

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 AUG 28 AM 10 16

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

)

Water Rights: 21-4060, 21-12914,
21-12915, 21-12916, 21-12917, 27-
7018

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party UTAH POWER & LIGHT CO - PACIFICORP
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Aug 21, 2006

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Aug 25, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
UTAH POWER & LIGHT CO
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

4. One copy to:

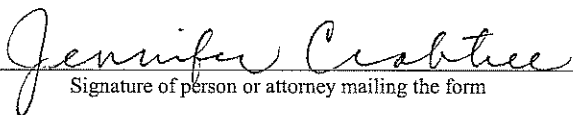
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

08/21/2006

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

DISTRICT COURT - JUDGE
TETTER, JUDGE
FILED
2006 AUG 28 AM 10 16

RIGHT NUMBER: 21-4060
NAME AND ADDRESS: PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 500.000 CFS
9,796.00 AFY

PRIORITY DATE: 01/06/1913

POINT OF
DIVERSION: T09N R42E S28 NESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	1/01 12/31	500.000 CFS
POWER STORAGE	1/01 12/31	9,796.00 AFY
POWER FROM STORAGE	1/01 12/31	9,796.00 AFY

PLACE OF USE: POWER Within FREMONT County

T09N R42E S28 NESE

POWER FROM STORAGE same as POWER

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

WATER UNDER CLAIM 21-04060 AS WELL AS RIGHTS DESCRIBED IN
PARA- GRAPH 13 ARE USED FOR HYDROELECTRIC POWER
GENERATION AT THE 5,800 KW ASHTON HYDROELECTRIC PLANT.

Right not claimed in prior adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right not claimed in prior adjudication: This is included for a claim that is proposed to be disallowed because rights to water from the source claimed were determined in a prior general adjudication, The right was not decreed in the prior adjudication, and the claim cannot be recommended based upon beneficial use.

08/21/2006

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

RIGHT NUMBER: 21-12914
NAME AND ADDRESS: PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

2006 AUG 28 AM 10 16

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER
QUANTITY: 700.000 CFS
PRIORITY DATE: 12/20/1913

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF
DIVERSION: T07N R40E S1 SENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	700.000 CFS

PLACE OF USE: POWER Within FREMONT County
T07N R40E S01 SWNE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

08/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW
JULY 2006, IDAHO

FILED

2006 AUG 28 AM 10 16

RIGHT NUMBER: 21-12915

NAME AND ADDRESS: PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

SOURCE: HENRYS FORK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1,000.000 CFS

PRIORITY DATE: 03/07/1924

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF
DIVERSION: T09N R42E S28 NESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

POWER

01/01 12/31

1,000.000 CFS

PLACE OF USE: POWER Within FREMONT County

T09N R42E S28

NESE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

08/21/2006

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RIGHT NUMBER: 21-12916
NAME AND ADDRESS: PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116
SOURCE: HENRYS FORK
QUANTITY: 500.000 CFS
PRIORITY DATE: 11/01/1915

TRIBUTARY: SNAKE RIVER

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF
DIVERSION: T09N R42E S28 NESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

POWER

01/01 12/31

500.000 CFS

PLACE OF USE: POWER Within FREMONT County

T09N R42E S28

NESE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
RENUMBERED FROM 01-278

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

DISTRICT COURT - 3RD
TWIN FALLS CO., IDAHO
FILED
08/21/2006

2006 AUG 28 AM 10 16

RIGHT NUMBER: 21-12917
NAME AND ADDRESS: PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

SOURCE: HENRYS FORK
QUANTITY: 1,000.000 CFS
PRIORITY DATE: 01/16/1913

TRIBUTARY: SNAKE RIVER

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF
DIVERSION: T09N R42E S28 NESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	1,000.000 CFS

PLACE OF USE: POWER Within FREMONT County
T09N R42E S28 NESE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
RENUMBERED FROM 01-277

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

08/21/2006

DISTRICT COURT
JULY 2006
FILED

2006 AUG 28 AM 10 16

RIGHT NUMBER: 27-7018

NAME AND ADDRESS: PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.870 CFS
631.00 APY

PRIORITY DATE: 06/18/1971

POINT OF

DIVERSION: T01S R37E S28 NESENE Within BINGHAM County
2 POINTS OF DIVERSION LOCATED IN T1S, R37E, SEC 28, SENE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.015 CFS 1.00 APY
COOLING	01/01 12/31	0.870 CFS 630.00 APY

PLACE OF USE: COOLING Within BINGHAM County

T01S R37E S28 NENE T01S R37E S28 SENE

DOMESTIC Within BINGHAM County

T01S R37E S28 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.