

ADJUDICATION PROOF READING REPORT

1WRD437

12/12/84

PAGE

WATER RIGHT NUMBER 02-0041. ✓

OWNER LAST NAME - IDAHO POWER CO.

ADDRESS LINE 1 - P.O. BOX 70

ADDRESS LINE 3 -

SOURCE - SNAKE RIVER

STAGE -

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

DIVERSION POINT - NESE 07 065 12E LOT 05 REDIV -

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE - IRRIGATION

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE - FLD EXAM -

DIVERSION MEANS - PUMP.

FIRST NAME -

ADDRESS LINE 2 -

CITY - BOISE

TRIBUTARY OF - COLUMBIA RIVER

PRIORITY - 04-01-1955

WATER DIST. - 02

CLAREY ACT -

USE DIV. RATE -

PLACE OF USE - TWIN 065 RNG 12E S07

DATE -

USE DIV. RATE -

AC 03 TRACT

NESE LOT 05 AC 04

TOTAL ACRES

TOTAL ACRES

.00 AFA

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ORIG OWNER -

STATE - ID ZIP CODE - 83707

COUNTY - ELMORE

CLAREY ACT -

TOTAL DIV. RATE -

RIGHT BASIS - A

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RIGHT BASIS - A

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IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner
Dam to Oregon ~~DEAN MARR BASHK~~
Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-0041	
I.D. No.	Map No.
\$ 45	#18883
Fee Paid	Receipt No.

Notice is hereby given that Idaho Power Company (Name of Claimant)

P O Box 70, Boise, Idaho 83707
(Mailing Address)

(Zip Code)

Telephone No. 383-2878

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) April, 1955 4/01/1955

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to COLUMBIA RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 25 cfs .14 Use irrigation A Period of Use From April 13/5 To Oct. 31 11/5
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates Inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates Inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates Inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates Inclusive)

(4) .25 cfs .14 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW NE Lot 5 SE 1/4
5 Sec. 7, Twp. 6 S, Rge. 12 E, B.M., Elmore and Gooding County
8 10 Additional Points: SCI: 2720(1)560.1

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	12E	7													X				2.0
6S	12E	7															X		1.0
															1.5				
															4				7
6S	12E	7				3													

Total no. of acres 3.0 7

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: no

(8) Remarks in connection with Bliss Power Plant

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of Idaho

Organization

Organization

IDAHO POWER COMPANY

County of Ada

ss.

Seal

Gomez H. Condit
(Signature of Authorized Agent)

On this 27th day of April

, in the year 1981

a notary public, personally appeared Gomez H. Condit

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, they partnership or executed the same.

My commission expires 10-25-83

Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner
Dam to Oregon DRAINAGE BASIN:
border.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0041	
I.D. No.	Map No.
\$ 45	# 18883
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Notice is hereby given that Idaho Power Company (Name of Claimant)

P O Box 70, Boise, Idaho 83707 Telephone No. 383-2878
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) April, 1955

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to Idaho

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity .25 cfs Use irrigation Period of Use From April 1 To Oct. 31
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .25 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source 1/4 Sec. 7 7, Twp. 6 S, Rge. 12 E, B.M., Elmore and Gooding County
Lots 5 & 10
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	12E	7													X				2.0
6S	12E	7															X		1.0

Total no. of acres 3.0

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: no

(8) Remarks in connection with Bliss Power Plant

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of Idaho

Organization

IDAHO POWER COMPANY

County of Ada

ss.

Organization

Seal

(Signature of Authorized Agent)

On this 27th day of April, in the year 1981 before me

a notary public, personally appeared Gerrit H. Condit

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires 10-20-82

Notary Public residing at Boise, Idaho

12/01/2009

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

RIGHT NUMBER: 2-41

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: ~~0.100~~ 0.140 CFS

PRIORITY DATE: ~~05/19/1971~~ 04/01/1955

POINT OF DIVERSION:

T06S R12E S7 NESE Lot 5 Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

~~0.100~~ 0.140 CFS

PLACE OF USE: IRRIGATION in GOODING County

T06S R12E S07 Lot 4 SWNE ~~0.10~~ 1.00 T06S R12E S07 SENE ~~4.20~~ 2.00

T06S R12E S07 Lot 5 NESE ~~0.70~~ 4.00

5 7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 7 acres in a single irrigation season. Combined Right Nos.: 2-41, 51-13016

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.

~~PARK AT BLISS DAM~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARK AT BLISS DAM

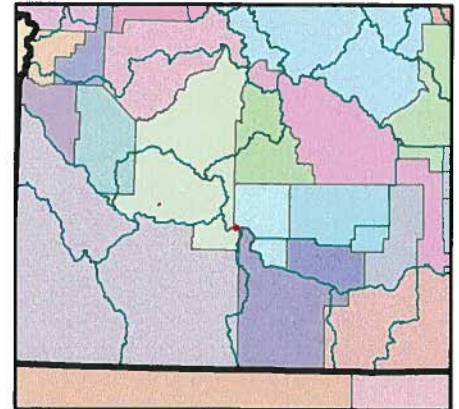


Idaho Department of Water Resources

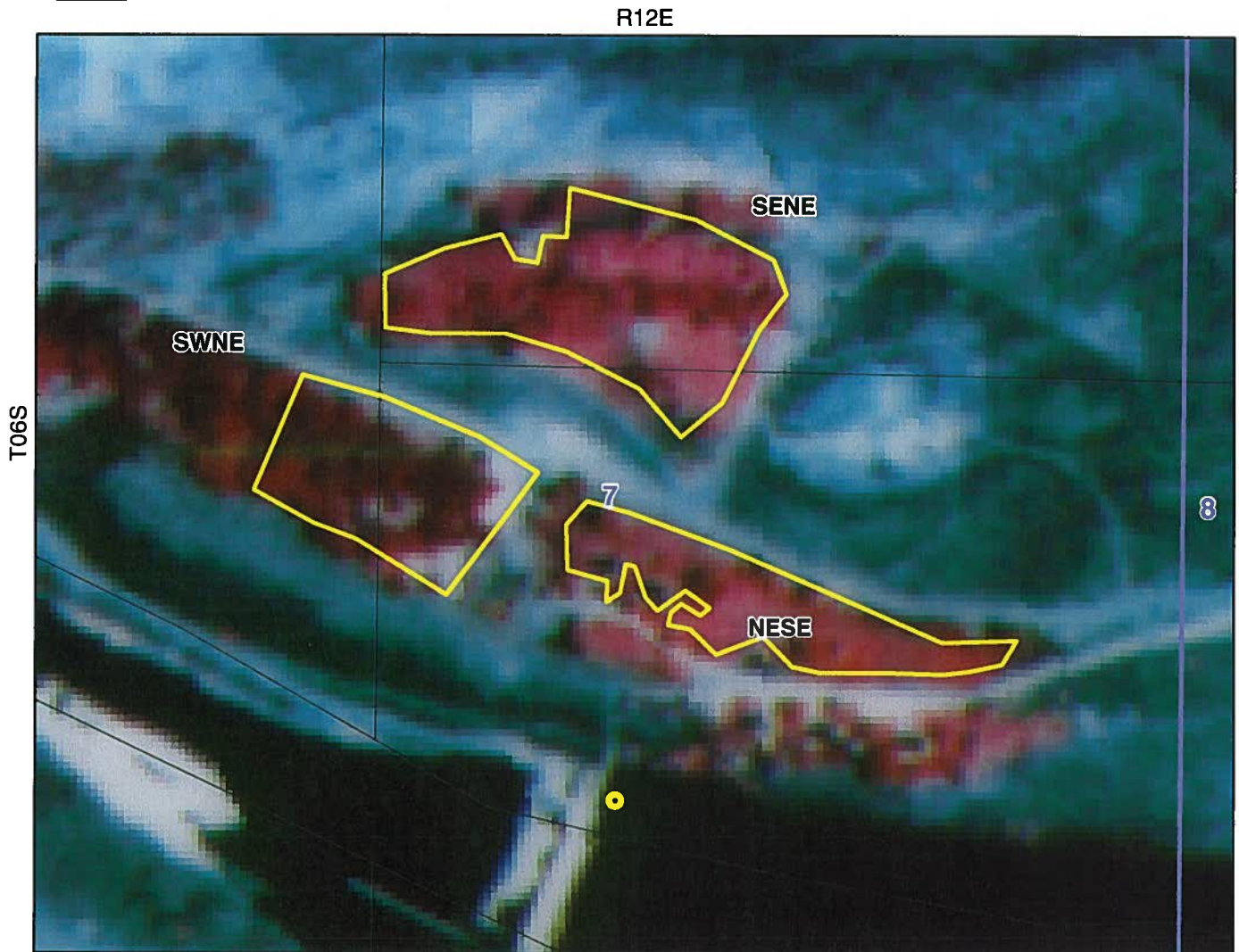
Adjudication Recommendation 2-41 (IRRIGATION)

Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Gooding County
IDWR Basin 2



Prepared by Don Shaff
On December 01, 2009
1987/88 Aerial Photography

0 0.05 0.1 0.2 Miles

12/28/2006

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

RIGHT NUMBER: 2-41

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/19/1971

POINT OF

DIVERSION: T06S R12E S7 NESE Lot 5 Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

03/15 11/15

QUANTITY

0.100 CFS

PLACE OF USE:

IRRIGATION in GOODING County

T06S R12E S07 Lot 5 0.70

T06S R12E S07 Lot 4 SWNE

T06S R12E S07

SENE

5 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.

BLISS DAM

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PAGE 1
Sep-26-2007

11/16

Water Right 2-41

Claimed a priority date of 04/01/1955

IDWR recommended a priority date of 05/19/1971

This right is used for irrigation at the Bliss Power Plant Park. Figure 1 shows the facility soon after the completion of construction in 1950. The exact date of the photograph is unknown. Those areas around the homes are shown as irrigated and no large trees are seen in any of the yards or park areas.



Figure 1: Photo of the Bliss Power Plant. The date of the photograph is unknown but it thought to have been taken soon after construction was completed in 1950.

Figure 2 is an aerial photograph of the facility and is dated 6-16-1967. Large trees are evident in the lawn and park area. These large trees are an indication that irrigation began a number of years prior to 1967. It is difficult to determine the age of these trees but Figure 3, dated 12-8-1970 shows the size of a tree in the park. The size of the tree indicates the presence of irrigation for a significant period of time.

SCANNED
NOV 16 2009



Figure 2: Aerial photograph of the Bliss project dated 6-16-1967. Note the presences of tree in the park and around the homes.



Bliss

12-8-70

Ryan

Figure 3: Front and back of photo dated 18-8-1970 showing large trees in the Bliss park.

Based on the photographic evidence it appears that irrigation occurred in the park area at least prior to 1967. Additionally, the size of the trees shown in Figure 3 is an indication that irrigation must have occurred many years prior to the date (12-8-1970) of the photo. This does help establish the priority date of 1955 claimed by Idaho Power.

12/13/2005

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

RIGHT NUMBER: 2-41

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/19/1971

POINT OF DIVERSION:

T06S R12E S7 NESE Lot 5 Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.100 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R12E S07 Lot 5 0.7

T06S R12E S07 Lot 4 SWNE 0.1

T06S R12E S07 SENE 4.2

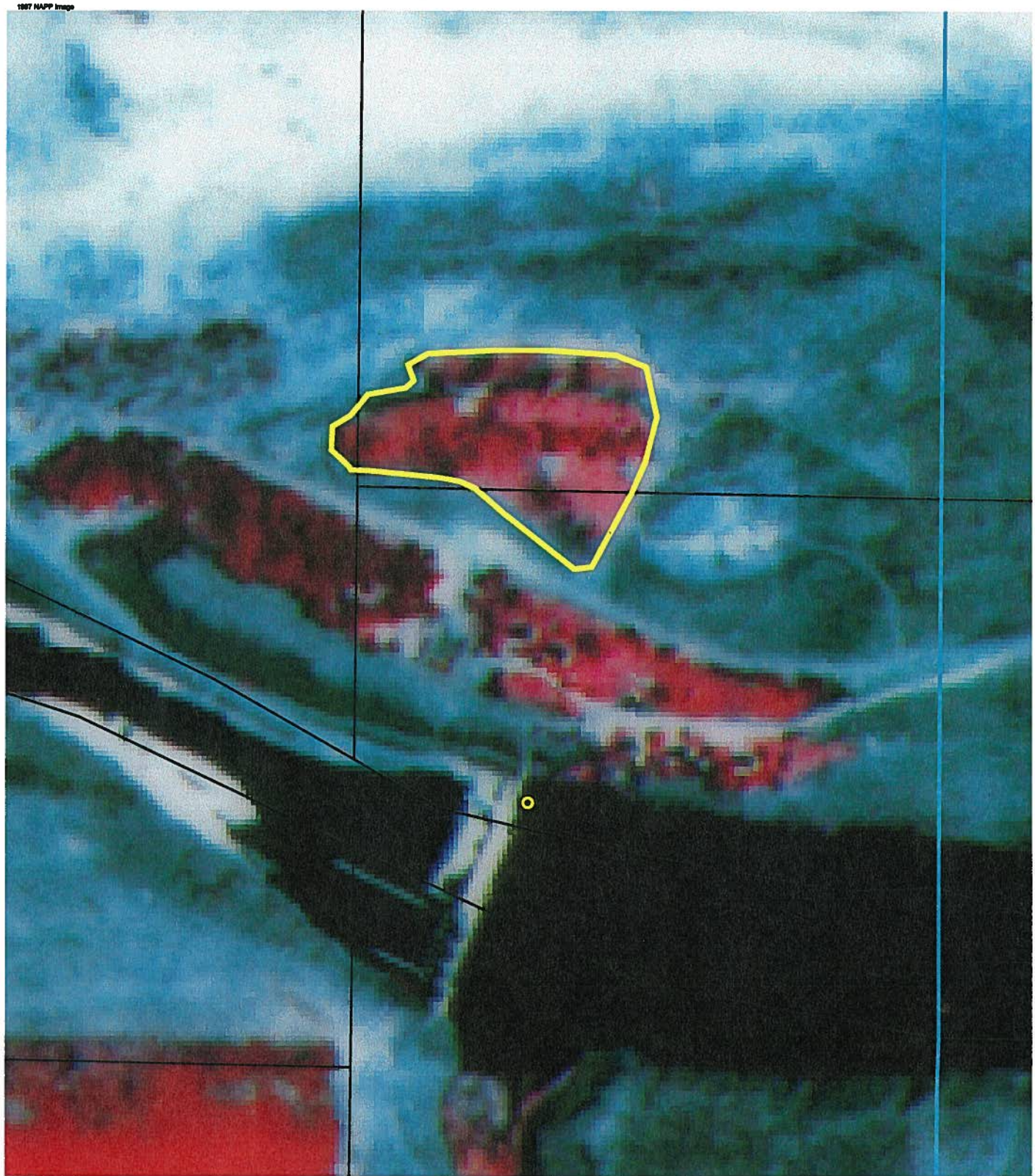
5 ACRES TOTAL

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

PARK AT BLISS DAM

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

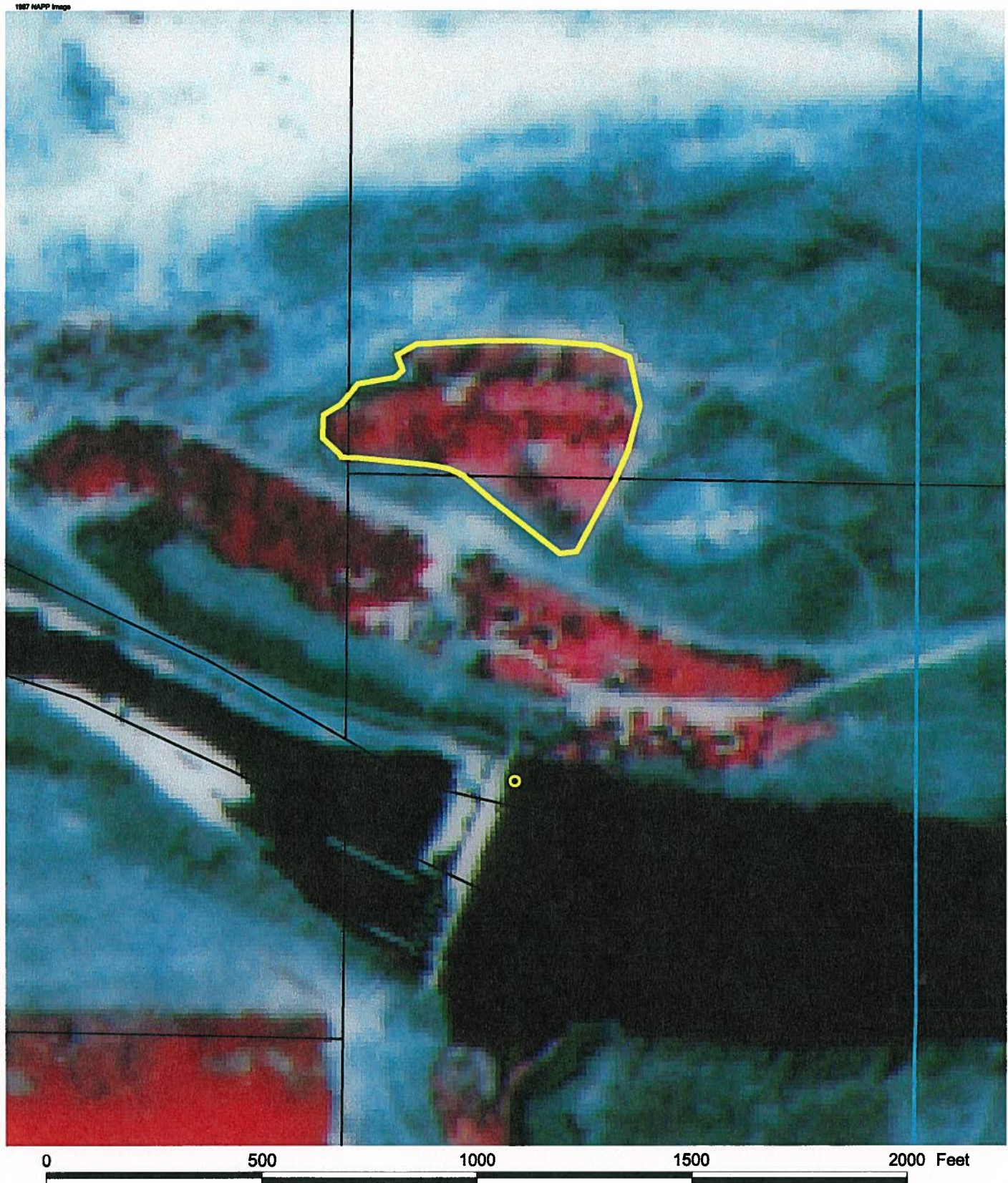


Claim Number: 2-41
Legal: T06S, R12E, S7
Reviewed By: SJR 11/2/05



-  Point of Diversion
-  Place of Use
-  Sections
-  06S12E GCDB

Idaho Department of Water Resources

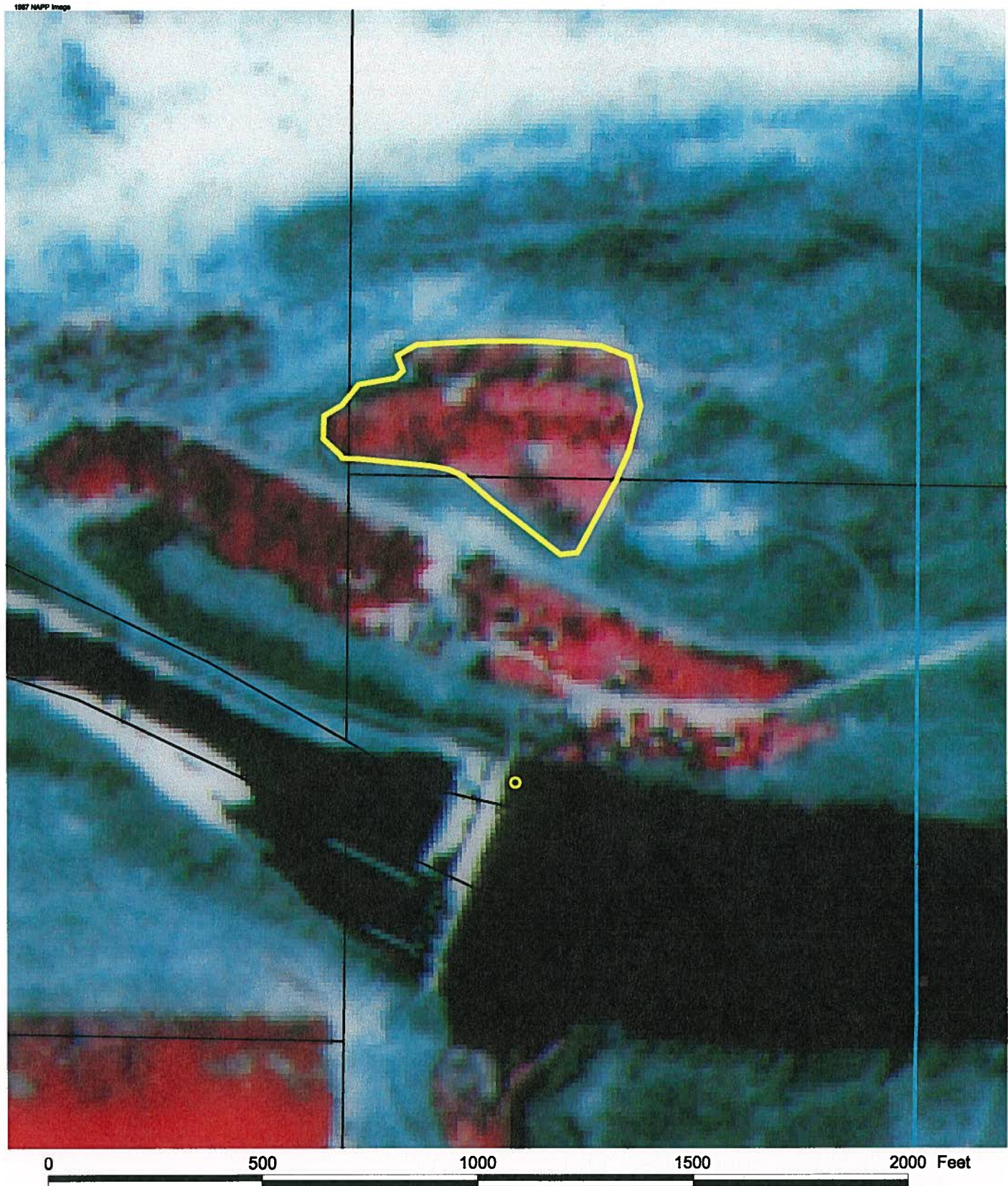


Claim Number: 2-41
Legal: T06S, R12E, S7
Reviewed By: SJR 11/2/05



-  Point of Diversion
-  Place of Use
-  Sections
-  06S12E GCDB

Idaho Department of Water Resources



Claim Number: 2-41
Legal: T06S, R12E, S7
Reviewed By: SJR 11/2/05



-  Point of Diversion
-  Place of Use
-  Sections
-  06S12E GCDB

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: A02-00041
Date Received: 12-5-87
Receipt No: C012270
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO POWER CO.
Address: P.O. BOX 70
BOISE, ID

83707

2. Date of Priority: APR 01, 1955

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	12E	7	SW	NE	SE	5	GOODING

5. Description of diverting works:
PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.250		

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

A.F.A.

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	12E	7	SW	NE	4	IRR	1.5
			SE	NE		IRR	2.0
			NE	SE	5	IRR	2.0
			NW	SE	4	IRR	1.5

Section Acres 7.0

A02-00041

Page 1

Date: 11/24/89

MICROFILMED
MAR 19 1993

10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
PARK AT BLISS DAM

15. Basis of Claim: BENEFICIAL USE

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 Organizations:

I do solemnly swear or affirm that I am Vice President, General Counsel and Secretary of Idaho Power Company Title

Idaho Power Company, that I have signed the foregoing Organization document in the space below as Vice President, General Counsel and Secretary of Title

Idaho Power Company and that the statements contained in the Organization foregoing document are true and correct.

Rolt W. Stal
Signature of Authorized Agent
Vice President, General Counsel and
Secretary, Idaho Power Company
Title and Organization

November 29, 1989

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of December 19 89

Notary Public

Seal

Residing at Boise, Id.
My Commission Expires 12.31.92

17. Notice of Appearance:

Notice is hereby given that I, THOMAS G. NELSON will be
Print Name

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

T. G. Nelson

Address Box 2139 Boise, Id 83712

Date 11/28/89

REVISIONS	
1	14-5-85 FROM 88-17002 (88-17002) TO SHOW ONLY THE IRRIGATION WATER SYSTEM IN CONNECTION WITH FIELD UPRIGHT AND CONNECTIONS. LH-730
2	8-8-85 FIELD UPRIGHT AND CONNECTIONS. LH-730

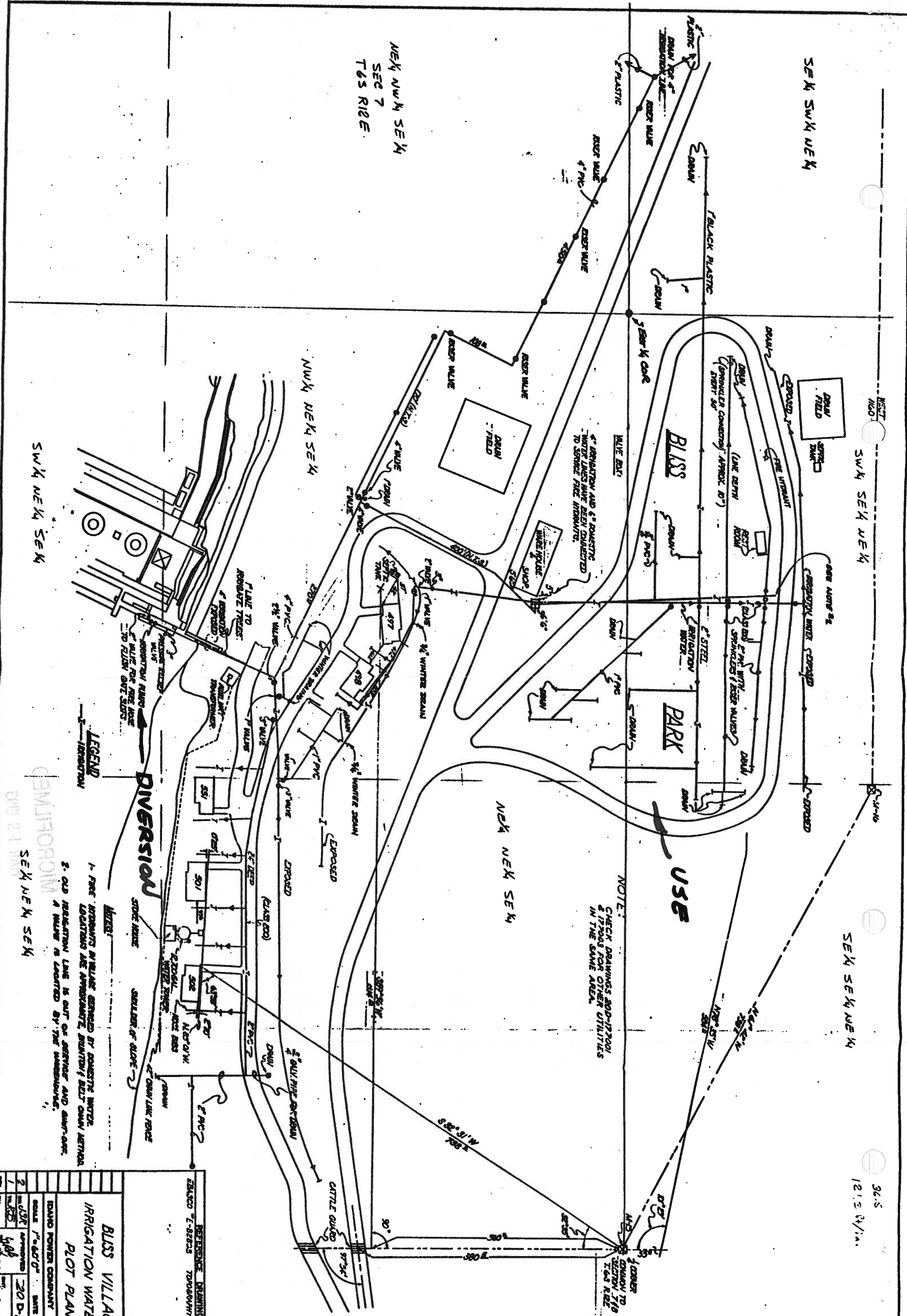
36.5
12.3 34/100

SEK SEK NEK

SWK SEK NEK

SEK SWK NEK

NEK NWK SEK
SEC 7
T6S R12E



REFERENCE DRAWINGS	
EASCO "E-88233 TOWNOUPHAT DAM SITE	
..	
BLISS VILLAGE	
IRRIGATION WATER SYSTEM	
PLOT PLAN	
...	
DAVID POWER COMPANY BOSS BLISS	
SCALE 1"=60'0"	
DATE 4-5-85	
2	REV. 4/8R APPROVED
1	REV. 4/8R
0	4/8R
SHEET: 20-D-177002	

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

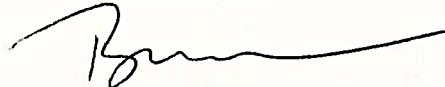
November 28, 1989

Mr. Carter Fritchle
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Dear Carter:

Enclosed are the claims and filing fees for the CJ Strike and Bliss projects. With regard to claims Nos. 00038, 00039 and 00041, I confirmed with Dave Shaw that the Company would not have to file late fees on these claims since they are part of the larger power projects. Thank you for your assistance in this, and if you have any questions, please give me a call.

Sincerely,



Bruce M. Smith

BMS/sj
33541

MICROFILMED

MAR 19 1993

SD-33	Last Name: IDAHO POWER CO		STATE	
S	O			
E	W	Water	Priority	
L	N	Right No.	Date	Source
	First Name			Total Diversion
				Use Code Desc
---	IDAHO POWER CO			
---	C A02-00041	04/01/1955	SNAKE RIVER	0.250
---	C A02-02032	07/29/1919	SNAKE RIVER	4000.000
---	C A02-02036	08/09/1920	SNAKE RIVER	1000.000
---	C A03-02017	05/29/1964	SNAKE RIVER	9000.000
---	C A03-02018	10/17/1952	SNAKE RIVER	1400000.000
---				29 POW S
---				30 POW FS
---	C A03-02019	06/19/1947	SNAKE RIVER	16000.000
---	C A02-02056	04/02/1929	SNAKE RIVER	1050.000
---	C A02-02057	04/02/1929	SNAKE RIVER	6500.000
---	C A36-02026	05/01/1916	SAND SPRING	100.000
---	C A65-09368	01/06/1963	GROUNDWATER	0.040
---	C A01-02046	10/15/1926	SNAKE RIVER	2000.000
---	C A73-07051	03/24/1981	PAHSIMEROI	10.000
---	C R36-02082	12/10/1948	BILLINGSLEY	5.000
---				01 IRR
---				28 POWER
---				28 POWER
---				28 POWER
---				28 POWER
---				28 POWER
---				43 DOMEST
---				28 POWER
---				19 FISH
---				01 IRR
---				49 FIRE

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 19 1993

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Bruce M. Smith
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4743p/shs/1-2-92

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Idaho Power Company
P. O. Box 70
Boise, Idaho 83707

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.)

CASE NO: 39576

The State of Idaho, ex rel.)
A. Kenneth Dunn in his official)
capacity as director of the)
Idaho Department of Water)
Resources,)

NOTICE OF
APPEARANCE

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all claimants)
to the use of water from the)
Snake River Basin Water System,)

Defendants.)

* * * * *

COMES NOW, IDAHO POWER COMPANY, by and through its
attorneys, Steven L. Herndon, - Assistant General Counsel of

1 IDAHO POWER COMPANY, and James C. Tucker and Bruce M. Smith of
2 the firm of RSHOLT, ROBERTSON & TUCKER, and, pursuant to Order
3 of this Court entered December 17, 1991, enters its appearance
4 in the above-captioned case.

5 DATED this 2nd day of January, 1992.

6 RSHOLT, ROBERTSON & TUCKER

7 *for* James N. Rosholt
8 JAMES C. TUCKER

9 CERTIFICATE OF MAILING

10 I hereby certify that on this 2nd day of January,
11 1992, I caused to be served a true copy of the foregoing NOTICE
12 OF APPEARANCE by the method indicated below, and addressed to
13 each of the following:

14 Larry Echohawk ☒ U.S. Mail, Postage Prepaid
15 Attorney General ☐ Hand Delivered
16 State of Idaho ☐ Overnight Mail
Statehouse, Room 210 ☐ Telecopy (Fax)
Boise, Idaho 83720

17 David Shaw ☒ U.S. Mail, Postage Prepaid
18 Adjudication Bureau Chief ☐ Hand Delivered
19 Idaho Department of Water ☐ Overnight Mail
Resources ☐ Telecopy (Fax)
1301 North Orchard
20 Statehouse Mail
Boise, Idaho 83720 (6 copies)

21 Peter C. Monson, Esq. ☒ U.S. Mail, Postage Prepaid
22 Assistant Attorney General ☐ Hand Delivered
23 U.S. Department of Justice ☐ Overnight Mail
Land and Natural Resources ☐ Telecopy (Fax)
Division
24 Indian Resources Section,
Rm. 6317
25 P. O. Box 44378
Washington, D.C. 20026-4378

26

27

28

1 Don A. Olowinski
2 HAWLEY, TROXELL, ENNIS
3 & HAWLEY
4 P. O. Box 1617
5 Boise, Idaho 83701

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

for James A. Rossmore
JAMES C. TUCKER

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State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 4/20/83

Right No. 02-0041

Claimant IDAHO POWER

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 37-2797 IN ADJUDICATION FILE 37-2797

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 9/15/81

☒ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File
Copy in 37-2797

Measurement .39 cfs. Amount recommended .14 cfs.

Type of measuring device: PS1 Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 OR T1253KA, _____, _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

MEMORANDUM

TO: File 02-0041

FROM: Don Shaff *DS*

DATE: 4-20-83

SUBJECT: Review Analysis

The number of irrigated acres was increased from that claim^d due to the field exam and the evidence shown on the 1974 OQ aerial photo entitled Ticeska. In 1951 the company was irrigating 2 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 3 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 5) from the springs located across the river. This information is taken from 37-2797. The field report in that same file verifies the water was taken from the Snake River for this use in at least 1955. The diversion rate was recommended reduced in light of the number of irrigated acres at one inch per acre.

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-0041

1. Name of Applicant IDAHO POWER CO.

2. Priority APRIL, 1955

3. Source of Water SNAKE RIVER

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use IRRIGATION From Apr. 1 to OCT. 31

_____ cfs Use _____ From _____ to _____

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: LOT 5 (NESE) of Section 7

Twp. 6S, Rge. 12E, County of ELMORE

6. Describe Diversion Works: PUMP AT DAM & SPRINKLER LINES

7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>6S</u>	<u>12E</u>	<u>7</u>				<u>3</u>					<u>1.5</u>	<u>4</u>							<u>7</u>

TWP. 6S RGE. 12E COUNTY ELMORE SCALE: 1" = 1 MILE

8. Purpose other than irrigation: _____

9. Remarks: _____

This examination was made on the 15 day of SEPTEMBER, 19 81.

(Signed) JG
Examiner

9/18/81

02-0041
32-2797

BLISS POWER PLANT - SPRINKLER PSI READING

	# OF HEADS	SIZE	TYPE	MODEL#	PSI
LINE #1 -	14	3/16"	RAINBIRD	35	32
	3	5/32"	"	30	34
	3	5/32"	"	30	26
	2	3/16" / 1/8"	"	N/A	30/26
	2	3/16" / 1/8"	"	N/A	32/28
LINE #2 -	9	3/16"	"	40	23

CHART CALCULATIONS

PER SPRINKLER TOTAL

LINE #1 - 14 - 3/16" AT 32 PSI = 5.32 gpm ea - 74.48 GPM
 3 - 5/32" AT 34 PSI = 4.10 gpm - 12.3 GPM
 3 - 5/32" AT 26 PSI = 3.58 gpm - 10.74 GPM
 2 - 3/16" / 1/8" AT 28 PSI = 8.00 gpm - 16 GPM
 2 - 3/16" / 1/8" AT 30 PSI = 8.14 gpm - 16.28 GPM
 LINE #2 - 9 - 3/16" AT 23 PSI = 4.8 gpm - 43.2 GPM
 173.0 GPM

$$173 \div 448.8 = 0.39 \text{ cfs}$$