



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

December 16, 1986

Roy G. Rainey, Administrator
City of Soda Springs
9 West, 2nd South
Soda Springs, ID 83276

Re: License No. 11-2161

Dear Roy:

This letter is in response to a letter you sent to the Director of the Department of Water Resources, dated October 22, 1986. In the letter, you referred to a memorandum written by Bob Fleenor of this office, which stated that the field measurement of flows in the canal delivering water to the city hydropower plant was in error. You also requested that the license be amended to add an additional 10 cfs to the license.

I have reviewed Water Right No. 11-2161 in detail. I have also reviewed Water Right No. 11-2091, which must be interpreted in conjunction with No. 11-2161. Right No. 11-2091 was filed to deliver water to the old power plant No. 3, located upstream from Hooper Springs Park. A license was issued for 50 cfs.

License No. 11-2161 was filed to supply water to power plant No. 4, which is located just downstream from Hooper Springs Park. The measurement of the flow in the conveyance canal at the time of licensing of No. 11-2161 is the measurement in question.

A plan view of the power development for power plant No. 4, drawn by Henry L. Singer, a professional engineer, depicts the system and also lists the hydraulic properties of the canal prior to the split of the conveyance works to power house No. 3 and power house No. 4. The calculated capacity of the ditch upstream from the junction was 100 cfs. After the split, the estimated flow capacity of the concrete flume conveying water to power plant No. 4 was 67 cfs.

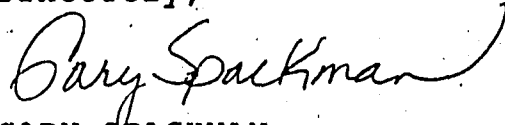
The examiner for License No. 11-2161 measured the flow at a bridge below the diversion dam. Therefore, he measured 38.8 cfs prior to the split of the conveyance works to the two power houses. Filing No. 11-2091 was licensed for 50 cfs for delivery

to power house No. 3, and Filing No. 11-2161 was licensed for 40 cfs for delivery to power house No. 4, totaling 90 cfs capacity in the conveyance ditch. Although the calculations of the examiner were erroneous, the optimum flow rate that can be calculated using his measurement notes is approximately 57 cfs. A combination of Right No. 11-2091 and Right No. 11-2161 equals 90 cfs, 33 cfs in excess of the measured amount. As a result, the flow rate under License No. 11-2161 cannot be adjusted upward.

Of greater concern to the city may be the abandonment of power house No. 3 without a subsequent transfer of a portion of those water rights to power house No. 4. Apparently, License 11-2161 is the only right appurtenant power house No. 4, which limits the diversion to 40 cfs. The city should clarify the record by filing a transfer of the place of use from the location of power house No. 3 to power house No. 4 if greater than 40 cfs is being diverted through the concrete flume to power house No. 4.

If you have questions, please feel free to contact me.

Sincerely,



GARY SPACKMAN
Supervisor, Water Allocation

GS:jf

MEMORANDUM

TO: FILE 11-02156
FROM: PAM SKAGGS
RE: TRANSFER # 4550
DATE: 2/28/95

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 11-02091.

RECEIVED

MAY 30 1995

16. (a) Is reservoir to be used? **Built under Permit** ¹⁷³⁴⁸ **Yes** _{if so, fill in (b) and (c) below:}
 (b) Name of Reservoir and number of Storage Permit: **Soda Creek**
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

16. (a) Is reservoir to be used? **Built under Permit** ¹⁷³⁴⁸ **Yes** _{if so, fill in (b) and (c) below:}
 (b) Name of Reservoir and number of Storage Permit: **Soda Creek**
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

City of Soda Springs Applicant.

By ALLEN H. TIGERT Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Nov. 27, 1954

Returned to applicant for correction:

Correlated application received:

Approval of State Reclamation Engineer:

The number of this permit is 25470
Recorded in Book 90 Page 25470
Approved Mar. 4, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ 1000 to be filed on or before May 4, 1955

Work to begin on or before and to continue diligently and uninterruptedly to completion

unless temporarily interrupted by circumstances over which permit holder has no control.

One-ninth of the work above specified to be completed on or before March 4, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before March 4, 1957

WITNESS My hand this 4th day of March, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE,
ROBERT E. SMYTHE
Governor of the State of Idaho.

IRA H. MASTERS, Secretary of State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th

day of March, 19 55 .

STATE OF IDAHO

Countersigned:

STATE OF IDAHO

BY ROBERT E. SMYTHE

ROBERT E. SMYTHE

By **ILKA H. MASTERS**
GOVERNOR

COVER

Secretary of State

REMARKS: This application is for the use of an additional 50 second feet of water over and above the 50 second feet of water dedicated under Permit 17348. The additional water is to be derived from excess flood waters when and if available in Soda Creek for power use. To put this additional water to beneficial use it is required to widen the bottom of the canal from 4 feet to 6 feet and widen the bottom of the concrete flumes from 5 feet x 3 feet-6" inside dimension to 6'-9" x 3'-6" inside dimension, or for a total capacity of 100 second feet of water.

(Continued Below)

(Continued Below)							
Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
			NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	

It is also necessary to extend the existing penstock about 1400 feet by use of a concrete flume having an inside dimension of 51'-6" x 31'-6" and capacity of 65 second feet. The penstock for proposed new power plant is 42 inches diameter and 265 feet long. When and if 100 second feet of water is available in Soda Creek, 35 second feet may be used in the power plant No. 3 built under permit 17348 and 65 second feet in the proposed new Plant No. 4.

A reservoir dam serving also as a diversion dam was constructed under Permit 17348 together with a canal, concrete flumes, penstock, and power house. The canal had a bottom width of 4 feet; side slopes 1½ to 1; water depth 3 feet; width or water line 13 ft. The canal including 2 concrete flumes 5' x 3'-6" inside diameter is about 0.77 miles long. The penstock is 36" diameter and 4,351' long. The power house (point of use and return) was located N. 41° 30' W, 720 feet from S E corner Section 36, T 8S, R 41 E, B. M. The map of power diversion accompanying Permit 17348 shows the location of the ~~power~~ plant (Power about No. 3) incorrectly. A revised map showing the actual location at N. 41° 30' W. 720 feet from SE corner Section 36, T8S, R41E, BM, is not available.

NOTE: The rights herein granted for the use of the waters, stream bed and other lands of the State of Idaho necessary for the construction and operation of the Dam and Reservoir are subject to the condition that the project shall be operated in such manner as will not prevent or interfere with the future upstream diversion and use of such waters for irrigation and other Beneficial Consumptive Uses.

Permit No. 25470

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that CITY OF SODA SPRINGS of Soda Springs, County of Caribou, and State of Idaho, the holder of Permit No. 25470, issued upon Application No. 33138 bearing date of priority of November 27, 1954, authorizing the diversion of 50 second feet of the waters of Soda Creek tributary of Bear River County of Caribou, State of Idaho, for Power purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 40 second feet of the waters of Soda Creek tributary of Bear River that the point of diversion of said waters NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 8 South, Range 41 East, B.M. and that the proposed use of said water is described as follows, to-wit: For generation of power for the City of Soda Springs, Idaho. Proof of Completion of Works made: March 4, 1957

Witness my hand this 26th day of November, A.D. 1957

MARK R. KULP
State Reclamation Engineer
By: E. N. Humphrey
Deputy State Reclamation Engineer

Proof of Completion of Works made: March 4, 1957
Certificate of Completion of Works issued: November 26, 1957.

CLASS EXEMPT FOR 40
Page - 6224

November 24, 1954

Mr. A. L. Osborn, Mayor
Soda Springs
Idaho

Dear Mayor Osborn:

Mr. H. L. Senger has filed the application of the City of Soda Springs for permit to appropriate 50 cubic feet per second of the flood waters of Soda Creek.

The filing fee on this amount is \$17.25 for which you may send us your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
CC: Mr. H. L. Senger

25426

City of Soda Springs

A. L. OZBURN, Mayor
DELLA MORRIS, Clerk
Dr. ALLEN TIGERT, Chairman

Founded in 1870 On The Old Oregon Trail
Ft. Cennor Established On Original Site In 1863
IDAHO'S NATURAL SODA WATER CITY
Health Giving Mineral Springs
COUNTY SEAT OF CARIBOU COUNTY
SODA SPRINGS, IDAHO

Councilmen
Dr. ALLEN H. TIGERT
EARL GUNNELL
EDWIN M. SMITH
J. E. GURVIN

Nov. 26, 1954

State of Idaho
Department of Reclamation
Boise, Idaho

RECEIVED
NOV 27 1954
Department of Reclamation

Dear Sirs:

Attached, please find check in the amount of \$17.25 to cover filing fees
as per your letter dated Nov. 24, 1954.

Yours truly,

Della Morris
City Clerk.

825476

December 6, 1954

RE: Application No. 33138

Mr. A. L. Osborn, Mayor
Soda Springs
Idaho

Dear Mr. Osborn:

We enclose duplicate notice for publication in connection with the application of the City of Soda Springs to appropriate 50 second feet of flood water from Soda Creek for power purposes.

Please acknowledge service on the original and retain the duplicate for your own file. Also return Form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

This is in accordance with the statutes which require publication once a week for three weeks on all applications exceeding 25 cubic feet per second.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

825470

December 13, 1954

RE: Application No. 33138

Mr. A. L. Osborn, Mayor
Soda Springs
Idaho

Dear Mr. Osborn:

We have sent to the Caribou County Sun, notice of the application of the City of Soda Springs to appropriate 50 second feet of flood water from Soda Creek with instructions to publish once a week for three weeks and to send you the affidavit of publication together with statement of costs.

If there are no protests, the application will be approved and Permit issued in regular course. Should there be a protest, you will be notified in order that the matter may be given full consideration by this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
cc Mr. H. L. Senger

25470

December 13, 1954

RE: Application No. 33138

Caribou County Sun
Soda Springs
Idaho

Gentlemen:

We enclose herewith notice for publication, which please publish once a week for three weeks commencing with your next issue.

The cost of publication is to be paid by the City of Soda Springs to whom please send affidavit of publication together with statement of costs.

Please acknowledge receipt of this notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl
Enc.

25470

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

Notice is HEREBY GIVEN, That the City of Soda Springs made application on the 27th day of November, 1954, for a Permit to appropriate fifty (50) cubic feet per second of the flood waters of Soda Creek, a tributary of Bear River, for the generation of electric power.

That the point of diversion of said waters is described as follows:

S 54° 20' W, 2180 feet from the Northeast corner of Section 36, Township 8 South, Range 41 East B.M. and is in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 36, Township 8 South, Range 41 East B.M.

That the place of use of said water is described as follows:

N 71° 10' E, 155 feet distant from the Southwest corner of Section 31, Township 8 South, Range 42 East B.M. and is in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, Township 8 South, Range 42 East B.M.

Appropriations under this application are subject to requirements of future upstream irrigation developments.

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

Dated this 6th day of December, 1954.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

Date of first publication

Date of last publication

Last date for protest: January 15, 1955

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this _____ day of December, 1954.

CITY OF SODA SPRINGS

BY *[Signature]*

ITS *[Signature]*

Mayor
City Clerk

25476

Caribou County Sun

and the SODA SPRINGS SUN

Soda Springs, Idaho

December 14, 1954

Mark R. Kulp
State Reclamation Engr.
Boise, Idaho

Dear Mr. Kulp:

This will acknowledge receipt of your notice for publication for the City of Soda Springs, to be published Dec. 16, 23 and 30.

Sincerely,

Charlotte Wilcox

RECEIVED
DEC 16 1954

Department of Reclamation

25470

STATE OF IDAHO
DEPARTMENT OF
RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
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That the place of use of said water is described as follows: N 71 degrees 10' E, 155 feet distant from the Southwest corner of Section 31, Township 8 South, Range 4 East B. M. and is in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 42 East B.M.

Appropriations under this application are subject to requirements of future upstream irrigation developments.

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Dated this 6th day of December, 1954.

/s/ MARK R. KULP
State Reclamation
Engineer

Date of first publication: December 16, 1954

Date of last publication: December 30, 1954

Last date for protest: January 15, 1955

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 14th day of December, 1954.

CITY OF SODA SPRINGS

/s/ By A. L. OZBURN
Mayor

/s/ Attest: DELLA MORRIS
City Clerk

12-16-54

December 17, 1954

RE:

Caribou County Sun
Soda Springs
Idaho

Gentlemen:

We have checked notice in connection with application of the City of Soda Springs, appearing in your issue of December 16 and find same to be correct with one exception.

In the second paragraph, 16th line, it should be Range 42 East instead of 4 East.

Please make this correction in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

25470

2010
STATE OF IDAHO
DEPARTMENT OF
RECLAMATION

NOTICE OF APPLICATION TO
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South, Range 41 East B.M. and
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the Northeast Quarter (NW¼
NE¼) of Section 36, Township
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That the place of use of said
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8 South, Range 42 East B.M.

Appropriations under this ap-
plication are subject to require-
ments of future upstream irri-
gation developments.

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

Dated this 6th day of Decem-
ber, 1954.

/s/ MARK E. KULP
State Reclamation
Engineer

Date of first publication: Decem-
ber 16, 1954

Date of last publication: Decem-
ber 30, 1954

Last date for protest: January 15,
1955

SERVICE OF THE FOREGO-
ING, by copy, is hereby acknow-
ledged, this 14th day of Decem-
ber, 1954.

CITY OF SODA SPRINGS

/s/ By A. L. OZBURN
Mayor

/s/ Attest: DELLA MORRIS
City Clerk

The Caribou County Sun
Soda Springs, Idaho
Dec 23-1954

(correction made, Range 42, in this
issue.)

25470

✓
February 24, 1955

RE: Application No. 33138

Mr. A. L. Osborn, Mayor
Soda Springs
Idaho

Dear Mr. Osborn:

There were no protests filed in connection with the application of Soda Springs to appropriate 50 second feet of flood water from Soda Creek for power purposes.

Therefore, upon receipt of the affidavit of publication, which the Carleton County Sun was instructed to send to you, application can be approved and Permit issued.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

25470

City of Soda Springs

A. L. OZBURN, Mayor
DELLA MORRIS, Clerk
Dr. ALLEN TIGERT, Chairman

Founded in 1870 On The Old Oregon Trail
Ft. Connor Established On Original Site In 1883

IDAHO'S NATURAL SODA WATER CITY
Health Giving Mineral Springs
COUNTY SEAT OF CARIBOU COUNTY
SODA SPRINGS, IDAHO

Councilmen
Dr. ALLEN H. TIGERT
EARL GUNNELL
EDWIN M. SMITH
J. E. GURVIN

Feb. 28, 1955

RECEIVED
MAR 2 1955
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Att: M-Jeanne L. Anderson, Chief Clerk Re: Application No. 33138

Dear Madam:

Attached, please find affidavit of publication, from the Caribou County Sun,
as per your letter of Feb. 24th.

Yours truly,

City of Soda Springs, Idaho

Della Morris
City Clerk.

25470

Affidavit of Publication

County of Caribou.

State of Idaho

Charlotte Wilcox being first duly sworn

on her oath, states:

Caribou County

That she is principal clerk of the ~~Soda~~
~~Soda~~ Springs Sun, a newspaper of general circulation printed and
published in Caribou County, Idaho, published weekly at Soda
Springs in said County, that said newspaper has been published
in said county uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice was published as per clipping
attached in the regular and entire edition of said newspaper and

not in any supplement thereof for three successive
weekly issues thereof, the date of the first publication being the

16th day of December, 1954.

the date of the last publication being the 30th

day of December, 1954. Charlotte Wilcox

Subscribed and sworn to before me this 6th

day of January, 1955.
(SEAL) [Signature]

Notary Public, residing at Soda
Springs, Idaho.
My Commission expires the 1st
day of July, 1956.

COST. _____ lines at _____ cents a line for the first

insertion and _____ cents a line for each of _____

subsequent insertions, total \$ _____

STATE OF IDAHO DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
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That the point of diversion of
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That the place of use of said
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Appropriations under this ap-
plication are subject to require-
ments of future upstream irri-
gation developments.

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

Dated this 6th day of Decem-
ber, 1954.

/s/ MARK R. KULP
State Reclamation
Engineer

Date of first publication: Decem-
ber 16, 1954

Date of last publication: Decem-
ber 30, 1954

Last date for protest: January 15,
1955.

SERVICE OF THE FOREGO-
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ber, 1954.

CITY OF SODA SPRINGS

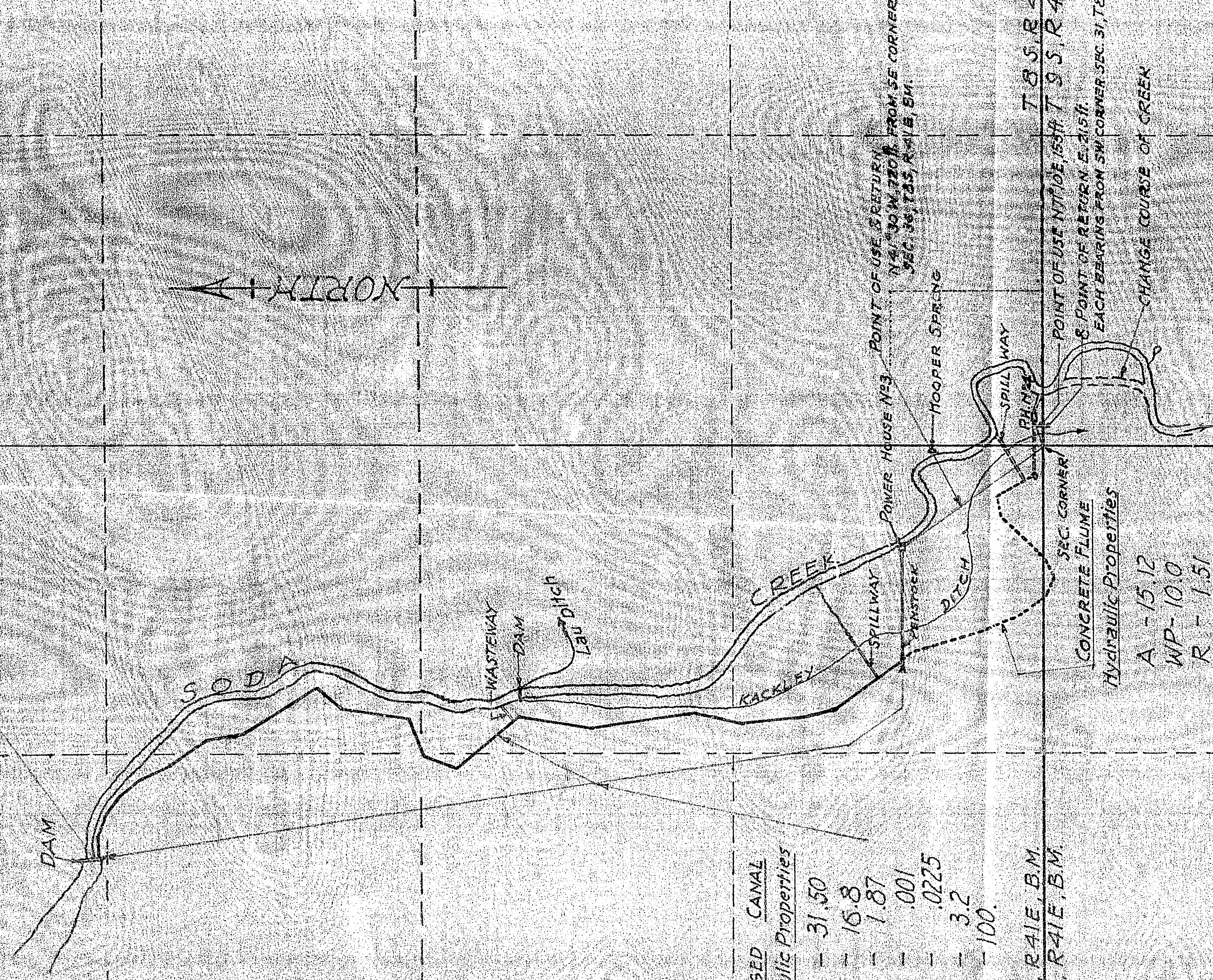
/s/ By A. L. OZBURN

Mayor

/s/ Attest: DELLA MORRIS
City Clerk

25470

25 30
36 31



ENLARGED CANAL
Hydraulic Properties

A - 31.50
WP - 16.8
R - 1.87
S - .001
n - .0225
V - 3.2
Q - 100.

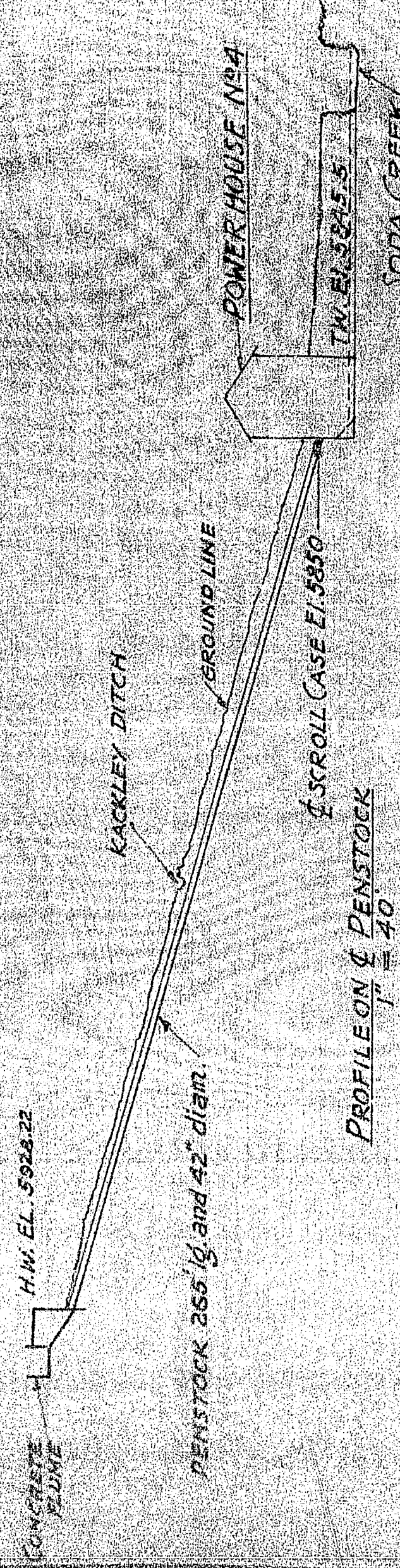
T 8 S, R 41 E, B.M.
T 9 S, R 41 E, B.M.

CONCRETE FLUME
Hydraulic Properties

A - 15.12
WP - 10.0
R - 1.51
S - .001
n - .014
V - 4.45
Q - 67.0

POINT OF USE RETURN
N 61° 30' W 120.0' FROM SE CORNER
SEC. 36, T 8 S, R 41 E, B.M.
POINT OF USE RETURN E 215 ft.
EACH BEARING FROM SW CORNER SEC. 31, T 8 S, R 42 E, B.M.

CHANGE COURSE OF CREEK

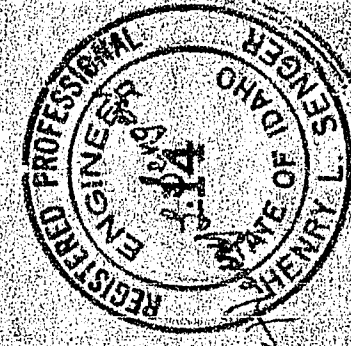


CERTIFICATE OF ENGINEER

I, H.L. Senger, of Boise, Idaho, an Engineer licensed by the State of Idaho, do hereby certify that this map was made from notes taken during an actual survey made by me on Oct. 4, 1954 and that it correctly represents the works described in the accompanying application.

Henry L. Senger, P.E. No. 14.

Scale 1 in. = 400 ft.



MAP OF PROPOSED POWER DEVELOPMENT
ON SODA CREEK TO ACCOMPANY THE
APPLICATION FOR A PERMIT BY CITY
OF SODA SPRINGS, IDAHO, Nov. 15 '54.

254170

Permit Map No. 10000
As Approved
Map 4.105
MARK R. KULP
State Registration Engineer

March 7, 1955

RE: Permit No. 25470

Mr. A. L. Ozborn, Mayor
Soda Springs
Idaho

Dear Mr. Ozborn:

We enclose Permit No. 25470 and direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 27071 for the \$17.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou
Enc.

25470

XX

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

January 2, 1957

City of Soda Springs
Soda Springs
Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. 25470. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for 'the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than 3-4-57.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

v

25470

January 25, 1957

RE: Permit No. 25470

Mr. Max Snell
Power Superintendent
City of Soda Springs
Soda Springs, Idaho

Dear Sir:

We have made up your Notice of Completion of Works and Beneficial Use proofs here in the office to be made March 4th, 1957 before S.E. Matthews, Notary Public.

We are enclosing Form 11 for your completion and signature, which is the authorization for us to publish the Notice at the expense of the City of Soda Springs. The Form to be returned to us for our files.

We shall send a copy of the Notice to the Caribou County Sun with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear on behalf of the City of Soda Springs, before Mr. Matthews, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:var

Encl

cc. S.E. Matthews
Soda Springs, Idaho

25470

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 25470
City of Soda Springs

Date: January 25, 1957

Caribou County Sun
Soda Springs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 4th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **City of Soda Springs, c/o Max Snell, Power/** ^{Superintendent} **of Soda Springs Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vem
Encl.

25470

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M., on the 4th day of March, 1957, at Soda Springs, County of Caribou, State of Idaho, before S.E. Matthews Notary Public, proof will be submitted of the completion of works for the diversion of 50.0 cubic feet per second of ~~underground~~ Soda Creek waters from ~~the well~~ and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 25470 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are City of Soda Springs, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 50.0 cubic feet per second.

3. The use to which said water has been applied is Power purposes, and the amount applied to beneficial use is 50.0 cubic feet per second.

4. The point of diversion of said water is NW 1/4, Sec. 36, T. 8S. - R. 41E. B.M.

5. The place where said water is used is SW 1/4, Sec. 31, T. 8S. - R. 42E. B.M.

6. The date of priority which said user is prepared to establish is Nov 27, 1954.

MARK R. KULP
State Reclamation Engineer

25470

RECEIVED
JAN 28 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 26 '57

(P. O.) Soda Springs, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Caribou County Sun

of

Soda Springs, Idaho

published in

the county in which the works are situated.

City of Soda Springs
By Max Suell
Supt. Power & Water

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

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

Engineer.

25470

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at _____ M., on the 1st
day of March, 1957, at Soda Springs, County
of Larimer, State of Idaho, before E.E. Matthews
Notary Public, proof will be submitted of the completion
of works for the diversion of 50.0 cubic feet per second of underground
waters from Soda Creek ~~a well~~, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. 25470 heretofore
issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit are City of Soda Springs, Idaho

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of
conveying to the place of use is 50.0 cubic feet per second.

3. The use to which said water has been applied is Power
_____ purposes, and the amount applied to beneficial use is
50.0 cubic feet per second.

4. The point of diversion of said water is NW¹NE¹, Sec. 36, T.8S.-R.41E.

5. The place where said water is used is SW⁴SW⁴, Sec. 31, T.8S.-R.42E.

6. The date of priority which said user is prepared to establish is
Nov. 27, 1954.

25470

State Reclamation Engineer

February 4, 1937

RE: Permit No. 25470
City of Soda Springs

Caribou County Sun
Soda Springs, Idaho

Gentlemen:

We acknowledge receipt of a copy of the publication of Notice of proof of Completion of Works and Application of Water to Beneficial Use on Permit No. 25470 in the name of City of Soda Springs, published in your January 31, 1937 issue.

In checking the publication we find that the signature of MARK R. KULP, is mis-spelled. It being printed -MARK R. COOK- and should be MARK R. KULP

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:ven

25470

FRANCIS J. RASMUSSEN

Attorney at Law
Soda Springs, Idaho

March 11, 1957

RECEIVED
MAR 12 1957

Department of Reclamation

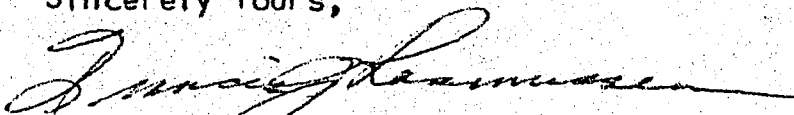
State of Idaho
Department of Reclamation
Boise, Idaho

Re: City of Soda Springs, Idaho
Permit No. 25470

Dear Sir:

Please find enclosed three (3) Proof of Completion of
Works and three (3) Proof of Application of Water to Beneficial
Use forms on Permit No. 25470 for the City of Soda Springs, all
duly signed and notarized.

Sincerely Yours,



Francis J. Rasmussen
Attorney for City

FJR:mh
Enclosures

25470

PERMIT NO. 25470

RECEIVED
MAR 12 1957

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Max W. Snell; I reside at Soda Springs, Idaho and am the Superintendent of Power & Water of the City of Soda Springs, Idaho

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

Ans. The City of Soda Springs, Idaho, a municipal corporation at Soda Springs, Idaho and am its Supt. of Power & Water; I am appearing on behalf of said City by resolution of the City Council of said City.

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

Ans. No. 25470: Approved March 4th, 1955. 50 Cubic Feet Per Second; Pt. of Diversion: S. 54° 20' W 2180 feet distant from NE Cor. of Sec 36, T. 8 S., R. 41 E., B. M., in Caribou County, Idaho

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

Ans. Power purposes. (No land to be reclaimed)

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

Ans. Yes; In June 1956; 55 second feet.

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

Ans. All fully completed and comply with all terms of the permit.

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

Ans. ---

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

Ans. Concrete diversion dam on Soda Creek about 1 Mile North of the place of use; conducted by a canal to place of use, which canal is 5½' wide at the top and bottom and 3' high. Total cost Approximately \$150,000.00

(Sign here.)

Max W. Snell

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

County of Caribou, State of Idaho, on this 4th day of March A. D. 1957

S. J. Gardner

Notary Public.

My Commission expires July 1st, 1960

25470

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

PERMIT NO.

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. T. E. Thompson, of Soda Springs, Idaho; Occupation: Farmer & Water Master

Ques. 2. Are you acquainted with City of Soda Springs, a municipal corporation, the

holder of Permit No. 25470 authorizing the diversion of 50 second-feet of the waters of Soda Creek distant from N.E. Cor. of Sec. 36, T. 8 S., R. 41 E., B.M., at S 54° 20' W, 2180 feet for Power purposes? How long have you known him, and where does he reside?

Ans. Yes. The City of Soda Springs, Idaho is in Caribou County. I have been a resident thereof for many years.

Ques. 3. Have you read or heard read said Permit No. 25470, and are you familiar with its terms and conditions?

Ans. Yes.

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

Ans.

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

Ans. Yes, in June 1956.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. A concrete diversion dam on Soda Creek about 1 Mile North of the place of use; conducted by a canal to place of use, which canal is 5½ feet wide at the top and bottom and 3' high.

(Sign here)

T. E. Thompson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Soda Springs, County of Caribou, State of Idaho, on this 4th day of March A. D. 1957.

My Commission expires July 1st, 1960.

[Signature]

Notary Public.

25470

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

PERMIT No. 25470

RECEIVED
MAR 12 1957

Proof of Completion of Works Department of Reclamation

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Russell H. Crouse, Residing at Soda Springs, Idaho, I am a mining engineer

Ques. 2. Are you acquainted with City of Soda Springs, a municipal corporation, the

holder of Permit No. 25470 authorizing the diversion of 50 second-feet of the waters of Soda Creek distant from NE Cor. of Sec. 36, T. 8 S., R. 41 E., B.M. in for power purposes? How long have you known him, and where does he reside?

Ans. The City of Soda Springs, Idaho - I became a resident thereof in January 1952. I am familiar with said City.

Ques. 3. Have you read or heard read said Permit No. 25470, and are you familiar with its terms and conditions?

Ans. Yes

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

Ans.

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

Ans. Yes, in June 1956

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Concrete diversion dam on Soda Creek about 1 Mile North of the place of use; conducted by a canal to place of use, which canal is 5 1/2' wide at the top and bottom and 3' high.

(Sign here.)

Russell H. Crouse

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

the State of Idaho, on this 4th day of March A. D. 1957.

My Commission expires July 1st, 1960

L. C. Anderson

Notary Public.

25470

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 25470

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Max W. Snell; I reside at Soda Springs, Idaho and am the Superintendent of Power & Water of the City of Soda Springs, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf. The City of Soda Springs, Idaho, a municipal corporation at Soda Springs, Idaho; and am its Supt. of Power & Water; I am appearing on behalf of said City by resolution of the City Council of said City.

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

Ans. No. 25470; approved March 4th, 1955: Priority as of ^{Nov. 27, 1954} ~~March 4, 1955~~

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

Ans. Soda Creek: Point of Diversion: S. 54° 20' W, 2180 feet distant from the N E corner of Sec. 36, T. 8 S., R. 41 E., B. M., in Caribou County, Ida.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Concrete Dam at pt. of Diversion; capable of diverting 90 Second feet of water to Power Canal No. 3; which is reduced to 60 second feet capacity at Plant No. 3 and canal continues to Plant No. 4 capable of conducting 60 second feet of water.

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

Ans. Used for Power Purposes at: N. 71° 10' E, 155 feet distant from SW corner of Sec. 31, T. 8 S., R. 42 E., B. M., in the SW 1/4-SW 1/4 of Sec. 31, T. 8 S., R. 42 E., B. M., in Caribou County, Idaho.

25470

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

Ans. Used for Power Purposes for City of Soda Springs, Idaho.

Maximum efficiency: 400 Kilo-watts.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 10 second feet of water.

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

Ans. I represent the City of Soda Springs, Idaho.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. In June 1956 full use was made of the canal, water and generator.
At which time 55 second feet of water was conducted and used at place
of use.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No irrigation - Water used for power purposes only.

(Sign)

May W. Suel

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

and sworn to before me, at my office in Soda Springs, County of Caribou,

State of Idaho, on this 4th day of March, A. D. 1957,

My commission expires July 1st, 1960

St. Paul

Notary Public

25470

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 27 1937
Department of Reclamation

PERMIT NO. 25470

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Russell H. Crouse, age 32; residence, Soda Springs, Idaho.
By occupation a Mining Engineer.

Ques. 2. Are you acquainted with City of Soda Springs, the holder of Permit No. 25470? How long have you known him and where does he reside?

Ans. Yes, for about
5 Years

Ques. 3. Have you read or heard read said Permit No. 25470, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Soda Creek. Pt. of Diversion: S 54°20'W., 2180 feet distant from N.E. Corner of Sec. 36, T. 8 S., R. 41 E., B. M., in the NW¼-NE¼ of said Section, Township and Range.
Concrete diversion dam on Soda Creek about 1 Mile North of the place of use; conducted by a canal to place of use, which canal is 5½' wide at the top and bottom and 3' high.

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

Ans. 60 second feet of water; I have seen 56 second feet of water being so conveyed.

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

Ans. Water is being used for Power Purposes.
Point of Use: N. 71°10' E., 155 feet distant from SW corner of Section 31, T. 8 S., R. 42 E., B. M., in Caribou County, Idaho.

25470

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

Ans. The water put to use through a penstock and to a turbine.

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

Ans. _____

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

Ans. No.

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

Ans. I observed the use of said water for power purposes on March 4, 1957; at which time I estimated the amount of water in use to be 56 second feet.

(Signed)

Russell H. Cause

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Soda Springs,
County of Caribou, State of Idaho, on this 4th day of March,
A. D. 19 57.

St. Lawrence

Notary Public.

My commission expires July 1st, 1960.

25470

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 1 2 1957
Department of Reclamation

PERMIT NO. 25470

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. T. E. Thompson; I am over the age of 21 years and a resident of Soda Springs, in Caribou County, Idaho. I am a farmer and a local Water Master.

Ques. 2. Are you acquainted with City of Soda Springs, Idaho, the holder of Permit No. 25470? How long have you known him and where does he reside?

Ans. Yes. For many years.

Ques. 3. Have you read or heard read said Permit No. 25470, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Soda Creek. Pt. of Diversion: S 54° 20' W., 2180 feet distant from N.E. Corner of Sec. 36, T. 8 S., R. 41 E., B.M., in the NW 1/4-NE 1/4 of said Section, Township and Range. Concrete diversion dam on Soda Creek about 1 Mile North of the place of use; water is conducted by a canal to place of use, which canal is 5 1/2 feet wide at the top and bottom and 3' high.

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

Ans. 60 second feet of water; I have seen 56 second feet of water being so conveyed.

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

Ans. Water is being used for Power Purposes.
Point of Use: N 71° 10' E., 155 feet distant from SW corner of Section 31, T. 8 S., R. 42 E., B. M., in Caribou County, Idaho.

25470

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

Ans. The water is put to use through a penstock and to a turbine.

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

Ans. _____

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

Ans. No.

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

Ans. I have observed the use of said water for power purposes on numerous occasions up to the present time; I estimate the amount of water in use to be 56 second feet at the present time.

(Signed) _____

J. E. Thompson

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

County of Caribou, State of Idaho, on this 4th day of March,
A. D. 19 57.

L. J. Chambers

Notary Public.

My commission expires July 1st, 1960

25470

March 12, 1957

RE: Permit No. 25470

Mr. Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

We acknowledge receipt of the depositions of Mr. Snell, the holder of the Permit and also the two witnesses, but to date we have not received the affidavit of publication from the Caribou County Sun. If you have not already received it will you please get it and forward to us as we need it to complete this file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

25470

RECEIVED
MAR 2 6 1957

Department of Reclamation

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**and
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 2:00 P.M. on the 4th day of March, 1957, at Soda Springs, County of Caribou, State of Idaho, before S. E. Matthews, Notary Public, proof will be submitted of the completion of works for the diversion of 50.0 cubic feet per second of waters from Soda Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 25470 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are City of Soda Springs, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 50.0 cubic feet per second.

3. The use to which said water has been applied is Power purposes, and the amount applied to beneficial use is 50.0 cubic feet per second.

The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36. T. 8. S.—R. 41 E. B.M.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 8 S.—R. 42 E. B.M.

6. the Date of priority which said user is prepared to establish is Nov. 27, 1934.

MARK R. KULP
State Reclamation
Engineer

(Pub. Jan. 31, Feb. 7, 14, 21, 1957)

Affidavit of Publication

BUREAU OF LAND
County of Caribou T
SS.

State of Idaho,

Subscribed and sworn to before me this 20th day of March, 1957.

Katherine Martin.....being first duly
P.O. BOX 2237

[That]...S. he is owner.....of the
(Printer, Foreman or Principal Clerk)
Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement there-

of for...four.....successive weekly
issues thereof, the date of the first publication being

the.....31st.....day of...January.....

1957...The date of the last publication being the

.....21 day of...February....., 19...57.

Katherine Martin

Subscribed and sworn to before me this 20th

day of...March....., 19...57.
(SEAL)

S. E. Matthews
Notary Public, residing at
Soda Springs, Idaho.

My Commission expires the

1...day of...July.....

19...57.

COST:...50.....lines at....13...cents a line for

first insertion and....10...cents a line for each of
three
.....subsequent insertions. Total \$21.50

not for
B.L.M.

25470

March 26, 1957

RE: Permit No. 25470
City of Soda Springs

Mr. Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

We acknowledge receipt of the affidavit of publication in the Caribou County Sun in connection with the Permit above captioned and sincerely appreciate your prompt attention in regard to this matter.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact Mr. Snell, the Superintendent of Power and Water of the City of Soda Springs at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

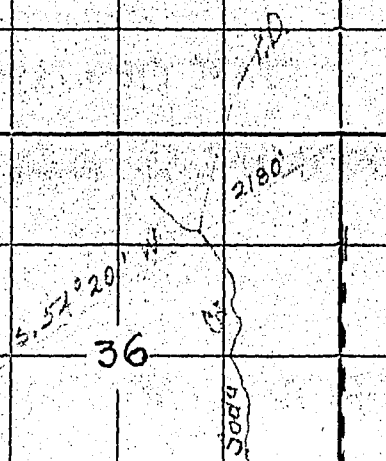
Chief Clerk

EPR

cc: Mr. Max W. Snell
Sup't. of Power & Water
City of Soda Springs, Soda Springs, Idaho

R-41E.

T.
8
S.



R-42E.

SODA SPRINGS

Combined generating capacity - Capable of utilizing the quantity of water applied for, if both plants operated simultaneously.

Quantity of Water -

Of current meter measurement of the water in the power-canal when little more than the safe freeboard was being maintained was 38.8 c.f.s. It is the opinion of the engineer that this canal does not have the capacity to carry 100 c.f.s.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 25470

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant City of Soda Springs

2. Source of water supply: Soda Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36

T. 8 S. R. 41 E. B.M. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: The works consist of a concrete diversion dam - a mile or more of canal - and 2 power plants - one new - one old - Old plant GE Generator #6001676 Turbine Unit - New unit - Westinghouse #1-23-V 291

5. Water is used for: Power

6. State whether or not water has been turned into works of diversion: Yes. - The new unit #4 was in operation

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31., Twp. 8 S., Rge. 42 E., B.M.

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

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

Remarks: _____

Max W. Snell was present during engineers examination except that the engineer returned the next day to determine if the canal leading to the two major generating plants has the capacity to carry the water covered in this permit, which is in addition to a like amount already licensed - or a total of 100 c.f.s.

This examination was made on the 20th day of August, 1957.

(Signed) James H. Hare

Examiner.

25470

Permit 25470 given \$5.00

October 1, 1957

Re: Permit No. 25470
City of Soda Springs

Mr. Max W. Snell
Supt. of Power and Water
City of Soda Springs
Soda Springs, Idaho

Dear Mr. Snell:

The capacity of the canal leading to the two power plants does not have a capacity of 100 cubic feet per second or the amount necessary to carry the 20 c.f.s. under License No. 17348 and the 50 c.f.s. claimed under Permit No. 25470. A measurement made August 21, 1957, with the canal partly full, was 38.80 cubic feet per second. Proofs of application to beneficial use indicate a maximum capacity of 90 cubic feet per second, therefore, a License and Certificate of Water Right can be issued under Permit No. 25470 for 40 cubic feet per second.

Upon receipt of the statutory fee of \$5.00, a license will be issued confirming the right with priority of November 27, 1954, to the use of 40 cubic feet per second of water from Soda Creek for generation of power for the City of Soda Springs, with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 8 South, Range 41 East, B.M.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

MRK:nls

cc: Mr. Francis J. Rasmussen
Attorney At Law
Soda Springs, Idaho

25470

November 6, 1957

Re: Permit No. 25470
City of Soda Springs

Mr. Max W. Snell
Sup't of Power and Water
City of Soda Springs
Soda Springs, Idaho

Dear Mr. Snell:

We refer you to our letter of October 1, 1957, in which we stated that a License of Permit No. 25470 could be issued upon receipt of a five dollar fee.

The statutes require that upon proof of completion of works that a certificate of completion will be issued. The fee, for which is based at the rate of five dollars for the first ten cubic feet filed on and thirty cents for each additional foot or fraction thereof. In reviewing the jacket file and record of Permit No. 25470, we found that the proof of completion of works was made on the same date, March 4, 1957, as the beneficial use proof was made but that a Certificate of Completion of Works has never been issued nor were you informed that it was necessary. Therefore, before the license can be issued, for which we have the fee, it is necessary that the sum of fourteen dollars (\$14.00) be remitted for the Certificate of Completion of Works which confirms proof of the diversion of 40 cubic feet per second of water for power purposes at the City of Soda Springs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

25470

Chief Clerk

EPR:mls

DR. ALLEN TIGERT, Mayor
ARTHUR KELLY, Chairman
DELLA MORRIS, Clerk
MAX SNELL, Utilities Supt.

City of Soda Springs

SODA SPRINGS, IDAHO

Councilmen

EARL GUNNELL
KENNETH CHATTERTON
ARTHUR A. KELLY
FRANK LALLATIN

Nov. 18, 1957

Department of Reclamation
Boise, Idaho

Dear Sirs:

Attached, find check in the amount of \$9.00 to finish payment of amount due for license for Certificate of Completion of Works for Permit #25470.

Mr. Max Snell paid \$5.00 receipted on receipt No.28862 dated Nov. 4, 1957.

Yours truly,

Della Morris
City Clerk

25470

November 20, 1957

Re: Permit No. 25470
City of Soda Springs

Mr. Max W. Snell
Sup't of Power and Water
City of Soda Springs
Soda Springs, Idaho

Dear Mr. Snell:

Our letter to you of November 6, 1957, regarding the fourteen dollar fee for the Certificate of Completion of Works on Permit No. 25470 perhaps was not clear as to the fees connected with the final certificates. There are two certificates; one of which is the "Certificate of Completion of Works" and the other the "License and Certificate of Water Right." As we explained, the Certificate of Completion of Works, for which the fee is fourteen dollars, had never been issued under Permit No. 25470 and before the License and Certificate of Water Right (for which the fee is paid, receipt #28862) can be issued, it is necessary that it be.

We, therefore, return your warrant for \$9.00 and ask that you return it with an additional warrant for \$5.00, making the total \$14.00, or you may send a warrant for the total amount of \$14.00 whichever is most suitable for your bookkeeping system.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enclosure Warrant No. 3095 D

25470

November 26, 1957

Re: Permit No. 25470

Mr. Max W. Snell
Sup't of Power and Water
City of Soda Springs
Soda Springs, Idaho

Dear Mr. Snell:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. 25470 to the City of Soda Springs, Idaho, confirming the right with priority of November 27, 1954, to the use of 40 second feet of water from Soda Creek, with the point of diversion in the NW-1/4 of Section 36, Township 8 South, Range 41 East, B.M., for generation of power for the City of Soda Springs.

Enclosed also is departmental receipt #28875 for \$14.00, issued as receipt of the fee for the Certificate of Completion of Works. Departmental receipt #28862 for \$5.00 was issued and handed to you as receipt of the fee for the License.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25470

DR. ALLEN TIGERT
Mayor

GEORGE DUPIN
Chairman

DELLA BRITENBEKER
Clerk-Treasurer

MAX SNELL
Supt. Light and Water Dept.

CITY OF SODA SPRINGS

SODA SPRINGS, IDAHO

Councilmen
KENNETH CHATTERTON
GEORGE DUPIN
EARL GUNNELL
ARTHUR KELLY

Aug. 10, 1962

RECEIVED

AUG 17 1962

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Department of Reclamation

Dear Sir:

Would it be possible to get a copy of the permits for use of beneficial use of waters involving the City of Soda Springs?

If there is any charge for these, please bill the City, and We will forward a check to you.

Thank you kindly.

Yours truly,

Della Britenbaker
City Clerk for the Mayor and City Council

~~25470 - 22548~~

~~5339~~ 25470 - 25488 Secured page 6224 40 cts

25476

August 17, 1962

Re: License No. 25470

Della Britenbaker
City Clerk
Soda Springs, Idaho

Dear Mrs. Britenbaker:

Enclosed is a copy of Water License and
Certificate of Water Right No. 25470.

This is the only valid permit right found
in the name of City of Soda Springs. The city also owns
various decreed water rights.

There is a fee of \$1.00 for the copy enclosed
which should remit to this department.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

Ey:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. copy of Water License

25470

August 30, 1962

*Re: License No. 31216
25470*

Della Britenbaker
City Clerk
Soda Springs, Idaho

Dear Mrs. Britenbaker:

Enclosed is departmental receipt No. 31216 in the amount of \$1.00 covering the fee for making a copy of Water License No. 25470 which was mailed to you previously.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rula
Chief Clerk

EPR:mr

Enc. receipt
claim

25470

State of Idaho

License and Certificate of Water Right

Water License No. 25470

Amount 40 c.f.s.

Water District No.....

Priority.....November 27, 1954

THIS IS TO CERTIFY that CITY OF SODA SPRINGS

of Soda Springs, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 27, 19 54 ; that Permit No. 25470 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 40 second feet, was issued thereunder on November 26, 19 57, showing that said works were completed on the 4th day of March, 19 57 ; and that on the 4th day of March, 19 57, Max W. Snell, Sup't of Power and Water for the City of Soda Springs

of Soda Springs, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Soda Creek

, a tributary of Bear River, for the purpose of POWER

_____, under Use Permit No. 25470 _____ of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume _____

10 of Licenses at page 6224 , on the 26th day of November , 1957 ;

The right hereby confirmed dates from November 27 , 19 54 ;

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 36, Tp. 8 S., R. 41 E., B. M. County Caribou

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 40 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
	FOR POWER: FOR		THE CITY OF SODA SPRINGS, IDAHO.		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
26th day of November, 1957.

(SEAL)

MARK R. KULP

State Reclamation Engineer.
By: E. N. Humphrey
Deputy State Reclamation Engineer

11 2161

Form 3811, Nov. 1973

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

☐ Show to whom and date delivered.....	15¢
☐ Show to whom, date, & address of delivery.....	35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered.....	65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery.....	85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	36986	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE: *James Banks*

4. DATE OF DELIVERY: *July 31*

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS:

11-2160-7009

U.S. GOVT. PRINTING OFFICE: 1971 O - 327-807

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

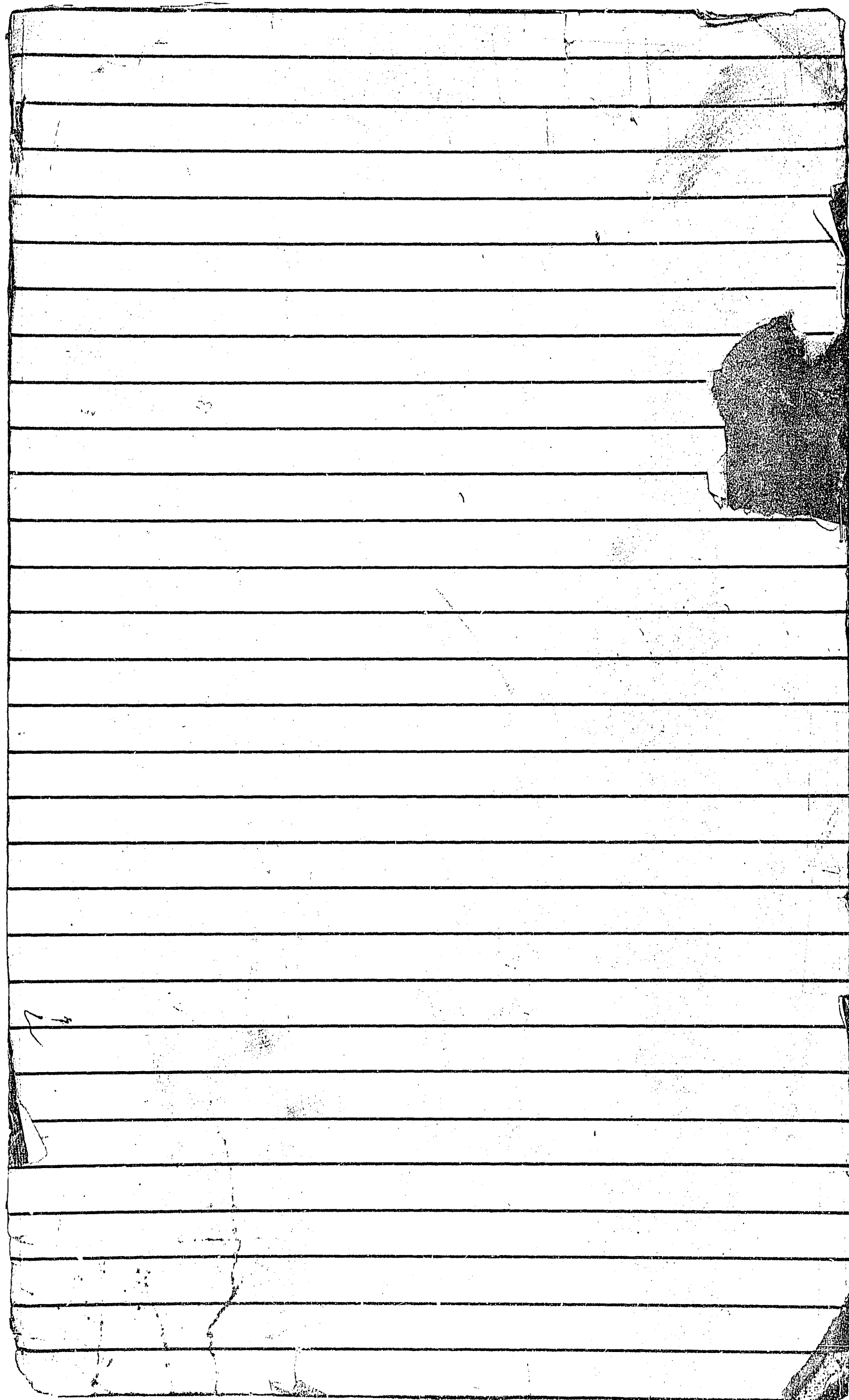
Print your name, address, and ZIP Code in the space below.
• Complete Items 1 and 2 on reverse side.
• Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RETURN
TO

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83726



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4550
WATER RIGHT NO(S). 11-02091/11-02156/11-02161

This is to certify that: CITY OF SODA SPRINGS
9 W 2ND S
SODA SPRINGS ID 832760000

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
Right No. 11-02091 :			
POWER	01/01 to 12/31	50.00 CFS	
Right No. 11-02156 :			
POWER STORAGE	01/01 to 12/31		240.0 AF
POWER FROM STORAGE	01/01 to 12/31		240.0 AF
Right No. 11-02161 :			
POWER	01/01 to 12/31	40.00 CFS	
	TOTAL:	90.00 CFS	240.0 AF

DATE OF PRIORITY:

Right No. 11-02091 : 06/05/1930
Right No. 11-02156 : 07/23/1936
Right No. 11-02161 : 11/27/1954

SOURCE

SODA CREEK

TRIBUTARY OF

BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 36, Township 08S, Range 41E
CARIBOU County

PLACE OF USE: POWER

TWN RGE SEC

08S 42E 31 Lot 4(SWSW)

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11B.

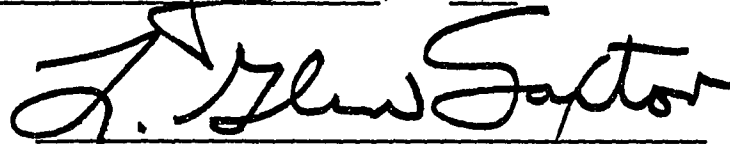
PAGE 2

TRANSFER NO. 4550
WATER RIGHT NO(S). 11-02091/11-02156/11-02161

CONDITIONS/REMARKS:

2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. The storage of water under Right No. 11-02156 is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
7. Place of use is Powerplant No. 4.

Dated this 18th day of May, 1995


Chief, Water Alloc. Bureau

MEASUREMENT FOR SODA CREEK
City of Soda Springs Upper Power Canal

PAGE 1

MEASUREMENT LOCATION
MEASURED BY

DN

LEGAL DESCRIPTION

$V = 2.218N +$
 $V = 2.224N +$

SEC

TWP

RNG

.022 FOR N ≤ 1
.016 FOR N > 1

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME	VELOCITY	DISCHARGE
FEET	FEET	SQ. FT.		SEC.	FT/SEC.	CFS.
.000	.000	.000	0	.000	.000	.000
2.000	1.200	2.400	20	17.500	2.558	6.139
4.000	2.300		20	22.000		
		4.600	20	12.500	2.806	12.908
6.000	2.700		20	21.000		
		5.400	20	12.500	2.854	15.412
8.000	2.500		20	18.000		
		3.750	20	12.000	3.105	11.644
9.000	2.000	4.000	20	16.000	2.796	11.184
12.000	.000	.000	0	.000	.000	.000
TOTALS		20.150				57.287

The calculation of flow made on 8-20-1957
is erroneous. The correct Q is $57.3 \frac{ft^3}{sec}$ rather than $38.8 \frac{ft^3}{sec}$.

Bobby D. Fleenor 3/27/1985

LICENSE No. 11-2161
 CALCULATION OF FLOW USING
 PREVIOUS MEASUREMENT NOTES

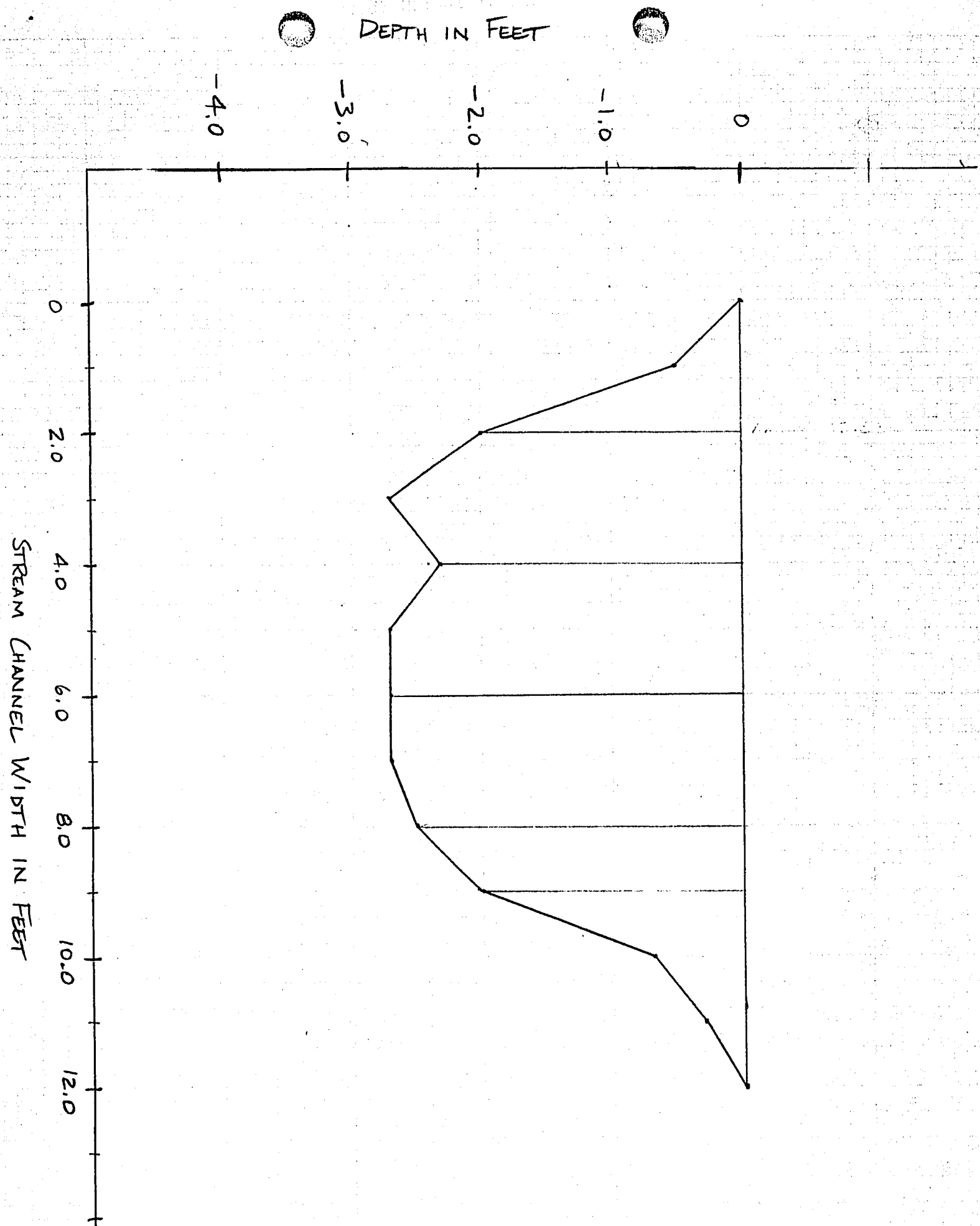
by: GARY SPACKMAN
 Date: November 28, 1986

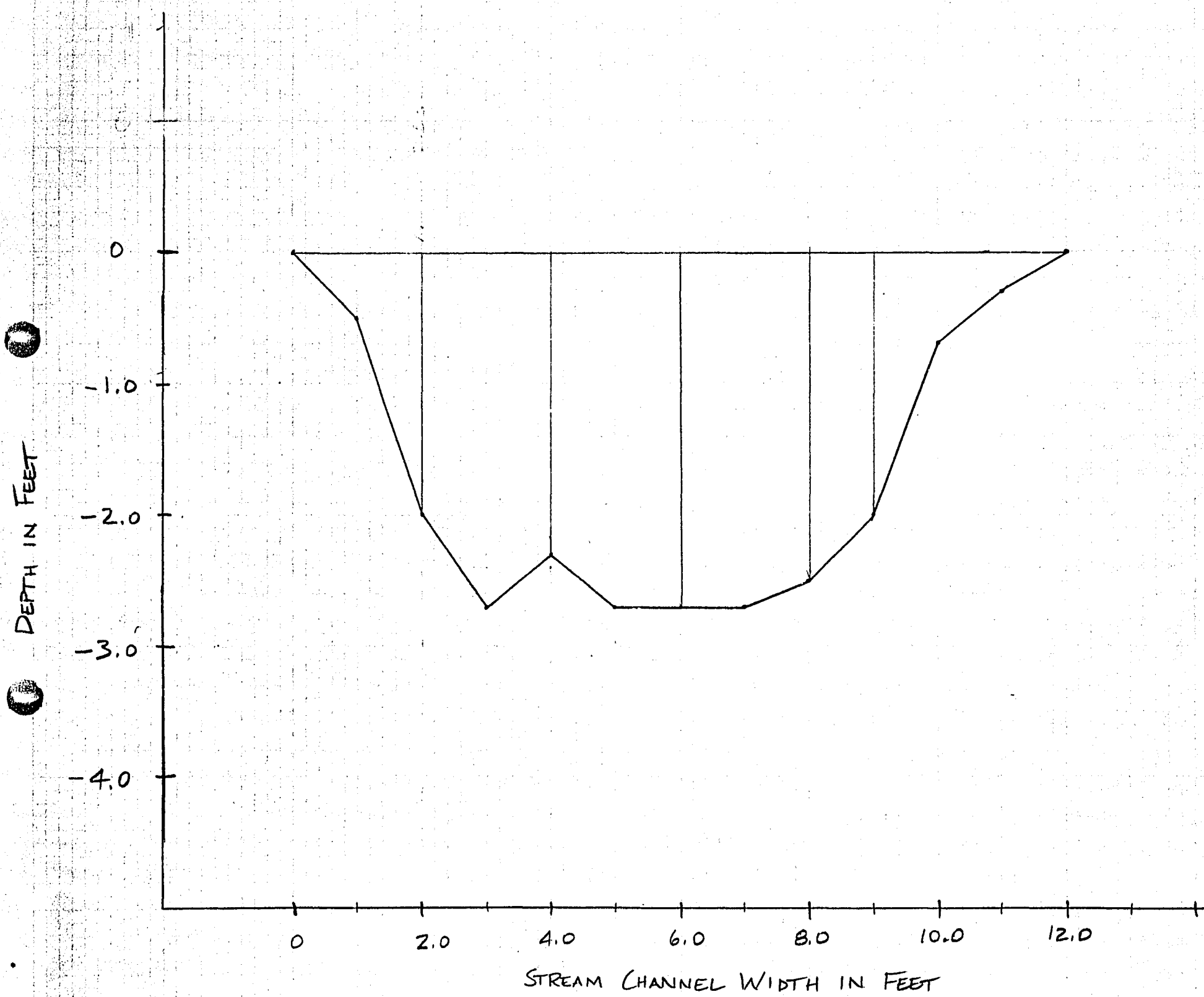
Dist. from Init. Point	Depth	Depth of Meas.	* Velocity	Mean Velocity	MEAN Depth	WIDTH	FLOW RATE
0	0						
1	0.5			**) 1.28	1.3	3	4.99
2	2.0	1.2	2.56				
3	2.7						
4	2.3	0.54 2.16	2.04 3.57	2.80	2.6	2	14.56
5	2.7						
6	2.7	0.54 2.16	2.13 3.57	2.85	2.7	2	15.39
7	2.7						
8	2.5	0.5 2.0	2.49 3.71	3.10	2.4	2	14.80
9	2.0	1.2	1.78				
10	0.7			**) 0.89	0.75	3	2.00
11	0.3						
12	0						

Total Q = 51.82 cfs

* Velocity = $\frac{\text{Rev.}}{\text{Sec.}} \times 2.218 + 0.022$

** Assumed average velocity in triangular section = $\frac{1}{2}$ measured.





	Dist. From Initial Point	Depth	Depth of Observations	Revolutions	Time in Seconds	Velocity			Area	Mean Depth	Width	Discharge	REMARKS
						At Point	Mean in Vert.	Mean in Sec'n					
	0	0											This measurement
	1	0.5						1.26	2.0	100	200	252	was made on the
✓	2	2.0	2.2	20	178	253	253						then leading to Soda Spring
	3	2.7						2.22	4.70	235	200	10938	Municipal Power Plant.
✓	4	2.7	2.16	20	22	242	191						at the bridge below the
		2.7											P.D. as a check on the
✓	5	2.7	2.16	20	21	230	185	188	540	2.7	2.00	10.152	STREAM: Canal capacity
	7	2.7											
✓	8	2.5	2.0	20	18	2.00	1.67	1.76	520	2.15	200	9.352	TIME
✓	9	2.5	12	20	16	1.34	1.78	1.72	225	2.25	100	3.870	GAGE
	10	0.7						0.89	3.00	100	300	2.67	TOTAL AREA
	11	0.3										38.60	MEAN VELOCITY
													DISCHARGE

12 0

25470

NO. OF SHEETS

October 1, 1957

Re: Permit No. 25470
City of Soda Springs

Mr. Max W. Snell
Sup't. of Power and Water
City of Soda Springs
Soda Springs, Idaho

Dear Mr. Snell:

The capacity of the canal leading to the two power plants does not have a capacity of 100 cubic feet per second or the amount necessary to carry the 20 c.f.s. under License No. 17348 and the 50 c.f.s. claimed under Permit No. 25470. A measurement made August 21, 1957, with the canal partly full, was 38.80 cubic feet per second. Proofs of application to beneficial use indicate a maximum capacity of 90 cubic feet per second, therefore, a License and Certificate of Water Right can be issued under Permit No. 25470 for 40 cubic feet per second.

Upon receipt of the statutory fee of \$5.00, a license will be issued confirming the right with priority of November 27, 1954, to the use of 40 cubic feet per second of water from Soda Creek for generation of power for the City of Soda Springs, with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 8 South, Range 41 East, B.M.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

MRK:nls

cc: Mr. Francis J. Rasmussen
Attorney At Law
Soda Springs, Idaho

25470

KIRK L. HANSEN
Mayor

EDIE TRACY
President

LaRAE RASMUSSEN
Clerk-Treasurer

ROY G. RAINEY
City Administrator

PHOSPHATE CENTER OF THE WEST

City of Soda Springs

County Seat and Commercial Center of
Caribou County
Founded May 20, 1863
9 West Second South - Phone 547-2151
SODA SPRINGS, IDAHO 83276

Councillmen

Wm. Bart Conlin
T.M. Thomas
Robert K. Torgesen
Edie Tracy

October 22, 1986

RECEIVED
OCT 23 1986

Department of Water Resources

A. Kenneth Dunn, Director
Department of Water Resources
450 West State Street
Boise, ID 83720

Dear Director Dunn;

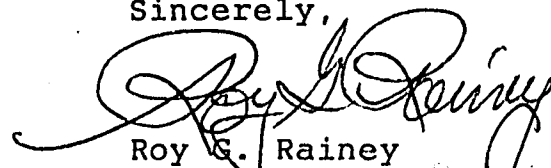
You may recall that this City has engaged in a protacted law suit with Lois Kackley relative to the use of a power canal and water rights immediately north of the City on Soda Creek.

In reviewing material recently relative to that litigation our attention was drawn to a memorandum from Bob Fleenor dated May 7, 1985, to you concerning our water right 11-2161 (Old No. 25470) on page 2. Mr. Fleenor notes an error made by representatives of your Department in calculating the ditch capacity which caused the license to be reduced by 10 cfs.

It is respectfully requested that Water License 11-2161 (Old No. 25470) be corrected to allow diversion of the requested 50 cfs when such an amount of water is available in Soda Creek.

We appreciate your past cooperation and look forward to your reply.

Sincerely,


Roy G. Rainey
City Administrator

RGR/kg

HOME OF THE WORLD'S LARGEST MAN-MADE GEYSER