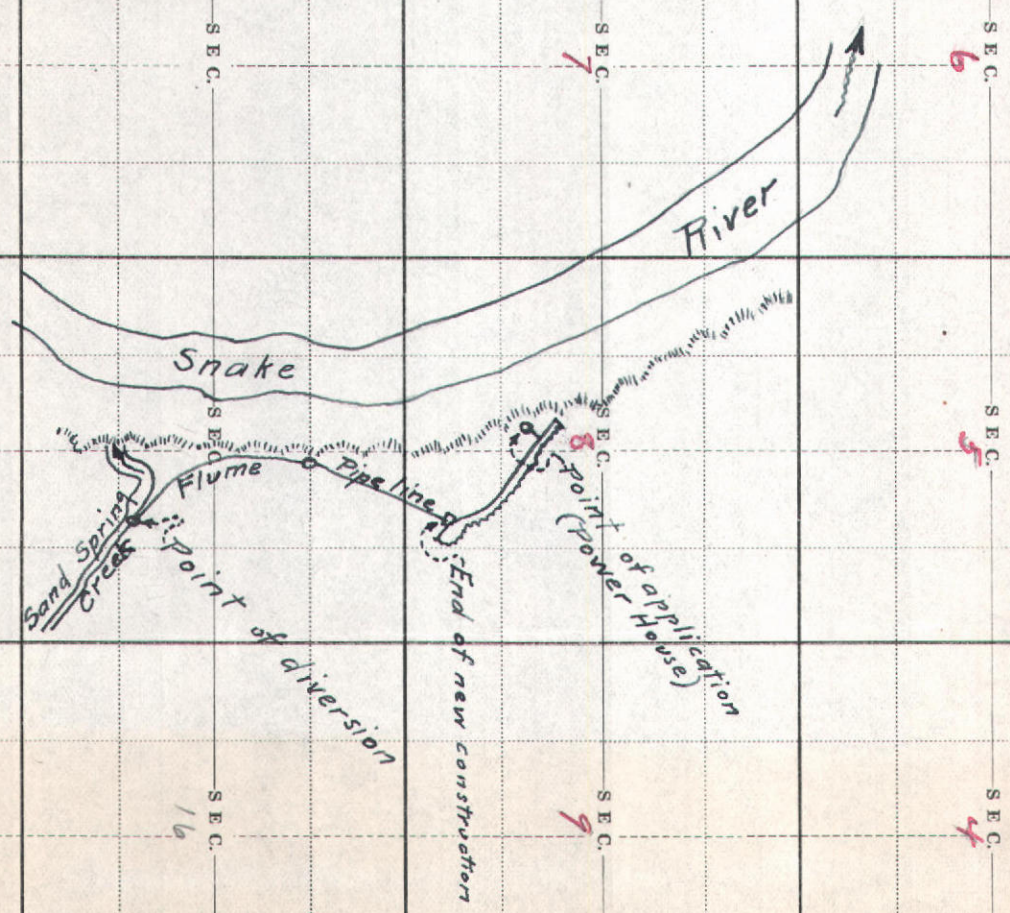


NAME OF APPLICANT Idaho Power Co.

Completion of works &  
Beneficial use

9/30/21  
H

T8S-N14E. B.M.



12252

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

**NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10 a.m. on the 27th day of July, 1921, at Boise, County of Ada, State of Idaho, before E. C. Kiersted, notary public, proof will be submitted of the completion of works for the diversion of 100 cubic feet per second of the waters of Sand Springs Creek and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 12292 heretofore issued by the state engineer, of the State of Idaho, and the date set for the completion of said works is July 15, 1923.

1. The name and postoffice address of the person or corporation holding said permit are Idaho Power Company, P. O. Box 910, Boise, Idaho.

2. Said works of diversion are fully completed and were completed prior to the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, as amended, is 100 cubic feet per second, or more.

3. The use to which said water is intended to be applied and has been applied is power development purposes, and the amount applied to beneficial use is 100 cubic feet per second.

4. The place where said water is used is Thousand Springs Power Station, in Section 8, in Township 8 South, of Range 14 East B.M.

5. The right to take water from such works is based upon Permit No. 12292

6. The source of supply from which such water is diverted is Sand Springs Creek in Gooding County, Idaho.

7. The date of the priority which said user is prepared to establish is May 1, 1916.

W. G. SWENDSEN,  
27-30. Commissioner of Reclamation.

**PUBLISHER'S AFFIDAVIT**

COUNTY OF GOODING, }  
STATE OF IDAHO } ss.

F. F. Swan, \_\_\_\_\_, being first duly sworn, deposes and says that he is Publisher \_\_\_\_\_ of The Gooding Leader, a weekly newspaper published at the City of Gooding, in said County and State; that a notice, of which the annexed is a true copy, was published in the said newspaper for at least Four consecutive issues, commencing with the issue dated June 23, 1921 and ending with the issue dated July 14, 1921 in the regular and entire issue of said paper and not in any supplement thereof.

F. F. Swan

Affiant's Signature.

Subscribed and sworn to before me this  
21st day of July, 1921

F. P. Rutphen

Notary Public.

Residing at Gooding, Idaho.

FILED 4:15 P.M.

MAR 9 1990

JOHN BASTIDA CLERK  
BY *Martin Martinez* DEPUTY

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

\*\*\*\*\*

|                                  |   |                         |
|----------------------------------|---|-------------------------|
| IDAHO POWER COMPANY,             | ) | Case No. 62237          |
| a corporation,                   | ) |                         |
|                                  | ) |                         |
| Plaintiff,                       | ) |                         |
|                                  | ) |                         |
| vs.                              | ) | <u>CONSENT JUDGMENT</u> |
|                                  | ) |                         |
| STATE OF IDAHO, IDAHO DEPARTMENT | ) |                         |
| OF WATER RESOURCES, et al.       | ) |                         |
|                                  | ) |                         |
| Defendants.                      | ) |                         |

\*\*\*\*\*

Upon stipulation of Plaintiff and the State  
Defendants, and good cause appearing;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Idaho Power Company's water rights shall be as  
follows (bracketed names below refer to Company projects):

A. State Water License Numbers 36-2013  
(Thousand Springs), 37-2128 & 37-2472 (Lower  
Malad), 37-2471 (Upper Malad), 36-2018  
(Clear Lake), 36-2026 (Sand Springs),  
02-2057 (Upper Salmon), 02-2001A, 02-2001B,  
02-2059, 02-2060 (Lower Salmon), 02-2064,  
02-2065 (Bliss), 02-2056 (Twin Falls),  
02-2036 (Shoshone Falls), 02-2032, 02-4000,  
02-4001, and Decree Number 02-0100 (Swan

Falls) entitle the Company to an unsubordinated right of 3900 c.f.s. average daily flow from April 1 to October 31, and 5600 c.f.s. average daily flow from November 1 to March 31, both to be measured at the Murphy U.S.G.S. gauging station immediately below Swan Falls. These flows are not subject to depletion. The Murphy gauging station is located at latitude 43°17'31", Longitude 116°25'12", in NW1/4 NE1/4 SE1/4 of Section 35 in Township 1 South, Range 1 West, Boise Meridian, Ada County Hydrologic Unit 17050103, on right bank 4.2 miles downstream from Swan Falls Power Plant, 7.5 miles NE of Murphy, at river mile 453.5.

B. The Company is also entitled to use the flow of the Snake River at its facilities to the extent of its actual beneficial use, but not to exceed those amounts stated in State Water License Numbers 36-2013 (Thousand Springs), 37-2128 & 37-2472 (Lower Malad), 37-2471 (Upper Malad), 36-2018 (Clear Lake), 36-2026 (Sand Springs), 02-2057 (Upper Salmon), 02-2001A, 02-2001B, 02-2059, 02-2060 (Lower Salmon), 02-2064, 02-2065 (Bliss), 02-2056 (Twin Falls), 02-2036 (Shoshone Falls), 02-2032, 02-4000, 02-4001, and Decree Number 02-0100 (Swan Falls), but such rights in excess of the amounts stated in 1(A) shall be subordinate to subsequent beneficial upstream uses upon approval of such uses by the State in accordance with State law unless the depletion violates or will violate paragraph 1(A). Company retains its right to contest any appropriation of water in accordance with State law. Company further retains the right to compel State to take reasonable steps to insure the average daily flows established by this Agreement at the Murphy U.S.G.S. gauging station. Average daily flow, as used herein, shall be based upon actual flow conditions; thus, any fluctuations resulting from the operation of Company facilities shall not be considered in the calculation of the minimum daily stream flows set forth herein. This paragraph shall constitute a subordination condition.

C. The Company's rights listed in paragraph 1(A) and 1(B) are also subordinate to the uses of those persons dismissed from Ada County Case No. 81375 pursuant to the

1 contract executed between the State and  
2 Company implementing the terms of Idaho Code  
3 §§61-539 and 61-540.

4 D. The Company's rights listed in  
5 paragraph 1(A) and 1(B) are also subordinate  
6 to those persons who have beneficially used  
7 water prior to October 1, 1984, and who have  
8 filed an application or claim for said use  
9 by June 30, 1985.

10 E. Company's ability to purchase, lease,  
11 own, or otherwise acquire water from sources  
12 upstream of its power plants and convey it  
13 to and past its power plants below Milner  
14 Dam shall not be limited by this agreement.  
15 Such flows shall be considered fluctuations  
16 resulting from operation of Company  
17 facilities.

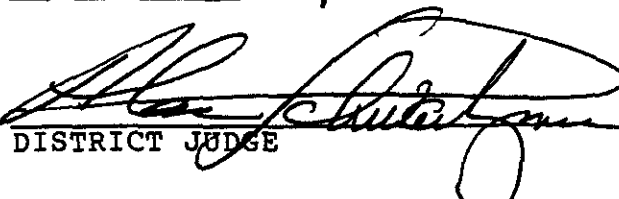
18 2. The above-captioned case is hereby dismissed  
19 without prejudice as to all remaining defendants other than the  
20 State Defendants.

21 3. The above-captioned case is hereby dismissed with  
22 prejudice as against the State defendants as to all claims of  
23 plaintiff not resolved by the decisions of the Idaho Supreme  
24 Court reported as Idaho Power Company v. State of Idaho, 104  
25 Idaho 570, 661 P.2d 736 and 104 Idaho 575, 661 P.2d 741 (1983)  
26 or by the entry of this Judgment.

27 4. The Swan Falls Agreement, dated October 25, 1984,  
28 shall not be merged into nor integrated with this Judgment, but  
shall remain in full force and effect independent of this  
Judgment.

5. Each and all parties shall bear their own costs.

DATED this 17<sup>th</sup> day of March, 1980

  
DISTRICT JUDGE

# State of Idaho

## License and Certificate of Water Right

Water License No. 12292  
Water District No. 63

Amount 100 sec. ft.  
Priority 5-1-16

THIS IS TO CERTIFY that FRANCIS T. LETCHFIELD of Salt Lake City, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated May 1, 1916; that Permit No. 12292 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 100 second feet, was issued thereunder on October 27, 1921, showing that said works were completed on the 27th day of July, 1921; and that on the 27th day of July, 1921,

THE IDAHO POWER COMPANY of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Sand Springs Creek, a tributary of Snake River, for the purpose of power, under Use Permit No. 12292 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 5 of Licenses, at page 2872, on the 27th day of October, 1921;

The right hereby confirmed dates from May 1, 1916;

The Point of Diversion is located N. 50° & 40' W. 2571.8 ft. from the SE corner of Sec. 17, T. 8 S., R. 14 E. and is in the NW 1/4 SE 1/4, Sec. 17, Tp. 8 S., R. 14 E., B. M. County of Gooding.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 100 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                                                                                                                                        | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------|
|      |       |      | To be used for power purposes only at a point 3000 feet from the SE corner of Sec. 3, T. 8 N., R. 14 E. B. M. and is in Lot 3, T. 8 S., R. 14 E., B. M. |                               |                              |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of October, 1921.

W. G. SWENDSEN  
Commissioner of Reclamation.

(SEAL)

36 2020

Application No. 17500  
Permit No. 12292

# APPLICATION FOR PERMIT 34-2026

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 63.

1. Name of applicant: Francis T. Letchfield,

Postoffice address: Salt Lake City

County: Salt Lake

State: Utah.

I. If applicant is a corporation, give

- (a) Date and place of incorporation:
- (b) The amount of capital stock:
- (c) The amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:

2. The quantity of water claimed is One Hundred (100) cubic feet per second.

3. Source of water supply: Sand Springs Creek which is a tributary of Snake River.

4. Location of point of diversion: S. 69° 23' W. 2689 feet distant from the East  $\frac{1}{4}$  corner of section 17, T. 8 S., R. 14 E.B.M. and is in the NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of Section 17, T. 8 S., R. 14 E.B.M. County of Gooding.

5. To be used for: Power.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: acres.  
(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point: S. 74° W. 2820 feet distant from E  $\frac{1}{4}$  corner of Section 17, T. 8 S., R. 14 E.B.M. in the NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of Section 17, T. 8 S., R. 14 E.B.M.

(b) Amount of power to be generated: 2,000 H.P. H. P. under 220 ft. head

(c) Is water to be returned to any stream? Snake River. (d) If so, name stream and locate point of return: At a point 3,000 feet distant from the East  $\frac{1}{4}$  corner of Section 17, T. 8-S., R. 14 E.B.M. in the NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  of Section 17, T. 8 -S., ( R. 14 E.B.M.)

6. Estimated cost of works: \$2,500.00

7. Description of works for diversion:

I. Kind of works: dam, conduit, steel penstock.

II. Dimensions of works:

(a) Height of dam 10 feet, length of dam at top 100 feet,  
length of dam at bottom 80 feet. Material used in construction: concrete

(b) Capacity of reservoir acres feet. (c) Size of headgate, width four feet,

Height five feet. (d) Conduit width at bottom feet,

width at water line feet, depth of water feet; diameter of pipe

42" inches; average grade per mile is feet. Length of conduit is 125 miles,  
and it crosses the following quarter sections:

Dimensions of conduit 5' x 5'.

8. The time required for the completion of the construction of such work is five years.

9. Time required for the complete application of the water to the proposed use is 6 additional years.

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

Francis T. Letchfield,

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 11:30 A.M. May 1, 1916.

Returned to applicant for correction May 6, 1916.

Corrected application received June 26, 1916.

### APPROVAL OF STATE ENGINEER

The number of this permit is 12292

Recorded in Book 42 Page 12292 Approved July 15, 1916.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of 1000.00

to be filed on or before September 13, 1916.

Work to begin on or before

and to continue diligently and unin-

terruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 15, 1919.

The whole of said work to be completed on or before July 15, 1921.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 15, 1926

Witness my hand this 15th day of July, 1916.

J. H. Smith.

State Engineer.

#### Remarks:

14. The land to be irrigated is described in the following tabulation:

Twp. Range Sec.  $NE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  - Totals.

None.

15 (a) Is reservoir to be used? No.

Time within which to comply with terms of permit is hereby extended 2 years, being the time spent by the applicant in the Government Service during the war.

W. G. Swendsen.

Commissioner of Reclamation.

THIS INDENTURE, Made this Twenty second day of November in the year of our Lord one thousand nine hundred and Twenty between Francis T. Letchfield and his wife Nina Letchfield, the parties of the first part, and Idaho Power Company, a corporation of Maine, qualified to do business in Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, and convey unto the said party of the second part, and its successors and assigns forever, That certain Water Permit issued by the State of Idaho for the appropriation of 100 cubic feet per second of the waters of Sand Springs Creek, in Gooding County, Idaho, dated July 15, 1916, known as Permit No. 12292, and recorded in Book 42 at Page 12292 of the records of the Department of Reclamation of the State of Idaho

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the said premises subject, however, to the provisions of that certain contract by and between said second party and Francis T. Letchfield, dated October 7th 1920.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to its successors and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of  
Valletta Wood,  
Notary Public.

Francis T. Letchfield, (SEAL)  
Nina Letchfield, (SEAL)

My Commission Expires September 6, 1930.  
(SEAL)

Received and filed for record in the Department of Reclamation at Boise, Idaho,  
11.00 A. M. December 21, 1920.

W. G. Swendsen.  
Commissioner of Reclamation  
By: C. B.

STATE OF IDAHO )  
 ) SS.  
 County of Ada )

W. E. Putman, Vice-President & General Manager of Idaho Power Company, a Corporation of Maine, duly qualified to do business in Idaho, being first duly sworn upon his oath, deposes and says:

That Idaho Power Company, is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 12292;

That Idaho Power Company intends to change the point of diversion as described in the said permit to the following point:

A point which is North 50 degrees and 40 minutes West  
 2571.8 feet from the southeast corner of Section 17, in  
 Township 8 South, of Range 14, E.B.M., and within the Northwest  
 Quarter of the Southeast Quarter of the said section upon land  
 which is owned by Idaho Power Company.

That Idaho Power Company intends to change the point of use as described in the said permit to the following point:

A point which is North 60 degrees West 3060 feet from the Southeast corner of Section 8, in Township 8 South, of Range 14 E.B.M., and within Lot 3 in the said section upon land which is owned by Idaho Power Company.

That Idaho Power Company intends to change the point of return as described in the said permit to the following point:

Thousand Springs Creek at a point which is North 62 degrees and 35 minutes  
 West 3140 feet from the southeast corner of Section 8, in Township 8 South, of Range 14 E.B.M.,  
 and within the said Lot 3 in the said section, Thousand Springs Creek being tributary to  
 Snake River.

That such changes will be made for the reason that the revised plans, carried out, will lend to a more economical usage of the waters, provision for their reception having been already made in the enlargement of the forebay capacity and the machine installation of the existing Thousand Springs power station, at present owned and operated by Idaho Power Company;

That no prior appropriator nor present user will be injured by such changes and that Idaho Power Company will make such changes at its own risk,

And further deponent saith not.

IDAHO POWER COMPANY.  
 By W. E. Putnam,  
 Vice-President & General Manager.

Subscribed and sworn to before me this 30th day of December, 1920.

(SEAL)

M. E. Hughes,  
 Notary Public,  
 residing at Boise, Idaho

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:30 A. M.,  
 Dec. 31, 1920.

W. G. SWENDSEN,  
 Commissioner of Reclamation.  
 Ey CB

Proof of Completion of Works made July 27, 1921.  
Certificate October 27, 1921.

Permit No. 12292

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that the Idaho Power Company, of Boise, County of Ada, and State of Idaho, the holder of Permit No. 12292, issued upon Application No. 17500 bearing date of priority of May 1, 1916, authorizing the diversion of 100 second feet of the waters of Sand Springs Creek, County of Gooding, State of Idaho, for power purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 100 second feet of the waters of Sand Springs Creek; that the point of diversion of said waters is North 50° and 40' W. 2571.8 feet from the SE corner of Sec. 17, T. 8 S., R. 14 E. B. M. and is in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 17, T. 8 S., R. 14 E., B. M., and that the point of use of said water is described as follows, to-wit: at a point N. 60° W. 3060 feet from the SE corner of Sec. 8, T. 8 S., R. 14 E., B. M., and is in Lot 3 of Sec. 8, T. 8 S., R. 14 E., B. M.

Witness my hand this 27th day of October, A. D. 1921.

W. G. SWENDSEN,  
Commissioner of Reclamation.

License issued for 100 second feet

Page 2872

This  
Right has been  
Decreed in the  
SRBA.

November 3, 1921.

Re: Permit 12292.

Idaho Power Company,  
Boise, Idaho.

Gentlemen:

We enclose herewith Certificate of Completion of Works and Water License, issued under the above numbered Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,  
Commissioner of Reclamation

CB/E

By \_\_\_\_\_  
Chief Clerk.

12292

\$37.

October 24, 1921.

Re: Permit 12292.

Mr. E. C. Kiersted,  
c/o Idaho Power Company,  
Boise, Idaho.

Dear Sir:-

The report of our examining engineer for proof of completion of works and beneficial use of water under the above numbered permit has just been filed. Upon receipt of fees in the sum of \$37.00, the certificate and license will be issued.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By \_\_\_\_\_  
Chief Clerk.

12292

August 2, 1921.

Re: Permit 12292.

Mr. E. C. Fiersted,  
c/o Idaho Power Company,  
Boise, Idaho.

Dear Sir:

We acknowledge receipt of depositions of proof of completion of works and application of water to beneficial use under the above numbered permit. As soon as the report of our examining engineer is filed in connection with these proofs, you will be notified further as to issuance of certificate of completion and license.

Very truly yours,

W. G. SWENDSEN,  
Commissioner of Reclamation

By

MB

Chief Clerk.

12292

# REPORT OF ENGINEER

This proof is for Comp. Works & Ben. UseIn Water District No. 63

1. State name of applicant and number of permit: Idaho Power Co. - Permit 12292
2. State source of water supply: Sand Springs Creek
3. Location of point of diversion: N. 50° 40' W. 2571.8 ft. from S.E. Cor. Sec. 17, -8S-14E,  
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 17.

4. Describe works as they exist, giving dimensions and capacities of same: *Diversion consists of check dam 150 ft long, 3 ft high & flash boards above. Intake screen 25' long & 6' high. Forebay 22 ft long & 25' wide at screen. Flume 4 ft deep, 6' wide 2570' long, 8" x 8" collapse 4 ft O.C. Tongue & groove planking sills on concrete footings. Intake to pipe is 115' long 6.5' wide and 16' high of concrete. 17.5 ft rounded wood stave pipe to surge tank & thence 1935 ft to outlet structure of concrete. Outlet of penstock is thru water wheel & furnishes power to lift leakage back into general forebay which is of previous construction. Slope of pipe is 40", fall = 16' to 24' ft. (Brimmer & Hunter heads) Capacity is 100 cfs ft. pen. while under min. head*

5. State whether or not water has been turned into works of diversion: yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): The place of use: N. 60° W. 3060' from S.E. Cor. Sec. 8-8S-14E.

*Power generated by use of above diversion works is merged and distributed with that of the original installation over a system supplying the power demands of southern Idaho*

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:

10. What large stream <sup>does</sup> ~~would~~ the water here appropriated finally reach? Snake River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: *Construction of these works is of first class quality*

This examination was made on the 30<sup>th</sup> day of September 1921

(Signed)

*Fred A. Johnson*  
Examiner.

12292

OVER

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

County of.....

....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this..... day of..... 19.....

My commission expires.....

Notary Public.

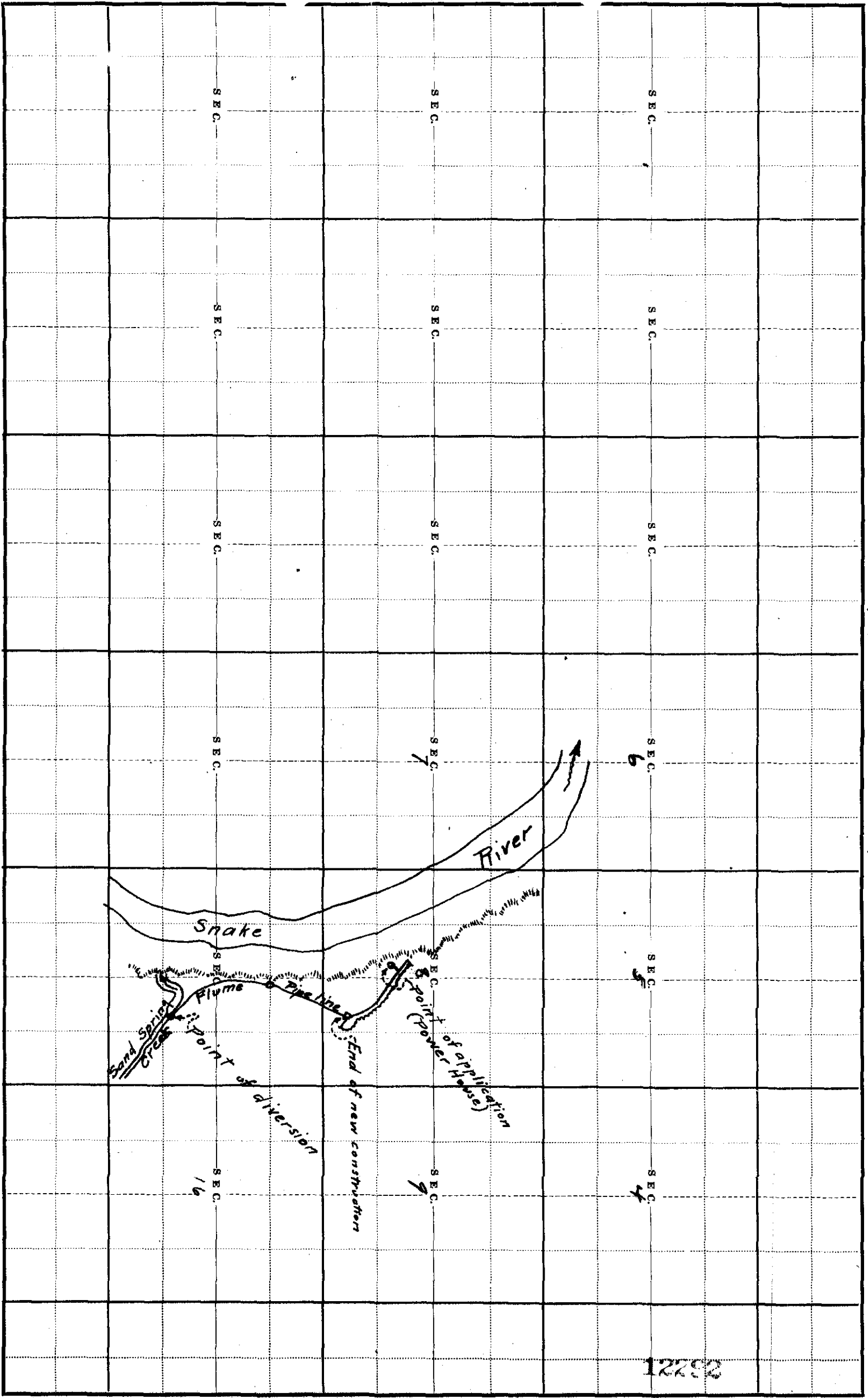
### Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT *Idaho Power Co.* Beneficial use

*1/12/21*  
*H*

*785-714 E. B.M.*



12252

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

PERMIT NO. 12,292

# Proof of Completion of Works

## DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. W.R. Putnam; Boise, Idaho; Vice President General Manager of Idaho  
Power Company; P.O. Box 919, Boise, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Idaho Power Company, a Maine Corporation, of Boise, Idaho; General Manager;  
Vice President.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 12292, July 15, 1916, 100 second feet, Sand Springs Creek N 50 degrees  
40' W 2571.8 feet from SE corner 17-33-14E, in Gooding County

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Power

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water has been turned into and through Diversion works, and has run  
continuously since May 12, 1921, to extent of entire flow,

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. The works are fully completed, and comply with terms of permit as amended.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The works comply

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Concrete dam 144 ft long and 5 ft high; wood flume 5'3" x 4'3" inside about  
2570 ft long on concrete footings; concrete pressure box and surge tank;  
Wood stave pipe 40" diameter about 2100 ft long on concrete footings; pump-  
ing plant for waste water; and cemented side-hill canal, with concrete re-  
taining wall, at Thousand Springs (Sign here.)  
Power Station; over \$92,000.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in \_\_\_\_\_, County of

Boise, State of Idaho, on this \_\_\_\_\_ day of

July, A. D. 1921.

Notary Public residing \_\_\_\_\_ Notary Public.

My Commission expires \_\_\_\_\_

12292

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. \_\_\_\_\_

## Proof of Completion of Works

### DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. C. O. Crane, 1702 N. 16th Street, Boise, Idaho.

Electrical Engineer

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 12292, authorizing the diversion of 100 second-feet of the waters of Sand Springs Creek, at \_\_\_\_\_, for Power purposes? How long have you known him, and where does he reside?

Ans. Yes

Ques. 3. Have you read or heard read said Permit No. 12292, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. \_\_\_\_\_

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The diversion dam is 144 feet long and 3 feet high, built of concrete. Wooden flume 5'3" x 4'3" inside, about 2570 feet long on concrete footings - concrete pressure box and surge tank - wood stave pipe 40" in diameter, about 2100 feet long on concrete footings. Turbine and pump installed at discharge end of pipe line to pump leakage water at Snowbank Springs. Capacity of works 100 cubic second feet.

(Sign here.) C. O. Crane

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County

of Ada, State of Idaho, on this 27<sup>th</sup> day of

July A. D. 1921

Edwin T. ...  
Notary Public residing at Boise, Idaho

12292

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 12292

## Proof of Completion of Works

### DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Henry H. Senger; 42; 1101 N. 20 St.; Civil Engineer; Boise, Idaho.

Ques. 2. Are you acquainted with W. R. Putnam, the

holder of Permit No. 12292, authorizing the diversion of 100 second-feet of the waters of

Sand Springs Creek, at N. 50° 41' W., 2571.8 from S. E. Corner  
Sec. 17, T. 8 S. R. 14 E. in Gooding Co.  
 for power purposes? How long have you known him, and where does he reside?

Ans. 2 years; Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 12292, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. \_\_\_\_\_

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. concrete dam 144 ft. long, about 5' high, on rock foundation; wood flume 5'-3" x 4'-3" inside dimensions  
about 2570' long set on concrete footings; concrete pressure box and surge tank; wood stave pipe 40 inches inside  
diameter about 2100 feet long and set on concrete footings; A portion of sand springs water passes thru  
turbine connected to pump which lifts leakage water from canal back into canal; Sand Springs water  
delivered into canal having concrete retaining wall; water passes down canal to Thousand Springs power plant

(Sign here.)

Henry H. Senger

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County

of Ada, State of Idaho, on this 27<sup>th</sup> day of

July A. D. 1921

[Signature]  
 Notary Public residing at Boise, Idaho

12292

**PUBLISHER'S AFFIDAVIT**

COUNTY OF GOODING, }  
STATE OF IDAHO } ss.

F. F. Swan, \_\_\_\_\_, being first  
duly sworn, deposes and says that he is  
**Publisher** \_\_\_\_\_ of The Good-  
ing Leader, a weekly newspaper published at  
the City of Gooding, in said County and State;  
that a notice, of which the annexed is a true  
copy, was published in the said newspaper for  
at least **Four** \_\_\_\_\_ consecutive  
issues, commencing with the issue dated  
\_\_\_\_\_ **June 23, 1921** \_\_\_\_\_ and ending with  
the issue dated \_\_\_\_\_ **July 14, 1921** \_\_\_\_\_  
in the regular and entire issue of said paper  
and not in any supplement thereof.

*F. F. Swan*  
\_\_\_\_\_

Affiant's Signature.

Subscribed and sworn to before me this  
**21st** \_\_\_\_\_ day of **July, 1921** \_\_\_\_\_

*P. D. Rutphen*  
\_\_\_\_\_

Notary Public.

Residing at Gooding, Idaho.

PERMIT NO. 12,292

**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. W. R. Putnam, Boise, Idaho; Vice President & General Manager of Idaho  
Power Company; P.O. Box 910, Boise, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Idaho Power Company; Augusta, Maine, Clarence T. Ward, Boise, Idaho; Vice  
President and General Manager; Vice President.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 12292, July 15, 1926; May 1, 1916.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Sand Springs Creek, North 80 degrees and 40 minutes West 2571.8 feet from  
SE corner 17-62-14E (within NW 1/4 SE 1/4 17-62-14E)

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Concrete diversion dam 144 ft length, 5 ft height; wood flume 2570 ft length,  
wood pipe 2100 ft length, pressure box and surge tank; turbine and pump; And  
pre-existing canal at Thousand Springs Power Station; 100 cu. sec; Sand Springs  
Diversion.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Development of power; Thousand Springs Power Station, and, intermediately  
at Snow Bank Springs for reclaiming water otherwise wasted.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. To three turbines aggregating 11000 H.P. direct connected to three generators  
aggregating 8500 KW; and to one 16" turbine direct connected to submerged centri-  
fugal pump; about 1660 H.P.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 100 Cu. sec.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. By deed from original appropriator.

12292

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. ~~Constant since May 12, 1921; in development of electrical energy; about~~  
100 cu. sec.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

**Ans.**

(Sign

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Idaho.

A. D. 1941,

12292

Permit No. 12292**Proof of Application of Water to Beneficial Use**

## DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address,

Ans. Chas. B. Smith, 42 years of age, Civil Engineer, 216 Franklin St.Boise, IdahoQues. 2. Are you acquainted with Idaho Power Co., the holder of Permit No. 12292? How long have you known him and where does he reside?Ans. 4 years. Boise, IdahoQues. 3. Have you read or heard read said Permit No. 12292, and are you familiar with its provisions and conditions?Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Sand Springs Creek, Point of diversion N. 50 degrees and 40 minutes W.2571.8 ft. from the southeast corner of Sec. 17 T. 8S. R. 14 E. B. M. Concretediversion dam, wooden flume, wooden pipe line, concrete surge tanks, concreteretaining wall, steel penstock, turbines & power house.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Seventy second feet. Sixty-four and one-half second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Power. North 60 degrees West 3060 feet from the South East corner Section8, Township 8 S., R. 14 E. B. M.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Sixty-four and nine-tenths second feet on July 12 - 1921. This water joinsthat discharged from Thousand Springs and the combined flow passes through penstocks andturbines at the Thousand Springs Power station. The combined output of this planton July 12 - 1921 being 6700 KW. The water from Sand Springs before entering the penstocks leading to turbines passes through a wheel operating a pump which recovers about 15 sec. feet of water lost by leakage through retaining wall.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. -12292

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. July 12 - 1921 64.9 second ft., carried through above described flume pipe line to join the flow from Thousand Springs. This combined volume of water passing through penstock & turbines was required to develop the 6700 h.p. registered on switch board in the power station on that date.

(Sign) Chas. B. Smith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 27<sup>th</sup> day of July A. D. 1921.

E. H. Kierstead  
Notary Public

My commission expires.....

12292

RECEIVED  
JUL 28 1921  
DEPARTMENT OF REGISTRATION

Permit No. 12292**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

Ques. 1. State your name, age, residence, occupation and postoffice address,

Ans. C. R. Burky, 40, Jerome, Idaho, Civil Engineer, Jerome, Idaho.

Ques. 2. Are you acquainted with The Idaho Power Co., the holder of Permit No. 12292? How long have you known him and where does he reside?

Ans. Yes

Since Aug. 1, 1916. Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 12292, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Sand Springs Creek, N. 50° 40' W. 2571.8 ft. from S. E. corner Sec. 17, Tp. 8 S., R. 14 E. B. M.; concrete Diversion Dam, wooden flume, wood pipe line, concrete surge tanks, concrete retaining wall, steel penstock, turbines, and power house.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 70 sec. ft. - have seen 64.2 sec. ft. conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used for power at a point N. 60° W. 3060 ft. from the southeast corner sec. 8, Tp. 8 S., R. 14 E., B. M.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water was applied to the extent of 64.2 sec. ft. on July 12, 1921. This water is used to pump some water otherwise lost into the main conduit for Thousand Springs, then mingles with the water of Thousand Springs and on July 12, 1921, these combined waters generated 6700 K.W.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Not for irrigation

12292

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest in these works or water.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. On July 12, 1921 for several hours I saw 64.2 sec. ft. of this water diverted into the Thousand Springs conduits and conducted through the Thousand Springs penstock and power house, the combined waters generating 6700 K. W.

(Sign) (signed) C. R. Burky

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada,

State of Idaho, on this 27<sup>th</sup> day of July, A. D. 1921.

E. Kintner  
Notary Public residing in Boise, Idaho.

My commission expires \_\_\_\_\_

12292

DEPARTMENT OF MINES  
BUREAU OF MINES  
WASHINGTON

RECORDED  
INDEXED  
JUL 15 1921

# State of Idaho

DEPARTMENT OF RECLAMATION  
BOISE

## INSTRUCTIONS PROOF OF BENEFICIAL USE

BOISE, IDAHO, July 22, 1921.

Idaho Power Co.,  
c/o E. C. Kiersted,  
Boise, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 12292

DEPOSITION OF PERMIT HOLDER,  
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On July 27, 1921, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at Boise, Idaho, before E. C. Kiersted, N. P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. SWENDSEN,

Commissioner of Reclamation.

12292

June 20, 1921.

Re: Permit 12292.

Idaho Power Company.  
Box 910  
Boise, Idaho.

Attention: E. C. Kiersted.

Gentlemen:

We are in receipt of notices for proof of beneficial use and completion of works under the above numbered permit. One copy is being mailed to the Gooding Leader as per your request, for the required four weeks publication, and deposition blanks will be mailed to Mr. E. C. Kiersted, Notary Public, in time for proof to be made July 27th.

Very truly yours,

W. G. SWENDSEN,  
Commissioner of Reclamation

By

MB

Chief Clerk.

12292

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

Boise, Idaho, June 20, 1921.

Gooding Leader,  
Gooding, Idaho.

Dear Sirs:

Enclosed find Notice for Publication under Permit no. **12292** which please publish once a week for four consecutive weeks in your paper. The expense of this publication will be paid by **Idaho Power Company, Boise, Idaho.** to whom you will please furnish proof of publication of this notice on or before date of proof.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,

W. G. SWENDSEN,

Commissioner of Reclamation

(P. O.) .....

(Date) .....

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of.....enclosing notice of proof under Permit No. ....which will be published as you request, beginning with our issue of.....

12292

(P. O.)

Gooding Ida

(Date)

Je 21, 1921

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of June 20 enclosing notice of proof under  
Permit No. 12292 which will be published as you request, beginning with our issue of Je 23

Gooding Leader

By 77 Swan

12292

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 26, 1921

(P. O.) Boise, Idaho, P. O. Box 910

TO THE STATE ENGINEER:

Boise, Idaho.

DEAR SIR:

You are hereby authorized to have the attached notice published at my expense in the  
Gooding Leader of Gooding, Idaho, published  
in the county in which the works are situated.

IDAHO POWER COMPANY

*By E. E. Kierstead*  
Special Agent.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water  
per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

*Henry L. Sangre*

Engineer.

12292

Notice of Proof of Completion of Works and Application of  
Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 27th day of July, 1921, at Boise, County of Ada, State of Idaho, before E. C. Kiersted, Notary Public, proof will be submitted of the completion of works for the diversion of 100 cubic feet per second of the waters of Sand Springs Creek and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 12292 heretofore issued by the State Engineer of the State of Idaho, and the date set for the completion of said works is July 15, 1923.

1. The name and postoffice address of the person or corporation holding said permit are Idaho Power Company, P. O. Box 910, Boise, Idaho.

2. Said works of diversion are fully completed and were completed prior to the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, as amended, is 100 cubic feet per second, or more.

3. The use to which said water is intended to be applied and has been applied is power development purposes, and the amount applied to beneficial use is 100 cubic feet per second.

4. The place where said water is used is Thousand Springs Power Station, in Section 8, in Township 8 South, of Range 14 East B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is \_\_\_\_\_

6. The right to take water from such works is based upon Permit No. 12292.

7. The source of supply from which such water is diverted is Sand Springs Creek in Gooding County, Idaho.

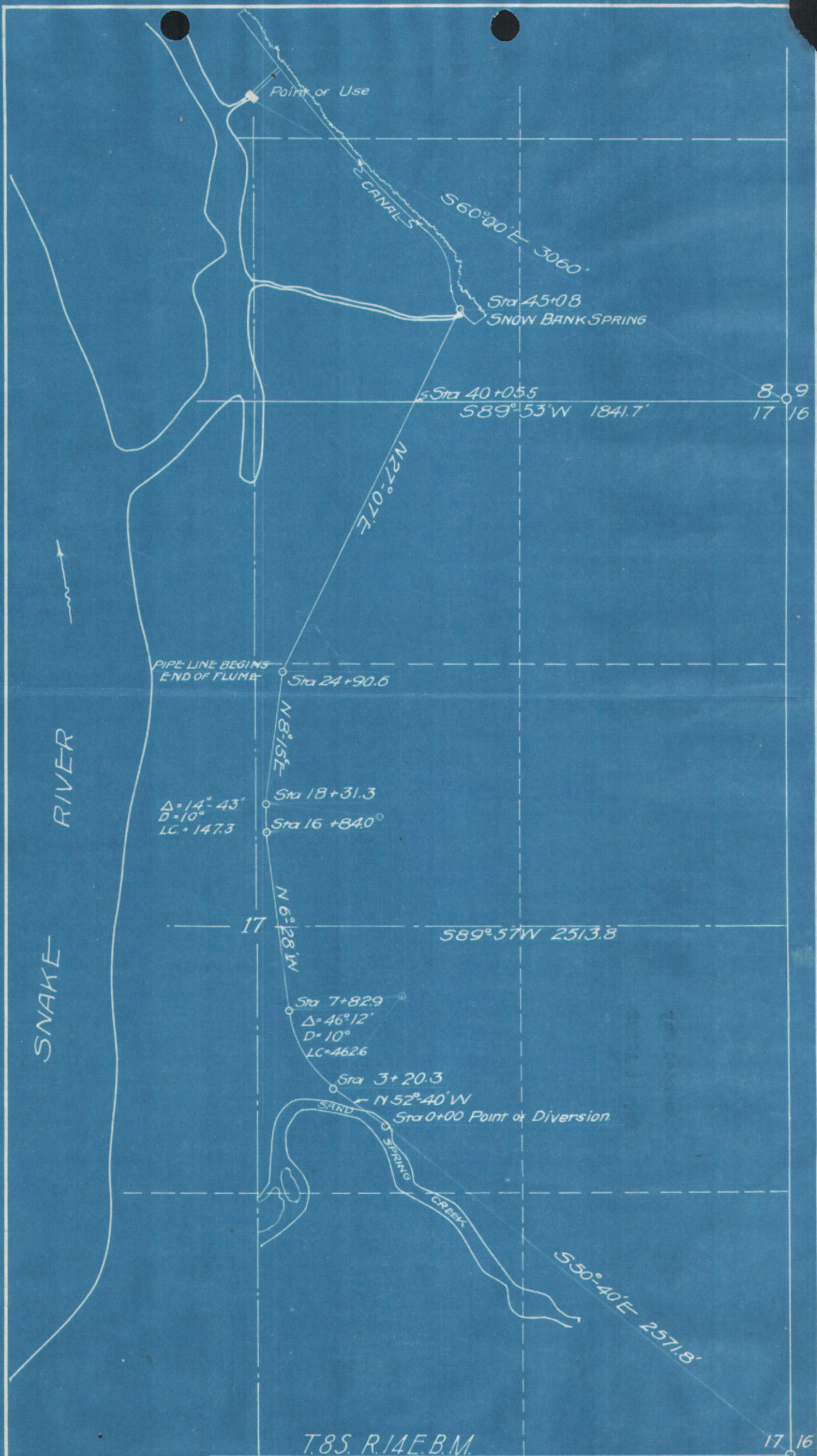
8. The date of the priority which said user is prepared to establish is May 1, 1916.

W. G. Swendsen,  
Commissioner of Reclamation.

n 60° W 3060' from 88 Cor of 8-85-14 S.B.M.  
Lot 3 -

- 63 -

12292



I hereby certify that this map was prepared from an actual survey made by me December 6 1920 and correctly shows the position of points indicated thereon.

*Henry L. Singer*  
December 29, 1920. P.O. Boise, Idaho

12292

Thousand Springs Development  
Sand Springs Creek

Idaho Power Co.  
Boise-Idaho.

Scale 1"=600'  
Dec. 1920.

State of Idaho,       )  
                              ) ss  
County of Ada.

W. R. Putnam, Vice-President & General Manager of Idaho Power Company, a corporation of Maine, duly qualified to do business in Idaho, being first duly sworn upon his oath, deposes and says:

That Idaho Power Company is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 12292;

That Idaho Power Company intends to change the point of diversion as described in the said permit to the following point:

A point which is North 50 degrees and 40 minutes West 2571.8 feet from the southeast corner of Section 17, in Township 8 South, of Range 14 E.B.M., and within the Northwest Quarter of the Southeast Quarter of the said section upon land which is owned by Idaho Power Company.

That Idaho Power Company intends to change the point of use as described in the said permit to the following point:

A point which is North 60 degrees West 3060 feet from the southeast corner of Section 8, in Township 8 South, of Range 14 E.B.M., and within Lot 3 in the said section upon land which is owned by Idaho Power Company.

That Idaho Power Company intends to change the point of return as described in the said permit to the following point:

Thousand Springs Creek at a point which is North 62 degrees and 35 minutes West 3140 feet from the southeast corner of Section 8, in Township 8 South, of Range 14 E.B.M., and within the said Lot 3 in the said section, Thousand Springs Creek being tributary to Snake River.

That such changes will be made for the reason that the revised plans, carried out, will lend to a more economical usage of the waters, provision for their reception having been already made in the enlargement of the forebay capacity and the machine installation of the existing Thousand Springs power station, at present owned and operated by Idaho Power Company;

That no prior appropriator nor present user will be injured by such changes and that Idaho Power Company will make such changes at its own risk;

And further deponent saith not.

Idaho Power Company

By W. R. Putnam  
Vice-President & General Manager

Subscribed and sworn to before me this 30<sup>th</sup> day of December, 1920.

M. E. Hughes  
Notary Public.  
Notary Public residing at Boise, Idaho

920  
A. 3 Dec 31 1920  
W. H. Saunders  
By CB

Recorded in Bk. 42 of Permits

Page 12292

January 3, 1921.

Re: Permit 12292.

Idaho Power Company,  
Boise, Idaho.

Gentlemen:--

Attention Mr. Kiersted.

Am herewith returning the duplicate affidavit  
and map showing changed to be made under the above permit,  
the originals having been filed in this office and the  
affidavit recorded in the permit book.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By \_\_\_\_\_

Aff.M

December 24, 1920.

Re: Permit 12292.

Idaho Power Co.,  
Boise, Idaho.

Gentlemen:--

Attention Mr. Kiersted.

Replying to your letter of the 24th inst., relative to certain changes to be made under the above numbered permit, would say that the holder should file an affidavit, accompanied by maps in duplicate, describing the changes desired. As such changes are made at the holder's own risk, no approval by this office is required. The affidavit will be recorded under the permit and one map filed here. The original affidavit and one map will be returned to you.

The enclosed form for affidavit for change of point of diversion will serve to give you an idea of the affidavit required.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By \_\_\_\_\_

F13-

12292

# IDAHO POWER COMPANY

BOISE, IDAHO

IN REPLY PLEASE REFER  
TO FILE No. 33-58  
81-17-1

December 24, 1920

Department of Reclamation,  
W. G. Swendsen, Commissioner,  
Boise, Idaho.

Gentlemen:

Assignment has been made to this company by Francis T. Letchfield of Water Permit No. 12292 for the appropriation of 100 c.f.s. Sand Springs Creek, in Gooding County, Idaho, and the deed of assignment has been filed for record in your office.

The water appropriation under this permit is in priority, its diversion point being below the diversion points of any subsequent appropriator. It is our desire to change the plans of development under the permit to accord with the contemplation we had in mind in our enlargement of the capacity of the forebay of our Thousand Springs development, and to that end we hereby make application for changes in the points of diversion, use, and return, as follow:

To change the point of diversion from the present point, described in the said Water Permit as South 69 degrees and 25 minutes West 2689 feet from the east quarter corner of Section 17, in Township 8 South, of Range 14 E.B.M., and within the Northeast Quarter of the Southeast Quarter of the said section,

to

a point which is North 50 degrees and 40 minutes West 2571.8 feet from the southeast corner of Section 17, in Township 8 South, of Range 14 E.B.M., and within the Northwest Quarter of the Southeast Quarter of the said section upon land which is owned by this company.

To change the point of use from the present point, described in the said Water Permit as South 74 degrees West 2820 feet from the east quarter corner of Section 17, in Township 8 South, of Range 14 E.B.M., and within the Northeast Quarter of the Southeast Quarter of the said section,

to

a point which is North 60 degrees West 3060 feet from the southeast corner of Section 8, in Township 8 South, of Range 14 E.B.M., and within Lot 3 in the said section upon land owned by this company, this point of use being at the power station of the applicant herein.

12292

12/24/20

And to change the point of return from the present point, described in the said Water Permit as at a point 3000 feet from the east quarter corner of Section 17, in Township 8 South, of Range 14 E.B.M., and within the Northeast Quarter of the Northwest Quarter of the said section,

to

Thousand Springs Creek at a point which is North 62 degrees and 35 minutes West 3140 feet from the southeast corner of Section 8, in Township 8 South, of Range 14 E.B.M., and within Lot 3 in the said section.

The plan of enlargement of the forebay capacity of our Thousand Springs power station contemplated the reception of the water of Sand Springs Creek therein by a conduit system therefrom, comprising a wood flume about 6 feet wide, 5 feet high, and 2600 feet long, and a pipe not more than 48 inches in diameter about 2800 feet long, carrying the water of Sand Springs Creek to the upper end of the Thousand Springs forebay.

The dam contemplated upon Sand Springs Creek at the changed point of diversion mentioned is about 8 feet high, 80 feet long at top, 80 feet long at bottom, and is to be constructed of concrete, the headgate to be about 8 feet wide and 4 feet high.

The necessary rights of way covering the damsite and the flume have been acquired by purchase, and negotiations are in progress, looking to successful consummation, for the acquisition of the pipe line right of way.

It is our desire to so proceed with the construction of the works of diversion as to be well within the terms of the said Water Permit No. 12292, aside from the work done in the enlargement of the Thousand Springs forebay, which had this diversion in view, by immediate commencement of work upon the damsite and the flume, dependent, of course, upon your approval of the changes in the original plans, as hereinbefore set out.

May we ask early consideration of this application to the end that the necessary procedures in the physical works may be initiated and diligently prosecuted.

Respectfully submitted,



Vice-President & General Manager.

ECK/H

12292

December 23, 1920.

Re: Permit 12292.

Idaho Power Co.,  
Boise, Idaho.

Dear Sir:--

Am returning herewith sale deed of the above  
numbered permit, with receipt for recording fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

D-R6339

Eg \_\_\_\_\_

12292

May 3, 1920.

Re Permit 12292.

Francis T. Letchfield,  
Nitro, West Virginia.

Dear Sir:--

Replying to yours of the 28th ult. would say that it was an oversight in sending you notice of proof of completion of works under the above permit, as the time was extended two years, ot to July 15, 1922. No further attention need be given the blanks sent you last month.

Very truly yours,

W. S. SWENDESEN,

Commissioner of Reclamation.

By \_\_\_\_\_

12292

CHARLESTON INDUSTRIAL CORPORATION

OPERATING THE

**CITY OF NITRO**  
**WEST VIRGINIA**

EXECUTIVE OFFICES  
NITRO, WEST VA.  
OFFICE OF VICE PRES.  
62 CEDAR STREET, N.Y.

BRANCH OFFICES  
WASHINGTON, D.C.  
MUNSEY BLDG.

CHARLESTON, W. VA.  
UNION TRUST BLDG.

NITRO, WEST VIRGINIA

April 28, 1920.

Mr. W. G. Swenson,<sup>4</sup>  
Commissioner of Reclamation,  
Boise,  
Idaho.

Dear Sir:-

The writer recently received from your office blanks and sheet of instructions relative to "Proof of Completion of Works", which sheet of instructions specified that I must file proof of ~~under~~ permit #12292 on or before July 15th, 1920.

On February 20th I received the following letter from your office:

"Replying to your letter of the 16th inst., would say that your time for completion under the above permit will be extended two years, being the length of time you were in the Service. This will bring the date for one-fifth of the work to January 15, 1921, and for completion of works to July 15, 1922."

Will you kindly take the proper steps to show on your records that the time for filing proof of completion of works under the above mentioned permit has been extended to July 15th, 1922, as outlined in your letter of February 20th.

Very truly yours,

*Francis T. Letchfield.*  
Francis T. Letchfield.

FTL-MED

12292

State of Idaho  
DEPARTMENT OF RECLAMATION  
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho,

April 16, 1920

Francis T. Letchfield,  
Salt Lake City, Utah.

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 12292

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before July 15, 1920. Upon receipt of the blank, properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

12292

February 20, 1920.

Re Water Right.--Permit 12292.

Mr. Francis T. Letchfield,  
Nitro, West Virginia.

Dear Sir:--

Replying to your letter of the 16th inst. would say that your time for completion under the above permit will be extended two years, being the length of time you were in the Service. This will bring the date for one-fifth of the work to January 15, 1921, and for completion of works to July 15, 1922.

Very truly yours,

W. G. SWINDSEN,

Commissioner of Reclamation.

By \_\_\_\_\_

12292

## CHARLESTON INDUSTRIAL CORPORATION

NITRO, W. VA.

February 16, 1920.

From: F. T. Letchfield, Nitro, W. Va.,  
To : State Engineer, Boise, Idaho.  
Subj: PERMIT #12292 (Sand Springs Creek.)

Dear Sir:-

The writer has an application on 100 second-feet in Sand Springs Creek, Gooding County, Idaho, filed in your office under permit number 12292.

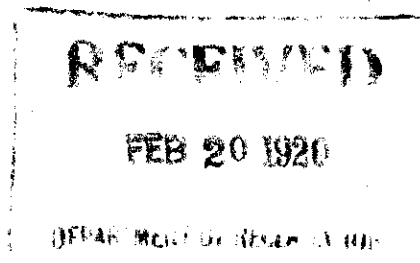
On July 23rd, 1918, the writer made affidavit to the effect that he was in Government War Service, and petitioned under the affidavit for an extension of time for his filing which was granted according to a letter from your office dated July 29th, 1918.

The writer was discharged from Government service on January 19th, 1920, and wishes to hereby notify you to that effect, and also that he proposes to perfect the above mentioned filing. It is his understanding that its date of expiration will now be about January 1st, 1921. Will you kindly advise him as to its status, and the date on or before which one fifth of the work must be done.

Very truly yours,

*Francis T. Letchfield*  
Francis T. Letchfield.

FTL:ng



12292

July 29th, 1918.

Mr. F. T. Letchfield,  
16 East 42nd St.,  
New York City.

Re: Permit #12292

Dear Sir:

This is to acknowledge receipt of yours  
of the 23d which has been placed in the  
files of your application and will pro-  
tect your permit from lapse during the  
term of your enlistment in the service.

Very truly yours,

FAW:GCW

State Engineer.

12292

OFFICE  
WASHINGTON, D. C.  
A 4 MILLS BLDG. 18TH & E STS., N. W.  
TELEPHONE  
WAR DEPT. MAIN 2570

WAR DEPARTMENT  
U. S. GOVERNMENT EXPLOSIVES PLANTS  
OFFICE OF THE DIRECTOR  
NEW YORK

NEW YORK CITY  
EAST 42ND ST.  
TELEPHONE  
MURRAY HILL 9100

July 23, 1918.

In replying refer to

State Engineer of Idaho,  
Boise, Idaho.

Sir:-

In May of 1916, I made application for 100 second feet of water from Sand Springs Creek in Gooding County, Idaho.

My application was granted with the proviso that I do one fifth of the work necessary to divert the aforesaid 100 feet before January 1st, 1919.

I have kept in force the \$1000.00 surety bond required by your office.

Since January 29th, 1918, I have been in the Government Service in the Ordnance Department. I will be unable to complete my present duties, or receive a leave of absence from them before the end of the present year, at which time I propose to continue in Government work of this nature. It will therefore be impossible for me to do the necessary construction work upon the dam site on Sand Springs Creek, nor would the present policy of the Government permit of such construction.

I beg therefor, to be allowed an extension of a reasonable amount of time in which to complete the required work on my filing, same to commence upon date of my severance from Government work called forth by the present emergency.

Respectfully yours,

*J. J. Litchfield.* 12203

FTL:KHD

I hereby swear that the above statement is a true representation of the facts, and that I have been since the 29th day of January 1918, and now am in Government Service on work due to necessities of war. *J. J. Litchfield.*

Subscribed and sworn to before me this 23rd day of July, 1918.

*Charles L. Davis*

NOTARY PUBLIC  
QUEENS CO. 2153  
N.Y. COUNTY 58  
REGISTER No. 10006

FRANCIS T. LETCHFIELD  
ENGINEER  
SALT LAKE CITY, UTAH

#46 South State St.,  
Sepr 1st. 1916.

State Engineer of Idaho,  
Boise, Idaho.

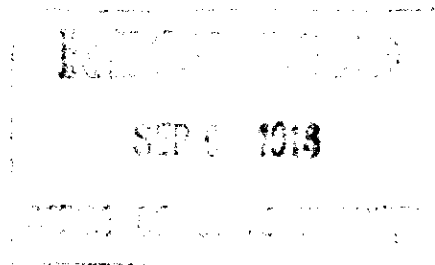
Dear Sir;-

I am enclosing, herewith, a bond for one thousand dollars executed by the American Surety Co. of New York to comply with the requirements of my permit No. 12292 to appropriate waters of Sand Springs Creek, Gooding County, Idaho.

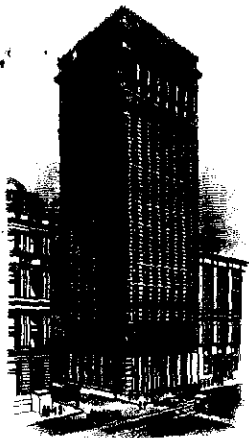
Very truly yours;

*Francis T. Letchfield*

FTL:F



12292



COMPANY'S OFFICE BUILDING  
100 BROADWAY NEW YORK.

# American Surety Company

## OF NEW YORK

CAPITAL AND SURPLUS OVER \$6,000,000.

1916

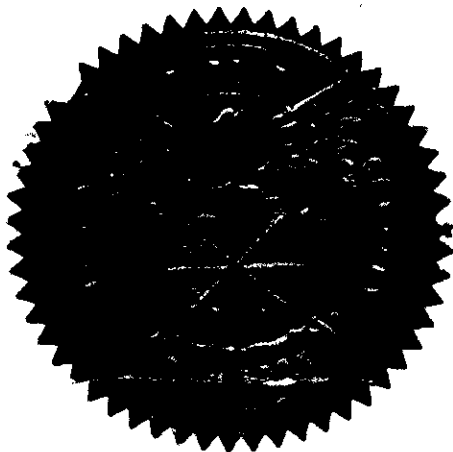
### WATER PERMIT BOND.

KNOW ALL MEN BY THESE PRESENTS, That FRANCIS T. LETCHFIELD, of Salt Lake City, Utah, as principal, and the AMERICAN SURETY COMPANY OF NEW YORK, as Surety, are held and firmly bound unto the State of Idaho, in the full and just sum of ONE THOUSAND (\$1,000.00) DOLLARS, lawful money of the United States, to the payment of which sum well and truly to be made, said principal and surety bind themselves, their heirs, administrators, executors, and assigns, jointly and severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the 1st day of May, 1916, filed in the office of the State Engineer at Boise, Idaho, a certain application for permit to appropriate the public waters of the State of Idaho, the said application being thereupon numbered #17500, in accordance with which said application the State Engineer granted and issued to the said principal therein a certain permit numbered #12292, a full, true and complete copy of which application No. 17500 and permit No. 12292 is of record in the office of the State Engineer, in Book 42 of permits at page 12292.

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No. 17500 and permit No 12292 in the manner and form prescribed herein and within the time therein allowed then the above obligation to be void, otherwise to remain in full force and effect.

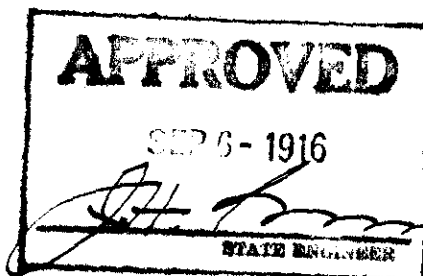
IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals, this 1st day of September, 1916.



AMERICAN SURETY COMPANY OF NEW YORK.

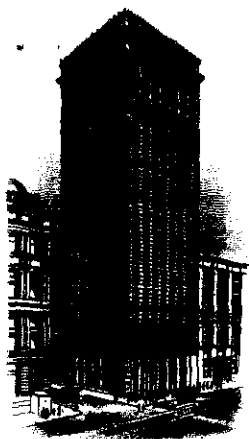
By W. M. Felle  
Resident Vice President

Attest: Thomas Laughlin  
Resident Assistant Secretary



12292

12292



COMPANY'S OFFICE BUILDING  
100 BROADWAY NEW YORK.

# American Surety Company

## OF NEW YORK

**CAPITAL AND SURPLUS OVER \$6,000,000.**

### STATUTORY AFFIDAVIT FOR CORPORATE SURETY

**IDAHO**

State of Utah

County of Salt Lake

} ss.:

On the.....1st.....day of.....September..., 191.6..., personally appeared before me, a Notary Public in and for the County and State aforesaid,.....W. E. McKell..... to me known to be a Resident Vice President of the AMERICAN SURETY COMPANY OF NEW YORK, who being by me duly sworn did depose and say; that he resided in the City of..... Salt Lake City,....., State of.....Utah.....; that he is Resident Vice President of the AMERICAN SURETY COMPANY OF NEW YORK, the corporation described in and which executed the above instrument; that he knew the corporate seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Trustees of said corporation; and that he signed his name thereto by like order; that said corporation has complied with Chapter Eleven of the Idaho Revised Codes and all other laws of the State of Idaho relating to surety companies and has also complied with the Act of Congress approved August Thirteenth, A. D. 1894, entitled: "An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon," as amended March 23, 1910; and that the liabilities of said corporation do not exceed its assets as ascertained in the manner provided by law. And the said.....W. E. McKell.....further said that he was acquainted with.....Leonard Laughlin.....and knew him to be one of the Resident Assistant Secretaries of said corporation; that the signature of said.....Leonard Laughlin.....subscribed to the said instrument is in the genuine handwriting of the said.....Leonard Laughlin.....and was thereto subscribed by the like order of the said Board of Trustees, and in the presence of him, the said.....W. E. McKell.....Resident Vice President. Affiant further says that the Insurance Commissioner of the State of Idaho, whose address is Boise, Idaho, has been appointed Attorney upon whom process for the State of Idaho may be served according to law.

.....*W. E. McKell*.....

Subscribed and sworn to before me this.....1st  
day of.....September.....191.6..

.....*Cora Beatty*.....  
Notary Public.

**State of Idaho**  
**ENGINEERING DEPARTMENT**  
**BOISE**

Permit No. 12292-  
Mr. Francis T. Letchfield,  
46 So. State St.,  
Salt Lake City, Utah.

Boise, Idaho,

July 15, 1916.

Dear Sir:

I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND  
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

**J. H. Smith.**

State Engineer

12292

State of Idaho  
ENGINEERING DEPARTMENT  
BOISE

A. E. ROBINSON  
STATE ENGINEER

Permit No. 12292 -  
Mr. Francis T. Letchfield,  
Salt Lake City, Utah.

NOTE July 16, 1916.

That in order to keep this permit in force a bond in the sum of \$ 1000.00 must be filed in the office of the State Engineer on or before 15th of September, 1916. conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

~~A. E. ROBINSON~~ J. H. Smith.  
State Engineer.

12292

May 6, 1916.

17500-

Mr. Francis T. Letchfield,  
Salt Lake City, Utah.

Maps indicate that point of return is some distance below point of use. Describe point of return in Paragraph 6 (c) by course and distance and by forty.

Also indicate point of Return on maps. This may be shown by separate small scale sketch if desired.

12292

RB.

17500-FPR #11346-