

11/13/2006

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

RIGHT NUMBER: 1-4001

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: 1,240.000 CFS

PRIORITY DATE: 10/05/1940

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 S25 SWSW Within BONNEVILLE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

POWER

1/01 12/31

1,240.000 CFS

PLACE OF USE:

POWER in BONNEVILLE County

T02N R37E S25

SWSW

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 "Lower" Plant.

City of Idaho Falls
Claim no. A01-40, et al
(Power Production)

Claimant Contact Log

Date	Remarks	Agent initials
7-26-2004		Bluf

I met with Steve Elliot of the City of Idaho Falls who works for the Electric Division. We visited 3 power plant sites that are particular to 16 adjudication claims. The sites are the "UPPER Plant" north of Idaho Falls, The "City plant" which is located in town south of the Broadway bridge & the "Lower plant" just west of the intersection of Sunnyside Rd & South Yellowstone Highway. (Steve Elliot phone - 509-1449, cell 390-8764)

The Gem State Hydro plant was not included as it appears to be a post-1987 project.

1/ Upper Plant - GPS data: 2657508 1374064

GPS File #- UPPER

GPSTag #- A0000226

2/ City Plant - GPS data: 2658126 1367255

GPS File #- CITY

GPSTag #- A0000227

3/ Lower Plant - GPS data: 2656791 1364684

GPS File #- LOWER

GPSTag #- A0000228

PROFILED

"Lower Plant photo in file A01-281"

SCANNED

NOV 22 2004



State of Idaho

AUG 24 2001

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

February 22, 1990

Idaho Falls Water Dept.
P. O. Box 220
308 C Street
Idaho Falls, ID 83401

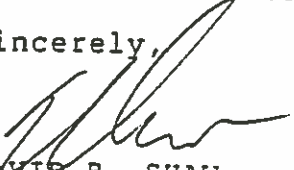
Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,


DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A01-CC041
225-01598
25-12560
01-CC0361

02041
02041
02041

MICROFILMED
OCT 20 1992

SCANNED

AUG 24 2001

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: A01-04001
Date Received: 9/27/1989
Receipt No: E010375
Received By: EGCoded

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: OCT 05, 1940

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	25	SW	SW			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	1240.000		

7. Total Quantity Appropriated is:
1240.000 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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	25	SW	SW		POWER	

11. Place of use in counties: BONNEVILLE

A01-04001

Page 1

Date: 09/27/89

MICROFILMED
OCT 20 1992

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

13. Other Water Rights Used:
01-00281, 07014 & 07025

14. Remarks:
ITEM 5-KNOWN AS CITY OF IDAHO FALLS "LOWER" POWER PLANT INCLUDING
DAM AND BULB TURBINE GENERATOR--11,010KW RATING.

15. Basis of Claim: DECREED
Case Number: 27583
Court : 7TH
Decree date: 9/03/1980

CITY OF IDAHO FALLS
Decree Plaintiff

vs

RONALD D. CARLSON
Decree Defendant

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 SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 01-4001
Date Received 6010375
Receipt Number _____

A0104001

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
SEP 13 1989Department of Water Resources
Eastern District Office1. Name of Claimant(s) City of Idaho Falls Phone (208) 523-0620
% Holden, Kidwell, Hahn & Crapo
Mailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 834052. Date of Priority (Only (1) per claim) October 5, 19403. 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 25 ,
1/4 of SW 1/4 of SW, Govt. Lot, B.M., County of Bonneville
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. _____City of Idaho Falls "Lower" power plant including dam and bulb
turbine generator--11,010 kw nameplate rating.MICROFILMED
OCT 20 1992

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 1240 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1240 (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.)
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				:TLS
:	:	:	:NE	:NW	:SW	:SE	:NE	:NW	:SW	:SE	:NE	:NW	:SW	:SE	:	:NE	:NW	:SW	:SE	:
2N	:	37E:25	:	:	:	:	:	:	:	:	:	:	:	P	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Total number of acres irrigated N/A

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

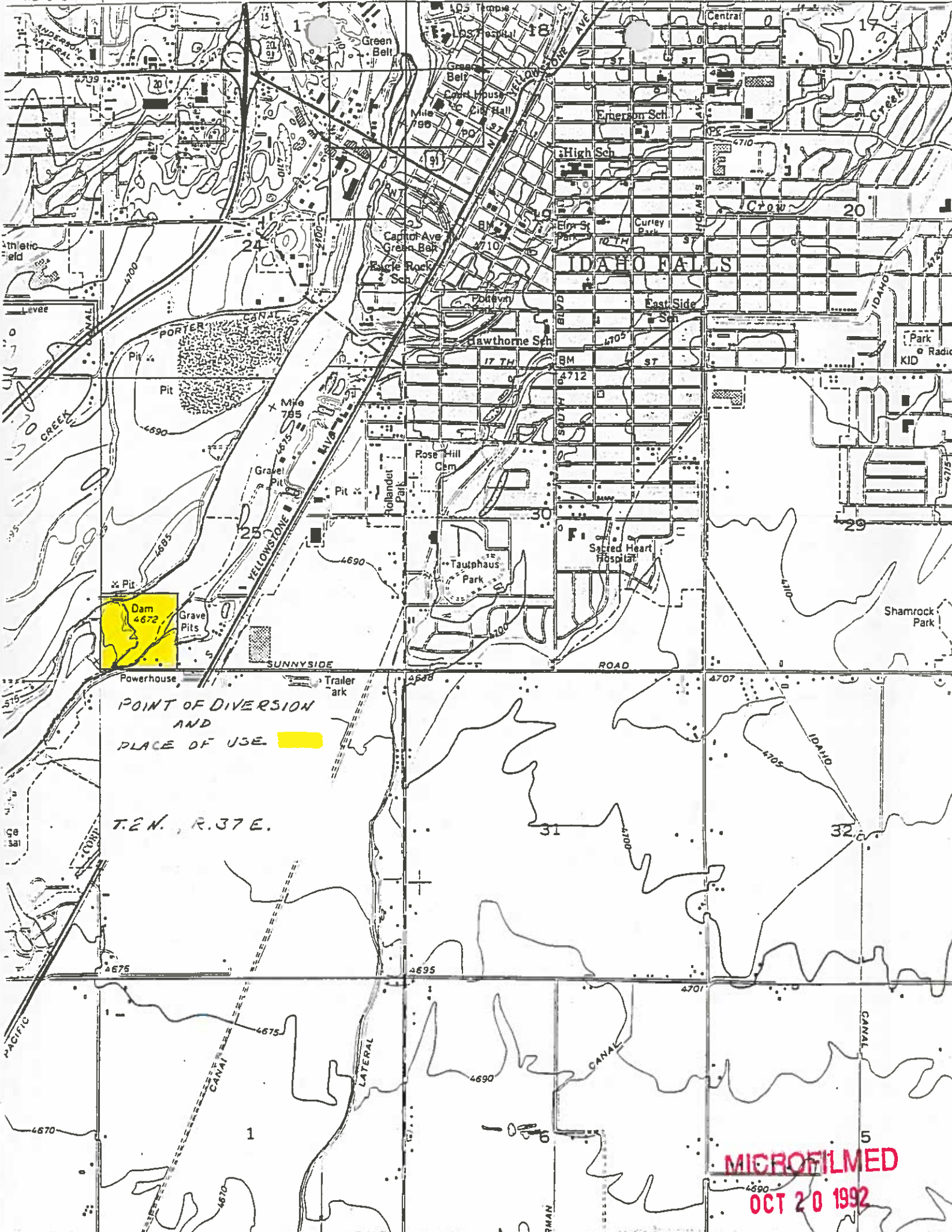
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
01-0281, 01-7014 and 01-7025. or None ()

14. Remarks:

Last Name City of Idaho Falls Ident No. 01-4001

MICROFILMED
OCT 20 1992



Dam
4672

POINT OF DIVERSION
AND
PLACE OF USE

T.2N., R.37E.

MICROFILMED
OCT 20 1992

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

If applicable provide IDWR Water Right Number 01-4001
Court 7th District, Bonneville Case Number 27-583 Decree Date 09/03/1980
Plaintiff vs Defendant City of Idaho Falls v. Ronald D. Carlson

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

Number of attachments 1

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 Mayor of City of Idaho Falls, that I have signed the
Title Organization

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

foregoing document are true and correct.

Signature of Authorized Agent Thomas Campbell

Title and Organization Mayor, City of Idaho Falls Date 09/12/89

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of September, 1989.

Notary Public Kent W. Foster
Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 Kent W. Foster
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 09/12/89

Last Name City of Idaho Falls Ident. Number 01-4001

MICROFILMED

OCT 20 1992