

11/05/2002

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

RIGHT NUMBER: 29-2376

NAME AND ADDRESS: HOFSTETTER LAW OFFICE, LLC
C/O DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE ID 83702

NORTHWEST PIPELINE CORP
RIGHT OF WAY MAIL STOP 10362
PO BOX 58900
SALT LAKE CITY UT 84158-0900

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
20.800 AFY

PRIORITY DATE: 07/06/1956

POINT OF DIVERSION:

T07S R32E S15 NWNE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS
		4.80 AFY
IRRIGATION	04/01 10/31	0.080 CFS
		16.00 AFY

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

PLACE OF USE: COMMERCIAL Within POWER County

T07S R32E S15 NWNE

IRRIGATION Within POWER County

T07S R32E S15 NWNE

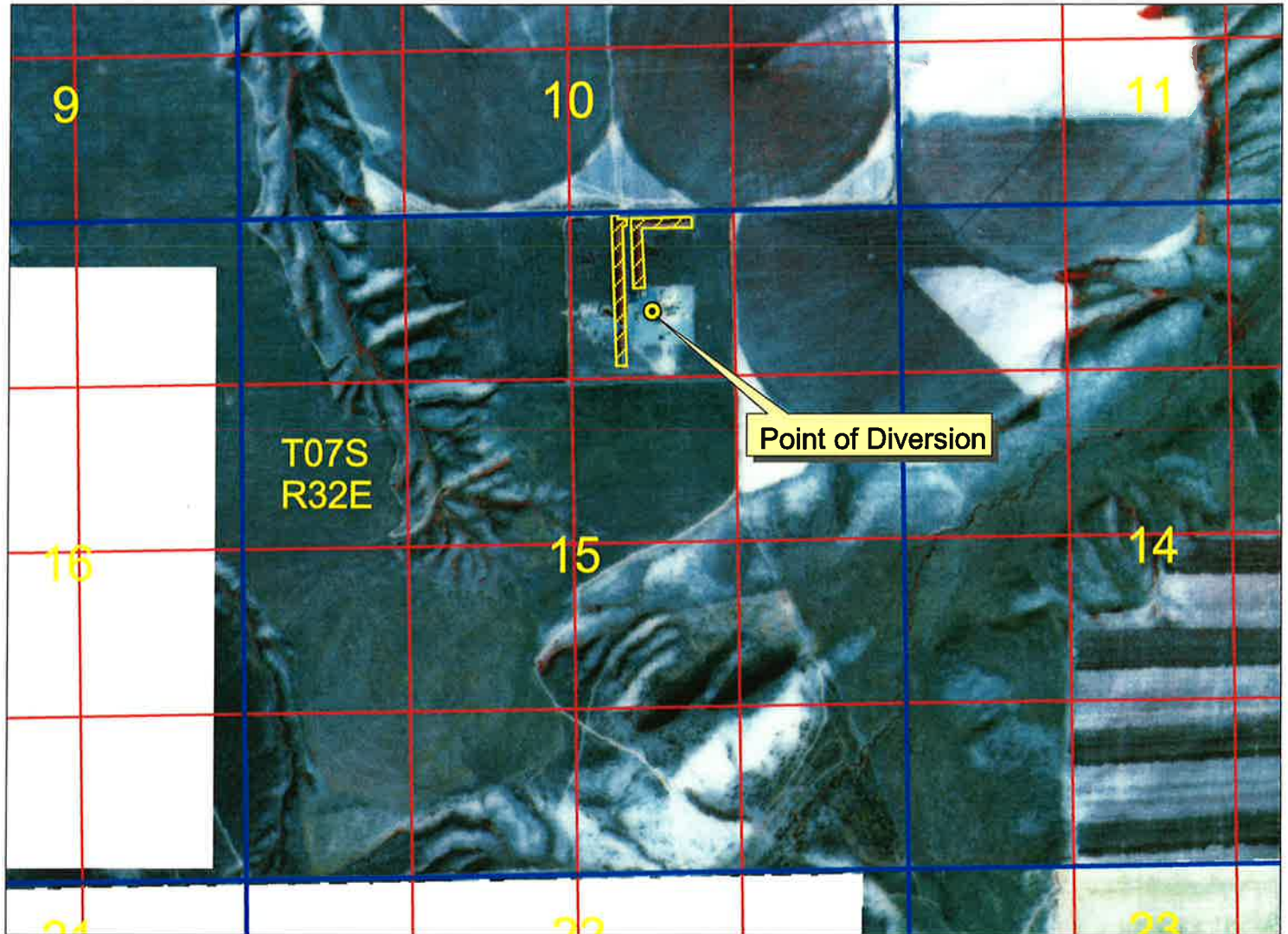
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License



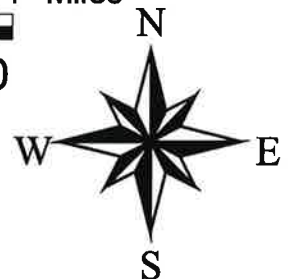
State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-2376



0.5 0 0.5 1 Miles

FEB 01 2006

1:16000



- Point(s) of Diversion
- ▨ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

PROFILED

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: November 2002

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

29-2376

March 17, 2003

RECEIVED
MAR 18 2003
Department of Water Resources

Sally Sherman
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83706

Re: Northwest Pipeline Corporation

Dear Ms. Sherman:

all records except 61-2114, which
is partially-deleted, modified per
Teresa Silcox's email attached.

no 3-24-03

I recently received SRBA Notice of Error materials for Northwest Pipeline Corporation's water right no. 29-2376. Northwest Pipeline Corporation's in-house counsel, Teresa Silcox, is the current attorney representative for Northwest Pipeline Corporation with regard to the Snake River Basin Adjudication and other water right matters. Accordingly, I would request that the Idaho Department of Water Resources update its records to ensure that future Snake River Basin Adjudication and water right documents are sent to Teresa Silcox at the following address:

801/584-7051 Ph
801/584-7862 Fx

Teresa Silcox
Senior Counsel
Northwest Pipeline Corporation
295 Chipeta Way
Salt Lake City, Utah 84108

Teresa.X.Silcox@Williams.com
per Dana ↑
3-21-03

A search on IDWR's internet database, identified the following water rights in Northwest Pipeline Corporation's name: 29-2376, 45-2531, 61-2114, 63-3089 and 63-7366. Please let me know if you have any questions regarding this matter or if I can be of further assistance. Thank you for your assistance.

PROFILED

Sincerely,

HOFSTETTER LAW OFFICE, LLC

SCANNED

FEB 01 2006

Dana Hofstetter

Dana L. Hofstetter

cc: Teresa Silcox

3:30 PM3/24/2003

Sherman, Sally

From: Silcox, Teresa X [Teresa.X.Silcox@Williams.com]
Sent: Monday, March 24, 2003 2:56 PM
To: 'Sherman, Sally'
Subject: RE: 29-2376

I received your e-mail message. From now on, please send all notices to the following two persons at Northwest Pipeoine Corporation:

Teresa Silcox, Senior Counsel
Northwest Pipeline Corporation
Mailstop 3E3
295 Chipeta Way
Salt Lake City, UT 84108
(801) 584-7051

Amy Harward, Land Representative
Northwest Pipeline Corporation
Mailstop 3P1
295 Chipeta Way
Salt Lake City, UT 84108
(801) 584-6326

You need not send notices to the various field locations so long as notice is made as requested above.

← DAG - Collapse pls

-----Original Message-----

From: Sherman, Sally [mailto:SSHerman@idwr.state.id.us]
Sent: Monday, March 24, 2003 11:19 AM
To: Silcox, Teresa X
Subject: 29-2376

Hello Teresa. Dana Hofstetter copied you on her 3-17-03 letter to me. Before I update our records, I need your assistance.

1. This is the address and phone number we have for Northwest Pipeline Corp. Is it the same as 295 Chipeta Way? (Obviously the phone number is different)

Northwest Pipeline Corporation
Right-of-Way Mail Stop 10362
P.O. Box 58900
Salt Lake City, UT 6744
801/584-6744

SCANNED

FEB 01 2006

Sherman, Sally

To: teresa.x.silcox@williams.com
Subject: 29-2376

Hello Teresa. Dana Hofstetter copied you on her 3-17-03 letter to me. Before I update our records, I need your assistance.

1. This is the address and phone number we have for Northwest Pipeline Corp. Is it the same as 295 Chipeta Way? (Obviously the phone number is different)

Northwest Pipeline Corporation
Right-of-Way Mail Stop 10362
P.O. Box 58900
Salt Lake City, UT 6744
801/584-6744

*DVS said make Teresa
a new contact, separate
from NW Pipeline Contacts.*

2. Does all water right information now go only to you? We have addresses for Northwest Pipeline Corp. in Spokane, Washington, and Meridian, Pocatello, Bruneau and Boise, Idaho. We prefer to have only ONE address in our database if possible. Do we need to retain those addresses for any reason?
3. I thought you might find our website helpful: www.idwr.state.id.us Let me know if you need any help.

Sally Sherman
Technical Records Specialist
Adjudication Technical Section
Idaho Department of Water Resources
ssherman@idwr.state.id.us
208/327-7862

SCANNED

FEB 01 2006

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-26433This proof is for G.M. & Beneficial Use

In Water District No. _____

1. Name of applicant: Pacific Northwest Pipeline Corp., P.O. Box 1002, Salt Lake City, Utah2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 15T. 7 S. R. 32 E. County of Power

4. Describe works as they exist, giving dimensions and capacities of same:

5" hp. H.S. Motor #2132047Johnston Turbine pumpClosed line to pump water up into a large storage tank 16' high x 20' diameterHave a separate pump & pressure system for delivery5. Water is used for: Domestic and Industrial use6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of Use: NW 1/4 NE 1/4 of Section 15, Township 7 South, Range 32 East, P.M.well is between office bldg and the plant in the yardAll cased in a small dog house structure (top only removable) has vermiculite insulation to prevent freezingManufacturer sheet states 34 gpm capacity

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Furnish water in dwelling house (full plumbing) for office building for cooling water and large compressors in the plant.

Also have irrigated lawn or crested wheat around the buildings & size 400' x 400'

This examination was made on the 15 day of May, 1958826433(Signed) E. H. Humphrey
Examiner

State of Idaho License and Certificate of Water Right

Water License No. 0-26433
Water District No. _____
THIS IS TO CERTIFY that
PACIFIC NORTHWEST PIPELINE CORPORATION
made application for a permit to appropriate the
public waters of the State of Idaho, dated
July 6, 1956; that Permit No. 0-26433
was issued under said application; that Certificate of Completion of work, with a carrying capacity of
0.08 second feet, was issued thereunder on
July 11, 1956, showing that said works
were completed on the 11th day of
March, 1956; and that on the 11th
day of March, 1956, the State Engineer
of Idaho, by H. A. Jacobs, Div. Mgr.,
made proof to the satisfaction of the
State Engineer of Idaho, of the right to use the waters of a well
subterranean for the purpose of domestic and industrial

purposes, under Use Permit No. 0-26433
of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6367, on the 11th day of
July, 1956;
The Point of Diversion is located
in the NW 1/4, Sec. 15, T. 7 S., R. 32 E., B. M. _____ County, Power
foreclosed, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.08 cubic feet per second.
Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	For domestic and industrial use.
7 S.	32 E.	15	NW 1/4	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.
WITNESS the seal and signature of the State Reclamation Engineer, at Boise, Idaho, on
11th day of July, 1956.

(SEAL)

State Reclamation Engineer

R-32 E.

W. 1/4
P. 1/4
Office
house

15

T
7
S

Nearest road is on
in Sec. 15 - about 2.5 mi.
and from NW 1/4 Sec. 15
is about 1/4 mile
distance to road.

Subdivision = One

Area = 4 acres

Q = 4 inches

File 7-15-1 - 10-15-1 - 11-15-1 - 12-15-1

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

SCANNED

MAY 10 2001

Receipt No: C016083

04/05/90
Date: 08:14:38
Time:

Received From: HOLLAND AND HART

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$66.00

Total \$66.00

CHECK 6383

Idaho Department of Water Resources

Region: STATE

Signature: J. Jarbroun

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APR 12 1994

SCANNED

MAY 10 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: A29-02376
Date Received: 9/ 1/1993
Receipt No: C016083
Received By: _____

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

1. Name: *OK* NORTHWEST PIPELINE CORPORATION 801-584-6744
Address: RIGHT OF WAY (MAIL STOP 10362)
PO BOX 58900
SALT LAKE CITY UT 84158-0900

2. Date of Priority: JUL 6, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	32E	15		NW	NE		POWER

5. Description of diverting works:
358' DEEP/6 5/8" CASING; 5 HP SUB PUMP AT 306'; PIPE TO OFFICE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.080		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INDUSTRIAL, SITE COOLANT, EQUIP.WASH, FIRE PROT, TOILETS, LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	32E	15	NW	NE		INDUST	
			NW	NE		DOMEST	

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11. Place of use in counties: POWER

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

13. Other Water Rights Used:

NONE

14. Remarks:

SEE ORIGINAL NOTICE FOR REMARKS

15. Basis of Claim: LICENSE

Water Right Number: 26433

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 _____ of
_____ Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of

_____ Title
_____ and that the statements contained in the

Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

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 A29-02376
Date Received 4-4-90
Receipt Number 0016083

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 4 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Northwest Pipeline Corporation Phone (801) 584-6744
Mailing Address Right of Way (Mailstop 10362), P.O. Box 58900,
Salt Lake City, UT Zip 84158-0900

2. Date of Priority (Only one (1) per claim) July 6, 1956

3. Source of water supply (a) ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S. Range 32E. Section 15,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Power

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 _____

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.

See attached page.

A2902376

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APR 12 1994

5. The diversion works consist of a 358-foot deep well with a 6 5/8-inch diameter casing. A submersible Johnson model 17ST-6AC five horsepower pump is installed at a depth of 306 feet. Water is pumped through pipelines directly for use in the office and compressor buildings and to an above-ground 37,600-gallon storage tank. Water is also pumped to fire hydrant locations within the compressor station site.
8. The water uses associated with this water right are described immediately below in Item 9. Most of these uses are not expected to be consumptive; others, such as landscape watering, are expected to be considered to consume an insignificant amount. Approximately 200 gallons per day (which converts to approximately 0.0003 cfs), a negligible quantity, are consumed in evaporative coolers.
9. Northwest Pipeline operates an interstate natural gas pipeline; the compressor station helps transport the natural gas in interstate commerce. Water is used at the compressor site for coolant, equipment wash, fire protection, operation of lavatories, personal consumption and for landscape watering. Water is also stored in an above-ground tank for emergency preparation.

14. Remarks:

Item 1: Pacific Northwest Pipeline Corporation was the original operator of the gas pipeline system and the original licensee of the water right. Pacific Northwest was acquired by El Paso Natural Gas Company, which, in 1974, divested its Pacific Northwest Division to the current owner and operator, Northwest Pipeline Corporation.

Items 6 and 10: Water Right License No. G-26433 indicates that the water is for "domestic and industrial use." Perhaps the Idaho Department of Water Resources' ("IDWR") original description of the water use as "domestic and industrial" is no longer accurate according to current IDWR standards. Telephone conversations with Jeff Peppersack and Josephine Beeman of IDWR revealed that under current IDWR policy, Northwest's water use at the Pocatello compressor station site, as described above in Item 9, would be classified as commercial and irrigation. Under current IDWR standards, the use would be described as 0.08 cfs commercial from January 1 to December 31 and 0.08 cfs irrigation from March 15 to November 15, with a total quantity claimed of 0.08 cfs.

NORTHWEST PIPELINE CORPORATION -- NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM -- POWER COUNTY CLAIM

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APR 12 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial purposes from 1-1 to 12-31 amount 0.08 or _____

For Domestic purposes from 1-1 to 12-31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is (see attached page) _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) See attached page.

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	
7S.	32E.	15		I&D															

Total number of acres irrigated _____

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

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 (X)

14. Remarks:

See attached page.

MICROFILMED

APR 12 1994

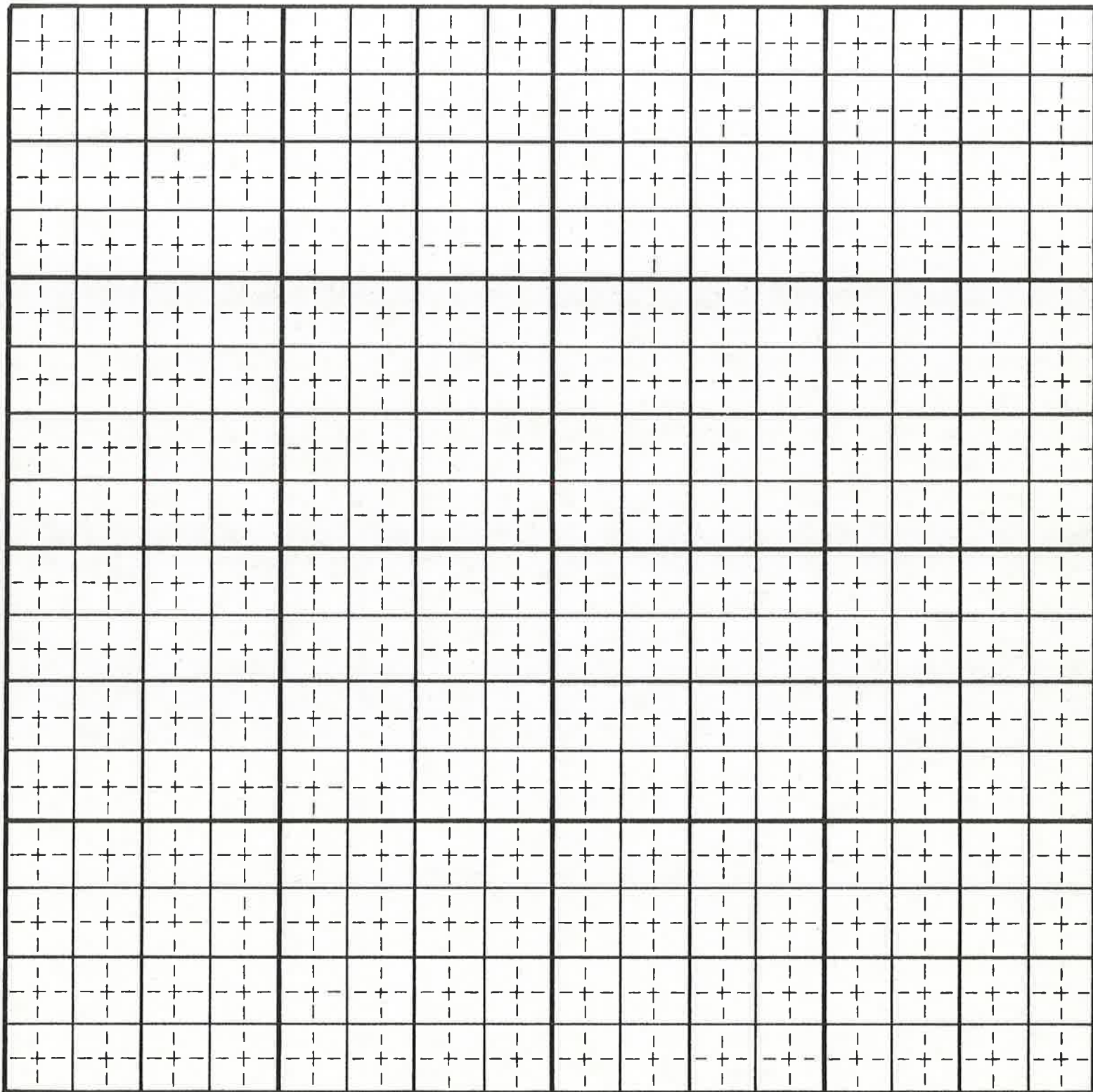
Last Name Northwest Pipeline Corp. Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See attached map.



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APR 12 1994

Last Name Northwest Pipeline Corp. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number G-26433
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2 (map and attached page)

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 Manager, Right-of-Way
Title

of Northwest Pipeline Corporation, that I have signed the foregoing
Organization

document in the space below as Manager, Right-of-Way of Northwest Pipeline Corporation
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Kirk T. Morgan Kirk T. Morgan

Title and Organization Manager, Right-of-Way, Date 4/3/90
Northwest Pipeline Corporation

State of UTAH)
Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of April 19 90



Notary Public Wilma S. West

Residing at Salt Lake City

My Commission Expires 1-29-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Dana L. Hofstetter, Holland & Hart, 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 Dana Hofstetter

Address P.O. Box 2527, Boise, ID 83701

Date 4/4/90

MICROFILMED

APR 12 1994

Last Name Northwest Pipeline Corp Ident. Number _____

Copies White-State, Yellow-Claimant

POCATELLO COMPRESSOR STATION,
POWER COUNTY

T7S R32E

SCALE 1:24000

