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DEPARTMENT OF
WATER RESOURCES

2008 APR 17 AM 10: 59

DISTRICT COURT-SF.SA
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

) **Subcase 03-10184**

) (Idaho Power Company)

Case No. 39576

)

) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Basin 03* on August 15, 2006. The Director recommended the claim to Idaho Power Company, P.O. Box 70, Boise, Idaho, 83707, for 500 cfs from the Snake River for year-'round power generation at the Hells Canyon Dam Power Plant with a priority date of June 18, 1968, based on beneficial use.

Idaho Power filed an *Objection* on November 1, 2006, objecting to priority date. The State of Idaho filed a *Response* on December 22, 2006. On November 20, 2007, Idaho Power and the State, with IDWR's concurrence, filed a *Standard Form 5* agreeing that the elements should be described as recommended in the *Director's Report*.

Conclusions of Law

Idaho Power Company is entitled to a partial decree adjudicating a water right as recommended in the *Director's Report* and the attached *Special Master Recommendation for Partial Decree for Water Right 03-10184*.

DATED April 17, 2008.

Terrence A. Dolan
TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 03-10184

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

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 500.00 CFS

PRIORITY DATE: 06/18/1968

POINT OF DIVERSION: T22N R03W S16 LOT 1 (SESE) Within Adams County

T04S R49E S4 WM Within WALLOWA County, Oregon, supplied for
informational purposes. Water is diverted by a dam that spans the
Snake River between Idaho and Oregon.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Power 01-01 TO 12-31 500.00 CFS

Power generation is at the Hells Canyon Dam Power Plant.

PLACE OF USE: Power Within ERROR County
T04S R49E S04

The place of use for this water right is in Oregon, and is
described as T04S, R49E, S04, WM.

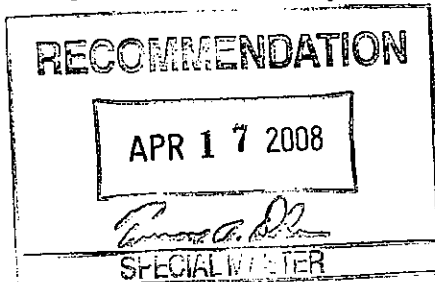
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The project shall be operated in such manner as will not
conflict with the future depletion in flow of the waters of the
Snake River and its tributaries, or prevent or interfere with
the future upstream diversion and use of such waters above the
backwater created by said dam for the irrigation of lands and
other beneficial consumptive uses in the Snake River watershed.

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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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

CERTIFICATE OF MAILING

Water Right(s): 03-10184

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 17, 2008, with sufficient first-class postage prepaid to the following:

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

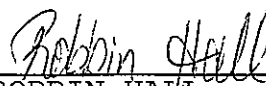
IDAHO POWER COMPANY
Represented by:
ADAM T DEVOE
BROWNSTEIN HYATT & FARBER PC
410 17TH STREET, 22ND FL
DENVER, CO 80202
Phone: 303-223-1100

IDAHO POWER COMPANY
Represented by:
JOHN K SIMPSON
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

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04/17/08

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449



ROBBIN HAIL
Deputy Clerk

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TWIN FALLS CO., IDAHO
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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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

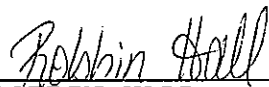
Water Right(s): 03-10184

On April 17, 2008, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 17, 2008.


ROBBIN HALL
Deputy Clerk