



United States Department of the Interior
BUREAU OF RECLAMATION

FEDERAL BUILDING & U.S. COURTHOUSE
BOX 043-550 WEST FORT STREET
BOISE, IDAHO 83724

BUREAU OF RECLAMATION
OFFICE
Re: JAN 20 1976

IN REPLY
REFER TO: 440
832.

JAN 26 1976

Memorandum

To: Commissioner, Washington, D.C.
Attention: 440

From: Assistant Regional Director, Boise, Idaho

Subject: Proposed Idaho Power Company Spaceholder Contract, American Falls Replacement Dam Program, Minidoka Project, Idaho-Wyoming

Enclosed are three copies of the subject proposed contract which we indicated in our letter of December 12, 1975, would be submitted at a later date.

The major problem which we have encountered in securing approval of this proposed contract is the applicability of certain provisions of the June 15, 1923, contract between the United States and the Idaho Power Company. It was finally concluded that the 1923 contract could not be renegotiated within the present time frame and, therefore, the proposed Spaceholder Contract sets forth the intent of the United States and the Idaho Power Company to meet and review the existing contract for possible revision.

While the proposed contract does reaffirm the rights of the Idaho Power Company under its existing contract, it is recognized that the Act of December 28, 1973, and the provisions of the Government and Spaceholder Contracts take precedence over the provisions of the existing contract wherever and to whatever extent there is a conflict. We believe that this adequately protects the interests of the United States.

Norman H. Moore

Enclosure (3)

cc: Field Solicitor, Boise, Idaho
(w/copy of enclosure)



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