



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
E-MAIL rharris@holdenlegal.com

July 17, 2008

RECEIVED

JUL 21 2008

DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: Notice of Protest - City of Pocatello and Idaho Power Company

Dear Ladies & Gentlemen:

Enclosed is a Notice of Protest for a notice of Proposed Leasing of Water for Hydroelectric Generation filed by the City of Pocatello and Idaho Power Company, along with our check in the amount of \$25.00 for the filing fee.

Thank you for your kind attention to this matter. If you have any questions, please feel free to contact this office at your convenience.

Sincerely,

Cheri Vandermeulen
Secretary for Robert L. Harris

Enclosures

c: Idaho Department of Water Resources, Eastern Region

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Established in 1896

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPARTMENT OF
WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Mater being protested: Notice of Proposed Leasing of Water for Hydroelectric Generation, City of Pocatello and Idaho Power Co. (01-2068)
2. Name of protestant: Palisades Water Users, Inc. ("PWUI")
3. Protestant's Representative for service (If different than protestant)
Robert L. Harris
4. Service Mailing Address: PO Box 50130, Idaho Falls, Id 83405-0130
5. Service Telephone No.: 208-523-0620
6. Basis of Protest (including statement of facts and law upon which the protest is based).
The proposed lease will injur PWUI's water rights by affecting fill allocation in the Upper Snake system for subsequent years. The proposed lease also violates the Water District 01 Rental Pool Rules and Policy No. 32 of the State Water Plan.
7. What would resolve your protest? Deny the proposed lease.

I hereby acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 16th day of July, 2008.

Protestant

Robert L. Harris
Protestant's Representative

NOTE:

A protestant is required to timely file a protest with the Department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the Department. In addition, the Department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____, in the name of _____" or "Application for Transfer No. _____, in the name of _____".
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The Department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the Department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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FOR DEPARTMENT USE ONLY

Received by: _____ Date: _____ Time: _____

\$25.00 fee Receipted by: _____ #: _____ Date: _____

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The Ammon City Council will hold public hearing on Thursday, July 10, 2008, at 7:30 p.m. to hear comments on proposed increases to front footage fees. The fee revision being considered is an increase of development frontage fees for Curb/Gutter to \$18.00 per linear foot, 21-1/2' Asphalt to \$47.00 per linear foot, 5' sidewalk to \$30.00 per linear foot and 8" sanitary sewer to \$44.00 per linear foot. The effective date of the increased fee, if implemented, will be August 1, 2008.

Questions in regards to this proposal can be answered by contacting the City Office at 529-4211 or at 2135 South Ammon Road, Ammon, Idaho 83406.

All citizens are invited to attend a public hearing on the proposed fees in the City Hall, 2135 South Ammon Road, Ammon, Idaho. The City Building is accessible to persons with disabilities. Anyone desiring accommodations for disabilities, please call the City Clerk's office at 529-4211 at least 48 hours prior to the hearing.

Leslie Folsom,
City Clerk

Published: July 10, 15, 2008

NOTICE OF PROPOSED LEASING OF WATER FOR HYDROELECTRIC GENERATION

Notice is hereby given pursuant to Section 42-108B, Idaho Code, that the City of Pocatello, PO BOX 4169, Pocatello, ID 83205, filed an application on June 19, 2008 to lease water for hydroelectric generation to Idaho Power Company, PO BOX 70, Boise, ID 83707, under water right No. 01-2068 for a period through September 30, 2008. The proposed lease of storage water in Palisades Reservoir would provide a maximum of 20,000 acre-feet of water from the Snake River, tributary to the Columbia River, for hydroelectric generation at Idaho Power Company hydroelectric facilities on the Snake River downstream of Palisades Reservoir and Milner Dam.

Protests may be submitted based on the criteria of Section 42-108B, Idaho Code. Additional issues that must be addressed as part of the hearing are: (1) The applicability of the provisions of Section 42-108B, Idaho Code, given the requirements of the Water District 1 Rental Pool authorized by Sections 42-1763 and 42-1765, Idaho Code; and (2) The effect, if any, of the contractual limitations in the City of Pocatello's federal storage contract on the City's proposed lease of water pursuant to state law.

Protests against approval must be filed with the Idaho Department of Water Resources, PO BOX 83720, Boise, ID 83720-0098, on or before July 22, 2008. The hearing on any protests is scheduled for July 31, 2008 at the hour of 9:00 a.m., at Idaho Fish & Game Magic Valley Region office, 319 South 417 East, Jerome, ID 83338.

DAVID R. TUTHILL, JR.,
Director

Published: July 10, 17, 2008

NOTICE OF LETTING

Sealed proposals will be received by the IDAHO TRANSPORTATION BOARD only at the office of the IDAHO TRANSPORTATION DEPARTMENT, 3311 WEST STATE STREET, BOISE, IDAHO 83703, ATTN: ROADWAY DESIGN until two o'clock p.m., on July 29, 2008, for the work of constructing a 12 foot wide joint pedestrian/bicycle pathway, including excavation, embankment, placement of aggregate base, and paving; Pancheri Br. To South Ped Path, Idaho Falls, known as Idaho Federal Aid Project No. A009(765), in Bonneville County, Key No. 09765.

[FOR ADDITIONAL INFORMATION CONCERNING THIS PROPOSAL, PLEASE CONTACT RESIDENT ENGINEER ***KEN HAHN*** AT (208) 745-5640.]

The Idaho Transportation Department, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the regulations of the Department of Commerce (15 C.F.R., Part 8), issued pursuant to such act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, religion, color, sex, national origin, age, or disability in consideration for award.

Plans, specifications, form of contract, proposal forms, and other information may be obtained at the office of the Idaho Transportation Department, Boise, Idaho, and are on file for examination at the office of the District Engineer at Rigby, Idaho.

A non-refundable charge of FORTY DOLLARS (\$40.00) plus applicable sales tax will be made for each set of plans, payment to be made by check, payable to the Idaho Transportation Department. Plans may be ordered by phone (800) 732-2098 (in Idaho) or (208) 334-8430; or by written request to the Idaho Transportation Department, Attn: Revenue Operations, P. O. Box 34, Boise, ID 83731-0034.

*******COMPUTERIZED BIDDING DISKETTES ARE AVAILABLE UPON REQUEST*******

The right is reserved to reject all proposals, or to accept the proposal or proposals deemed best for the State of Idaho.

No proposal will be considered unless accompanied by an acceptable proposal guaranty. This guaranty must be in the form of a Certified Check or a Cashier's Check drawn on an Idaho bank in the amount of five percent of the total amount bid, made payable to the Idaho Transportation Department, or a Bidder's Bond in the amount of five percent of the total amount bid. Bidders shall obtain a license from the Idaho Public Works Contractors State License Board (800) 358-6895 before award will be made, as provided in Subsection 103.02 and 107.03 of the Idaho Standard Spec-

Mr. Don Hasc
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DAVID R. TUTH
Director

Published: July

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DAVID R. TUTHILL, JR., Director

Published in the Post Register, Times News, Idaho Statesman on July 10 and 17, 2008.

324 S. 417 E. Suite #1
Jerome, ID 83338

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