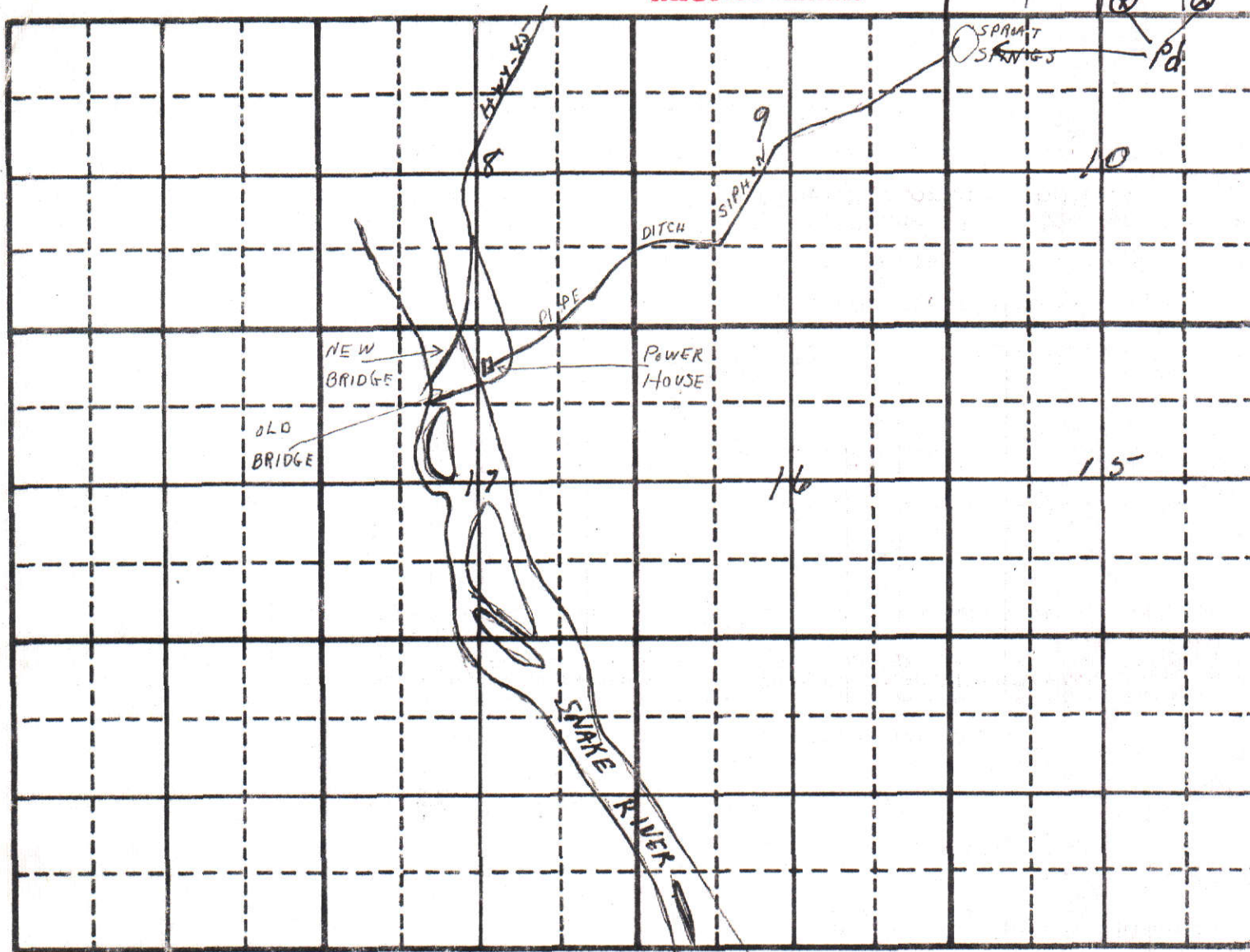


Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

MICROFILMED

1 S, R 2 W, B. M.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Melba, Idaho, this day of November, 19 83.

Reynolds Irrigation Dist.
(Signature)
by Jerry L. Hoagland
Director

FOR DEPARTMENT USE ONLY

Preliminary check by 645 Fee = \$20.00 32480 Received by JP Date 11/4/83
Publication prepared by JP Date 11/10/83 Published in Press-tribune
Publication dates 11/17/83 11/24/83

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Amendment provided the conditions as set forth on
page 4 of Permit No. 63-9368 are met.

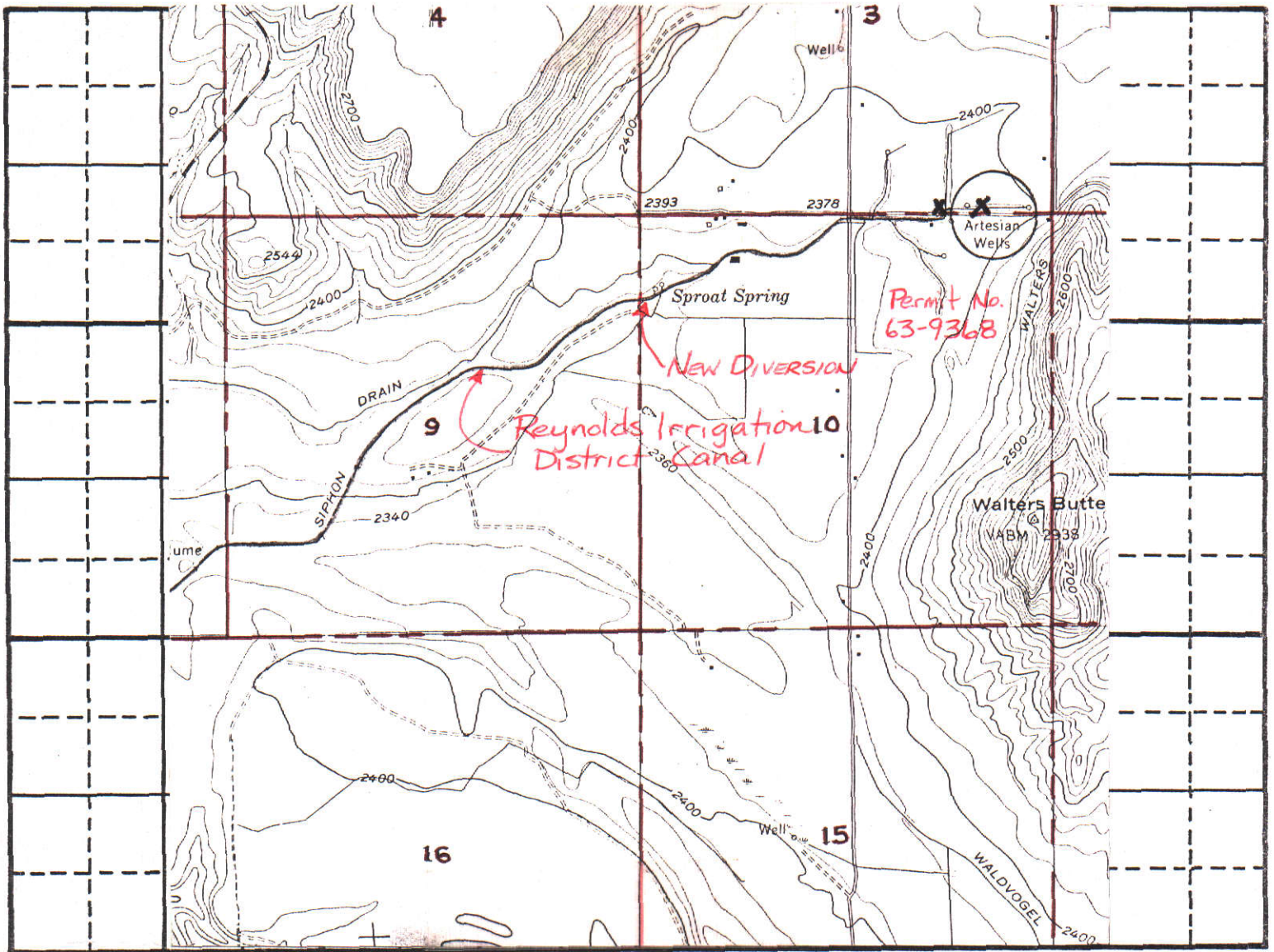
Witness my hand this 5 ^{*th*} day of January, 19 84.

L. Glen Saxton
Chief, Operations Bureau

96091

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at melba, Dec 8:50 am, this 26th day of November, 1980.

X Sam C. Pittman
(Signature)
Director, Reynolds Irrig. Dist.

FOR DEPARTMENT USE ONLY

Preliminary check by GLS Fee = \$20.00
Publication prepared by HLN Date 12/4/80
Publication dates 12/11 & 12/18/80
Received by HLN Date 11/26/80
Published in Idaho Press Tribune

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

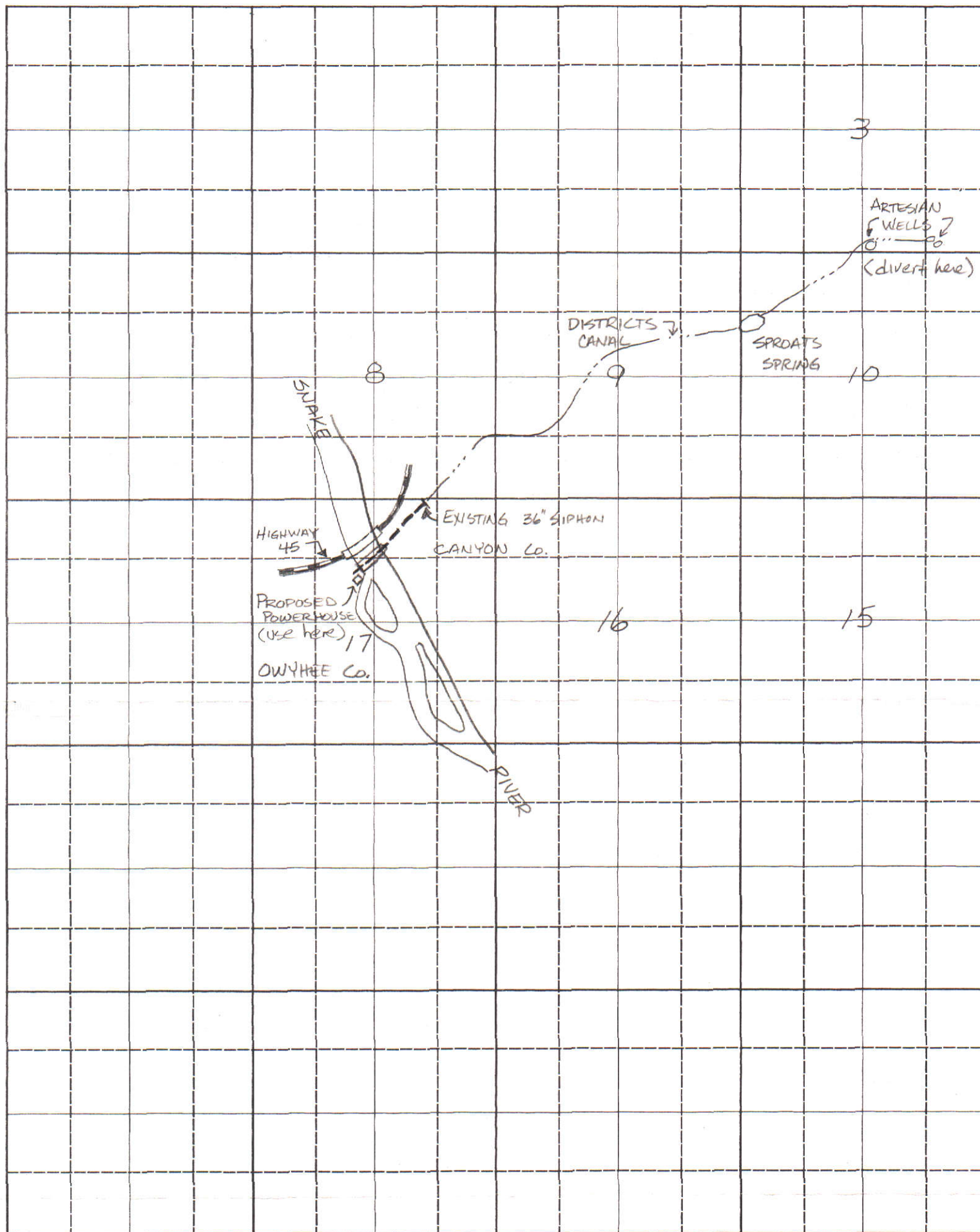
I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby
APPROVE the above referenced Amendment for Permit No. 63-9368.

Witness my hand this 15th day of January, 19 81.

L. Glen Saxton
Chief, Operations Bureau

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

T.1S., R.2W.



Scale: 2 inches equal 1 mile.

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

Sam C. Pittman
(Applicant)

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	63-9368	Reynolds Irr. Dist.	50.0
Full Assignment	63-9368	Spokane Bank for Cooperatives	50.0

2-2-71

SPOKANE BANK FOR COOPERATIVES

AMENDMENT

No. T-994-B
October 29, 1985

REYNOLDS IRRIGATION DISTRICT

Melba, Idaho

Loan Agreement No. SO-994 dated June 7, 1985, between Spokane Bank for Cooperatives and Reynolds Irrigation District is hereby amended so that the "Notes and Security" section reads as follows:

NOTES AND SECURITY: Loans shall be evidenced by a promissory note or notes executed by Association and shall be secured by the following:

Land, facilities, buildings and fixtures
Equipment (except vehicles covered by certificates of title)
Water rights and permits*
Rights-of-way and easements
Idaho Power Company contract to purchase power
Federal Energy Regulatory Commission exemption from licensing requirements.

* NOTICE OF CLAIM TO A WATER RIGHT, No. 02-2027 dated July 2, 1915, upon Snake River, tributary to Columbia River, for 25.0 c.f.s., at point of diversion, on NE1/4 NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT, No. 02-0054 dated June 1, 1934, upon Snake River, tributary to Columbia River, for 7.97214 c.f.s., at point of diversion, on NE1/4 NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

Water right applications approved by the Department of Water Resources, state of Idaho, for a total diversion capacity of 57.56 c.f.s., more fully described as follows:

<u>No.</u>	<u>Diversion Rate</u>	<u>Point of Diversion</u>
63-0306	8 c.f.s.	SW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho
63-0359	26 c.f.s.	NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West Boise Meridian, Canyon County, state of Idaho
63-2420	23.56 c.f.s.	NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho

Assignment to Bank of permit No. 63-9368, as amended, dated September 3, 1980, from Idaho Department of Water Resources, to appropriate public waters at points of diversion in the SE1/4 SE1/4 and SW1/4 SE1/4, Section 3, Township 1 South, Range 2 West, Boise Meridian, and NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho.

WILLIAM J. JONES

MICROFILMED

Loan Agreement No. T-994, as amended, shall continue in full force and effect without change, except as specifically stated above.

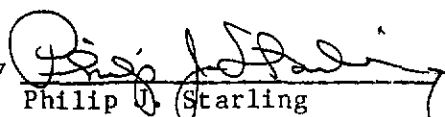
SIGNED by Bank and ACCEPTED AND AGREED TO by Association as of the day and year first above written.

REYNOLDS IRRIGATION DISTRICT

By 

President

SPOKANE BANK FOR COOPERATIVES

By 

Philip J. Starling
Director, Loan Closing & Collateral

SPOKANE BANK FOR COOPERATIVES

AMENDMENT

No. T-899-D
October 29, 1985

REYNOLDS IRRIGATION DISTRICT

Melba, Idaho

Loan Agreement No. SO-899 dated May 3, 1984, between Spokane Bank for Cooperatives and Reynolds Irrigation District is hereby amended so that the "Notes and Security" section reads as follows:

NOTES AND SECURITY: Loans shall be evidenced by a promissory note or notes executed by Association and shall be secured by the following:

Land, facilities, buildings and fixtures
Equipment (except vehicles covered by certificates of title)
Water rights and permits*
Rights-of-way and easements
Idaho Power Company contract to purchase power
Federal Energy Regulatory Commission exemption from licensing requirements.

* NOTICE OF CLAIM TO A WATER RIGHT, No. 02-2027 dated July 2, 1915, upon Snake River, tributary to Columbia River, for 25.0 c.f.s., at point of diversion, on NE1/4 NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT, No. 02-0054 dated June 1, 1934, upon Snake River, tributary to Columbia River, for 7.97214 c.f.s., at point of diversion, on NE1/4 NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

Water right applications approved by the Department of Water Resources, state of Idaho, for a total diversion capacity of 57.56 c.f.s., more fully described as follows:

<u>No.</u>	<u>Diversion Rate</u>	<u>Point of Diversion</u>
63-0306	8 c.f.s.	SW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho
63-0359	26 c.f.s.	NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West Boise Meridian, Canyon County, state of Idaho
63-2420	23.56 c.f.s.	NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho

Assignment to Bank of permit No. 63-9368, as amended, dated September 3, 1980, from Idaho Department of Water Resources, to appropriate public waters at points of diversion in the SE1/4 SE1/4 and SW1/4 SE1/4, Section 3, Township 1 South, Range 2 West, Boise Meridian, and NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho.

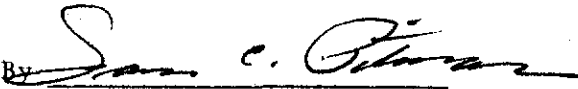
MICROFILMED

RECEIVED

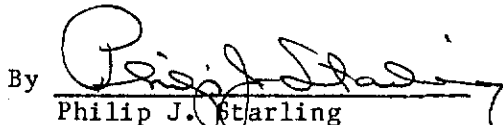
Loan Agreement No. T-899, as amended, shall continue in full force and effect without change, except as specifically stated above.

SIGNED by Bank and ACCEPTED AND AGREED TO by Association as of the day and year first above written.

REYNOLDS IRRIGATION DISTRICT

By 
President

SPOKANE BANK FOR COOPERATIVES

By 
Philip J. Starling
Director, Loan Closing & Collateral

of-way line North 49° 16' 47" East 69.93 feet to a brass highway right-of-way monument; thence North 45° 39' 40" East 12.99 feet to a point; thence leaving said right-of-way line, proceeding along the North boundary of said easement North 85° 48' 44" East 674.36 feet to the REAL POINT OF BEGINNING; said easement containing 0.81 acres more or less.

The said Contract of Conditional Assignment dated August 14, 1985, as supplemented and amended by this document, shall continue in full force and effect.

DATED this 19th day of November, 1985.

REYNOLDS IRRIGATION DISTRICT

By Sam C. Pitman

Its President

SPOKANE BANK FOR COOPERATIVES,

By Ray J. Staley

Its Director, Loan Closing & Collateral

STATE OF IDAHO)
 : SS.
County of Owyhee)

I DO HEREBY CERTIFY, That on this 19th day of November, 1985, before me, the undersigned, a Notary Public in and for said county and state, duly commissioned and sworn, personally appeared Sam C. Pitman, to me known to be the President of REYNOLDS IRRIGATION DISTRICT, the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and that said person is authorized to execute the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Nicholas K. Shli
Notary Public in and for the
state of Idaho residing at
Murphy, Idaho
My commission expires 1/31/85

STATE OF WASHINGTON)
 : SS.
County of Spokane)

I DO HEREBY CERTIFY, That on this _____ day of _____, 1985, before me, the undersigned, a Notary Public in and for said county and state, duly commissioned and sworn, personally appeared _____, to me known to be the _____ of SPOKANE BANK FOR COOPERATIVES, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and that said person is authorized to execute the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public in and for the
state of Washington, residing
at _____
My commission expires _____

MICROFILMED

AMENDMENT
 TO
 CONTRACT OF CONDITIONAL ASSIGNMENT

This document supplements and amends the Contract of Conditional Assignment dated August 14, 1985, between REYNOLDS IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of of the State of Idaho, and SPOKANE BANK FOR COOPERATIVES, a corporation organized and existing under the laws of the United States of America, filed for record in Canyon County, Idaho, as Document No. 8522730 on December 19, 1985, and in Owyhee County, Idaho, as Document No. 186761 on September 27, 1985, by making the following additions and corrections:

Amends Numbered Paragraphs 1 and 2, Page 2, and adds Paragraph 3:

1. NOTICE OF CLAIM TO A WATER RIGHT, No. 02-2027 dated July 2, 1915, upon Snake River, tributary to Columbia River, for 25.0 c.f.s., at point of diversion, on NE1/4 NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.
2. NOTICE OF CLAIM TO A WATER RIGHT, No. 02-0054 dated June 1, 1934, upon Snake River, tributary to Columbia River, for 7.97214 c.f.s., at point of diversion, on NE1/4 NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.
3. Water right applications approved by the Department of Water Resources, state of Idaho, for a total diversion capacity of 57.56 c.f.s., more fully described as follows:

<u>No.</u>	<u>Diversion Rate</u>	<u>Point of Diversion</u>
63-0306	8 c.f.s.	SW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho.
63-0359	26 c.f.s.	NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho.
63-2420	23.56 c.f.s.	NW1/4 NW1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, state of Idaho.

The legal description of easement described in No. 3 on Page 4 of the original contract should read as follows:

An easement for the construction, maintenance, repair and existence of a 30' by 30' electrical powerhouse and a 42 inch pipeline connecting to said powerhouse on the following described property, to wit:

The centerline of a 40 foot wide pipeline and electrical power-house easement (expanded to 50 feet wide for purposes of construction, maintenance and repair) in the NW1/4 of the NE1/4 and the NE1/4 of the NW1/4 of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the section corner common to Sections 8, 9, 16 and 17, Township 1 South, Range 2 West, Boise Meridian, thence North 89° 48' 38" West 1316.39 feet along the section line common to said Sections 8 and 17 to a brass cap being the E1/16 corner common to said Sections 8 and 17; thence continuing along said section line North 89° 47' 44" West 185.01 to a point being the REAL POINT OF BEGINNING of the centerline of said 40 foot wide pipeline easement (expanded to 50 feet wide for purposes of construction, maintenance and repair); thence leaving said section line South 53° 03' 43" West 522.61 feet to a point; thence South 63° 47' 21" West 828.27 feet to a point on the high water line of the East bank of the Snake River, also being the end of said pipeline and electrical powerhouse easement centerline.

The state of Idaho application for permit No. 63-9368 shall be described as follows, and the description as contained in the original Contract for Conditional Assignment on Pages 4 and 5 is hereby deleted.

State of Idaho, Department of Water Resources, application for permit to appropriate public waters of the state of Idaho as follows:

- I. Application No. 63-9368, as amended.
 - A. Applicant: Reynolds Irrigation District.
 - B. Source: Groundwater which is a tributary of Warm Springs Creek.
 - C. Use: 50 c.f.s. for power purposes - January 1 through December 31.
 - D. Points of Diversion: Southeast 1/4 of the Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 3, Township 1 South, Range 2 West, Boise Meridian, and also including Northwest 1/4 of the Northwest 1/4, Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.
 - E. Place of Use: Southeast 1/4 of the Northwest 1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.
 - F. Approval: September 3, 1980.

The State of Idaho Department of Water Resources permit to appropriate water from points of diversion in Section 3, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, as more fully described on Page 5 of the original Contract for Conditional Assignment in the third paragraph is hereby deleted.

The legal description of easement for the 50 foot pipeline and powerplant site on Page 6 of the original contract should read as follows:

Easement for a 50 foot pipeline and powerplant site:

A fifty foot wide easement being in U. S. Government Lot 4, all in the NE1/4 of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows: Beginning at a brass cap marking the section corner common to Sections 8, 9, 16 and 17, Township 1 South, Range 2 West, Boise Meridian; thence along the section line common to said Sections 8 and 17, North 89° 48' 38" West 1316.69 feet to a brass cap marking the E1/16 corner common to said Sections 8 and 17; thence leaving said section line South 54° 51' 54" West 765.61 feet to a point at the Northeast corner of subject easement also being the REAL POINT OF BEGINNING; thence South 4° 11' 16" East 50.00 feet to a point being the Southeast corner of said easement; thence along the south boundary of said easement South 85° 48' 44" West 740.48 feet to a point on the

To be filed with:
State of Idaho
Department of Water Resources

Please Return to
SPOKANE BANK FOR COOPERATIVES

RECEIVED

NOV 22 1985

ASSIGNMENT OF PERMIT

Department of Water Resources

REYNOLDS IRRIGATION DISTRICT, does hereby assign to SPOKANE BANK FOR COOPERATIVES, P. O. Box TAF-C2, Spokane, Washington 99220, all of its right, title, and interest in and to Permit No. 63-9368 to appropriate the public waters of the state of Idaho.

Made this 19th date of November, 19 85.

REYNOLDS IRRIGATION DISTRICT
Permit Holder

By Sam C. Pitman

Its President

STATE OF Idaho)
: SS
County of Owyhee)

I DO HEREBY CERTIFY, That on this 19th day of November, 19 85, before me, the undersigned, a Notary Public in and for said County and State, duly commissioned and sworn, personally appeared Sam C. Pitman, to me known to be the of the President of the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and that said person is authorized to execute the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Nicholas K. Mills

Notary Public in and for the State
of Idaho
Residing at Murphy, Idaho

My commission expires 1/31/88

SEAL

MICROFILMED

CONTRACT OF CONDITIONAL ASSIGNMENT

WHEREAS, REYNOLDS IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of the state of Idaho, ("Reynolds") in accordance with I.C. 43-322, has borrowed sums of money from SPOKANE BANK FOR COOPERATIVES, a corporation organized and existing under the laws of the United States of America ("Bank"), to-wit:

<u>DATE OF NOTE</u>	<u>AMOUNT</u>	<u>MATURITY DATE</u>
June 7, 1985	\$579,800.00	March 1, 2004
May 3, 1984	\$160,000.00	April 1, 2004

WHEREAS, Reynolds wishes to contract with Bank pursuant to I.C. 43-304 so as to assure repayment of said loans, or renewals or extensions thereof, and future advances or loans of whatever kind or nature,

NOW, THEREFORE, Reynolds hereby conditionally assigns to Bank and to its successors and assigns the following:

EQUIPMENT used in the business and operation of the debtor, all personal property and fixtures and replacements including but not limited to the following:

PUMP HOUSE, the structure where the following equipment will be located:

- 3 - 150 h.p. short-coupled turbine pumps, 5,100 g.p.m. at 110' t.d.h.
- 1 - 20 h.p. submersible pump, 540 g.p.m. at 110' t.d.h.
- 3 - 440 volt three-phase panels with lightning arrestors
- 1 - Manifold with check and flushing valves
- 1,800 feet of 30" bare steel pipe

HYDROELECTRIC EQUIPMENT:

- Turbine/Generator
- Switchgear and Controls
- Control and Data Logging Equipment
- Transformer
- Utility Tie Equipment
- Transmission Line Extension

MECHANICAL EQUIPMENT:

- Tailrace Gates
- Control Gate Structure
- Penstock Slide Gates
- Flow Measuring Equipment

STRUCTURES AND PENSTOCKS:

- Turbine House
- Turbine House Substructure
- Penstocks
- Penstock Diversion Structure
- Emergency Bypass Structure
- Headworks and Screen

MISCELLANEOUS CONSTRUCTION AND IMPROVEMENTS:

- Rock Excavation
- Embankment
- Existing Flume Improvements
- Retrofit Existing Gates
- Access Road
- Syphons
- Pipelines

ALL OF THE ABOVE located on right-of-way easement over and across Lots 5 and 6, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho; said Grant of Right-of-Way was filed for record on April 11, 1939, Book 7 of Bonds and Agreements at page 50, records of Owyhee County, Idaho.

1. Water right permit No. 02-2027 dated July 2, 1915, upon Snake River, tributary to Columbia River, for 25.0 c.f.s., at point of diversion, on NE1/4NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

2. Water right permit No. 02-0054 dated June 1, 1934, upon Snake River, tributary to Columbia River, for 7.97214 c.f.s., at point of diversion on NE1/4NW1/4, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

A steel bridge indentified as the existing Walter's Ferry Bridge extending over and across the Snake River having a length of 668 feet and a roadway of 16 feet, the southwesterly end of which is in Owyhee County, state of Idaho, and is approximately 562.0 feet West and 1110.0 feet South of the North quarter corner of Section 17, Township 1 South, Range 2 West, Boise Meridian, and the northeasterly end of which is in Canyon County, state of Idaho, and is approximately 40.0 feet East and 825.0 feet South of the North quarter corner of said Section 17.

All rights-of-way and easements for irrigation purposes now owned or hereafter acquired by Reynolds Irrigation District, together with all buried mainline and related equipment associated with said irrigation rights-of-way and easements, located in Township 1 South of Range 3 West, Boise Meridian, the NE1/4NE1/4SE1/4 of Section 11; NE1/4NW1/4, SW1/4NW1/4, SE1/4NW1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, of Section 12; NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4NW1/4, NE1/4SE1/4 of Section 13; in Township 1 South of Range 2 West, Boise Meridian, the (SW1/4NW1/4) Lot 7, (NE1/4SW1/4) Lot 8, (NW1/4SW1/4) Lot 11 of Section 6; (SE1/4SW1/4) Lot 8 of Section 17; SW1/4NE1/4, SE1/4NE1/4, NE1/4NW1/4, (NW1/4NW1/4) Lot 1, (SW1/4NW1/4) Lot 2, SE1/4NW1/4, NE1/4SW1/4, (NW1/4SW1/4) Lot 3, (SW1/4SW1/4) Lot 4, SE1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, of Section 18; NE1/4NE1/4, N1/2NW1/4NE1/4 of Section 19; (NW1/4NE1/4) Lot 2, SW1/4NE1/4; (SE1/4NE1/4) Lot 1, NE1/4NW1/4, NW1/4NW1/4, SW1/4NW1/4, SE1/4NW1/4, NE1/4SW1/4, NE1/4SE1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4 of Section 20; (NW1/4SW1/4) Lot 5, (SW1/4SW1/4) Lot 6 of Section 21; (SW1/4SW1/4) Lot 5 of Section 27; (NW1/4NW1/4) Lot 4, N1/2SW1/4NW1/4, (SE1/4SE1/4) Lot 8 of Section 28; NE1/4NE1/4 of Section 29; all in Owyhee County, Idaho.

Right-of-way easement over and across Lots 5 and 6, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho; said Grant of Right-of-Way was filed for record on April 11, 1939, Book 7 of Bonds and Agreements at page 50, records of Owyhee County, Idaho.

Easement Agreement dated October 18, 1983, between Cleo R. Swayne and the Idaho State Historical Society, Grantors/Owners, and Reynolds Irrigation District for grants of easements for construction, maintenance, repair and existence of an electrical powerhouse and pipeline on the following described property, to-wit:

1. Lots 1, 2, 3 and 4, Section 17, Township 1 South, Range 2 West of the Boise Meridian, and Lot 3, Section 20, Township 1 South, Range 2 West of Boise Meridian, all in Canyon County, Idaho. And, a part of Government Lot 1, Section 8, Township 1 South, Range 2 West of the Boise Meridian, in Canyon County, Idaho, more particularly described as follows, to-wit:

Commencing at the brass monument at the Southeast corner of Government Lot 1, Section 8, Township 1 South, Range 2 West of the Boise Meridian; thence South 90° West 516.2 feet along the South side of said Government Lot 1 to an iron rod, THE INITIAL POINT OF THIS DESCRIPTION; thence North 67° 12' West 408.9 feet to a highway right-of-way monument on the Easterly right-of-way line of a State highway; thence South 2° 02' West, 158.56 feet, along the said Easterly right-of-way line, to an iron rod on the South line of said Government Lot 1; thence North 90° East 382.58 feet along the said South line to the INITIAL POINT OF THIS DESCRIPTION.

2. An easement for the construction, maintenance, repair and existence of a forty-two-inch (42") pipeline which shall connect to the existing District pipeline in the existing District easement, and run as follows:

The centerline of a 40 feet wide pipeline easement (expanded to 50 feet wide for purposes of construction, maintenance and repair) in the Southeast 1/4 of Section 8, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the section corner common to Sections 8, 9, 16 and 17, Township 1 South, Range 2 West, Boise Meridian; thence North 89° 48' 38" West 1316.39 feet along the section line common to said Sections 8 and 17 to a brass cap being the East 1/16 corner common to said Sections 8 and 17; thence continuing along said section line North 89° 47' 44" West 185.01 feet to a point being the REAL POINT OF BEGINNING of the centerline of said 40 feet wide pipeline easement (expanded to 50 feet wide for purposes of construction, maintenance and repair); thence leaving said section line, North 53° 03' 43" East 710.59 feet to the end of said pipeline easement centerline.

3. An easement for the construction, maintenance, repair and existence of a 30' by 30' electrical powerhouse and a forty-two inch (42") pipeline connecting to said said powerhouse on the following described property, to-wit:

The centerline of a 40 feet wide pipeline and electrical powerhouse easement (expanded to 50 feet wide for purposes of construction, maintenance and repair) in the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the section corner common to Sections 8, 9, 16 and 17, Township 1 South, Range 2 West, Boise Meridian, thence North 89° 48' 38" West 1316.39 feet along the section line common to said Sections 8 and 17 to a brass cap being the East 1/16 corner common to said Sections 8 and 17; thence continuing along said section line North 89° 47' 44" West 185.01 to a point being the REAL POINT OF BEGINNING of the centerline of said 40 feet wide pipeline easement (expanded to 50 feet wide for purposes of construction, maintenance and repair); thence leaving said section line South 53° 03' 03" 43" West 522.61 feet to a point; thence South 63° 47' 21" West 828.27 feet to a point on the high water line of the East bank of the Snake River, also being the end of of said pipeline and electrical powerhouse easement centerline.

4. An easement for the construction, maintenance, repair and existence of an underground and overhead power-line running along, in and above the new pipeline easement described in subparagraphs (2) and (3) above, and across Grantors' property to the nearest Idaho Power Company approved point of connection.
5. An easement for an access road for ingress and egress to the powerhouse described in subparagraph (3) above, said easement to be 30 feet in width and run on the present museum access road from Highway 45, thence along existing roads on the premises to the powerhouse facility.

All present and future rights under the Firm Energy Sales Agreement between Reynolds Irrigation District and Idaho Power Company dated April 1, 1985, for the sale and purchase of power developed at the Debtor's facility near Walter's Ferry, state of Idaho.

State of Idaho, Department of Water Resources, application for permit to appropriate public waters of the state of Idaho as follows:

I. Application No. 63-9368

- A. Applicant: Reynolds Irrigation District.
- B. Source: Groundwater which is a tributary of Warm Springs Creek.

C. Use: 50 c.f.s for power purposes - January 1 through December 31.

D. Point of Diversion:
Southeast 1/4 of the Southeast 1/4 of Section 3,
Township 1 South, Range 2 West, Boise Meridian,
Canyon County, Idaho.

E. Place of Use:
Southeast 1/4 of the Northwest 1/4, Section 17,
Township 1 South, Range 2 West, Boise Meridian,
Canyon County, Idaho.

F. Approval: September 3, 1980.

Firm Energy Sales Agreement dated April ^{1, 1985} ~~N~~, 1985, between Reynolds Irrigation District (Seller) and Idaho Power Company (Idaho), for the generation and delivery of electrical energy by Seller to Idaho for a period of thirty-five (35) contract years.

State of Idaho, Department of Water Resources permit to appropriate the public groundwater to Reynolds Irrigation District of the state of Idaho from Warm Springs Creek, location of point of diversion which is SE1/4SE1/4, Section 3, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, Identification No. 63-9368, dated September 3, 1980.

Right-of-Way Easement dated August 24, 1933, from Samuel A. Swayne to Reynolds Irrigation District dated August 24, 1933, for the construction, maintenance and repair of an irrigation system over and across Lot Four (4) of Section Seventeen (17) in Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

Grant of Right-of-Way, undated 1933, from Benj. H. Benson and Susan F. Benson to Reynolds Irrigation District for the construction, maintenance, and repair of an irrigation system over and across SE1/4NW1/4, Section 9, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

Grant of Right-of-Way dated February 16, 1933, from John E. Keith and Fay O. Mitchell to Reynolds Irrigation District over and across their "respective lands" in Owyhee County, Idaho.

Grant of Right-of-Way dated February 21, 1933, from Harvey K. Souders and Hazel B. Souders to Reynolds Irrigation District over and across NE1/4NE1/4, Section 9, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

Grant of Right-of-Way dated May 6, 1933, from Louis J. Foster to Reynolds Irrigation District over and across Lots 5 and 6, Section 17, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho.

Grant of Right-of-Way dated February 16, 1933, from Harvey R. Souders, Berry Girass, Carl Buchanan, J. L. Strong, A. J. McGuire, Joseph R. Keith, Ernest L. Keith and Ralph E. Bailey to Reynolds Irrigation District over and across their "respective lands."

Right-of-way Easement dated February 1, 1933, from Soren Chris Thompson to Reynolds Irrigation District for perpetual right-of-way and easement over and across S1/2SE1/4, SE1/4SW1/4 of Section 9, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

Easement for a 50 foot pipeline and powerplant site:

A fifty foot wide easement being in U. S. Government Lot 4, all in the Northeast 1/4 of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as as follows: Beginning at a brass cap marking the section corner common to Sections 8, 9, 16, and 17, Township 1 South, Range 2 West, Boise Meridian; thence along the section line common to said Sections 8 and 17, North 89° 48' 38" West 1316.69 feet to a brass cap marking the East 1/16 corner common to said Sections 8 and 17; thence leaving said section line South 54° 51' 54" West 765.61 feet to a point at the Northeast corner of subject easement also being the REAL POINT OF BEGINNING; thence South 4° 11' 16" East 0.00 feet to a point being the Southeast corner of said easement; thence along the south boundary of said easement South 85° 48' 44" West 740.48 feet to a point on the Southeast right-of-way of State Highway 45; thence along said right-of-way line North 49° 16' 47" East 69.93 feet to a brass highway right-of-way monument; thence North 45° 39' 40" East 12.99 feet to a point; thence leaving said right-of-way line, proceeding along the North boundary of said easement North 85° 48' 44" East 674.36 feet to the REAL POINT OF BEGINNING; said easement containing 0.81 acres more or less.

Centerline of a 20 foot wide access, pipeline, and right-of-way crossing easement:

The centerline of a twenty foot wide easement being in U. S. Government Lot 4, all in the Northeast 1/4 of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows: Beginning at a brass cap marking the Section corner common to Sections 8, 9, 16, and 17, Township 1 South, Range 2 West, Boise, Meridian, thence North 89° 48' 38" West 1316.39 feet along the section Line common to said Sections 8 and 17 to a brass cap marking the East 1/16 corner common to said Sections 8 and 17; thence North 89° 47' 44" West 1315.86 feet to a brass cap marking the North 1/4 corner of said Section 17; thence leaving said section line South 1° 27' 29" West 522.02 feet to a point on the Southeast right-of-way line of State Highway 45; also being the REAL POINT OF BEGINNING; thence leaving said right-of-way and proceeding across said right-of-way, underpassing the Northeast end of said Highway 45 bridge being on the East bank of the Snake River, South 85° 48' 44" West 65.00 feet to a point; thence North 29° 10' 00" West 50.00 feet to a point; thence North 5° 00' 00" West 166.63 feet to a point on the Northwest right-of-way line of said State Highway 45, also being the end of the centerline of subject easement.

Easement for pipeline and powerplant site:

A parcel of land all located in U. S. Government Lot 4 in the Northeast 1/4 of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows: Beginning at a brass cap marking the section corner common to Sections 8, 9, 16, and 17, Township 1 South, Range 2 West, Boise Meridian, thence North 89° 48' 38" West 1316.39 feet along the section line common to said Sections 8 and 17 to a brass cap marking the East 1/16 corner also common to said Sections 8 and 17; thence North 89° 47' 44" West 1315.86 feet along the section line common to Sections 8 and 17 to a brass cap marking the North 1/4 Corner of said Section 17; thence leaving said section line South 14° 14' 38" West 265.08 feet to a point on the Northwesterly right-of-way line of State Highway 45 also being the REAL POINT OF BEGINNING; thence South 40° 47' 21" West 100.00 feet along said State Highway 45 right-of-way line to a point on the high water line of the Snake River; thence meandering along said high water line North 19° 14' 39" West 200.00 feet to a point; thence leaving said high water line North 40° 47' 21" East 100.00 feet to a point; thence South 19° 14' 39" East 200.00 feet to the REAL POINT OF BEGINNING; said parcel containing 0.40 acres more or less.

The following described real property owned by Reynolds Irrigation District, to wit:

Beginning at the SW corner of the NW1/4 of the NW1/4 of Section 10, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, and running North 330 feet; thence East 522 feet; thence South 38° 10' West 419.8 feet to the South line of said NW1/4 of the NW1/4; thence West 260 feet to the POINT OF BEGINNING.

Commencing at the northwest corner of the NE1/4NE1/4 of Section 19, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho, and running thence East along the section line 300 feet; thence South to the ditch bank of the Reynolds Irrigation District; thence Westerly along the Northerly side of said ditch bank to the quarter-quarter section line; thence North along said line to the place of beginning. ALSO, commencing at the Northwest corner of the NE1/4NE1/4 of Section 19, Township 1 South, Range 2 West, Boise Meridian, Owyhee County, Idaho, running thence West along the section line 174 feet; thence South 74 feet more or less to the ditch bank of the Reynolds Irrigation District; thence Easterly along the Northerly side of said ditch bank to the quarter-quarter section line; thence North along said line to the place of beginning. Subject to a road right-of-way along the North side of said tracts.

Reynolds shall retain the right to operate and possess the above until such time as Reynolds shall breach any of the following covenants and Bank requests possession thereof on account of said breach.

1. At the time of the execution and delivery of this contract, Reynolds is well seized of the assigned premises in fee simple, has good right and authority to assign the same as herein provided, and the assigned premises are free and clear of liens and encumbrances, except ~~except easement of record~~

~~mineral rights reserved by United States~~

S.P.

-
2. Reynolds will pay, when due, the indebtedness hereby secured in accordance with the terms thereof.
 3. Reynolds will pay all taxes, assessments, water and other charges for utility services that may be levied, assessed or charged upon or against the assigned premises, or any part thereof, before the same become past due according to law, and will promptly pay and satisfy any mechanic's lien or other encumbrances that might by operation of law or otherwise become a lien upon the assigned premises whether or not superior to the lien of this contract, all premiums upon insurance policies on the assigned property, all licenses or fees legally owing by it, all rentals or other charges for the use of any leased ground or premises upon which any of the assigned premises may be located, all taxes or assessments which now are or which may hereafter be levied or assessed and which are or are to become a lien upon the assigned premises and property, or any part thereof, or upon this contract or the debt secured thereby, or upon the interest payable thereon, and amounts for investment in bank stock as may be required. In case of default in payment of any of the foregoing, Bank, its successors or assigns, may at its option pay said insurance premiums, or reinsure the assigned premises and pay all premiums therefor, and pay licenses, fees, rentals, charges, taxes and/or assessments due or claimed to be due under any legislative power or authority or under any valid contract; and any amounts so paid by Bank, and any amount required for investment in bank stock as aforesaid shall become part of the principal debt; and amounts so paid by Bank shall bear interest from the date of payment.
 4. Reynolds (i) will keep all improvements erected on the assigned premises in good order and repair, (ii) will not permit waste of the assigned premises or do or suffer anything to be done to depreciate or impair the value of the assigned premises during the life of this contract, (iii) will not make any changes in or alterations to the improvements on the assigned premises which will materially decrease the value of the same, and (iv) will not remove or permit to be removed any improvements from the assigned premises, without the prior written consent of Bank.
 5. Reynolds will keep the building improvements now erected, or which may hereafter be erected, on the assigned premises insured against loss or damage by fire with extended coverage endorsement, written by a responsible insurance company or insurance companies satisfactory to Bank in an amount satisfactory to Bank naming Reynolds and Bank insured parties as their interests may appear, and will cause to be executed and attached to all policies of insurance issued thereon a clause in form satisfactory to Bank, making loss payable to Bank as its interests may appear, said policy or policies of insurance to be delivered to Bank. Any insurance funds paid to Bank as a result of damage or loss to the assigned premises covered may at the option of Bank be released to Reynolds to be expended in the repair, restoration, or replacement of the assigned premises so damaged or lost, or be retained by Bank

and be applied toward the payment of all or such of the items of indebtedness secured hereby as Bank may elect. Reynolds hereby appoints Bank agent to collect all amounts payable under said policies to Reynolds and such amounts received after the cost of collection shall be applied to the payment of the principal sum and interest thereon, and other sums secured hereby.

6. Should Reynolds fail to pay any taxes, assessments, fire insurance premiums or other charges payable by Reynolds hereunder, before the same shall be past due, Bank may, at its option, make payment thereof, and the amounts so paid with interest thereon at the rate then payable on the indebtedness secured hereby shall be added to and become a part of the debt secured by this contract and shall be repaid to Bank forthwith, without waiver of any right arising from breach of any of the covenants, and for such payments with interest the assigned premises as well as Reynolds shall be bound to the same extent as bound for the payment of the indebtedness herein specifically described. Should Bank make such payment or payments at its option as set forth in the foregoing sentence, such act shall not constitute a waiver by Bank of any other rights it may have arising from Reynolds' failure as aforesaid including but not limited to Bank's rights under paragraph 8 of this contract.
7. Reynolds hereby assigns and transfers unto Bank the issues and profits, together with full power and authority to demand, sue for and collect the same in the name of Reynolds, or in its own name, and to take possession of and manage the assigned premises or to cause a receiver to be appointed for such purpose and apply the income therefrom, after the costs of collection and management, to the reduction of the indebtedness secured hereby; provided, however, that the right to collection and management shall not apply as long as this contract is in good standing.
8. If any of the following shall occur, the entire unpaid balance of principal and accrued interest secured by this contract shall become immediately due and payable at the option of Bank and foreclosure proceedings may be commenced forthwith:

(a) Default in the timely payment of any indebtedness to Bank promptly when due.

(b) Failure of Reynolds to perform or observe all the provisions of this contract, or the happening of an event of default under any other agreement or security instrument between Reynolds and Bank.

(c) Discovery of any misrepresentation, breach of warranty or material falsity of any certificate, schedule or statement made or furnished by Reynolds to Bank, whether or not in connection with this contract.

(d) Bank, in good faith, deems or has reasonable cause to deem itself insecure, or in the event of change in the condition of affairs, financial or otherwise, of Reynolds or of any endorser, guarantor or surety for the liability of Reynolds to Bank, which, in the reasonable opinion of Bank, impairs or decreases Bank's security.

(e) If Reynolds becomes insolvent or unable to pay its debts as they mature or makes an assignment for the benefit of creditors, or files a voluntary petition in bankruptcy,

or a voluntary petition seeking reorganization, or to effect a plan or other arrangement with creditors, or shall file an answer consenting to or takes any other action indicating acquiescence in any involuntary petition pursuant to, or purporting to be pursuant to, any bankruptcy reorganization or insolvency laws of any jurisdiction, or shall be adjudged bankrupt or insolvent by any court of competent jurisdiction or a receiver is appointed for any substantial portion of Reynolds' property.

(f) Loss or destruction of or substantial damage to any of the assigned premises.

(g) Sale or other transfer of the assigned premises or any part thereof without the prior written consent of Bank. The failure of Bank to exercise the option given hereunder shall not be taken or deemed a waiver of its right to exercise such option as to any such past or subsequent violation of any of said covenants or stipulations.

9. In the event suit or action is begun to foreclose this contract, Reynolds will pay in addition to the costs and disbursements allowed by law such sum as the court may adjudge reasonable attorneys' fees in such suit or action, or any appeal therefrom, and such sum as the court may adjudge reasonable for the necessary examination and search of the public records respecting the title to the assigned premises, and the plaintiff in such suit or action may take judgement therein for such sums. Reynolds will pay to Bank all sums, including costs, expenses and reasonable agents' and attorneys' fees, which it may expend or become obligated for in any proceedings, legal or otherwise, involving the title to the assigned premises, or to establish, protect or sustain the lien of this contract, or its priority, or in defending against liens, claims, rights, estates, easements, or restrictions, or for evidences of title to the assigned premises, or for expenses and attorneys' fees incurred; together, always, with interest on all sums at the rate then payable on the indebtedness secured hereby; and for payment of said sums and interest this contract shall stand as security in like manner and effect as for payment of said debt.
10. If the assigned premises, or any part thereof, be condemned under any power of eminent domain or acquired for public use, the damages, proceeds, and the consideration for such acquisition to the extent of the full amount of the indebtedness secured by this contract, including any expenses and attorneys' fees incurred by Bank on account of such condemnation, are hereby assigned by Reynolds to Bank and shall be paid forthwith to Bank to be applied by it to the payment of such expenses and attorneys' fees and any balance on account of the last maturing portion of the indebtedness secured hereby.
11. As further security for the payment of all indebtedness herein mentioned, all Reynolds' rents and profits of the assigned premises and the right, title and interest of Reynolds in and under all leases now or hereafter affecting the assigned premises, are hereby assigned and transferred to Bank. So long as no default shall exist in compliance with any requirement hereof or of any other agreement or security instrument now or at any time executed between Reynolds and Bank, Reynolds may collect assigned rents and profits as the same fall due, but upon the occurrence of any such default, or at such later time as Bank in its sole discretion may fix by written notice, all right of Reynolds

to collect or receive rents or profits shall wholly terminate. No lease of the whole or any part of the assigned premises involving an initial term of more than three (3) years shall be modified or terminated without the written consent of Bank, nor shall the surrender of any such lease be accepted nor any rental thereunder be collected for more than two (2) months in advance without like written consent. In the event of any default hereunder and the exercise by Bank of its rights hereby granted, Reynolds agrees that payments made by tenants or occupants to Bank shall, as to such tenants, be considered as though made to Reynolds and in discharge of tenants' obligations as such to Reynolds. Nothing herein contained shall be construed as obliging Bank to perform any of Reynolds' covenants under any lease or rental agreement. Reynolds shall execute and deliver to Bank upon demand any further or supplemental assignments necessary to effectuate the intentions of this paragraph and upon failure of Reynolds so to comply, Bank may, in addition to any other right or remedy it has, declare the entire unpaid balance of principal and interest secured by this contract immediately due and payable.

12. All of the covenants of Reynolds shall be binding upon its successors and assigns and inure to the benefit of the successors and assigns of Bank. In the event of the transfer of the assigned premises or any part thereof or any interest therein, whether voluntary or involuntary or by operation of law, Bank may, without notice to Reynolds or any one else, once or often, extend the time of payment or grant renewals of indebtedness hereby secured for any term, execute releases or partial releases from the lien of this contract or in any other respect modify the terms hereof without thereby affecting the personal primary liability of Reynolds for the payment of the indebtedness hereby secured. No condition of this contract shall be deemed waived unless the same be expressly waived in writing by Bank. Whenever any notice, demand, or request is required by the terms hereof or by any law now in existence or hereafter enacted, such notice, demand or request shall be sufficient if enclosed in a postpaid envelope addressed to Reynolds at the last address actually furnished to Bank or at the assigned premises and deposited in any post office, station or letter box.
13. Reynolds will, at all times during the existence of any part of the lien herein provided for, maintain its corporate existence and operate its business as a cooperative association qualified under the Farm Credit Act of 1971 and any amendment thereto, and under applicable statutes of the state
14. This contract, without affecting its validity as a contract, is also executed and shall be construed as a Mortgage and Security Agreement under the Uniform Commercial Code granting to Bank a security interest in all personal property mentioned herein and in addition to the rights and remedies provided herein Bank shall have all the rights and remedies granted by such Uniform Commercial Code; and reasonable notice, when notice is required, shall be ten (10) days.
15. This contract of conditional assignment is given to secure payment of a loan or loans from Bank in the sum of \$739,800.00, together with interest payable on the unpaid balances thereof at the rate(s) specified in said loan agreement or supplements thereto or at such rate(s) prescribed from time to time by Bank in accordance with law and agreement with Reynolds, any and all renewals or extensions thereof,

any and all future loans and advances, any and all Class C stock investments in Bank, and all indebtedness of whatsoever kind or character and howsoever evidenced, which may now or hereafter during the continuance of this contract be due, owing or existing from Reynolds to Bank, its successors or assigns, whether or not such indebtedness is presently contemplated by the Parties.

In the event Bank shall give said notice by virtue of a breach of covenant, Reynolds hereby contracts with and assigns to Bank the right to enter the premises and fully enjoy the beneficial use thereof until such time as the entire indebtedness with Bank is repaid in full. Bank agrees to reasonably maintain the premises and to possess and operate the facility in such a manner as to minimize the duration of its possessory rights and the time required to repay the indebtedness. Reynolds agrees to cooperate fully and assist the Bank in taking possession and in operating the facility.

This contract of conditional assignment shall terminate and be of no force or effect, and Bank shall reassign its interest herein to Reynolds, upon repayment in full of all indebtedness owed by Reynolds to Bank.

Invalidation of any item or clause of this agreement is not to be deemed an invalidation of any other item contained herein.

DATED this 14th day of August, 1985.

REYNOLDS IRRIGATION DISTRICT

By *John C. Peterson*

Its *President*

SPOKANE BANK FOR COOPERATIVES

By *J. A. Nielsen*

Its *Vice Pres.*

STATE OF IDAHO)
 : SS.
County of Owyhee)

I DO HEREBY CERTIFY, That on this 14th day of August, 1985, before me, the undersigned, a Notary Public in and for said county and state, duly commissioned and sworn, personally appeared Sam C. Pitman, to me known to be the President of REYNOLDS IRRIGATION DISTRICT, the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and that said person is authorized to execute the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Nicholas K. Shih
Notary Public in and for the
state of Idaho residing at
Murphy, Idaho
My commission Expires 1/31/88

STATE OF WASHINGTON)
 : SS.
County of Spokane)

I DO HEREBY CERTIFY, That on this 8th day of August, 1985, before me, the undersigned, a Notary Public in and for said county and state, duly commissioned and sworn, personally appeared George A. Nelson, to me known to be the Vice President of SPOKANE BANK FOR COOPERATIVES, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and that said person is authorized to execute the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Carol A. Cameron
Notary Public in and for the
state of Washington, residing
at Spokane
My commission expires 3-15-87

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Reynolds Irrigation District Phone 1-495-2277
of (address) Star Route, Melba, ID 83641 c/o Sam Pitman, Dir., and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 63-9368, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 10, Township 1 S, Range 2 W, B.M.,
County of Canyon. Other points of diversion: SWSE SESE Sec 3 Twp 1S
R2W BM

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
Amount 50 for Power purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: location of Power house.

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	2W	17		X															

Total number of acres to be irrigated = _____

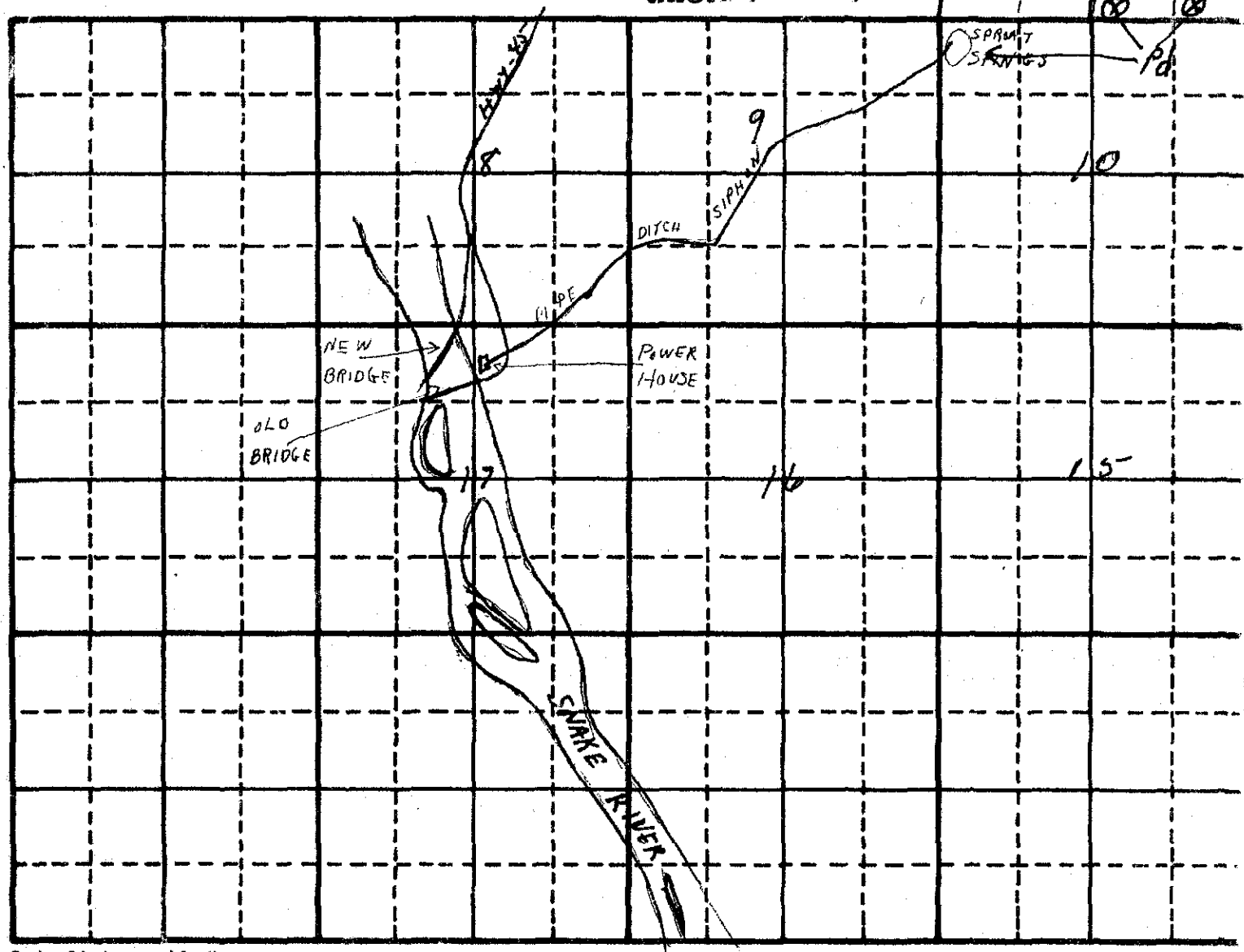
4. a. Who owns the property at the point of diversion? Reynolds Irrigation District
b. Who owns the land to be irrigated or the place of use? Power House site. Cleo Swayne and Idaho Historical Society
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: Recorded perpetual Easement

RECORDED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

MELBA T1 S, R2 W, B. M.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Melba, Idaho, this day of November, 1983.

Reynolds Irrigation Dist.
(Signature)
by Jerry L. Highland
Director

FOR DEPARTMENT USE ONLY

Preliminary check by 665 Fee = \$20.00 32480 Received by JP Date 11/4/83
Publication prepared by JP Date 11/10/83 Published in Broad-tribune
Publication dates 11/17/83 11/24/83

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Amendment provided the conditions as set forth on
page 4 of Permit No. 63-9368 are met.

Witness my hand this 5 day of January, 1984.

L. Glen Saxton
Chief, Operations Bureau

96291

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Connie Cuthbert
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

NOTICE OF APPLICATION
FOR AMENDMENT

Notice is hereby given that permit No. 63-9368 in the name of Reynolds Irrigation District was filed on April 17, 1980 for the diversion of 50 cfs from a groundwater source with a point of diversion within the SWSE, SESE Sec 3 and NWNW Sec 10 T1S R2W to be used for Power purposes from January 1 to December 31 within portions of SENW Sec 17 T1S R2W.

The permit holder now proposes to amend the permit by changing the place of use to the NWNE Sec 17 T1S R2W.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, Idaho 83720 on or before December 5, 1983.

A. KENNETH DUNN
Director

November 17, 24, 1983

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 17, 24, 1983

Connie Cuthbert

Subscribed and sworn to before me this 24th
day of November

19 83

Janet Leek
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

For Office Use Only
Fee Received <u>1500</u>
Date <u>VS/83</u>
Receipt # <u>23103</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

REQUEST FOR EXTENSION OF TIME

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

JAN 5 1983

Department of Water Resources

Reynolds Irr. Dist of 40 Sam Pitman, Director
(Name) of Star At., Melba Id. 83641
(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 63-9368.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before 3/1, 19 83.

That he has heretofore performed the following work described under said permit: preliminary
(This must be filled out! If no work has been completed put none.)
engineering has been completed and FERC license
and all feasibility studies have been completed.

Costing \$ 40,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Idaho Power contracts are still being negotiated
and final construction is still under way

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to 3/1, 19 88.
(1 yr. minimum, 5 yrs. maximum)

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

Sam Pitman Chairman
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to March 1, 1988.

Signed this 8th day of February, 19 83.

L. Glen Saylor
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Reynolds Irrigation District

of (address) Star Route, Melba, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 63-9368, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 SE and SE 1/4, Section 3, Township 1S, Range 2W, B.M.,
County of Canyon. Other points of diversion: NW 1/4 NW 1/4, Section 10,
Township 1S., Range 2W., B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 50 for power purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	2W	17								X									

Total number of acres to be irrigated = _____

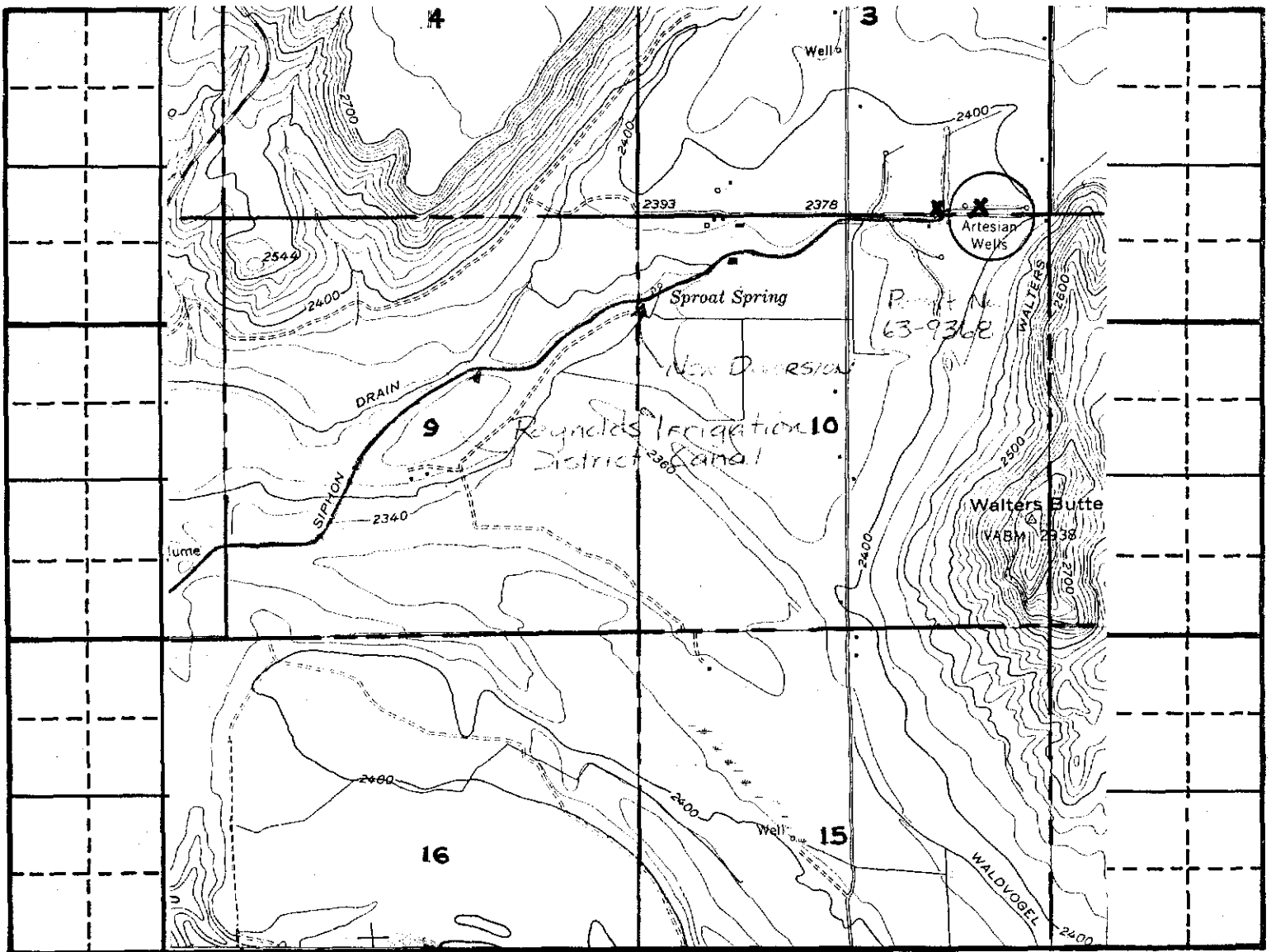
4. a. Who owns the property at the point of diversion? Reynolds Irrigation District
- b. Who owns the land to be irrigated or the place of use? Reynolds Irrigation District
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: The diversion is located generally at Sproat Springs where the Reynolds Irrigation District has diverted water for irrigation purposes since 1934.

RECEIVED

NOV 26 1980

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Malta, Idaho, this 26th day of November, 1980.

X Sam C. Pittman
(Signature)
Director, Reynolds Irrig. Dist.

FOR DEPARTMENT USE ONLY

Preliminary check by GLS Fee = \$20.00
Publication prepared by h/n Date 12/4/80
Publication dates 12/11 & 14/8/80
Received by h/n Date 11/26/80
Published in Idaho Press Tribune

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby
APPROVE the above referenced Amendment for Permit No. 63-9368.

Witness my hand this 15th day of January, 19 81.

L. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Reynolds Irrigation District Phone 1-459-2277

Post office address Star Route, Melba, Idaho % Sam Pitman, Director

2. Source of water supply Groundwater ~~Subterranean Water~~ which is a tributary of Warm Springs Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 1 S

Range 2 W B.M. Canyon County, additional points of diversion if any: _____

See remarks section SW SE, Sec. 3, T 1 S, R 2 W

4. Water will be used for the following purposes:

Amount 50 for Power* 6-2-80 J.J. ~~hydroelectric~~ purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 50 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Present artesian wells described in
remarks section to be enlarged to produce 50 cfs flow for use by Reynolds Irrigation
District as described above

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

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

c. Proposed well diameter is 20 inches; proposed depth of well is 70 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 2 1/2 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE NW $\frac{1}{4}$ of Section 17 Township 1S
CWB 4/18/80

Range 2W B.M.

(2) Amount of power to be generated: 540 horsepower under 95 feet of head.

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

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

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

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

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

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. No previous right for power generation: previous irrigation right; 8 cfs 4-1-34 priority decree dated 9-17-34 in 7th District Court; 26 cfs 4-1-50 priority decree dated 6-11-56 in 7th District Court

9. a. Who owns the property at the point of diversion Reynolds Irrigation District

b. Who owns the land to be irrigated or place of use Reynolds Irrigation District

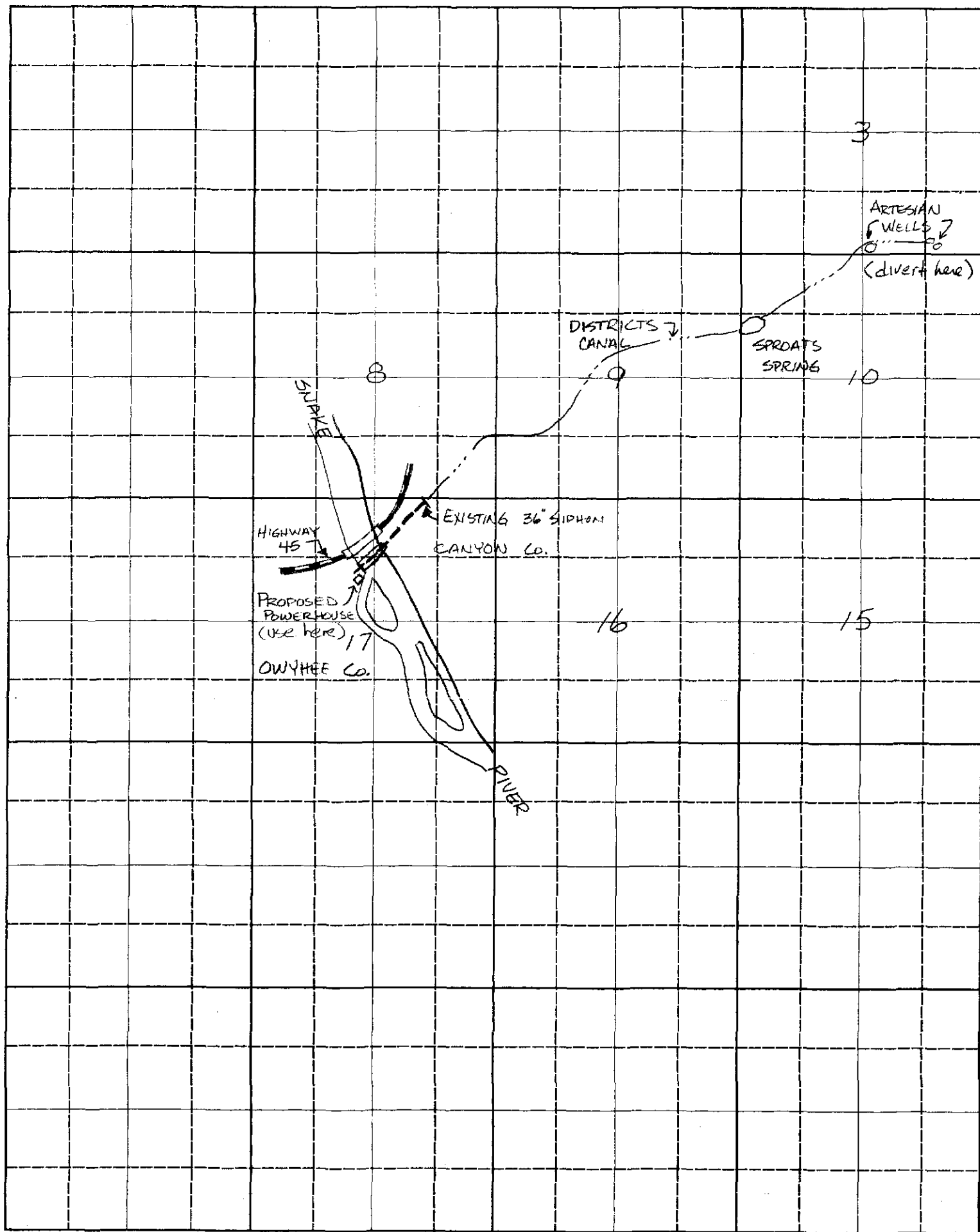
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Reynolds Irrigation District owns three wells in the SE 1/4 SE 1/4 Section 3, T.1S., R.2W., B.M., that are artesian in nature. Combined with other artesian wells in the area, the water from all the wells flow through common drain ditches and into Warm Spring Creek. In May, 1946, the Bureau of Reclamation created Water District 22-A which covers the use of the artesian water produced by all wells. Two 7th District Courts decisions have apportioned this water and Reynolds Irrigation District diverts 34 cfs by those decrees.

Under this application, Reynolds wishes to further develop the three district wells to a maximum of 50 cfs to be used for power generation at a plant located in the District's present pumphouse adjacent to the Old Walter's Ferry Bridge. Because of the Court's decrees, Reynolds is obligated to supply the water rights of previous rights and this will be accomplished by installing weirs at the affected points of diversions to protect all parties involved.

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

T.1S., R.2W.



Scale: 2 inches equal 1 mile.

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

X Stan C. Pittman
(Applicant)

Proposed Priority 4/17/80

Received by _____ Date 4-17-80 Time 2:00 P.M.

Preliminary check by CWB Fee \$ 375⁰⁰

Receipted by CWB Date 4/18/80 # 16256

Publication prepared by HLH Date 4/24/80

Published in Idaho Free Press.

Publication dates 5-1/8/80

Publication approved HLH Date 4/19/80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS Jan

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9368, and said application is hereby approved.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
(2) This permit is subject to the provisions of Sections 42-205 through 42-210 Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause of immediate cancellation of this permit.

Witness my hand this 3rd day of September, 1980.

J. Glen Saxton
Chief, Operations Bureau

O.K.
hen

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

**NOTICE OF APPLICATION FOR AMENDMENT
OF A PERMIT**

Notice is hereby given that Permit No. 63-9368 in the name of Reynolds Irrigation District of Melba, Idaho was filed on 4/17/80 for the diversion of 50 c.f.s. from a groundwater source with points of diversion within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T1S, R2W, B.M., Canyon County to be used for power purposes.

The holder now proposes to amend the permit by adding a point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T1S, R2W, B.M., Canyon County.

If issued, the amended permit will be subject to all prior water rights. Protests against the granting of this amendment must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before December 29, 1980.

C. STEPHEN ALLRED
Director

December 11, 18, 1980

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

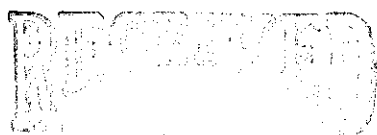
3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

December 11, 18, 1980



Department of Water Resources
Western Region Office

Suzanne Smith

Subscribed and sworn to before me this

18th day of December

19 80

Jeanne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

J-U-B ENGINEERS, Inc.

250 South Beechwood Avenue, Suite 1

Boise, Idaho 83705

Telephone: (208) 376-7330

TRANSMITTAL SHEET

Client: District Engineer
Western Region
Idaho Department of Water Resources
92 South Cole Road
Boise, Idaho 83709

Date 4/17/80

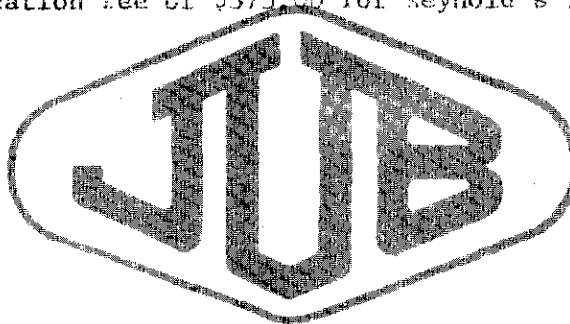
Project No. 8238

Deliver To _____

ITEM

DESCRIPTION

Attached please find Application Permit, Affidavit to Establish Residence and permit application fee of \$375.00 for Reynold's Irrigation District.



SHIPPED VIA

NO. OF
CONTAINERS

J-U-B ENGINEERS, Inc.

Hand Delivered

1

BY

Julie Rasmussen
Julie Rasmussen

DATE

4/17/80

Received by:

[Signature]

Date _____

Please Sign, Date and Return White Copy

MICROFILMED

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-9369

SIMMONS, MICHAEL M.
ROUTE 2, BOX 2066, NAMPA, ID 83651
Source: GROUNDWATER
Date Filed: April 22, 1980
Amount: 0.03 CFS
Diversion Point: SWSW Sec 01 T 03N R 02W, Canyon County
Use: IRRIGATION (0.03 CFS) from March 15 to November 15
Place of Use: SWSW Sec 01 T 03N R 02W for 1 acre
Diversion Means: WELL, PUMP & PIPELINE

63-9368

REYNOLDS IRRIGATION DISTRICT
c/o SAM PITMAN, DIRECTOR, STAR ROUTE, MELBA, ID.
Source: GROUNDWATER tributary to WARM SPRINGS CREEK
Date Filed: April 17, 1980
Amount: 50.00 CFS 0.0 AC-FT
Diversion Point: SESE SWSE Sec 03 T 01S R 02W, Canyon County
Use: POWER (50.00 CFS) from January 1 to December 31
Place of Use: SENW Sec 17 T 01S R 02W
Diversion Means: WELLS & PIPELINE
If issued, the permits will be subject to all prior water rights.
Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before May 19, 1980
C. STEPHEN ALLRED
Director

May 1, 8, 1980

Suzanne Smith
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press and The News-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 1, 8, 1980

Suzanne Smith

Subscribed and sworn to before me this
8th day of May

19 80

Jeanne Lust
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 15, 1988

Reynolds Irrigation District
Permit Holder
Jerry L. Hoagland
HC 79 Box 44
Melba, ID 83641

63-9368

Dear Applicants(s):

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

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

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

Sincerely,

Judy Pense
Secretary

/jp

RECEIVED
MAY 11 1988

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-9368

Date: 3-8-1988

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, a data entry sheet data prepared
Y Proof received after proof due date, if so see priority calculation

Source of Water:

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

Extent of Use:

Y Same as permit
 _____ Is a letter needed?

Rate of Diversion:

Y Amount same as permit, if no:
 _____ Is the amount of water in same fee range?
 _____ Has permit holder indicated when water was first put to a
 beneficial use?
 _____ Is a letter needed?

Measuring Device:

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

Remarks:

*Request a copy of well log
 Proof acceptable*

No. well report.

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
FEB 12 1988

For Office Use Only
Fee Received 4600⁰⁰
Date 2-16-88
Receipt # 48419
Receipt by 19
Reviewed by _____
Sent to region _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 63-9368

Name(s) of Permit Holder: REYNOLDS IRRIGATION DISTRICT (Permit Holder)
SPOKANE BANK FOR COOPERATIVES (Assignee of Permit Holder)

Post Office Address: West 601 First Ave. ; P.O. BOX TAF-C2
SPOKANE Wash. 99220-4002 Telephone No. 509/838-9300

Source of Water: Ground water, Sproat Springs, warm springs creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark Power ✓

Total rate and/or volume for which proof is submitted 50 ✓ cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: May 20, 1986

Measuring Device: Required? Yes No
Installed? X Yes Yes No Fee enclosed \$ 600 - ✓
(See License Examination Fee Schedule)

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

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

Jerry L. Hoagland 70 Reynolds Irrigation Dist. 208 495-2810
(Name) (Telephone Number)

HC 79 Box 44 Melba Id. 83641
(Address)

RECEIVED

JUL 06 1988

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

SPOKANE BANK FOR COOPERATIVES (Assignee of Permit Holder)

By William Wapping Vice President

Bill Dail Sec - Treas REYNOLDS IRRIGATION DIST.
Signature of Permit Holder (and title, if appropriate)

2/10/88

Date

1/25/88



RECEIVED

FEB 12 1988

Farm Credit Services

Department of Water Resources

West 601 First Avenue
P.O. Box TAF-C2
Spokane, Washington 99220-4002
509/838-9300

February 10, 1988

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

Gentlemen:

**SUBJECT: REYNOLDS IRRIGATION DISTRICT
PERMIT NO. 63-9368**

Enclosed is the completed Proof of Beneficial Use form and a check for \$600.00 from the permit holder, Reynolds Irrigation District.

Spokane Bank for Cooperatives is the assignee of the above-described permit, and we have also executed the Proof in that capacity.

Please notify me if you need any more information. I can be reached at 509-838-9282.

Sincerely,

SPOKANE BANK FOR COOPERATIVES

Carol A. Cameron
Legal Assistant

Enclosures
Certified Mail No. P 662 069 907

RECEIVED

JUL 06 1988



Farm Credit Services

West 601 First Avenue
P.O. Box TAF-C2
Spokane, Washington 99220-4002
509/838-9300

RECEIVED

JAN 11 1988

January 7, 1988

Department of Water Resources

Mr. David Daniel, Secretary/Treasurer
Reynolds Irrigation District
HC 79 Box 127
Melba, Idaho 83641

Dear Mr. Daniel:

**SUBJECT: STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES APPLICATION FOR
PERMIT NO. 63-9368**

The bank received the enclosed proof due notice setting out the actions necessary for final approval of the above water permit. We also received and are enclosing a Proof of Beneficial Use form, with instructions, and a Request for Extension of Time form, with instructions. As I understand it, the Request for Extension of Time is not applicable in this case due to the fact that one extension has already been issued by the Department of Water Resources.

Please read the notice, and fill out and return to the bank the enclosed Proof of Beneficial Use. As stated in the notice, a license examination fee or a completed field examination report prepared by a certified water rights examiner is also necessary.

Permit No. 63-9368 was assigned to Spokane Bank for Cooperatives by Assignment of Permit dated November 19, 1985. Therefore, it is necessary for the bank to sign the Proof of Beneficial Use.

Please assist us by filling out this necessary document, and returning it to the bank with the license fee or field examination report as soon as possible. It must be submitted to the Department of Water Resources before March 1, 1988.

RECEIVED
JUL 06 1988

The Farm Credit System

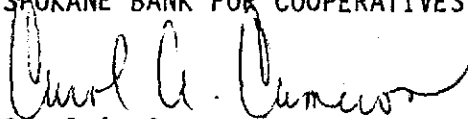
Mr. David Daniel
January 7, 1988
Page 2

We are also enclosing three certification forms to be executed by an authorized officer of the association. These forms are necessary to indicate that the construction of the low head hydroelectric facility was completed to the satisfaction of the association, and that the contracts have been paid in full. Please return the executed forms to the bank at your earliest convenience.

Thank you very much for your assistance.

Sincerely,

SPOKANE BANK FOR COOPERATIVES


Carol A. Cameron
Legal Assistant

Enclosures




JUL 04 1988

138164
CERTIFIED MAIL
December 31, 1987

SPOKANE BANK FOR COOPERATIVES
P.O. BOX TAF-C2
STAR ROUTE
SPOKANE, WA 99220

PROOF DUE NOTICE

RE: Permit No. 63-9368

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

JUL 06 1988



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

August 3, 1987

Carl L. Myers, P.E.
750 Warm Springs Avenue
Boise, ID 83712

Re: Application for Permit No. 63-9909 in the name of Reynolds
Irrigation

Dear Mr. Myers:

In April, 1987, you hand delivered a copy of a report conducted by Sheryl Chapman in which spring flows near Warm Springs Creek were measured. I have reviewed the report, and it seems to be somewhat inconclusive as to the availability of flows from Warm Springs Creek. Points 12 and 13 in the report identify flows in the approximate location of the proposed point of diversion. The total of flows at both points is only about 17 cfs. The report states that approximately 17.4 cfs must be provided to downstream users on Warm Springs Creek. Sheryl Chapman's report seems to establish that there may not be sufficient water to supply the downstream users with water when you are diverting 18 cfs above.

A concern over delivery of water to downstream users must be addressed prior to the Department approving diversion directly from Warm Springs Creek or Grouch Drain as the case may be. Please propose operation techniques which will be used to reduce the impact on existing rights.

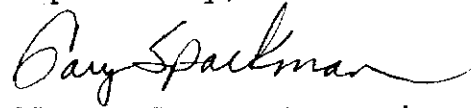
As I recall from our previous conversations, the power plant is already in operation. Therefore, many of the items of information normally requested are not necessary. If my recollection about the construction completion of the hydropower facility under Permit No. 63-9368 is incorrect, please advise me.

MICROFILMED

JUL 06 1988

Finally, I have reviewed the file, and see no reference to FERC approval. Is it your intention to sell the power? If so, please inform the Department as to the current status of the FERC filing.

Respectfully,



GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

CC: Reynolds Irrigation District
Western Region

MICROFILMED

JUL 06 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

April 7, 1987

Reynolds Irrigation District
Sam Pitman, Director
Star Route
Melba, ID 83641

Re: Application for Permit to Appropriate Water No. 63-9909,
water to be diverted from Grouch Drain and Warm Springs
Creek.

Dear Mr. Pitman:

A review of our files reveals that Application No. 63-9909 is filed in conjunction with Permit No. 63-9368, which proposes diversion from a groundwater source. It appears that both filings will provide water to a hydropower plant located near the old Walters Ferry bridge which spans the Snake River.

Ownership of filing No. 63-9368 is shown to be in the name of Spokane Bank for Cooperatives. There is no record in our file that Spokane Bank retains any interest in filing No. 63-9909. Please be advised that if Spokane Bank does retain any interest in Application No. 63-9909, that they will be required to file a copy of the assignment with the Department of Water Resources, and also an affidavit showing that they are authorized to do business in the State of Idaho, either through their charter, or through registration with the Secretary of State of the State of Idaho.

If you have any questions, please contact our office.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Western Region
Spokane Bank for Cooperatives
Owen H. Orndorff

MICROFILMED

JUL 06 1988

December 13, 1985

RE: Permit No. 63-9368

Spokane Bank for Cooperatives
P.O. Box TAF-C2
Spokane, WA 99220

Dear Permit Holders:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

MICROFILMED

Permit No. 63-9368

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
2. Notary? Yes
3. a. Full Assignment? Yes
~~b. Partial Assignment?~~
4. "No assignment" condition on permit? NO
5. Commencement of Works received? Yes
~~a. Commencement of works requested? N/A~~
~~b. Show Cause Order drafted & sent? N/A~~
~~c. Cancellation necessary? No~~
6. Affidavit of residency required? NO
7. Extension granted due to litigation? N/A
(If yes, commencement of works is not required.)

1. Type permit summary sheet. Shavla
2. Coding sheet. Shavla
3. Acknowledgement letter type. #1
4. Copy to region.

Date 11-27-85

Employee Juni

MICROFILMED

RECEIVED

NOV 22 1985

Department of Water Resources

Murphy, Idaho
November 19, 1985

Department of Water Resources
450 West State Street
Boise, Idaho 83720

Please assign the enclosed permit and send acknowledgment

to: Spokane Bank for Cooperatives
W. 601 First Ave.
P. O. Box TAF-C2
Spokane, Washington 99220
Attn: Kathryn Cummings

Sincerely yours,

REYNOLDS IRRIGATION DISTRICT

By

Nick Mili

Sec.-Treas.

MICROFILMED

4/18/85

WATER RIGHT NUMBER 63-9368

OWNER LAST NAME - REYNOLDS IRRIGATION DIST.

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - 2 SAM PITMAN, DIRECTOR

ADDRESS LINE 2 - STAR ROUTE

ADDRESS LINE 3 -

CITY - MELBA

STATE - ID ZIP CODE - 83641

SOURCE - GROUNDWATER

TRIBUTARY OF - WARM SPRINGS CREEK

STAGE - PERMIT

STATUS -

PRIORITY - 04-17-1980 COUNTY - CANYON

TOTAL DIV. RATE - 50.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND - A

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESE 03 01S 02W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SWSE 03 01S 02W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

NNW 10 01S 02W LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

PRCM - 01-01 TO - 12-31 USE - POWER

USE DIV. RATE -

50.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - POWER

PLACE OF USE - TWN 01S RNG 02W SEC 17

TRACT NWNE LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 03-01-1988 PERMIT/DENIED - 03-03-1988 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01C 08A

DIVERSION MEANS - WELLS & PIPELINE

January 6, 1984

RE: Permit No. 63-9368

Reynolds Irrigation District
Star Rt., B
Malba, ID 83641

Gentlemen:

Enclosed is a copy of the approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: LHS

Right Number 63-9368 Applicant Reynolds Irr. Dist

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. ~~If increased, delay date of priority.~~
- ☒ Description of amended places of use. ~~If expanded, delay date of priority.~~
- ☒ Ownership of point of diversion and place of use. have contract
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use. N/A
- ☐ Right number(s) N/A
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No ~~Should date of priority be delayed? If yes, to what date?~~ _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 11/30/83
 - ☒ Amendment published correctly. Pub. 11/17/83 11/24/83 20/32480
 - ☐ Protests processed.
 - ☒ Approve.
 - ☐ Deny.
- Conditions Right-of-way condition + conditions
on permit

By DBS Date 12/5/83

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Jui Date 1-4-84
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

NOTICE OF (APPLICATION FOR AMENDMENT)
(AMENDED APPLICATION FOR PERMIT)

Notice is hereby given that (application)
(permit) No. 63-9368

in the name of Reynolds Irrigation District
was filed on 4/17/80 for the
diversion of 50 cfs from a groundwater source
with a point of diversion within the SWSE, SESE Sec 3 and
NNW Sec 10 T1S R2W to be used for Power
purposes from 1/1
to 12/31 within portions of SESW
Sec 17 T1S R2W

The (applicant) now proposes to amend the
(permit holder)

(application)
() by changing the place of use to the
(permit)

NNNE Sec 17 T1S R2W

Any protest against the approval of the proposed amendment
must be filed with the Department of Water Resources, Statehouse
450 W. State St. , Boise, Idaho 33720 on or before
December 5, 1983

A. KENNETH DUNN
Director

Press-Tribune
Published 11/17 and 11/24/83

MICROFILMED

February 9, 1983

Reynolds Irrigation District
c/o Sam Pitman, Director
Star Rt.
Melba, ID 83641

Gentlemen:

Re: Permit No. 63-9368

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to March 1, 1988.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date a permit is issued. In the case of this extension, you must commence works within a year from the day the extension was signed and proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction. If you are still prevented from commencing works eleven months from now, note the reason on the blue card and return it then.

Sincerely,

RITA L. FLECK
Sr. Secretary

Enc: Ext. of Time
Blue Postcard

1

INTER-DEPARTMENT MEMO — 1

DATE 2/2/83

FROM Jim

TO File

SUBJECT Ext. Reg. of 1-5-83

Delay caused by I.P. negotiations are not bases for granting the Ext. Reg. but rather upon the amount of work already completed.

SIGNATURE

DONE

This Ext. Regt.
is BASED UPON
PRESENT IDAHO
POWER'S ATTEMPT TO
DELAY ~~THE~~ PURCHASE
OF POWER GENERATED
BY INDEPENDANTS,
WE SHOULD
PROBABLY APPROVE
EXT. ON DUE Diligence

RATHER THAN
FOR REASONS
GIVEN.

Jim

Jim.

Yes, and there is also
a reason given that

"final construction is still
under way" that supports your
this contention

Or

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

REYNOLDS IRRIGATION DIST.
% SAM PITMAN, DIRECTOR
STAR ROUTE
MELBA, ID 83641

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-9368 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,



RITA FLECK
SR. SECRETARY

ENC: 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138074

REYNOLDS IRRIGATION DIST.
B. SAM PITMAN, DIRECTOR
STAR ROUTE
MELBA, ID 83641

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-9358 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

April 20, 1982

Mr. James C. Redmond
J-U-B Engineers, Inc.
250 South Beechwood Avenue, Suite 1
Boise, ID 83709

Dear Mr. Redmond:

RE: Water Rights for Power Production for Reynolds Creek Irrigation District

I have carefully reviewed your letter dated April 2, 1980 regarding the Reynolds Creek Irrigation District power filings and have discussed the matter with Dave Tuthill, the staff member who proposed that an additional Application for Permit would be necessary.

It appears that the basic difference between your interpretation of Permit No. 63-9368 and that of Mr. Tuthill concerns the source of the water right. When the Application for Permit was originally filed, item No. 2, source, was completed by the applicant as "Subterranean Water". We normally interpret this to mean "Groundwater". To reinforce this interpretation, the remark on the application stated in part: "Under this application, Reynolds wishes to further develop the three wells to a maximum of 50 cfs for power generation...". Our processing people changed the source to "groundwater" to comply with our standard terminology for purposes of advertising and data entry. The application was approved with this source name.

When the Application for Amendment of a Permit was submitted on November 26, 1980, no mention was made of source change. From your letter dated April 2, 1982, it appears that you interpreted the approval of the amendment to approve the addition of another source, Sproat Springs and tributaries. I can see how you may have interpreted approval of the amendment to enable diversion of water from the springs. However, the approval only allowed diversion of additional groundwater at the location of Sproat Springs.

This department has traditionally ruled that groundwater is a source that is distinct from surface water. Artesian flows are considered to

be groundwater if the flows are developed via drilling. Naturally occurring "artesian" flows, such as springs, are considered to be surface water. Therefore, Permit No. 63-9368 would allow the use of new flows created either by drilling new artesian wells or by further developing existing wells. The permit does not allow diversion of either Sproat Springs or other surface water sources.

Pursuant to Section 42-211, Idaho Code, a permit holder can amend the "place, period or nature of the intended use, or make other substantial changes in the method of diversion or proposed use or uses of the water". This language has been interpreted to not include a change in source from groundwater to surface water. Therefore, the only means of establishing a power right from Sproat Springs is to file a new Application for Permit, which Sam Pitman of the Reynolds Creek Irrigation District has done. We will withhold advertising of this new application until June 1, 1982 to allow you an opportunity to respond to this letter.

I trust that this explanation of this situation will be acceptable to you. If you wish to discuss it further, feel free to contact me.

sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:DRT:rf

RECEIVED

RECEIVED

APR 5 1982
Department of Water Resources
Telephone: (208) 376-7330



J-U-B ENGINEERS, Inc.

250 South Beechwood Avenue, Suite 1

Boise, Idaho 83709

April 2, 1982

Mr. Glen Saxton, Chief
Operations Bureau
Idaho Dept. of Water Resources
450 W. State Street
Boise, Idaho 83702

Dear Mr. Saxton:

It has recently come to our attention that a water right permit and application filed by Reynolds Irrigation District for power generation has been interpreted by a member of your department which would restrict the amount of water to be appropriated from 50 cfs to the amount the District has historically used for irrigation (34 cfs). From talking with the Reynolds Irrigation District, there seems to have been some confusion in the department regarding where the water was being diverted from for power purposes that led to this interpretation. I can offer the following explanation as to why the Reynolds Irrigation District should have the full 50 cfs as listed in their original permit and amendment for permit.

The original permit, Identification No. 63-9368, was filed in April of 1980, listing 50 cfs for power purposes to be diverted in the general location of their three existing artesian wells in Section 3, T.1S., R.2W. After some additional study, an application for amendment to that permit was filed in November of 1980 which showed an additional point of diversion as being at the headgate of their existing irrigation canal in Section 10, T.1S., R.2W. Both the water right permit and the amendment were approved. As we view the information provided in the original permit and the amendment, the Irrigation District has the right to divert up to 50 cfs of water for power generation purposes from either or both of their Section 3, T.1S., R.2W. diversion point and their Section 10, T.1S., R.2W. diversion point.

We do not believe that the District should be limited to diverting only those waters produced by their artesian wells (i.e, the current interpretation), as would have been the case had the original permit filed by the District in April of 1980 not been amended. The additional diversion point was added because additional artesian flow entered the ditches/canals below the original point of diversion, and the District wanted the right to use this water. When the water right was granted in September, 1980, the District and J-U-B ENGINEERS, Inc., understood the District to have the right to divert 50 cfs for power generation at either their wells or the Sproat Springs diversion point. No!

Sproat Spgs are not "artesian flows"

Mr. Glen Saxton, Chief

-2-

April 2, 1982

We would appreciate your review of this matter at your earliest possible convenience, because what we feel to be an erroneous interpretation by a member of your staff has caused anguish to the Irrigation District and compelled them to file an additional application, which we feel is unnecessary.

Thank you for your time. I will be looking forward to your answer.

Sincerely,

J-U-B ENGINEERS, Inc.



James C. Redmond

JCR:ss

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: CHS

Right Number 62-9368 Applicant Reynolds Irrig. Dist.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).
☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use. None for power have decreed rights for Irr
- ☒ Right number(s) See 7th District Court Decree
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW: net

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed. none
- ☒ Approve.
- ☐ Deny.

Conditions _____

By CHS Date 12/31/80

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Jmi Date 1/14/81
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

January 15, 1981

Reynolds Irrigation District
Star Route
Melba, Idaho 83641

Dear Sirs,

RE: Permit No. 63-9368

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution supervisor

JJ:mr

Enclosure

NOTICE OF APPLICATION FOR AMENDMENT
OF A PERMIT

Notice is hereby given that Permit No. 63-9368 in the name of Reynolds Irrigation District of Melba, Idaho was filed on 4/17/80 for the diversion of 50 cuf.s. from a groundwater source with points of diversion within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T18, R2W, B.M., Canyon County to be used for power purposes.

The holderrnow proposes to amend the permit by adding a point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T18, R2W, B.M., Canyon County.

If issued, the amended permit will be subject to all prior water rights. Protests against the granting of this amendment must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before December 29, 1980.

C. STEPHEN ALLRED

Director

Published in the Idaho Press-Tribune on 12/11 and 12/18/80.

NOTED
12/21/80

IDENT. NO. 63-9368

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

REYNOLDS IRRIGATION DIST.
% SAM PITMAN, DIRECTOR
STAR ROUTE
MELBA, ID 83641

SEPTEMBER 24, 1980

RE: PERMIT NO. 63-9368

DEAR PERMIT HOLDER:

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

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

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

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: CWByan

APPLICATION NUMBER: 23-9368
REYNOLDS IRR DIST.

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63T
4/17/80 Date of priority recommended.
Special conditions of approval or cover letter. W.M. condition

Note. Source is groundwater - subordination is condition not required 4/20/80

By: DBS

Date: 5/20/80

STATE OFFICE REVIEW:

OIC OBA CORRECT ITEMS 2 & 4

Send receipt w/approved app. S.L. w/OIC cmd.

- ☐ See attached sheet for more information.

By: Jmc

Date: 6/2/80

MICROFILMED

Individual Owner

AFFIDAVIT TO ESTABLISH RESIDENCE

I, _____ of _____, County of _____, State of Idaho, being duly sworn, do hereby certify that I am a bona fide resident of the State of Idaho.

/s/ _____

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

/s/ _____

Notary Public

Residence _____

My Commission Expires _____

Corporation or Association

AFFIDAVIT TO ESTABLISH RESIDENCE
OR QUALIFICATIONS TO DO BUSINESS UNDER THE LAWS OF
IDAHO...

I, Sam Pitman of Melba, County of Owyhee, State of Idaho, being first duly sworn, depose and say:

That I am the designated statutory agent of the Reynolds Irrigation District, that as such I am in charge of the registered office of the said Director, Reynolds Irrigation District, as provided by Section 30-143, Idaho Code, at Owyhee County, Idaho, wherein are kept the records provided by Section 30-144, Idaho Code, and that Reynolds Irrigation District is a legal irrigation district qualified to do business in the State of Idaho under the laws of the State of Idaho.

X /s/ Sam C. Pitman

Subscribed and sworn to before me this 15th day of April, 1980

/s/ Nicholas F. Shli

Notary Public

Residence Murphy, Idaho

My Commission Expires 2/1/84

MICROFILMED

63-9368_

REYNOLDS IRRIGATION DISTRICT

X SAM PITMAN, DIRECTOR, STAR ROUTE, MELBA, ID

Source: GROUNDWATER tributary to WARM SPRINGS CREEK

Date Filed: 04/17/1980

Amount: 50.00 CFS 0.0 AC-FT

Diversion Point: SESE SWSE Sec 03 T 01S R 02W, CANYON Co.

Use: POWER (50.00 CFS) from 01/01 to 12/31

Place of Use: SENW Sec 17 T 01S R 02W

Diversion Means: WELLS & PIPELINE

MICROFILMED