

WATER RIGHT NUMBER 02-2060 ✓

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 - 08-08-1946 COUNTY - GOODING TOTAL DIV. RATE - 14000.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 02 DLE/CAREY ACT - RIGHT BASIS - E
DIVERSION POINT - SESW 02 07S 13E LOT 07 REDIV - SWSW 02 07S 13E LOT 08 REDIV -
FROM - 01-01 TO - 12-31 USE - POWER USE DIV. RATE - 14000.0000 CFS USE DIV. VOLUME - .00 AFA
USE - POWER PLACE OF USE - TWN 07S RNG 13E SEC 02 TRACT SESW LOT 07 AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS - LOWER SALMON FALLS PLANT. P/D ALSO IN TWIN FALL COUNTY.
MAXIMUM POOL 2.798 M.S.L. WITH 6 FT. REGULATION PONDAGE.
MINIMUM RELEASE = 1.000 CFS.
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 - DAM, SPILLWAY & POWER PLANT.

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 DETERMINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner Dam to Oregon
Border.

NOTICE OF CLAIM TO A WATER RIGHT

<u>02-2060</u> I.D. No.	<u>#18883</u> 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)

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)

08/08/46 1946

(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 14000.0000 cfs Use for power generation Period of Use From 1/1 To 12/31
(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) 14000.0000 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 Lot 7 SE 1/4 SW 1/4 SW 1/4
Sec. 2, Twp. 7S, Rge. 13E, B.M. Gooding County Gooding
Additional Points: Lot 7 Lot 8 (SWSW), S. 2, T 7S, R 13E SEC 1: 2720(1) 572.8 BOTH POINTS

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.
Dam, spillway and power plant

(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>7S</u>	<u>13E</u>	<u>2</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: Lower Salmon Falls Plant, P/D ALSO IN TWIN FALLS CO. MAXIMUM POOL 2,798 A.S.L. WITH 6 FT. PONDAGE. MINIMUM RELEASE = 1000 CFS.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

KEYPUNCHED

5-4-82 aj/se

11/2/82

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. Water Right No 02-2060 and Old No 19924

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

County of Ada

Seal

Organization

IDAHO POWER COMPANY

Gomer H. Condit
(Signature of Authorized Agent)

On this 27th day of April, in the year 1981
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

4/28/82

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by SL

Date 4/28/82

Right No. 02-2060

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 _____

☐ _____

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. HABERMAN, _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☒ No

Remarks REMARKS ADDED FOR RECOMMENDING CLAIM.

TO: 02-2060

FROM: J. Noyes

DATE: January 23, 1985

RE: Supporting Data in State Office File on Idaho Power Co. Claim
No. 02-2060

Engineering Report

Mark Kulp, Department of Reclamation, was very sketchy with little supporting data. Visitation of the site was made by the examiner, but no measurements were made of the system. Examiner relied on proof reports submitted by civil engineers, et. al. for the capacity of the system. No indications in the files on how the results were obtained. Apparently the flow measurements were obtained from knowing the capacity of the generators.

Expanding limited data in the Engineering report the following conclusions were reached:

Permit - claimed 14,000 cfs

Lower Salmon Falls claims

02-2001A#B	3000 cfs
02-2059	250 cfs
02-2060	<u>14000 cfs</u>

Total 17250 cfs

Computations:

Mark Kulp Eng. report 5/28/50

75000 KW hd 60.7 Q = 14600 cfs

$$KW = \frac{14600 \times 60.7 \times .746}{8.8} = 75127 \text{ KW}$$

From Records: 68000 KW hd 56.4 Q = 14600

$$\frac{14600 \times 56.4 \times .746}{8.8} = 69805 \text{ KW}$$

$$Q = \frac{8.8 \times KW}{hd \times .746} \quad Q = \frac{8.8 \times 68000}{56.4 \times .746} = 14,214 \text{ cfs}$$

TO: 02-2060
DATE: January 23, 1985
PAGE: 2

Proof of Works

1. B.C. Russell, General Supr. Idaho Power
Diversion 14,000 cfs September 8, 1949
2. Henry L. Senger, Civil Eng. Boise
Full capacity 17,300 cfs
3. Myron Swensen Civil Eng. Boise
Full capacity 17,3000 cfs

Conclusion

After considering proof of works and the results of Mark Kulp findings amount diverted exceeds amount on permit. This being the case, 02-2060 was licensed for 14,000 cfs as per permit.

License Condition

Maximum pool regulation 2,798 M.S.L. with 6' pondage regulation with minimum release of 1,000 cubic feet per second.

State of Idaho
License and Certificate of Water Right

19924

No. 19924

Amount 14,000 second feet

Priority August 8, 1946

JOHN L. KIMBLE, JR. ROBERTSON-KIMBLE COMPANY

made application for a permit to appropriate the

waters of the State of Idaho on or about August 8, 1946 that Permit No. 19924

was issued to the applicant for the purpose of construction of works with a carrying capacity of

14,000 cubic feet per second on or about September 15, 1950 showing the said works

located on the Snake River in the County of Blaine and State of Idaho

and that

the said works are now in operation

and that the said works are now in operation to the satisfaction of the

State Engineer of Idaho of the right to use the waters of Snake

for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

No. of	No. of	No. of	No. of
No. of	No. of	No. of	No. of

power on the waters of the Snake River for the purpose of generation of electric

Maximum pool regulation-2,790 M.S.L.
with 6' pondage, with minimum release
of 1,000 cubic feet per second.

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

power on the waters of the Snake River for the purpose of generation of electric

MARK R. KULP
State Reclamation Engineer

2160

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: A02-02060

Date Received:

Receipt No: 0005054

Received By: CH 1-11-89

CH 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: AUG 08, 1946

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
07S	13E	2	SW	SW	SW	8	TWIN FALLS
			SE	SW	SW	7	GOODING

5. Description of diverting works:
LOWER SALMON FALLS DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	14000.000		

7. Total Quantity Appropriated is:
14000.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

POWER PLANT
GENERATING CAPACITY 60000.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	2	SE	SW	7	POWER	

A02-02060

Page 1

Date: 01/06/89

MICROFILMED
MAR 20 1993

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
02-02001A, 02-02001B, 02-02059

14. Remarks:
LOWER SALMON 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
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.

R. W. Stal
Signature of Authorized Agent
General Counsel and Secretary
Idaho Power Company
Title and Organization

January 10, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of January 19 89

James L. Reynolds
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 DD Box 2139 Boise, Id 83701

Date 1/9/89

For 02-02001A+
Amount fee

2-11-91
original in
file
Jd. Power
J. Power

November 21, 1988

Mr. Thomas G. Nelson
Nelson, Rosholt, Robertson, Tolman and Tucker
P. O. Box 2139
Boise, ID 83701

Re: Idaho Power's Twin Falls County Adjudication Claims

Dear Tom:

Please find enclosed copies of the following claims:

Lower Salmon	02-02001A
	02-02001B
	02-02059
	02-02060

Upper Salmon	02-02057
--------------	----------

I have also enclosed pre-printed claim forms on the Twin Falls and Shoshone power plants in Jerome County, (02-00033 and 02-00036), as well as the irrigation rights you requested.

Please review the claims and make any necessary corrections. The power claims should have the nameplate generator capacity added to Item #9.

If you have any questions, please contact this office.

Sincerely,

Carter Fritschle
Senior Water Resource Agent

CF:db
Enclosures
Claim Forms

MICROFILMED

MAR 20 1993

SD-33	Last Name: IDAHO POWER					STATE	
S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
---	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

A02-02060

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

MICROFILMED

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
Indian Resources Section,
24 Rm. 6317
P. O. Box 44378
25 Washington, D.C. 20026-4378

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

26
27
28
MICROFILMED

MAR 20 1993

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

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

for James A. Rosset
JAMES C. TUCKER

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28