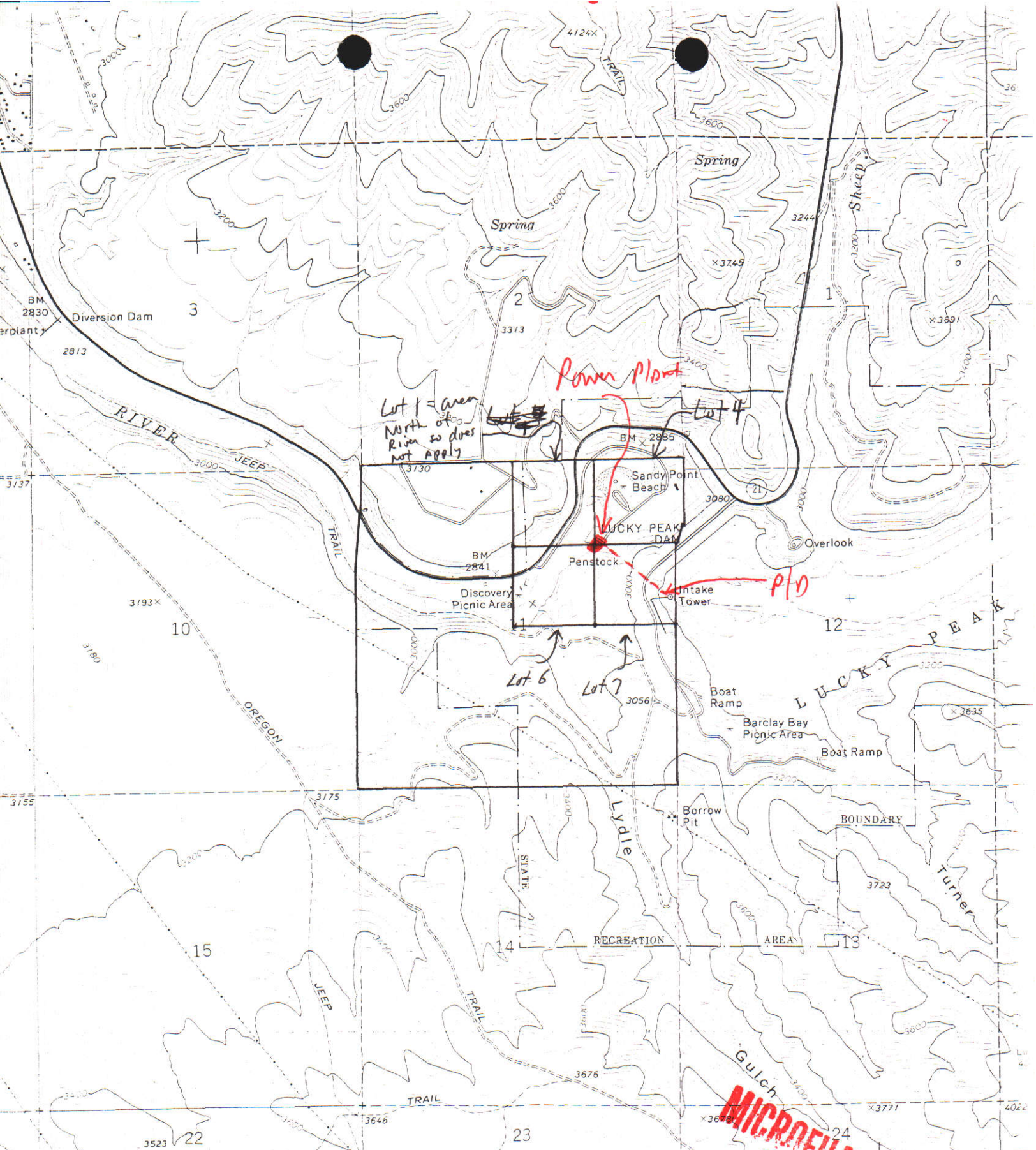


500



NOTICE OF
APPLICATION
FOR WATER
RIGHT

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

63-11069
BOISE PROJECT BOARD
OF CONTROL
214 BROADWAY
BOISE, ID 83702
Source: BOISE RIVER
Tributary: SNAKE RIVER
Diversion Pt: Lot 7 (SENE)
Sec 11 T 02N R 03E
Use: POWER (2,500 CFS)

Total Diversion: (2500.000 CFS) *to change Total*
Date Filed: 11/15/1989
In: T02N R03E S11 Lot 4
(NENE) Lot 6 (NWNE) Lot 6
(SWNE) Lot 7 (SENE)

67-07803
ONWEILER, BILL
P.O. BOX AU
MC CALL, ID 83638
Source: WEISER RIVER,
EAST FORK
Tributary: WEISER RIVER
Diversion Pt: NWSE Sec
15 T 17N R 01E
Use: POWER (50.000
CFS)

Total Diversion: (50.000
CFS)
Date Filed: 8-03-89
In: T17N R01E S31 Lot 4
(SWSW)

The permit(s) will be subject to all prior water rights. Protests may be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before DECEMBER 26, 1989.

R. Keith Higginson,
Director
PUBLISH: Thursday, December 7 and 14, 1989.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 20635

I, Linda Capps McSwine being first duly sworn upon oath, depose and say that I am Public Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated December 7, 1989, and ending with the issue dated December 14, 1989.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 22 day of December in the year of 1989, before me, a Notary Public, personally appeared _____, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

MICROFILMED

JUL 15 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11069

Proposed Priority: November 15, 1989 Maximum Diversion Rate: 2500.00 CFS
This is to certify, that BOISE PROJECT BOARD OF CONTROL

214 BROADWAY
BOISE, ID 83702

has applied for a permit to appropriate water from:

BOISE RIVER

tributary of SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
POWER	01/01 to 12/31	2500.00 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 7(SENE), Sec. 11, Township 02N, Range 03E
ADA County

PLACE OF USE: POWER
TWN RGE SEC

02N 03E 11 LOT 4(NENE) LOT 6(NWNE) LOT 6(SWNE)
LOT 7(SENE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 63.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.
5. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
6. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

MICROFILMED

JUL 15 1991

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

NO. 63-11069

CONDITIONS/REMARKS:

7. The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director on the date(s) of expiration of any license issued by the Federal Energy Regulatory Commission. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
8. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
9. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
10. This permit is for amounts of water in excess of 5700 cfs to the full capacity of the turbines and generators as described in 63-9019.
11. This water right does not convey any authority to require or demand the release of water but shall only be effective to allow generation of hydroelectricity using water released under existing rights and operating procedures for irrigation, flood control, and fish and wildlife purposes.
12. No additional construction is authorized under this permit.

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

5th day of June, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

JUN 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Boise Project Board of Control
on behalf of Boise-Kuna Irrigation District;

1. Name of applicant Nampa & Meridian Irrigation District; Phone 344-7063
New York Irrigation District; Wilder Irrigation District;
Post office address Big Bend Irrigation District 214 Broadway, Boise, ID 83702
(Please See Attached - Addresses of all Districts)

2. Source of water supply Boise River which is a tributary of Snake River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Govt. Lot 47 *
Sec. 11 Township 2N Range 3E B.M. Ada County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2500 cfs for power generation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 2500 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. U.S. Army Corps of Engineers intake
works at Lucky Peak Dam to penstock and turbines of the applicants'
existing Lukcy Peak Power Plant Project, FERC No. 2832, IDWR Permit No.
63-9019

b. Height of storage dam 340 N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:

See Attached to _____ inclusive.
*Lucky Pk. Dam 340', Act. Res = 278,200 a.f.
total Res. = 306,000 a.f. (from Permit
63-09019). But storage is not used
for power; direct flow is used.
See 63-09019 for details.*

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water for proposed beneficial use is
1 year years (minimum 1 year).
(works are already completed)

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JUL 15 1991

* per USGS topog map; Gov't. Lot Plot

SL 11/21/89

Head varies with water level in reservoir. Normally is 240 feet at full reservoir and 80 feet at winter minimum pool; 101 MW

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	3E	11	P	P	P	P													
			2.4	2.6	2.6	2.7													

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purposes as described above. Permit No. 63-9019 in name of Boise Project Board of Control on behalf of the Districts for 5700 cfs

11. a. Who owns the property at the point of diversion? U.S. Army Corps of Engineers

b. Who owns the land to be irrigated or place of use? The Districts

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Federal Energy Regulatory Commission License No. 2832 for the Lucky Peak Power Plant Project

12. Remarks: See No. 10 above. At certain times of the year and under certain reservoir conditions, the turbines and generators can use amounts in excess of 5700 cfs. This application is for amounts to the full capacity of the turbines and generators.

MICROFILMED

JUL 15 1991

APPLICANTS' (DISTRICTS') ADDRESSES

Boise-Kuna Irrigation District
129 School Avenue
Kuna, Idaho 83634

Nampa & Meridian Irrigation District
1503 1st Street South
Nampa, Idaho 83651

New York Irrigation District
214 Broadway Avenue
Boise, Idaho 83706

Wilder Irrigation District
709 Cleveland Boulevard
Post Office Box 416
Caldwell, Idaho 83605

Big Bend Irrigation District
747 Red Top Road
Adrian, Oregon 97901

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JUL 15 1991

ATTACHMENT TO APPLICATION FOR PERMIT;

BOISE-KUNA IRRIGATION DISTRICT, ET AL.

- 6b. Storage in the reservoir is determined by the United States Army Corps of Engineers and the United States Bureau of Reclamation pursuant to a 1953 Memorandum of Understanding and the Water Control Manual for Boise River reservoirs (April 1985). According to the Manual, the reservoirs are primarily managed for flood control from 1 November through 31 March with the primary reservoir refill period being 1 April through 31 July. See Water Control Manual, chapter 7. It is possible, however, for storage to occur during any time of the year depending upon management by the responsible agencies.

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JUL 15 1991

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

(SEE ATTACHED)

MICROFILMED
JUL 15 1991

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.

Chester B. Anderson
(Applicant)
Chairman, Boise Project Bd. of Control (per
attached affidavit)

Received by Yls. Date 11/15/89 Time 4:30 pm Preliminary check by SL
Fee \$ 5,225⁰⁰ Receipted by JN # W0006719 Date 11-16-89 Appl. received 11/15/89
Publication prepared by GG Date 11-29-89 Published in ID Statesman 12/7 & 12/14/89 STATWIDE PAPERS
Publication approved st Date 10-23-90 Resubmitted LEWISTON TRIBUNE 10/4 + 10/11/1990

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

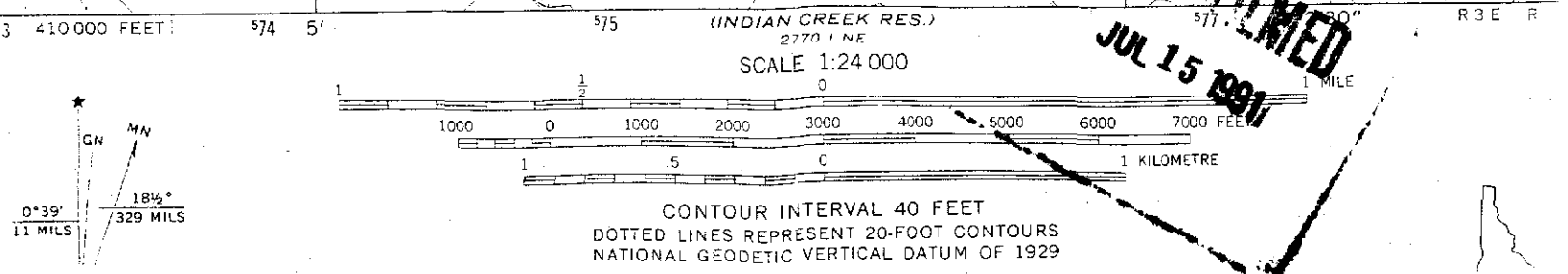
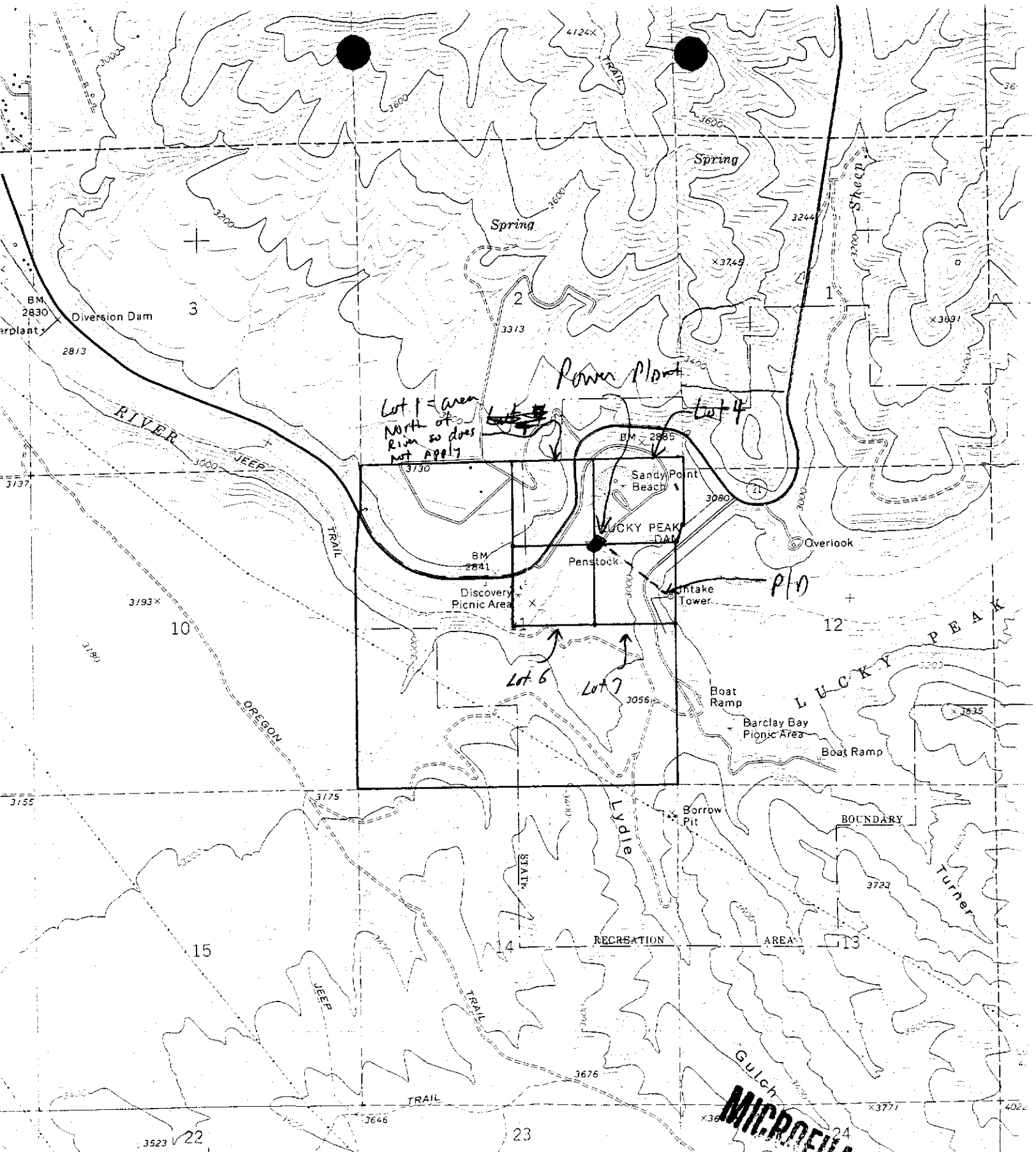
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

JUL 15 1991

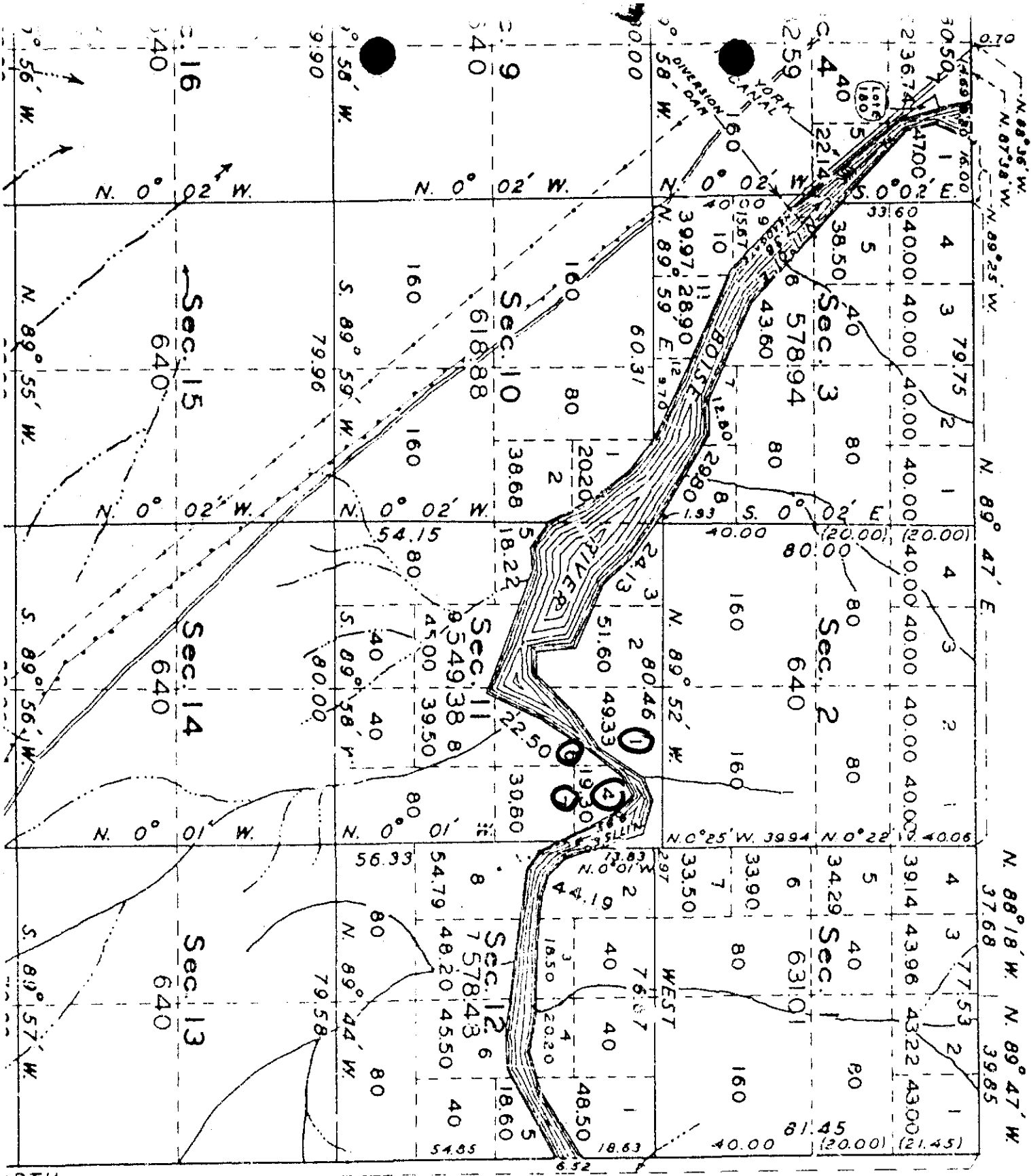


33

Sec. 34

Sec. 35

Sec. 36



MICROFILMED
JUL 15 1991

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 E St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

 Date 101190

 INVOICE No. L20210879

 Account No. 764760
11069

 Description 10879:NOTIC

 Times 2 Lines 28

Tab Lines

 \$ 31.50
**LEGAL ADVERTISING
INVOICE**

SOLD TO:

 DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

 STATE OF IDAHO, ss.
County of Nez Perce

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

63-11069

 BOISE PROJECT BOARD OF CONTROL
214 BROADWAY
BOISE, ID 83702
Source: BOISE RIVER
Tributary: SNAKE RIVER
Diversion Pt: LOT 7 (SENE) Sec 11
T 02N R 03E

 Use: POWER (2500.000 CFS)
Total Diversion: (2500.000 CFS)
Date Filed: 11/15/1989
In: T02N R03E S11 Lot 4 (NENE)
Lot 6 (NWNE) Lot 6 (SWNE) Lot 7 (SENE)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON, Director

Sue Baumeister

being duly sworn,

deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 100490

WEEK for 2 consecutive WEEKS, or once a publication thereof being on the 100490, and the last publication thereof being on the 101190, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Sue Baumeister

DEPOSED AND SWORN BEFORE ME THIS THE 15 day of October 1990

Mural M. Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED

OCT 17 1990

 Department of Water Resources
Western Regional Office

MICROFILMED

JUL 15 1991

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, ... Ted Delezene ..., first being duly sworn, depose and say: That I am the
... Foreman ... of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for ... two ... consecutive weeks, first publication having been made
on the ... 7th ... day of ... December ... 19 89, last publication
having been made on the ... 14th ... day of ... December ... 19 89, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this ... 15th ... day of ... December ... 19 89

Notary Public

My commission expires .. September 30, ..., 19 94 .

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11069
BOISE PROJECT BOARD
OF CONTROL
214 BROADWAY
BOISE, ID 83702
Source: BOISE RIVER; Tributary: SNAKE
RIVER
Diversion Pt: LOT 7 (SENE) Sec 11 T 02N
R 03E
Use: POWER (2500.000 CFS)
Total Diversion: (2500.000 CFS)
Date Filed: 11/15/1989
In: T02N R03E S11 Lot 4 (NENE) Lot 6
(NWNE) Lot 6 (SWNE) Lot 7 (SENE)
67-07803

ONWEILER, BILL
P.O. BOX AU
MC CALL, ID 83638
Source: WEISER RIVER, EAST FORK;
Tributary: WEISER RIVER
Diversion Pt: NWSE Sec 15 T 17N R 01E
Use: POWER (50.000 CFS)
Total Diversion: (50.000 CFS)
Date Filed: 8/03/1989
In: T17N R01E S31 Lot 4 (SWSW)

The permit(s) will be subject to all prior
water rights. Protests must be filled with
the Director, Dept. of Water Resources,
Western Region, 4735 Airport Way, Boise,
Idaho 83705 on or before DECEMBER 26,
1989.

R. KEITH HIGGINSON, Director
Published: December 7, 14, 1989

MICROFILMED

JUL 15 1991

NOTICE OF
APPLICATION
FOR WATER
RIGHT

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

63-11069
BOISE PROJECT BOARD
OF CONTROL
214 BROADWAY
BOISE, ID 83702

Source: BOISE RIVER
Tributary: SNAKE RIVER
Diversion Pt: Lot 7 (SENE)
Sec 11 T 02N R 03E
Use: POWER (2,500 CFS)
Total Diversion:

(2500.000 CFS) & *Shaw*
Date Filed: 11/15/1989
In: T02N R03E S11 Lot 4
(NENE) Lot 6 (NWNE) Lot
6 (SWNE) Lot 7 (SENE)
67-07803

ONWEILER, BILL
P.O. BOX AU
MC CALL, ID 83638
Source: WEISER RIVER,
EAST FORK
Tributary: WEISER RIVER
Diversion Pt: NWSE Sec
15 T 17N R 01E
Use: POWER (50.000
CFS)

Total Diversion: (50.000
CFS)
Date Filed: 8-03-89
In: T17N R01E S31 Lot 4
(SWSW)

The permit(s) will be sub-
ject to all prior water
rights. Protests may be
filed with the Director,
Dept. of Water Resources,
Western Region, 2735 Air-
port Way, Boise, Idaho
83705 on or before DE-
CEMBER 26, 1989.

R. Kent Higginson,
Director
PUBLISH: Thursday, De-
cember 7 and 14, 1989.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 20635

I, Glinda Appas McSweeney being first duly sworn upon oath, depose
and say that I am Bruce Albright of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks,
commencing with the issue dated December 7, 1989,
and ending with the issue dated December 14, 1989.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 28 day of December in the year of 1989, before me,
a Notary Public, personally appeared _____,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

MICROFILMED

JUL 15 1991

DEC 21 1989

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources
Western Regional Office

LEGAL ADVERTISING INVOICE

Amount Due

169.32

Account Name Idaho Department of Water Resources - Western			Account Number 47628	
Address 2735 Airport Way		City/State Boise, Idaho		Zip 83705
Ordered By Gail Garrett	P.O. Number	Rate nt	Run Dates 1989 December 7, 14	
Identification Notice of Application for Water Right			Estimated Inches	Real Inches
Number of Affidavits Requested 1				Legal Number 4280

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-10953
CLOVERDALE MEMORIAL PARK INC.
1200 N. CLOVERDALE RD.
BOISE, ID 83704
Source: GROUNDWATER
Diversification Pt:
NENE Sec 9 T 03N R 01E
NWNE Sec 9 T 03N R 01E
Use: IRRIGATION (1.500 CFS)
WILDLIFE (.120 CFS)
Total Diversion: (1.500 CFS)
Date Filed: 8/25/1989
In: T03N R01E S09 NENE NWNE
S10 SWNW
75.0 ACRES TOTAL

63-11040
ALBERTSONS INC.
P.O. BOX 20
250 PARKCENTER BLVD.
BOISE, ID 83726
Source: GROUNDWATER
Diversification Pt:
SENESEW Sec 9 T 03N R 01E
Use:
FIRE PROTECTION (1.450 CFS)
Total Diversion: (1.450 CFS)
Date Filed: 8/25/1989
In: T03N R01E S09 NESW SESW

63-11054
TLUCEK, JERRY L.
TLUCEK, MARY LOU
RT. 1
MELBA, ID 83641
Source: GROUNDWATER
Diversification Pt:
NESW Sec 7 T 01S R 01W
Use: STOCKWATER (1.200 CFS)
COMMERCIAL (.040 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (1.320 CFS)
Date Filed: 11/02/1989
In: T01S R01W S07 NESW

63-11064
CHEVRON PIPE LINE CO.
201 N. PHILLIPPI ST.
BOISE, ID 83706
Source: GROUNDWATER
Diversification Pt:
NWSWSW Sec 8 T 03N R 02E
Use: IRRIGATION (.010 CFS)
Total Diversion: (.010 CFS)
Date Filed: 9/11/1989
In: T03N R02E S08 SWSW
0.2 ACRES TOTAL

63-11067
HAMPTON HOMES
HOMEOWNERS ASSN.
925 N. DOVE LN.
BOISE, ID 83703
Source: GROUNDWATER
Diversification Pt:
SENW Sec 11 T 03N R 01E
Use:
IRRIGATION (.090 CFS)
DOMESTIC (.300 CFS)
FIRE PROTECTION (.300 CFS)
Total Diversion: (.600 CFS)
Date Filed: 9/01/1989
In: T03N R01E S11 SENW
3.0 ACRES TOTAL

63-11068
BOISE WATER CORP.
P.O. BOX 7488
BOISE, ID 83707
Source: GROUNDWATER
Diversification Pt:
NESW Sec 8 T 03N R 02E
Use: MUNICIPAL (2.790 CFS)
Total Diversion: (2.790 CFS)
Date Filed: 11/17/1989
In: Service area of Boise Water Corp.

63-11069
BOISE PROJECT BOARD
OF CONTROL
214 BROADWAY
BOISE, ID 83702
Source: BOISE RIVER
Tributary: SNAKE RIVER
Diversification Pt:
LOT 7 (SENE) Sec 11 T 02N R 03E
Use:
POWER (2500.000 CFS)
Total Diversion: (2500.000 CFS)
Date Filed: 11/15/1989
In: T02N R03E S11
Lot 4 (NENE)
Lot 6 (NWNE)
Lot 6 (SWNE)
Lot 7 (SENE)

63-11073
WESTERN STATES
EQUIPMENT CO.
P.O. BOX 38
BOISE, ID 83707
Source: GROUNDWATER
Diversification Pt:
SWSW Sec 18 T 03N R 01E
Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 10/23/1989
In: T03N R01E S18 SWSW
1.0 ACRES TOTAL

63-11075
BOISE PARK SYSTEM
1104 ROYAL BLVD.
BOISE, ID 83706
Source: GROUNDWATER
Diversification Pt:
NWSE Sec 19 T 04N R 02E
Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 11/28/1989
In: T04N R02E S19 SWNE NWSE
13.0 ACRES TOTAL

67-07803
ONWEILER, BILL
P.O. BOX AU
McCALL, ID 83638
Source: WEISER RIVER
EAST FORK
Tributary: WEISER RIVER
Diversification Pt:
NWSE Sec 15 T 17N R 01E
Use: POWER (50.000 CFS)
Total Diversion: (50.000 CFS)
Date Filed: 8/03/1989
In: T17N R01E S31 Lot 4 (SWSW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho, 83705 on or before DECEMBER 26, 1989.

R. KEITH HIGGINSON
Director
Pub. Dec. 7, 14, 1989

_____ , being duly she is the Principal Clerk of The per printed and published at Boise, having a general circulation therein een continuously and uninterruptedly a period of twelve consecutive ion of the notice, a copy of which is was published in The Idaho ction 60-108, Idaho Code as

ative daily ☐ single ☐ odd skip
sue of December 7, 19 89
December 14, 19 89

Richards
December _____ in the year of a Notary Public, personally appeared _____, known or identified name subscribed to the within in- first duly sworn, declared that the nd acknowledged to me that she

Rice
r Idaho se, Idaho expires: 12/93

MICROFILMED
JUL 15 1991

July 25, 1991

BOISE PROJECT BOARD OF CONTROL
214 BROADWAY
BOISE, ID 83702

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11069

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

SCANNED
MAY 20 1992

MICROFILMED

AUG 06 1991

DO NOT SCAN

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 63-11069

Date 7-23-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ NA Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
1000.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- yes Measuring device or access port required?
yes Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received NA

Date proof due _____ - _____

No. of days late _____ = _____

Priority date _____ + _____

NEW PRIORITY DATE _____ = _____

LB

RECEIVED
JUL 22 1991

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 600.00
Date 7-22-91
Receipt No. CO21265
Received by [Signature]

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

344-1141 Board

1. Permit No. 63-11069 Telephone No. 344-7022 L.P.P.P.P.2. Name(s) of Permit Holder(s): Boise Project Board of Control (see attached)3. Post Office Address: 214 Broadway, Boise, Idaho 83706--Board of Control
HC-33 Box 1026, Boise, Idaho 83706--Lucky Peak Power Plant4. Source of Water: Boise River

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Power Generation6. Total rate and/or volume for which proof is submitted 2500 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? X Yes ___ No Installed? X Yes ___ No

OR

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

8. Fee Enclosed: \$600.00 (See License Examination Fee Schedule)

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

Dennis Larrondo344-7022

Name

Telephone No.

HC-33 Box 1026, Boise, Idaho 83706

Address

10. 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.

RECEIVED

AUG 06 1991

July 18, 1991
DateDennis Larrondo
Signature (and title if on behalf of a company or organization)Administrator / District Coordinator

RECEIVED

JUL 22 1991

Department of Water Resources

BOISE PROJECT BOARD OF CONTROL
214 Broadway
Boise, Idaho 83706
On Behalf Of:

Boise-Kuna Irrigation District
129 North School Street
Kuna, Idaho 83634

Nampa & Meridian Irrigation District
1503 1st Street South
Nampa, Idaho 83651

New York Irrigation District
214 Broadway Avenue
Boise, Idaho 83706

Wilder Irrigation District
709 Cleveland Boulevard
P.O. Box 416
Caldwell, Idaho 83605

Big Bend Irrigation District
747 Red Top Road
Adrian, Oregon 97901

RECEIVED

AUG 06 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 11, 1991

BOISE PROJECT BOARD OF CONTROL
214 BROADWAY
BOISE, ID 83702

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11069

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Natural flow of the Boise River is fully appropriated except during periods of flood flow. Your permit has been conditioned to require you to obtain storage water to compensate for your diversion of natural flow from the river. The amount of storage which you will be required to obtain is approximately 3 acre-feet per acre of irrigated ground. You will be notified in the future of the necessity to obtain storage water.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

JUL 15 1991

FROM Jim

DATE 12-18-90

TO GARY

SUBJECT Application for Power

ATTACHED IS A APPLICATION FOR POWER, It has been reviewed and normal conditions for power applications have been placed on the application. Before routing it to Glen I thought you would like to see it.

SIGNATURE

DO NOT SCAN

APPLICATION FOR PERMIT REVIEW

Application #: 63-11069
Date: 12-17-90

Reviewer: Pam Skaggs *AS*

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23(All GW, even existing wells)

Location:

Water Districts - WD No. 63
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)
Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
Swan Falls Flag - (1 or Blank)
Trust - 051-052-053-P74(Cons.), 041(DCMI)
Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 11D-P72
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
Power - (less than 25cfs P18), 01F-P19, 08A(Req.),
017K, 017G-017M(Choose One), 025
Mining - 06A, 006, 09E-P10, 010, 54
Storage - 18A-P09(In W.D.), 18B-P09(Size)
Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: - 01-01-1992

Other Conditions Recommended _____

MICROFILMED

JUL 15 1991

DO NOT SCAN

Form No. 102
3/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 11/21/89 APPLICATION: 63-11069

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.) *See attachment to application*
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume) SEE BACK OF THIS PAGE Gov't. Lots: 4 P/D
- ☒ Period of use: 6 P/U
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water: EXISTING SYSTEM
- ☒ Place of use or acres irrigated:
- ☒ Map:
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee:
- ☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion:
- ☐ Field check required: Field check by: _____
- ☐ Field report attached:
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ Diversion within interim protected river area
- ☒ Send dam safety information:
- ☒ Send power requirement letter:
- ☒ Send fish farm requirement letter:
- ☒ Power residency affidavit:
- ☒ Power efficiency form:
- ☒ Within trust water boundary: (If yes, attach Trust Water Supplemental Analysis Sheet.)
- ☒ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ Additional information on reverse side:

* See permit 63-09019 for earlier power w.r. at same facility.
1005 Existing system with FERC license. Large div. analy. info probably found
63-09019 as needed. Public interest addressed via advertising & letters (pg 2).

RECEIVED
OCT 26 1990

Department of Water Resources

Rate of Flow per Admin Memo 24

$$Q = \frac{P(11.8)}{He}$$

from application:

$$P = 101 \text{ MW} = 101,000 \text{ KW}$$

$$H = 80' \text{ to } 240'$$

$$e = \text{assume } \pm 50\%$$

Minimum flow based on above:

$$Q = \frac{(101,000)(11.8)}{(240)(.5)} = 9931.7 \text{ cfs}$$

thus, appl for 2500 cfs acceptable.

DO NOT SCAN

PROCESSING

APPLICATION NO. 63-11069

YES NO

☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☒ ☐
☒ ☐
☒ ☐
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☒ ☐

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other Pioneer and Settler Irrigation

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Statewide advertising

* Resubmitted to Lewiston Morning News 10/11 & 10/11/89

Publication dates and paper recorded on application: * October 22, 1990

Protests received. Final date for protest December 26, 1989

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Deny

Measuring device required:

Measuring port required:

Water delivered by water master? District # 63, Boise R.

Special conditions of approval or cover letter:

(*) OIF, OS (63, Boise R.). This water it does not convey any authority to require or demand the release of water, but shall only be effective to allow generation of hydroelectricity using water released under existing rights and operating procedures for irrigation, flood control, and fish and wildlife purposes.

Note: Processing delayed due to requirement to readvertise in Lewiston newspaper.

See below for additional information

Recommended Date or Priority 11/15/1989

Recommended by: DA Date 10/24/90

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

NOTE: Contract Attorney if questions - see 11/15/89 letter

Overlap

P/O 63-09019 - same diversion, same applicant (Permit). } all at
63-10366 " " (?) Pioneer Irrig Dist (Application) } Lucky Park
63-03618 " " (dam) U.S.O.I. Bur. Recl. (Permit). } Dam
63-05263 " " " " " (Stat. Claim).

P/W 63-09019 - same diversion for same power plant.
63-10366 " " (?) " other proposed power plant (?).
63-05168 Boise River to irrig. 2 acres in SWNE (Lot 1 = N. of river).
63-03026, 10345, 04771, 07236 - wells for other uses.



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

May 3, 1990

Lewiston Morning Tribune
505 C., P.O. Box 957
Lewiston, ID 83501

RE: Water Right Affidavits

Dear Legal Dept:

We have not received the affidavit for the advertising of the water right no. 63-11069 in the name of Boise Project Board of Control.

This was advertised December 7 and 14, 1989, in the Lewiston Morning Tribune. We would appreciate it if you would send us this affidavit so we can continue processing the application.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Secretary, Office Coordinator

RECEIVED

JUL 15 1991

RECEIVED

DEC 21 1989

IDAHO DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

Department of Water Resources
Western Regional Office

File

STANLEY F. HAMILTON
DIRECTOR

BOARD OF LAND
COMMISSIONERS

CECIL D. ANDRUS
Governor

PETE T. CENARRUSA
Secretary of State

JIM JONES
Attorney General

J.D. WILLIAMS
State Auditor

JERRY L. EVANS
Sup't. of Public
Instruction

December 20, 1989

TO: Department of Water Resources
Western Region
David R. Tuthill, Jr.

FROM: Bryce D. Taylor
Leasing Specialist

RE:

63-11069

Boise proj. 84 of control

This reservoir is administered by a federal agency and not considered under Lands jurisdiction. Lands has no objection to the proposed appropriation based on this application.

Bryce

BDT:lr

RECEIVED
JUL 15 1994

KEEP IDAHO GREEN
PREVENT WILDFIRE



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707

RECEIVED

JAN 03 1990

Department of Water Resources
Western Regional Office

January 2, 1990

Mr. David Tuthill, Jr., P.E.
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Ref: 63-11069/Lucky Peak

Dear Mr. Tuthill:

Idaho Department of Fish and Game personnel have reviewed the above-referenced application to appropriate public water and object to issuance of a permit. It is our understanding that the U.S. Bureau of Reclamation holds the water right to storage in Lucky Peak Reservoir, which they contract to various users. Issuance of this water right (63-11069) would seem in conflict with water right held by the Bureau of Reclamation and could lead to conflicts in water use and time of release.

Sincerely,

Tracey Trent, Chief
Bureau of Program Coordination

WR:tlv

cc: Region 3

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife - since 1938

Responded by telecon, no protest intended

Doc

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JUL 15 1991



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

December 26, 1989

Pioneer Irrigation District
P.O. Box 426
Caldwell, ID 83605

RE: Application for Permit No. 63-11069 in the Name of the Boise Project Board of Control on behalf of Boise-Kuna Irrigation District, Nampa & Meridian Irrigation District, New York Irrigation District, Wilder Irrigation District, and Big Bend Irrigation District

Ladies and Gentlemen:

I am in receipt of the letter dated December 7, 1989 from Naida E. Kelleher, Secretary-Treasurer of your organization, in which she indicated that the Board members of the Pioneer Irrigation District have concerns regarding the authority of FERC to control the volume of water which flows down the Boise River. The letter expressed concerns that a time may come when it is demanded that more water than is necessary for existing purposes be released for power generation purposes, and expressed a hope that these concerns will be taken into consideration before any increase in the amount of the water rights for hydroelectric power at Lucky Peak is approved.

The letter expressing your concerns will be made a permanent part of the water right record for the above-reference application. In response to these concerns I would indicate that the State of Idaho has continued to assert jurisdiction in the delivery of public waters, for power use and any other use. With respect to the hydropower project at Lucky Peak, the existing water right, No. 63-9019, has as one condition of approval the following:

This water right does not convey any authority to require or demand the release of water but shall only be effective to allow generation of hydroelectricity using water released under existing rights and operating procedures for irrigation, flood control, and fish and wildlife purposes.

My intent is to recommend that this same condition of approval be applied to the newly proposed application.

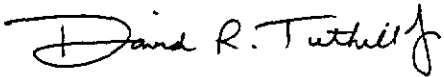
It is my interpretation that your letter does not represent a formal protest to the approval of the new application pursuant to Section 42-203A, Idaho Code, but that rather the letter expresses your concerns for the record and for our consideration. If this interpretation is not correct and the Board does intend your letter to be a formal protest to the approval of the

RECEIVED
JUL 15 1991

Page 2
Pioneer Irrigation District

application, please advise this office no later than January 9, 1990. It is my intent to forward the application to the state office on that date with a recommendation for approval if no additional notification is received in this regard.

Sincerely,

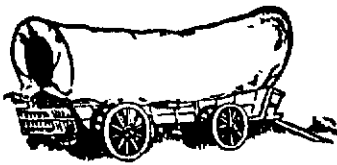


David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

cc: Don Olowinski, Esq. (with copy of Pioneer Irrigation District letter)
Scott Campbell, Esq.

RECEIVED

JUL 15 1991



Pioneer Irrigation District

LONNIE J. FREEMAN
Superintendent

NAIDA E. KELLEHER
Secretary/Treasurer

P. O. Box 426 — CALDWELL, IDAHO 83605
(208) 459-3617

RECEIVED

DEC 15 1989

December 7, 1989

Mr. David Tuthill, Jr., Supervisor
Western Regional Office
Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706-2237

Department of Water Resources
Western Regional Office

Dear Mr. Tuthill:

The Board of Directors of the Pioneer Irrigation District are in receipt of a copy of the Application for Permit No. 63-11069 in which the Boise Project Board of Control is seeking to increase the amount of the water rights for hydroelectric power at Lucky Peak from 5,700 cfs to 8,200 cfs.

Past experiences have indicated that FERC does not honor the water rights of all irrigation districts having water rights behind the existing dams, therefore the Board members of Pioneer Irrigation District have real concerns that some day FERC could get control of the volume of water which goes down the river, due to the agreement the Board of Control has with Seattle Light and Power.

Our Board has no problem with the use of the water that must go down the river, to be used for power generation. However, grave concerns do exist that a time may come when it is demanded that more water than necessary be released down the river for the sole purpose of generating power. It is our hope these concerns will be taken into consideration before any increase in the amount of the water rights for hydroelectric power at Lucky Peak be approved.

Thank you for any consideration you will give of Pioneer Irrigation District's concerns.

Sincerely,

Naida E. Kelleher
Secretary-Treasurer

pc: Members of the Board
Scott Campbell

JUL 15 1990



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

December 12, 1989

Idaho Dept. of Health & Welfare
Division of Environment
Statehouse
Boise, ID 83720

Re: Application for Permit No. 63-11069 in the name of Boise Project Board of Control

Dear Sir:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by December 26, 1989.

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

Sincerely,

Steve Lester for

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

DRT:st

Enclosure(s):

DEC 15 1989



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

December 12, 1989

State of Idaho
Dept. of Fish & Game
P.O. Box 25
Boise, ID 83720

Re: Application for Permit No. 63-11069 in the name of Boise Project Board of Control

Dear Sir:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by December 26, 1989.

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

Sincerely,

Steve Lester for

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

DRT:st

Enclosure(s):

JUL 15 1990



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

December 12, 1989

Idaho Department of Lands
Bureau of Navigable Waters
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 63-11069 in the name of Boise Project Board of Control

Dear Sir:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by December 26, 1989.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Lister for".

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

DRT:st

Enclosure(s):



RECEIVED

NOV 15 1989

Department of Water Resources
Western Regional Office

AFFIDAVIT TO ESTABLISH QUALIFICATION TO DO BUSINESS

UNDER THE LAWS OF THE STATE OF IDAHO

STATE OF IDAHO)
) ss
County of Ada)

CHESTER HARGRAVE, Being first on oath duly sworn,
deposes and says:

That he is the Chairman of the Boise Project Board of Control; that the Boise Project Board of Control is an agency created as a result of contract entered into under the authority of Federal and State statutes, pursuant to which said Board of Control acts as operating agent for the Boise-Kuna Irrigation District, the Nampa & Meridian Irrigation District, the New York Irrigation District, and the Wilder Irrigation District, all located in the state of Idaho, and the Big Bend Irrigation District, located in the state of Oregon. Under the provisions of an Act of Congress dated June 17, 1902 (32 Stat. 388) and acts amendatory thereof and supplemental thereto, and particularly under the provisions of Section 4 of an Act of Congress dated December 5, 1924 (43 Stat. 672,701, now Sections 500 and 501, Chapter 12, Title 43 U.S.C.A.) and has such statutorial recognition as a quasi-municipal corporation, authorized to do business in the state of Idaho pursuant to the provisions of Section 57-104, Idaho Code; that the registered office of the

RECORDED

JUL 15 1991

AFFIDAVIT TO ESTABLISH QUALIFICATION TO DO BUSINESS

UNDER THE LAWS OF THE STATE OF IDAHO -1

Boise Project Board of Control is 214 Broadway Avenue, Boise, Idaho 83702, wherein are kept all of the records required to be kept under the provisions of Section 30-144 applicable to irrigation districts.

Chester Hargrave
Chester Hargrave

SUBSCRIBED AND SWORN to before me this 9th day of November, 1989.

Dana A. Olson
Notary Public For Idaho
Residing at Boise, Idaho
My Commission Expires 8/2/94

[Faint circular notary seal]

JUL 15 1991

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

ROBERT I. TROXELL
JESS B. HAWLEY, JR.
JOHN T. HAWLEY, P.A.
THOMAS A. MILLER
M. NEAL NEWHOUSE
CRAIG L. MEADOWS
JOSEPH D. McCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.
GARY D. BABBITT
P. CRAIG STORTI
MERLYN W. CLARK
RICHARD F. GOODSON
CARL W. HARDER
PHILLIP M. BARBER
DONALD E. KNICKREHM
EDWIN V. APEL, JR.
EUGENE A. RITTI
KAREN L. LANSING
RICHARD G. SMITH
JOHN F. KURTZ, JR.
ROBERT S. ERICKSON
NICHOLAS G. MILLER
BRENT F. LLOYD

JOHN McGOWN, JR.
ALBERT P. BARKER
DON A. OLOWINSKI
JOHN T. HAWLEY, JR.
RONALD E. BUSH
STEVEN W. BERENTER
KENNETH C. HOWELL
RITA L. BERRY
MICHAEL M. STODDARD
JOSEPH P. LANGFIELD
SUSAN D. MINER
KEVIN J. BEATON
PATRICK V. COLLINS
CHRIS F. ODE
DAVID A. CHANNER
BRAD P. MILLER
STEVEN R. ORMISTON
BART J. PATTERSON
WILLIAM J. DAVIS
JOHN B. HINTON*
JULIA A. CROSSLAND
RICHARD B. BURLEIGH
*NOT ADMITTED IN IDAHO

FIRST INTERSTATE CENTER
SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344-6000

TELECOPIER
(208) 342-3829

November 15, 1989

PAUL B. ENNIS
(1916-1982)

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205

TELEPHONE
(208) 233-0845

TELECOPIER
(208) 233-1304

VIA HAND DELIVERY

Idaho Department Of
Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED
NOV 15 1989

Department of Water Resources
Western Regional Office

Re: Application For Additional Water For Use At Lucky
Peak Power Plant Project; See Permit No. 63-9019

To Whom It May Concern:

I have enclosed an application for water permit and a check in the amount of \$5,225.00 concerning the above-referenced permit. If you desire further information, please do not hesitate to communicate with me.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY

Don A. Olowinski
Don A. Olowinski

Enclosures

cc: Boise Project Board of Control
Boise-Kuna Irrigation District
Nampa & Meridian Irrigation District
New York Irrigation District
Wilder Irrigation District
Big Bend Irrigation District
Dennis Larrondo

MICROFILMED

JUL 15 1991



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 6, 1990

Lewiston Morning Tribune
505 C., P.O. Box 957
Lewiston, ID 83628

RE: Water Right Affidavits

Dear News People:

We have not received the affidavits for the advertising of water right no. 63-11069 in the name of Boise Project Board of Control.

These were advertised December 6 and 13, 1989, in the Mountain Home News. We would appreciate it if you would send us these affidavits so we can continue processing the applications.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Secretary, Office Coordinator

RECEIVED

JUL 15 1991

63-11069

BOISE PROJECT BOARD OF CONTROL
214 BROADWAY
BOISE, ID 83702

Source: BOISE RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 7 (SENE) Sec 11 T 02N R 03E

Use: POWER (2500.000 CFS)
Total Diversion: (2500.000 CFS)

Date Filed: 11/15/1989

In: T02N R03E S11 Lot 4 (NENE) Lot 6 (NWNE) Lot 6 (SWNE) Lot 7 (SENE)

RECEIVED

15 1991