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July 13, 2012

RECEIVED

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DEPARTMENT OF
WATER RESOURCES

Mr. Nick Van Dyke
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Funk Water Supply Bank Applications

Dear Mr. Van Dyke:

These comments are being submitted on behalf of Idaho Power Company in response to the Idaho Department of Water Resources' July 2, 2012 letter inviting comments to the above-referenced Applications.

At the outset, it is difficult to fully analyze, and hence, develop comments without knowing which rights are being proposed for lease under the pending applications. Such information would be helpful. The primary comment the Idaho Power Company would have is to an issue identified in the July 2, 2012 letter. IDWR identified that several of the existing diversions are outside of the trust area while the proposed diversions are within the trust area. In processing these applications, Idaho Power would expect IDWR to resolve the issue of moving diversion points across the trust water line and the impact of new diversions in the trust water area with mitigation arising from diversions outside of the trust area. It would appear that this determination would be part of the IDWR injury analysis it would perform on Water Bank applications, transfers and new applications.

If additional information becomes available, Idaho Power may wish to provide further comments on the trust water line issue or other issues as identified.

Sincerely,

John K. Simpson

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