

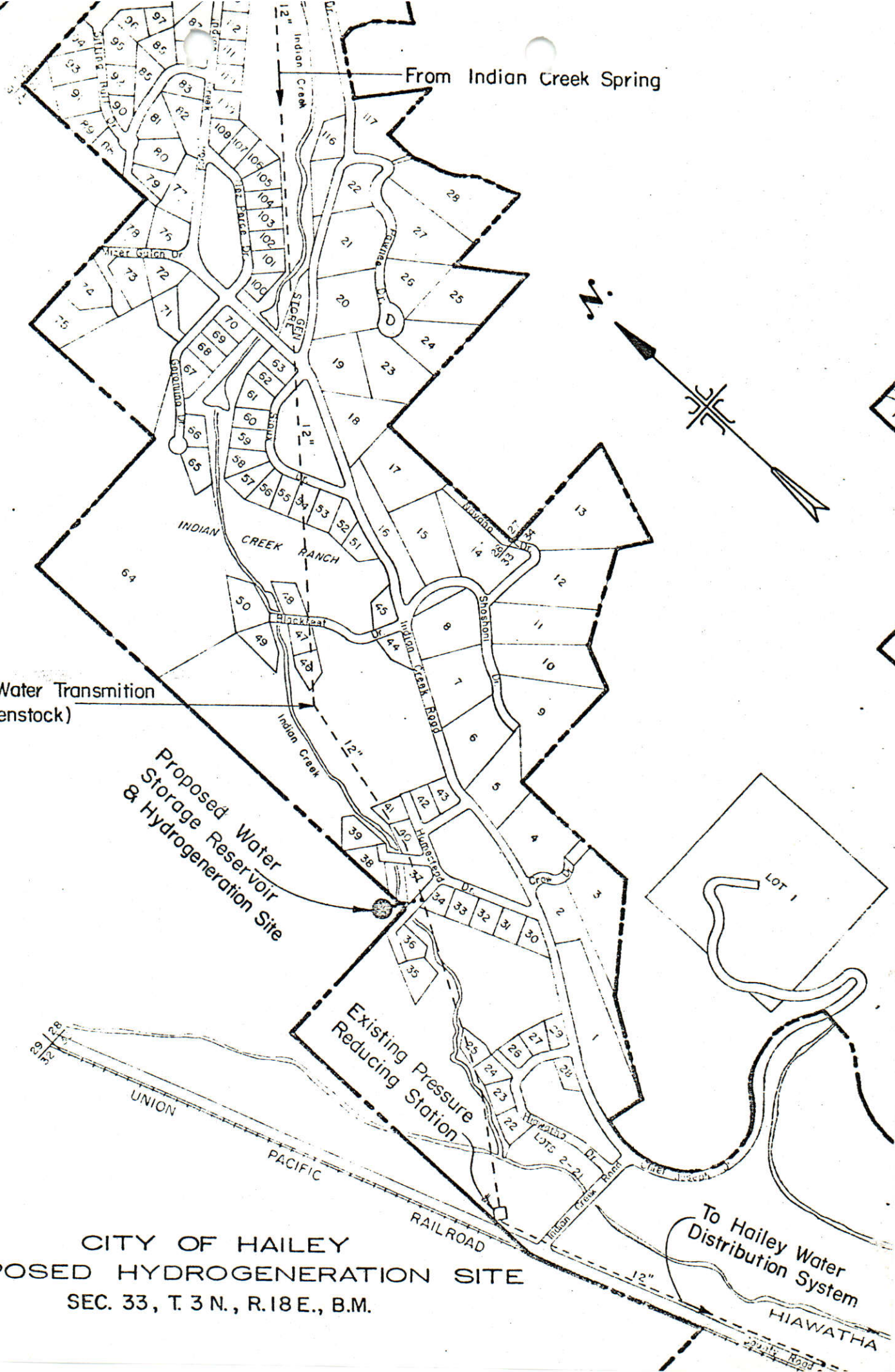
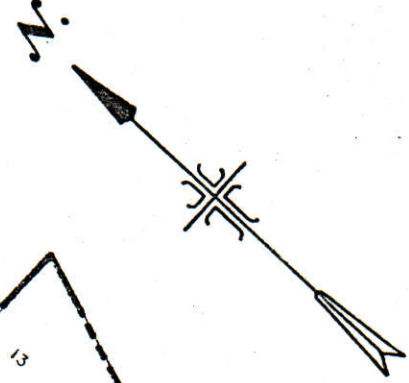
Existing Water Transmission
Pipe (Penstock)

Proposed Water
Storage Reservoir
& Hydrogeneration Site

Existing Pressure
Reducing Station

CITY OF HAILEY
PROPOSED HYDROGENERATION SITE
SEC. 33, T. 3 N., R. 18 E., B.M.

From Indian Creek Spring



**NOTICE OF APPLICATION
FOR WATER RIGHT**

NOTICE IS HEREBY GIVEN, That the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

No. 37-7854

CITY OF HAILEY

P.O. Box 945, Hailey, ID. 83333

Source: INDIAN CREEK SPRING
tributary to BIG WOOD RIVER

Date Filed: 07/23/1980

Amount: 5.00 CFS

Diversion Point: SENW Sec 23 T
03N R 18E, Blaine Co.

Use: Power (5.00 CFS) from 01/01 to
12/31

Place of Use: NENW Sec 33 T 03N R
18E

Diversion Means: Pipeline, Turbines,
Storage Tank

IF ISSUED, The permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, and received ON OR BEFORE OCTOBER 13, 1980.

C. STEPHEN ALLRED

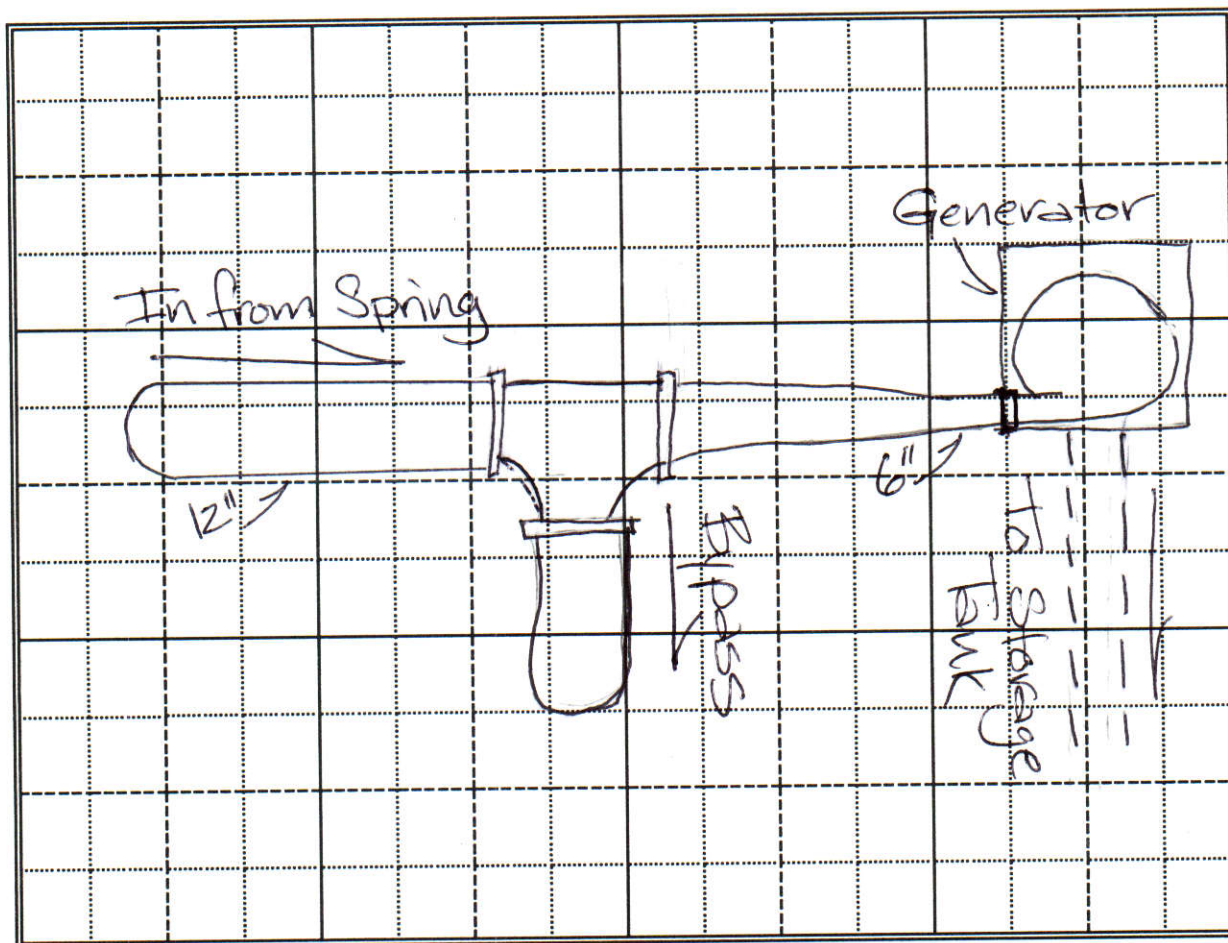
Director

Publish: Wood River Journal--
September 25th and October 2nd,
1980.

Type	WR #	Owner	Source	TR	SENE	NENW	SNW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	37 10717	CITY OF HAILEY,	BIG WOOD RIVER	03N18E33												0
Claim	37 11654C	COYOTE BLUFF RANCH LLC,	BIG WOOD RIVER	03N18E33												7
Claim	37 11654D	COYOTE BLUFF HOMEOWNERS ASSOC INC,	BIG WOOD RIVER	03N18E33												163
Claim	37 11657B	COYOTE BLUFF LLC,	BIG WOOD RIVER	03N18E33												233
Claim	37 11659B	COYOTE BLUFF LLC,	BIG WOOD RIVER	03N18E33												253
Claim	37 11661B	COYOTE BLUFF LLC,	BIG WOOD RIVER	03N18E33												253
Claim	37 12818C	JIM KUKURIN, MICHELLE KUKURIN,	BIG WOOD RIVER	03N18E33												2
Claim	37 12818D	TERESA B CORIELL, RANDY E CORIELL,	BIG WOOD RIVER	03N18E33												0.2
Claim	37 20359	HOLLY MARTHA MCCRAY 1965 TRUST,	BIG WOOD RIVER	03N18E33												0.2
Claim	37 28	ROSEMARY F SHEFFER, MICHAEL K SHEFFER,	BIG WOOD RIVER	03N18E33												2
Claim	37 28C	KARIN T MARTIN,	BIG WOOD RIVER	03N18E33												2
Claim	37 28J	THOMAS A KENNEDY, DEBORAH M KIRBY,	BIG WOOD RIVER	03N18E33												2
Claim	37 297A	ROSEMARY F SHEFFER, MICHAEL K SHEFFER,	BIG WOOD RIVER	03N18E33												2
Claim	37 297C	KARIN T MARTIN,	BIG WOOD RIVER	03N18E33												2
Claim	37 297D	HOLLY MARTHA MCCRAY 1965 TRUST,	BIG WOOD RIVER	03N18E33												2
Claim	37 297M	THOMAS A KENNEDY, DEBORAH M KIRBY,	BIG WOOD RIVER	03N18E33												2
Claim	37 402	STATE OF IDAHO,	BIG WOOD RIVER	03N18E33												2
Claim	37 4H	VERONICA MC CLUNG, JOHN HARRISON MC CLUNG III,	BIG WOOD RIVER	03N18E33												2
Claim	37 521L	JOHN S CHAPMAN,	BIG WOOD RIVER	03N18E33												44.9
Claim	37 521M	HARRY S RINKER,	BIG WOOD RIVER	03N18E33												14
Claim	37 522J	JOHN S CHAPMAN,	BIG WOOD RIVER	03N18E33												14
Claim	37 522K	HARRY S RINKER,	BIG WOOD RIVER	03N18E33												24
Claim	37 523C	JOHN E MCCAW JR,	BIG WOOD RIVER	03N18E33												14
Claim	37 523G	JOHN S CHAPMAN,	BIG WOOD RIVER	03N18E33												24
Claim	37 523H	HARRY S RINKER,	BIG WOOD RIVER	03N18E33												23
Claim	37 899A	JOHN S CHAPMAN,	BIG WOOD RIVER	03N18E33												14
Claim	37 899B	HARRY S RINKER,	BIG WOOD RIVER	03N18E33												14
Claim	37 906	CITY OF HAILEY,	BIG WOOD RIVER	03N18E33												24
Rec	37 10717	CITY OF HAILEY,	BIG WOOD RIVER	03N18E33												0
Rec	37 28J	THOMAS A KENNEDY, DEBORAH M KIRBY,	BIG WOOD RIVER	03N18E33												0
Rec	37 297D	HOLLY MARTHA MCCRAY 1965 TRUST,	BIG WOOD RIVER	03N18E33												2
Rec	37 297M	THOMAS A KENNEDY, DEBORAH M KIRBY,	BIG WOOD RIVER	03N18E33												2
Rec	37 4H	VERONICA MC CLUNG, JOHN HARRISON MC CLUNG III,	BIG WOOD RIVER	03N18E33												2
Rec	37 906	CITY OF HAILEY,	BIG WOOD RIVER	03N18E33												2
Right	37 297	HAILEY WATER & POWER CO,	BIG WOOD RIVER	03N18E33												0
Right	37 3000M	WOOD RIVER LAND CO,	BIG WOOD RIVER	03N18E33												0
Right	37 30024C	LISELOTTE BODNER,	BIG WOOD RIVER	03N18E33												17.7
Right	37 402	HAROLD LAKES, ARTHUR LAKES JR,	BIG WOOD RIVER	03N18E33												0
Right	37 521B	MARY PHIL P OSBORN,	BIG WOOD RIVER	03N18E33												0
Right	37 521H	LISELOTTE BODNER,	BIG WOOD RIVER	03N18E33												0
Right	37 521J	ISRAEL T OSBORN,	BIG WOOD RIVER	03N18E33												0
Right	37 522B	MARY PHIL P OSBORN,	BIG WOOD RIVER	03N18E33												0
Right	37 522F	LISELOTTE BODNER,	BIG WOOD RIVER	03N18E33												0
Right	37 523B	MARY PHIL P OSBORN,	BIG WOOD RIVER	03N18E33												0
Right	37 523D	LISELOTTE BODNER,	BIG WOOD RIVER	03N18E33												0
Right	37 523E	ISRAEL T OSBORN,	BIG WOOD RIVER	03N18E33												0
Right	37 833N	IRVIN E ROCKWELL,	BIG WOOD RIVER	03N18E33												0
Right	37 896	R E BUTTRAM,	BIG WOOD RIVER	03N18E33												0
Right	37 913	JACK POOL	BIG WOOD RIVER	03N18E33												0
Claim	37 11587	BILLIE J FROST, LEE E FROST,	GROUND WATER	03N18E33												0
Claim	37 11590	IRWIN FEHER,	GROUND WATER	03N18E33												0
Claim	37 11710	JAMES DALE MIZER,	GROUND WATER	03N18E33												0
Claim	37 11710	JAMES DALE MIZER,	GROUND WATER	03N18E33												0
Claim	37 11958	MADORA IRION HOFF,	GROUND WATER	03N18E33												0
Claim	37 12079	ROBERT A MORRIS,	GROUND WATER	03N18E33												0
Claim	37 12096	HERBERT B COPELAND, CONLEE P COPELAND,	GROUND WATER	03N18E33												0
Claim	37 12675	CHRISTINA MC GINNIS, BRIAN MC GINNIS,	GROUND WATER	03N18E33												0
Claim	37 2507A	HARRY S RINKER,	GROUND WATER	03N18E33												75

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Generator	Cornell	75	STRZ-VM-6016CJ-4CV		44149

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

D. FLOW MEASUREMENTS

1.

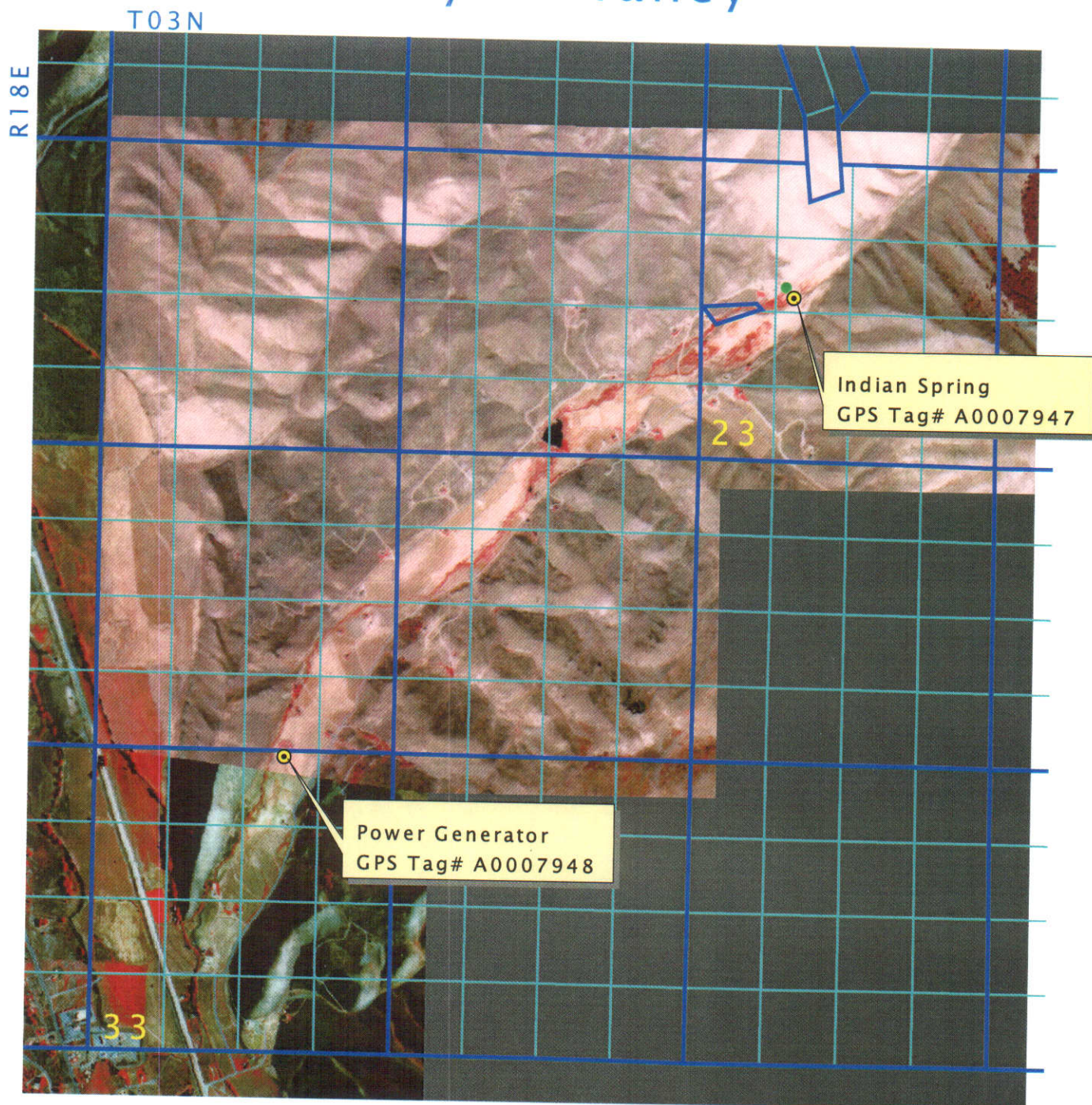
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** At the rod at Indian Creek, an OCMTI was measuring an intake of 2809 gpm. The generator sits 2.3 miles south of the head boxes. Another flow meter was recording 1519 gpm into the generator. No pumps were used.

Idaho Department of Water Resource

Recommendation for Permit 37-07854

City of Hailey



● Point of Diversion

□ Section Lines

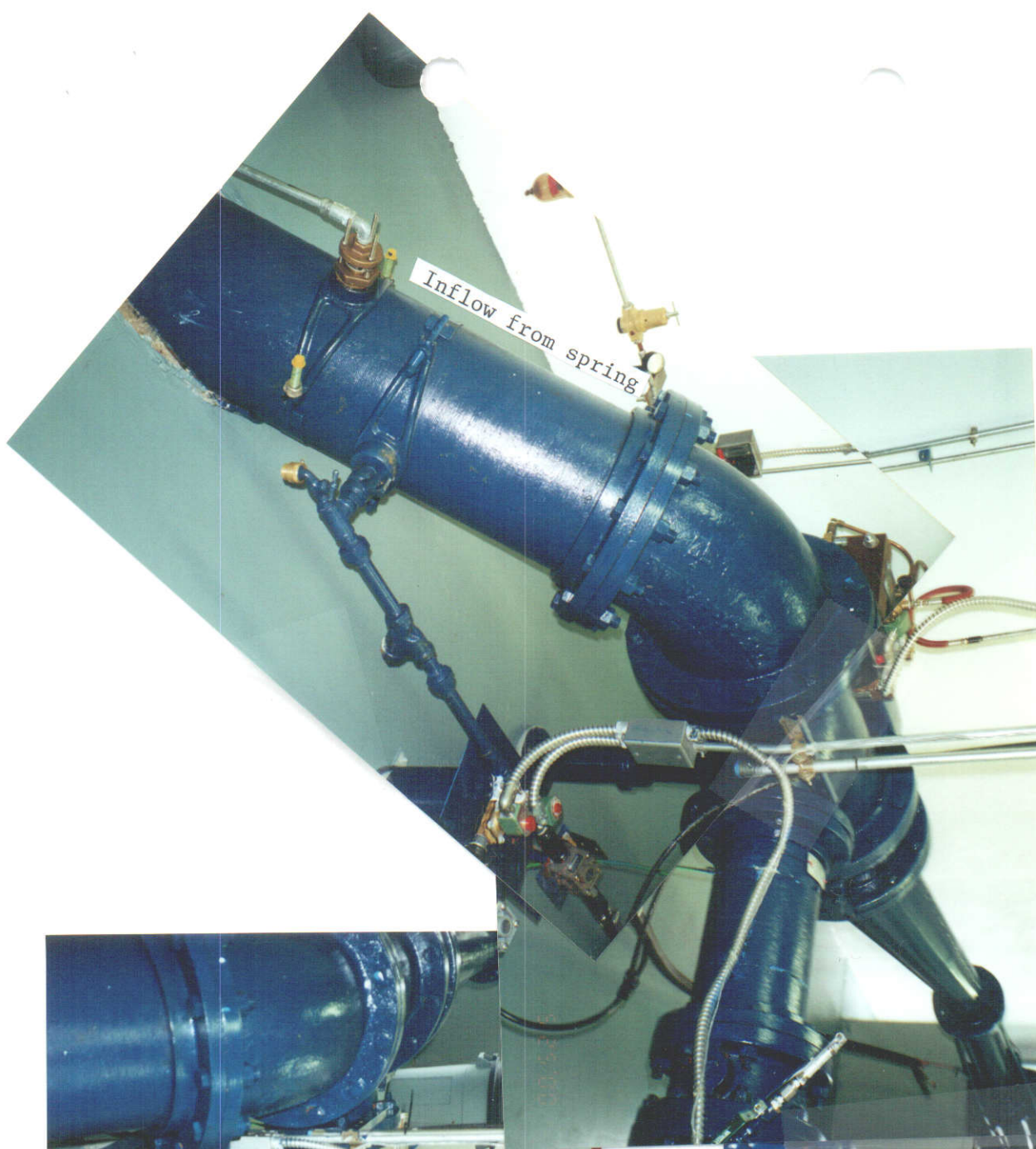
□ Quarter-quarter lines



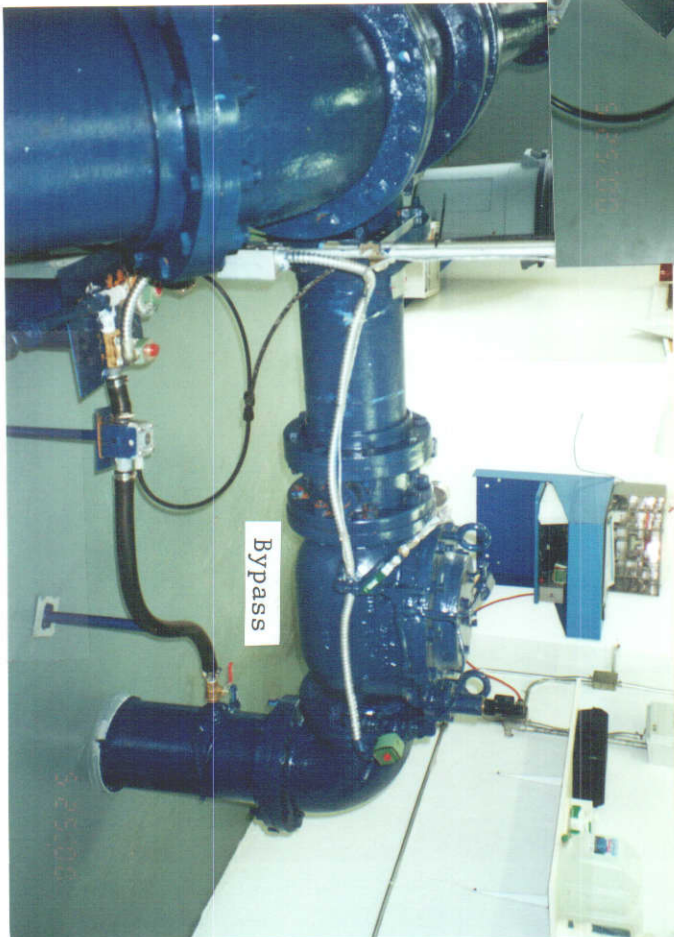
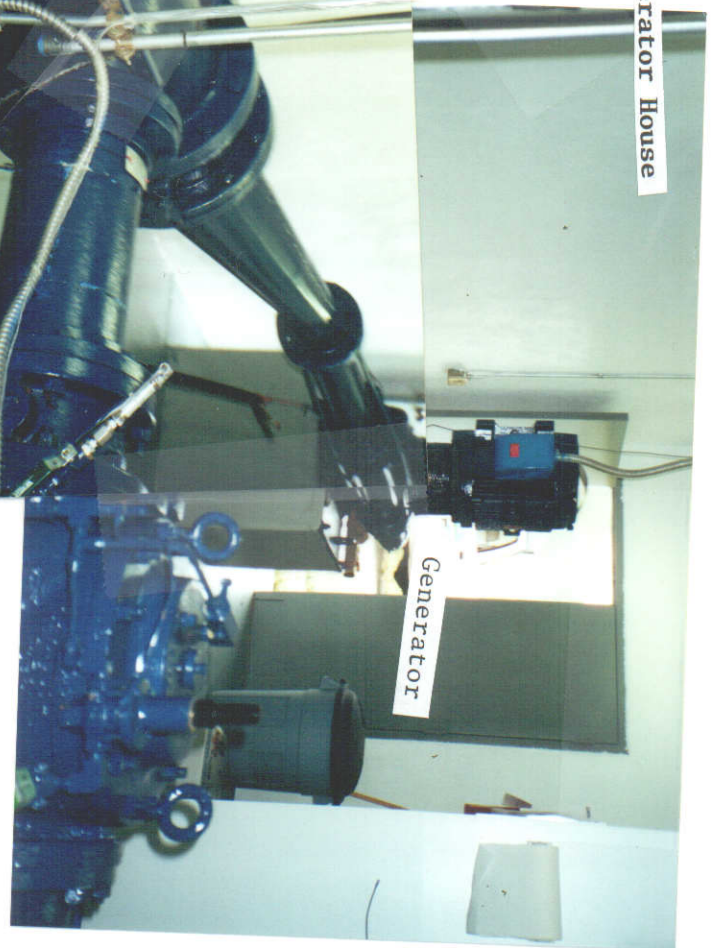
Point of Diversion and Place of Use
T03N R18E S23 & 33

Data entry on June 19, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

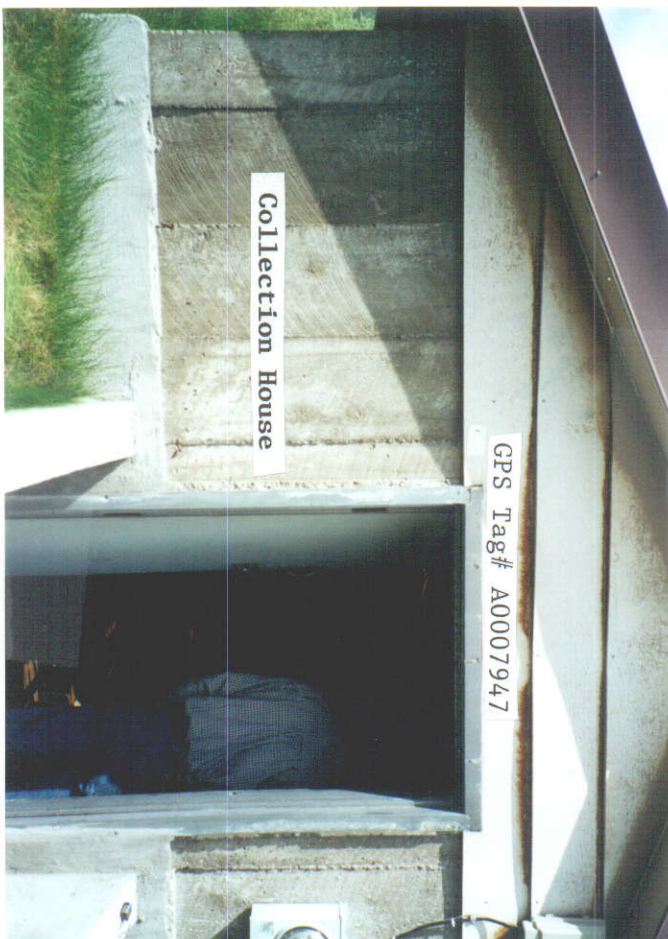


Generator House



City of Hailey
FE: Amanda Folsom
Date: May 25, 2000

37-07854



FE: Amanda Folsom
Date: May 25, 2000

37-07854



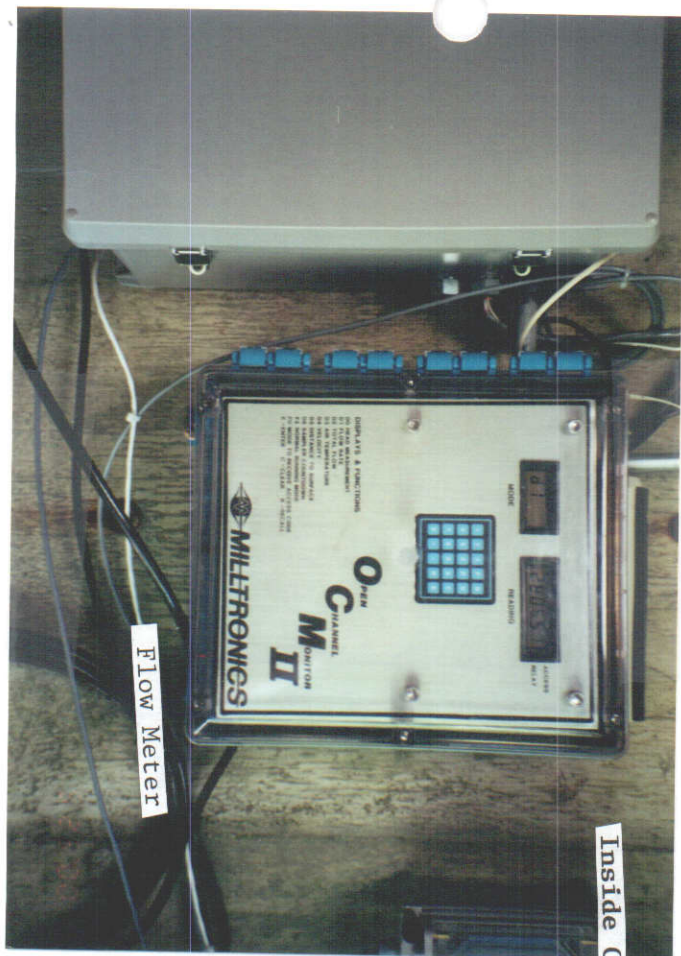
Looking NE'ly

Collection House

Head Boxes for spring

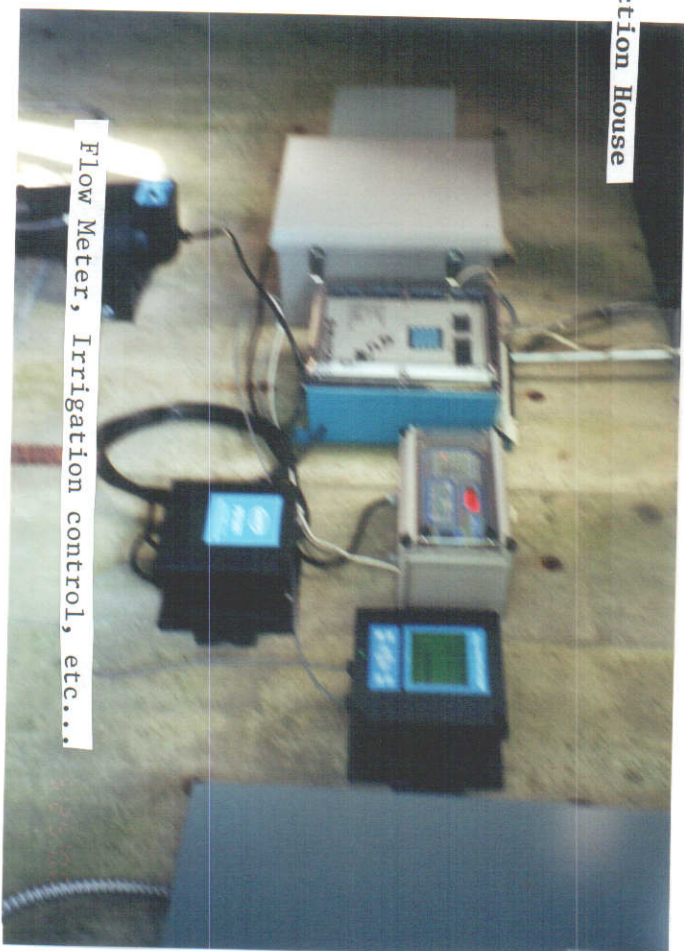
City of Hailey
 FE: Amanda Folsom
 Date: May 25, 2000

37-07854

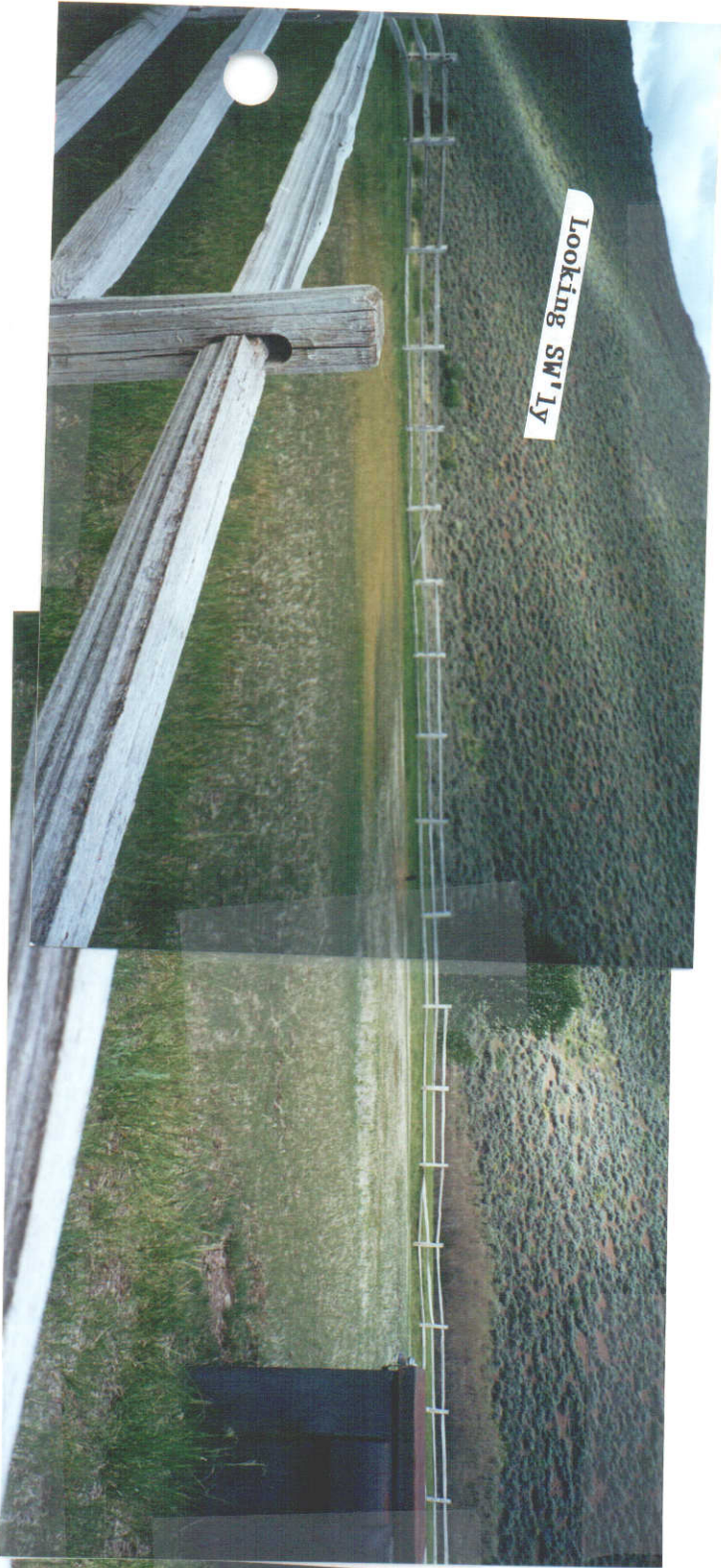


Inside Collection House

Flow Meter



Flow Meter, Irrigation control, etc...



Looking SW 1/4



Million-gal Tank



GPS Tag# A0007948



Outflow to Indian Creek from Tank

City of Hailey
FE: Amanda Folsom
Date: May 25, 2000

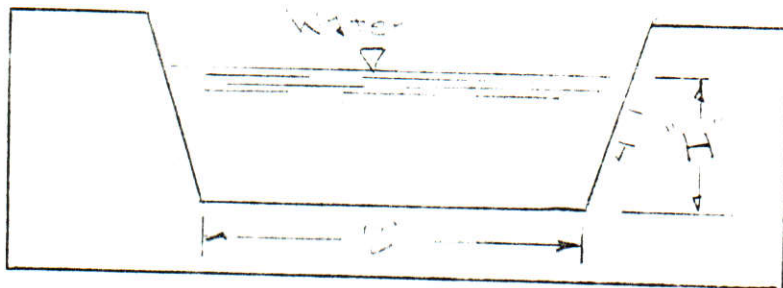
37-07854







CITY OF HAILEY
 INDIAN SPRING WEIR
 DISCHARGE OVER CIPOLETTI WEIR



$$Q = (3.367) (L) (H^{3/2})$$

Cipoletti Formula

"H" Height in feet	"Q" Cu. Ft./Sec. 2' length
0.1	0.2
0.2	0.6
0.3	1.1
0.4	1.7
0.5	2.4
0.6	3.1
0.7	3.9
0.8	4.8
0.82	5.0
0.9	5.7
1.0	6.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

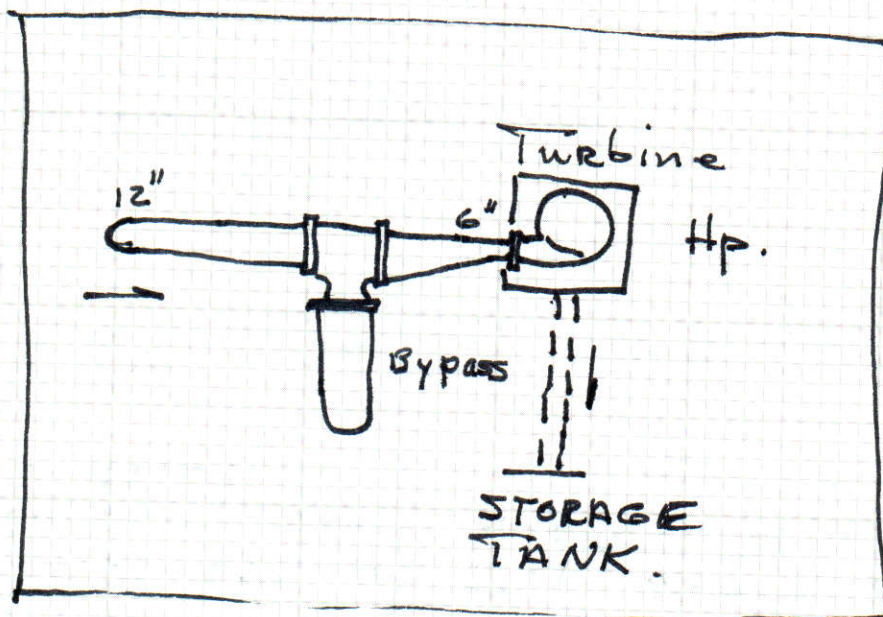
1. Owner: City of Hailey Permit No. 37-7854
Current Address: Bx 945 Hailey, Ida Phone No. _____
2. Accompanied by: Darrel James EXAM. DATE: 6-6-89
Address: Same Phone No. 788-4221
Relationship to Permit Holder: City Sup.
3. Source: g1 Indian Cr. Springs tributary to Big Wood River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 10/ ☐ Copies Attached
2. Other water rights with same point of diversion: 10/ ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

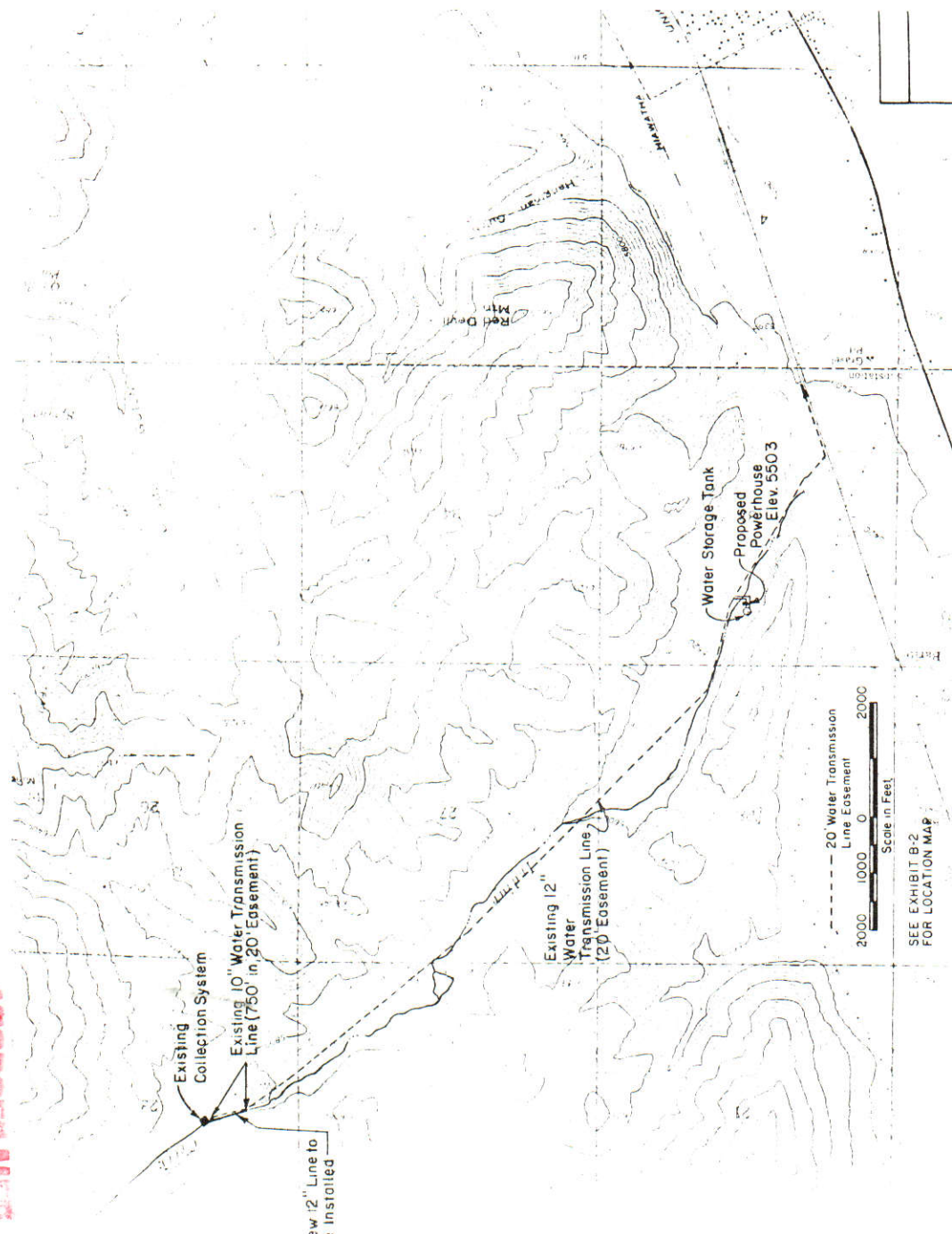
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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



37-7854

P-7016-000

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission
(March 3, 1983)

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

- a. Type of Application: Exemption (5 MW or less)
- b. Project No: 7016-000
- c. Date Filed: January 24, 1983
- d. Applicant: City of Hailey, Idaho
- e. Name of Project: Hail
- f. Location: On Indian Creek Springs, near Hailey, within BLM lands, in Blaine County, Idaho
- g. Filed Pursuant to: Section 408, Energy Security Act of 1980, 16 U.S.C. §§2705 and 2708 as amended
- h. Contact Person: Wordell Rainey, Mayor, City of Hailey, P.O. Box 945, Hailey, Idaho 83333
- i. Comment Date: APR 18 1983
- j. Description of Project: The proposed Hailey Project would consist of: (1) the existing spring collection system, comprising 10-inch-diameter infiltration pipes and collection box; (2) a 2.5-mile-long, 12-inch-diameter pipeline; (3) a 700-foot-long, 18-inch-diameter steel penstock, bifurcated from the water main; (4) a powerhouse containing one generating unit rated at 46 kW; and (5) an 800-foot-long, underground transmission line. The average annual energy generation is estimated to be 408,000 kWh.
- k. Purpose of Project: Power will be sold to Idaho Power Company.
- l. This notice also consists of the following standard paragraphs: A1, B, C, D3a

Microfilmed



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 25 1985

Department of Water Resources

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

Permit No. 37-7854

Name(s) of Permit Holder: CITY OF HAILEY - WATER DEPT.

Post Office Address: BOX 945 HAILEY, IDA. 83333

Telephone No. 788-4221

Source of Water: SPRING

Extent of Use:

Domestic (5.0 CFS) (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

X Indicate the date water was first diverted and beneficially used under this permit: FEB. 17, 1985

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

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

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

DARLE R. JAMES
(Name)

12 WEST CARBONATE ST 788-4221
(Address) (Telephone Number)

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

10/24/85
Date

Wordell Ramsey Mayor
Signature of Permit Holder (and Title, if appropriate)

WILSON

**Place
Stamp
Here**

**Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

For Office Use Only
Fee Received <u>15.00</u>
Date <u>10-22-82</u>
Receipt # <u>25213</u>

RECEIVED

OCT 22 1982

Department of Water Resources

City of Hailey of P.O. Box 945, Hailey, Idaho 83333
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 37-7854.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before December 1, 1982.

That he has heretofore performed the following work described under said permit: A Feasibility Study
(This must be filled out! If no work has been completed put none.)
under a DOE Grant DOE/ID/40035 has been completed. An Application for Exemption from Licensing is being prepared. City of Hailey has passed a bond election for the water system improvements in conjunction with the power generation project.

Costing \$ 15,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Fiscal constraints and planning problems have caused delays not expected.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to December 1, 19 85.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Wendell J. Rainey
(Signature)*
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to December 1, 1987.

Signed 3rd day of November, 19 82.

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant City of Hailey Phone 788-4221
Post office address P. O. Box 945, Hailey, Idaho 83333

2. Source of water supply Indian Creek Spring which is a tributary of Big Wood River
3. Location of point of diversion is SE NW AS PER FIELD REVIEW 7/25/80 ADM
NW SW $\frac{1}{4}$ of $\frac{1}{4}$ of Section 23 Township 3N
Range 18E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:
Amount 2.4 cfs for Municipal Domestic Water purposes from Jan 1/81 to Dec 31/81 (both dates inclusive)
Amount 5 cfs for Power Generator purposes from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:
a. 5 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. There is an existing 10 and 12 inch pipe-
line between the Indian Creek Springs and City of Hailey Domestic Water System. This will be
diverted through turbines and a storage tank prior to entering the domestic water system.
b. Height of storage dam N/A feet, active reservoir capacity N/A acre-feet; total reservoir
capacity N/A acre-feet, materials used in storage dam: N/A
Period of year when water will be diverted to storage N/A to N/A inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 2 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: NE NW $\frac{1}{4}$ of $\frac{1}{4}$ of Section 33 Township 3N
Range 18E B.M.
(2) Amount of power to be generated: 115 horsepower under 300 feet of head.
(3) List number of each kind of livestock to be watered N/A

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

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

MICROFILMED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	

Total number of acres to be irrigated _____

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

currently holds a water right of 2.59 cfs for Domestic Water on the Indian Creek

Spring through use. A water right of the total Indian Creek Flow appears to be avail-
able to the City of Hailey through purchase of the Hailey Water & Power Company.

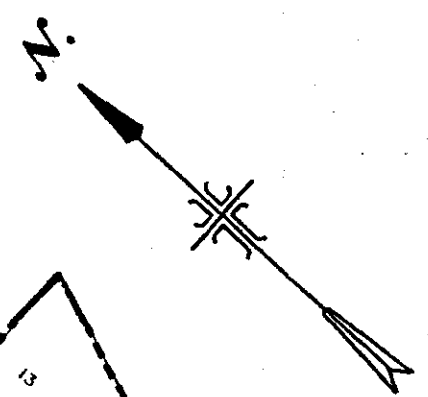
9. a. Who owns the property at the point of diversion City of Hailey

b. Who owns the land to be irrigated or place of use Various Property Owners

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

10. Remarks *The 3 cfs for domestic water use included the 2.59 cfs water right already
held by the City of Hailey on this bottle. The Hailey Water and Power Company held 9/2/00
a water right to the total stream flow of Indian Creek. It is assumed that through DC
purchase of this company the City of Hailey obtained this total water right. This
application is to extend this right to 5 cfs of water to be used for power generation.

From Indian Creek Spring



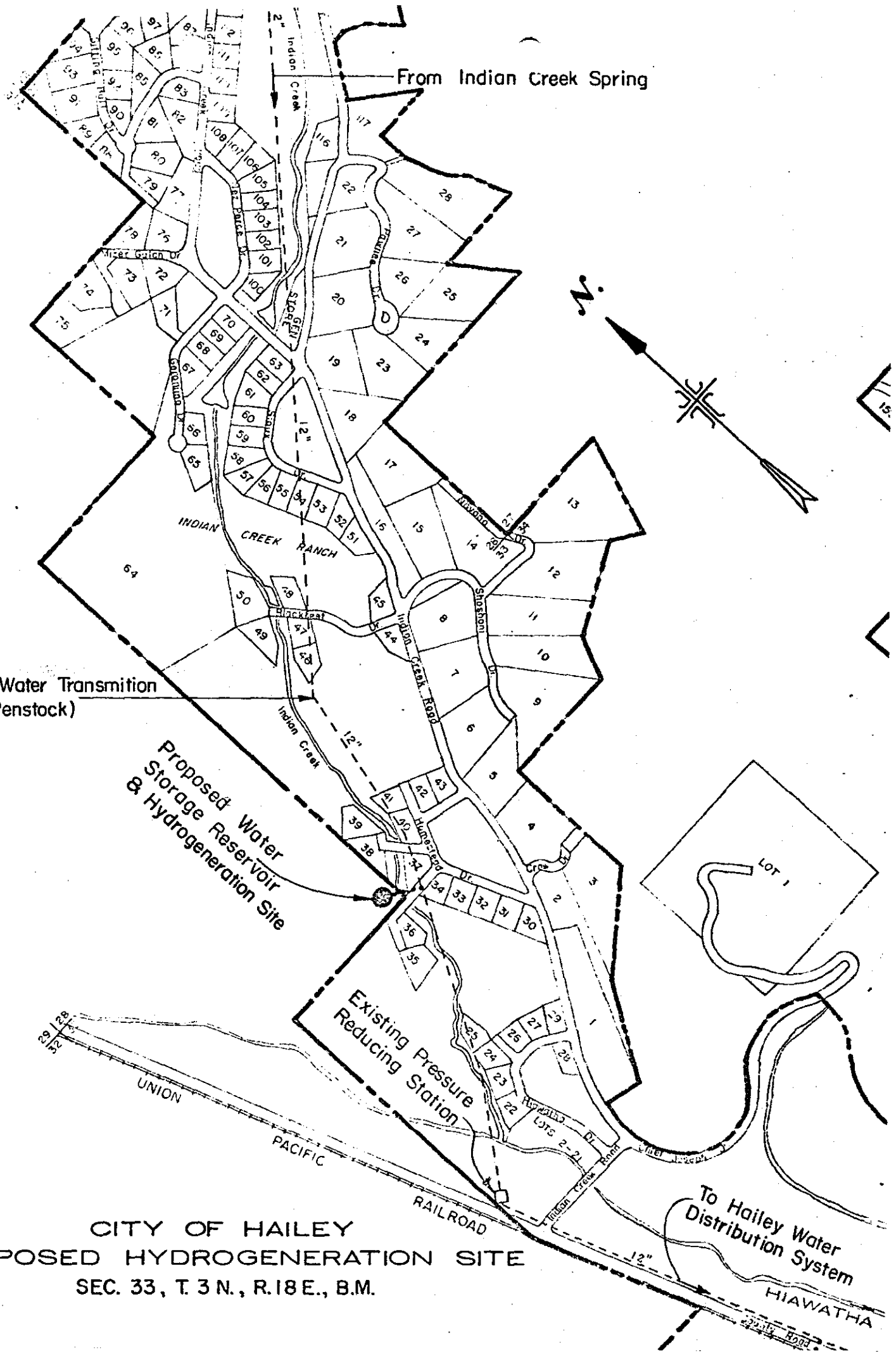
Existing Water Transmission
Pipe (Penstock)

Proposed Water
Storage Reservoir
& Hydrogeneration Site

Existing Pressure
Reducing Station

To Hailey Water
Distribution System

CITY OF HAILEY
PROPOSED HYDROGENERATION SITE
SEC. 33, T. 3 N., R. 18 E., B.M.



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

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. The lines are evenly spaced and extend across the entire page, leaving no margins or additional markings.

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.

Emory M. Dietrich
Mayor of City of Hailey (Applicant)

Proposed Priority

7/23/80

Received by maria Date 7/23/80 Time 11:00 am

Preliminary check by ADM Fee \$ 125.00 # 16519

Received by maria Date 7/23/80

Publication prepared by maria Date 9/1/80

Published in Wood River Journal

Publication dates 9/25 & 10/2/80

Publication approved maria Date 10/7/80

Protests filed by: NONE

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RA

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. 37-7854, 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 December 1, 19 82.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

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

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Use of water under this permit is subject to control by the watermaster of State Water District #37, Big Wood River.

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 shall be subject to future operation so that use of water under this permit will not conflict or interfere with the future upstream diversion of water for irrigation or other beneficial consumptive uses

Witness my hand this 18th day of Nov. 19 80.

J. Glen Saylor
Chief, Operations Bureau

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 25 day of September 1980, and the date of the last publication was on the 2 day of October, 1980.

Subscribed and sworn to before me this 3rd

day of October, 1980.
(SEAL)

Roberta Brock

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 37
Number of Insertions 2

Lines tabular at _____ 4¢ / Pica
37 Lines straight at 14.43 3¢ / Pica
37 Subsequent lines at 9.62 2¢ / Pica

TOTAL COST 24.05

COPY OF NOTICE

(Paste Here)

Permit 37-7854
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line, straight	3¢ / Pica
7-8 pt. per line, tabular	4¢ / Pica
7-8 pt. per line successive insertions	2¢ / Pica

RECEIVED

No 001 17880

Dept. of Water Resources
Southern District Office

MICROFILMED

NOTICE: The following information has been
obtained from the records of the
Department of the Interior, Bureau of
Reclamation, and is being made available to the public.

1. Name: [REDACTED]
2. Address: [REDACTED]
3. City: [REDACTED]
4. State: [REDACTED]
5. Zip: [REDACTED]

6. Date of Birth: [REDACTED]
7. Date of Death: [REDACTED]
8. Date of Marriage: [REDACTED]
9. Date of Divorce: [REDACTED]
10. Date of Naturalization: [REDACTED]

11. Date of Entry into the United States: [REDACTED]
12. Date of Departure from the United States: [REDACTED]
13. Date of Return to the United States: [REDACTED]
14. Date of Re-entry to the United States: [REDACTED]
15. Date of Exit from the United States: [REDACTED]

16. Date of Arrival in the United States: [REDACTED]
17. Date of Departure from the United States: [REDACTED]
18. Date of Return to the United States: [REDACTED]
19. Date of Re-entry to the United States: [REDACTED]
20. Date of Exit from the United States: [REDACTED]

21. Date of Arrival in the United States: [REDACTED]
22. Date of Departure from the United States: [REDACTED]
23. Date of Return to the United States: [REDACTED]
24. Date of Re-entry to the United States: [REDACTED]
25. Date of Exit from the United States: [REDACTED]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 31 2001

CHANGE IN ADDRESS

Department of Water Resources

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s): 37-07854

[] Name(s): CITY OF HAILEY

[] Old Mailing Address: PO BOX 945

[] New Mailing Address: 115 MAIN ST S, #H

HAILEY ID

83333

Telephone Number: (208) 788-4221

[] Signature(s) of Owner(s) 

CITY ENGINEER
(Include your title if on behalf of company or organization)

Date: 8/30/01

City of Hailey
City Engineer

115 South Main Street
Hailey ID, 83333

(208) 788-4221 Ext 14
(208) 788-2924 (fax)

RECEIVED

MAY 13 2002

May 8, 2002

Department of Water Resources

fw
State of Idaho – Department of Water Resources
Attn: Ms. Kay Walker
1301 North Orchard Street
P O Box 83720
Boise, ID 83706 – 0098

Re: Permit No. 37-07854

Dear Ms. Walker:

This letter is to update you on the status of our Water Right No. 37-07854 and our plans to install new flow measuring devices at the Indian Creek Spring site and the city water storage tank as a part of upgrading our SCADA system. The contractor for the SCADA system is in the process of installing the radio equipment with the flow measuring devices to be installed within the next month. A period of testing and calibrating these devices will follow at which time we will be able to more correctly address the water rights issue for this source.

I will keep you informed of when the installation is complete. If you have any questions please call me.

Sincerely,



Thomas Hellen, PE
City Engineer

cc: Jim Speck, Speck & Aanestad
Ray Hyde, Public Works Manager
Bob Schulz, Water Superintendent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 21, 2001

CITY OF HAILEY
115 S MAIN ST
HAILEY ID 83333

JIM SPECK, ATTORNEY
PO BOX 987
KETCHUM ID 83340

RE: Permit No. 37-07854

Gentlemen:

We are in receipt of your letter of December 18, 2001, in which you stated that you will be installing new flow meters on your system. Since the Department will have to conduct a re-examination of the system, once you have completed the installation of the new flow meters, we will require a re-examination fee for this permit. Pursuant to Beneficial Use Examination Rule 050.01.e we cannot conduct the re-examination unless an examination fee equal to the initial examination fee is paid. In this case, the original examination fee of \$200.00 was paid on May 23, 1986. I have included a copy of the above referenced rule for your information.

Once you have completed the installation of the new meters, please send in a written request for the re-examination along with the required fee. We will not take any further action towards this permit until we receive your request for a re-examination or submit the previously forwarded Application for Amendment.

If you have any questions in regard to this matter, please do not hesitate to contact our office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

City of Hailey
City Engineer

115 South Main Street
Hailey ID, 83333

(208) 788-4221
(208) 788-2924 (fax)

RECEIVED

DEC 20 2001

Ms. Kay Walker

December 18, 2001

State of Idaho – Department of Water Resources
Attn: Ms. Kay Walker
1301 North Orchard Street
P O Box 83720
Boise, ID 83706-0098

Re: Permit No. 37-07854

Dear Ms. Walker:

I have received your letter of December 11, 2001 regarding Water Right No. 37-07854 and the Application for Amendment. This letter is to inform you that the Hailey City Council has approved a contract to install a new Supervisory Control And Data Acquisition (SCADA) system for all city water sites. A part of this contract is to install and calibrate new flow meters at each site including the Indian Creek Spring site. Because of the difference in flow measurements between the spring source and the power turbine site we believe there is an error in one of the flow meters. Following the installation of the new equipment we would accommodate a reinspection to determine the correct water right for this site.

Please call me if you have any questions.

Sincerely,



Thomas Hellen, PE
City Engineer

cc: Jim Speck, Speck & Aanestad
Ray Hyde, Public Works Manager
Bob Schulz, Water Superintendent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 11, 2001

CITY OF HAILEY
115 S MAIN ST
HAILEY ID 83333

and/or

JIM SPECK, ATTORNEY
PO BOX 987
KETCHUM ID 83340

RE: Permit No. 37-07854

Gentlemen:

I previously forwarded to you an Application for Amendment so that you could amend the above referenced permit to depict your water right as it has actually been developed. I have not yet received the amendment.

Please submit the amendment and/or information that provides the Department evidence that our measurement of this system was in error within the next 30 days. If we don't receive the amendment application or other information within the 30 day period we will take action to void this permit.

Enclosed, for your convenience, is another amendment form. Please note that the filing fee for this amendment application is \$50.00. If you have any questions, please call me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07854

Date of Priority: July 23, 1980

Maximum Diversion Rate: 3.38 CFS
Maximum Diversion Volume: 2,450.0 AF

Comes now CITY OF HAILEY
PO BOX 945

HAILEY ID 83333 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-07854, and requests that the permit be changed as follows:

Source: INDIAN CREEK SPRING **Tributary:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	3.38 CFS	2,450.0 AF

LOCATION OF POINT(S) OF DIVERSION:

INDIAN CREEK SPRING SW¼SE¼NW¼ Sec. 23, Twp 03N, Rge 18E, B.M., BLAINE County

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 18E 33		X															

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07854

.....
FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-07854 with the following:

CONDITIONS OF APPROVAL

1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. Use of water under this right shall be non-consumptive.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. 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.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Rights 37-00296, 37-00717 and 37-01216 are also diverted through the point of diversion described above.
7. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after October 25, 2005. 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.

Witness my hand this _____ day of _____, 2001.

KARL J. DREHER
Director

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 37-07854

Date of Priority: July 23, 1980

Maximum Diversion Rate: 3.38 CFS
Maximum Diversion Volume: 2,450.0 AF

Comes now CITY OF HAILEY
PO BOX 945

HAILEY ID 83333 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 37-07854, and requests that the permit be changed as follows:

Source: INDIAN CREEK SPRING **Tributary:** BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	3.38 CFS	2,450.0 AF

LOCATION OF POINT(S) OF DIVERSION:

INDIAN CREEK SPRING SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, Twp 03N, Rge 18E, B.M., BLAINE County

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 18E 33		X															

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07854

.....
FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-07854 with the following:

CONDITIONS OF APPROVAL

1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. Use of water under this right shall be non-consumptive.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. 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.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Rights 37-00296, 37-00717 and 37-01216 are also diverted through the point of diversion described above.
7. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after October 25, 2005. 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.

Witness my hand this _____ day of _____, 2001.

KARL J. DREHER
Director

$$6.26 = 2809 \text{ gpm}$$

Ø in WD 37 for
1984 & 1985
for City of Kiley

Water Distribution
Section does not
regulate this system.

AJ
Recommendations not
final on other
claims.

1983

WATER DEPARTMENT

1983 COST REPORT

NAME	1982	1983	1983	DEBIT	CREDIT
	1982	1983	BUDGET		
ALB. THORNTON	39.00	10.00	10.00	.00	.00
ANTHONY BOONET	74.50	17.70	17.70	.50	.00
MARY NIZER & D. NIZER	10.50	10.00	10.00	.00	.00
CITY OF HAYLEY	200.70	50.78	40.71	7.47	.00
S.F. ROGLES	737.70	126.68	119.05	8.63	.00
WESTBRIDGE PARK	970.00	100.25	100.79	.00	10.50
ROBERT LORAN	27.70	10.00	10.00	.00	.00
J.S. STEWART	177.00	27.10	24.00	7.01	.00
ANTHONY RICHARDS	17.00	10.00	10.00	.00	.00
DAVID ANDERSON	12.50	10.00	10.00	.00	.00
EDWARD DEIGHT	12.50	10.00	10.00	.00	.00
ALTON MCFARRE	10.00	10.00	10.00	.00	.00
JOHN BREWSTER	27.00	10.00	20.00	.00	10.00
MICHAEL SWEET	10.00	10.00	10.00	.00	.00
FRANK M. JOHNSON	12.00	10.00	10.00	.00	.00
PETER PETERS	27.50	14.45	.00	14.45	.00
MILT SPRINGER	1.00	10.00	.00	10.00	.00
BURR SMITH	10.70	10.00	.00	10.00	.00
HYAMATHA CARR, CO.	705.00	52.62	45.20	6.42	.00
JOHN SHANKS JR	10.00	10.00	10.00	.00	.00
ROBERT SHARPER	.00	10.00	10.00	.00	.00
J.H. FORBY	47.70	10.00	10.70	.00	6.70
ANTHONY BOONER	67.40	11.61	17.10	.00	7.00
DOROTHY CHAPMAN	700.00	30.00	118.07	.00	59.25

Proposed Budget

NAME	EST. VOLUME	EST. SHARE	DEBIT	CREDIT	OTHER INCOME	BUDGET	BILLING
ANTONE BODNER	60.60	12.30	.00	3.98	.00	12.30	6.52
MARY MIZER & D. MIZER	8.50	1.71	.00	.00	8.27	10.00	10.00
CITY OF HAILEY	238.00	48.21	.00	22.98	.00	48.21	25.43
S.F. EGGLE	581.60	118.05	10.39	.00	.00	118.05	128.35
NORTHRIDGE PROP.	890.70	180.79	.00	8.35	.00	180.79	172.44
ROBERT LOGAN	21.50	4.36	.00	.00	5.64	10.00	10.00
J.P. SIMPLOT	118.70	24.09	.00	1.11	.00	24.09	22.98
ARTHUR RICHARDS	9.90	1.99	10.00	.00	8.01	10.00	20.00
DAVID ANDERSON	9.90	1.99	10.00	.00	8.01	10.00	20.00
DICK WRIGHT	9.90	1.99	10.00	.00	8.01	10.00	20.00
HILTON MCCABE	9.90	1.99	10.00	.00	8.01	10.00	20.00
JOHN BRZOZOSKY	9.90	1.99	10.00	.00	8.01	10.00	20.00
MICHAEL SHEFFER	9.90	1.99	10.00	.00	8.01	10.00	20.00
ROBERT SARCHETT	9.90	1.99	10.00	.00	8.01	10.00	20.00
JACQUE GINSBERG	.00	.00	10.00	.00	10.00	10.00	20.00
HIAMATHA CANAL CO.	227.50	46.20	.00	21.30	.00	46.20	24.90
TOM SHANKLIN	18.90	3.82	.00	.00	6.18	10.00	10.00
ROBERT SWANER	48.70	9.88	.00	.00	.12	10.00	10.00
J.H. POPPY	82.70	16.79	3.78	.00	.00	16.79	20.57
ANTONE BODNER	84.70	17.19	.00	.79	.00	17.19	16.40
DOROTHY CHAPMAN	581.60	118.05	25.02	.00	.00	118.05	143.07
DOROTHY CHAPMAN	54.90	11.12	.43	.00	.00	11.12	11.55
ASPEN LAKES & H. ROTH	232.60	47.21	.00	8.52	.00	47.21	38.69
BILL GEHKE	20.10	4.06	.00	.00	5.92	10.00	10.00

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1216 V1

WATER RIGHT NUMBER: 37-1216 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF HAILEY PO BOX 945 HAILEY, ID 83333 (208)788-4221
Also Known As	CITY OF HAILEY PO BOX 945 HAILEY, ID 83333 (208)788-4221

Priority Date: 04/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN SPRINGS	INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	11/01 to 3/31	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion

INDIAN SPRINGS	SW1/4SE1/4NW1/4	Sec. 23, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4																	
02N	18E	9																	
02N	18E	10																	
02N	18E	14																	
02N	18E	15																	
02N	18E	16																	
02N	18E	22																	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-1216 V1

02N 18E 23					
03N 18E 33					

Total Acres: 0

Conditions of Approval:Remarks:

1. General THIS RIGHT IS FOR MUNICIPAL USE IN HAILEY DURING NON-IRRIG.^^^ SEASON.^^^ P/U IS WITHIN CITY LIMITS OF HAILEY.^^^ | OTHER WATER RIGHTS: A37-00296, A37-00717, A37-00906, A37-02698, A37-02699, A37-07305, A37-07854 & A37-10717.^^^

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-717 V1

WATER RIGHT NUMBER: 37-717 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF HAILEY PO BOX 945 HAILEY, ID 83333 (208)788-4221
Also Known As	CITY OF HAILEY PO BOX 945 HAILEY, ID 83333 (208)788-4221

Priority Date: 08/01/1907

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN SPRINGS	INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	1.830 CFS	
<u>Total Diversion:</u>		1.830 CFS	

Location of Point(s) of Diversion

INDIAN SPRINGS	SW1/4SE1/4NW1/4	Sec. 23, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 4																	
02N 18E 9																	
02N 18E 10																	
02N 18E 14																	
02N 18E 15																	
02N 18E 16																	
02N 18E 22																	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-717 V1

02N 18E 23					
03N 18E 33					

Total Acres: 0

Conditions of Approval:Remarks:

- General P/U IS WITHIN CITY LIMITS OF HAILEY.^^^ | OTHER WATER RIGHTS: A37-00296, A37-00906, A37-01216, A37-02698, A37-02699, A37-07305, A37-07854 & A37-10717.^^^

Comments:

- SHAW 8/29/1990 COPIED FROM REMARKS
Comment: RIGHT IS FOR CAPACITY OF 10" PIPELINE LESS 0.90 CFS DELIVERED UNDER 37-01216

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

*recommendations
done in 1995 -*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-296 V1

WATER RIGHT NUMBER: 37-296 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF HAILEY PO BOX 945 HAILEY, ID 83333 (208)788-4221
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Also Known As	CITY OF HAILEY PO BOX 945 HAILEY, ID 83333 (208)788-4221

Priority Date: 04/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN SPRINGS	INDIAN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	1/01 to 12/31	2.620 CFS	
<u>Total Diversion:</u>		2.620 CFS	

Location of Point(s) of Diversion

INDIAN SPRINGS	SW1/4SE1/4NW1/4	Sec. 23, Twp 03N, Rge 18E, B.M.
BLAINE County		

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4					X	X	X	X	X		X	X		X	X	X	
02N	18E	9	X	X	X	X	X	X	X	X			X	X	X	X	X	X	
02N	18E	10						X	X	X	X	X	X	X			X		
02N	18E	14										X	X						
02N	18E	15		X	X	X	X	X	X	X	X				X	X	X	X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-296 V1

02N 18E 16		X	X	X	X									
02N 18E 22		X												
02N 18E 23							X	X	X	X	X		X	X

Total Acres: 0

Conditions of Approval:Remarks:

- General P/U IS WITHIN CITY LIMITS OF HAILEY AND SURROUNDING AREA | OTHER WATER RIGHTS: A37-00717, A37-00906, A37-01216, A37-02698, A37-02699, A37-07305, A37-07854 & A37-10717,^^^

Comments:

- SHAW 8/29/1990 COPIED FROM REMARKS
Comment: RIGHTS 37-01216 AND 37-00717 ARE ALSO BEING CLAIMED BY THE CITY OF HAILEY; SOURCE FROM INDIAN SPRINGS ***NOTE*** MUNICIPAL USE IS VALID ONLY WITHIN CITY LIMITS, OTHER USES MUST BE IDENTIFIED SEPARATELY. ***** P/U TRACTS WERE ADDED TO THIS CLAIM TO BETTER DEFINE THE P/U WITHIN THE CITY LIMITS OF HAILEY. (SCC 5-17-90) THIS WILL SERVE AS THE MASTER P/U FOR THE ABOVE CLAIMS.
- DSMITH 3/31/1995 DATA ENTRY
Comment: CONFORMED ATTORNEY MAILING ADDRESS DMS

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
IDAHO DEPT OF WATER RESOURCES
2083275400
Aug-15-01 8:47AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
294	8/15 8:43AM	3'16"	12087260752	Send.....	12/12	EC144	Completed.....

Total 3'16" Pages Sent: 12 Pages Printed: 0



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

DIRK KEMPTHORNE
GOVERNOR
KARL J. DREHER
DIRECTOR

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-5400

DATE: 8-15-2001

TO: Jim Speck FROM: Kay - IDWR
FAX: 726-0752 327-7944

DOCUMENT DESCRIPTION: copy of permit, extension
of time, proof of G/H, field exam.

COVER SHEET+ 11 PAGES

CONTACT: Kay IF YOU DO NOT RECEIVE ALL THE PAGES.

THANK YOU!

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7854

WATER RIGHT NUMBER: 37-7854 ✓

Owner Type

Current Owner

Name and AddressCITY OF HAILEY ✓
PO BOX 945 ✓
HAILEY, ID 83333 ✓

Priority Date: 07/23/1980

Basis:

Status: Active

Source

INDIAN CREEK SPRING ✓

Tributary

BIG WOOD RIVER ✓

Beneficial Use

POWER ✓

From To

1/01 to 12/31 ✓

Diversion Rate

6.000 CFS

3.38

Annual VolumeTotal Diversion:

5.000 CFS

3.38

Location of Point(s) of Diversion

INDIAN CREEK SPRING ✓

BLAINE County

SW SE1/4NW1/4 ✓

Sec. 23, ✓ Twp 03N, ✓ Rge 18E, B.M. ✓

Place of Use

POWER

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	18E	33		X				*							

Total Acres: 0

Conditions of Approval:

R43 1. 001 ✓

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

2. 002 ✓

The issuance of this right does not grant any right-of-way or easement across the land of another.

R04

3. 003 ✓

Use of water under this right is subject to control by the watermaster of State Water District No.

~~RESTRICTED~~ 37.

4. 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.

5. 17A

This right shall be subject to future operation so that use of water under this right will not conflict or interfere with the future upstream diversion of water for irrigation or other beneficial consumption.

Remarks:

1. General P/U WITHIN THE CITY LIMITS OF HAILEY.^^^

Comments:meas. cap
3.38

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-7854

Dates and Other Information:

Permit Proof Due Date: 12/1/87 ✓
Permit Proof Made Date: 10/25/85 ✓
Permit Approved Date: 11/18/80 ✓
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: ~~6/16/00~~ 5/25/2000
Date Sent to State Office:
Date Received at State Office: 8/30/00 ✓
State or Federal:
Owner Name Connector:
Water District Number: 37 ✓
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

app. rec'd = 7/23/80

9-28-01

Shelley talked
to Jim Speck
about this -
Jim is looking
into city's
records for
proof of amount
diverted. Possible
lower meas.
device not
working correctly?
kw

FROM

TO

SUBJECT

RECEIVED

SEP 28 2001

SEP 28 2001 10:00 AM

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
DOUGLAS J. AANESTAD

September 26, 2001

Ms. Kay Walker
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
P.O. Box 83720
Boise, Id 83720-0098

Re: City of Hailey - Water Right Permit. 37-07854

Dear Kay:

The City of Hailey has asked me to respond to your July 31, 2001 letter regarding the above referenced Permit. The proposed Application Amendment would reduce the rate of diversion from the 5.0 cfs authorized by the Permit to 3.38 cfs. Upon inquiring, you explained this reduction was based on the Beneficial Use Field Report, a copy of which you then forwarded to me. I reviewed that Report which states that the flow measured at the point of diversion from Indian Creek Spring was 2,809 gallons per minute or approximately 6.52 cfs.

Therefore, it appears the system is capable of diverting at least the permitted 5.0 cfs. The diversion system is entirely closed from the flow meter at the spring to the meter at the power generator. There is no reason, and we simply cannot explain, the lower reading of 3.38 cfs at the second flow meter. The City intends to replace that flow meter. This involves a bidding process and construction which will likely not be completed for several months. If measurement at the power generator is necessary for licensing this water right, then we ask you to wait until the new meter is installed and then take another set of measurements.

However, the true point of diversion for this water right is at the spring. The permitted amount was measured as diverted at that point. The license should be issued for the permitted 5.0 cfs.

I understand you will review this letter with Shelley Keen. Please ask Shelley to call me after he has completed his review. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:jgm
cc: Tom Hellen



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 28, 2001

CITY OF HAILEY
115 S MAIN ST
HAILEY ID 83333

RE: Water Right Permit 37-07854

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

9-4-01
Jim Speck is working
on this for city
requests an additional
30 days for his
review. Allow
call up of 10/4/01.
KW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Service Requested

RECEIVED

AUG - 6 2001

Department of Water Resources

Permit # 37-07854 - Mail
resent w/ address change
form. *Harri Lynn*
8.6.01

Permit

- ☐ Attempted - Not Known
- ☐ No Sort-Seq. or other
- ☐ Vacant
- ☐ No Mail Reception
- ☐ Box Closed - No
- ☐ Return
- ☐ Yes

115 S Main St

→ Please send
to this

POSTAGE
PAID





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 31, 2001

CITY OF HAILEY
PO BOX 945
HAILEY ID 83333

RE: Water Right Permit No. 37-07854

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point(s) of Diversion

 ✓ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

LICENSE REVIEW CHECKLIST

Permit No. 37-07854 Date: 7-30-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): P/D overlaps - see below

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 5.0 cfs

Fee Limit 5.0 cfs

Measured 3.38 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 3.38

Water Uses OK

OK Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

Power 3.38 cfs 2447.0 af

_____ cfs _____ af

Total 3.38 cfs 2447.0 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (W87/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/022 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

3.38 cfs x 1.9835 x 365 days = 2447.0 (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions YES Watermaster Control 37

R43 YES GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048/049)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes If yes, explain why below.

no

SRBA Claim?

yes-pending

Adjust memo _____

Amend Letters _____ P87, S06

Second Amendment Notice PH9 S06

proof made = 10/25/85
+ 10/95
1/10
2005

	<u>Basin</u>	<u>Sequence</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Source List</u>	<u>Water Use List</u>	<u>Owner List</u>
claims	37	296	Decreed	Active	1880-04-01	2.62	INDIAN SPRINGS	MUNICIPAL	CITY OF HAILEY (Current)
	37	717	Decreed	Active	8/1/07	1.83	INDIAN SPRINGS	MUNICIPAL	CITY OF HAILEY (Current)
	37	1216	Decreed	Active	1880-04-01	0.9	INDIAN SPRINGS	MUNICIPAL	CITY OF HAILEY (Current)
recommends	37	296	Decreed	Active	1880-04-01	2.62	INDIAN SPRINGS	MUNICIPAL	CITY OF HAILEY (Current)
	37	717	Decreed	Active	8/1/07	1.83	INDIAN SPRINGS	MUNICIPAL	CITY OF HAILEY (Current)
	37	1216	Decreed	Active	1880-04-01	0.9	INDIAN SPRINGS	MUNICIPAL	CITY OF HAILEY (Current)

P/D
overlaps

37- 00296	2.62
37-00717	1.83
37-1216	0.90
	5.45

more
than
system
capacity

[illegible]

Idaho Dept. of Water Resources Place of Use Comparison Report

The image is a dark, high-contrast scan of a document page. It features a prominent grid of vertical bars, which appear to be either a barcode or a series of vertical lines from a table. The bars are light gray against a black background. The overall quality is poor, with significant noise and artifacts, suggesting a heavily degraded or low-quality scan. The grid pattern is most visible in the upper and lower portions of the page, while the central area is mostly black with some faint horizontal lines.

RECEIVED

AUG 30 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-07854

1. Owner: City of Hailey - Water Dept. Phone No. 788-4221

Current Address: PO Box 945 Hailey ID 83333

2. Accompanied by: Tom Hellen EXAM DATE: May 25, 2000

Address: 115 Main St S, Suite H, Hailey ID Phone No. 788-4221

Relationship to Permit Holder: City Engineer

3. Source: Indian Creek Spring tributary to Big Wood River

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion: 37-00296 A

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

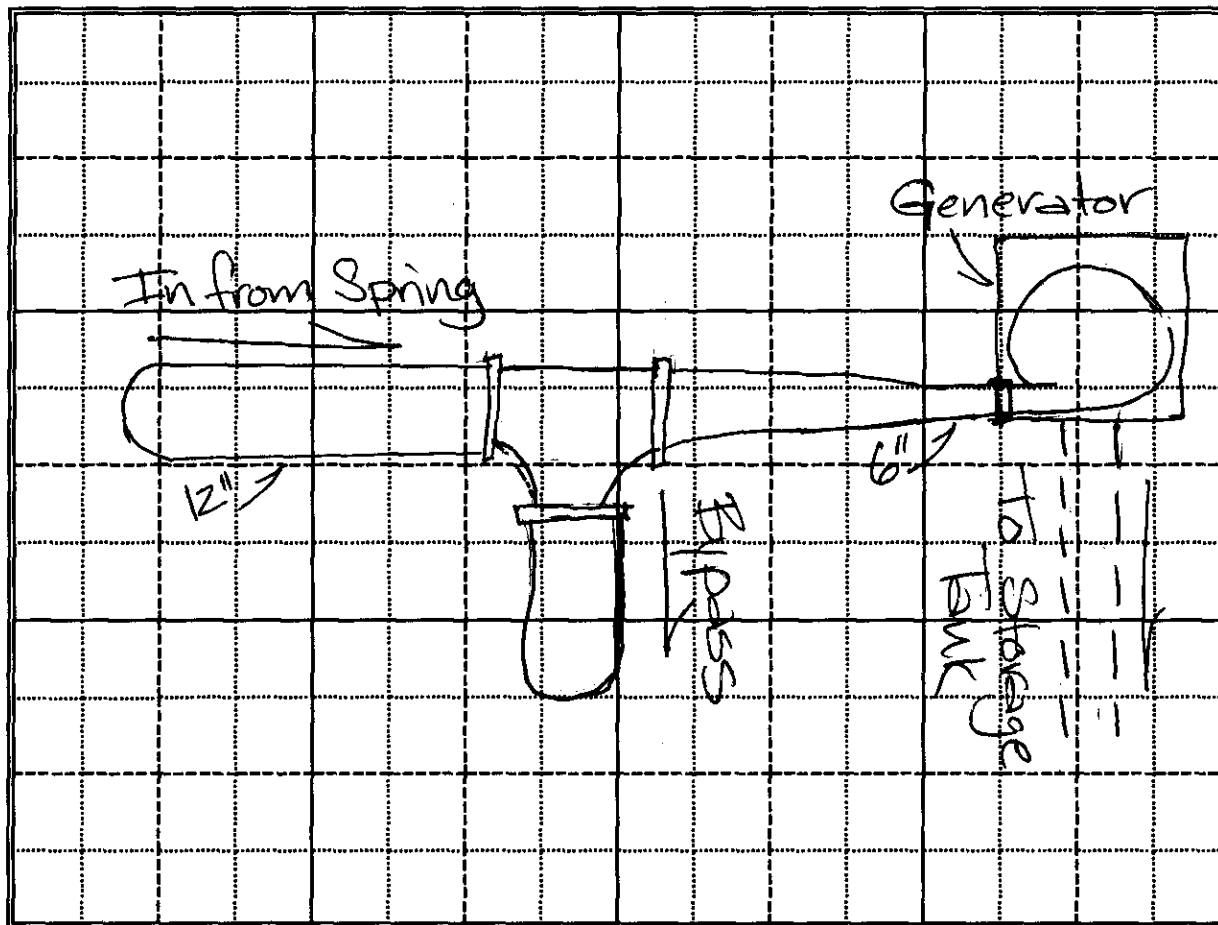
[illegible]

2. Place(s) of Use:

Indicate Method of Determination *G/S*

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Generator	Cornell	15	STR2-VM-1016-4-CV		44149

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** At the 3rd at Indian Creek, an OCMTI was measuring an intake of 2809 gpm. The generator sits 2.3 miles south of the head boxes. Another flow meter was recording 1519 gpm into the generator. No pumps were used.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\text{Flow Meter} \rightarrow \frac{1519 \text{ gpm}}{448.83} = \boxed{3.38 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Power	1-1	12-31	3.38	
Totals:			3.38	0

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

Amanda Folger

Date

June 16, 2000

Reviewer

Date

SEAL

E. NARRATIVE/COMMENTS/REMARKS

FILE: 37-07854

FROM: AMANDA FOLSOM

DATE: June 16, 2000

I met with Tom Hellen on May 25, 2000. Tom is the city engineer for the city of Hailey. We journeyed out to the Indian Creek Springs where we met up with Bob who also works for the City of Hailey Water Department.

There are several head boxes that collect the water from the Indian Creek Spring. The water is all combined together in a collection house before traveling 2.3 miles south to the generator and one million-gallon tank for city use. The spring is located in the SWSENE ¼ of Sec 23, Twn 03N, Rng 18E. There is a flow meter inside of the collection house, which was measuring 2809gpm. No pumps are used to collect water from the springs or to send it to the generator, it's all artesian and gravity flow.

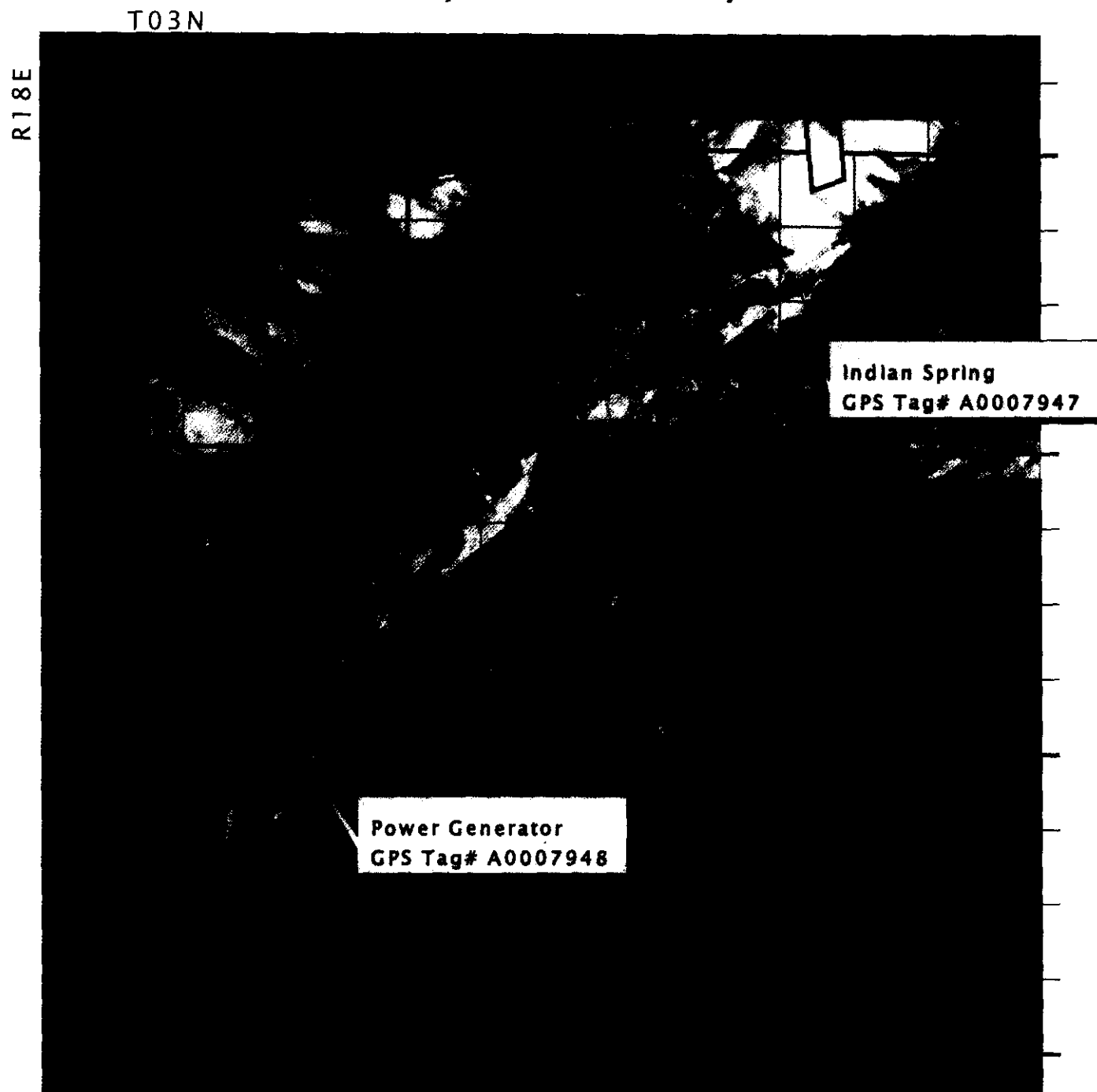
The generator and tank are located in the NWNE ¼ of Sec 33, Twn 03N, Rng 18E. There is another flow meter inside of the generator house. It was measuring 1519gpm entering into the system after traveling from the spring. The water travels up a 12 inch pipe that narrows to 6 inches and then to the generator. As the water passes through the generator it spins it and causes it to power up. From there the water passes to the chlorinator and then to the million-gallon tank. The water in the tank is then used by approximately 3,000 service connections in the city of Hailey. The overflow from the tank flows out of a pipe at the far west of the tank and back into Indian Creek Spring.

My recommendation is based on the flow meter in the generator house and seeing the past records of the flow rates. My recommendation is as follows:

Power	3.38cfs	no afa
-------	---------	--------

Idaho Department of Water Resource
Recommendation for Permit 37-07854

City of Hailey



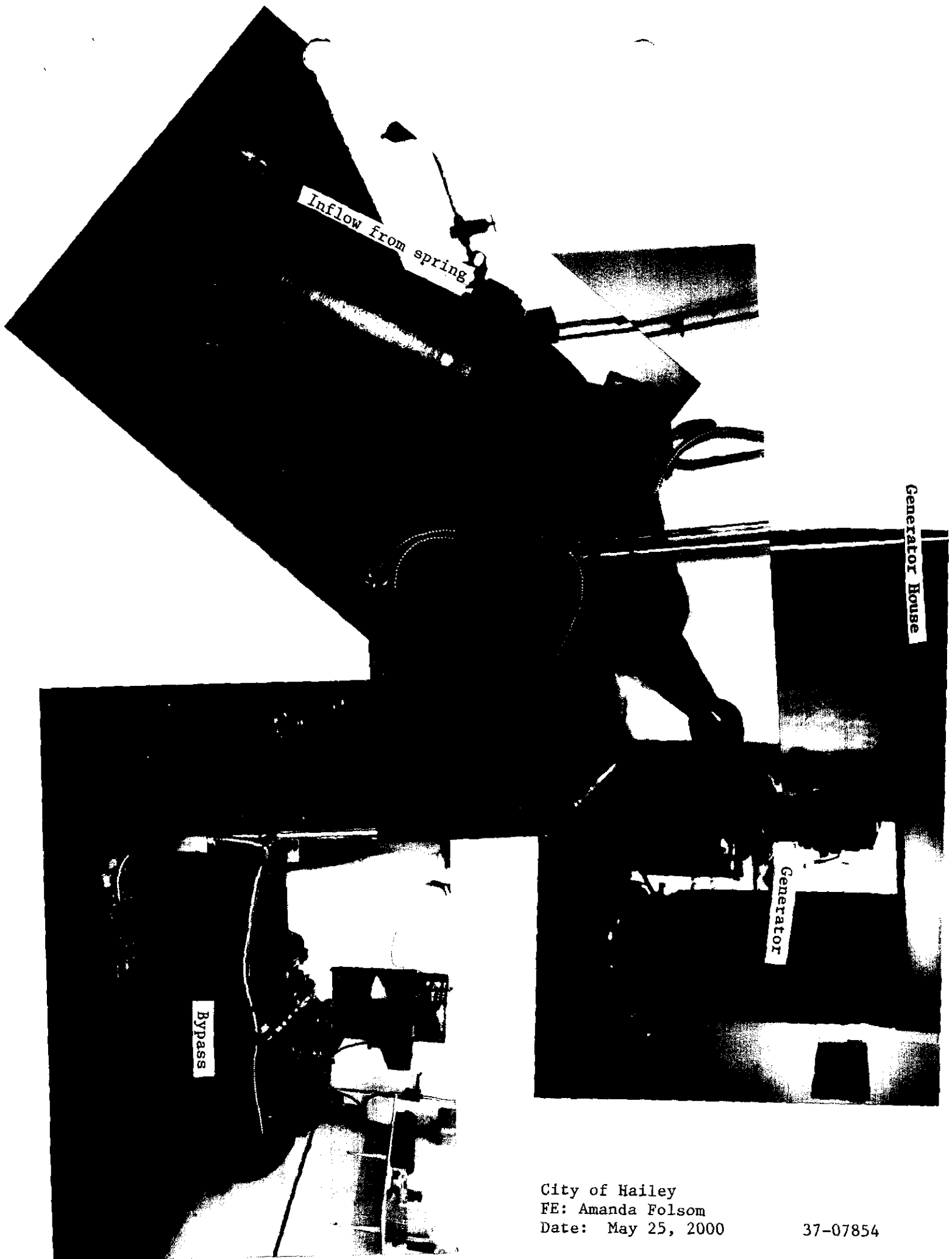
- Point of Diversion
- Section Lines
- Quarter-quarter lines



Point of Diversion and Place of Use
T03N R18E S23 & 33

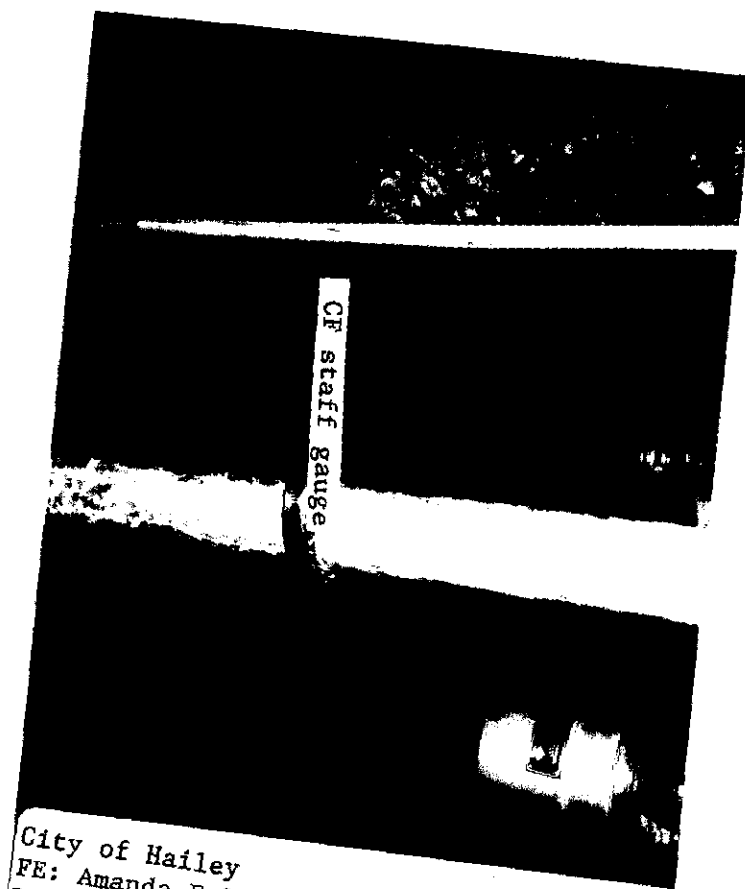
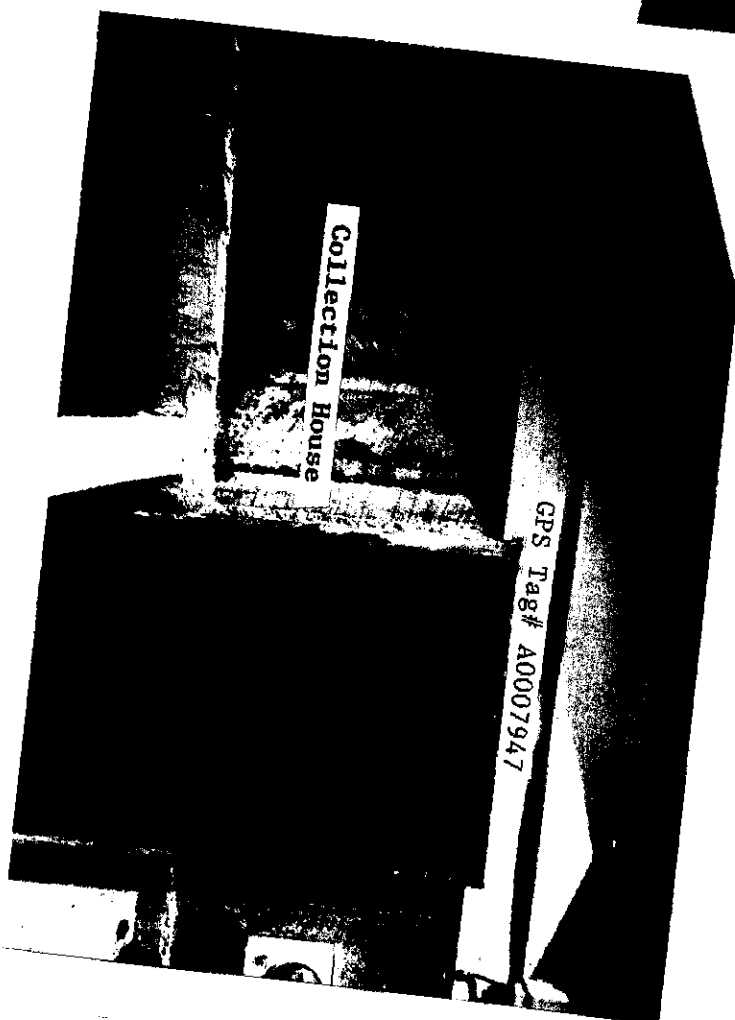
Data entry on June 19, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom



City of Hailey
FE: Amanda Folsom
Date: May 25, 2000

37-07854



City of Hailey
FE: Amanda Folsom
Date: May 25, 2000

37-07854

Looking NE'ly

Collection House

Head Boxes for spring

City of Hailey
FE: Amanda Folsom
Date: May 25, 2000

37-07854

Inside Collection House

Flow Meter

Flow Meter, Irrigation control, etc....

Looking SW 1/4

Outflow to Indian Creek from Tank

City of Hailey
FE: Amanda Folsom
Date: May 25, 2000

37-07854

Million-gal Tank

GPS Tag# A0007948

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO. 37-07854

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- () Blank Field Report & Notice of Completed Exam
- () Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- () Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- () Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- () Copy of Orthophotoquad Map
- () 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- () Government Lot Plats (If Applicable)

RECEIVED

AUG 30 2000

Department of Water Resources

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date _____ Time _____ Place _____

Contact Person & Phone _____

D. Post-Exam Review & Processing

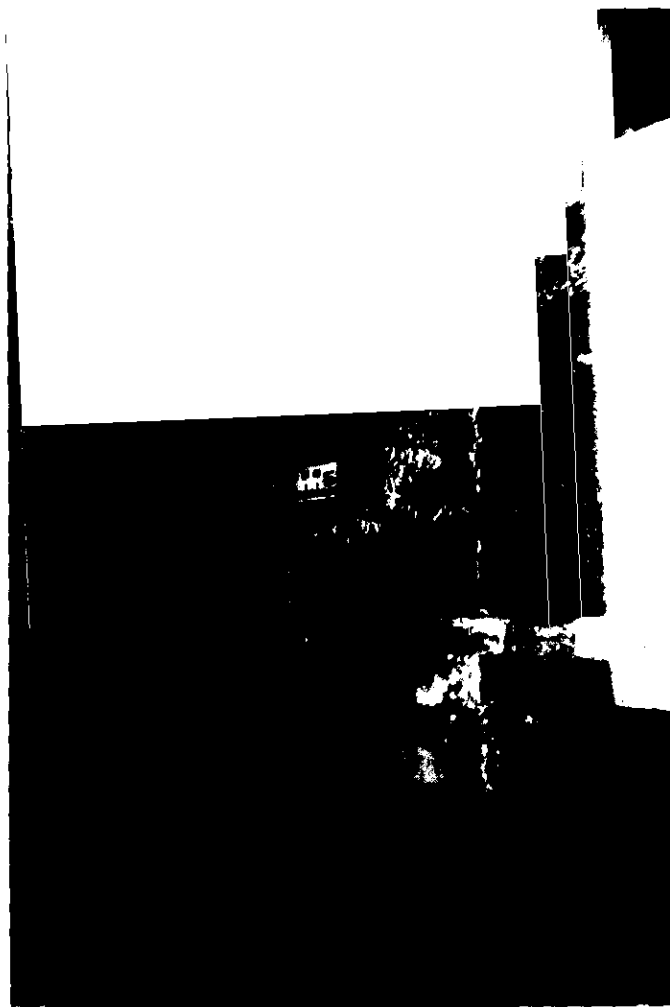
Exam Completed _____ Notice of Completion Turned In _____

Field Report Completed _____ Signature of Examiner & Date _____

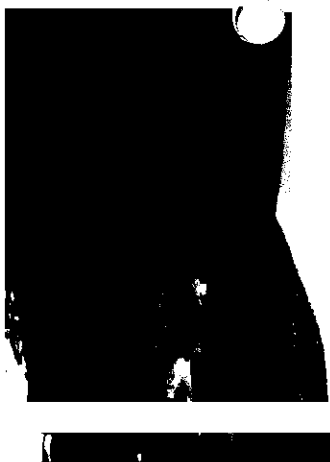
Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. AD 8/28/00 (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____







City of Hailey

12 West Carbonate Street
(208) 788-4221

Box 945, Hailey, Idaho 83333

June 1, 1988

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

Attn: Gary Funderburg

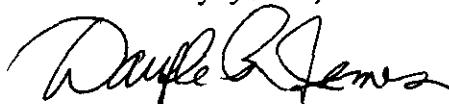
Dear Gary:

After your visit of May 23rd, 1988 to our Indian Creek Spring source, I returned to my office to find the data you requested. I regret to say I was unable to find any written documentation as to what our flows were last year.

However, I do believe that my visual readings of the Spring produced a .65 weir water height which would equate to 3.5 cubic ft./sec. on the Cipoletti weir which is in place. As you will recall, upon inspection on May 23rd, 1988 the weir reading was at approximately .62 on the weir. This corresponds to the slight pressure decrease that we have logged at the Indian Creek water storage tank over the last year. I am unsure of the reason for this water loss and can only attribute it to the low snow levels we have experienced in 1987 and again in 1988.

If possible I would like to request an extension on our time to file on our water rights. Hopefully, there is adequate evidence to show that possible drought conditions could be affecting our spring flow and, therefore, make it hard to get the 5.0 cfs which the city has applied for.

Sincerely yours,



Daryle R. James
Water & Wastewater Supt.

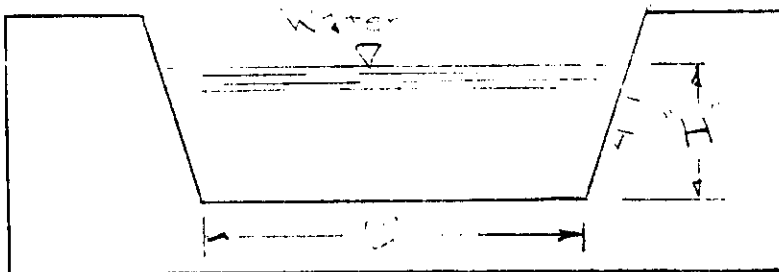
DRJ/sm
cc.

RECEIVED

JUN 3 1988

Department of Water Resources
Southern Region Office

CITY OF HAILEY
INDIAN SPRING WEIR
DISCHARGE OVER CIPOLETTI WEIR



$$Q = (3.367) (L) (H^{3/2})$$

Cipoletti Formula

"H" Height in feet	"Q" Cu. Ft./Sec. 2' length
0.1	0.2
0.2	0.6
0.3	1.1
0.4	1.7
0.5	2.4
0.6	3.1
0.7	3.9
0.8	4.8
0.82	5.0
0.9	5.7
1.0	6.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-7854

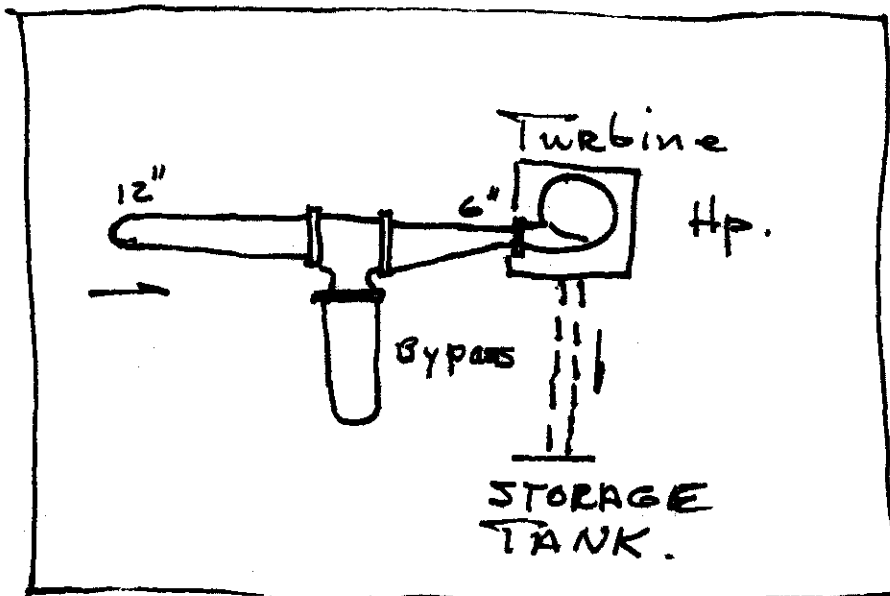
1. Owner: City of Hailey Phone No. _____
Current Address: Bx 945, Hailey, Ida
2. Accompanied by: Danyle Janie's EXAM. DATE: 6-6-89
Address: Same Phone No. 788-4221
Relationship to Permit Holder: City Sup.
3. Source: g1 tributary to Big Wood River
Indian Cr. Springs

B. OVERLAP REVIEW

1. Other water rights with same place of use: 107 ☐ Copies Attached
2. Other water rights with same point of diversion: 107 ☒ 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).

System Description (continued)

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

Water is collected into a concrete basin and water is then conveyed thru 12" dia pipe to the generator. water is then picked up for municipal use.

3-44149-13 1/2 No. 4011 MOTOR 75 HP.
Turbine - Cornell M-5TRZ-VM-6016CJ4CV
SN-44149

☐ See Remarks on page 4 for continuation

- 4.

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

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NW		23	3N	18E	Blaine	

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	
3N	18E	33																	

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

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:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Power Generation	Jan 1	Dec 31	5.0	
			5	
			2	
Totals:			5.0	

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Gary L. Funderburg

Signature Gary Funderburg

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

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

City of Hailey

12 West Carbonate Street
(208) 788 - 4221

Box 945 Hailey, Idaho 83333

June 10, 1987

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

To: Water Resources

Attn: Gary Funderburg

Dear Gary:

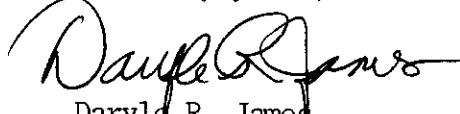
I am writing this letter to you to request an extension on filing our water rights for the Indian Spring area.

We have experienced a decrease in the amount of water available at that site and are only receiving about 3.5 cfs flows. I feel this is probably due to the drought type conditions we have been experiencing this past winter.

Under this condition we will not be able to claim the 5.0 cfs which we have filed for. Therefore, I would request that you review our situation and, if possible, grant us an extension on our time to file.

Your cooperation is very much appreciated.

Sincerely yours,



Daryle R. James
Water & Sewer Supt.

DRJ/sm
cc

RECEIVED

JAN 16 1989

46 FERC 162 001

File
37-7854

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Department of Water Resources

City of Hailey, Idaho

Project No. 7016-002
Idaho

ORDER AMENDING EXEMPTION FROM LICENSING

(Issued January 3, 1989)

On October 26, 1988, the exemptee for the Hailey Project No. 7016 requested an amendment of the order granting exemption from licensing.^{1/} The exemptee requests that the authorized installed capacity of 46 kilowatts (kW) be increased to 69 kW, which is the capacity of the actual turbine-generator.

No other change in the project would be made. The project makes use of water within the existing municipal supply system.

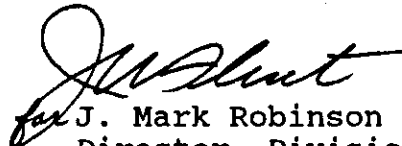
In support of its request, the exemptee submitted letters from the U.S. Fish and Wildlife Service and the Idaho Department of Fish and Game (IDFG). Both agencies concurred with the increase in capacity. IDFG's concurrence was conditioned on the maintenance of the terms and conditions of the existing exemption.

Based on the information submitted, the Director finds that the proposed modification would not result in adverse environmental impacts other than those identified during processing of the application for exemption from licensing. This amendment does not constitute a major federal action significantly affecting the quality of the human environment.

The Director orders:

(A) The authorized installed capacity of the Hailey Project No. 7016 is amended to 69 kilowatts.

(B) This order is issued under authority delegated to the Director. Section 385.1902 of the Commission's regulations (18 C.F.R.) provides 30 days from the date of this order for an appeal to the Commission of this action.


for J. Mark Robinson

Director, Division of Project
Compliance and Administration

^{1/} 23 FERC ¶62,235 (1983).



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

May 27, 1986

Constance M. Ellway
City of Hailey
Box 945
Hailey, ID 83333

Re: Permit No. 37-7854

Dear Ms. Ellway:

Please find enclosed receipt No. 40147 in the amount of \$200.00 for examination fee received in this office May 23, 1986 for the above referenced permit.

Very truly yours,

Mary A. Baldwin
Sec/Office Coord

Encl:

RECEIVED

MAY 23 1986

Department of Water Resources
Sustainable Water Use

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

4/86

RECEIVED
MAY 29 1986

Department of Water Resources

For Office Use Only

Fee Received 200

Date 5-23-86

Receipt # 40147

Receipt by TJB

Sent to S.O. 5-27-86

RECEIVED

MAY 21 1986

1. Permit No. 37 7854

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

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

2. Permit Holder: CITY OF HAILEY

3. Post Office Address: BOX 945

HAILEY IDA. 83333 Telephone No. 788-4221

4. Source of Water: SPRING

5. Extent of Use:

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

Irrigation _____ (acres) Other/Remark HYDRO-GENERATION

6. Total rate &/or volume for which proof is submitted 5.0 cfs _____ acre-feet

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

FEB. 20, 1985

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

DARLE R. JAMES
(Name)

12 WEST CARBONATE ST. HAILEY 788-4221
(Address) (Telephone Number)

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

May 20th 1986
Date

Constance M. Ellway
Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

37-7854
CITY OF HAILEY
P.O. BOX 945
HAILEY, ID 83333

138739

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

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

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

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

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

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

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

Northern Region

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

Eastern Region

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

Southern Region

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

Western Region

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 11, 1986

CITY OF HAILEY - WATER DEPT.
BOX 945
HAILEY ID 83333

RE: Permit No. 37-7854

Dear Permit Holder:

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

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

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

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

Sincerely,
s/Mary A. Newby
Secretary



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

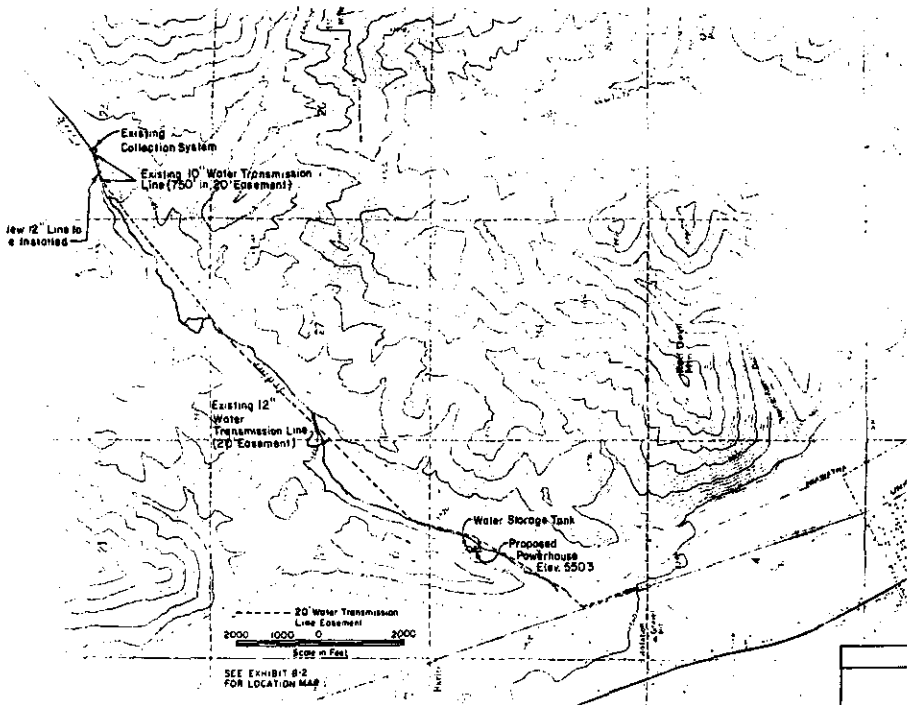
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



§ 4.106 Standard terms and conditions of exemption from licensing.

Any exemption from licensing granted under this subpart for a small hydroelectric power project is subject to the following standard terms and conditions:

(a) **Article 1.** The Commission reserves the right to conduct investigations under sections 4(g), 306, 307, and 311 of the Federal Power Act with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of the exempt project. If any term or condition of the exemption is violated, the Commission may revoke the exemption, issue a suitable order under section 4(g) of the Federal Power Act, or take appropriate action for enforcement, forfeiture, or penalties under Part III of the Federal Power Act.

(b) **Article 2.** The construction, operation, and maintenance of the exempt project must comply with any terms and conditions that any Federal or state fish and wildlife agencies have determined are appropriate to prevent loss of, or damage to, fish or wildlife resources or otherwise to carry out the purposes of the Fish and Wildlife Coordination Act, as specified in Exhibit E the application for exemption from licensing or in the comments submitted in response to the notice of the exemption application.

(c) **Article 3.** The Commission may accept a license application by any qualified license applicant and revoke this exemption if actual construction or development of any proposed generating facilities has not begun within 18 months, or been completed within four years, from the date on which this exemption was granted. If an exemption is revoked, the Commission will not accept a subsequent application for exemption within two years of the revocation.

(d) **Article 4.** This exemption is subject to the navigation servitude of the United States if the project is located on navigable waters of the United States.

(e) **Article 5.** This exemption does not confer any right to use or occupy any Federal lands that may be necessary for the development or operation of the project. Any right to use or occupy any Federal lands for those purposes must be obtained from the administering Federal land agencies. The Commission may accept a license application by any qualified license applicant and revoke this exemption, if any necessary right to use or occupy Federal lands for those purposes has not been obtained within one year from the date on which this exemption was granted.

MICROFILMED

MICROFILMED

Al. Exemptions for Small Hydroelectric Power Project under SNW Capacity -- Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1982). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d).

B. Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §§385.210, .211, .214 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

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

D1a. Agency Comments - The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 408 of the Act, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Kenneth F. Plumb
Secretary

Notice of Application filed with the Commission
(March 3, 1983)

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

- a. Type of Application: Exemption (5 MW or less)
- b. Project No: 7016-000
- c. Date Filed: January 24, 1983
- d. Applicant: City of Hallett, Idaho
- e. Name of Project: Hallett
- f. Location: On Indian Creek Springs, near Hallett, within BLM lands, in Blaine County, Idaho
- g. Filed Pursuant to: Section 408, Energy Security Act of 1980, 16 U.S.C. §§ 2705 and 2708 as amended
- h. Contact Person: Nordehl Hallett, Mayor, City of Hallett, P.O. Box 945, Hallett, Idaho 83313
- i. Comment Dates: April 18, 1983
- j. Description of Project: The proposed Hallett project would consist of: (1) the existing spring water race, comprising 10-inch-diameter infiltration pipes and collection foot-long; (2) a 2.5-mile-long, 12-inch-diameter pipeline; (3) a 700-foot-long, 12-inch-diameter steel penstock, bifurcated from the water main; (4) a powerhouse containing one generating unit rated at 46 kW; and (5) an 800-foot-long, underground transmission line. The average annual energy generation is estimated to be 408,000 kWh.
- k. Purpose of Project: Power will be sold to Idaho Power Company.
- l. This notice also consists of the following standard paragraphs: A1, B, C, D3a

results of its survey work, providing an assessment of the significance of the cultural resources inventoried, including possible eligibility for the National Register of Historic Places, and setting forth recommendations for the avoidance of, or mitigation of damage to, significant properties at the project. Any necessary mitigation work should be undertaken by the Exemptee in cooperation with the SHPO and in accordance with a schedule and plan negotiated between the Exemptee and the SHPO. The Exemptee shall make available funds in a reasonable amount for any survey and mitigation work as required. If any previously unrecorded archeological or historical sites are discovered during the course of construction or development of any project works or other facilities at the project, construction activity in the vicinity shall be halted, a qualified archeologist shall be consulted to determine the significance of the sites, and the Exemptee shall consult with the SHPO to develop and implement a mitigation plan for the protection of significant archeological or historical resources.

Robert E. Cackowski

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

RECEIVED

State of Idaho P-7016
Dept. of Water Resources
State House
Boise, Idaho 83720



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

37-7854

23 FERC ¶62,235

-2-

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

City of Hailey, Idaho) Project No. 7016-000

ORDER GRANTING EXEMPTION FROM LICENSING OF A
SMALL HYDROELECTRIC PROJECT OF 5 MW OR LESS

(Issued May 17, 1983)

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

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

- 1/ City of Hailey, Idaho, Project No. 7016-000, filed on January 24, 1983.
- 2/ Pub. Law 96-294, 94 Stat. 611. Section 408 of the ESA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).
- 3/ Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation, under §375.308 of the Commission's regulations, 18 C.F.R. §375.308 (1981), FERC Statutes and Regulations ¶30,238. This order may be appealed to the Commission by any party within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. 385.1902, FERC Statutes and Regulations ¶29,052, 47 Fed. Reg. 19014 (1982). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

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

The Idaho State Historical Society (SHPO) recommended that the project site be surveyed by a professional archeologist before the commencement of construction to ensure that no archeological or historical properties are destroyed. Article 7 requires the Exemptee to conduct such a survey.

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

Based on the terms and conditions required by Federal and State fish and wildlife agencies, the environmental information in the application for exemption, other public comments, and staff's independent analysis, issuance of this order is not a major Federal action significantly affecting the quality of the human environment.

It is ordered that:

(A) The Hailey Project No. 7016 as described and designated in City of Hailey's application filed on January 24, 1983, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106 of the Commission's regulations attached hereto as Form E-2, 18 C.F.R. §4.106, 45 Fed. Reg. 76115 (November 18, 1980), and the following Special Articles.

Article 6. The construction, operation, and maintenance of the exempt project may be reviewed by the Commission and subjected to further requirements for consistency with the terms and conditions of the regional fish and wildlife program developed pursuant to the Pacific Northwest Electric Power Planning and Conservation Act. Inconsistencies between the regional program and the mandatory conditions under Article 2 will be resolved by the Commission.

Article 7. The Exemptee shall, prior to the commencement of any construction, consult with the Idaho State Historic Preservation Officer (SHPO) to: (1) determine the scope of any necessary cultural resource survey; (2) conduct such a survey; and, (3) prepare a report to be filed with the SHPO describing the

Al. Exemptions for Small Hydroelectric Power Project under SMW Capacity -- Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1982). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d).

B. Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 C.F.R. §§385.210, .211, .214 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

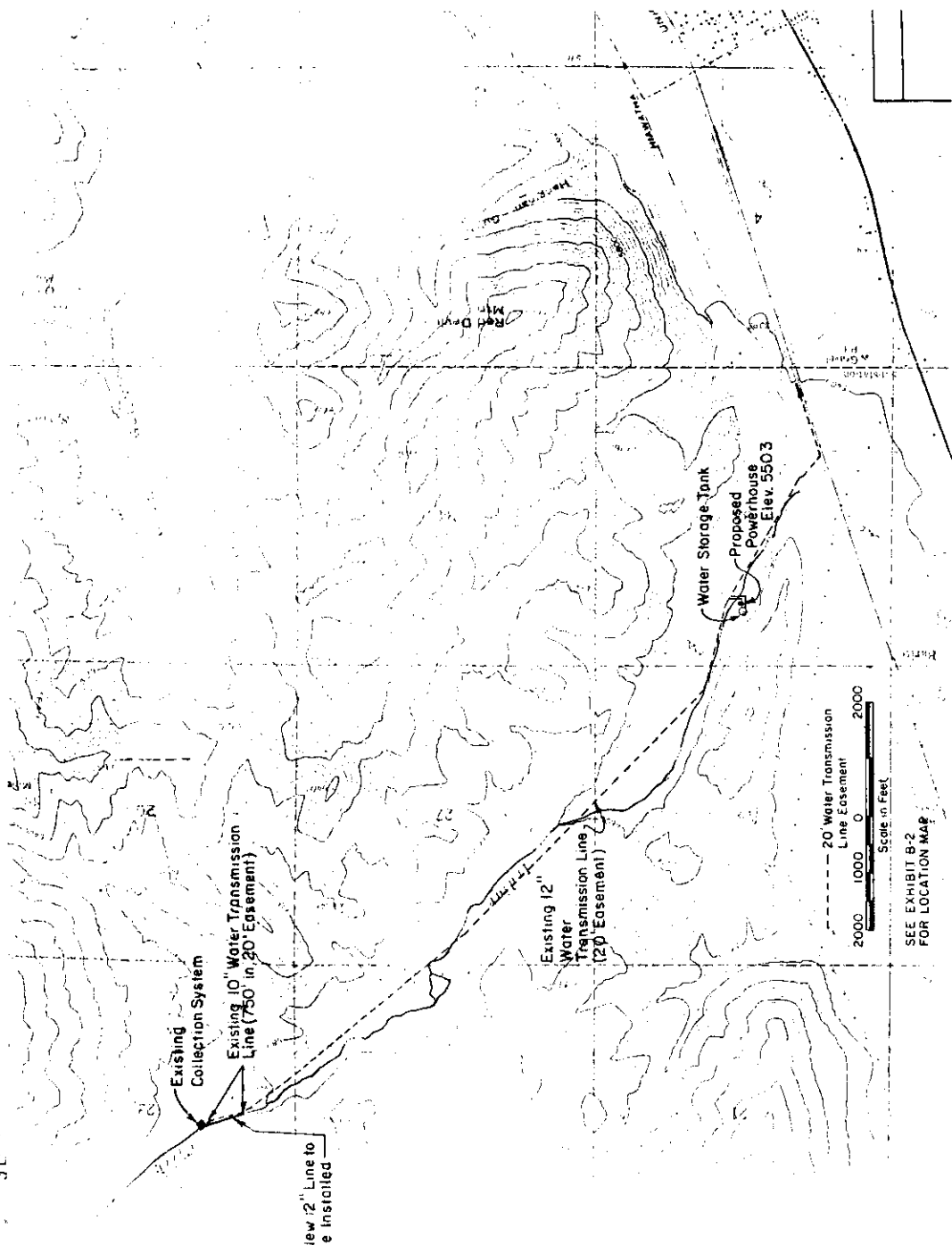
C. Filing and Service of Responsive Documents - Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which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

D3a. Agency Comments - The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 408 of the Act, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Kenneth F. Plumb
Secretary

RECEIVED

37-7854



37-7854

P-7016-000

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Notice of Application Filed with the Commission
(March 3, 1983)

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

- Type of Application: Exemption (5 MW or less)
- Project No: 7016-000
- Date Filed: January 24, 1983
- Applicant: City of Hailey, Idaho
- Name of Project: Haill
- Location: On Indian Creek Springs, near Hailey, within BLM lands, in Blaine County, Idaho
- Filed Pursuant to: Section 408, Energy Security Act of 1980, 16 U.S.C. §§2705 and 2708 as amended
- Contact Person: Wordell Rainey, Mayor, City of Hailey, P.O. Box 945, Hailey, Idaho 83333
- Comment Date: **APR 18 1983**
- Description of Project: The proposed Hailey Project would consist of: (1) the existing spring collection system, comprising 10-inch-diameter infiltration pipes and collection box; (2) a 2.5-mile-long, 12-inch-diameter pipeline; (3) a 700-foot-long, 18-inch-diameter steel penstock, bifurcated from the water main; (4) a powerhouse containing one generating unit rated at 46 kW; and (5) an 800-foot-long, underground transmission line. The average annual energy generation is estimated to be 408,000 kWh.
- Purpose of Project: Power will be sold to Idaho Power Company.
- This notice also consists of the following standard paragraphs: A1, B, C, D3a

MICROFILMED

November 3, 1982

City of Hailey
P. O. Box 945
Hailey, ID 83333

Gentlemen:

Re: Permit No. 37-7854

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to December 1, 1987.

The 1981 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date a permit is issued. In the case of this extension you must commence works within a year from the day the extension was signed and proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction. If you are still prevented from commencing works eleven months from now, note the reason on the blue card and return it then.

Sincerely,

RITA J. FLECK
Sr. Secretary

Enc: Ext. of Time
Postcard



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

October 22, 1982

City of Hailey
P. O. Box 945
Hailey, ID 83333

PERMIT NO. 37-7854

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 25213.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED
OCT 23 1982
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138695

CITY OF HAILEY
P.O. BOX 945
HAILEY, ID 83333

SEPTEMBER 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7854 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CITY OF HAILEY
P.O. BOX 945
HAILEY, ID 83333

DECEMBER 01, 1980

RE: PERMIT NO. 37-7854

DEAR PERMIT HOLDER:

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

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

PLEASE BE ADVISED THAT THERE IS INSUFFICIENT NATURAL FLOW AVAILABLE IN THE INDIAN CREEK SPRING AND TRIBUTARIES TO PROVIDE WATER FOR A NEW APPROPRIATION THROUGHOUT THE ENTIRE SEASON OF USE. DURING THE SPRING RUN-OFF EACH YEAR, THERE MAY BE A PERIOD OF TIME IN WHICH THE PRIOR RIGHTS TO THE USE OF THE NATURAL FLOW AND STORAGE ARE FILLED LEAVING WATER AVAILABLE FOR YOUR PERMIT. AS THE NATURAL FLOW DIMINISHES, HOWEVER, THERE MAY BE NO WATER AVAILABLE FOR YOUR RIGHT UNLESS YOU ARRANGE FOR AN ADDITIONAL SOURCE OF WATER AS A SUPPLEMENTAL SUPPLY.

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

SINCERELY,

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

ENCLOSURE

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Loren Holmes

DATE 10-14-80

TO File 37-7854

SUBJECT Initials on Changes to Application

Some of the changes on this application were initiated by Jim Coleman of JUB Engineers.

JUB is studying the project for the City of Harley & originally filed the application.

LH

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

HAILEY, City of

INITIAL REVIEW BY: ADM

APPLICATION NUMBER: 37-7854

CHECK:

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

Field check by: ADM

Date: 7-24-80

Comments: see memo

*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.

Copies sent by: marya

Date: 9/10/80

☒ Other Reid Newby Water Dist 37

marya

9/10/80

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☐ No

Platted by: ADM

Map No. X-74

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 10/13/80 ✓

- ☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/7/80 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☐ No

Measuring device required.

- ☐ Yes ☒ No

Access port required.

- ☒ Yes ☐ No

Will water be delivered by watermaster? If yes, what district? 37

7-23-80

Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Loren O. Hansen

Date: 10-14-80

STATE OFFICE REVIEW:

SW/L02, L04 (Big Wood River) 04, 01, 05 (37 Big Wood River), 08A, 17A ✓ ✓ ✓ ✓ ✓

- ☐ See attached sheet for more information.

By: Jeri

Date: 11/6/80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

SEPTEMBER 17, 1980

Wood River Journal
P.O.Box 988
Hailer ID 83333

Gentlemen:

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

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

Please send the affidavit of publication and publication billings to this office before OCTOBER 13, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-7854

CITY OF HAILEY

P.O. BOX 945, HAILEY, ID 83333

Source: INDIAN CREEK SPRING tributary to BIG WOOD RIVER

Date Filed: 07/23/1980

Amount: 5.00 CFS

Diversion Point: SENW Sec 23 T 03N R 18E, BLAINE Co.

Use: POWER (5.00 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 33 T 03N R 18E

Diversion Means: PIPELINE, TURBINES, STORAGE TANK

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd, North, Twin Falls, Idaho 83301 and received on or before OCTOBER 13, 1980.

C. STEPHEN ALLRED

Director

Published 9/25 & 10/2/80.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

September 10, 1980

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 37-7854

Dear Mr. Schaefer:

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

September 10, 1980

Mr. Reid Newby
Watermaster District 37
Box T
Shoshone, Idaho 83352

Re: Application for Permit No. 37-7854

Dear Mr. Newby:

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

September 10, 1980

City of Hailey
P. O. Box 945
Hailey, Idaho 83333

Re: Application for Permit No. 37-7854

Gentlemen:

Enclosed is your receipt No. 16519 for check No. 92-269 in the amount of \$125.00 for the above referenced application for permit which was received in this office July 23, 1980.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED



Photo of fenced spring box area
for city of Hailey @ Indian Springs.

This is the intake for municipal
water supply for city of Hailey.

7/24/80

ADM

City of Hailey

PRE-PERMIT EXAM

Applic. No: _____

Date: 7/24/80 Field Review

Source: Indian Creek Springs

Trib. to: Hiawatha Canal

Stream flow data: _____

Other uses in general area: Irrigation use for stream below
springs.

Special considerations: Water is presently diverted into pipeline at
developed spring area; overflow is run into creek.
Presently city has 10" pipe running from development into
city system.

Water District or Canal Company which may have jurisdiction: 37

Explain: _____

Do all items on application appear to be correct? Yes _____ No X

Explain: P/D within SE 1/4 NW 1/4 Sec 23 T.3N. R.18E.
This confirmed by visit to Court house
Note: After discussions with city rep. the P/D was corrected on app.

Recommendation and other comments: _____

As per memo dated 1/22/1980
the Big Wood & Trib closed for further consumptive use.
Talked with Dave Tuthill, since Indian Creek listed as
dry stream on Frost Decree, applic. may be acceptable.
Applic. changed to only power, non-consumptive
use.

Signed: Lee Merrill

Persons present during review of site:

None

Jim Coleman

JUB

MICROFILMED