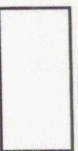
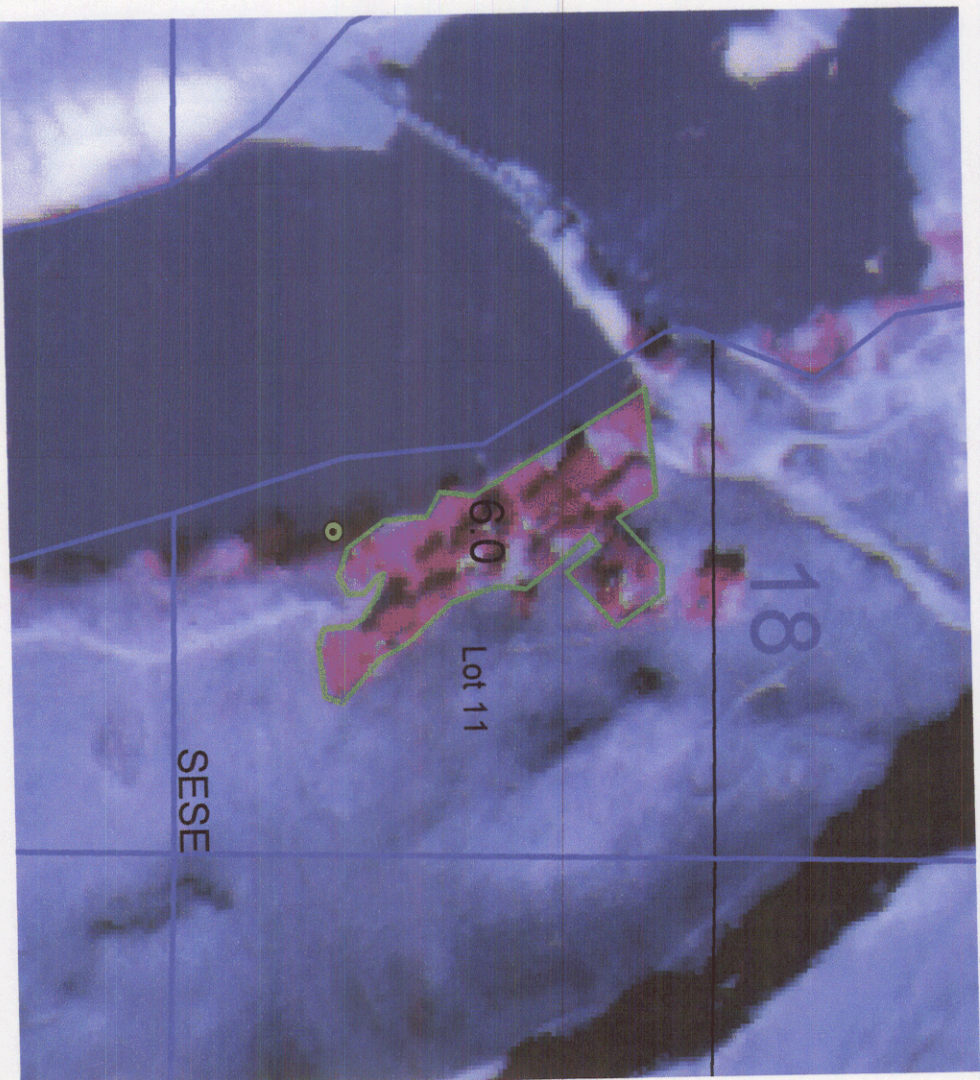


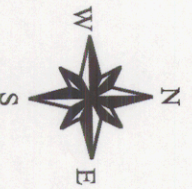
Idaho Department of Water Resources

Claim Number: 02-00035
Legal: T02S, R01E, S18
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

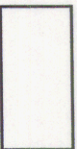


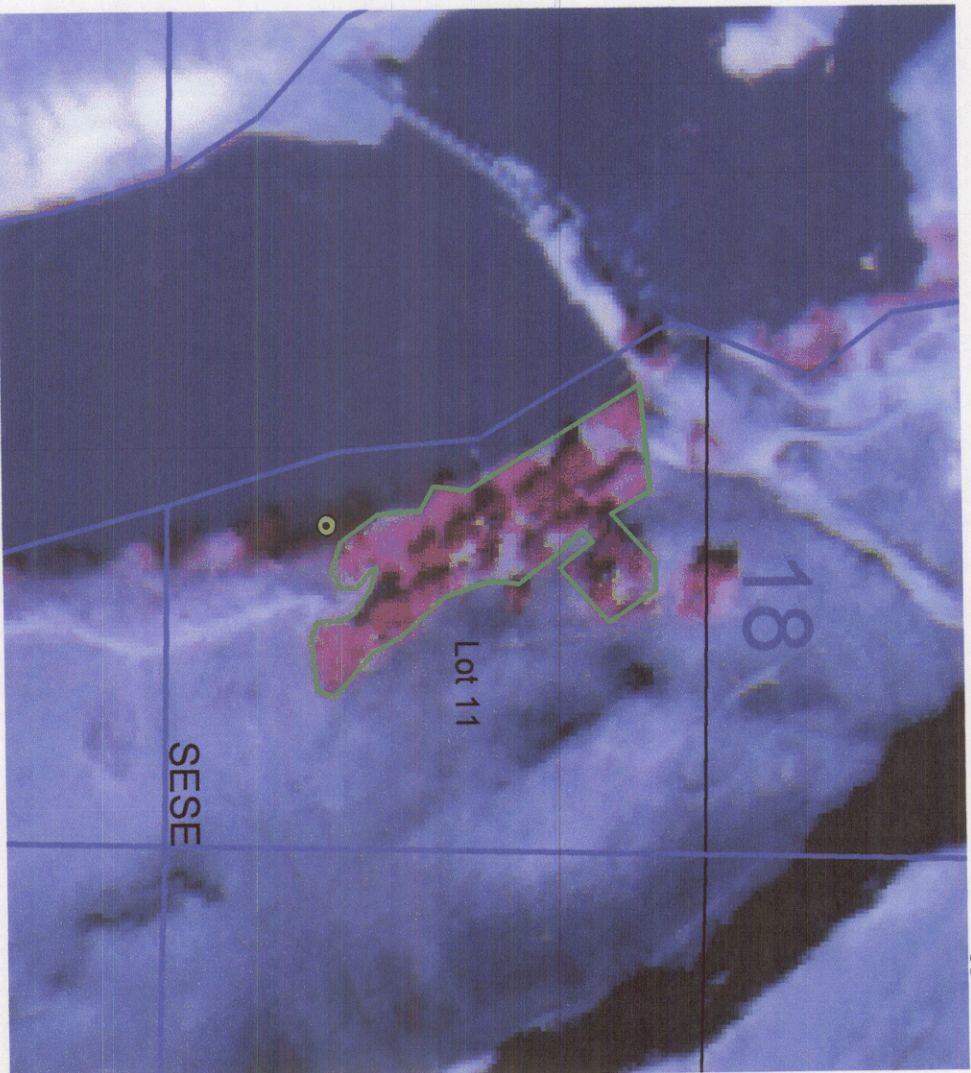
1987 Napp Photo



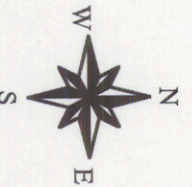
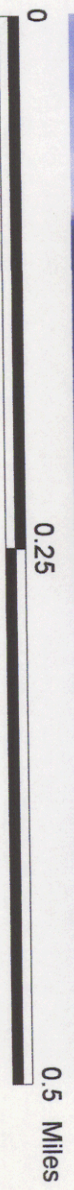
Idaho Department of Water Resources

Claim Number: 02-00035
Legal: T02S, R01E, S18
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-00035

Date: 5-2-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	25	1E	18																-11	6
GIS																			6	6
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 6

Total GIS Acres: 6

Overlapping POU Claim #'s:

COMMENTS:

POU per image interpretation.

POD estimated per POU + legal.

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: A02-00035

Date Received: 6/19/91

Receipt No: C020886 CF

Received By: _____

RECEIVED
JUN 19 1991

Department of Water Resources

**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
Western Regional Office

2. Date of Priority: APR 1, 1905

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
02S	01E	18	SW	SE		10	OWYHEE

5. Description of diverting works:
PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

A.F.A.

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	01E	18	SE	SE	11	IRR	6.0

Section Acres 6.0

Total Acres 6.0

A02-00035

Page 1

Date: 06/10/91

MICROFILMED
AUG 07 1992

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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.

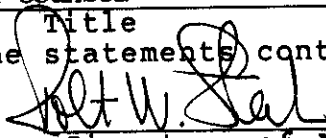
Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ Vice President, Secretary
and General Counsel _____ of
Title

IDAHO POWER COMPANY, that I have signed the foregoing
Organization Vice President, Secretary
document in the space below as _____ and General Counsel _____ of
Title

IDAHO POWER COMPANY and that the statements contained in the
Organization
foregoing document are true and correct.


Signature of Authorized Agent
Vice President, Secretary and
General Counsel - IDAHO POWER CO.
Title and Organization

June 14, 1991

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of June 19 91

Mary Bestrom
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 7-17-92

17. Notice of Appearance:

Notice is hereby given that I, Nathan Gardiner 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 Nathan Gardiner

Address Box 70; Boise, Idaho 83707

Date June 14, 1991

MEMORANDUM

October 31, 1995

TO: File 63-11612, A63-26621, A02-00035

FROM: Cindy Hodges

RE: Domestic Uses at Swan Falls Village

Domestic uses at Swan Falls Dam are claimed on A63-26621 for 9 cottages and a clubhouse. The source was listed as ground water, with a priority of 1928. A field exam for 63-11612 found that the 1928 "well" is actually a dug sump on the banks of the Snake River, adjacent to the pool behind Swan Falls Dam. According to power plant employees, this well had been used as a domestic source since the dam was first constructed. The sump measures 12' in diameter by 18' deep.

The Swan Falls power plant was reconstructed in 1989. A deep well was drilled in 1991 to replace the old domestic source. New public restrooms had been constructed at Swan Falls Park in 1990. Water supplies for the public restrooms, the cottages, clubhouse and restrooms/shop at the power plant were transferred to the new well. In 1992-3, 8 of the old employee cottages were demolished. Five new homes were built for power plant operators and connected to the deep well.

In December of 1991, application for permit 63-11612 was filed for domestic use from ground water in five homes, presumably the new operator homes. Proof was filed in March of 1992. In April of 1992, a second application for permit was filed for domestic use from ground water in 9 homes and a clubhouse. I received the second application for review. The filing appeared to be a duplicate filing, and I did not advertise it because I didn't have enough information to explain the overlaps. I tried for months to contact a representative at Idaho Power who might know enough about Swan Falls Village to explain the filings, but could locate no one, so I finally scheduled and conducted the exam for 63-11612 in September of 1994.

I had initially thought that the five new homes could be recognized under claim A63-22621, since the old cottages had been destroyed. I was not sure that either permit 63-11612 or the April 1992 application were even necessary. During the field exam, however, I discovered not only that all domestic uses had been switched to the 1991 deep well, but that irrigation from the Snake River under A02-00035 was being diverted from the old "well" which had been claimed under A63-26621. This point of diversion cannot be claimed as both a ground water and a surface water source.

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SEP 19 1996

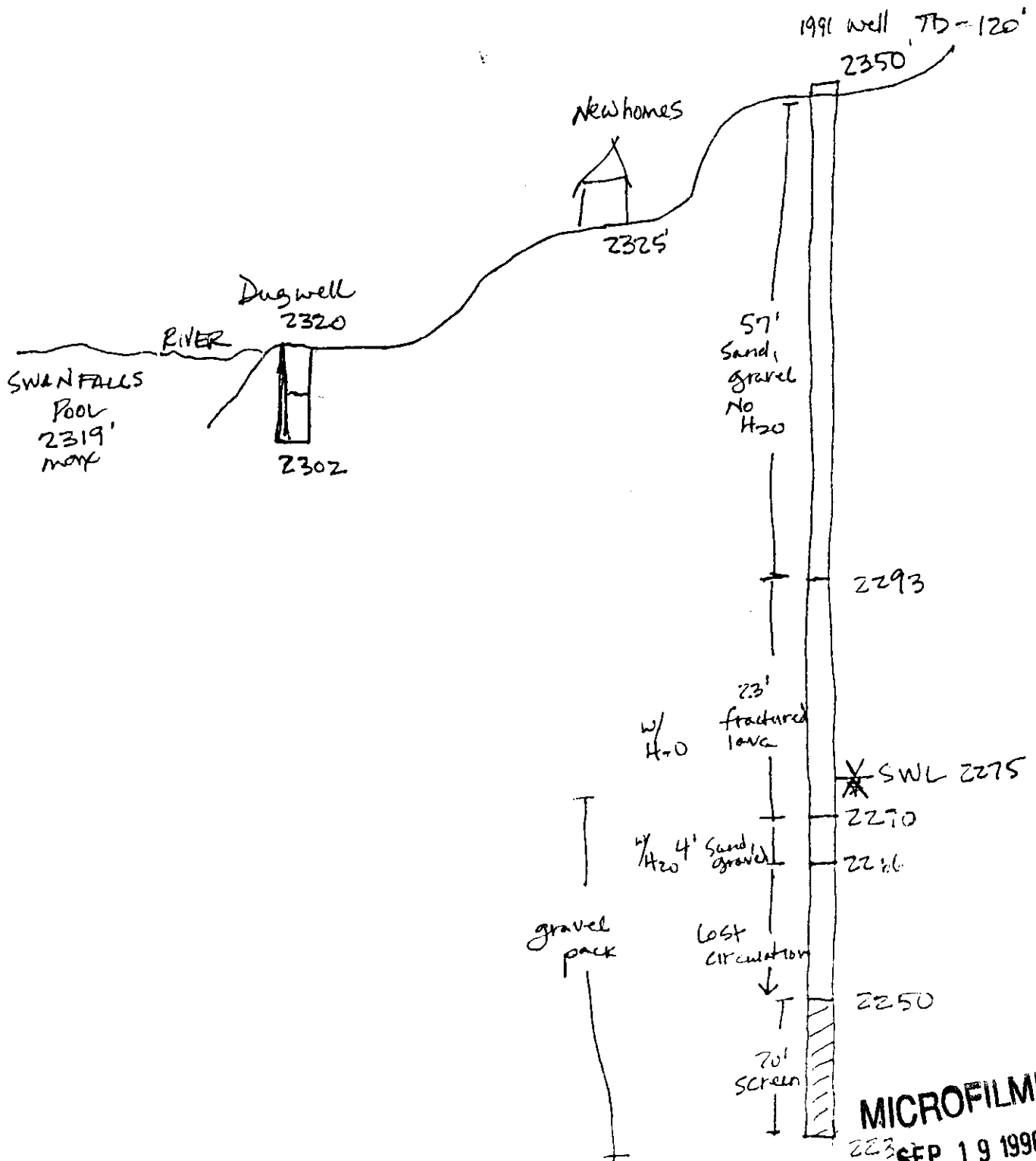
To recommend either claim A63-22621 from ground water or claim A02-00035 from the Snake River, using as a basis the same point of diversion, would be to jeopardize one or both claims. To recommend A63-22621 showing an alternate point of diversion (and new place of use in Section 19) is not possible under the amnesty statutes, for the deep well was not constructed until 1991. Most importantly, a transfer for A63-22621 would have to address the potential that a change in source has occurred when the change was made from a shallow well to a deep well.

According to plant employees, water levels in the shallow well or sump near the dam pool are entirely dependent upon the surface elevation of the pool; while water appropriated in this manner is generally considered ground water, it is undisputedly ground water tributary to surface water, or vice versa. The deep well constructed in 1991 is 120 feet deep. Withdrawals of ground water from the deep well are occurring at a depth of about 60 deeper than those from the surface well (see attached diagram). It is much easier to conclude that the water pumped from the surface well for irrigation is actually Snake River water, than it is to conclude that flows from the deep and shallow wells may be hydraulically connected.

My decision is to recommend that domestic use under A63-22621 be considered abandoned. 63-11612 will be recommended for licensing for domestic use in five homes (with a total of $\frac{1}{2}$ acre irrigation). There is now enough information to advertise the April 1992 application which has been on hold. This application will be necessary for the balance of uses which have been developed since 1991 or were formerly covered by claim A63-22621, namely, the one remaining cottage, the new restrooms, the clubhouse, domestic use at the power plant, and about 1 acre of irrigation around the new houses which is occurring from the deep well. Irrigation use under A02-00035 should not necessarily be implicated by the present diversion point at the shallow well if satisfactory evidence of priority is submitted and P/D location discrepancy can be addressed (claimed P/D is in SWSE Section 18; present P/D SESE).

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SEP 19 1996

50'



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SEP 19 1996

SINKER BUTTE QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

DEPARTMENT OF THE INTERIOR

UNITED STATES GEOLOGICAL SURVEY

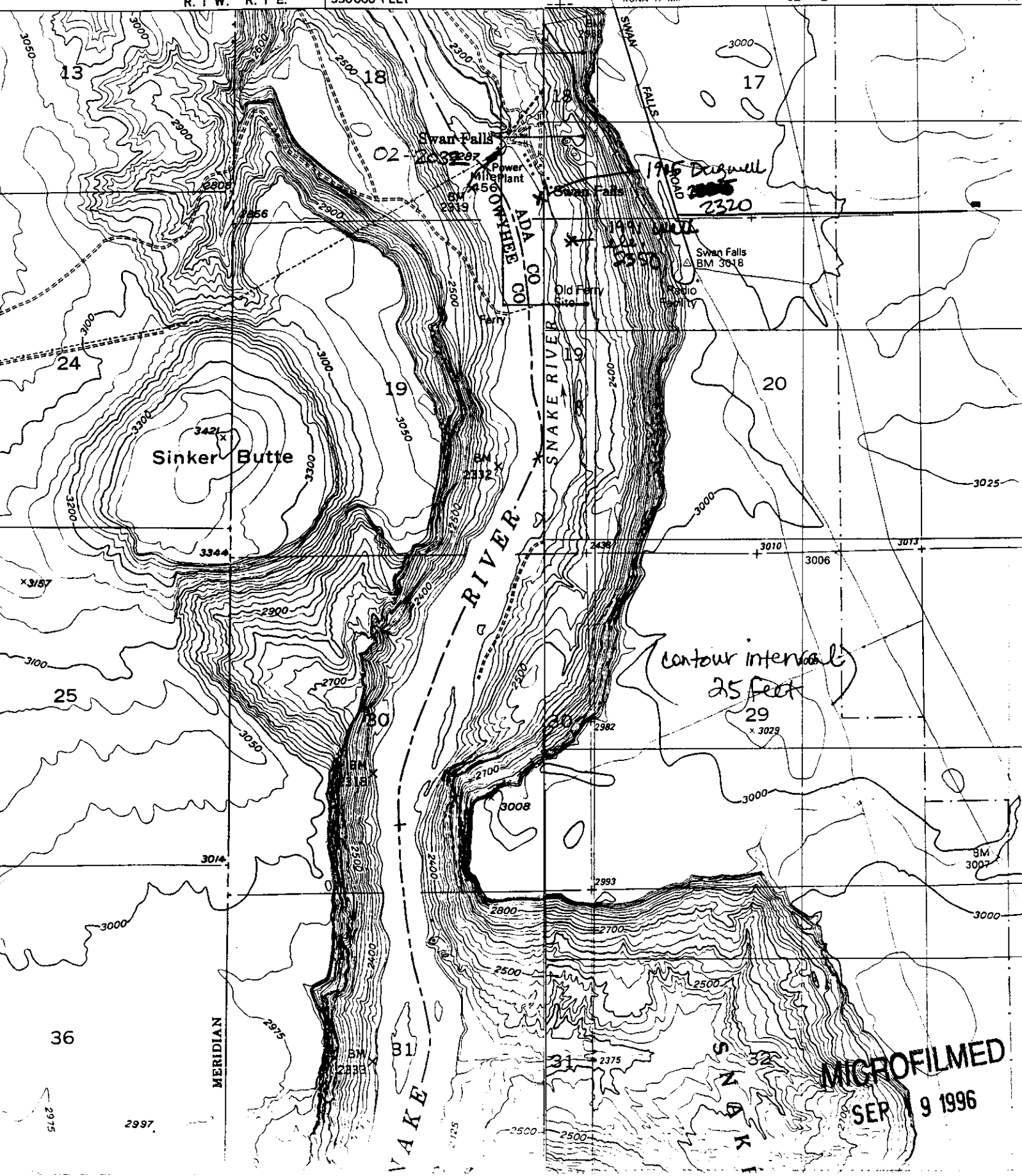
R. 1 W. R. 1 E.

330000 FEET

116°22'30"

KUNA 17 MI.

552000mE



MICROFILMED
SEP 9 1996

POOR ORIGINAL

POOR ORIGINAL



MICROFILMED
SEP 19 1996

POOR ORIGINAL

POOR ORIGINAL



MICROFILMED
SEP 13 1996

3D-33	Last Name: IDAHO POWER						STATE	
S	O	W	Water	Priority		Total	Use	
E	First	N	Right No.	Date	Source	Diversion	Code Desc	
L	Name							

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

A02-00035

No file as of 8-3-92

MICROFILMED
AUG 07 1992

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 
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
Resources
19 1301 North Orchard
Statehouse Mail
20 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

AUG 07 1992

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. Rosset
JAMES C. TUCKER
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MICROFILMED

AUG 07 1992

Approved 02-00035

Date Received

5-13-91

RECEIVED

MAY 13 1991

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

IDAHO POWER COMPANY () 383-2200
Name of Claimant Phone Number

P. O. Box 70 Boise Idaho 83707
Mailing Address City State Zip

SEE ATTACHMENT A 7-2-91
County(s) where place of use is located Date claim originally due

SEE ATTACHMENT A
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

SEE ATTACHMENT B

Claimant requests an extension to _____, 19 _____
Signature Date of request

Vice President, General Counsel & Secretary
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby ☒ granted ☐ denied for the following reasons:

and if granted the filing deadline is extended to Oct 31 19 91

Signed this 28 day of Sept 19 91

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
SEP 19 1996

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIMS

WATER RIGHT IDENTIFICATION NUMBER	COUNTY WHERE PLACE OF USE IS LOCATED	DATE CLAIM ORIGINALLY DUE
No. 36-02082	Gooding	09/01/88
No. 29-07414	Power	04/05/90
No. 35-02557	Power	same as above
No. 36-07487	Jerome	04/12/90
No. 36-07587	Minidoka	
No. 37-07146	Blaine	10/26/88
No. 37-07396	Blaine	same as above
No. 63-02557	Ada	07/27/89
No. 63-02666	Ada	same as above
No. 63-03058	Ada	same as above
No. 63-03118	Ada	same as above
No. 63-03544	Ada	same as above
No. A02-00034	Owyhee	
No. A02-00035	Owyhee	
No. 36-02037	Jerome	same as above
No. A63-07945	Ada	same as above
No. A69-07023	Washington	
No. A47-02205	Twin Falls	12/22/88
No. A37-04012	Gooding	same as above
No. A36-02046	Gooding	same as above
No. A36-00137	Gooding	same as above
No. A63-08142	Ada	same as above
No. 63-08820	Ada	same as above
No. 37-02797	Elmore	12/07/89

MICROFILMED
SEP 19 1996

REQUEST FOR EXTENSION OF TIME

IDAHO POWER COMPANY ("Company") does hereby request an extension of time to file Notice of Claim(s) pursuant to Section 42-1409(10), IDAHO CODE, in the general adjudication of the Snake River Basin water system ("SRBA"). This request is supported by the following facts and information:

The Company operates sixteen (16) hydro-electric projects within the territory subject to the jurisdiction of the SRBA. Because the water rights associated with each project are an integral part of the Company's operation, the Company has given these claims priority and has diligently investigated all possible claims, including, but not limited to, power generation, irrigation of project properties, fish propagation facilities, fire protection and domestic uses associated with facilities located on project properties. In an effort to be thorough, this phase of the Company's investigation has required the attention of additional manpower not originally allocated to the project, thereby slowing the investigation of other claims.

Furthermore, the Company has property interests in 22 of the 38 counties subject to the jurisdiction of the of the SRBA. During the Company's field investigation of possible claims, it has become evident that there are water rights currently utilized by the Company which are appurtenant to the Company's property and which have not previously been recorded. Therefore, in order ascertain all possible claims, a parcel by parcel approach has been utilized by field personnel. Due to the adoption of this method of investigation, coupled with the Company's extensive property holdings, the field work required to complete this phase of the Company's filings is also incomplete.

Although the Company recognizes that a timely filing schedule is necessary, it is also important to identify all water users and uses in order to achieve a thorough and comprehensive determination of water rights within the boundaries of the adjudication. An extension of time granted to the Company would facilitate this effort and would further the stated goals of the general adjudication.

MICROFILMED
SEP 19 1996

WATER RIGHT NUMBER 02-0035. ✓

OWNER LAST NAME - IDAHO POWER CO. •
ADDRESS LINE 1 - P.O. BOX 70
ADDRESS LINE 3 -
SOURCE - SNAKE RIVER
STAGE -
TOTAL DIV. VOLUME - .00 AFA
DIVERSION POINT - SWSE 18 02S 01E LOT 10 REDIV -
FROM - 03-15 TO - 11-15 USE - IRRIGATION
USE - IRRIGATION
DECREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - PUMP & PIPELINE.

FIRST NAME -
ADDRESS LINE 2 -
CITY - BOISE
TRIBUTARY OF - COLUMBIA RIVER
PRIORITY - 04-01-1905 COUNTY - OMYHEE
WATER DIST. - 02 DLE/CAREY ACT -
STATUS -
USE DIV. RATE -
PLACE OF USE - TWN 02S RNG 01E SEC 18 TRACT SESE LOT 11 AC 06
DATE -

ORIG OWNER -
STATE - ID ZIP CODE - 83707
TOTAL DIV. RATE - .1200 -CFS
RIGHT BASIS - A
TOTAL ACRES 6

PROTESTED -
HEARING -
OLD NO. -

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>02-0035</u>	
I.D. No.	Map No.
<u>Part of 1883</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
(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) April, 1905 04/01/1905

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to

(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 8 CFS Use Village and park irrigation Period of Use From April 1 To Oct 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
12 (Both dates inclusive)

Quantity Use Period of Use From 3/15 To 11/15
(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) 8 CFS 12 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE SW 1/4 SE
Sec. 18, Twp. 25, Rge. 1E, B.M., Owyhee 73 County
Additional Points: Lot 10, Sec 18, T 2 S, R 1 E, BM

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.

pump and pipeline
281: 2720 H1456.0

(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	
2S	1E	18																X	10.0
																		411	
																		6	6

Total no. of acres 10.0 6

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

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 in connection with Swan Falls

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

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

se 11/2/84
KEYPUNCHED

4-26-82

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

(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

2KN 4/21/82

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

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF _____

NOTICE OF CLAIM TO A WATER RIGHT

I.D. No. <u>57-14-1-103</u>	Map No. <u>#18883</u>
Fee Paid	Receipt No.

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

1000 7th St., Boise, Idaho 83707
(Mailing Address)

(Zip Code)

Telephone No. 203-2070

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) April, 1905

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to _____

(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 3 cfs Use Village and park irrigation Period of Use From April 1 To Oct 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) 3 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source _____ ¼ _____ ¼
Sec. 18, Twp. 2 S, Rge. 1 E, B.M., Overhead County Boise

Additional Points: Lot 10, Sec 18, T 2 S, R 1 E, 01

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. _____

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
	<u>18</u>	<u>10</u>																X	<u>10.0</u>

Total no. of acres 10.0

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

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 in connection with Swan Falls

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

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

(Date)

(Signature of Claimant)

State of Idaho

Organization

Organization

(Signature of Spouse)

County of Boise

ss.

Seal

(Signature of Authorized Agent)

On this 10th day of April, in the year 1981 before me

a notary public, personally appeared _____ 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 _____

Notary Public residing at _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 22, 1992

Mr. Steven Herndon, Managing Attorney
Idaho Power Company
PO Box 70
Boise, ID. 83707

Re: Application for Transfer of Claim No. A02-00035

Dear Sir:

Enclosed is the original transfer application recently received by this office. Several items require attention before the application can be advertised. Please review the following information and return the completed application to me as soon as possible.

1. Part 1, item B-5, Place of Use - Claim A02-00035 is a beneficial use claim originally filed for ten acres on 4-27-1981 in the previous and smaller Snake River Adjudication. A 1982 field exam documented irrigation of six acres. The current and more inclusive Snake River Basin Adjudication led to the current claim filed on 6-19-1991 for six acres. A transfer cannot be approved that will expand the water right. No more than six acres can be approved in the application. It is possible to apply for a rotation system where six acres per year will be irrigated within a ten acre block. The transfer application should be limited to six acres. See number five (5) below for information to irrigate more than six acres per year.

2. Part 3, item A, Map - A map showing the old and new points of diversion and irrigated acres should be included.

3. Signature - A notarized signature is needed. The signatory's title should be noted.

4. Fee - A \$30 fee must be submitted.

5. Additional acres - In this scenario, a new appropriation of trust water is required to irrigate more than six acres per year with Snake River water. Because new appropriations of river water for irrigation between Swan Falls and Milner Dams are not considered in the public interest, an application for permit for the remaining four acres faces an uphill battle for approval. The enclosed application for permit can be used to initiate this process.

*Appl. void - no
response to this
letter, no fee paid.
Pl per DRT's
into
6/17/92*

Mr. Steven Herndon
April 22, 1992
Page 2

An alternative to a new appropriation for the four acres is to transfer a valid Snake River right from other property, where irrigation will cease, to the land in question.

If I can provide additional help, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Lester".

Steve Lester
Sr. Water Resource Agent

Enclosure: Two Attachments

RECEIVED
APR 17 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

copy

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1
Western Regional Office

Department of Water Resources

Name of applicant Idaho Power Company Phone 383-2300
Post Office address P. O. Box 70 Boise, Idaho 83707

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Adding additional place of use; new point of diversion
will serve present and proposed place of use without an increase in diversion

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|-----------------|-----------------------|-------------------|-----------------------------|
| <u>A02-00035</u> | <u>4/1/1905</u> | <u>0.120</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.120 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	19	2S	1E	Ada	Swan Falls Farms Pump Platform

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2S	1E	18																6	6
2S	1E	19	4																4

Total acres 10

PART 1**6. General Information:**

- a. Description of diversion system 20 hp. pump and pipeline
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Park now irrigated will continue to be irrigated and new park will also be irrigated
- d. Remarks:
Amount of diversion is adequate to serve both places of use if P.O.D. is changed as indicated

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

705 JUL 1935
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A02-00035 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 4/1/1905

5. Water is used for the following purpose:

amount 0.120 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.120 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
10		SW	SE	18	2S	1E	Owyhee	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2S	1E	18																6	6

Total acres 6

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>N/A</u>			_____ to _____
				_____ to _____
2.	Quantity and quality of return flows and location of discharge: _____ _____			
3.	Describe effects on other water uses resulting from the proposed change: _____ _____ _____ _____			

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

IDAHO POWER COMPANY

By: _____
(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments	
Received by <u>JS</u> Date <u>4/21/92 NO fee attached</u>	Protest filed by _____
Prelim. check by _____ Fee _____	
Receipted by _____ Date _____	
Published in _____	Copies of protest forwarded by _____
Pub. dates _____	Hearing held by _____ Date _____
Watermaster recommendation requested on _____	Recommended for ☐ approval ☐ denial
_____ rec'd. _____	by _____
Copy of transfer sent to lien holder _____	

Water Right Number - A02-00035

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

+ - - - -

*** C - CURRENT OWNER ***
IDAHO POWER CO1 - PO BOX 70
2 -
3 -
City- BOISE
Phone - 208-383-2200

State- ID Zip- 837070070

*** A - ATTORNEY ***
IDAHO POWER CO1 - STEVEN L HERNDON
2 - PO BOX 70
3 -
City- BOISE
Phone - 208-383-2692
1 - JAMES C TUCKER OR
2 - BRUCE M SMITH
3 - PO BOX 2139
City- BOISE
Phone - 208-336-0700

State- ID Zip- 837070070

ROSHOLT ROBERTSON & TUCKER

State- ID Zip- 837022139

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1905 ERROR IN REGION J - BENEFICIAL USE+ - - Source - - - - - + + - - Tributary - - - - - +
SNAKE RIVER COLUMBIA RIVER+ - - Twn Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code) +
02S 01E 18 SW SE 10 (73) OWYHEE+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume +
01 - IRRIGATION 03/15 11/15 0.120+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.120 18.0+ - - Twn Rng Sec Tract Lot Acres Code Description County +
02S 01E 18 SE SE 11 6.0 01 IRRIGATION (73) OWYHEE
Total Acres: 6.0

+ - - Diversion Means - PUMP & PIPELINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Prefix Translation: ADJUDICATION CLAIM

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 35976
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/19/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 02
Licensed Date	- 00/00/0000	Receipt Number	- C020886	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

Swan Falls Dam
Idaho Power

R/E

Fish Ladder

Swan Falls

L10

L11

18 17

19 20

12
11
10
9
8
7
6
5
4
3
2
1

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by 9KN

Date 4/15/82

Right No. 02-0035

Claimant Idaho Power Co.

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. 1979 attached & also 1969

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

DA7-2KK
-187

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 4/15/82

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

Measurement .41 cfs. Amount recommended .12 cfs.

Type of measuring device: Flow Meter Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks See report of examiner

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-0035

1. Name of Applicant Idaho Power Co.

2. Priority 4/1905

3. Source of Water Snake R.

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use _____ From _____ to _____

.12 cfs Use irrigation From 3/15 to 11/15

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: L10 SW SE of Section 18

Twp. 25, Rge. 1E, County of Owyhee

6. Describe Diversion Works: 2-motor 1-20HP-6-321219-01

century pump & motor 1-15HP Westinghouse-685892

Both are used for irr & fire protection - usually run the

7. Describe Location of Use: 20HP motor for irr at 105' PSI

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	1E	18																6	6
																		411	

TWP.	RGE.	COUNTY	SCALE: 1" = 1 MILE											

8. Purpose other than irrigation: Use 1 or both motors irr &

fire protection 10 houses ^{one} 75'x75'

9. Remarks: 20HP x 8.8 x 70' lift = 123.2 5625 ÷ 43560 = 1.29A

50' lift + .431105 244 = 294123 = .41 CFS Post site 6.00

More than ample CFS for present use. Total 6.29 acres

4192 x .02 = .12 CFS

This examination was made on the 15 day of April, 1992.

(Signed) John K Moyer
Examiner