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Exhibit 3

Excerpted pages of the
State Water Plan – Part Two
(Idaho Water Res. Bd., Dec. 1976)

State of Idaho

The State Water Plan — Part Two

Idaho Water Resource Board:

John F. Streiff
Chairman

George L. Yost
Vice-Chairman

Donald R. Kramer
Secretary

Joseph H. Nettleton

Franklin Jones

Scott W. Reed

Edwin C. Schlender

M. Reed Hansen

December 1976

Idaho Water Resource Board, Statehouse, Boise, Idaho 83720

STATE OF IDAHO

JOHN V. EVANS

Governor

"There shall be constituted a State Water Resource Agency composed as the Legislature may now or hereafter prescribe which shall have power to formulate and implement a state water plan for optimum development of water resources in the public interest . . . "

Constitutional Amendment

First printing December 1976
1,000 Copies

Second Printing February 1977
500 Copies

Third Printing July 1977
500 Copies

Fourth Printing January 1978
500 Copies

Fifth Printing February 1978
500 Copies

Sixth Printing June 1980
500 Copies



STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE
BOISE, IDAHO 83720

December 29, 1976

To the Citizens of Idaho:

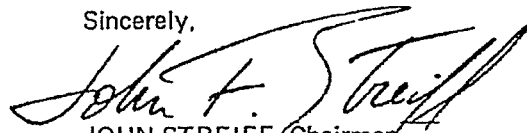
It is our pleasure to present to you *The State Water Plan - Part Two*. Valuable time and effort has been expended by many citizens around the state in helping us develop this plan, and we gratefully acknowledge this assistance. We realize that the contents of this document will not meet the desires and expectations of every citizen, but we feel that *Part II* represents the best approach for the greatest number of Idahoans.

The success of this plan depends on how actively we all work toward its implementation. The Board looks forward to working closely with individual citizens, the legislature, and local, state and federal government to make our recommendations in this report a reality.

The State Water Plan will serve Idaho only as long as it continues to reflect the needs of Idaho. We urge every citizen to monitor the plan as it is put to practical use and to suggest changes to the Board when necessary. The plan will be subject to public and formal review at least once every five years.

We seek the assistance and support of the people of Idaho so that together we may work towards providing for the future economic growth and protection of our natural resources that are so important to Idaho.

Sincerely,


JOHN STREIFF, Chairman
Idaho Water Resource Board

RESOLUTION TO ADOPT

December 29, 1976

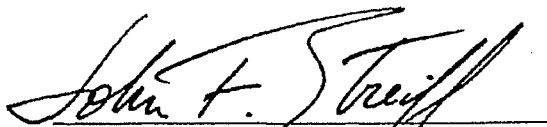
WHEREAS, the Idaho Water Resource Board is charged with the task of formulating a coordinated, integrated, multiple-use water resource policy, and

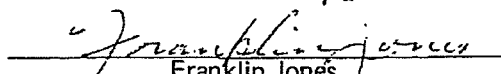
WHEREAS, draft documents for the State Water Plan - Part Two have been published and distributed to the public for the Panhandle, the Snake River, and the Bear River Basins, and

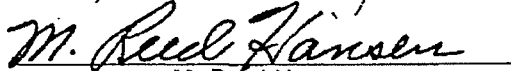
WHEREAS, public meetings and hearings have been held throughout Idaho to gain input as to the content of those draft plans, and such input has been taken into full consideration by this Board,

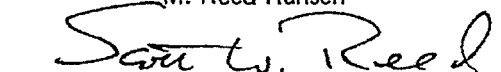
NOW THEREFORE, BE IT RESOLVED, that pursuant to Article XV, Section 7 of the Constitution of the State of Idaho, and pursuant to the powers granted to us by statute, we hereby adopt the attached document as Part Two of the State Water Plan to guide the future use and conservation of Idaho's water resources.

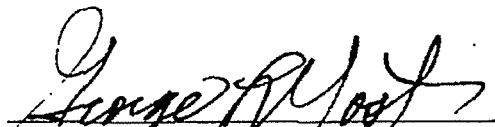
BE IT FURTHER RESOLVED, that the Board, in recognition of constantly changing economic and environmental conditions which must be considered in establishing a state water resource plan will formally review this document and provide opportunity for public input annually upon request, but at least once every five years from the date of adoption of this order.


John F. Streiff, Chairman

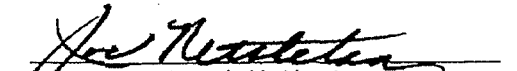

Franklin Jones

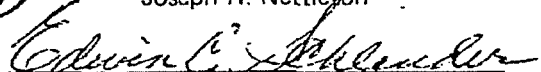

M. Reed Hansen


Scott W. Reed


George L. Yost, Vice-Chairman


Donald R. Kramer, Secretary


Joseph H. Nettleton


Edwin C. Schlender

FOREWORD

The State Water Plan - Part Two is the result of ten years of thought, study and research by the Idaho Water Resource Board to fulfill its constitutional mandate "to formulate and implement a State Water Plan. . ." Many studies and reports were published during that time, numerous public meetings and hearings have been held and thousands of pages of testimony and public comment have gone into making up the policies contained herein.

Prior to creation of the Idaho Water Resource Board in 1965, water use had developed through custom and legislation since Lewis and Clark traveled through the northwest from 1804 to 1806. On June 27, 1855, settlers in Lemhi County first put water to use by irrigating land to raise the family garden and feed for their livestock. By 1896, the Office of the State Engineer had been established to oversee the development of new land and the construction of water works. The State Engineer in 1896 reported to the Governor that 315,000 acres had been cultivated, the majority of which required irrigation. Since that time, approximately six million more new acres have been put under cultivation (four million are irrigated), technology has enabled Idaho farmers to participate in a worldwide marketplace, and the state's once seemingly plentiful supply of a valuable natural resource — water — now has more demands on it than it is capable of satisfying.

The State Water Plan - Part Two, a guide to future water resource management in Idaho, is the most recent in a series of documents that comprise the State Water Plan. In July 1972, the *Interim State Water Plan* was published which catalogued the resources of the state and presented the various alternatives for future water policy to the public. *The State Water Plan - Part One, The Objectives*, was published in June 1974 to guide the direction of later efforts to formulate the final water plan. Finally in March, 1976, a draft version of *The State Water Plan - Part Two* was distributed to the public and various private and governmental agencies for review and comment. These previous efforts are now culminated in this document.

Water policy for the three planning basins — the Snake River, Panhandle and Bear River basins — is set forth within this document. Chapter 4 contains the goals and recommendations of the Board to be used in guiding future water resource management in Idaho. Some of the policy statements pertain only to a single basin or vary in their application to each basin, and these are discussed separately.

Implementation of the policies contained in Chapter 4 will require several changes in Idaho law and public attitudes. The Board will work closely with the legislature to secure changes in the law where necessary.

Public understanding and compromise will be required by those with special interests to assure the plan's full implementation. Unless the plan is implemented quickly, there may not be sufficient water supplies left in many areas to maintain Idaho's quality of life. The Idaho Water Resource Board has found great support among the citizens of Idaho for a state water plan and feels confident that this document will be accepted as a beginning process for continuing Idaho's economic growth while protecting a quality environment.

Because public priorities and economic and social conditions change, the Board has provided a procedure whereby the plan will be updated at least once every five years to insure that the State Water Plan continues to be dynamic, responsive plan for developing, protecting and preserving Idaho's water resources for generations to come.

ACKNOWLEDGEMENTS

Formulation of *The State Water Plan - Part Two* has involved a great number of Idahoans from all walks of life. Their involvement may have been at information meetings, public hearings or merely taking the time to let the Idaho Water Resource Board know their views and opinions on the water resource issues confronting Idaho. Without this citizen response and testimony the State Water Plan would not have been possible.

The Board gratefully acknowledges the efforts and contributions of state, federal and local agencies who have cooperated in this endeavor. Their assistance insures a broad view of public interest to be considered in future water resource decisions.

The private sector, from small businesses to large corporations to special interest associations and organizations, are an equal voice in Idaho and many have contributed to this State Water Plan. Their response and reaction brings new dimensions to the decision making process.

The Board sincerely appreciates the assistance given by the staff of the Department of Water Resources. Many, many times they have given extra time to accomodate various Board actions. The staff of the Department of Water Resources has demonstrated the highest standards of professionalism in the gathering of basic resource data, conducting extensive evaluations and assembling that data into an orderly form. Their efforts will stand as a bench mark in water resources planning regionally and nationwide.

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Evan M. Kackley, Wayan	7-16-65 to 12- 8-67
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Edward Reichert, Filer	7-16-65 to 1- 1-67
Charles J. Marshall, Jerome	7-16-65 to 1- 1-73
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Robert M. Bandy, Priest River	1- 1-67 to 1- 1-71
Ferris M. Kunz, Montpelier	1- 9-68 to 5-22-74
Thomas Olmstead, Twin Falls	1- 1-69 to 1- 1-73
Carl Tappen, Boise, Ex-officio member	7-16-65 to 6- 1-66
R. Keith Higginson, Boise, Ex-officio member	6- 1-66 to 6-30-74

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Robert R. Lee	2-1-67 to 12-31-72
Wayne T. Haas	1-1-73 to 4-30-73
C. Stephen Allred	5-1-73 to 6-30-74

**R. Keith Higginson, Director
Idaho Department of Water Resources**

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In 1974, as a result of a statewide referendum, state agencies were reorganized and the Water Resource Board staff was combined with the Department of Water Administration to form a Department of Water Resources. The director of the Department of Water Resources is no longer appointed by the Board, but is directed by law to assist the Board in carrying out its planning activities.

The Water Resource Board remains as the water policy making body for the state. The Board of which no more than four members can be from the same political party consists of four members who are appointed at-large and four members appointed from each of the four districts in Idaho.

By law, the Board meets at least once each quarter, but the press of items for consideration often requires more frequent meetings. Although Boise is often chosen as the site for meetings because of its central location, meetings are also held in other Idaho cities to provide exposure to regional needs and problems.

Formulation of the State Water Plan

Approach

Formulation of the State Water Plan is a three-phase process. The first phase was completed with publication of the July 1974 report entitled, *The State Water Plan - Part One, The Objectives*. In that report, objectives were adopted by the Board to guide future water planning efforts. In *The State Water Plan - Part Two* actions and methods are presented which have been adopted by the Board as water policy to meet the objectives outlined in *Part One*. Implementing the policies in *Part Two* will require the combined efforts of the government agencies, the legislature, private concerns and the public. Consequently, the report delineates those areas where legislative action is required, identifies the programs the Board will pursue, and describes the areas where cooperation of public and private interests is necessary. The third and final phase will involve a continuing planning process which will be directed toward the completion of a series of feasibility reports on specific projects and programs.

Planning Process

Planning for the Snake River Basins was accomplished by a state-federal multi-disciplinary study team led by a representative of the Department of Water Resources. Planning in the Panhandle and Bear River basins was essentially an effort of the Department of Water Resources. The planning concepts promulgated by the U.S. Water Resources Council in the *Principles and Standards*, and adopted by the Board in the *Objectives Report* were adhered to. Specific methods to formulate the plan were developed to fit the resource conditions and needs of the state. The methodology was compatible with that used by federal members of the U.S. Water Resources Council.

A flow of 3,300 cfs at Swan Falls is about one-third of the flow necessary to meet the entitlement of hydro-generation at that power plant if the recorded water filings are valid. It is also less than the amount identified as needed for fish, wildlife and recreation purposes at Swan Falls or downstream. The potential uses of water in the main stem Snake River have been identified in sufficient detail to determine that remaining water supplies cannot fulfill all identified needs.

The Idaho Water Resource Board concluded, after considering all current and potential uses of water on the main stem Snake River, that depletion of flows below that currently available in the low flow months to maintain water for production of hydropower and other main stem water uses is not in the public interest.

Therefore, main stem Snake River flows will be protected against further appropriations and preserved to provide the following average daily flows at the following U.S. Geological Survey stream gaging stations:

Gaging Station	Protected Flow (Average Daily)
Milner	0 cfs
Murphy	3,300 cfs
Weiser	4,750 cfs

Studies indicate that sufficient water exists in excess of these flows to provide for additional uses if water conserving and storage facilities are constructed.

Water available in excess of the designated flows for development above an average annual flow basis are:

Gaging Station	Water Presently Available for Appropriation (Average Year)
Milner	1,437,000 acre-feet
Murphy	4,218,700 acre-feet
Weiser	7,821,000 acre-feet

The above average daily flows will allow the flow requirements contained in the Federal Power Commission License issued for the Hells Canyon hydropower complex to be met without significantly affecting hydropower production. Article 43 of the license provides the management criteria,

"The project shall be operated in the interest of navigation to maintain 13,000 cfs flow into the Snake River at Lime Point (river mile 172) a minimum of 95 percent of the time, when determined by the Chief of Engineers to be