

11/13/2006

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

RIGHT NUMBER: 1-4002

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: 388.000 CFS

PRIORITY DATE: 02/05/1915

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:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	POWER	1/01 12/31	388.000 CFS
PLACE OF USE:	<u>POWER in BONNEVILLE County</u>		
	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.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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

Claimant Contact Log

Date	Remarks	Agent initials
7-26-2004		Shup

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 - 529-1449, cell 390-8764)

The Gen State Hydroplant was not included as it appears to be a post-1987 project.

1/ Upper Plant - GPS data: 2657508 GPS File#- UPPER
1374064
GPSTag#- A0000226

2/ City Plant - GPS data: 2658126 GPS File#- CITY
(Central) 1367255
GPSTag#- A0000227

3/ Lower Plant - GPS data: 2656791 GPS File#- LOWER
1364684
GPSTag#- A0000228

(Central) City Plant photos in file A01-40

PROFILED

SCANNED

NOV 24 2004

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: A01-04002
Date Received: 9/27/1989
Receipt No: E010375
Received By: Calder

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: FEB 05, 1915

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	388.000		

7. Total Quantity Appropriated is:
388.000 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

A01-04002

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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, 02014, 00040, 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: 27583

Court : 7TH

Decree date: 9/03/1980

CITY OF IDAHO FALLS
Decree Plaintiff

vs

RONAL 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 01-4002
Date Received 6010375
Receipt Number _____

A0104002

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) February 5, 19153. Source of water supply (a) Snake River
which is tributary to (b) Columbia River4.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 BonnevilleAdditional 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 388 or

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 388 (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.

[illegible]

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.

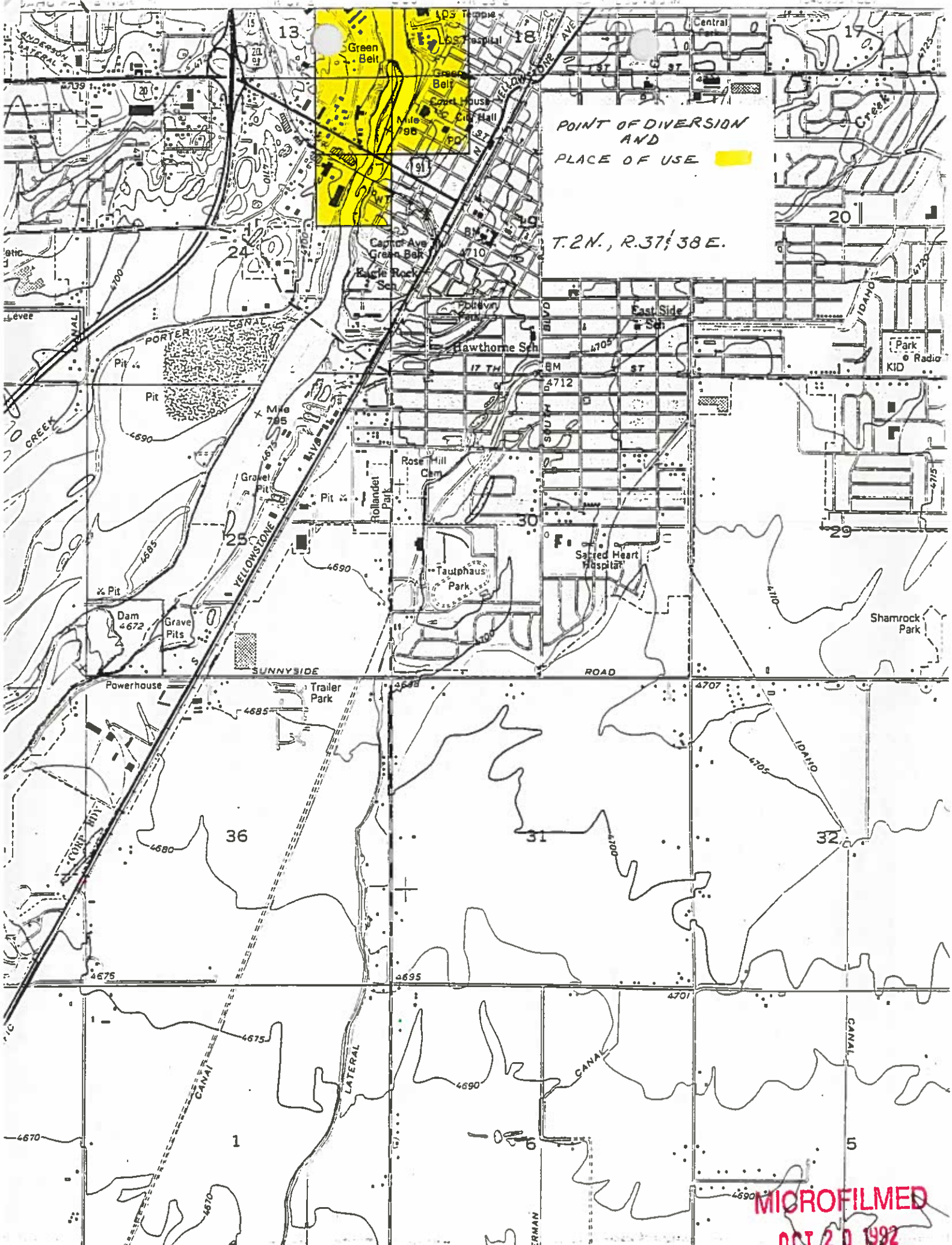
13. Describe any other water rights used at the same place and for the same purposes as described above.
01-0040, 01-0041, 01-2014, 01-0360, 01-0361, 01-7015 & 01-7024 or None ()

14. Remarks:

Last Name City of Idaho Falls Ident No. 01-4002

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POINT OF DIVERSION
AND
PLACE OF USE

T.2N., R.37, 38 E.

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OCT 20 1982

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

If applicable provide IDWR Water Right Number 01-4002
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 ☒ 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 [Signature]
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 [Signature]
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 09/12/89

Last Name City of Idaho Falls Ident. Number 01-4002

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