

10/11/2007

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

RIGHT NUMBER: 3-10246

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 58,385.000 AFY

PRIORITY DATE: 06/19/1961

POINT OF DIVERSION:

T19N R04W S21 SENW Lot 2 Within ADAMS County

T07S R48E S10 SWNW Lot 3 WM Within BAKER 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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER STORAGE	01/01 12/31	58,385.00 AFY
POWER FROM STORAGE	01/01 12/31	58,385.00 AFY

Power generation is at the Oxbow Dam Power Plant.

PLACE OF USE: POWER FROM STORAGE in BAKER OR County

T07S R48E S09 Lot 2 SWNE

The place of use for this water right is in Oregon, and is described as T07S,
R48E, S09, SWNE Lot 2, 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. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 7, 2007

IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 03-10246 and 03-10247

Dear Claimant:

Please find enclosed the Preliminary Director's Report for your claims to storing water in the reservoirs created by Oxbow and Hells Canyon dams for hydropower purposes. This is an important opportunity to review the Idaho Department of Water Resources' (IDWR) conclusions regarding your water rights, resolve errors, and have questions answered **before** the report is finalized for the SRBA Court.

A Notice of Error deadline of October 10, 2007 has been set for the preliminary recommendations. A postage paid envelope is also enclosed to assist you in returning your Notice of Error Reply.

If you have any questions, you may contact Craig Saxton or me by phone at (208) 287-4800.

Carter Fritschle

A handwritten signature in cursive script, reading 'Carter Fritschle', written in black ink.

Section Manager
Adjudication Bureau

Enclosures:

Preliminary recommendations
Notice of Error Reply form w/ return envelope

cc James C. Tucker w/enclosures
John K. Simpson w/enclosures
James S. Lochhead w/enclosures
Adam T. DeVoe w/enclosures

09/05/2007

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

RIGHT NUMBER: 3-10246

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 58,385.000 AFY

PRIORITY DATE: 06/19/1961

POINT OF DIVERSION:

T19N R04W S21 SENW Lot 2 Within ADAMS County

T07S R48E S10 SWNW Lot 3 WM Within BAKER 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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER STORAGE	01/01 12/31	58,385.00 AFY
POWER FROM STORAGE	01/01 12/31	58,385.00 AFY

Power generation is at the Oxbow Dam Power Plant.

PLACE OF USE: POWER FROM STORAGE in BAKER OR County

T07S R48E S09 Lot 2 SWNE

The place of use for this water right is in Oregon, and is described as T07S,
R48E, S09, SWNE Lot 2, 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 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. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:

3-10246

(Power From Storage)

T19N

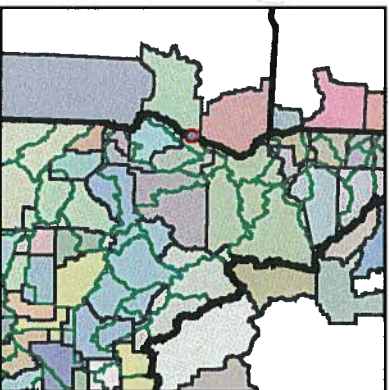
R04W

R48E (OR)

T07S (OR)

Legend

- Point of Diversion
- Place of Use
GCDB07S48E OR GCDB
- PLSS Section Line Sections



Adams County
IDWR Basin 3



1320

0

1320

2640 Feet

T19N

Prepared by C. Saxton
On Wednesday, September 5, 2007
2004 Aerial Photography

Idaho Department of Water Resources



SRBA Recommendation:

3-10246

(Power From Storage)

T19N

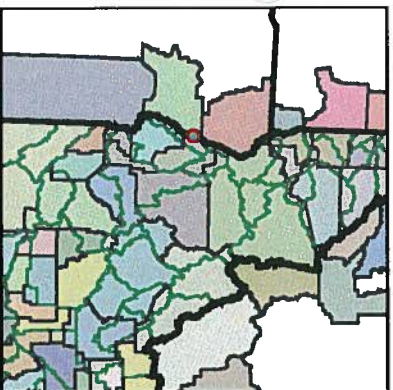
R04W

R48E (OR)

T07S (OR)

Legend

-  Point of Diversion
-  Place of Use
-  GCDB07S48E OR GCDB
-  PLS Section Line Sections



Adams County
IDWR Basin 3



1320

0

1320

2640 Feet

T19N

Prepared by C. Saxton
On Wednesday, September 5, 2007
2004 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-10246 V1

WATER RIGHT NUMBER: 3-10246 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO POWER CO PO BOX 70 BOISE, ID 83707 (208) 388-2781
Attorney	JOHN K SIMPSON BARKER ROSHOLT & SIMPSON PO BOX 2139 BOISE, ID 83701-2139
Attorney	BROWNSTEIN HYATT & FARBER P C 410 17TH ST 22ND FLOOR DENVER, CO 80202
Attorney	BROWNSTEIN HYATT & FARBER P C 410 17TH ST 22ND FLOOR DENVER, CO 80202

Priority Date: 06/19/1961

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
POWER STORAGE	01/01 to 12/31		58,385.00 AF
POWER FROM STORAGE	01/01 to 12/31		58,385.00 AF
<u>Total Diversion:</u>			58,385.00 AF

Location of Point(s) of Diversion

SNAKE RIVER	L2 (SE1/4NW1/4)	Sec. 21, Twp 19N, Rge 04W, B.M.
ADAMS County		

Place of Use

POWER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	48E	9			X														
					L 2														

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-10246 V1

1. 163 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 for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed.
2. 162 Power generation is at the Oxbow Dam Power Plant.
3. C18 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.
4. The place of use for this water right is in Oregon, and is described as T07S, R48E, S09, SWNE Lot 2, WM.
5. T07S R48E S10 SWNW Lot 3 WM Within BAKER County, Oregon, supplied for informational purposes.

Water is diverted by a dam that spans the Snake River between Idaho and Oregon.

Remarks:Comments:

1. csaxton 9/5/2007 Priority Date

Comment: Priority date taken from Idaho Power website that states the project was completed in 1961. Claimant claimed 6-19-1947. Recommend the month and day as claimed with the 1961 year.

2. csaxton 9/5/2007 Copied From 03-2019 comments

Comment: OXBOW DAM AND POWER PLANT. POINT OF DIVERSION ON THE OREGON SIDE OF THE SNAKE RIVER IS IN TWN 07S, RNG 48E, SEC 9, LOT 8, W.M. PLACE OF USE ON THE OREGON SIDE OF THE SNAKE RIVER IS IN TWN 07S, RNG 48E, SEC 9, LOT 2, W.M.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/5/2007 8:53:35 AM	csaxton			Active
POD	9/5/2007 8:55:11 AM	csaxton			Active
Source	9/5/2007 8:59:34 AM	csaxton			Active
POU	9/5/2007 9:02:51 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-10246 V1

Use	9/5/2007 9:06:16 AM	csaxton	Active
Season	9/5/2007 9:06:46 AM	csaxton	Active
Quantity	9/5/2007 9:14:05 AM	csaxton	Active
Summary	09/05/2007	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Use	9/5/2007 9:06:17 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Desktop Review
Season	9/5/2007 9:06:47 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Standard Period of Use for Power is year round
General	9/5/2007 8:53:36 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - History of the dam described on Idaho Power website.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-10246 V1

POD	9/5/2007 8:55:12 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Quantity	9/5/2007 9:14:06 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Used Dam Safety report to verify the dam capacity. Description for Question 10 - n/a
Source	9/5/2007 8:59:35 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Desktop Review.
POU	9/5/2007 9:02:52 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-10246 V1

Summary 9/5/2007 9:19:51 AM csaxton

(No) 1. Is the basis of this claim a Decree,
License, Permit, Application or Posted Notice?
(Yes) 3. Is the water being used for all of the
purposes claimed and to the extent claimed?
(No) 5. Does this right have any combined use
limits with other rights?
(Yes) 6. Is an additional remark and/or condition
required?
(Yes) 7. Would you like to view the
recommended right?
(No) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to
attach or link to the file?
(Yes) 10. Would you like to set the verification
date?

Water Supply Bank:



energy and experience working for you

Search

Home IDACORP Site Map Contact Us

Customer Service Energy Center Newsroom Rivers & Recreation About Us

Oxbow History

Oxbow got its name from a three-mile bend in the Snake River. To early settlers the river bend looked like an "oxbow," the U-shaped frame that forms a collar around an ox's neck. The site is 13 miles downstream from Brownlee Dam. Here the river carves its way around a large mass of erosion-resistant rock. It's one of the world's most unusual dam sites.



In 1909, Oregon Light and Power Company first began constructing a diversion tunnel at the site. But funds ran out and work stopped before the project was complete. When this phase of construction ceased, a concrete tunnel more 1,100 feet long and 28 feet in diameter diverted river flow through the spine-like hill to the power plant on the downstream side of the oxbow. And though the powerhouse had room for six generators, it had only one. Enough water was diverted into the tunnel to produce just 600 kilowatts of energy.

In 1947 Idaho Power applied for a license authorizing the development of the three-dam Hells Canyon Complex. A political struggle between Idaho Power and public power advocates who wanted to build one high dam in Hells Canyon ended when the Federal Power Commission (now the Federal Energy Regulatory Commission, or FERC) issued the company a license in 1955. This license allowed Idaho Power to build the Oxbow, Brownlee and Hells Canyon projects.

Idaho Power constructed a dam 1,150 feet across the river on the upstream side of the oxbow. When the project was complete in 1961, the river's full force was put to use through a new plant with a nameplate capacity of 190,000 kilowatts, or 190 megawatts.

[Customer Service](#) | [Energy Center](#) | [Newsroom](#) | [Rivers & Recreation](#) | [About Us](#)

[Contact Us](#) | [Site Map](#) | [IDACORP](#) | [Home](#) | [Site Specs](#)

Copyright © 1995-2007 Idaho Power Company
All rights reserved. Revised on 9/4/2007.

- Relicensing
- Relicensing Process
- Relicensing Timeline
- Task Flow Chart
- FAQs
- Environmental Stewardship
- Awards
- Brochures
- Links
- Public Involvement
- Hells Canyon Complex
- Brownlee
- Oxbow
- Hells Canyon Operations
- Project Status
- The Application
- Swan Falls Project
- C. J. Strike Project
- Mid-Snake Projects
- Mald Project
- Shoshone Falls Project
- Glossary
- Parks and Recreation
- Water Safety
- Water Information

Run Safety Report
Shows Capacity
@ 58200 AF
9-4-07

Oxbow

3-2019
3-2025

3-2019

