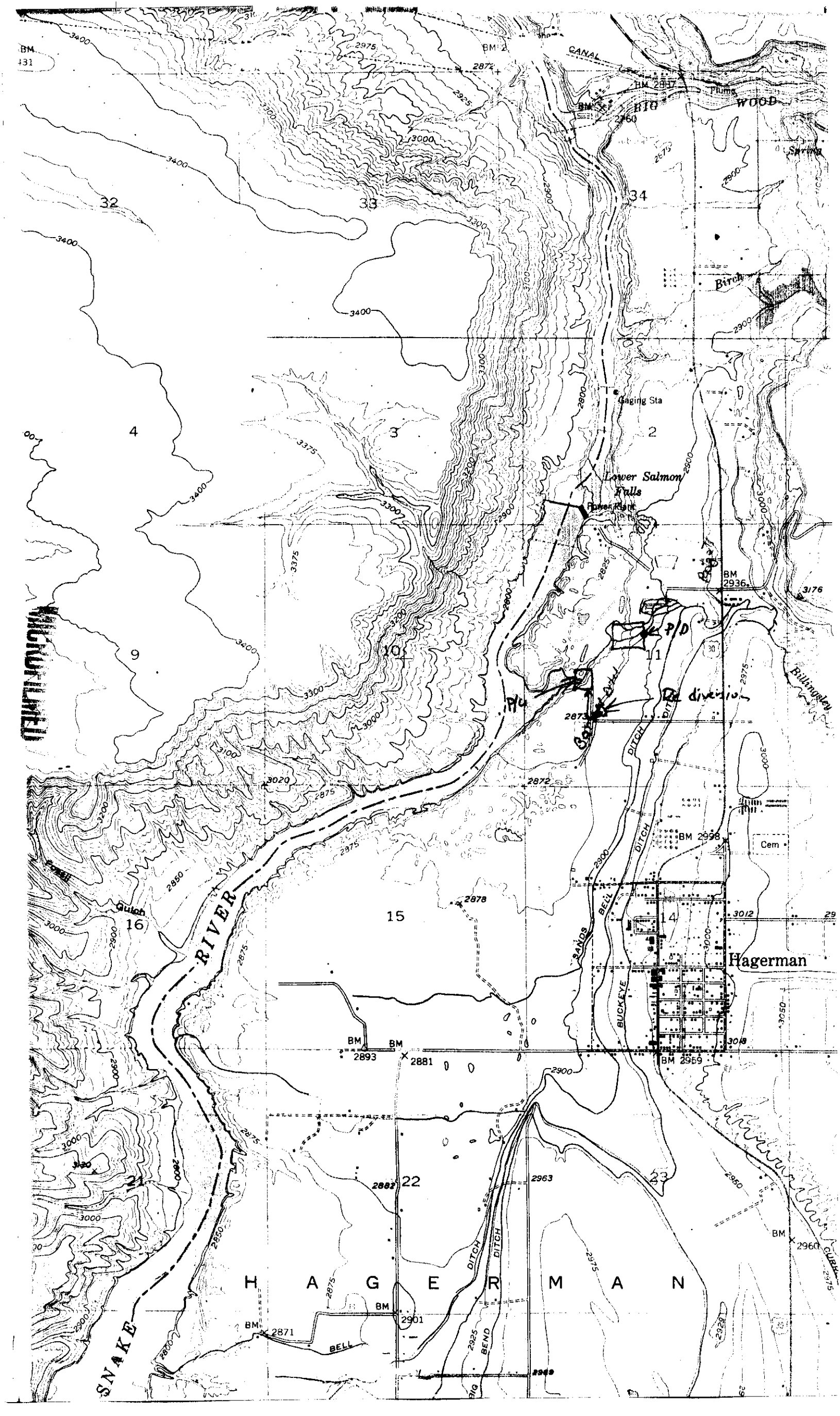
BRIDGE

El 2800 •

I.P. & Power Transmission Line

SNAKE RIVER





Construction Cost Estimate

Indian Point Associates #36-8099

1. Regulating Pond	
A. Excavation	\$500.00
B. Concrete, forms, labor, steel	
(1) 4 yds @ 50.00	200.00
(2) plywood, dim. lbr., nails, wire	100.00
(3) 40 hrs. labor @ 4.00	160.00
(4) rebar, gate, etc.	100.00
C. Penstock (8" x 70'--#188 @ 5.50	385.00
Gate valve 8" used	85.00
2. Power House	
A. Building, concrete pad, Misc. hardware	250.00
B. Turbine (local fabrication)	200.00
C. Generator	1000.00
D. Switch Panels	300.00
3. Terminal Devices	
A. Heat Elements 10KW	200.00
B. Ducting, Thermostat, Wiring, fans, etc.	200.00
4. Miscellaneous: Welding, shop fabricatio, transportation, utilities, etc.	700.00
	\$4,370.00

We the undersigned partners in the Indian Point Association do hereby
nominate Paul E. Watkins to sign applications for permit 36-8098 &
36-8099 for generation of power to be used by our association.

Inez S. Watkins
Inez S. Watkins

Cole M. Reed
Cole M. Reed

Billee L. Reed
Billee L. Reed

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SEP 21 1982

Department of Water Resources
Southern District Office

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

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

1. ~~Individual Applicant or~~ Individual Members of a Partnership:

I, Billie Reed (name) of Hagerman (city),

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

2. Corporation:

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

County of _____, State of Idaho, being duly sworn, depose and say: That I am the designated registered agent of the _____ (name of corporation): that as such I am in charge of the registered

office of the said corporation as required by Section 30-1-12, Idaho Code, at _____ Idaho, wherein are kept the corporate records required (city)

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

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

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

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

(check one)

- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal. 36-8098
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit. 36-8099

Billie Reed ss
Applicant

State of Idaho)
County of Gooding) ss.

On this 18 day of September, 19 82, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Lawrence D. Entwistle
Notary Public residing at
Hagerman, Id.

My commission expires:

and 1/54

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

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

1. ~~Individual Applicant or~~ Individual Members of a Partnership:

I, Cole M. Reed (name) of Hagerman (city),

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

2. Corporation:

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

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

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

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

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

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

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

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

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

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal. 36-8098
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit. 36-8099

Cole M. Reed
Applicant

State of Idaho)
County of Gooding) ss.

On this 18th day of September, 19 82, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she)~~ executed the same.

seal

Lawrence D. Cutchfield
Notary Public residing at

Hagerman Idaho

My commission expires:

April 1/84

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

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

1. ~~Individual Applicant or~~ Individual Members of a Partnership:

I, Inez S. Watkins of Hagerman,
(name) (city)

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

2. Corporation:

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

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

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

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

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

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

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

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

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

(check one)

☒ Will not utilize existing man-made irrigation facilities such as a dam or a
canal. 36-8098

☒ Will utilize existing man-made irrigation facilities such as a dam or a canal,
and ~~permission~~ of the owner is documented in an affidavit attached hereto.

☒ Will utilize existing man-made irrigation facilities such as a dam or a canal
and the owner of the facilities is the signee of this affidavit.
36-8099

State of Idaho }
County of Gooding } ss.

Inez S. Watkins
Applicant

On this 21st day of September, 1982, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

James Hill
Notary Public residing at
Woodell, Idaho

My commission expires:

Life Term

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

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

1. Individual Applicant or Individual Members of a Partnership:

I, Paul E. Watkins of Hagerman,
(name) (city)

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

2. Corporation:

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

County of _____, State of Idaho, being duly sworn, depose

and say: That I am the designated registered agent of the _____

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

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

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

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

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

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

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

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

State of Idaho)
County of Gooding) ss.

On this 12 day of July, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Paul E. Watkins
Applicant

[Signature]
Notary Public residing at
Basen

seal

My commission expires:

R/L

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
 County of Gooding)

GARY GROSS, being first duly sworn,
 deposes and says that he is the printer (publisher) of the Gooding
 County Leader, a newspaper published every week in Gooding, County
 of Gooding, State of Idaho, that said newspaper has been continuous-
 ly and uninterruptedly published for a period of seventy-eight consecu-
 tive weeks prior to the first publication of the annexed notice, and is
 a newspaper qualified to publish legal notices as provided by act of
 the 1919 session of the legislature of the State of Idaho, known as
 House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
 proper and not in a supplement; that the date of the first publication
 of said advertisement was on the 21 day of July
 19 82, and the date of the last publication was on the 28
 day of July, 19 82

Subscribed and sworn to before me this 28
 day of July, 19 82
 (SEAL)

Cindy Davis
 NOTARY PUBLIC

GOODING COUNTY LEADER
 Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice. 20
 Number of Insertions. 2
 Lines tabular at 42¢
20 Lines straight at 32¢ 6.40
20 Subsequent lines at 21¢ 4.20
 Total Cost 10.60

COPY OF NOTICE
 (Paste Here)

Notice of App for Water
 TITLE OF NOTICE RIGHT

36-8099

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water
 BILL TO

sd maye
RECEIVED

AUG 3 1982

Department of Water Resources
 Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 32¢
 7 pt. per line, tabular 42¢
 7 pt. per line, successive
 insertions 21¢

No. 134

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JAN 12 2004

RECEIVED

DEC 02 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 36-00106 and 36-08099

IDWR has completed the following Administrative Proceeding:

- ☒ Change of Address
☐ Substitution of Party
☐ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: RIVER GROVE FARMS INC
New Address: C/O STURDIVANT
PO BOX 968
HAILEY ID 83333-0968
Phone: (208) 788-9845

Claimant's Water Rights: 36-00106 and 36-08099

The Claimant has filed Objections or Responses to the following water
rights: 36-00106 and 36-08099

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/20/1999

36-00106 AND 36-08099

PAGE 1

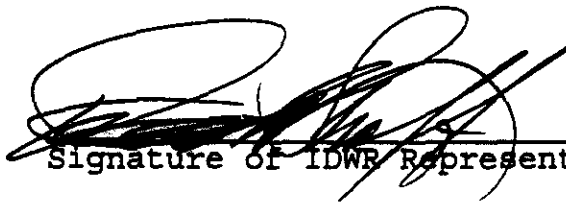
MICROFILMED
JAN 12 2004

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

10/06/99



Signature of IDWR Representative

MICROFILMED
JAN 12 2004

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/20/1999

36-00106 AND 36-08099

PAGE 2

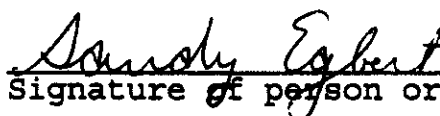
CERTIFICATE OF MAILING

I certify that on 11-5-99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

PATRICK D BROWN
PARKER WARR & BROWN LLP
812 SHOSHONE ST EAST
TWIN FALLS ID 83301

PATRICK D BROWN
812 SHOSHONE ST E
TWIN FALLS ID 83301
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of person or attorney mailing the form

MICROFILMED
JAN 12 2004

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-30-1999
PAGE: A-36

RIGHT NUMBER: 36-08099

NAME & ADDRESS: RIVER GROVE FARMS INC
PO BOX 606
HAILEY ID 83333

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.92 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED FOR POWER PURPOSES AT A POINT OF MEASUREMENT IN THE
PENSTOCK, SO LONG AS THE QUANTITY DIVERTED AT THE POINT OF
DIVERSION DOES NOT CONSTITUTE UNREASONABLE WASTE.

PRIORITY DATE: 07/12/1982

POINT OF DIVERSION: T07S R13E S11 SESENW Within GOODING County
SWNESW (REDIVERSION)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	POWER	01-01 12-31	1.92 CFS

PLACE OF USE: POWER Within GOODING County
T07S R13E S11 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR
THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF
IDAHO THAT ARE INITIATED LATER IN TIME THAN THE PRIORITY DATE OF
THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST
ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER,
WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE
PRIORITY DATE OF THIS RIGHT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
WATER IS DIVERTED THROUGH THE BARLOGI DITCH.

MICROFILMED
JAN 12 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

August 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

AUG 16 1999

RIVER GROVE FARMS INC
C/O STURDIVANT
PO BOX 968
HAILEY ID 83333-0968

OK

RE: Snake River Basin Adjudication (SRBA)
Water Rights #36-00106 & 36-08099

Department of Water Resources

Dear Water Right Holder:

*Re words changed, NCAR prepared,
m 8-18-99*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

MICROFILMED

Telephone No.

208-788-9845

JAN 12 2004

April 4, 1991

PAUL E. WATKINS
INEZ S. WATKINS
RT. 1 BOX 412
HAGERMAN, ID 83332

RE: WATER RIGHT NO. 36-08099

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

FILED

APR 12 1991

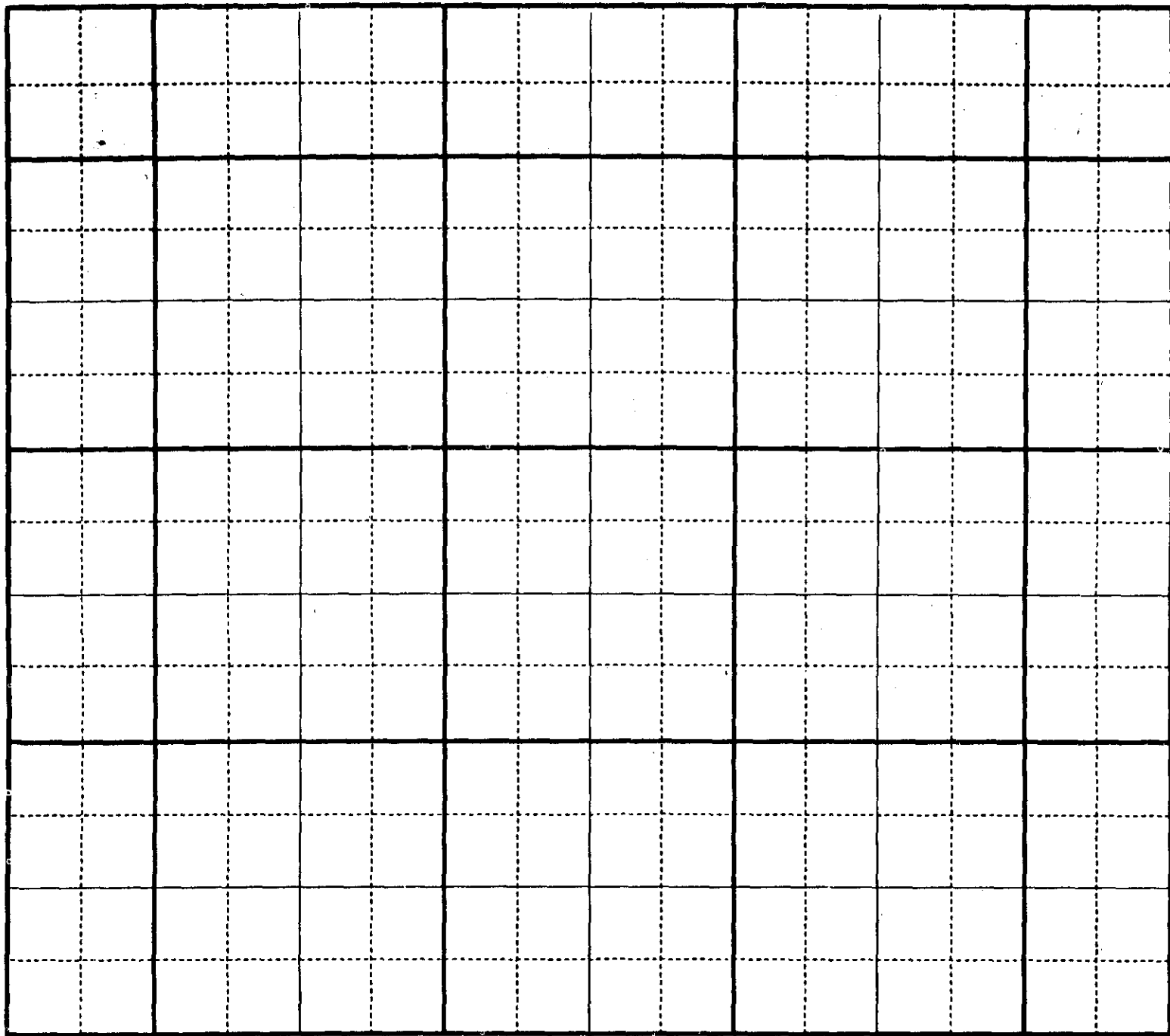
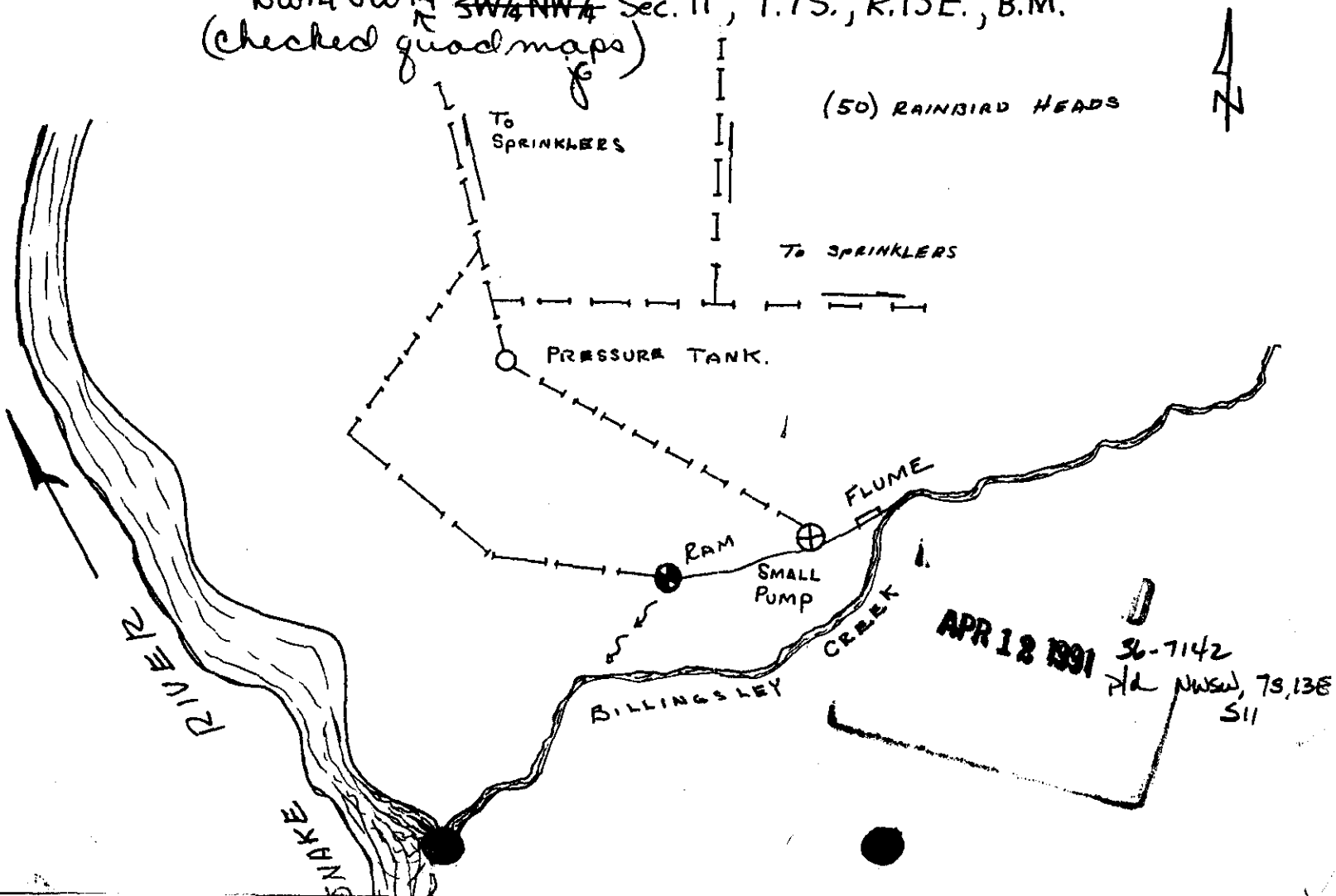


Diagram of System
NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11, T.7S., R.13E., B.M.
(checked quad maps)



LICENSE REVIEW CHECKLIST

Name/Address change? ok ☒

Priority date Advance? yes no ☒
Memo to advance N/A
Blue sheet inserted N/A
Order to reinstate needed? yes no ☒

Total cfs Limited by fee
Limited by capacity ☒

Total volume Limited by flow
Applicable tables checked N/A
Chart checked for AF rate

Capacity Actual measurement checked ☒
Theoretical checked

Source Changed? yes no ☒
If so, is memo needed to clarify?

P/D Verify with map ☒
More than one per 1/4? Remember remark N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map ☒
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4
Description of non-irrig uses
Special overlap condition

Conditions Measuring device ☒
W.Master control ☒
Overlap
Water quality 208
Other POWER SUPPLD. 223

Dates/Misc Water district ☒
App Rec'd date ☒
Proof Rec'd date ☒

Comments/Changes to Examiner's Recommendations:

MICROFILMED

License
10-day ☒
30-day

APR 12 1991

Back of field report signed? Date 10-2-90
Review time 5 minutes

SC

October 15, 1990

PAUL E. WATKINS
INEZ S. WATKINS
RT. 1 BOX 412
HAGERMAN, ID 83332

RE: PERMIT NO. 36-08099

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

APR 12 1991

MEMORANDUM

TO: File 36-8099
FROM: Sharla
DATE: October 1, 1990
RE: Volume for Licensing

The field examination for this permit was conducted in 1985, prior to the adoption of rules and regulations requiring the determination of volume for non-consumptive uses. Therefore, a volume component will not be placed on the license.

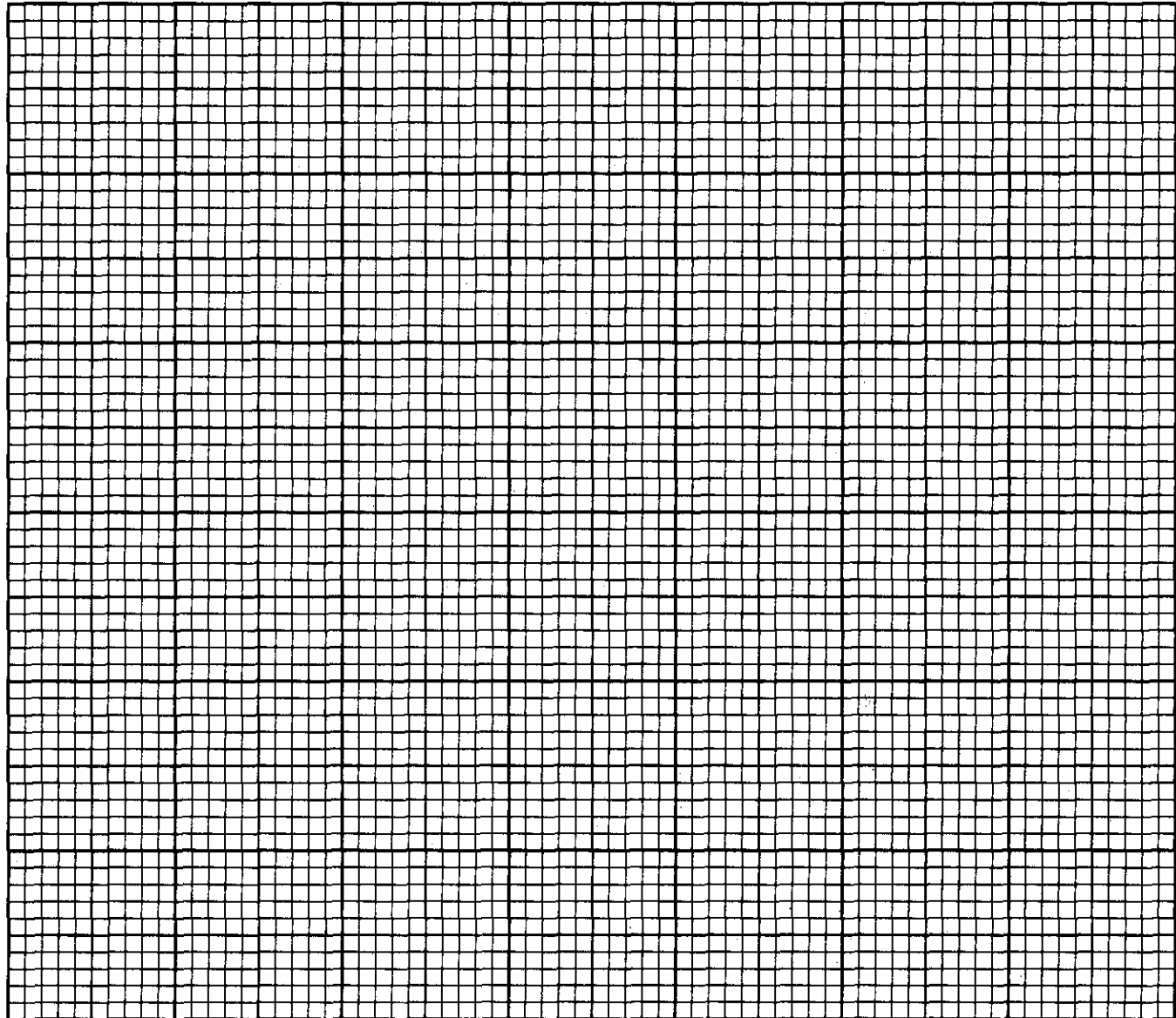
MICROFILMED

APR 12 1991

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. Decreed irrigation rights

12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Power is used by Mr. Watkins in his home.

15. Recommended Amendments
☐ Change P.D. as reflected above
☐ Change P.U. as reflected above
16. Examiners/Consultant's Signature _____
Consultant's License Number _____
IDWR Director's Authorization to Conduct _____
Beneficial Use Examination _____
Date _____

☐ Add P.D. as reflected above
☐ Add P.U. as reflected above
☒ None
☐ Other _____

CONSULTANT SEAL
APR 12 1991
8-1-1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
DEC 5 1985

36-8099
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

measured 1.92 cfs

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis:

MICROFILMED
APR 12 1991

RECOMMENDED AMOUNTS

- | | | | | | | |
|----|-------------------|-----------------|---------------|------------------|-----------------------------|------------------------|
| 3. | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
| | 36-8099 | | | | | |

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
-------------------	--------------------------	------------------------------	--------------------------

Power	1-1	12-31	1.92	-
-------	-----	-------	------	---

Allowable Maximums: 1.92

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

MICROFILMED

APR 12 1991

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature J. P. Stanton Date 11-4-85

Checked in Regional Office by Allen Menti 2/7 Date 11/4/85

Approved in State Office by _____ Date _____

TABLE 1

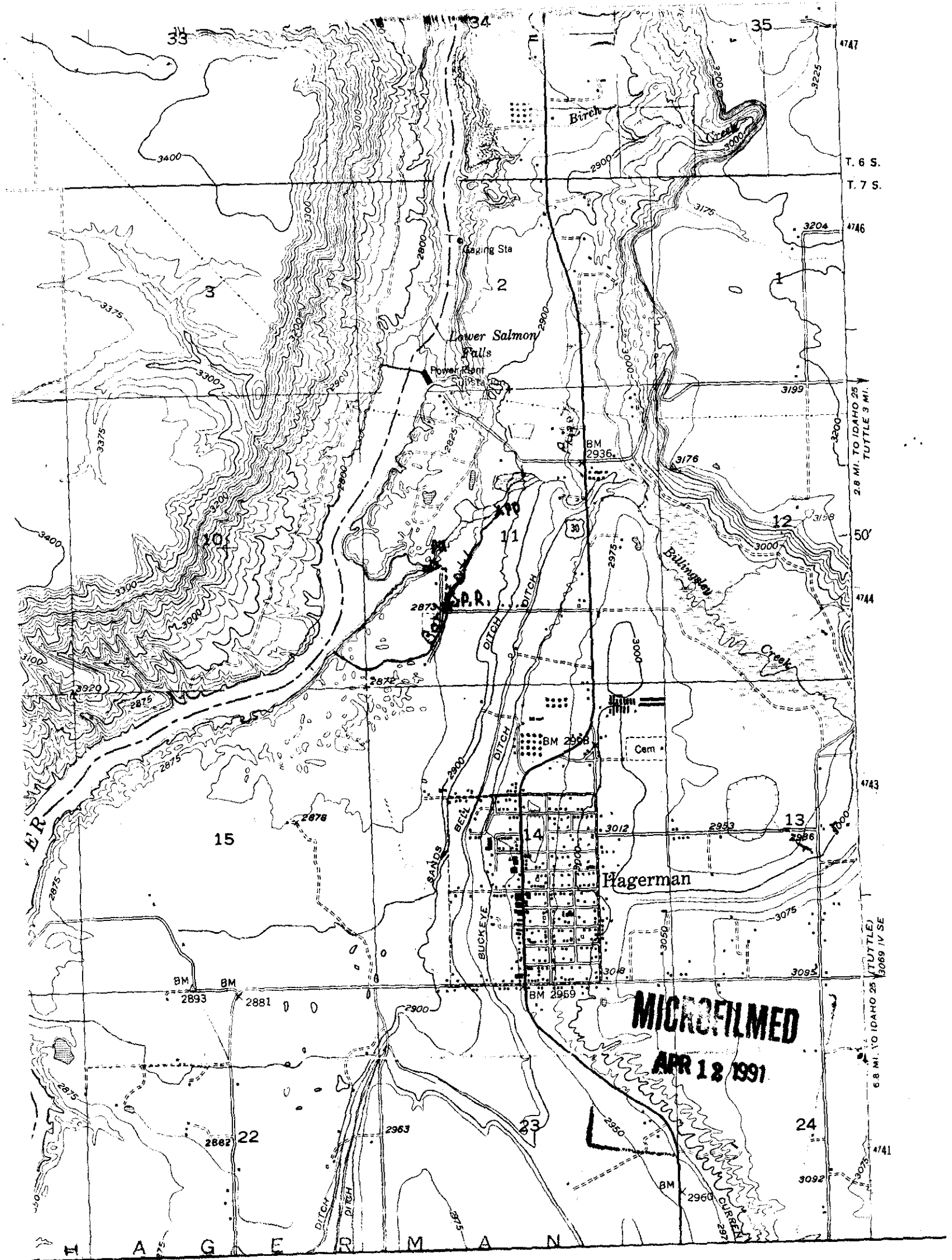
FLOW THROUGH RECTANGULAR WEIRS
WITH END CONTRACTIONS

Formula $CFS = 3.33(L-0.2H)H^{3/2}$ MGD = CFS X .646317

Head Ft.	LENGTH OF WEIR CREST IN FEET									
	1	1 1/2	2	3	4	5	6	7	8	9
.01	.003	.005	.007	.010	.013	.017	.021	.026	.031	.036
.02	.009	.014	.019	.028	.038	.047	.057	.069	.082	.096
.03	.017	.026	.035	.052	.069	.086	.103	.121	.140	.160
.04	.026	.040	.053	.080	.106	.133	.160	.187	.215	.243
.05	.037	.055	.074	.111	.149	.186	.224	.262	.299	.337
.06	.048	.073	.097	.146	.195	.244	.293	.342	.391	.439
.07	.061	.092	.122	.184	.246	.307	.368	.429	.489	.549
.08	.074	.112	.149	.225	.300	.376	.451	.526	.601	.676
.09	.088	.133	.178	.268	.358	.448	.537	.626	.715	.804
.10	.103	.156	.209	.314	.419	.524	.629	.733	.837	.941
.11	.119	.180	.240	.362	.483	.605	.726	.847	.968	1.088
.12	.135	.204	.274	.412	.550	.689	.827	.965	1.103	1.241
.13	.152	.230	.308	.464	.620	.776	.932	1.088	1.244	1.400
.14	.170	.257	.344	.518	.693	.867	1.042	1.216	1.390	1.564
.15	.188	.284	.381	.575	.768	.961	1.154	1.347	1.539	1.732
.16	.206	.313	.419	.633	.846	1.059	1.271	1.483	1.695	1.907
.17	.225	.342	.459	.692	.926	1.159	1.391	1.623	1.855	2.087
.18	.245	.372	.499	.754	1.008	1.262	1.516	1.769	2.023	2.276
.19	.265	.404	.541	.817	1.093	1.368	1.642	1.916	2.190	2.464
.20	.286	.435	.584	.882	1.179	1.477	1.771	2.065	2.359	2.653
.21	.307	.468	.627	.948	1.268	1.589	1.902	2.215	2.520	2.825
.22	.329	.501	.672	1.016	1.359	1.703	2.037	2.371	2.705	3.039
.23	.350	.534	.718	1.085	1.452	1.820	2.184	2.537	2.890	3.242
.24	.373	.568	.764	1.156	1.547	1.939	2.311	2.683	3.055	3.455
.25	.395	.604	.812	1.228	1.644	2.060	2.433	2.825	3.217	3.668
.26	.419	.639	.860	1.301	1.743	2.184	2.576	2.988	3.399	3.881
.27	.442	.676	.909	1.376	1.844	2.311	2.705	3.132	3.582	4.094
.28	.466	.712	.959	1.453	1.946	2.439	2.825	3.276	3.775	4.307
.29	.490	.750	1.010	1.530	2.050	2.570	2.951	3.390	3.989	4.520
.30	.514	.788	1.062	1.609	2.156	2.703	3.083	3.523	4.192	4.733
.31	.539	.827	1.114	1.689	2.263	2.838	3.234	3.665	4.395	4.946
.32	.564	.866	1.167	1.770	2.373	2.975	3.386	3.816	4.598	5.159
.33	.590	.905	1.221	1.852	2.483	3.115	3.537	3.967	4.799	5.372
.34	.615	.945	1.275	1.936	2.596	3.256	3.688	4.118	4.999	5.585
.35	.641	.986	1.331	2.020	2.710	3.399	3.839	4.269	5.199	5.798

TABLE 1

Head Ft.	LENGTH OF WEIR CREST IN FEET									
	1	1 1/2	2	3	4	5	6	7	8	9
.36	.667	.431	1.027	.664	1.387	.896	2.106	1.361	2.825	1.826
.37	.694	.449	1.069	.691	1.443	.933	2.193	1.417	2.942	1.901
.38	.721	.466	1.111	.718	1.501	.970	2.281	1.474	3.061	1.978
.39	.748	.483	1.153	.745	1.559	1.008	2.370	1.532	3.181	2.056
.40	.775	.501	1.196	.773	1.617	1.045	2.460	1.590	3.302	2.134
.41	.803	.519	1.240	.801	1.677	1.084	2.551	1.649	3.425	2.214
.42	.830	.536	1.283	.829	1.737	1.123	2.643	1.708	3.549	2.294
.43	.858	.555	1.328	.858	1.797	1.161	2.736	1.768	3.675	2.375
.44	.886	.573	1.372	.887	1.858	1.201	2.830	1.829	3.802	2.457
.45	.915	.591	1.417	.916	1.920	1.241	2.925	1.890	3.930	2.540
.46	.943	.609	1.463	.946	1.982	1.281	3.021	1.953	4.060	2.624
.47	.972	.628	1.509	.975	2.045	1.322	3.118	2.015	4.191	2.709
.48	1.001	.647	1.555	1.005	2.108	1.362	3.216	2.079	4.323	2.794
.49	1.030	.666	1.601	1.035	2.172	1.404	3.315	2.143	4.457	2.881
.50	1.060	.685	1.648	1.065	2.237	1.446	3.414	2.207	4.592	2.968
.51	1.089	.704			2.302	1.488	3.515	2.272	4.728	3.056
.52	1.119	.723			2.367	1.530	3.616	2.337	4.865	3.144
.53	1.149	.743			2.434	1.573	3.718	2.403	5.003	3.234
.54	1.179	.762			2.500	1.616	3.821	2.470	5.143	3.324
.55	1.209	.781			2.567	1.659	3.925	2.537	5.284	3.415
.56	1.239	.801			2.635	1.703	4.030	2.605	5.426	3.507
.57	1.270	.821			2.703	1.747	4.136	2.673	5.569	3.599
.58	1.300	.840			2.771	1.791	4.242	2.742	5.713	3.692
.59	1.331	.860			2.840	1.836	4.349	2.811	5.858	3.786
.60	1.362	.880			2.910	1.881	4.457	2.881	6.005	3.881
.61	1.393	.900			2.979	1.925	4.566	2.951	6.152	3.976
.62	1.424	.920			3.050	1.971	4.675	3.022	6.301	4.072
.63	1.455	.940			3.121	2.017	4.786	3.093	6.451	4.169
.64	1.487	.961			3.192	2.063	4.897	3.165	6.602	4.267
.65	1.518	.981			3.263	2.109	5.008	3.237	6.753	4.365
.66	1.550	1.002			3.335	2.155	5.121	3.310	6.906	4.463
.67	1.582	1.022					5.234	3.383	7.060	4.563
.68	1.613	1.043					5.348	3.457	7.215	4.663
.69	1.645	1.063					5.462	3.530	7.371	4.764
.70	1.677	1.084					5.578	3.605	7.528	4.865
.71	1.709	1.105					5.694	3.680	7.686	4.968
.72	1.741	1.125					5.810	3.755	7.845	5.070
.73	1.774	1.147					5.928	3.831	8.005	5.174



T. 6 S.
T. 7 S.

2.8 MI. TO IDAHO 25
TUTTLE 3 MI.

6.8 MI. TO IDAHO 25
(TUTTLE)
3089 IV SE

MICROFILMED
APR 18 1991

H A G E R M A N

Water Districts - Southern Region

Basin 36

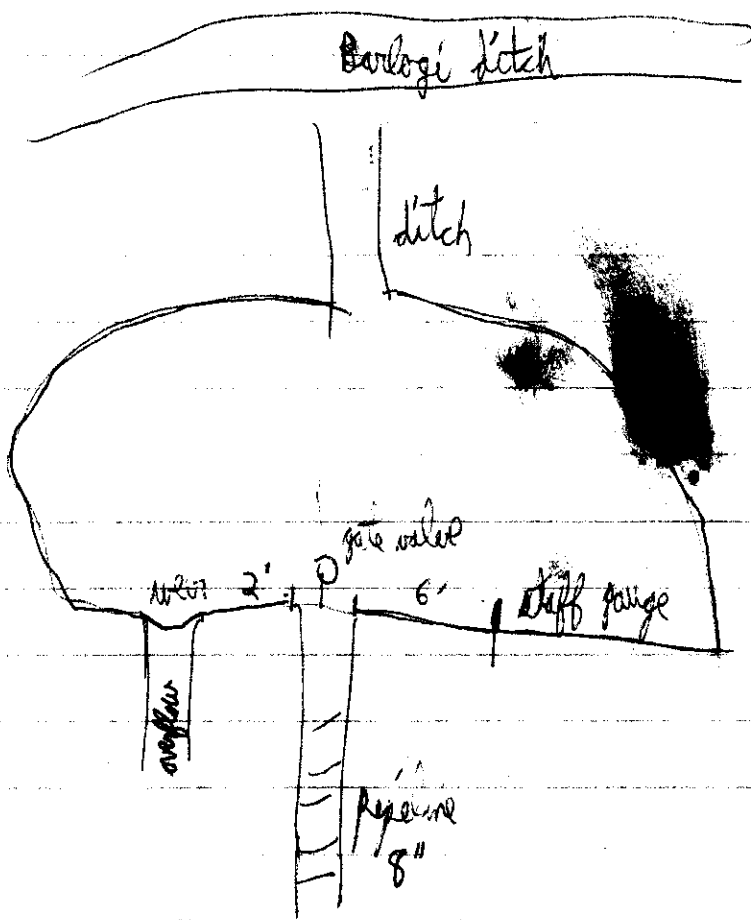
~~Basin~~ Billingsley • Ribby Creek Drainage

~~Basin~~ 36A

data from Stevens Water Resources
Data Book

443 cfs w/pipe open 3 1.92 ft
2,367 cfs w/pipe closed

2-26-85 2' contracted rect. weir = 2" head with pipeline to power plant full
= 6.25" head with pipeline closed at lower end



to homemade cross-flow
turbine

Jamper Model SF-100-MD
10 kW generator
FA5 01003674

MICROFILMED

APR 12 1981

power plant runs electric furnace in painter's house in winter, water heater
& air conditioner in summer, went on line 10-31-84



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 18, 1985

Paul E. Watkins
Route 1 - Box 412
Hagerman, Idaho 83332

Re: Application for Permit 36-8099

Dear Mr. Watkins:

A licensing examination of the water system you developed under the above referenced permit, according to my notes, was done on Tuesday, February 26, 1985 and measured 1.92 cfs of water going into the pipeline to your power plant, (2,367 cfs total flow minus 0.443 cfs going over the weir with the pipeline full).

Your water license will not be issued for some time due to the Swan Falls water rights dispute. However, your water right is protected by the timely filing of your proof of beneficial use.

Due to the short time between the filing of your beneficial-use statement and the field examination of your system, the acknowledgment letter was inadvertently sent to you.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

LOH:JES:marya

MICROFILMED

APR 12 1991

April 10, 1985

RECEIVED

Dept. of Water Resources
1042 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

APR 12 1985

Dear Sirs:

re: permit 36-8099

Regarding the above permit and your letter of April 8 advising me to contact your office for a field examination:

Mr. Jim Stanton did at 1115 am. of February 25, 1985 in fact make such a field examination including water measurement, plant and facility inspection.

I request written confirmation of said inspection and the results thereof.

Sincerely yours,

Paul E. Watkins
Paul E. Watkins
Route 1 Box 412
Hagerman, Idaho 83332

MICROFILMED

APR 12 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83701
(208) 734-3578

APRIL 8, 1985

PAUL E. &/OR INEZ S. WATKINS
RT. 1 BOX 412
HAGERMAN ID 83332

RE: Permit No. 36-8099

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

RECEIVED
FILMED

APR 12 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-8099
Name(s) of Permit Holder(s): Indian Pt. Assoc.
Post Office Address: Route 1 Box 412
Hagerman, Idaho 83332 Tel. No. 837-6283

☒ I hereby certify that construction of diversion works on the above referenced permit began on Nov 1, 1983. I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

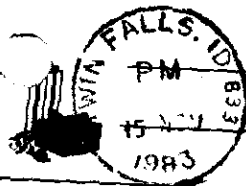
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is
not an acceptable reason.

11-11-83
Date

Tail E. Watkins
Signature of Permit Holder

PAUL E. WATKI.
RT. 1 BOX 412
HAGERMAN, IDA.
83332



ALWAYS
USE ZIP CODE

RECEIVED



NOV 16 1983

Department of Water Resources

MICROFILMED



APR 13 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

FEB 14 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 36-8099

Name(s) of Permit Holder: PAUL E. & INEZ S. WATKINS

Post Office Address: RT 1 Box 412 HABERMAN ID 83332

Telephone No. 837-6283

Source of Water: BILLINGSLEY CREEK

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks POWER

Indicate the date water was first diverted and beneficially used under this permit: OCT 31, 1984

Measuring Device: Required? ☒ Yes ☐ No

Installed? ☒ Yes ☐ No

WILL BE INSTALLED BY FEB 20, 1985

Flow Measurement Port: Required? ☐ Yes ☒ No

Installed? ☐ Yes ☒ No

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

SAME AS ABOVE

(Name)

(Address)

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Feb 14, 1985
Date

Paul E. Watkins
Signature of Permit Holder (and Title, if appropriate)

RECEIVED

July 16, 1984

RE: Permit Nos. 36-8098 & 36-8099

Paul E. &/or Inez S. Watkins
Rt. 1, Box 412
Hagerman, ID 83332

Dear Permit Holder:

This office acknowledges receipt of the Assignment of the above referenced permits to you.

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

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

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosures

MICHAEL WALKER

Permit No. 36-8099

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
2. Notary? ✓
3. a. Full Assign?
b. Partial Assign?
4. "No assignment" condition on permit? yes
5. Commencement of works received? yes
6. Affidavit of Residency required? yes-in file

1. Type Permit Summary sheet ✓
2. Coding sheet ✓
3. Acknowledgement letter type #1p
4. Copy to region ✓

Date: 7-12-84

Employee: KW

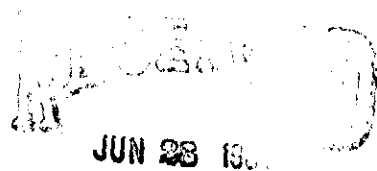
MICROFILMED

David R. Tuthill, Jr. June 27, 1984
Supv., Water Allocation Section
Dept of Water Resources
Statehouse
Boise, Id. 83720

Dear Mr. Tuthill,

Getting these release assignments took longer than I planned but they are finished now. Note that one of them was accidentally marked "copy" and filed but it is an original signature(s) and certification by a local notary.

encl. 2



Department of Water Resources

Sincerely,
Paul E. Watkins
Route 1 Box 412
Hagerman, Id.
83332

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

INDIAN POINT ASSOC.
RT. 1 BOX 412
HAGERMAN, ID 83332

RECEIVED

OCTOBER 25, 1983

RE: PERMIT NO. 36-8099

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.

PLEASE BE ADVISED THAT PRIOR APPLICATIONS FOR PERMIT HAVE BEEN FILED TO APPROPRIATE WATER FROM YOUR SOURCE WHICH MAY IMPACT THE AVAILABILITY OF WATER TO BE USED UNDER THIS PERMIT. THEREFORE, YOU SHOULD BE SURE TO ANALYZE THE IMPACT OF THESE RIGHTS BEFORE MAKING A MAJOR INVESTMENT FOR YOUR WATER USE PROJECT.

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

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

RE: PERMIT 36-8099

PAGE 01
OCTOBER 25, 1983

SINCERELY,

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

ENCLOSURE

ENCLOSURE

FROM DAVE TUTHILL ^{DRT}

DATE 9/13/83

TO 36-8098 * 36-8099

SUBJECT Response to Letter Dated Aug 30, 1983

Mr. Paul Watkins of Indian Point Associates visited the office today to discuss the projects contemplated by the water rts numbered above. Mr. Watkins plans to personally build the systems, and because of their small size* they are not regulated by FERC. The assets of he and his partner, in light of the planned construction plan, alleviate the need for financing. Schematic drawing attach

* and the facts that (1) they will not produce power to be sold to Id power, and (2) Billingsley Cr. not navigable.

SIGNATURE

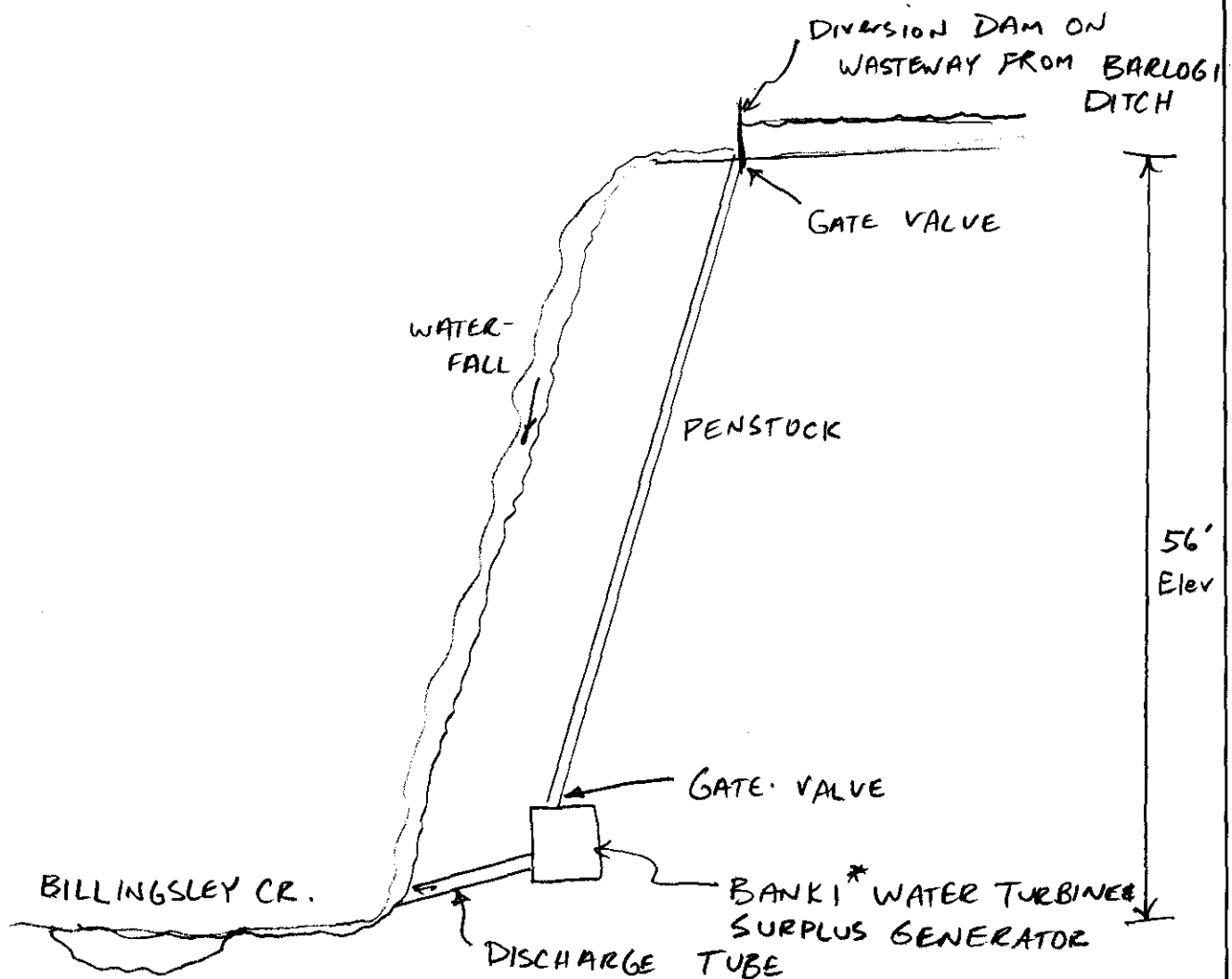
RECORDED

DIAGRAM FOR POWER GENERATION SYSTEM

PERMIT NO 36-8099 (INDIAN POINT ASSOC)

(See maps in file to establish location of plant)

(SCHEMATIC)



NOTE: THIS SYSTEM WILL BE BUILT & OPERATED BY THE APPLICANT, WHO PLANS TO USE THE ≈ 7 KW GENERATED FOR PERSONAL USE.

* Photocopy of
BANKI WATER Turbine Picture
Attached

ASSISTED BY
D. TUTHILL 9/13/83

- No. 9. Humidity and Low Temperature, by W. H. Martin and E. C. Willey. Reprinted from Feb. 1937, Power Plant Engineering. None available.
- No. 10. Heat Transfer Efficiency of Range Units, by W. J. Walsh. Reprinted from Aug. 1937, Electrical Engineering. None available.
- No. 11. Design of Concrete Mixtures, by I. F. Waterman. Reprinted from Nov. 1937, Concrete. None available.
- No. 12. Waterwise Refrigeration, by W. H. Martin and R. E. Summers. Reprinted from July 1938, Power. None available.
- No. 13. Polarity Limits of the Sphere Gap, by F. O. McMillan. Reprinted from Vol. 38, A.I.E.E. Transactions, Mar. 1939. Ten cents.
- No. 14. Influence of Vitals on Heat Transfer, by W. G. Short. Reprinted from Nov. 1938, Electrical Engineering. Ten cents.
- No. 15. Corrosion and Self-Protection of Metals, by R. E. Summers. Reprinted from Sept. and Oct. 1938, Industrial Power. Ten cents.
- No. 16. Monocoque Fuselage Circular Ring Analysis, by B. F. Ruffner. Reprinted from Jan. 1939, Journal of the Aeronautical Sciences. Ten cents.
- No. 17. The Photoelastic Method as an Aid in Stress Analysis and Structural Design, by B. F. Ruffner. Reprinted from Apr. 1939, Aero Digest. Ten cents.
- No. 18. Fuel Value of Old-Growth vs. Second-Growth Douglas Fir, by Lee Gable. Reprinted from June 1939, The Timberman. Ten cents.
- No. 19. Stochastic Calculations of Exhaust Gas, by G. W. Gieson and F. W. Woolfield, Jr. Reprinted from November 1, 1939, National Petroleum News. Ten cents.
- No. 20. The Application of Feedback to Wide-Band Output Amplifiers, by F. A. Everest and H. R. Johnson. Reprinted from February 1940, Proc. of the Institute of Radio Engineers. Ten cents.
- No. 21. Stresses Due to Secondary Bending, by B. F. Ruffner. Reprinted from Proc. of First Northwest Photoelasticity Conference, University of Washington, March 30, 1940. Ten cents.
- No. 22. Wall Heat Loss Back of Radiators, by E. C. Willey. Reprinted from November 1940, Heating and Ventilating. Ten cents.
- No. 23. Stress Concentration Factors in Main Members Due to Welded Sufferers, by W. R. Cherry. Reprinted from December, 1941, The Welding Journal, Research Supplement. Ten cents.
- No. 24. Horizontal-Polar Pattern Tracer for Directional Broadcast Antennas, by F. A. Everest and W. S. Pritchett. Reprinted from May, 1942, Proc. of The Institute of Radio Engineers. Ten cents.
- No. 25. Modern Methods of Mine Sampling, by R. K. Meade. Reprinted from January, 1942, The Comminution of Sigma Gamma Epsilon. Ten cents.
- No. 26. Broadcast Antennas and Arrays, Calculation of Radiation Patterns; Impedance Relationships, by Wilson Pritchett. Reprinted from August and September, 1944, Communications. Fifteen cents.
- No. 27. Heat Losses Through Wetted Walls, by E. C. Willey. Reprinted from June, 1946, ASHVE Journal Section of Heating, Piping, & Air Conditioning. Ten cents.
- No. 28. Electric Power in China, by F. O. McMillan. Reprinted from January, 1947, Electrical Engineering. Ten cents.
- No. 29. The Transient Energy Method of Calculating Stability, by P. C. Magnusson. Reprinted from Vol. 66, A.I.E.E. Transactions, 1947. Ten cents.
- No. 30. Observations on Arc Discharges at Low Pressures, by M. J. Kofoid. Reprinted from April, 1948, Journal of Applied Physics. Ten cents.
- No. 31. Long-Range Planning for Power Supply, by F. O. McMillan. Reprinted from December, 1948, Electrical Engineering. Ten cents.

The Banki Water Turbine

By
C. A. MOCKMORE
Professor of Civil Engineering
and
FRED MERRYFIELD
Professor of Civil Engineering

Bulletin Series No. 25
February 1949

Engineering Experiment Station
Oregon State System of Higher Education
Oregon State College
Corvallis 97331

CONTAINED

VI. INSTALLATIONS

1. European turbines. There seems to be a large number of Banki turbines installed in Europe. Commercial catalogs were available from Ganz & Co. before World War II, a firm which had installed many turbines throughout Europe.

2. American installations. Many Banki turbines have been installed in Oregon since the laboratory tests described in this bulletin were made. At least two different manufacturers have been building these water turbines, and many have been made in local shops.

The installation is simple, as shown in Figures 16, 17, and 18. Figure 1. A small wooden dam may be built across a small stream, water diverted into a wooden flume where a head of 10 to 20 feet may be obtained. Near the end of the flume a vertical box, or penstock, may be constructed so that the turbine nozzle may be bolted to it. When the turbine is not in use, the water simply discharges over the end of the flume as shown. A small shed houses the electric generator and any necessary belting or other miscellaneous equipment.



Figure 16. Banki turbine runner and nozzle.



Figure 17. Inside of powerhouse, showing jackshaft and generator driven by Banki turbine.

VII. CONCLUSIONS

The test on the laboratory Banki turbine indicates that:

1. This turbine can be operated efficiently on a wider range of openings than most turbines.
2. Brake-horsepower varies almost directly with the three-halves power of the head.
3. Maximum efficiency occurs at practically a constant speed for all gate openings at constant head.
4. The Banki turbine characteristic speed occupies a position between those for the tangential and reaction turbines.
5. The effective width of the wheel can be changed at will without changing the angle of attack, (α_1).

It is felt that considerably more efficiency could be obtained by experimenting with different numbers of blades and different nozzles. An efficiency of 68 per cent is not extraordinary and one should not expect to have attained the maximum efficiency with one test, especially on a turbine of such small horsepower. Losses of water to the turbine were known; it is estimated that some 8 per cent of the total water never touched the wheel. Slight changes in design would reduce this loss considerably and thereby increase its efficiency.

It is obvious that there is a distinct place for the Banki turbine in the small turbine field. The advantages are simplicity and economy of construction.

RECEIVED

August 30, 1983

Indian Point Associates
Rt. 1, Box 412
Hagerman, ID 83332

RE: Applications for Permit Nos. 36-8098 and 36-8099

Gentlemen:

Your two applications to use Billingsley Creek water for generating power have been reviewed to determine if they meet the requirements recently set forth by the district court in the case of Shokal, et al. v. Dunn, et al., which is the appeal on Trout Co.'s application No. 36-7834.

Two specific requirements were determined to be necessary before an application can be approved. First, the applicant must show that he has, then and there, the financial resources to complete the project; and second, the design drawings should be complete.

The plans you have submitted for your projects are too preliminary and therefore do not meet the court's requirements. Neither do we have a here-and-now financial commitment for the construction of the projects.

Please submit within 60 days more complete plans of your projects and a statement of commitment for each of the projects sufficient to show availability of funds.

If you have any questions, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., PEE.
Supervisor, Water Allocation Section

DRT:sc

cc: Southern Region

MEMORANDUM

TO: ^{NY} Norm Young, Glen Saxton
FROM: Phil Rassier
RE: Trout Co. App. 36-7834 (Shokal et al. v. Dunn, et al, Ada Co.
Civil No. 79512)
DATE: August 16, 1983

The decision of the district court in the above-referenced case was filed June 14, 1983. The decision reversed and remanded the matter back to the Department for further hearing on the modified plans for the fish facility and for additional evidence on the issue of financial ability.

Petitions for rehearing were filed by Trout Co. and the Department which stayed the finality of the decision. A hearing before the district court on those petitions was held August 15, 1983. The petitions were withdrawn at the hearing. The court's decision may therefore be considered final.

The two important factors in the court's decision for the Department are:

- (1) The court believes that it was the intent of the legislature in enacting I.C. 42-203 that an applicant is bound to show at the hearing that he then and there has the financial resources to complete the project within the time allotted - not to exceed five (5) years as provided by I.C. 42-204.
- (2) The design of a proposed facility should be final, detailed and not schematic. Unless this is the case, the project can not be properly evaluated for financing or effect on the public interest. The department should not have to issue a permit on conditions that the department review the final plans. The final plans should be presented to the department with the application for a permit.

Any application for a permit that is not substantially complete in its engineering so that it cannot be properly evaluated for a here-and-now financial commitment or for impact on the public, can be readily denied by the director. If he cannot grant the permit without establishing substantial conditions, he should deny the permit with leave to amend the application if he so desires affording all interested parties an opportunity to be heard if and when the application is amended.

Phil Rassier

POWER CALCULATIONS FOR APPLICATION NO. 36-8099

P = Kilowatts .74 X hp (12)

Q = cfs

H = feet

e = efficiency

proposed
8.88 KW
2 cfs
70 ft
?

$$e = \frac{P(11.8)}{QH} = \frac{8.88(11.8)}{2 \times 70} = \frac{104.784}{140} = .75$$

Based on the above calculations the proposed project must have an 75 % efficiency.

OVERLAP REVIEW

P/D	~~SENW~~ Sec II T7S R13E	36-7840 Fish	36-4022 In
		36-7230 " "	36-7129 Fish
		36-7282 " "	36-0008 In
		36-7314 " "	36-0107 " "
		36-7750 " "	36-0106 " "
R/D	NESW Sec II T7S R13E	36-4115 In	

P/U	NWSW Sec II T7S R13E	36-7142 In
		36-0107 " "
		36-0106 " "
		36-8098 Power - same applicant as 36-8099

BYPASSED AREA None

Recommend P44 RC 6/7/83

PAUL E. HATKINS
RT 1 BOX 412
HAGERMAN ID 83332



Mr. Glen Saxon
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

MAY 25 1983

May 24, 1983

Department of Water Resources

Mr. Glen Saxon
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

re: Permit 36 8098
36 8099

Dear Mr. Saxon

In accordance with your directions, I have contacted the Federal Energy Regulatory Commission through the San Francisco Regional Office, via letter Jan. 31, 1983.

W.F.Kopfler II, Regional Engineer, forwarded the package to Washington on Feb. 11, 1983.

According to 16 USCS P 817, I do not believe FERC would want to assert jurisdiction, since "no public lands or reservations are affected, permission is hereby granted to construct such dam or other project works in such stream upon compliance with State laws." (P 817)

According to DWR administrative memorandum dated Dec. 1, 1980, entitled "Approval of Permits For Power Purposes" authored by Norman C. Young, WE Region Supervisor, FERC has jurisdiction when the project:

- A. Is located on Federal land, or
- B. Is located in or uses water from a navigable stream, or
- C. Uses water impounded by a Federal Dam, or
- D. Provides power to a FERC regulated (interstate) power grid.

My projects do not fall in any of these four categories nor do they fall in paragraph 16 USCS paragraph 817 except as noted in paragraph three above. Apparently FERC is not moved to involve themselves in the projects since my projects do not meet their jurisdictional guidelines and thus have not replied to my Jan. 31, 1982 letter.

Under the circumstances, I believe any lingering doubt about FERC involvement has been laid to rest. I request you proceed with the issuance of permits for the subject projects.

Sincerely yours

Paul E. Watkins
Paul E. Watkins
Route 1 Box 412
Hagerman, Idaho 83332

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 11-16-82

TO File

SUBJECT Power Apps. 36-8098 and 36-8099

This right and 36-8098 are related
and will be built concurrently.

They should be processed together.

SIGNATURE

November 18, 1982

RE: Applications for Permit Nos. 36-8098 and 36-8099

Indian Point Associates
Route #1, Box 412
Hagerman, ID 83332

Gentlemen:

We have completed a preliminary review of the above referenced applications. This review has included advertising by the regional office and a verification that all required preliminary information has been provided.

For power projects that are under the jurisdiction of the Federal Energy Regulatory Commission (FERC), we withhold final action on the application pending FERC approval of (1) a preliminary permit, or (2) an exemption. If you have not yet contacted FERC, the address below is a good starting point:

Regional Engineer
San Francisco Regional Office
Federal Energy Regulatory Commission
333 Market Street, Sixth Floor
San Francisco, CA 94105-2195
Telephone No. (415) 974-7177

The continued validity of these applications is contingent on your proceeding with due diligence toward obtaining an approval or an exemption from FERC. Please keep this office informed of progress in this regard.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw

Overlap Review for 36-8099

No Overlapping rights at P/D

R/D NESW Sec 11 T75 R13E Total of 1 right

Claim 36-4115

P/U NWSW Sec 11 T75 R13E Total of 4 rights

Decree 36-0107
36-0108

Permit 36-7142

★ Application with Power Use

36-8098 - INDIAN Pt. Asso. (Same Applicant)

This app. will supplement 36-8099

Jim

11-16-82

RC 11/15/82

INTER-DEPARTMENT MEMO — 1

FROM Robyn

TO Allen - Southern

SUBJECT 36-8099

RECEIVED 8/19

AUG 12 1982

AUG 1982

Departed: Resources

Department District Office

Southern District Office

Returning App. We would like to know the relationship Paul Watkins has with Indian Point Assoc. Based upon this we must request approval from the Associates that Paul Watkins can sign for them & also form 205/206 must be

SIGNATURE

filed out to show that the Indian
Point Associates are a Corporation
or Each Member of the Partnership
must sign a ~~an~~ Form 205/206
seperately.

Call me if you have a question

POWER CALCULATIONS FOR APPLICATION NO. 36-8099

P = Kilowatts .74 X hp 12

Q = cfs

H = feet

e = efficiency

proposed
8.88 Kw
2.0 cfs
70 ft
?

$$e = \frac{P(11.8)}{QH} = \frac{8.88(11.8)}{2 \times 70} = \frac{104.784}{140} = .75$$

Based on the above calculations the proposed project must have an 75 % efficiency.

1 RC 8/16
82

State of Idaho
Department of Water Resources

8599

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: ADA APPLICATION NUMBER: 36-8099 INDIAN POINT ASSO.

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

No Additional info requested 7/20/82
ADA

✓ 205/206

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. merge 7/16/82
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☒ Other W.M. - 36 - Billingsley Cr. merge 7/10/82

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. See Overlap Review
☒ Yes ☐ No* In form for advertising. 8/9/82 ✓
☐ Yes ☐ No Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/3/82 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 36
7/12/82 Date of priority recommended.
✓ Special conditions of approval or cover letter. O&A, 17, 04, 25, 26
05, O&A

By: ADA Date: 8/11/82 ✓ 05 Billingsley Cr.
STATE OFFICE REVIEW: 218, 219
SLW/117, 102, 114 26 O&A 17C RECEIVED
☐ See attached sheet for more information.
By: John Date: 7/82 11/83 AUG 13 1982
Send FEEC letter SEP 27 1982 10/5/83
call-up in 1 yr. John 11-15-82 Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

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

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

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

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor
A. K. DUNN
~~XXXXXXXXXXXX~~
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 11, 1982

Paul Watkins
Indian Point Associates
Rt. 1 Box 412
Hagerman, Idaho 83332

Re: Application for Permit 36-8098 - 36-8099

Dear Mr. Watkins:

Please find enclosed the financial statements received in our office this date for review. We are returning them to you as we indicated in our July 20, 1982 letter.

Our office has completed processing of your applications and has forwarded them to IDWR - State Office for final review.

If you have any questions, please feel free to contact our office.

Sincerely,

Allen D. Merritt
Sr. Water Resource Analyst

LOH:ADM:marya

Encl:

INTER-DEPARTMENT MEMO — 1

FROM Allen Merritt

DATE 8/11/82

TO Files 36-8098 & 36-8099

SUBJECT Review of Financial Statements.

On this date I reviewed the financial statements submitted by Cole M. Reed & Dillee L. Reed and by Paul E. Watkins & Inez S. Watkins and have found that these, the partners in Indian Point Associates, have sufficient listed net worth ~~for~~ assets to finance the construction of the proposed power plants described under applications 36-8098 & 36-8099

AM

SIGNATURE

RECEIVED

AUG 11 1982

August 6, 1982

Department of Water Resources
Southern District Office

Mr. Allen D. Merritt, Senior Water Resource Analyst
Dept. of Water Resources, Southern Region
1041 Blue Lakes Blvd.
Twin Falls, Idaho 83301

Dear Mr. Merritt:

re: p/n 36-8098
36-8099

Enclosed, per your request of July 20, 1982, is a scaled facility layout plan, a pair of cost estimates, and financial statements of the respective partners (4).

Funds for construction will be provided jointly from assets of the partners.

encl: 5

Sincerely,

Paul E. Watkins
Paul E. Watkins, Partner
Indian Point Associates
Route 1 Box 412
Hagerman, Idaho 83332

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

=====

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

=====

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho, 83301
(208) 734-3578

July 20, 1982

Indian Point Associates
Route 1, Box 412
Hagerman, Idaho
83332

RE: Applications for Permits No. 36-8098 and No. 36-8099

Gentlemen:

This office is currently processing your applications for permits filed on July 12, 1982.

Since the applications seeks to establish water rights for power generating purposes, and it appears that a commercially marketable amount of power may be produced, the following information must be submitted for inclusion with your applications in accordance with Section 42-202 of the IDAHO CODE:

A plan for the facility. This must include a scale drawings showing the proposed layout of the plant on the property, and must give approximate locations, dimensions, and elevations of all major components of the facility.

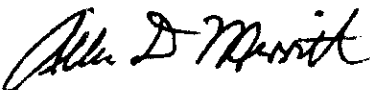
An itemized estimate of the cost of constructing the facility.

A statement of the financial resources of the applicant and the means by which funds are to be provided for construction of the project. This information will be reviewed in confidence and returned to you.

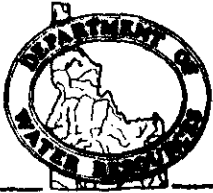
Advertising and regional office review of your applications should be completed by August 9, 1982. If the above requested information is received by that date, no additional delay in processing in this office will be incurred before we forward your application to the IDWR State Office for final review.

If you have questions regarding these requirements, please contact our office.

Sincerely,



Allen D. Merritt
Senior Water Resource Analyst



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 16, 1982

George Lemon
Watermaster District 36
Hagerman, Idaho 83332

Re: Applications for Permit No. 36-8097, 36-8098, 36-8099

Dear Mr. Lemon:

Enclosed are the above referenced applications for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 16, 1982

Mr. Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 47-7831, - 36-8099, - 36-8097, - 36-8098

Dear Mr. Bell:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-8899

INDIAN POINT ASSOC.

RT. 1 BOX 412, HAGERMAN, ID 83332

Source: BILLINGSLEY CREEK tributary to SNAKE RIVER

Date Filed: 07/12/1982

Amount: 2.00 CFS

Diversion Point: SENW Sec 11 T 07S R 13E NESW
Sec 11 T 07S R 13E (REDIVERSION), GOODING Co.

Use: POWER (2.00 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 11 T 07S R 13E

Diversion Means: HEADGATE, DIVERSION, DITCH

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before AUGUST 9, 1982.

A. KENNETH DUNN

Director

Published 7/21 & 7/28/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 16, 1982

Gooding County Leader
P.O. Box 56
Gooding, Idaho 83330

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before AUGUST 9, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

IDENT. NO. 36-8099

WATER RIGHT
DATA ENTRY LOG

Item

RT. changed back To app. stage