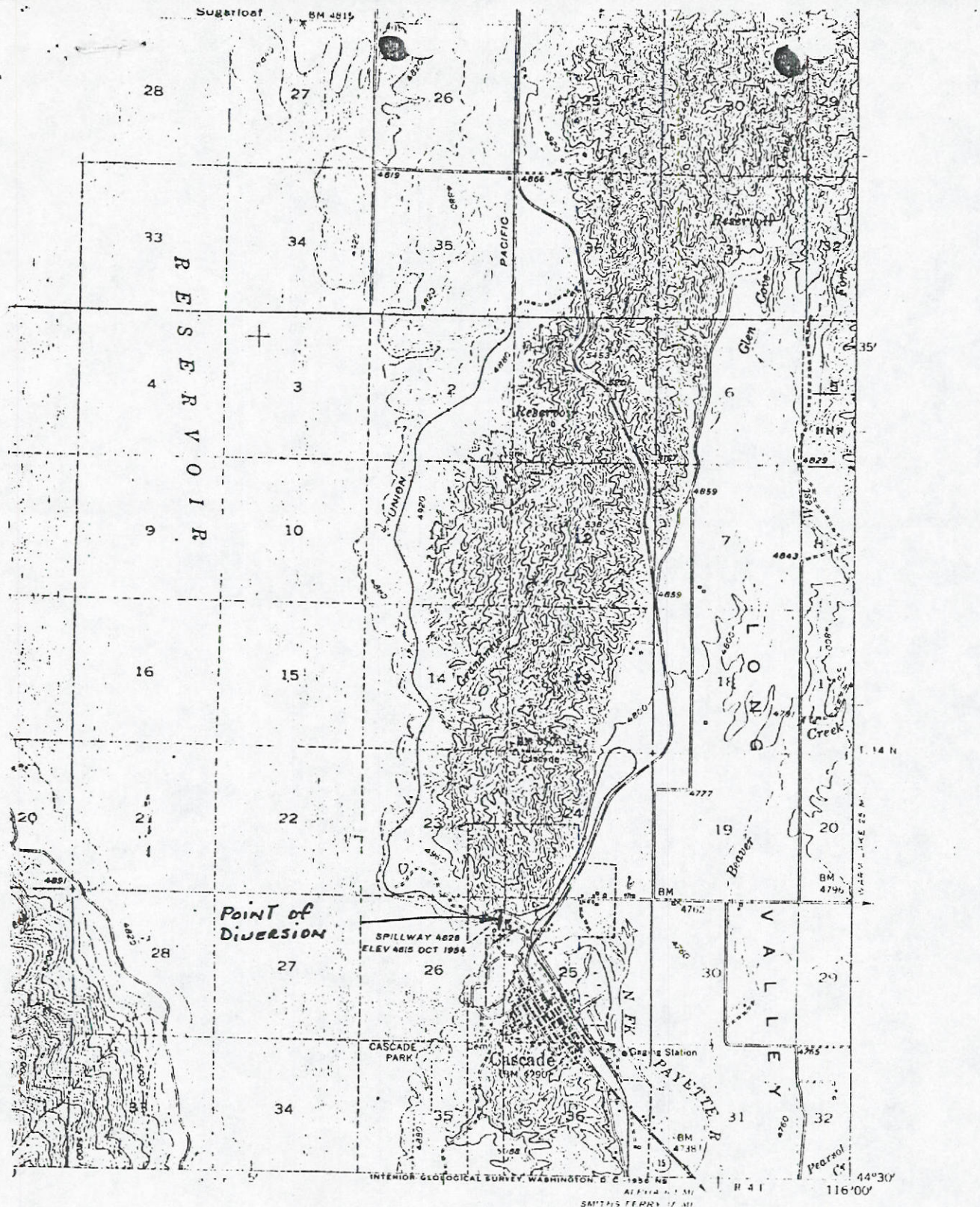


FEET
1000
500
0

CURACY STANDARDS
IVER, COLORADO OR WASHINGTON 25, D. C.
OLS IS AVAILABLE ON REQUEST



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Heavy-duty ——— Light duty ———
Medium-duty ——— Unimproved dirt ———
U. S. Route ——— State Route ———

CASCADE, IDAHO
N4430- W11600/15

1954

MICROFILMED

SEP 24 1992

SEP 24 1992

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PLATS AND BEARINGS SHOWN ARE BASED ON
SURVEY OF 1/4 N. 32 E. 1/4 W. 32 E. RECORDED BY SURVEY
GENERAL'S OFFICE, 10/12/1971, IDAHO, MAP NO. 1830

PROJECT AREA 55,975 ACRES

POINT	BEARING	DISTANCE	BEARING	DISTANCE
1	S 79°10' 32" E	377.00	S 79°10' 32" E	377.00
2	S 40°20' 00" E	180.00	S 40°20' 00" E	180.00
3	S 80°20' 00" E	58.48	S 80°20' 00" E	58.48
4	S 4°40' 00" W	24.50	S 4°40' 00" W	24.50
5	S 82°20' 32" E	250.00	S 82°20' 32" E	250.00
6	S 71°45' 00" E	370.00	S 71°45' 00" E	370.00
7	N 47°38' 28" E	266.69	N 47°38' 28" E	266.69
8	N 08°18' 28" E	205.85	N 08°18' 28" E	205.85
9	N 30°00' 00" W	605.00	N 30°00' 00" W	605.00
10	N 02°30' 00" W	370.00	N 02°30' 00" W	370.00
11	N 60°28' 30" W	225.00	N 60°28' 30" W	225.00

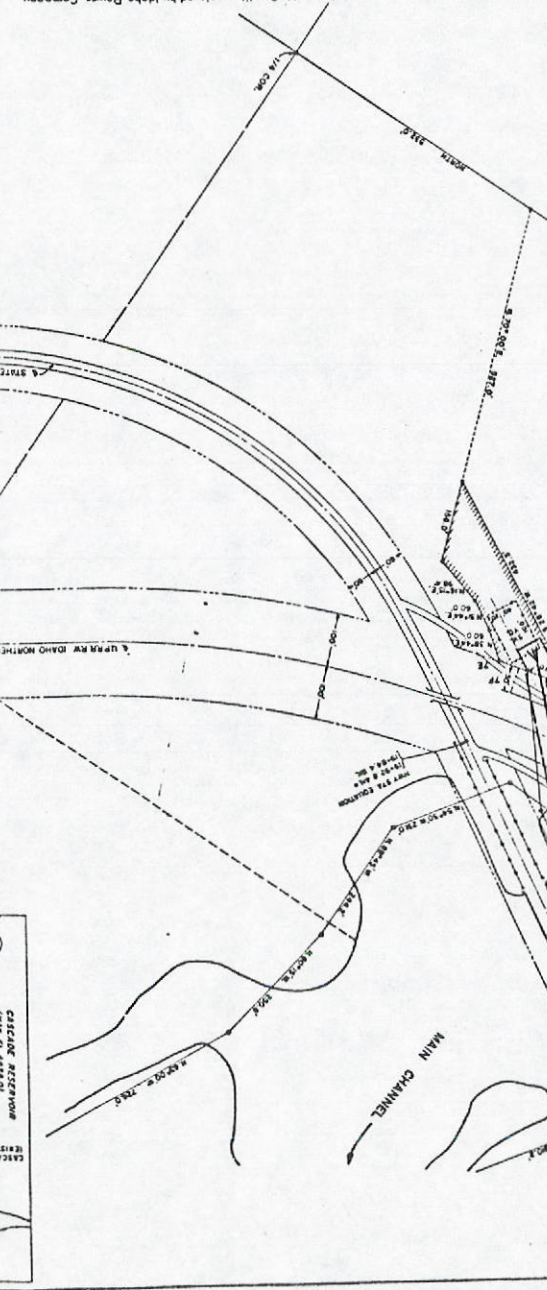
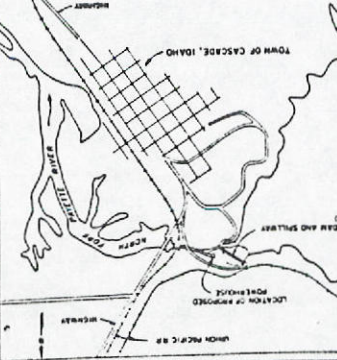
PROJECT 2848 - IDAHO EXHIBIT G
CASCAD E. DEVELOPMENT
LOCATION AND DETAIL MAPS
DAHO POWER COMPANY
BOISE, IDAHO
SCALE 1" = 100' EXCEPT AS NOTED
O&E-42491

CERTIFICATE
This drawing is part of the application for license
made by the undersigned on this 21st day of
January 1980
IDAHO POWER COMPANY
By *[Signature]*
PRESIDENT

NOTE:
1. USWRS IS THE US WATER AND POWER RESOURCES
SERVICE, FORMERLY KNOWN AS THE US BUREAU OF
RECLAMATION (USBR).
2. A STATE MAP 95
TO CASCAD

SCALE 0 100 200 300 400 500 FEET

LOCATION MAP
SCALE 0 1 2 3 4 MILES



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

Department of Natural Resources

Ident. Number: A65-12096

Date Received: 12-20-88

Receipt No: C004340

Received By: [Signature] 12-21-88

CF 12-2-88

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: FEB 21, 1978

3. Source: PAYETTE RIVER, NORTH FORK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03E	26	NE	NE	NE	5	VALLEY

5. Description of diverting works:
PENSTOCK, DAM & TURBINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	2000.000		

7. Total Quantity Appropriated is:
2000.000 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 12420.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03E	25	NW	NW	3	POWER	
		26	NE	NE	5	POWER	

A65-12096

Page 1

Date: 12/02/88

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SEP 24 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of December 19 88

Nancy A. Penfold
Notary Public

Seal

Residing at Boise Idaho

My Commission Expires 12.31.92

17. Notice of Appearance:

Notice is hereby given that I, Tom 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 T. Nelson

Address PO Box 2139 Boise ID 83701

Date 12/20/88

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: A65-12096
Date Received: 11/21/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO POWER CO.
Address: ~~1220 IDAHO ST.~~ P.O. Box 70
BOISE, ID 83724

2. Date of Priority: FEB 21, 1978

3. Source: PAYETTE RIVER, NORTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03E	26	NE	NE	NE	✓	VALLEY

5. Description of diverting works:
PENSTOCK, DAM & TURBINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	2000.000		

7. Total Quantity Appropriated is:
2000.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use: Power Plant Generating Capacity 12,420 kW

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03E	26	NE	NE		POWER	

11. Place of use in counties: VALLEY

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

A65-12096

Page 1

Date: 11/21/88

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SEP 24 1992

OK. with
Ron Budd.
Do not believe
we own this
property at
place of use.

13. Other Water Rights Used:

LIC A65-2338X, A65-2338A, A65-2232.

14. Remarks:

15. Basis of Claim: PERMIT

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: _____

Organization
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) ~~_____~~ _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

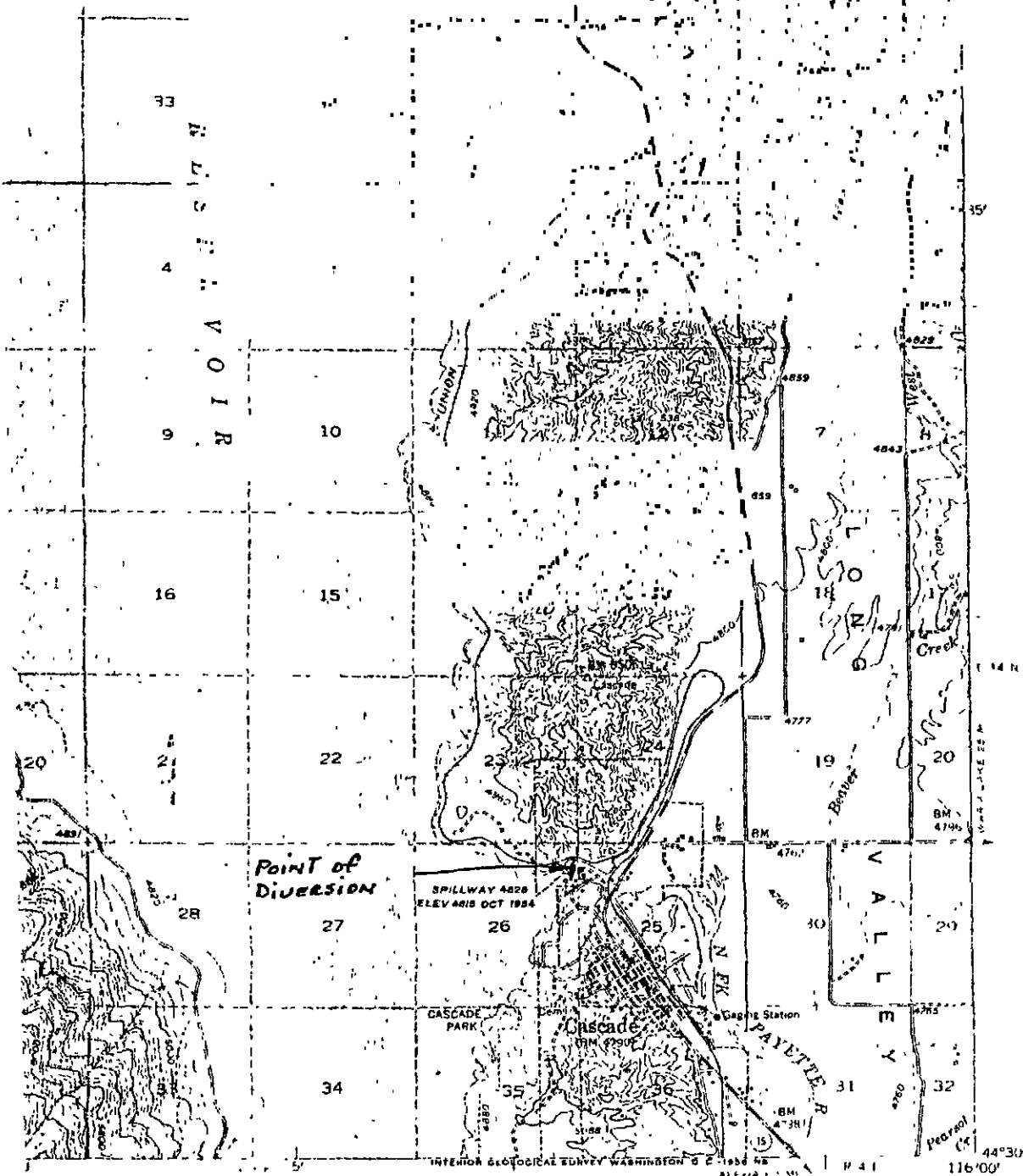
Notary Public

Seal

Residing at _____

My Commission Expires _____

17. *Notice of Appearance*



4 MILES
1 INCH = 1 MILE
1 INCH = 1 MILE

FEET
1 CONTINUOUS



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Heavy-duty ——— Light duty ———
Medium duty ——— Unimproved dirt ———
U S Route State Route

CASCADE, IDAHO
N4430- W11600/15

1954

CURACY STANDARD
IVER, COLORADO OR WASHINGTON 25. D. C.
DLS IS AVAILABLE ON REQUEST

MICROFILMED

SEP 24 1992

MICROFILMED

SEP 24 1992

PROJECT AREA 55.975 ACRES

POINT	BEARING	DISTANCE	POINT	BEARING	DISTANCE
1	S 79°10'32"E	190.00	11	N 60°28'30"W	323.00
2	S 60°28'30"W	180.00	12	N 70°00'00"W	170.00
3	S 40°20'00"E	58.48	13	N 30°00'00"W	803.00
4	S 40°20'00"E	58.48	14	N 40°20'00"E	105.85
5	S 40°20'00"E	58.48	15	N 40°20'00"E	105.85
6	S 40°20'00"E	58.48	16	N 40°20'00"E	105.85
7	S 40°20'00"E	58.48	17	N 40°20'00"E	105.85
8	S 40°20'00"E	58.48	18	N 40°20'00"E	105.85
9	S 40°20'00"E	58.48	19	N 40°20'00"E	105.85
10	S 40°20'00"E	58.48	20	N 40°20'00"E	105.85
11	S 40°20'00"E	58.48	21	N 40°20'00"E	105.85
12	S 40°20'00"E	58.48	22	N 40°20'00"E	105.85
13	S 40°20'00"E	58.48	23	N 40°20'00"E	105.85
14	S 40°20'00"E	58.48	24	N 40°20'00"E	105.85
15	S 40°20'00"E	58.48	25	N 40°20'00"E	105.85
16	S 40°20'00"E	58.48	26	N 40°20'00"E	105.85
17	S 40°20'00"E	58.48	27	N 40°20'00"E	105.85
18	S 40°20'00"E	58.48	28	N 40°20'00"E	105.85
19	S 40°20'00"E	58.48	29	N 40°20'00"E	105.85
20	S 40°20'00"E	58.48	30	N 40°20'00"E	105.85
21	S 40°20'00"E	58.48	31	N 40°20'00"E	105.85
22	S 40°20'00"E	58.48	32	N 40°20'00"E	105.85
23	S 40°20'00"E	58.48	33	N 40°20'00"E	105.85
24	S 40°20'00"E	58.48	34	N 40°20'00"E	105.85
25	S 40°20'00"E	58.48	35	N 40°20'00"E	105.85
26	S 40°20'00"E	58.48	36	N 40°20'00"E	105.85
27	S 40°20'00"E	58.48	37	N 40°20'00"E	105.85
28	S 40°20'00"E	58.48	38	N 40°20'00"E	105.85
29	S 40°20'00"E	58.48	39	N 40°20'00"E	105.85
30	S 40°20'00"E	58.48	40	N 40°20'00"E	105.85
31	S 40°20'00"E	58.48	41	N 40°20'00"E	105.85
32	S 40°20'00"E	58.48	42	N 40°20'00"E	105.85
33	S 40°20'00"E	58.48	43	N 40°20'00"E	105.85
34	S 40°20'00"E	58.48	44	N 40°20'00"E	105.85
35	S 40°20'00"E	58.48	45	N 40°20'00"E	105.85
36	S 40°20'00"E	58.48	46	N 40°20'00"E	105.85
37	S 40°20'00"E	58.48	47	N 40°20'00"E	105.85
38	S 40°20'00"E	58.48	48	N 40°20'00"E	105.85
39	S 40°20'00"E	58.48	49	N 40°20'00"E	105.85
40	S 40°20'00"E	58.48	50	N 40°20'00"E	105.85
41	S 40°20'00"E	58.48	51	N 40°20'00"E	105.85
42	S 40°20'00"E	58.48	52	N 40°20'00"E	105.85
43	S 40°20'00"E	58.48	53	N 40°20'00"E	105.85
44	S 40°20'00"E	58.48	54	N 40°20'00"E	105.85
45	S 40°20'00"E	58.48	55	N 40°20'00"E	105.85
46	S 40°20'00"E	58.48	56	N 40°20'00"E	105.85
47	S 40°20'00"E	58.48	57	N 40°20'00"E	105.85
48	S 40°20'00"E	58.48	58	N 40°20'00"E	105.85
49	S 40°20'00"E	58.48	59	N 40°20'00"E	105.85
50	S 40°20'00"E	58.48	60	N 40°20'00"E	105.85
51	S 40°20'00"E	58.48	61	N 40°20'00"E	105.85
52	S 40°20'00"E	58.48	62	N 40°20'00"E	105.85
53	S 40°20'00"E	58.48	63	N 40°20'00"E	105.85
54	S 40°20'00"E	58.48	64	N 40°20'00"E	105.85
55	S 40°20'00"E	58.48	65	N 40°20'00"E	105.85
56	S 40°20'00"E	58.48	66	N 40°20'00"E	105.85
57	S 40°20'00"E	58.48	67	N 40°20'00"E	105.85
58	S 40°20'00"E	58.48	68	N 40°20'00"E	105.85
59	S 40°20'00"E	58.48	69	N 40°20'00"E	105.85
60	S 40°20'00"E	58.48	70	N 40°20'00"E	105.85
61	S 40°20'00"E	58.48	71	N 40°20'00"E	105.85
62	S 40°20'00"E	58.48	72	N 40°20'00"E	105.85
63	S 40°20'00"E	58.48	73	N 40°20'00"E	105.85
64	S 40°20'00"E	58.48	74	N 40°20'00"E	105.85
65	S 40°20'00"E	58.48	75	N 40°20'00"E	105.85
66	S 40°20'00"E	58.48	76	N 40°20'00"E	105.85
67	S 40°20'00"E	58.48	77	N 40°20'00"E	105.85
68	S 40°20'00"E	58.48	78	N 40°20'00"E	105.85
69	S 40°20'00"E	58.48	79	N 40°20'00"E	105.85
70	S 40°20'00"E	58.48	80	N 40°20'00"E	105.85
71	S 40°20'00"E	58.48	81	N 40°20'00"E	105.85
72	S 40°20'00"E	58.48	82	N 40°20'00"E	105.85
73	S 40°20'00"E	58.48	83	N 40°20'00"E	105.85
74	S 40°20'00"E	58.48	84	N 40°20'00"E	105.85
75	S 40°20'00"E	58.48	85	N 40°20'00"E	105.85
76	S 40°20'00"E	58.48	86	N 40°20'00"E	105.85
77	S 40°20'00"E	58.48	87	N 40°20'00"E	105.85
78	S 40°20'00"E	58.48	88	N 40°20'00"E	105.85
79	S 40°20'00"E	58.48	89	N 40°20'00"E	105.85
80	S 40°20'00"E	58.48	90	N 40°20'00"E	105.85
81	S 40°20'00"E	58.48	91	N 40°20'00"E	105.85
82	S 40°20'00"E	58.48	92	N 40°20'00"E	105.85
83	S 40°20'00"E	58.48	93	N 40°20'00"E	105.85
84	S 40°20'00"E	58.48	94	N 40°20'00"E	105.85
85	S 40°20'00"E	58.48	95	N 40°20'00"E	105.85
86	S 40°20'00"E	58.48	96	N 40°20'00"E	105.85
87	S 40°20'00"E	58.48	97	N 40°20'00"E	105.85
88	S 40°20'00"E	58.48	98	N 40°20'00"E	105.85
89	S 40°20'00"E	58.48	99	N 40°20'00"E	105.85
90	S 40°20'00"E	58.48	100	N 40°20'00"E	105.85

PROJECT BOUNDARY DESCRIPTION

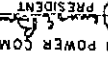
PLATS AND BEARINGS WERE RECORDED BY SURVEYOR GENERAL OFFICE IN 1911 UNDER WAY OF 1910

I, Gomer H. Condit, employed by Idaho Power Company, state that this map was accurately made under my direction and shows the location of the project in relation to United States Government land plots.

PC 685 - IDAHO

PROJECT 2848 - IDAHO EXHIBIT 8
CASCADIA HE DEVELOPMENT
LOCATION AND DETAIL MAPS
IDaho POWER COMPANY
SCALE 1" = 100' EXCEPT AS NOTED
08E-42491

SCALE 0 100 200 300 400 500 FEET

By  GOMER H. CONDIT
PRESIDENT
IDAHO POWER COMPANY

This drawing is part of the application for license made by the undersigned on this 21st day of January 1980

CERTIFICATE

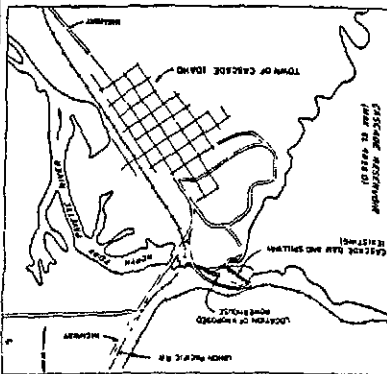
NOTE: USUERS OF THE US WATER AND POWER RESOURCES SERVICE, FORMERLY KNOWN AS THE US BUREAU OF RECLAMATION (USBR)

TO CASCADE

TO CASCADE

SCALE 0 1/4 1/2 3/4 1 MILE

LOCATION MAP



Water Right Number - 65-12096 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
IDAHO POWER CO.

1 - 1220 IDAHO ST.
2 -
3 -
City- BOISE State- ID Zip- 83724
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/21/1978 14 P - PERMIT

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
PAYETTE RIVER, NORTH FORK SNAKE RIVER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
14N 03E 26 NE NE (85) VALLEY

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
28 - POWER 01/01 12/31 2000.000

+ - Total Div Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2000.000

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 03E 26 NE NE 28 POWER (85) VALLEY

Total Acres:

+ - - Diversion Means - PENSTOCK, DAM & TURBINES.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - LIC. 65-2338X, 65-2338A, 65-2232.

+ - - - - - Remarks - - - - - +
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

MICROFILMED
SEP 24 1992

04/30/88 CONVERT

[illegible]

Proof Due Date	- 05/01/1988	Field Exam Made	- 07/30/1986	Field Exam Fee	- R
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/16/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		
				Microfilm Roll Number	-

MICROFILMED

SEP 24 1992

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No 39576)
) Water Right 65-12096

2002 AUG 29 AM 11:42
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME AND ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE, ID 83707

SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

QUANTITY: 2000.00 CFS
642000.00 AFY

RIGHTS 65-02232, 65-02338A, 65-02338X AND 65-12096 WHEN COMBINED
SHALL NOT EXCEED A TOTAL DAILY MAXIMUM DIVERSION VOLUME OF
4356 ACRE FEET

PRIORITY DATE: 02/21/1978

THE RIGHTS FOR THE USE OF WATER CONFIRMED BY THIS RIGHT
SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR THE USE OF
WATER OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE
INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT AND SHALL
NOT GIVE RISE TO ANY RIGHT OF CLAIM AGAINST ANY FUTURE RIGHTS FOR
THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF
IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT.

POINT OF DIVERSION: T14N R03E S26 LOT 05 (NENE) Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	01-01 TO 12-31	2000.00 CFS 642000.00 AFY

PLACE OF USE: Power Within Valley County
T14N R03E S26 LOT 05 (NENE)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT.

THIS RIGHT DOES NOT CONSTITUTE IDAHO PUBLIC UTILITIES
COMMISSION OR FEDERAL ENERGY REGULATORY COMMISSION APPROVAL
THAT MAY BE REQUIRED.

THE ISSUANCE OF THIS RIGHT DOES NOT GRANT ANY RIGHT-OF-WAY
OR EASEMENT ACROSS THE LAND OF ANOTHER

FURTHER, THIS WATER RIGHT IS FOR POWER PURPOSES AND IS
USED AT A HYDROELECTRIC PLANT OWNED AND OPERATED BY IDAHO POWER
COMPANY. THE HYDROELECTRIC PLANT IS OPERATED PURSUANT TO A
1981 FERC LICENSE (AS MAY BE RENEWED, AMENDED OR SUPPLEMENTED)
AND IS LOCATED AT CASCADE RESERVOIR, A U.S. BUREAU OF RECLAMATION
FACILITY. CERTAIN RIGHTS AND RESPONSIBILITIES RELATIVE TO THE
OPERATION AND MAINTENANCE OF THE PLANT ARE ALSO GOVERNED BY A
CONTRACTUAL RELATIONSHIP BETWEEN IDAHO POWER COMPANY AND THE
U.S. BUREAU OF RECLAMATION

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

SEP - 3 2002

Department of Water Resources

2002 AUG 29 AM 11:39

DISTRICT COURT-SC3A
TWIN FALLS, IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

)
)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 65-12096

On June 24, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 65-12096 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED August 29, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

2002 AUG 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 65-12096

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 65-12096 was mailed
on August 29, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

IDAHO POWER CO
Represented by:
JAMES C. TUCKER
IDAHO POWER CO
PO BOX 70
BOISE, ID 83707
Phone: 208-388-2200

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/29/02



RECEIVED

NOV 16 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

November 13, 2001

Special Master Cushman
SRBA District Court
253 Third Avenue North
Twin Falls, ID 83303-2707

RE: SF 5 deadline for 65-12096

Dear Special Master Cushman:

The SF 5 for this water right recommendation was filed on Friday, November 9, 2001; however, I would like to take the opportunity to apologize to the Court for the late filing of this SF 5 which was due on October 26, 2001.

After an agreement was reached by all parties, the Bureau of Reclamation circulated the stipulation by mail on October 22, 2001. IDWR received this document for signature from Idaho Power on October 29, 2001. The agent working on this water right on behalf of IDWR was out of the office for training and signed the document immediately upon her return.

Thank you for your courtesy and cooperation in this regard and again, I apologize for the delay in filing this SF 5.

Sincerely,

A handwritten signature in black ink, appearing to read "G. L. Baxter".

GARRICK L. BAXTER
Deputy Attorney General

/bh

cc's Travis Thompson
James Tucker
David Gehlert

RECEIVED

DEC 05 2000

Department of Water Resources

2000 DEC 04 AM 10:32
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA) ORDER SETTING HEARING
Case No. 39576)
_____) SUBCASE NO: 65-12096

Please be advised that Special Master THOMAS R. CUSHMAN
has set for hearing the continued INITIAL HEARING.

TUESDAY, FEBRUARY 06, 2001 at 11:30 AM

GEM COUNTY COURTHOUSE
415 EAST MAIN STREET
EMMETT, ID

IT IS SO ORDERED.

Dated: DECEMBER 04, 2000

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 12/04/00

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING HEARING was mailed on DECEMBER 04, 2000, with sufficient first-class postage to the following:

IDAHO POWER COMPANY

Represented by:
JAMES C. TUCKER
PO BOX 1906
TWIN FALLS, ID 83303-1906
Phone: 208-734-0700

STATE OF IDAHO

Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

IDAHO POWER CO

PO BOX 70
BOISE, ID 83707
Phone: 208-383-2200

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-02-2000

PAGE: A-1

RIGHTS FROM: SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

RIGHT NUMBER: 65-12096

NAME AND ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE ID 83707

SOURCE: PAYETTE RIVER, NORTH FORK TRIBUTARY: PAYETTE RIVER

QUANTITY: 2000.00 CFS
642000.0 AFYRIGHTS 65-02232, 65-02338A, 65-02338X AND 65-12096 WHEN COMBINED
SHALL NOT EXCEED A TOTAL DAILY MAXIMUM DIVERSION VOLUME OF
4356 ACRE FEET

PRIORITY DATE: 02/21/1978

THE RIGHTS FOR THE USE OF WATER CONFIRMED IN THIS LICENSE
SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR THE USE OF
WATER OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE
INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT AND
SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE
RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE
STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS
RIGHT.

POINT OF DIVERSION: T14N R03E S26 LOT 5 (NENE) Within VALLEY County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	POWER	01-01 12-31	2000.00 CFS
			642000.0 AFY

PLACE OF USE: POWER Within VALLEY County
T14N R03E S26 Lot 5 (NENE)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
~~THIS RIGHT DOES NOT CONSTITUTE IDAHO PUBLIC UTILITIES COMMISSION~~

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-02-2000

PAGE: A-2

65-12096 (CONT.)

of Federal Energy Regulatory Commission approval that may be required.

The issuance of this right does not grant any right-of-way or easement across the land of another.

THIS RIGHT DOES NOT CONSTITUTE IDAHO PUBLIC UTILITIES COMMISSION OR FEDERAL ENERGY REGULATORY COMMISSION APPROVAL THAT MAY BE REQUIRED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREELICENSE

RIGHTS NO. 65-02232, 65-02338A AND 65-02338X ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

THE HYDROPOWER FACILITY IS KNOWN AS CASCADE HYDROELECTRIC PROJECT.

RECEIVED

APR 16 2001

RECEIVED

MAY 17 2001

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources

2001 APR 13 AM 10:45

DISTRICT COURT-SRBA
SNAKE RIVER BASIN

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No. 65-12096

Case No. 39576

**ORDER WITHDRAWING STATE OF
IDAHO'S OBJECTION AND DISMISSING
THE STATE OF IDAHO AS A PARTY
TO SUBCASE**

The Court, having reviewed the *Stipulation to Resolve the State of Idaho's Objection and Joint Motion to Dismiss the State of Idaho as a Party* ("Stipulation") filed by all parties to this Subcase and concurred in by the IDWR and the Court finding good cause therein HEREBY ORDERS that the *Stipulation* and all its terms are accepted by the Court, the State of Idaho's *Objection* to water right no. 65-12096 is withdrawn and the State of Idaho is dismissed as a party, **without prejudice**, to this Subcase.

DATED this 13 day of April, 2001



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of April, 2001, I caused to be served a true and correct copy of the foregoing **ORDER WITHDRAWING STATE OF IDAHO'S OBJECTION AND DISMISSING THE STATE OF IDAHO AS A PARTY TO SUBCASE** to the following addressees by the method indicated:

David Gehlert
U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Div.
550 West Fort St., MSC 033
Boise, ID 83724

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

Peter J. Ampe
Deputy Attorney General
P.O. Box 44449
Boise, ID 83720-0098

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

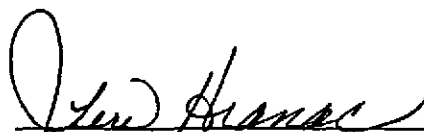
James C. Tucker
Rosholt, Robinson & Tucker
P.O. Box 2139
Boise, ID 83701

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

CLERK OF THE COURT


By Deputy Clerk

APR 13 2001

ORIGINAL

STIPULATION

1. The Parties and the IDWR stipulate that the subordination provision from the pre-existing water license for this claimed water right was not included in the Director's Report for this water right only due to error. Therefore, the Parties and IDWR wish to enter into this *Stipulation* to resolve the State of Idaho's *Objection* in this Subcase.

2. The Parties and IDWR further stipulate that any partial decree issued for this water right shall contain the following remark:

The rights for the use of water confirmed by this right shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho, initiated later in time than the priority of this right.

3. The Parties and IDWR agree that this stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation. The parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest. This stipulation does not create a precedent for settlement of any other disputes or objections.

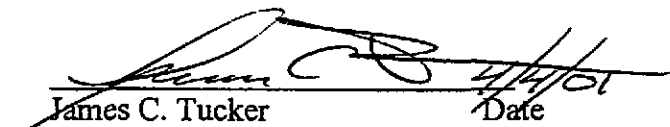
4. All Parties agree to bear their own costs and fees incurred in resolving the State of Idaho's *Objection*.

5. All Parties agree that this *Stipulation* shall have no effect on the United States of America, by and through the Bureau of Reclamation's *Objection* filed in this Subcase.

MOTION

The Parties respectfully request the Special Master issue an Order withdrawing the State of Idaho's *Objection* to water right claim no. 65-00382A, and dismissing, **without prejudice**, the State of Idaho as a party to this Subcase. In support of this *Motion*, the parties incorporate by reference the above-recited *Stipulation*. The *Stipulation* resolves the State of Idaho's *Objection* to this water right claim and eliminates the need for the State of Idaho to further participate as a Party to this Subcase at this time.

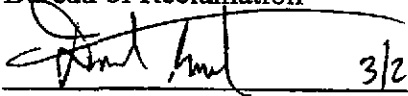
CLAIMANT:
Idaho Power Co.


James C. Tucker
Rosholt, Robinson & Tucker

4/4/01
Date

OBJECTOR:

United States on behalf of the
Bureau of Reclamation


David W. Gehlert
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

3/22/01
Date

OBJECTOR:
State of Idaho

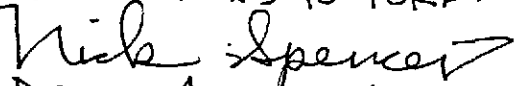

Peter J. Ampe
Deputy Attorney General
Natural Resources Division

4/12/01
Date

IDWR CONCURRENCE:


Rosemary Brown
Date 4/12/01

APPROVED AS TO FORM


Nick Spencer 4-12-01
DEPUTY ATTORNEY GENERAL
IDWR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12 day of ^{April}~~March~~, 2001, I caused to be served a true and correct copy of the foregoing STIPULATION TO RESOLVE THE STATE OF IDAHO'S OBJECTION AND JOINT MOTION TO DISMISS THE STATE OF IDAHO AS A PARTY to the following addressees by the method indicated:

David Gehlert
U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Div.
550 West Fort St., MSC 033
Boise, ID 83724
James C. Tucker
Rosholt, Robinson & Tucker
P.O. Box 2139
Boise, ID 83701

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☐ Statehouse Mail

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☐ Statehouse Mail

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☒ Statehouse Mail



PETER J. AMPE
Deputy Attorney General
P1074naa.doc

COPY

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

In Re SRBA

Case No. 35976

A. Subcase No. 65-12096

(Insert the Case No. from the
Objection you are responding to)

STANDARD FORM 2

RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: IDAHO POWER COMPANY

Address: P.O. BOX 70

BOISE, ID 83707

Daytime Phone: 208-336-0700

Name & Address of Attorney, if any:

James C. Tucker
Rosholt, Robertson & Tucker
P. O. Box 2139
Boise, ID 83701-2139
Telephone: 208-336-0700

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: State of Idaho

Address: 700 W. Jefferson, Room 210

P.O. Box 44449

Boise, Idaho 83711-4449

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address:
2. ☐ Source:
3. ☒ Quantity: Any subordination provision included in the partial decree should be limited to the language set forth in Condition #3 of the Amended Water Right License issued by the State of Idaho Department of Water Resources on January 14, 2000.
4. ☐ Priority Date:
5. ☐ Point(s) of Diversion:
6. ☐ Instream Flow Description:
7. ☐ Purpose(s) of Use:
8. ☐ Period of Year:
9. ☐ Place of Use:
11. Recommendation:
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of IDAHO)
County of Twin Falls)ss.
)

James C. Tucker, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

James C. Tucker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 15, 2000



Sharon Hart Strickland
NOTARY PUBLIC FOR IDAHO
Residing at: Booding
My commission expires: 12-17-2003

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I hereby certify that on the 18th day of August, 2000, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

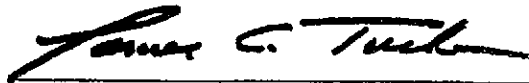
Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P. O. Box 44449
Boise, ID 83711-4449

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Your signature or signature of attorney
mailing on your behalf

COPY

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Idaho Power Co.
Address: P.O. Box 70
Boise, ID 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Should contain the subordination provision from the license.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

This recommendation is based upon a license. The license contains language subordinating this power right to other water rights. The subordination language is not included in the recommendation. The subordination must be included in a partial decree for this water right.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

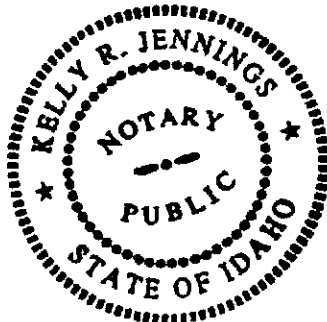
Peter J. Ampe, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

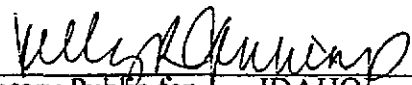
That the State of Idaho, in both its sovereign and proprietary capacity, pursuant to I.C. § 42-1411A(16) is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: April 14, 2000
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 05/29/03

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 14, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right at the following address:

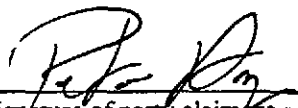
Idaho Power Co.
P.O. Box 70
Boise, ID 83707

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Rosholt, Robinson & Tucker
P.O. Box 1906
Twin Falls, Idaho 83303-1906

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of party claimant or attorney
P0105naa.doc

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

In Re SRBA

Case No. 39576

A. Subcase 65-12096
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation
Address: 1150 N. Curtis Rd.
Boise, Idaho 83706-1234
Daytime Phone: (208) 334-1464 (Irene Collins)

Name & Address of Attorney, if any:
Paul F. Holleman
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: IDAHO POWER COMPANY
Address: PO BOX 70
BOISE, ID 83707



D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☒ **Quantity**
Should be: **A remark should be added to the water right certification clarifying that use of the water for power generation must be subordinate to the Bureau of Reclamation's operation of Cascade Dam. The following language is suggested: "The use of water under this right is limited to storage releases at Cascade Dam determined by the Bureau of Reclamation to be necessary to meet authorized project purposes."**

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**
Should be: **A remark should be added to the water right certification clarifying that use of the water for power generation must be subordinate to the Bureau of Reclamation's operation of Cascade Dam. The following language is suggested: "The use of water under this right is limited to storage releases at Cascade Dam determined by the Bureau of Reclamation to be necessary to meet authorized project purposes."**

11. **I object because:**

☐ This water right should not exist.

- ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

The use of water under this right is limited to storage releases at Cascade Dam determined by the Bureau of Reclamation to be necessary to meet authorized project purposes as recognized by the Contract between the United States of America and Idaho Power Company executed September 25, 1981.

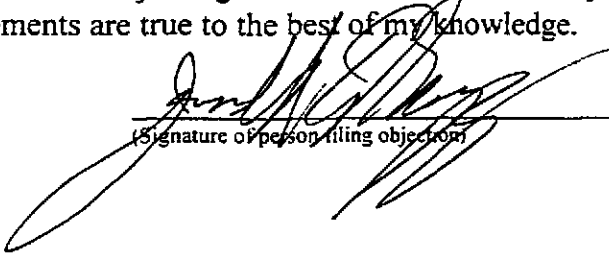
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:

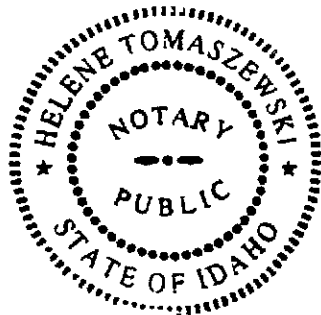
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 13, 2000



Notary Public for Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

Helene Tomaszewski

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Apr. 13, ²⁰⁰⁰~~1999~~, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

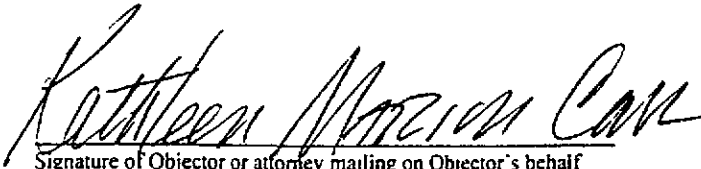
Name: Idaho Power Company
Address: Post Office Box 70
Boise, ID 83707

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

AJ0749NP
No. R65-12096

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO POWER CO PO BOX 70 BOISE ID 83707 (208) 383-2200	02/21/1978	POWER	01-01 12-31	2000.000 CFS	642000.00 AFA
TOTAL DIVERSION:					2000.000 CFS	642000.00 AFA

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T14N R03E S26 Lot05(NENE)

VALLEY County

Place of use Legal Description for: POWER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
14N	03E	26	:	05-P	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: VALLEY

Other Rights: 65-02232, 65-02338A, 65-02927A, 65-02927B, 65-03580,

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT RIGHTS 65-02232, 65-02338A, 65-02338X AND 65-12096 WHEN COMBINED
SHALL NOT EXCEED A TOTAL DAILY MAXIMUM DIVERSION VOLUME OF
4356 ACRE FEET

PRI THE RIGHTS FOR THE USE OF WATER CONFIRMED IN THIS LICENSE
SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR THE USE OF
WATER OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE
INITIATED LATER IN TIME THAN THE PRIORITY OF THIS RIGHT AND
SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIM AGAINST ANY FUTURE
RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE
STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY OF THIS
RIGHT.

GEN THIS RIGHT DOES NOT CONSTITUTE IDAHO PUBLIC UTILITIES
COMMISSION OR FEDERAL ENERGY REGULATORY COMMISSION APPROVAL THAT
MAY BE REQUIRED.

EXP RIGHTS NO. 65-02232, 65-02338A AND 65-02338X ARE ALSO DIVERTED
THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.
THE HYDROPOWER FACILITY IS KNOWN AS CASCADE HYDROELECTRIC

AJ0749NP
No. R65-12096

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/02/00
PAGE: 2

=====

Remarks: PROJECT.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

RECEIVED

APR 13 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

MAR 21 2001

Department of Water Resources

Wes
JS
2001 MAR 20 AM 08:53
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA) TRIAL SCHEDULING ORDER
Case No. 39576) SUBCASE NO: 65-12096

Idaho Fowey

THIS MATTER came before the special master at a scheduling conference on March 19, 2001.

1. The following dates shall govern the conduct of the subcase through the trial. No further order shall issue:

4/30/2001 5:00 p.m. Discovery Cutoff Date. All discovery shall
(MONDAY) be completed by this date.

6/01/2001 5:00 p.m. Deadline for filing summary judgment
(FRIDAY) or other dispositive motion.

6/22/2001 5:00 p.m. DEADLINE FOR RESPONSE BRIEFS
(FRIDAY)

7/16/2001 1:30 p.m. HEARING ON MOTIONS FOR SUMMARY JUDGMENT
(MONDAY) TO BE HELD AT THE SRBA DISTRICT COURT
TWIN FALLS, IDAHO

8/13/2001 5:00 p.m. Exhibit and Witnesses Cutoff Date. A list
(MONDAY) of exhibits and a complete list of wit-
nesses shall be exchanged by the parties
and copies sent to the court.

8/13/2001 5:00 p.m. Deadline for filing trial briefs.
(MONDAY)

8/14/2001 1:30 p.m. PRE-TRIAL TO BE HELD BY PHONE
(TUESDAY) PLEASE CALL 208-736-3013

8/22/2001 9:00 a.m. Trial.
(WEDNESDAY) Location: SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

(dates continued)

Pretrial motions shall proceed in accordance with the Idaho Rules of Civil Procedure. All dates are final and may only be reset on motion, hearing and order of the court. The hearing on a Motion to Reset will be held with all parties present including those represented by an attorney. The moving party may be held responsible for the costs of the resulting delay.

2. At the scheduling conference the parties designated the following as trial counsel:

Party:

Trial Counsel:

IDAHO POWER CO

JAMES C. TUCKER

STATE OF IDAHO

PETER J. AMPE

USDI BUREAU OF RECLAMATION

US DEPARTMENT OF JUSTICE

Dated: March 20, 2001

/S/ THOMAS R CUSHMAN

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the the TRIAL SCHEDULING ORDER was mailed on March 20, 2001, with sufficient first-class postage to the following:

IDAHO POWER CO

Represented by:
JAMES C. TUCKER
PO BOX 1906
TWIN FALLS, ID 83303-1906
Phone: 208-734-0700

STATE OF IDAHO

Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of April, 2001, I caused to be served a true and correct copy of the foregoing **ORDER WITHDRAWING STATE OF IDAHO'S OBJECTION AND DISMISSING THE STATE OF IDAHO AS A PARTY TO SUBCASE** to the following addressees by the method indicated:

David Gehlert
U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Div.
550 West Fort St., MSC 033
Boise, ID 83724

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

Peter J. Ampe
Deputy Attorney General
P.O. Box 44449
Boise, ID 83720-0098

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

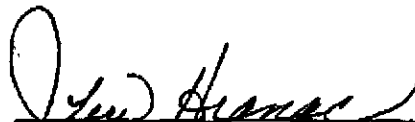
James C. Tucker
Rosholt, Robinson & Tucker
P.O. Box 2139
Boise, ID 83701

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____

CLERK OF THE COURT


By Deputy Clerk

RECEIVED

APR 13 2001

Department of Water Resources

Movant:
State of Idaho

ALAN G. LANCE
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

PETER J. AMPE
Deputy Attorney General
Natural Resources Division
P.O. Box 44449
Boise, ID 83711-4449
Telephone: (208) 334-2400
Facsimile: (208) 334-2690
Idaho State Bar # 5209 (Ampe)

United States of America, through BOR

JOHN C. CRUDEN
Acting Asst. Attorney General
Environment and Natural Resources Div.

DAVID W. GEHLERT
Attorney, U.S. Dept. of Justice
General Litigation Section
Environment and Natural Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

Idaho Power Co.

JAMES C. TUCKER
Rosholt, Robinson & Tucker
P.O. Box 2139
Boise, ID 83701

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Subcase No. 65-12096

Case No. 39576)

**STIPULATION TO RESOLVE THE STATE
OF IDAHO'S OBJECTION AND JOINT
MOTION TO DISMISS THE STATE OF
IDAHO AS A PARTY**

COME NOW the State of Idaho, the Idaho Power Co., and the United States of America,
by and through the Bureau of Reclamation. ["Parties"] and respectfully request the Special
Master to grant this *Stipulation to Resolve the State of Idaho's Objection* and dismiss the State of

Idaho as a party to this Subcase, without prejudice.

STIPULATION TO RESOLVE THE STATE OF IDAHO'S OBJECTION AND JOINT MOTION TO DISMISS
THE STATE OF IDAHO AS A PARTY - Page 1

ORIGINAL

STIPULATION

1. The Parties and the IDWR stipulate that the subordination provision from the pre-existing water license for this claimed water right was not included in the Director's Report for this water right only due to error. Therefore, the Parties and IDWR wish to enter into this *Stipulation* to resolve the State of Idaho's *Objection* in this Subcase.

2. The Parties and IDWR further stipulate that any partial decree issued for this water right shall contain the following remark:

The rights for the use of water confirmed by this right shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho, initiated later in time than the priority of this right.

3. The Parties and IDWR agree that this stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation. The parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest. This stipulation does not create a precedent for settlement of any other disputes or objections.

4. All Parties agree to bear their own costs and fees incurred in resolving the State of Idaho's *Objection*.

5. All Parties agree that this *Stipulation* shall have no effect on the United States of America, by and through the Bureau of Reclamation's *Objection* filed in this Subcase.

MOTION

The Parties respectfully request the Special Master issue an Order withdrawing the State of Idaho's *Objection* to water right claim no. 65-00382A, and dismissing, **without prejudice**, the State of Idaho as a party to this Subcase. In support of this *Motion*, the parties incorporate by reference the above-recited *Stipulation*. The *Stipulation* resolves the State of Idaho's *Objection* to this water right claim and eliminates the need for the State of Idaho to further participate as a Party to this Subcase at this time.

CLAIMANT:
Idaho Power Co.

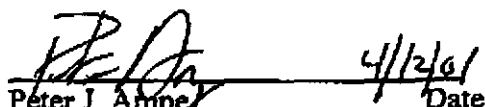

James C. Tucker
Rosholt, Robinson & Tucker
Date 4/14/01

OBJECTOR:

United States on behalf of the
Bureau of Reclamation

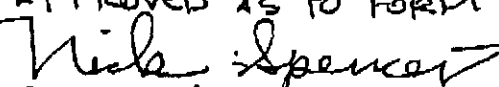

David W. Gehlert
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.
Date 3/22/01

OBJECTOR:
State of Idaho


Peter J. Ampe
Deputy Attorney General
Natural Resources Division
Date 4/12/01

IDWR CONCURRENCE:


Date 4/12/01

APPROVED AS TO FORM
 4-12-01
DEPUTY ATTORNEY GENERAL
IDWR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12 day of ^{April}~~March~~, 2001, I caused to be served a true and correct copy of the foregoing STIPULATION TO RESOLVE THE STATE OF IDAHO'S OBJECTION AND JOINT MOTION TO DISMISS THE STATE OF IDAHO AS A PARTY to the following addressees by the method indicated:

David Gehlert
U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Div.
550 West Fort St., MSC 033
Boise, ID 83724

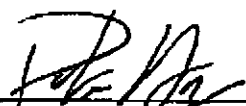
- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☐ Statehouse Mail

James C. Tucker
Rosholt, Robinson & Tucker
P.O. Box 2139
Boise, ID 83701

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☐ Statehouse Mail

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☒ Statehouse Mail



PETER J. AMPE
Deputy Attorney General

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COPY

Page 1

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDINGName: State of IdahoAddress: 700 W. Jefferson, Room 210P.O. Box 44449Boise, Idaho 83711-4449**D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).**

1. ☐ Name and Address:
2. ☐ Source:
3. ☒ Quantity: Any subordination provision included in the partial decree should be limited to the language set forth in Condition #3 of the Amended Water Right License issued by the State of Idaho Department of Water Resources on January 14, 2000.
4. ☐ Priority Date:
5. ☐ Point(s) of Diversion:
6. ☐ Instream Flow Description:
7. ☐ Purpose(s) of Use:
8. ☐ Period of Year:
9. ☐ Place of Use:
11. Recommendation:
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of IDAHO)
County of Twin Falls)ss.
)

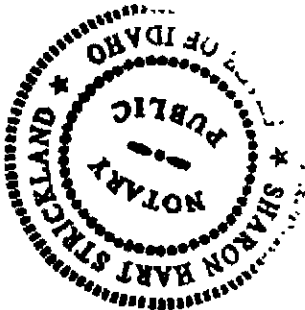
James C. Tucker, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

James C. Tucker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 15, 2000



Sharon Hart Strickland
NOTARY PUBLIC FOR IDAHO
Residing at: Booding
My commission expires: 12-17-2003

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I hereby certify that on the 18th day of August, 2000, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P. O. Box 44449
Boise, ID 83711-4449

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449



Your signature or signature of attorney
mailing on your behalf

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

In Re SRBA	)	A.	Subcase: 65-12096
	)		(Insert water right number)
Case No. 39576	)		
	)		
	)		DOMESTIC AND
	)		STOCK WATER RIGHT
	)		OBJECTION
	)		

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400
Idaho State Bar # 5209

COPY

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Idaho Power Co.
Address: P.O. Box 70
Boise, ID 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Should contain the subordination provision from the license.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

This recommendation is based upon a license. The license contains language subordinating this power right to other water rights. The subordination language is not included in the recommendation. The subordination must be included in a partial decree for this water right.

F.**VERIFICATION (Must be Completed)**

State of Idaho)
County of Ada) ss.

Peter J. Ampe, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

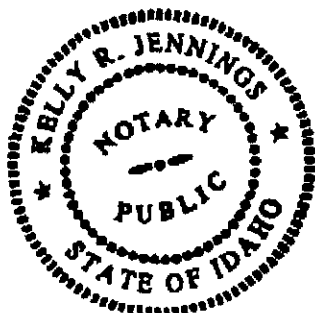
That the State of Idaho, in both its sovereign and proprietary capacity, pursuant to I.C. § 42-1411A(16) is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

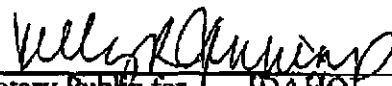
ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: April 14, 2000

(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 05/29/03

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 14, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right at the following address:

Idaho Power Co.
P.O. Box 70
Boise, ID 83707

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Rosholt, Robinson & Tucker
P.O. Box 1906
Twin Falls, Idaho 83303-1906

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of party claimant or attorney
P0105naa.doc

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

In Re SRBA

Case No. 39576

A. Subcase 65-12096
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation
Address: 1150 N. Curtis Rd.
Boise, Idaho 83706-1234
Daytime Phone: (208) 334-1464 (Irene Collins)

Name & Address of Attorney, if any:
Paul F. Holleman
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: IDAHO POWER COMPANY
Address: PO BOX 70
BOISE, ID 83707



D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☒ **Quantity**
Should be: A remark should be added to the water right certification clarifying that use of the water for power generation must be subordinate to the Bureau of Reclamation's operation of Cascade Dam. The following language is suggested: "The use of water under this right is limited to storage releases at Cascade Dam determined by the Bureau of Reclamation to be necessary to meet authorized project purposes."

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**
Should be: A remark should be added to the water right certification clarifying that use of the water for power generation must be subordinate to the Bureau of Reclamation's operation of Cascade Dam. The following language is suggested: "The use of water under this right is limited to storage releases at Cascade Dam determined by the Bureau of Reclamation to be necessary to meet authorized project purposes."

11. I object because:

☐ This water right should not exist.

- ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

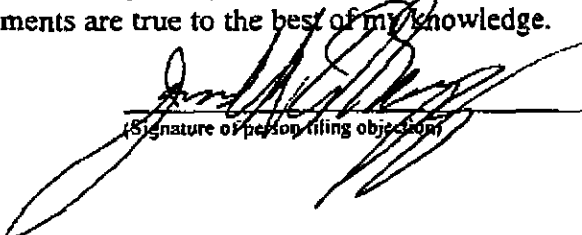
The use of water under this right is limited to storage releases at Cascade Dam determined by the Bureau of Reclamation to be necessary to meet authorized project purposes as recognized by the Contract between the United States of America and Idaho Power Company executed September 25, 1981.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

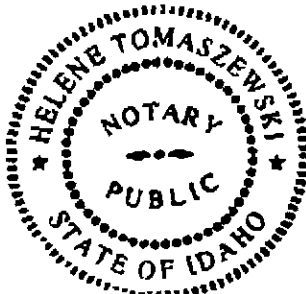
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 13, 2000



Notary Public for Idaho
Residing at: Meredian
My Commission Expires: 01-16-2002
Helene Tomaszewski

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 13, ²⁰⁰⁰~~1999~~, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Idaho Power Company
Address: Post Office Box 70
Boise, ID 83707

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

Van Hoff, Scott

From: Keen, Shelley
Sent: Wednesday, August 11, 1999 11:27 AM
To: Van Hoff, Scott
Subject: RE.

Scott,

I have pulled file 65-12096, and we will attempt to have it licensed as quickly as we can. As I am sure you are aware, however, we are currently shorthanded in the WR Permits Section. We are trying very hard to maintain transfer and permit processing as normal while doing whatever licensing review we can. Last month we were able to produce only four licenses. We have put priority on rights needing licensed before they can be transferred and on rights claimed in the SRBA.

Shelley Keen

-----Original Message-----

From: Van Hoff, Scott
Sent: Tuesday, August 03, 1999 11:05 AM
To: Keen, Shelley
Subject:

I am working on recommendations for the north fork of the Payette and came across 65-12096. What is the status of this permit? When is it going to be licensed? I have been told that I cannot recommend a permit for decree but this has been a permit for a long time. Is there a problem with this claim? Please let me know soon, my deadline is in 4 weeks. Thanks, Scott

Write email
to Shelly
Keen to try
& issue license
ASAP - B65 NFK
report due Sept.

AJ0749NP
No. R65-12096

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO POWER CO PO BOX 70 BOISE ID 83707 (208) 383-2200	02/21/1978	POWER	01-01 12-31	2000.000 CFS	642000.00 AFA
TOTAL DIVERSION:					2000.000 CFS	642000.00 AFA

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T14N R03E S26 Lot05(NENE)

VALLEY County

Place of use Legal Description for: POWER

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
14N	03E	26	:	05-P	:	:	:	:	:	:	:	:	:	:	:	:

POU County: VALLEY

Other Rights: 65-02232, 65-02338A, 65-02927A, 65-02927B, 65-03580,

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
 - This right does not constitute Idaho Public Utilities Commission
 - or Federal Energy Regulatory Commission approval that may be
 - required.
- ~~004 - The issuance of this right does not grant any right-of-way~~
- ~~or easement across the land of another.~~
- ~~174 - The rights for the use of water acquired under this right~~
- shall be junior and subordinate to all other rights for the use
 - of water, other than hydropower, within the State of Idaho that
 - are initiated later in time than the priority of this right and
 - shall not give rise to any claim against any future
 - rights for the use of water, other than hydropower, within the
 - State of Idaho initiated later in time than the priority of this
 - permit.

Remarks: QNT RIGHTS 65-02232, 65-02338A, 65-02338X AND 65-12096 WHEN COMBINED
SHALL NOT EXCEED A TOTAL DAILY MAXIMUM DIVERSION VOLUME OF
4356 ACRE FEET

EXP RIGHTS NO. 65-02232, 65-02338A AND 65-02338X ARE ALSO DIVERTED
THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

AJ0749NP
No. R65-12096

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/02/00
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	

AJ0749NP
No. R65-12096

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO POWER CO PO BOX 70 BOISE ID 83707 (208) 383-2200	02/21/1978	POWER	01-01 12-31	2000.000 CFS	642000.00 AFA
TOTAL DIVERSION:					2000.000 CFS	642000.00 AFA

Water Source: PAYETTE RIVER, NORTH FORK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion:

T14N R03E S26 Lot05(NENE)

VALLEY County

Place of use Legal Description for: POWER

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
14N	03E	26	:	05-P	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: VALLEY

Other Rights: 65-02232, 65-02338A, 65-02927A, 65-02927B, 65-03580,

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.
- 025 - This right does not constitute Idaho Public Utilities Commission
- or Federal Energy Regulatory Commission approval that may be
- required.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: QNT RIGHTS 65-02232, 65-02338A, 65-02338X AND 65-12096 WHEN COMBINED
SHALL NOT EXCEED A TOTAL DAILY MAXIMUM DIVERSION VOLUME OF
4356 ACRE FEET

EXP RIGHTS NO. 65-02232, 65-02338A AND 65-02338X ARE ALSO DIVERTED
THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Western

State of Idaho
Department of Water Resources
Water Right License

RECEIVED

JAN 19 2000

WATER RESOURCES
AMENDED WESTERN REGION

AMENDED

WATER RIGHT NO. 65-12096

Priority: February 21, 1978 Maximum Diversion Rate: 2000.00 CFS
Maximum Diversion Volume: 642000.0 AF

This is to certify, that IDAHO POWER CO
PO BOX 70

BOISE ID 83707 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 21, 1978; and
has submitted Proof of Beneficial Use on October 19, 1984. An examination indicates
that the works have a diversion capacity of 2350.000 cfs of water from:

PAYETTE RIVER, NORTH FORK tributary to PAYETTE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	2000.00 CFS	642000.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5 (NENE), Sec. 26, Township 14N, Range 03E
VALLEY County

PLACE OF USE: POWER

TWN RGE SEC

14N 03E 26 Lot 5 (NENE)

CONDITIONS OF APPROVAL AND REMARKS

- GEN
1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
 2. Use of water under this right shall be non-consumptive.
 3. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
 4. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
 5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
 6. The issuance of this right does not grant any right-of-way or easement across the land of another.
- PR1

State of Idaho
Department of Water Resources

Water Right License

AMENDED

AMENDED

WATER RIGHT NO. 65-12096

CONDITIONS OF APPROVAL AND REMARKS

EXP
RHS. Rights 65-02232, 65-02338A and 65-02338X are also diverted
through the point of diversion described above.

EXP 8. The hydropower facility is known as Cascade Hydroelectric
Project.

RHS.
QUT Rights 65-02232, 65-02338A, 65-02338X and 65-12096 when combined
shall not exceed a total daily maximum diversion volume of 4356
acre feet.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
The water right confirmed by this license is subject to all prior water rights
and shall be administered in accordance with Idaho law and applicable rules of
the Department of Water Resources. Signed and sealed this 14TH day of
JANUARY, 2000.

Acting for


KARL J. DREHER, Director

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	
		✓	B36-02018	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



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

☒
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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)

☒
☐
☐
☐

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

☒
☐
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☐

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

26
27
28
MICROFILMED

SEP 24 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. Roschert
JAMES C. TUCKER
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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 7, 1988

4-9-91
all claims
filed
Dennis Smith

Mr. Bruce M. Smith
Nelson, Rosholt, Robertson, Tolman & Tucker
Attorneys at Law
P. O. Box 2139
Boise, ID 83701-2139

RE: SRBA Claims for Idaho Power

Dear Bruce:

I have enclosed the Notices of Claim to a Water Right for Idaho Power's property in Valley County.

Carter Fritschle has made the corrections you requested and prepared the amended forms. He has noted the filing fees due on each claim.

If you have any problems, please give us a call.

Sincerely,

Dena Billups
Legal Secretary
Adjudication Bureau

DB

Enclosures

A65-02232 ✓
A65-02338A ✓
A65-02338X ✓
A65-12096 ✓

MICROFILMED

SEP 24 1992

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

December 1, 1988

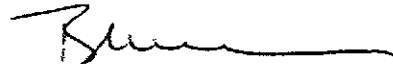
Ms. Dena Billups
Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83707

Dear Dena:

Attached are corrected copies of claim forms for Idaho Power Valley City claims. If you will make the indicated changes and send both to me, I will have them returned as soon as possible.

Thanks.

Sincerely,



Bruce M. Smith

BMS/dj

MICROFILMED

SEP 21 1989

Date Received _____

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 that the claimant be granted 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
Name of Claimant
Post Office Box 70
Post Office Address
Boise, Idaho 83707
City, State, Zip Code
Valley
County(s) where Place of Use is located
November 23, 1988
Date Claim Originally Due

RECEIVED
NOV 22 1988

Department of Water Resources

A65-12096, A65-02232, A65-02338A, A65-02338X
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

These claims are for Idaho Power Company's Cascade plant and were included in the Payette adjudication. However, there are discrepancies between the older claims and the newer claims. Additional time is needed to verify the information contained in the filings and to prepare the maps for these claims.

Claimant requests an extension to December 23, 1988.

[Signature]
Signature
Attorney
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,
and the filing deadline extended to 12/23, 1988.

Signed this 22 day of November, 1988.

Director or his designated agent

David B. Shaw

MICROFILMED

SEP 24 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:25:02
08/23/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-12096

LAST: IDAHO POWER CO
ADDRESS: STEVEN L HERNDON
PO BOX 70
CITY: BOISE
PHONE NUMBER: 208-383-2692

FIRST:
STATE: ID ZIP: 83707

OWNER CODE: A

LAST: IDAHO POWER CO
ADDRESS: PO BOX 70
CITY: BOISE
PHONE NUMBER: 208-383-2200

FIRST:
STATE: ID ZIP: 83707

OWNER CODE: C

LAST: ROSHOLT ROBERTSON & TUCKER
ADDRESS: JAMES C TUCKER OR
BRUCE M SMITH
PO BOX 2139
CITY: BOISE
PHONE NUMBER: 208-336-0700

FIRST:
STATE: ID ZIP: 837012139

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN POWER PLANT AT CASCADE DAM

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: __:__ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-12096 PRIORITY DATE: 02-21-1978 STAGE: P

B. WR RECORD: # 65-12096 PRIORITY DATE: 02-21-1978 STAGE: P

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY SUH

DATE 8-23-99

*See Claim 1
8-11-99
Shelly Kett*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-12096	14N 03E	26		NE	NE	5		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02232	R65-02232
A65-02338A	R65-02338A
A65-02338X	R65-02338X
A65-03580	R65-02927A
A65-04031A	R65-02927B
A65-04031B	R65-03580
A65-04031X	R65-04031A
	R65-04031B
	R65-04031X

WR RECORDS IN SAME 40 ACRE TRACT

65-02927A
65-02927B
65-03580
65-04031A
65-04031B
65-04031X
65-13619
T65-02927A
T65-02927B

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: PAYETTE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-12096	14N 03E	26		NE	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

R65-02232
R65-02338A
R65-02338X
R65-02927A
R65-02927B
R65-03580
R65-04031A
R65-04031B
R65-04031X

**** 13 WR RECORDS WITH SAME WR POD

***** 16 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: PAYETTE RIVER, NORTH FORK

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
14N	03E	26		NE	NE	5		VALLEY		

SOURCE: TRIB:

REVIEWED BY: DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-12096

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	03E	25	NW	NW	3	IDAHO POWER CO	A65-12096 /	- /			
			NW	NW	2	NISSULA, RAY	A65-03784 /	1.0 65-03784 /	1.0		
			NW	NW	2	NISSULA, PHYLLIS	R65-03784 /	1.0 - /			
			NW	NW	3	IDAHO POWER CO	A65-02338A /	- /			
			NW	NW	3	IDAHO POWER CO	A65-02338X /	- /			
			NW	NW	3	IDAHO POWER CO	R65-02232 /	- /			
			NW	NW	3	IDAHO POWER CO	A65-02232 /	- /			
			NW	NW	3	IDAHO POWER CO	R65-02338A /	- /			
			NW	NW	3	IDAHO POWER CO	R65-02338X /	- /			
14N	03E	26	NE	NE	5	IDAHO POWER CO	A65-12096 /	- /			
			NE	NE	5	IDAHO POWER CO	A65-02338A /	- /			
			NE	NE	5	IDAHO POWER CO	A65-02338X /	- /			
			NE	NE	5	IDAHO POWER CO	R65-02232 /	- /			
			NE	NE	5	IDAHO POWER CO	A65-02232 /	- /			
			NE	NE	5	IDAHO POWER CO	R65-02338A /	- /			
			NE	NE	5	IDAHO POWER CO	R65-02338X /	- /			
			NE	NE		IDAHO POWER CO		65-12096 /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-12096

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03784	PAYETTE RIVER, NORTH FORK	NISSULA, RAY	0.100	0.020		
R65-03784	PAYETTE RIVER, NORTH FORK	NISSULA, PHYLLIS	0.100	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-12096	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	2000.000 CFS	
A65-02338A	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	125.000 CFS	
A65-02338X	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	25.000 CFS	
R65-02232	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	50.000 CFS	
A65-02232	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	50.000 CFS	
R65-02338A	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	125.000 CFS	
R65-02338X	POWER	IDAHO POWER CO	FROM 01-01 TO 12-31	25.000 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-02338X, A65-02338A, A65-02232.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-12096 POWER	FROM 01-01 TO 12-31	2000.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2000.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-12096 POWER	FROM 01-01 TO 12-31	2000.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2000.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 2000.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2000.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
POWER	01-01	12-31	DATABASE 2000.000	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2000.000	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED: POWER PLANT

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-12096

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 2000.000	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-12096	2000.000	-		65-12096	2000.000
TOTAL CFS		2000.000				2000.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	DATABASE Y	FIELD EXAMINER Y() N()
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?		

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

=====

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A65-12096

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV								
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT

CLAIM NUMBER: A65-12096

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO POWER CO	02/21/1978	POWER	01-01 12-31	2000.000 CFS	
					TOTAL DIVERSION:	2000.000 CFS

Water Source: PAYETTE RIVER, NORTH FORK Tributary to: PAYETTE RIVER Stage: PERMIT
Point(s) of Diversion: T14N R03E S26 Lot05(NENE) VALLEY County

Place of use Legal Description for: POWER

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
14N	03E	25	:																				
14N	03E	26	:																				

POU County: VALLEY

Non-Irrigation Uses: POWER PLANT

Other Rights: A65-02338X, A65-02338A, A65-02232.

Remarks: GEN POWER PLANT AT CASCADE DAM

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: