

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
A36-02710

Ident. Number

3-13-92

Date Received

Receipt Number

** AMENDED **

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

Please type or print clearly

1. Name of Claimant (s) Idaho Power Company Phone (208) 383-2200Mailing Address P. O. Box 70 Boise, Idaho Zip 837072. Date of Priority (Only one (1) per claim) July 24, 19403. Source of water supply (a) Springs and Clear Lake
which is tributary to (b) Clear Lake and Snake River4. a. Location of existing point of diversion is: Township 09S Range 14E Section 2,
SW 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of Gooding

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Collection box and pipeline to place of use; Tap from penstock
beginning in the summer of 1940.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.100 or _____
For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) One home and park restrooms; cooling in plant

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	
09S	14E	2															3.0		3.0
09S	14E	2															D		

Total number of acres irrigated 3.0

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

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:

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Last Name _____ Ident No. A36-02710

Copies: White-State, Yellow-Claimant

APPENDED

15. Basis of Claim (check one) Beneficial Use Posted Notice License X Permit
Decree _____
If applicable provide IDWR Water Right Number 36-02710
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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Authorized Agent James M. Collingwood
Title and Organization General Manager Power Production
Idaho Power Company Date March 5, 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of March 19 92

SEAL

Notary Public B. V. Schaefelberger

Residing at Boise, Idaho

My Commission Expires July 27, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, James C. Tucker 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 Rosholt, Robertson & Tucker
P. O. Box 2139, Boise, Idaho 83701-2139

Address James C. Tucker

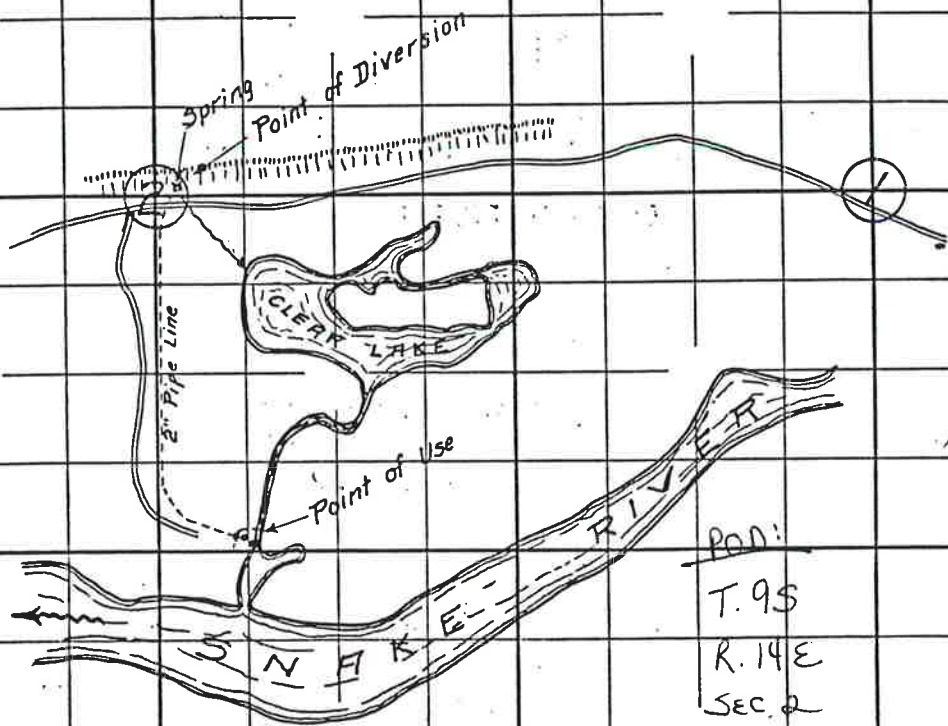
Date 3/6/92

Last Name _____ Ident. Number A36-02710

AMENDED

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Copies White-State, Yellow-Claimant



POD:
 T. 9S
 R. 14E
 SEC. 2
 SWNE

11

12

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 OCT 18 1994

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: **A36-02710**
Date Received: 10/17/1988
Receipt No: C002944
Received By: See

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: IDAHO POWER CO 208-383-2200
Address: PO BOX 70
BOISE ID 83707

2. Date of Priority: JUL 24, 1940

3. Source: SPRINGS Trib. to: CLEAR LAKE
CLEAR LAKE SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	2	SW	NE			GOODING

5. Description of diverting works:
COLLECTION BOX, PIPELINE TO PLACE OF USE. TAP FROM PENSTOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME AND PARK RESTROOMS; COOLING IN PLANT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	2	SW	SE		IRR	3.0
			SW	SE		DOMEST	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 19020

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

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FFR 0 1 1993

Date: 03/16/92

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 _____

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FEB 01 1993

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1020 MAIN STREET, SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 334-6034

March 12, 1992

RECEIVED

MAR 13 1992

Department of Water Resources
Southern Region Office

Attn: Steve Clelland
Water Agent
Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

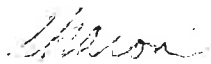
RE: ADJUDICATION CLAIMS/IDAHO POWER COMPANY
THOUSAND SPRINGS #36-02013/CLEAR LAKE #36-02710

Dear Steve:

In follow-up to our previous discussions concerning the above-referenced claims, I'm enclosing the amended claim noting the commencement of use of the tap from the penstock on the Clear Lake claim (#36-02710), and the two new claims we discussed for irrigation uses at Thousand Springs (#36-02013). Also enclosed is our check in the amount of \$102.00 to cover the filing fee for the two new claims. (I assume there is no fee on the amended claim, since there was no increase in water or use.)

If you have any questions about these claims or want to talk them over again, please give me a call. Thanks very much for your assistance and guidance with these matters.

Sincerely,



SHARON HART STRICKLAND
Legal Assistant

Encls.

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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: A36-02710
Date Received: 10/17/1988
Receipt No: C002944
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 13 1990

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

83707

Department of Water Resources
Southern Region Office

2. Date of Priority: JUL 24, 1940

3. Source: SPRINGS

Trib. to: CLEAR LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	14E	2	SW		NE		GOODING

5. Description of diverting works:
COLLECTION BOX, PIPELINE TO PLACE OF USE. TAP FROM PENSTOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, EMPLOYEE HOUSING, DRINKING FOUNTAIN IN PARK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	14E	2	SW	SE		IRR	3.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:
NONE

14. Remarks:
CLEAR LAKE POWER PLANT, GROUNDS IRRIGATION SYSTEM.

15. Basis of Claim: LICENSE

Water Right Number: 19020

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: _____

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: A36-02710

Date Received: 8/19/1988

Receipt No: C002944

Received By: *ct*

RECEIVED
OCT 17 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

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

83707

2. Date of Priority: JUL 24, 1940

3. Source: SPRINGS Trib. to: CLEAR LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	2	SW	NE			GOODING
			SE	SE			

5. Description of diverting works:
COLLECTION BOX, PIPELINE TO PLACE OF USE.
TAP FROM PENSTOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses: DOMESTIC - employee housing, drinking fountain
in park

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	2	SW	SE		IRR	3.0

Section Acres 3.0

Total Acres 3.0

A36-02710

Page 1

Date: 08/19/88

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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:
NONE

14. Remarks:
CLEAR LAKE POWER PLANT, GROUNDS IRRIGATION SYSTEM.

15. Basis of Claim: LICENSE
Water Right Number: 19020

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
Idaho Power Company, that I have signed the foregoing
Organization
document in the space below as General Counsel and Secretary of
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

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FEB 01 1993

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of October 19 88

James L. Reynolds
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12/31/92

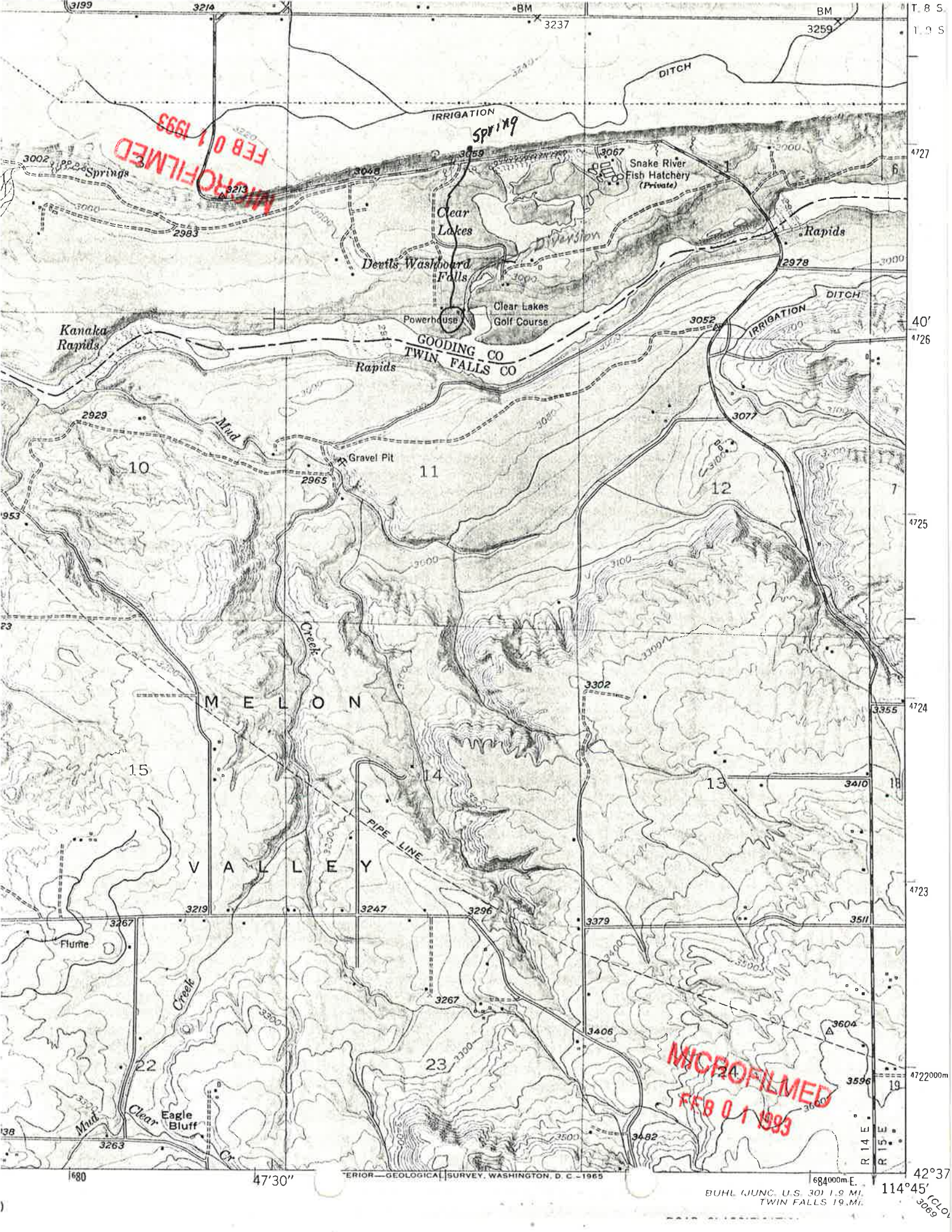
17. Notice of Appearance:

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



10/4/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Idaho Power Co. CLA IDENT. NO. A36-02710DATE RECEIVED 10-17-88 CK # 096556 AMOUNT \$ 24,129-

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

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? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) N/A | ☒ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 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. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 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. | ☒ | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" checked? | ☒ | ☐ |
| 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? | ☒ | ☐ |
| 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?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ | ☐ |
| 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? | ☒ | ☐ |

Claim checked by: CAComments: Expansion for domestic use.D.E. Corrected 6-7-90 CAMICROFILMED
FEB 01 1993

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 0199
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

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FEB 01 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
FEB 01 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	A73-04041	03/28/1969	SPRING	0.500	19 FISH
-		C	A73-07006	08/01/1969	PAHSIMEROI	40.000	19 FISH
-		C	A02-00034	01/01/1901	SNAKE RIVER	8.270	10 COMMER
-		C	A63-02666	06/11/1947	GROUNDWATER	0.110	01 IRR
-							43 DOMEST
-							25 COOL
-		C	A63-03058	07/21/1955	GROUNDWATER	0.370	10 COMMER
-		C	R36-07487	06/28/1974	GROUNDWATER	0.010	25 COOL
-		C	R36-07587	12/03/1975	GROUNDWATER	0.020	43 DOMEST
-		C	A36-02710	07/24/1940	SPRINGS	0.100	43 DOMEST
-					CLEAR LAKE		01 IRR
-		C	A36-15357	12/31/1912	THOUSAND SP	0.430	43 DOMEST
-					SNOW BANK S		01 IRR
-		C	R36-02018	01/18/1919	CLEAR LAKES	526.000	43 DOMEST
-							28 POWER

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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FEB 01 1993

SD-33

Last Name: IDAHO POWER CO

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	IDAHO POWER CO						
-		C	R36-02704	01/31/1966	NIAGARA SPR	132.000	01 IRR
-							43 DOMEST
-							49 FIRE
-							19 FISH
-		C	R36-02710	07/24/1940	SPRINGS	0.090	01 IRR
-					CLEAR LAKE		43 DOMEST
-		C	R36-15357	09/30/1936	THOUSAND SP	0.110	01 IRR
-					SNOW BANK S		43 DOMEST
-		C	R36-15358	06/20/1924	THOUSAND SP	0.030	01 IRR
-					SNOW BANK S		
-		C	A36-02478	10/21/1939	TUCKER SPRI	3.500	01 IRR
-							04 STOCK
-							25 COOL
-							43 DOMEST
-							49 FIRE

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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FEB 01 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
FEB 01 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 C. Tucker
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
Indian Resources Section,
24 Rm. 6317
25 P. O. Box 44378
Washington, D.C. 20026-4378

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

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MICROFILMED
FEB 01 1993

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Don A. Olowinski
HAWLEY, TROXELL, ENNIS
& HAWLEY
P. O. Box 1617
Boise, Idaho 83701

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

for James A. Rosset
JAMES C. TUCKER

MICROFILMED
FEB 01 1993

Log for claim 36-02710

Spatial Dynamics BTD

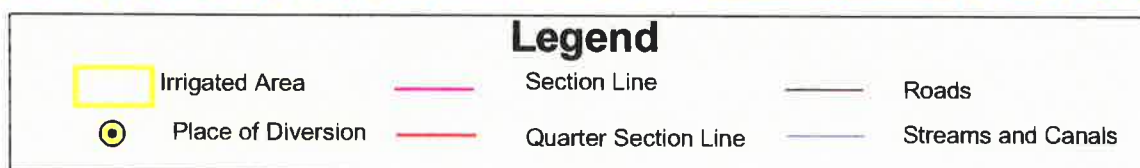
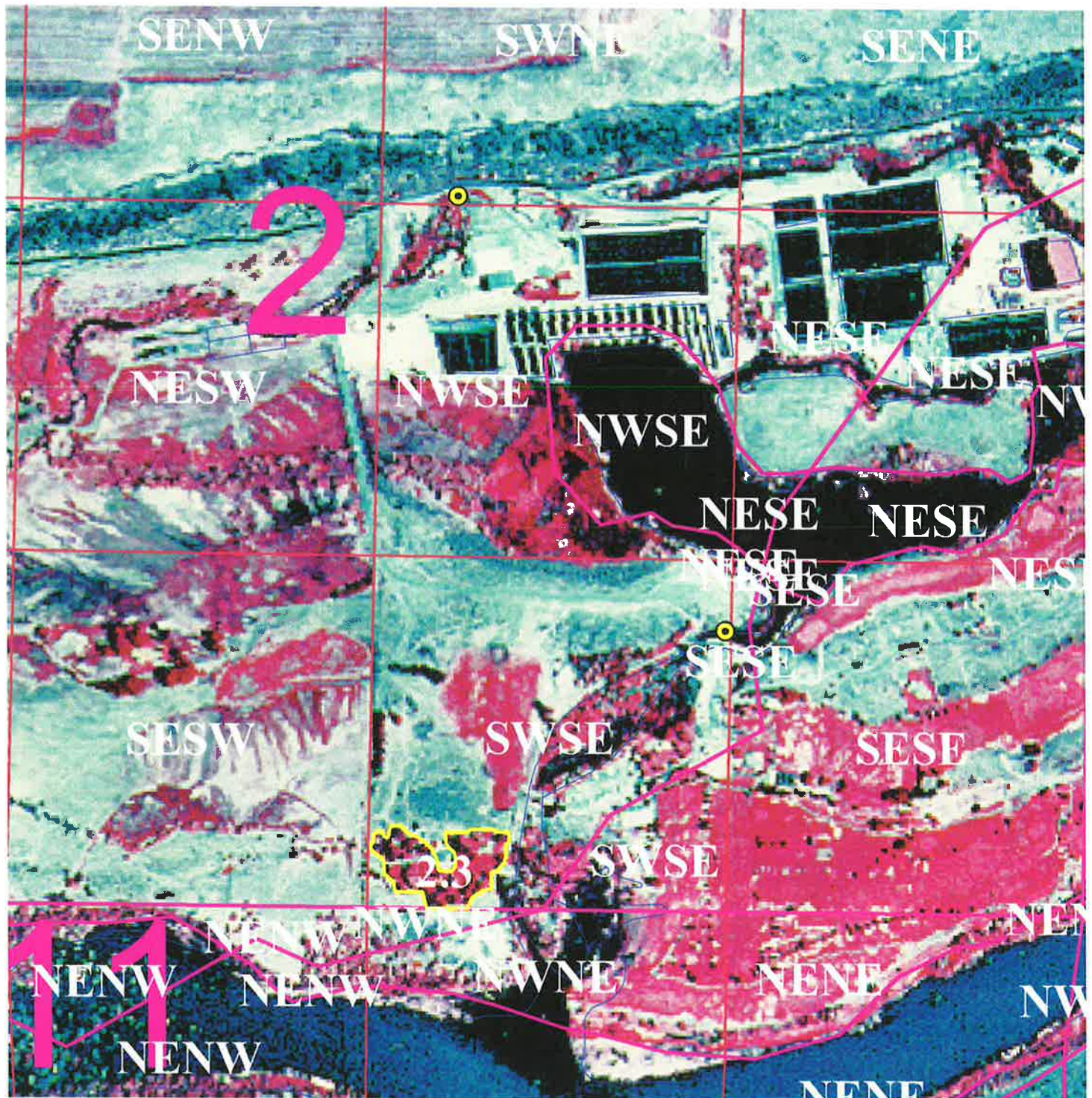
12/17/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
09s14e	2	SWSE	1	2.3	
Totals:			1.5	2.3	

as rec'd

No change in Shape.

*sum
2/1/02*



RECEIVED

SEP 15 1997

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: **A36-02710**
Date Received: 10/17/1988
Receipt No: C002944
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: IDAHO POWER CO 208-383-2200
Address: PO BOX 70
BOISE ID 83707

2. Date of Priority: JUL 24, 1940

3. Source: SPRINGS Trib. to: CLEAR LAKE
CLEAR LAKE SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	14E	2	NW	NE	NE	7	GOODING
			SW	NE			GOODING

5. Description of diverting works:
COLLECTION BOX, PIPELINE TO PLACE OF USE. TAP FROM PENSTOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		
DOMESTIC	01/01	12/31	0.040		
COOLING	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME AND PARK RESTROOMS; COOLING IN PLANT

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	2	SW SW	SE SE	IRR DOMEST	1.0
					Section Acres	1.0
		11	NW	NE	IRR	0.5
					Section Acres	0.5
					Total Acres	1.5

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:
NONE

14. Remarks:
TAP FROM PENSTOCK BEGINNING IN THE SUMMER OF 1940.

15. Basis of Claim: LICENSE

Water Right Number: 19020

1997 AUG 18 PM 2:45
COPY
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

) Subcase 36-02710
)
)

Case No. 39576
_____)

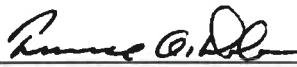
**ORDER GRANTING MOTION
TO AMEND CLAIM**

On August 10, 1997, claimant Idaho Power Company filed its *Motion to Amend Claim*. An affidavit of Graham L. Solomon and a Second Amended Notice of Claim to a Water Right were attached to the *Motion*. There are no other parties to the subcase.

It appears from the *Motion* that good cause has been shown for Idaho Power to amend its claim a second time to conform with its historic use of water.

THEREFORE, it is ordered that the *Motion* is **granted**. The court has been advised that IDWR has a copy of the Second Amended Claim.

DATED August 18, 1997.



TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

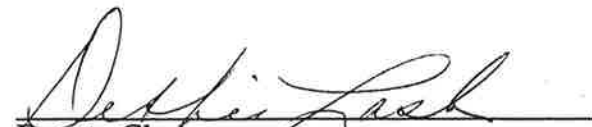
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIM was mailed on August 18, 1997, 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

James C. Tucker
Box 1906
Twin Falls, Idaho 83303-1906
Rep: Idaho Power Company

Director of IDWR
Box 83720
Boise, Idaho 83720-0098


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 RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 36-02710

Date Received

Receipt Number

9-03-97 *DS*
1002294

SECOND AMENDED

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 15 1997

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) IDAHO POWER COMPANY Phone (208) 388-2300
Mailing Address P.O. BOX 70, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) July 24, 1940

3. Source of water supply (a) Spring & Clear Lake
which is tributary to (b) Clear Lake & Snake River

4. a. Location of existing point of diversion is: Township 9S Range 14E Section 2,
1/4 of SW 1/4 of SE 1/4, Govt. Lot, 7 B.M., County of Gooding

Additional points of diversion if any: 9-14-2, NWNE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Collection box and pipeline to place of use; tap from penstock beginning
in the summer of 1940.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.05 or _____

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For Cooling purposes from 1/1 to 12/31 amount 0.01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) One home & park restrooms, plus cooling in plant, Clear Lake Power Plant

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	
9S	14E	2															1.0		1.0
		11		0.5															0.5

Total number of acres irrigated 1.5

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

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 ()

14. Remarks:
Clear Lake Power Plant Site

Last Name Idaho Power Company Ident No. 36-02710

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 36-02710
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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Authorized Agent *James C. Tuck*
Title and Organization Attorney Date _____

State of Idaho/or Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day of August 19 97

SEAL

Notary Public *Sharon Hart Highland*

Residing at *Gooding*

My Commission Expires 12-17-97

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name Idaho Power Company Ident. Number 36-02710

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

AMENDED

CLAIMANT'S NAME DAYO P. ER CLAIM IDENT. NO. 436-02710

DATE RECEIVED	CK #	AMOUNT \$	YES	NO	Required Info?
<u>9-02-97</u>	<u> </u>	<u> </u>			
1. Is the name and address complete with zip code?					
			☒	☐	*
2. Is a priority date entered?					
Is the priority date acceptable in view of mandatory filing dates?			☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.					
3. (a) Is a source entered?			☒	☐	*
(b) Is a tributary to entered? (if required) N/A			☒	☐	
4. Is the legal description of the p.d. sufficient?					
			☒	☐	*
5. Is there a description of the diverting works?					
			☒	☐	
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.					
Is the period of use included?			☒	☐	*
Is a quantity claimed for each use?			☒	☐	*
7. Is a total quantity claimed entered?					
			☒	☐	
8. If required is a consumptive use entered? N/A					
Is the consumptive use correct?			☒	☐	
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, see Adjudication Memo # 4. N/A					
			☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?					
			☒	☐	*
11. Is (are) the county(ies) entered?					
			☒	☐	
12. Is the ownership of p.u. checked?					
			☒	☐	
13. Are other water rights listed or "none" indicated?					
			☐	☒	
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 indicated?					
			☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A					
			☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.					
			☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?					
			☒	☐	*
19. Was this claim filed on time, or was an extension granted?					
			☒	☐	*
20. Is the fee enclosed correct? Exempt					
			☐	☒	*
21. If this claim is based on an existing water right, has the identification number been entered? N/A					
			☒	☐	
22. Should this claim be data entered?					
			☒	☐	

Claim checked by: [Signature] Date: 9-03-97Claim must be returned to claimant: (Yes) ☒ (No)Claimant must be notified of modifications: (Yes) ☒ (No)

Receipt Prepared by: [Signature] Date:
 Claim data entered by: [Signature] Date: 9-03-97 Checked by: Date:
 Sent to claimant by: [Signature] Date:

Comments: ADDITIONAL FEE FOR AMENDMENT (ADDING WATER USE =

COOLING AT .01 CFS) WOULD BE \$100, AN AMOUNT TOO TRIVIAL
TO COLLECT. ACCEPT CLAIM. [Signature]

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
OCT 18 1994

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. 36-02710 -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)

MICROFILMED
OCT 18 1994

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

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
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 items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code Secs. 42-104 and 42-1402).

IDWR further responds to these items as follows: this right is based on a license issued by IDWR. The license did not include cooling as a purpose of use. Cooling is an expansion in use of this right that cannot be included in the description of this

right pursuant to Idaho Code Sec. 42-1416A.

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. A36-02710

4

(Over)

RESPONSE TO OBJECTION NO. 36-02710 -0001 - PAGE 3

MICROFILMED

OCT 18 1954

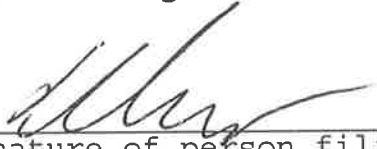
VERIFICATION (Must be Completed)

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 10th day of September
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 10th day of September, 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

OCT 18 1994

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 A36-02710
Date Received 3-13-92
Receipt Number ** AMENDED **

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

RECEIVED

MAR 13 1992

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Idaho Power Company Phone (208) 383-2200
Mailing Address P. O. Box 70 Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) July 24, 1940

3. Source of water supply (a) Springs and Clear Lake
which is tributary to (b) Clear Lake and Snake River

4. a. Location of existing point of diversion is: Township 09S Range 14E Section 2,
SW 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of Gooding

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Collection box and pipeline to place of use; Tap from penstock
beginning in the summer of 1940.

MICROFILMED

FEB 11 1993

OCT 18 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.100 or _____

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) One home and park restrooms; cooling in plant

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	
09S	14E	2															3.0		3.0
09S	14E	2															D		

Total number of acres irrigated 3.0

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

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:

MICROFILMED
FEB 01 1993

MICROFILMED

Last Name _____ Ident No. A36-02710

Copies: White State, Yellow-Claimant

AMENDED

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

Decree _____

If applicable provide IDWR Water Right Number 36-02710

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

Number of attachments _____

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 General Manager Power Production

Title

of Idaho Power Company, that I have signed the foregoing

Organization

document in the space below as General Manager Power Production of Idaho Power Company

Title

Organization

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

Signature of Authorized Agent James M. Collingwood

Title and Organization General Manager Power Production Idaho Power Company Date March 5, 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of March 19 92

SEAL

Notary Public B. V. Schauffelberger

Residing at Boise, Idaho

My Commission Expires July 27, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, James C. Tucker 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 Rosholt, Robertson & Tucker
P. O. Box 2139, Boise, Idaho 83701-2139

Address James C. Tucker

Date 3/6/92

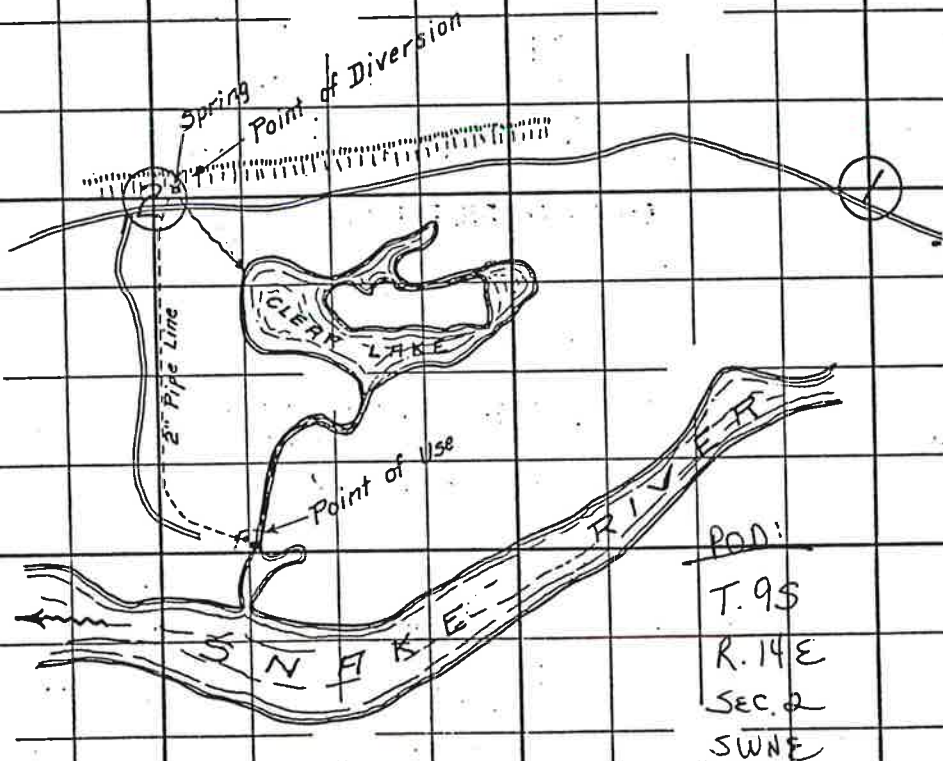
Last Name _____ Ident. Number A36-02710

AMENDED

MICROFILMED
FEB 01 1993
MICROFILM

OCT 18 1994

Copies White-State, Yellow-Claimant



POD:
T. 9S
R. 14E
SEC. 2
SWNE

11

12

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OCT 18 1994

COPY

RECEIVED

MAY 03 1993

Department of Water Resources
Adjudication Bureau

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. 36-02710

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

OBJECTION

Petitioner,

36-02710 -0001/
93-04-0244

vs.

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

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

(Over)

OBJECTION -1-

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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.

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.

Box 3: Claimant needs all of the water claimed.

Box 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.

Make the following changes to the Director's Report:

Add .01 cfs for cooling use and increase total quantity of diversion from .09 cfs to .1 cfs.

Remove the 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.



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

(Over)

WR00007200

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:

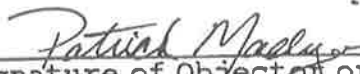
Owner name: IDAHO POWER COMPANY
Owner's address: P.O. Box 70
Boise, Idaho 83707-0070

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

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

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FEB 01 1993

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO POWER CO PO BOX 70 BOISE ID 83707 (208) 383-2200	07/24/1940	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.05 CFS 0.04 CFS	
					TOTAL DIVERSION:	0.09 CFS
					CONSUMPTIVE USE:	

Water Source: SPRINGS
CLEAR LAKES

Tributary to: CLEAR LAKES
SNAKE RIVER

Stage: LICENSE

4.5 AFA

Point(s) of Diversion: T09S R14E S02 SWSWNE Lot07(NESWSE) GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	14E	2	:																	:	1.0
09S	14E	11	:			06-.5														:	0.5
																				TOTAL ACRES	1.5

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09S	14E	2	:																	:	07-D

POU County: GOODING

Non-Irrigation Uses: DOMESTIC, 1 HOME AND PARK RESTROOMS

Other Rights: NONE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: RIGHT NO. 36-02018 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 11/26/1991 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 11/05/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
CLEAR LAKE POWER PLANT, GROUNDS IRRIGATION SYSTEM.

MICROFILMED
FEB 01 1993

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

=====

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 ADDRESSING NOE ISSUES.

Date: 10/28/1992 User-ID: THORNTON Subject: CHANGE IN RECOMMENDATION
CHANGED SOURCE TO CLEAR LAKES (PLURAL)

Audit: 10/28/92 THORNTON

MICROFILMED
FEB 01 1993

HHT



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

NOVEMBER 3, 1992

R. KEITH HIGGINSON
Director

IDAHO POWER COMPANY
C/O JAMES C TUCKER
PO BOX 2139
BOISE ID 83701-2139

RE: NOTICE OF ERROR IN THE SRBA FOR 36-02018, 36-02082, 36-02478,
36-02704, 36-02710, 36-15357 & 36-15358

DEAR MR. TUCKER,

THIS LETTER IS TO CONFIRM THE RESULTS OF THE NOTICE OF ERROR MEETING I HAD WITH YOU, SHARON STRICKLAND AND JOHN SIMPSON ON OCTOBER 21, 1992 AT OUR SOUTHERN REGIONAL OFFICE. THE ISSUES RAISED BY YOUR NOE FILINGS WERE ADDRESSED BY HELEN HARRINGTON-THORNTON IN HER LETTER DATED OCTOBER 19, 1992. DURING OUR MEETING WE RECAPPED SOME OF THE SAME ISSUES COVERED IN THE LETTER.

COPIES OF THE MAPS FROM EACH FILE WERE REQUESTED BY YOU AT THE MEETING AND THOSE COPIES WERE PICKED UP BY STAFF FROM ROSHOLT'S OFFICE ON THIS DAY. I CALLED SHARON STRICKLAND TO CHECK WHERE TO SEND THE MAPS AND SHE SAID SHE NEEDED TO RECEIVE THEM.

THE SEASON OF USE FOR IRRIGATION USES WITHIN THE SNAKE RIVER CANYON, BELOW THE RIM, HAS BEEN EXTENDED BY THE DIRECTOR AND THIS ANNOUNCEMENT WAS MADE THE DAY AFTER OUR MEETING. THE NEW SEASON IS 3/15 TO 11/15.

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.

SINCERELY,

STEVE CLELLAND
SENIOR WATER AGENT

MICROFILMED
FEB 01 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 23 1992

Department of Water Resources

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

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

RECEIVED

SEP 28 1992

Department of Water Resources
Southern Region Office

1. Water right number: 36-02710

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)

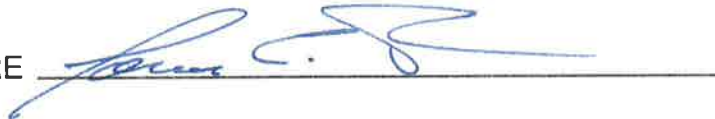
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FEB 01 1993

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:
 - a) Period of use (irrigation)
 - b) Maximum quantity
 - c) Place of use
4. Describe the changes you wish to have made in the proposed recommendation:
 - a) Period of use (irrigation) as claimed
 - b) Quantity of water as claimed
 - c) Place of use to be reviewed
5. Describe why you disagree with the proposed recommendation:
 - a) Recommended period of use may restrict maximum beneficial use of water
 - b) Client is entitled to the licensed amount of water
 - c) Recommended place of use may contain an error
6. Date: September 22, 1992

SIGNATURE





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.

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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.

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FEB 01 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

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FEB 01 1993

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO POWER CO PO BOX 70 BOISE ID 83707 (208) 383-2200	07/24/1940	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	0.05 CFS 0.04 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.09 CFS 4.5 AFA

Water Source: SPRINGS
CLEAR LAKE

Tributary to: CLEAR LAKE
SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T09S R14E S02 SWSNE Lot07(NESWSE) GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	14E	2	:					:					:					:					:	1.0
09S	14E	11	:		06-.5			:					:					:					:	0.5
																							TOTAL ACRES	1.5

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	14E	2	:					:					:					:					:	07-D

POU County: GOODING

Non-Irrigation Uses: DOMESTIC, 1 HOME AND PARK RESTROOMS

Other Rights: NONE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: RIGHT NO. 36-02018 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 11/26/1991 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 11/05/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
CLEAR LAKE POWER PLANT, GROUNDS IRRIGATION SYSTEM.

MICROFILMED
FFR 0 1 1993

=====

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 ADDRESSING NOE ISSUES.

Audit: 10/19/92 THORNTON

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FEB 01 1993

R PROOF

✓

CVR

✓

MAPS

✓

PHOTOS

MISC

✓

MICROFILMED
FEB 01 1993

VERIFIED BY

SW

Water Right Number - R36-02710

Prefix Translation: RESEARCH

Old (D) Number - 19020

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

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

1 - PO BOX 70

2 -

3 -

City- BOISE

State- ID Zip- 83707

Phone - 208-383-2200

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

1 - JAMES C TUCKER OR

2 - BRUCE M SMITH

3 - PO BOX 2139

City- BOISE

State- ID Zip- 837022139

Phone - 208-336-0700

IDAHO POWER CO

1 - STEVEN L HERNDON

2 - PO BOX 70

3 -

City- BOISE

State- ID Zip- 83707

Phone - 208-383-2692

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/24/1940 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRINGS CLEAR LAKE CLEAR LAKE SNAKE RIVER+ - - - - Point of Diversion - - - - - +
+ - - - - +
Twn Rng Sec Tract Lot Rflg County
09S 14E 2 SW SW NE (47) GOODING
NE SW SE 7 (47) GOODING+ - - - - Water Use - - - - - +
+ - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.050
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.090 4.5+ - - - - Place of Use - - - - - +
+ - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 14E 2 SW SE 7 1.0 01 IRRIGATION (47) GOODING
09S 14E 11 NW NE 6 0.5 01 IRRIGATION (47) GOODING
09S 14E 2 SW SE 7 43 DOMESTIC (47) GOODING

Total Acres: 1.5

MICROFILMED
FEB 01 1993

Water right number - R36-02710

Prefix Translation: RESEARCH

+ - - Diversion Means - COLLECTION BOX, PIPELINE TO PLACE OF USE. TAP FROM PENSTOCK-IRR.

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME AND PARK RESTROOMS

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
RIGHT NO. 36-02018 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +
3602710

+ - - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT
- TO IDAHO CODE 42-1416A.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 11/05/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
CLEAR LAKE POWER PLANT, GROUNDS IRRIGATION SYSTEM.

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

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 11/26/1991	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	- C002944	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
FEB 0 1 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:15:08
06/30/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02710

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				N		DB 9-28-90	Sc	
POINT OF DIV	Y			(Y)	6 ^{1,2,5,6}	Sc 3-16-92	3-16-92	
SOURCE	Y			N (Y)	12,5,6			
PLACE OF USE	Y		11-26-91 Sc	N (Y)	12 456			
DIV. AMOUNT CFS/VOLUME	Y			(Y)	6			
CONSUMPTIVE USE	-			(Y)				
PURPOSES	Y			N				
PERIOD OF USE	Y			(Y)	6			
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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:15:08
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02710

LAST: NELSON
ADDRESS: NELSON, RSHOLT, ROBERTSON
TOLMAN, AND TUCKER
P.O. BOX 2139
CITY: BOISE
PHONE NUMBER: 208-336-0700
OWNER CODE: A

FIRST: THOMAS G.

STATE: ID ZIP: 83701

LAST: IDAHO POWER CO.
ADDRESS: P.O. BOX 70
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: CLEAR LAKE POWER PLANT, GROUNDS IRRIGATION SYSTEM.

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-02710 PRIORITY DATE: 07-24-1940 STAGE: L
B. WR RECORD: # 36-02710 PRIORITY DATE: 07-24-1940 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
07-24-1940

REVIEWED BY lw

DATE

7/30/90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02710	09S	14E	2	SW	SW	NE		GOODING

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

WR RECORDS IN SAME 40 ACRE TRACT

36-07201
36-07798

SOURCE: SPRINGS

TRIB: CLEAR LAKES

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02710	09S	14E	2	SW	SW	NE		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-07201
36-07798

A36-07201
A36-07218
A36-02708

NONE

SOURCE: SPRINGS

TRIB: CLEAR LAKE

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

N
N

REMARKS:

Confirming 10 acre POD tract - ^{CU} confirmed with
enclosed map

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
95	14e	2	SW	SW	SE		47

SOURCE: Spring TRIB: Clear Lake
REVIEWED BY: W DATE: 8/6/90

amended
& added

S2 NE SW
~~NE SE~~ SE (7)

CLEAR LAKE

S.R.

(C03)

See
3-16-92

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A. ROOT WATER RIGHT NUMBERS: A36-02710

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	14E	2	SW	SE	7	NELSON, THOMAS G. IDAHO POWER CO.	A36-02710 / 3.0 A36-02018 /	36-02710 / 3.0 36-02018 /	12.0 (RIPARIAN)	1.5	X 1.0
		TOTAL ACRES		A36-02710		3.00		3.00	12.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

ADD: T9S R4E S.11 NWNE Lot 6

PRESUMPTION FLAG:

REMARKS:

(see planimeter map dated 11-27-91) confirmed by field exam 11-26-91
sc

RECOMMENDATIONS:

TOTAL ACRES: X 1.5

REVIEWED BY: LW

DATE: 7/30/90

sc 3-16-92

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02710 IRRIGATION	FROM 03-15 TO 11-15	~~.100~~ CFS .06
<i>Dam</i>	<i>1-1 12-31</i>	<i>.04</i>
TOTAL DIVERSION RATE/VOLUME CLAIMED		.100 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02710 IRRIGATION	FROM TO	.100 CFS
36-02710 DOMESTIC	FROM TO	.100 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.100 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	<i>N</i>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<i>N</i>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<i>N</i>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

Should list Domestic use

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.100 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 FIELD
N EXAMINER N

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B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

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
A36-02018	POWER	IDAHO POWER CO.	FROM 01-01 TO 12-31	526.000 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE ^{0.03}
ACRES 1.5 x 0.02 CFS/ACRE = ^{0.045}~~0.06~~ CFS = 0.05 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 = 9.0 AF/A

ACRES 3 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 9 4.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 3 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 12 6.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Reduction of Acres irrigated = less diversion.

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRI G Dom	4-1 10-31 3-15 11-15 1-1 12-31	DATABASE EXAMINER .10 .06 0.05 - .04 10.55.1 0.09	DATABASE EXAMINER 17	DATABASE EXAMINER 9 4.5
TOTAL FOR THIS RIGHT				
REVIEWED BY: 16	DATE: 7/30/90			

Sc 3-16-92

C03
C05

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
(<u>N/A</u>)	()
(<u>N/A</u>)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02710

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.100	EXAMINER <u>N/A</u>	CFS
-----------------------------------	-------------------	------------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02710	0.100	-		36-02710	0.100
TOTAL CFS		0.100				0.100

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	FIELD EXAMINER <u>N/A</u>
---------------	---------------------------------

REMARKS:

Was licensed for 3 acres + Dom. use. Only claimed irrig. use and listed domestic under non-irrig use. Domestic use should be listed under water use & the amts (CFS) should be distributed accordingly

Amended 3/13/92

AUTHENTICATION:

SIGNATURE: *W*

DATE: 7/30/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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Planimeter
11-27-91
see
1" = 200'

found:
1.5 Acres

1.5 Acres



REPHOTOGRAPHED

Pou
3 ACRES

CLEAR LAKE

POD
PENSTOCK

SNAKE RIVER

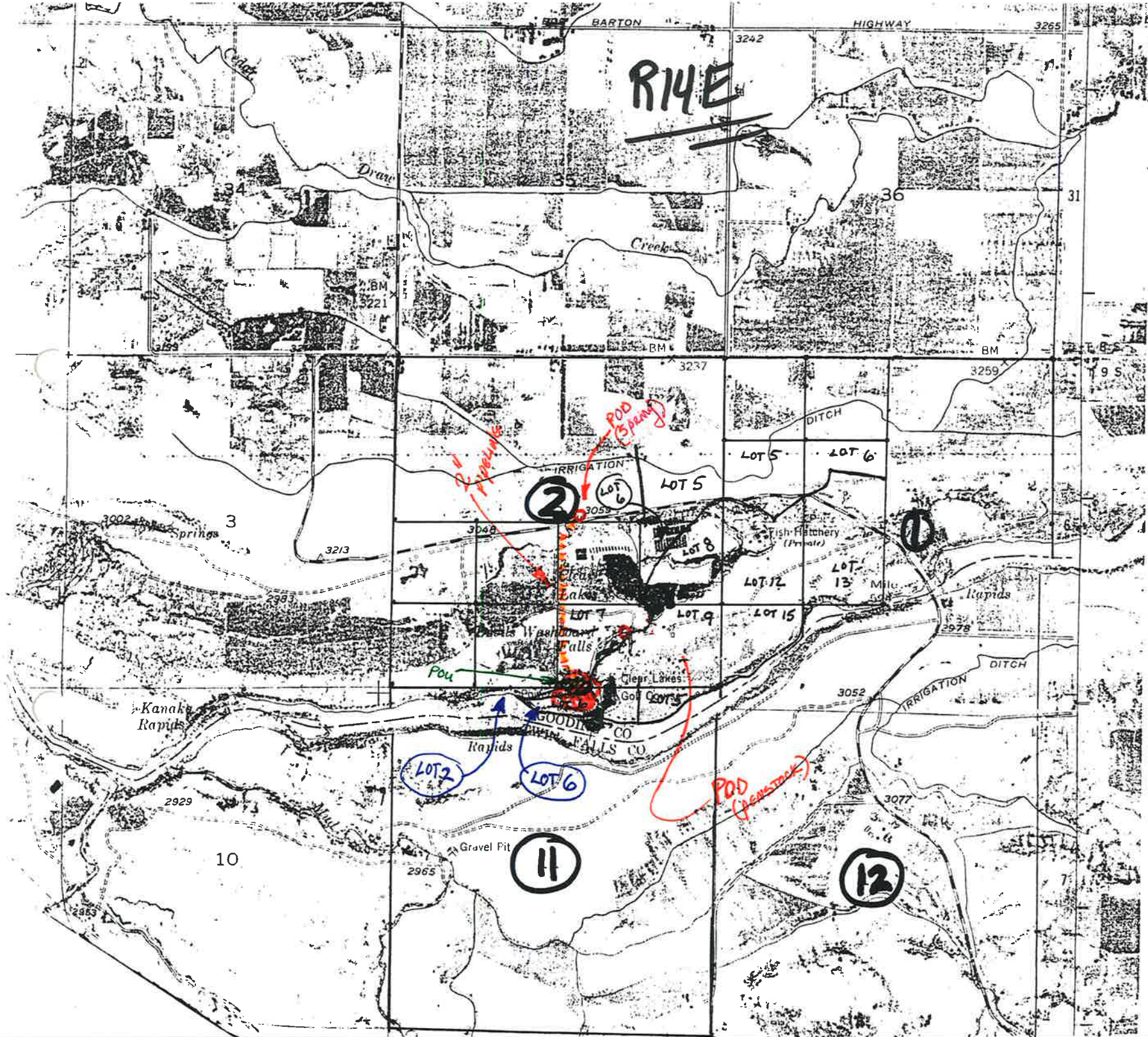
CLAIM A36-02710 INIT
T. R. S. Q/Q
P/D
PHOTO ASCS 16047-417 J-19-1
DT.&ID. 1987

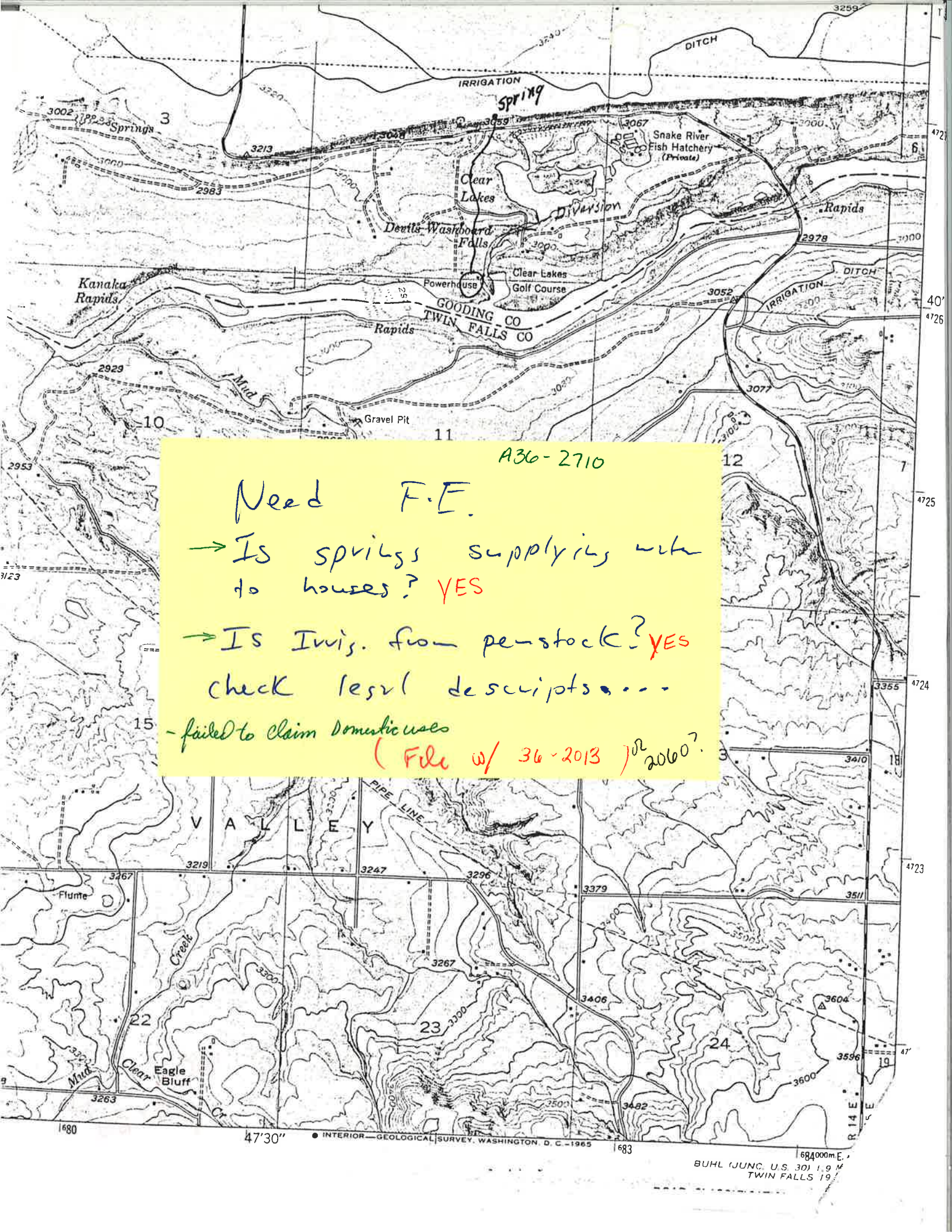
3661 40 9771

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FEB 10 1993

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A36-2710

Need F.E.

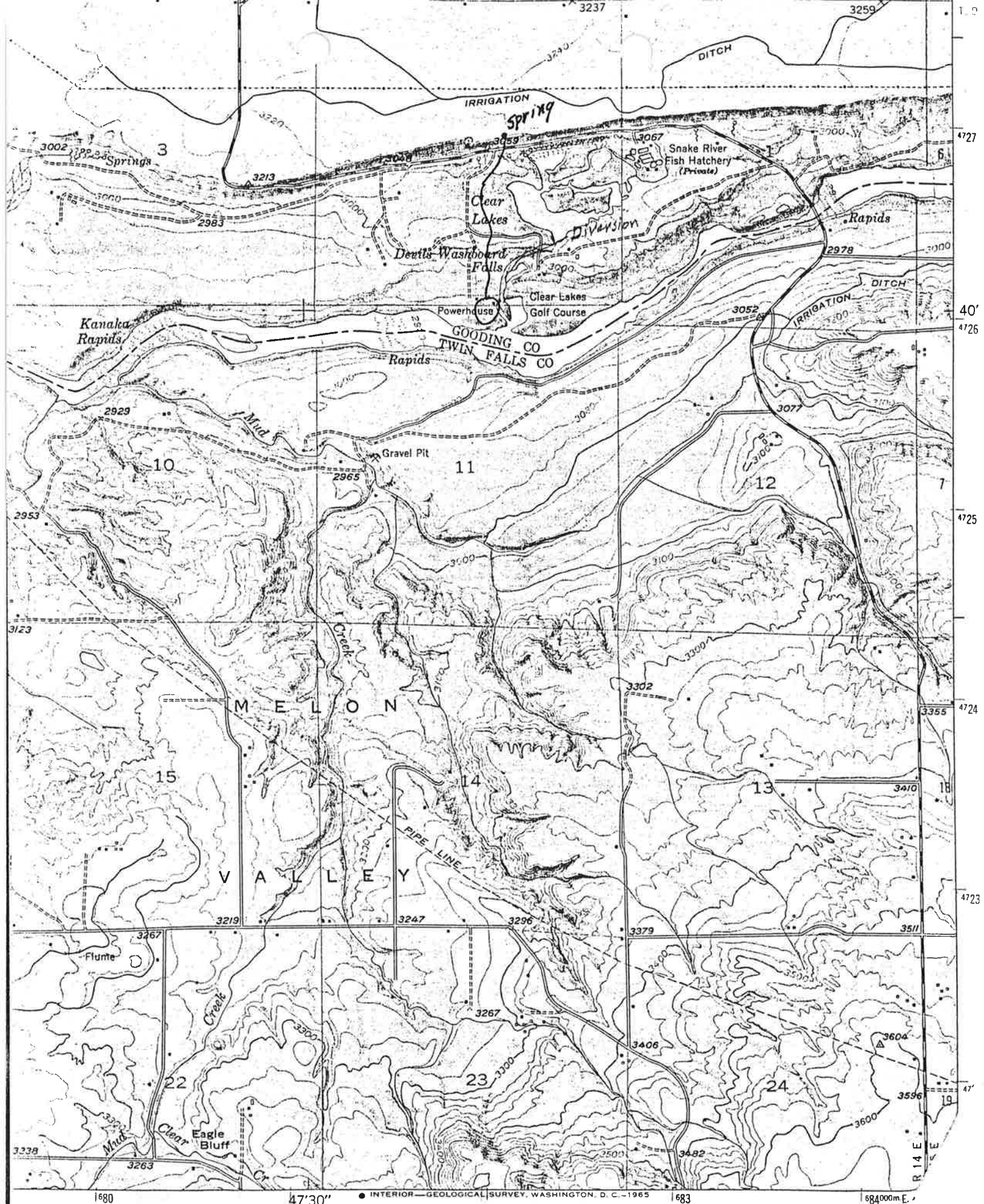
→ Is springs supplying water to houses? YES

→ Is Irrig. from penstock? YES

check legal descriptions...

- failed to claim domestic uses

(File w/ 36-2013) or 2060?



INTERIOR - GEOLOGICAL SURVEY, WASHINGTON, D. C. - 1965

BUHL (JUNC. U.S. 30) 1.9 M
TWIN FALLS 19

CONVERSATION MEMORANDUM

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 presumptions 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

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CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-02710

RE: SOURCES + USES OF CLAIM

DATE 11-26-91

NAME OF PARTY

MARVIN MAUTZ - CLEAR LAKE PLANT OPERATOR

He said the spring water is piped into his house and the restrooms at the park. The irrigation system runs off the Tap in the penstock.

He suggested I talk with GREY SOLOMON at the 1000 springs Plant.

536-2624

11-27-91

SPOKE TO DENNIS BREMAN

Relayed the concern for the correct filing on A36-02710 & A36-02013. Needs some work done and I had contacted Bruce Smith in Boise re: this matter.

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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.

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FEB 01 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:

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FEB 01 1993

Grey Solomon

12-2-91



Returned call
re: 1000 SF
(2pm p.m.)

- Told him about situation.
- tried Lawyer - no effect.
- Trying to get it right.

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