

Idaho Department of Water Resources

Claim Number:

03-10167

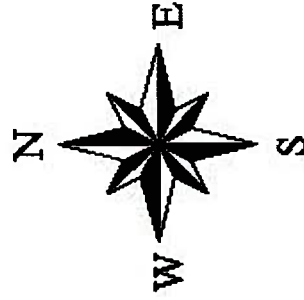
○ Point of Diversion

□ Place of Use

□ Sections

□ Quarter Quarters

Legal: T20N, R04W, S27



Reviewed by: J.Dean

6/14/06

2004 NAIP Photo



Idaho Department of Water Resources

Claim Number:

03-10167

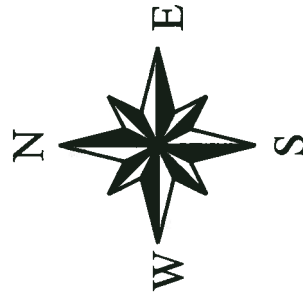
● Point of Diversion

□ Place of Use

□ Sections

□ Quarter Quarters

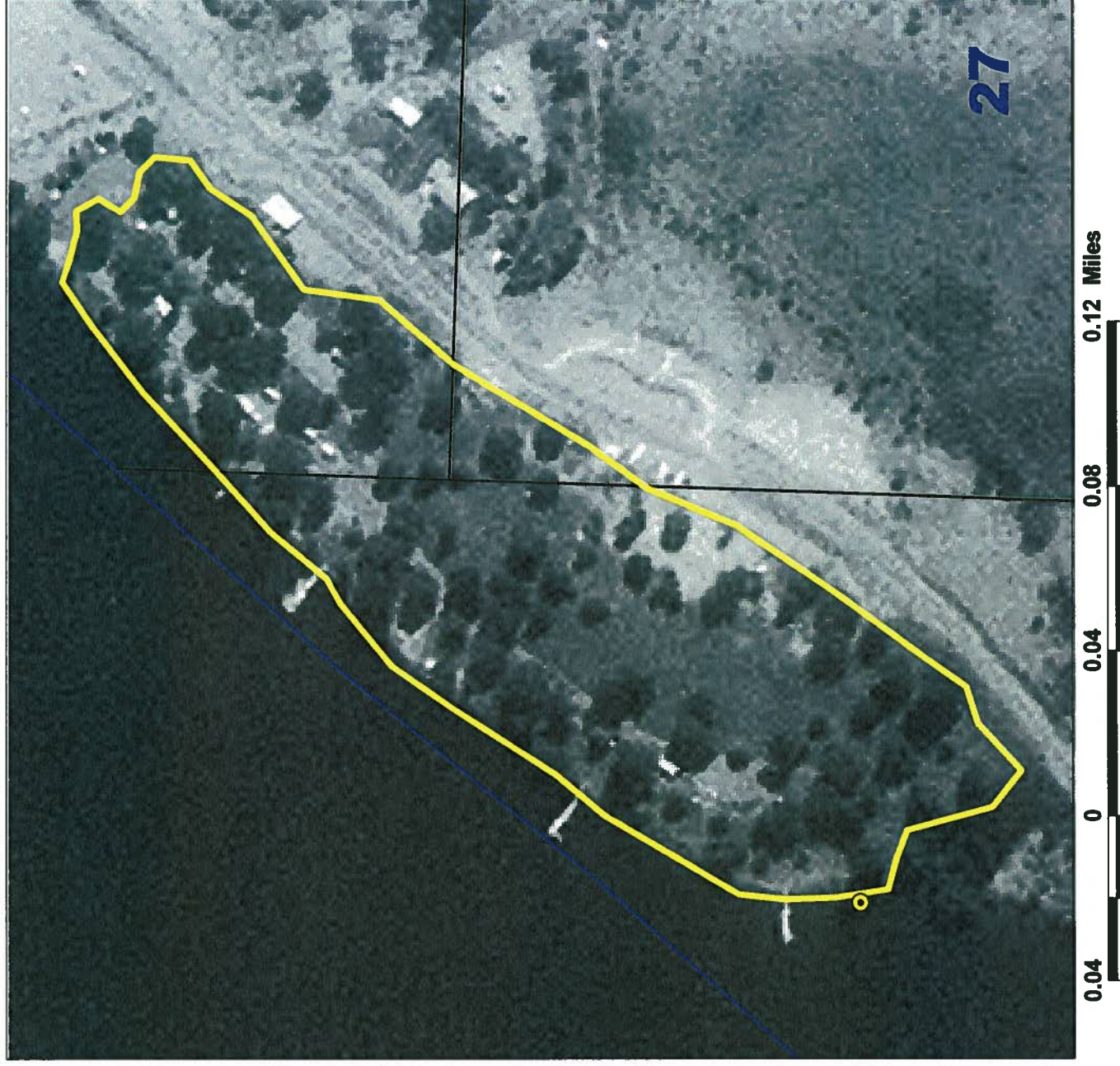
Legal: T20N, R04W, S27



Reviewed by:

J. Dean 6/1/06

1999 Aerial Photo



06/01/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 3-10167

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 03/15/1968

POINT OF DIVERSION:

T20N R04W S27 NWNW Lot 3 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.200 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T20N R04W S27 Lot 2 NENW 2.50

T20N R04W S27 Lot 3 NWNW 7.00

T20N R04W S27 SENW 0.50

10 ACRES TOTAL

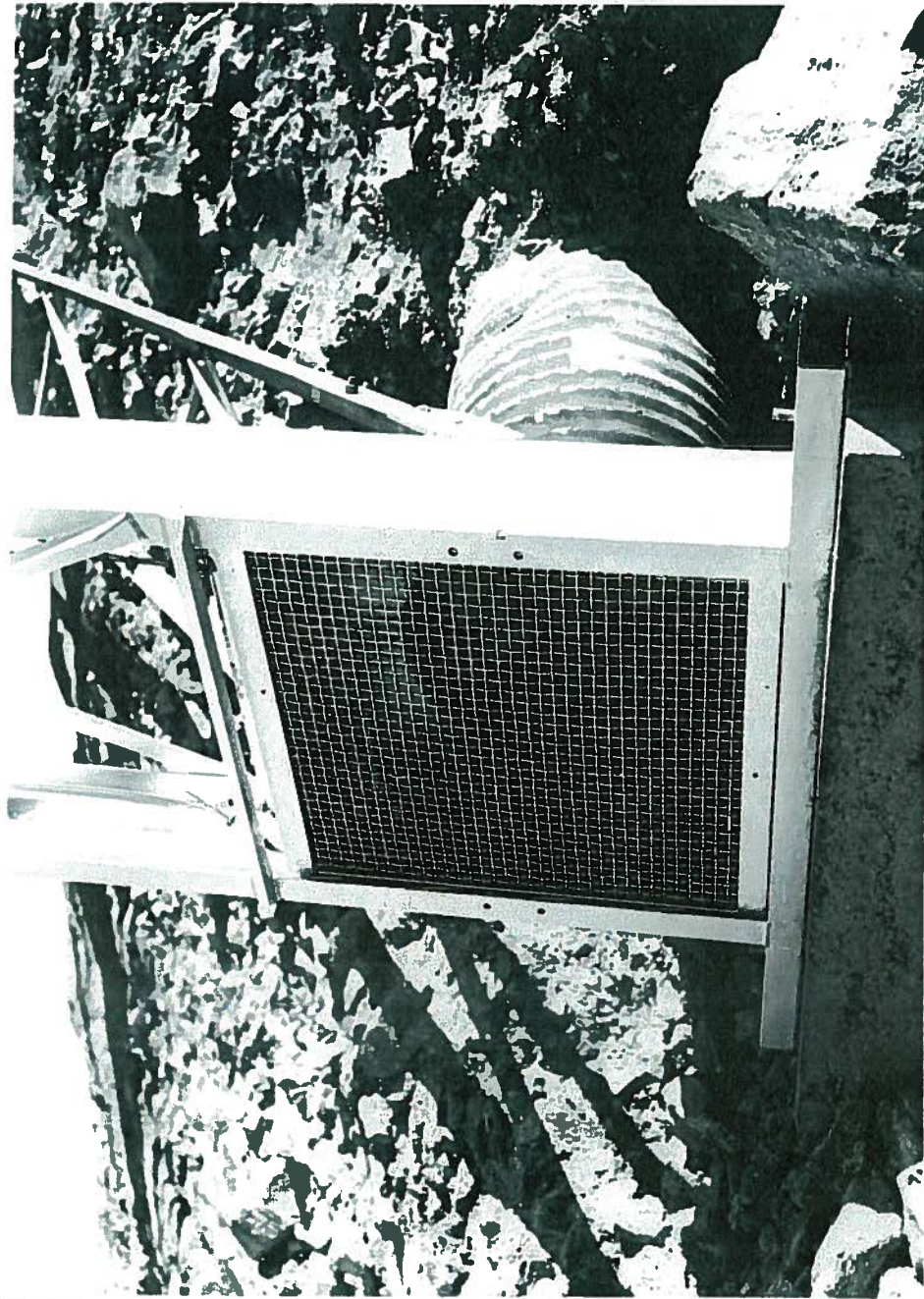
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use



6-3-1966



HC 733B

Ballard Park Pump Sump Inlet

10-30-67



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 6, 2006

JOHN A ROSHOLT
BARKER ROSHOLT & SIMPSON LLP
113 MAIN AVE W STE 303
TWIN FALLS ID 83301

RESPONSE DEADLINE
APRIL 20, 2006

3-10167 & 79-13952

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown below your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

You are receiving this notice because we have no evidence supporting your priority date on file in our office. If you have previously submitted evidence of priority date, please contact our office to confirm receipt.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. Because some documents commonly used for evidence of priority take some time to obtain, it is in your best interest to begin immediately collecting evidence that may be submitted to support your priority date.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. If you wish to call, our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Jennifer Dean, EIT
Adjudication Bureau

Enclosures

CC: IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-10167

Date: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: 10

Overlapping EOU Claim #'s:

Total GIS Acres: _____

COMMENTS:

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: A03-10167
Date Received: 11/27/1998
Receipt No: W024618
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: IDAHO POWER COMPANY
Address: PO BOX 70
BOISE ID

83707

2. Date of Priority: DEC 1, 1967

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
20N	04W	27		3	ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/31	0.200		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
20N	04W	27		3	IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

DIVERTING WORKS: TWO 25 HP PUMPS IN RIVER - PIPELINE TO
SPRINKLERS IN HELL'S CANYON PARK.
IRRIGATION AT HELL'S CANYON PARK.

15. Basis of Claim: BENEFICIAL USE

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 A03-10167Date Received 11-27-98Receipt Number W024618

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 27 1998

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) IDAHO POWER COMPANY Phone (208) 734-0700
Mailing Address P.O. BOX 70, BOISE, IDAHO Zip 83707

2. Date of Priority (Only one (1) per claim) December 1, 1967

3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River

4. a. Location of existing point of diversion is: Township 20N Range 4W Section 27,
1/4 of 1/4 of 1/4, Govt. Lot, 3, B.M., County of Adams

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Two 25-hp pumps in river - pipeline to sprinklers in Hell's Canyon Park

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 3/1 to 10/31 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	4W	27																	
Lot 3																			10

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: Irrigation at Hell's Canyon Park

Last Name IDAHO POWER COMPANY Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

For Organizations: I do solemnly swear or affirm that I am _____ Attorney _____

of _____ IDAHO POWER COMPANY _____, that I have signed the foregoing

document in the space below as _____ Attorney _____ of _____ IDAHO POWER COMPANY _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Attorney, IDAHO POWER COMPANY _____ Date 11-23-98

State of Idaho/or IDAHO)
County of Twin Falls) SS.

Subscribed and sworn to (or affirmed) before me this 23rd day of November 1998

Notary Public _____ Sharon Hart Strickland

Residing at Gooding

My Commission Expires 12-17-2003

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, JAMES C. TUCKER will be 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 _____

Address P.O. BOX 1906, TWIN FALLS, ID. 83303-1906

Date 11-23-98

Last Name IDAHO POWER COMPANY Ident. Number _____

Copies White-State, Yellow-Claimant

LOCATION: 125
 PLANT ACCOUNT: 331
 AREA: 3151
 ASSET CATEGORY: 31512000
 HELLS CANYON POWER PLANT
 STRUCTURES AND IMPROVEMENTS
 RECREATIONAL FACILITIES
 RECREATIONAL FACILITIES-WATER SYSTEM

IDaho POWER COMPANY
 PRODUCTION PLANT PROPERTY RECORDS
 AS OF 12/31/95

ID #	REF. OR	ITEM	QUANTITY	UOM	ASSET DESCRIPTION	SERIAL NUMBER	TRAN DATE	AMOUNT
67	A1	B	1	EA	CALGON SOLUTION FEEDF AND TANK		12/67 A	3,123.25
		C	3,200	LF	PIPE 0-5", PLASTIC, POTABLE WATER SYS-HC PARK		12/67 A	8,494.71
		D	18	LF	72" CORRUGATED IRRIGATION PIPE		12/67 A	2,027.97
		E	42	LF	24" CORRUGATED IRRIGATION PIPE		12/67 A	740.78
		F	20	LF	36" #14 CORRUGATED IRRIGATION PIPE		12/67 A	429.16
		G	40	LF	15" #14 CORRUGATED IRRIGATION PIPE		12/67 A	420.78
		H	2	EA	TURBINE PUMPS WITH GE 20HP MOTORS -IRG-HC PARK		12/67 A	9,694.19
		I	117	EA	UNDERGROUND GEAR DRIVEN SPRINKLERS -HC PARK		12/67 A	17,334.54
		J	8,991	LF	PIPE 0-5", GALVANIZED IRRIGATION PIPE-HC PARK		12/67 A	23,501.47
		K	3	EA	LABOR FOR INSTALLING IRRIGATION PIPE-HC PARK		12/70 A	427.57
		L	3	EA	BLADDER TANK -HELLS CANYON PARK		03/93 A	1,118.19
		M						
		N						
		O						
		P						
		Q						
		R						
		S						
		T						
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		IV						
		IW						
		IX						
		IY						
		IZ						
		JA						
		JB						
		JC						
		JD						
		JE						
		JF						

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

Idaho Power Company, an Idaho corporation, hereby nominates and appoints James C. Tucker of the law firm of Rosholt, Robertson & Tucker, with offices in Boise, Idaho, and Twin Falls, Idaho, as attorney-in-fact with full authority to act for and on behalf of Idaho Power Company, to authorize, prepare, and/or sign any and all documents, claim forms, amendments, or any other document or instrument required or necessary to protect the interest of Idaho Power Company related to its water rights, including, but not limited to, any and all documents necessary to be filed in the Snake River Basin Adjudication.

Idaho Power Company's agent is hereby authorized to sign, seal, and deliver, as its act and deed, those said instruments of writing that may be necessary or proper to carry into execution and effect all claims relating to Idaho Power Company's water rights as above-mentioned. Further, Idaho Power Company hereby declares that each and every agreement, receipt, or payment which shall be by its said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by Idaho Power Company in its own proper representative; and Idaho Power Company hereby undertakes at all times to ratify whatsoever its said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, Idaho Power Company has hereunto executed this Limited Power of Attorney this 14th day of August, 1992.

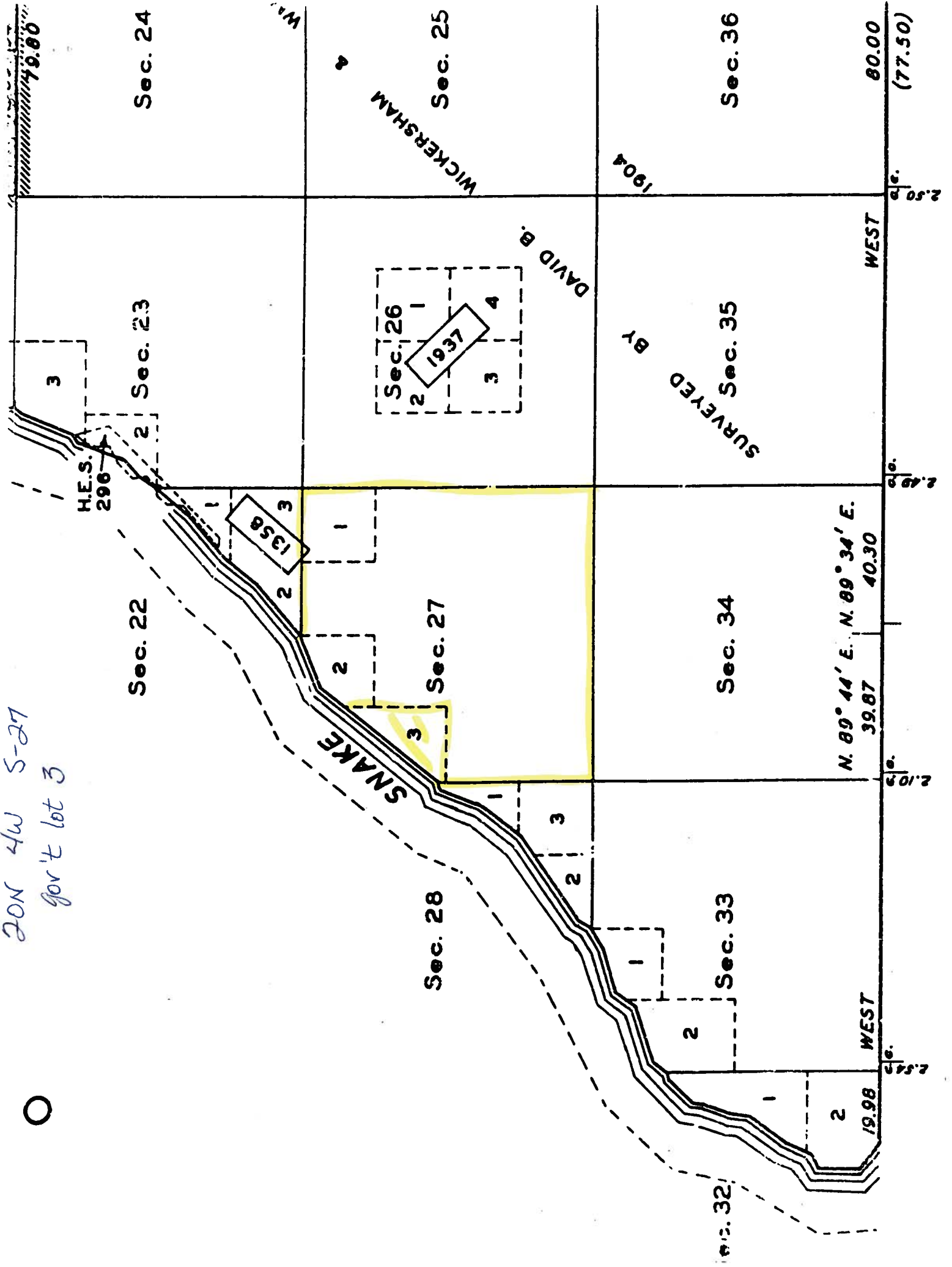
IDAHO POWER COMPANY

By: [Signature]

ATTEST:

By: [Signature]

Secretary





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 1, 1998

Idaho Power Company
PO Box 70
Boise ID 83707

RE: Notice of Claim to a Water Right Nos. A79-13952, A79-13953, A03-10167,
A03-10168, A69-11490

Dear Claimant:

We have processed your Notices of Claim to a Water Right filed in the Snake River Basin Adjudication. In the initial review of these claims, we found it necessary to either complete or change an item or items on your claim forms. Copies of the computer generated copies with these changes and the receipts for the filing fees submitted are enclosed. **ONLY ITEMS SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIMS.**

X

Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority. **A03-10168**

Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.

Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.

X

Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you had listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section, township and range on this item. A79-13953

_____ Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.

_____ Item #15- The Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.

If you have any problems or questions concerning these additions and/or changes, please contact this office within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

DB:d

cc: James C Tucker @ Rosholt, Robertson & Tucker

Rosholt, Robertson & Tucker
Chartered

ATTORNEYS AT LAW

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
NORMAN M. SEMANKO
PATRICK D. MADIGAN
TIMOTHY J. STOVER

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

November 23, 1998

RECEIVED

NOV 27 1998

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: SRBA CLAIMS/HELL'S CANYON & McCORMICK PARKS

To Whom It May Concern:

Enclosed for filing are five (5) beneficial use claims on behalf of our client, Idaho Power Company, for the following sites:

1. Park restroom, water fountain & potable water for campers at McCormick Park
2. One house, park restroom & drinking fountain at Hell's Canyon Park
3. Irrigation of 10 acres at Hell's Canyon Park
4. Irrigation of a one-acre pasture at Hell's Canyon Park
5. Irrigation of 6 acres at McCormick Park

Also enclosed is our check in the amount of \$217.00 to cover filing fees, and our check in the amount of \$150.00 to cover late fees. As always, thanks for your assistance, and please contact me if you have any questions or concerns regarding the enclosed claims.

Sincerely,



SHARON HART STRICKLAND
Certified Legal Assistant

Encls.

shs.98\ipcad\jwidwrttr

A69-11490
A03-10167
A03-10168
A79-13952
A79-13953

For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W024618

Date: 11/27/1998
Time: 11:53:56

Received
From: IDAHO POWER COMPANY

Type of Payment	Program A cct	Amount
FIVE (5) SRBA CLAIMS	41503 337 1155	217.00
CHECK 27653		
	Total	\$ 217.00

Region: WESTERN

Signature: Aue Taylor

A69-11490 (\$25.)
A79-13952 (\$51.)
A79-13953 (\$25.)
A03-10167 (\$60.)
A03-10168 (\$54.)

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: **W024619**

Date: **11/27/1998**
Time: **12:03:14**

Received
From: **IDAHO POWER COMPANY**

Type of Payment	Program A cct	Amount
SRBA LATE FEES	41503 337 1155	150.00
CHECK 27654		
	Total	\$ 150.00

Region: **WESTERN**

Signature: _____

Aue Taylor

469-11490
A79-13952
A79-13953
A03-10167
A03-10168