

0

WATER RIGHT NUMBER 02-2856 ✓

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 - 04-02-1929 COUNTY - TWIN FALLS TOTAL DIV. RATE - 1050.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 02 DLE/CAREY ACT - RIGHT BASIS - E
DIVERSION POINT - NWNE 04 105 18E LOT 05 REDIV - NWNE 04 105 18E LOT 02 REDIV -
FROM - 01-01 TO - 12-31 USE - POWER USE DIV. RATE - 1050.0000 CFS USE DIV. VOLUME - .00 AFA
USE - POWER PLACE OF USE - TWN 10S RNG 18E SEC 04 TRACT NENW LOT 03 AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS - TWIN FALLS POWER SITE. P/D ALSO IN JEROME 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 - DAMS, CANAL & TUNNEL.

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 ~~XXXXXXXXXXXX~~
Border.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>02-2056</u>	
I.D. No.	Map No.
<u>\$10</u>	<u>#18883</u>
Fee Paid	Receipt No.

Notice is hereby given that Idaho Power Company
(Name of Claimant)
P O Box 70, Boise, Idaho 83707 Telephone No. 383-2878
(Mailing Address) (Zip Code)

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) 04/02/29
- (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 1050.0000 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) 1050.0000 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW Lot 5 NW 1/4 NE 1/4
Sec. 4, Twp. 10 S, Rge. 18 E, B.M., Twin Falls 83 County
Additional Points: SCI: 2720(1) 617.5 (NWNE) Lot 2, S. 4, T. 10S, R. 18E SCI: 2720(1) 617.5
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.
dams, canal and tunnel

- (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>L. 3</u>												
<u>10S</u>	<u>18E</u>	<u>4</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 (Twin Falls Power Site. P/D ALSO IN JEROME 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

4-28-82
SC 11/2/84

- ☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho
Department of Water Resources. Give No. Water Right No 02-2056 and Old No
17070

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)

State of Idaho 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
4/27/82

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by DL

Date 4/27/82

Right No. 02-2056

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.

☒ 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 Art. 14, FPC (FERC) license; not pertinent to 02 Basin.

☐ _____

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. KIMBERLY, _____, _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☒ No

Remarks _____

TO: 02-2056

FROM: J. Noyes

DATE: January 23, 1985

RE: Supporting Data in State Office File on Idaho Power Co.

Report of Engineer

Fred A. Tolman, July 12, 1937, Dept. of Reclamation

Analogy used by the examiner is based on manufacturer's rating - using 80% efficiency will produce 1054 sec. ft. This figure is more nearly the peak of 1030 sec. ft. recorded by the automatic gage of the U.S.G.S. dated February 17, 1937.

Examiner allowed 1050 sec. ft.

Permit claimed was 1500 cfs.

Proof of Completion of Works

1. K.M. Robinson, Pres. of Idaho Power

Water turned into diversion works Dec. 3, 1935 with approximately 1000 cfs - capacity of works 1250 cfs.

2. Henry L. Senger, Eng. Idaho Power Co. Boise

Capacity of 1250 cfs, June 29, 1937

3. Calvin O. Crane, Elect. Eng. Idaho Power, Boise

Capable of producing 1250 cfs, June 29, 1937

4. Myron Swendsen, Eng. June 29, 1947

June 22, 1937 observed 900 cfs. Will safely convey 1250. Records indicate 990 cfs has been used.

5. W.L. Gorton, Eng. Boise, June 29, 1937, Safely convey 1250 sec. ft. Have seen 875 sec. ft. Records show 990 cfs has been applied.

Amount licensed is more realistic than other Idaho Power Co. Eng. reports.

[illegible]

State of Idaho
License and Certificate of Water Right

Water License No. 17020
Water District No.

Amount 1,000 Sec. Ft.
Priority April 2, 1929

THIS IS TO CERTIFY that IDAHO POWER COMPANY
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 2, 1929; that Permit No. 17070
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1,000 second feet, was issued thereunder on August 19, 1937, showing that said works
were completed on the 29th day of June, 1937; and that on the 29th
day of June, 1937.

IDAHO POWER COMPANY
of Boise, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho of the right to use the waters of Snake River
, a tributary of Columbia River, for the purpose of power
, under Use Permit No. 17070 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 7
of Licenses, at page 5883, on the 29th day of August, 1937.
The right hereby confirmed dates from April 2, 1929.

The Point of Diversion is located in Lot 1,
in the 34 Sec. 4, Tp. 10 S., R. 18 E., B. M., Twin Falls County.

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 1,000
cubic feet per second.

Description and location of use: At what is commonly known as the Twin Falls Power Site on
Snake River.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
------	-------	------	------------------	----------------------------------	---------------------------------

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 Commissioner of Reclamation, affixed at Boise, Idaho,
on 29th day of August, 1937.

(SEAL)

Commissioner of Reclamation

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: A02-02056
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

2. Date of Priority: APR 02, 1929

Department of Water Resources

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
10S	18E	4	NW	NE		2	JEROME
			NE	NW		3	TWIN FALLS

5. Description of diverting works:
DAM, INTAKE GATE, AND PENSTOCK

JUN 10 1990

6. Water is used for the following purposes:

Department of Water Resources
Southern Region Office

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	1050.000		

7. Total Quantity Appropriated is:
1050.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:

POWER PLANT
GENERATING CAPACITY 8437.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	18E	4	NE	NW	3	POWER	

A02-02056

Page 1

Date: 01/06/89

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MAR 20 1993

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

NONE

14. Remarks:

TWIN FALLS POWER SITE.

15. Basis of Claim: LICENSE

Water Right Number: 17070

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

IDaho Power Company, that I have signed the foregoing

Organization

document in the space below as General Counsel and Secretary of

Title

IDaho 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

IDaho 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 19 89

Sally Z. Renford
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 2139 Boise Id 83701

Date 4/4/89

T9S
T10S

4721

4720

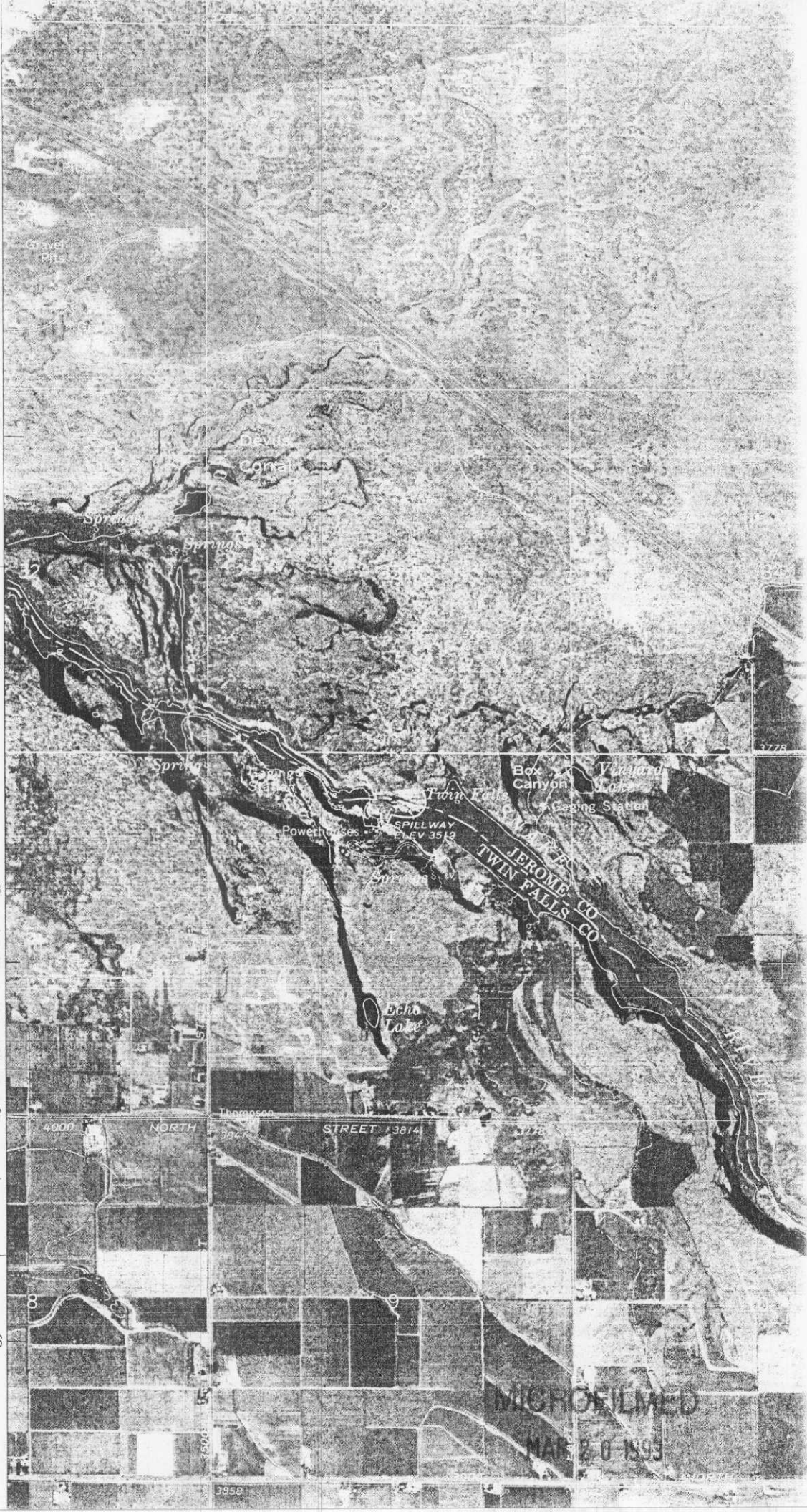
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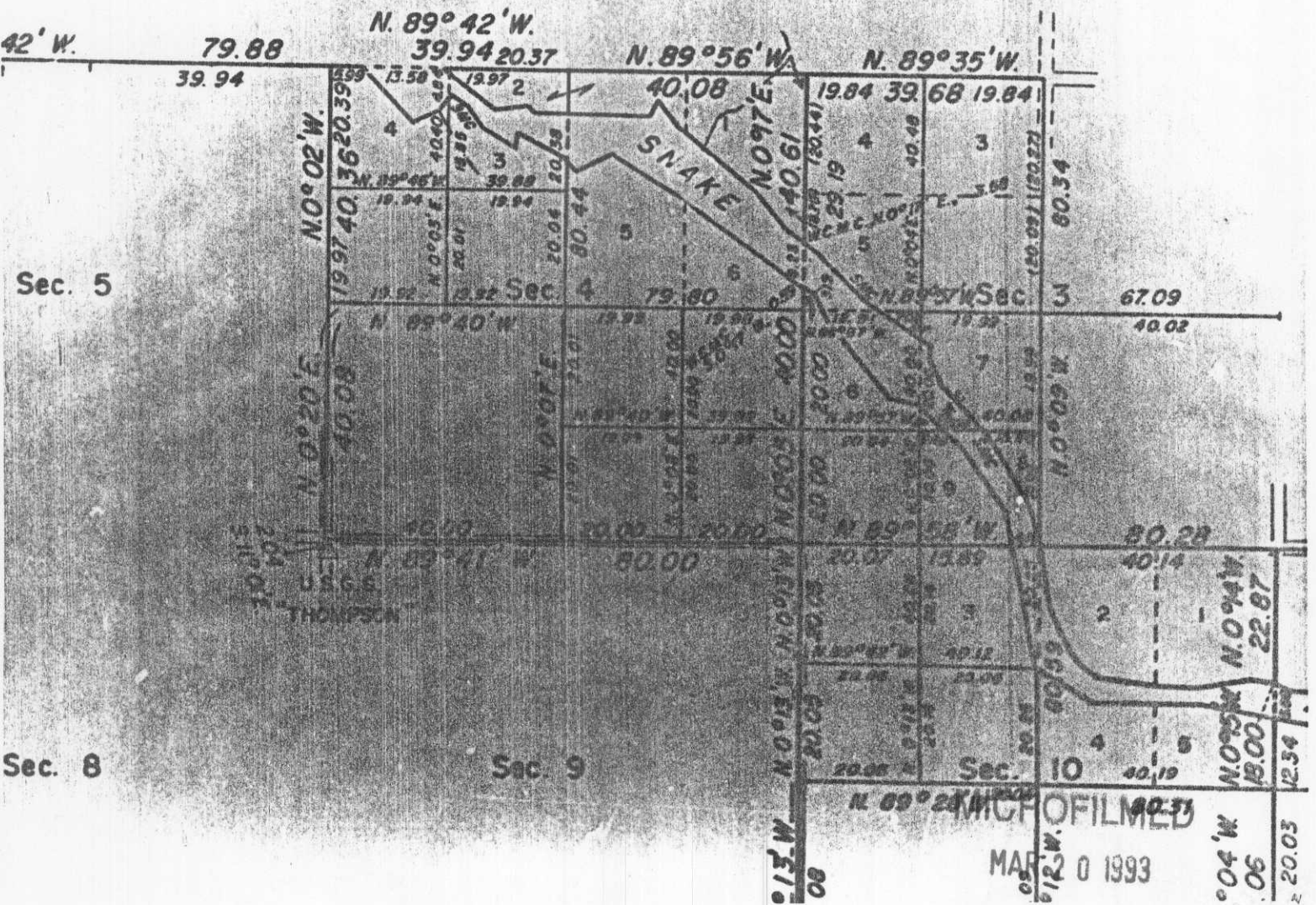
TOWNSHIP 10 SOUTH, RANGE 18 EAST

DEPENDENT RESURVEY

Sec. 32

Sec. 33

Sec. 34



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Idaho PowerCLAIM IDENT. NO. A02-02056DATE RECEIVED 4-10-89

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

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

Claim checked by: CADate: 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: _____

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MAR 20 1993

SD-33	Last Name: IDAHO POWER						STATE	
S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	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 RSHOLT, 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
[Signature] A02-02056

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

MICROFILMED

MAR 20 1993

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 *James R. Rosholt*
8 for 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
Idaho Department of Water
19 Resources
1301 North Orchard
20 Statehouse Mail
Boise, Idaho 83720 (6 copies)

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

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

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

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MAR 20 1993

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)

for John A. Rosset
JAMES C. TUCKER

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MAR 20 1993