

Idaho Department of Water Resources



Claim Number: 2-10136
Legal: T05S, R04E, S33 & 34
Reviewed By: SJR 11/2/05



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter Lines

11/02/2005

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

RIGHT NUMBER: 2-10136
NAME AND ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE ID 83707
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.180 CFS
PRIORITY DATE: 05/01/1957
POINT OF DIVERSION:
T05S R04E S34 NWSW Lot 10 Within OWYHEE County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.180 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County
T05S R04E S33 SENE 9.0

9 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.

HORSE PASTURE AT C. J. STRIKE SITE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED

11/09/2005

12 2005

DEPARTMENT OF
WATER RESOURCESNOTICE OF ERROR
REPLY

Please type or print clearly. fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 2, 2005

Water right number: 2-10136

IDAHO POWER CO

PO BOX 70

BOISE ID 83707

Telephone Number: (208) 388-2781

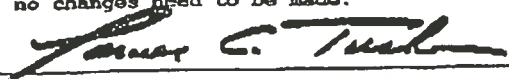
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/1/2005

SIGNATURE: 

Please print your name: James C. Tucker, Senior Attorney*
IDAHO POWER COMPANY

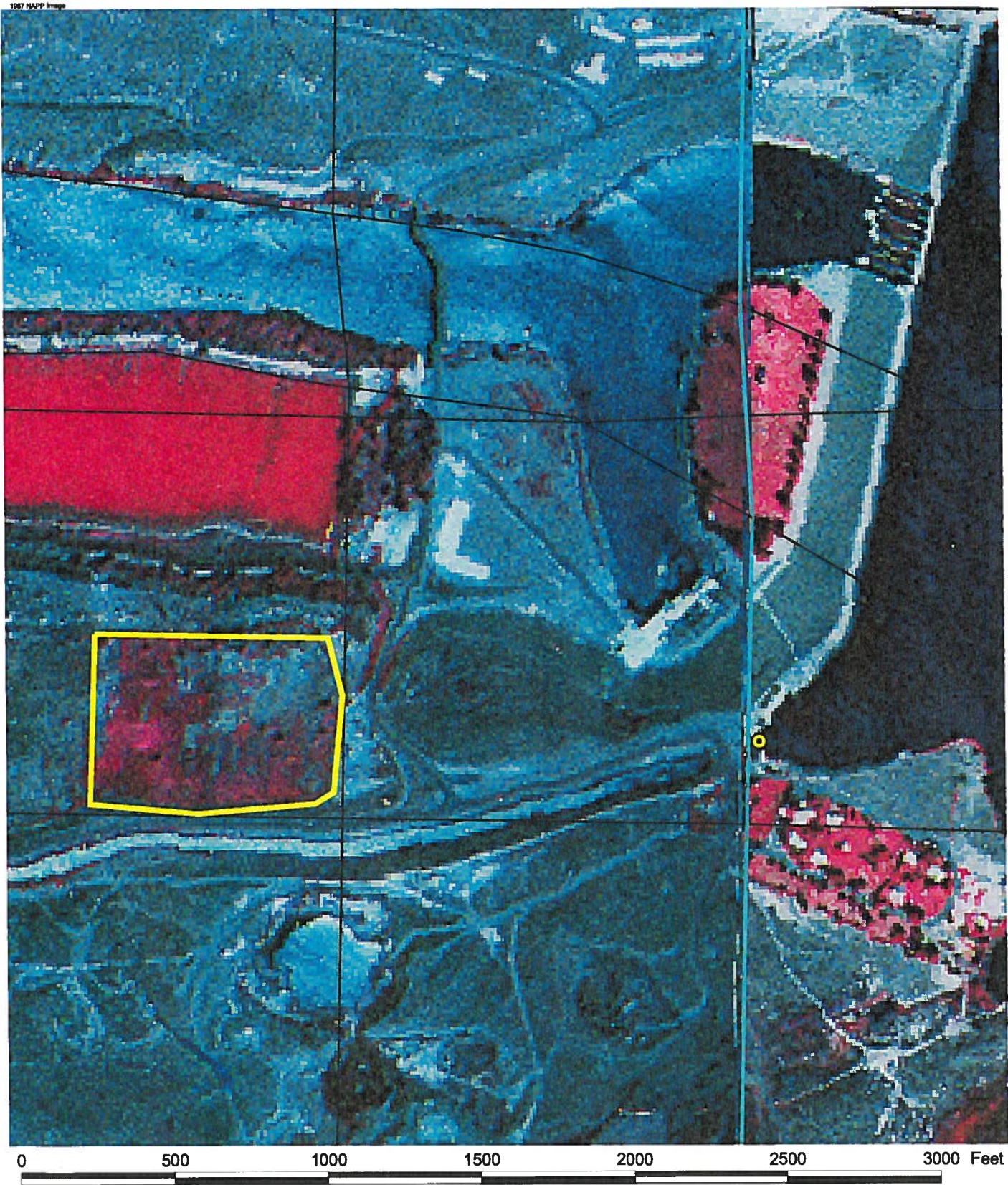
IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

*Counsel for Idaho Power Company: James S. Lochhead
Adam T. DeVoe
Brownstein Hyatt & Farber, P.C.
410 17th St., 22nd Floor
Denver, Colorado 80202
Telephone: 303-223-1100

SCANNED

DEC 15 2005

Idaho Department of Water Resources



Claim Number: 2-10136
Legal: T05S, R04E, S33 & 34
Reviewed By: SJR 11/2/05



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter Lines

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: **A02-10136**
Date Received: 11/21/1996
Receipt No: W021787
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: IDAHO POWER COMPANY 208-388-2300
Address: PO BOX 70
BOISE ID 83702

2. Date of Priority: MAY 1, 1957

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
05S	04E	33	SE	NE			OWYHEE

5. Description of diverting works:
SOUTHSIDE CANAL FROM RESERVOIR; HEADGATE & 15" CULVERT TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	04E	33	SE	NE		IRR	9.0
Section Acres							9.0

10. Place of Use: Continued

Total Acres 9.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

HORSE PASTURE AT C. J. STRIKE SITE.

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

NOV 21 1996

WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A02-10136Date Received 11-21-96Receipt Number W021787NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 09 1996

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) IDAHO POWER COMPANY Phone (208) 388-2300
Mailing Address P.O. BOX 70, BOISE, IDAHO Zip 837022. Date of Priority (Only one (1) per claim) May 1, 19573. Source of water supply (a) Snake River (C.J. Strike Reservoir)
which is tributary to (b) Columbia River4. a. Location of existing point of diversion is: Township 5S Range 4E Section 33,
SE 1/4 of NE 1/4 of 1/4, Govt. Lot, 1 B.M., County of Owyhee

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, 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.South Side Canal from C.J. Strike Reservoir; headgate & 15" culvert to place of use

6. Water is claimed for the following purposes:

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

For IRRIGATION purposes from 3/15 to 10/31 amount 0.18 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.18 (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	
5S	4E	33				9													9

Total number of acres irrigated 9

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

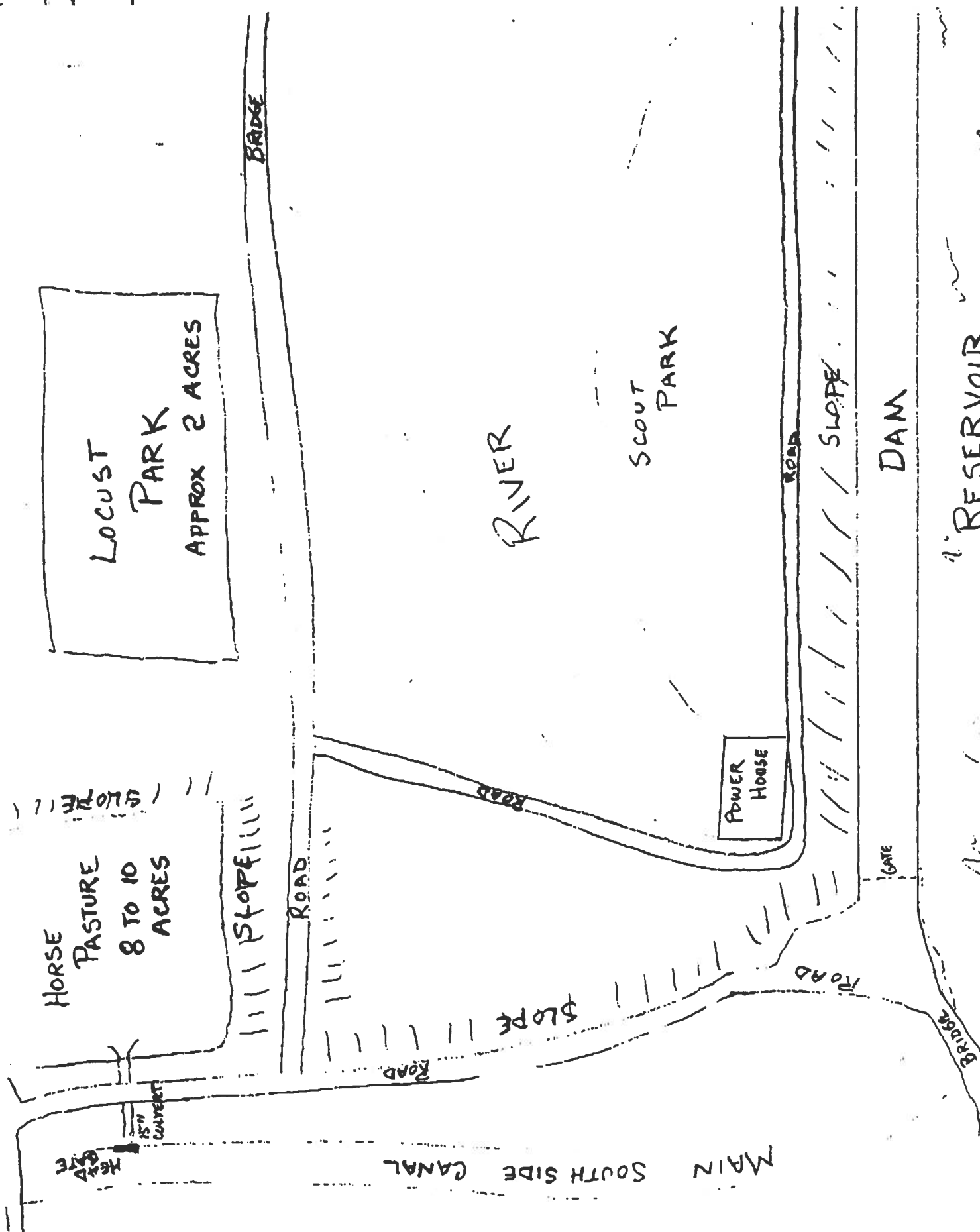
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

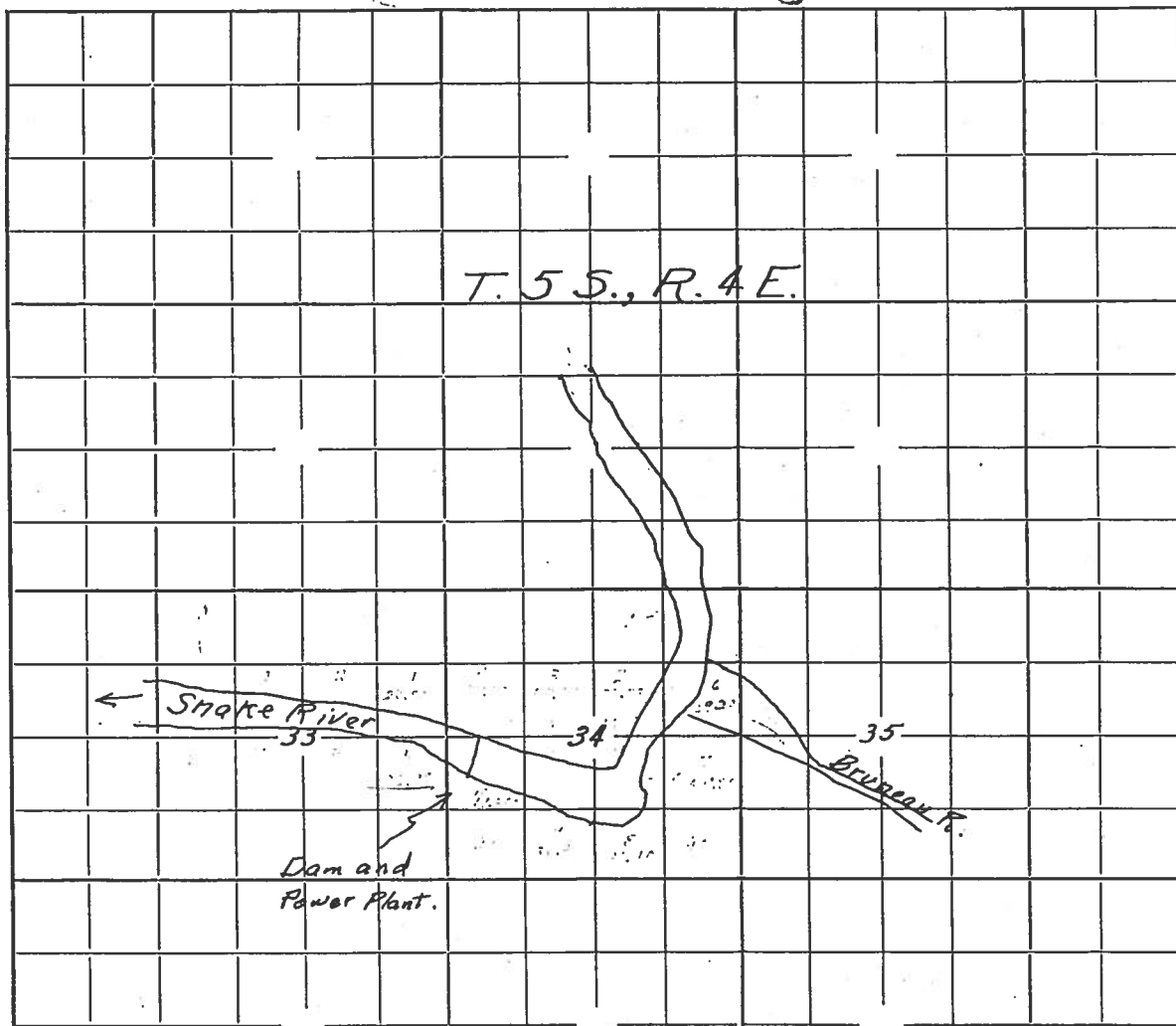
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: Horse pasture at C.J. Strike site

Last Name IDAHO POWER COMPANY Ident No. _____

Copies: White -State, Yellow-Claimant





Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

C J STRIKE

15. Basis of Claim (check one) Beneficial Use X 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 11-18-96

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

Subscribed and sworn (or affirmed) before me this 18th day of November 19 96

SEAL

Notary Public _____

Residing at _____

My Commission Expires 12-17-97

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

Date 11-18-96

Last Name IDAHO POWER COMPANY Ident. Number _____

Copies White-State, Yellow-Claimant

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: _____ 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	5S	4E	33				9													
GIS							4													
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: _____

Overlapping FOU Claim #'s: _____

Total GIS Acres: _____

COMMENTS:

Per claim map.

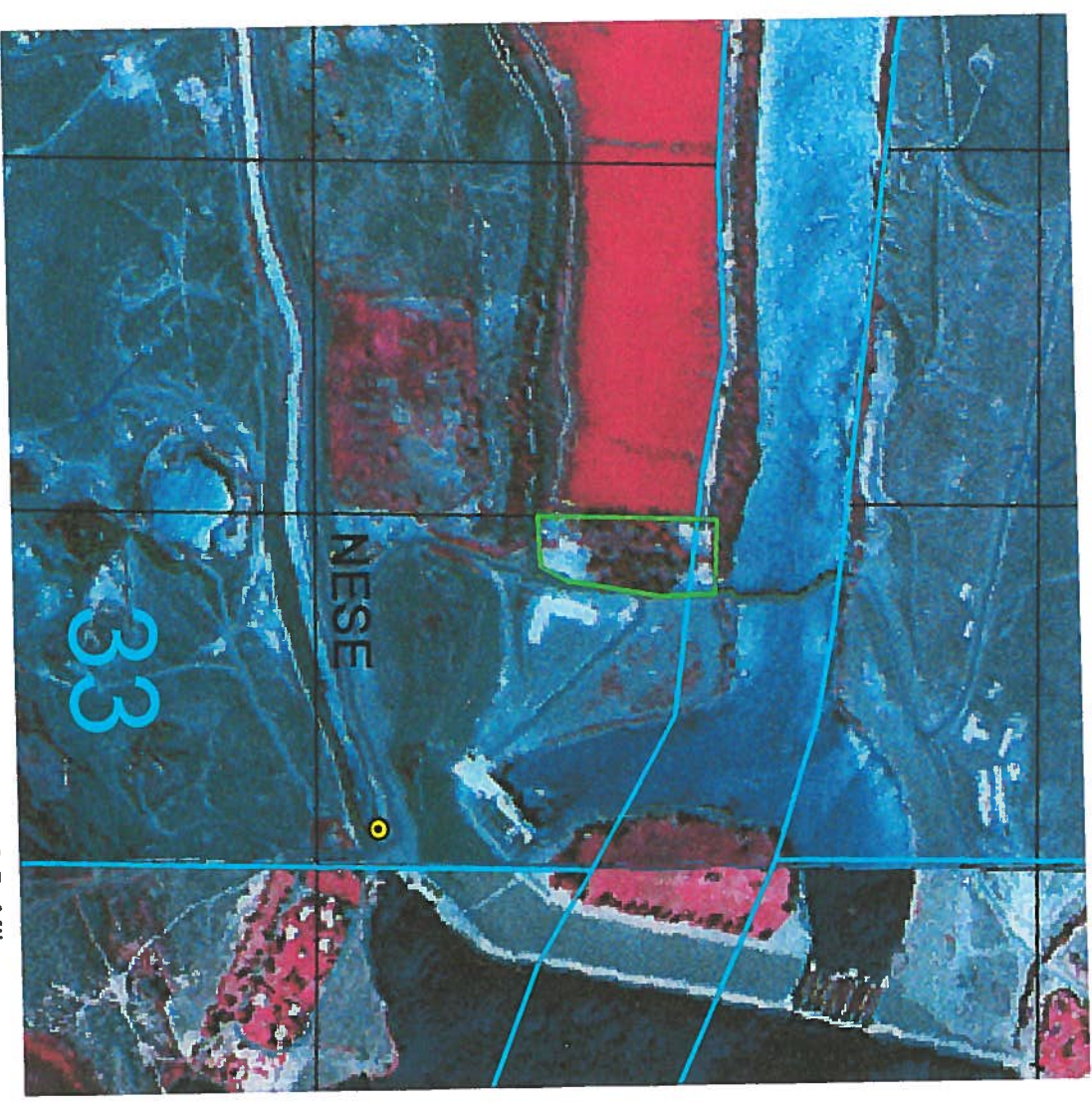
POD estimated using same POD as used for the park's irrigation.

Idaho Department of Water Resources

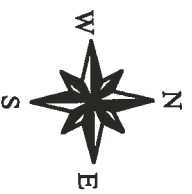
1987 Napp Photo

Claim Number: 02-10136
Legal: T05S, R04E, S33
Reviewed By:

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



0 0.25 0.5 Miles

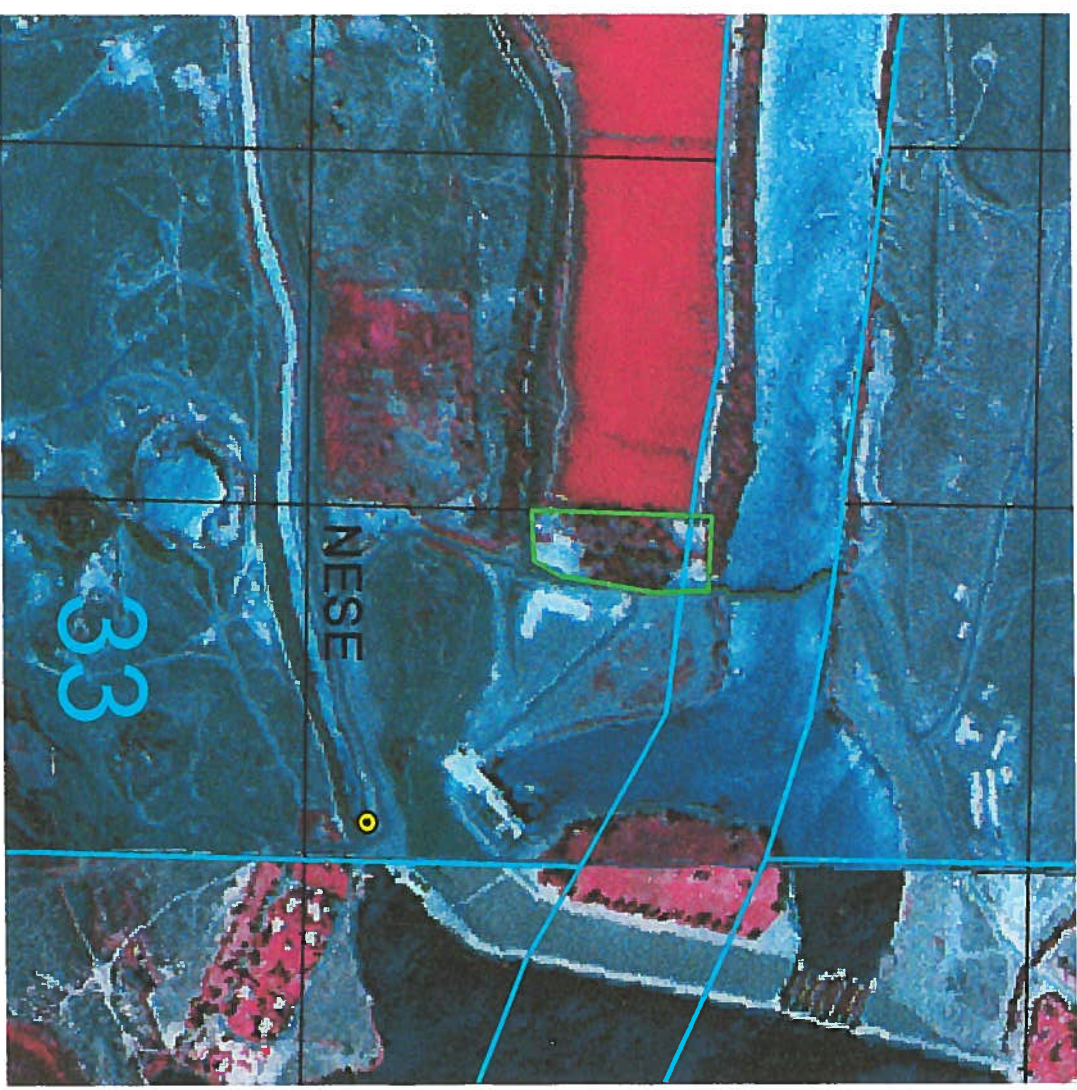


Idaho Department of Water Resources

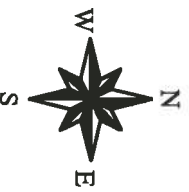
1987 Napp Photo

Claim Number: 02-10136
Legal: T05S, R04E, S33
Reviewed By:

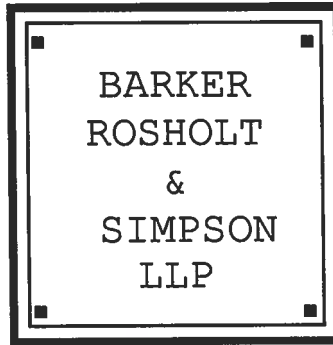
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 Miles



John A. Rosholt
Albert P. Barker
John K. Simpson
Travis L. Thompson
Shelley M. Davis



205 North 10th, Suite 520
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Sharon H. Strickland
Certified Legal Assistant
Telephone & Fax: 208-934-4147

Sharon H. Strickland, CLA
strickland@idahowaters.com

October 28, 2005

Steve Robischon
Adjudication Technical Support Section
Idaho Dept. of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

RE: EVIDENCE OF PRIORITY, CLAIM #02-10136

Dear Steve:

Per our telephone discussions, enclosed please find a page from the monthly plant report of C.J. Strike, dated May 1957, which notes about halfway down the page, the planting of the subject nine acres to pasture. I apologize that the fax transmission was illegible.

As I indicated on the phone, we are working diligently to provide the evidence of priority on claim numbers 02-34, 02-35, 02-38, 02-39, 02-40, and 02-41, and we will be in touch with you next week to provide that information. Thank you for your assistance.

Sincerely,

BARKER, ROSHOLT & SIMPSON, LLP

Sharon H. Strickland, CLA

Enclosure

cc: Jon Bowling, IPC

SCANNED

OCT 31 2005

Page 1 - C J Strike Plant - May 1957

A small cloud burst hit May 12, doing extensive damage to the roadway from the River bridge to the top of the Grade on the access road. Mr. Hower repaired damaged road.

The access road was graded and is in very good condition for a gravel road.

Mr. Hower removed some weirs in the Bennett Ditch at the west of Mr. Bartley.

Gravel was hauled onto the roadway in the Operator village.

More work was done in the Scout Camping Area between the Plant and the Spill. Four firepits were made of cinder blocks. Signs were installed on the New West W. mirrors, soap dispensers & towel holders were installed in the rest rooms. We had the partitions on hand for installation in these rest rooms.

Appearances;

The guard rails by the plant and by the Engine were repainted. The guard rails were painted with Aluminum Paint and the posts Guard Rail Yellow.

The lower 9 Acres of ground west of Strike 4687 Sub were planted with a pasture mix.

The old guide signs at the junction of Strike Access road with the 17th. Home Grandview highway were replaced with new smaller signs. The old signs were badly damaged by bullets.

The Mud Ballows are with us again, building nests on the Station Gantry Crane. We have washed the nests down several times.

Overtime:

12 hours repairing #2 Packing Gland Cooling water line and filter in #2 Turbine Guide Bearing oil.

3 hours repairing GDS-4 to Home 1387V CCB.

40 hours Operators and Aux. Equip. operators on regular shifts Holiday week.

Fileage

1306 miles operation and supplies.

SCANNED

OCT 31 2005



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 10, 1996

ROSHOLT ROBERTSON & TUCKER
SHARON HART STRICKLAND
142 3RD AVE NORTH
TWIN FALLS ID 83303-1906

Re: Idaho Power Company Claim Nos. A02-10136 & A61-11846

Dear Ms. Strickland:

Enclosed are copies, for your records, of the claims for Idaho Power Company. Also enclosed is Receipt No. W021787 for the \$134.00 filing fee.

If you have any questions regarding these claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris". The signature is written in dark ink and is positioned above the typed name and title.

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:1

Enclosures

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

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

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

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

December 6, 1996

RECEIVED

DEC 09 1996

WATER RESOURCES
WESTERN REGION

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region - IDWR
2735 Airport Way
Boise, Idaho 83705-5082

RE: IDAHO POWER COMPANY

Dear Jan:

Thank you for your letter of November 26th with enclosures. We are preparing the motions for late claims for the two Basin 57 claims, as you instructed.

Enclosed herewith, please find the other two claims, with our check in the amount of \$134.00 to cover the filing fee, pursuant to your letter.

Thanks for your assistance, and please call if there are other questions.

Sincerely,



SHARON HART STRICKLAND
Certified Legal Assistant

Encls.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 26, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROSHOLT ROBERTSON & TUCKER
SHARON HART STRICKLAND
142 3RD AVE NORTH
TWIN FALLS ID 83303-1906

Dear Ms. Strickland:

We have received the four claims you filed on behalf of the Idaho Power Company. However, we are returning these to you along with check no. 25184 for \$350.00 as explained below.

Two of the claims are located within our water administrative Basin 57 which has been submitted in a Director's Report to the Snake River Basin Adjudication Court in Twin Falls. Therefore, these two claims are considered late claims and must be submitted to the SRBA Court with a Standard Form 4 - Motion to File a Late Notice of Claim. Enclosed is a copy of this form and Administrative Order No. 1 which is also referenced in the form instructions. These claims need to be submitted to the SRBA Court with the Motions to File a Late Claim and a total filing fee of \$127.00. The check for the filing fee needs to be made out to the Department (per the Court's instructions as shown on the Motion to File a Late Claim instruction sheet). The \$127.00 fee includes the \$25.00 fee for the domestic claim (no late fee required for domestic claims) and a \$102.00 fee for the irrigation claim (\$50.00 flat fee plus \$2.00 for the two acres plus the \$50.00 late fee).

The other two claims are in basins not yet submitted to the Court and can be returned to this office with a total filing fee of \$134.00. This fee includes the \$25.00 fee for the domestic claim and a \$109.00 fee for the irrigation claim.

If you have any questions concerning the return of these claims or information in this letter, please feel free to contact this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region

JS:lh
Enclosures

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

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

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

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

RECEIVED

NOV 21 1996

WATER RESOURCES
WESTERN REGION

November 20, 1996

Attn: Cindy Hodges
Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

RE: C.J. STRIKE SRBA CLAIMS

Dear Cindy:

I'm sending this to your attention, since you've been so helpful with our Woodhead Park rights, and I trust you'll forward this information to the appropriate party if that is not you. In our firm's continuing effort to bring all of Idaho Power Company's water rights up to date, I'm enclosing herewith four SRBA claims for domestic and irrigation uses at the C.J. Strike hydro site.

Also enclosed is a copy of Jim Tucker's power of attorney authorizing his signature on these claims, and our check in the amount of \$350.00, computed as follows: 2 domestic claims @ \$25.00=\$50.00; 2 irrigation claims @ \$50.00=\$100; 4 late fees at \$50.00=\$200.

Thanks once again for your help, and please feel free to contact me if you have any questions concerning these claims.

Sincerely,



SHARON HART STRICKLAND
Certified Legal Assistant

Encls.

cc: Mel Chick
Plant Supervisor, CJS

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 15th day of August, 1992.

IDAHO POWER COMPANY

By: [Signature]

ATTEST:

By: [Signature]

Secretary

RECEIVED

DEC 09 1996

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)

) §§.

County of Ada)

On this 14th day of August, 1992, before me, a Notary Public, in and for said County and State, personally appeared J. LaMont Keom and Robert W. Stahman, known or identified to me to be the Vice-President and Secretary, respectively, of the Idaho Power Company, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Salvador Chamorro

NOTARY / PUBLIC FOR IDAHO

Residing at: Boise

My commission expires: 12.31.92

RECEIVED

DEC 09 1996

DEC 6
WATER RESOURCES
WESTERN REGION