

Ident. No. 57-11790

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Idaho Power Phone (208) 833-2905
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: c/o Jon Bowling P.O. Box 70 City Boise

State ID Zip 83707 Email: jbowling@idahopower.com

2. Source of water supply Ground Water which is a tributary of N/A

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
1S	3W	11			NE	SW	Owyhee	Ground Water	D0055832

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Submersible Pump

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12.

c. Proposed well diameter is See Narrative inches; proposed depth of well is 808 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? Under Const.; drilling firm Adamson Pump and Drilling;
Well was drilled for (well owner) Yes; Drilling Permit No. D0055832

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households. Water is for use in new Substation

e. Other; describe fully. _____

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9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	3W	11									X								

Total number of acres to be irrigated: N/A

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? This planned appropriation does not include any water for irrigation.

11. a. Who owns the property at the point of diversion? Idaho Power
- b. Who owns the land to be irrigated or place of use? Idaho Power
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This Application for Permit is to appropriate ground water to support the new Idaho Power Hemingway Substation. This right will be used for domestic purposes to include a restroom with a shower and an eye wash station. Idaho Power began construction of the well in August of 2009. During construction of the well, water in excess of 85 degrees was encountered. IDWR was contacted and as per instructions the well will consist of a 10" borehole, 6" casing and grouted between the borehole and casing. Idaho Power was not seeking geothermal resources for this project.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.



 Signature of Applicant

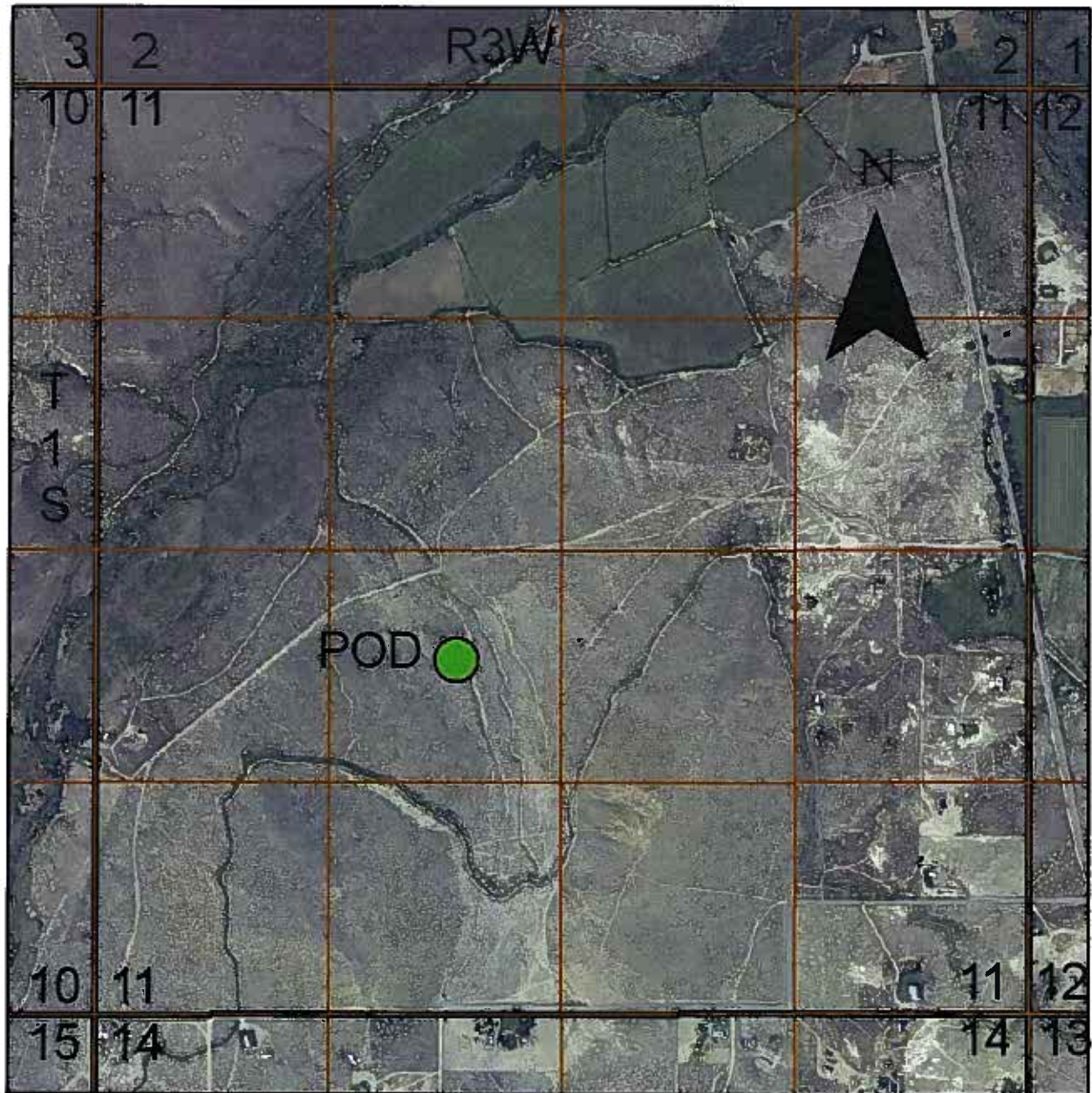

 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

Received by Jmh Date 9-15-09 Time 3:15 PM Preliminary check by JFW
 Fee \$ 100. Receipted by Jmh Receipt No. W037889 Date 9-15-09

Idaho Power
Application for Permit
Ground Water Point of Diversion



2,600 1,300 0 2,600 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the 2,600, 1,300, and 0 foot markings.

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, October 15, 2009 1:52 PM
To: 'Jennifer Stutheit'
Subject: Legal Notice
Attachments: Owyhee County Ad - Cover Letter.doc; 57-11790 Ad.doc

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

10/15/2009

October 15, 2009

LEGAL NOTICE DEPARTMENT

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application For Permit No(s).: 57-11790

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 11/9/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

57-11790

IDAHO POWER CO
PO BOX 70
BOISE, ID 83707

Point of Diversion NESW S11 T01S R03W OWYHEE County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 9/15/2009

Place Of Use: DOMESTIC

T01S R03W S11 NESW

Place of use is for Idaho Power Hemingway Substation.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 11/9/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 10/21/2009 and 10/28/2009

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
PAUL L. ARRINGTON
SCOTT A. MAGNUSON
SARAH W. HIGER



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(208) 735-2444 facsimile
jar@idahowaters.com

John K. Simpson
jks@idahowaters.com

September 15, 2009

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WATER RESOURCES
WESTERN REGION

Mr. Steve Lester, Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit to appropriate the public water of the State of Idaho
for the new Hemingway Substation, Owyhee County, Idaho.

Dear Mr. Lester,

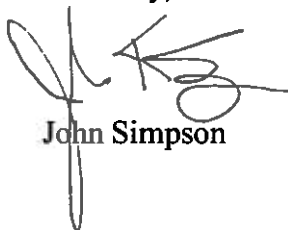
Idaho Power is requesting an expedited processing of our Application for Permit for our new Hemingway Substation. The application is enclosed with this letter.

Construction of the new well began on or about August 18, 2009 under drilling permit number D0055832. During construction of the well, water in excess of 85 degrees was encountered in the borehole. Your department was contacted and we received guidance on well construction standards. We are asking for this expedited process to ensure our increased investment for well construction will result in our ability to make use of the water resource that we develop.

If you have any questions you may contact David Blew (388-5292) or Gil Green (388-2795) with Idaho Power.

Thank you for consideration of our request.

Sincerely,



John Simpson

LIMITED LEGAL POWER OF ATTORNEY

The Idaho Power Company, an Idaho Corporation, does hereby appoint John K. Simpson, and Shelley M. Davis, of the law firm Barker Rosholt & Simpson, LLP, as agents of the Idaho Power Company, and for the Company and in the Company's name authorizes such agents to execute and sign any and all documents necessary to conduct business before the Idaho Department of Water Resources, and generally to do and perform all things necessary in or about the premises as fully in all respects as I could do if personally present.

Signed: _____



James C. Tucker, Legal Counsel to the Idaho Power Co.

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WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

August 8, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Distribution to Idaho Licensed Well Drillers

RE: Construction of Low Temperature Geothermal Wells and Associated Water Right Requirements

Dear Licensed Well Driller:

A Low Temperature Geothermal Resource ("LTGR") is defined as ground water having a temperature greater than 85°F and less than 212°F. The Idaho Department of Water Resources ("Department") is charged with regulating construction of LTGR wells and the development and use of these resources pursuant to specific statutory requirements. Additionally, Rule 30 of the Administrative Rules for Well Construction Standards (IDAPA 37.03.09.030) addresses specific well construction and related bonding requirements for wells that have or will encounter an LTGR. The applicable well construction requirements for LTGR wells are more stringent than standards for construction of cold water wells. Any well that encounters LTGR water shall meet the requirements of Rule 30.

The Department must approve a drilling permit, in writing, prior to the construction of any low temperature geothermal well. Drillers cannot use start cards to construct, modify, or replace a well that seeks or may encounter an LTGR.

The "domestic" exemption from the requirement of filing and obtaining a water right, (Section 42-227, Idaho Code) does not apply to LTGR wells. Prior to construction of the well or approval of a drilling permit for any LTGR well, the person applying for the drilling permit must demonstrate that the owner of land upon which the well will be constructed holds an approved water right for use of the low temperature geothermal water.

Any LTGR water use, or well constructed that is not authorized by a valid water right permit, license or decree and a drilling permit, shall be subject to an enforcement action pursuant to Idaho Law.

In several areas of the state, the number of wells "unintentionally" encountering LTGR water during construction has increased. While the Department realizes that many unforeseen conditions can result during the construction of a well, the well driller and the well owner are responsible for meeting all applicable requirements for proper construction of any well that encounters an LTGR. If an LTGR is unintentionally encountered during construction, modification, or replacement of a well, the driller must immediately cease construction of the

August 8, 2008

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well and notify the Department. Construction may only resume after confirmation of the required water right and issuance or amendment of a drilling permit for an LTGR well. If construction of a well was authorized by a start card, and an LTGR is encountered during construction, the start card approval is revoked. Further construction, completion, or abandonment must be authorized by a written, approved drilling permit and an approved drilling prospectus.

IDAPA 37.03.09, Rule 30 includes the following requirements:

- 1) Driller Bond of \$20,000.
- 2) Owner Bond of \$5,000 to \$20,000 (as determined by the Director) for 1 year.
- 3) A minimum of two strings of casing, see IDAPA 37.03.09.030.03.b.
- 4) Full length cement seal on all strings of casing.
- 5) An approved well construction prospectus prior to construction, modification deepening or abandonment.

Please contact Mr. Tom Neace at the State Office at 208-287-4935 or the regional well construction specialist in your area if you have questions concerning this letter or construction of LTGR wells.

Respectfully,

A handwritten signature in black ink, appearing to read "Gary Spackman", with a stylized, flowing script.

Gary Spackman
Administrator, Water Management Division
Idaho Department of Water Resources