

0

WATER RIGHT NUMBER: 02-2036 ✓

OWNER LAST NAME - IDAHO POWER CO. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - P.O. BOX 70 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BOISE STATE - ID ZIP CODE - 83707
SOURCE - SNAKE RIVER TRIBUTARY OF - COLUMBIA RIVER
STAGE - STATUS - PRIORITY - 08-09-1920 COUNTY - JEROME TOTAL DIV. RATE - 1000.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 02 DLE/CAREY ACT - RIGHT BASIS - E
DIVERSION POINT - NWSW 31 09S 18E LOT 09 REDIV - NWSW 31 09S 18E LOT 08 REDIV -
FROM - 01-01 TO - 12-31 USE - POWER USE DIV. RATE - 1000.0000 CFS USE DIV. VOLUME - .00 AFA
USE - POWER PLACE OF USE - TWN 09S RND 17E SEC 36 TRACT NESE LOT 15 AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS - SHOSHONE FALLS POWER PLANT. P/D ALSO IN TWIN FALLS COUNTY.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - 4 DAMS. INTAKE TUNNEL & PENSTOCK.

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner
Dam to Oregon ~~DRAINAGE BASIN~~
Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-2036</u> I.D. No.	Map No.
\$ <u>10</u> Fee Paid	<u>#18883</u> Receipt No.

Notice is hereby given that Idaho Power Company (Name of Claimant)

P O Box 70, Boise, Idaho 83707
(Mailing Address)

(Zip Code)

Telephone No. 383-2878

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 08/09/20
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to COLUMBIA RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1000.0000 cfs Use for power generation Period of Use From Jan 1 To Dec 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates inclusive)
- (4) 1000.0000 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source 53 SE Lot 9
Sec. 36 31, Twp. 9 S, Rge. 17E 18E, B.M., in the Lot 9 (SW 1/4) of Sec 31 Range
Additional Point: 4.8 (NW 1/4), S. 31, T 9S, R 18E. T9S, R18E, BM County of Jerome and
Twin Falls
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give
sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
4 dams, intake tunnel and penstock SCI: 2720(1) 614.8 BOTH P/D's.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for
irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
															<u>4.15</u>				
<u>9S</u>	<u>17E</u>	<u>36</u>													<u>X</u>				

Total no. of acres none

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: power generation

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: no
- (8) Remarks (Shoshone Falls Power Station PLANT. P/D ALSO IN TWIN FALLS CNTY)
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

KEYPUNCHED

SC 11/2/84
4-27-82 ajv

- ☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho
Department of Water Resources. Give No. Water Right No 02-2036 and Old
No 14881

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to
the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of Idaho

Organization

Organization

IDAHO POWER COMPANY

County of Ada

ss.

Seal

Gomer H Condit
(Signature of Authorized Agent)

On this 27th day of April, in the year 1981 before me
a notary public, personally appeared Gomer H Condit
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or) executed the same.

My commission expires 10.25.83

Notary Public residing at Boise, Idaho

DS 4/26/82

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RS

Date 4/26/82

Right No. 02-2036

Claimant IDAHO POWER

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- 1 ☒ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☐ Other _____
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. TWIN FALLS

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☒ No

Remarks _____

TO: 02-2036

FROM: J. Noyes

DATE: January 23, 1985

RE: Supporting data in State office files Idaho Power Co. Shshone Dam
02-2036

Engineering Report

George N. Carter, Examiner, Department of Relcamation 11/27/25

Capacity of intake and pipe is 1100 cfs at 14 ft. hd.

Proof Report

1. W. R. Putman, Senior Manager, Idaho Power Co. 8/12/25

August 31, 1921, 1000 cubic feet per second

2. A.T. Ingalls, Civil Eng. Boise

July 10. 1925 986 Second feet with max. output of 12020 K.W. from
10 ~~PM~~ to 11 AM.
AM

3. Chas. B. Smith, Civil Engineer, Boise 8/24/25

July 10, 1925, 991 sec. ft. of water conducted through power plant

4. Henry W. Senger, Cheif Engineer, Idaho Power Co.

Capacity more than 1000 second feet.

5. C.O. Crane, Electrical Engineer, Idaho Power Co.

Capacity more than 1000 cfs.

Permit - 1000 cfs

License - 1000 cfs

Conclusion

From six examinations made it appears that 1000 cfs is acceptable

License and Certificate of Water Right

Water District No. _____

Amount 1.000 sec. ft.
Priority 5-9-20

THIS IS TO CERTIFY that _____, _____, made application for a permit to appropriate the public waters of the State of Idaho, dated _____, 19____; that Permit No. _____ was issued under said application; that Certificate of Completion of work, with a carrying capacity of _____, was issued hereunder on _____, 19____, showing that said work was completed on the _____ day of _____, 19____, and that on the _____ day of _____, 19____.

of 20.34, State of Idaho, made proof to the satisfaction of the
Board and order of Reclamation of Idaho, of the right to use the waters of Snake River
a tributary of Columbia River, for the purpose of developing power
under Use Permit No. 14881 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6
of Records, at page 3334, on the 10th day of December, 1906.

The flight barely confirmed data from AUGUST 2, 1960. HEO

The Point of Diversion is located in Lot 9.
XXXXXXXXXXXXXX Sec. 31 Tn. 9 S. R. 10 E. D.M. 1876-1882
N.T.S. 1876-1882

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 1,400 cubic feet per second.

Description and method of use: at Stoughton Falls Power Station

[illegible]

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

WITHIN the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 10th day of October, 1928.

J. O. SUNDSTEN
 President of Business

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02036

Date Received: 4-11-89

Receipt No: 0006262

Received By: [Signature] 4-11-89

C4 1-6-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO POWER CO.
Address: P.O. BOX 70
BOISE, ID

83707

Department of Water Resources

2. Date of Priority: AUG 09, 1920

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	18E	31	NE	SW		8	TWIN FALLS
			NW	SW		9	JEROME

5. Description of diverting works:

4 DAMS, INTAKE TUNNEL & PENSTOCK, SHOSHONE FALLS POWER PLANT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	1000.000		

7. Total Quantity Appropriated is:

1000.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

POWER PLANT, 3 UNITS

GENERATING CAPACITY 12500.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	17E	36	NE	SE	15	POWER	

A02-02036

Page 1

Date: 01/06/89

MICROFILMED

MAR 20 1993

11. Place of use in counties: JEROME

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
SHOSHONE FALLS POWER PLANT.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Counsel and Secretary of
Title
IOANO Power Company, that I have signed the foregoing
Organization
document in the space below as General Counsel and Secretary of
Title
IOANO Power Company and that the statements contained in the
Organization
foregoing document are true and correct.

Rolt W. Stal
Signature of Authorized Agent
General Counsel and Secretary
IOANO Power Company
Title and Organization

April 5, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day

of April 1989

Patty L. Rayford
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12.31.92

17. Notice of Appearance:

Notice is hereby given that I, Thomas G. Nelson will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Thomas G. Nelson

Address PO Box 239 Boise ID 83701

Date 4/4/89



A02-020360

4721

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T95
R18E

340 000
FEET

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4718

35'

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4716

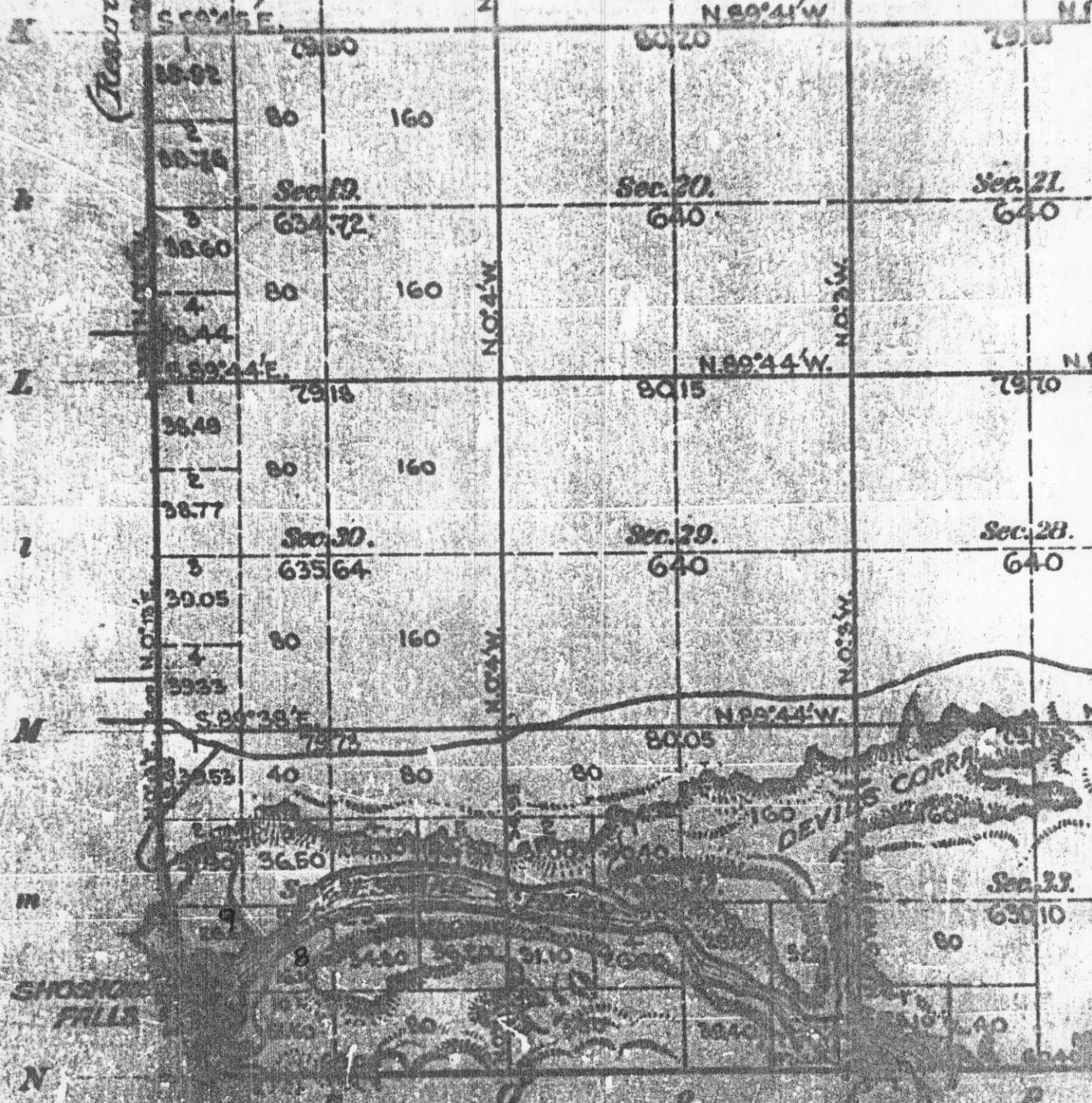
4715

STREET

MICROFILMED

MAR 20 1993





Area of Public Surface 15137.42 of Public Land 22897.50 Ac. Part number 10

Survey	By whom surveyed	Date of Survey	Amount of Acres	Filed
Section 19	C. C. Clark & Co.	May 6, 1893	11 78 167	October 22
Section 20			59 16 51	Oct 30 76
Section 21			5 73 72	
Section 22			6 01 19	October 2
Section 23			0 00 52	

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MAR 20 1993

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAMTANT'S NAME Idaho PowerCLAIM IDENT. NO. A02-02036DATE RECEIVED 4-10-89

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☐ YES ☐ NO ☐ *
2. Is a priority date entered? ☐ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) N/A ☐ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ *
Is the period of use included? ☐ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☐ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ *
8. If required is a consumptive use entered? N/A ☐ YES ☐ NO ☐ *
Is the consumptive use correct? N/A ☐ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. N/A ☐ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) N/A ☐ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) N/A ☐ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the
identification number been entered? N/A ☒ YES ☐ NO ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by: CDDate: 6-7-90

Claim must be returned to claimant: _____

(Yes) ☐ (No) ☒

Claimant must be notified of modifications: _____

(Yes) ☐ (No) ☒Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

MAR 20 1993

SD-33	Last Name: IDAHO POWER		STATE	
S	O			
E	W	Water	Priority	Total
L	N	Right No.	Date	Diversion
	First Name		Source	Use Code Desc
	IDAHO POWER CO.			
	☒ A65-03828	01/27/1963	GROUNDWATER	0.040 43 DOMEST
	☒ A65-09368	01/06/1963	GROUNDWATER	0.040 43 DOMEST
	☒ A65-12096	02/21/1978	PAYETTE RIV	2000.000 28 POWER
	☒ A73-07051	03/24/1981	PAHSIMEROI	10.000 19 FISH
	☒ A73-10124	06/20/1984	GROUNDWATER	0.040 43 DOMEST
	☒ A01-02032	03/08/1919	SNAKE RIVER	4600.000 28 POWER
	☒ R36-02018	01/18/1919	CLEAR LAKES	526.000 28 POWER
	☒ A36-15221	03/03/1982	NIAGARA SPR	0.040 43 DOMEST
	IDAHO POWER COMPANY			
	☒ A78-07013	08/01/1969	RAPID RIVER	18.600 19 FISH

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

2/ 7/92 PER INSTRUCTIONS FROM DON SHAFF, I'VE MODIFIED ALL OF IDAHO POWER'S RECORDS BY ENTERING 2 ATTORNEYS--STEVEN L HERNDON OF IPC AND TUCKER/SMITH FROM ROSHOLT, ROBERTSON & TUCKER. I'VE CORRECTED DATA ENTRY WHERE NEEDED AND ADDED PHONE NUMBERS WHERE NEEDED. THESE MODIFICATIONS WERE A RESULT OF A NOTICE OF APPEARANCE FROM THE ATTORNEYS.

S. FRAZEE

A02-02036

MICROFILMED

MAR 20 1993

James C. Tucker
Bruce M. Smith
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 2139
Boise, Idaho 83702-2139
Telephone: (208) 336-0700
4743p/shs/1-2-92

Steven L. Herndon
Assistant General Counsel
Idaho Power Company
P. O. Box 70
Boise, Idaho 83707

- 383-2692

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

* * * * *

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System.

CASE NO: 39576

The State of Idaho, ex rel.
A. Kenneth Dunn in his official
capacity as director of the
Idaho Department of Water
Resources,

NOTICE OF
APPEARANCE

Petitioner,

vs.

The United States; the State
of Idaho; and all claimants
to the use of water from the
Snake River Basin Water System,

Defendants.

* * * * *

COMES NOW, IDAHO POWER COMPANY, by and through its
attorneys, Steven L. Herndon, Assistant General Counsel of

1 IDAHO POWER COMPANY, and James C. Tucker and Bruce M. Smith of
2 the firm of ROSHOLT, ROBERTSON & TUCKER, and, pursuant to Order
3 of this Court entered December 17, 1991, enters its appearance
4 in the above-captioned case.

5 DATED this 2nd day of January, 1992.

6 ROSHOLT, ROBERTSON & TUCKER

7 *for* James A. Rosholt
8 JAMES C. TUCKER

9 CERTIFICATE OF MAILING

10 I hereby certify that on this 2nd day of January,
11 1992, I caused to be served a true copy of the foregoing NOTICE
12 OF APPEARANCE by the method indicated below, and addressed to
13 each of the following:

14 Larry Echohawk
15 Attorney General
16 State of Idaho
Statehouse, Room 210
Boise, Idaho 83720

☒
☐
☐
☐

U.S. Mail, Postage Prepaid
Hand Delivered
Overnight Mail
Telecopy (Fax)

17 David Shaw
18 Adjudication Bureau Chief
19 Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
20 Boise, Idaho 83720 (6 copies)

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U.S. Mail, Postage Prepaid
Hand Delivered
Overnight Mail
Telecopy (Fax)

21 Peter C. Monson, Esq.
22 Assistant Attorney General
23 U.S. Department of Justice
Land and Natural Resources
Division
24 Indian Resources Section,
Rm. 6317
25 P. O. Box 44378
Washington, D.C. 20026-4378

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U.S. Mail, Postage Prepaid
Hand Delivered
Overnight Mail
Telecopy (Fax)

1 Don A. Olowinski
HAWLEY, TROXELL, ENNIS
2 & HAWLEY
P. O. Box 1617
3 Boise, Idaho 83701

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

4
5 *for* James A. Rossmore
JAMES C. TUCKER
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