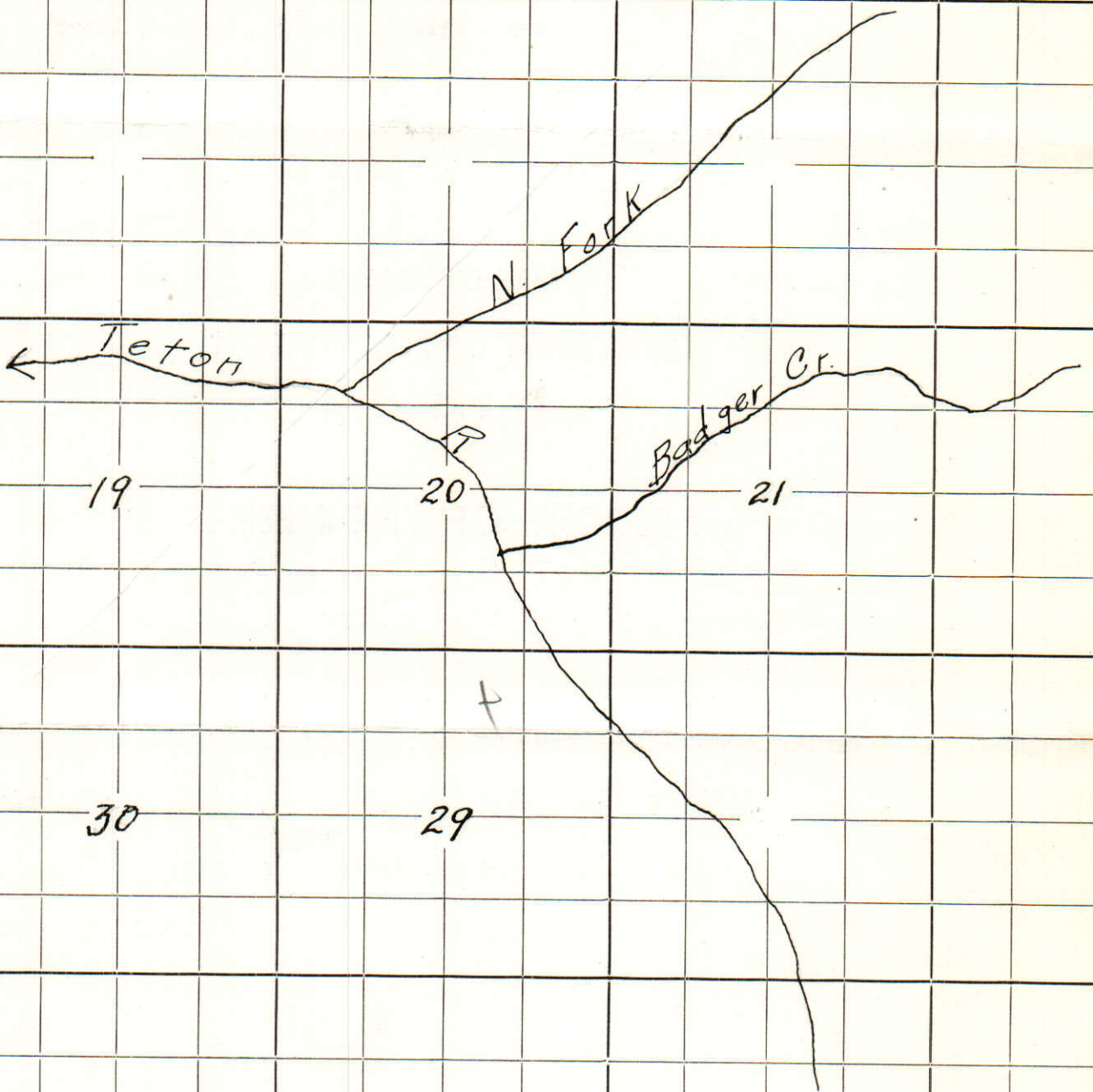


Twp 7N

R 44E.B.M.



AFFIDAVIT OF PUBLICATI

State of Idaho, }
County of Teton, } ss.

I, V. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Proof

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for Four

consecutive issues thereof; first publica-
tion having been made on the 2nd
day of October, 1947,
and last publication on the 23rd
day of October, 1947.

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V. E. Lansberry
Subscribed in my presence and sworn
to before me this 7 day of
November, 1947.

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

April 14, 1949.



NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at
10:00 a.m. on the 1st day of No-
vember, 1947, at Driggs, County
of Teton, State of Idaho, before
Dwight W. Loosli, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 150
cubic feet per second of the waters
of Teton River in accordance with
the terms and conditions of Per-
mit No. 19789 heretofore issued
by the Department of Reclamation
of the State of Idaho.

The name and postoffice ad-
dress of the person or corporation
holding said permit are Teton Val-
ley Power and Milling Co., Ltd.,
Inc., Driggs, Idaho. The use to
which said water has been applied
is for Power Generation Purposes.

The amount applied to benefi-
cial use is 150 cubic feet per sec-
ond.

The place where said water is
used is Teton River Generating
Plant, of Teton Valley Power and
Milling Co., approximately 6 miles
west of Felt, Teton County, Idaho,
in the NW $\frac{1}{4}$ NE $\frac{3}{4}$ Section 29,
Township 7 North, Range 44 East,
B. M.

The right to take water from
such works is based upon Permit
No. 19789.

The source of supply from which
such water is diverted is Teton
River.

The date of priority which said
user is prepared to establish is
February 2, 1946.

MARK R. KULP,
State Reclamation Engineer
Publish Oct. 2-9-16-23 19789

19789

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Teton, } ss.

I, V. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any

supplement issue thereof, for Four
consecutive issues thereof; first publica-
tion having been made on the 2nd
day of October, 1947,
and last publication on the 23rd
day of October, 1947.

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type, matter, of at least seventeen and
three-fourths inches deep.

V. E. Lansberry

Subscribed in my presence and sworn
to before me this 31 day of

October, 1947.

Dwight W. Loosli

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

Jan 26, 1947.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLI- CATION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at
10:00 a.m. on the 1st day of No-
vember, 1947, at Driggs, County
of Teton, State of Idaho, before
Dwight W. Loosli, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 150
cubic feet per second of the waters
of Teton River in accordance with
the terms and conditions of Per-
mit No. 19789 heretofore issued
by the Department of Reclamation
of the State of Idaho.

The name and postoffice ad-
dress of the person or corporation
holding said permit are Teton Val-
ley Power and Milling Co., Ltd.,
Inc., Driggs, Idaho. The use to
which said water has been applied
is for Power Generation Purposes.
The amount applied to benefi-
cial use is 150 cubic feet per sec-
ond.

The place where said water is
used is Teton River Generating
Plant, of Teton Valley Power and
Milling Co., approximately 6 miles
west of Felt, Teton County, Idaho,
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29,
Township 7 North, Range 44 East,
B. M.

The right to take water from
such works is based upon Permit
No. 19789.

The source of supply from which
such water is diverted is Teton
River.

The date of priority which said
user is prepared to establish is
February 2, 1946.

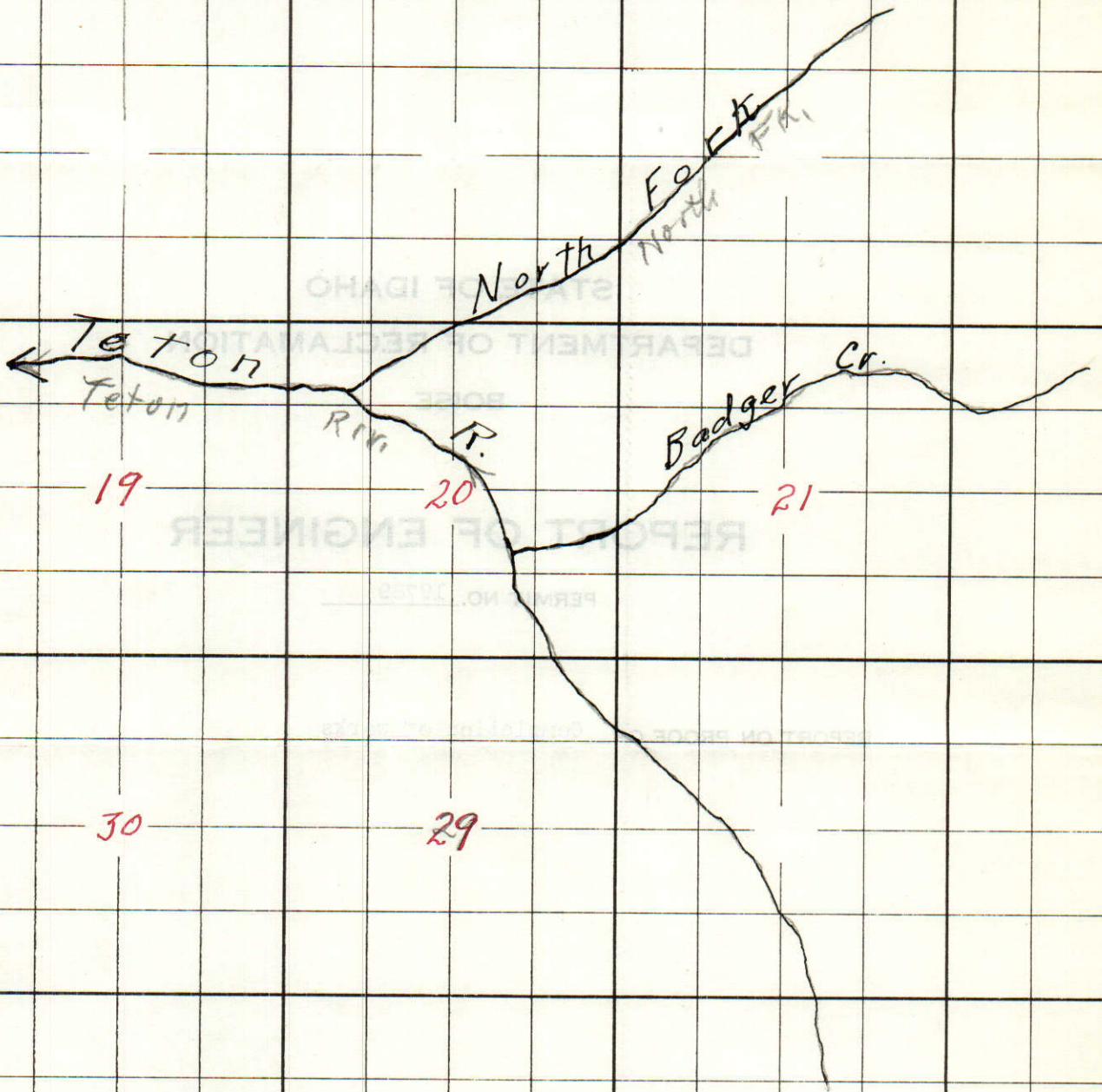
MARK R. KULP,
State Reclamation Engineer
Publish Oct. 2-9-16-23

19789



Twp 7N.

R 44 E. B.M.



Teton Valley Power & Milling Co.
J. N. Jeppeson, Pres.- Driggs,
Idaho

Permit No. 19789

Examination for Completion of works

County Teton

29

7M-44 E

Source = Teton R.

Clementaville (on river)

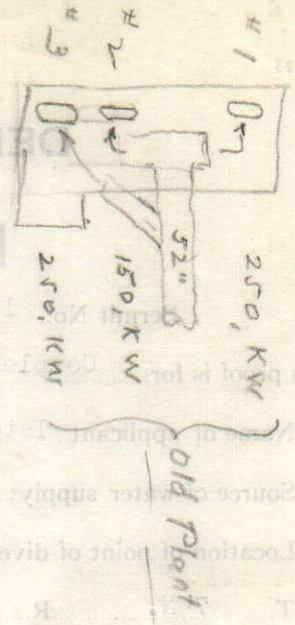
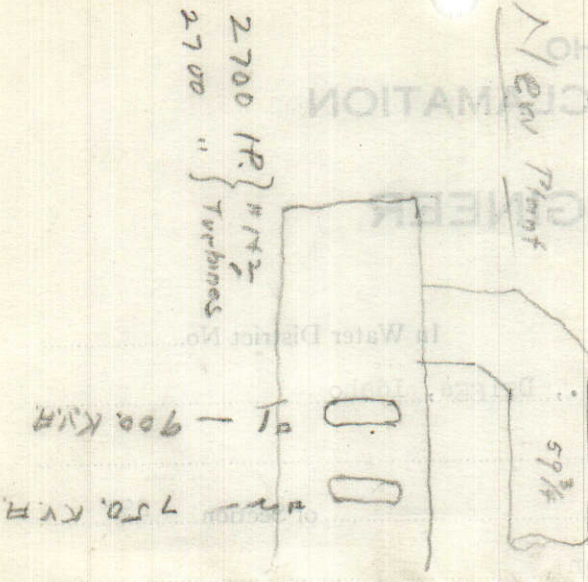
9M E 1M, 7 1/2 M, E 1M,

7 1/2 M. + E. ±

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make a plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.

Intake gate (new)
7' x 7 1/2' ft.
Sub. Ord. no meter put



6-18-47

St Anthony

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Teton, } SS.

I, V.E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice for Publication

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for four
consecutive issues thereof; first publica-
tion having been made on the 5th

day of September, 1946
and last publication on the 26th
day of September, 1946

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V.E. Lansberry

Subscribed in my presence and sworn
to before me this 4th day of
October, 1946

[Signature]
Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires
April 7, 1959

NOTICE FOR PUBLICATION

Notice is hereby given that at
10:00 a.m., on the 9th day of Oc-
tober, 1946, at Driggs, County of
Teton, State of Idaho, before J. N.
Jeppesen Jr., Notary Public, proof
will be submitted of the completion
of works for the diversion of 150
cubic feet per second of the waters

of the Teton River, in accordance
with the terms and conditions of a
certain permit heretofore issued by
the State Reclamation Engineer of
the State of Idaho.

1. The name of the person or cor-
poration holding said permit is
Teton Valley Power and Milling
Company.

2. The postoffice address of such
person or principal place of busi-
ness of such corporation is Driggs,
County of Teton, State of Idaho.

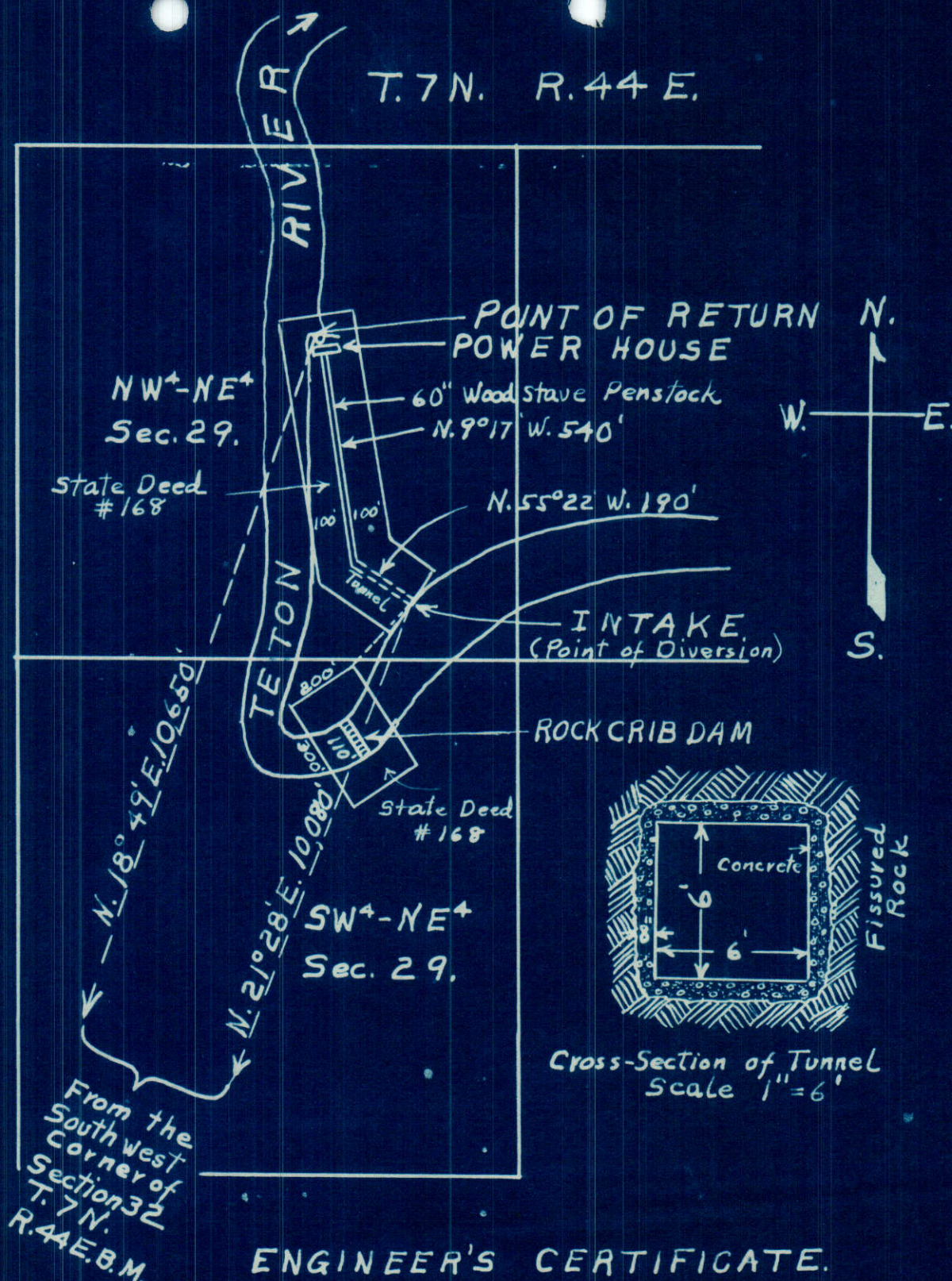
3. The number of such permit is
19789, and the date set for the
completion of such work is October
9th, 1946.

4. Said water is to be used for
Hydro-electric power generation
purposes.

5. Said works of diversion will
be fully completed on the date set
for such completion, and the
amount of water which said works
are capable of conducting to the
place of intended use, in accord-
ance with the plans accompanying
the application for such permit is
150 cubic feet per second.

19789 MARK R. KULP,
State Reclamation Engineer
Published S5-12-19-26

19789



ENGINEER'S CERTIFICATE.

I, E. Milton Christensen, hereby certify that this map was prepared partly from a map on file in the Department of Reclamation at Boise, Idaho, that was prepared from notes taken during an actual survey made by T. Ross Wilson, Engineer, Driggs, Idaho, in June, 1916, and from an actual survey as made by me on Oct. 8, 1936, and correctly shows the position of points indicated thereon.

Nov. 28, 1936.

E. Milton Christensen
Licensed Civil Engineer.

Idaho Falls, Idaho.

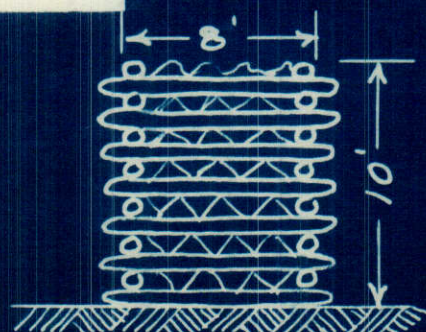
Permit Map Nd 19789

As Approved

APR 9 1946

MARK R. RULP

State Reclamation Engineer



Cross-Section of
Rock-Fill Crib Dam
Scale 1" = 8'

MAP TO ACCOMPANY
APPLICATION FOR PERMIT
BY

TETON VALLEY POWER AND
MILLING CO., DRIGGS, IDAHO.

19789

Scale 1" = 400'

19789

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Teton, } SS.

I, V. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Application

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for Three
consecutive issues thereof; first publica-
tion having been made on the 14th
day of February, 1946,
and last publication on the 28th
day of February, 1946.

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V. E. Lansberry

Subscribed in my presence and sworn
to before me this 8 day of
March, 1946.

W. E. Strong

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires
April 14, 1949.

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 41-203, IDAHO CODE
ANNOTATED.

State of Idaho
Department of Reclamation

Notice Is Hereby Given That on
the 2nd day of February, 1946, The
Teton Valley Power & Milling
Company (a corporation), of
Driggs, Teton County, Idaho, made
application to appropriate One hun-
dred fifty (150) cubic feet per sec-
ond of the waters of Teton River,
for power purposes.

That the point of diversion of
said water is located North 21 de-
grees 28 minutes East 10,080 feet
from the Southwest corner of Sec-
tion 32, Township 7 North, Range
44 East, B. M., and in the NW $\frac{1}{4}$
NE $\frac{1}{4}$ of Section 29, Township 7
North, Range 44 East, B. M.

That the point of use of said
water is located North 18 degrees
47 minutes East 10,570 feet from
the Southwest corner of Section 32,
Township 7 North, Range 44 East,
B. M. and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 29, Township 7 North,
Range 44 East, B. M.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation within forty (40) days from
the date of this notice; and such
protest shall state the name and
address of the protestant and shall
clearly set forth his objections to
the approval of the said application.

Dated this 2nd day of February,
1946.

(Signed) MARK R. KULP,
State Reclamation Engineer
Date of first publication: February
14, 1946.
Date of last publication: February
28, 1946.
Last date of protest: March 14,
1946.

Service of the foregoing, by copy,
is hereby admitted this 4th day of
February, 1946.

19789
TETON VALLEY POWER &
MILLING COMPANY,
By J. N. Jeppeson,

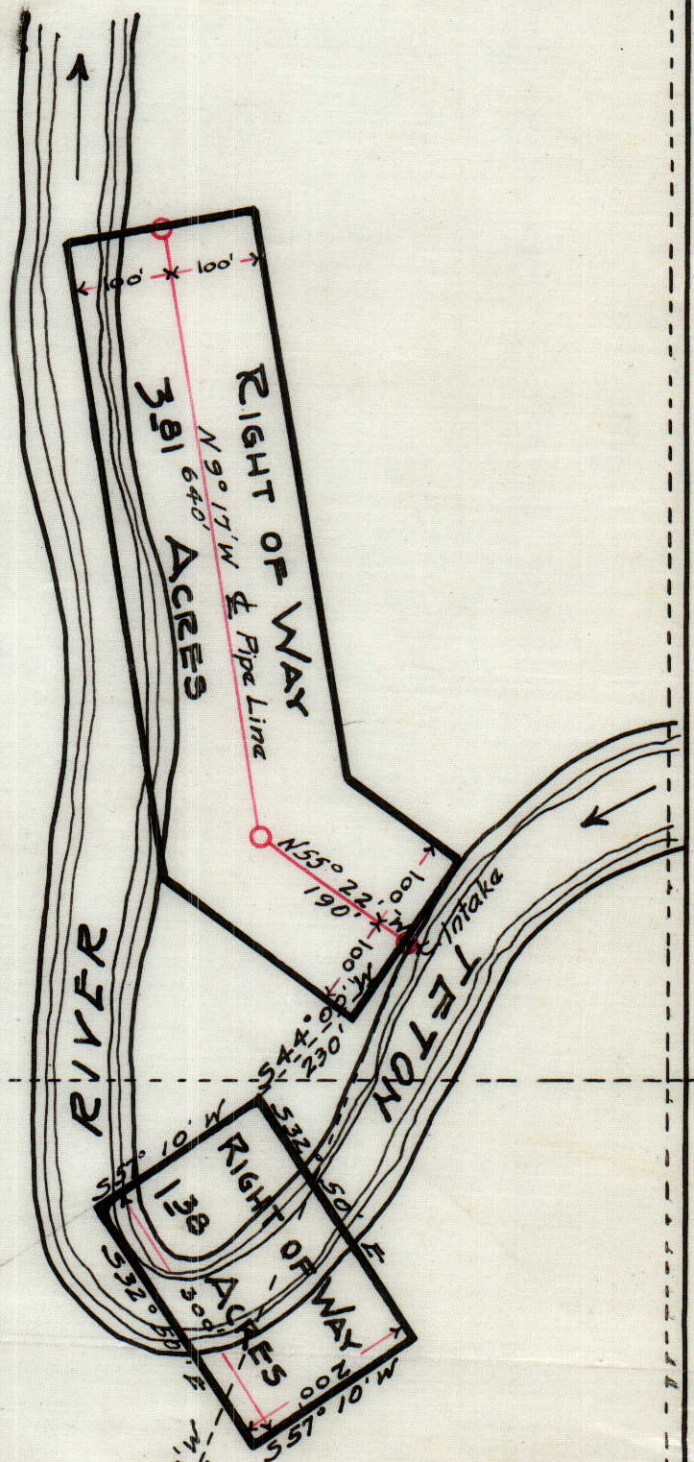
TETON VALLEY POWER & MILLING CO.

MAP SHOWING LOCATION OF LANDS REQUIRED FOR POWER SITE RIGHT OF WAY

Scale 1 in. = 200 ft.

1/4 Cor. SEC. 20
SEC. 29

TP. 7 N - R. 44 E. - B.M.



To SW Cor.
Sec. 32 - TP. 7 N - R. 44 E. - B.M.

Note -
Survey corner
nearer site could
not be found.

10789

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 41-203, IDAHO CODE
ANNOTATED.

State of Idaho
Department of Reclamation

Notice Is Hereby Given That on
the 2nd day of February, 1946, The
Teton Valley Power & Milling
Company (a corporation), of
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application to appropriate One hun-
dred fifty (150) cubic feet per sec-
ond of the waters of Teton River,
for power purposes.

That the point of diversion of
said water is located North 21 de-
grees 28 minutes East 10,080 feet
from the Southwest corner of Sec-
tion 32, Township 7 North, Range
44 East, B. M., and in the NW $\frac{1}{4}$
NE $\frac{1}{4}$ of Section 29, Township 7
North, Range 44 East, B. M.

That the point of use of said
water is located North 18 degrees
47 minutes East 10,570 feet from
the Southwest corner of Section 32,
Township 7 North, Range 44 East,
B. M. and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 29, Township 7 North,
Range 44 East, B. M.

DAY, FEBRUARY 14, 1946

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation within forty (40) days from
the date of this notice; and such
protest shall state the name and
address of the protestant and shall
clearly set forth his objections to
the approval of the said application.

Dated this 2nd day of February,
1946.

(Signed) MARK R. KULP,
State Reclamation Engineer

Date of first publication: February
14, 1946.

Date of last publication: February
28, 1946.

Last date of protest: March 14,
1946.

Service of the foregoing, by copy,
is hereby admitted this 4th day of
February, 1946.

TETON VALLEY POWER &
MILLING COMPANY,

By J. N. Jeppeson,

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 9th day of October, 1946, at Driggs, County of Teton, State of Idaho, before J. N. Jeppesen Jr., Notary Public, proof will be submitted of the completion of works for the diversion of 150 cubic feet per second of the waters of the Teton River, in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of

MBER 5, 1946

the State of Idaho.

1. The name of the person or corporation holding said permit is Teton Valley Power and Milling Company.

2. The postoffice address of such person or principal place of business of such corporation is Driggs, County of Teton, State of Idaho.

3. The number of such permit is 19789, and the date set for the completion of such work is October 9th, 1946.

4. Said water is to be used for Hydro-electric power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 150 cubic feet per second.

MARK R. KULP,

State Reclamation Engineer
Published S5-12-19-26

Feb. 2-1947

Page Five

ed at \$500.00.

Unit No. 2: S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, Twp. 13 N., Rge. 43 E.B.M., containing 20.0 acres and appraised at \$500.00.

Unit No. 3: S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, Twp. 13 N., Rge. 43 E.B.M., containing 20.0 acres and appraised at \$500.00.

Unit No. 4: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 9., S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp. 7 N., Rge. 44 E.B.M., containing 320.0 acres and appraised at \$8564.00 for the land and \$1318.00 for the lessee's improvements. Sum of \$840.00 building equity to be paid Alex Beckstead on day of sales.

TERMS OF SALE

This land to be sold in units as listed above, and no bid of less than the appraised price will be accepted.

One tenth (1/10) of the purchase price and interest at four per cent (4%) on balance of principal for remainder of year, cash on day of sale; balance in forty (40) annual installments at four per cent (4%) interest.

Lessee's improvements to be paid for in full on day of sale.

All sales are made subject to any valid interfering rights which may have existed prior to the date of sale except those for which allowance is made herewith.

By order of the State Board of Land Commissioners.

EDWARD WOZLEY,
State Land Commissioner

A. P. No.

Publication commenced Oct 2, 1947.

Publication completed Oct. 23, 1947.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a.m. on the 1st day of November, 1947, at Driggs, County _____ State of Idaho, before

plication to beneficial use of 150 cubic feet per second of the waters of Teton River in accordance with the terms and conditions of Permit No. 19789 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Teton Valley Power and Milling Co., Ltd., Inc., Driggs, Idaho. The use to which said water has been applied is for Power Generation Purposes.

The amount applied to beneficial use is 150 cubic feet per second.

The place where said water is used is Teton River Generating Plant, of Teton Valley Power and Milling Co., approximately 6 miles west of Felt, Teton County, Idaho, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, Township 7 North, Range 44 East, B. M.

The right to take water from such works is based upon Permit No. 19789.

The source of supply from which such water is diverted is Teton River.

The date of priority which said user is prepared to establish is February 2, 1946.

MARK R. KULP,
State Reclamation Engineer
Publish Oct. 2-9-16-23

NO SIDEWALL HEAT
OR PRESSURE



19789
Sept. 12

of the Teton River, in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Teton Valley Power and Milling Company.
2. The postoffice address of such person or principal place of business of such corporation is Driggs, County of Teton, State of Idaho.
3. The number of such permit is 19789, and the date set for the completion of such work is October 9th, 1946.
4. Said water is to be used for Hydro-electric power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 150 cubic feet per second.

MARK R. KULP,
State Reclamation Engineer

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 9th day of October, 1946, at Driggs, County of Teton, State of Idaho, before J. N. Jeppesen Jr., Notary Public, proof will be submitted of the completion of the diversion of 150

Published S5-12-19-26



THURSDAY, FEBRUARY 21, 1946

the voting
county will be

Victor pre-
inct and Felt
ndaries of the
incts have not
ith the exception
recinct, which will
esent Tetonia pre-
Clements ville pre-

g places will be the
l building at Felt; the
ol building at Tetonia;
school gymnasium at
d the old Farmer Stake
lding at Victor.

ames of the registrars are
ows:

Precinct—Mrs. Hattie Hen-
on.

onia Precinct — Luella Full-

riggs Precinct—Lucy Andrews.

Victor Precinct—Nellie Johnson.

The above precincts, polling
aces and registrars will serve for
e coming nominating and general
lections, to be held during the
year 1944.

DWIGHT STONE,

Clerk of the Board of County Com-
missioners.

**NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 41-203, IDAHO CODE
ANNOTATED.**

State of Idaho

Department of Reclamation

Notice Is Hereby Given That on
the 2nd day of February, 1946, The
Teton Valley Power & Milling
Company (a corporation), of
Driggs, Teton County, Idaho, made
application to appropriate One hun-
dred fifty (150) cubic feet per sec-
ond of the waters of Teton River,
for power purposes.

That the point of diversion of
said water is located North 21 de-
grees 28 mintues East 10,080 feet
from the Southwest corner of Sec-
tion 32, Township 7 North, Range
44 East, B. M., and in the NW¼
NE¼ of Section 29, Township 7
North, Range 44 East, B. M.

That the point of use of said
water is located North 18 degrees
47 minutes East 10,570 feet from
the Southwest corner of Section 32,
Township 7 North, Range 44 East,
B. M. and in the NW¼ NE¼ of
Section 29, Township 7 North,

Range 44 East, B. M.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation within forty (40) days from
the date of this notice; and such
protest shall state the name and
address of the protestant and shall
clearly set forth his objections to
the approval of the said application.

Dated this 2nd day of February,
1946.

(Signed) MARK R. KULP,

State Reclamation Engineer

Date of first publication: February

14, 1946.

Date of last publication: February

28, 1946.

Last date of protest: March 14,

1946.

Service of the foregoing, by copy,
is hereby admitted this 4th day of

February, 1946.

TETON VALLEY POWER &
MILLING COMPANY,
By J. N. Jeppeson,

**NOTICE OF ELECTION OF
WATERMASTER**

Notice Is Hereby Given
pursuant to Law the
nual Meeting for the
Watermaster for
trict No. 36
held at
Falls.



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

June 28, 1985

Fall River Rural Electric Cooperative, Inc.
POB AE
Ashton, Idaho 83420
Attention: Manager

Bonneville Pacific Corporation
200 East South Temple, Suite 300
Salt Lake City, Utah 84111
Attention: Robert L. Wood

Hydro Valley Development, Inc.
c/o Bonneville Pacific Corporation
200 East South Temple, Suite 300
Salt Lake City, Utah 84111
Attention: L. Wynn Johnson

First Interstate Bank of Utah, N.A.
180 South Main Street
Salt Lake City, Utah 84101

First Interstate Bank of Idaho, N.A.
700 West Idaho Street, Third Floor
Boise, Idaho 83702

Re: Leases and Mortgage Trust Indenture and Security
Agreement Affecting Decreed Right 22-0606, Licensed
Rights 22-2123 and ~~22-2126~~ and Permit Nos. 22-7351,
22-7487 and 22-7482

Gentlemen:

This office has received a copy of the Lease and Assignment Agreement dated December 18, 1984, whereunder Fall River Rural Electric Cooperative, Inc. ("Fall River") has leased the above-referenced decreed, licensed, and permit water rights (collectively "Water Rights") to Bonneville Pacific Corporation ("Bonneville"), and a copy of the Partial Assignment of Lease and Assignment Agreement dated June 14, 1985, whereunder Bonneville has further leased the Water Rights to Hydro Valley

June 28, 1985

Page 2

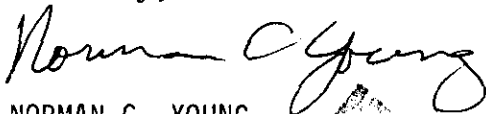
Development, Inc. ("Hydro Valley"). We have also received the Mortgage Trust Indenture and Security Agreement (the "Security Agreement") whereunder Bonneville and Hydro Valley intend to assign the leasehold interest in the Water Rights to First Interstate Bank of Idaho, N.A., as trustee, and First Interstate Bank of Utah, N.A., as beneficiary, pursuant to obtaining the construction financing for the Felt Dam Hydroelectric Project located in Teton County, Idaho.

Based upon our understanding of the information contained in said Lease and Assignment Agreement, Partial Assignment of Lease and Assignment, and Security Agreement, Fall River has leased the above-referenced Water Rights to Bonneville and Bonneville has further leased said Water Rights to Hydro Valley. It is further our understanding that Bonneville and Hydro Valley are assigning their leasehold interest in the Water Rights to First Interstate Bank of Idaho, N.A., as trustee to have and to hold the same as partial security for the performance by Bonneville and Hydro Valley of certain obligations to First Interstate Bank of Utah, N.A., as beneficiary, in connection with financing the Felt Dam Hydroelectric Project to which the Water Rights relate.

This letter confirms that this office has reviewed the Lease and Assignment Agreement, the Partial Assignment of Lease and Assignment Agreement and the Security Agreement and has found that the same conform to and comply with the requirements of Section 42-206 and 42-207, Idaho Code, and that Bonneville and Hydro Valley are qualified entities to hold leasehold interests in Water Rights in accordance with the laws of the State of Idaho, and that the trustee, First Interstate Bank of Idaho, N.A., is an entity qualified to hold a leasehold interest in said Water Rights as security for the construction financing of the Felt Dam Hydroelectric Project. Therefore, the lease of the Water Rights from Fall River to Bonneville, and subsequent lease of the Water Rights from Bonneville to Hydro Valley, and the subsequent assignment of the leasehold interest in the Water Rights as security for the construction financing as described herein are consented to and approved by the Department of Water Resources, and will be effective as of the date of receipt of the signed Mortgage Trust Indenture and Security Agreement. It is further noted that leasing of the Water Rights and assignment of leasehold interests therein will not change the name of record of the Water Rights.

The future approval of the leasing of the Water Rights and assignment of leasehold interests therein will not constitute a waiver by this Department of the State of Idaho to seek appropriate regulatory actions against the entities identified within this letter for any and all violation of any state statute, rule or regulation, notably with respect to stream channel alterations.

Sincerely,



NORMAN C. YOUNG
Administrator
Resources Administration Division

NCY/DRT/ljs

State of Idaho
License and Certificate of Water Right

Water License No. 19789

Amount 150 second feet

Water District No. _____

Priority February 2, 1946

THIS IS TO CERTIFY that **TETON VALLEY POWER & MILLING COMPANY**
of **Driggs, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **February 2**, 19 **46**; that Permit No. **19789**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
150 second feet, was issued thereunder on **March 10**, 19 **55**, showing that said works
were completed on the **9th** day of **October**, 19 **46**; and that on the **1st**
day of **November**, 19 **47**.

TETON VALLEY POWER & MILLING COMPANY

of **Driggs**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **Teton River**
, a tributary of **Snake River**, for the purpose of **power**
, under Use Permit No. **19789** of the **Department of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page **5465**, on the **10th** day of **March**, 19 **55**;

The right hereby confirmed dates from **February 2**, 19 **46**;

The Point of Diversion is located

in the **NW 1/4 NE 1/4**, Sec. **29**, Tp. **7 N. R. 44 E. B. M. Teton County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **150** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			NW 1/4 NE 1/4 Section 29, Range 44 East, B.M.	Township 7 North,	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
10th day of **March**, 19 **55**.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

2126

Date of notice 2-2-1946
Date of Publication or Posting 2-14 to 2-28, 1946
Date of Protest 3-14-1946

IF PROTESTED

Date of Notice of Hearing 19
Date of Hearing 19
Date of Appeal Filed 19

22-2126
No. 19789

APPLICATION FOR PERMIT To appropriate the Public Waters of the State of Idaho

Application No. 27293
Permit No. 19789
District No.

1. Name of Applicant: TETON VALLEY POWER & MILLING CO. (A corporation)

Postoffice address: Driggs County: Teton State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: November, 1912, Idaho
(b) Amount of capital stock: \$25,000.00
(c) Amount paid in: \$25,000.00
(d) Names and addresses of directors: J. N. Jeppeson, Driggs, Ida.; Mrs. J. N. Jeppesen, Driggs, Ida.
Lavon Smith, Driggs, Idaho

- II. The financial resources of the applicant are:
(a) Cash on hand: \$142.14
(b) Treasury stock: None
(c) Bonds to be issued: None
(d) Other resources: Grounds, buildings & machinery & Receivable Accts. \$180,000.00

2. Quantity of water claimed: 150 cubic feet per second.

3. Source of water supply: Teton River which is a tributary of Snake River

4. Location of point of diversion: N. 21° 28' E. 10,080 feet distant from the S. W.
corner of Section 32, T. 7 N., R. 44 E., B. M., and is in the NW 1/4 NE 1/4
of Section 29, T. 7 N., R. 44 E., B. M., County of Teton

5. Water is to be used for Power purposes

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: N. 18° 47' E. 10,570 feet distant from S. W. corner of Section 32
T. 7 N., R. 44 E., B. M., in the NW 1/4 NE 1/4 of Section 29, T. 7 N., R. 44 E., B. M.
(b) Amount of power generated: 1500 H. P., under 85 feet head.
(c) Water is to be returned to Teton River at a point N. 18° 47' E. 10,570 feet
distant from the S. W. corner of Section 32, T. 7 N., R. 44 E., B. M., in the NW 1/4 NE 1/4
of Section 29, T. 7 N., R. 44 E., B. M.

7. Estimated cost of works: \$ 40,000.00

8. Kind of works: Tunnel, pipeline and power house. Present dam will be used.
1- 1500 Hp. Hydro Electric Unit will be installed.

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width 8 feet; height 8 feet;

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume: Tunnel 190 feet

Diameter of pipe 60 inches; length of conduit 500 miles.

Average grade per mile 5.28 feet.

12. The time required for the completion of such work is Six (6) months years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

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

- 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.

By J. N. Jeppesen Agent.

Corrected application received:

The number of this permit is 19789
Recorded in Book 71 Page 19789 Approved April 9, 1946
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and
hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ 1,000.00 to be filed on or before June 9, 1946
Work to begin on or before _____ and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before July 9, 1946
The whole of said work to be completed on or before October 9, 1946
Beneficial use of water appropriated in accordance herewith, to be made on or before October 9, 1947

MARK R. KULP
State Reclamation Engineer.

(SEAL) By IRA H. MASTERS Secretary of State.

By ARNOLD WILLIAMS Governor

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
			AFFIDAVIT TO ESTABLISH RESIDENCE (Corporation) I, J. N. Jeppesen, of Driggs, County of Teton, State of Idaho, being first duly sworn, depose and say: That I am the President of the Teton Valley Power & Milling Co.; that as such I am in charge of the register office of the said corporation, as provided by Section 29-142, I. C. A., located at Driggs, Idaho, wherein are kept records provided by Section 29-143, I. C. A., and that a majority of the stockholders of said corporation are bona residents of the State of Idaho. Subscribed and sworn to before me this 31st day of January, 1946. J. N. Jeppesen, Jr. Notary Public for Idaho Residence, Driggs, Idaho My commission expires April 7, 1947 <u>CHAPTER 142, 1937 SESSION LAWS</u> This permit is issued subject to the provisions of Chapter 142, 1937 Session Laws, and in the event of its transfer, assignment, or of its being mortgaged without a compliance with the provisions of this Act, or that if such permit be held by a corporation and a majority of its stock be sold, transferred, assigned, mortgaged or hypothecated by the stockholders thereof, to a foreign corporation, or to others than actual bona fide residents of the State of Idaho, then such permit is immediately subject to cancellation and revocation by the Commissioner of Reclamation (Now State Reclamation Engineer). <u>APPROVAL OF STATE RECLAMATION ENGINEER</u> I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of use under Permit to appropriate the Public Waters of the State of Idaho, No. 19789, to November 1, 1947, Witness my hand this 12th day of September, 1947. MARK R. KULP State Reclamation Engineer																

Permit No. 19789
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that TETON VALLEY POWER & MILLING COMPANY of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 19789, issued upon Application No. 27293 bearing date of priority of February 2, 1946, authorizing the diversion of 150 second feet of the waters of Teton River County of Teton, State of Idaho for power purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 150 second feet of the waters of Teton River; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, Township 7 North, Range 44 East, B.M. and that the place of use of said water is also in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, Township 7 North, Range 44 East, B.M.

Witness my hand this 10th day of March, A. D. 1955.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made November 1, 1947
Certificate of Completion of Works issued March 10, 1955

LICENSE ISSUED FOR 150 SEC. FT.

pg. 5465



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RECEIVED

AUG 18 1989

August 14, 1989

Department of Water Resources

RE: Felt Hydroelectric Plant Water Right Nos.
22-07482, 22-07487, 22-07351, 22-00606, 22-02123A
22-02123B, 22-02126

Mr. Brett Van Wagoner
Bonneville Pacific Services
P.O. Box 2467
Twin Falls, Idaho 83303-2467

Dear Mr. Van Wagoner:

We have reviewed your request to have the measuring device and lockable controlling device requirement removed from the above referenced water right permits. The Department has agreed to defer the imposition of this condition and has modified it as follows:

The Department of Water Resources permanently retains jurisdiction over this right to impose at any time such measuring device and lockable control works as the Director may deem necessary for the proper delivery of this and other water rights.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Manager

RDC:cw

cc: IDWR - State Officer

INTER-DEPARTMENT MEMO — 1

FROM

Linda S. *LS*

DATE October 3, 1986

TO

File No. 22-0606, 22-2123A, 22-2126, 22-7351, 22-7482

SUBJECT

Lease and Assignment Agreement, Felt Project; Partial Assignment of Lease and Assignment Agreement; Third Party Easement and Water Rights Mortgage, Assignment of Rents, Security Agreement and Fixture Filing can all be found in 22-7487.

22-7487

SIGNATURE



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 29, 1986

Fall River Rural Electric Cooperative, Inc.
POB AE
Ashton, ID 83420
Attention: Manager

Bonneville Pacific Corporation
200 East South Temple, Suite 300
Salt Lake City, UT 84111
Attention: Robert L. Wood

Hydro Valley Development, Inc.
c/o Bonneville Pacific Corporation
200 East South Temple, Suite 300
Salt Lake City, UT 84111
Attention: L. Wynn Johnson

Prudential Interfunding Corp.
Four Embarcadero Center
Suite 2750
San Francisco, CA 94111

Re: Leases and Third Party Easement and Water Rights
Mortgage, Assignment of Rents, Security Agreement
and Fixture Filing Affecting Decreed Right 22-0606,
Licensed Rights 22-2123A and 22-2126 and Permit
Nos. 22-7351, 22-7482 and 22-7487

Gentlemen:

This office has received a copy of the Lease and Assignment Agreement dated December 18, 1984, whereunder Fall River Rural Electric Cooperative, Inc. ("Fall River") has leased the above-referenced decreed, licensed, and permitted water rights (collectively "Water Rights") to Bonneville Pacific Corporation ("Bonneville"), and a copy of the Partial Assignment of Lease and Assignment Agreement dated June 14, 1985, whereunder Bonneville has further assigned the leased Water Rights to Hydro Valley Development, Inc. ("Hydro Valley"). We have also received the Third Party Easement and Water Rights Mortgage, Assignment of Rents,

RECEIVED
SEP 30 1986
ID 177

Security Agreement and Fixture Filing (the "Security Agreement") whereunder Hydro Valley intends to mortgage the leasehold interest in the Water Rights to Prudential Interfunding Corp. ("Prudential") to facilitate the permanent financing for Felt Dam Hydroelectric Project located in Teton County, Idaho, which permanent financing is being obtained by CDM Hydroelectric Company ("CDM"), a Colorado limited partnership.

According to the information we have received, the following transactions have occurred: Fall River has leased the above-referenced Water Rights to Bonneville, Bonneville has assigned the lease of said Water Rights to Hydro Valley, and Hydro Valley has assigned the lease of the Water Rights to First Interstate Bank of Idaho, N.A., as trustee for First Interstate Bank of Utah. It is further our understanding that Hydro Valley desires to mortgage the leasehold interest in the Water Rights held by First Interstate Bank of Idaho to Prudential, as partial security for the performance by CDM of certain obligations to Prudential in connection with permanent financing for the Felt Dam Hydroelectric Project to which the Water Rights relate.

This office has reviewed the lease, assignments of lease and mortgage agreements, and understands CDM will be the principle developer of the project. Based on representations made by Craig B. Terry of Parsons, Behle and Latimer during a telephone conversation on September 25, 1986, the participation of CDM in the development is for the purpose of generating capital through the limited partnership mechanism, and Hydro Valley, as a general partner in CDM, is mortgaging a leasehold interest currently held by First Interstate Bank on behalf of CDM by means of a third party mortgage. This arrangement does not appear to be in bad faith, or for purposes of delay or speculation, but rather appears to be an effort to facilitate financing arrangements.

The lease and assignments previously approved by the Department and the proposed third party mortgage comply with the requirements of Sections 42-206 and 42-207, Idaho Code. Bonneville is not currently registered to do business in the State of Idaho, but non-registration is not defective provided that the partial assignment to Hydro Valley is deemed as a complete assignment of the property needed for the proposed development.

Hydro Valley, CDM, and Prudential are qualified to do business in the State of Idaho. Specifically, Prudential is qualified to hold a security interest in the Water Rights.

According to our records, however, First Interstate Bank of Idaho is currently the owner of the Water Rights. The approval of Prudential's proposed security interest is contingent upon the full relinquishment or reassignment of ownership of the leasehold interest by First Interstate Bank of Idaho, N.A., trustee for First Interstate Bank of Utah, N.A.

Please be informed that the lease, assignments of lease, and proposed mortgage of Water Rights will not change the name of the owner of the rights in the records of the Department. The future approval of

the leasing of the Water Rights and assignment of leasehold interests therein will not constitute a waiver by this Department or the State of Idaho of the right to seek appropriate regulatory actions against the entities identified within this letter for any and all violations of any state statute, rule or regulation, notably with respect to stream channel alterations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Spackman".

GARY SPACKMAN

Supervisor, Water Allocation Section

ls

LAW OFFICES
PARSONS, BEHLE & LATIMER
A PROFESSIONAL CORPORATION

KEITH E. TAYLOR
JAMES B. LEE
SCOTT M. MATHESON
GORDON L. ROBERTS
F. ROBERT REEDER
WILLIAM L. CRAWFORD
LAWRENCE E. STEVENS
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FRANCIS M. WIKSTROM
DAVID W. TUNDERMANN
JAMES M. ELEGANTE
DAVID P. HIRSCHI
VAL R. ANTCAK
PATRICK J. GARVER
SPENCER E. AUSTIN

185 SOUTH STATE STREET, SUITE 700
POST OFFICE BOX 11898
SALT LAKE CITY, UTAH 84147-0898
TELEPHONE (801) 532-1234
TELECOPIER (801) 532-1234, EXT. 273

1016-16TH STREET, N.W., SUITE 600
WASHINGTON, D.C. 20036
TELEPHONE (202) 659-0862

FORMERLY
DICKSON, ELLIS, PARSONS & MCGREA
1882-1959

C. C. PARSONS
1907-1968

CALVIN A. BEHLE
1947-

OF COUNSEL
GEORGE W. LATIMER

JOHN B. WILSON
ROBERT C. HYDE
CRAIG B. TERRY
DAVID A. ANDERSON
KENT O. ROCHE
PATRICIA J. WINMILL
RANDY M. GRIMSHAW
J. STEPHEN RUSSELL
DANIEL W. HINDERT
T. PATRICK CASEY
VALDEN P. LIVINGSTON
D. R. CHAMBERS
BYRON W. MILSTEAD
LOIS A. BAAR
MARK E. RINEHART
MICHAEL L. LARSEN
JONATHAN K. BUTLER
DAVID G. MANGUM
JULIA C. ATTWOOD
DEREK LANGTON
HAL J. POS
W. MARK GAVRE
DAVID J. SMITH
TONI MARIE SUTLIFF

September 22, 1986

RECEIVED
SEP 23 1986

Mr. Norman C. Young
State of Idaho
Department of Water Resources
450 West State Street
Boise, Idaho 83720

Department of Water Resources

Re: Felt Dam Hydroelectric Project, Teton County,
Idaho--Leases and Security Interest in Decreed Right
22-0606, Licensed Rights 22-2123A, and 22-2126, and
Approved Applications for Permit Nos. 22-7351, 22-7482
and 22-7487

Dear Mr. Young:

Please be advised that pursuant to a Lease and Assignment Agreement dated December 18, 1984, between Fall River Rural Electric Cooperative, Inc. ("Fall River") and Bonneville Pacific Corporation ("Bonneville"), Fall River has leased the above-referenced water rights and permits (collectively the "Water Permits") to Bonneville for use in connection with the Felt Dam Hydroelectric Project, a copy of which Lease and Assignment Agreement is enclosed herewith.

Please be further advised that pursuant to the terms of that certain Partial Assignment of Lease and Assignment Agreement, dated June 14, 1985, between Bonneville and Hydro Valley Development, Inc. ("Hydro Valley"), Bonneville has assigned its leasehold interest in the Water Permits to Hydro Valley, a copy of which Partial Assignment of Lease and Assignment Agreement is enclosed herewith. Both Bonneville and Hydro Valley are Utah corporations qualified to do business in the State of Idaho.

SEP 23 1986

Mr. Norman C. Young
September 22, 1986
Page Two

Please be further advised that in connection with obtaining the permanent financing for the Felt Dam Hydroelectric Project by CDM Hydroelectric Company, a Colorado limited partnership in which Bonneville and Hydro Valley are general partners, Hydro Valley is being required by Prudential Interfunding Corp., a Delaware corporation qualified to do business in Idaho ("Prudential"), to assign its leasehold interest in and to the Water Permits to Prudential as security for the permanent financing. This assignment will be made in accordance with the terms of a Third Party Easement and Water Rights Mortgage, Assignment of Rents, Security Agreement and Fixture Filing (the "Security Agreement") a copy of which is enclosed herewith. I will forward to your office a fully-executed copy of the Security Agreement after it is executed.

Pursuant to the provisions of Sections 42-206 and 42-207, Idaho Code, we are requesting the consent and approval of the Idaho Department of Water Resources to the above-described transfers of leasehold interests in the Water Permits. Our review of appropriate Idaho law indicates that the lease of the Water Permits from Fall River to Bonneville and the lease of the Water Permits from Bonneville to Hydro Valley, and the proposed Security Agreement, whereunder the leasehold interest in the Water Permits is assigned to Prudential, are in conformance with Section 42-206 and 42-207, Idaho Code, and we therefore request that the Department of Water Resources consent to and approve such leases and assignments.

The assignment of the Water Permits to First Interstate Bank of Idaho, N.A., as trustee for First Interstate Bank of Utah, N.A. in connection with the construction financing for this project, which was previously approved by the Department of Water Resources on June 28, 1985, will be released. I am enclosing for your reference a copy of the approval letter of the Department of Water Resources dated June 25, 1985.

For your convenience, I have enclosed herewith a form letter which has been approved by the parties to the leases and by Prudential. Please review the enclosed materials and contact me at your earliest convenience with any questions or comments which you may have thereon. If the Department of Water Resources

Mr. Norman C. Young
September 22, 1986
Page Three

approves the proposed assignment, please have the enclosed letter or a letter in substantially similar form prepared on Department of Water Resources letterhead and send the original copy executed by the Director or Administrator of the Department of Water Resources to me for use in the loan closing. The loan closing is presently scheduled for September 29, 1986, and we will appreciate your processing this application for approval as soon as possible.

Very truly yours,

Craig B. Terry

Craig B. Terry
of and for
PARSONS, BEHLE & LATIMER

CBT:jp
Enclosure
cc: Robert L. Wood



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

September 24, 1985

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

Mr. David P. Hirschi, Esq.
PARSONS, BEHLE & LATIMER
P.O. Box 11898
Salt Lake City, Utah 84147-0898

RE: Decreed Right 22-0606, Licensed Rights 22-2123 and 22-2126
and Permit Numbers 22-7351, 22-7487 and 22-7482

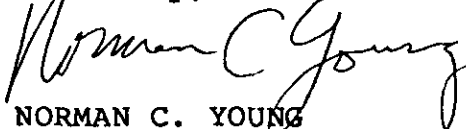
Dear Mr. Hirschi:

This is in response to your letter of September 18, 1985, in which you ask the department to respond to the propriety of a proposed arrangement for the ownership of the above referenced water rights.

It is our understanding that the water rights are presently owned by Fall River Rural Electric Cooperative, Inc. and leased to Hydro Valley Development, Inc., a Utah corporation qualified to do business in Idaho. Your letter states that CDM Hydroelectric Company, a Colorado limited partnership qualified to do business in Idaho, may purchase all of the issued and outstanding shares of Hydro Valley Development Company. Your letter also states that if the stock purchase occurs, Hydro Valley Development Company will continue to hold the leasehold interest in the water rights and that Hydro Valley will become a wholly owned subsidiary corporation of CDM.

In answer to your question, it is the interpretation of the department that the provisions of Sections 42-206 and 42-207, Idaho Code, will continue to be satisfied even if Hydro Valley becomes a wholly owned subsidiary corporation of CDM Hydroelectric Company, as long as the referenced water permits continue to be held by Hydro Valley Development Company as a foreign corporation qualified to do business in the State of Idaho.

Sincerely,



NORMAN C. YOUNG
Administrator
Resources Administration
Division

PJR:NCY:plb

LAW OFFICES OF
PARSONS, BEHLE & LATIMER

A PROFESSIONAL CORPORATION

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1952-1959

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HAL J. POS
*ADMITTED IN COLORADO ONLY
†ADMITTED IN CALIFORNIA AND
DISTRICT OF COLUMBIA ONLY

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FRANCIS M. WIKSTROM
DAVID W. TUNDERMANN
KREGE B. CHRISTENSEN
JAMES M. ELEGANTE
DAVID P. HIRSCHI
VAL R. ANTCHAK
PATRICK J. GARVER
SPENCER E. AUSTIN

September 18, 1985

RECEIVED
SEP 20 1985

Norman C. Young, Administrator
Resources Administration Division
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Re: Decreed Right 22-0606, Licensed Rights 22-2123 and
22-2126 and Permit Numbers 22-7351, 22-7487 and 22-7482

Dear Norm:

I received your letter of September 12, 1985 responding to our request for approval of an assignment of lease of the above referenced rights and permits. While we are disappointed in the opinions rendered relating to our request, we understand your conclusions and we appreciate the thoroughness of your response.

We now request that your department render an opinion relating to the ownership of the shares of Hydro Valley Development Company, the Lessee of the above referenced rights and permits. It is likely that in the near future CDM Hydroelectric Company, a Colorado limited partnership qualified to do business in Idaho will purchase all of the issued and outstanding shares of Hydro Valley Development Company, a Utah corporation qualified to do business in the State of Idaho. It is anticipated that Hydro Valley Development Company will continue to hold the Leasehold Interest in the above referenced water rights and permits and that Hydro Valley Development Company will become a wholly owned subsidiary corporation of CDM Hydroelectric Company. A question has arisen concerning the propriety of this arrangement in light of Sections 42-206 and 42-207 Idaho Code and the analysis of your letter dated September 12, 1985.

September 18, 1985
Norman C. Young
Page 2

My reading of these Sections would indicate that the Department of Water Resources will not look to the residency of the shareholders of a corporation to determine the ability of a corporation to hold water rights in the State of Idaho. In other words, if the corporation is otherwise qualified to hold water rights under Sections 42-206 and 42-207, the residency and qualification of the shareholders of that corporation are immaterial. If you are in agreement with this analysis, please advise me of the same by return mail.

We appreciate your cooperation in assisting us in this matter.

Very truly yours,

PARSONS, BEHLE & LATIMER


David B. Hirschi

cc: Robert L. Wood
Jim E. Sorenson
Phillip J. Rassier

LAW OFFICES OF
PARSONS, BEHLE & LATIMER

A PROFESSIONAL CORPORATION

185 SOUTH STATE STREET, SUITE 700
POST OFFICE BOX 11898
SALT LAKE CITY, UTAH 84147-0898
TELEPHONE (801) 532-1234
TELECOPIER (801) 532-1234, EXT. 273

1801 "K" STREET, N.W., SUITE 1109L
WASHINGTON, D.C. 20006
TELEPHONE (202) 659-0862

FORMERLY
DICKSON, ELLIS, PARSONS & McCREA
1882-1959

OF COUNSEL
GEORGE W. LATIMER
CONSTANCE K. LUNDBERG
†LYNNE D. FINNEY

JOHN B. WILSON
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HAL J. POS

*ADMITTED IN COLORADO ONLY
†ADMITTED IN CALIFORNIA AND
DISTRICT OF COLUMBIA ONLY

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PATRICK J. GARVER
SPENCER E. AUSTIN

C.C. PARSONS
1907-1968

CALVIN A. BEHLE
1947-

August 29, 1985

Mr. Norman C. Young
Administrator
Resource Administration Division
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED
VIA U.S. COURIER
AUG 30 1985

Department of Water Resources

Re: Request for Approval of Assignment of Lease of
Decreed Right 22-0606, Licensed Rights 22-2123 and
22-2126 and Permit Nos. 22-7351, 22-7487 and 22-7482

Dear Mr. Young:

As you are aware, this firm represents Bonneville Pacific Corporation ("Bonneville") and Hydro Valley Development, Inc. ("Hydro Valley"), both Utah corporations qualified to do business in the State of Idaho. For purposes of this matter, this firm is also serving as special counsel to CDM Hydro-electric Company ("CDM"), a Colorado limited partnership qualified to do business in the State of Idaho.

Reference is made to your letter of June 28, 1985 (copy enclosed) wherein the Department of Water Resources approved the lease of the above-referenced water rights, licenses and permits (collectively referred to hereinafter as the "Water Rights") from Fall River Rural Electric Cooperative, Inc. ("Fall River") to Bonneville, and the subsequent Assignment of the Lease of the Water Rights by Bonneville to Hydro Valley. Your files should contain all of the documentation relating to these Assignments, specifically the Lease and Assignment Agreement dated December 18, 1984 between Fall River and Bonneville, and the Partial Assignment of Lease and Assignment

Mr. Norman C. ung
August 29, 1985
Page 2

Agreement dated June 14, 1985 between Bonneville and Hydro Valley.

It is my understanding that your files now indicate that Fall River holds the Water Rights as "owner" and Hydro Valley holds the Water Rights as "lessee", with First Interstate Bank of Idaho having the first lien security interest in the lease of the Water Rights pursuant to the Mortgage Trust Indenture and Security Agreement, a complete and fully executed copy of which is enclosed herewith to complete your records in this matter.

Hydro Valley now desires to assign its leasehold interest in the Water Rights to CDM pursuant to an Assignment of Leasehold Interest in Water Rights, in form and substance similar to the document of the same name enclosed herewith for your review.

Hydro Valley desires to obtain the prior approval of the Department of Water Resources to this proposed Assignment due to questions which have arisen concerning Hydro Valley's right to assign its leasehold interest in the Water Rights to CDM under the provisions of Section 42-207 of the Idaho Code and CDM's ability to hold the leasehold interest in the Water Rights under the provisions of Section 42-206 of the Idaho Code.

As you are aware, Section 42-206 prohibits the granting of a permit to appropriate water to any person or association of persons which is not an actual bona fide resident of the State of Idaho. In seeking the approval of the Department of Water Resources to the leasehold assignment of Water Rights by Hydro Valley to CDM, we suggest first that CDM, as a Colorado limited partnership duly registered to do business in the State of Idaho, qualifies as a "bona fide resident of the State", and is therefore a qualified entity to hold Water Rights under Section 42-206. Further, Section 42-206 seems to relate solely to a new permit to appropriate waters and not to a leasehold of existing water rights. Therefore Section 42-206 should not apply to the leasehold situation provided that (as in our case) the actual ownership of the Water Rights remains in a qualified entity (Fall River).

Section 42-207 deals with transfer rights and prohibits the sale, assignment, transfer or mortgage of a water right to a nonqualified entity. It is unclear from the language of the statute whether this statute applies to a lease situation since in such a situation the ownership of the water rights does not change. Furthermore, in the present case there is no

Mr. Norman C. Young
August 29, 1985
Page 3

situation or remedy available under the Lease and Assignment Agreement, the Partial Assignment of Lease and Assignment Agreement or the newly proposed Assignment of Leasehold Interest in Water Rights which could result in a nonqualified entity ever becoming the actual owner of the Water Rights.

In asking for the Department of Water Resource's preapproval of the enclosed Assignment of Leasehold Interest in Water Rights, we are essentially asking that the following questions be answered:

First, as a duly registered limited partnership, does CDM qualify to hold Water Rights under the provisions of Section 42-206 of the Idaho Code, and

Second, do Sections 42-206 and 42-207 relate to a leasehold situation, where actual ownership of the water right is retained by a lessor qualified to hold water rights under Section 42-206.

CDM and Hydro Valley are presently working with Prudential Interfunding Corp. in finalizing the permanent financing of the Felt Dam Hydroelectric Project, therefore your prompt attention to this matter will be greatly appreciated. I have taken the liberty of copying Phil Rassier with this letter, and I invite either you or Phil to contact me at your earliest convenience to discuss this matter further.

Very truly yours,

PARSONS, BEHLE & LATIMER


David P. Hirschi

DPH/jml
Enclosure

cc: Phillip J. Rassier, Esq.
Robert L. Wood

INTER-DEPARTMENT MEMO — 1

FROM Linda Smith

DATE 6-28-85

TO 22-2126

SUBJECT

The Mortgage Trust Indenture and Security Agreement and the Partial Assignment of Lease and Assignment Agreement are filed in No. 22-7487.

RECEIVED
JUL 1 1985

SIGNATURE



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

June 28, 1985

Fall River Rural Electric Cooperative, Inc.
POB AE
Ashton, Idaho 83420
Attention: Manager

Bonneville Pacific Corporation
200 East South Temple, Suite 300
Salt Lake City, Utah 84111
Attention: Robert L. Wood

Hydro Valley Development, Inc.
c/o Bonneville Pacific Corporation
200 East South Temple, Suite 300
Salt Lake City, Utah 84111
Attention: L. Wynn Johnson

First Interstate Bank of Utah, N.A.
180 South Main Street
Salt Lake City, Utah 84101

First Interstate Bank of Idaho, N.A.
700 West Idaho Street, Third Floor
Boise, Idaho 83702

Re: Leases and Mortgage Trust Indenture and Security
Agreement Affecting Decreed Right 22-0606, Licensed
Rights 22-2123 and 22-2126 and Permit Nos. 22-7351,
22-7487 and 22-7482

Gentlemen:

This office has received a copy of the Lease and Assignment Agreement dated December 18, 1984, whereunder Fall River Rural Electric Cooperative, Inc. ("Fall River") has leased the above-referenced decreed, licensed, and permit water rights (collectively "Water Rights") to Bonneville Pacific Corporation ("Bonneville"), and a copy of the Partial Assignment of Lease and Assignment Agreement dated June 14, 1985, whereunder Bonneville has further leased the Water Rights to Hydro Valley

146200-1000

Development, Inc. ("Hydro Valley"). We have also received the Mortgage Trust Indenture and Security Agreement (the "Security Agreement") whereunder Bonneville and Hydro Valley intend to assign the leasehold interest in the Water Rights to First Interstate Bank of Idaho, N.A., as trustee, and First Interstate Bank of Utah, N.A., as beneficiary, pursuant to obtaining the construction financing for the Felt Dam Hydroelectric Project located in Teton County, Idaho.

Based upon our understanding of the information contained in said Lease and Assignment Agreement, Partial Assignment of Lease and Assignment, and Security Agreement, Fall River has leased the above-referenced Water Rights to Bonneville and Bonneville has further leased said Water Rights to Hydro Valley. It is further our understanding that Bonneville and Hydro Valley are assigning their leasehold interest in the Water Rights to First Interstate Bank of Idaho, N.A., as trustee to have and to hold the same as partial security for the performance by Bonneville and Hydro Valley of certain obligations to First Interstate Bank of Utah, N.A., as beneficiary, in connection with financing the Felt Dam Hydroelectric Project to which the Water Rights relate.

This letter confirms that this office has reviewed the Lease and Assignment Agreement, the Partial Assignment of Lease and Assignment Agreement and the Security Agreement and has found that the same conform to and comply with the requirements of Section 42-206 and 42-207, Idaho Code, and that Bonneville and Hydro Valley are qualified entities to hold leasehold interests in Water Rights in accordance with the laws of the State of Idaho, and that the trustee, First Interstate Bank of Idaho, N.A., is an entity qualified to hold a leasehold interest in said Water Rights as security for the construction financing of the Felt Dam Hydroelectric Project. Therefore, the lease of the Water Rights from Fall River to Bonneville, and subsequent lease of the Water Rights from Bonneville to Hydro Valley, and the subsequent assignment of the leasehold interest in the Water Rights as security for the construction financing as described herein are consented to and approved by the Department of Water Resources, and will be effective as of the date of receipt of the signed Mortgage Trust Indenture and Security Agreement. It is further noted that leasing of the Water Rights and assignment of leasehold interests therein will not change the name of record of the Water Rights.

The future approval of the leasing of the Water Rights and assignment of leasehold interests therein will not constitute a waiver by this Department of the State of Idaho to seek appropriate regulatory actions against the entities identified within this letter for any and all violation of any state statute, rule or regulation, notably with respect to stream channel alterations.

Sincerely,



NORMAN C. YOUNG
Administrator
Resources Administration Division

NCY/DRT/ljs

LAW OFFICES OF
PARSONS, BEHLE & LATIMER

A PROFESSIONAL CORPORATION

185 SOUTH STATE STREET, SUITE 700
POST OFFICE BOX 11898
SALT LAKE CITY, UTAH 84147-0898
TELEPHONE (801) 532-1234
TELECOPIER (801) 532-1234, EXT. 273

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1882-1959

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DEREK LANGTON
HAL J. POS

* ADMITTED IN COLORADO ONLY
† ADMITTED IN CALIFORNIA AND
DISTRICT OF COLUMBIA ONLY

June 17, 1985

Mr. David Tuthill
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED
JUN 18 1985

FEDERAL EXPRESS

Department of Water Resources

Re: Felt Dam Hydroelectric Project, Teton County,
Idaho--Leases and Security Interest in Decreed
Right 22-0606, License Rights 22-2123, ~~22-2126~~,
and Approved Applications for Permit Nos.
22-7351, 22-7487 and 22-7482

Dear Mr. Tuthill:

Please be advised that pursuant to a Lease and Assignment Agreement dated December 18, 1984, between Fall River Rural Electric Cooperative, Inc. ("Fall River") and Bonneville Pacific Corporation ("Bonneville"), Fall River has leased the above-referenced water rights and permits (collectively the "Water Permits") to Bonneville for use in connection with the Felt Dam Hydroelectric Project (a copy of which Lease and Assignment Agreement is attached as Exhibit "A" to that certain Mortgage Trust Indenture and Security Agreement (the "Security Agreement") enclosed herewith).

Please be further advised that pursuant to the terms of that certain Partial Assignment of Lease and Assignment Agreement, dated June 14, 1985, between Bonneville and Hydro Valley Development, Inc. ("Hydro Valley"), Bonneville has assigned its leasehold interest in the Water Permits to Hydro Valley (a copy of which Partial Assignment of Lease and Assignment Agreement is enclosed herewith). Both Bonneville and

Mr. David Tuthill
June 17, 1985
Page 2

Hydro Valley are Utah corporations qualified to do business in the State of Idaho.

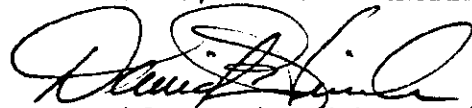
Please be further advised that in connection with obtaining the construction financing of the Felt Dam Hydro-electric Project, Bonneville and Hydro Valley are being required by First Interstate Bank of Idaho, N.A., as trustee, and First Interstate Bank of Utah, N.A., as beneficiary, to assign their leasehold interest in and to the Water Permits to said Banks as security for the construction financing. This assignment will be made in accordance with the terms of the Security Agreement, a copy of which is enclosed herewith.

Pursuant to the provisions of Sections 42-206 and 42-207, Idaho Code, we are requesting the consent and approval of the Idaho Department of Water Resources to the above-described transfers of leasehold interests in the Water Permits. Our review of appropriate Idaho law indicates that the lease of the Water Permits from Fall River to Bonneville and the lease of the Water Permits from Bonneville to Hydro Valley, and the proposed Security Agreement, whereunder the leasehold interest in the Water Permits is assigned to First Interstate Bank of Idaho, as trustee, are in conformance with Section 42-206 and 42-207, Idaho Code, and we therefore request that the Department of Water Resources consent to and approve such leases and assignments.

For your convenience, I have enclosed herewith a form letter which has been approved by the parties to the leases and the Banks. Please review the enclosed materials and contact me at your earliest convenience with any questions or comments which you may have thereon. If the Department of Water Resources approves the proposed assignment, please have the enclosed letter or a letter in substantially similar form prepared on Department of Water Resources letterhead and send the original copy executed by the Director or Administrator of the Department of Water Resources to me for use in the loan closing. The loan closing is presently scheduled for June 25, 1985, and we will appreciate your processing this application for approval as soon as possible.

Very truly yours,

PARSONS, BEHLE & LATIMER



David P. Hirschi

DPH:mmp 6891C
cc: Robert L. Wood
Ray W. Rigby, Esq.
Pamela T. Greenwood, Esq.
Enclosure

TITLE
OF
CASE

WATER DIST.

COUNTY

JUDICIAL DIST.

JUDGE

DATE OF DECREE

RECORDED

IN BOOK NO.

AT PAGE NO.

FILE NO.

P.N.	D.N.	DECEED OWNER	NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
							SUBDIV.	SEC.	TWP.	R.G.		
22-0605		Island Ward Canal Co.		North Fork Teton River	0 (100.0)	1-23-1901					Lands of stockholders (Description not given)	
	P.D.	Trans. 220 - Island Ward Canal Co.			100.0		NENE	6	6N	40E	T6N, R39E - Part Sec. 9,10,11,15,16,20,21	
22-0283		Hague, William A.		Teton River	2.0	3-25-1901					NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 15, T7N, R41E	
22-0511		Siddoway-Briggs Co.		Teton River	84.0	6-01-1903					S $\frac{1}{2}$ SW $\frac{1}{4}$ - Sec. 31, T5N, R45E N $\frac{1}{2}$ NW $\frac{1}{4}$ - Sec. 6, T6N, R45E.	
22-2020		Central Teton Canal Co.		Teton Creek	1.5	1-17-1907	NWNE	20	5N	46E	N $\frac{1}{2}$ NW $\frac{1}{4}$ - Sec. 30, T5N, R46E.	
22-2023		Fairbanks, Frank P.		Teton Creek	0.24	3-14-1907	NESE	25	5N	45E	E $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 25, T5N, R45E.	
22-2045		Peaceful Valley Improvement Co., Ltd.		Teton River	20.0	7-09-1909	SENE	20	7N	42E	SE $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 7; S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 8; Sec. 17; E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 18; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 20, T7N, R42E	
22-0606		Teton Valley Power & Milling Co.		Teton River	80.0	10-01-1921	NWNE	29	7N	44E	For hydroelectric purposes	
22-2123A		Teton Valley Power & Milling Co.		Teton River	70.0	11-17-1936	NWNE	29	7N	44E	NW $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 29, T7N, R44E	
22-2123B					80.0	3-14-1948						
22-2126		Teton Valley Power & Milling Co.		Teton River	150.0	2-02-1946	NWNE	29	7N	44E	Power purposes in NW $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 29, T7N, R44E	
22-2290		Fremont Madison Irr. District		Teton River	315,000AF	5-23-1960	SWNW	29	7N	42E	See permit (Lands in Irrigation District)	

L E G E N D

P.N. : PRIORITY NUMBER

D.N. : DECREE NUMBER

C.T. : CUMULATIVE TOTAL

October 1, 1959

Re: Permits No. 18400 - 19789

Fall River Rural Electric Coop., Inc.
E. W. Roberts, Manager
Ashton, Idaho

Dear Mr. Roberts:

You have a record of the total of the recorded water rights acquired by Teton Valley Power and Milling Co., as far as records in this office are concerned, as stated in the 2nd paragraph of your letter dated September 29. Those water rights are all for direct flow from the Teton River and immediate return of the water so there is no appreciable loss of water to downstream irrigators. There are no storage rights. Any fluctuation in river level downstream would probably be resented by irrigation water right holders.

The use of more than the 380 cubic feet per second of direct flow through the power plant probably would not be protested. An application for permit to divert additional water for power use will be accepted in this office, according to State Statutes.

Applications involving over 500 theoretical horse power require a notice to be published for three weekly issues of a local paper. Such notice provides a chance for protest against approval of the application. If no valid protest is received, the application is approved.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

ONC:KTEw

See letter in Permit No. 18400 folder

19789

RT

September 11, 1959

Re: Permit No. 18400
No. 19789

Fall River Electric Cooperative, Inc.,
Ashton, Idaho.

Gentlemen:

We are returning your check No. 951 in the
amount of \$7.35, written on the Idaho Bank of Commerce,
Ashton, Idaho, for signature.

Please give this your immediate attention and
return to this Department by return mail.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EFR:spk

19789

September 1, 1959

RE: Permits Nos. 18400
19789

Fall River Electric Cooperative Inc.,
Ashton, Idaho

Gentlemen:

Enclosed is departmental receipt No. 29755 for \$7.35 in payment of photo copies of Permits Nos. 18400 and 19789 and water licenses issued thereunder.

Thank you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr
enclosure

19789

See letter in file 18400

August 28, 1959

RE: Permits Nos. 18400
19789

Mr. E. W. Roberts
c/o Fall River Rural Electric Coop.
Ashton, Idaho

Dear Mr. Roberts:

Water rights of Teton Valley Power and Milling Company of record in this office are one decreed right and three licensed rights.

The decreed right is for 80 second feet with a priority date of October 1, 1921 as awarded in the case of Teton Valley Power and Milling Company, Plaintiff vs Lynn Crandall, Watermaster of District No. 36, R. W. Faris, Commissioner of Reclamation of the State of Idaho and Grand Teton Reservoir Company, Defendants, in the District Court of the Ninth Judicial District of the State of Idaho, In and For the County of Fremont. Certified copy of the decree can be had upon request.

Enclosed are photo copies of Permits Nos. 18400 and 19789, approved by the state, and the water licenses which have issued thereunder.

Cost of supplying these copies is \$7.35 which you may remit to this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:mr
enclosures 8

19789



CALDWELL, RICHARDS & SORESEN
"ENGINEERS"

408 Zions Savings Bank Building
Salt Lake City, Utah

Looking Down from
Tunnel Ridge
showing 2-68" Steel
+ 1-54" wood
Pipes entering
Power House

A. J. Leebards

ORGANIZED 1905
INCORPORATED 1956

"OVER FIVE DECADES OF ENGINEERING SERVICE"

FIELDS OF SERVICE

INVESTIGATIONS & REPORTS
WATER WORKS SYSTEMS
WATER TREATMENT PLANTS
WATER FILINGS & PROOFS
RESERVOIRS
SEWER SYSTEMS
SEWAGE TREATMENT PLANTS
LAND SURVEYS & SUBDIVISIONS
MUNICIPAL STREET IMPROVEMENTS
IRRIGATION AND DRAINAGE
HYDRO-ELECTRIC SYSTEMS
ELECTRIC DISTRIBUTION SYSTEMS
SOILS AND BEARING TESTS
STRUCTURAL DESIGN
STORM DRAINS & FLOOD CONTROL
AIRPORTS
REAL ESTATE DEVELOPMENT
INDUSTRIAL DEVELOPMENT
INDUSTRIAL WASTE TREATMENT
VALUATIONS
SPECIAL ENGINEERING PROBLEMS

ENGINEERS

A. Z. RICHARDS
A. H. SORENSEN
A. Z. RICHARDS, JR.

CALDWELL, RICHARDS & SORENSEN, INC.

CHARLES R. KELLEY
GEORGE C. VANCE
LA MAR P. SMITH
IVAN B. HASLAM
G. EARL TORGERSEN

ENGINEERS & CONSULTANTS

408 ZIONS SAVINGS BANK BLDG.
SALT LAKE CITY 11, UTAH
PHONE: EMPIRE 4-5691

Filed 19789

June 18th

Mr. Thompson:

*I wish to express my
Appreciation for the information
which you phoned to day.*

Sincerely

A. Z. Richards

RECEIVED
JUN 19 1957
Department of Reclamation

19789

✓
19789

March 10, 1955

Mr. C. P. Jeppesen, Manager
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppesen:

We have your letter of November 5, 1954, enclosing
check for \$52.00, for which receipt is enclosed.

Our records show:

Decreed right with priority of 1921 for	80 c.f.s.
License right under Permit 18400, priority of	
November 17, 1936, for	70 c.f.s.
Additional proof of application to beneficial	
use under Permit No. 18400 can be made for	
80 c.f.s.	

Completion of Works and License enclosed under	
Permit No. 19789 for	150 c.f.s.

This gives you decreed and licensed rights for 300 cubic
feet per second with the possibility of making additional proofs
under Permit No. 18400 for 80 cubic feet per second with a priority
of about 1947 or 48.

Any additional, up to the measured 587 cubic feet per second
which was reported passing beneficially through your turbine, would
have to come from an additional permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll
Enc.

19789

TETON VALLEY POWER & MILLING CO.

Electric Department

DRIGGS, IDAHO

Nov. 5, 1954

RE: Permits No. 18400 and 19789

State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

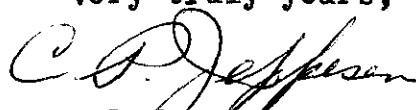
Dear Mr. Kulp:

On July 23, 1954, Mr. H.C. Eagle, Hydraulic engineer, of Mr. Lynn Crandall's Idaho Falls office, measured the total water being used at that time by our Teton River Plant, to be 587 cubic feet per second. At this time, output of plant was 2550 kw.

We now ask for license or permit to bring the total of our license or permits for use of water for generation purposes, to be 587 cu. sec. ft.

Inclosed find \$52.00 check for license and certificate of completion of works.

Very truly yours,



C.P. Jeppesen
Manager

aj.

RECEIVED

NOV 6 1954

Department of Reclamation

19789

✓
August 1, 1953

RE: Permit No. 19789

Mr. C. P. Jeppeson, Manager
Teton Valley Power & Milling Company
Driggs, Idaho

Dear Mr. Jeppeson:

We now have on file the report of our field engineer on re-examination for completion of works and beneficial use on Permit No. 19789.

Certificate of Completion of Works and License can be issued upon receipt of the statutory fees. These amount to \$47.00 for Certificate of Completion of Works and \$5.00 for License fee, or a total of \$52.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

19789

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

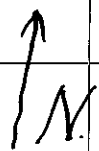
PERMIT NO. 19789

REPORT ON PROOF OF Completion of works and Beneficial use

TETON VALLEY POWER & MILLING COMPANY

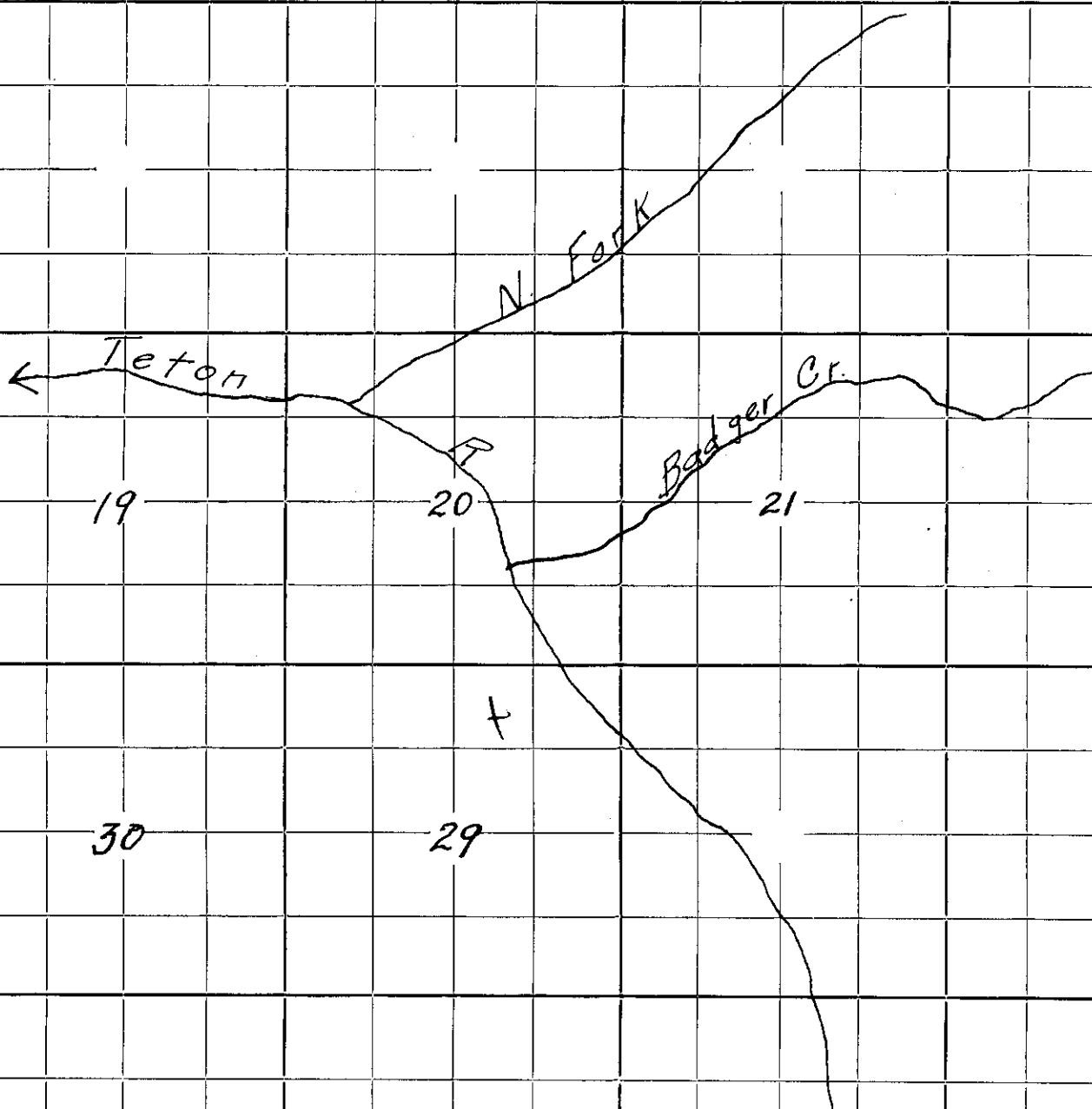
Driggs, Idaho

*150 cfs
apparently very low efficiency
SMR*



Twp 7N

R 44E.B.M.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 19789

This proof is for Completion of works and Beneficial use in Water District No. _____

1. Name of applicant Teton Valley Power & Milling Company, Driggs, Idaho
2. Source of water supply: Teton River
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29
T. 7 N. R. 44 E. County of Teton
4. Describe works as they exist, giving dimensions and capacities of same: Diversion dam is timber crib filled with rock and resting on rock bottom of river channel. Present water surface raised about 8 feet above normal river level. This would be increased to 10 feet or more at flood stages. Four 12' sluiceways are provided to spill flow of river. Some overtopping of cribbing and washing out of rock fill occurred during last high water. No significant storage above dam and no damage to anyone but power company if dam is overtopped or washed out.
5. Water is used for: Generation of power
6. State whether or not water has been turned into works of diversion: _____
Yes. Have been generating power for many years.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of Use: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, Township 7 North, Range 44 East, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Teton River

Remarks: Following are results of current meter measurements;

<u>Location</u>	<u>Discharge in cfs</u>	
	<u>March 15, 1951</u>	<u>Sept. 24, 1952</u>
<u>Teton River near Tetonia</u>	<u>221</u>	<u>317</u>
<u>Teton River above Power Plant</u>	<u>320</u>	<u>420</u>
<u>Gain in section</u>	<u>99</u>	<u>103</u>
<u>Teton River below intake tunnels</u>	<u>-</u>	<u>155</u>
<u>Discharge thru power plant</u>	<u>-</u>	<u>265</u>

Average power output during measurement 139 amps @ 2200 volts
Present peak load 230 " " " "
Probable peak in December 270 " " " "

This examination was made on the 24 day of September, 1952

(Signed) _____

H. C. Eagle
Examiner.

19789

Teton Valley Power & Milling Co.

Driggs, Idaho

Permit No. 19789

Examination for Completion of Works and

Beneficial Use

County Teton

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

18400
19789

March 4, 1953

Mr. J. N. Jeppeson, President
Teton Valley Power & Milling Company
Driggs, Idaho

Dear Mr. Jeppeson:

Before issuing a license we hope it will be possible to get clarification, or a recheck of the data for error or mistake. The tests should show a better ratio of water to power generated.

In fact, the power output for the water used appears to be about one-half the amount it should be.

We feel that a license for more than a reasonable amount of water would be subject to attack at some future date, and is indeed even prohibited under the statutes.

Further action will not be taken until we hear from you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

19789

February 21, 1953

Mr. C. P. Jeppesen, Manager,
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppesen:

Thanks for your letter of February 15th, which reached us this morning.

There is a problem with flood water on the lower section of the Teton River, but we do not have any information regarding a proposed dam for flood control.

Enclosed are forms for making application on flood waters to be stored, also enclosed are instructions for making same.

For your further information, flood water is the only water you can store. When the irrigation season is on you will have to allow the normal flow to pass through the reservoir.

I have not yet taken time to analyze the data you have sent, but will do so as soon as possible, so am in no position to comment on same at this time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

19789

745 lb water = 1 hp.

2 new 1500 hp units Jan 25-46
85' head

Old one = 250 KW, 6600 amp.
5'40" X 5' penstock.

$$\frac{265 \text{ ch} \times 6.5}{7.71} = \text{Flow} \times H \times F = 25564$$

7.71

25564 = 57800 W.

265

12000 peak use = 574000 W.

5.5

57450 hp.

1.8

21.25

21.25 = 500 25564 hp.

7 x 1.5 = 49125

26.5

4.05

7 x 49125 = 343875
750

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$$\begin{array}{r}
 2200 \\
 \underline{270} \\
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 \underline{4400} \\
 594000.0 \quad 796 \text{ hr.} \\
 \underline{52192} \\
 72080 \\
 \underline{67104} \\
 49760
 \end{array}$$

$$\begin{array}{r}
 725.6 \\
 \underline{2556} \\
 44736 \\
 \underline{30280} \\
 30280 \\
 \underline{14912} \\
 1,828,753.6
 \end{array}$$

$$\begin{array}{r}
 .32 \\
 \underline{1828753} \overline{) 594000.0} \\
 \underline{5486259} \\
 4537410
 \end{array}$$

We have the data now on
the generator.

None are being generated at
rated head.

Looks to be very inefficient.
What do you suggest??

TETON VALLEY POWER & MILLING CO.

Electric Department

DRIGGS, IDAHO

February 13, 1953

RE: Permis Nos. 18400 and 19789

RECEIVED
FEB 21 1953
Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

ATT. Mr. E. N. Humphrey

Dear Mr. Humphrey:

As you probably know, the flow of Teton River the past few months has been abnormal and quit unpredictable. For the past 30 days I have been quit busy pushing the installation of a diesel generating unit for auxilary power. I hope this excuses the delay in answering your letter of January 12. 1953.

I also feel there is something wrong with our last survey and suggest that I contact Mr. Crandall's office in Idaho Falls and ask Mr. Eagle to help us make another survey in the near future.

While the survey is in progress I will measure our load with a Tong Test Ammeter, which I think may be more accurate than the instruments now on our switch board, and we will then compute the amount of water passing thru each machine running.

Recently, I have heard rumors of a Dam to be built in Teton River Canyon to control flood waters causing damage near Sugar City, Newdale, and Teton City, Idaho. Can your office tell me anything definite about this proposed development?

At this time, will your office outline for us, the procedure nessary for us to go thru to obtain a permit from your department to build a dam and reservoir in Teton River Canyon near our present Hydro plant?

Very truly yours,



C. P. Jeppesen, Manager

aj.

19789

Unit #1 Designed for 250' head. Now operating under aprox. 80' head

Generator - Westinghouse - A.C.
250 K.W., 6600 Volt, Amps. Per Term., 21.8
3 Phase, Alternations 7200 Speed 450-RPM
Operating at 2300 Volt
Exciter - G.E. D.C.
9.5 KW, 115 Volt, Amps 76 Speed 450-RPM
TYPE CVC - Belt driven

Unit #2 Designed for 90' head Now operating under aprox. 80' head

Generator - G.E. A.C.
150 KW, 2300 Volt, Amps 37.5
3 Phase, 60 cy Speed 900 RPM
TYPE ATB8-150-900 Form RC
Exciter - G.E. D.C.
7 KW, 125 Volt, Amps 56
Excitor volts 80 Speed 1800 RPM
TYPE CVC 113 Form AA1055
Belt driven

Unit #3 Designed for 250' head Now operating under aprox. 80' head

Generator - Westinghouse, A.C.
250 KW, 6600 Volt, 21.6 Amps Per Term.
3 Phase, 60 cy Speed 450 RPM
Exciter - Westinghouse, D.C.
9 KW, 125 Volt, 72 Amps
Direct Connected

Unit #4 Designed for 40' head Now operating under aprox. 68' head

Generator - G.E. AC
900 KVA, 2300 Volt, Amps-Field 94, Arm. 226
3 Phase, 60 cy, Speed 360- RPM Excitation Voltage 125
TYPE ATB 20-900M-360 Form S
Exciter - M.G. Set.
Motor- G.E. Induction
40 H.P. 2300 Volt, Amps 10
3 Phase, 60 cy, Speed 865 RPM
TYPE KT 346-8-40-900
Generator-Westinghouse, D.C.
26 KW, 125 Volt, 208 Amps Speed 900RPM
TYPE SK

Unit #5 Designed for 40' head Now operating under aprox. 68' head

Generator - G.E. AC
500 KW, 2300 Volts, Amps 126
3 Phase, 60 cy, Speed 360 RPM
TYPE ATB, Class 20-500-A-360 Form S
Exciter - M.G. Set.
Motor -G.E. Induction
50 HP, 2300 Volt, Amps 11.5
3 Phase, 60 cy, Speed 1730 RPM
TYPE KT 527-4-50-1800, Form BL
Generator-G.E. D.C.
35 KW, 125 Volts, Amps 280, Speed 1800 RPM
TYPE CD 95, Form A, Model No. 54A29

19789

✓
January 12, 1953

RE: Permits Nos. 18400 and 19789

Teton Valley Power & Milling Company
Driggs
Idaho

ATT: Mr. Francis Longo

Dear Mr. Longo:

In checking the report on your installation, we do not yet have all the information necessary.

Will you please send us full specifications on each turbine unit and each generator unit used.

Then, as accurately as you can estimate, give us the operating head for each and the amount of water passing through each.

We realize that statements are on file regarding these matters, but in checking the output against the water used it seems there must be a mistake somewhere.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

19789

January 12, 1953

RE: Permits Nos. 18400 and 19789

Teton Valley Power & Milling Company
Driggs
Idaho

ATT: Mr. Francis Longo

Dear Mr. Longo:

In checking the report on your installation, we do not yet have all the information necessary.

Will you please send us full specifications on each turbine unit and each generator unit used.

Then, as accurately as you can estimate, give us the operating head for each and the amount of water passing through each.

We realize that statements are on file regarding these matters, but in checking the output against the water used it seems there must be a mistake somewhere.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

19789

November 29, 1952

RE: Permit No. 19789

Teton Valley Power & Milling Company
Driggs
Idaho

ATT: Mr. Francis Longo

Dear Mr. Longo:

The following information is needed in order to have the files complete and to determine the amount of water you will be entitled to under Permit No. 19789.

1. Please give us an accurate description of generators and turbines in both the old and new plants, giving name and address of manufacturer, operating head, r.p.m., capacity rating, etc., also volts, amps, K.W., K.V.A., etc., for generators.

2. Give operating head and penstock size for machines, both in new and old installations.

3. Give maximum output in K.W. of each unit in both the old and new.

4. Be sure to specify as to which constitutes the old unit and the new.

5. When Mr. Eagle took the output readings, which units were in operation?

Mr. Eagle's report is in and we will process your papers now as quickly as possible after receiving the additional information needed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

P. S. We would also like to have the efficiency rating of the machines.

19789

October 22, 1952

RE: Permit No. 19789

Mr. Lynn Crendell
Box 697
Idaho Falls, Idaho

ATT: Mr. H. C. Eagle

Dear Mr. Eagle:

We received the completion of works and beneficial use
examination report, made by you on the Teton Valley Power and
Killing Company's Permit No. 19789, the other day.

Thank you very much for making this inspection for us.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

19789



Len Jordan
~~GOVERNOR~~ GOVERNOR

MARK R. KULP, COMMISSIONER

STATE of IDAHO
DEPARTMENT OF RECLAMATION
LYNN CRANDALL, WATERMASTER
IDAHO FALLS, IDAHO

WATER DISTRICT No. 36

September 25, 1952

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

RECEIVED
SEP 27 1952
Department of Reclamation

Dear Mr. Kulp:

Herewith is data relative to measurements of Teton River in vicinity of power plant of Teton Valley Power and Milling Company made September 24, 1952.

The measurement of the river above power plant was made in a boat at upper end of forebay where velocities are quite slow. The measurement of flow bypassing power plant was made at upper end of the rock diversion dam.

Mr. Jeppeson stated that you had already been furnished with number and size of generating units, head on turbines, etc. If there is further information you need from them they will be glad to supply it.

If there is further data that you would like regarding my measurements please feel free to make further requests.

Very truly yours,

H. C. Eagle

H. C. Eagle

19789

September 9, 1952

Mr. H. C. Eagle, Deputy Watermaster
Water District No. 36
Box 697
Idaho Falls, Idaho

Dear Mr. Eagle:

In reply to your letter of September 8, 1952, we enclose
form for making report on the Teton Valley Power and Milling Com-
pany.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

14789



STATE of IDAHO
DEPARTMENT OF RECLAMATION
LYNN CRANDALL, WATERMASTER
IDAHO FALLS, IDAHO

WATER DISTRICT NO. 36

Len Jordan
GOVERNOR

Box 697

September 8, 1952

MARK R. KULP, COMMISSIONER

RECEIVED
SEP 9 1952

Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

I seem to have mislaid the form you sent to have filled out at time I make measurement of discharge thru power plant of Teton Valley Power and Milling Company. I expect to try again this week and would appreciate your sending me another form.

Very truly yours,

H. C. Eagle
E.

H. C. Eagle

19789



Len Jordan
~~GOVERNOR~~, GOVERNOR

MARK R. KULP, COMMISSIONER

STATE of IDAHO
DEPARTMENT OF RECLAMATION
LYNN CRANDALL, WATERMASTER
IDAHO FALLS, IDAHO

WATER DISTRICT No. 36

September 2, 1952

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Following Mr. Humphreys' recent visit we got in touch with the Teton Valley Power Company relative to measurement of flow thru their plant.

They advise that they expect to get the channel in shape for a measurement by Mr. Eagle about September 12.

Very truly yours,

Lynn Crandall

Lynn Crandall
Watermaster.

RECEIVED
SEP 3 1952
Department of Reclamation

14789



Len Jordan
~~C. A. ROBINSON~~ GOVERNOR

MARK R. KULP, COMMISSIONER

STATE of IDAHO
DEPARTMENT OF RECLAMATION
LYNN CRANDALL, WATERMASTER
IDAHO FALLS, IDAHO

WATER DISTRICT No. 36

December 26, 1951

RECEIVED
DEC 28 1951
Dept of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Re: 19789

Receipt is acknowledged of your report form for completion in connection with the application of the Teton Valley Power & Milling Company. I will endeavor to get all necessary information to properly complete this form.

Our plans to make measurements of water being used by plant on December 22 were interrupted by unfavorable weather. There is also some work remaining to be done on dam which will make possible a more accurate measurement of the water by-passing the power plant. I will make measurements when notified by Teton Valley Company that conditions are satisfactory.

Very truly yours,

H. C. Eagle
H. C. Eagle E.
Deputy Watermaster.

cc: Teton Valley Power & Milling Co.

19789

December 20, 1951

Re - 19789

Mr. H. C. Eagle
Deputy Watermaster
Idaho Falls, Idaho

Dear Mr. Eagle:

Mr. Kulp has informed me that you will measure the water for the Teton Valley Power and Milling Company, so that their filing can be completed and brought to license.

As you know, an inspection is required by law on a permit being brought to license. The report from these inspections should cover the physical plan in sufficient detail so that there is, on file in this office, sufficient information to show that the party has completed his agreement with the State, and that the issuance of a license is justified.

You will note on the report form, a set of instructions to the examiner. This set is for irrigation permits. Information required for the power filing is different and should include such things as generator number, size, make and any other pertinent specifications, especially the kilowatt and/or horse power capacity.

The same applies to turbines. There should also be a note regarding power-house, dam, spillway, tunnel, free-board, and the height of fall. One point of especial interest is the safety factor built into the dam, specifically the number of feet of free-board and the spillway capacity.

We appreciate very much your willingness to make this inspection for the department, and assure you that if we can reciprocate by helping you sometime in the future, we shall be very glad to do so.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg
Enc.

19789

19789

TETON VALLEY POWER & MILLING CO.

Electric Department

DRIGGS, IDAHO

November 27, 1951

RECEIVED
NOV 29 1951

State of Idaho
Department of Reclamation,
Boise,
Idaho

Department of Reclamation

Attn: Mr. Jack E. Nulp, State Reclamation Engineer

Dear Sir:

With reference to our conversation of the 14th, in regard to the filing for additional water for power generation at our generating plant on the Teton River, we have arranged the following.

Mr. Eagle plans on taking measurements at the plant on December 12th. This will probably be at a time when our peak may be close to maximum. Mr. Eagle visited this location today and has determined the points at which readings can be most accurately taken.

We shall withhold our filing for additional water until after Mr. Eagle has made these readings and advised us of their results.

Yours very truly,

Teton Valley Power and Milling Co.

Francis Longo

19789

RECEIVED
NOV 16 1951
Department of Reclamation

Len Jordan

Idaho Falls, Idaho
November 15, 1951

Mr. Curt Jepson
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jepson:

We have an inquiry from Mr. Kulp, State Reclamation Engineer, stating that they are holding up the issuance of your license permitting your use beyond the original 70 second-feet. They desire to get a discharge measurement of water going thru plant at time it is fully loaded before issuing a license. They have asked us for suggestions as to how this may be done.

I can come up and make a measurement whenever it is convenient to you if it is possible to make a current meter measurement of this flow. Would it be feasible to measure at the head of the diversion tunnel. I don't remember the exact physical conditions but think a measurement could be made if there were a foot walk immediately outside the tunnel.

Will you send us any suggestions you may have as to how and when this measurement could be obtained.

Very truly yours,

H. C. Eagle
Deputy Watermaster.

cc: Mark Kulp, Boise

19789

19789

November 14, 1951

Mr. Lynn Crendall
Box 697
Idaho Falls, Idaho

Dear Mr. Crendall:

In 1947 the Teton Valley Power & Milling Company made proof of application to beneficial use of 150 cubic feet per second of the waters of Teton River in addition to their existing license for 70 cubic feet per second.

Our field engineer was unable to measure the flow of the water at the time of his inspection and we have not yet issued a license.

The company is entitled to the maximum amount put to beneficial use which is probably at a time when the power demand approaches the maximum and the flow of the stream is large enough to operate the plant at full load. This time would occur during the winter season which is the period of greatest demand, but also of minimum river flow.

Do you have any suggestions as to how we can make a satisfactory measurement of the amount of water put to beneficial use?

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

19789

June 22, 1948

Re: Permit No. 19789

Mr. J. N. Jeppesen, Pres.,
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppesen:

In reply to your letter of June 18, 1948 in regard
to your Permit No. 19789:

It was impossible to make the field inspection last
Fall as we anticipated but we shall do this at the first op-
portunity this Summer.

When this inspection has been made and report filed,
license can be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

19789

TETON VALLEY POWER & MILLING CO.
ELECTRIC DEPARTMENT

DRIGGS, IDAHO, June 18, 1948

State of Idaho
Department of Reclamation,
Boise,
Idaho.

Att: Reclamation Engineer

Dear Sir:

As yet we have no license to use the 150 cu. ft.
of water as applied for in our application no. 19789.

During our heaviest load period last Winter we
used more than 230 cubic feet per sec.

When may we expect this license.

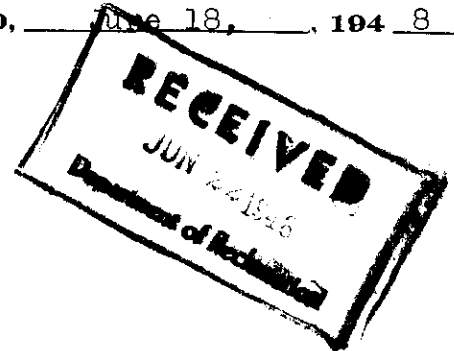
Yours very truly,

Teton Valley Power and Milling Co.

by

J. H. Apperson

Brasileant
19789



AFFIDAVIT OF PUBLICATI

State of Idaho, }
County of Teton, } ss.

I, V. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Proof

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for Four
consecutive issues thereof; first publica-
tion having been made on the 2nd
day of October, 1947,
and last publication on the 23rd
day of October, 1947.

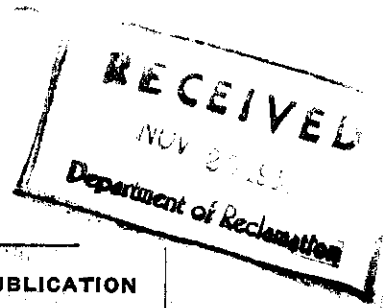
And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V. E. Lansberry
Subscribed in my presence and sworn
to before me this 7 day of
November, 1947.

Notary Public for the State of
(SEAL) Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

October 1, 1948, 1948.



NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at
10:00 a.m. on the 1st day of No-
vember, 1947, at Driggs, County
of Teton, State of Idaho, before
Dwight W. Loosli, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 150
cubic feet per second of the waters
of Teton River in accordance with
the terms and conditions of Per-
mit No. 19789 heretofore issued
by the Department of Reclamation
of the State of Idaho.

The name and postoffice ad-
dress of the person or corporation
holding said permit are Teton Val-
ley Power and Milling Co., Ltd.,
Inc., Driggs, Idaho. The use to
which said water has been applied
is for Power Generation Purposes.

The amount applied to benefi-
cial use is 150 cubic feet per sec-
ond.

The place where said water is
used is Teton River Generating
Plant, of Teton Valley Power and
Milling Co., approximately 6 miles
west of Felt, Teton County, Idaho,
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29,
Township 7 North, Range 44 East,
B. M.

The right to take water from
such works is based upon Permit
No. 19789.

The source of supply from which
such water is diverted is Teton
River.

The date of priority which said
user is prepared to establish is
February 2, 1946.

MARK R. KULP,
State Reclamation Engineer
Publish Oct. 29-16-23 19789

19789

✓
November 4, 1947

Re: Permit No. 13789

Mr. J. H. Jappeson, President,
Teton Valley Power & Milling Co.
Briggs, Idaho

Dear Mr. Jappeson:

I acknowledge receipt of the depositions of yourself and two witnesses, also the affidavit of publication in the Teton Valley News, all in proof of beneficial use under your Permit No. 13789.

As you understand, no final action can be taken in the matter, until after a field examination and report by an engineer from this Department.

We are not sure just when this examination can be made, as it is now rather late in the season, but Mr. Tolman, our Field Engineer, will contact you at the time he makes the examination, so that you can furnish him with whatever assistance is necessary.

Very truly yours,

M. K. RULP
State Reclamation Engineer
By

Chief Clerk

19789

AFFIDAVIT OF PUBLICAT

State of Idaho, }
County of Teton, } ss.

I, V. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for Four
consecutive issues thereof; first publica-
tion having been made on the 2nd
day of October, 1947,
and last publication on the 23rd
day of October, 1947.

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type, matter, of at least seventeen and
three-fourths inches deep.

V. E. Lansberry

Subscribed in my presence and sworn
to before me this 31 day of

October, 1947.

Dwight W. Loosli

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

Jan 26, 1947

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at
10:00 a.m. on the 1st day of No-
vember, 1947, at Driggs, County
of Teton, State of Idaho, before
Dwight W. Loosli, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 150
cubic feet per second of the waters
of Teton River in accordance with
the terms and conditions of Per-
mit No. 19789 heretofore issued
by the Department of Reclamation
of the State of Idaho.

The name and postoffice ad-
dress of the person or corporation
holding said permit are Teton Val-
ley Power and Milling Co., Ltd.,
Inc., Driggs, Idaho. The use to
which said water has been applied
is for Power Generation Purposes.

The amount applied to benefi-
cial use is 150 cubic feet per sec-
ond.

The place where said water is
used is Teton River Generating
Plant of Teton Valley Power and
Milling Co., approximately 6 miles
west of Felt, Teton County, Idaho,
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29,
Township 7 North, Range 44 East,
B. M.

The right to take water from
such works is based upon Permit
No. 19789.

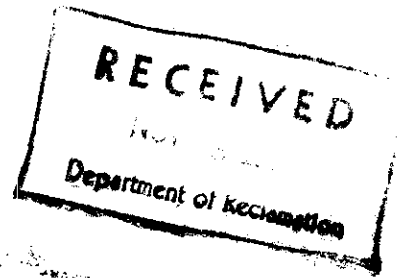
The source of supply from which
such water is diverted is Teton
River.

The date of priority which said
user is prepared to establish is
February 2, 1946.

MARK H. KULP,
State Reclamation Engineer
Publish Oct. 2-9-16-23

19789

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19789

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Teton Valley Power and Milling Co. (A Corporation) Electric

Public Utility, Driggs, Idaho, J. N. Jeppesen, President

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

Ans. Teton Valley Power & Milling Co., Driggs, Idaho

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

Ans. 19789, April 9, 1946, Date of priority, February 2, 1946

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

Ans. Teton River, N. 21°28' E. 10,080 feet distant from the S.W. corner of Section 32, T. 7N. R44E. B.M. and is in the NW¼ NE¼ Sec. 29, T 7N. R 44E. B.M. County of Teton.

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

Ans. Tunnel, Pipeline and Power house. Tunnel and Pipeline capable of conveying 150 cubic feet of water per second. Water diverted from Teton River.

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

Ans. Water to be used for Power Generating purposes at power house located N. 13°47' E. 10570 feet distant from the S.W. corner of Section 32, T. 7N. R. 44E. B.M. in the NW¼ NE¼ of Section 29, T. 7N. R 44E. B.M. for the generation of 1500 Horsepower under 85 feet of head.

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

Ans. Water used for Power Generation of 1500 horsepower under 85 feet of head.

19789

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 150 cubic feet per second

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

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Since February 2, 1946, 150 cubic feet per second, in its entirety has been used for power generation purposes at peak load of generator.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.
Ans. All water we use is for generating power, none for irrigation.

Teton Valley Power & Milling Co.

(Sign) by *J. H. K. P. C. C.* President

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Driggs, County of Teton, State of Idaho, on this 1st day of November, A. D. 1947.

My commission expires

August W. Wooten
June 23, 1948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19789

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Ray S. Griffith, 27 years, Driggs, Idaho, occupation
electrician/lineman

Ques. 2. Are you acquainted with J. N. Jeppesen, the
holder of Permit No. 19789? How long have you known him and where does he reside?

Ans. I have known Mr. Jeppesen 20 years. He resides in
Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 19789, and are you familiar
with its provisions and conditions?

Ans. Yes

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

Ans. Teton River, approximately 6 miles west of Felt Idaho.
Works consist of screens, headgate, tunnel and pipeline
conveying water to power house.

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

Ans. 150 cubic feet per second.

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

Ans. Water is used for generation of electricity.

19789

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

Ans. This water is used to full capacity during peak load
to generate electricity.

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

Ans.

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

Ans. I have no interest in these works, other than being an
employee of the Teton Valley Power and Milling Co.

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

Ans. On October 27, 1946 I witnessed this generator operating
to what I would estimate its full capacity.

(Signed) Ray S. Griffith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Driggs, County of Teton, State of Idaho, on this 1st day of November, A. D. 1947.

My commission expires June 26 - 1948
Dwight W. Rosali
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19789

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Jesse D. Aller, age 36 years, Driggs, Idaho, occupation
electrician/ lineman.

Ques. 2. Are you acquainted with J. N. Jeppesen, the
holder of Permit No. 19789? How long have you known him and where does he reside?

Ans. I have known Mr. Jeppesen 15 years. He resides in
Driggs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19789, and are you familiar
with its provisions and conditions?

Ans. Yes.

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

Ans. Teton River approximately 6 miles west of Pelt Idaho.
Works consist of screens, headgate, tunnel and pipeline
conveying water to power house.

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

Ans. 150 cubic feet per second.

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

Ans. Water is used for generation of electricity.

19789

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

Ans. This water is used to full capacity during peak loads
to generate electricity.

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

Ans.

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

Ans. I have no interest in these works, other than being an
employee of the Teton Valley Power and Milling Co.

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

Ans. On October 27, 1946 I witnessed this generator operating
to what I would estimate its full capacity.

(Signed) Jesse Allen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Driggs, County of Teton, State of Idaho, on this 1st day of November, A. D. 19 47.

My commission expires

Nugent W. Lovell
Notary Public.
June 26, 1948

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, October 22, 1947

Re: Permit No. 19789
Teton Valley P. & I. Co.

Mr. Dwight W. Loosli,
Notary Public
Driggs, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19789

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

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

1. On November 1, 1947, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Driggs, Idaho before Dwight W. Loosli, Notary Public

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KULP
Commissioner of Reclamation,
State Reclamation Engineer

19789

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: Sept. 25, 1947

Re: Permit No. 19789

Teton Valley News

Briggs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 1, 1947. the date set for proof, the expense of the publication to be paid by the applicant, Teton Valley Power & Milling Co. of Briggs, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19789

✓
September 12, 1947

Re: Permit No. 19789

Teton Valley Power & Milling Co.
Driggs, Idaho

Attention- Francis Longo

Dear Sirs:

We enclose herewith the approval of the State Reclamation Engineer for extension of time for making proof of beneficial use under Permit No. 19789, to November 1, 1947

A copy of the notice in connection with this proof has been sent to the Teton Valley News, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send you the affidavit of publication, together with statement of publication costs.

About ten days prior to the date set we shall send to Mr. Dwight W. Loosli, Notary Public, the necessary forms of deposition, consisting of one for yourselves, and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set, you should appear before Mr. Loosli, with two disinterested witnesses, who are familiar with the terms of the permit, and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A
Enc.

19789

STATE OF IDAHO
Department of Reclamation

Permit No. 19789

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO
County of Teton } SS

Teton Valley Power & Milling Co., of Driggs, Idaho
by Francis Longo, asst manager
State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19789

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by October 9th, 1947

That he has heretofore put to beneficial use 150 second feet of water and has irrigated _____ acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: Original permit was misplaced. Certified copy of this permit was not obtained in sufficient time to allow required time for proof of use.

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the making of proof of beneficial use under said permit to November 1, 1947

Subscribed and sworn to before me this 10th day of Sept, 1947

My commission expires 8/28/51

Notary Public.

Date of receipt at office of Department of Reclamation Sept. 12, 1947

STATE RECLAMATION ENGINEER

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

I, Mark R. Kulp, ~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. 19789, to

November 1, 1947

Witness my hand this 12th day of September

19789
Mark R. Kulp
State Reclamation Engineer

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept. 10, 1947

(P. O.) Driggs Idaho

STATE RECLAMATION ENGINEER:

TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Teton Valley News of Driggs, Idaho, published in
the county in which the works are situated.

Teton Valley Power and Milling Co.
by Francis Longo

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

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

J. Ross Wilson

Engineer.

19784

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 15th day of November, 1947
at Driggs, County of Teton, State of Idaho, before
Dwight W. Loosli, Notary Public, proof will be submitted of the
application to beneficial use of 150 cubic feet per second of the waters of Teton
River in accordance with the terms and conditions of Permit No. 19789
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Teton Valley Power and Milling Co. Ltd. Inc., Driggs, Idaho

The use to which said water has been applied is for Power Generating purposes

The amount applied to beneficial use is 150 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Teton River Generating Plant, of Teton Valley Power
and Milling Co., Approximately 6 Miles west of Felt,
Teton County, Idaho, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, Township 7 North,
Range 44 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is — —

The right to take water from such works is based upon Permit No. 19789

The source of supply from which such water is diverted is Teton River

The date of priority which said user is prepared to establish is February 2,
October, 1946

MARK R. KULP

State Reclamation Engineer.

19789

✓
September 8, 1947

Re: Permit No. 19789

Teton Valley Power & Milling Co.
Briggs, Idaho

Attention- Francis Longo

Gentlemen:

In reply to your letter of September 5th, we enclose herewith an application for extension of time for making beneficial use proof under Permit No. 19789.

The date of November 1st, as suggested by you, will be entirely satisfactory to this department. In fact, any date you may set will be all right with us, as the proof will no doubt be made at Briggs, and before a Notary whom you will designate in the notice.

We enclose duplicate forms for your use in mailing out the notice (Form 10). Both copies should be returned to this Department, together with Form 11; we shall then send a copy of the notice to the designated newspaper, with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

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Ehols.

19789

TETON VALLEY POWER & MILLING CO.
ELECTRIC DEPARTMENT

DRIGGS, IDAHO, September 5, 1947

State of Idaho,
Department of Reclamation,
Boise,
Idaho.

Att: Mr. Mark R. Kulp, State Reclamation Engineer

Dear Sir:

We are prepared to make beneficial use proof on our permit No. 19789 at this time. In order to provide sufficient time for the publication and to provide your office with the proper lapsed time required we believe it would be wise to set the date for the proof of use at November 1st, 1947.

Will you provide us with the necessary blanks for this extension of time? Will this time be agreeable to your office?

Yours very truly,

Teton Valley Power and Milling Co.

by

Francis Longo

RECEIVED

SEP 4

Department of Reclamation

19789

✓
August 28, 1947

Re: Permit No. 19789

Teton Valley Power & Milling Co.
Briggs, Idaho

Attention- Francis Longo

Gentlemen:

In reply to your request, we enclose herewith a certified copy of Permit No. 19789, together with Departmental Receipt No. 20124 for the \$1.50 fee for same.

As you will note, under the terms of this permit, beneficial use proof is due on or before October 9, 1947; and as per notice sent you notice of such proof must be published once a week for four consecutive weeks prior to that date.

Proof of completion of works under this permit was made on October 9, 1946; but certificate of completion of works has not been issued, pending final inspection by our Field Engineer when all the proofs have been made.

In case the forms for beneficial use proof notice enclosed in office letter of August 4th have been misplaced, we shall be glad to furnish other forms, upon request.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

P. S. If you are not prepared to make beneficial use proof at this time, an extension may be allowed; and an application for such extension will be furnished, upon request.

19789

TETON VALLEY POWER & MILLING CO.
ELECTRIC DEPARTMENT

DRIGGS, IDAHO, Aug. 25, 1947

State of Idaho,
Department of Reclamation,
Boise, Idaho.

Att: Mr. Mark R. Kulp, State Reclamation Engineer.

Dear Sir: Re: Yours of 22nd Inst.

Since we will require a copy of this permit it will be wise for us to have you furnish us with a certified copy at this time. Enclosed please find our check in the amount \$1.50.

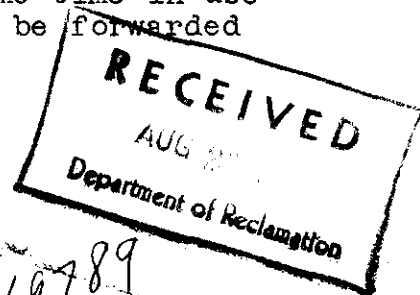
This plant is now and has been for some time in use and the proof of use your office requires will be forwarded upon completion.

Yours very truly,

Teton Valley Power and Milling Co.

by

Francis Longo



August 22, 1947

Re: Permit No. 19789

Teton Valley Power & Milling Co.
Driggs, Idaho

Attention- Francis Longo

Dear Miss Longo:

We are in receipt of your letter of August 18th, advising that the manager is away, and asking for a copy of Permit No. 19789.

This permit calls for 150 cubic feet per second of the waters of Teton River, for power purposes, with point of diversion N. 21°28' E. 10,000 feet from the SW corner Section 32, Twp. 7 North, Range 44 East, B.M., and in the NW 1/4 NE 1/4 Section 29, same township and range,

Place of use: North 18°47' East 10,070 feet from the SW corner Section 32, and in the NW 1/4 NE 1/4 Section 28, same township and range.

Date of filing February 2, 1946.

We think perhaps the above may give you the information required, but if you wish a copy of the permit itself shall be glad to furnish same. The cost will be \$1.00, or \$1.50 if certified.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19789

TETON VALLEY POWER & MILLING CO.

ELECTRIC DEPARTMENT

DRIGGS, IDAHO, August 18, 1947

State of Idaho,
Department of Reclamation,
Mr. Mark R. Kulp, Commissioner,
Boise,
Idaho.

Dear Sir:

We are in receipt of your letter of August 4th with blank notices of proof of use enclosed, in which case they are to be used with Permit No. 19789.

The manager of the company is away and not expected to return for some time and during his absence he has instructed me to attend to such matters, however I am unable to find this Permit number 19789.

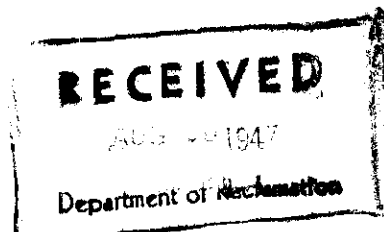
Would you be so kind as to forward a copy of this permit for our use at your earliest convenience? I sincerely trust that this will in no way cause you or your office any inconvenience and I will greatly appreciate the favor.

Yours very truly,

Teton Valley Power and Milling Co.

by

Francis Longo



19789

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 4, 1947

Teton Valley Power & Milling Co
C/o J. N. Jeppesen, President
Driggs, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19789. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than October 9, 1947, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19789

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

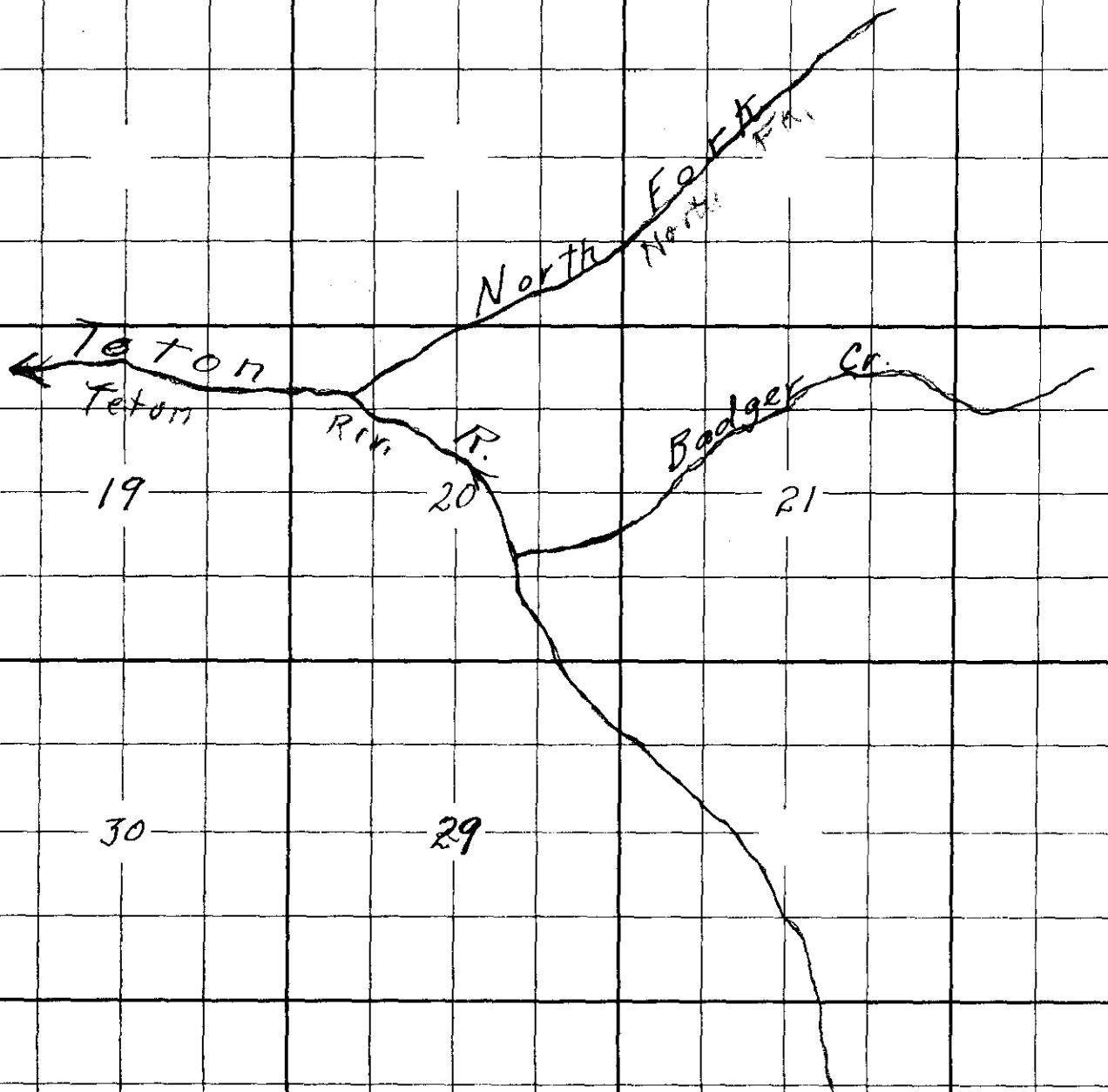
PERMIT NO. 19789

REPORT ON PROOF OF Completion of works



Twp 7N

R 44 E B.M.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19789

This proof is for Completion of works In Water District No.

1. Name of applicant Teton Valley Power & Milling Co., Driggs, Idaho

2. Source of water supply: Teton River

3. Location of point of diversion: Is in the NW¹ NE¹ of Section 29

T. 7 N. R. 44 E. County of Teton

4. Describe works as they exist, giving dimensions and capacities of same:

5. Water is used for: Generation of Hydro-electric power

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

(Submit map on attached plat, showing location and details of above description.

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the day of , 19

(Signed)

Examiner.

19789

Teton Valley Power & Milling Co.
J. N. Jeppeson, Pres.- Driggs,
Permit No. 19789 Idaho

Examination for Completion of works.....

County.....Teton

2

25-11-1957

10

— 2 —

[Handwritten signature]

Journal of Management Education 30(6)

100

in 1864

10

Talked to Longo on Aug 27-52

2000
 7 x 7 1/2 in.
 2000

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make a plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.

750. KVM - 750. KVM

2700 19. 11. 1920
2700 19. 11. 1920

50

250, KW
150, KW
250, KW

10

✓
October 21, 1946

Re: Permit No. 19789

Mr. J. N. Jeppeson, President
Teton Valley Power & Milling Co.
Briggs, Idaho

Dear Mr. Jeppeson:

We acknowledge receipt of the depositions of yourself and two witnesses, and affidavit of publication in the Teton Valley News, all in connection with completion of works proof under the above numbered permit.

The next time our field engineer, Mr. Tolman, is in that part of the state, he will make an examination of your project, and upon receipt of his report we shall advise you further as to his findings, and also the statutory fees in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19789

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Teton, } SS.

I, V.E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice for Publication

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for four
consecutive issues thereof; first publica-
tion having been made on the 5th

day of September, 1946

and last publication on the 26th

day of September, 1946

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V.E. Lansberry

Subscribed in my presence and sworn
to before me this 7th day of

October, 1946

[Signature]

Notary Public for the State of
(SEAL) Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

April 7, 1950

NOTICE FOR PUBLICATION

Notice is hereby given that at
10:00 a.m., on the 9th day of Oc-
tober, 1946, at Driggs, County of
Teton, State of Idaho, before J. N.
Jeppesen Jr., Notary Public, proof
will be submitted of the completion
of works for the diversion of 150
cubic feet per second of the waters

of the Teton River, in accordance
with the terms and conditions of a
certain permit heretofore issued by
the State Reclamation Engineer of
the State of Idaho.

1. The name of the person or cor-
poration holding said permit is
Teton Valley Power and Milling
Company.

2. The postoffice address of such
person or principal place of busi-
ness of such corporation is Driggs,
County of Teton, State of Idaho.

3. The number of such permit is
19789, and the date set for the
completion of such work is October
9th, 1946.

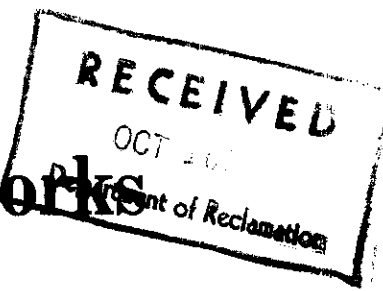
4. Said water is to be used for
Hydro-electric power generation
purposes.

5. Said works of diversion will
be fully completed on the date set
for such completion, and the
amount of water which said works
are capable of conducting to the
place of intended use, in accord-
ance with the plans accompanying
the application for such permit is
150 cubic feet per second.

19789 MARK R. KULP,
State Reclamation Engineer
Published S5-12-19-26

19789

PERMIT NO. 19789



Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. J. H. Appleson, Age 70 years, President of
J. H. Appleson, Driggs Idaho

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

Ans. Teton Valley Power & Milling Co., Driggs, Ida. ~~President~~
as its President.

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

Ans. Permit 19789 - 150 cubic feet per second
Source Teton River Diversion at Power Plant

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

Ans. for Hydo Electric Power

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

Ans. Water is now going through the
Pipeline and Water Wheel - to the full extent of 150 cu. ft.

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

Ans. Fully Completed and Comply in all respects

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

Ans.

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

Ans. approximately 500 ft. of 5 ft. dia. Iron pipe. One
Tunnell approximately 250 ft. long all 6 ft. square. Capacity
over 150 cu. ft. per second. Cost approximately \$35,000.00

(Sign here.)

J. H. Appleson

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

Driggs, County of
Teton, State of Idaho, on this 9th
October, A. D. 1946

My Commission expires

April 7, 1950

Notary Public.

19789

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

Permit No. 19789**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Ray Griffith Driggs, Idaho
apprentice LinemanQues. 2. Are you acquainted with John Van Dyke, the holder of Permit No. 19789, authorizing the diversion of 150 second-feet of the waters of Teton River, at 9 miles west of Driggs, Idaho for Power purposes? How long have you known him, and where does he reside?Ans. 15 Years Driggs, IdahoQues. 3. Have you read or heard read said Permit No. 19789, and are you familiar with its terms and conditions?Ans. Yes

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

Ans. _____

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

Ans. Yes

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

Ans. 500 ft pipe line 5 ft in diameter, 250 ft
tunnel Estimated Capacity 150 cubic ft.

(Sign here.)

Ray Griffith

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

County of Teton, State of Idaho, on this 9th
day of October, A. D. 1946[Signature]
19789

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

Permit No. 19789

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Jesse Allen Driggs Idaho
Lindeman

Ques. 2. Are you acquainted with Teton Valley Power & Mfg Co., the holder of Permit No. 19789 authorizing the diversion of 150 second-feet of the waters of Teton River, at 9 miles West of Holt for Power purposes? How long have you known him, and where does he reside?

Ans. 12 years Driggs

Ques. 3. Have you read or heard read said Permit No. 19789 and are you familiar with its terms and conditions?

Ans. Yes

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

Ans. _____

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

Ans. Yes

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

Ans. 250 ft tunnel 500 ft pipe 5 foot diameter
estimated capacity 150 cu. ft

(Sign here.) Jesse Allen

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

County of Teton, State of Idaho, on this 19th day of October, A. D. 1946

19789

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. J. N. Jeppeson, Jr.
Notary Public
Driggs, Idaho

Boise, Idaho, September 30, 1946

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit N~~19789~~-----

Deposition of Permit Holder,
Depositions of Two Witnesses.

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

1. On October 9, 1946-----, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Driggs, Idaho, before J. N. Jeppeson, Jr. Notary Public-----

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KULP
~~Commissioner of Reclamation~~
State Reclamation Engineer

19789

Dear Sir,

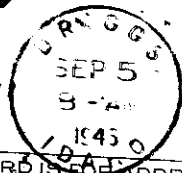
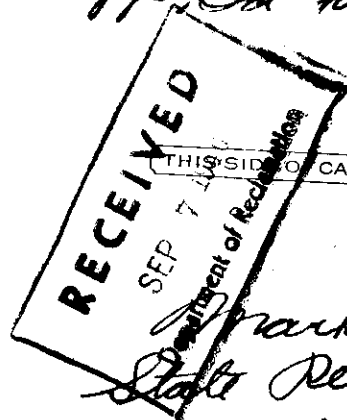
Sept - 4 - 46

I acknowledge notice of Publication
for "Teton Valley Power & Milling Co."
of Driggs, Idaho.

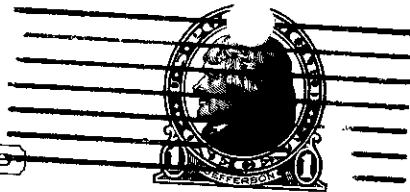
First Publication will be
on Thursday Sept 5 - 1946.

Thank you.
J. C. Lanberry 19789
Teton Valley News.

Newton Valley News
Krieggs, Tex. 40



THIS SIDE OF CARD IS FOR ADDRESS



Mark R. Kuep
State Reclamation Engineer
Lance, Idaho.

19789

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: August 31, 1946

Re: Permit No. 19789

Teton Valley News

Driggs, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to **October 9,**
1946 the date set for proof, the expense of the
publication to be paid by the applicant, **Teton Valley Power &**
Milling Co. of **Driggs, Idaho**, to whom
you should furnish affidavit of publication on or prior to
the date set for proof.

Please acknowledge receipt of this notice, and
furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19789

Notice for Publication

Notice is hereby given that at 10:00 AM, on the 9th day of October 1946, at Driggs, County of Teton, State of Idaho, before J. N. Jeppesen Jr., Notary Public proof will be submitted of the completion of works for the diversion of 150 cubic feet per second of the waters of the Teton River

.....in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Teton Valley Power and Milling Company

2. The postoffice address of such person or principal place of business of such corporation is Driggs, County of Teton, State of Idaho.

3. The number of such permit is 19789, and the date set for the completion of such work is October 9th, 1946

4. Said water is to be used for Hydro-electric power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 150 cubic feet per second.

6. ~~The amount of lands for which said water is available is~~ acres, particularly described as follows:

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

19789

✓
August 15, 1946

Re: Permit No. 19789

Mr. J. N. Jeppesen, President,
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppesen:

We acknowledge receipt of duplicate notice of completion of works proof to be made under the above numbered permit on October 9th, and also your authorization for us to have it published at your expense in the Teton Valley News.

A copy of the notice will be sent to the newspaper, with instructions to publish it once a week for four consecutive weeks prior to October 9th, 1946.

About ten days prior to the date set we shall send to Mr. J. N. Jeppesen, Jr., Notary Public, the proper forms of deposition, consisting of one for the holder and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear before the Notary Public, together with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19789

TETON VALLEY POWER & MILLING CO.

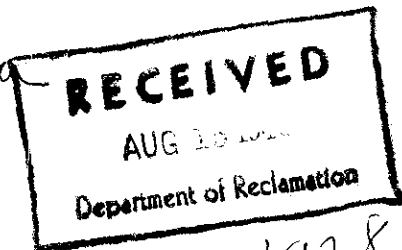
ELECTRIC DEPARTMENT

DRIGGS, IDAHO, _____, 194__

Substance:

*The only Paper issued in this
mch. is a Weekly - issued on
Hikay*

Supposed



19789

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 9th, 1946

(P. O.) Driggs, Idaho

STATE RECLAMATION ENGINEER :
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Teton Valley News of Driggs, Idaho, published in
the county in which the works are situated.

Teton Valley Power & Milling Co.
by J. W. H. Peterson President

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

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

T. Ross Wilson
Engineer.

19789

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Teton Valley Power & Milling Co.

C/o Mr. J. N. Jeppeson

Driggs, Idaho

Boise, Idaho, **August 1, 1946**

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19789.....

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof **MUST** be on or before October 9, 1946.. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

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

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

Very truly yours,

.....
MARK A. KILP
Commissioner of Reclamation
State Reclamation Engineer

19789

May 11, 1946

Re: Permit No. 19789

Teton Valley Power & Milling Co.
O/o Mr. J. N. Jeppesen
Driggs, Idaho

Gentlemen:

We acknowledge receipt of Surety Bond of
the National Surety Corporation, in the
amount of \$1,000, in connection with the
above numbered permit, which has been duly
placed on file.

Very truly yours,

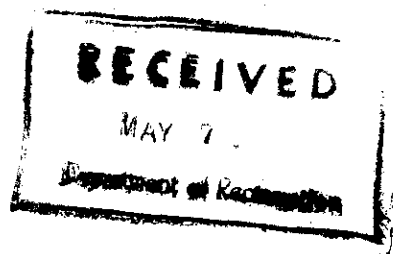
MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19789

Bond.



KNOW ALL MEN BY THESE PRESENTS, That Teton Valley Power and Milling Company
of Driggs, Idaho, as principal, and NATIONAL SURETY CORPORATION

as surety, are held and firmly bound unto the State of Idaho in the full
and just sum of ONE THOUSAND AND NO/100-- (\$1000.00--) Dollars,
lawful money of the United States, to the payment of which sum, well and truly to be made, said
principal and surety bind themselves, their heirs, administrators, executors and assigns, jointly and
severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the 2nd
day of February 19 46, filed in the office of the Commissioner of Reclama-
tion in Boise, Idaho, a certain application for permit to appropriate the public waters of the State
of Idaho, the said application being thereupon numbered No. 27293, in accordance with which said
application the Commissioner of Reclamation granted and issued to the said principal herein a cer-
tain permit numbered No. 19789, a full, true and complete copy of which application No. 27293
and permit No. 19789, is of record in the office of the Commissioner of Reclamation in Book
71 of Permits, at Page 19789.

Now, if the above bounden principal shall faithfully carry to completion the said works of diver-
sion as specified in said application No. 27293 and permit No. 19789, in the manner and form
prescribed therein and within the time therein allowed, then the above obligation to be void, otherwise
to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals,
this 2nd day of May 19 46

WITNESSES:

TETON VALLEY POWER & MILLING COMPANY
By [Signature] (SEAL)
NATIONAL SURETY CORPORATION (SEAL)
By [Signature] (SEAL)
Geo. C. Walker Attorney-in-Fact

STATE OF IDAHO, }
County of _____ } ss:

_____ of _____ and
_____ of _____ whose names
are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn,
upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho, and that he is worth the sum named
in said obligation, to wit, \$ _____, over and above all his debts and liabilities, exclusive of prop-
erty exempt from execution.

Subscribed and sworn to before me this _____ day of _____, 19 _____

19789

V

April 16, 1946

Re: Permit No. 19789

Mr. J. N. Jeppesen, President,
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppesen:

We are in receipt of your letter of April 13th, enclosing the above numbered permit, and requesting that the date of completion of works be changed to December 31, 1946.

Since this permit has already been executed and recorded with the six months time for completion of works, as applied for, it will be better for you to apply for the necessary extension on the form enclosed, rather than to change the original permit.

This extension application may be filed at any time, either now, or later, prior to October 9th, and such extension will be allowed, and duly recorded.

We are returning the permit herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A
Encls.

19789

TETON VALLEY POWER & MILLING CO.

ELECTRIC DEPARTMENT

DRIGGS, IDAHO, April 13, 1946

State of Idaho,
Department of Reclamation,
Boise,
Idaho.

Att: Mr. Mark R. Kulp.
State Reclamation Engineer

Dear Sir:

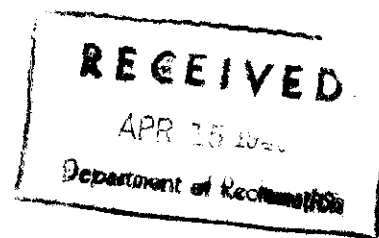
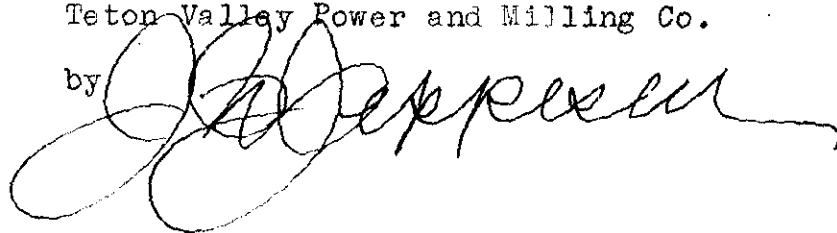
It will be safer for us if you will
please change the date of completion to Dec.
31, 1946.

We will get the bond made accordingly.

Yours very truly,

Teton Valley Power and Milling Co.

by



19789

April 10, 1946

Re: Permit No. 19789

Mr. J. N. Jeppesen, President,
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppesen:

We are enclosing herewith Permit No. 19789,
in the name of the Teton Valley Power & Milling
Company.

You will note that a bond is required to be
filed in this Department, in the sum of \$1,000,
on or before June 9, 1946, conditioned upon
faithfully carrying to completion the works of
diversion as specified in said permit and in
the application therefor.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

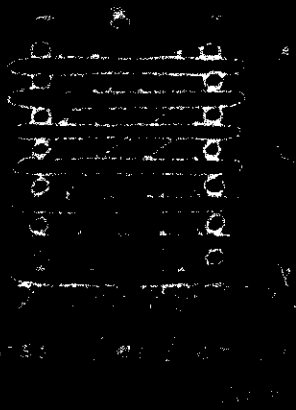
Chief Clerk

A
Encls. Permit 19789
Receipt # 19305

19789



Permit Map No. 19789
As Approved
APR 9 1946
MARK R. KULP
State Reclamation Engineer



19789

AFFIDAVIT OF PUBLICATION

State of Idaho, SS.
County of Teton,

I, V. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Application

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for Three
consecutive issues thereof; first publica-
tion having been made on the 14th
day of February, 1946,
and last publication on the 28th
day of February, 1946

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

V. E. Lansberry

Subscribed in my presence and sworn
to before me this 8 day of
March, 1946

W. E. Strong

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires
April 14, 1949

19789

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 41-203, IDAHO CODE
ANNOTATED.

State of Idaho
Department of Reclamation

Notice Is Hereby Given That on
the 2nd day of February, 1946, The
Teton Valley Power & Milling
Company (a corporation), of
Driggs, Teton County, Idaho, made
application to appropriate One hun-
dred fifty (150) cubic feet per sec-
ond of the waters of Teton River,
for power purposes.

That the point of diversion of
said water is located North 21 de-
grees 28 minutes East 10,080 feet
from the Southwest corner of Sec-
tion 32, Township 7 North, Range
44 East, B. M., and in the NW 1/4
NE 1/4 of Section 29, Township 7
North, Range 44 East, B. M.

That the point of use of said
water is located North 18 degrees
47 minutes East 10,570 feet from
the Southwest corner of Section 32,
Township 7 North, Range 44 East,
B. M. and in the NW 1/4 NE 1/4 of
Section 29, Township 7 North,
Range 44 East, B. M.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation within forty (40) days from
the date of this notice; and such
protest shall state the name and
address of the protestant and shall
clearly set forth his objections to
the approval of the said application.

Dated this 2nd day of February,
1946.

(Signed) MARK R. KULP,
State Reclamation Engineer
Date of first publication: February
14, 1946.
Date of last publication: February
28, 1946.
Last date of protest: March 14,
1946.

Service of the foregoing, by copy,
is hereby admitted this 4th day of
February, 1946.

19779
TETON VALLEY POWER &
MILLING COMPANY,
By J. N. Jeppesen,

✓

March 20, 1946

Re: Application No. 27293

Mr. J. N. Jeppeson
C/o Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppeson:

As you, of course, know, March 14th was the last day for protest on your above numbered application for permit.

No protest has been filed in this department, and therefore upon receipt of the affidavit of publication, which the Teton Valley News was instructed to send you, the application can be approved and permit issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19789

Dear Sirs:

We acknowledge receipt of
notice of publication. First
publication will be Feb.
14 - 1946.

Leban Valley News

19789

RECEIVED

FEB 11 1946

Department of Reclamation



THIS SIDE OF CARD IS FOR ADDRESS



Department of Reclamation
Boise, Idaho.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO,
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That on the 2nd day of February, 1946, The Teton Valley Power & Milling Company (a corporation), of Driggs, Teton County, Idaho, made application to appropriate One hundred fifty (150) cubic feet per second of the waters of Teton River, for power purposes.

That the point of diversion of said water is located North 21°28' East 10,080 feet from the Southwest corner of Section 32, Township 7 North, Range 44 East, B.M., and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 7 North, Range 44 East, B.M.

That the point of use of said water is located North 18°47' East 10,570 feet from the Southwest corner of Section 32, Township 7 North, Range 44 East, B.M. and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 7 North, Range 44 East, B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation within forty (40) days from the date of this notice; and such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of the said application.

Dated this 2nd day of February, 1946.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication:

Date of last publication :

Last date of protest: March 14, 1946

SERVICE of the foregoing, by copy, is hereby admitted this 4th
day of February, 1946.

TETON VALLEY POWER & MILLING COMPANY

BY *[Signature]*

19789

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO,
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That on the 2nd day of February, 1946, The Teton Valley Power & Milling Company (a corporation), of Driggs, Teton County, Idaho, made application to appropriate One hundred fifty (150) cubic feet per second of the waters of Teton River, for power purposes.

That the point of diversion of said water is located North 21°28' East 10,080 feet from the Southwest corner of Section 32, Township 7 North, Range 44 East, B.M., and in the NW¼ NE¼ of Section 29, Township 7 North, Range 44 East, B.M.

That the point of use of said water is located North 18°47' East 10,570 feet from the Southwest corner of Section 32, Township 7 North, Range 44 East, B.M. and in the NW¼ NE¼ of Section 29, Township 7 North, Range 44 East, B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation within forty (40) days from the date of this notice; and such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of the said application.

Dated this 2nd day of February, 1946.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication:

Date of last publication :

Last date of protest: March 14, 1946

SERVICE of the foregoing, by copy, is hereby admitted this _____
day of February, 1946.

TETON VALLEY POWER & MILLING COMPANY

By

19789

February 6, 1946

Re: Application No. 27293

Teton Valley News
Driggs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for three consecutive weeks, beginning with your next issue.

Please fill in the dates of the first and last publication, as indicated.

The cost of the publication is to be paid by the applicant, Teton Valley Power & Milling Company, C/o J. N. Jeppeson, Driggs, Idaho, to whom you should furnish affidavit of publication.

Please acknowledge receipt of this notice, and furnish this department with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19789

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 4, 1946

(P. O.) Driggs, Idaho

STATE RECLAMATION ENGINEER :
TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Teton Valley News of Driggs Idaho, published in
the county in which the works are situated.

Teton Valley Power Milling
by J. H. Apper

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

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

Engineer.

19789

February 2, 1946

Re: Application No. 27293

Mr. J. M. Jeppeson, President,
Teton Valley Power & Milling Co.
Driggs, Idaho

Dear Mr. Jeppeson:

We acknowledge receipt of the affidavit of residence in connection with the above numbered application, and also check for \$42.75, to include the \$42.25 filing fee, and 50 cents for prints to accompany the application.

We enclose duplicate copies of the Notice to be published, as provided by Section 41-203, Idaho Code Annotated. Please acknowledge service, on the line indicated, and return promptly to this department, together with your authorization on Form 11 enclosed, for us to have this notice published at your expense in the county newspaper designated.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

A
Incls.

19789

January 28, 1946

Mr. J. N. Jeppeson,
C/o Teton Valley Power & Milling Co.
Driggs, Idaho.

Dear Mr. Jeppeson:

We acknowledge receipt of your letter of January 25th, enclosing an application to appropriate 150 cubic feet per second of the waters of Teton River for power purposes, and note that this is intended to furnish water for a new 1500 H.P. unit which you are installing.

In order to complete this application, the following conditions are requisite:

1st: The application must be accompanied by the affidavit of residence on the form enclosed.

2nd: The filing fee must be paid, which amounts to \$42.25- being at the statutory rate of \$5.00 for the first second foot, and 25 cents for each additional second foot.

3rd: In lieu of requiring the usual tracing and prints to accompany your application, we will adapt prints from the tracing submitted with the application for your previous permit, No. 18400; the cost of having these prints made will amount to 50 cents.

4th. After the application is filed in this Department, notice of same must be published at your expense once a week for three consecutive weeks, in a newspaper in the county where the water is diverted.

After the issuance of the permit, a \$1,000 bond must be filed with this department, as provided by the next to last paragraph in Section 41-204, Idaho Code Annotated.

You still have rights under Permit No. 18400, which may prove to have some value, after the situation has been clarified. Some time during the year we will visit your plant and let you know what those rights are.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

K:A

19789

TETON VALLEY POWER & MILLING CO.

ELECTRIC DEPARTMENT

DRIGGS, IDAHO, January 25, 1946

State of Idaho,
Department of Reclamation,
Boise,
Idaho

Gentlemen:

We are installing 2 new 1500 Hp. units at our power plant on the Teton River. The intake and return will be about the same as our present plant. The buildings housing the old and new machines adjoin each other. The first unit will start operation this Fall. The other a year after.

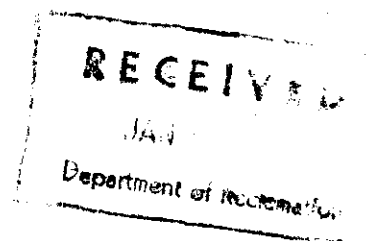
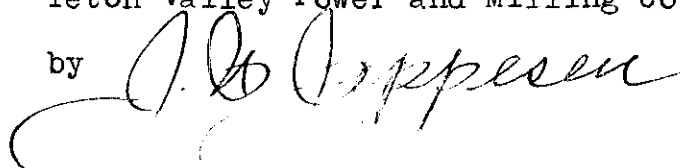
We do not know how to get permits to use water for these new turbines. We now have right to use 150 cubic feet of water for our present plant, but at times we are using considerably more than this and although we have made at least two applications prior to this time for 300 cubic feet each, your department has only allowed us a small amount of this giving as your reason that we werent using it all. However, attached, please find new application for water to operate one of the new units.

Trusting you will find this in order,
we remain,

Yours very truly,

Teton Valley Power and Milling Co.

by



19789

January 21, 1946

Teton Valley Power & Milling Co.
Briggs, Idaho

Attention- Francis Longo

Gentlemen:

We are in receipt of your request for blanks
for filing on water for power purposes.

Since you do not state whether you wish to apply
for a storage or flow permit, we are enclosing
a form for each- together with regulations and
instructions in regard to filing same.

We also enclose a form of affidavit to be executed
in connection with filing for power purposes.

Very truly yours,

MARK . KULP
State Reclamation Engineer
By

Chief Clerk

Encs.

19789

TETON VALLEY POWER & MILLING CO.

ELECTRIC DEPARTMENT

DRIGGS, IDAHO, January 19, 1946

State of Idaho,
Bureau of Reclamation,
Boise,
Idaho.

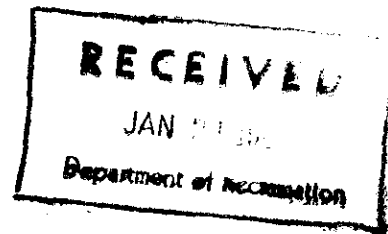
Gentlemen:

Please send us some blanks as used for
the filing on water for **power** purposes.

Yours very truly,

Teton Valley Power and Milling Co.

by *Francis Jongo*



19789

March 20th, 1920.

In Re Teton Valley Power & Milling
Company--Power Site Right of Way
Application.

Mr. B. . Driggs,

Attorney at Law,

Driggs, Idaho.

Dear Sir:--

Reference is had to the petition of the above stated company filed by you as attorney with the State Board of Land Commissioners under date of February 17th, 1920, which petition has been referred to this department for a report.

Pursuant to a request from this department, an affidavit setting forth the amount of construction work thus far performed and the financial responsibility of the applicant was executed by Mr. J. W. Jeppeson and received by this department under date of March 16th.

I am pleased to inform you that this affidavit contains the necessary information and I am, therefore, this day rendering a favorable report on this petition to the State Board of Land Commissioners. I am not able to say just when the Board will act upon this petition, but I presume it will be at their next meeting some time next week.

Very truly yours,

Commissioner of Reclamation

CS/FR

19789

March 20th, 1920.

In Re Teton Valley Power & Milling
Company. Power Site Right of way
application.

To the Honorable State Board
Of Land Commissioners,
Boise, Idaho.

Gentlemen:--

Reference is had to the petition of the Teton Power & Milling Company bearing date of February 17th, 1920, addressed to your Honorable Board asking for right of way for power purposes aggregating 3.81 acres in one parcel and 1.38 acres in another parcel, situate in Section 29, Township 7 North, Range 44 East, and more particularly described and shown on the attached map which accompanies the petition, which petition was referred to this department for report.

The records of this department disclose the fact that the petitioner is the owner of Permit No. 12756 bearing priority date of January 11th, 1917, for three hundred cubic feet per second of the waters of Teton River to be used for power purposes at the site for which right of way petitioner has in his petition asked.

Under the provisions of this permit one-fifth of the work must be done on or before August 20th, 1919, which date has expired. According to the attached affidavit of J. N. Jeppesen this requirement has been met and the permit, therefore, is valid and in good standing and represents the prior right to the use of the waters of Teton River for power purposes at this point.

19789

State Board of Land Commissioners --2

Concerning the financial ability of the applicant company to develop their proposed plant, permit me to refer you to the above stated affidavit which is attached hereto.

This department has not conducted a field examination of this site since this petition has been under consideration, but the writer has been familiar with this proposed site for a number of years last past and is, therefore, able to say that the right of way requested is necessary and essential to a proper development of this power possibility.

The description of the property as disclosed by the plat accompanying the petition has been checked and found to be correct and complete.

Since the petitioner owns the necessary prior water rights for this development and has shown its financial ability to construct the plant, it appears that the right of way should be granted.

Permit me, therefore, to recommend this petition to your favorable consideration.

Very truly yours,

Commissioner of Reclamation.

(Enclosures)

WGS/FR

19789

March 8th, 1920.

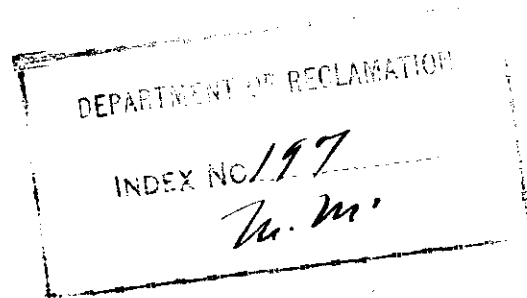
In the Teton Valley Power &
Milling Co. -- Right of
Way Application.

Mr. B. W. Briggs,

Attorney at Law,

Briggs, Idaho.

Dear Sir:--



Your application for right of way bearing date of February 17th, 1920, addressed to the State Board of Land Commissioners requesting a right of way for power purposes on the Teton River in Section 29, T. 7 N., R. 44 E. has been referred to this department for a report.

I find in looking up this matter that the Teton Valley Power & Milling Company are the owners of Permit No. 12756 bearing priority date of January 11th, 1917, calling for three hundred second feet of water for power purposes. Under the provisions of this permit one-fifth of the work was required to be done on or before July 20th, 1919.

Since the time for doing one-fifth of the work has elapsed, may I ask whether or not the work has been performed. If so, an affidavit should be submitted setting forth the fact that one-fifth of the work has been performed.

May I also have something concerning the financial responsibility of the applicant which will show its ability to construct the necessary works after this right shall have been granted.

These are not really statutory requirements, but are requested in order that the Board might follow up its policy of not

19789

Mr. D. A. Briggs- 2

permitting resources to be tied up unless real development is contemplated
and possible.

Very truly yours,

Commissioner of Reclamation

20/41

19789

N A M E	No. of Permit	P.O.D.	Date of Priority	Amount	Purpose	1/5 due	Comp. due	Remarks.
Geo. Robinson	9507	NE ⁴ -29-7N-44E	4/21/13	1000	Power	2/2/16	8/2/18	Lapsed
J. M. DeCoster	10001	" " " "	12/15/13	250	Power	9/5/16	3/5/19	Lapsed
Teton Valley Power & Mill- ing Co.	<u>12756</u>	" " " "	1/11/17	300	Power	7/20/19	1/2/22	O.K.
Featherstone & Newlyn	14006	" " " "	2/15/19	500	Power	11/9/21	5/9/24	O.K.
O. E. McCutcheon	14023	" " " "	4/28/19	200	Power	11/21/21	5/21/24	O.K.

ALL ON TETON RIVER IN TETON COUNTY.

12756 = 10' Dams
190' Tunnel - 4x4-2' arch
540' - 48" wood pipe

56' 1st ad
2 200 HP
7000. 3rd East

F.T.G.
3/3/20

19789

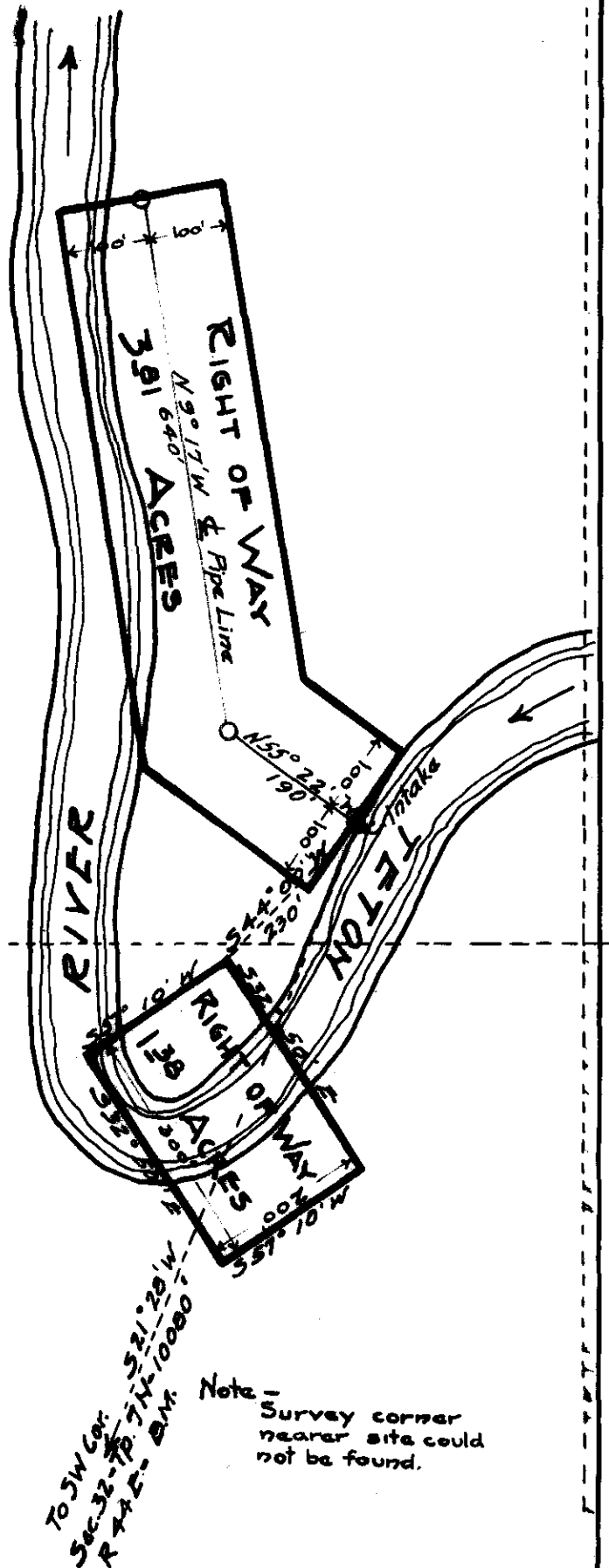
TETON VALLEY POWER & MILLING CO.

MAP SHOWING LOCATION OF LANDS REQUIRED FOR POWER SITE RIGHT OF WAY

Scale 1 in. = 200 ft.

1/4 Cor. SEC. 20
SEC. 29

TP. 7 N - R 44 E. - B.M.



NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 41-203, IDAHO CODE
ANNOTATED.

State of Idaho
Department of Reclamation

Notice Is Hereby Given That on
the 2nd day of February, 1946, The
Teton Valley Power & Milling
Company (a corporation), of
Driggs, Teton County, Idaho, made
application to appropriate One hun-
dred fifty (150) cubic feet per sec-
ond of the waters of Teton River,
for power purposes.

That the point of diversion of
said water is located North 21 de-
grees 28 minutes East 10,080 feet
from the Southwest corner of Sec-
tion 32, Township 7 North, Range
44 East, B. M., and in the NW $\frac{1}{4}$
NE $\frac{1}{4}$ of Section 29, Township 7
North, Range 44 East, B. M.

That the point of use of said
water is located North 18 degrees
47 minutes East 10,570 feet from
the Southwest corner of Section 32,
Township 7 North, Range 44 East,
B. M. and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 29, Township 7 North,
Range 44 East, B. M.

DAY, FEBRUARY 14, 1946

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation within forty (40) days from
the date of this notice; and such
protest shall state the name and
address of the protestant and shall
clearly set forth his objections to
the approval of the said application.

Dated this 2nd day of February,
1946.

(Signed) MARK R. KULP,
State Reclamation Engineer
Date of first publication: February
14, 1946.
Date of last publication: February
28, 1946.
Last date of protest: March 14,
1946.

Service of the foregoing, by copy,
is hereby admitted this 4th day of
February, 1946.

TETON VALLEY POWER &
MILLING COMPANY,
By J. N. Jeppeson,

NOTICE FOR FILING

Notice is hereby given that at 10:00 a.m., on the 9th day of October, 1946, at _____, County of Teton, State of Idaho, before J. N. Jeppesen Jr., Notary Public, proof will be submitted of the completion of works for the diversion of 150 cubic feet per second of the waters of the Teton River, in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of

OCTOBER 5, 1946

the State of Idaho.

1. The name of the person of corporation holding said permit is Teton Valley Power and Milling Company.

2. The postoffice address of such person or principal place of business of such corporation is Driggs, County of Teton, State of Idaho.

3. The number of such permit is 19789, and the date set for the completion of such work is October 9th, 1946.

4. Said water is to be used for Hydro-electric power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 150 cubic feet per second.

MARK R. KULP,

State Reclamation Engineer

Published S5-12-19-26

Oct. 2-1947

ed at \$500.00.

Unit No. 2: $S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ Sec. 16, Twp. 13 N., Rge. 43 E.B.M., containing 20.0 acres and appraised at \$500.00.

Unit No. 3: $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ Sec. 16, Twp. 13 N., Rge. 43 E.B.M., containing 20.0 acres and appraised at \$500.00.

Unit No. 4: $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$ Sec. 9., $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$ Sec. 10, Twp. 7 N., Rge. 44 E.B.M., containing 320.0 acres and appraised at \$8564.00 for the land and \$1318.00 for the lessee's improvements. Sum of \$840.00 building equity to be paid Alex Beckstead on day of sales.

TERMS OF SALE

This land to be sold in units as listed above, and no bid of less than the appraised price will be accepted.

One tenth ($\frac{1}{10}$) of the purchase price and interest at four per cent (4%) on balance of principal for remainder of year, cash on day of sale; balance in forty (40) annual installments at four per cent (4%) interest.

Lessee's improvements to be paid for in full on day of sale.

All sales are made subject to any valid interfering rights which may have existed prior to the date of sale except those for which allowance is made herewith.

By order of the State Board of Land Commissioners.

EDWARD WOOZLEY,
State Land Commissioner
A. P. No.

Publication commenced Oct 2, 1947.

Publication completed Oct. 23, 1947.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a.m. on the 1st day of No-

vember 1947, the water of the Teton River in accordance with the terms and conditions of Permit No. 19789 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Teton Valley Power and Milling Co., Ltd., Inc., Driggs, Idaho. The use to which said water has been applied is for Power Generation Purposes.

The amount applied to beneficial use is 150 cubic feet per second.

The place where said water is used is Teton River Generating Plant, of Teton Valley Power and Milling Co., approximately 6 miles west of Felt, Teton County, Idaho, in the $NW\frac{1}{4}$ $NE\frac{1}{4}$ Section 29, Township 7 North, Range 44 East, B. M.

The right to take water from such works is based upon Permit No. 19789.

The source of supply from which such water is diverted is Teton River.

The date of priority which said user is prepared to establish is February 2, 1946.

MARK R. KULP,
State Reclamation Engineer
Publish Oct. 2-9-16-23



1978

Sept. 12

of the Teton River, in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Teton Valley Power and Milling Company.

2. The postoffice address of such person or principal place of business of such corporation is Driggs, County of Teton, State of Idaho.

3. The number of such permit is 19789, and the date set for the completion of such work is October 9th, 1946.

4. Said water is to be used for Hydro-electric power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 9th day of October, 1946, at Driggs, County of Teton, State of Idaho, before J. N. Jepsen Jr., Notary Public, proof was submitted of the completion of diversion of 150 cubic feet per second.

MARK R. KULP,
State Reclamation Engineer

Published S5-12-19-26



• Roy W. Thompson
Three tunnel intakes
through Tunnel Ridge

Apr 15-1957

A. J. Richards

CALDWELL, RICHARDS & SORENSEN
"ENGINEERS"

408 Zions Savings Bank Building

Salt Lake City 1, Utah

Teton Valley Power & Milling
Co. Plant on Teton River near
Tetonville

Teton Valley N.

THURSDAY, FEBRUARY 21, 1946

the voting Range 44 East, B. M.
unity will be That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation within forty (40) days from
the date of this notice; and such
protest shall state the name and
address of the protestant and shall
clearly set forth his objections to
the approval of the said application.
Dated this 2nd day of February,
1946.

(Signed) MARK R. KULP,
State Reclamation Engineer
Date of first publication: February
14, 1946.
Date of last publication: February
28, 1946.
Last date of protest: March 14,
1946.
Service of the foregoing, by copy,
is hereby admitted this 4th day of
February, 1946.
TETON VALLEY POWER &
MILLING COMPANY
By J. N. Jeppesen.

places will be the
building at Felt; the
ol building at Teton; the
school gymnasium at
and the old Farmer Stake
building at Victor.
names of the registrars are
Precinct—Mrs. Hattie Hen-
on.
onia Precinct — Luella Full-
riggs Precinct—Lucy Andrews.
ictor Precinct—Nellie Johnson.
The above precincts, polling
aces and registrars will serve for
e coming nominating and general
lections, to be held during the
year 1944.
DWIGHT STONE,
Clerk of the Board of County Com-
missioners.

**NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE
WITH THE PROVISIONS OF
SECTION 41-203, IDAHO CODE
ANNOTATED.**

State of Idaho
Department of Reclamation
Notice Is Hereby Given That on
the 2nd day of February, 1946, The
Teton Valley Power & Milling
Company (a corporation), of
Driggs, Teton County, Idaho, made
application to appropriate One hun-
dred fifty (150) cubic feet per sec-
ond of the waters of Teton River,
for power purposes.

That the point of diversion of
said water is located North 21 de-
grees 28 minutes East 10,080 feet
from the Southwest corner of Sec-
tion 32, Township 7 North, Range
44 East, B. M., and in the NW 1/4
NE 1/4 of Section 29, Township 7
North, Range 44 East, B. M.

That the point of use of said
water is located North 18 degrees
47 minutes East 10,570 feet from
the Southwest corner of Section 32,
Township 7 North, Range 44 East,
B. M. and in the NW 1/4 NE 1/4 of
Section 29, Township 7 North.

**NOTICE OF ELECTION OF
WATERMASTER**
Notice Is Hereby Given
pursuant to Law the
annual Meeting for the
Watermaster for
District No. 36
held at
Falls.