

West Fork
Pine River

OWNED BY SIMPSON LANDS BEING RECLAIMED BY ERIC SIMPSON

POINT OF DIVERSION

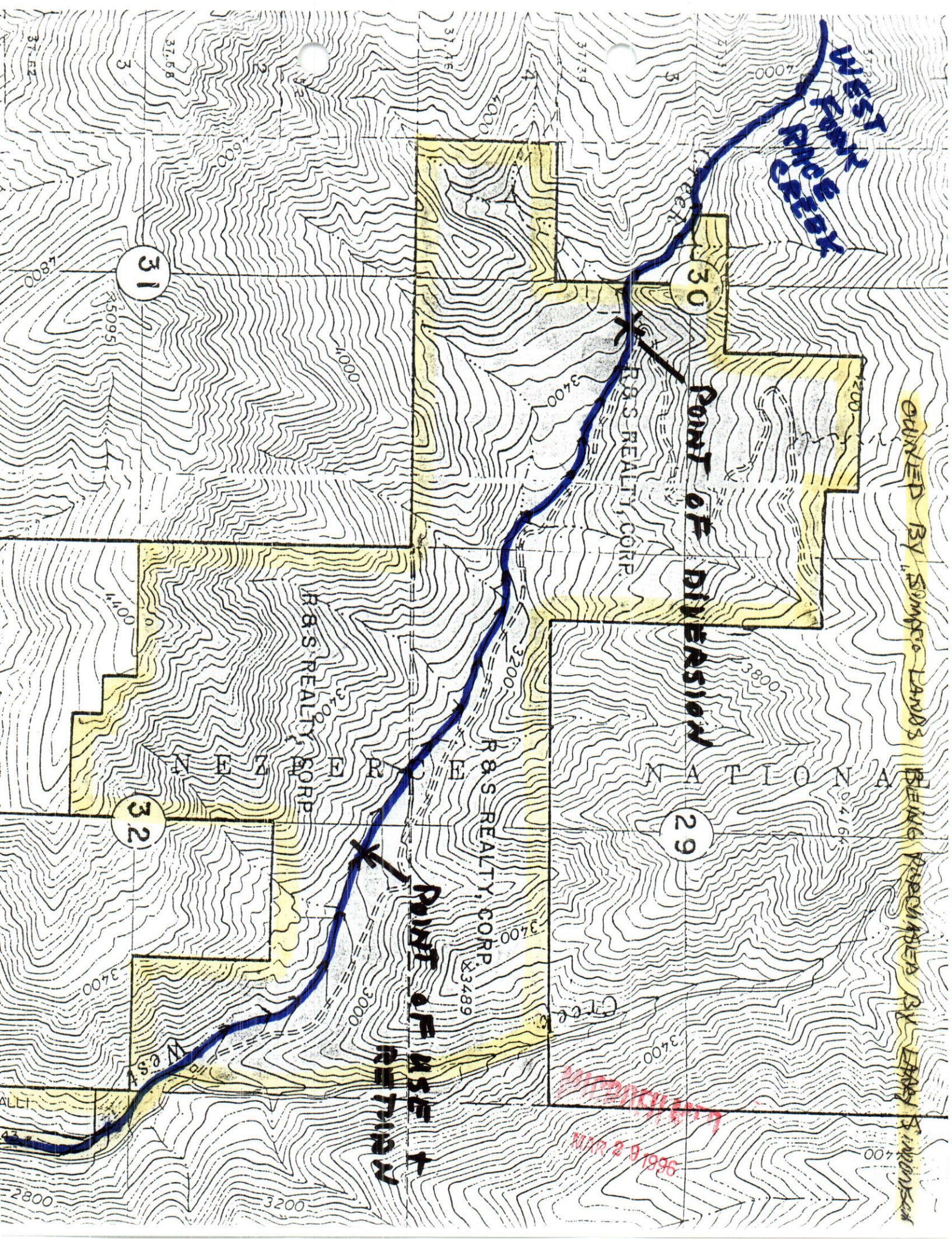
R.B.S. REALTY, CORP.

R.B.S. REALTY, CORP.

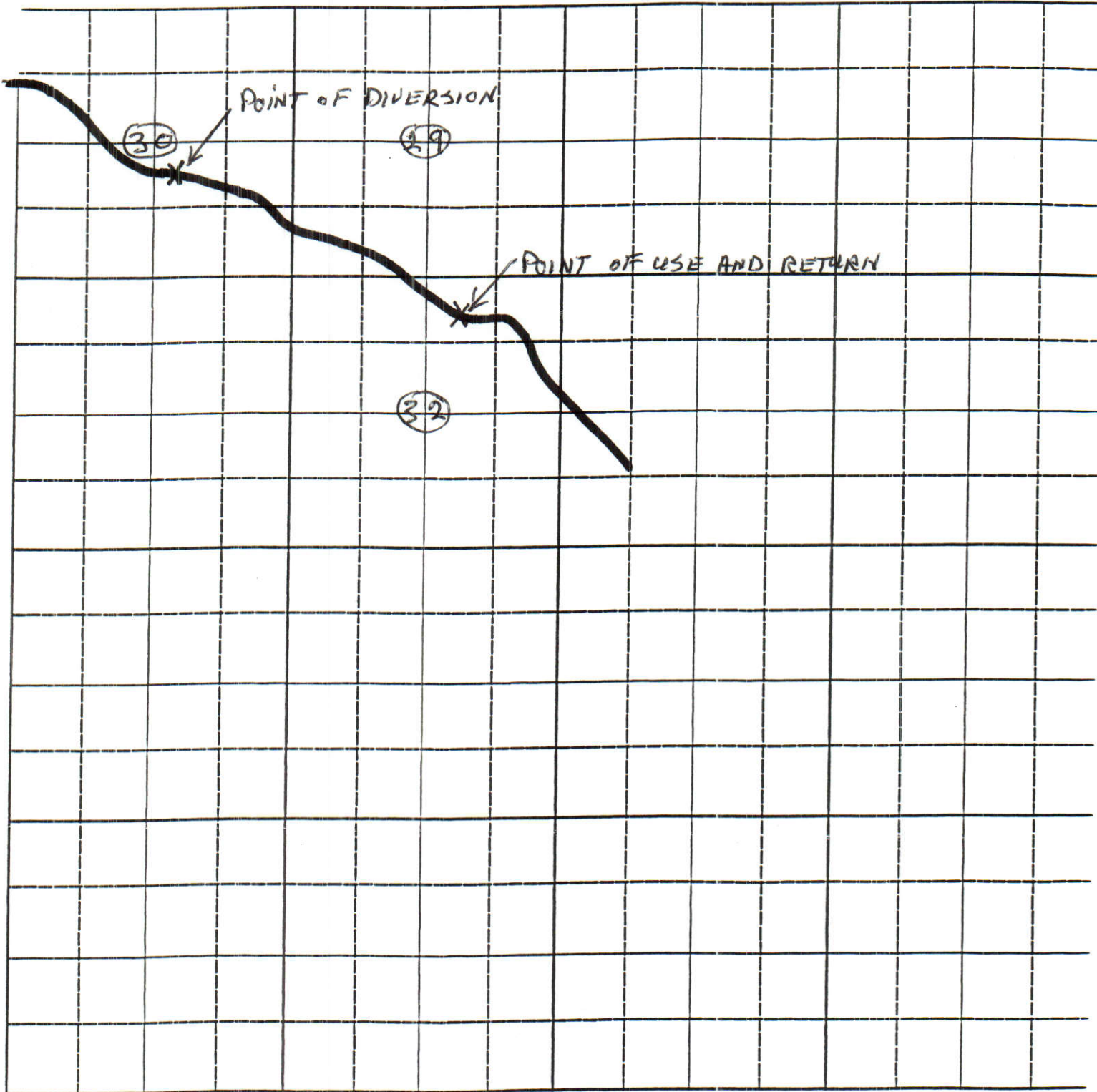
R.B.S. REALTY, CORP.

POINT OF USE &
RETURN

RECEIVED
MAR 29 1996

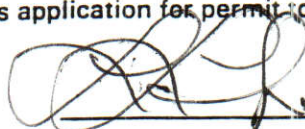


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. SEC 30x32 OF T25N R1E



Scale: 2 inches equal 1 mile.

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



(Applicant)

MICROFILMED

WEST
POINT
PROJECT

OWNED BY SIMPO LANDS

BLANK RECORDERS BY LAND SIMPO LANDS

POINT OF DIVERSION

R.B.S. REALTY, CORP.

R.B.S. REALTY, CORP.

R.B.S. REALTY, CORP.

POINT OF USE +
RETURN

31

30

29

32

MAR 28 1956

RECEIVED

SEP 27 1995

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

NOTICE OF APPLICATION FOR WATER RIGHT

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

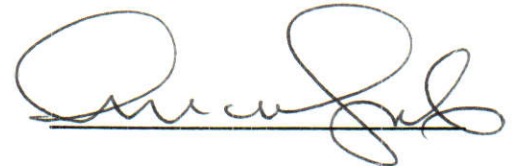
79-07237 ✓

SIMONSON, LARRY L
14089 MORELL RD
MCCALL, ID 83638
Source: RACE CREEK, WEST FORK
Tributary: SALMON RIVER
Diversion Pt: NWSE Sec 30 T 25N R
01E in IDAHO County.
Use: POWER (2.200 CFS)
Total Diversion: (2.200 CFS)
Date Filed: 8/7/1995
In: IDAHO County
T25N R01E S32 NWNE
Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Sec. 42-203A, Idaho
Code. Any protest against the approval
of this application must be filed with the
Director, Dept. of Water Resources,
Western Region, 2735 Airport Way,
Boise, Idaho 83705 together with a
protest fee of \$25.00 on or before SEP-
TEMBER 25, 1995. The protestant must
also send a copy of the protest to the ap-
plicant.

KARL J. DREHER, Director
Published: 9/7/1995 & 9/14/1995

S6-13

Andrew J. McNab, being
first duly sworn, says she is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 6th day of
September, 19 95, and the last
publication on the 13th day of September, 19 95;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.

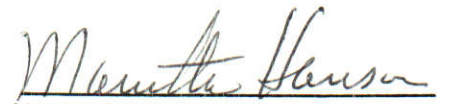


STATE OF IDAHO }
COUNTY OF } IDAHO

On this 13th day of September in the year of 1995,
Before me, a Notary Public, personally appeared
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

NOTARIZED

MAR 29 1996


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10-8-99

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 29 1999

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 79-07237 Telephone No. 208-634-7074

2. Name of Permit Holder(s): LARRY SIMONSON

3. Mailing Address: 14089 MORELL RD.

City MCALL State ID Zip 83638

4. Source of Water: RACE CR. W. FORK If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): _____ Other: POWER

6. Total rate of diversion and/or volume for which proof is submitted: 2.20 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes X or No _____

Has the measuring device been installed?

Yes X or No _____

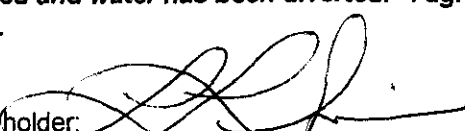
8. Fee Enclosed: \$ 150 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: LARRY SIMONSON Telephone Number: 208-634-7074

Address: 14089 MORELL RD. MCALL ID 83638

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: 

(include your title, if on behalf of company or organization)

Owner MICROFILMED 12-27-99

JAN 3 1 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 79-07237

Proposed Priority: August 7, 1995

Maximum Diversion Rate:

2.20 CFS

This is to certify, that **LARRY L SIMONSON**
14089 MORELL RD
MCCALL ID 83638

has applied for a permit to appropriate water from:
RACE CREEK, WEST FORK tributary of **SALMON RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

POWER	01/01 to 12/31	2.20 CFS
-------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 30, Township 25N, Range 01E
IDAHO County

PLACE OF USE: POWER

TWN RGE SEC

25N 01E 32

NWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 2000**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
6. The water right acquired under this permit 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 permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
7. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
8. Use of water under this right shall be non-consumptive.

MAR 29 1996

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

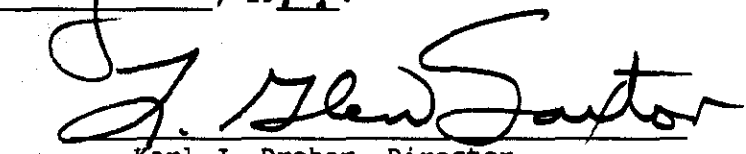
NO. 79-07237

CONDITIONS OF APPROVAL AND REMARKS

9. The right holder shall either install a measuring device or a flow measurement port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
10. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
11. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
12. The issuance of this right does not grant any right-of-way or easement across the land of another.
13. Water shall not be diverted under this right when bypass flows in Race Creek, West Fork are below the following flow rates: 0.73 cfs from 12/1 to 2/29; 2.20 cfs from 3/1 to 4/30; 4.40 cfs from 5/1 to 6/30; 2.20 cfs from 7/1 to 11/30.
14. Upon notification by the Department, the right holder shall provide stream flow measurements so that compliance with the bypass requirement set forth above can be monitored.
15. Construction of diversion works pursuant to this right shall provide for adequate fish screening and deflection, minimal streambank disturbance, and adequate water quality in any bypass reach.
16. Power use is for 3 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

8th day of February, 1996


for Karl J. Dreher, Director

RECEIVED
FEB 29 1996

RECEIVED
OCT 20 1995

Department of Water Resources

Ident. No. 79-07237

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LARRY L SIMONSON
Address: 14089 MORELL RD
MOCALL ID 83638
208-634-2728
2. Source: WEST FORK RACE CREEK
3. Location of Point of Diversion: Trib. to: SALMON RIVER
NWSE Sec. 30, Township 25N, Range 01E
IDAHO County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
POWER	01/01	12/31	2.200		
5. Total quantity to be appropriated is:
2.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
CEMENT DIVERSION STRUCTURES AND SCREENS.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 4 year(s).
8. Place of Use: POWER

TWN RGE SEC
25N 01E 32

NWNE

RECEIVED
MAR 29 1996

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:
POWER USE IS FOR THREE HOUSEHOLDS.

11. Map of proposed point of diversion and place of use attached? []

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 140.00 Receipted by _____ #W019696 Date 8/ 7/1995

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

Handwritten: MILDEN

MAR 29 1996

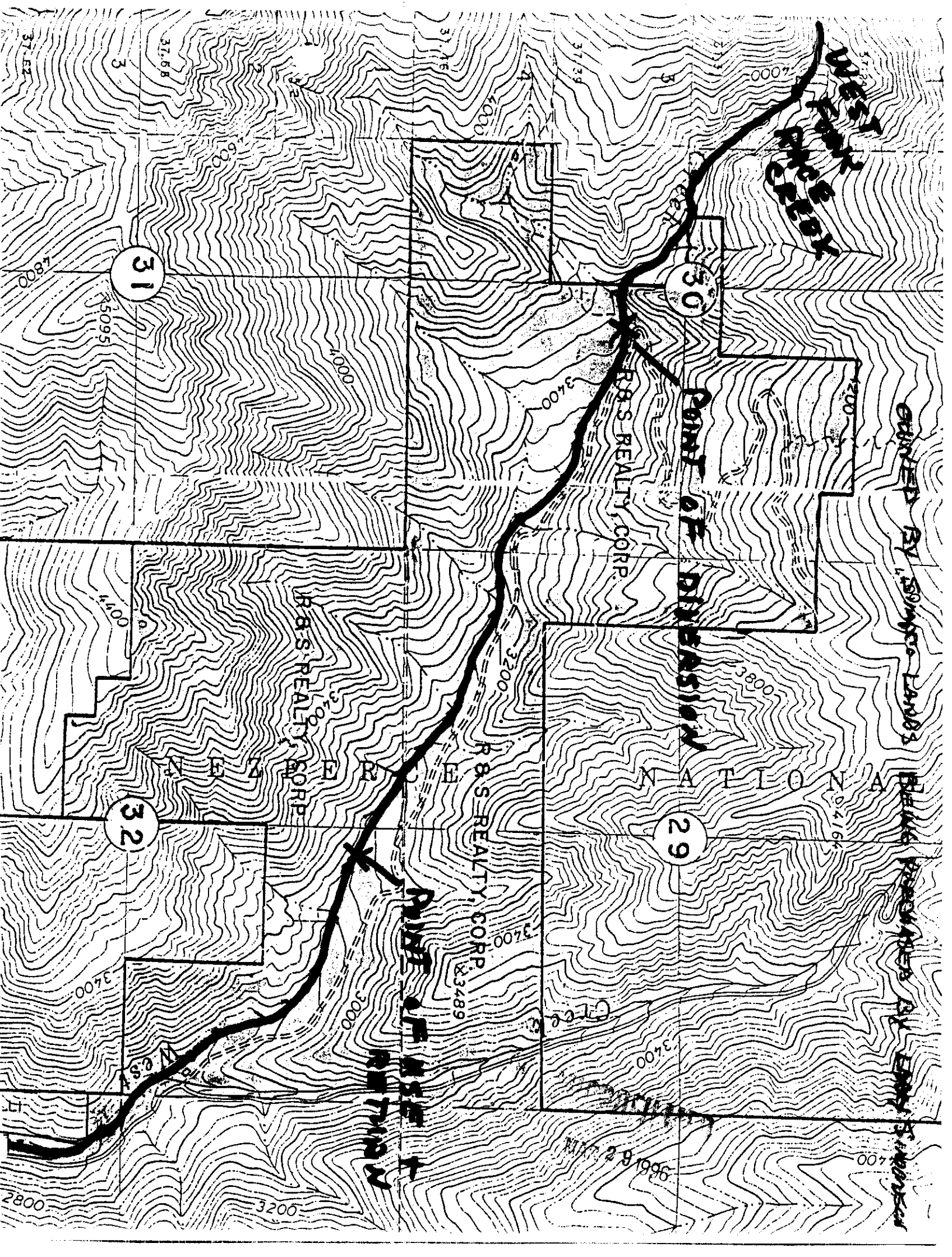
Comments: Date: 8/ 22/ 1995 User-ID: STAYLOR

Subject:
POWER USE

EXISTING POWER IS MORE THAN TWO MILES FROM HOME SITES.

[Faint, illegible stamp]

MAR 29 1996



Page 3

The over/under frequency automatic shutdown consists of a Thomson & Howe Energy System (THES) Product "E" Frequency Guard monitor, a turbine jet deflector system, weighted arm, and electromagnet. The weighted arm is connected to the jet deflectors inside the turbine, and is held in the "up" or "operating" position by the electromagnet. The electromagnet receives power from the Frequency Guard. When the frequency is abnormally high or low, the Frequency Guard cuts power to the electromagnet, allowing the weighted arm to fall. As the arm falls, it brings the jet deflectors between the jetstream and the turbine runner, allowing the system to coast to a stop. Shutdown is very fast, and as the flow doesn't change, there are no pipeline surges. The automatic shutdown is important if the system operates for periods of time when the operator is absent.

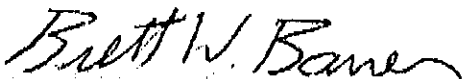
The turbines as offered have fixed interchangeable nozzles. To change flow, water to the turbine is shut off, and an access plate removed. The fixed nozzle can then be easily changed. Flow variations are only limited to the various size nozzle on hand.

The optional manually operated needle nozzle allows infinite flow adjustment, from zero to maximum design flow, without shutting down the turbine. If the supply of water to the turbine varies often, the needle nozzle is quite useful. If the water supply is quite constant, requiring few nozzle changes annually, the fixed nozzle is adequate.

The systems described are of proven design and utilize high quality components to provide an efficient reliable power source. It is our goal to design a system to meet your customer's requirements. We will be glad to make any changes in our proposal to do this. Note: As the project progresses and intake and powerhouse locations are finalized, we should review our effective head calculations for final design.

Thank you for your time and consideration. I'll look forward to discussing this proposal with you. Please contact me if I can provide further information.

Sincerely,



Brett W. Bauer

BWB:pan

RECEIVED

MAR 29 1996

Option 3: 450 feet static head, 10" pipe, 890 g.p.m. Estimated effective head = 426 feet. Approximate put = 46KW.

Turbine: CANYON Model 1215-1 Pelton type turbine, 12 inch pitch diameter, with single nozzle. The runner is single piece cast in manganese bronze, ground, polished, and balanced. Housing is fabricated plate steel with labyrinth seal assemblies, high speed ball bearings, bore aligned interchangeable nozzle assembly, and integral generator mounting.

Generator: Marathon/Lima, Model 440S0810, 46KW, 120/240 VAC, single phase, 1800 RPM, brushless, 60 cycle, synchronous, industrial generator. Including complete belt drive assembly, generator mounting, and drive guard.

Load Controller: Thomson & Howe Electronic (THES) Load Controller Product A-2 for constant, oscillation free, 120/240 VAC, 60 cycle current, with Load Management system for automatic priority load switching and increased system capacity. Control group includes five (5) D1 relays to bring load control capacity to 46KW.

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

Price as described.....\$15,300.00.

Optional Equipment:

Over/under automatic frequency shutdown.....\$1,185.00.

Manual adjust needle nozzle, each.....\$1,340.00.

RECEIVED
MAR 29 1996

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

Water Right No. _____

**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, LARRY L. SIMONSON of MC CALL,
(name) (city),

County of VALLEY, 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 office
(name of corporation)

of the said corporation as required by Section 30-1-12, Idaho Code, at _____
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code; and that _____

_____ is a corporation qualified to do business in the State of Idaho under the laws
(name of corporation)
of the State of Idaho.

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

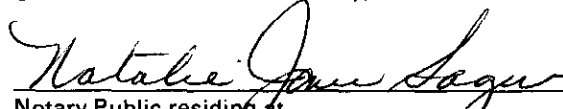
The hydropower facility to be developed pursuant to the attached Application for Permit:

- (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.


Applicant

State of Idaho
County of Talley, ss.

On this 4th day of August, 1995, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at
Mc Call, Idaho

seal

My commission expires:

November 29, 1995

MAE 29 1996

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 79-
79-7237

To appropriate the public waters of the State of Idaho

1. Name of applicant Larry L. Simonson Phone 208-634-2728
Post office address 14089 Morell Rd. McCall, ID 83638

2. Source of water supply West Fork Race Creek which is a tributary of Salmon River

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of $\frac{1}{4}$, Govt. Lot
Sec. 30 Township 25N Range RIE B.M. Idaho County; additional
points of diversion if any: n/a

4. Water will be used for the following purposes:

Amount 2.2 CFS for Hydropower 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 is (a) 2.2 CFS and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Cement diversion structures and screens
to be designed to fit diversion site

b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total
reservoir capacity n/a acre-feet; period of year when water will be diverted to storage:
 to inclusive.

c. Proposed well diameter is n/a inches; proposed depth of well is feet.

d. Is ground water with a temperature of greater than 85°F being sought?

e. If well is already drilled, when? n/a; Drilling firm ;

Well was drilled for (well owner)

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

MAR 29 1996

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total net of head and proposed capacity in K head 426 feet 46KW
- b. Stockwatering; list number and kind of livestock. n/a
- c. Municipal; show name of municipality. n/a
- d. Domestic; show number of households. 3 households
- e. Other; describe fully. n/a

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~25N~~	~~R1E~~	~~30~~																	
25N	R1E	32		P															

Total number of acres to be irrigated n/a

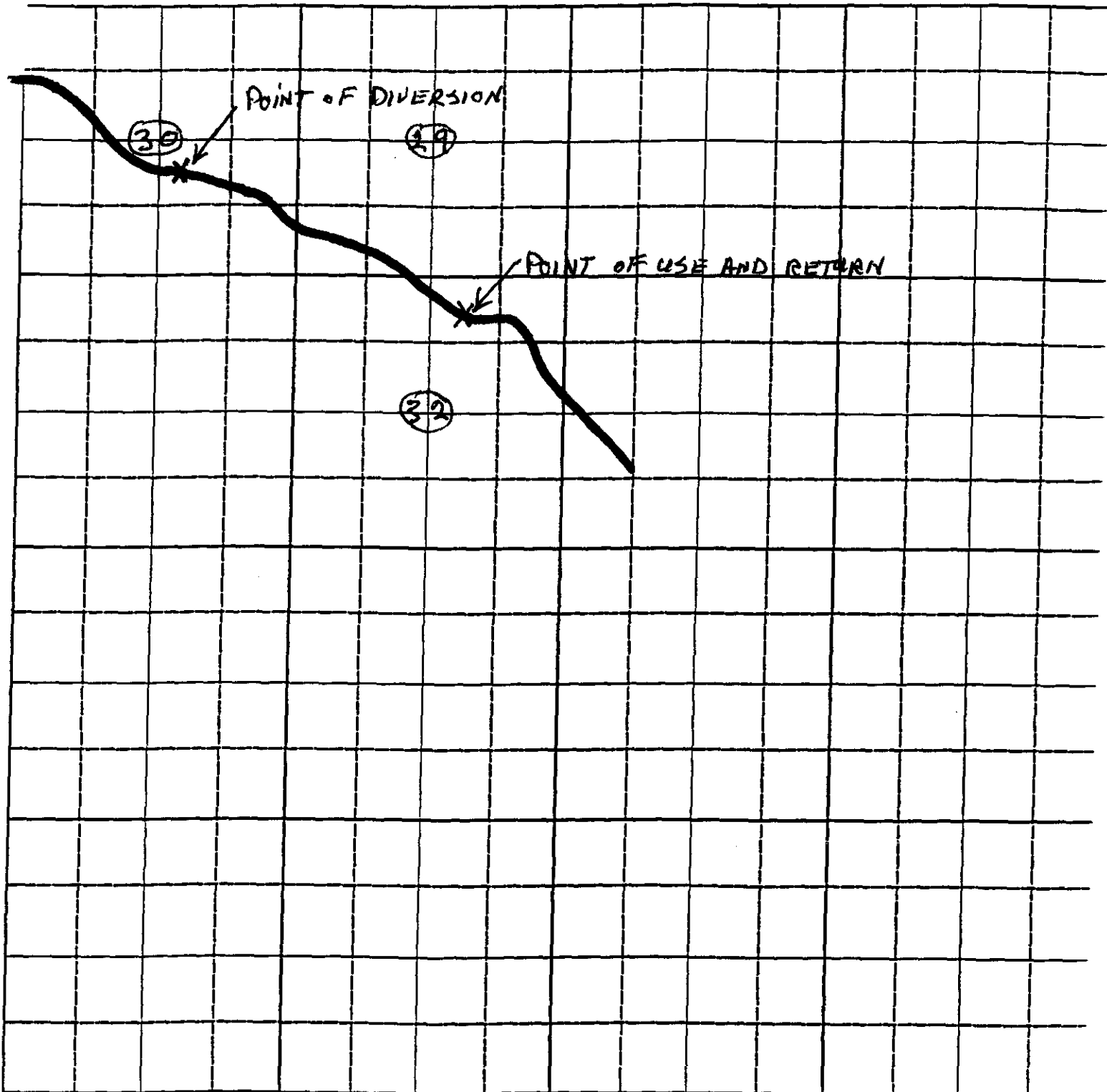
10. Describe any other water rights used for the same purposes as described above. n/a

11. a. Who owns the property at the point of diversion? Simpco Lands
- b. Who owns the land to be irrigated or place of use? Simpco Lands
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Larry Simonson is a partner in Simpco Lands and has an agreement to purchase entire ranch with in three years

12. Remarks: Existing power is more than two miles from home sites. This is a non-consumptive water use. Diversion and return of water is on my property. Plan to start building homes as soon as power plant is complete.

Sec 30 = P/D
 Sec 32 = P/A
 per map 6/8/21/95
 MAR 29 1996

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. SEC 30x32 of T25N R1E



Scale: 2 inches equal 1 mile.

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

(Applicant)

RECEIVED

Received by VR Date 8-7-95 Time 11:15am Preliminary check by lg
Fee \$ 140- Receipted by VR # W019696 Date 8-7-95
Publication prepared by AT Date 8-29-95 Published in Ind. Ent.
Publication approved AT Date 9-28-95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if 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 permit 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 permit.

e. Other:

RECORDED

MAR 29 1996

MAR 29 1996

MAR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LARRY SIMONSON
14089 MORELL RD
MC CALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-07237

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **WESTERN** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

JAN 31 2000

Permit No. 79-07237 Reviewed by [Signature] Date 1-17-00

TYPES OF USE

X Name same as permit?

power

Y Address same as permit?

Y Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source

Ground water source

Drilling permit required?

Copy in the file? Drilling Permit No.

Amount paid for permit

Correct?

Well log in the file?

LICENSE EXAMINATION FEE

Y Required?

150 Amount Submitted

Y Correct?

MEASURING DEVICE

yes Required?

yes Installed?

Waiver requested?

PRIORITY CALCULATION

Date proof received _____

Date proof due _____

No. of days late _____ = _____

Priority Date _____ + _____

New Priority Date

DEFICIENCIES OR ACTION ITEMS

none-ackn proof

DATA ENTRY

New Address _____ Proof Made _____



November 30, 1999

LARRY L. SIMONSON
14089 MORELL RD
MCCALL ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 79-07237

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

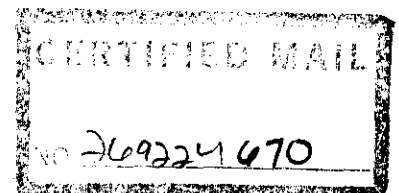
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
JAN 31 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 8, 1996

LARRY L SIMONSON
14089 MORELL RD
MCCALL ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07237

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

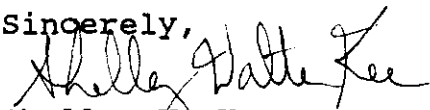
The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port, or to provide a certified measurement or computation of flow based upon the design of the system to be prepared by a professional engineer.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

MAR 29 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman**

No.: 79-7237 Name: Simonsen Date: 2/5/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: W019696 Priority: 8/7/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? ^{non-}~~consumptive~~ No/Yes SLC Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - **26A-P17**

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, **P99**
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - **P05** (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - ~~028(may report)~~-01J(meas dev)-**P08**
=/- 0.2 cfs - ~~028(may report)~~-01H(lock dev)-**P01** or No MD
=/+ 5 a. irr. - ~~028(may report)~~
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R † L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-**P10**; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-**P10**
Power - 08A-17K-025-027-~~028~~-01F(**P19**)-09E(**P10**);
+25 cfs-**P18**; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - **P52** (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - **B** <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

① Power use is for 3 homes. ② Bypass flows.
③ W12 ④ Bypass measurement remark.
2-1-2000

Copy to F+G

RECEIVED

OCT 20 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

DATE:

8/21/95

APPLICATION:

79-7237

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee:
- ☒ Yes ☐ No* In form to receipt:

Gov't. Lots:

☒ P/D☒ P/UADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion:
- ☒ Field check required: Field check by: _____
- ☒ Field report attached:
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: *exempt (Salmon R Mor)*
- ☒ Copy to SCA staff: (perennial stream, non-pump diversion)
- ☒ Copy to Dam Safety staff: (for any storage)
- ☒ Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
- ☒ Send power requirement letter:
- ☒ Send fish farm requirement letter:
- ☒ Power residency affidavit: *included*
- ☒ Power efficiency form:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED:

Additional information on reverse side:

PROCESSING

APPLICATION NO

79-

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☒
☒ ☒

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 9-29-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DNR

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

Power conds of approval, require bypass flows of: 0.73 cfs 12-1 → 2-29

2.20 cfs 3-1 → 4-30

4.40 cfs 5-1 → 6-30

2.20 cfs 7-1 → 11-30

See below for additional information

Recommended Date or Priority 8/7/1995

Recommended by: DNR

Date 2/2/96

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

overlap P/n - 79-04384 irrig/stock

P/D 79-07100 power appl - separate

owner - " being held -
waiting for financial
info since 1981per telecon w/ applicant 8/30/95 - use is totally
non-consumptive via 10" pipe



IDAHO FISH & GAME

CLEARWATER REGION
1540 Warner Avenue
Lewiston, Idaho 83501-5699

File at S.O.
Cindy Z. *[initials]*
RECEIVED

FEB 05 1996

WATER RESOURCES
WESTERN REGION

Philip E. Batt / Governor
Jerry M. Conley / Director

79-07237
[initials]
RECEIVED

FEB 12 1996

January 30, 1996 Department of Water Resources

[Signature]
Dave Tuthill
Idaho Department of Water Resources
2735 Airport Road
Boise, Id. 83705

Dear Dave;

We have been working with Larry Simonson regarding the installation of a hydropower unit on his property in the W.F. Race Creek drainage. It is our understanding that this office needs to make a determination of the flow to be bypassed at the diversion for the generating unit. Based on information supplied by the Slate Creek Ranger District, U.S. Forest Service, the mean annual discharge for this stream is approximated at 7.33 cfs. Using the Tennant Method, we have calculated flows to be bypassed by using the formulas of 10% mean annual flow (0.73 cfs) during December-February, 30% mean annual flow (2.2 cfs) during March, April and July - November, and 60% mean annual flow (4.4 cfs) for May and June.

I believe Mr. Simonson needs this information so that you will continue to process his water right application. I have forwarded a copy of this letter to him. If you have any questions, please give me a call.

Sincerely,

Tim Cochnauer
Tim Cochnauer
Regional Fishery Manager

C: Larry Simonson

RECORDED
FEB 29 1996



DAVE TUTHILL

208 334-2190



IDAHO FISH & GAME

CLEARWATER REGION
1540 Warner Avenue
Lewiston, Idaho 83501-5699

Philip E. Batt / Governor
Jerry M. Conley / Director

January 30, 1996

Dave Tuthill
Idaho Department of Water Resources
2735 Airport Road
Boise, Id. 83705

Dear Dave;

We have been working with Larry Simonson regarding the installation of a hydropower unit on his property in the W.F. Race Creek drainage. It is our understanding that this office needs to make a determination of the flow to be bypassed at the diversion for the generating unit. Based on information supplied by the Slate Creek Ranger District, U.S. Forest Service, the mean annual discharge for this stream is approximated at 7.33 cfs. Using the Tennant Method, we have calculated flows to be bypassed by using the formulas of 10% mean annual flow (0.73 cfs) during December-February, 30% mean annual flow (2.2 cfs) during March, April and July - November, and 60% mean annual flow (4.4 cfs) for May and June.

I believe Mr. Simonson needs this information so that you will continue to process his water right application. I have forwarded a copy of this letter to him. If you have any questions, please give me a call.

Sincerely,

Tim Cochnauer
Tim Cochnauer
Regional Fishery Manager

MICROFILMED

C: Larry Simonson

MAR 29 1996

Per conv w/ Larry Simonson on 2/2/96, he agrees with adding these flows as cond. of approval for his water right.

Daniel R. Tuthill
2/2/96



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

TO: HANK ECTON
FERC (WASH. D.C.)
Fax 202-219-2152

FROM: Steve Lester

DOCUMENT DESCRIPTION: Simonsen Application for permit # 79-07237,
POWER, W. FK. RARE CREEK. 426' Ld., 46 Kw. Some incomplete
info was faxed to this office & included in file, labeled as
"A & B" in this fax to you. Applicant working with Id. Dept.
Fish & Game & fishery impacts per file info. NOT Approved at
this time (1/16/96)

TOTAL PAGES SENT: 5 + COVER SHEET

CONTACT: _____

Faxed per request - telephone call from H.E. from D.C. office

RECEIVED

MAR 8 9 1996

1/16/96

-JL

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 74-

79-7237

To appropriate the public waters of the State of Idaho

1. Name of applicant Larry L. Simonson Phone 208-634-2728
Post office address 14089 Morell Rd. McCall, ID 83638
2. Source of water supply West Fork Race Creek which is a tributary of Salmon River
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Govt. Lot
Sec. 30 Township 25N Range RIE B.M. Idaho County; additional
points of diversion if any: n/a
4. Water will be used for the following purposes:
Amount 2.2 CFS for Hydropower 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 is (a) 2.2 CFS and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Cement diversion structures and screens
to be designed to fit diversion site
 - b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total
reservoir capacity n/a acre-feet; period of year when water will be diverted to storage:
 to inclusive.
 - c. Proposed well diameter is n/a inches; proposed depth of well is feet.
 - d. Is ground water with a temperature of greater than 85°F being sought?
 - e. If well is already drilled, when? n/a; Drilling firm ;
Well was drilled for (well owner)
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
4 years (minimum 1 year).

29 1996

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total net of head and proposed capacity in KW head 426 feet 46KW
- b. Stockwatering; list number and kind of livestock. n/a
- c. Municipal; show name of municipality. n/a
- d. Domestic; show number of households. 3 households
- e. Other; describe fully. n/a

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25N	R1E	30																	
25N	R1E	32		P															

Total number of acres to be irrigated n/a

10. Describe any other water rights used for the same purposes as described above. n/a

11. a. Who owns the property at the point of diversion? Simpco Lands

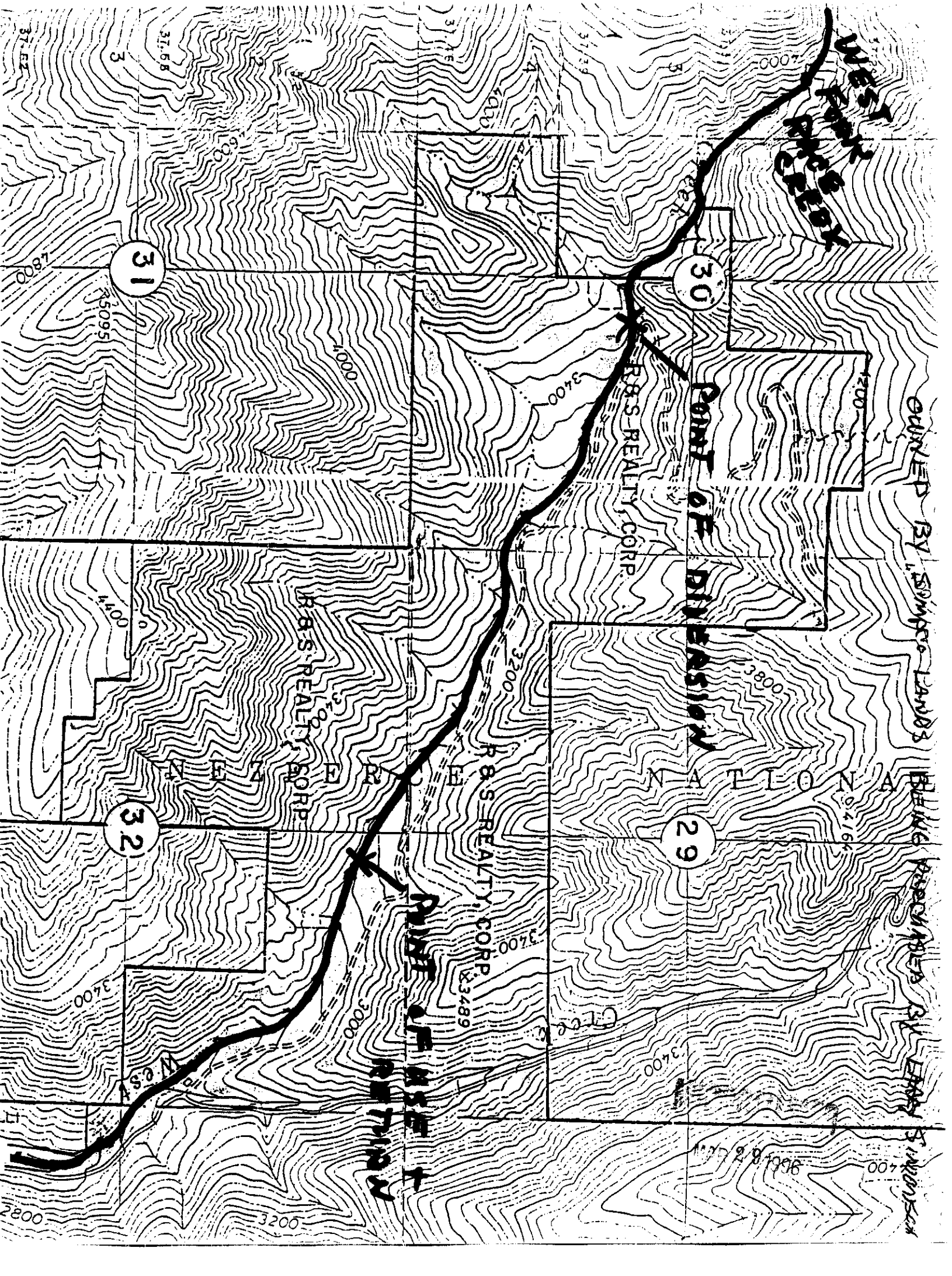
b. Who owns the land to be irrigated or place of use? Simpco Lands

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Larry Simonson is a partner in Simpco Lands and has an agreement to purchase entire ranch with in three years

12. Remarks: Existing power is more than two miles from home sites. This is a non-consumptive water use. Diversion and return of water is on my property. Plan to start building homes as soon as power plant is complete.

Sec 30 = P/D
Sec 32 = P/U > per top LG 8/21/95

1996



West Creek

30

POINT OF DISSECTION

29

R.B.S. REALTY, CORP.

R.B.S. REALTY, CORP.

R.B.S. REALTY, CORP.

31

32

POINT OF ASSESSMENT

2-8-1998

Page 3

The over/under frequency automatic shutdown consists of a Thomson & Howe Energy System (THES) Product "E" Frequency Guard monitor, a turbine jet deflector system, weighted arm, and electromagnet. The weighted arm is connected to the jet deflectors inside the turbine, and is held in the "up" or "operating" position by the electromagnet. The electromagnet receives power from the Frequency Guard. When the frequency is abnormally high or low, the Frequency Guard cuts power to the electromagnet, allowing the weighted arm to fall. As the arm falls, it brings the jet deflectors between the jetstream and the turbine runner, allowing the system to coast to a stop. Shutdown is very fast, and as the flow doesn't change, there are no pipeline surges. The automatic shutdown is important if the system operates for periods of time when the operator is absent.

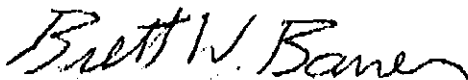
The turbines as offered have fixed interchangeable nozzles. To change flow, water to the turbine is shut off, and an access plate removed. The fixed nozzle can then be easily changed. Flow variations are only limited to the various size nozzle on hand.

The optional manually operated needle nozzle allows infinite flow adjustment, from zero to maximum design flow, without shutting down the turbine. If the supply of water to the turbine varies often, the needle nozzle is quite useful. If the water supply is quite constant, requiring few nozzle changes annually, the fixed nozzle is adequate.

The systems described are of proven design and utilize high quality components to provide an efficient reliable power source. It is our goal to design a system to meet your customer's requirements. We will be glad to make any changes in our proposal to do this. Note: As the project progresses and intake and powerhouse locations are finalized, we should review our effective head calculations for final design.

Thank you for your time and consideration. I'll look forward to discussing this proposal with you. Please contact me if I can provide further information.

Sincerely,



Brett W. Bauer

BWB:pan

RECEIVED
A

MAR 29 1996

Option 3: 450 feet static head, 10" pipe, 890 g.p.m. Estimated effective head = 426 feet. Approximate put = 46KW.

Turbine: CANYON Model 1215-1 Pelton type turbine, 12 inch pitch diameter, with single nozzle. The runner is single piece cast in manganese bronze, ground, polished, and balanced. Housing is fabricated plate steel with labyrinth seal assemblies, high speed ball bearings, bore aligned interchangeable nozzle assembly, and integral generator mounting.

Generator: Marathon/Lima, Model 440S0810, 46KW, 120/240 VAC, single phase, 1800 RPM, brushless, 60 cycle, synchronous, industrial generator. Including complete belt drive assembly, generator mounting, and drive guard.

Load Controller: Thomson & Howe Electronic (THES) Load Controller Product A-2 for constant, oscillation free, 120/240 VAC, 60 cycle current, with Load Management system for automatic priority load switching and increased system capacity. Control group includes five (5) D1 relays to bring load control capacity to 46KW.

RECEIVED

AUG 07 1995

WATER RESOURCES
WESTERN REGION

Price as described.....\$15,300.00.

Optional Equipment:

Over/under automatic frequency shutdown.....\$1,185.00.

Manual adjust needle nozzle, each.....\$1,340.00.

MAR 29 1996

B

CONVERSATION MEMORANDUM

DI 11/29/95
FILE 79-7237NAME OF PARTY Greg Sarrhen IDFG - LewistonEMPLOYEE Dave Tuthill 799-5010RE: By-Pass Flows

IDFG (Greg & Tim Cochran) met onsite to discuss

the power plant request. Greg stated that Larry Simonson will

be working to determine hydrographic information to determine

by-pass amounts. This is a fishery for cutthroat, brook trout.

MAR 29 1996

CONVERSATION MEMORANDUM

DI 11/9/95

FILE 79-07237

NAME OF PARTY Larry Simonson

EMPLOYEE D. Tutthill

RE: Hydropower bypass flow

I called Mr. Simonson to state that he will need to coordinate w/IDFG in McCall (Don Anderson) to determine a fish-protection bypass flow for this app. He agreed to do this & contact me w/ the results.

D Tutthill

MAR 29 1996

RECEIVED

SEP 27 1995

WATER RESOURCES
WEEDING

AFFIDAVIT OF PUBLICATION

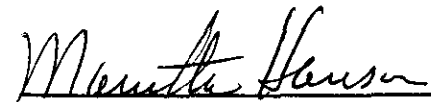
STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being
first duly sworn, says she is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 6th day of
September, 19 95, and the last
publication on the 13th day of September, 19 95;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.



STATE OF IDAHO }
COUNTY OF } IDAHO

On this 13th day of September in the year of 1995,
Before me, a Notary Public, personally appeared _____
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10-8-99

MAR 29 1996

79-07237

SIMONSON, LARRY L
14089 MORELL RD
MCCALL, ID 83638

Source: RACE CREEK, WEST FORK

Tributary: SALMON RIVER

Diversion Pt: NWSE Sec 30 T 25N R 01E in IDAHO County.

Use: POWER	(	2.200 CFS)
Total Diversion:	(	2.200 CFS)

Date Filed: 8/ 7/1995

In: IDAHO County	
T25N R01E S32	NWNE

RECEIVED

SEP 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 21, 1995

Larry L. Simonson
14089 Morell Rd
Mc Call ID 83638

Dear Mr. Simonson:

Your application for permit to appropriate the waters of Race Creek for power purposes was received 8/7/1995 and is currently being processed.

Hydropower generation in Idaho may also be regulated by Idaho Public Utilities Commission (IPUC) and/or the Federal Energy Regulatory Commission (FERC). See the attached pages that discuss the possible IPUC and/or FERC roles in power generation. From the information available on your application, it does not appear that either agency will be involved. Please use the following contacts for applicability information regarding your specific project, and provide written notification that shows whether or not the project will be regulated.

Regional Engineer
Portland Regional Office
Federal Energy Regulatory Commission
1120 SW Fifth Ave Suite 1340
Portland OR 97204
503-326-5840

Idaho Public Utilities Commission
472 W Washington
Boise ID 83702
208-334-0300

A water right may be approved but not used for power generation until any applicable IPUC Certificate and/or FERC license is issued.

Please do not hesitate to IDWR if you have any questions.

Sincerely,

Lori Graves
Sr. Water Resource Agent

Enclosures

91396