

11/13/2006

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

RIGHT NUMBER: 1-40

NAME AND ADDRESS: CITY OF IDAHO FALLS
C/O HOLDEN KIDWELL HAHN CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 140.000 CFS

PRIORITY DATE: 04/20/1900

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF DIVERSION:

T02N R37E S24 SENE Within BONNEVILLE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

POWER

1/01 12/31

140.000 CFS

PLACE OF USE:

POWER in BONNEVILLE County

T02N R37E S24

SENE

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 - Decreed

This power facility is known locally as the "Central" or "City" Plant.

City of Idaho Falls

Hydropower Water Rights

Claim #	Priority Date	cfs	Plant
1 40	4/20/1900	140	central
1 41	10/22/1904	48	central
1 281	12/29/1905	1500	lower
1 360	7/18/1919	394	central
1 361	10/5/1923	485	central
1 2014	12/3/1907	485	central
1 2047	10/28/1927	500	upper
1 2049	2/14/1936	1080	upper
1 4001	10/5/1940	1240	lower
1 4002	2/5/1915	388	central
1 4003	5/3/1930	580	upper
1 7013	11/9/1977	2600	upper
1 7014	11/9/1977	4800	lower
1 7015	11/9/1977	2600	central
1 7023	2/15/1979	1240	upper
1 7024	2/15/1979	1460	central

Plant	Code	Total cfs
Upper		6000
Central or City		6000
Lower		7540

reductions were considered when evaluating the flow needing to yet be licensed. The listing of rights covering the plants are as follows:

Upper Plant -

→ 01-02047	-	500 cfs	
→ 01-02049	-	1080 cfs	
01-04003	-	580 cfs	
01-07013*	-	2600 cfs	
01-07023*	-	<u>940 cfs</u>	1240
		5700 cfs	

Central Plant -

01-00040	-	140 cfs	
01-00041	-	48 cfs	
01-02014	-	485 cfs	
01-04002	-	388 cfs	
01-00360	-	394 cfs	
01-00361	-	485 cfs	
01-07015*	-	2600 cfs	
01-07024*	-	<u>1160 cfs</u>	1460
		5700 cfs	

Lower Plant -

01-00281	-	1500 cfs	
01-04001	-	1240 cfs	
01-07014*	-	3060 cfs	4800
01-07025	-	<u>not needed</u>	
		5800 cfs	

The turbine capacities are stated in the Turbine Evaluation & Energy Generation report prepared by CH2M HILL. These capacities are very close to the capacities determined when using the calculation described at the beginning of this memo. Therefore, the turbine capacities found in the report have been used as the capacities upon which the licenses are based.

*to be licensed

MEMORANDUM

TO: Files 01-07013/07014/07015/07023/07024/07025

FROM: Sharla

DATE: February 3, 1994

RE: Plant Capacities and Licensing Rates of Diversion

Rights 01-07014/07015/07024/07025 were sent to Norm for license signature in June of 1993. They were returned by Norm with questions concerning plant capacities and flow rates to be licensed. After extensive review, the following summation is given.

In documentation contained in Right 01-07014, Skip Jones made some math and flow computations based on a formula provided by Internation Engineer for determining flow (Kilowatts = flow x head/14, thus $Q = kW \times 14/18$). Skip's calculation was based on plant records of kWh's and kW's from 1985 to 1987. While it appeared that November of 1985 had the highest kW output, comparison of the corresponding column (kWh) for that month with other similar kWh data, it appears that the 9,760 kW should be 6760 kW. Therefore, the data from March of 1986 was appropriately used to determine maximum generation.

The measuring device requirement under these rights was changed to require information &/or flow data to reflect the rate of flow beneficially used. While the data supplied with the exams is not as technically complete as would be preferred, the plant generating records are sufficient for calculation using the method stated above. Further compliance with the condition does not appear to need addressing.

In a listing of water rights covering these three bulb turbine plants which is contained in 01-07014, there were several errors in amount of cfs under some rights. Further investigation of adjudication claims and previous licenses revealed a Stipulation prepared in 1980 which set out the amounts to be recognized under 01-02014/02049 if ever included in a future adjudication. The ongoing SRBA will have to recognize these reduced amounts and the

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-40

WATER RIGHT NUMBER: 1-40

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF IDAHO FALLS PO BOX 50220 ATTN: DAVE RICHARDS IDAHO FALLS, ID 83405-0220 (208)529-1471

Priority Date: 04/20/1900

Basis: Decreed

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	/ to /	140.000 CFS	
MUNICIPAL	/ to /		
<u>Total Diversion:</u>		140.000 CFS	

Location of Point(s) of Diversion
SNAKE RIVER

Place of Use

Conditions of Approval:

1. FOR POWER AND MUNICIPAL USE.
P/U THE LANDS WITHIN CITY LIMITS OF IDAHO FALLS.

Remarks:

Comments:

See GPS data in 01-360
Used at Central or City Plant

Water Supply Bank:

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: A01-00040
Date Received: 9/27/1989
Receipt No: E010375
Received By: Carol S.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF IDAHO FALLS 208-523-0620
Address: %HOLDEN, KIDWELL, HAHN & CRAPO
P.O. BOX 50130
IDAHO FALLS, ID 83405
2. Date of Priority: APR 20, 1900
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
02N	37E	13	SE	SE			BONNEVILLE
		18	SW	SW			BONNEVILLE
		19	NW	NW			BONNEVILLE
		24	NE	NE			BONNEVILLE
			SE	NE			BONNEVILLE
			SE	NE			BONNEVILLE

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.
POWER	01/01	12/31	140.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER GENERATION FOR THE CITY OF IDAHO FALLS

A01-00040

Page 1

Date: 09/27/89

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	37E	24	SE NE		POWER	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

01-0041, 020014, 04002, 00360, 00361, 07015 & 07024.

14. Remarks:

ITEM 5-CITY OF IDAHO FALLS "CENTRAL" OR "CITY" POWER PLANT
INCLUDING DAM AND BULB TURBINE GENERATOR--8010 KW NAMEPLATE
RATING.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/12/1910

REXBURG IRRIGATION CANAL

Decree Plaintiff

vs

TETON IRRIGATION CANAL.

Decree 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/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 _____

IN 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 01-0040

Date Received 6/10/87

Receipt Number

RECEIVED
SEP 13 1989

A0100040

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resource
Eastern District Office

1. Name of Claimant(s) City of Idaho Falls Phone (208) 523-xxxx
% Holden, Kidwell, Hahn & Crapo
Mailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 83405

2. Date of Priority (Only (1) per claim) April 20, 1900

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 2N. Range 37E. Section 24 ,
1/4 of SE 1/4 of NE, Govt. Lot, B.M., County of Bonneville

Additional points of diversion if any: SE1/4 SE1/4, S.13, NE1/4 NE1/4,
S.24, SE1/4 NE1/4, S.24, T.2N, R.37E.; SW1/4 SW1/4, S.18, NW1/4 NW1/4, S.19,
T.2N, R.38E.

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.

City of Idaho Falls "Central" or "City" power plant including dam and
bulb turbine generator--8,010 kw nameplate rating.

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6. Water is claimed for the following purposes:

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

For Power Generation purposes from 01/01 to 12/31 amount 140 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 140 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is non-consumptive acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
Power generation for the City of Idaho Falls.

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 instruction for standard symbols.

TWP:RNG:SEC:		NE1/4				:	NW1/4				:	SW1/4				:	SE1/4				:	TL
:	:	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:
3N	:	37E:24	:	:	:	P	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
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Total number of acres irrigated N/A

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

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.

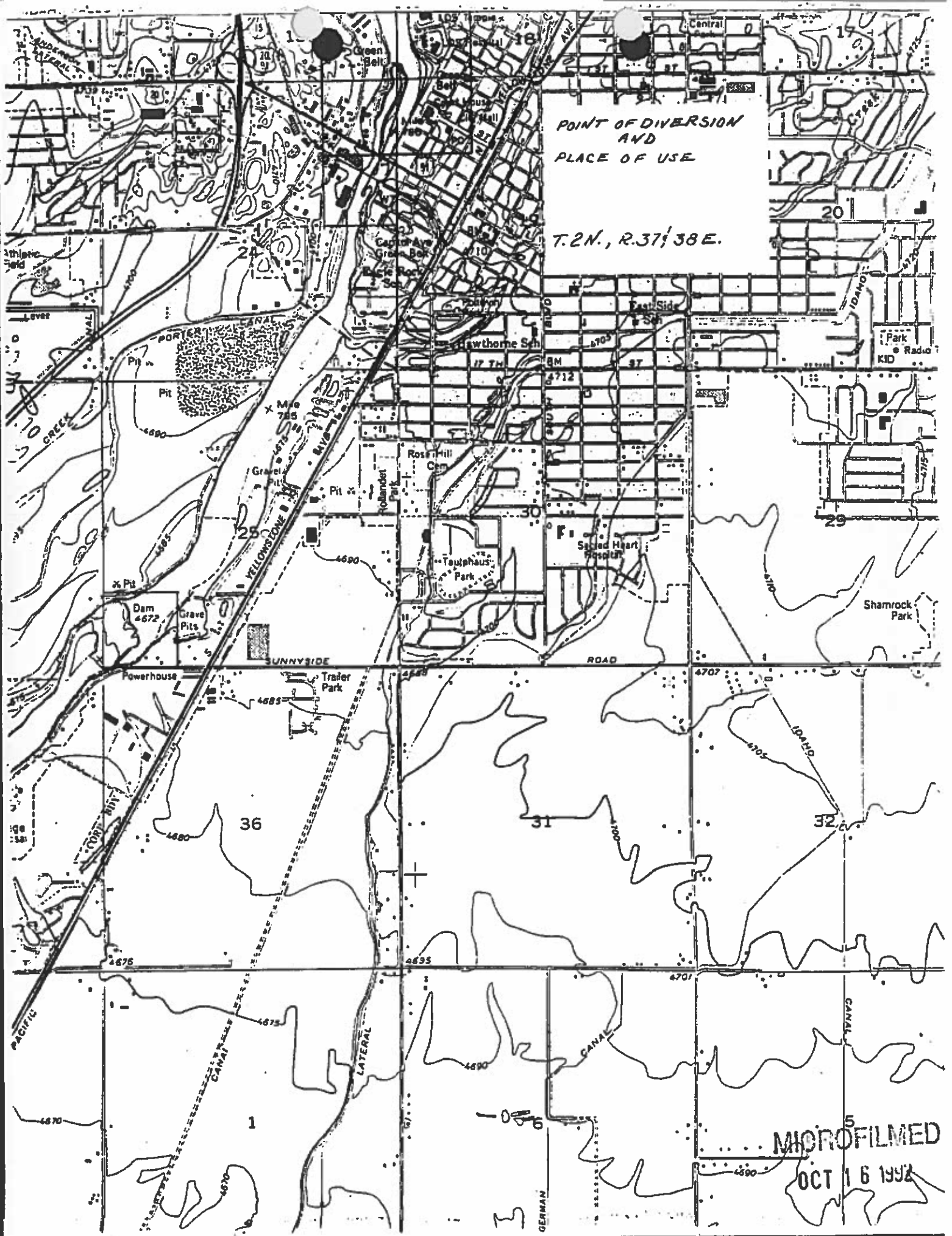
01-0041, 01-2014, 01-4002, 01-0360, 01-0361, 01-7015 & 01-7024 or None ()

14. Remarks:

Last Name City of Idaho Falls Ident No. 01-0040

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If applicable provide IDWR Water Right Number 01-0040
Court 6th District, Fremont Case Number _____ Decree Date 12/12/1910
Plaintiff vs Defendant Rexburg Irr. Co., et al. v. Teton Irr. Canal Co., et al.

(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

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

foregoing document in the space below as Mayor
Title
of City of Idaho Falls and that the statements contained in the
Organization

Signature of Authorized Agent Thomas Campbell
 Title and Organization Mayor, City of Idaho Falls Date 09/12/89

Notary Public Spencer N. [Signature]
Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

Signature Kent M. Lutz
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 09/12/89

Last Name City of Idaho Falls Ident. Number 01-0040

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