

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 3-07018

Priority: December 24, 1975

Maximum Diversion Rate: 5,000 CFS
Maximum Diversion Volume: 93,400 AF

It is hereby certified that IDAHO POWER CO
PO BOX 70
BOISE ID 83707 has complied with the terms and conditions of the permit, issued
pursuant to Application for Permit dated December 24, 1975; and has submitted Proof of Beneficial Use on
August 7, 1980. An examination indicates that the works have a diversion capacity of 35,000 cfs of water from:

SOURCE

SNAKE RIVER

Tributary: COLUMBIA RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
POWER	01/01 to 12/31	5,000 CFS	93,400 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L3 (NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 2, Twp 17N, Rge 05W, B.M. WASHINGTON County

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 05W 2													X				L 1

CONDITIONS OF APPROVAL

1. The rights for the use of the waters under this right shall be subordinate to and not prevent or interfere with any future upstream diversion and use of the waters of the Snake River and its tributaries above the backwater created by said dam for the irrigation of lands or other consumptive beneficial uses in the Snake River watershed.
2. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
3. The diversion and use of water for hydropower purposes under this license is subject to review by the Director after the date of expiration of the Federal Energy Regulatory Commission license for Brownlee Dam. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
4. Use of water under this right shall be non-consumptive.
5. Power generation is at the Brownlee Dam Power Plant.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 16th day of November, 2007.


DAVID R. TUTHILL, JR.
Director