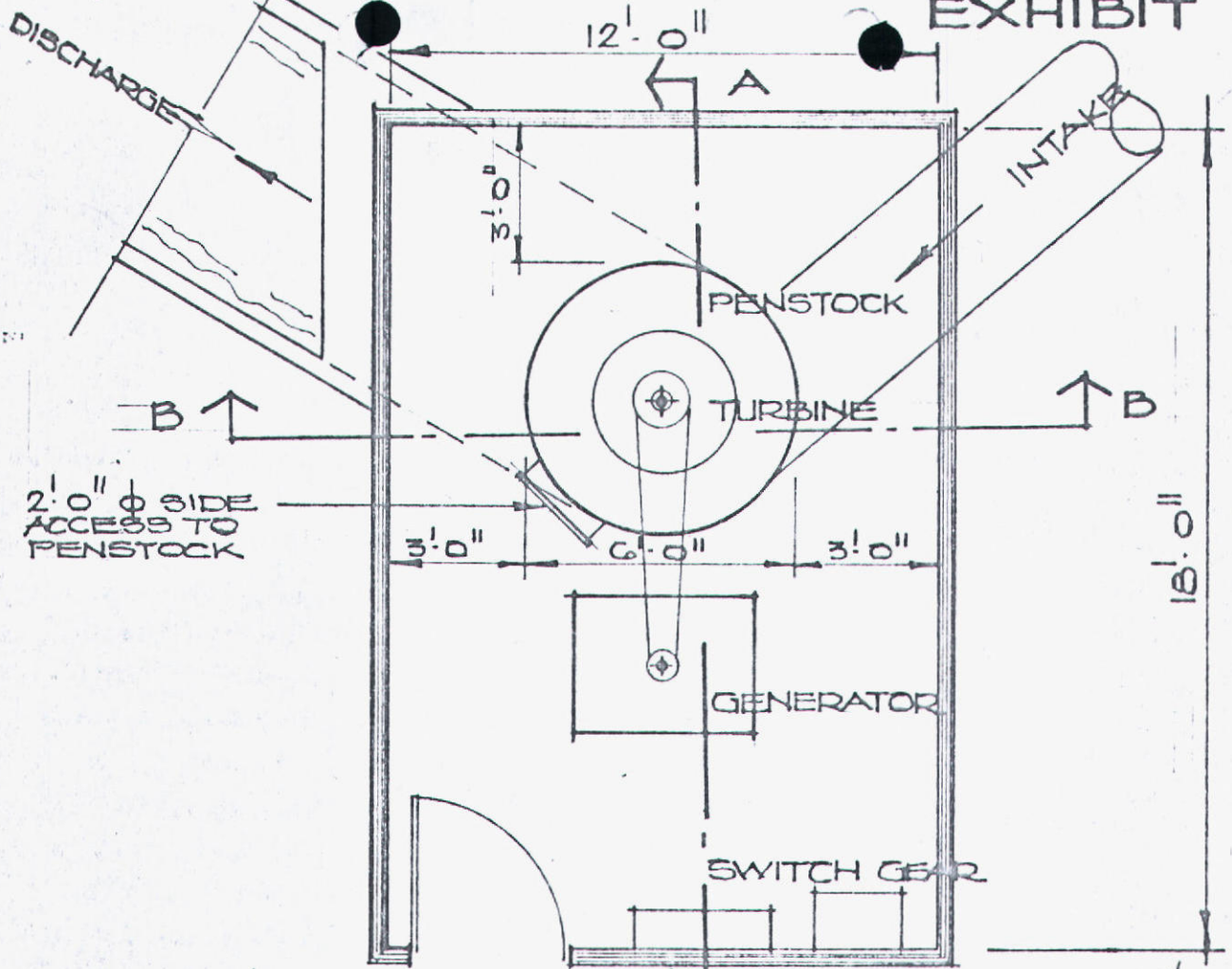
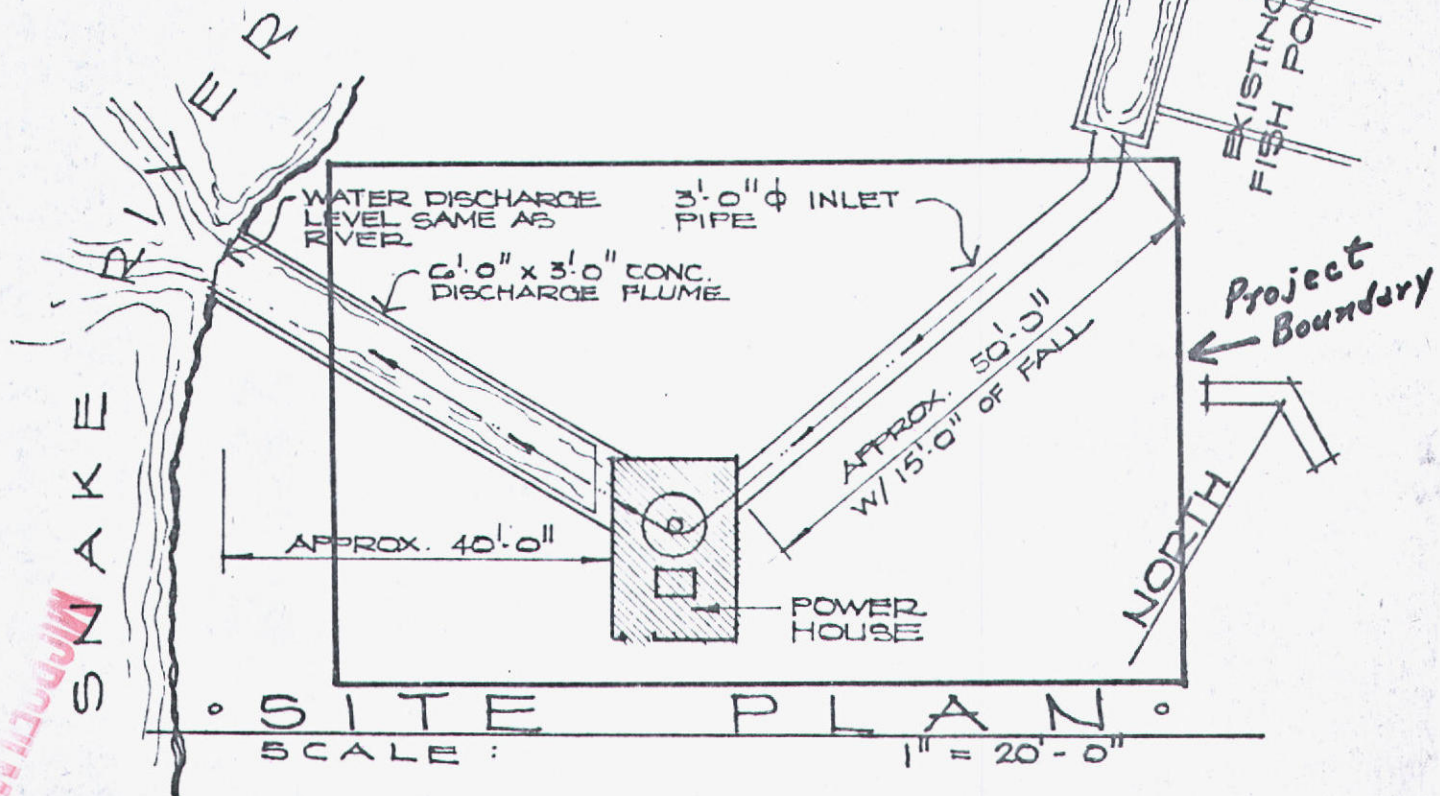


EXHIBIT G



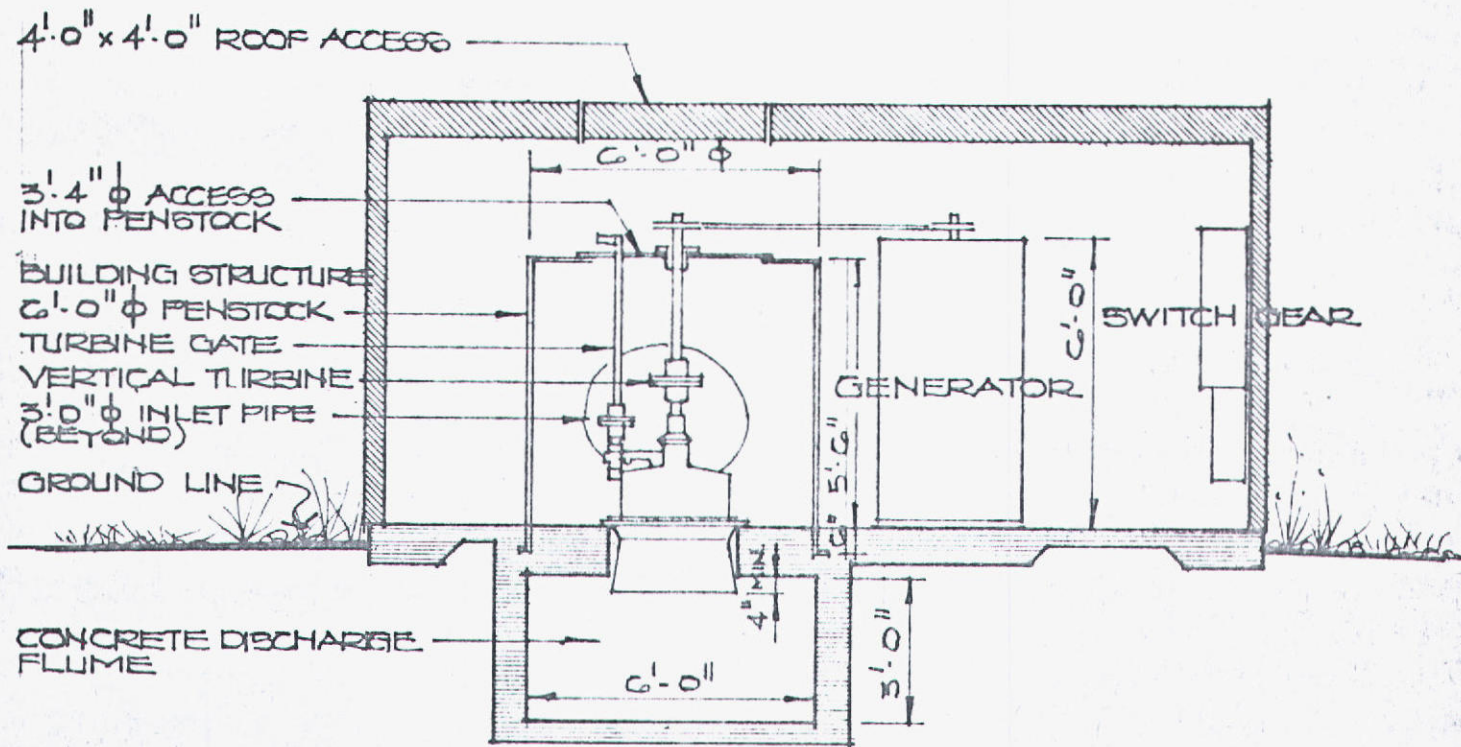
• FLOOR PLAN •

SCALE: $1/4" = 1'-0"$



• SITE PLAN •

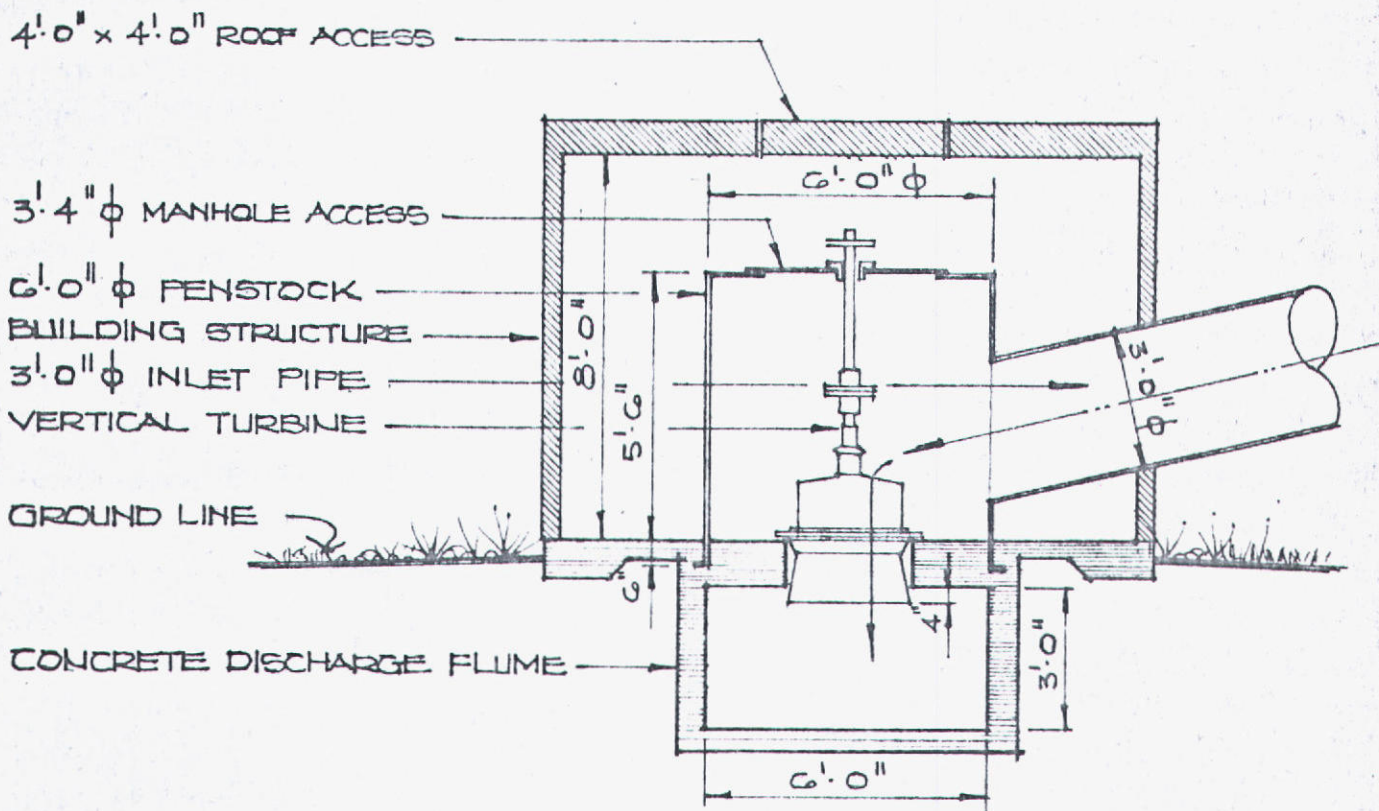
SCALE: $1" = 20'-0"$



SECTION

SCALE: 1/4" = 1'-0"

A-A



SECTION

SCALE: 1/4" = 1'-0"

B-B

REPRODUCED

AFFIDAVIT of PUBLICATION

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

Gray Good, 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.

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

Cindy Dains
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.. 28
Number of Insertions. 2
Lines tabular at 42¢
28 Lines straight at 32¢ 8.96
28 Subsequent lines at 21¢ 5.88
Total Cost 14.84

COPY OF NOTICE (Paste Here)

NOTICE of App. For WATER
TITLE OF NOTICE RIGHT

36-8097

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of WATER
BILL TO

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:

36-8097

LE MOYNE, JOHN R.
RT. 1 BOX 148, HAGERMAN, ID 83332
Source: RILEY CREEK tributary to SNAKE RIVER
Date Filed: 07/13/1982
Amount: 40.00 CFS
Diversion Point: LOT 06 (SWNE) Sec 01 T 08S R 13E, GOODING Co.
Use: POWER (40.00 CFS) from 01/01 to 12/31
Place of Use: LOT 03 (SENE) Sec 01 T 08S R 13E
Diversion Means: CON-YERS DITCH

PUB

(Idaho)
7 pt. per line
7 pt. per line
7 pt. per line
insertion

No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 03 1987
Department of Water Resources

A. GENERAL INFORMATION

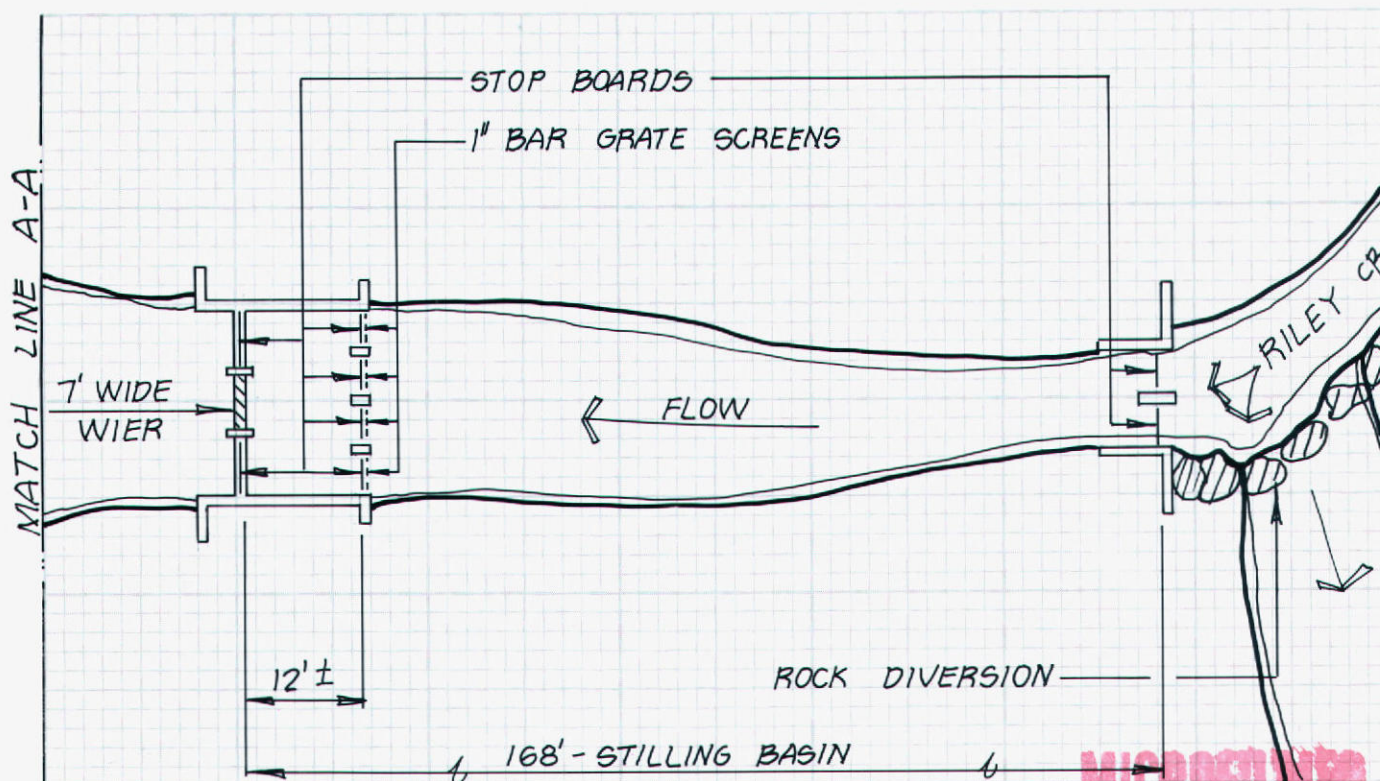
1. Owner: John LeMoyne Permit No. 36-3097
Current Address: Hagerman, Idaho Phone No. 337-4337
2. Accompanied by: Gerald Martens EXAM. DATE: 3-13-37
Address: Twin Falls, Idaho Phone No. 734-4888
Relationship to Permit Holder: None
3. Source: Riley Creek tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: Fish propogation
☐ Copies Attached
2. Other water rights with same point of diversion: 36-7729
☒ 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 i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 20' ±

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

SEP 19 1989

RECEIVED
JUN 03 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: John LeMoyne

Permit No. 36-3097

Current Address: Hagerman, Idaho

Phone No. 337-4337

2. Accompanied by: Gerald Martens

EXAM. DATE: 3-13-37

Address: Twin Falls, Idaho

Phone No. 734-4888

Relationship to Permit Holder: None

3. Source: Riley Creek tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: Fish propogation

☐ Copies Attached

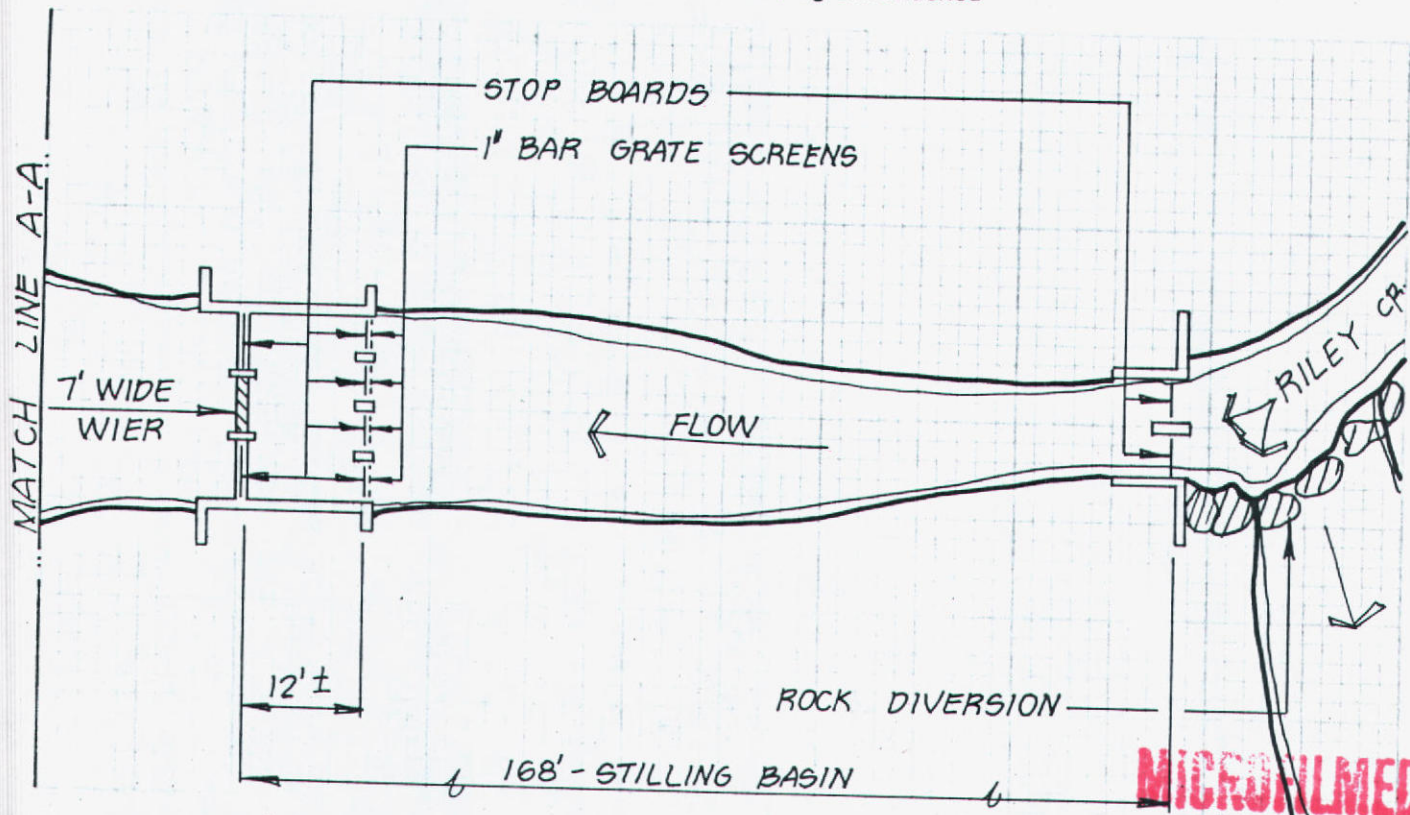
2. Other water rights with same point of diversion: 36-7729

☒ 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 i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 20' ±

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MICROFILMED

SEP 19 1989



FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426
EQUAL OPPORTUNITY EMPLOYER

POSTAGE AND FEES PAID
FEDERAL ENERGY REGULATORY COMMISSION
FERC-361
FIRST CLASS MAIL



MICROFILMED

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

2-4360

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 36-08097

1997 DEC 29 AM 9:53

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: JOHN R LE MOYNE
MARGARET LE MOYNE
901A GRIDLEY ISLAND
HAGERMAN ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 40.00 CFS

RIGHTS 36-00032, 36-07729 & 36-08097 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 40.12 CFS.

PRIORITY DATE: 07/13/1982

POINT OF DIVERSION: T08S R13E S01 LOT 6 (SESWNE) Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	POWER	01-01 12-31	40.00 CFS

PLACE OF USE: POWER Within GOODING County
T08S R13E S01 Lot 3 (SENW)

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

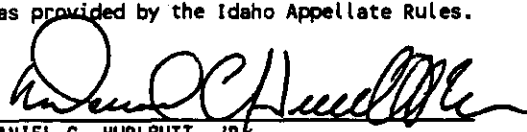
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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.

THE DIVERSION AND USE OF WATER UNDER THIS RIGHT IS SUBJECT TO
REVIEW BY THE DIRECTOR UPON EXPIRATION OF THE POWER PURCHASE
CONTRACT WITH IDAHO POWER CO. ON APPROXIMATELY 5/1/2020. UPON
APPROPRIATE FINDINGS RELATIVE TO THE INTEREST OF THE PUBLIC, THE
DIRECTOR MAY CANCEL ALL OR ANY PART OF THE USE AUTHORIZED HEREIN
AND MAY REVISE, DELETE OR ADD CONDITIONS UNDER WHICH THE RIGHT
MAY BE EXERCISED.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-08097

MICROFILMED
JAN 12 2004

PAGE 1
DEC-16-1997

This
Right has been
Decreed in the
SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08097

Priority: July 13, 1982 Maximum Diversion Rate: 40.00 CFS
Maximum Diversion Volume:¹ 28958.0 AF

This is to certify, that JOHN R. LE MOYNE

RT. 1 BOX 148

HAGERMAN, ID 83332

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 13, 1982; and has submitted Proof of Beneficial Use on September 16, 1985. An examination indicates that the works have a diversion capacity of 42.460 cfs of water from:

RILEY 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	40.00 CFS	28958.0 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 6(SWNE), Sec. 1, Township 08S, Range 13E
GOODING County

PLACE OF USE: POWER

TWN RGE SEC

08S 13E 1 LOT 3(SENW)

CONDITIONS/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 right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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. 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.

MICROFILMED

SEP 14 1989

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

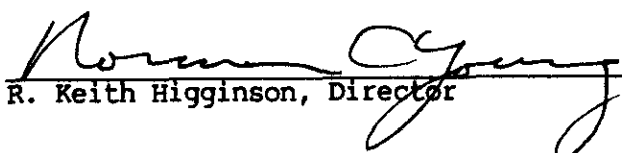
WATER RIGHT NO. 36-08097

CONDITIONS/REMARKS:

6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this water right is subject to control by the watermaster of State Water District No. 36A
8. The diversion and use of water under this license is subject to review by the Director upon expiration of the power purchase contract with Idaho Power on approximately 5/1/2020. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
9. Use of water under this license 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 12TH day of AUGUST, 1989.

Acting for


R. Keith Higginson, Director

MICROFILMED

SEP 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant John R. LeMoyne Phone 837-4887

Post office address Rt 1 Box 148 Hagerman, Idaho 83332

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

3. Location of point of diversion is ^{Lt6}SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1 Township 8S

Range 13E B.M. Gooding County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 40 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. 40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Conyers 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: ^{Lt3}
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 8S

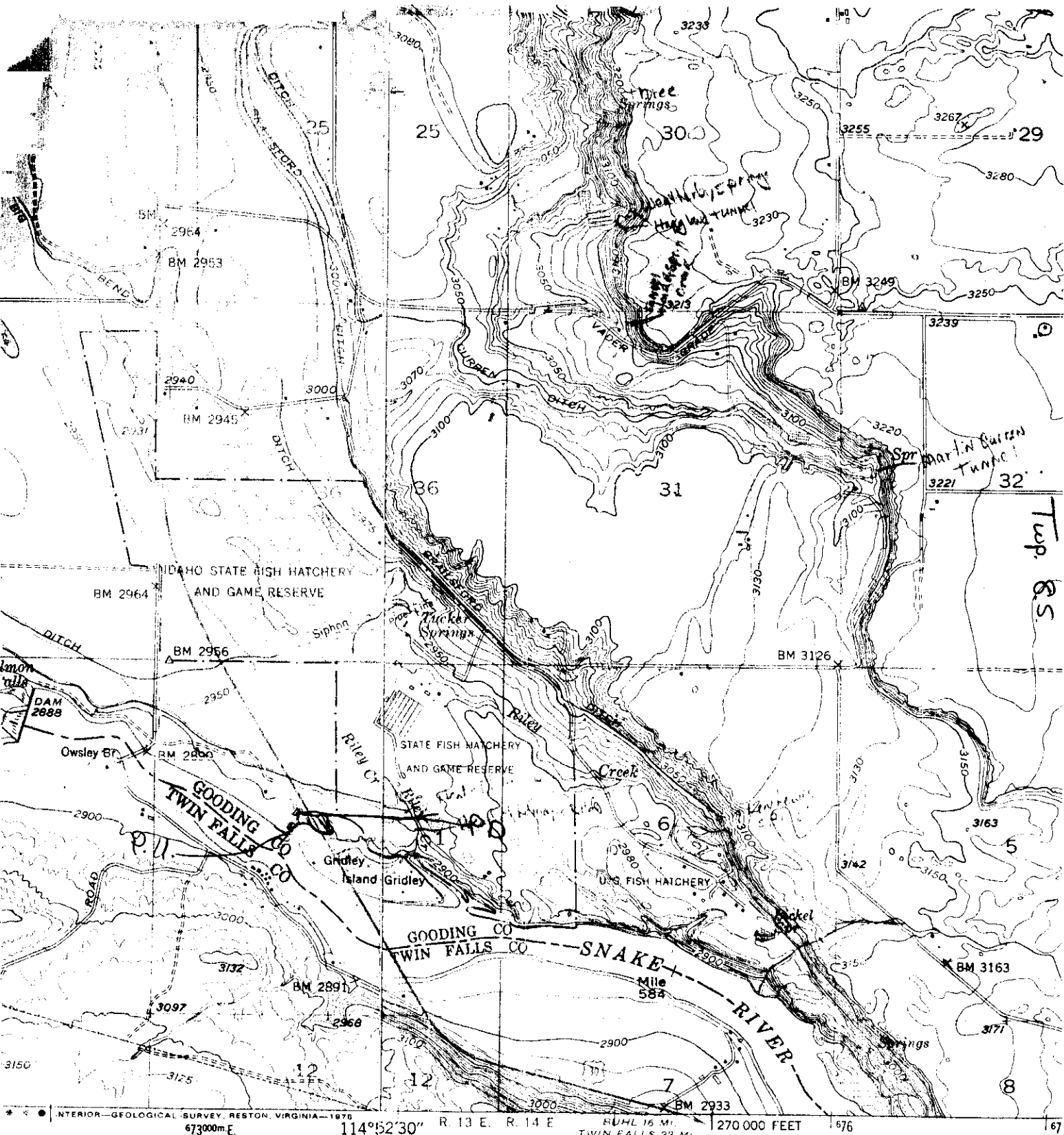
Range 13E B.M.

(2) Amount of power to be generated: 50 horsepower under 15 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: _____



ROAD CLASSIFICATION

Highway, all weather, Light-duty road, all weather,
 ce improved surface
 Highway, all weather, Unimproved road, fair or dry
 ce weather
 Interstate Route U. S. Route State

HAGERMAN, IDAHO
 N4245-W11452.5/7.5

1949
 PHOTOREVISED 1978
 AMS 3069 IV SW-SERIES V893

Mapped, edited, and published by the Geological Survey

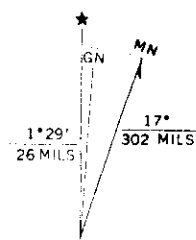
Control by USGS and USC&GS

Culture and drainage in part compiled from
 aerial photographs taken 1946
 Topography by plane-table methods 1949

Planar projection. 1927 North American datum
 1-foot grid based on Idaho coordinate system,
 ce none
 10-meter Universal Transverse Mercator grid ticks,
 zone 11, shown in blue

There may be private inholdings within the boundaries of
 the National or State reservations shown on this map

Revisions shown in purple compiled from aerial photographs
 taken 1976 and other source data. This information not
 field checked. Map edited 1978



UTM GRID AND 1978 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

[illegible]

John P. H. Maguire
(Applicant)

Proposed Priority 7/13/1982

Received by T. Blau Date 7-13-82 Time 9:30
Preliminary check by ADM Fee \$ 625⁰⁰/100 # 20876
Receipted by T. Blau Date 7-13-82
Publication prepared by menya Date 7/16/82
Published in Garding Co. Leader
Publication dates 7/21 + 7/28/82
Publication approved menya Date 8/3/82
Protests filed by: None

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

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. 36-8097, 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 September 1, 19 87.
- 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: A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
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.
This project shall be operated in a manner that will not conflict or interfere with the future diversion of water for irrigation or other beneficial consumption.
This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
Use of water under this permit is subject to control by the watermaster of State Water District No. 36-A, Billingsley Creek.

Witness my hand this 8th day of September, 1982.

A. Glen Saxton
Chief, Operations Bureau

INTER-DEPARTMENT MEMO — 1

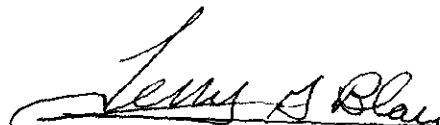
FROM Terry Blau

DATE 7-19-82

TO File 36-8097

SUBJECT Financial Statement Review

On July 19, 1982, Mr. Lemoyne brought in a financial statement showing that he had sufficient assets to cover the cost of the proposed project.


SIGNATURE

HAGERMAN REALTY

JOHN R. LEMOYNE
BROKER • APPRAISER

"Service is Our Business"

PHONE 208/837-4463
HOME 208/837-4887

HAGERMAN, IDAHO 83332

July 13, 1982

Department of Water Resources
Twin Falls, Idaho

Dear Sir:

This is to provide you with the necessary cost information for my power application.

I have already built most of the physical portion of the plant and it is paid for. The switch gear is estimated to cost approximately \$4,500.00. The three phase line will cost \$7,200.00. I have the turbine installed and the generator is ready to be hooked up as soon as I can complete a few mechanical things.

This gives a total of \$11,700.00 to finish the plant. I have enclosed a separate sheet showing sufficient assets to cover this cost.

Yours truly,

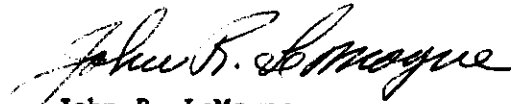
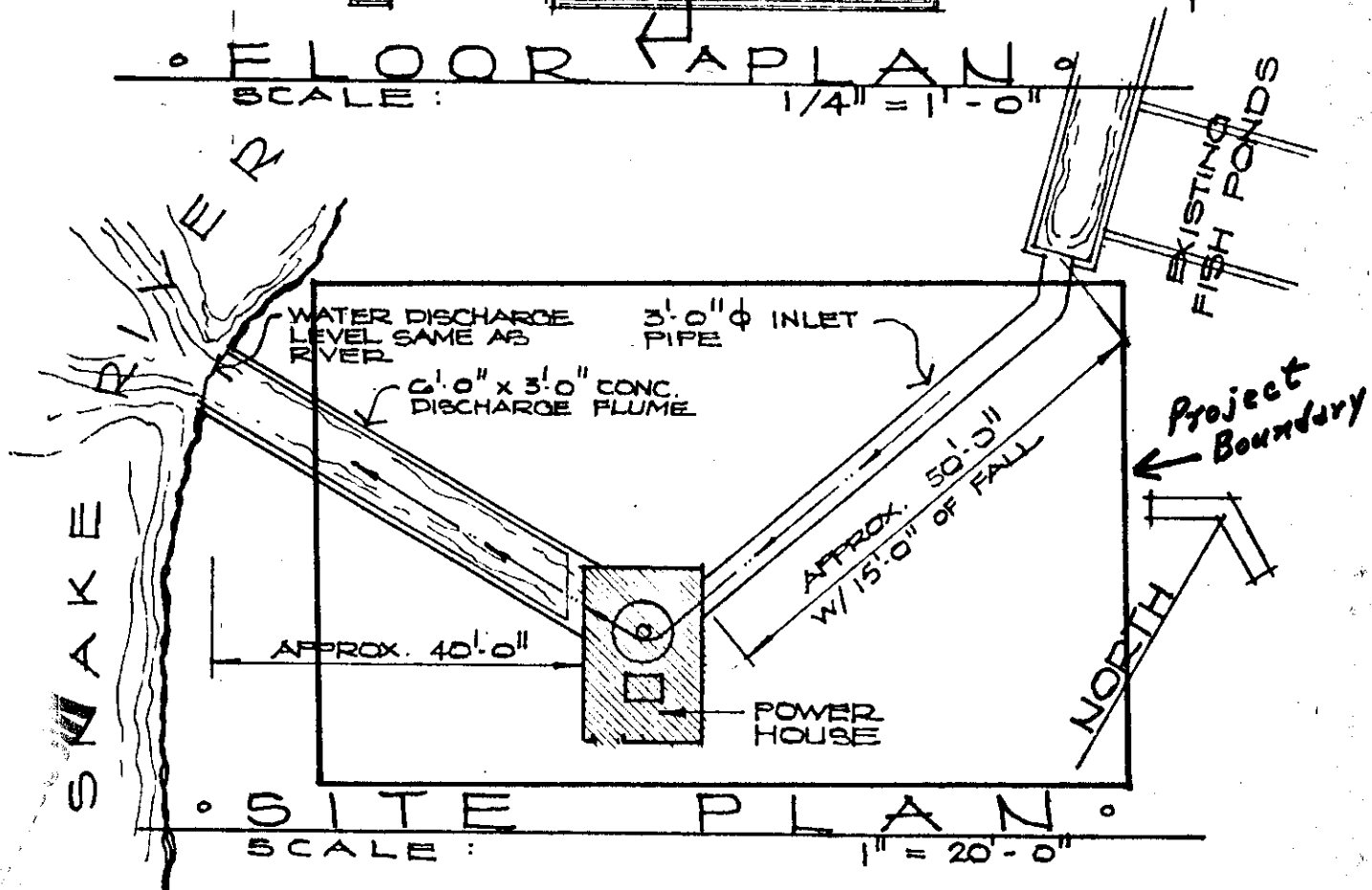
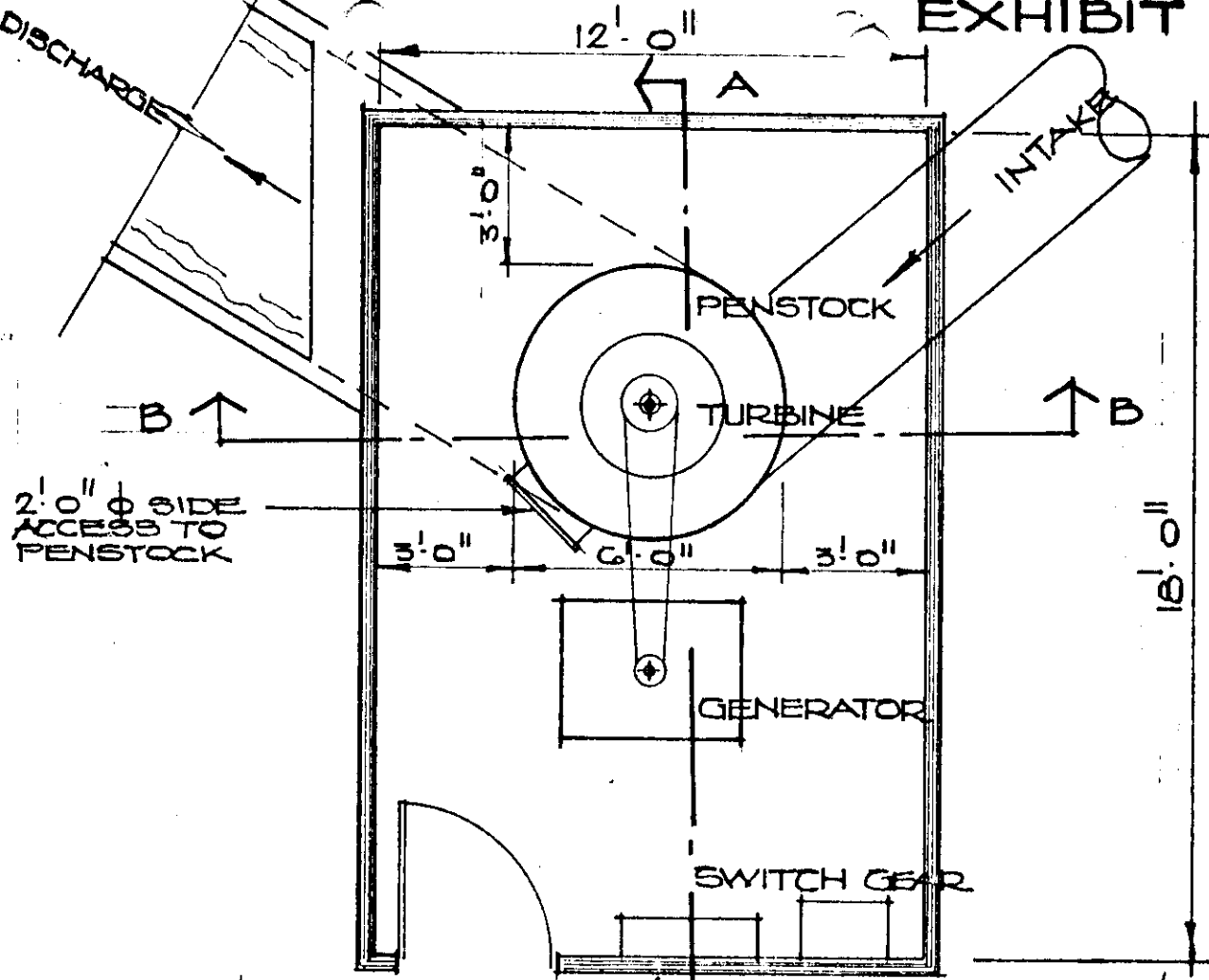
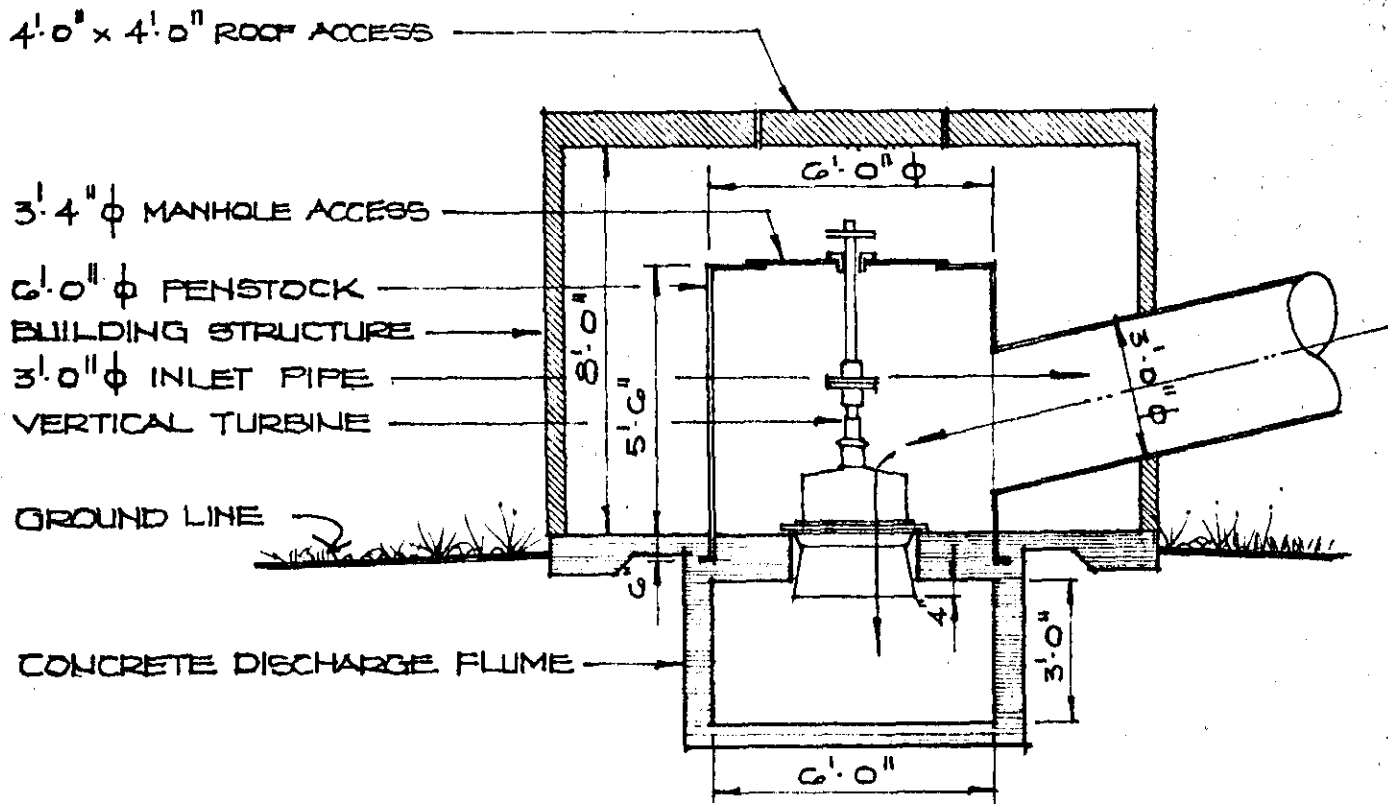
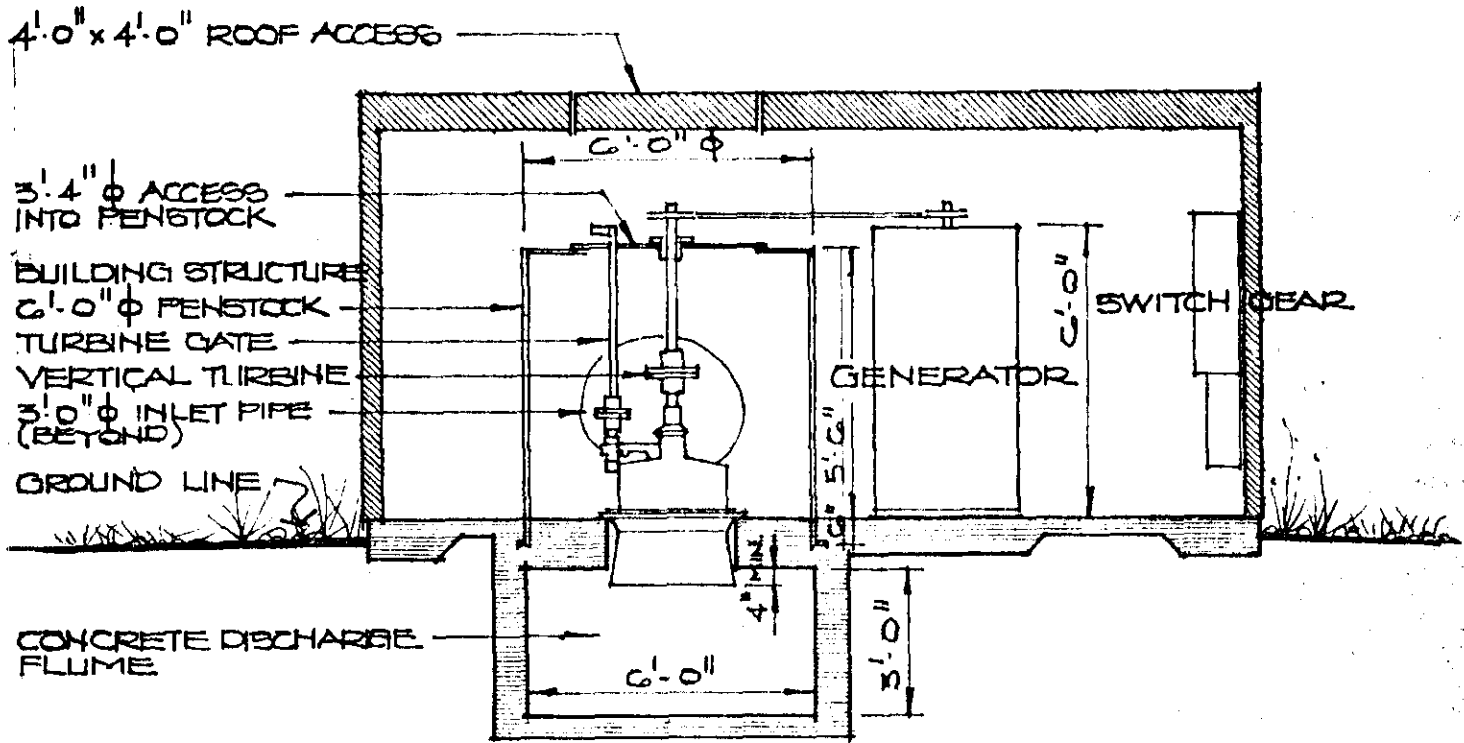

John R. LeMoyne

EXHIBIT G





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, John R. L. Mayne 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.
- ☐ 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 Twinn Falls) ss.

John R. L. Mayne
Applicant

On this 13 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.

seal

Loren O. Hulman
Notary Public residing at
Twinn Falls, ID

My commission expires:

Life

AFFIDAVIT of PUBLICATION

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

Gray Good, 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.

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..	<u>28</u>
Number of Insertions.	<u>2</u>
Lines tabular at 42*	
<u>28</u> Lines straight at 32*	<u>8.96</u>
<u>28</u> Subsequent lines at 21*	<u>5.88</u>
Total Cost	<u>14.84</u>

COPY OF NOTICE (Paste Here)

NOTICE OF App. For WATER
 TITLE OF NOTICE RIGHT

36-8097

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of WATER
 BIX TO

PUB
 (Idaho
 7 pt. per line
 7 pt. per line
 7 pt. per line
 insertion

No. 702

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JAN 12 1988

DEC 1 15 7

RECEIVED

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

DEC 03 1997

John R. Lemoyne) Project No. 4563-Department of Water Resources

ORDER AMENDING EXEMPTION
(Issued November 25, 1997)

On March 11, 1997, John Lemoyne, exemptee for the Lemoyne Project, FERC No. 4563, filed an application to amend the exemption. 1/ The exemptee proposes to increase the project generating capacity from 32 kW to 75 kW. In addition, the exemptee proposes to remove the trout fish hatchery from the water conveyance system and replace the 50-foot long, 36-inch diameter penstock with a 530-foot long, 52-inch diameter penstock. The project is located on Riley Creek in Gooding County, Idaho.

REVIEW

Staff requested the exemptee to solicit comments on the amendment application from the U.S. Fish and Wildlife Service (FWS), and the Idaho Department of Fish and Game (IDFG). On May 8, 1997, the Commission issued a public notice of the application for amendment, with a closing date of June 26, 1997.

The FRC approved the proposed changes and concluded that the modifications should provide positive impacts on fish and wildlife resources due to an improvement in water quality in the local area by the removal of the fish rearing facility. The FWS had no comments to add to the FRC's. No other comments, protests, or motions to intervene were received in response to the Public Notice.

Although the fish hatchery is owned by the licensee, it is not part of the exemption. The project, as exempted, uses the discharge from the exemptee's trout rearing ponds for generation. These ponds receive water from upstream state and federal rearing facilities. The exemptee has determined that the quality of water entering its ponds is not conducive for rearing trout. Therefore, the ponds have been taken out of trout production. The route of the proposed 530-foot long penstock is largely within one of the former rearing ponds.

Commission staff reviewed the proposed modifications to the project and found them consistent with the terms and conditions of the exemption. Much of the site for the proposed facilities

1/ 17 FERC 662,323, issued December 1, 1991.

DC-A-4

Project No. 4563-004

-2-

was previously disturbed during construction of trout rearing ponds and water conveyance to these ponds. Staff finds replacing the penstock will not result in any impacts to the environmental resources other than those previously identified. The proposal would not require any modifications to the existing transmission line that was constructed in conformance with agency conditions for the protection of raptors. The intake would be fitted with a rotary screen that would prevent fish from entering the penstock, thereby eliminating the potential for turbine mortality. Water quality downstream of the project would improve as a result of removal of the trout rearing ponds that are a source of organic waste. Further, no cultural resources or federally listed threatened or endangered species would be affected by the proposal. This order will approve the proposed changes to the exemption.

The Director orders:

(A) The application for amendment, filed on March 17, 1997, is approved.

(B) The project consists of:

- (1) All lands, to the extent of the exemptee's interests in those lands, enclosed by the project boundary shown by exhibit B;

Exhibit FERC No. Title

B-1 4563-1 General Location Map and Project Boundary

- (2) Project works consisting of: (a) a 52-inch diameter, 530-foot long penstock; (b) a concrete intake structure with a rotary screen; (c) a building housing a 75 kW (100 hp) generator and Francis turbine; and (d) appurtenant facilities.

The project works generally described above are more specifically described in exhibit A of the amendment application, and shown by the following exhibit G drawings:

Exhibit	FERC No.	Title
G-1	4563-2	Site Plan and Floor Plan
G-2	4563-3	Powerhouse Section B-B
G-3	4563-4	Overflow Standpipe and Section C-C

93-41514
36-80671

DEC 11 1997
JAN 12 2004

G-4 4563-5 Inlet Structure
 G-5 4563-6 Powerhouse Section A-A
 (c) Exhibit A, B, and G, as described in Ordering Paragraph (B) are approved and made part of the exemption for the Lemoyne Project.

(D) Within 90 days of the date of issuance of this order, the exemptee shall file three original aperture cards of the approved exhibit B & G drawings. The originals should be reproduced on silver or gelatin 35mm microfilm. All microfilm should be mounted on type D (3 1/4" x 7 3/8") aperture cards.

Prior to microfilming, the FERC Drawing Number (4563-1 through 4563-6) shall be shown in the margin below the title block of the approved drawing. After mounting, the FERC Drawing Number should be typed on the upper right corner of each aperture card. Additionally, the Project Number, FERC exhibit (i.e. B-1, G-1 through G-5), drawing title, and date of this order should be typed on the upper left corner of each aperture card. See Figure 1.

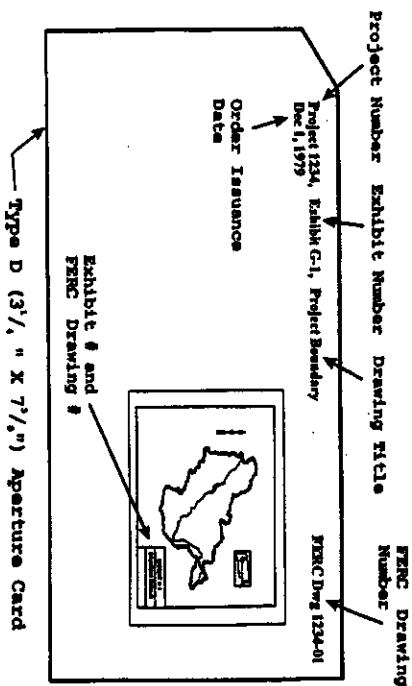


Figure 1. Sample Aperture Card Format

Two sets of original aperture cards should be filed with the

Secretary of the Commission. The remaining set of original aperture cards should be filed with the Commission's Portland Regional Office.

(E) The licensee shall notify the Commission of any future proposed changes in the project prior to implementing them.

(F) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date issuance date of this order, pursuant to 18 C.F.R. § 385.713.

Kevin P. Madden
 Acting Director
 Office of Hydropower Licensing

MICROFILMED

JAN 12 2004

RECEIVED

RECEIVED

JOHN R. LEMOYNE

901 A Gridley Island
Hagerman, ID. 83332

Telephone 208-837-4887
Fax 208-837-6306

Email lemoyne@magiclink.com

RECEIVED

AUG 27 1997

Department of Water Resources
Southern Region

August 25, 1997

RECEIVED

AUG 29 1997

Department of Water Resources

State of Idaho
Department of Water Resources
1341 Filmore St. Suite 200
Twin Falls, ID 83301-3380

Attention: Allen Merritt, P. E.

Dear Mr. Merritt:

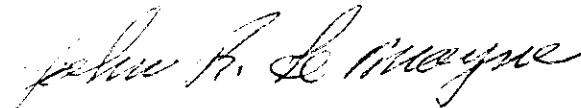
This letter is in reply to your letter of August 19, 1997 and also in response to our phone conversation of today.

Since you said in your phone conversation that the State Office had changed their mind and had decided not to push me to transfer my present license or to file for a new license this may be moot, but I felt it prudent to have some hard copy from me on file.

My position is that the present license # 36-08097 covers me as it stands. Nowhere in the license is there any mention of the capacity of the plant. The license is for forty cfs from the same place as before and used in the same place as before. As to the question of me getting more beneficial use out of the water, is it any different than a farmer changing practices, adding fertilizer and getting increased yields? You are licensing water not yields.

I do not want to put my license into jeopardy, so if I am wrong please let me know in time to remedy the situation, but I feel I am on firm ground at the present.

Sincerely,



John R. LeMoyne

MICROFILMED

SEP 11 1997

From: DWR60::AMERRITT
To: DWR03::NYOUNG
CC: AMERRITT
Subj: LE MOYNE POWER LETTER

26-AUG-1997 15:36

I CONTACTED LE MOYNE BY PHONE AND TOLD HIM THAT THE DEPARTMENT HAD REVIEWED THE SITUATION MORE CLOSELY AND IN LIGHT OF THE USE BEING NON-CONSUMPTIVE, AND THE POTENTIAL FOR INCREASED WATER QUALITY IMPACT TO THE WATER WAS NOT A CONCERN AND THAT THE PRESENT RIGHT WAS SUBORDINATED THAT THE DEPARTMENT WOULD NOT PRESS FOR TRANSFER OF THE FISH LICENSE TO POWER NOR PRESS FOR FILING OF A NEW APPLICATION FOR PERMIT.

I TOLD HIM THAT PHILOSOPHICALLY THE DIRECTOR'S IDEA THAT ALL INCREMENTAL BENEFICIAL USES SHOULD BE COVERED BY A WATER RIGHT STILL IS VALID BUT IN A PRACTICAL OR LEGAL SENSE THE DEPARTMENT HAS DECIDED NOT TO PRESS THE ISSUE.

HE THANKED ME FOR GETTING BACK WITH HIM AND THEN ASKED ABOUT HOW MUCH IT WOULD COST TO MAKE A FILING. HE INDICATED HE WAS RELUCTANT TO DO ANYTHING SINCE BOTH PROCESSES OPEN THE MATTER TO PUBLIC PROTEST SO HE VIEWED IT RISKY. HE SAID HE WOULD THINK ABOUT IT AND KEEP HIS OPTIONS OPEN.

MICROFILMED

SEP 11 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNORKARL J. DREHER
DIRECTOR

August 19, 1997

John LeMoyne
901 A Gridley Island
Hagerman, ID 83332

RE: Powerplant supplied from Riley Creek

Dear Mr. LeMoyne:

The department's state office has reviewed a "Notice of Amendment of Exemption" from FERC which describes the modification of your powerplant to increase the generating capacity as a result of the removal of your fish propagation facility.

Since the beneficial use (capacity of the powerplant presently covered under license 36-08097) is being increased the question has been asked about the need to cover the increase in capacity of the powerplant under a water right filing. The administration believes that a water right filing is required. This can be accomplished in two ways: either file a transfer to change the nature of use of the fish propagation right (fish propagation use licensed under 36-07729) to that of power or file a new application for permit to increase the generation capacity of the facility.

Please consider these options. If you have questions regarding this matter or you need assistance in filing either a transfer or application for permit please feel free to contact our office.

Sincerely,


Allen Merritt, PE
Southern Region Manager

CC: Glen Saxton

Because the license is subordinated to future uses and is not specific about annual power production or horsepower, I called Allen Merritt & suggested he not

Post-it® Fax Note	7671	Date	# of pages
To	Norm Y.	From	Allen M.
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

press for a filing



MICROFILMED
SEP 11 1997

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE OF AMENDMENT OF EXEMPTION

(May 8, 1997)

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

- | | |
|--|---|
| a. Type of Application: | Amendment of Exemption |
| b. Project No.: | 4563-004 |
| c. Date Filed: | March 17, 1997 |
| d. Applicant: | John R. LeMoyné |
| e. Name of Project: | LeMoyné Power Plant |
| f. Location: | On Riley Creek near the town of Hagerman, Gooding County, Idaho. |
| g. Filed Pursuant to: | Federal Power Act, 16 U.S.C. §791(a)-825(r) |
| h. Applicant Contact: | Mr. John R. LeMoyné
901 A Gridley Island
Hagerman, ID 83332
(208) 837-4887 |
| i. FERC Contact: | Robert Gwynn, (202) 219-2764 |
| j. Comment Date: | JUNE 26, 1997 |
| k. Description of Filing: | LeMoyné Power Plant proposes to remove the fish hatchery ponds from the project's water conveyance system, and replace the existing 50-foot long, 36-inch diameter penstock with a new 530-foot long, 52-inch diameter penstock that would convey water directly from the Riley Creek diversion to the project powerhouse. The project generator would be replaced, increasing the generating capacity from 32 kW to 75 kW. |
| l. This paragraph also consists of the following standard paragraphs: | B, C1, and D2. |
| m. Comments, Protests, or Motions to Intervene -- Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the | |

DC-A-37

MICROFILMED
SEP 11 1997

Project No. 4563-004

- 2 -

appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents -- Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments -- Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Lois D. Cashell
Secretary

RECEIVED
MAY 14 1997
Department of Water Resources

63 FERC 1 62,279

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

John R. LeMoine

Project No. 4563-003
Idaho 62,279-754

ORDER AMENDING EXEMPTION

(Issued June 14, 1993)

On May 27, 1993, John R. LeMoine, exemptee for the LeMoine Power Plant Project, FERC No. 4563, filed for an amendment of his exemption. The filing was made to reflect a change made to the installed capacity of the project.

The project is authorized with an installed capacity of 37 kW.¹ The exemptee's filing states that, in order to make the project more efficient, the horsepower rating of the generator has been reduced and the generator nameplate has been changed from 50 hp to 40 hp. The exemptee states that the project's generating capacity is approximately 32 kW. There has been no change in the hydraulic capacity of the project.

This order will amend the project description to reflect the minor change in the project's installed capacity.

The Director orders:

(A) Item (2) of the Project Description found in Appendix A of the Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less, is revised to read as follows:

(2) a powerhouse containing one Francis-type, turbine-generating unit, with a generator nameplate rating of 40 hp and having a generating capacity of 32 kW.

(3) The exemptee shall notify the Commission of any future changes within the project description.

¹ 17 FERC 62,323, Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less, issued December 1, 1981.

² 52 FERC 62,253, Order Amending Exemption from Licensing, issued September 18, 1990.

DC-A-5

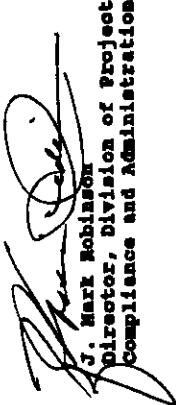
MICROFILMED
SEP 11 1997

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JUN 18 1993

Department of Water Resources

(C) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. §385.713.


J. Mark Robinson
Director, Division of Project
Compliance and Administration

September 5, 1989

JOHN R. LE MOYNE
RT. 1 BOX 148
HAGERMAN, ID 83332

RE: PERMIT NO. 36-08097

Dear Permit 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:sc

Enclosure

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SEP 19 1989

MEMORANDUM

TO: Norm Young
FROM: Gary Spackman *Gary*
DATE: June 1, 1989
RE: Permit to appropriate water no. 36-8097 in the name John R. LeMoyne

The proposed license for hydropower named above has been modified to include the following condition:

The maximum combined rate of diversion under this right and right no. 36-7729 shall not exceed 40.0 cfs.

FERC issued an exemption to Mr. LeMoyne for his hydropower project. I understand that exemptions are granted authorizing operation of the hydropower plant in connection with an existing facility. I also understand, based on my discussions with you and others, that agencies such as the Idaho Department of Fish and Game or the U.S. Fish and Wildlife Service may mandate a minimum streamflow for an exemption, and the applicant must comply with the administrative mandate.

I have spoken to Bill Horton regarding a minimum streamflow requirement on Riley Creek that would affect Mr. LeMoyne's exemption. Bill sent me a copy of a letter sent to FERC which did not require a minimum streamflow. I do not see any need to impose one at this time.

You also questioned the validity of Mr. LeMoynes exemption. The power plant is now operating, and I see no reason why approval is conditional upon some possible ruling by FERC that the exemption is void. I suggest that we issue the license.

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SEP 19 1989

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

John R. Lemoyne) Project No. 4563-001

ORDER GRANTING EXEMPTION FROM LICENSING OF A
SMALL HYDROELECTRIC PROJECT OF 5 MEGAWATTS OR LESS
(Issued December 1, 1981)

The Applicant 1/ filed an application for exemption from all or part of Part I of the Federal Power Act pursuant to 18 C.F.R. Part 4 SUBPART K (1980) implementing in part Section 408 of the Energy Security Act (Act) of 1980 for a project as described in the attached public notice. 2/ 3/

Notice of the application was published in accordance with Section 408 of the Act and the Commission's regulations and comments were requested from interested Federal and State agencies including the U. S. Fish and Wildlife Service and the State Fish and Wildlife Agency. All comments, protests and petitions to intervene that were filed have been considered. No agency has any objection relevant to issuance of this exemption.

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

- 1/ John R. Lemoyne, Project No. 4563, filed August 14, 1981.
- 2/ Pub. Law 96-294, 94 Stat. 611. Section 408 of the FSA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).
- 3/ Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation under §375.304 of the Commission's regulations 45 Fed. Reg. 21216 (1980), as amended by Order No. 112 in Docket No. RM81-5, issued November 21, 1980, (45 Fed. Reg. 74024).

DC-A-26

- 2 -

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

It is ordered that:

(A) Lemoyne Power Plant Project No. 4563 as described and designated in John R. Lemoyne's application filed on August 14, 1981, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106 of the Commission's regulations, 18 C.F.R. §4.106 45 Fed. Reg. 76115 (November 18, 1980).

(B) This order is final unless a petition appealing it to the Commission is filed within 30 days from the date of its issuance, as provided in Section 1.7(d) of the Commission's regulations, 18 C.F.R. 1.7(d)(1979), as amended, 44 Fed. Reg. 46449 (1979). The filing of a petition appealing this order to the Commission or an application for rehearing as provided in Section 313(a) of the Act does not operate as a stay of the effective date of this order, except as specifically ordered by the Commission.

Robert E. Cackowski
Robert E. Cackowski
Deputy Director, Office of
Electric Power Regulation

EMER: Its amazing n - one can find w/

A clean desk!

Apparently we require no form - see

Dec 13, 81 letter.

Sorry For the tardiness.

WD Horton

548-2

November 13, 1981

Mr. Kenneth F. Plumb, Secretary
Federal Energy Regulatory Commission
825 North Capitol Street, N.E.
Washington, DC 20426

Re: Conyear Project. FERC No. 4563.
Fish Rearing Plant, Gooding County,
Idaho. Application for Exemption
for Small Hydroelectric Power Project
Under 5MW Capacity. John R. LeMoyné.

Dear Mr. Plumb:

We have reviewed the referenced application and submit the following terms and conditions for the purposes set forth in Section 408 of the Energy Security Act of 1980.

Provided the proposed project is constructed and operated as described in the Notice of Application, no special terms and conditions related to fish and wildlife resources will be necessary other than that transmission lines, if above ground, be designed and constructed to prevent mortalities to raptors. Design for preventing raptor mortalities to be subject to approval by the Idaho Department of Fish and Game (IDFG).

Transmission line design criteria are available to applicant from the IDFG.

Sincerely,

COPY

Original Signed By
Kenneth D. Norrie

For Jerry M. Conley
Director

cc: USFWS (Buechler)
Region 4

JMC:MRR:jt

RECORDED

SEP 19 1989

FIELD EXAM REVIEW

TO: File 36-8097
FROM: ~~Jim Johnson~~ GARY SPACKMAN
DATE: 3/17/89

Review of Compliance with Beneficial Use Rules & Regulations

Rule 3. Authority of Representative

✓ 3.1. ✓ 3.2. No affidavit included - I'm reluctant to request now, however.

Rule 4. Qualification

✓ 4.1.

Rule 5. Examination for Beneficial Use

5.1. Field Report: *Does not describe turbine - technically not required.*

OK 5.1.2. OK 5.1.3. OK 5.1.4. OK 5.1.5. OK 5.1.6.
N/A 5.1.7. N/A 5.1.8. N/A 5.1.9. N/A 5.1.10. OK 5.1.11. - constant flow in Riley Creek.
OK 5.1.12. OK 5.1.13. OK 5.1.14. OK 5.1.15. OK 5.1.16.
N/A 5.1.17.

5.2. Field Report Acceptability:

OK 5.2.1. OK 5.2.2. OK 5.2.3. OK 5.2.4.

5.3. General:

OK 5.3.1. OK 5.3.2. N/A ~~5.3.3.~~ N/A 5.3.4. N/A 5.3.5.

Rule 6. Water Measurement

6.1. Measurement Terminology:

OK 6.1.1. OK 6.1.2. OK 6.2. OK 6.3. OK 6.4.
OK 6.5.

Remarks: *License can be issued.*

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SEP 19 1989

MEMORANDUM

TO: Norm Young
FROM: Gary Spackman *Gary*
DATE: March 21, 1989
RE: Permit to appropriate water no. 36-8097 in the name of John R. LeMoyne

The proposed license for hydropower has been modified to include a condition limiting diversion to 40 cfs when combined with right no. 36-7729 as requested.

FERC issued an exemption to Mr. LeMoyne for his hydropower project. I understand that exemptions are granted authorizing operation of the hydropower plant in connection with an existing facility. I am not aware of any exemptions which mandate a minimum streamflow since the exemptions are always granted in connection with an operation that is already diverting water. Furthermore, the exemption is, for all practical purposes, authorization to produce power in perpetuity, and is not reviewed by the Federal Energy Regulatory Commission in a set period of years like a license is reviewed. I am not aware of any bypass flows.

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SEP 19 1989

INTER-DEPARTMENT MEMO — 1

FROM Gary

DATE March 17, 1989

TO Jim

SUBJECT I think condition no. 7 is OK unless
the date is wrong.
We can send on for licensing.

Gary

SIGNATURE

MEMORANDUM

TO: GARY *Gary*
FROM: JIM JOHNSON
RE: LICENSE NO. 36-8097, FOR POWER USE
DATE: 15-MAR-1989

Gary, this right is for power generation, we started on it last year but never completed the license process. The term information has been supplied and is now incorporated in the license.

I pulled the only other two licenses that have been issued for power since 1986. Both are small in nature and the power generated is not sold. Also the exams were conducted by Department staff. Since the Le Moyne right surfaced after my memo to you concerning review of power examinations I feel it can be used as a guide for the Roxanne's review.

The Le Moyne right was examined by a certified examiner and if your review of this right find no problems then we can use the right as a example for conditions for other rights needing review. If there are any questions during the exam reviews we will come and see you.

Your last memo on this subject indicated that you had some power rights in your office that needed processing. If the reason for non processing is because additional information is needed from certified examiners then I am reluctant to have Roxanne get involved with that. I think requesting and reviewing information provided by the certified examiners is beyond the expectations of the reviewers at this point.

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SEP 19 1989

MEMORANDUM

TO:JIM RE: FILE #36-8097

FROM:ROXANNE MCCARTHY

RE: CORRECTION TO DRAFT LICENSE

DATE: 3-JAN-1989

This permit was originally reviewed for licensing in 1987. A draft license was generated but a question arose concerning the term of license.

A letter dated December 23, 1987 from this office outlines the necessary information and requests help from the permit holder. On December 29, 1987 we received correspondence concerning the Power Contract from Mr. LeMoyne.

The memo dated June 1, 1988 from Gary Spackman provides other necessary information.

The draft license appears to be correct with the exception that the term of license found in Paragraph 7 of Conditions/Remarks should be modified to convey a time period 35 years from the issuance of the Power Contract.

MICROFILMED
SEP 19 1989

MEMORANDUM

TO: File No. 36-8097
FROM: Gary Spackman *Gary*
DATE: June 1, 1988
RE: Term of Years for Hydropower

Idaho Code § 42-203B requires imposition of a term of years for a license when it is issued. The following is an assessment of the LeMoyne project against the review criteria:

Term of Power Sales Contract

The term of the sales contract with Idaho Power is 35 years, beginning on the date of the contract, April 23, 1985. The contract will expire prior to May 1, 2020.

Policy of IPUC

The public utilities commission allowed 35 year power purchase contracts during the time this contract with Idaho Power was negotiated. Contract duration policy has recently changed to 20 years.

FERC License

The LeMoyne hydropower site received a FERC exemption. Exemptions are issued essentially in perpetuity.

Existing Downstream Water Use

Water from Riley Creek is dedicated to uses below, although flows from the creek could be depleted by withdrawal of groundwater from the Snake River Plain Aquifer.

Based on the above facts, I recommend that the license be issued for a term of 32 years. The license should be reviewed on May 1, 2020 to determine if continuation is in the public interest.

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SEP 19 1989

MEMORANDUM

TO: GARY
FROM: JIM JOHNSON
RE: TERM FOR POWER
DATE: 02-02-88

In response to your question concerning was the term identified on the license based solely on the power contract? The answer is yes.

I have read again section 42-203B and see perhaps that it mandates consideration of all four items identified rather than just one.

If this is the case, I guess without being further informed on what criteria to evaluate the information I have no idea what is acceptable if more information is requested and received.

I suggest that before additional information is requested that we first determine if it is required.

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SEP 19 1989

RECEIVED
DEC 29 1987

Hagerman, Idaho
Dec. 25, 1987

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

368097

Attention: Jim Johnson, Water Rights Supervisor

Dear Sir:

Enclosed please find the first page and the fifth page of my contract with Idaho Power Co. which shows this to be a 35 year contract. I hope you do not need the whole thing. I trust you will get in touch with me if you do need more.

Yours truly,

John R. LeMoyné
John R. LeMoyné

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SEP 19 1989

FIRM ENERGY SALES AGREEMENT

THIS AGREEMENT, entered into on this 23rd day of April, 1985, is between JOHN R LEMOYNE an individual (Seller), and IDAHO POWER COMPANY, a Maine corporation (Idaho) hereinafter sometimes referred to collectively as "parties" or individually as "party."

W I T N E S S E T H:

WHEREAS, Seller plans to construct, own and operate an electric generation facility; and

WHEREAS, Seller wishes to sell, and Idaho wishes to purchase, electric energy from that facility,

THEREFORE, In consideration of the mutual covenants and agreements hereinafter set forth, the Parties agree as follows:

ARTICLE I: DEFINITIONS

As used in this Agreement and the appendices attached hereto, the following terms shall have the following meanings:

1.1 "Annual Net Energy" - The amount of Net Energy Seller estimates it will deliver to Idaho at the Point of Delivery during each Contract Year.

1.2 "Commission" - The Idaho Public Utilities Commission.

1.3 "Contract Year" - The period commencing each calendar year on the same calendar date as the Operation Date and ending 364 days thereafter.

1.4 "Designated Dispatch Facility" - Idaho's Boise **MICROFILMED** Dispatch Center.

SEP 19 1989

1.5 "Disconnection Equipment" - Any device or combination of devices located on the interconnection between the Facility and Idaho's system by which

federal, state or local authorities, including but not limited to those licenses, permit or approvals specified in Appendix C;

4.1.2 Make payment to Idaho for all costs of Disconnection Equipment, metering equipment and Special Facilities as provided for in Appendix B of this Agreement;

4.1.3 Obtain written acceptance from Idaho as provided in paragraph 8.3;

4.1.4 Submit proof to Idaho of all insurance required in Article XIV;

4.1.5 Demonstrate to Idaho's satisfaction that Seller's Facility has been completed, and is capable of operating safely to commence deliveries of electric energy into Idaho's system.

4.1.6 Submit to Idaho a statement from a licensed professional engineer certifying that the design of and equipment in Seller's Facilities comply with the standards of this Agreement and with Prudent Electrical Practices.

4.1.7 Obtain written confirmation from Idaho that all conditions to interconnection have been fulfilled. It is understood that such written confirmation shall not be unreasonably withheld by Idaho.

ARTICLE V: TERM AND OPERATION DATE

5.1 Term - This Agreement shall become effective on the date first above written, and shall continue in full force and effect for a period of thirty-five (35) Contract Years.

5.2 Operation Date - The Operation Date means the date when Seller has achieved the First Energy Date, and the necessary degree of completion and

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SEP 19 1989

System Description (continued)

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

Gravity flow over 84" rectangular wier

☐ See Remarks on page 4 for continuation

4.

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:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	6		SW	NE	1	8S	13E	Gooding	USGS Map

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	
	Lot 3,	SE 4	NW 1/4, Section 1, T 8S, R 13E, B.M.																

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SEP 19 1989

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Rectangular wier			None	None	84"	4-04-37

2. Measurements:

Depth over 84" wier = 1.43" 2' wier height

Q = (6.06) (7)

Q = 42.46 CFS

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Measured over rectangular wier.

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 .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{OR} =$ _____

2. Volume Calculations for Other Uses:

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SEP 19 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, ~~450 W. State Street~~, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

December 23, 1987

RE: Permit No. 36-8097

John R. LeMoyne
Rt. 1, Box 148
Hagerman, ID 83332

Dear Mr. LeMoyne:

We are in the process of licensing the above referenced permit. Before we can complete processing, additional information is required so that a term of license issuance can be determined as required in Section 42-203B, Idaho Code. This statute requires the Department to determine a term of years for which the water right license should be issued, based upon one or all of the following:

- 1) the term of any power purchase contract
- 2) policy of the Idaho Public Utilities Commission
- 3) the term of a FERC license
- 4) existing downstream uses

Based upon this criteria, you should provide a copy of items 1, 2, or 3 which identifies the terms of such.

Please provide the above information within 15 days so that we may continue with the licensing process. If you have any questions, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

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SEP 19 1989

Reference to Rule 5
of
Beneficial Use Examination Rules and Regulations

- 5.1.1 See Form 219
- 5.1.2 All use is fully developed.
- 5.1.3 Water diverted from Riley Creek through inlet structure into a 168' stilling basin which stabilizes flow for measurement over a 7' wier. Stopboards are installed at the inlet and outlet of the stilling basin to regulate flow. Water follows open ditch to fish propogation ponds (Permit No. 36-7729). Discharge from ponds is direct into the penstock for the power generating facility. The turbine tailrace discharges directly into the Snake River.
- 5.1.4 All facilities (exclusive of powerhouse) are fully stored with Permit No. 36-7729.
- 5.1.5 Discharge to Snake River same location as Permit No. 36-7729.
- 5.1.6 All permit conditions have been met.
- 5.1.7 Not applicable.
- 5.1.8 Not applicable.
- 5.1.9 Not applicable.
- 5.1.10 Not applicable.
- 5.1.11 Total volume at full capacity = 28,958 A.F./Yr.
- 5.1.12 All water utilized for power generation (no consumption).
- 5.1.13 Water use is continuous other than periodic maintenance shutdown.
- 5.1.14 All diverted water used for power generation at site specified.
- 5.1.15 Rate specified as 40 cfs which matches system design and capacity.
- 5.1.16 No changes recommended.
- 5.1.17 Not applicable.

MICROFILMED

SEP 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

JUN 03 1987

A. GENERAL INFORMATION

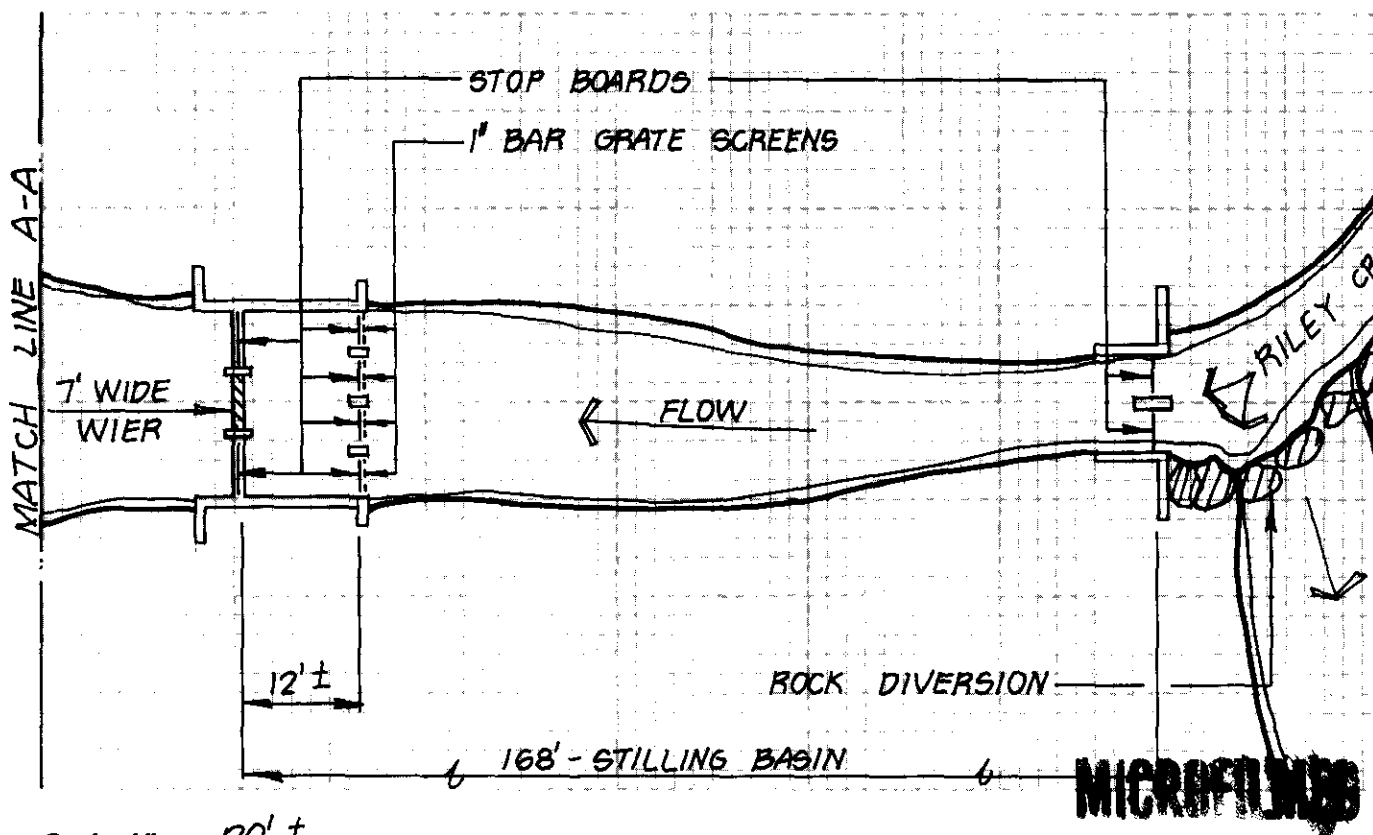
Permit No. 36-3097
Phone No. 337-4337
1. Owner: John LeMoyne
Current Address: Hagerman, Idaho
2. Accompanied by: Gerald Martens EXAM. DATE: 3-13-37
Address: Twin Falls, Idaho Phone No. 734-4888
Relationship to Permit Holder: None
3. Source: Riley Creek tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: Fish propogation
☐ Copies Attached
2. Other water rights with same point of diversion: 36-7729
☒ 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 i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 20' ±

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

SEP 19 1989

System Description (continued)

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

Gravity flow over 84" rectangular wier

☐ See Remarks on page 4 for continuation

4.

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:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	6		SW	NE	1	8S	13E	Gooding	USGS Map

6. **Place(s) of Use:**

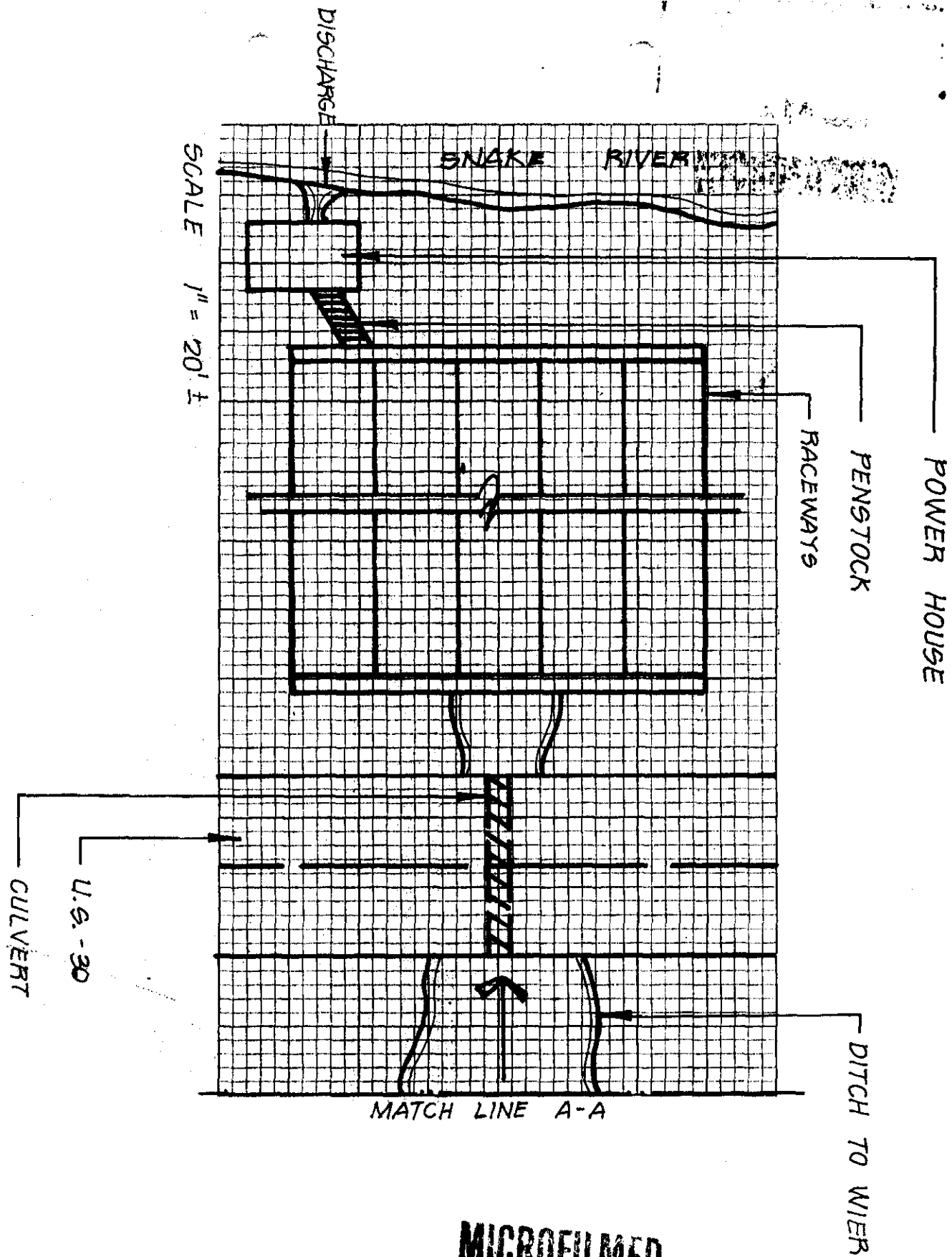
Indicate Method of Determination

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	
		Lot 3, SE 4 NW 4, Section 1, T 8S, R 13E, B.M.																	

Do not use this space

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SEP 13 1989



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SEP 19 1989

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Rectangular wier			None	None	84"	4-04-87

2. Measurements:

Depth over 84" wier = 1.43" 2' wier height

$Q = (6.06) (7)$

$Q = 42.46 \text{ CFS}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Measured over rectangular wier.

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 Ampsx .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

MICROFILMED

SEP 19 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Power generation	Jan 1	Dec 31	40.0 CFS	
Totals:				

2. Recommended Amendments

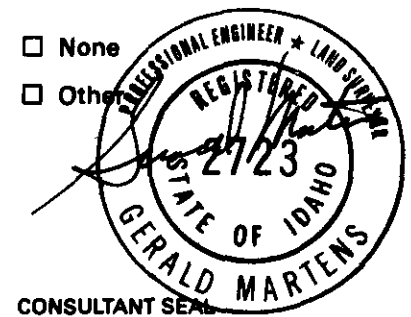
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name Gerald Martens
Signature *Gerald Martens*
Certification Date 5-04-87
Field Report Preparation Date 3/18/87



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

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SEP 19 1989



Edwards, Howard & Martens, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1139 Falls Ave. E., Suite B
Twin Falls, Idaho 83301
Phone 734-4888

RECEIVED

May 21, 1987

JUN 03 1987

IN THE FIELDS OF:

PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
AIRPORTS
BRIDGES

Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Attention: Jim Johnson

RE: Permit No. 36-8097

Dear Mr. Johnson:

The beneficial use report for the above specified permit is herewith resubmitted with the following additional data as suggested in our conversation of May 20, 1987.

1. Fish ponds and power generation facility is shown on the sketch, page 1 of the report.
2. A narrative referencing part 5 of the rules and regulations has been attached.
3. Photographs of the ponds and powerhouse are attached.

Please call me if there are any questions.

Respectfully yours,

EHM ENGINEERS, Inc.

Gerald L. Martens, P.E.

GLM/bn
cc: file

encl.

MICROFILMED

SEP 19 1989

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

RECEIVED
JUN 03 1987

A. GENERAL INFORMATION

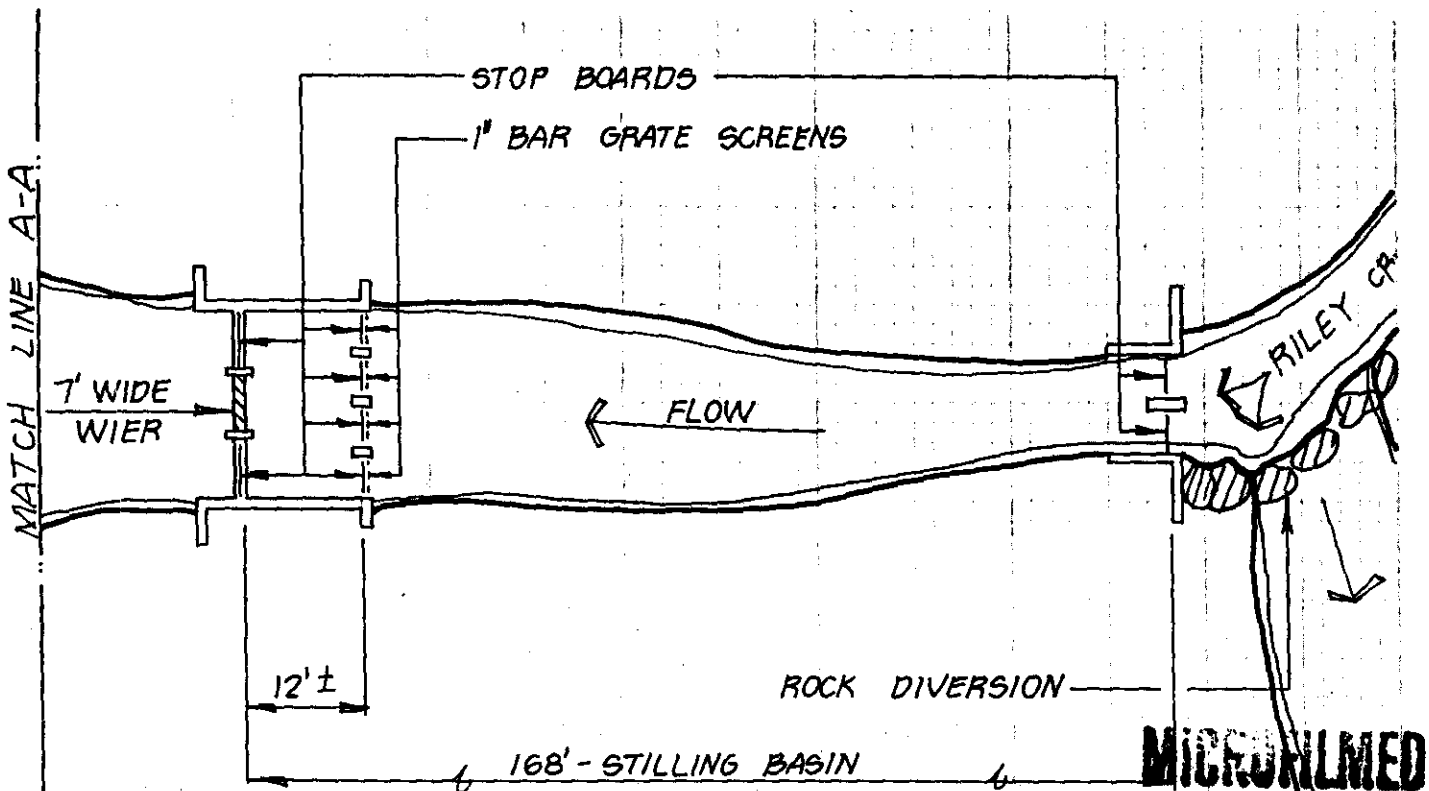
1. Owner: John LeMoyne Permit No. 36-3097
Current Address: Hagerman, Idaho Phone No. 337-4337
2. Accompanied by: Gerald Martens EXAM. DATE: 3-13-37
Address: Twin Falls, Idaho Phone No. 734-4888
Relationship to Permit Holder: None
3. Source: Riley Creek tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: Fish propogation
☐ Copies Attached
2. Other water rights with same point of diversion: 36-7729
☒ 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 i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 20' ±

SEP 19 1989

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

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

May 18, 1987

RE: Permit No. 36-8097

Gerald L. Martens, P.E.
Edwards, Howard & Martens, Inc.
1139 Falls Ave. E., Suite B
Twin Falls, ID 83301

Dear Mr. Martens:

We are in receipt of a Beneficial Use Field Report for the above referenced permit.

A review of the report has found that it does not contain information required under the Beneficial Use Examination Rules and Regulations adopted October 7, 1987.

In accordance with Rule 5,2,2., the Field Report is being returned for completion. Please note that in order for the permit not to be lapsed, you must return an acceptable Field Report prior to June 17, 1987.

Enclosed for your information is a copy of the Beneficial Use Examination Rules and Regulations.

If you have any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

cc: John LeMoyne

MICROFILMED

SEP 19 1989



Edwards, Howard & Martens, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1139 Falls Ave. E., Suite B
Twin Falls, Idaho 83301
Phone 734-4888

May 5, 1987

IN THE FIELDS OF:

PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
AIRPORTS
BRIDGES

Idaho Department of Water Resources
2148 Fourth Avenue East
Twin Falls, Idaho 83301

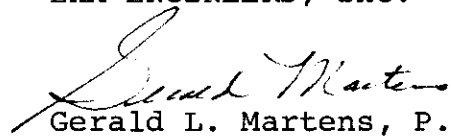
Dear Sirs:

Please find enclosed a Beneficial Use Field Report for
Water Right No. 36-8097.

Please call me if there are any questions.

Respectfully yours,

EHM ENGINEERS, Inc.


Gerald L. Martens, P.E.

GLM/bn
cc: file

encl.

RECEIVED

MAY 6 1987

Department of Water Resources
Southern Region Office

MICROFILMED

SEP 19 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

36-8097

LE MCYNE, JOHN R.
RT. 1 BOX 148
HAGERMAN, ID 83332

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

April 17, 1987

Dear Permit Holder:

LAPSE NOTICE License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be on no further force nor effect on June 17, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 17, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 17, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

If you have questions, please contact any office of the Department.

Sincerely,

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

jf

MICROFILMED

SEP 19 1989

June 13, 1986

John R. LeMoyne
Rt. 1, Box 148
Hagerman, ID 83332

Dear Mr. LeMoyne:

Re: Permit No. 36-8097

You recently submitted the Examination Fee Information sheet to our Twin Falls office.

You indicated that you have chosen to have your exam done by a certified water right examiner, perhaps Dr. Brockway. As you are aware, Mr. Brockway has not applied to the department for certification and we have no control over when and if he will apply. Therefore, an extension of time until he decides to apply is not possible.

Your permit will begin losing priority unless we receive the required statement from a certified examiner by June 26th. The additional 10 days from June 16 is allowed since this is a new program.

For your information, enclosed is a list of certified water right examiners.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 19 1989

4/86

RECEIVED

JUN 4 1986

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

RECEIVED

JUN 6 1986

1. Permit No. 36-8097

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: John R. LeMoine

3. Post Office Address: Rt. 1, Box 148, Hagerman, ID.
83332 Telephone No. 837-4887

4. Source of Water: Riley Creek

5. Extent of Use:

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

Irrigation _____ (acres) Other/Remark Power

6. Total rate &/or volume for which proof is submitted 40 cfs _____ acre-feet

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

January, 1985

8. Person to contact to accompany the department representative during the field examination:

MICROFILMED

(Name)

SEP 19 1989

(Address)

(Telephone Number)

☒ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

4-29-86

Signature of Permit Holder (and title, if appropriate)

INTER-DEPARTMENT MEMO — 1

FROM Laron Holmes

TO Bob Flemer

SUBJECT 36-8097

RECEIVED
JUN 6 1986

DATE 6/4/86

Department of Water Resources

As Mr LeMoine's letter indicates, I recommended that he file the form with a showing that he would select a certified examiner when one is available.

This also raises a record keeping question. I assume that selection of an examiner will either be acknowledged by the region, or that the region will be notified so the exam can be dropped from our inventory.

SIGNATURE

RECEIVED

JUN 4 1986

Veigerman, Ed.
June 2, 1986

Department of Water Resources
Sediment Division

Dept. of Water Resources
1041 Blue Lake Blvd. N.
Twin Falls, Id. 83301

attn: Loren Halmas

Dear Mr. Halmas:

Pursuant to our conversation today,
I am going to select a certified examiner
when you have a list completed for
me to choose from. Mr. Crackway
has indicated he would attempt to
become certified.

Yours truly,
John R. Somayre

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SEP 19 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN

36-8097
LE MOYNE, JOHN R.
RT. 1 BOX 148
HAGERMAN, ID 83332

138318

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee to the department to conduct the field examination, but you may change to another certified examiner.

SEP 19 1989

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

SEP 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

NOVEMBER 19, 1985

JOHN R. LE MOYNE
RT. 1 BOX 148
HAGERMAN

ID 83332

RE: Permit No. 36-8097

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

MICROFILMED

SEP 19 1989

RECEIVED
SEP 20 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

SEP 16 1985

Department of Water Resources
Southern District Office

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. 36-8097

Name(s) of Permit Holder: John R. LeMoyne

/Route #1/

Post Office Address: Route #1, Box 148, Hagerman, ID 83332

Telephone No. 837-4887

Source of Water: Riley Cr. via Conyers Ditch

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks Power - 40 cfs

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

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

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

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

✕ John R. LeMoyne

(Name)

Rt 1, Box 148, Hagerman, ID. 83332

(Address)

837-4887

(Telephone Number)

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

✕ 9-13-85
Date

✕ John R. LeMoyne, owner
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

RECEIVED

State of Idaho
Department of Water Resources

MAR 27 1985

Department of Water Resources
Southern District Office

WATER RIGHT LICENSE

License of Water Right No. 36-7729 Priority May 6, 1977 Amount 40.0 cfs

THIS IS TO CERTIFY, that John R. LeMoynes
of Hagerman, Idaho, has complied with the terms and conditions of Permit
No. 36-7729 issued pursuant to Application for Permit dated May 6, 1977
and has submitted proof to the Department of Water Resources on April 7, 1982
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 40.81 cfs of water from Riley Creek
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from <u>January 1</u> to <u>December 31</u>	at <u>40.0</u> cfs and	<u>N/A</u>
	from _____ to _____	cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 40.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the Gov. Lot 6 (SW 1/4 NE 1/4)
Section 1, Twp 8S, Rge 13E in the County of Gooding

Description and location of place of use:

Twp.	Range	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	
8S	13E	1								LX ³									

Total number of acres irrigated _____

Facility Volume = 240,000 cubic feet.

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

A measuring device of a type approved by this Department shall be maintained as a
part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12th day of

March, 19 84.

MICROFILMED

SEP 19 1989

Director

36-7729

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

LE MOYNE, JOHN R.
RT.1 BOX 148
HAGERMAN, ID 83332

SEPTEMBER 28, 1982

RE: PERMIT NO. 36-8097

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL AND MAINTAIN A MEASURING DEVICE AT YOUR POINT OF DIVERSION. WE HAVE ENCLOSED A DESCRIPTION OF THE DIFFERENT TYPES OF MEASURING DEVICES ACCEPTED BY THIS OFFICE.

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.

SINCERELY,

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

ENCLOSURE

SEP 29 1982

Overlap Review for 36-8097

Permit 36-7842	28.5	Fish Prop.
License 36-2718	.8	Irrigation & Domestic
Permit 36-7886	28.0	Fish Prop.
App 36-7741 (Protected)	24.0	Fish Prop.
Permit 36-7729	40.0	Fish Prop.
License 36-2046 T759	3.5	Irrigation & Domestic
Decree 36-0001	20.0	of Irrigation & Domestic
36-0002	12.0	" "
36-0031		
36-0032		
36-0056		
36-0126		
36-0137		
36-0195		

No other power right
Recommend # 214 over RC 8/23/82

POWER CALCULATIONS FOR APPLICATION NO. 36-8097

P = Kilowatts .74 X hp (50)

Q = cfs

H = feet

e = efficiency

proposed

37 KW

40 cfs

15

?

$$e = \frac{P(11.8)}{QH} = \frac{37(11.8)}{40 \times 15} = \frac{436.6}{600} = .73$$

REASONABLE

Based on the above calculations the proposed project must have an 73 % efficiency.

RC 8/17/82

~~Approved on basis that power will not be sold~~
~~8/19/82~~

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: ADM

LE MOYNE, John R.
APPLICATION NUMBER: 36-8097

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.

Field check by: _____

Date: _____

Comments: _____

- ☒ Fee.
☒ Yes ☐ No
☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

205/206 Plat Est. Received
Financial Statement

SEND COPIES TO:

- ☐ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other W.M. 36

Copies sent by: _____ Date: _____

menya 7/16/82

menya 7/16/82

PROCESSING:

- ☐ Yes ☐ No
☐ Yes ☐ No

Platted by: _____ Map No. _____

Other rights on same place of use. See Overlay Review

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 9/1/82

- ☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/3/82
☒ 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

- 7/1/82

Date of priority recommended.

Special conditions of approval or cover letter. OIC 01 05, 08A, 17, 25

Not in CGWA

STATE OFFICE REVIEW:

By: ADM

Date: 8/11/82

W/L02, L14

01, 04, 08A, 17, 25 02 (304 Bellingham A.)

- ☐ See attached sheet for more information.

By: Royn

Date: 8/17/82

RECEIVED
AUG 13 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

SEP 25 1981

Department of Water Resources

Project No. 4563-001

-2-

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

John R. LeMoyné) Project No. 4563-001

NOTICE OF APPLICATION FOR EXEMPTION FOR SMALL HYDROELECTRIC
POWER PROJECT UNDER 5 MW CAPACITY
(September 16, 1981)

Take notice that on August 14, 1981, Mr. John R. LeMoyné (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. §§2705 and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 4563) would be located on the Applicant's fish rearing plant in Gooding County, Idaho. Correspondence with the Applicant should be directed to: Mr. John R. LeMoyné, Route 1, Box 148, Hagerman, Idaho 83332.

Project Description - The proposed project would consist of:
(1) a 50-foot long, 36-inch diameter penstock; and (2) a powerhouse to contain one Francis-type, turbine-generating unit with a rated capacity of 33.72 kw.

Purpose of Project - The power generated by the project would be used in the Applicant's commercial fish hatchery plant.

Agency Comments - The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

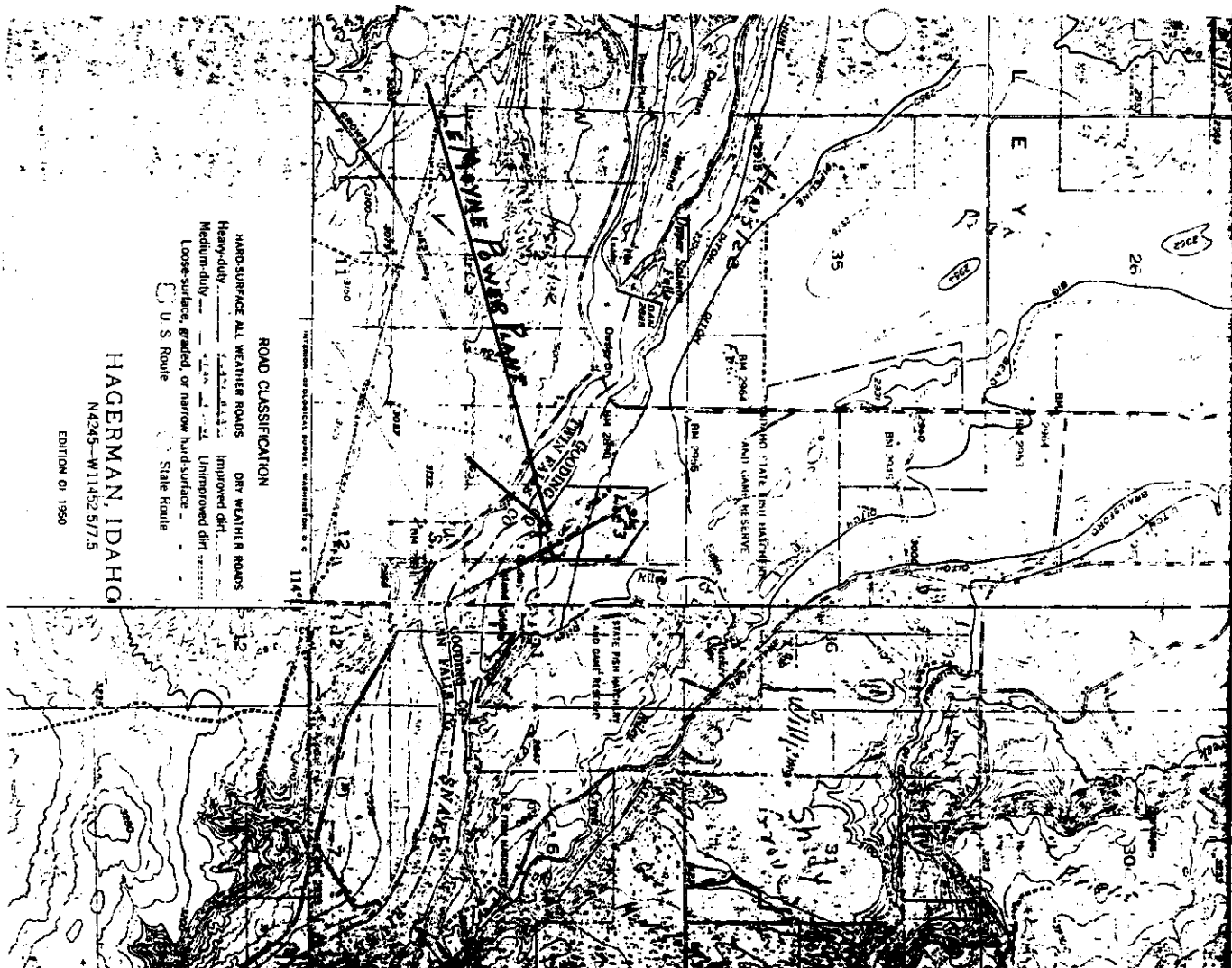
Competing Application - Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before November 2, 1981, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 C.F.R. §4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 C.F.R. §4.33(a) and (d) (1980).

Comments, Protests, or Petitions to Intervene - Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §1.8 or §1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before **NOV 2 1981**.

Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb
Secretary



FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426
EQUAL OPPORTUNITY EMPLOYER

POSTAGE AND FEES PAID
FEDERAL ENERGY REGULATORY COMMISSION
FERC-361
FIRST CLASS MAIL



MICROFILMED

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

2-4502

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

John R. LeMoine
Route 1, Box 148
Hagerman, Idaho
83332

RE: Application for Permit No. 36-8097

Gentlemen:

This office is currently processing your Application for permit No. 36-8097 filed on July 13, 1982.

Since the application seeks to establish a water right 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 application in accordance with Section 42-202 of the IDAHO CODE:

A plan for the facility. This must include a scale drawing 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 application 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,

Letter not sent

info. request has been submitted

Allen D. Merritt
Senior Water Resource Analyst

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:

~~36-8097~~

LE MOYNE, JOHN R.

RT.1 BOX 148, HAGERMAN, ID 83332

Source: RILEY CREEK tributary to SNAKE RIVER

Date Filed: 07/13/1982

Amount: 40.00 CFS

Diversion Point: LOT 06 (SWNE) Sec 01 T 08S R 13E, GOODING Co.

Use: POWER (40.00 CFS) from 01/01 to 12/31

Place of Use: LOT 03 (SENE) Sec 01 T 08S R 13E

Diversion Means: CONYERS 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

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:

RECEIVED
JUL 20 1982
SOUTHERN REGION

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.

100-100000-100000

3/79

IDENT. NO. 36-8097

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT DATA ENTRY LOG

[illegible]