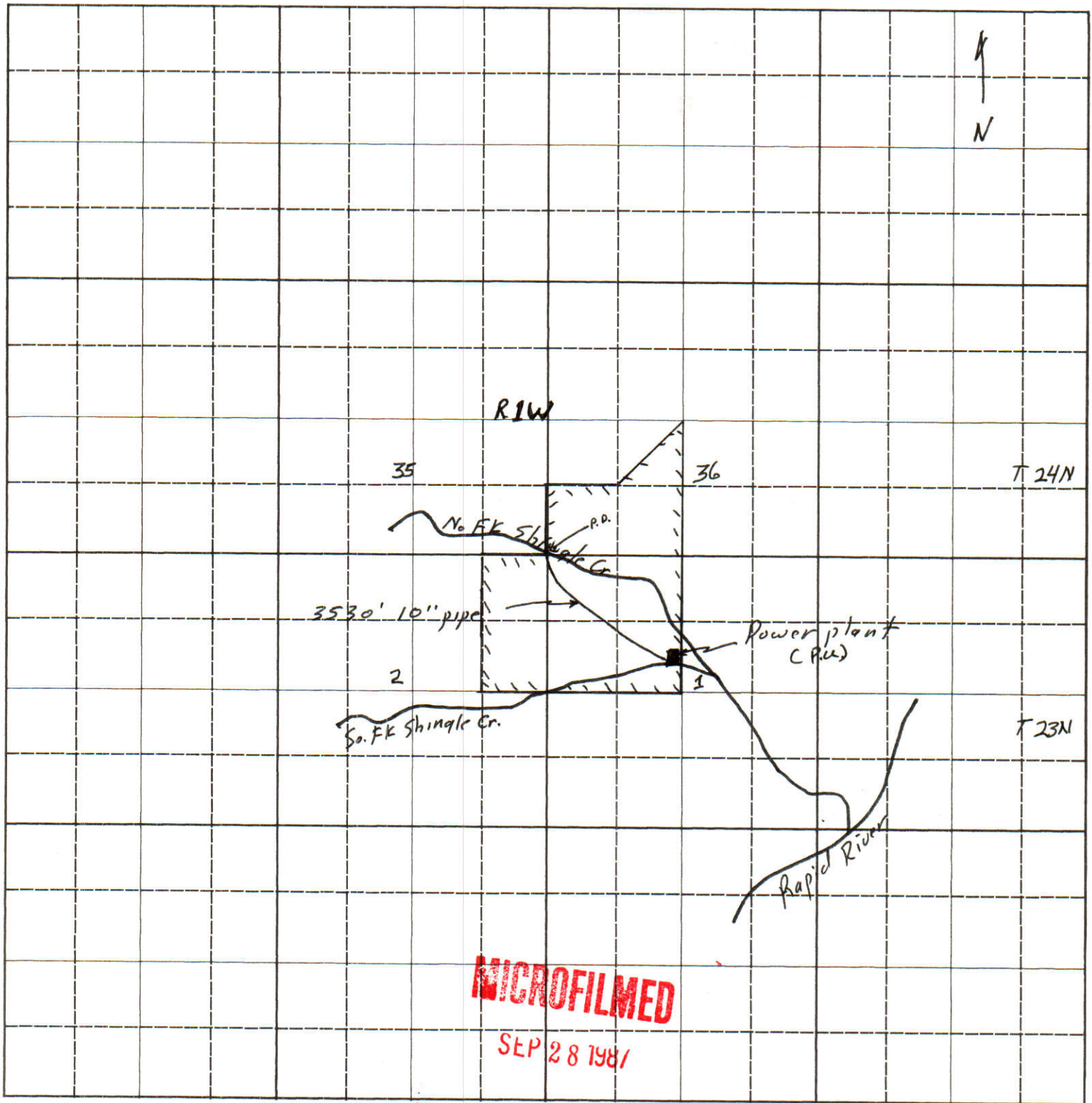


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Keller D. DeWitt
(Applicant)

RECEIVED

JUL 30 1987

Department of Water Resources

AFFIDAVIT OF PUBLICATION

Charlotte Sotin being first duly

sworn, says he is the Bookkeeper
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which 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 15th day of July, 19 87,
and the last publication on the 22nd day of
July, 19 87; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Charlotte Sotin

Subscribed and sworn to before me this 22nd
of July, 19 87.

[Signature] Notary Public
for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF APPLICATION FOR WATER RIGHT

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

78-7277 ✓ JP

DEVENY, WILLIS D.

P.O. BOX 239, RIGGINS, ID 83549

Source: SHINGLE CREEK NORTH
FORK trib. to RAPID RIVER

Diversion Pt: SWSWSW Sec 36 T 24N
R 01W

Use: POWER (2.830 CFS)

Date Filed: 06/30/1987

In: SENW Sec 01 T 23N R 01W

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on or
before AUGUST 3, 1987.

KENDUNN, Dir.

Published 07/15 & 07/22/87.

MICROFILMED

SEP 28 1987

RECEIVED

JUL 31 1987

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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

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

A. GENERAL INFORMATION

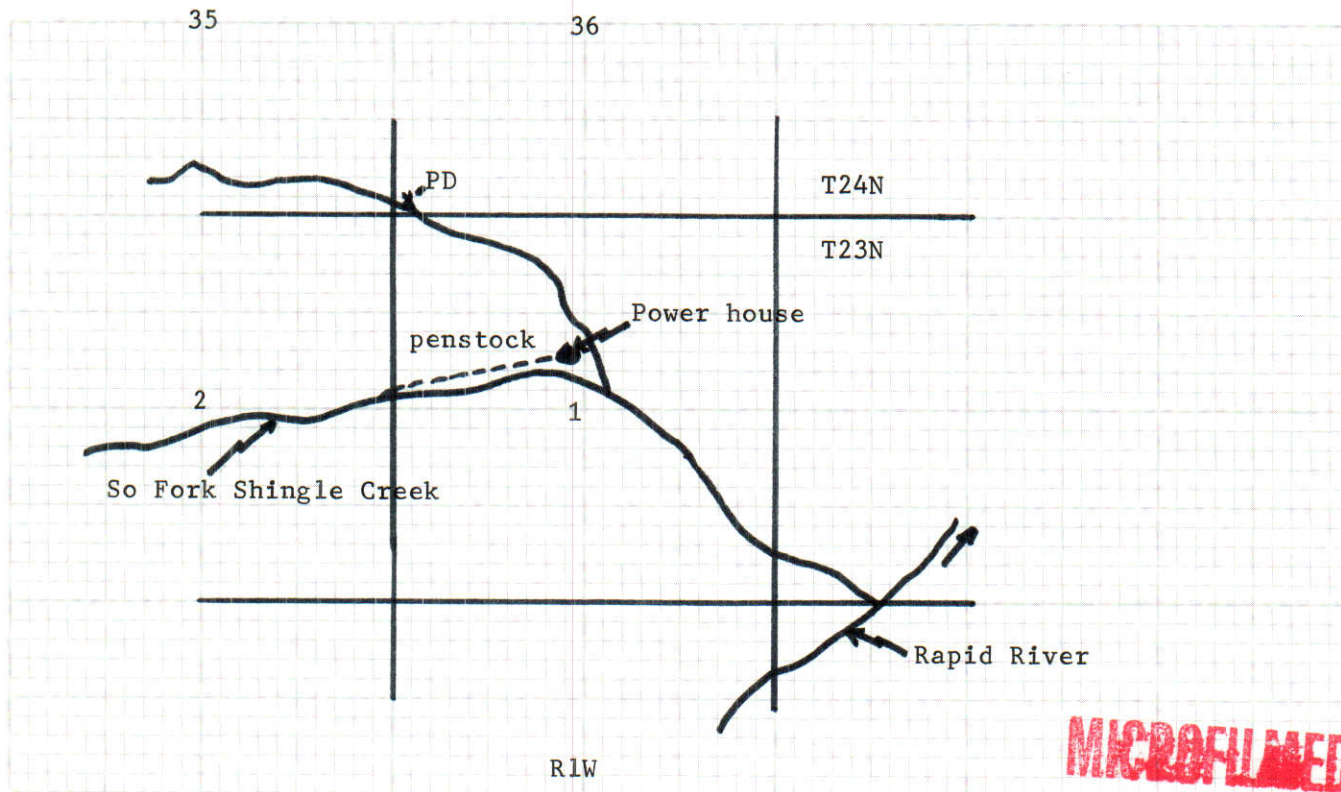
Permit No. 78-7277
Phone No. 628-3462
1. Owner: Willis DeVeney
Current Address: P. O. Box 239, Riggins, Idaho 83549
2. Accompanied by: Willis DeVeney EXAM. DATE: 5/31/88
Address: same as above Phone No. 628-3462
Relationship to Permit Holder: Owner
3. Source: Shingle Creek tributary to Rapid River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 78-7157; 78-7158
☐ Copies Attached
2. Other water rights with same point of diversion: 78-7158
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

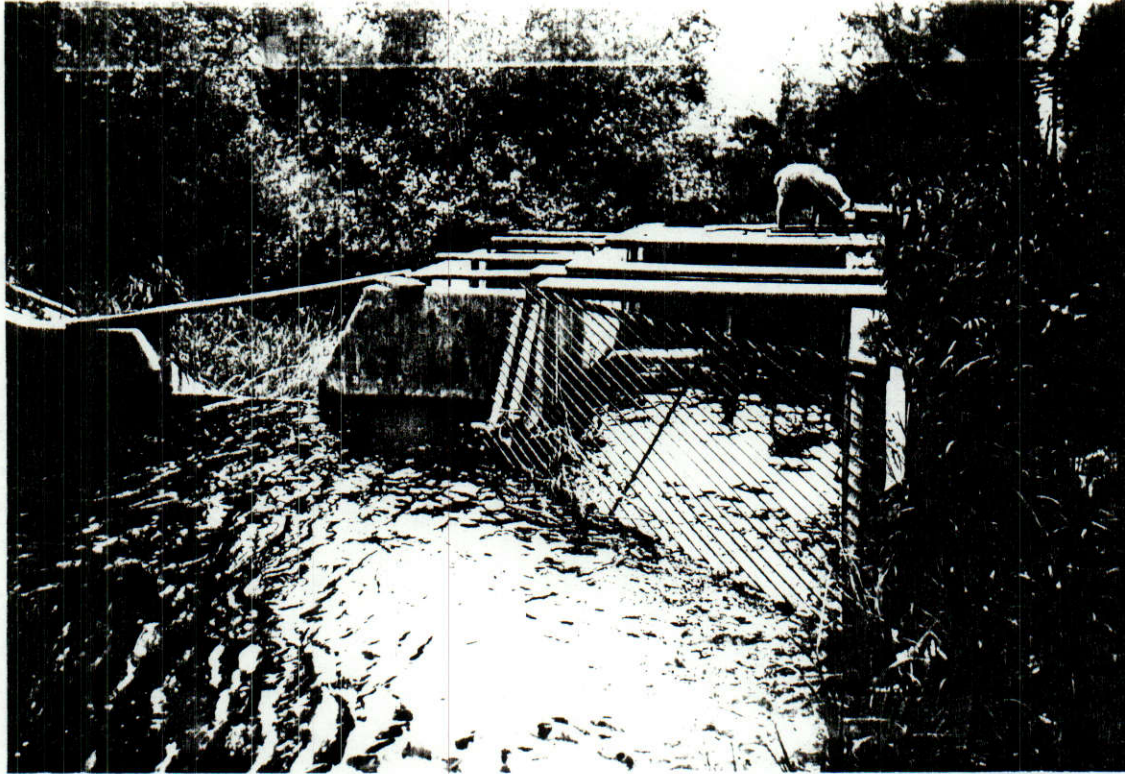


Scale: 1" = _____

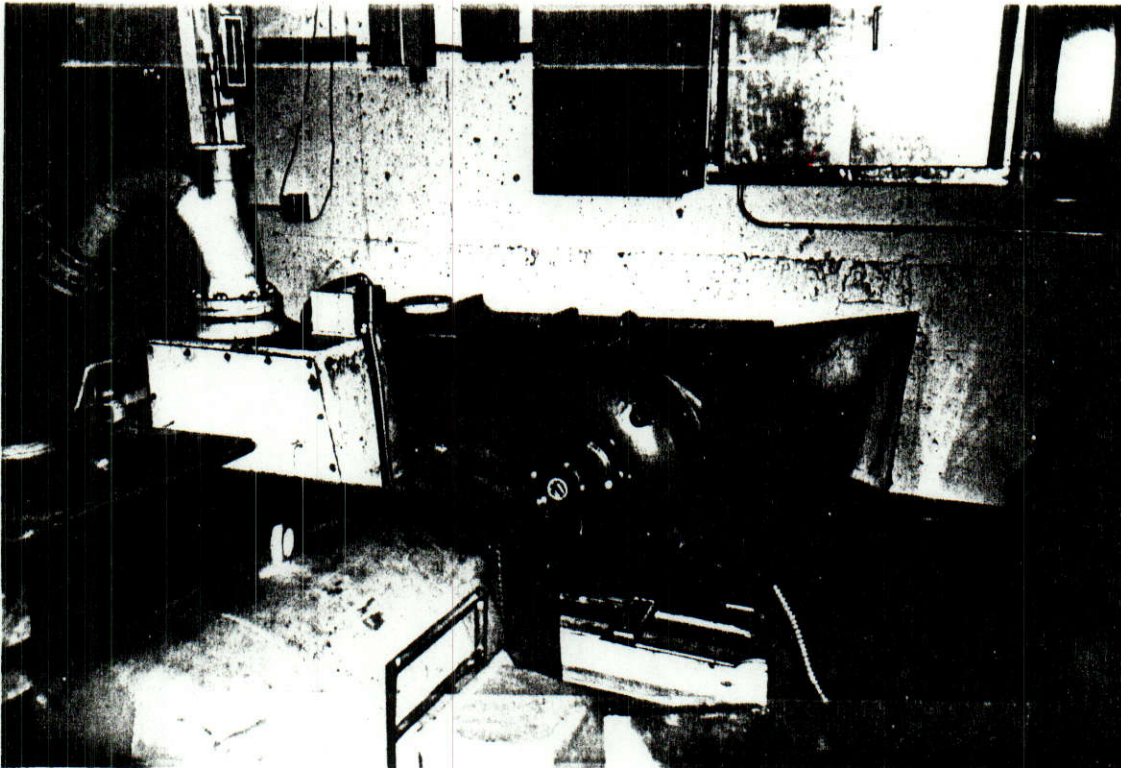
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MICROFILMED

OCT 12 1988



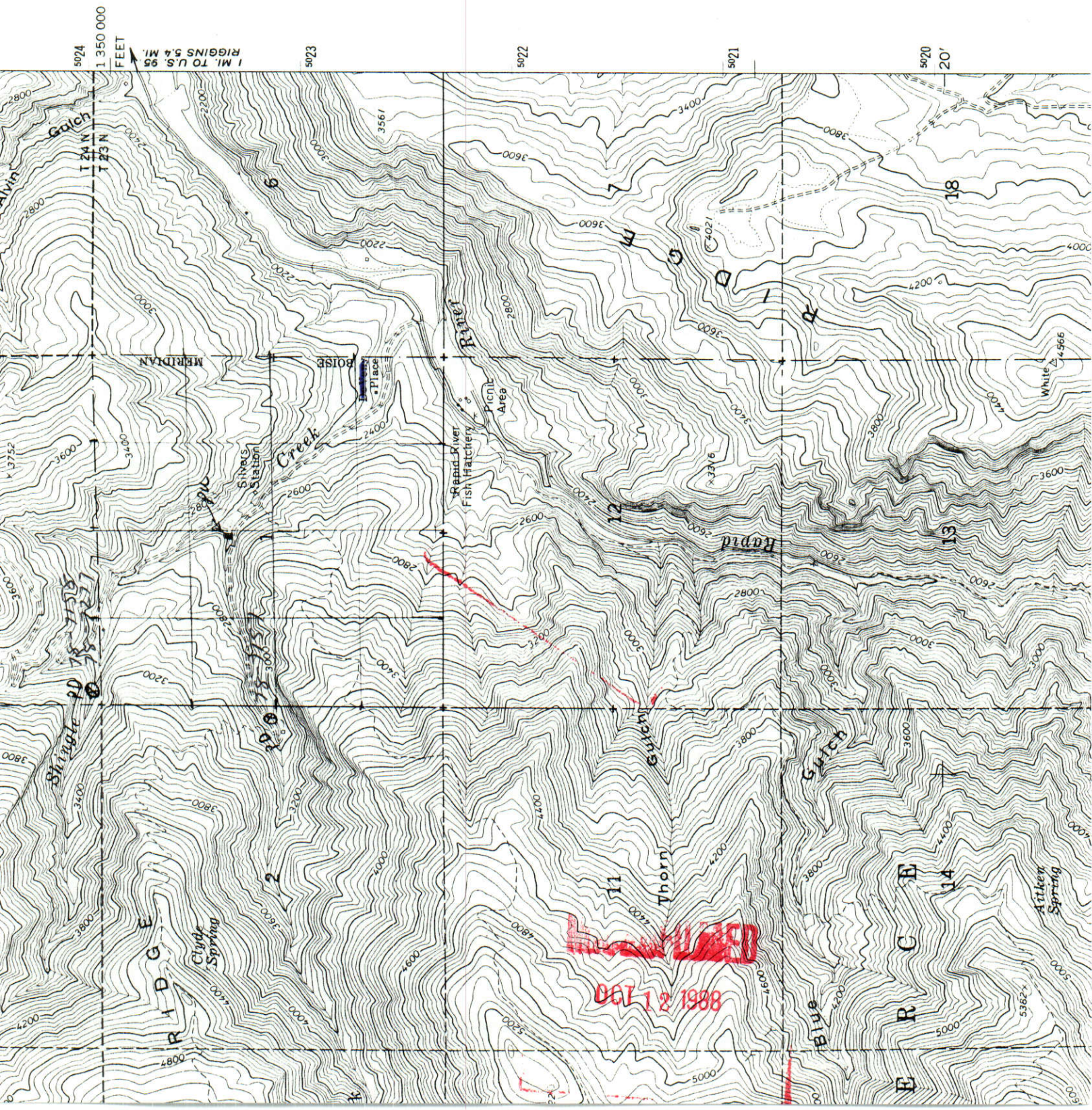
DIVERSION STRUCTURE
NORTH FORK SHINGLE CREEK



POWER HOUSE AND TURBINE

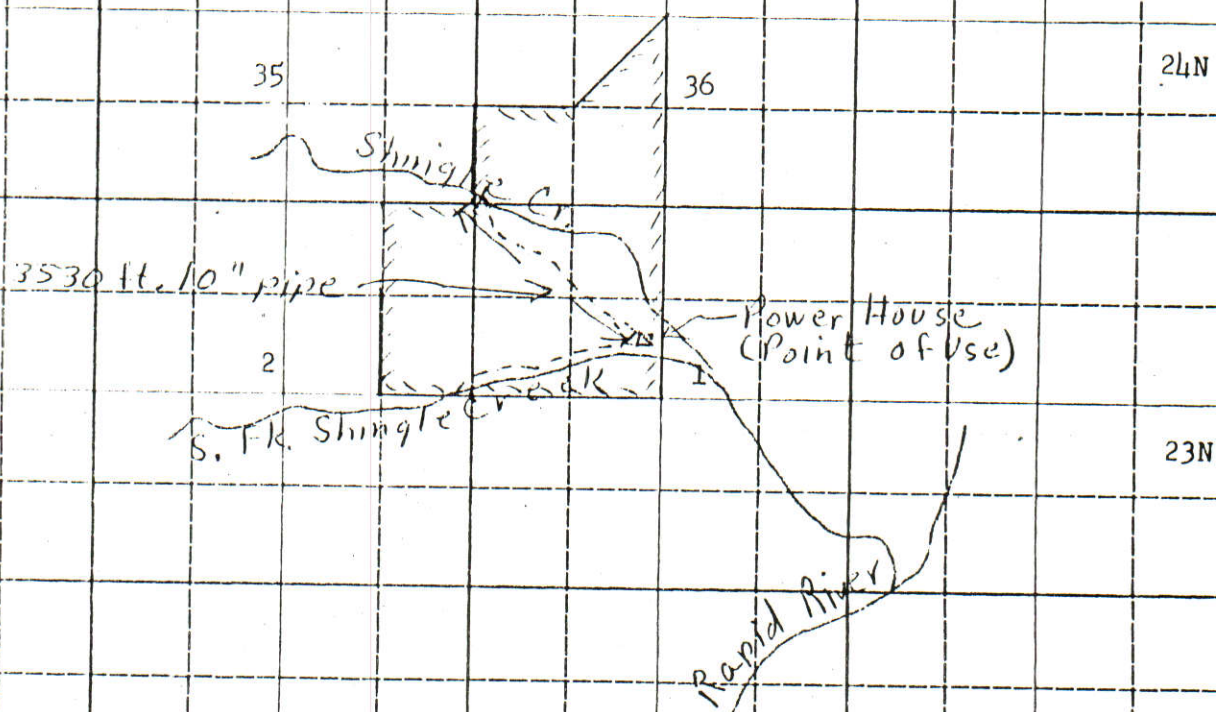
NOT FILMED

OCT 12 1988



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

RLW



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.

MICROFILMED

SEP 28 1987

William B. Sullivan
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07277

Priority: June 30, 1987

Maximum Diversion Rate: 2.83 CFS
Maximum Diversion Volume: 2049.0 AF

This is to certify, that WILLIS D DE VENY
PO BOX 239

RIGGINS ID 83549 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 30, 1987; and
has submitted Proof of Beneficial Use on July 15, 1988. An examination indicates
that the works have a diversion capacity of 5.580 cfs of water from:

SHINGLE CREEK tributary to RAPID RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	2.83 CFS	2049.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 36, Township 24N, Range 01W
IDAHO County

PLACE OF USE: POWER

TWN RGE SEC

23N 01W 1

SENW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
6. Use of water under this right shall be non-consumptive.

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JUL 24 1987

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

WATER RIGHT NO. 78-07277

CONDITIONS OF APPROVAL AND REMARKS

7. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
8. Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.
9. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after September 30, 2017, the expiration date of the power purchase contract with Idaho Power. The license is also subject to review by the Director after the date of expiration of license 4025-000 issued by the Federal Energy Regulatory Commission. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
10. Facility known as Shingle Creek Project.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd
day of April, 1997.


KARL J. DREHER, DirectorLIC 78-07277
APR 23 1997

03/86

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

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

JUL 18 1988

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by JS

Sent to region _____

PROOF OF BENEFICIAL USE

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

Permit No. 78-7277Name(s) of Permit Holder: Willis DeVeneyPost Office Address: P. O. Box 239, Riggins, Idaho 83549Telephone No. 628-3462Source of Water: North Fork Shingle Creek

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remark HydropowerTotal rate and/or volume for which proof is submitted 2.83 cfs 2049 acre-feetShow the date water was first diverted and beneficially used under this permit: 1987Measuring Device: Required? Yes X NoInstalled? Yes X NoFee enclosed \$ N/A

(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X NoInstalled? X Yes No

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

(Name)

(Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

OCT 12 1988

7/13/88

Date

Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Willis D. DeVeney Phone 628-3462
Post office address Box 239, Riggins, Idaho 83549

2. Source of water supply N. Fork Shingle Creek which is a tributary of Rapid River

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 36 Township 24N Range 1W B.M. Idaho County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.83 cfs for Power production 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) 2.83 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 headgate 3½' x 23' (including
irrigation and power intake settling box); 3538 feet of 14" steel pipe.

b. Height of storage dam none 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 ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
Project is complete, was completed in October 9, 1987 years (minimum 1 year).
Allow 1 yr. 35

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SEP 28 1987

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

- a. Hydropower; show total feet of head and proposed capacity in KW. 430 feet; 115 KW nameplate
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Project for power has a FERC minor license #4025 issued September 30, 1981.

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	
23N	1W	1								P									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Permit 78-7158

11. a. Who owns the property at the point of diversion? Willis D. & Betty G. DeVeney
- b. Who owns the land to be irrigated or place of use? Willis D. & Betty G. DeVeney
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

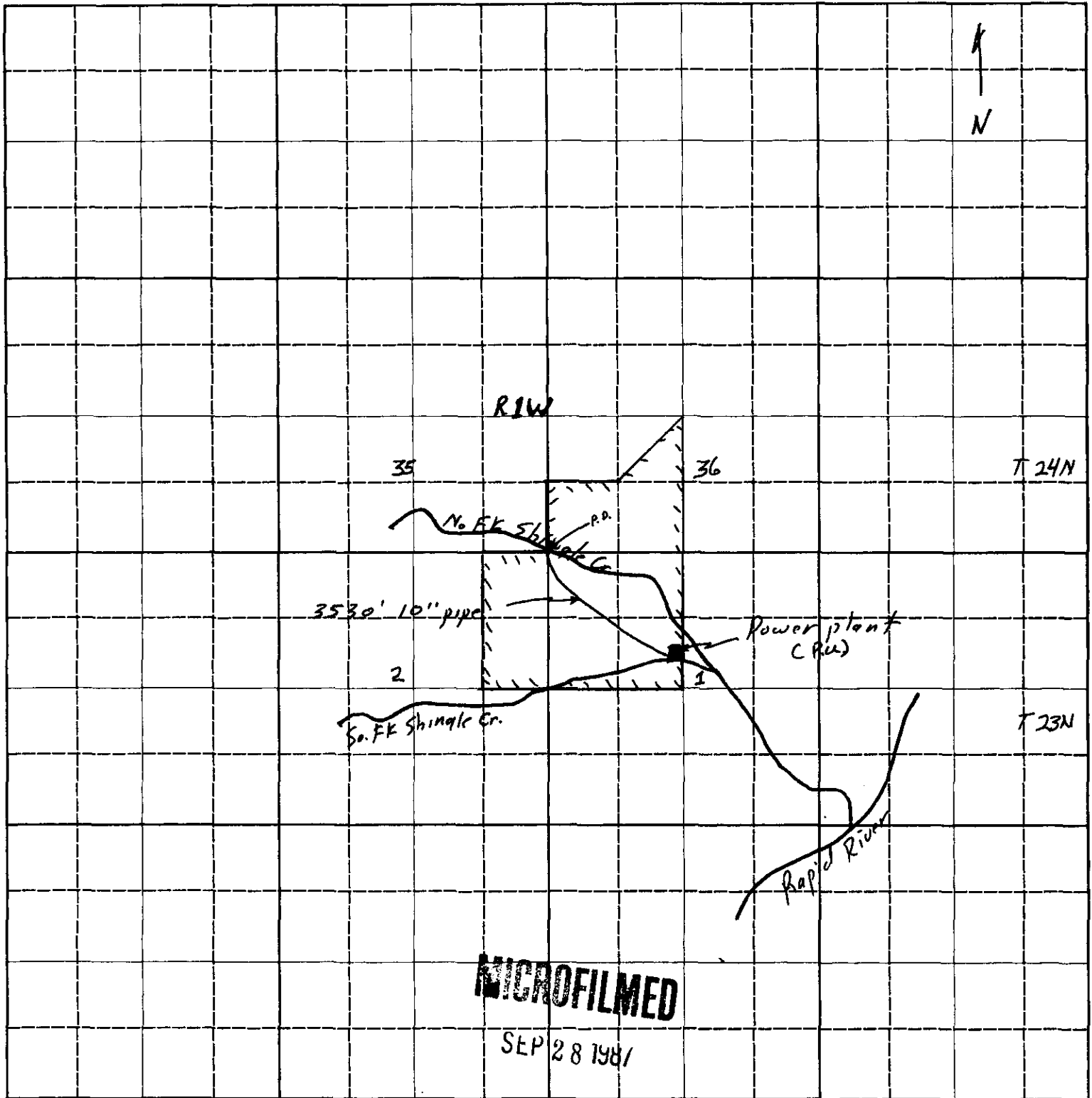
12. Remarks: This permit application is to cover the increase in capacity resulting from changes in facility design to utilize equipment available in the market.

Note!! This application will use an existing hydropower facility and no additional construction will take place.

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SEP 28 1987

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



Scale: 2 inches equal 1 mile.

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

Kelley D. DeWitt
(Applicant)

Proposed Priority 6/30/87

Received by nl Date 6-30-87 Time 11:00 am Preliminary check by [signature]

Fee \$ 85.00 Receipted by jp # 44983 Date 7/1/87

Publication prepared by 18 Date 7/8/87 Published in the Idaho County Free Press
7/15 + 7/22/87

Publication approved SR Date 8/13/87

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. 78-7277, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
September 1, 19 88.

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

d. 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: SEE ATTACHED SHEET FOR CONDITIONS e thru k.

Witness my hand this 31st day of August, 1987.

[signature]
Chief, Operations Bureau

MICROFILMED

SEP 28 1987

ATTACHMENT TO CONDITIONS OF APPROVAL

For Permit No. 78-7277

- e. The permit 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.
- f. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
- g. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- h. Use of water under this permit shall be non-consumptive.
- i. 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.
- j. The Director retains jurisdiction of this permit 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.~~
- k. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

Witness my hand this 31st day of August, 1987.

A. Glen Saylor
Chief, Operations Bureau

MICROFILMED

SEP 28 1987

**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, Willis D. DeVeney of Riggins,
(name) (city),

County of Idaho, 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.

Willis D. DeVeney
Applicant

State of Idaho _____)
County of Idaho) ss.

On this 16 day of June, 1986, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Clair Francis
Notary Public residing at Riggins

seal

MICROFILMED

SEP 28 1987

My commission expires: 10-10-88

RECEIVED
JUN 30 1987

RECEIVED

JUL 30 1987

Department of Water Resources

AFFIDAVIT OF PUBLICATION

Charlotte Sotin being first duly

sworn, says he is the Bookkeeper
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which 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 15th day of July, 19 87,
and the last publication on the 22nd day of
July, 19 87; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Charlotte Sotin

Subscribed and sworn to before me this 22nd
of July, 19 87.

L. J. Wedel, Notary Public

for State of Idaho, residing at Grangeville, Idaho.

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

DEVENY, WILLIAM
P.O. BOX 100, SUGAR, ID 83440
Source: SHINGLE CREEK NORTH
FORK to RAPID RIVER
Diversion Pt: SWSWSW Sec 30 T 34N
R 10W

Use: POWER (1.000 CFS)

Date Filed: 07/20/87

In: SWSWSW Sec 30 T 34N R 10W

The permit(s) will be subject to all
prior water rights. Permits must be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on or
before AUGUST 1, 1987.

WILLIAM DEVENY, Dir.

Published 07/20/87/22/87.

MICROFILMED

SEP 28 1987

RECEIVED

JUL 31 1987

Department of Water Resources
Western Regional Office



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

April 4, 1997

PHILIP E. BATT
GOVERNOR

WILLIS D DE VENY
P.O. BOX 239
RIGGINS ID 83549-0000

KARL J. DREHER
DIRECTOR

RE: WATER RIGHT NO(s). 78-07277/78-07158/78-07157

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

FILED

APR 6 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,

- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

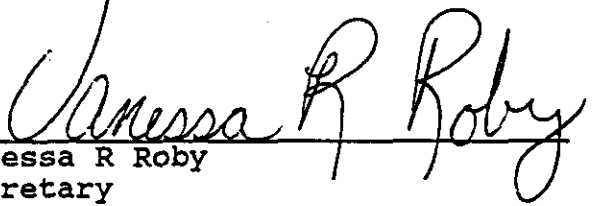
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of April, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Right No(s). 78-07277/78-07158/78-07157

**WILLIS D DE VENY
PO BOX 239
RIGGINS ID 83549-0000**



Vanessa R Roby
Secretary

AJ5809NP
No. A78-07277

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIS D DE VENY	08/31/1987	POWER	01-01 12-31	2.83 CFS	
C	BETTY G DE VENY					
	PO BOX 1160					
	RIGGINS ID 83549					
	(208) 628-3462					
				TOTAL DIVERSION:	2.83 CFS	

Water Source: SHINGLE CREEK, NORTH FORK

Tributary to: RAPID RIVER

Stage: PERMIT

Point(s) of Diversion:

T24N R01W S36

SWSWSW

IDAHO County

Place of use Legal Description for: POWER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
23N 01W 1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: IDAHO

Non-Irrigation Uses: 440 FT. HEAD; NAMEPLATE 115KW

Other Rights: 78-7157 AND 78-7158.

Conditions of Approval:

- 01F - 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.
- 08A - 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.
- 09E - Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- 17K - 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.
- 17M - 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.

Remarks: GEM PERMIT PRIORITY DATE DOESN'T MATCH CLAIM PRIORITY DATE.

AJ5809NP
No. A78-07277

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/97
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	08/10/88 LANE	03/30/95 POST-STD	08/01/95 RMCCARTH

WR0749NP
No. L78-07277

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/28/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIS D DE VENY PO BOX 239 RIGGINS ID 835490000	06/30/1987	POWER	01/01 12/31	2.830 CFS	2049.00 AFA
TOTAL DIVERSION:					2.830 CFS	2049.00 AFA

Water Source: SHINGLE CREEK

Tributary to: RAPID RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 5.580 CFS

Point(s) of Diversion: T24N R01W S36 SWSW IDAHO County

Place of use Legal Description for: POWER

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
23N	01W	1	:	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: IDAHO

Other Rights: 78-7158.

Other Water Rights with Same Point(s) of Diversion and Source:
78-07158 L78-07158

Other Water Rights Listing Overlapping Place(s) of use:
78-02070 78-04173

Conditions of Approval:

- 025 - This right does not constitute Idaho Public Utilities Commission
- or Federal Energy Regulatory Commission approval that may be
- required.
- 027 - Use of water under this right shall be non-consumptive.
- R22 - The rights for the use of water confirmed in this license
- shall be junior and subordinate to all rights for the use of
- water other than hydropower, within the State of Idaho that are
- initiated later in time than the priority of this right and
- shall not give rise to any right or claim against any future
- rights for the use of water, other than hydropower, within the
- State of Idaho initiated later in time than the priority of this
- right.
- 09D - Water used under this right if discharged into a natural
- channel shall meet Idaho Water Quality Standards.

Remarks: The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after September 30, 2017, the expiration date of the power purchase contract with Idaho Power. The license is also subject to

WR0749NP
No. L78-07277

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/28/97
PAGE: 2

Remarks: review by the Director after the date of expiration of license
4025-000 issued by the Federal Energy Regulatory
Commission. Upon appropriate findings relative to the interest
of the public, the Director may cancel all or any part of the
use authorized herein and may revise, delete or add conditions
under which the right may be exercised.
Facility known as Shingle Creek Project.

Dates: App. Received: 06/30/1987 Priority Date: 06/30/1987
Proof Due Date: 09/01/1988 Proof Made Date: 07/15/1988
Exam Made Date: 07/13/1988 Exam Sent to S.O.: 07/13/1988
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 03/27/97 SCURTIS 03/27/97 SCURTIS

MEMORANDUM

TO: Files 78-07157/07158/7277

FROM: Sharla

DATE: March 28, 1997

RE: Term of Years, Recommendation Adjustment(s)

The right holder received a Minor License from FERC in September of 1981, effective for 50 years (expiring in 2031). The sales agreement (power purchase contract) with Idaho Power expires August 1, 2017. The term of years to be listed on the license will reflect the expiration of the power purchase contract, but will also indicate the license is subject to review after the expiration date of the FERC license.

78-07158:

A. GENERAL INFORMATION

3. Source: Shingle Creek tributary to Rapid River

In the diversion system diagram provided by the examiner, the point of diversion under 78-07158 is the same for 78-07277 from the main stem of Shingle Creek. The USGS topo maps show no named water source as the north fork of Shingle Creek, only the South Fork. The north fork could be a local name.

Examiner: Sherl Chapman
Exam Date: May 31, 1988

MICROFILMED

APR 1 1988

LICENSE REVIEW CHECKLIST

PERMIT NO. 78-07277

DATE 3/27/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE N.F.K.* ✓

Is change clarification of originally intended source? ✓

If not, prepare Notice of Intent to Void ✓

POINT OF DIV ✓

Amendment required NO

PLACE OF USE ✓

Amendment required NO

Does map agree with written description? ✓ yes ✓ no

OVERLAPS ✓ P/D ✓ P/U

RATE OF DIV

Permitted Rate 2.53 cfs

Fee limit ✓ cfs

Measured 5.58 cfs

Theoretical ✓ cfs

Certified exam - no fee req'd

Recommended Total Div Rate 2.53 cfs

ANNUAL VOLUME/
NATURE OF USES ✓

Use

Powers

Volume Calculation

2049.0 af

✓ af

✓ af

✓ af

✓ af

SUBTOTAL ✓

Flow rate 2.53 cfs X 365 days X 1.9835 = 2049.0 af

Total volume recommended ✓ af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

*Combo { W42 (8/1/2017)
W43 (4025-000)*

CONDITIONS ✓ Watermaster Control WD# ✓

✓ GW Measurement/Measuring Device

✓ Overlap

✓ Use-specific conditions

025, 027, R22, 09D

Advancement of Priority Date Required ✓ yes ✓ no

SRBA Claim Filed ✓
Adjustment Memo *Source

1st Amend Letter ✓
2nd Amend Letter ✓

FROM

Shaila

DATE

3/27/97

TO

Files 78-07158 & 78-07277

SUBJECT

See file 78-07157 for copies of the
Power Sales Agreement w/ Idaho Power

MICROFILMED

APR 23 1997

SIGNATURE

November 14, 1988

Willis D. DeVeney
P.O. Box 239
Riggins, ID 83549

Re: Permit No. 78-7277

Dear Mr. DeVeney:

In response to your letter received in the Western Regional office October 26, 1988, the letter you received regarding the field exam was sent in error.

A review of your file shows the field exam report conducted by Sherl Chapman was accepted with your proof of beneficial use form.

Thank you for bringing this to our attention.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: W. Region

MICROFILMED

APR 23 1987

RECEIVED
OCT 27 1988

Box 239 Department of Water Resources
Riggins, ID 83549
October 24, 1988

Department of Water Resources
2735 Airport Way
Boise, ID 83705

re: 78-7277

Gentlemen:

This letter concerns your letter of October 10 for permit 78-7277 and receipt of proof of beneficial use.

Your letter states a field examination must be made by a representative of your department. That is in error. A field examination was made by Sheryl Chapman on 7/7/88 and a copy has been filed with your office.

Please acknowledge that this field examination has been received and accepted by your office in lieu of an examination by your office.

Thank you for your cooperation.

Sincerely,

Willis D. DeVeney
Willis D. DeVeney

RECEIVED
OCT 27 1988

Department of Water Resources
Western Regional Office

MICROFILMED

APR 23 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 10, 1988

78-7277
Willis DeVeny
P.O. Box 239
Riggins, ID 83549

Dear Applicant(s):

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

Before a license can be issued, a field examination must be made by a representative of this Department. A field examiner will contact you to arrange to examine your system.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Judy Pense".

Judy Pense
Secretary

/jdp

MAILED 11/1/88

NOV 13 1988

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 78-7277

Date: 9/9/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
N/A Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof Acceptable
Field Report in File

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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

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

A. GENERAL INFORMATION

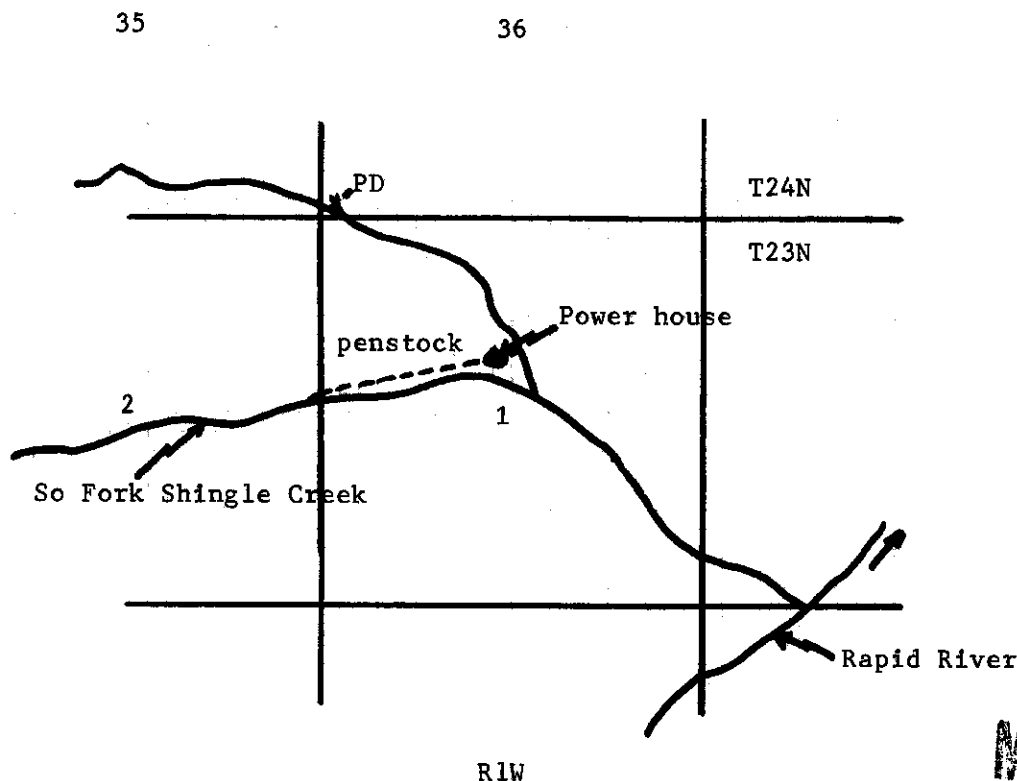
1. Owner: Willis DeVeney Permit No. 78-7277
Current Address: P. O. Box 239, Riggins, Idaho 83549 Phone No. 628-3462
2. Accompanied by: Willis DeVeney EXAM. DATE: 5/31/88
Address: same as above Phone No. 628-3462
Relationship to Permit Holder: Owner
3. Source: Shingle Creek tributary to Rapid River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 78-7157; 78-7158
☐ Copies Attached
2. Other water rights with same point of diversion: 78-7158
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



MICROFILMED

OCT 12 1988

Scale: 1" = _____

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

System Description (continued)

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

Water is diverted into penstocks for use by either turbine depending upon flow
and need. Water can be diverted from either the north fork or south fork of
Shingle Creek.

☐ See Remarks on page 4 for continuation

4.

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

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	SW	36	24N	1W	Idaho	Field/quad map

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

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	1W	1								X									

Do not use this space

MICROFILMED

OCT 12 1988

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Rectangular weir					2.25'	

2. **Measurements:**

Measurement made with a 2.25' contracted rectangular weir with turbine off then on.
Head while turbine was operating = .13 (.328 cfs). Head while turbine was off =
.69 (5.904 cfs). Q taken by turbine = 5.58 cfs. Q allocated to 78-7158 = 2.67 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$2.83 \text{ cfs} \times 1.9835 \times 365 = 2049$

MICROFILMED

OCT 12 1988

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Entire flow of the creek may be diverted for irrigation, hydropower or both.

Volume calculation is based on the firm-nondispatchable energy contract with Idaho Power Company restricting shutdown to scheduled maintenance or accidents.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Hydropower	1/1	12/31	2.83	2049
Totals:			2.83	2049

2. Recommended Amendments

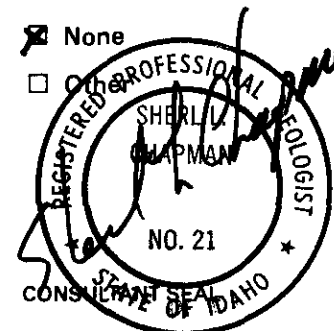
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

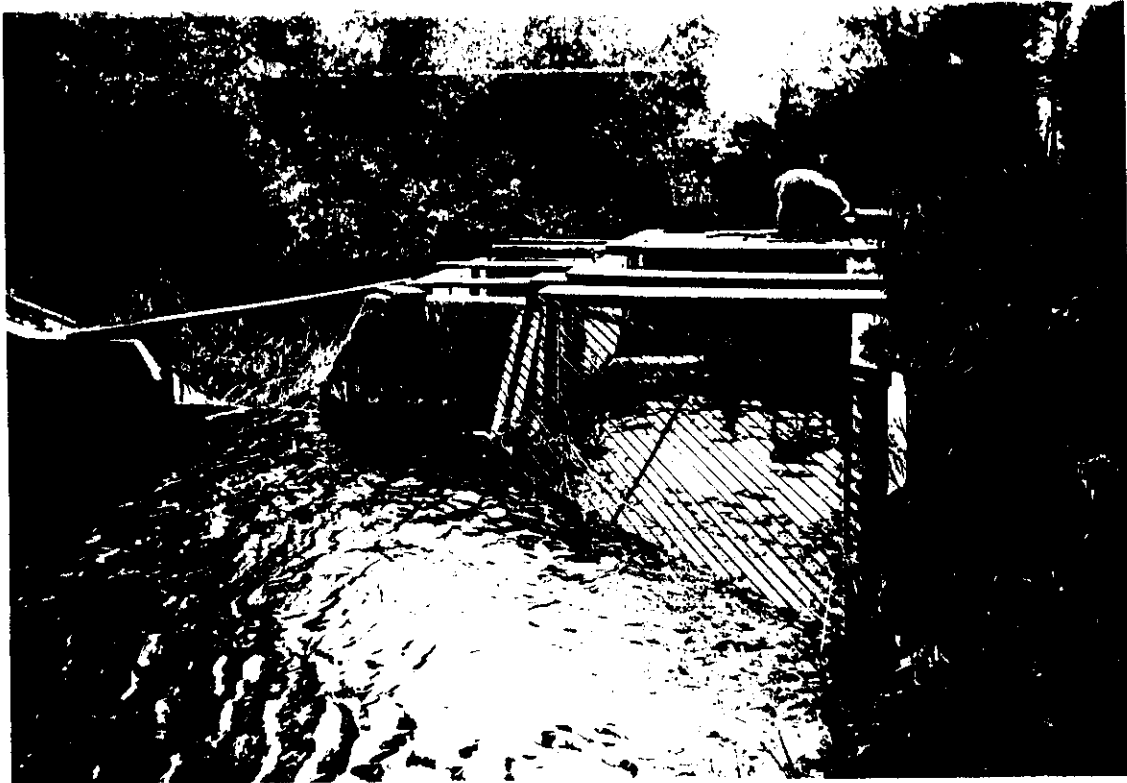
Field Examiner's Name Sherl L. Chapman
Signature *Sherl L. Chapman*
Certification Date 4/6/88
Field Report Preparation Date 7/7/88



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

NOT FILLED

OCT 12 1988



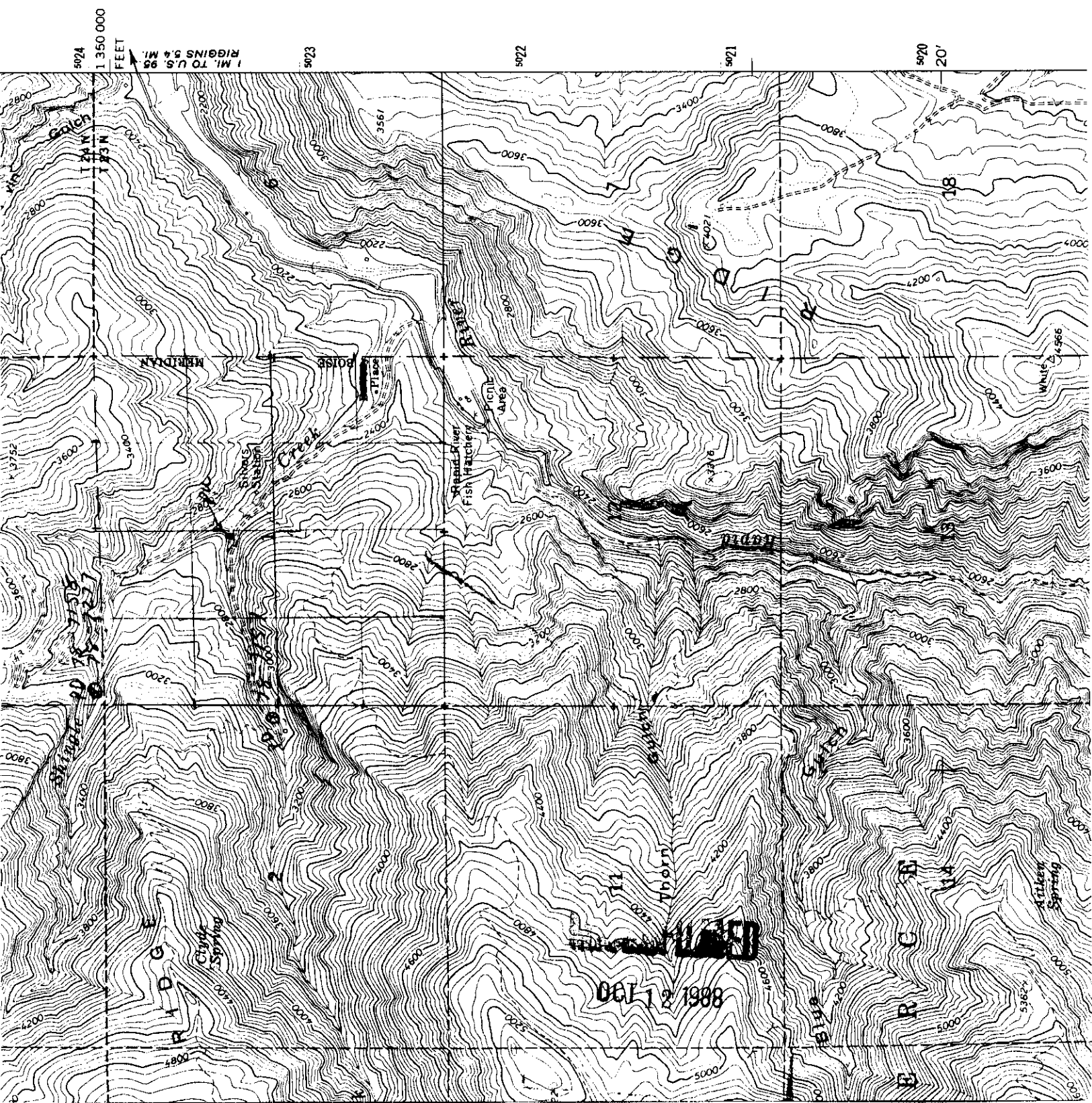
DIVERSION STRUCTURE
NORTH FORK SHINGLE CREEK



POWER HOUSE AND TURBINE

NOT FILMED

OCT 12 1988



138087
CERTIFIED MAIL
June 30, 1988

DE VENY, WILLIS D.
P.O. BOX 239
RIGGINS, ID 83549

PROOF DUE NOTICE

RE: Permit No. 78-7277

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 September 1, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MAILED

OCT 12 1988

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

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
SEPTEMBER 03, 1987

DEVENY, WILLIS D.
BOX 239
RIGGINS, ID 83549

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 78-7277

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL 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.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

MICROFILMED

SEP 28 1987

POWER CALCULATIONS FOR APPLICATION NO. 78-7277

115.0

P = Kilowatts

.74 X hp **155.4**

Q = cfs

2.83 + 2.67 (Rt. 78-7158) ✓

H = feet

430'

e = efficiency

- 1.) Affidavit of Residency
- 2.) Ownership of Facilities
- 3.) *Financial Ability
- 4.) Feasibility of Project
 - a. Plans, drawings
 - b. Economic analysis
- 5.) *Compliance w/FERC
 - *only for projects of more than 25 cfs or more than 500 horsepower.

$$e = \frac{P(11.8)}{QH} = \frac{115.0(11.8)}{5.5 \times 430} = \frac{1357}{2365} = 0.57e \leftarrow \text{low}$$

cfs from both rts.

Based on the above calculations the proposed project must have an 57 % efficiency.

OVERLAP REVIEW

P/D

78-4173 - irig. & stock - DeWeny
78-7158 - power, see copy below

P/U

78-4173 - see above
78-7157 - power, DeWeny from South Fork Shingle Creek.
78-7158 - same project

BYPASSED AREA

MICROFILMED

SEP 28 1987

ED 8/24/87

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Thurt

APPLICATION NUMBER: 78-7277

CHECK:

- ☒ Source.
☒ Point of diversion. 1/10 10.5
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated. NO AOTS
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 78-7158 - COPY ATTACHED SEE
REMARKS ON THIS APPLICATION. NO P.D.'S IN BETWEEN DEWENT'S P.D. & INJECTION
☒ Yes ☐ No* In form for advertising. DRIVE INTO S. FR. SINGLE
Final date for protests: AUGUST 3, 1987
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/31/87
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 85,449.83
☒ Publication dates and paper, recorded on application. the Idaho County Free Press
7/15 & 7/22/87
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
6/30/1987 Date of priority recommended.
Special conditions of approval or cover letter. OIF, OBA, O9D, 17G, 17H, 25, 27

Note: Cond 26 is not required, financial statement is not required and system diagram is not req'd because system is already installed and speculation is not a concern.

RECEIVED

SEP 28 1987

By: LTH

Date: 8/19/87

STATE OFFICE REVIEW:

619, L116

OIF OBA O9D 27

SEP 24 1987

- ☐ See attached sheet for more information.

By: FW

Date: 8/24/87

Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

- 2 -

Willis D. DeVeney) Project No. 4025-000

ORDER ISSUING LICENSE (MINOR)

(Issued September 30, 1981)

Willis D. DeVeney filed an application for a minor license under Part I of the Federal Power Act (Act) for the construction and operation of the Shingle Creek Project No. 4025. 1/ The project is located on Shingle Creek in Idaho County, Idaho.

Notice of the application has been published and comments have been received from interested Federal, State, and local agencies. No protests or petitions to intervene have been received, and none of the agencies objected to the issuance of the license.

Project Description - The proposed project would consist of: (1) a 2-foot high concrete headgate; (2) a 3,100-foot long PVC pipeline; (3) a 200-foot long iron pipe; (4) a 2-foot high concrete headgate; (5) a 3,000-foot long PVC pipeline; (6) a powerhouse containing two generating units, one rated at 55 kW and one rated at 65 kW; and (7) a transmission line. The Applicant estimates that the average annual energy output would be 1.08 million kWh. The energy generated by the project would be sold to the Idaho Power Company. A more detailed project description is contained in ordering paragraph (8).

Engineering Considerations

There is no dam structure associated with the project. The diversion would be accomplished by a headgate on each stream, approximately 2 feet high, diverting a total of 7 cfs. The project structures are considered low hazard and would present no danger in case of failure.

The proposed project would be economically feasible if the power is sold to Idaho Power Company. 2/

The proposed project which develops 440 feet of head on one fork of Shingle Creek and 340 feet of head on another fork of Shingle Creek, makes efficient use of the flow of water, and would not be in conflict with any other proposed development.

Environmental Considerations

The proposed project would result in short-term, minor increases in dust, exhaust emissions, noise from construction activities, and erosion and sedimentation from disturbance of land surfaces. The Applicant has proposed mitigative measures to protect water quality and aquatic life. The Idaho Department of Health and Welfare has issued a water quality certificate for the project in accordance with Section 401 of the Federal Water Pollution Control Act, as amended. The pipeline corridor would traverse an already-disturbed area, which would be reseeded. An approximately 7,500-foot long section of Shingle Creek, with minimal fisheries value, would receive reduced flows, but the downstream rainbow trout fishery would not be affected.

The U.S. Fish and Wildlife Service and the Idaho Department of Fish and Game have recommended that the transmission line towers be raptor-proofed, and the Applicant has agreed to comply with the request.

In accordance with standard Commission practice, 3/ Article 22 of this license also requires cultural resources protection measures in the event of any future construction or development at the project, other than the original project development considered and authorized here.

For the above reasons, approval of the application would not constitute a major Federal action significantly affecting the quality of the human environment.

It is ordered that:

(A) This license is issued to Willis D. DeVeney (Licensee), of Riggins, Idaho, under Part I of the Federal Power Act (Act), for a period of 50 years, effective the first day of the month in which this order is issued, for the construction, operation, and maintenance of the Shingle Creek Project No. 4025, located in Idaho County, on Shingle Creek, and affecting the interests of interstate commerce. This license is subject to the

1/ Authority to act on this matter is delegated to the Director, Office of Electric Power Regulation under 18 C.F.R. §375.308 (1980), as amended by 46 Fed. Reg. 14119 (1981).

2/ The Shingle Creek Project, with its average annual energy generation of 1,080 MWh, would save the equivalent of 1,770 barrels of oil or 500 tons of coal per year.

3/ See S.D. Warren, Project No. 2897, Order Denying Rehearing (issued February 19, 1980).

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terms and conditions of the Act, which is incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the Act.

(B) The Shingle Creek Project No. 4025 consists of:

(1) All lands, to the extent of the Licensee's interests in those lands, constituting the project area and enclosed by the project boundary. The project area and boundary are shown and described by certain exhibits that form part of the application for license and that are designated and described as:

Exhibit	FERC No.	Showing
K-1	4025-1	Project Lands and Boundaries

(2) Project works consisting of: (a) a concrete diversion headgate, located on the North Fork Shingle Creek, approximately 3 feet wide and 2 feet high, with screening for the intake pipe and concrete wings; (b) a 3,100-foot long, 10-inch diameter plastic PVC pipe with 25 psi to 160 psi ratings; (c) a 200-foot long, 10-inch diameter iron pipe; (d) a concrete diversion headgate, located on South Fork Shingle Creek, approximately 3 feet wide and 2 feet high, with screening for the intake pipe and concrete wings; (e) a 3,000-foot long, 12-inch diameter plastic PVC pipe with 25 psi to 160 psi ratings; (f) a 12-foot square cinder block powerhouse containing two generating units, one rated at 65 kW and one rated at 55 kW; (g) a 300-foot long transmission line; and (h) appurtenant facilities.

The location, nature, and character of these project works are generally shown and described by the exhibits cited above and more specifically shown and described by certain other exhibits and reports that also form part of the application for license and that are designated and described as:

Exhibit	FERC No.	Title
L-1	4025-2	Project Structures and Equipment
L-2	4025-3	Project Structures and Equipment
L-3	4025-4	Diversion Works
L-4	4025-5	Diversion Works

(3) All of the structures, fixtures, equipment, or facilities used or useful in the operation or maintenance of the project and located within the project boundary, all portable property that may be employed in connection with the project, located within or outside the project boundary, as approved by the Commission, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) Exhibit L designated in ordering paragraph (B) above, is approved and made a part of the license. Exhibit K is approved only to the extent that it shows the general location and nature of the project works.

(D) Pursuant to Section 10(i) of the Act, it is in the public interest to waive the following sections of Part I of the Act, and they are excluded from the license:

Sections 4(b), except the second sentence; 4(e), insofar as it relates to approval of plans by the Chief of Engineers and the Secretary of the Army; 6, insofar as it relates to public notice and to the acceptance and expression in the license of terms and conditions of the Act that are waived here; 10(c), insofar as it relates to depreciation reserves; 10(d); 10(f); 14, except insofar as the power of condemnation is reserved; 15; 16; 19; 20; and 22.

(E) This license is also subject to Articles 1 through 18 set forth in Form L-15 (revised October, 1975), entitled "Terms and Conditions of License for Unconstructed Minor Project Affecting the Interests of Interstate or Foreign Commerce," attached to and made a part of this license. The license is also subject to the following additional articles:

Article 19: The Licensee shall pay the United States the following annual charge, effective the first day of the month in which this license is issued:

(a) For the purpose of reimbursing the United States for the cost of administration of Part I of the Act, a reasonable amount as determined in accordance with the provisions of the Commission's regulations in effect from time to time. The authorized installed capacity for that purpose is 160 horsepower.

Article 20: The Licensee shall commence construction of the project within two years from the effective date of this license and, in good faith and with due diligence, shall prosecute and complete construction of the project works within four years from the effective date of this license.

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Article 21: Within one year from the date of commencement of operation of the project, the Licensee shall file for approval "as-built" Exhibit K and L drawings to show the project as finally constructed and located, and conforming to §131.6 of the Commission's regulations.

Article 22: Prior to commencement of any construction or development of any project works or other facilities at the project, the Licensee shall consult and cooperate with the State Historic Preservation Officer (SHPO) to determine the need for, and extent of, any archeological or historic resource surveys and any mitigative measures that may be necessary. The Licensee shall provide funds in a reasonable amount for such activity. If any previously unrecorded archeological or historic sites are discovered during the course of construction, construction activity in the vicinity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the Licensee shall consult with the SHPO to develop a mitigation plan for the protection of significant archeological or historic resources. If the Licensee and the SHPO cannot agree on the amount of money to be expended on archeological or historic work related to the project, the Commission reserves the right to require the Licensee to conduct, at its own expense, any such work found necessary.

Article 23. The Licensee shall continue to consult and cooperate with the U.S. Fish and Wildlife Service, the U.S. Department of the Interior, the Idaho Department of Fish and Game, the Idaho Department of Parks and Recreation, and other appropriate agencies for the protection and development of the environmental resources and values of the project area. The Commission reserves the right to require changes in the project works or operations that may be necessary to protect and enhance those resources and values.

Article 24. (a) In accordance with the provisions of this article, the Licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain other types of use and occupancy, without prior Commission approval. The Licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the Licensee shall also have continuing responsibility to supervise and control the uses and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the Licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a conveyance made under the authority of this article is violated, the Licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy that action includes, if necessary, cancelling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The types of use and occupancy of project lands and waters for which the Licensee may grant permission without prior Commission approval are: (1) landscape plantings, non-commercial piers, landings, boat docks, or similar structures and facilities; and (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the Licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The Licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the uses and occupancies for which it grants permission are maintained in good repair and comply with applicable State and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the Licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the Licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the Licensee's costs of administering the permit program. The Commission reserves the right to require the Licensee to file a description of its standards, guidelines, and procedures for

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implementing this paragraph (b) and to require modifications of those standards, guidelines, or procedures.

(c) The Licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges and roads for which all necessary State and Federal approvals have been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the Licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.

(d) The Licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary State and Federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary Federal and State water quality certificates or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary Federal and State approvals have been obtained; (5) private or public marinas that can accommodate no more than 10 watercraft at a time and are located at least one-half mile from any other private or public marina; (6) recreational development consistent with an approved Exhibit or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from the edge of the project reservoir at normal maximum surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 45 days before conveying any interest in project lands under this paragraph (d), the Licensee must file a letter to the Director, Office of Electric Power Regulation, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked Exhibit G or K map may be used), the nature of the proposed use, the identity of any Federal or

State agency official consulted, and any Federal or State approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the Licensee to file an application for prior approval, the Licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraphs (c) or (d) of this article:

(1) Before conveying the interest, the Licensee shall consult with Federal and State fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the Licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved Exhibit R or approved report on recreational resources of an Exhibit E; or, if the project does not have an approved Exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include covenants running with the land adequate to ensure that: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; and (ii) the grantee shall take all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project.

(4) The Commission reserves the right to require the Licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised Exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised Exhibit G or K drawings would be filed for approval for other purposes.

(F) This order is final unless a petition appealing it to the Commission is filed within 30 days from the date of its issuance, as provided in §1.7(d) of the Commission's regulations 18 C.F.R. 1.7(d) (1980). The filing of a petition appealing this order to the Commission or an application for rehearing does not operate as a stay of the effective date of this license or of any other date specified in this order, except as specifically ordered by the Commission. Failure of the Licensee to file a petition appealing this order to the Commission shall constitute acceptance of this license. In acknowledgment of acceptance of this license, the license shall be signed for the Licensee and returned to the Commission within 60 days from the date of issuance of this order.

William W. Lindsay
William W. Lindsay
Director, Office of Electric
Power Regulation

(SEAL)

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State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

July 14, 1987

Federal Energy Regulatory Commission
Attn: Kenneth F. Plumb, Secretary
825 N. Capital St., N. E.
Washington, D. C. 20426

Re: Application for Permit No. 78-7277 in the Name of Willis D. DeVeney

Dear Mr. Plumb:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by August 3, 1987.

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

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill, Jr.", is positioned above the typed name.

DAVID R. TUTHILL, JR., P. E.
Western Region Manager

DRT:jp

Enclosure (s)

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Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 14, 1987

Willis D. DeVeny
Box 239
Riggins, ID 83549

Re: Application for Permit No. 78-7277

Dear Water Right Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification no. 77-7277. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Idaho County Free Press on 7/15 and 7/22/87. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt no. 44983 for the amount of \$ 85.00.

Please feel free to contact this office if you have any questions regarding this procedure.

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Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure:

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

RECEIVED
APR 30 1981
To appropriate the public waters of the State of Idaho

1. Name of applicant Willis D. DeVeny Phone 628-3462

Post office address Box 239, Higgins, ID 83549

2. Source of water supply Shingle Creek which is a tributary of Rapid River

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 24N

Range 1W B.M. Idaho County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.67 cfs for ^{power} production purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.67 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Cement headgate approx. 3 ft. x 2 ft.
and 3530 feet of 10" pipe of which 3390 ft. will be plastic PVC and 140 ft. steel).

b. Height of storage dam none feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 23N

Range 1W B.M.

(2) Amount of power to be generated: 130 horsepower under 440 feet of head.

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

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated

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

Both the S. Fk. of Shingle Creek and the Shingle Creek will be used for power production in a common power house.

9. a. Who owns the property at the point of diversion Willis D. DeVeny

b. Who owns the land to be irrigated or place of use Willis D. DeVeny

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

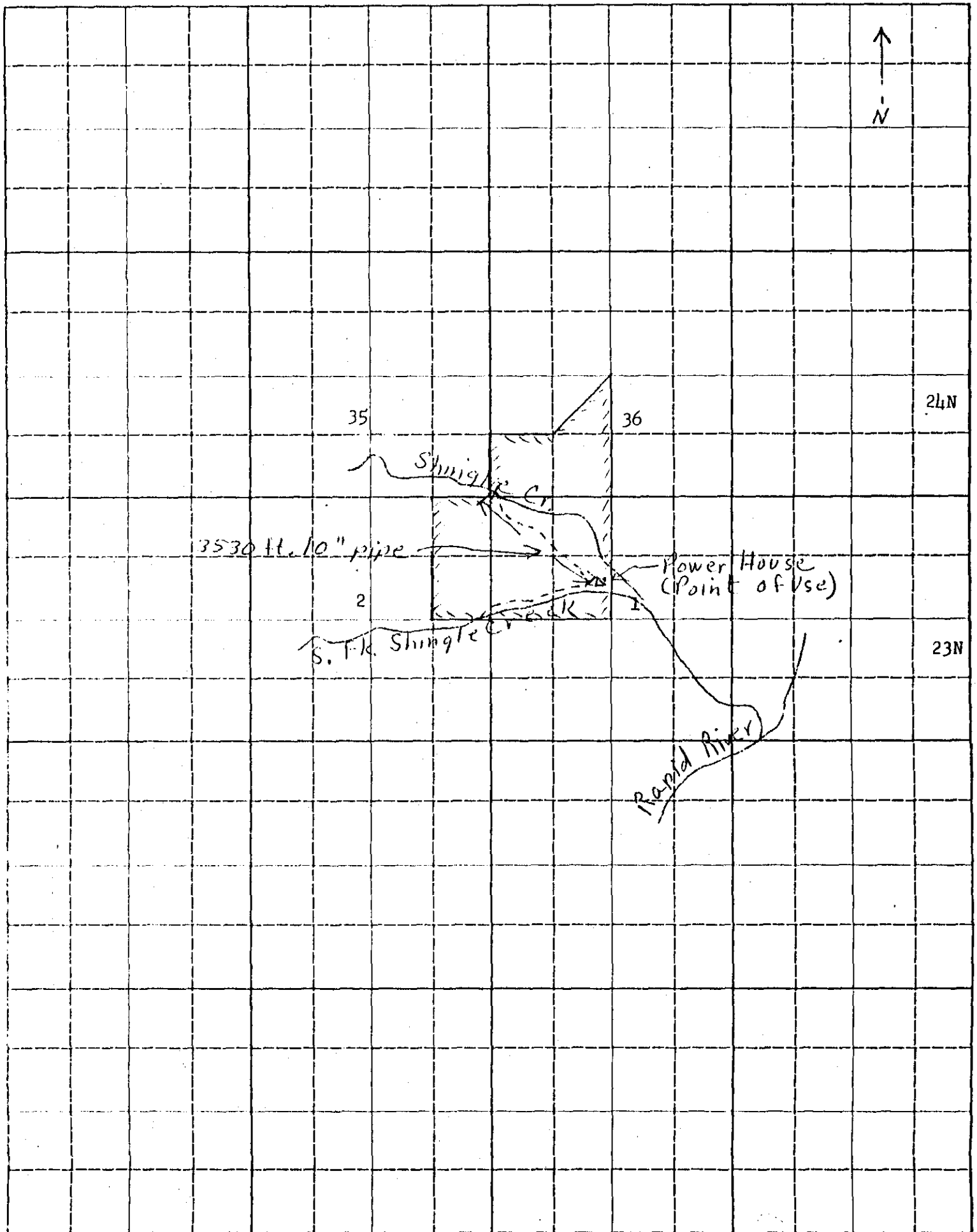
10. Remarks This is a non-consumptive, beneficial use, and all water will be returned to the stream channel after passing through the power house.

Water from Shingle Creek will be returned to main Shingle
Creek by way of the S. Ek. of Shingle Creek.

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

RLW



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.

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SEP 28 1987

William R. Patterson
(Applicant)

Proposed Priority

10/22/80

Received by h/h Date 10/22/80 Time 2:20 H85
Preliminary check by 6/5 Fee \$ 85.00
Receipted by h/h Date 11/20/80 # 15790
Publication prepared by h/h Date 12/4/80
Published in Idaho Co. Press Press
Publication dates 12/11 & 12/18/80
Publication approved wen Date 12/29/80
Protests filed by: none

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

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. 78-7158, and said application is hereby approved.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

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

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

Witness my hand this 29th day of April, 1981.

J. Glen Saxton
Chief, Operations Bureau

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72-1271

14	NESH	05,1	78-4233	S	08-01-1966 SPRING	U.S. DEPT. OF AGR.	C
	SESH	04,16	78-4212	S	05-10-1906 AITKEN SPRING	U.S. DEPT. OF AGR.	C
	NHSE	16,04	78-4213	S	05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
15	NENH	04,16	78-4214	S	05-10-1906 BLUE GULCH SPRING	U.S. DEPT. OF AGR.	C
16	SHNH	05,17	78-4215	S	08-01-1966 SPRING	U.S. DEPT. OF AGR.	C
	NESH	05,17	78-4217	S	07-01-1967 SPRING	U.S. DEPT. OF AGR.	C

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IDaho DEPARTMENT OF WATER RESOURCES											PAGE 2009
WATER RIGHTS BY POINT OF DIVERSION											01/02/1987
TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
23N	01W	16	SESH	04,16		78-4234	S		05-10-1906 CANNON BALL SPRING	U.S. DEPT. OF AGR.	C
		17	SENE	04,16		78-4218	S		05-10-1906 ALDER SPRING	U.S. DEPT. OF AGR.	C
		21	SENE	04,16		78-4247	S		05-10-1906 COTTONWOOD SPRING	U.S. DEPT. OF AGR.	C
			NESH	04,16		78-4241	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
			SHSH	04,16		78-4219	S		05-10-1906 LOG TROUGH SPRING	U.S. DEPT. OF AGR.	C
		22	NHSH	04,16		78-4238	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
		24	SESH	04,16		78-4220	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
		25	NHNE	04,16		78-4221	S		05-10-1906 HULLY SPRING	U.S. DEPT. OF AGR.	C
			SHNE	04,16		78-4222	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
			SHSH	04,16		78-4223	S		05-10-1906 CORA SPRING	U.S. DEPT. OF AGR.	C
		27	NHNE	04,16		78-4224	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
			NHSE	43		78-7129	P		09-18-1979 UNNAMED STREAM	WILSON NICHOLS	C
		29	NENH	04,16		78-4225	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
		34	SESE	04,16		78-4235	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
		35	NHSE	04,16		78-4193	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
		36	NENE	04,16		78-4226	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
			SESE	04,16		78-4292	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
23N	02W	09	SENE	04,16		79-4231	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
		18	SENE	04,16		79-4241	S		05-10-1906 SPRING	U.S. DEPT. OF AGR.	C
24W	01E	04	SHNH	01,04		79-4384	S		01-01-1880 RACE CREEK, WEST FORK RACE CREEK, SOUTH FORK RACE CREEK	BICANDI BICANDI	C
			NESH	28		79-7100	A		12-16-1981 RACE CREEK, WEST FORK RACE CREEK	BICANDI BICANDI	C
			NESH	28		79-7104	P		11-16-1981 RACE CREEK	SHEPPARD	C
			NHSH	01,43		79-2004	L		07-14-1906 RACE CREEK	HOLT	C

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IDAHO DEPARTMENT OF WATER RESOURCES										PAGE 2010	
WATER RIGHTS BY POINT OF DIVERSION										01/02/1987	
TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
24W	01E	04	NHSH	28		79-7100	A		12-16-1981 RACE CREEK, WEST FORK RACE CREEK	BICANDI BICANDI	C
			SHSE	01,43		79-2004	L		07-14-1906 RACE CREEK	HOLT	C
			SESE	01		79-2008	S		06-01-1900 RACE CREEK	SLVE	C
			NESH	43		79-4010	S				C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 8, 1987

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before AUGUST 3, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.

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SEP 28 1987

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 3, 1987.

KEN DUNN, Dir.

Published 07/15 & 07/22/87.

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SEP 28 1987

78-7277

DEVENY, WILLIS D.

BOX 239, RIGGINS, ID 83549

Source: SHINGLE CREEK, NORTH FORK trib. to RAPID RIVER

Diversion Pt: SMSWSW Sec 36 T 24N R 01W

Use: POWER (2.830 CFS)

Date Filed: 06/30/1987

In: SENW Sec 01 T 23N R 01W

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SEP 30 1987

