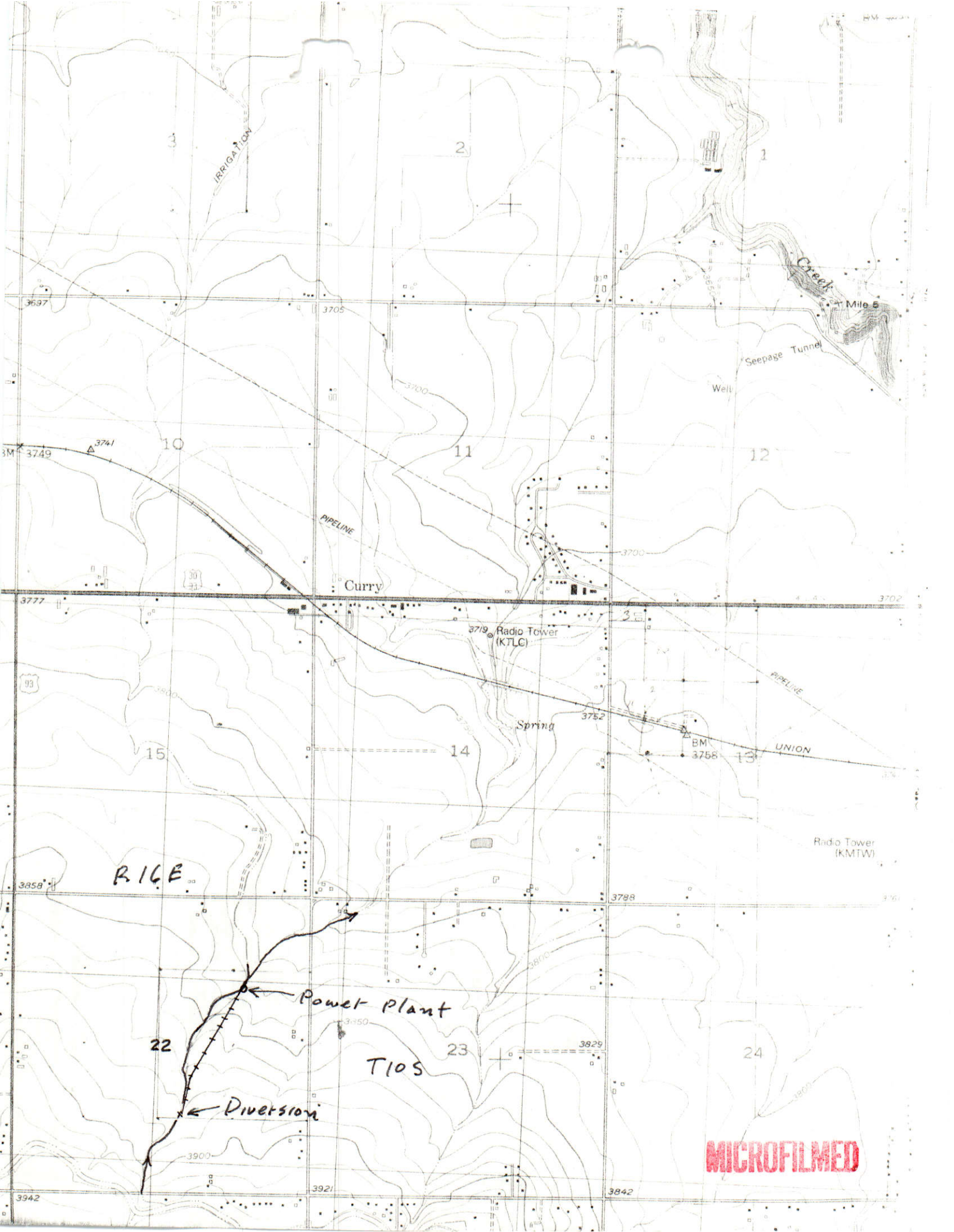




NOTICE OF
APPLICATION FOR
WATER RIGHT

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

47-7810
TEWS, GERALD
RT. 1, FILER, ID 83328
Source:
GROUNDWATER
Date Filed: 04/05/1982
Amount: 2.00 CFS
Diversion Point: NWSE
Sec 03 T 10S R 16E, TWIN
FALLS Co.
Use: IRRIGATION (2.00
CFS) from 03/15 to 11/15
Place of Use: LOT 02
(NWNE) SWNE NWSE
Sec 03 T 10S R 15E FOR
120 ACRES
Diversion Means: WELL,
PUMP

47-7811
FERRY-MORSE SEED
CO.
P.O. BOX 111, HANSEN,
ID 83334
Source:
GROUNDWATER
Date Filed: 04/06/1982
Amount: 0.02 CFS
Diversion Point: NWNE

Sec 26 T 10S R 18E, TWIN
FALLS Co.
Use: COMMERCIAL (0.02
CFS) from 01/01 to 12/31
Place of Use: NWNE Sec
26 T 10S R 18E
Diversion Means: WELL,
PUMP

47-7812
HULL, GENE
BOX 926, TWIN FALLS,
ID 83301
Source: UNNAMED
STREAM tributary to
ROCK CREEK
Date Filed: 04/08/1982
Amount: 100.00 CFS
Diversion Point: NWSE
Sec 22 T 10S R 16E, TWIN
FALLS Co.
Use: POWER (100.00
CFS) from 01/01 to 12/31
Place of Use: SENE Sec
22 T 10S R 16E
Diversion Means:
PENSTOCK & TURBINES

02-7375
IDAHO POWER COM-
PANY
P.O. BOX 70, BOISE, ID
83707
Source: SNAKE RIVER
tributary to COLUMBIA
RIVER
Date Filed: 04/05/1982
Amount: 5000.00 CFS
Diversion Point: LOT 03
Sec 04 T 10S R 18E, TWIN
FALLS Co.
Use: POWER (5000.00
CFS) from 01/01 to 12/31
Place of Use: LOT 03 Sec
04 T 10S R 18E
Diversion Means:
CONCRETE DAM,
STEEL PENSTOCK,
POWERHOUSE

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of
any permit must be filed
with the Director of the
Idaho Department of
Water Resources, 1041
Blue Lakes Blvd. North,
Twin Falls, Idaho 83301
and received on or
before MAY 10, 1982.

A. KENNETH DUNN
Director
PUBLISH: Thursday,
April 22, and 29, 1982.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

Nº 11469

I, H. Endeavor being first duly sworn up
oath, depose and say that I am print 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 2
consecutive weeks, commencing with the issue dated
April 22, 1982, and ending with the issue dated
April 29, 1982.

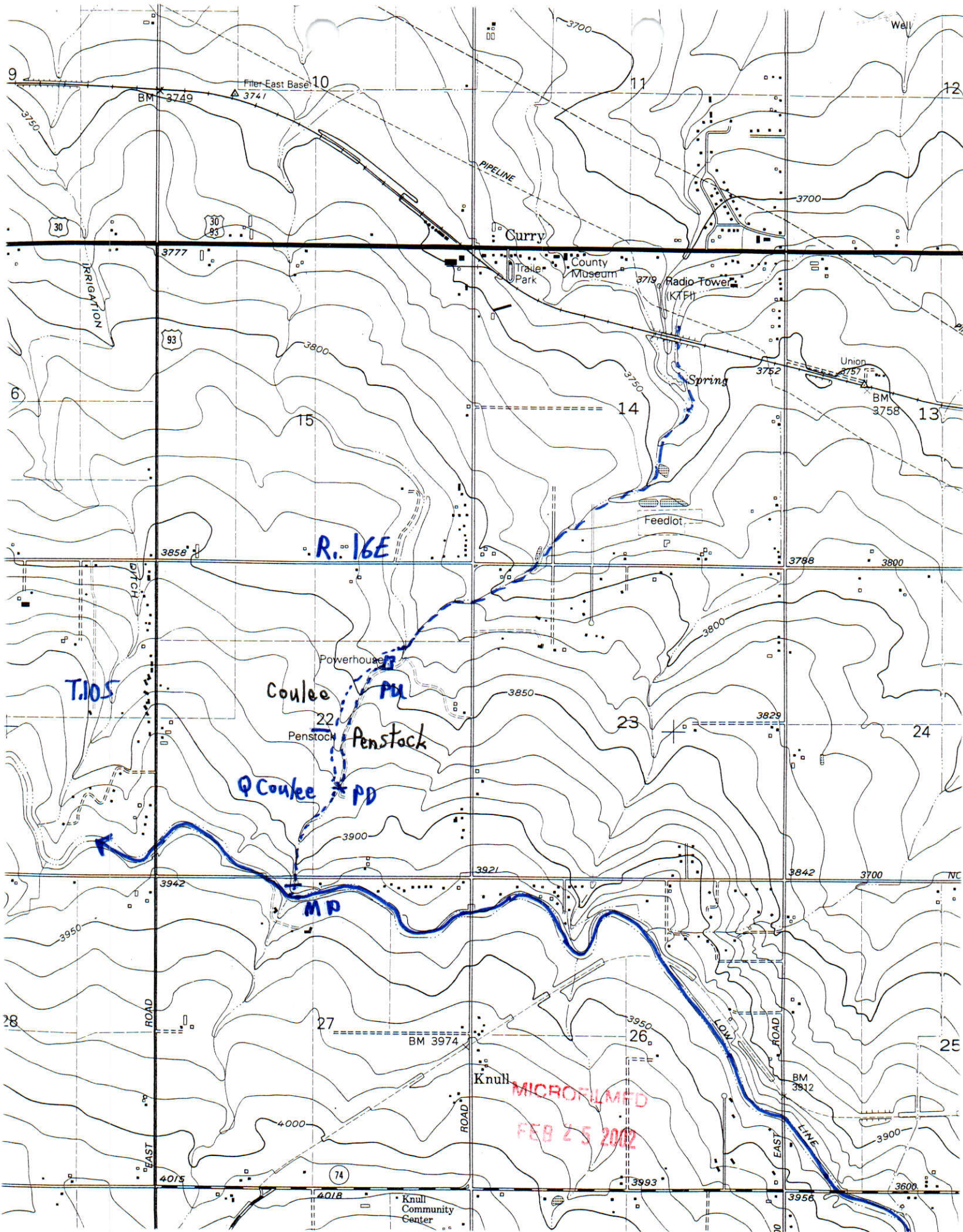
And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under 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,
and 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 com-
petent 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 the
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 29 day of
April, 1982.

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED
MAY 5 1982
Department of Water Resources
Southeastern District Office
MICROFILMED





Low Line Canal, Headgates to Coulee



Head of Coulee

MICROFILMED
FEB 25 2002

Permit 47-07812
6-30-99
JE Stanton



Q Coulee Looking North Towards Weir



Weir

MICROFILMED
FEB 25 2002

Permit 47-07812
6-30-99
JE Stanton



Staff Gauge at TFC Weir



Downstream (North) End of Weir

MICROFILMED
FEB 25 2002

Permit 47-07812
6-30-99
JE Stanton



Conlee + Head of Penstock (Looking North)



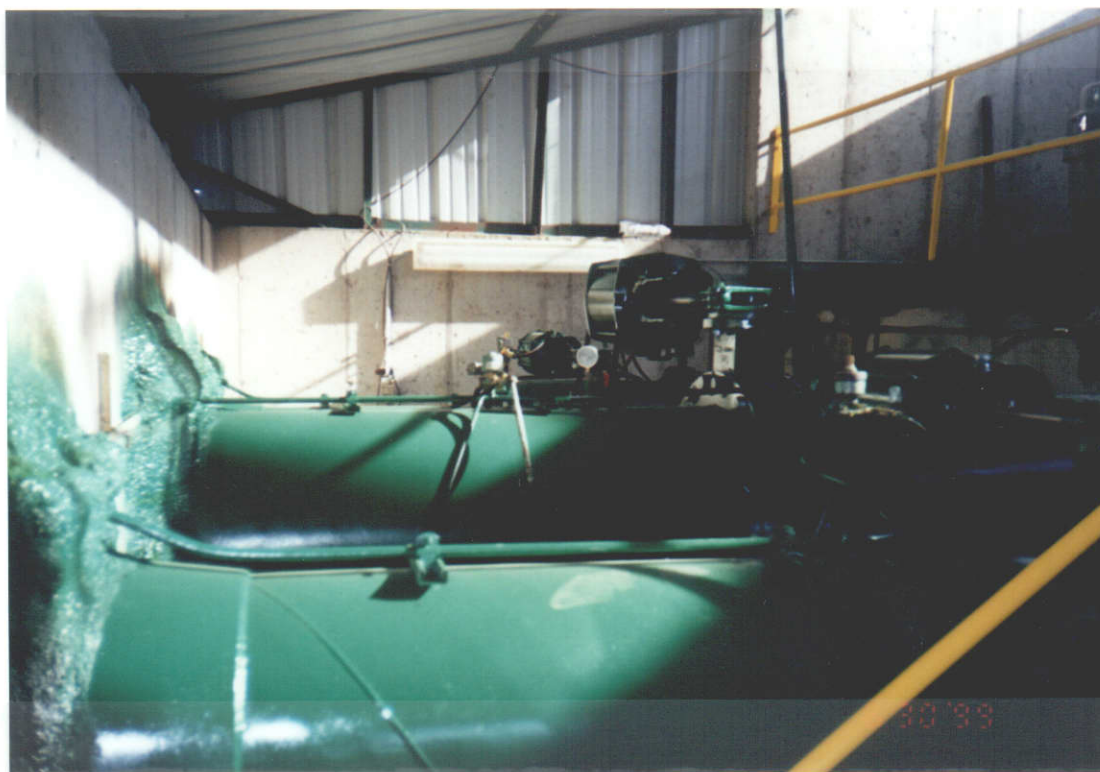
Same Looking South (Upstream)

MICROFILMED
FEB 25 2002

Permit 47-07812
6-30-99
JE Stanton



Penstock (Looking North)



Pipelines Entering Power Plant

MICROFILMED

FEB 25 2002

Permit 47-07812
6-30-99
JE Stanton



Turbine Generators



Electrical Controls

MICROFILMED
FEB 25 2002

Permit 47-07812
6-30-99
JE Stanton

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

22 FERC 162,026

-2-

Doug Hull

Project No. 6676-000

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

(Issued January 7, 1983)

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

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

- 1/ Doug Hull, Project No. 6676, filed on September 7, 1982.
- 2/ Pub. Law 96-294, 94 Stat. 611. Section 408 of the ESA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).
- 3/ Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation, under §375.308 of the Commission's regulations, 18 C.F.R. §375.308 (1981) FERC Statutes and Regulations ¶30,238. This order may be appealed to the Commission by any party within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. 190.1902, FERC Statutes and Regulations ¶29,052 47 Fed. Reg. 19014 (1982). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

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

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

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

It is ordered that:

(A) Doug Hull Project No. 6676 as described and designated in Doug Hull's application filed on September 7, 1982, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106 of the Commission's regulations attached hereto as Form E-2, 18 C.F.R. §4.106, 45 Fed. Reg. 76115 (November 18, 1980), and the following Special Article.

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

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

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-07812

Priority: April 25, 1982

Maximum Diversion Rate: 100.00 CFS
Maximum Diversion Volume: 34,800.0 AF

It is hereby certified that DOUG HULL
3880 N 2500 E
FILER ID 83328

Or

GREG HULL
3880 N 2500 E
FILER ID 83328 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated ; and has submitted Proof of Beneficial Use on May 18, 1989. An examination indicates that the works have a diversion capacity of 110 cfs of water from:

SOURCE

UNNAMED STREAM

Tributary: ROCK CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
POWER	04/01 to 10/31	100.00 CFS	34,800.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼SE¼ Sec. 22, Twp 10S, Rge 16E, B.M. TWIN FALLS County

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 16E 22			X														

CONDITIONS OF APPROVAL

1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. Use of water under this right shall be non-consumptive.
3. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
4. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after July 1, 2018. 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.

MICROFILMED

SEP 23 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-07812

CONDITIONS OF APPROVAL

5. This right does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 14TH day of DECEMBER, 2001.

Acting for 
KARL J. DREHER
Director

MICROFILMED

SEP 23 2002

RECEIVED

JUL 19 2001

Department of Water Resources

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 47-07812

Date of Priority: April 25, 1982

Maximum Diversion Rate: 100.00 CFS
Maximum Diversion Volume: 34,794.0 AF

Comes now DOUG HULL
3880 N 2500 E
FILER ID 83328

Or

GREG HULL
3880 N 2500 E
FILER ID 83328

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. 47-07812, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

Tributary: ROCK CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	04/01 to 10/31	100.00 CFS	34,794.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼SE¼ Sec. 22, Twp 10S, Rge 16E, B.M. TWIN FALLS County

PLACE OF USE: POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	16E	22			X														

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 17th day of July, 2001.


(Signature)

MICROFILMED

FEB 25 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07812

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$50⁰⁰ Received by Man # 055007 Date 7/19/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 47-07812 with the following:

CONDITIONS OF APPROVAL

1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. Use of water under this right shall be non-consumptive.
3. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
4. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after July 1, 2018. 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.
5. This right does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Witness my hand this 14TH day of DECEMBER, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED

FEB 25 2002

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
~~ORIGINAL APPLICATION~~	~~47-07812~~	~~HULL, GENE OR~~ ~~HULL, SHIRLEY~~	~~100.0~~
FULL ASSIGNMENT	47-07812	HULL, DOUG OR HULL, GREG	100.0

APRIL 29, 1998

MICROFILMED

MAY 15 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 26 1998

ASSIGNMENT OF PERMIT
To change the ownership of a permit

Department of Water Resources

I, SHIRLEY HULL RIDGEWAY, hereby assign to DOUG OR GREG HULL
(Permit Holder)
 of 3880 NORTH 2500 EAST, FILER, IDAHO 83328 / DOUG-208-734-8310 / GREG-208-733-6550
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 47-07812
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

~~The following described portion of my right, title, and interest in and to
 Permit No. _____ to appropriate the public waters of the State of Idaho.~~

~~Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.~~

Made this 22ND day of JANUARY, 19 98

Shirley Hull Ridgeway
 Permit Holder(s)

State of Idaho)
 County of TWIN FALLS ^{SS}

On this 22nd day of January, 1998, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

 MARTHELA HILL

Notary Public

SEAL

Marthela Hill
 Signature

My commission expires: 1-05-2002

MICROFILMED
 MAY 15 1998

RECEIVED

LAST WILL AND TESTAMENT
OF
WILLARD GENE HULL

APR 16 1998

Department of Water Resources

--;--

KNOW ALL MEN BY THESE PRESENTS: That I, Willard Gene Hull, of Twin Falls, County of Twin Falls, State of Idaho, of the age of 34 years, and being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any kind whatsoever, do make, publish and declare this to be my Last Will and Testament.

I.

I direct that my executrix, hereinafter named, as soon as she shall have sufficient funds in her hands, shall pay all my funeral expenses, the expense of my last sickness, the expenses of the administration of my estate, and all my just debts.

II.

After paying the expenses, debts and obligations described in Paragraph I hereof, I hereby make the following disposition of all the rest, residue and remainder of my estate:

A. In the event my beloved wife, Shirley Ann Hull, shall survive me, I hereby give, devise and bequeath to her all of the property which I now own, both real and personal, and both community and separate, and all property which I may hereafter acquire.

B. In the event my wife shall not survive me, I hereby give, devise and bequeath unto my beloved children, Cynthia Jean Hull, Douglas Brent Hull, and Gregory Scot Hull, share and share alike, all of my property of which I shall die seized and possessed, both real and personal.

C. In the event of the simultaneous death of myself and all my children in a common disaster, and my wife should sustain injuries in such common accident which result in her death within

MICROFILMED

MAY 15 1998

six months thereof, then in lieu of the disposition of my estate as provided in Paragraph A above, I hereby give, devise and bequeath all of my property of which I shall die seized and possessed, both real and personal, and all property which I may hereafter acquire, unto my father and mother, Arthur T. Hull and Juanita A. Hull, share and share alike, or to the survivor of them, and if neither of them be living upon the death of my wife, then my estate shall go to my brother and sister, Chad Thomas Hull and Doyle Hull Hellewell, share and share alike.

III.

I hereby nominate and appoint my wife, Shirley Ann Hull, as executrix of this Last Will and Testament, and direct that she be not required to give bond to qualify or act as such executrix nor any bond on account of any sale of real or personal property of my estate.

IV.

I hereby expressly revoke all former Wills by me made.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of July, 1957.

Willard Gene Hull

The foregoing instrument, consisting of two pages, including this one, was at the date hereof by WILLARD GENE HULL, the maker, signed in our presence and in the presence of each of us, and at the time of subscribing said instrument, the said WILLARD GENE HULL declared it was his Last Will and Testament, and at his request and in his presence, and in the presence of each other, we have subscribed our names as witnesses thereto.

W. J. Blandford
Witness: Twin Falls, Idaho.

Juanita Ann Hull
Witness: Twin Falls, Idaho.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-7812 IN THE
NAME OF GENE HULL

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1989; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 18, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-7812 be REINSTATED and the priority advanced to April 25, 1982.

Dated this 6th day of June, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JUL 17 1989

Form 317
03/89

RECEIVED

MAY 18 1989

Department of Water Resources
Southern Region Office

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \$600.

Date 5-18-89

Receipt # 5007/89

Receipt by [Signature]

Reviewed by [Signature]

Sent to region 50

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. 47-07812

Name(s) of Permit Holder: Gene Hull ✓

Post Office Address: P. O. Box 926, Twin Falls, ID 83303 ✓

Telephone No. 734 733-3159

Source of Water: LQ Coulee trib. to Snake River ✓

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 100 ✓ cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 6-1-1983 ✓

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No will be (See License Examination Fee Schedule)
installed within 30 days

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

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

Doug Hull (Name) 734-6459 (Telephone Number)

Rt. 2, Filer, ID 83328 (Address)

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

May 18, 1989
Date

[Signature] ✓
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Gene Hull Phone 733-3159

Post office address Box 926 Twin Falls, Idaho 83301

2. Source of water supply Unnamed Stream (LO Coulee) which is a tributary of Rock Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 10S

Range 16E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 100 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)

5. Total quantity to be appropriated:

a. 100 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Penstock & Turbines

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 _____ inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 10S

Range 16E B.M.

(2) Amount of power to be generated: 499 horsepower under 44 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: _____

NOTED

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. none

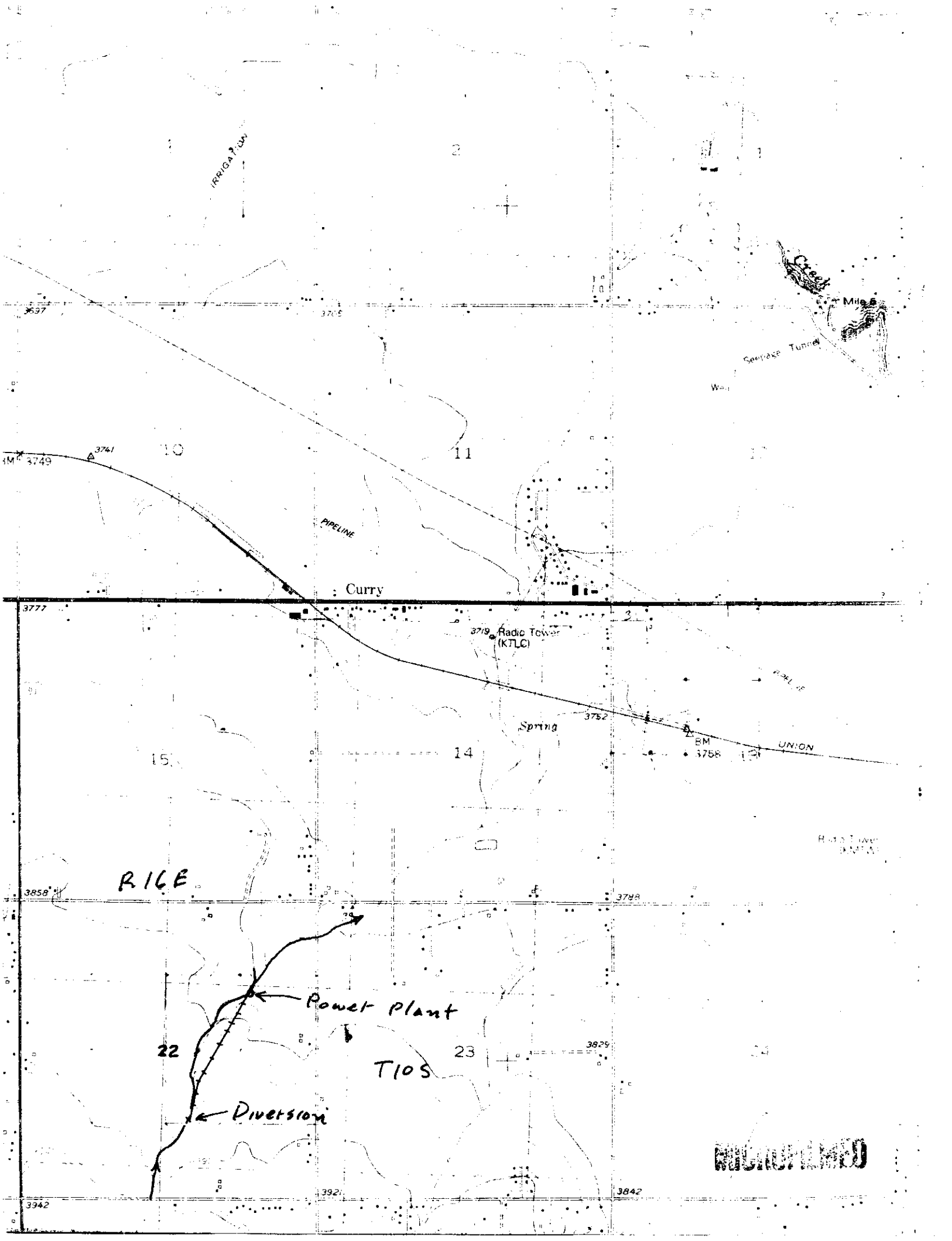
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

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 _____

[Handwritten signature]



[illegible]


(Applicant)

DECLASSIFIED

Proposed Priority 4/8/82

Received by LH Date 4/8/82 Time 9:30 AM
Preliminary check by ADA Fee \$ 1225.⁰⁰ # 22128
Receipted by marga Date 4/8/82
Publication prepared by marga Date 4/12/82
Published in Times News
Publication dates 4/22 + 4/29/82
Publication approved marga Date 4/20/82
Protests filed by: None

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

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. 47-7812, 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 May 1, 19 89.

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: Water shall not be diverted under this permit until a written agreement with the irrigation district or canal company serving the area containing the point of diversion is filed with the Department of Water Resources providing for the coordination of the permit use with the irrigation district or canal company operation.

Use of water under this permit is subordinated to future diversion of water for irrigation or other consumptive beneficial uses.

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

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.

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

Use of water under this permit is subject to control by the watermaster of State Water District No. 47-0, Rock Creek.

The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director thirty (30) years from the date of issuance of this permit. 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.

Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

Witness my hand this 27th day of June, 1984.

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, Gene Hull (name) of Twin Falls (city),

county of Twin Falls, State of Idaho, being duly sworn, do hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____, (name) (city),

County of _____, State of Idaho, being duly sworn, depose and say: That I am the designated registered agent of the _____ (name of corporation); that as such I am in charge of the registered

office of the said corporation as required by Section 30-1-12, Idaho Code, at _____ Idaho, wherein are kept the corporate records required (city)

by Section 30-1-52, Idaho Code: and that _____ (name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit.

State of Idaho)
County of Twin Falls) ss.

Gene Hull
Applicant

On this 8 day of April, 19 82, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Loren O. Halmer
Notary Public residing at
Twin Falls, ID

seal

My commission expires:

Life

RECEIVED

**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:

47-7810

TEWS, GERALD
RT. 1, FILER, ID 83328

Source:
GROUNDWATER
Date Filed: 04/05/1982
Amount: 2.00 CFS
Diversion Point: NWSE
Sec 03 T 10S R 10E, TWIN
FALLS Co.

Use: IRRIGATION (2.00
CFS) from 03/15 to 11/15
Place of Use: LOT 02
NWSE SWNE NWSE
Sec 03 T 10S R 10E FOR
120 ACRES
Diversion Means: WELL,
PUMP

FERTILIZER, REED
C.O.
P.O. BOX 111, HANSEN,
ID 83334

Source:
GROUNDWATER
Date Filed: 04/05/1982
Amount: 0.02 CFS

Use: COMMERCIAL (0.02

CFS) from 01/01 to 12/31
Place of Use: NWSE Sec
20 T 10S R 10E
Diversion Means: WELL,
PUMP

47-7812

HULL, GENE
BOX 828, TWIN FALLS,
ID 83301

Source: UNNAMED
STREAM tributary to
ROCK CREEK
Date Filed: 04/06/1982
Amount: 100.00 CFS
Diversion Point: NWSE
Sec 22 T 10S R 10E, TWIN
FALLS Co.

Use: POWER (100.00
CFS) from 01/01 to 12/31
Place of Use: SENE Sec
22 T 10S R 10E

Diversion Means:
PENSTOCK & TURBINES

82-7375
**IDAHO POWER COM-
PANY**
P.O. BOX 70, BOISE, ID
83707

Source: SNAKE RIVER
tributary to COLUMBIA
RIVER

Date Filed: 04/05/1982
Amount: 5000.00 CFS
Diversion Point: LOT 03
Sec 04 T 10S R 10E, TWIN
FALLS Co.

Use: POWER (5000.00
CFS) from 01/01 to 12/31
Place of Use: LOT 03 Sec
04 T 10S R 10E

Diversion Means:
CONCRETE DAM,
STEEL PENSTOCK,
POWERHOUSE

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of
any permit must be filed
with the Director of the
Idaho Department of
Water Resources, 1041
Blue Lakes Blvd. North,
Twin Falls, Idaho 83301
and received on or
before MAY 10, 1982.

A. KENNETH DUNN
Director

PUBLISH: Thursday,
April 22, and 29, 1982.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 11469

I, H. L. Linder being first duly sworn up

oath, depose and say that I am prime 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

consecutive weeks, commencing with the issue dated

April 22, 1982, and ending with the issue dated

April 29, 1982.

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,
and 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 com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that the head of the editorial column of said combined newspapers, and in each issue the
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 29 day of

April, 1982.

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED
MAY 5 1982
Department of Water Resources
Southern District Office
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TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326

January 4, 2002

Greg Hull
3880N 2500 E
Filer, Idaho 83328

RECEIVED

APR - 8 2002

Department of Water Resources

Subject: Hull Power Plant
File No: 3502.06

Date	7/6/71	From	Allen - Henry
Post-It Fax Note		To	Shelly Keen
		Co. Dept.	
		Phone #	
		Fax #	

Dear Greg,

Following our meeting and your request to have us provide you with a written agreement to acquire a water right license from the Idaho Department of Water Resources, I asked John Rosholt, our legal counsel, to research his files for any agreements relative to your hydroelectric plant. Mr. Rosholt searched his files as we have here and we have not found an agreement.

Subsequent to the search, I presented a copy of the letter from IDWR to the Board of Directors for their information and your request to write an agreement. The Board discussed the request and is receptive to a written agreement. The agreement will include the elements requested by IDWR and will also include a falling water royalty of six (6%) of the monthly gross revenue payable monthly to the Canal Company.

The Board's reason for requiring the royalty is to be consistent with all other hydro plants in our system that divert our supply water. All of them are paying a royalty. Hydro plants operating just on wastewater are not subject to paying royalties.

At your request, we will prepare an agreement at your expense for your review and contact you for signatures when completed. If you have questions please feel free to call me.

Sincerely,

Vince Alberdi
General Manager

VA:cs

Cc: John Rosholt, Atty

357 6th Ave. West

Twin Falls 83301

Phone (208) 733-6731

Fax (208) 733-1958

www.tfcanal.com

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MAY 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 17, 2001

GREG HULL
DOUG HULL
3880 N 2500 E
FILER ID 83328

RE: License No. 47-7812 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klf
Enclosure(s)

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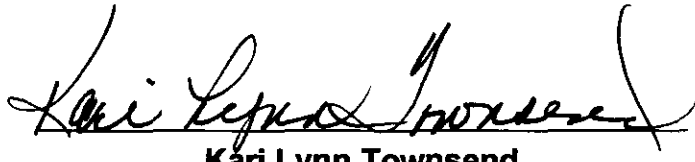
DEC 15 2002

CERTIFICATE OF MAILING

I hereby certify that on December 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 47-7812

**GREG HULL
DOUG HULL
3880 N 2500 E
FILER ID 83328**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
FEB 25 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

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FEB 25 2002

MEMORANDUM

DATE: December 11, 2001

TO: Water Right File 47-7812

FROM: Shelley W. Keen *SK*

RE: Coordination with Twin Falls Canal Co.

This morning I reviewed the file again to see if a license can be issued. The holdup has been lack of compliance with the permit approval condition requiring evidence of coordination with Twin Falls Canal Co. We have communicated with right holder in writing and over the telephone, but no evidence has been submitted. I noted this morning, however, that in the back of the file is a brief letter from John Rosholt, attorney for Twin Falls Canal Co., in which he stated that "the plans" have been approved by the Twin Falls Canal Company. Although the letter was written almost two years before the permit was issued, it is sufficient to demonstrate compliance with the condition.

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DEC 13 2002

MEMORANDUM

DATE: November 1, 2001

TO: Water Right File 47-7812

FROM: Shelley W. Keen *SK*

RE: Response to my letter

This morning I spoke on the phone with Greg Hull (208-733-6550) about the request I sent him last month. He said he asked the canal company to write me a letter. He will call there again and urge them to respond soon.

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FEB 29 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 14, 2001

GREG HULL
3880 N 2500 E
FILER ID 83328

RE: Water Right Permit No. 47-07812

Dear Mr. Hull:

The Department of Water Resources has received your application to amend Permit No. 47-07812 so that a water right license can be issued to you. A review of your permit found one of the conditions of approval has not yet been met. Your permit was issued in 1984 with the following condition of approval:

The right holder shall not divert water under this right until a written agreement with the irrigation district or canal company serving the area containing the point of diversion is filed with the Department of Water Resources providing for the coordination of the permitted use with the irrigation district or canal company operation.

I looked through the water right file, but I could not find a written agreement with Twin Falls Canal Company. Before a license can be issued, an agreement or some kind of written acknowledgement from Twin Falls Canal Company is needed to show compliance with the condition. Please submit the necessary documentation within 30 days.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

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FEB 25 2002

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APR 20 2001

Department of Water Resources

POWER SALES AGREEMENT

File No: 31415023
Project: Curry Cattle Co

APPROVED 2-18-83
IPUC

Myrna J. Walters
Myrna J. Walters
Commission Secretary

THIS AGREEMENT, entered into on this 7th day of February, 1983, is between Curry Cattle Company, a general partnership, W Gene Hull, Doug B Hull and Greg S Hull, general partners, (Seller), and IDAHO POWER COMPANY, a corporation, (Idaho).

W I T N E S S E T H:

WHEREAS, Seller owns or will own and operate a small power production facility with generating capacity of not more than 10,000 kilowatts; and

WHEREAS, Seller wishes to sell, and Idaho wishes to purchase, electric power from the Facility,

THEREFORE, In consideration of the mutual covenants and agreements hereinafter set forth, the Parties agree as follows:

ARTICLE I: DEFINITIONS

As used in this Agreement and the appendices attached hereto, the following terms shall have the following meanings:

1.1 "Capacity" - The ability of the Facility to generate and deliver electric power, expressed in kilowatts ("kw"), to the Point of Delivery.

1.2 "Capacity Price" - The price in \$/kw-year set forth in Appendix A.

1.3 "Capacity Sale Increase" - An upward adjustment to the Capacity purchased by Idaho and the payment due Seller for Capacity. Such adjustment will be computed in accordance with Appendix C.

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FEB 25 2002

1.4 "Capacity Sale Reduction" - A downward adjustment to the Capacity purchased by Idaho and the payment due Seller for Capacity. Such adjustment will be computed in accordance with Appendix C.

1.5 "Commission" - The Idaho Public Utilities Commission.

1.6 "Contract Year" - The period commencing each calendar year on the same calendar date as the Operation Date and ending 364 days thereafter.

1.7 "Designated Dispatch Facility" - Idaho's local dispatching center. The Designated Dispatch Facility for this Facility is specified in Appendix B.

1.8 "Disconnection Equipment" - Any device or combination of devices located on the interconnection between the Facility and Idaho's system by which Idaho can manually and automatically interrupt the flow of power from the Facility to Idaho's system. Disconnection Equipment includes such enclosures or other facilities as may be required to ensure that only Idaho will have access to the devices.

1.9 "Energy" - Electric energy, expressed in kilowatt hours ("kwh"), to be delivered by Seller to Idaho in the quantities and at the times specified in the Agreement.

1.10 "Facility" - That generation facility described in Appendix B of this Agreement.

1.11 "Initial Period" - That part of the Term of this Agreement commencing with the Operation Date scheduled by Seller in Appendix B and ending ten (10) years from that date, on or about July 1, 1993.

1.12 "Interconnection Facilities" - All facilities required to be installed solely to interconnect and deliver power from the Facility to Idaho's

system, including, but not limited to, connection, transformation, switching, metering, relaying, communications and safety equipment.

1.13 "Operation Date" - The day commencing at 0001 hours, following the day during which all features and equipment of the Facility have reached a degree of completion and reliability, such that they are capable of operating simultaneously to deliver power continuously into Idaho's system.

1.14 "Point of Delivery" - The location specified in Appendix B, where Idaho's and Seller's electrical facilities are interconnected.

1.15 "Prudent Electrical Practices" - Those practices, methods and equipment that are commonly and ordinarily used in electrical engineering and operations to operate electric equipment lawfully and with safety, dependability, efficiency and economy.

1.16 "Special Facilities" - Those parts of the Interconnection Facilities furnished by Idaho at Seller's request and those additions and alterations to Idaho's system which are required as a result of the interconnection of the Facility to Idaho's system.

1.17 "Unit Avoided Energy Cost" - The sum of the variable costs associated with the specific generating unit or project designated by the Commission as the basis for the determination of avoided capacity cost. Variable costs include fuel costs and operation and maintenance expenses which vary with the designated unit's or project's generation.

ARTICLE II: NO RELIANCE ON IDAHO

2.1 Seller warrants and represents to Idaho that in entering into this Agreement and the undertaking by Seller of the obligation set forth herein, Seller has investigated and determined that it is capable of performing

hereunder and has not relied upon the advice, experience or expertise of Idaho in connection with the transactions contemplated by this Agreement.

2.1.1 All professionals or experts including, but not limited to, engineers, attorneys or accountants, that Seller may have consulted or relied on in undertaking the transactions contemplated by this Agreement, have been solely those of Seller.

2.2 Seller covenants that the Facility is and shall continue to be a "qualifying facility," as that term is used and defined in 18 CFR, Part 292, for the term of this Agreement. Idaho may, in its discretion, require certification by the Federal Energy Regulatory Commission of qualifying status under 18 CFR, Part 292.207.

ARTICLE III: NO WARRANTIES BY IDAHO

3.1 Any review, acceptance or failure to review Seller's design, specifications, equipment or facilities shall not be an endorsement or a confirmation by Idaho, and Idaho makes no warranties, express or implied, regarding any aspect of Seller's design, specifications, equipment or facilities, including but not limited to safety, durability, reliability, strength, capacity, adequacy or economic feasibility.

ARTICLE IV: CONDITIONS TO INTERCONNECTION

4.1 Prior to, and as a condition of interconnection with Idaho, Seller shall:

4.1.1 Submit proof to Idaho that all licenses, permits or approvals necessary for Seller's operations have been obtained from applicable

federal, state or local authorities, including but not limited to those licenses, permit or approvals specified in Appendix E;

4.1.2 Make payment to Idaho for any and all costs of Interconnection Facilities, Disconnection Equipment and/or Special Facilities as provided for in this Agreement;

4.1.3 Obtain written acceptance from Idaho as provided in paragraph 8.1.1;

4.1.4 Submit proof to Idaho of all insurance required in Article XIII;

4.1.5 Demonstrate to Idaho's satisfaction that the Seller's Facility has been completed, and that all features and equipment of said Facility are capable of operating safely to deliver power into Idaho's system; and

4.1.6 Submit to Idaho a statement from a licensed professional engineer certifying that the design of and equipment in Seller's Facilities comply with the standards of this Agreement and with Prudent Electrical Practices.

4.1.7 Obtain written confirmation from Idaho that all conditions to interconnection have been fulfilled.

ARTICLE V: TERM

5.1 This Agreement shall become effective on the date first above written, and shall continue in full force and effect for a period of thirty-five (35) years from the Operation Date. The Operation Date may occur only after the necessary degree of completion and reliability has been demonstrated to Idaho's satisfaction and Idaho has confirmed that satisfaction in writing.

Seller shall have the duty to obtain the confirmation from Idaho; however, such confirmation shall not be unreasonable withheld by Idaho.

ARTICLE VI: SALE OF POWER

6.1 Seller agrees to deliver and sell and Idaho agrees to accept and purchase all the Energy delivered by Seller, which shall not be less than the average amount of 1,115,545 kilowatt hours per year, and Capacity, which shall not be less than the amount of 170 kilowatts calculated pursuant to Appendix A.

ARTICLE VII: PURCHASE PRICE AND METHOD OF PAYMENT; ADJUSTMENTS

7.1 Energy. Idaho shall pay Seller monthly for Energy delivered and accepted at the Unit Avoided Energy Cost rate specified in Appendix A Table 1.

7.2 Capacity. Commencing at the Operation Date, Idaho shall pay Seller for Capacity made available to Idaho in the amount determined in accordance with Appendix A in twelve (12) equal monthly installments.

7.2.1 In the event Seller fails to provide Capacity in the amount specified in paragraph 6.1, Idaho shall be entitled to a Capacity Sale Reduction, which shall be determined in accordance with Appendix C.

7.3 Following the Initial Period, the purchase price and the methods for calculating that purchase price specified in Appendix A, as well as all other rates, terms and conditions set forth in this Agreement, will be subject to the continuing jurisdiction of the Commission and will be subject to change or revision, which change or revision may be requested by Idaho. Such change or revision shall be by order of the Commission upon a finding, supported by substantial competent evidence, that such change or revision is just, fair, reasonable, sufficient, non-preferential, and non-discriminatory. In no event

will such subsequent change or revision result in Seller's receiving a purchase price higher than the purchase price that would have been paid pursuant to the rates, terms and conditions in Appendix A.

7.4 If, during the Initial Period, Idaho requests the Commission to, or if the Commission otherwise determines or approves new purchase prices for power generated by cogeneration or small power production facilities, which purchase prices, had they been in effect during the Initial Period, would have resulted in Idaho's paying Seller a lesser amount than Idaho paid Seller based on the rates, terms and conditions set out in Appendix A, Seller agrees to repay Idaho, without interest, the differences between the total amount paid during the Initial Period and the lesser amount which would have been paid under the revised purchase prices adopted by the Commission during the Initial Period. Any such repayment shall commence upon expiration of the Initial Period, shall be prorated over the 10 years following the end of the Initial Period, and shall be offset against the payments for Energy and Capacity as required by paragraphs 7.1 and 7.2. In determining the amount of the repayment, if any, the effect of the revision shall be calculated from the effective date of the Commission Order revising the purchase price.

ARTICLE VIII: FACILITY AND INTERCONNECTION

8.1 Seller shall design, construct, install, own, operate and maintain the Facility.

8.1.1 Seller agrees to meet Idaho's requirements, and to obtain Idaho's written acceptance for those portions of the Facility and equipment generating or transmitting electrical power and for any other equip-

ment which Idaho believes to be necessary to assure the adequacy and durability of the Facility.

8.1.2 To aid in the determination of compliance with Idaho's requirements, Seller shall submit its design, specifications, and a description of the equipment to be installed and its performance data to Idaho for review.

8.2 Except as otherwise provided herein, Seller shall construct, install, own, and maintain Interconnection Facilities of the size required for Idaho to receive the Energy and Capacity designated in this Agreement. Seller will pay all costs of interconnecting the Seller's Facility with Idaho.

8.2.1 At Seller's written request, Idaho will, at Seller's expense, provide, install, own and maintain the necessary Interconnection Facilities as Special Facilities.

ARTICLE IX: DISCONNECTION EQUIPMENT

9.1 Idaho will, at Seller's expense, provide, install, own, operate, and maintain all Disconnection Equipment. Idaho will establish the settings of Disconnection Equipment to disconnect automatically from the Facility for the protection of Idaho's system and personnel consistent with Prudent Electrical Practices. Except as otherwise required by Prudent Electrical Practices, Disconnection Equipment will be designed so that the closure of any breaker or other disconnecting device which connects the Facility to Idaho's system shall be controlled by equipment which will perform the following:

9.1.1 Automatically monitor the status of the electrical system on Idaho's side of the disconnecting device as to voltage and frequency; and

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SEP 25 2002

9.1.2 Prohibit closure or reconnection until voltage and frequency have been within approved limits for a continuous period of not less than five minutes; and

9.1.3 Operate so that if Idaho's system is de-energized within ten seconds after the initial closure of the disconnecting device, the disconnecting device will immediately open and not close again until Idaho has been satisfied that Idaho can safely reclose its Disconnecting Equipment.

9.2 The Disconnection Equipment will be located in an enclosure secured by a lock or otherwise secured in a manner designed to ensure that only Idaho's authorized personnel will have access to the disconnecting devices.

9.3 Other Disconnection Equipment, including equipment which will provide Idaho's operating personnel with the ability to remotely control and monitor the status of the breaker or other disconnecting device by radio or hard-wire circuit between the Facility and the Designated Dispatch Facility may be specified by Idaho when, in Idaho's judgment, such equipment is required by Prudent Electrical Practices. Seller recognizes that such remote control equipment may not initially be required by Idaho, but at such time as operating conditions on Idaho's system dictate, Idaho will install this remote control equipment and Seller will pay the costs in accordance with paragraph 9.1 above.

9.4 If Seller attempts to modify, adjust or otherwise interfere with the Disconnection Equipment or its enclosure, such action shall constitute an event of default.

ARTICLE X: METERING

10.1 Idaho shall, at Seller's expense, provide, install, and maintain meters to be located at a mutually agreed upon location to record and measure

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JAN 2 2002

power flows to Idaho in accordance with the standards set forth in Appendix D. If required by Idaho, metering will also include measurement of kilovar-hours and secondary meters at locations within Seller's facility, agreed to by both parties. All meter equipment, installation, ownership, and administration costs therefor, shall be borne by Seller, including costs incurred by Idaho for inspecting and testing such equipment at Idaho's actual cost of providing this equipment and services.

10.1.1 The point of metering shall be at the location described in Appendix B.

10.2 All meters used to determine the billing hereunder shall be sealed and the seals shall be broken only upon occasions when the meters are to be inspected, tested or adjusted.

10.3 Idaho shall, at Seller's expense, inspect and test all meters upon their installation and at least once every two years thereafter. If requested by Seller, Idaho shall inspect or test a meter more frequently than every two years. Both parties shall be notified of the time when any inspection or test shall take place, and each party may have representatives present at the test or inspection. If a meter is found to be inaccurate or defective, it shall be adjusted, repaired, or replaced, at Idaho's expense, in order to provide accurate metering.

10.4 If a meter fails to register, or if the measurement made by a meter during a test varies by more than two percent from the measurement made by the standard meter used in the test, adjustment shall be made correcting all measurements made by the inaccurate meter for:

10.4.1 the actual period during which inaccurate measurements were made, if the period can be determined, otherwise;

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10.4.2 the period immediately preceding the test of the meter equal to one-half the time from the date of the last previous test of the meter; provided, that the period covered by the correction shall not exceed six months.

ARTICLE XI: RECORDS

11.1 Seller shall maintain at the Facility or such other location acceptable to Idaho all records, in the form and content specified by Idaho, that Idaho reasonably believes to be necessary regarding the performance by Seller of the obligations set forth herein.

11.1.1 Idaho, after reasonable notice to Seller shall have the right to inspect and audit any or all such records maintained by Seller.

ARTICLE XII: OPERATION, PROTECTION, AND MAINTENANCE

12.1 Seller shall operate and maintain the Facility and Seller furnished Interconnection Facilities in accordance with Appendix D, Prudent Electrical Practices, the National Electric Safety Code as modified from time to time, and any other applicable local, state, and federal codes. If, in the opinion of Idaho, Seller's operation of the Facility or Interconnection Facilities is unsafe or may otherwise adversely affect Idaho's equipment or personnel, or others in or connected to Idaho's system, Idaho may physically interrupt the flow of energy from the Facility or take such other steps as Idaho deems appropriate.

12.2 Seller shall provide and maintain adequate protective equipment sufficient to prevent damage to the Facility.

12.3 Seller shall use its best efforts to minimize voltage swings and to maintain voltage levels acceptable to Idaho. Idaho may, upon one hundred eighty (180) days' notice to Seller, change its nominal operating voltage level by more than ten percent (10%) at the Point(s) of Delivery, in which case Seller shall modify, at Idaho's expense, Seller's equipment as necessary to accommodate the modified nominal operating voltage level.

12.4 Seller agrees that in the event of and during a period of a shortage of energy and capacity on Idaho's system as declared by Idaho in its sole discretion, Seller shall, at Idaho's request and within the limits of reasonable safety requirements as determined by Seller, use its best efforts to provide requested Energy and Capacity, and shall, if necessary, delay any scheduled shutdown of the Facility.

12.5 Seller shall maintain a power factor at the Point of Delivery of not less than ninety-five percent (95%) lagging. In the event that Seller shall fail to limit real and reactive flows or to maintain the required power factor as herein provided, Idaho may, in addition to any other remedy available at law or in equity, require the Seller to compensate Idaho for vars supplied by Idaho, install adequate capacitors or, if required for safety or system stability, physically interrupt all service and interconnections without prior notice and without liability therefor.

12.6 Seller shall report monthly to the Designated Dispatch Facility the times, by hour and minute, of opening and closing by Seller of the generator breaker and the corresponding kwh meter reading at the time of opening as well as closing the breaker.

MICRO-12

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12.7 Idaho and Seller shall maintain appropriate operating communications through Idaho's Designated Dispatch Facility, and Seller shall report to Idaho at the times and in the manner set forth in Appendix D.

12.8 Idaho shall not be obligated to accept, and Idaho may require Seller to curtail, interrupt or reduce deliveries of Energy and Capacity if Idaho determines that curtailment, interruption or reduction is necessary because of line construction or maintenance requirements, emergencies, operating conditions on its system, or as otherwise required by Prudent Electrical Practices.

12.8.1 If Idaho requires such a curtailment, interruption or reduction of Energy and Capacity deliveries for a period that exceeds twenty days, for reasons other than an event of force majeure, Seller, from the twenty-first day of such interruption, curtailment or reduction will be deemed to be delivering Energy and Capacity at the same average rate as Seller was delivering Energy and Capacity for the 30-day period immediately preceding the curtailment, interruption or reduction. Idaho will notify Seller when the interruption, curtailment or reduction is terminated.

12.9 Seller may shut down the facility for scheduled maintenance each year for a period not to exceed thirty (30) days. Seller shall submit its proposed maintenance schedule for each calendar year on or before the preceding February 1, and Idaho shall inform Seller to the acceptability or unacceptability of the proposed date(s). In no event will Seller schedule maintenance during the months of June, July or August. Seller and Idaho will coordinate, insofar as possible, Seller's periods of scheduled maintenance with any line

construction or maintenance by Idaho that would require a curtailment, interruption or reduction of deliveries of energy and capacity under paragraph 12.8.

12.10 Idaho will make a reasonable attempt to contact Seller prior to exercising its rights to curtail, interrupt or reduce deliveries from Seller. Seller understands that in the case of critical operating conditions or other emergency circumstances, no notice will be given to Seller prior to interruption, curtailment, or reduction.

12.11 Seller shall submit to Idaho prior to the end of each Contract Year the statement of a licensed professional engineer which recertifies the matters required by paragraph 4.1.6.

ARTICLE XIII: INDEMNIFICATION AND INSURANCE

13.1 Each party shall agree to hold harmless and to indemnify the other party, its officers, agents, and employees against all loss, damage, expense and liability to third persons for injury to or death of person or injury to property, proximately caused by the indemnifying party's construction, ownership, operation or maintenance of, or by failure of, any of such party's works or facilities used in connection with this Agreement. The indemnifying party shall, on the other party's request, defend any suit asserting a claim covered by this indemnity. The indemnifying party shall pay all costs that may be incurred by the other party in enforcing this indemnity.

13.2 During the term of this agreement, Seller shall secure and continuously carry:

13.2.1 Comprehensive General Liability insurance for both bodily injury and property damage equivalent to the amount of \$1,000,000 combined single limit. Such insurance shall:

MICRO -14-

FEB 25 2002

- (a) include an endorsement naming Idaho as an additional insured insofar as work performed under this agreement is concerned; and
- (b) include a provision stating that such liability policies shall not be canceled or their limits of liability reduced without thirty (30) days' written notice to Idaho.

13.2.2 "All Risk" Property insurance covering, at a minimum, the perils of fire, extended coverage, including vandalism and malicious mischief and earthquake and flood. Such policy shall:

- (a) include valued loss of income insurance for the perils mentioned above in amounts equal to the accumulated Capacity overpayments made by Idaho.
- (b) include Idaho as an additional insured and loss payee; and
- (c) include a provision stating that such "All Risk" policy shall not be canceled or the limits reduced without thirty (30) days' written notice to Idaho.

Idaho will, at least 90 days prior to the scheduled Operation Date, supply Seller with a schedule showing the yearly amounts of insurance coverage which are required under this paragraph.

13.3 As required in paragraph 4.1.4 herein and annually thereafter, Seller shall furnish Idaho certificates of insurance, together with the endorsements required therein, evidencing the coverages as set forth in items 13.2.1, and 13.2.2 above. Idaho shall have the right to inspect the original policies of such insurance.

ARTICLE XIV: LAND RIGHTS

14.1 Seller hereby grants to Idaho for the term of this Agreement all necessary rights of way and easements to install, operate, maintain, replace, and remove Idaho's metering and other facilities necessary or useful to this agreement, including adequate and continuing access rights on property of Seller. All documents granting such easements or rights of way shall be subject to Idaho's approval and in recordable form. If any part of the Interconnection Facilities must be installed on property owned by third parties, Seller shall procure from the owners thereof all necessary rights of way and easements for the construction, operation, maintenance and replacement of the interconnection facilities upon such property in form and substance satisfactory to Idaho. At Seller's request, Idaho shall, to the extent it is legally able, acquire such rights of way for the account of Seller.

ARTICLE XV: FORCE MAJEURE

15.1 As used in this Agreement, "an event of force majeure" means unforeseeable causes beyond the reasonable control of and without the fault or negligence of the party claiming force majeure, and specifically excludes strikes, walkouts, lockouts or other labor disputes in which Idaho or Seller or their respective employees participate. If either party is rendered wholly or in part unable to perform its obligations under this Agreement because of an event of force majeure, both parties shall be excused from performance, provided that:

15.1.1 The non-performing party shall, as soon as is reasonably possible after the occurrence of the event of force majeure, give the other party written notice describing the particulars of the occurrence.

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SEP 23 2002

15.1.2 The suspension of performance shall be of no greater scope and of no longer duration than is required by the event of force majeure.

15.1.3 No obligations of either party which arose before the occurrence causing the suspension of performance and which could and should have been fully performed before such occurrence shall be excused as a result of such occurrence.

ARTICLE XVI: LIABILITY; DEDICATION

16.1 Nothing in this Agreement shall be construed to create any duty to, any standard of care with reference to, or any liability to any person not a party to this Agreement. No undertaking by one party to the other under any provision of this Agreement shall constitute the dedication of that party's system or any portion thereof to the other party or to the public, nor affect the status of Idaho as an independent public utility corporation, or Seller as an independent individual or entity.

ARTICLE XVII: SEVERAL OBLIGATIONS

17.1 Except where specifically stated in this Agreement to be otherwise, the duties, obligations and liabilities of the parties are intended to be several and not joint or collective. Nothing contained in this Agreement shall ever be construed to create an association, trust, partnership, or joint venture or impose a trust or partnership duty, obligation or liability on or with regard to either party. Each party shall be individually and severally liable for its own obligations under this Agreement.

ARTICLE XVIII: WAIVER

18.1 Any waiver at any time by either party of its rights with respect to a default under this Agreement, or with respect to any other matters arising in connection with this Agreement, shall not be deemed a waiver with respect to any subsequent default or other matter.

ARTICLE XIX: CHOICE OF LAWS

19.1 This Agreement shall be construed and interpreted in accordance with the laws of the State of Idaho.

ARTICLE XX: DEFAULT AND NOTICE

20.1 In the event either party defaults in the performance of any of the terms or conditions of this Agreement, the nondefaulting party shall cause notice in writing to be given to the defaulting party, specifying the manner in which such default occurred. If the defaulting party shall fail to cure such default within the 30 days after service of such notice, then, and only then, may the nondefaulting party pursue any remedy which it may have in law or equity, including an action to terminate this Agreement, to enforce the terms of this Agreement, or to recover damages for breach thereof. This article shall not be construed as restricting in any way Idaho's rights under Article XII, or paragraph D-8 of Appendix D to immediately interrupt flows of energy from the facility to Idaho's system nor shall it be applicable to a Capacity Sale Reduction carried out in accordance with Appendix C.

20.2 In the event of the termination of this Agreement due to a default by Seller, in addition to any other damages Idaho might be entitled to recover, Seller shall refund to Idaho an amount equal to the difference between

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the Capacity payments already paid by Idaho (based on the original term of the Agreement) and the total Capacity payments which would have been paid if the capacity price had been based on the period from the Operation Date to the actual date of termination.

ARTICLE XXI: GOVERNMENTAL JURISDICTION AND AUTHORIZATION

21.1 This Agreement is subject to the jurisdiction of those governmental agencies having control over either party or this Agreement.

21.2 This Agreement shall not become effective until the Commission approves all terms and provisions hereof without change or condition.

ARTICLE XXII: SUCCESSORS AND ASSIGNS

22.1 This Agreement and all of the terms and provisions hereof shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto, save that no assignment hereof by Seller shall become effective without the written consent of Idaho being first obtained. Such consent shall not be unreasonably withheld. This article shall not prevent a financing entity with recorded or secured rights from exercising all rights and remedies available to it under law or contract. Idaho shall have the right to be notified by the financing entity that it is exercising such rights or remedies.

ARTICLE XXIII: MODIFICATION

23.1 No modification to this Agreement shall be valid unless it is in writing and signed by both parties hereto.

ARTICLE XXIV: TAXES

24.1 Each party agrees to pay its own federal and state taxes on its share of income attributable to the parties' performance of this agreement, and any other tax, including any tax in the nature of an excise tax. Any kilowatt hour tax assessed by the State of Idaho shall be paid by Seller.

24.2 Each party shall pay before delinquency all ad valorem taxes and other governmental charges which if failed to be paid when due could result in a lien upon the Facility or the Interconnection Facilities.

ARTICLE XXV: NOTICES

25.1 All written notices under this Agreement shall be directed as follows, and shall be considered delivered when deposited in the U S Mail, first-class postage prepaid, as follows:

To Seller: Curry Cattle Company
P O Box 926
Twin Falls, Idaho 83301

To Idaho: Vice President, Power Operations
Idaho Power Company
P O Box 70
1220 Idaho Street
Boise, Idaho 83707

ARTICLE XXVI: ADDITIONAL TERMS AND CONDITIONS

This Agreement includes the following appendices, which are attached hereto and included by reference:

- Appendix A - Schedule of Power Purchase Rates
- Appendix B - Special Facilities and Point(s) of Delivery and Metering
- Appendix C - Adjustment of Payments in the Event of Capacity Sale Reduction

Appendix D - Standards for Interconnection and Metering

Appendix E - Schedule of Required Licenses and Permits

IN WITNESS WHEREOF, The parties hereto have caused this Agreement to be executed in their respective names as of the date first above written.

IDAHO POWER COMPANY

By *DE Barclay*
Vice President - Planning
and Resources
"Idaho"

1983. SUBSCRIBED AND SWORN To before me this 7th day of January,

Julie A. Ryan
Notary Public for Idaho
Residing at: *Boise, Idaho*

CURRY CATTLE COMPANY

By *W. Gene Hull*
W Gene Hull, General Partner

By *Doug B. Hull*
Doug B Hull, General Partner

By *Greg S. Hull*
Greg S Hull, General Partner
"Seller"

1983. SUBSCRIBED AND SWORN To before me this 1 day of February,

Mary Joanne Elliott
Notary Public for Idaho
Residing at: *Boise Idaho*

APPENDIX E

SCHEDULE OF REQUIRED LICENSES AND PERMITS

1. Evidence of compliance with Part 1 of the Federal Power Act. Acceptable evidence of compliance will be an Order from FERC: (1) issuing a License for the Facility or, (2) exempting the Facility from Licensing.
2. Permit for the appropriation of water for power production purposes issued by the Idaho Department of Water Resources.
3. Evidence of compliance with Subpart B of CFR §292.707. For this Facility, self-certification is sufficient.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DOUG &/OR GREG HULL
3880 N 2500 E
FILER ID 83328

RE: Water Right Permit 47-07812

Dear Permit Holder(s):

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

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

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SEP 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

April 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DOUG &/OR GREG HULL
3880 N 2500 E
FILER ID 83328

RE: Water Right Permit No. 47-07812

Dear Permit Holder(s):

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

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

- ☒ Point(s) of Diversion
☒ Place(s) of Use
☐ Other

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

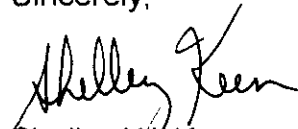
One last item that needs to be addressed relates to one of the conditions placed on the permit at the time it was issued. One of the conditions required a written agreement with the canal company demonstrating coordination of the permit use with Twin Falls Canal Company's (TFCC) operation. We have no documentation in the file demonstrating compliance with this condition. Please provide some evidence of coordination of your water use with TFCC operations. This evidence can be submitted at the same time you return the licensing amendment.

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SEP 25 2002

Permit 47-7812
April 24, 2001
Page 2

If you have any questions, please call me at 327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W. Keen
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 25 2002

MEMORANDUM

To: File 47-7812

From: Sharla

Date: April 19, 2001

Re: Power Purchase Contract Expiration and Volume Calculations

On this date, I spoke with Randy Olson at Idaho Power concerning the contract expiration date. He informed me that the contract is in the name of Curry Cattle Co. (a partnership of Gene, Doug and Greg Hull). The power purchase agreement is a 35 year contract expiring in June of 2018. A copy of the agreement has been requested from IPUC and the expiration date will be used in connection with remark W42 related to term review by the Director.

VOLUME CALCULATIONS (Using Lateral Flow Data From TFCC)

May

$1429.7 \text{ cfs}/24 \text{ days} = 59.57 \text{ cfs average}$

June

$1701.6 \text{ cfs}/21 \text{ days} = 81.03 \text{ cfs average}$

July

$2272.8 \text{ cfs}/24 \text{ days} = 94.70 \text{ cfs average}$

April and May

$59.57 \times 61 \text{ days} \times 1.98 = 7186.4 \text{ af}$

June

$81.03 \times 30 \text{ days} \times 1.98 = 4813.2 \text{ af}$

July

$94.7 \times 31 \times 1.98 = 5812.7 \text{ af}$

Aug and Sept (use same rate as June)

$81.03 \times 61 \times 1.98 = 9786.8 \text{ af}$

Oct and Nov (use same rate as May)

$59.57 \times 61 \times 1.98 = 7194.9 \text{ af}$

Total = 34794.0 af

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on _____

Permit No. _____

BU Fee Pd \$ _____

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☐ n/a ☐ plat copy attached

AREA OF CONCERN: No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust ☒ - R55(consumptive uses)
Non-Trust ☒ - 048-049 (consumptive uses
or non-cons. > 1.0 cfs)

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 106
FISH PROP - 029(70'S only)-042-106
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

Use Change/Add - P46

ADVANCE PRIORITY? ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 106-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP ☒ N/A

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed ☐ Yes ☒ No

AMENDMENTS REQUIRED ☒ Yes ☐ No

Adjustment Memo Needed ☐ Yes ☒ No

SURFACE WATER: (✓Flow Chart)

~~In/Above MSF~~ - WB9
~~WD~~ - R04 (WD# _____)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

Not in WD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047(Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - R22-R23 (+uses)-025-106-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right # _____
PU overlap rights - WB7-W31(<1 ac)
GW replaced SW - 050

Permit Rate _____ cfs Fee Limit _____ cfs
Measured _____ cfs Theoretical _____ cfs

Use	Rate	Volume
_____	_____ cfs	_____ af
_____	_____ cfs	_____ af
_____	_____ cfs	_____ af
TOTALS	_____ cfs	_____ af

If no, is a claim required: ☐ Yes ☒ No

If yes, paragraph codes: _____

No FOD overlaps

Twin Falls Canal Company
LATERAL FLOW RECORD

For: Jim Stanton

From: Doug Hull

for ~~Hydro~~ Hydro.

RECEIVED

DEC 20 1999

Department of Water Resources

DAY	GAGE FT.	FLOW CFS	LOSS CFS	WASTE	REMARKS
1					
2					
3					
4	.96	46.4			
5	.90	41.6			
6	1.00	48.9			Canal up
7	1.00	48.9			
8	1.00	48.9			
9					
10	1.02	50.4			Canal up
11	1.06	53.5			
12	1.08	55			Canal up
13	1.08	55			
14	1.08	55			
15	1.08	55			
16					
17	1.08	55			
18	1.08	55			
19	1.10	56.6			Canal up
20	1.12	58.2	Turned up		
21	1.16	61.4	Turned up		
22	1.22	66.3	~~Turned up~~		Canal up
23					
24	1.22	66.3			
25	1.28	71.4	Turned up		
26	1.28	71.4			
27	1.34	76.6	Turned up		
28	1.34	76.6			
29	1.34	76.6			
30					
31	1.38	80.1	Turned up		
Total Inches					
Total Acrefeet					

Q-Colee

Lateral No.

Div. No.

Amount Due

13

C.R. 13

May 1999

Pipe No.

Pipes

Monthly/Year

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FEB 25 2002

Twin Falls Canal Company LATERAL FLOW RECORD

DAY	GAGE FT.	FLOW CFS	LOSS CFS	WASTE	REMARKS
1	1.40	81.9			
2	1.40	81.9			
3	1.40	81.9			
4	1.40	81.9			
5	1.40	81.9			
6					
7	1.40	81.9			Had to cut in the evening
8	1.36	78.3			
9	1.36	78.3			
10	1.36	78.3			
11	1.36	78.3			
12	1.36	78.3			
13	~~1.36~~	~~78.3~~			
14	1.36	78.3			
15	1.36	78.3			
16	1.40	81.9			cancel up
17	1.40	81.9			Cut to 1.34 78.6
18	1.34	76.6			add to 1.40 81.9
19					
20					
21	1.40	81.9			
22	1.40	81.9			
23					
24					
25	1.42	83.7			cancel up
26	1.42	83.7			
27					
28	1.50	91.0			day turned up sat. night
29					
30					
31					
Total Inches					
Total Acrefeet					

D. Cooke

Lateral No.

Div. No.

Amount Due

13

Ride No.

QUINTIN

Rider

June 1999

Month/Year

MICROFILMED

FEB 25 2002

Twin Falls Canal Company
LATERAL FLOW RECORD

DAY	GAGE FT.	FLOW CFS	LOSS CFS	WASTE	REMARKS
1					
2					
3					
4					
5	1.52	92.8			
6	1.52	92.8			
7	1.52	92.8			
8	1.52	92.8			
9	1.52	92.8			
10	1.52	92.8			
11					
12	1.58	98.5		Cut to 1.58 98.6	
13	1.55	95.65			
14	1.55	95.65			
15	1.56	96.6			
16	1.56	96.6			
17	1.54	94.7		Cut Back	
18					
19	1.54	94.7			
20	1.54	94.7			
21	1.54	94.7			
22	1.54	94.7			
23	1.54	94.7			
24	1.54	94.7			
25					
26	1.54	94.7			
27	1.54	94.7			
28	1.54	94.7			
29	1.54	94.7			
30	1.54	94.7			
31	1.58	98.6		Canal up	
Total inches					
Total cusec					

X-Coulee
Lateral No.

Div. No.

Amount Due

13
Ride No.

Quinton
Rider

July/99
Month/Year

MICROFILMED

FEB 25 2002

6/92

6/92
RECEIVED

JUL 14 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 14 1999

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 47-07812

1. Owner: Doug & Greg Hull Phone No. 734-8310

Phone No. 734-8310

Current Address: 3880 N 2500 E, Filer, ID 83328

2. Accompanied by: Doug Hull EXAM DATE: 6-30-99

EXAM DATE : 6-30-99

Address: _____ **Phone No.** _____

Phone No. _____

Relationship to Permit Holder:

3. Source: Unnamed Stream (w/ Cowlee) tributary to Rock Creek

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination USGS Map

[illegible]

0923 2004

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

Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Contracted Rectangular Weir					16'	

2. Measurements: Measured 1.50-1.54' on weir = 91.0-94.7 cfs, PM 92.8 cfs average.
SWAN Scum line on staff gauge showed $\approx$ 1.70' = 110.2 cfs

MICROFILMED

2002

E. NARRATIVE/REMARKS/COMMENTS

Two screw-type headgates in the Low Line Canal feed water to the ~~Q~~ Coulee. The TFCC measures this flow at a 16' contracted rect. weir. Flow continues northward for about 1/4 mile before splitting. A concrete flume (open channel) 6' wide x 8' deep x 750' long carries water to a 60' surface pipeline that runs 1680' along the east side of the coulee to the power plant. Four turbines in the plant allow different flow rates to be used efficiently. System has 44' of head. Total hp = 375. Produces 200 kw at full operation according to Mr. Hull.

Turbine #1 is a 60 hp motor using 20 cfs. Turbine #2 is a 200 hp motor using 600 cfs. Turbine #3 is a 50 hp motor rewound to 60 hp & using 20 cfs. These turbines were running during the exam. Turbine #4 is a 30 hp motor using 10 cfs, but was not running during the exam. Plant design allows up to 110 cfs to be used for power, ~~whereas~~ but the permit allows only 100 cfs. Flow is controlled by the Twin Falls Canal Co. Water is used for irrigation after leaving the power plant (goes back into TFCC delivery system). TFCC confirmed that up to 100 cfs is sometimes diverted into Q Coulee (coulee is dry without canal water). Water is only available from April 1 - November 1.

The source is really Snake River water diverted into the Twin Falls Canal Co. system at Milner Dam, but is recommended as shown on the permit.

Source is controlled by TFCC, not by District 47-0 watermaster - is not in water district.

Measuring device measures what goes into Q Coulee. There is no device to measure what actually goes to the power plant. But TFCC seems OK with this system, so recommend we accept it.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
FEB 25 2002

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

*Staff gauge showed up to 110 cfs, Allow 100 cfs as permitted.***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Power</i>	<i>4-1</i>	<i>11-1</i>	<i>100,0</i>	
Totals:			<i>100,0</i>	

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name *J.P. Stanton* Date *7-13-99*

Reviewer _____ Date _____

SEAL

MICROFILMED

FEB 26 2002

$$230' \times 70' = 0.37 \text{ ac}$$

1.5 - 1.5 4' Jay Barlogi or Stan Kays - local TFCC guys

20 cfs #1 ^{Westinghouse} ~~50~~ 60 hp #8304

60 cfs #2 200 hp MAPS industrial remanufactured motor #08318501

20 cfs #3 Westinghouse 50^{hp} #8304 rewound to 60 hp

10 cfs #4 Westinghouse 30 hp #8203

takes 105-110 cfs maximum

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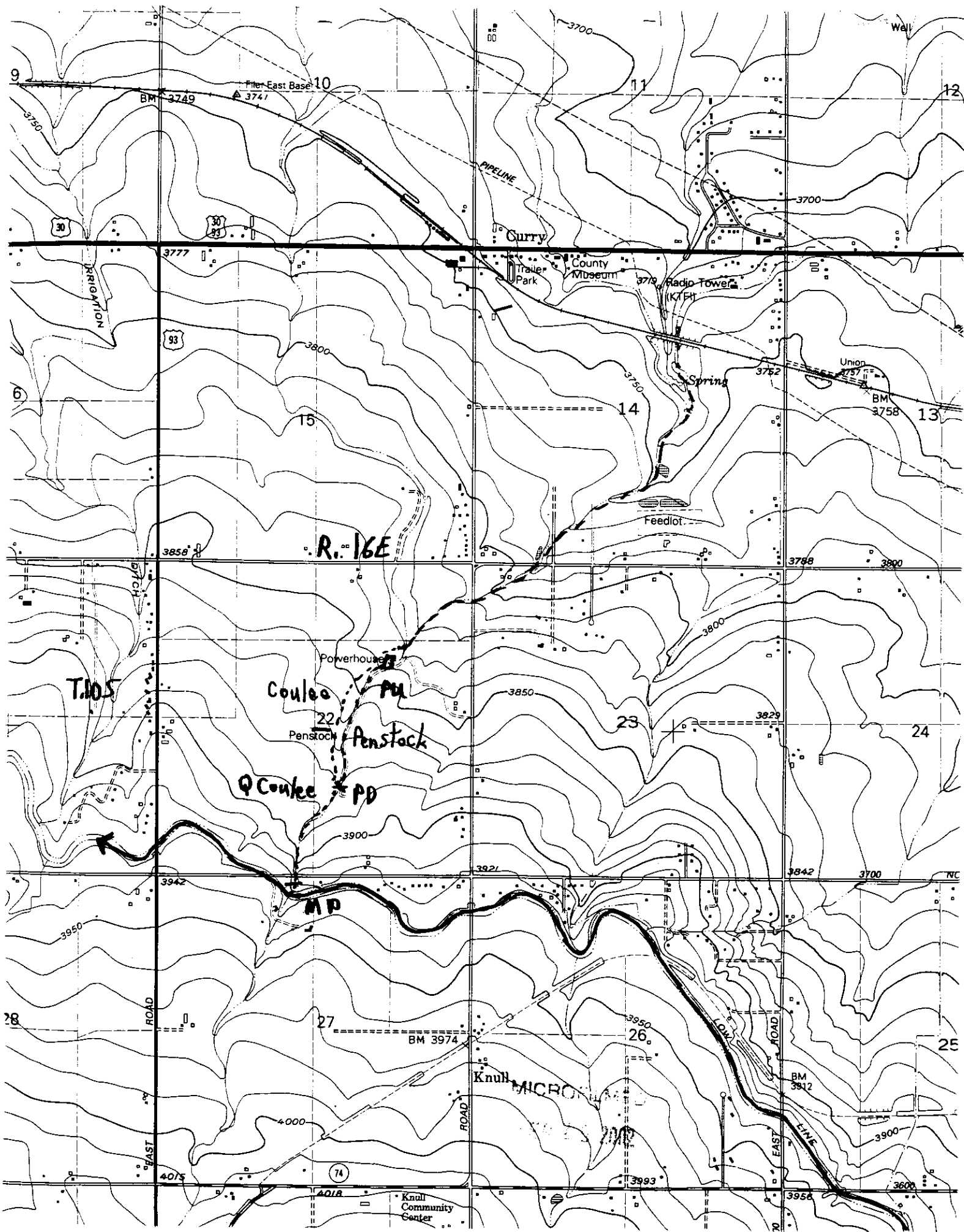
Aug 13 2002

Doug
Hull

RATING TABLE FOR "Q" COULEE					
GAGE	FLOW	FLOW	GAGE	FLOW	FLOW
Feet	C.F.S.	Inches	Feet	C.F.S.	Inches
0.20	4.2	209	1.12	58.2	2909
0.22	4.8	241	1.14	59.8	2989
0.24	5.5	276	1.16	61.4	3070
0.26	6.2	312	1.18	63.0	3151
0.28	7.0	349	1.20	64.7	3233
0.30	7.8	388	1.22	66.3	3316
0.32	8.6	428	1.24	68.0	3399
0.34	9.4	470	1.26	69.7	3484
0.36	10.3	513	1.28	71.4	3569
0.38	11.1	557	1.30	73.1	3654
0.40	12.1	603	1.32	74.8	3741
0.42	13.0	649	1.34	76.6	3828
0.44	13.9	697	1.36	78.3	3915
0.46	14.9	746	1.38	80.1	4004
0.48	15.9	796	1.40	81.9	4093
0.50	17.0	848	1.42	83.7	4183
0.52	18.0	900	1.44	85.5	4273
0.54	19.1	953	1.46	87.3	4364
0.56	20.2	1008	1.48	89.1	4456
0.58	21.3	1064	1.50	91.0	4548
0.60	22.4	1120	1.52	92.8	4641
0.62	23.6	1178	1.54	94.7	4735
0.64	24.7	1236	1.56	96.6	4829
0.66	25.9	1296	1.58	98.5	4924
0.68	27.1	1356	1.60	100.4	5020
0.70	28.4	1418	1.62	102.3	5116
0.72	29.6	1480	1.64	104.3	5213
0.74	30.9	1544	1.66	106.2	5311
0.76	32.2	1608	1.68	108.2	5409
0.78	33.5	1673	1.70	110.2	5508
0.80	34.8	1739	1.72	112.1	5607
0.82	36.1	1806	1.74	114.1	5707
0.84	37.5	1874	1.76	116.2	5808
0.86	38.9	1943	1.78	118.2	5909
0.88	40.2	2012	1.80	120.2	6011
0.90	41.6	2082	1.82	122.3	6113
0.92	43.1	2154	1.84	124.3	6216
0.94	44.5	2226	1.86	126.4	6320
0.96	46.0	2298	1.88	128.5	6424
0.98	47.4	2372	1.90	130.6	6529
1.00	48.9	2447	1.92	132.7	6634
1.02	50.4	2522	1.94	134.8	6740
1.04	52.0	2598	1.96	136.9	6847
1.06	53.5	2675	1.98	139.1	6954
1.08	55.0	2752	2.00	141.2	7062
1.10	56.6	2830	2.02	143.4	7170

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SEP 23 2002





Low Line Canal, Headgates to Coulee



Head of Coulee

MICHOI LEVEL
 FEB 25 2002

Permit 47-07812
 6-30-99
 JE Stanton



Q Coulee Looking North Towards Weir



Weir

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SEP 25 2002

Permit 47-07812
6-30-99
JE Stanton



Staff Gauge at TFCC Weir



Downstream (North) End of Weir

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SEP 2 1988

Permit 47-07812

6-30-99

JE Stanton



Coulee + Head of Penstock (looking North)



Same Looking South (Upstream)

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APR 22 2002

Permit 47-07812

6-30-99

JE Stanton



Penstock (looking North)



Pipelines Entering Power Plant

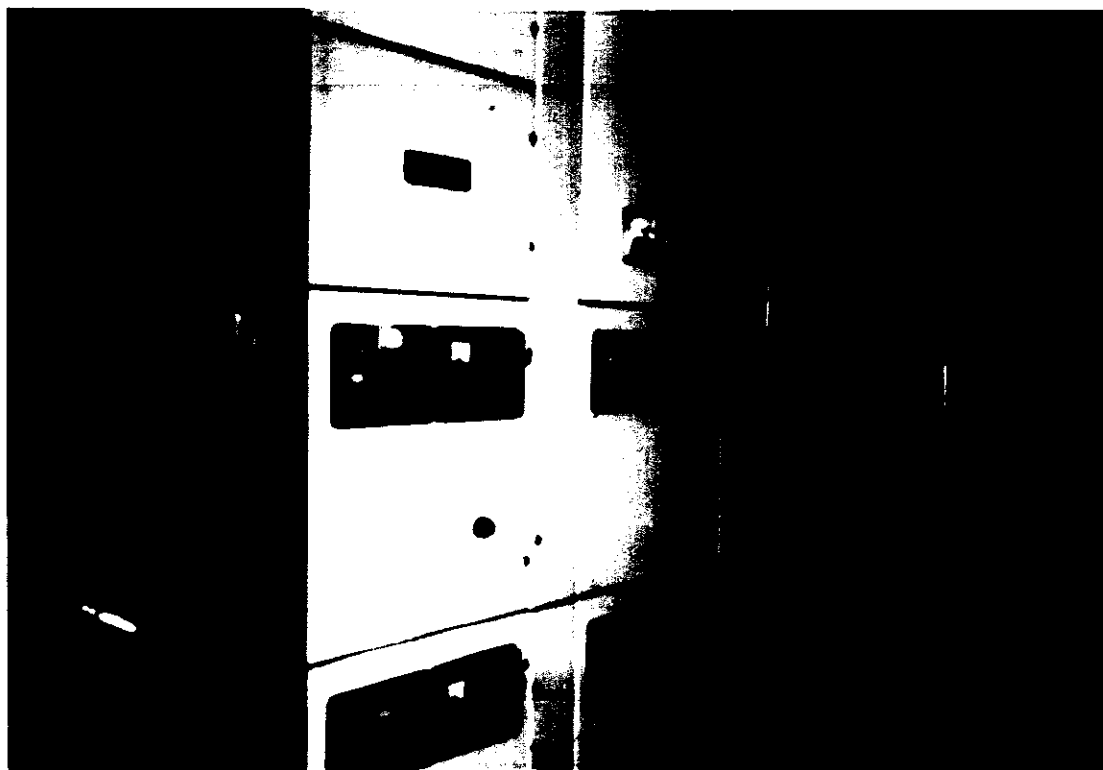
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FEB 25 2002

Permit 47-07812
6-30-97
JE Stanton



Turbine Generators



Electrical Controls

MICROFILM
 FEB 2 5 2002

Permit 47-07812
 6-30-99
 JE Stanton



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 30, 1998

DOUG HULL
GREG HULL
3880 N 2500 E
FILER ID 83328

RE: ASSIGNMENT OF PERMIT 47-07812

Dear Water Right Holder(s):

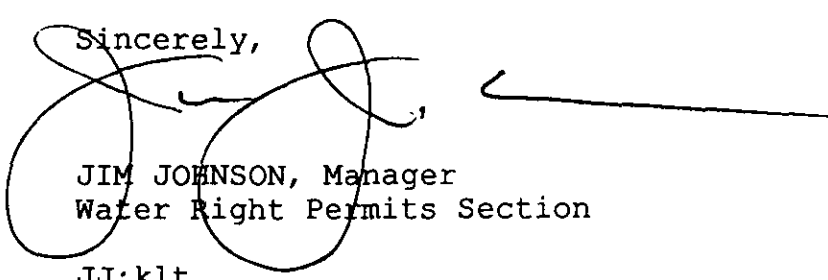
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

MICROFILMED

MAY 15 1998

MEMORANDUM

DATE: April 13, 1998

TO: File 47-07812

FROM: Kari Lynn Townsend

RE: Telephone conversaton

at 208-733-4247

I spoke with Shirley Hull Ridgeway today regarding the Assignment of Permit that we received from her assigning this permit to Doug or Greg Hull. I explained that there is nothing in this file that shows a link between Gene Hull (permit holder - now deceased) and Shirley Hull Ridgeway.

Mrs. Ridgeway stated that she is the widow of Gene Hull and that the only thing she has to show a link to Mr. Hull is a copy of his will. She will make a copy of the will and send it to us so that we can process the assignment of permit.

Doug Hull (Shirley's son) phoned to say he feels it would be better to send a notarized statement showing Shirley as the surviving spouse of Gene Hull instead of a copy of the will. I agreed with him that it would be acceptable for the file. He said he would take care of it. His phone number is 208-731-8310. Ket

MICROFILMED

MAY 15 1998

Full Flow In
May or June

Call ²⁰⁸⁻734-8310

Cell 731-8310

DOUG HULL
3735 N. 2500 E.
Twin Falls, ID 83301
MICROFILMED

MAY 15 1998

13-Jul-1989

Gene Hull
P.O. Box 926
Twin Falls, Idaho 83303-0926

Re; Permit No. 47-07812

Dear Mr. Gene Hull,

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

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

Very truly yours,

Lloyd Payne
Clerk

Encl:

MICROFILMED

MAY 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

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

SINCERELY,

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

JUL 17 1989

GENE HULL
BOX 926
TWIN FALLS, ID 83301

February 28, 1989

138618

RE: PERMIT NO. 47-07812 PROOF DUE NOTICE

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 May 1, 1989. (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 complete 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. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUL 17 1989

May 9, 1989

GENE HULL
BOX 926
TWIN FALLS, ID 83301

LAPSE NOTICE

RE: PERMIT NO. 47-07812

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated February 28, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

5-10-1989

Enclosures

LGS:RF

MICROFILMED

JUL 17 1989

Beta Fleck

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 47-7812

Date: 5-26-89

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks: Proof acceptable

Y Priority Calculation:
Date proof received May 18 _____
Date proof due May 1 + _____
No. of days late = 17
Priority date Apr. 8, '82 + _____
NEW PRIORITY DATE Apr. 25, '82 = _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

July 9, 1984

RE: Permit No. 47-7812

Gene Hull
Box 926
Twin Falls, ID 83301

Dear Mr. Hull:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion. We have enclosed a description of the different types of measuring devices accepted by this office.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must 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, no later than one year from the date the permit was approved.

We have enclosed instructions 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

DRT:kw
Enclosures

MICROFILMED

CONVERSATION MEMORANDUM

DATE June 26, 1984

FILE 47-7812

NAME OF PARTY Doug Hull

EMPLOYEE D. Turzill

RE: 47-7812

Mr. Hull called to say that the power plant described by this application has been on line and running since June 10, 1983. He indicated that Kerry Collins of Zion Leasing could answer questions on financing.

He asked that further questions regarding this application be referred to him at 734-6459, and requested that the permit be expedited as Idaho Power Co. has requested a copy from him.

RECEIVED

May 10, 1984

RE: Application for Permit No. 47-7812

Gene Hull
Box 926
Twin Falls, ID 83301

Dear Mr. Hull:

This office has received the copy of the FERC exemption in connection with your proposed hydro project.

In making a final review of the information in the water right file, we noted that a copy of the letter you submitted in 1982 from Zions Leasing Company to show financial ability appears to indicate interest in the project but does not commit funding for the project. (Enclosed is a copy of the letter.) The Department is prepared to issue the water right permit upon a showing of more definite commitment of funding for the project.

Please contact me if you have questions in this matter.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:sc

Enclosure

ED

ENCLOSURE

POWER CALCULATIONS FOR APPLICATION NO. 47-78/2

369.26
P = Kilowatts .74 X hp
499 hp
Q = cfs 100
H = feet 44
e = efficiency

proposed

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

$$e = \frac{P(11.8)}{QH} = \frac{369.26(11.8)}{100 \times 44} = \frac{4357.268}{4400} = 0.99 \text{ Too High}$$

$$P = \frac{QHe}{11.8} = \frac{100 \times 44 \times .80}{11.8} = \frac{3520}{11.8} = 298.3 \text{ @ } 80\% \text{ } \uparrow \text{ kW}$$

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

OVERLAP REVIEW see terminal 4/10/84

P/D none

P/U none

BYPASSED AREA

FILED

kw
4-16-84

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

22 PERC 162,026

-2-

Doug Hull

Project No. 6676-000

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

(Issued January 7, 1983)

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

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

1/ Doug Hull, Project No. 6676, filed on September 7, 1982.

2/ Pub. Law 96-294, 94 Stat. 611. Section 408 of the ESA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).

3/ Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation, under §375.308 of the Commission's regulations, 18 C.F.R. §375.308 (1981) FERC Statutes and Regulations §30,238. This order may be appealed to the Commission by any party within 30 days of its issuance pursuant to Rule 1902, 18 C.F.R. §19.1902, FERC Statutes and Regulations §29,052 47 Fed. Reg. 19014 (1992). Filing an appeal and final Commission action on that appeal are prerequisites for filing an application for rehearing as provided in Section 313(a) of the Act. Filing an appeal does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically directed by the Commission.

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

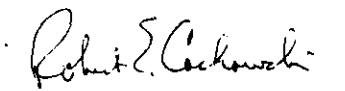
Should the Applicant contest any terms or conditions that were proposed by Federal or State agencies in their letters of comment as being outside the scope of Article 2, the Commission shall determine whether the disputed terms or conditions are outside the scope of Article 2.

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

It is ordered that:

(A) Doug Hull Project No. 6676 as described and designated in Doug Hull's application filed on September 7, 1982, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106 of the Commission's regulations attached hereto as Form E-2, 18 C.F.R. §4.106, 45 Fed. Reg. 76115 (November 18, 1980), and the following Special Article.

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


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

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Doug Hull

Project No. 6676-000

NOTICE OF APPLICATION FOR EXEMPTION FOR SMALL HYDROELECTRIC
POWER PROJECT OF 5 MW OR LESS CAPACITY
(November 19, 1982)

Take notice that on September 7, 1982, Doug Hull (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. §§2705 and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric Project No. 6676 would be located on ~~Twin Falls Canal Lateral 28~~ ^{the Snake River} near Filer in Twin Falls County, Idaho. Correspondence with the Applicant should be directed to: Mr. Doug Hull, Route 2, Filer, Idaho 83228.

Project Description - The proposed project would consist of: (1) a 6-foot-high diversion structure on the existing Twin Falls Canal Lateral 28 LO Coulee owned and operated by the Twin Falls Canal Company; (2) a 60-inch-diameter, 1800-foot-long penstock; (3) a powerhouse with a total installed capacity of 222 kW; (4) a 0.25-mile-long, 12.5-kV transmission line interconnecting with an existing Idaho Power Company transmission line. The Applicant estimates that the average annual output would be 1.16 million kWh.

Purpose of Exemption - An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments - The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities.

No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application - Any qualified license applicant desiring to file a competing application must file with the Commission, on or before JAN 3 1983, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Filing of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 C.F.R. §4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 C.F.R. §4.33(a) and (d) (1980).

Comments, Protests, or Motions to Intervene - Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Commission Rules 211 or 214, 18 C.F.R. 385.211 or 385.214, 47 Fed. Reg. 19025-26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before JAN 3 1983.

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

Kenneth F. Plumb
Secretary

{ 4.106 Standard terms and conditions of exemption from licensing.

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

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

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

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

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

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

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

*FERC Mail Stop
206 R.B.
825 North Capitol North East*

IN REPLY REFER TO:

NOV 8 1982

OEPR-HL

Project No. 6676-000 - Idaho
Doug Hull

Mr. Doug Hull
Route 2
Filer, Idaho 83328

Subject: Doug Hull's application submitted on September 17, 1982,
for exemption from licensing for the Doug Hull Project
No. 6676.

Dear Mr. Hull:

This letter is to notify you that your exemption application is accepted as of the submittal date. Your application will be automatically granted within 120 days from the date of this letter unless the Commission, or its delegate: (1) affirmatively grants, grants with modification, or denies the exemption; or (2) suspends the 120-day period for action, if necessary for gathering additional information, conducting additional proceedings, or deliberating the issues raised in the application.

Please file an original of each exhibit drawing included as part of the subject application reproduced on silver or gelatin 35 mm microfilm mounted on Type D (3 1/4" x 7 3/8") aperture cards. In addition, file two Diazo-type duplicate aperture cards. Enclosed are the FERC drawing numbers which should be shown in the margin below the title block of microfilmed drawings, and also in the upper right corner of each appropriate aperture card. Please put both the exhibit number and drawing number on each aperture card.

Federal, State, and local agencies will be informed in the public notice to be issued by the Commission that a copy of the complete application may be obtained from the Applicant.

RECEIVED

- 2 -

Applicant should have copies of the application available within 30 days of the date of this letter.

The microfilmed exhibit drawings should be filed within 30 days.

Sincerely,

Ronald A. Corso

Ronald A. Corso
Director, Division of
Hydropower Licensing

Enclosures:

List of FERC Drawing Numbers

RECEIVED

List of FERC Drawing Numbers

Project No. 6676-000

<u>Exhibit No.</u>	<u>FERC Drawing No.</u>	<u>Titled</u>
G	6676-1	Vicinity Map
F-1	6676-2	Plan View
F-2	6676-3	Diversion Intake
F-3	6676-4	Generator-Structure
F-4	6676-5	Elevation

MICROFILMED

CONVERSATION MEMORANDUM

DATE 4-9-84

FILE 47-7812

NAME OF PARTY Loren Holmes

EMPLOYEE Jim Johnson

RE: Per telecon w/ Loren the
applicant has received a waiver
from FERC and would send copy
to the State Office so the
application could be processed.

RECEIVED
APR 11 1984
FEDERAL ENERGY REGULATION COMMISSION



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

August 19, 1982

RE: Application for Permit No. 47-7812

Gene Hull
Box 926
Twin Falls, ID 83301

Dear Mr. Hull:

We have completed a preliminary review of the above referenced application. This review has included advertising by the regional office and a verification that all required preliminary information has been provided.

For power projects that are under the jurisdiction of the Federal Energy Regulatory Commission (FERC), we withhold final action on the application pending FERC approval of (1) a preliminary permit, or (2) an exemption. If you have not yet contacted FERC, the address below is a good starting point:

Regional Engineer
San Francisco Regional Office
Federal Energy Regulatory Commission
333 Market Street, Sixth Floor
San Francisco, CA 94105-2195
Telephone No. (415) 974-7177

The continued validity of this application is contingent on your proceeding with due diligence toward obtaining an approval or an exemption from FERC. Please keep this office informed of progress in this regard.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw

POWER CALCULATIONS FOR APPLICATION NO. 47-7812

P = Kilowatts .74 X hp (499)

Q = cfs

H = feet

e = efficiency

proposed
369.2 kW
100.0 cfs
44
?

$$e = \frac{P(11.8)}{QH} = \frac{369.2(11.8)}{100 \times 44} = \frac{4357.268}{4400} = .99$$

High
Acceptable

Based on the above calculations the proposed project must have an 99 % efficiency.

RC 8/19
82

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

04/28/82

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
47-4286	OTHER USES: S/200 RANGE & SHEEP							
47-4287	MCCABE, FRED J. RT. 1 FILER ID 83328 SOURCE: GROUNDWATER OTHER USES: S/200 RANGE	01-01-1948	IRRIGATION	03-15 11-15	2.00 CFS	NWSW S01 T10S R15E	SWNW(40) SENW(20) STA NESW(40) NWSW(28) S01 T10S R15E	CLM
	TRIBUTARY:						* 128 ACRES*	
	STOCKWATER	01-01		12-31	.04 CFS		SAME AS OTHER USE	
					* ---*AFA 2.00*CFS			
47-4288	MCCABE, FRED J. RT. 1 FILER ID 83328 SOURCE: SEEPAGE (PEAVEY TUNNEL) OTHER USES: S/200 RANGE & SHEEP	01-01-1920	STOCKWATER	01-01 12-31	.04 CFS	NWSW S01 T10S R15E	SWNW NWSW S01 T10S R15E	STATRY CLM
47-7810	TEWS, GERALD RT. 1 FILER ID 83328 SOURCE: GROUNDWATER	04-05-1982	IRRIGATION	03-15 11-15	2.00 CFS	NWSE S03 T10S R16E	LT02 (NWNE)(40) SWNE(40) NWSE(40) S03 T10S R15E	APPLICATION
	TRIBUTARY:						* 120 ACRES*	
47-7811	FERRY-MORSE SEED CO. P.O. BOX 111 HANSEN ID 83334 SOURCE: GROUNDWATER	04-06-1982	COMMERCIAL	01-01 12-31	.02 CFS	NWNE S26 T10S R18E	NWNE S26 T10S R18E	APPLICATION
47-7812	HULL, GENE BOX 926 TWIN FALLS ID 83301 SOURCE: UNNAMED STREAM REMARKS: LO COULEE	04-08-1982	POWER	01-01 12-31	100.00 CFS	NWSE S22 T10S R16E	SENE S22 T10S R16E	APPLICATION
47-7813	MCCOLLUM, J.D. BOX 112 TWIN FALLS ID 83301 SOURCE: GROUNDWATER OTHER RIGHTS: 47-7605, 47-7758	04-22-1982	FISH PROP.	01-01 12-31	5.00 CFS	NWNW S33 T09S R17E	SESE S29 T09S R17E	APPLICATION
	TRIBUTARY:							
	POWER			01-01 12-31			LT14 (SWSW)	

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

P.O. BOX 1906
TWIN FALLS, IDAHO 83301
TELEPHONE (208) 734-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

SUN VALLEY-KETCHUM OFFICE
P.O. BOX 2399
SUN VALLEY, IDAHO 83353
TELEPHONE (208) 726-4491

August 12, 1982

Mr. Loren Holmes
Department of Water Resources
1041 Blue Lakes Blvd. No.
Twin Falls, Idaho 83301

Re: Application of Doug Hull - Small Power Plant

Dear Loren:

The Twin Falls Canal Company Board of Directors has reviewed the plans of Doug Hull for construction of a small power facility.

We are advised that you have requested written confirmation that the plans have been approved by the Twin Falls Canal Company. Please consider this letter as such approval assuming the project would be constructed in accordance with the plans.

Sincerely,


JOHN A. ROSHOLT
Attorney for Twin Falls
Canal Company

JAR:cw

cc: Doug Hull

RECEIVED

AUG 12 1982

Department of Water Resources
Southern District Office

FILED



**ZIONS
LEASING
COMPANY**

10 West Broadway Building,
P.O. Box 2324,
Salt Lake City, Utah 84110
Phone: (801) 364-1906

161 Main Ave. W.
P.O. Box 308
Twin Falls, Idaho 83301
Phone: 733-9456

August 9, 1982

TO WHOM IT MAY CONCERN:

RE: Hull Hydro Electric Plant

Gentlemen:

Please be advised that our company is very much interested in providing turn key financing for the preposed project.

Once our financial requests are met we will be in a position to finance their project.

Sincerely,
Zions Leasing Company

Kerry C. Collins
Kerry C. Collins
Manager

RECEIVED

RECEIVED

AUG 12 1982

Department of Water Resources
Sawtooth District Office

Department of Water Resources
Sawtooth District Office

RECEIVED

Total Costs:

770' of flume and penstock	\$26,630.00
1800' of 60" steel line @\$70.00	\$126,000.00
Crane, welding, Labor for pipe	\$22,000.00
Rock removal est. @\$80.00 per.hr.	\$3,000.00
Gravel for pipe pad and road 1000 yds.	\$4180.00
total of excavation for flume and penstock	\$1500.00
control building, pump pit, discharge flum,	\$3154.00
power lines $\frac{1}{4}$ mile long	\$15,000.00
280 KW pumps, panels, brakers, instaled	\$96,563.00
screens front side 4'x20' (2)	\$400.00

Total \$298,427.00

RECEIVED

AUG 12 1982

Department of Water Resources
Southern District Office

MICROFILMED



IDAHO PUMP SUPPLY

P.O. Box 901
Twin Falls, Idaho 83301
Phone 733-5535

July, 27, 1982

Approximate Project Cost Proposal
Mr. Doug Hull

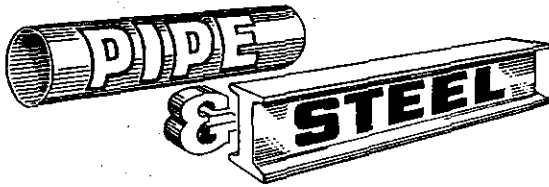
1 60 c.f.s. unit 700 R.P.M.	\$ 17,900.00
1 20 c.f.s. unit 1200 R.P.M.	7,510.00
1 36" Butterfly Valve w/operator	4,180.00
1 16" Butterfly Valve w/operator	1,723.00
Flanges for above	1,020.00
Dresser Couplings	1,380.00
1 175 hp. 2.5:1 Gear 1800 R.P.M. Generator	24,280.00
1 60 hp. 1200 R.P.M. Generator	5,670.00
Bypass Valve w/operator and Coupling	1,670.00
Generator Control Center	
Motorized Circuit Breaker and Starters	11,690.00
Programmable Controller	2,400.00
Transformers and Intertie	2,500.00
Manifold Construction	2,500.00
Wiring	2,640.00
Freight and Installation	9,500.00
	\$ 96,563.00

Estimated Penstock Installation @ \$10.00 per ft. \$18,000.00 + \$4,000.00 Crane mat

Estimated Powerline Construction per $\frac{1}{2}$ mile \$15,000.00

MICROFILMED

Southern Idaho



250 SOUTH PARK AVENUE

Telephone 208 733-8599 ★ P. O. Box 623

TWIN FALLS, IDAHO 83301

CUSTOMER PURCHASE ORDER NO. _____

DATE 7-28, 1982

Name _____

Address

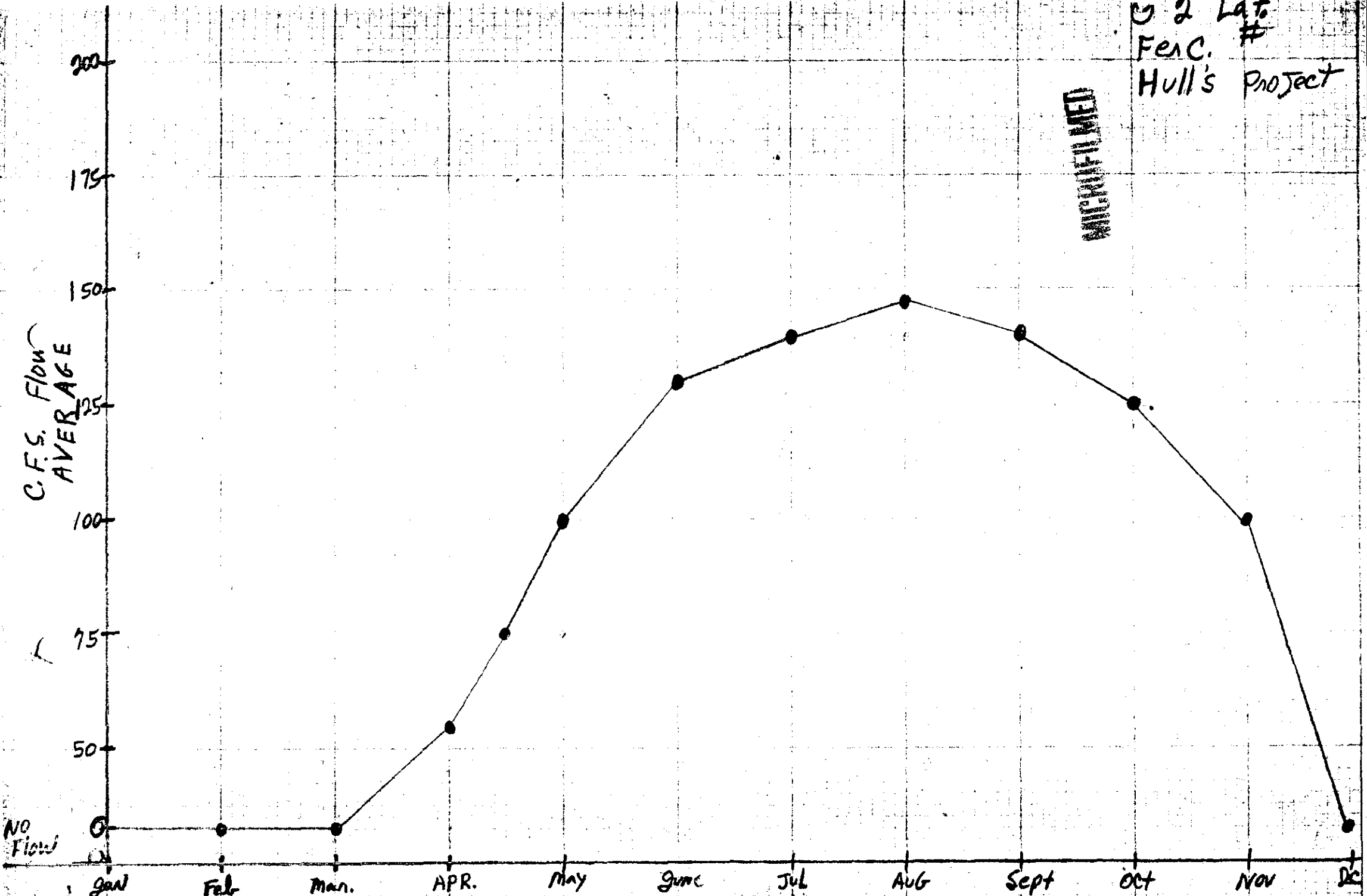
City

Telephone

[illegible]

02 Lat.
Fenc. #
Hull's Project

RECEIVED



Flow CHART
HULL'S PROJECT 02 Lat.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

April 12, 1982

Gene Hull
Box 926
Twin Falls, Idaho
83301

RE: Application for Permit No. 47-7812

Dear Mr. Hull:

This office is currently processing your Application for Permit No. 47-7812 filed on April 8, 1982.

Since the application seeks to establish a water right for power generating purposes, and it appears that a commercially marketable amount of power may be produced, the following information must be submitted for inclusion with your application in accordance with Section 42-202 of the IDAHO CODE:

A plan for the facility. This must include a scale drawing showing the proposed layout of the plant on the property, and must give approximate locations, dimensions, and elevations of all major components of the facility.

An itemized estimate of the cost of constructing the facility.

A statement of the financial resources of the applicant and the means by which funds are to be provided for construction of the project. This information will be reviewed in confidence and returned to you.

Since your application seeks to divert water which may be under the control of the Twin Falls Canal Company you must submit to the Department documents showing permission is granted by the canal company to utilize this water and which provides for coordination of the permitted use with the canal company.

Advertising and regional office review of your application should be completed by May 14, 1982. If the above requested information is received by that date, no additional delay in processing in this office will be incurred before we forward your application to the IDWR State Office for final review.

If you have questions regarding these requirements, please contact our office.

Sincerely,



Allen D. Merritt
Senior Water Resource Analyst

CC: Twin Falls Canal Co.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-7812-

HULL, GENE

BOX 326, TWIN FALLS, ID 83301

Source: UNNAMED STREAM tributary to ROCK CREEK

Date Filed: 04/08/1982

Amount: 100.00 CFS

Diversion Point: NWSE Sec 22 T 10S R 16E, TWIN FALLS Co.

Use: POWER (100.00 CFS) from 01/01 to 12/31

Place of Use: SENE Sec 22 T 10S R 16E

Diversion Means: PENSTOCK & TURBINES

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before MAY 10, 1982.

R. KENNETH DUNN

Director

Published 4/22 & 4/29/82.

RECEIVED

*de
meyer
4/20/82*

47-7812
HULL, GENE
BOX 926, TWIN FALLS,
ID 83301
Source: UNNAMED
STREAM tributary to
ROCK CREEK
Date Filed: 04/08/1982
Amount: 100.00 CFS
Diversion Point: NWSE
Sec 22 T 10S R 16E, TWIN
FALLS Co.
Use: POWER (100.00
CFS) from 01/01 to 12/31
Place of Use: SENE Sec
22 T 10S R 16E
Diversion Means:
PENSTOCK & TURBINES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 13, 1982

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 10, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

April 12, 1982

Warren Travis
Twin Falls Canal Co.
Box 326
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7812

Dear Mr. Travis:

Enclosed for your information is a copy of a notice of application for water permit which has been filed with this office.

The application seeks to divert surface water within your service area, and may therefore, be of interest to you.

Any permit issued will be subject to all prior water rights and will not constitute an easement or right-of-way upon lands or in ditches not belonging to the applicant.

If you have any questions regarding this application, please feel free to contact this office.

Very truly yours,

Loren D. Holmes
Southern Region Supervisor

LOH:marya

Encl:

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Alfred
Director

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

April 12, 1982

Mr. Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 02-7375 - 47-7812

Dear Mr. Bell:

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED