

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: A36-02013

Date Received: 8/19/1988

Receipt No: C002945

Received By: C4

RECEIVED
OCT 17 1988
FOR YOUR FILES
DO NOT RETURN

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO POWER CO.
Address: P.O. BOX 70
BOISE, ID

83707

2. Date of Priority: NOV 20, 1912

3. Source: THOUSAND SPRINGS
SNOW BANK SPRINGS

Trib. to: SNAKE RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	14E	8	NW	SE	SE		GOODING
			SW	SE			GOODING

5. Description of diverting works:
CONCRETE WALL, PENSTOCK TO POWER PLANT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	600.000		
DOMESTIC	01/01	12/31	0.10		

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

A.F.A.

8. Total consumptive use is

3 Acre Feet Per Annum.

9. Non-irrigation uses:

POWER PLANT.

GENERATING CAPACITY 8800.0 KILOWATTS

DOMESTIC

3 Houses

1 Acre of parks

Public restroom

A36-02013

Page 1

Date: 08/19/88

MICROFILMED

OCT 13 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	8	NE SW	3	POWER	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
36-02026

14. Remarks:
THOUSAND SPRINGS POWER PLANT.

15. Basis of Claim: LICENSE
Water Right Number: 9066

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 General Counsel and Secretary of
Title
Idaho Power Company, that I have signed the foregoing
Organization
document in the space below as General Counsel and Secretary of
Title
Idaho Power Company and that the statements contained in the
Organization
foregoing document are true and correct.

Rolt W. Stal
Signature of Authorized Agent
General Counsel and Secretary
Idaho Power Company
Title and Organization

October 11, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 88

Danny L. Benson
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12/31/92

17. Notice of Appearance:

Notice is hereby given that I, THOMAS G. NELSON 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.

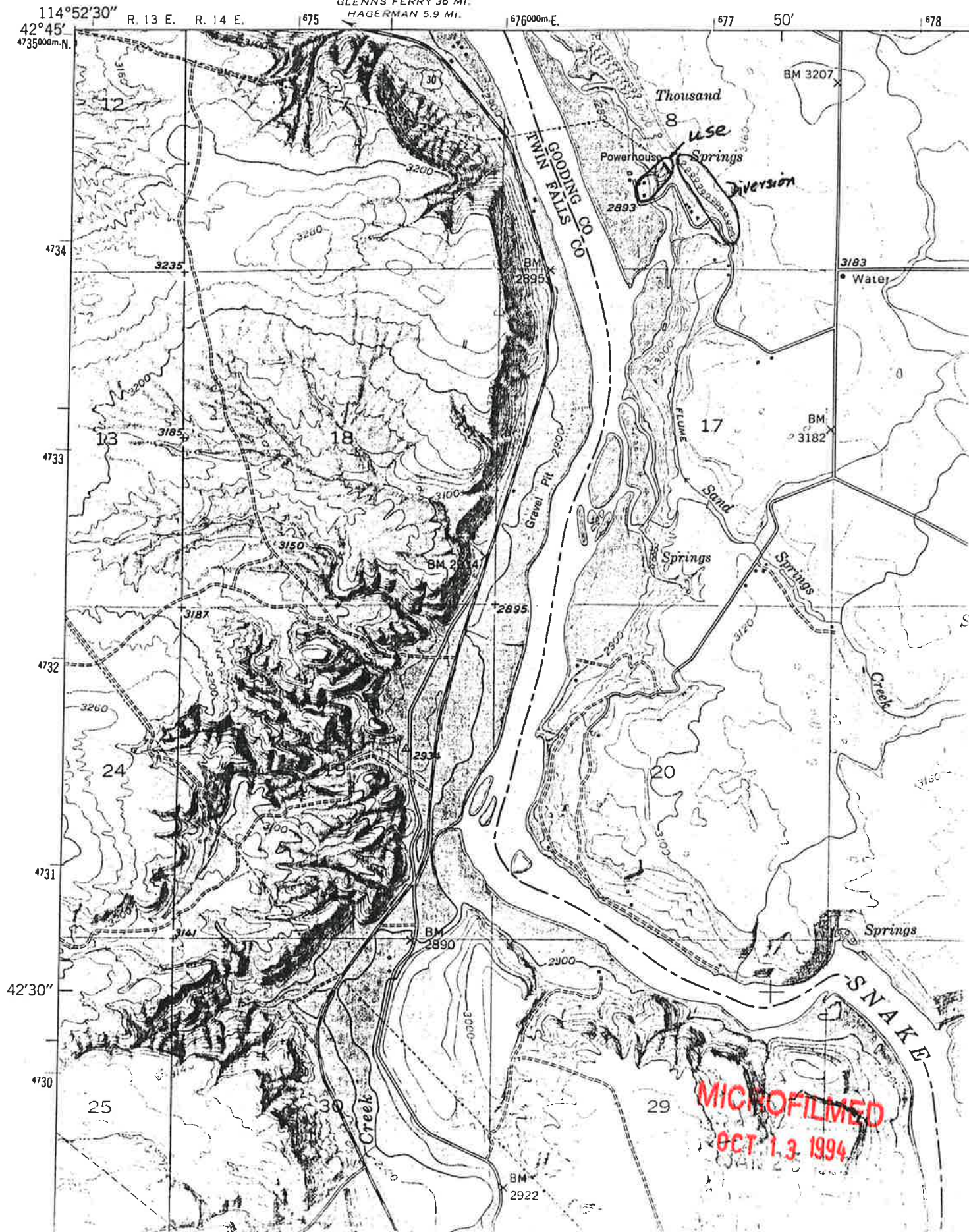
Signature Thomas G. Nelson

Address Box 2139 Boise, Id 83701

Date 10/16/88

3059 IV SW
(HAGERMAN)

GLENN'S FERRY 36 MI.
HAGERMAN 5.9 MI.



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: A36-02013
Date Received: 10/17/1988
Receipt No: C002945
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 18 1990

Department of Water Resources
Southern Region Office

1. Name: IDAHO POWER CO.
Address: P.O. BOX 70
BOISE, ID

83707

2. Date of Priority: NOV 20, 1912

3. Source: THOUSAND SPRINGS
SNOW BANK SPRINGS

Trib. to: SNAKE RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	8	NW	SE			GOODING
			SW	SE			GOODING

5. Description of diverting works:
CONCRETE WALL, PENSTOCK TO POWER PLANT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	600.000		
DOMESTIC	01/01	12/31	0.100		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

POWER PLANT; DOMESTIC, 3 HOUSES, 1 ACRE OF PARK, PUBLIC RESTROOMS
GENERATING CAPACITY 8800.0 KILOWATTS

MICROFILMED

JAN 25 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	8	NE SW	3	POWER	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
36-02026

14. Remarks:
THOUSAND SPRINGS POWER PLANT.

15. Basis of Claim: LICENSE
Water Right Number: 9066

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 _____

CLAIMANT'S NAME: Idaho Power DATE: 6-7-90

EMPLOYEE: Carter Fritschle

The following statement was removed from
remarks on 6-7-90.

***** MEMO TO FILE *****
THIS CLAIM INCLUDES EXPANSION TO USES OTHER THAN LICENSED. CLF

MICROFILMED

JAN 25 1993

10/4/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Idaho Power Co. CLAIM ENT. NO. A36-02013DATE RECEIVED 10-17-88 CK # 096556 AMOUNT \$ 24,129-

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES ☒ NO ☐
- (b) Is a tributary to entered? (if required) N/A ☐
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐
5. Is there a description of the diverting works? YES ☒ NO ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES ☒ NO ☐
- Is the period of use included? YES ☒ NO ☐
- Is a quantity claimed for each use? YES ☒ NO ☐
7. Is a total quantity claimed entered? YES ☒ NO ☐
8. If required is a consumptive use entered? N/A ☐
- Is the consumptive use correct? N/A ☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. YES ☒ NO ☐
10. Is (are) the place(s) of use entered? YES ☒ NO ☐
11. Is (are) the county(ies) entered? YES ☒ NO ☐
12. Is the ownership of p.u. checked? YES ☒ NO ☐
13. Are other water rights listed or "none" checked? YES ☒ NO ☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☐
15. Is the basis of the claim checked? YES ☒ NO ☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES ☒ NO ☐
- Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐
- Was this claim filed on time, or was an extension granted? YES ☒ NO ☐
- Is the fee enclosed correct? YES ☒ NO ☐ Comment
- If this claim is based on an existing water right, has the identification number been entered? N/A ☐
- Should this claim be receipted and data entered? YES ☒ NO ☐

Claim checked by: CT

Comments: Expansion to include domestic & irrigation uses. Variable fee for irrigation was not paid.

D.E. corrected 6-7-90 Rf

7d lower

A36-02013

THOMAS G. NELSON
NELSON, ROSHOLT, ROBERTSON,
TOLMAN, AND TUCKER.
BOISE ID 83701

A36-02018

THOMAS G. NELSON
NELSON, ROSHOLT, ROBERTSON,
TOLMAN, AND TUCKER
BOISE ID 83701

A36-02710

THOMAS G. NELSON
NELSON, ROSHOLT, ROBERTSON
TOLMAN, AND TUCKER
BOISE ID 83701

A36-02026

THOMAS G. NELSON
NELSON, ROSHOLT, ROBERTSON,
TOLMAN, AND TUCKER
BOISE ID 83701

A36-02704

THOMAS G. NELSON
NELSON, ROSHOLT, ROBERTSON,
TOLMAN, AND TUCKER
BOISE ID 83701

A36-00099

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-00016

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-02083

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 83303

A36-00017

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-00018

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-00046

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-00001

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-14746

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 83303

A36-11144

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 833031906

A36-14904

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 83303

A36-14906

JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS ID 83303

MICROFILMED
JAN 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jul-1990 13:51

A36-11142 *
JOHN A. ROSHOLT
P.O. BOX 1906

TWIN FALLS

ID 833031906

RE: Field examination of a water right claimed
in the Snake River Basin Adjudication

Dear Counselor,

The field staff of this agency may need to conduct water right field examinations of your client's water right claim(s) during the coming season. The field examiner may be visiting your client's property to obtain information necessary to verify the water use.

If a field exam is necessary your client will be contacted directly about the examination unless you contact us otherwise. If you wish to accompany your client at the time of any field examination, or if you have any questions regarding the field examination, you may contact this office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

*See Other Water Right Numbers Attached

MICROFILMED

JAN 25 1993

SD-33	Last Name: IDAHO POWER CO				STATE		
S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
-	IDAHO POWER CO	-	-	-	-	-	-
-		C	A03-02024	02/11/1964	SNAKE RIVER	10000.000	28 POWER
-		C	A03-02025	02/11/1964	SNAKE RIVER	14000.000	28 POWER
-		C	A03-07018	12/24/1975	SNAKE RIVER	5000.000	28 POWER
-		C	A36-02013	11/20/1912	THOUSAND SP	600.000	28 POWER
-					SNOW BANK S		43 DOMEST
-		C	A36-02018	01/18/1919	CLEAR LAKES	526.000	28 POWER
-		C	A36-15221	03/03/1982	NIAGARA SPR	0.040	43 DOMEST
-		C	A65-02338A	08/24/1937	PAYETTE RIV	125.000	28 POWER
-		C	A65-02338X	10/06/1925	PAYETTE RIV	25.000	28 POWER
-		C	A65-03828	01/27/1963	GROUNDWATER	0.040	43 DOMEST
-		C	A65-12096	02/21/1978	PAYETTE RIV	2000.000	28 POWER
-		C	A73-10124	06/20/1984	GROUNDWATER	0.040	43 DOMEST
-		C	A78-07013	08/01/1969	RAPID RIVER	18.600	19 FISH
-		C	A36-07487	06/28/1974	GROUNDWATER	0.010	43 DOMEST
-		C	A36-07587	12/03/1975	GROUNDWATER	0.020	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

JAN 25 1993

SD-33	Last Name: IDAHO POWER CO					STATE	
S	O						
E	W	Water	Priority		Total	Use	
L	N	Right No.	Date	Source	Diversion	Code	Desc

IDAHO POWER CO							
	C	A63-08820	05/06/1977	GROUNDWATER	0.100	43	DOMEST
	C	A73-07055	04/28/1981	PAHSIMEROI	40.000	19	FISH
	C	A73-10125	02/28/1967	GROUNDWATER	0.040	43	DOMEST
	C	A74-00490	01/01/1950	GROUNDWATER	0.040	43	DOMEST
	C	A78-02073	05/28/1964	GROUNDWATER	0.250	43	DOMEST
						49	FIRE
						19	FISH
	C	A78-02074	05/15/1964	RAPID RIVER	28.000	19	FISH
	C	R36-02013	11/20/1912	THOUSAND SP	600.000	28	POWER
				SNOW BANK S			
	C	R36-02026	05/01/1916	SAND SPRING	100.000	28	POWER
	C	R36-02478	10/21/1939	TUCKER SPRI	3.000	01	IRR
						04	STOCK
						25	COOL
						43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

JAN 25 1993

James C. Tucker
Bruce M. Smith
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 2139
Boise, Idaho 83702-2139
Telephone: (208) 336-0700
4743p/shs/1-2-92

Steven L. Herndon
Assistant General Counsel
Idaho Power Company
P. O. Box 70
Boise, Idaho 83707

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.)

CASE NO: 39576

The State of Idaho, ex rel.)
A. Kenneth Dunn in his official)
capacity as director of the)
Idaho Department of Water)
Resources,)

NOTICE OF
APPEARANCE

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all claimants)
to the use of water from the)
Snake River Basin Water System,)

Defendants.)

* * * * *

COMES NOW, IDAHO POWER COMPANY, by and through its
attorneys, Steven L. Herndon, Assistant General Counsel of

MICROFILMED

JAN 25 1993

1 IDAHO POWER COMPANY, and James C. Tucker and Bruce M. Smith of
2 the firm of ROSHOLT, ROBERTSON & TUCKER, and, pursuant to Order
3 of this Court entered December 17, 1991, enters its appearance
4 in the above-captioned case.

5 DATED this 2nd day of January, 1992.

6 ROSHOLT, ROBERTSON & TUCKER

7 *for James R. Rosholt*
8 JAMES C. TUCKER

9 CERTIFICATE OF MAILING

10 I hereby certify that on this 2nd day of January,
11 1992, I caused to be served a true copy of the foregoing NOTICE
12 OF APPEARANCE by the method indicated below, and addressed to
13 each of the following:

14 Larry Echohawk
15 Attorney General
16 State of Idaho
Statehouse, Room 210
Boise, Idaho 83720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

17 David Shaw
18 Adjudication Bureau Chief
19 Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
20 Boise, Idaho 83720 (6 copies)

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

21 Peter C. Monson, Esq.
22 Assistant Attorney General
23 U.S. Department of Justice
Land and Natural Resources
Division
24 Indian Resources Section,
Rm. 6317
25 P. O. Box 44378
Washington, D.C. 20026-4378

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

26
27
28 MICROFILMED

JAN 25 1993

1 Don A. Olowinski
2 HAWLEY, TROXELL, ENNIS
3 & HAWLEY
4 P. O. Box 1617
5 Boise, Idaho 83701

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

for James A. Rosset
JAMES C. TUCKER

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MICROFILMED
JAN 25 1993

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	11/04/1991	Old Judicial District	-	
Claim Received Date	-	10/17/1988	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	C002945	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-	OR	Presumption Flag	-	
						Notice of Error Flag	-	

Page (D) Number - 9066

See 11-4-91

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/15/1991	Old Judicial District	-
Claim Received Date	- 10/17/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C002945	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0728NP
(OD-124)

Water Right Number - R36-02013 Adj. Flag Translation: RESEARCH Old (D) Number - 9066

+ - - - - Last Name - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
IDAHO POWER CO.

1 - P.O. BOX 70

2 -

3 -

City- BOISE

Phone - 208-000-0000

State- ID Zip- 83707

*** O - ORIGINAL OWNER ***
THOUSAND SPRINGS POWER CO.

1 -

2 -

3 -

City- N/A

Phone - 208-000-0000

State- ID Zip- 00000

DeLele

*** A - ATTORNEY ***
NELSON

THOMAS G.

1 - NELSON, ROSHOLT, ROBERTSON,
2 - TOLMAN, AND TUCKER.

3 - P.O. BOX 2139

City- BOISE

Phone - 208-336-0700

State- ID Zip- 83701

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/20/1912 L - LICENSE

+ - - - - Source - - - - - +

THOUSAND SPRINGS
SNOW BANK SPRINGS

+ - - - - Tributary - - - - - +

SNAKE RIVER
SNAKE RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - + - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)

08S 14E 8 SW NW SE (47) GOODING
08S 14E 8 NE SW SE (47) GOODING
08S 14E 8 NW SW SE (47) GOODING
08S 14E 8 SE SW SE (47) GOODING

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume

28 - POWER

43 - DOMESTIC

01/01 12/31 600.000
01/01 12/31 0.100

DeLele

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
600.000

8800.0

+ - - - - Rng Sec Tract Lot Acres Code Description County

08S 14E 8 NE SW 3 28 POWER (47) GOODING

Total Acres:

Adj. flag translation: RESEARCH

ENSTOCK TO POWER PLANT

~~POWER PLANT; DOM~~

~~A36-02026~~

—

THOUSAND SPRINGS POWER PLANT.

No Old Water Right Numbers Found

+

[illegible]

Temporary Right -P

Comments

+ - - Non-Irrigation Use - POWER PLANT; DOMESTIC, 3 HOUSES, 1 ACRE OF PARK, PUBLIC RESTROOMS

436-02026

THOUSAND SPRINGS POWER PLANT.

No Old Water Right Numbers found.

No Conditions of Approval found.

+ - - - Decree Defendant - - - +

--Comments--
No Comments Found

FRITSCHAL

- Adjudication Rights Dates and Flags Area

| | | | | | | | | |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| Court Report Filing | - | 00/00/0000 | Field Inspection Made | - | 00/00/0000 | Civil Case Number | - | 39576 |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - | Y | Old Case Number | - | |
| Response Filed Date | - | 00/00/0000 | Verified Date | - | 06/03/1985 | Old Judicial District | - | |
| Claim Received Date | - | 10/17/1988 | Last Amended Date | - | 00/00/0000 | Temporary Right | - | P |
| Claims Tape Error Flg | - | | Receipt Number | - | C002945 | Water District | - | |
| Fee Exempt Flag | - | | POU Ownership Flag | - | Y | Federal/State Indicator | - | S |
| | | | Name Connector | - | OR | Presumption Flag | - | |

| Federal/State Indicator - S | Presumption Flag |
|-----------------------------|------------------|
| | |

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)07/30/90 14:48:10
Page 1Water Right Number - 36-02013 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 9066
+ - - - - Last Name - - - - + + - - - - Address - - - - - +*** C - CURRENT OWNER ***
IDAHO POWER CO.

1 - P.O. BOX 30

2 -

3 -

City- BOISE

Phone -

State- ID Zip- 83721

*** O - ORIGINAL OWNER ***

THOUSAND SPRINGS POWER CO.

1 -

2 -

3 -

City-

Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/20/1912 L - LICENSE+ - - Source - - - - - + + - - - Tributary - - - - - +
THOUSAND SPRINGS SNAKE RIVER
SNOW BANK SPRINGS SNAKE RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County08S 14E 8 NW SE (47) GOODING
SW SE (47) GOODING+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
28 - POWER 600.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
600.000+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 8 POWER (47) GOODING

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

RECEIVED
APR 11 2006
DEPARTMENT OF
WATER RESOURCES

April 11, 2006

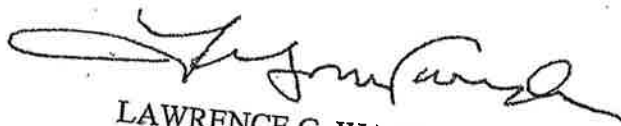
Karl Dreher, Director
Idaho Department of Water Resources
322 E Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right Permit Nos. 01-7054, 37-7842, and Water Right Licenses
enumerated in the Swan Falls Water Right Agreement, dated October 25, 1984
and ratified by Idaho Code § 42-203B(5)

Dear Director Dreher:

The State of Idaho and Idaho Power Company have entered into the attached
Stipulation dated April 11, 2006, which recognizes that the hydropower water rights
listed in the Swan Falls Agreement are subordinate to Water Right Permit Nos. 01-7054
and 37-7842. We request that this Stipulation be filed in each of the relevant water right
files and that you take such action as is necessary to reflect the Stipulation in each of the
enumerated water rights.

Sincerely,



LAWRENCE G. WASDEN,
Attorney General
State of Idaho



JAMES C. TUCKER
Attorney for Idaho Power Company

Attachment

STIPULATION

The Idaho Power Company and the State of Idaho ("State") hereby stipulate and agree, by and through their respective undersigned counsel, as follows:

- 1) Stipulation Regarding Water Right Permit Nos. 01-7054 and 37-7842: Recognizing that Water Right Permit Nos. 01-7054 and 37-7842 are subject to the Swan Falls Settlement –
 - a) The Company agrees that its water rights are subordinated to water rights nos. 01-7054 and 37-7842 pursuant to the terms of the Swan Falls Agreement and will neither contest nor otherwise oppose the exercise of those water rights on the basis of priority, the Swan Falls Agreement, or I.C. §§ 42-234, 42-4201 and 42-4201A. The Company further agrees that those water rights may be exercised in a manner consistent with state law.
 - b) The parties agree that all provisions of the Swan Falls Agreement and the implementing legislation shall continue to apply to Water Right Permit Nos. 01-7054 and 37-7842, including I.C. §§ 61-539 and 61-540 for the benefit of Idaho Power Company.
 - c) The parties further agree that in the event that the Idaho Water Resource Board (IWRB) seeks to have said permits licensed or decreed, that the Company will not file a protest or objection in such proceedings, but that the State, in recognition of its obligations under the Swan Falls Agreement and state law, through the Idaho Department of Water Resources (IDWR), will appropriately investigate such permits to ensure that they meet applicable requirements and that the licensed or decreed water rights fully comply with state law.
- 2) Further Proceedings Relating to the Swan Falls Agreement. The parties agree that in the event that there are disagreements or disputes between the parties as to the interpretation or application of the Swan Falls Agreement that they will endeavor to resolve those disagreements through informal discussions and negotiation. In the event that the parties are unable to resolve

any such disagreements to their mutual satisfaction, either party, after notice to the other, may file a petition for declaratory relief with a court of appropriate jurisdiction to have the disagreement resolved and the Swan Falls Agreement interpreted and neither this Stipulation nor I.C. §§ 42-234, 42-4201, or 42-4201A shall act as a bar to the filing of such action.

- 3) Request for Recognition of the Stipulation. The parties agree to submit this Stipulation in all administrative and judicial proceedings involving the recognition of Water Right Permit Nos. 01-7054 and 37-7842 and to jointly present affidavits and such other evidence as may be required for the recognition of the Stipulation.
- 4) Defense of Stipulation. The parties agree to jointly support and defend the terms of the Stipulation against any and all objections or other challenges that may arise against the terms of the Stipulation in any administrative or judicial proceeding.
- 5) Stipulation Does Not Affect Statutory or Regulatory Authority. The parties agree that nothing in this Stipulation shall be construed or interpreted to affect the authority of the State as provided by constitution, statute or regulation. Nor shall this Stipulation be construed or interpreted to affect the rights of any person not a party to the Stipulation.
- 6) Stipulation Not to be Used Against Parties. Except as provided herein, neither party by entry into this Stipulation waives any legal position or arguments it may have regarding any legal disputes that may exist between the parties. Nothing in this Stipulation shall be construed as an admission against interest or tendered or used as evidence to support or oppose any party's claims or objections in any administrative or judicial proceeding, other than those seeking approval of the Stipulation, for interpretation, enforcement or administration of this Stipulation or for a purpose contemplated by Idaho Rule of Evidence 408.

11-25 ✓
RECEIVED
NOV 28 1997
OFFICE OF THE
ATTORNEY GENERAL

1997 NOV 25 AM 10:58
DISTRICT COURT-SE
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

ORDER OF PARTIAL DECREE

For Water Right 36--02013

RECEIVED
DEC - 3 1997

Department of Water Resources
Adjudication Bureau

On August 1, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02013 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 25, 1997.




DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02013

1997 NOV 25 AM 10:58
DISTRICT COURT-ST
TWIN FALLS CO, IDAHO
FILED

NAME & ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE ID 83707

SOURCE: THOUSAND SPRINGS
SNOW BANK SPRINGS

TRIBUTARY: SNAKE RIVER
SNAKE RIVER

QUANTITY: 600.00 CFS

PRIORITY DATE: 11/20/1912

POINT OF DIVERSION: T08S R14E S08

SWNWSE
NESWSE
NWSWSE
SESWSE

Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
POWER

PERIOD OF USE
01-01 12-31

QUANTITY
600.00 CFS

PLACE OF USE:

POWER Within GOODING County
T08S R14E S08 Lot 3 (NESW)


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1997 NOV 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 36-02013

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-02013 was mailed
on November 28, 1997, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

IDAHO POWER COMPANY
Represented by:
JAMES C. TUCKER
PO BOX 1906
TWIN FALLS, ID 83303-1906
Phone: 208-734-0700

CERTIFICATE OF MAILING

PAGE 2
11/25/97

DIANA DELANEY
Chief Deputy Clerk

LAND & WATER FUND OF THE
Represented by:
LAIRD LUCAS
LAND & WATER FUND OF ROCKIES
P.O. BOX 1612
BOISE, ID 83701
Phone: 208-342-7024

RECEIVED

AUG 04 1997

Department of Water Resources
Adjudication Bureau

1997 Aug 11 9:13

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED

In Re SRBA

) Subcase 36-02013

Case No. 39576

) SPECIAL MASTER'S REPORT

Findings of Fact

Idaho Power Company, Box 70, Boise, Idaho 83707, filed its *Notice of Claim to a Water Right* on August 19, 1988, claiming 600 cfs from Thousand Springs/Snow Bank Springs for power generation and domestic uses based on a license. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 3 (Basin 36)* recommending the claim as filed.

The claimant filed its *Objection* on April 30, 1993, objecting to the inclusion of general provisions. On May 3, 1993, the Conservation Groups filed their *Motion for Leave to Intervene*. The Director's *Response to Objection*, filed August 16, 1993, proposed no changes to the recommendation. On March 29, 1994, the Presiding Judge denied the Conservation Group's *Motion*.

On March 21, 1997, the claimant and IDWR filed a *Stipulation* agreeing to the water right as recommended in the Director's Report, without general provisions,

[S]ubject to the condition that should the Supreme Court reverse the SRBA Court's *Memorandum Decision and Order Re: Basin-Wide Issue No. 5* with regard to the General Provisions that are the Subject of the claimant's objection, the SRBA Court will reinstate the objection and allow it to be litigated.

A *Preliminary Special Master's Report and Recommendation* was issued on June 18, 1997. No motion to alter or amend was filed and the time for such motion has now expired.

Conclusions of Law

Idaho Power Company is entitled to a partial decree adjudicating its water right under claim 36-02013 as described in the *Special Master's Recommendation for Partial Decree for Water Right 36-02013*.

DATED August 1, 1997.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1997 Aug 1 9:13
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
PARTIAL DECREE FOR
Water Right 36-02013

IN Re SRBA
Case No. 39576

NAME & ADDRESS:
IDAHO POWER CO
PO BOX 70
BOISE ID 83707

SOURCE:
THOUSAND SPRINGS
SNOW BANK SPRINGS

QUANTITY: 600.00 CFS

PRIORITY DATE: 11/20/1912

POINT OF DIVERSION: T08S R14E S08

SUNWSE
NESWSE
NMSWSE
SESWSE

Within GOODING County

PURPOSE AND PERIOD OF USE: POWER
PURPOSE OF USE: POWER
PERIOD OF USE 01-01 12-31
QUANTITY 600.00 CFS

PLACE OF USE: POWER
T08S R14E S08 Lot 3 (NESW)
Within GOODING County

DATED: AUG 1 1997

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 36-02013

1997 Aug 1 AM 9:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

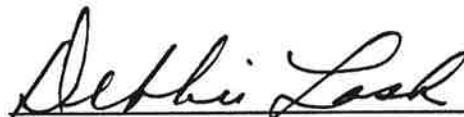
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 36-02013

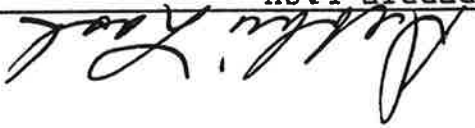
On August 01, 1997, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED August 01, 1997.


DEBBIE LASH
Deputy Clerk

DEBBIE LASH



CERTIFICATE OF MAILING

JAMES C. TUCKER
PO BOX 1906
TWIN FALLS, ID 83303-1906

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

LAIRD LUCAS
LAND & WATER FUND OF ROCKIES
P.O. BOX 1612
BOISE, ID 83701

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 01, 1997, with sufficient first-class postage prepaid to the following:

CERTIFICATE OF MAILING

Water Right(s): 36-02013

CERTIFICATE OF MAILING

Case No. 39576

In Re SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

Aug 1 9:13

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JUN 19 1997

Department of Water Resources

1997 JUN 18 AM 9:52

DISTRICT COURT - SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase 36-02013

Case No. 39576

PRELIMINARY SPECIAL
MASTER'S REPORT

Findings of Fact

Idaho Power Company, Box 70, Boise, Idaho 83707, filed its *Notice of Claim to a Water Right* on August 19, 1988, claiming 600 cfs from Thousand Springs/Snow Bank Springs for power generation and domestic uses based on a license. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 3 (Basin 36)* recommending the claim as filed.

The claimant filed its *Objection* on April 30, 1993, objecting to the inclusion of general provisions. On May 3, 1993, the Conservation Groups filed their *Motion for Leave to Intervene*. The Director's *Response to Objection*, filed August 16, 1993, proposed no changes to the recommendation. On March 29, 1994, the Presiding Judge denied the Conservation Group's *Motion*.

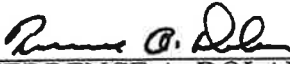
On March 21, 1997, the claimant and IDWR filed a *Stipulation* agreeing to the water right as recommended in the Director's Report, without general provisions,

[S]ubject to the condition that should the Supreme Court reverse the SRBA Court's *Memorandum Decision and Order Re: Basin-Wide Issue No. 5* with regard to the General Provisions that are the Subject of the claimant's objection, the SRBA Court will reinstate the objection and allow it to be litigated.

Conclusions of Law

Idaho Power Company is entitled to a partial decree adjudicating its water right under claim 36-02013 as described in the *Preliminary Special Master's Recommendation for Partial Decree for Water Right 36-02013*.

DATED June 18, 1997.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 36-02013

1997 JUN 18 AM 9:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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JUN 19 1997

Department of Water Resources

NAME & ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE ID 83707

SOURCE: THOUSAND SPRINGS
SNOW BANK SPRINGS

QUANTITY: 600.00 CFS

PRIORITY DATE: 11/20/1912

POINT OF DIVERSION: T08S R14E S08

TRIBUTARY: SNAKE RIVER
SNAKE RIVER

SWNWSE
NESWSE
NWSWSE
SESWSE

Within GOODING County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
POWER

PERIOD OF USE
01-01 12-31

QUANTITY
600.00 CFS

PLACE OF USE: POWER
T08S R14E S08 Lot 3 (NESW)

Within GOODING County

DATED: 6.18.97


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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JUN 19 1997

Department of Water Resources

1997 JUN 18 AM 9:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 36-02013

On June 18, 1997, Special Master TERRENCE A. DOLAN
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before July 02, 1997.

DATED June 18, 1997.


DEBBIE LASH
Deputy Clerk

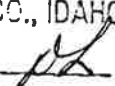
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JUN 19 1997

Department of Water Resources

1997 JUN 18 AM 9:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED 

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 36-02013

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 18, 1997, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LAIRD LUCAS
LAND & WATER FUND OF ROCKIES
P.O. BOX 1612
BOISE, ID 83701

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

JAMES C. TUCKER
PO BOX 1906
TWIN FALLS, ID 83303-1906


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
06/18/97

ALAN G. LANCE
Attorney General
State of Idaho

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MAR 24 1997

Department of Water Resources

MAR 21 PM 12:33

CHARLES L. HONSINGER
Deputy Attorney General
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 327-5458
Fax: (208) 327-5400

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

| | | |
|----------------|---|---|
| In Re SRBA |) | Subcase Nos. 36-02013, 36-02018, 36-02026 |
| |) | 36-07487, 36-07587, 36-15357, 36-15358, 36- |
| Case No. 39576 |) | 15387, 36-15388 |
| _____ |) | |

STIPULATION

The claimant, Idaho Power Company, and the Idaho Department of Water Resources
by and through their respective attorneys of record, stipulate to the following:

1. In each of the above subcases, claimant objected only to the General Provisions recommended in the Director's Report.
2. By *Memorandum Decision and Order Re: Basin-Wide Issue No. 5*, No. 91-00005, dated April 26, 1996, the SRBA Court ordered that General Provisions "shall not be decreed in the SRBA," and struck the general provisions from the Director's Reports.
3. On February 5, 1997, the Supreme Court of the State of Idaho heard oral arguments on the appeal of the *Memorandum Decision and Order Re: Basin-Wide Issue No. 5*. As

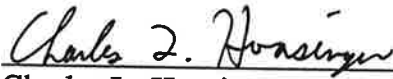
of the date of execution of this Stipulation, the Supreme Court has not released an opinion resolving that appeal.

4. IDWR and the claimant have no objection to these subcases proceeding, subject to the condition that should the Supreme Court reverse the SRBA Court's *Memorandum Decision and Order Re: Basin-Wide Issue No. 5* with regard to the General Provisions that are the Subject of claimant's objection, the SRBA Court will reinstate the objection and allow it to be litigated.

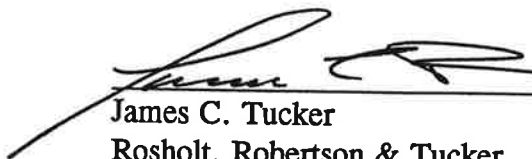
5. Pursuant to the SRBA Court's *Memorandum Decision and Order Re: Basin-wide Issue No. 5*, the season of use in right numbers 36-15357 and 36-15358 should be listed as "the irrigation season."

Dated this _____ day of _____, 1997.

IDAHO DEPARTMENT OF WATER RESOURCES

 03/13/97
Charles L. Honsinger Date
Deputy Attorney General

Idaho Power Company

 3/20/97
James C. Tucker Date
Rosholt, Robertson & Tucker

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of March, 1997 I caused to be served a true and correct copy of the foregoing document on the following person(s):

Idaho Department of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

James C. Tucker
Rosholt, Robertson & Tucker
P.O. Box 1906
Twin Falls, ID 83303



Person Mailing Document

RECEIVED

MAY 17 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

MAY 18 1995

Department of Water Resources
Adjudication Bureau

James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone 208-734-0700/Fax 208-736-0041
05159503.shs

Attorneys for Claimant, Idaho Power Company

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

| | | |
|----------------|---|---------------------------|
| In Re SRBA |) | SUBCASE NO. 36-02013 |
| |) | |
| Case No. 39576 |) | <u>INITIAL DISCLOSURE</u> |
| |) | |

COMES NOW, Idaho Power Company, Claimant/Objector, by and through its attorneys of record, and, advises that there is now pending before this Court a Motion to Vacate Settlement Conference in the above-referenced subcase, based upon this Court's Order Striking General Provisions entered on May 3, 1995. Claimant asks that the Court rule upon its motion without a hearing. If Claimant's motion is denied, the following information is submitted pursuant to SRBA Administrative Order 9 and Order Setting Mandatory Settlement Conference:

1. Identify the full name, title, work or home address and telephone number of each person with relevant information about this subcase.

Because the dispute is based upon a legal, rather than a factual issue, Claimant does not intend to call witnesses in this case. If any individuals have relevant information about this subcase, Claimant anticipates those individuals are employed by the IDWR. However, Claimant reserves the right to amend this disclosure, if after a period of discovery, it is determined that persons should be disclosed and witnesses will be called.

2. For each person identified in #1 above, describe or summarize their expected testimony if this subcase goes to trial.

Because the dispute is based upon a legal, rather than a factual issue, Claimant does not intend to call witnesses in this case. If any individuals have relevant information about this subcase, Claimant anticipates those individuals are employed by the IDWR. However, Claimant reserves the right to amend this disclosure, if after a period of discovery, it is determined that persons should be disclosed and witnesses will be called.

3. List the documents that support your position in this case. You must bring the originals (if available) of these documents to the Settlement Conference. List the title, date and description of the contents of each document. You do not have to send copies of these documents with the initial disclosure.

Because the dispute is based upon a legal, rather than a factual issue, Claimant does not expect at this time to offer any exhibits; however, Claimant reserves the right to amend this disclosure, if after a period of discovery, it appears that exhibits are required to present Claimant's case.

4. Identify any exhibit or other evidence that supports your position and identify those which you expect to offer at trial.

See answer to number 3 above.

5. Give the full name, title and work or home address and telephone number of each person you expect to call as an expert witness at trial.

See answer to Number 2 above.

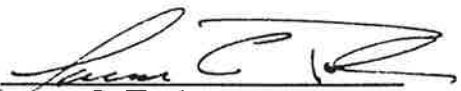
6. For each person identified in No. 5, summarize the facts and opinions you expect the expert to give.

See answer to Number 2 above.

1 I certify that I have read *Amended SRBA Administrative Order 9* and that I have
2 fully complied with its requirements.

3 DATED this 6 day of May, 1995.

4 ROSHOLT, ROBERTSON & TUCKER

5
6
7 By: 
8 James C. Tucker
9 Attorneys for Claimant,
Idaho Power Company

10 CERTIFICATE OF MAILING

11 I hereby certify that on this 6 day of May, 1995, I served a true and correct
12 copy of the foregoing INITIAL DISCLOSURE by depositing same in the United States
13 mail, postage prepaid, addressed to the following:
14

15 Clive Strong
16 Chief, Natural Resources Division
17 P. O. Box 44449
18 Boise, Idaho 83711-4449

19
20 
21 James C. Tucker
22
23
24
25
26
27
28

RECEIVED

Nick

MAR 30 1994

Department of Water Resources
Adjudication Bureau

MAR 29 PM 3:46

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No. 36-02013

)
) ORDER DENYING MOTION FOR
) LEAVE TO INTERVENE
)

The Idaho Conservation League, Inc.; Idaho Rivers United, Inc.; Idaho Wildlife Federation, Inc.; and the Northwest Resources Information Center, Inc. ("Conservation Groups") lodged a *Motion for Leave to Intervene* in this subcase seeking leave to intervene based on the "Public Trust Doctrine."

This Court's Orders of July 28, 1993, and January 14, 1994, are dispositive of the legal theory advanced by the Conservation Groups in support of the *Motion to Intervene* in this subcase.

IT IS ORDERED that the Conservation Groups' *Motion for Leave to Intervene* in this subcase is hereby **DENIED** without hearing.

Dated March 29, 1994.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

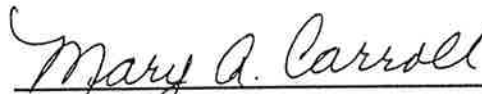
I certify that a true and correct copy of the **ORDER DENYING MOTION FOR LEAVE TO INTERVENE** was mailed on March 29, 1994, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

James C. Tucker
Rosholt, Robinson & Tucker
P. O. Box 2139
Boise, ID 83701

Laird J. Lucas
Land and Water Fund of the Rockies
P. O. Box 1612
Boise, ID 83701



Deputy Clerk

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 36-02013 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: IDAHO POWER CO
Address: PO BOX 70
BOISE ID 83707-0070

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

14. ☒ Other: I respond to the objection concerning:

INCLUSION OF THE GENERAL PROVISIONS IN THE
DIRECTOR'S REPORT

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 14 and all allegations of the objection regarding this item, IDWR responds as follows.

IDWR denies the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02013

5

1. The Board of Patent and Trademark
Appeals (BPTA) has received a
notice of appeal from the
Applicant, dated 10/10/13.

(Over)

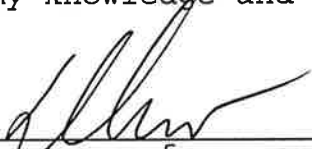
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

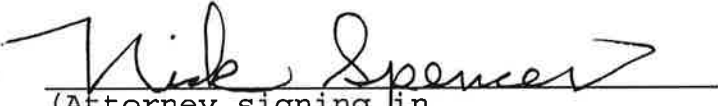
David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

**Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994**

CERTIFICATE OF MAILING

I hereby certify that on the 16TH day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

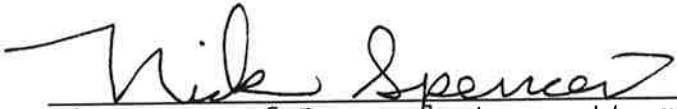
See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: JAMES C TUCKER
Address: PO BOX 2139
BOISE ID 83701-2139

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-02013
Date Received: 8/19/1988
Receipt No: C002945
Received By: C4

RECEIVED

OCT 17 1988

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO POWER CO.
Address: P.O. BOX 70
BOISE, ID

83707

2. Date of Priority: NOV 20, 1912

3. Source: THOUSAND SPRINGS
SNOW BANK SPRINGS

Trib. to: SNAKE RIVER
SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08S | 14E | 8 | NW | SE | | | GOODING |
| | | | SW | SE | | | GOODING |

5. Description of diverting works:
CONCRETE WALL, PENSTOCK TO POWER PLANT.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|---------|------|--------|
| POWER | 01/01 | 12/31 | 600.000 | | |
| DOMESTIC | 01/01 | 12/31 | 0.10 | | |

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

A.F.A.

8. Total consumptive use is

3 Acre Feet Per Annum.

9. Non-irrigation uses:

POWER PLANT.
GENERATING CAPACITY 8800.0 KILOWATTS
DOMESTIC
3 Houses
1 Acre of parks
Public restroom

A36-02013

Page

1

Date: 08/19/88

MICROFILMED

JAN 25 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 08S | 14E | 8 | NE | SW | 3 | POWER | |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
36-02026

14. Remarks:
THOUSAND SPRINGS POWER PLANT.

15. Basis of Claim: LICENSE
Water Right Number: 9066

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 General Counsel and Secretary of
Title
Idaho Power Company, that I have signed the foregoing
Organization
document in the space below as General Counsel and Secretary of
Title
Idaho Power Company and that the statements contained in the
Organization
foregoing document are true and correct.

R. W. Stahl
Signature of Authorized Agent
General Counsel and Secretary
Idaho Power Company
Title and Organization

October 11, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of October 19 88

James L. Benson
Notary Public

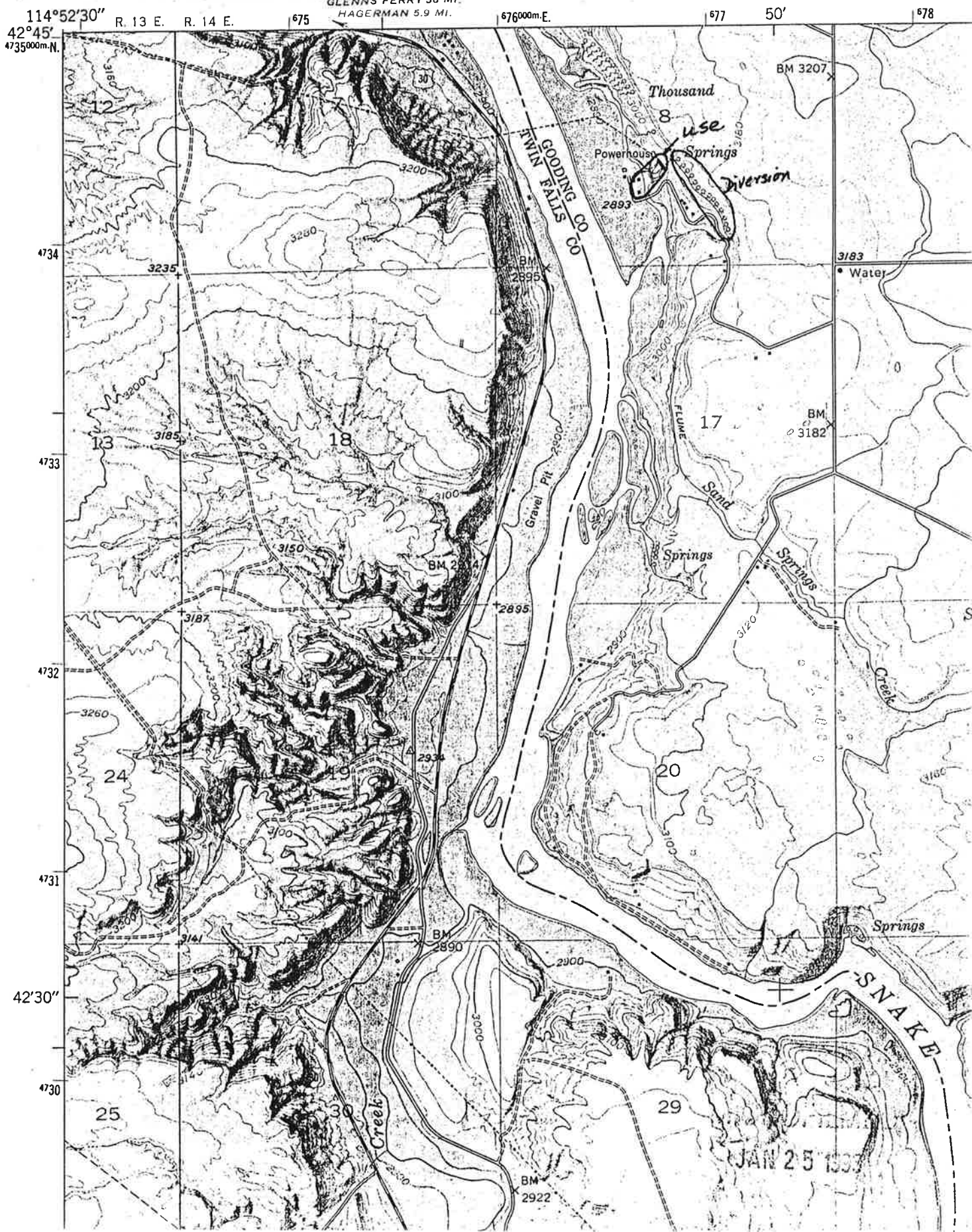
Seal

Residing at Boise, Idaho

My Commission Expires 12/31/92

3069 IV SW
(HAGERMAN)

GLENN'S FERRY 36 MI.
HAGERMAN 5.9 MI.



17. Notice of Appearance:

Notice is hereby given that I, THOMAS G. NELSON 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 Thomas G. Nelson

Address Box 2139 Boise, Id 83701

Date 10/16/88

Department of Water Resources
Adjudication Bureau

Any party physically filing 25 (twenty-five) or more objections must make an appointment with a Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: IDAHO POWER COMPANY

Address: P.O. Box 70
Boise, Idaho 83707-0070

Briefly describe your interest in this water right:

Owner of right.

2. Owner of the water right:

Name: IDAHO POWER COMPANY

Address: P.O. Box 70
Boise, Idaho 83707-0070

3. If this objection is filed by an attorney:

Attorney Name: James C. Tucker

Attorney Address: P.O. Box 2139
Boise, Idaho 83701-2139

Attorney Phone No.: (208) 336-0700

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

RECEIVED
JAN 11 1988

JAN 11 1988

FILED

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object to:
- ☐ this water right being recommended at all; or
- ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to:

The inclusion of the General Provisions in the Director's Report.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages, if necessary.

14. The inclusion of the General Provisions in the Director's Report.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages, if necessary.

Remove all General Provisions from the Director's Report.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

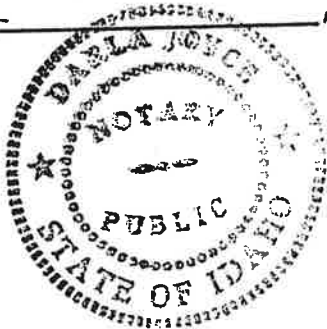
Patrick D. Madigan, being first duly sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Signature of person filing objection

By: Patrick Madigan
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 29th day of APRIL, 1993.



Darla Joyce
Notary Public for Idaho
Residing at: Boise
My commission expires: 4-26-95

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: IDAHO POWER COMPANY
Owner's address: P.O. Box 70
Boise, Idaho 83707-0070

3. One copy to:

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 4449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of Objector or attorney
mailing on Objector's behalf

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 23 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02013[✓]; 36-02026[✓]; 36-15388[✓]; 36-15221[✓]; 36-07487[✓];
36-07587[✓]; 36-15387[✓]

2. Name: IDAHO POWER COMPANY
Address: JAMES C. TUCKER, ATTORNEY
P. O. BOX 2139
BOISE, IDAHO 83701-2139

Weekday Telephone Number: 336-0700 or 734-0700 (Sharon)

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

ADDRESS

4. Describe the changes you wish to have made in the proposed recommendation:

SEE REVERSE FOR CORRECT ADDRESS

5. Describe why you disagree with the proposed recommendation:

ALL NOTICES RE SRBA TO COME TO ATTORNEY TUCKER PLEASE.

6. Date: 9-22-92

SIGNATURE

A handwritten signature in blue ink, appearing to be "Tucker", is written over a horizontal line.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

19-Oct-1992

Mr. James C. Tucker, Attorney
PO Box 2139
Boise, ID 83701-2139

RE: Snake River Basin Adjudication (SRBA)
Notices of Error in the name of Idaho Power Company

Dear Mr. Tucker:

We are in receipt of the Notices of Error on the above referenced claims. I will address the issues raised for each recommendation by claim number below.

A36-02037:

As previously noted by Sharon Strickland of your Twin Falls office, the cooling use has been recommended as shown in the Proposed Director's Report (page 3711).

The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

No changes are being made to the recommendation for A36-02037.

MICROFILMED

JAN 25 1993

A36-02018

I have reviewed the file and have confirmed the point of diversion has been recommended in the correct legal description. No changes have been made to the recommendation.

A36-02082

I have reviewed the file and have confirmed the place of use has been recommended in the correct legal description. Regarding the recommended period of use, please see above discussion. No changes have been made to the recommendation.

A36-02013, A36-02026, A36-07487, A36-07587, A36-15387,
A36-15388, A36-15221

I have not made any changes to these records or recommendations. As I discussed on the phone with Sharon Strickland, the Notice of Appearance filed with IDWR and the SRBA court show two attorneys of record and our files and recommendations will retain both attorneys until such time as we receive a change in the Notice of Appearance.

A36-02478

I have reviewed the file and have changed the total diversion rate to 3.21 cfs. I have determined that the uses are cumulative and have increased the recommended diversion rate from the previously recommended 3.0 cfs. Your original claim listed 3.0 cfs for cooling with additional uses for stockwater, irrigation, domestic and fire protection for a total of 3.5 cfs. However, our review of the claim found that the other uses other than cooling totaled .21 cfs, rather than the additional .50 cfs.

Regarding the purpose of use, fire protection has been recommended as shown in the Proposed Director's Report (page 3781). The period of use has been modified to an irrigation season of 3/15 to 11/15.

I have reviewed the place of use and the combined rate of diversion and have not made any changes to these items. The combined rate described in the Remarks is a reflection of the total capacity of the diversion system as measured by IDWR.

A36-02710

I have reviewed the file and have not made any changes to the recommendation. A discussion of the season of use is covered in the paragraphs relating to claim A36-02037 above. The maximum quantity recommended is a result of the rates recommended for the beneficial use of water for the uses found. I did not find an error in the place of use recommended.

MICROFILMED

JAN 25 1993

A36-15358

I have reviewed the file and do not find any error in the place of use. The season of use has been changed to recommend an irrigation season of 3/15 to 11/15.

A36-02704

I have reviewed the file and no changes have been made to the recommendation. The period of use is the standard season for the place of use. The fish propagation use has been recommended as shown in the Proposed Director's Report (page 3663). The diversion rate of 130.0 cfs has been recommended as a result of documents in IDWR files supporting a maximum diversion use of 130.0 cfs. The minimum flow restriction remarks is included based on legal documents found in IDWR files supporting this restriction.

If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,


Helen Harrington-Thornton
Water Resource Agent

HHT

MICROFILMED
JAN 25 1993

DATE: 10/19/92

ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DIVERSION

.....

Stage: LICENSE

SESHSE GOODING County

SE

[illegible]

Non-Irrigation Uses: POWER/ THOUSAND SPRINGS POWER PLANT

Verified Date:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/15/1991 User-ID: MERRITT Subject: COPIED FROM REMARKS
THOUSAND SPRINGS POWER PLANT.

Date: 07/15/1991 User-Id: MERRITT Subject: EXPANSION OF RIGHT EXPANSION OF USE FOR DOMESTIC AND PARK NOT RECOMMENDED. IT NEEDS TO BE FILED ON A SEPERATE CLAIM.

UPDATE: 11-04-91 SCC *****
CONTACT MADE WITH ATTORNEY'S FIRM TO FILE AN EXPANSION ON
JULY 16, 1991. LETTER SENT 8-15-91 AND NO RESPONSE WAS RECEIVED
AS OF THIS DATE 11-04-91.

Date: 09/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/23/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 3/16/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/19/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
SENT LETTER DISCUSSING CHANGE IN ATTORNEY'S NEED TO BE FILED AS
NOTICE OF APPEARANCE.

MICROFILMED
JAN 25 1993

AJ0749NP
No. R36-02013

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/19/92
PAGE: 2

Audit: 10/19/92 THORNTON

MICROFILMED

JAN 25 1993

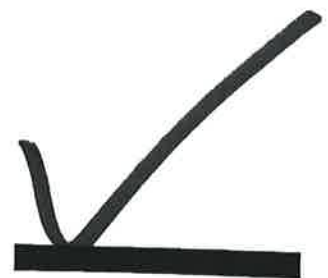
JAN 25 1993

MICROFILMED

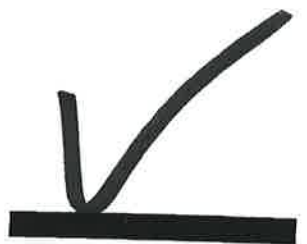
R PROOF



CVR



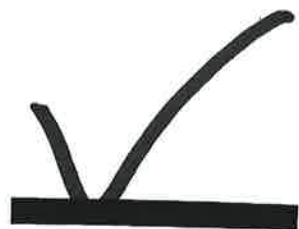
MAPS



PHOTOS



MISC



MICROFILMED

VERIFIED BY me

Water Right Number - R36-02013

Prefix Translation: RESEARCH

Old (D) Number - 9066

*** C - CURRENT OWNER ***
IDAHO POWER CO

*** A - ATTORNEY ***
ROSHOLT ROBERTSON & TUCKER

IDAHO POWER CO

Priority Date - 11/20/1912
Region - 17 SOUTHERN
Stage - L - LICENSE
Status -

Source - THOUSAND SPRINGS
THOUSAND SPRINGS
SNOW BANK SPRINGS
Tributary - SNAKE RIVER
SNAKE RIVER

| Twn | Rng | Sec | Tract | Lot | Rflg | County | Point of Diversion |
|-----|-----|-----|--|------------------------------|--|--------|--------------------|
| 08S | 14E | 8 | SW NW SE
NE SW SE
NW SW SE
SE SW SE | (47)
(47)
(47)
(47) | GOODING
GOODING
GOODING
GOODING | | |

Code - 28 - POWER
Description -
Period From - 01/01
Water Use - 12/31
Diversion Rate - 600.000
Diversion Volume -
Total Div. Rate - 600.000
Total Div. Volume -
Total Consumptive Use - 0.0
KW Usage - 8800.0

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|-------------|--------------|
| 08S | 14E | 8 | NE SW | 3 | | 28 POWER | | (47) GOODING |

Total Acres:

Diversion Means - CONCRETE WALL, PENSTOCK TO POWER PLANT

600 x 148 x 365 = 433,620 Acres

MICROFILMED
JAN 25 1993

Water right number - R36-02013

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - POWER/ THOUSAND SPRINGS POWER PLANT

+ - - Other Rights for Same Use - 36-02026

+ - - Remarks - - - - -
No Remarks found.

+ - - No Old Water Right Numbers Found

- - - Old Water Right Numbers - - - - -

+ - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +

+ - - Decree Defendant - - - +

+ - Decree Date - - +
00/00/0000

-----Comments-----
Date: 07/15/1991 User Id: MERRITT Subject: EXPANSION OF RIGHT
EXPANSION OF USE FOR DOMESTIC AND PARK NOT RECOMMENDED. IT NEEDS TO BE FILED ON A SEPERATE CLAIM.
UPDATE: 11-04-91 SCC *****
CONTACT MADE WITH ATTORNEY'S FIRM TO FILE AN EXPANSION ON JULY 16, 1991. LETTER SENT 8-15-91 AND NO RESPONSE WAS RECEIVED
AS OF THIS DATE 11-04-91.
Date: 07/15/1991 User Id: MERRITT Subject: COPIED FROM REMARKS
THOUSAND SPRINGS POWER PLANT.

+ - - Audit Fields - - +
03/16/92 CLELLAND

-----Adjudication Rights Dates and Flags Area-----
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 03/16/1992 Old Judicial District -
Claim Received Date - 10/17/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - C002945 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag -
Notice of Error Flag -

MICROFILMED

JAN 25 1993

CLAIM NUMBER: A36-02013

| WR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | | | | | | |
| POINT OF DIV | Y | | | N | | | | |
| SOURCE | | | | Y | 6 | | | |
| PLACE OF USE | | | | N | | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | N | | | | |
| CONSUMPTIVE USE | - | | | N | | | | |
| PURPOSES | Y | | | N | | | | |
| PERIOD OF USE | Y | | | N | | | | |
| BASIS OF CLAIM | | | | N | | | | |
| REMARKS | Y | | | N | | | | |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

this CDR also the partial for:

*A36-15357
A36-15358*

UNRECORDED
JAN 25 1993

LAST: NELSON
ADDRESS: NELSON, ROSHOLT, ROBERTSON,
TOLMAN, AND TUCKER.
P.O. BOX 2139
CITY: BOISE
PHONE NUMBER: 208-336-0700
OWNER CODE: A
FIRST: THOMAS G.
STATE: ID
ID
ZIP: 83701

LAST: THOUSAND SPRINGS POWER CO.
ADDRESS: N/A
CITY:
PHONE NUMBER: 208-000-0000
OWNER CODE: O
FIRST:
STATE: ID
ID
ZIP: 00000

LAST: IDAHO POWER CO.
ADDRESS: P.O. BOX 70
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: C
FIRST:
STATE: ID
ID
ZIP: 83707

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: THOUSAND SPRINGS POWER PLANT.
DATABASE
Y
FIELD
EXAMINER

MICROFILMED
JAN 25 1993

CLAIM NUMBER: A36-02013

CONTACT PERSON: _____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y () N ()

ACCOMPANIED BY: _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

PHONE NUMBER: () - -

TIME: : A () P ()

PHONE NUMBER: () - -

MICROFILMED
JAN 25 1993

A. AJ CLAIM: # A36-02013 PRIORITY DATE: 11-20-1912 STAGE: L
B. WR RECORD: # 36-02013 PRIORITY DATE: 11-20-1912 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER ☒

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

MICROFILMED

JAN 25 1993

RECOMMENDED PRIORITY DATE:
11-20-1912

REVIEWED BY

lw

DATE

2/30/90

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|---------|
| A36-02013 | 08S | 14E | 8 | | NW | SE | | GOODING |
| A36-02013 | 08S | 14E | 8 | | SW | SE | | GOODING |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-07390

SOURCE: THOUSAND SPRINGS
SNOW BANK SPRINGS

TRIB: SNAKE RIVER
SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-02013 | 08S | 14E | 8 | | SW | SE | | GOODING |
| 36-02013 | 08S | 14E | 8 | | NW | SE | | GOODING |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

36-07390

SOURCE: THOUSAND SPRINGS
SNOW BANK SPRINGS

TRIB: SNAKE RIVER
SNAKE RIVER

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY? | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | N | N |

REMARKS:

*Carjima 10 acre POD track - see
throughout the 4 ten acre tract - see enclosed map*

MICROFILMED

JAN 25 1993

| RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: | | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|---|------|--------------|-------------------|-----|-----|--------|
| TWP. | RGE. | SEC. | | | | |
| 82 | 142 | 8 | SW | SW | SW | 47 |
| | | | NE | SW | SE | |
| | | | NE | SW | SE | |
| SOURCE: THOUSAND SPRINGS | | | TRIB: SNAKE RIVER | | | |
| REVIEWED BY: lw | | DATE: 8/6/90 | | | | |

MICROFILMED
JAN 25 1992

CLAIM NUMBER: A36-02013

A. ROOT WATER RIGHT NUMBERS: A36-02013

B. POU LISTING

TWP RING SEC 1/4 1/4 LOT NAME

| 08S 14E | 8 | NE | SW | 3 | NEILSON, THOMAS G.
IDAHO POWER CO.
STATE OF IDAHO | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|---------|---|----|----|---|---|---------------|---------------|-----------------|----------------|------------------|
| | | | | | | A36-02013 / | 36-02026 / | | | |
| | | | | | | A36-02026 / | 36-08307 / | | | |

TOTAL ACRES A36-02013

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE FIELD
Y EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

JAN 25 1993

A. AJ CLAIMED USES:

PURPOSES
A36-02013 POWER
A36-02013 DOMESTIC

MONTH/DAY
FROM 01-01 TO 12-31
FROM 01-01 TO 12-31

DIVERSION QUANTITY
600.000 CFS
.100 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

600.000 CFS

B. WR RECORDED USES:

PURPOSES
36-02013 POWER

MONTH/DAY
FROM TO

DIVERSION QUANTITY
600.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

600.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | (Y/N) | DATABASE | FIELD EXAMINER |
|------------------------------------|-------|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? | (Y/N) | Y | ~~W~~ |
| DUE TO DIVERSION RATE DISCREPANCY? | (Y/N) | Y | ~~W~~ |
| DUE TO PERIOD FROM/TO DISCREPANCY? | (Y/N) | Y | ~~W~~ |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Y(☒) N(☐)
Y(☐) N(☐)

Explain in remarks, below.

MICROFILMED
JAN 25 1983

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (☒) N (☐)

AJ TOTAL CLAIMED DIVERSION RATE: 600.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 600.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

DATABASE EXAMINER
N N

FIELD

B.

MEASUREMENT METHOD

FLOW MEASUREMENT

, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y (☐) N (☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A36-02026

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|--------------------|---------------------|-------------|--------|
| A36-02013 | POWER | NELSON , THOMAS G. | FROM 01-01 TO 12-31 | 600.000 CFS | |
| A36-02013 | DOMESTIC | NELSON , THOMAS G. | FROM 01-01 TO 12-31 | .100 CFS | |
| A36-02026 | POWER | IDAHO POWER CO. | FROM 01-01 TO 12-31 | 100.000 CFS | |

COPIED
JAN 25 1982

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from P/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on consumptive use for combined rights.)

MICROFILMED
JAN 25 1993

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

TOTAL FOR THIS RIGHT

REVIEWED BY: W

DATE: 8/6/90

| | | | | | | |
|--------------|------------|--------------|--------------|------------|----------|----------|
| <u>Power</u> | <u>1/1</u> | <u>12/31</u> | <u>600.</u> | <u>600</u> | <u>-</u> | <u>-</u> |
| <u>Dom</u> | <u>1/1</u> | <u>12/31</u> | <u>.10</u> | <u>.10</u> | <u>-</u> | <u>-</u> |
| | | | <u>600.0</u> | | | |

Expansion should be filed under
separate expansion clinic.
delete

Adm 7/15/91

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
N/A

NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02013

TOTAL DIVERSION RATE OF WR SPLITS
600.000

DATABASE

SPLITS:

EXAMINER
N/A

CFS

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

A36-02013

600.000

-

36-02013

600.000

TOTAL CFS

600.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

REMARKS:

FIELD
EXAMINER
N/A

AUTHENTICATION:

SIGNATURE:

N/A

DATE:

8/6/90

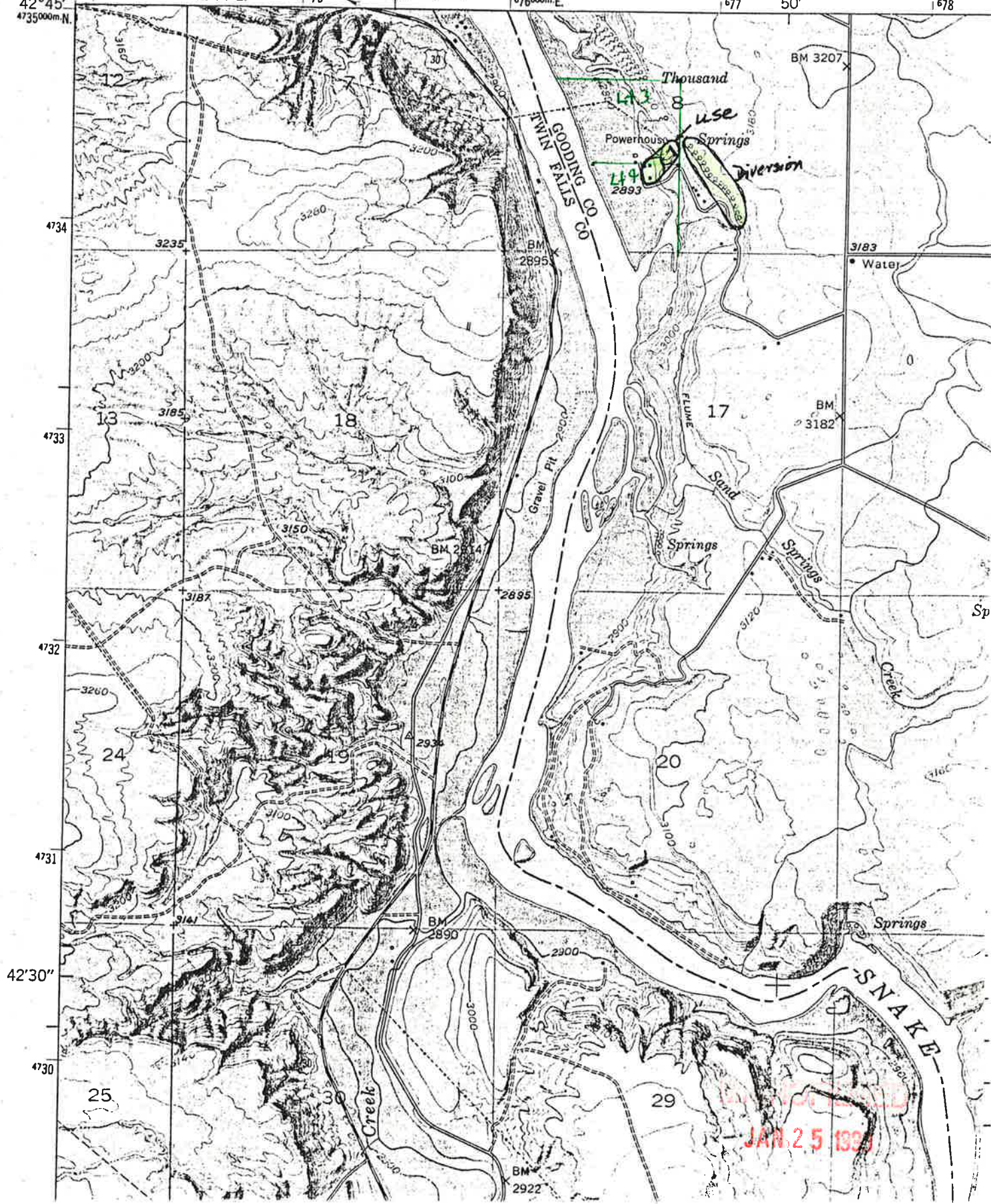
NAME OF FIELD EXAMINER:

TITLE:

GLENN'S FERRY 36 MI.
HAGERMAN 5.9 MI.

3069 IV SW
(HAGERMAN)

114°52'30" 42°45' 4735000m.N. R. 13 E. R. 14 E. 675 676000m.E. 677 50' 678



JAN 25 1991

CONVERSATION MEMORANDUM

A36-2710

EMPLOYEE: STEVE CLELLANDFILE A36-2013RE: Amendments + additional claimsDATE 12-12-91

734-0700

NAME OF PARTY

SHARON STRICKLAND

(w/ Jim Tucker)

A36-02710

Met with Sharon today to explain the amendment needed to correctly claim the uses identified at the Clear Lake power plant. The uses were already licensed but needed clarification in the claim. Also they may want to add the Clear Lake as a source for the irrigation uses. I ask her to provide proof of the date the change in sources took place.

A36-02013

I showed her the license was for power use only & was being recommended as such. If they want to claim Domestic &/or irrigation they needed to file additional claims. If prior to 1971 the right can be claimed as a beneficial use right and they would need to provide proof of priority to support it. If after 1971 it could be based on the presumption clause relating to the license. Again with proof of priority.

I gave her copies of the proof report for both claims and made some notes regarding the above discussion.

Steve Clelland

12-12-91

MICROFILMED

JAN 25 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-02710
A36-02013

RE: IDAHO POWER CLAIMS @ 1000 SPRINGS & CLEAR LAKES

DATE 7-16-91

NAME OF PARTY

BRUCE SMITH, ATTORNEY 336-0700

I ask Mr. Smith if he could respond to these claims since Mr. Nelson is no longer the Attorney. He will find out who to contact and will take the info I had now.

A36-02013 — Based on the license, the Domestic & other uses need to have a second claim filed. Either file an Expansion based on 2ND presumption or file a new beneficial use and provide proof of the new priority date.

A36-02710 — Based on license but failed to claim the Licensed Domestic uses. I explained the difference between a primary water use and the Secondary, incidental uses. To be sure it's done right have it amended.

He said he will follow up on this also.

MICROFILMED

JAN 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Aug-1991 09:59

R. KEITH HIGGINSON
Director

BRUCE M SMITH
NELSON ROSHOLT ROBERTSON TOLMAN AND TUCKER
PO BOX 2139
BOISE ID 83701

RE: IDAHO POWER CO. CLAIMS A36-15221, A36-02013 & A36-02710

DEAR MR. SMITH,

ENCLOSED PLEASE FIND THE EXPANSION CLAIM WE DISCUSSED FOR THE TRAILER AT NIAGARA SPRINGS. PLEASE HAVE THE CLAIM A36-15221 SIGNED BY THE AGENT FOR IDAHO POWER CO. AND HAVE IT NOTARIZED. ALSO COMPLETE ITEM 17 INDICATING YOU ARE THEIR ATTORNEY. THE FEES DUE FOR THIS CLAIM ARE \$25.00. PLEASE RETURN THIS FILING TO OUR OFFICE HERE IN TWIN FALLS BY SEPTMEBER 2, 1991.

YOU WILL ALSO FIND ENCLOSED SOME PROOF REPORTS FOR THE CLAIMS A36-02013 AND A36-02710. WE DISCUSSED THESE CLAIMS DURING OUR PHONE CONVERSATION ON JULY 16, 1991. TO RECAP THE SITUATIONS:

A36-02013 THIS RIGHT WAS LICENSED FOR POWER USE ONLY. IT WAS CLAIMED AS POWER AND DOMESTIC. THE DOMESTIC USE IS FURTHER EXPLAINED AS 3 HOUSES AND 1 ACRE PARK; DOES THIS REFER TO IRRIGATION OF ONE ACRE? IF SO, THAT USE SHOULD BE IDENTIFIED ON A SEPARATE CLAIM. IN FACT, ANY OTHER USES CLAIMED, OTHER THAN POWER, SHOULD BE FILED UNDER A SEPARATE CLAIM AND FILED WITH THE APPROPRIATE FEES. THIS SECOND CLAIM CAN BE BASED ON ITS OWN MERIT IF THE PRIORITY DATE FOR ESTABLISHING THE CLAIMED USES IS BEFORE MAY 20, 1971. AFTER THAT DATE THE CLAIM CAN BE BASED ON THE PRESUMPTION EXPANSION UNDER 42-1416(2). IN EITHER CASE SOME FORM OF EVIDENCE OF PRIORITY MUST BE SUBMITTED TO SUPPORT THE CLAIMED PRIORITY DATE. SEE THE ENCLOSED PAMPHLET.

A36-02710 THIS RIGHT WAS LICENSED FOR IRRIGATION AND DOMESTIC USES. THE CLAIM FOR THIS RIGHT ONLY LISTED IRRIGATION AS THE CLAIMED USE, BUT THEN LISTED THE DOMESTIC USES AS INCIDENTAL USES. THIS WOULD LIMIT THE DOMESTIC USE TO THE IRRIGATION SEASON ONLY. TO CLAIM THE DOMESTIC USE AS A PRIMARY USE, ALL THAT IS NEEDED IS TO AMEND THIS CLAIM FOR THAT USE.

THANK YOU FOR YOU PROMPT ATTENTION TO THESE TIMELY REQUESTS. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE CALL ME.

SINCERELY

STEVE CLELLAND
WATER AGENT, SR.

ENC:

MICROFILMED

JAN 25 1993