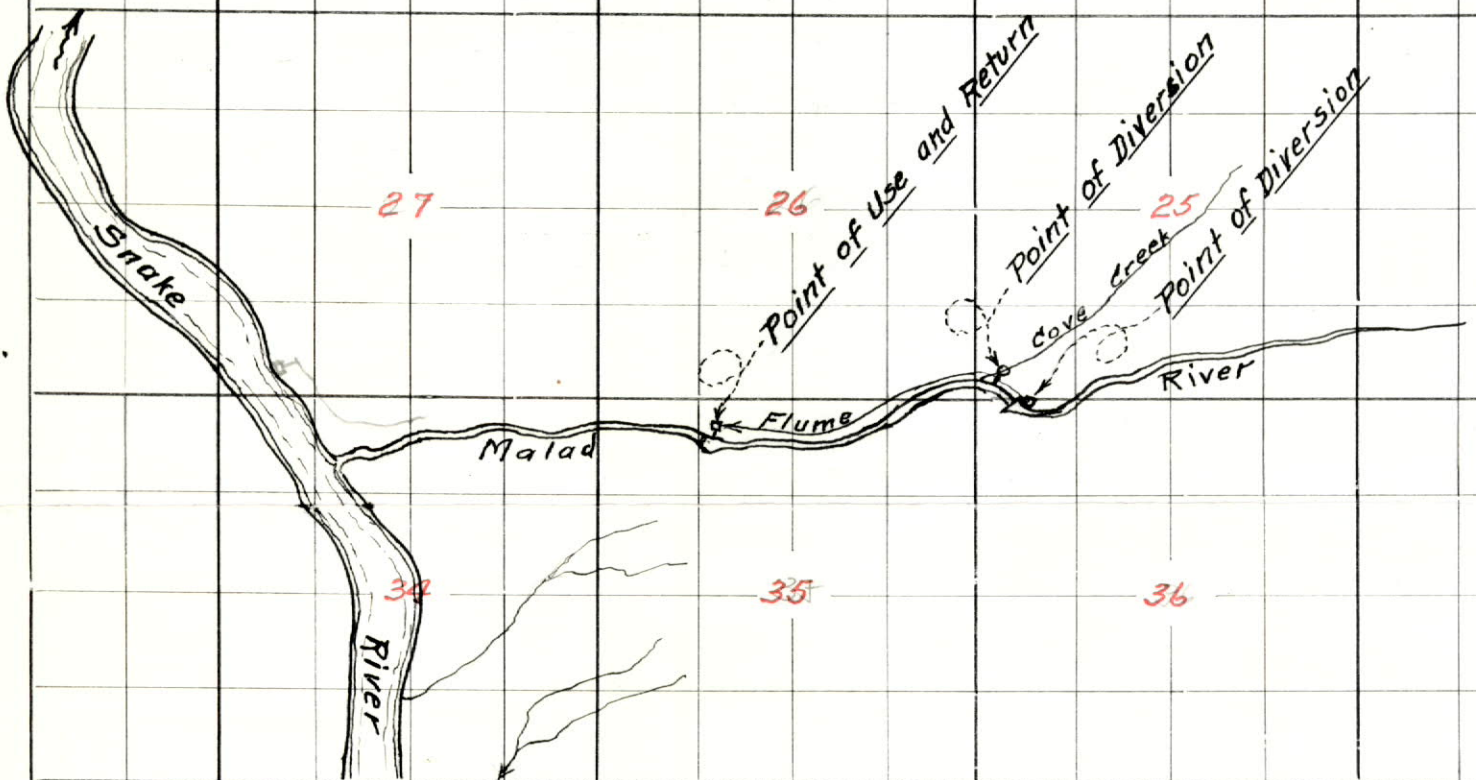




AFFIDAVIT OF PUBLICATION

**Notice for Publication
NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10 a.m. on the 12th day of July, 1948, at 1220 Idaho St., Boise, County of Ada, State of Idaho, before Geo. H. Petersen, Notary Public, proof will be submitted of the application to beneficial use of 900 cubic feet per second of the waters of Malad River and its tributary, Cove Creek, in accordance with the terms and conditions of Permit No. 19863 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Idaho Power Company, 1220 Idaho St., Boise, Idaho.

The use to which said water has been applied is electric power generation.

The amount applied to beneficial use is 900 cubic feet per second.

The place where said water is used is at the Idaho Power Company's Upper Malad Power Plant, in Gooding County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is the Upper Malad Power Plant flume.

The right to take water from such works is based upon Permit No. 19863.

The source of supply from which such water is diverted is Malad River and its tributary, Cove Creek.

The date of priority which said user is prepared to establish is May 14, 1946.

MARK R. KULP, State Reclamation Engineer. 19863 31-34

STATE OF IDAHO }
County of Gooding } ss.

I, **Leland G. Burress**, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper

four consecutive weeks, the first publication having been made

on the 17th day of June, 1948,

and the last publication having been made on the

on the 8th day of July, 1948,

that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Gooding, Gooding County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

13th day of July, 1948.

Shirley M. Miller
Notary Public.

19863

19863

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 A.M., on the 26th day of June, 1948, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Geo. H. Petersen, Notary Public, proof will be submitted of the completion of works for the diversion of 850 cubic feet per second of the waters of Malad River and 50 cubic feet per second of the waters of Cove Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Idaho Power Company.
2. The postoffice address of such person or principal place of business of such corporation is 1220 Idaho St., Boise, County of Ada, State of Idaho.
3. The number of such permit is 19863, and the date set for the completion of such work is June 27, 1948.
4. Said water is to be used for

electrical power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 900 cubic feet per second.

MARK R. KULP, State Reclamation Engineer. 19863 29-32

STATE OF IDAHO }
County of Gooding } ss.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *four* consecutive weeks, the first publication having been made on the *3rd* day of *June*, 194*8*, and the last publication having been made on the *1st* day of *July*, 194*8*, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

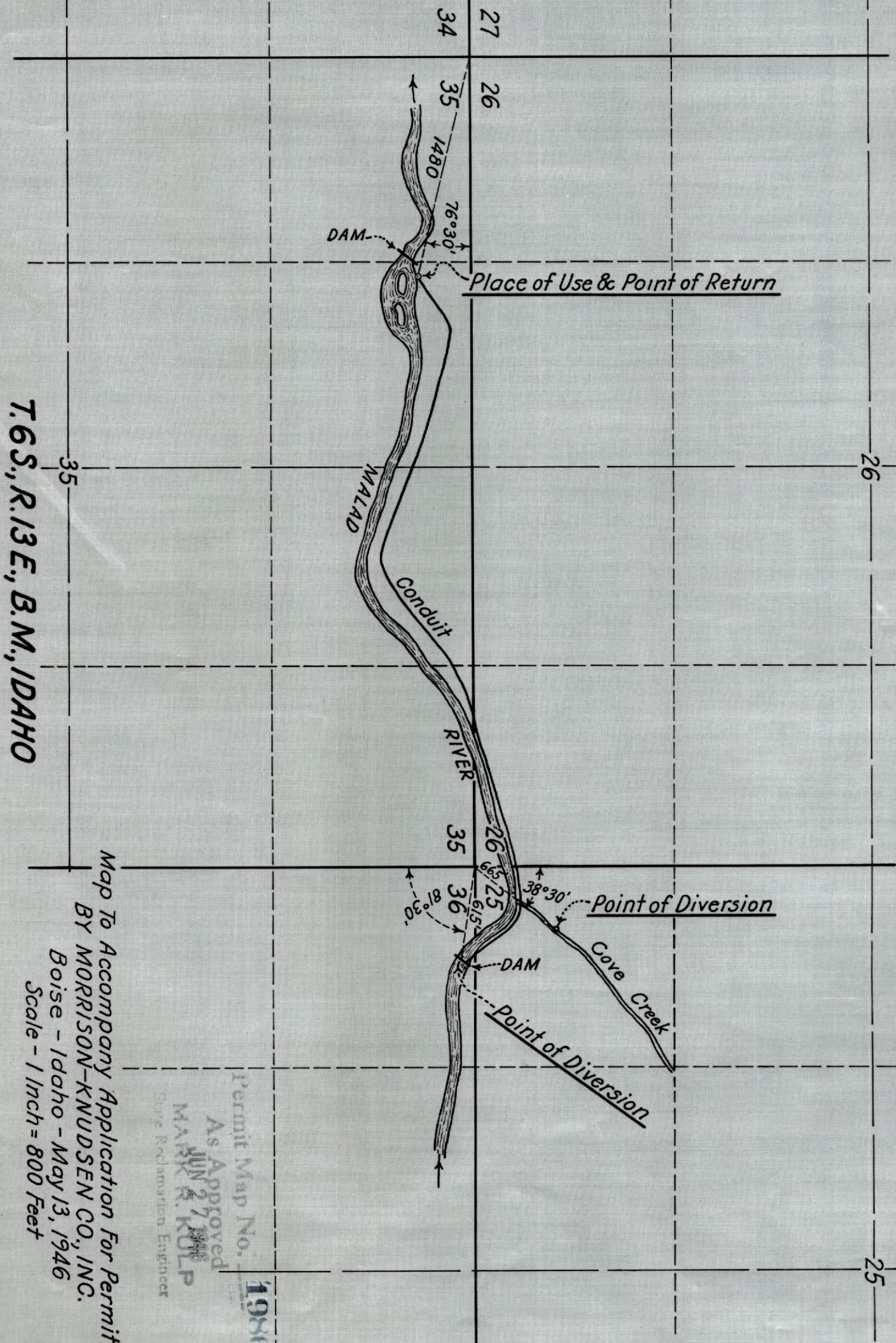
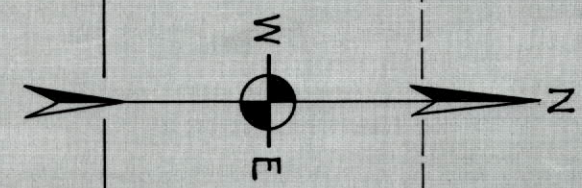
Leland G. Burress

Subscribed and sworn to before me this

25th day of *June*, 194*8*.

Shirley Miller
Notary Public.

19863

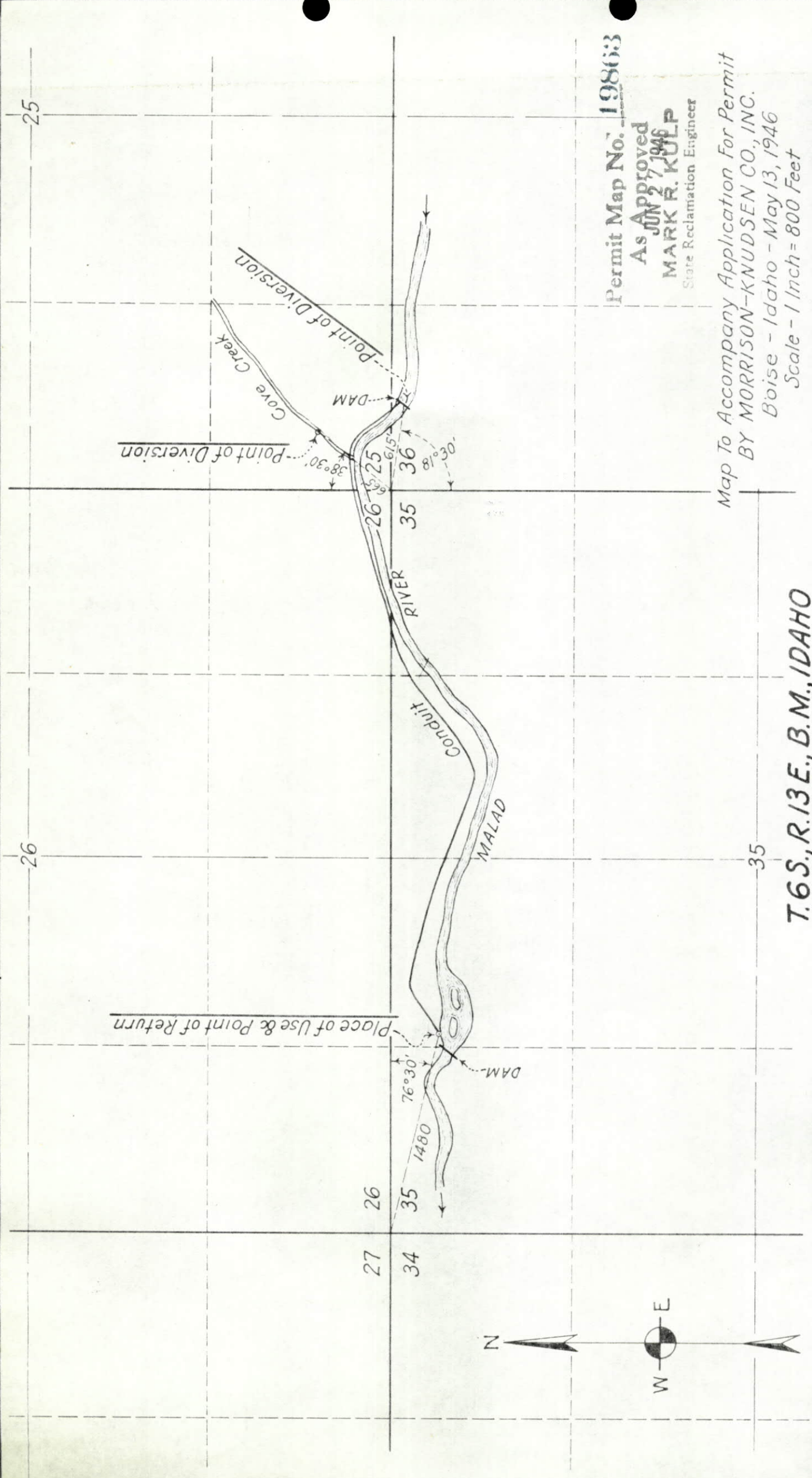


T.6S., R.13E., B.M., IDAHO

Map To Accompany Application For Permit
BY MORRISON-KNUDSEN CO., INC.
Boise - Idaho - May 13, 1946
Scale - 1 inch = 800 Feet

Permit Map No. 19863
As Approved
JUN 27 1946
MARK R. KOLP
State Reclamation Engineer

19863



Permit Map No. 19863
As Approved
JUN 27 1946
MARK R. KULP
State Reclamation Engineer

Map To Accompany Application For Permit
BY MORRISON-KNUDSEN CO., INC.
Boise - Idaho - May 13, 1946
Scale - 1 Inch = 800 Feet

T.6S., R.13E., B.M., IDAHO

A-6489
19863



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION
41-203, IDAHO CODE ANNO-
TATED.

NOTICE IS HEREBY GIVEN
That on the 14th day of May, 1946,
Morrison-Knudsen Company, Inc.,
of Boise, Idaho, made application
to appropriate Eight Hundred Fif-
ty (850) cubic feet per second of
the waters of Malad River, and
Fifty (50) cubic feet per second of
the waters of its tributary, Cove
Creek, for power purposes.

That the point of diversion of
said water from Malad River is lo-
cated approximately 615 feet dis-
tant from the Northwest corner of
Section 36, Township 6 South,
Range 13 East, and in the NW $\frac{1}{4}$
NW $\frac{1}{4}$ of said section; and that the
point of diversion of said water
from Cove Creek is located approxi-
mately 665 feet distant from the
Southwest corner of Section 25,
Township 6 South, Range 13 East,
B. M., and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
said section.

That the point of use of said
water is located approximately
1,480 feet distant from the North-
west corner of Section 35, Town-
ship 6 South, Range 13 East, B. M.,
and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
section.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation, at Boise, Idaho, within
forty (40) days from the date of
this notice, and such protest shall
state the name and address of the
protestant and shall clearly set
forth his objections to the approval
of the said application.

Dated this 16th day of May, 1946.

MARK R. KULP

State Reclamation Engineer

Date of first publication: May 23

Date of last publication: June 6

Last date of protest: June 25, 1946.

SERVICE of the foregoing, by
copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN
COMPANY

By Carroll F. Zapp
Its Secretary

Affidavit of Publication

STATE OF IDAHO }
County of Gooding } ss

VICTOR W. LEMON being duly sworn, says that he is of lawful
age and is the editor of THE WENDELL IRRIGATIONIST, a weekly
newspaper of general circulation published at Wendell, in the County
of Gooding, State of Idaho; that the attached printed copy hereto
annexed was published in THE WENDELL IRRIGATIONIST, in the
regular edition thereof and not in a supplement, for ... 3 con-
secutive weeks, commencing on the 23rd day of May ...
and ending on the 6th day of June 1946

Victor W. Lemon, Editor

Subscribed and sworn before me this 1st day of June 1946.

G. D. McQuinn
Notary Public in and for the County of Gooding
State of Idaho

My commission expires Jan. 1, 1948

19863

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION
41-203, IDAHO CODE ANNO-
TATED.

NOTICE IS HEREBY GIVEN
That on the 14th day of May, 1946,
Morrison-Knudsen Company, Inc.,
of Boise, Idaho, made application
to appropriate Eight Hundred Fif-
ty (850) cubic feet per second of
the waters of Malad River, and
Fifty (50) cubic feet per second of
the waters of its tributary, Cove
Creek, for power purposes.

That the point of diversion of
said water from Malad River is lo-
cated approximately 615 feet dis-
tant from the Northwest corner of
Section 36, Township 6 South,
Range 13 East, and in the NW $\frac{1}{4}$
NW $\frac{1}{4}$ of said section; and that the

point of diversion of said water
from Cove Creek is located approxi-
mately 665 feet distant from the
Southwest corner of Section 25,
Township 6 South, Range 13 East,
B. M., and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
said section.

That the point of use of said
water is located approximately
1,480 feet distant from the North-
west corner of Section 35, Town-
ship 6 South, Range 13 East, B. M.,
and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
section.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation, at Boise, Idaho, within
forty (40) days from the date of
this notice, and such protest shall
state the name and address of the
protestant and shall clearly set
forth his objections to the approval
of the said application.

Dated this 16th day of May, 1946.

MARK R. KULP

State Reclamation Engineer

Date of first publication: May 23

Date of last publication: June 6

Last date of protest: June 25, 1946.

SERVICE of the foregoing, by
copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN
COMPANY

By Carroll F. Zapp
Its Secretary

May 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE WITH
THE PROVISIONS OF SECTION
41-203, IDAHO CODE ANNO-
TATED

NOTICE IS HEREBY GIVEN
That on the 14th day of May, 1946,
Morrison-Knudsen Company, Inc.,
of Boise, Idaho, made application
to appropriate One Thousand Two
Hundred Fifty (1,250) cubic feet
per second of the waters of Malad
River, a tributary of Snake River,
for power purposes.

That the point of diversion of
said water is located approximately
1,400 feet distant from the North-
west corner of Section 35, Town-
ship 6 South, Range 13 East, B. M.,
and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
section.

That the point of use of said
water is located approximately
1,060 feet distant from the South-
west corner of Section 27, Town-
ship 6 South, Range 13 East, B. M.,
and in Lot 2 of said section.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation, at Boise, Idaho, within
forty (40) days from the date of
this notice; and such protest shall
state the name and address of the
protestant and shall clearly set
forth his objections to the approval
of the said application.

Dated this 16th day of May, 1946.

MARK R. KULP

State Reclamation Engineer

Date of first publication: May 23

Date of last publication: June 6

Last date of protest: June 25, 1946

SERVICE of the foregoing, by
copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN
COMPANY

By Carroll F. Zapp
Its Secretary

May 23

State of Idaho

Amount 900 second feet.

Priority May 14, 1948.

THIS IS TO CERTIFY that MORRISON-KNUDSEN COMPANY, INC.

of Boise, Idaho , made application for a permit to appropriate the public waters of the State of Idaho, dated May 14 , 1946 ; that Permit No. 19863 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 900 second feet, was issued thereunder on October 26 , 1948 , showing that said works were completed on the 26th day of June , 1948 ; and that on the 26th day of June , 1948 ,

IDAHO POWER COMPANY, Assignee of Morrison-Knudsen Company, Inc.

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Malad River &
Cove Creek, a tributary of _____, for the purpose of generation of electrical
power, under Use Permit No. 19863 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4425, on the 26th day of October, 1948;

The right hereby confirmed dates from May 14, 1946 ;

The Point of Diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 (From Malad River) and
(from Cove Creek)
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25/ , Tp. 6 S. , R. 13 E. , B. M. Gooding County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 650 cubic feet per second. from Malsd River and 50 cubic feet per second from Cove Creek.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Idaho Power Company's Upper Malad Hydro-electric Station, in the NE 1/4 NW 1/4 Section 35, Township 6 South, Range 13 East, B.M.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

26th day of October, 1948.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

of notice 5-16 1946
of Publication or Posting 5-23-46 1946
Date for Protest 6-25- 1946

IF PROTESTED

of Notice of Hearing..... 19.....
of Hearing..... 19.....
e of Appeal Filed..... 1946

Application No. 27374
Permit No. 19863
District No.

Assigned to Idaho Power Co.
1220 Idaho St - Boise

Name of Applicant: MORRISON-KNUDSEN CO., INC.

Postoffice address: Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: Delaware- 1932
(b) Amount of capital stock: (Authorized) \$4,000,000
(c) Amount paid in: \$2,808,400
(d) Names and addresses of directors: M.E. Burns, C.W. Joslyn, H.W. Morrison, W.H. Puckett, Carroll F. Zapp,
all of Boise, Idaho; J.B. Bonny, 810 Title Guarantee Bldg., Los Angeles, Calif.; C.P. Dunn, 167 Stockridge,
Menlo Park, Calif.; C.R. Shinn, 611 Hoge Bldg., Seattle, Wash.; G.L. Youmans, P.O. Box 421, Greenwich, Conn.

II. The financial resources of the applicant are:

- (a) Cash on hand: \$1,000,000
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources: See statement attached

Creek, 50

2. Quantity of water claimed: Malad River, 850 c.f.s. Cove/ cubic feet per second.

Cove Creek

3. Source of water supply: Malad River and its tributary/ which is a tributary of Snake River

4. Location of point of diversion: Approximately 615 feet distant from the Northwest corner

corner of Section 36, T. 6 S., R. 13 E., B.M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 36, T. 6 S., R. 13 E., B.M., County of Gooding
For Cove Creek point of diversion, see under "Remarks", p. 3

5. Water is to be used for Electrical power generation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: Approx. 1,480 feet distant from Northwest corner of Section 35

T. 6 S., R. 13 E., B.M., in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 6 S., R. 13 E., B.M.

(b) Amount of power generated: 10,000 H.P., under 120 feet head.

(c) Water is to be returned to Malad River at a point approx. 1,480 feet

distant from the Northwest corner of Section 35, T. 6 S., R. 13 E., B.M., in the NE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 35, T. 6 S., R. 13 E., B.M.

7. Estimated cost of works: \$ 750,000.00

8. Kind of works: Diversion dam, intake, flume, penstock and power plant.

9. Height of dam Approf. 15 feet; length of dam at top approx. 50 feet; length of dam at bottom approx. 50

feet; material used in dam: Concrete and wood

10. Size of headgate: Width Approx. 35 feet; height Approx. 10 feet;
Flume

11. Ditch: Width at bottom Approx. 14 feet; width at water line Approx. 14 feet; depth of water Approx. 7 feet;

dimensions of flume: (Inside) Approx. 14' wide, 8'6" high

Diameter of pipe Approx. 120 inches; length of conduit Approx. 1 miles.

Average grade per mile Approx. 0.43 feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks. None

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MORRISON-KNUDSEN CO., INC. *Applicant.*

By Carroll F. Zapp *Agent.*
Its Secretary

Date of first receipt at Department of Reclamation: 4:30 P. M. May 14, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19863

Recorded in Book 71 Page 19863 Approved June 27, 1946

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ 1,000 to be filed on or before August 27, 1946

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 27, 1947

The whole of said work to be completed on or before June 27, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before June 27, 1949

Witness my hand this 27th day of June, 1946

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,

and IRA H. MASTERS Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th

day of June 1946

STATE OF IDAHO

Countersigned:

(SEAL)

By ARNOLD WILLIAMS

Governor.

By IRA H. MASTERS

Secretary of State.

14. Remarks: Cove Creek Point of Diversion: Approximately 665 feet distant from the Southwest corner of Section 25, Township 6 South, Range 13 East, B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T. 6 S., R. 13 E., B.M., County of Gooding. Cove Creek water will be gathered in collecting box and carried in small wooden flume approximately 300 feet to main flume.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
			AFFIDAVIT TO ESTABLISH RESIDENCE (Corporation) I, Carroll F. Zapp, of Boise, County of Ada, State of Idaho, being first duly sworn, depose and say: That I am the Secretary of the Morrison-Knudsen Co., Inc.; that as such I am in charge of the registered office of said corporation, as provided by Section 29-142, I.C.A., located at Boise, Idaho, wherein are kept the records provided by Section 29-143, I.C.A., and that a majority of the stockholders of said corporation are bona fide residents of the State of Idaho. CARROLL F. ZAPP Subscribed and sworn to before me this 14th day of May, 1946. Mildred C. Halley Notary Public for Idaho Residence. Boise, Idaho My commission expires 11-5-47 <u>CHAPTER 142, 1937 SESSION LAWS</u> This permit is issued subject to the provisions of Chapter 142, 1937 Session Laws, and in the event of its sale, transfer, assignment, or of its being mortgaged without a compliance with the provisions of this Act, or that if such permit be held by a corporation and a majority of its stock be sold, transferred, assigned, mortgaged or hypothecated by the stockholders thereof, to a foreign corporation, or to others than actual bona fide residents of the State of Idaho, then such permit is immediately subject to revocation and cancellation by the Commissioner of Reclamation (Now State Reclamation Engineer)																

A S S I G N M E N T

For value received, the undersigned, Morrison-Knudsen Company, Inc., hereby assigns all its right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 19863, to Idaho Power Company, of 1220 Idaho Street, Boise, Idaho.

Dated at Boise, Idaho, this 16th day of May, 1947.

(CORPORATE SEAL)

MORRISON-KNUDSEN COMPANY, INC.

By Karl Paine

Vice-President

ATTEST:

Carroll F. Zapp
Secretary

STATE OF IDAHO) ss.
COUNTY OF ADA)

On this 16th day of May, 1947, before me, a Notary Public, personally appeared Karl Paine and Carroll F. Zapp, known to me to be, respectively, the Vice-President and the Secretary of Morrison-Knudsen Company, Inc., the corporation named in the foregoing instrument, and acknowledged to me that they executed the foregoing instrument in behalf of such corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year in this certificate first above written.

(Notarial Seal)

Deloria L. Williams
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires: Oct. 12, 1949

Received and filed for record in the Department of
Reclamation, at Boise, Idaho, at 9:00 A.M. May 20, 1947

MARK R. KULP
State Reclamation Engineer

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that IDAHO POWER COMPANY of Boise, County of Ada, and State of Idaho, the holder of Permit No. 19863, issued upon Application No. 27374 bearing date of priority of May 14, 1946, authorizing the diversion of 850 second feet of the waters of Maled River, and 50 second feet of the waters of Cove Creek, County of Gooding, State of Idaho, for electrical power generation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 850 second feet of the waters of Maled River, and 50 second feet of the waters of Cove Creek; that the points of diversion of said waters are described as follows; From Maled River, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, and from Cove Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, Township 6 South, Range 13 East, B.M.

Witness my hand this 26th day of October, A.D. 1948.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made June 26, 1948. .
Certificate of Completion of Works issued October 26, 1948.

PERMIT ISSUED FOR 900 SEC. FT.

p. 4425



An IDACORP Company

IDAHO POWER COMPANY
P.O. BOX 70
BOISE, IDAHO 83707

RECEIVED
DEC - 9 2002

37-2471
37-2128

Lewis Wardle
Project Manager
Hydro Relicensing Department

Department of Water Resources

(208) 388-2964
(208) 388-6902 (fax)
e-mail lwardle@idahopower.com

December 6, 2002

Karl Dreher
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706-2237

RE: FERC's Letter dated November 27, 2002 regarding the *Malad Hydroelectric Project: New License Application* (FERC No.2726) Deficiency Letter

Dear Karl Dreher:

Please find enclosed a copy of the letter received by Idaho Power Company (IPC) on December 2, 2002 regarding a deficiency in the *Malad Hydroelectric Project New License Application* that was filed in July of this year. As required by the FERC in the letter, IPC is informing you of this notice and initiating consultation with your agency regarding this matter.

In the letter, the FERC has requested that IPC provide more information regarding the Cove Creek spring resource and hydrology. The Cove Creek spring is diverted into the upper Malad flume for generation purposes. If your agency has information that would help IPC respond to the FERC's letter, please provide IPC with that information within 30 days of the date of this letter. Thank you for taking the time to respond to this letter.

Please contact me at the numbers listed above, if you have any questions regarding this request for information.

Sincerely,

L. Lewis Wardle

Enclosure: FERC letter dated November 27, 2002
Consulting Agency Distribution List

CC: Magalie Salas (FERC)
Relicensing Team (IPC)

**Idaho Power Company
New License Application
Malad Hydroelectric Project
(FERC No. 2726)
Cove Creek Consultation**

Doug Abderhalden
Doug Howard
Scott Grunder
Steve Huffaker
Dave Parrish
Fred Partridge
Karl Dreher
Dan Tomich
Jim Esch
Robert Ruesink

Idaho Department of Environmental Quality
Idaho Department of Environmental Quality
Idaho Department of Fish and Game
Idaho Department of Fish and Game
Idaho Department of Fish and Game
Idaho Department of Fish and Game
Idaho Department of Water Resources
Idaho Department of Water Resources
U.S. Fish and Wildlife Service
U.S. Fish and Wildlife Service

**FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426**

November 27, 2002

RECEIVED

DEC 02 2002

OFFICE OF ENERGY PROJECTS

Project No. 2726 - Idaho
Malad Hydroelectric Project
Idaho Power Company

L. Lewis Wardle, Project Manager
Hydro Relicensing Department
Idaho Power Company
1221 W. Idaho Street, P.O. Box 70
Boise, ID 83707

Reference: Malad Project No. 2726 -- Deficiency Letter

Dear Mr. Wardle:

Your license application filed on July 29, 2002, fails to conform to the Federal Energy Regulatory Commission's (Commission's) regulations. A deficiency in your application is identified in the attachment. Under Section 16.9 (b)(2) of the regulations you have 90 days from the date of this letter to correct the deficiency.

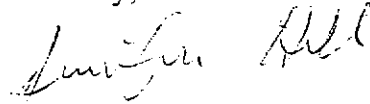
If the correction of the deficiency causes other parts of the application to be inaccurate, that part must also be revised and refiled by the due date. Please be aware that further requests for additional information may be sent to you at any time before final action is taken on your application.

Within 5 days of receipt, provide a copy of this letter to all agencies with which you need to consult in response to this deficiency request. When you file the requested information with the Commission, you must provide a complete copy of the information to each agency consulted pursuant to section 16.8 of the regulations.

Please file an original and 8 copies of the above information with: Magalie Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

Please call John Blair at (202) 502-6092 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Hill", written in dark ink.

Jennifer Hill, Branch Chief
Hydro West Group 1

Enclosure: Malad Project No. 2726
Deficiency Letter

cc: Service list
Public file

ATTACHMENT
Malad Project No. 2726
Deficiency Letter

Your application fails to comply with sections 4.51 (b) and 4.51 (g) of the Commission's regulations which require Exhibits A and F, respectively, to include a description and drawings of all major project facilities. Your application discusses the Cove Creek diversion facilities in several places but no such facilities are included in these exhibits or shown on Exhibit G of the application. In order for us to fully understand and assess the project, please revise Exhibits A, F and G to include the information on the Cove Creek diversion facilities required by the regulations. If any changes in the project boundary are required to incorporate the Cove Creek diversion, you must show such changes on the revised Exhibit G. You have 90 days to correct this deficiency and file the revised exhibits with the Commission. Please file complete exhibits, not just the information added to the exhibits.

In addition to Exhibits A, F and G, Exhibits B and E must be corrected and the following information provided:

Exhibit B— Describe the water available at the Cove Creek diversion structure and the quantity diverted throughout the year. Please provide this information as a flow frequency diagram depicting both the available and diverted flow. Also provide the maximum capacity of the diversion structure and describe what happens to water that is not diverted from Cove Creek.

Exhibit E (Section E.1.8)—Incorporate the Cove Creek diversion into the discussion of project operation.

Exhibit E (Section E.2)—Discuss the water quality standards applicable to Cove Creek, including the timing of the salmonid spawning standards, if applicable, and a description of Cove Creek's water quality.

Exhibit E (Section E.3)—Describe the Cove Creek channel and the watercourse used by water not diverted into the upper Malad flume. This should include the length of the reach between the diversion dam and Malad River, a description of any fish passage obstructions and barriers, and a description of aquatic and riparian habitat below the diversion structure.

MEMORANDUM

Date: November 12, 2002
To: Water Right File 37-2471
From: dgibson
Re: Review for POD

Review of this file and the topographical maps for the location of the points of diversion does not show Cove Springs. There is an adjudication claim file which shows the Malad River and Cove Creek to be the two diversion points for this water right.

MEMORANDUM

TO: FILE 37-2471

FROM: CINDY BIRD

RE: Fere Corr.

DATE: 1-5-98

Original Application, forms and correspondence regarding the
above is located within file # 37-02128.

RECEIVED

FEB 18 1997

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20426

Department of Water Resources

FEB 12 1997

Project Nos. 503, 1971, 1975, 2055,
2061, 2726, 2777, 2778--Idaho
Idaho Power Company

To The Party Addressed:

In early January, we mailed you a copy of a discussion paper titled "Approaches to Cumulative Analysis for the Snake River Basin Relicensing," and notified you of a February 4, 1997, meeting in Boise, Idaho, to discuss the approaches. A number of entities have requested 30 days to provide written comments on the various approaches.

As we stated at the February 4, 1997, meeting, you will have 30 days to file written comments. Comments are due no later than March 6, 1997.

If you have any questions concerning this matter, please contact Mr. Alan Mitchnick at (202) 219-2826.

Sincerely,



J. Mark Robinson
Director, Division of
Licensing and Compliance

Distribution:

- (1) Snake River relicensing collaborative team mailing list
- (2) Bliss, Lower Salmon Falls, and Upper Salmon Falls
Projects mailing list

NO. FILED 4/15
A.M. P.M.

MAR 9 1990

JOHN EASTIDA CLERK
BY *Michael Martinez* DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

* * * * *

IDAHO POWER COMPANY,	)	Case No. 62237
a corporation,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<u>CONSENT JUDGMENT</u>
	)	
STATE OF IDAHO, IDAHO DEPARTMENT	)	
OF WATER RESOURCES, et al.	)	
	)	
Defendants.	)	

* * * * *

Upon stipulation of Plaintiff and the State
Defendants, and good cause appearing;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Idaho Power Company's water rights shall be as
follows (bracketed names below refer to Company projects):

A. State Water License Numbers 36-2013
(Thousand Springs), 37-2128 & 37-2472 (Lower
Malad), 37-2471 (Upper Malad), 36-2018
(Clear Lake), 36-2026 (Sand Springs),
02-2057 (Upper Salmon), 02-2001A, 02-2001B,
02-2059, 02-2060 (Lower Salmon), 02-2064,
02-2065 (Bliss), 02-2056 (Twin Falls),
02-2036 (Shoshone Falls), 02-2032, 02-4000,
02-4001, and Decree Number 02-0100 (Swan

1 Falls) entitle the Company to an
2 unsubordinated right of 3900 c.f.s. average
3 daily flow from April 1 to October 31, and
4 5600 c.f.s. average daily flow from November
5 1 to March 31, both to be measured at the
6 Murphy U.S.G.S. gauging station immediately
7 below Swan Falls. These flows are not
8 subject to depletion. The Murphy gauging
station is located at latitude 43°17'31",
Longitude 116°25'12", in NW1/4 NE1/4 SE1/4
of Section 35 in Township 1 South, Range 1
West, Boise Meridian, Ada County Hydrologic
Unit 17050103, on right bank 4.2 miles
downstream from Swan Falls Power Plant, 7.5
miles NE of Murphy, at river mile 453.5.

9 B. The Company is also entitled to use the
10 flow of the Snake River at its facilities to
11 the extent of its actual beneficial use, but
12 not to exceed those amounts stated in State
13 Water License Numbers 36-2013 (Thousand
14 Springs), 37-2128 & 37-2472 (Lower Malad),
15 37-2471 (Upper Malad), 36-2018 (Clear Lake),
16 36-2026 (Sand Springs), 02-2057 (Upper
17 Salmon), 02-2001A, 02-2001B, 02-2059,
18 02-2060 (Lower Salmon), 02-2064, 02-2065
19 (Bliss), 02-2056 (Twin Falls), 02-2036
20 (Shoshone Falls), 02-2032, 02-4000, 02-4001,
21 and Decree Number 02-0100 (Swan Falls), but
22 such rights in excess of the amounts stated
23 in 1(A) shall be subordinate to subsequent
24 beneficial upstream uses upon approval of
25 such uses by the State in accordance with
26 State law unless the depletion violates or
27 will violate paragraph 1(A). Company
28 retains its right to contest any
appropriation of water in accordance with
State law. Company further retains the
right to compel State to take reasonable
steps to insure the average daily flows
established by this Agreement at the Murphy
U.S.G.S. gauging station. Average daily
flow, as used herein, shall be based upon
actual flow conditions; thus, any
fluctuations resulting from the operation of
Company facilities shall not be considered
in the calculation of the minimum daily
stream flows set forth herein. This
paragraph shall constitute a subordination
condition.

C. The Company's rights listed in
paragraph 1(A) and 1(B) are also subordinate
to the uses of those persons dismissed from
Ada County Case No. 81375 pursuant to the

1 contract executed between the State and
2 Company implementing the terms of Idaho Code
3 §§61-539 and 61-540.

4 D. The Company's rights listed in
5 paragraph 1(A) and 1(B) are also subordinate
6 to those persons who have beneficially used
7 water prior to October 1, 1984, and who have
8 filed an application or claim for said use
9 by June 30, 1985.

10 E. Company's ability to purchase, lease,
11 own, or otherwise acquire water from sources
12 upstream of its power plants and convey it
13 to and past its power plants below Milner
14 Dam shall not be limited by this agreement.
15 Such flows shall be considered fluctuations
16 resulting from operation of Company
17 facilities.

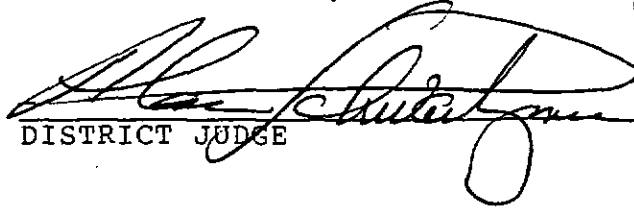
18 2. The above-captioned case is hereby dismissed
19 without prejudice as to all remaining defendants other than the
20 State Defendants.

21 3. The above-captioned case is hereby dismissed with
22 prejudice as against the State defendants as to all claims of
23 plaintiff not resolved by the decisions of the Idaho Supreme
24 Court reported as Idaho Power Company v. State of Idaho, 104
25 Idaho 570, 661 P.2d 736 and 104 Idaho 575, 661 P.2d 741 (1983)
26 or by the entry of this Judgment.

27 4. The Swan Falls Agreement, dated October 25, 1984,
28 shall not be merged into nor integrated with this Judgment, but
shall remain in full force and effect independent of this
Judgment.

5. Each and all parties shall bear their own costs.

DATED this 17th day of March, 1990


DISTRICT JUDGE

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 2726-007
Idaho

ORDER AMENDING LICENSE AND
REVISING ANNUAL CHARGES
(Issued June 28, 1991)

On April 4, 1991, Idaho Power Company filed with the Commission an application for an amendment of license for the Malad Hydroelectric Project, FERC No. 2726.

The project was licensed with a capacity of 20,700-kw ^{1/}; however, in July of 1986 the generator was rewound which increased the capacity of the project to 21,770-kw. This amendment would change the licensed capacity to reflect the actual nameplate capacity of the project and revise the annual charges.

The hydraulic capacity of the turbines will not change, and the minimum flow required at the project will not be altered. Operation of the project with the increased generating capacity will not cause any additional environmental impacts other than those anticipated during processing of the original license.

The Director orders:

(A) Article 29 of the license is revised to read as follows:

Article 29. The licensee shall pay the United States the following annual charges effective May 1, 1985:

For the purpose of reimbursing the United States the cost of administration of Part 1 of the Act, a reasonable annual charge as determined by the Commission in accordance with the provisions of its regulations in effect from time to time. The authorized installed capacity for the purpose is 29,030 horsepower.

1/ Order Issued August 9, 1979, 8 FERC ¶ 62,051.

DC-A-5

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. §385.713.

Joseph A. Mayhew
J. Mark Robinson
Director, Division of Project
Compliance and Administration

RECEIVED
JUL 08 1991

Department of Water Resources

37-2471

LYBRAND, ROSS BROS. & MONTGOMERY

ACCOUNTANTS AND AUDITORS

2 PINE STREET

SAN FRANCISCO

To the Board of Directors,

Morrison-Knudsen Company, Inc.,

Boise, Idaho.

We have examined the balance sheet of Morrison-Knudsen Company, Inc., as of December 31, 1945, and the statements of income and surplus for the year then ended, have reviewed the system of internal control and the accounting procedures of the company and, without making a detailed audit of the transactions, have examined or tested accounting records of the company and other supporting evidence, by methods and to the extent we deemed appropriate. It was not practicable to confirm accounts receivable from United States government agencies. In the absence of such confirmation, we examined other evidence to the extent we deemed appropriate, in support of these accounts. The widespread operations of the company made it impracticable to visit the field locations where the accounts for contract expenditures are kept, but we reviewed the contract records and supporting details at the headquarters office. Our examination was made in accordance with generally accepted auditing standards applicable in the circumstances and included all procedures which we considered necessary.

The investment of \$3,452,353.29 in joint ventures represents a cost of \$2,843,152.76 plus accrued profit of \$609,200.53 based upon their latest available unaudited balance sheets.

In our opinion, subject to the correctness of the amount stated for the investments in joint ventures, to any liability which may arise from renegotiation of war contracts, and to any additional liability for federal taxes on income, the accompanying balance sheet presents fairly the position of Morrison-Knudsen Company, Inc., at December 31, 1945, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

LYBRAND, ROSS BROS. & MONTGOMERY

San Francisco, California

March 8, 1946

19863

MORRISON-KNUDSEN COMPANY, INC.

(A Delaware Corporation)

BALANCE SHEET, DECEMBER 31, 1945

ASSETS				LIABILITIES	
Demand deposits in banks and cash on hand.....			\$ 2,346,147.42	Notes and accounts payable:	
United States government securities, tax series, at par.....	\$1,510,000.00			Bank loans.....	\$ 3,244,500.00
Less, liability for federal taxes on income, contra.....	1,265,000.00			Due to subsidiary companies:	
		245,000.00		Equipment purchase obligations.....	\$1,237,561.00
Other United States government securities, at par.....		108,800.00		Other accounts payable.....	425,750.86
Accounts receivable from construction contracts:				Due to other associated companies.....	29,215.53
Completed contracts.....	104,534.16			Accounts payable and accrued expenses.....	3,263,177.48
Earned on uncompleted contracts:					4,955,704.87
Accounts receivable for work accepted by owner:				Federal taxes on income:	
For immediate payment.....	1,808,300.91			For fiscal year ended November 30, 1945.....	165,000.00
Retained, due upon completion of contracts.....	1,011,115.25			General provision, including tax on accrued joint venture profits.....	1,100,000.00
Unbilled work, estimated.....	601,026.92			Total applied as a reduction of United States government securities, tax series, contra.....	1,265,000.00
		3,524,977.24			
Other receivables (including \$85,000.00 from associated companies subordinated to bank loans):				Certificates held principally by employees and stockholders....	866,950.00
Due from subsidiary companies:				Total liabilities.....	9,067,154.87
Domestic companies.....	97,732.27			Reserve for contingencies—general provision for items enumerated under "Contingent Liabilities".....	500,000.00
Foreign construction companies.....	820,415.33				9,567,154.87
Due from joint ventures.....	243,427.61			Contingent liabilities:	
Due from other associated companies.....	680,650.98			1. Agreements with surety companies in connection with performance bonds for contracts of Morrison-Knudsen Company, Inc. and its affiliated companies and joint ventures—amount indeterminable.	
Post-war refund of excess profits taxes.....	360,721.47			2. Joint venture participations—amount indeterminable.	
Miscellaneous (including equipment sales, rentals, etc.)..	712,722.30			3. Guarantees of loans to affiliated companies: Limit of guarantee, \$2,881,000, outstanding \$1,925,500.	
		2,915,669.96		4. Examination of federal income tax returns for the four fiscal years ended November 30, 1945 has not been completed by the United States Treasury.	
Unamortized balances of expenditures in connection with uncompleted contracts; to be charged to cost of contracts as the work progresses:				5. Renegotiation of war contracts—see note below.	
Construction equipment, less depreciation.....	2,639,989.49				
Materials and supplies.....	1,035,115.31				
Other construction costs.....	1,792,109.72				
		5,467,214.52			
Investments in joint ventures:					
Cost.....	2,843,152.76				
Accrued profit based upon latest available unaudited balance sheets.....	609,200.53				
		3,452,353.29			
Investments in other companies, at cost:					
Capital stock:					
Domestic companies:					
Construction companies.. \$ 429,806.45	\$ 466,350.00	\$ 896,156.45			
Other companies..... 319,638.25	492,243.73	811,881.98			
	749,444.70	1,708,038.43			
Foreign companies:					
Construction companies.. 1,021,778.57		1,021,778.57			
Other companies..... 36,325.00		36,325.00			
	1,021,778.57	1,058,103.57			
Total capital stock..... 1,771,223.27	994,918.73	2,766,142.00			
Debentures-domestic companies. 140,152.50	5,700.00	145,852.50			
	\$1,911,375.77	\$1,000,618.73	2,911,994.50		
Land, buildings, and equipment, depreciated cost.....		233,518.62			
Other assets and deferred charges.....		345,602.44			
		\$21,551,277.99			

NOTE: Renegotiation has been concluded for all construction contracts with governmental agencies completed prior to November 30, 1943. Contracts with governmental agencies entered into on or after January 1, 1944 are not renegotiable. Renegotiation proceedings are pending on renegotiable contracts entered into prior to January 1, 1944 but it is not anticipated that any repayment will be necessary.

19863

MORRISON-KNUDSEN COMPANY, INC.

PREFERRED STOCK OUTSTANDING

December 31, 1945

Series	Redeemable On or After	Annual Dividend Rate	Total Par Value
F	8-1-48	\$5.00	\$ 99,000
G	10-1-46	5.00	99,900
H	8-1-46	5.00	100,000
I	10-1-47	5.00	98,600
J	10-1-48	5.00	100,000
K	8-1-49	5.00	100,000
K	8-1-50	5.00	100,000
M	9-1-51	5.00	200,000
M	9-1-52	5.00	200,000
Total preferred stock with redemption provision			\$1,097,500
E (No redemption provision)		4.00	110,900
L (No redemption provision)		6.00	300,000
N (No redemption provision)		6.00	300,000
Total preferred stock outstanding			<u>\$1,808,400</u>

Redemption dates are optional with the holder of the preferred stock. If the holder does not exercise his redemption option the maturity date is thereby extended three years.

Preferred stock is non-voting.

Preferred stock is entitled, on dissolution of the company, to \$100.00 per share before any payments are made to the holders of the common stock.

Preferred stock, except Series E, is cumulative as to dividends.

Preferred stock, except Series L and N, is callable on thirty days' notice, at \$100.00 per share and accrued dividends. Series L and N preferred stock is callable at \$102.00 per share and accrued dividends.

19863

MORRISON-KNUDSEN COMPANY, INC.
(*A Delaware Corporation*)
BOISE, IDAHO

BALANCE SHEET
December 31, 1945

LYBRAND, ROSS BROS. & MONTGOMERY
CERTIFIED PUBLIC ACCOUNTANTS
SAN FRANCISCO OFFICE

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 29, 1949

(P. O.) Boise, Idaho

STATE RECLAMATION ENGINEER
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Gooding Leader

of

Gooding

, published in

the county in which the works are situated.

Idaho Power Co.

by R. E. Johnson, Secy

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per-second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

B. C. Russell

Engineer.

19863

✓
October 26, 1948

Re: Permit No. 19863

Idaho Power Company
1220 Idaho Street
Boise, Idaho

Attention: Mr. A. C. Inman

Dear Mr. Inman:

We enclose Certificate of Completion of Works,
also License and Certificate of Water Right issued under
Permit No. 19863, together with Departmental Receipt
No. 20978 for the \$277.00 in payment of the statutory
fees in connection with these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Encls.

19863



IDAHO POWER COMPANY

BOISE, IDAHO

October 25, 1948

Mr Mark R Kulp
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

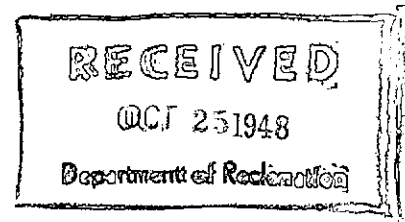
Dear Mr Kulp:

In accordance with your letter of October 20th, I am enclosing herewith Company check in the amount of \$277, to cover statutory fees for Certificate of Completion of Works and Water License with reference to our Permit No 19863 for 900 cubic feet per second of the waters of Malad River and Cove Creek, for use at the Company's Upper Malad power plant.

Very truly yours,

A C Inman
Secretary

ACI:mb
Encl



19863

October 20, 1943

Re: Permit No. 19863

Idaho Power Company
1220 Idaho Street
Boise, Idaho

Attention: Mr. A. C. Inman

Dear Mr. Inman:

We now have on file the report of our Field Engineer on examination for completion of works and beneficial use under your Permit No. 19863.

We can therefore issue a Certificate of Completion of Works and license for 850 cubic feet per second from Malad River and 50 cubic feet per second from Cove Creek, or a total of 900 cubic feet per second.

The statutory fee for completion of works amounts to \$272.00, being at the rate of \$3.00 for the first ten second feet and \$.30 for each additional second foot. The license fee is \$5.00, making a total of \$277.00 to cover both fees on this permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

19863

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19863

This proof is for Completion of Works and Beneficial Use In Water District No.

1. Name of applicant Idaho Power Company, Boise, Idaho

2. Source of water supply: Malad River and Cove Creek

3. Location of point of diversion: Is in the From Malad River NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36
From Cove Creek SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25

T. 6 S. R. 13 E. County of Gooding

4. Describe works as they exist, giving dimensions and capacities of same: The Malad River diversion dam is 144 ft. long and 27 ft. high, with one 15 ft. and two 24 ft. Taintor gates for flood requirement. These gates are individually operated by remote control.

A reinforced concrete flume of 8.5 X 15 ft. inside dimensions, with 12" floor, and walls tapered from 10 to 7 inches in thickness, and approximately one mile long, leads to point of use.

5. Water is used for: Generation of electrical power

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Power is used over the system.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River

Remarks: The Cove Creek diversion is by concrete check dam and lumber flume 9.4 ft. wide, 3 ft. deep, and 60 ft. long, discharging into concrete flume described above.

Direct connected vertical Allis Chalmers turbine and generator, 8400 K.V.A. (rating Mean 24 hour output 7750 Kw., with maximum of 8300.

Plant operates under 125.7 ft. effective head.

Both the main diversion dam and the power installation rest on reinforced concrete mats. Power output is delivered to, and distributed from the main system of the Company.

Plant efficiency: Turbine 90% Generator 96%.

This examination was made on the 19th day of August, 1948

(Signed)

J. D. Lobman

Examiner.

(853-833)
Tappan
6-29-48
7-7-48

19863

Idaho Power Co.

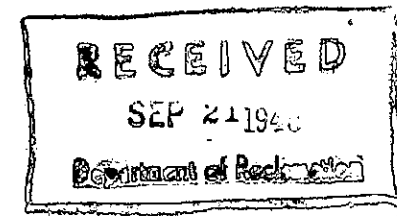
Permit No. 19863

Examination for Completion of works
and Beneficial use

County Gooding

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19863

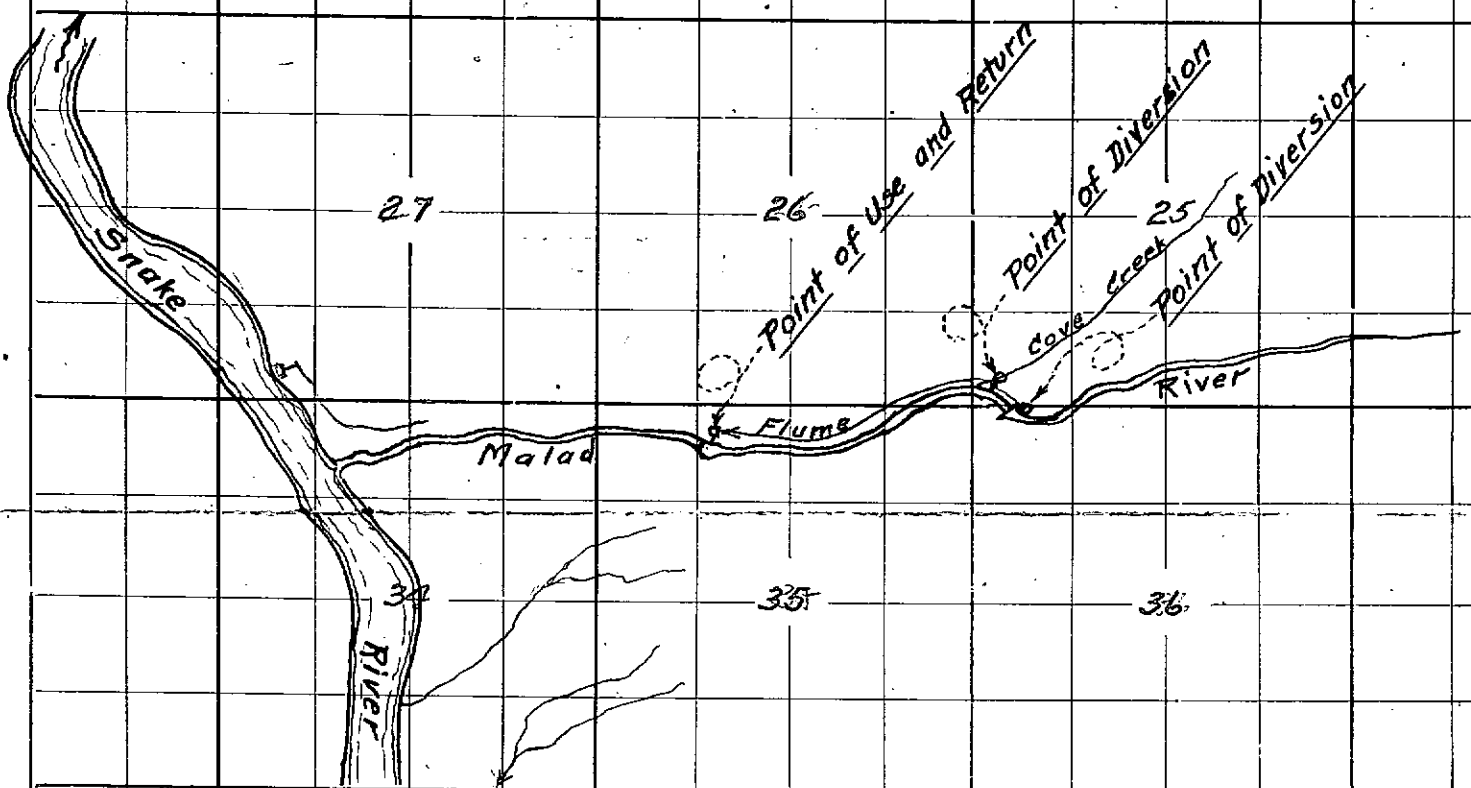
REPORT ON PROOF OF Completion of works and Beneficial use

Power 10,000,
Head 1200.

app. 850 af. Malad R
50 cfs - Cross 80 cfs

$$\frac{900 \times 125.7 \times 2.46 \times 20 \times 2.6}{8.81} = .8200$$

Now use 900 cfs
etc



✓
July 21, 1946

RE: Permit No. 19863

Mr. A. C. Inman, Sec'y
Idaho Power Company
1220 Idaho Street
Boise, Idaho

Dear Mr. Inman:

We acknowledge receipt of your letter of July 12 enclosing depositions of the permit holder and two witnesses; also your letter of July 19 enclosing affidavit of publication in the Gooding Leader; all in proof of beneficial use under Permit No. 19863.

As soon as a field examination has been made, we shall advise you as to the amount of fee in connection with the issuance of a license under this permit.

Very truly yours,

MARK R. HOLEY
State Reclamation Engineer
By

Chief Clerk

A/gt

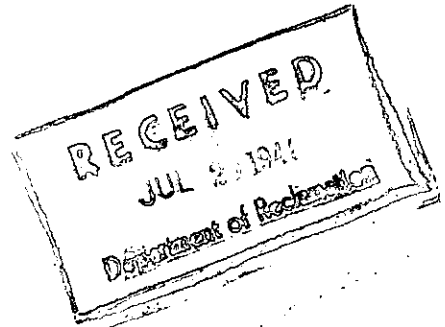
19863



IDAHO POWER COMPANY

BOISE, IDAHO

July 19, 1948



Department of Reclamation
State House
Boise, Idaho

Attention Mr Mark R Kulp

Dear Mr Kulp:

With reference to my transmittal on July 12th of Proof of Application to Beneficial Use under our Water Permit No 19863 (Upper Malad power plant), I am enclosing herewith Affidavit of Publication of the notice issued by you in connection therewith showing publication of said notice in four issues of the Gooding Leader. Publication costs have been paid by Idaho Power Company.

Very truly yours,

A handwritten signature in cursive script, appearing to read "A. C. Inman".

A C Inman
Secretary

ACI:mb

19863

AFFIDAVIT OF PUBLICATION

**Notice for Publication
NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10 a.m. on the 12th day of July, 1948, at 1220 Idaho St., Boise, County of Ada, State of Idaho, before Geo. H. Petersen, Notary Public, proof will be submitted of the application to beneficial use of 900 cubic feet per second of the waters of Malad River and its tributary, Cove Creek, in accordance with the terms and conditions of Permit No. 19863 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Idaho Power Company, 1220 Idaho St., Boise, Idaho.

The use to which said water has been applied is electric power generation.

The amount applied to beneficial use is 900 cubic feet per second.

The place where said water is used is at the Idaho Power Company's Upper Malad Power Plant, in Gooding County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is the Upper Malad Power Plant flume.

The right to take water from such works is based upon Permit No. 19863.

The source of supply from which such water is diverted is Malad River and its tributary, Cove Creek.

The date of priority which said user is prepared to establish is May 14, 1946.

MARK R. KULP, State Reclamation Engineer. 19863 31-34

STATE OF IDAHO }
County of Gooding } ss.

I, Leland G. Burress, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper

four consecutive weeks, the first publication having been made

on the 12th day of June, 1948,

and the last publication having been made on the

on the 8th day of July, 1948,

that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

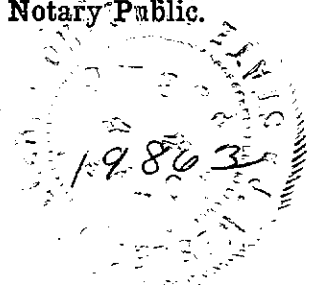
That said newspaper has been printed and published continuously in Gooding, Gooding County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

13th day of July, 1948

Harvey Miller
Notary Public.

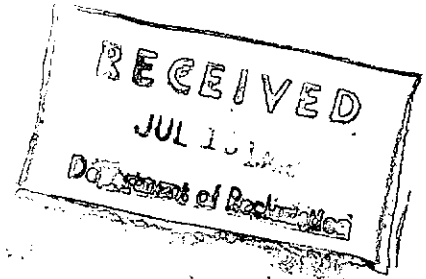




IDAHO POWER COMPANY

BOISE, IDAHO

July 12, 1948



Mr Mark R Kulp
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Mr Kulp:

Re Permit No 19863

I am enclosing herewith depositions of holder and two witnesses, comprising Proof of Application of Water to Beneficial Use at our Upper Malad power plant under Permit No 19863. Notice with reference to this proof was published in four issues of The Gooding Leader, and I have written for affidavit of publication and will file the same as soon as received.

Will you please advise the amount of the fee in connection with issuance of license under this permit, which will be promptly paid upon receipt of your billing therefor.

Very truly yours,

A handwritten signature in cursive script, appearing to read "A C Inman".

A C Inman
Secretary

ACI:mb
Encl (3)

19863

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19863

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. T. E. Roach, President and General Manager, Idaho Idaho Company,
1220 Idaho Street, Boise, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf. Idaho Power Company, A C Inman, Statutory Agent, 1220 Idaho Street, Boise, Idaho. Affiant is President and General Manager, and
Ans. a Director, of said corporation.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No 19863, issued June 27, 1946. Priority: May 14, 1946.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Malad River and Cove Creek. Points of diversion as stated in application for permit:
Malad River, in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 36, T 6 S, R 13 E; Cove Creek, in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 25, T 6 S, R 13 E, B M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Concrete dam with spillway and tainter gates; reinforced concrete intake and flume of 900 cfs capacity. Name of flume: Idaho Power Company Upper Malad Flume.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for generation of electric power in Company's Upper Malad Hydro-electric station, located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 35, T 6 S, R 13 E, B M, in Gooding County.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Water transmitted to power plant through reinforced concrete flume and steel penstock. Plant consists of direct-connected vertical turbine and generator; rated generator capacity, 8400 KVA; actual maximum capability capacity, in excess of 8200 KW.

19863

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 900 cfs for operation at full power plant capability capacity.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Following approval of permit to Morrison-Knudsen Co, Inc, same was assigned to Idaho Power Company under date of May 16, 1947.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Power plant was placed in service, following dry-out period, at 7:59 A M, on June 14, 1948, and has been in operation since said date. Water has been used up to amount of 900 cfs for generation of power up to 8200 KW.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. ---

(Sign) J E Rasmussen ✓

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was

subscribed and sworn to before me, at my office in Boise, County of Ada,

State of Idaho, on this 12 day of July, A. D. 1948.

(NOTARIAL SEAL)

My commission expires

July 20, 1949 Residing at Boise, Idaho

Geo H Peterson
Notary Public,

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19863

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Henry L. Senger, 70, 1101 North 20th Street, Boise, Idaho.

Consulting Civil Engineer; Registered Professional Engineer.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 19863? How long have you known him and where does he reside?

Ans. Yes. 1220 Idaho St., Boise, Idaho. Have been familiar with applicant corporation for over 25 years.

Ques. 3. Have you read or heard read said Permit No. 19863, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water from Malad River and Cove Creek is diverted in NW 1/4 NW 1/4, Sec. 36, T. 6 S., R. 13 E., B.M., and conveyed to power plant through reinforced concrete flume and power plant steel penstock.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Works will carry in excess of 900 cubic feet per second; have seen works carrying 830 cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for electric power generation at Upper Malad power plant in Gooding County, Idaho.

19863

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is being used for electric power generation. Plant records show 900 cubic feet per second have been utilized for such purpose.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. --

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I visited the plant on June 21, 1948, at which time 830 cfs were being used through power plant for generation of electric energy. Plant records show that up to 900 cfs have been used at Upper Malad station.

(Signed) Henry L. Deuser
Super. License #14

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada,

State of Idaho, on this 12 day of July, A. D. 19 48

Geo. N. Peterson

Notary Public.

My commission expires July 20, 1949

(NOTARIAL SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19863

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Myron Swendsen, 56, Boise, Idaho

Licensed Engineer; experience since 1917.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 19863? How long have you known him and where does he reside?

Ans. Yes. 1220 Idaho St., Boise, Idaho. Have known said company for thirty years.

Ques. 3. Have you read or heard read said Permit No. 19863, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Malad River and Cove Creek. Place of diversion, NW¹/₄ NW¹/₄, Sec. 36, T. 6 S., R. 13 E., B.M., Gooding County, Idaho. Works for conveying water consist of reinforced concrete intake and flume with steel penstock to power plant.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. In excess of 900 cfs capacity. Have seen 830 cfs conveyed and used.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for generation of electric power at Idaho Power Company's recently completed Upper Malad power plant.

19863

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water has been used for generation of electric power to the extent of
900 cfs.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. --

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. On June 21, 1948 I observed 830 cfs being used for generation of electric
power. Plant records show that on June 18-19, 1948, 900 cfs were being used for
generation of electric energy.

(Signed)

Myron Sundeen
Eng. Lic. 153.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 12 day of July, A. D. 19 48.

Geo. H. Petersen

Notary Public.

My commission expires July 20, 1949

(NOTARIAL SEAL)

✓
July 3, 1948

Re: Permits Nos. 19863-19864

Mr. A. C. Inman, Secretary
Idaho Power Company
Boise, Idaho

Dear Mr. Inman:

We acknowledge receipt of the depositions of the holder and two witnesses, also affidavits of publication in the Gooding Leader, all in proof of completion of works under the above numbered permits.

We will try and have a field inspection made of these works at an early date, and when the report of such inspection is filed, we shall advise you as to the amount of fees required.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19863



IDAHO POWER COMPANY

BOISE, IDAHO

June 30, 1948



Mr Mark R Kulp
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Mr Kulp:

I am enclosing herewith affidavits of publication with respect to the Proofs of Completion of Works under Permits Nos 19863 (Upper Malad - 900 cfs) and 19864 (Lower Malad - 1250 cfs). Billings for cost of publication are being paid by Idaho Power Company.

Very truly yours,

A handwritten signature in dark ink, appearing to read "A C Inman".

A C Inman
Secretary

ACI:mb
Encl (2)

19863

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 A.M., on the 26th day of June, 1948, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Geo. H. Petersen, Notary Public, proof will be submitted of the completion of works for the diversion of 850 cubic feet per second of the waters of Malad River and 50 cubic feet per second of the waters of Cove Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Idaho Power Company.
2. The postoffice address of such person or principal place of business of such corporation is 1220 Idaho St. Boise, County of Ada, State of Idaho.
3. The number of such permit is 19863, and the date set for the completion of such work is June 27, 1948.
4. Said water is to be used for

electrical power generation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 900 cubic feet per second.

MARK R. KULP, State Reclamation Engineer. 19863 29-32

STATE OF IDAHO }
County of Gooding } ss.

I, Leland G. Burress, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 3rd day of June, 1948, and the last publication having been made on the 1st day of July, 1948, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in Gooding, Gooding County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

25th day of June, 1948

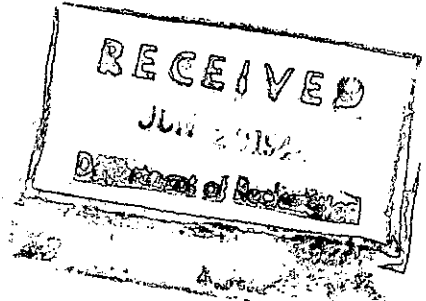
Stanley Miller
Notary Public.



IDAHO POWER COMPANY

BOISE, IDAHO

June 28, 1948



Mr Mark R Kulp, Commissioner
Department of Reclamation
State of Idaho
State House
Boise, Idaho

Dear Mr Kulp:

Re: Permit No 19863

I am enclosing herewith depositions of Holder and two Witnesses, comprising the Proof of Completion of Works at Upper Malad under Permit 19863. Notice with reference to this proof was published in four issues of The Gooding Leader, and I have written for affidavit of publication, but it has not yet been received. As soon as I receive it, I will mail you a copy.

Will you please advise the amount of the fee in connection with the issuance of Certificate of Completion of Works under this permit, which will be promptly paid.

Very truly yours,

A. C. Inman
M. M. B.

A C Inman
Secretary

ACI:mb
Encl (3)

19863

PERMIT NO. 19863

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. T E Roach, President and General Manager,
Idaho Power Company, 1220 Idaho Street, Boise, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Idaho Power Company, 1220 Idaho Street, Boise, Idaho.

Affiant is President and General Manager, and a Director, of said corporation.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit No 19863, issued June 27, 1946. 900 cfs of waters of Malad River* and Cove Creek** in Gooding County, Idaho.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Water to be used for electrical power generation at the Company's Upper Malad power plant in Gooding County, Idaho.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water was turned into works in June, 1948. Diversion works and flume are now in use.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Works fully completed, and comply with all terms of permit.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. -

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Concrete dam with spillway and tainter gates of capacity of approximately 8500 cfs. Intake and flume of reinforced concrete; capacity 900 cfs.
Approximate cost of works: Malad, \$845,000; Cove Creek, \$11,000.

(Sign here.)

T E Roach

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Boise County of Ada, State of Idaho, on this 26th day of June A. D. 1948.

Geo. H. Petersen
Notary Public.

My Commission expires 7/20/49

*Malad River - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 36, T 6 S, R 13 E, B M.

**Cove Creek - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 25, T 6 S, R 13 E, B M.

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 19863

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Myron Swendsen, Boise, Idaho.

Licensed engineer; experience since 1917.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 19863, authorizing the diversion of 900 second-feet of the waters of Malad River and Cove Creek, at Gooding County, for power purposes? How long have you known him, and where does he reside?

Ans. Yes. 1220 Idaho St., Boise, Idaho. Have known said company for thirty years.

Ques. 3. Have you read or heard read said Permit No. 19863, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Water is used for generation of electric power at Idaho Power Company's Upper Malad power plant on Malad River, Gooding County, Idaho.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Reinforced concrete intake and flume have capacity of 900 cubic feet per second. Dam is concrete with tainter gates and spillway having capacity of approximately 8,500 cubic feet per second.

(Sign here.)

Myron Swendsen
Eng. Lic. #153.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in 1220 Idaho St., Boise, County of Ada, State of Idaho, on this 26th day of June, A. D. 1948.

(NOTARIAL SEAL)

Geo. N. Peterson
Notary Public
My Commission expires: 7/20/49

Permit No. 19863

Proof of Completion of Works**DEPOSITION OF WITNESS**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Henry L. Senger, 1101 North 20th Street, Boise, Idaho.

Consulting Civil Engineer; Registered Professional Engineer.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 19863, authorizing the diversion of 900 second-feet of the waters of Malad River and Cove Creek, at Gooding County, for power purposes? How long have you known him, and where does he reside?

Ans. Yes. 1220 Idaho St., Boise, Idaho. Have been familiar with applicant corporation for over 25 years.

Ques. 3. Have you read or heard read said Permit No. 19863, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Water will be used to generate electricity in applicant's Upper Malad power plant in Gooding County, Idaho.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Capacity of works: 900 cubic feet per second. Dam built of concrete containing tainter gates with capacity 5000-7000 cubic feet per second. Steel sheet piling cut-off membrane driven into foundation materials. Intake works and flume built of reinforced concrete.

(Sign here.)

Henry L. Senger
Eng. License #14

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in 1220 Idaho St., Boise, County of Ada, State of Idaho, on this 26th day of June, A. D. 1948.

(NOTARIAL SEAL)

Geo. H. Petersen
 Notary Public
 My Commission Expires: 7/10/49

June 12, 1948

Re: Permit No. 19863

Mr. A. C. Inman
c/o Idaho Power Co.,
1220 Idaho St.,
Boise, Idaho

Dear Mr. Inman:

We have sent the Gooding Leader copy of notice of beneficial use proof to be made under Permit No. 19863 on July 12, 1948, with instructions to publish it once a week for four consecutive weeks prior to that date.

We believe you have the necessary forms of deposition to be used in making this proof, but if not please call us up and we will send same.

When I telephoned you yesterday I overlooked the fact that proof of completion of works on this permit is to be made on June 28, 1948 as per notice now being published in the Gooding Leader.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

19863

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 19863

Date: June 11, 1948

The Gooding Leader

Gooding, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 12, 1948 the date set for proof, the expense of the publication to be paid by the applicant, Idaho Power Company of 1220 Idaho St., Boise, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
BY

Chief Clerk

19863

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 8, 1948
(P. O.) 1220 Idaho St. Boise, Idaho.

STATE RECLAMATION ENGINEER
TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
The Gooding Leader of Gooding, Idaho, published in
the county in which the works are situated.

Idaho Power Co.
by R. E. Inman, Secy.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

19863

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 12th day of July,
1948 at 1220 Idaho St., Boise, Idaho, County of Ada, State of
Idaho, before Geo. H. Petersen, Notary Public, proof will be sub-
mitted of the application to beneficial use of 900 cubic feet per second
of the waters of Malad River and its tributary, Core Creek, in accordance with the
terms and conditions of Permit No. 19863 heretofore issued by the.....
State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding
said permit are Idaho Power Co., 1220 Idaho St., Boise, Idaho

The use to which said water has been applied is electric power generation.

The amount applied to beneficial use is 900 cubic feet per second.

The place where said water is used ~~(if for irrigation, give full and ac-
curate description of the lands irrigated)~~ is at the Idaho Power
Company's Upper Malad Power Plant, in Gooding
County, Idaho.

The name of the canal or ditch or other works by which said water is
conducted to such place of use is the Upper Malad Power Plant flume.

The right to take water from such works is based upon Permit No. 19863.

The source of supply from which such water is diverted is Malad
River and its tributary, Core Creek.

The date of priority which said user is prepared to establish is.....
May 14, 1946.

MARK R. KULP
STATE RECLAMATION ENGINEER

19863

✓
June 1, 1948

Re: Permits Nos. 19863
and 19864

Mr. A. C. Inman, Sec'y
Idaho Power Company
1220 Idaho St.
Boise, Idaho

Dear Mr. Inman:

We have sent to the Gooding Leader a copy of notice of completion of works proof to be made on June 26, 1948, on the above numbered permits and this morning are in receipt of their acknowledgment of same stating that publication dates start on June 6th.

We enclose for your use in connection with these proofs the necessary forms of deposition, consisting of one for the holder and one for each of two witnesses for each permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

19863

A SCOTCH TELEGRAM

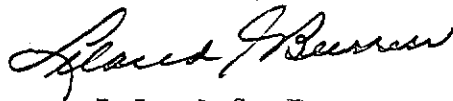
The Gooding Leader

ONE COST—ONE COVERAGE—ONE GOOD NEWSPAPER

Attention Jeanne L. Anderson: May 28, 1948

The two Idaho Power Company notices were received this a.m. and will be published in four issues of The LEADER starting June 6, 1948

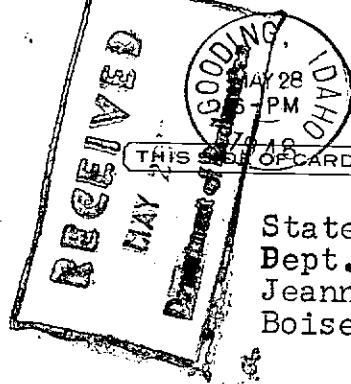
Sincerely,



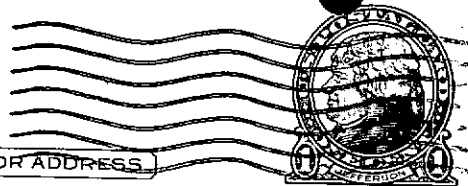
Leland G. Burress
The Gooding LEADER
Gooding, Idaho

19863

The Gooding LEADER
Gooding, Idaho



THIS SIDE OF CARD IS FOR ADDRESS



State of Idaho
Dept. of Reclamation
Jeanne L. Anderson
Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permits Nos. 19863 & 19864

Date: May 27, 1948

The Gooding Leader

Gentlemen:

Enclosed you will find ^{two} notices for publication once a week for four consecutive weeks prior to June 26, 1948 the date set for proof, the expense of the publication to be paid by the applicant, Idaho Power Co. of 1230 Idaho St. Boise, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KIDP

State Reclamation Engineer
By

Chief Clerk

19863

Notice for Publication

Notice is hereby given that at 10:00 A M., on the 26th day of June, 1948, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Geo H Petersen, Notary Public, proof will be submitted of the completion of works for the diversion of 850 cubic feet per second of the waters of Malad River and 50 cubic feet per second of the waters of Cove Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Idaho Power Company
2. The postoffice address of such person or principal place of business of such corporation is 1220 Idaho St., Boise, County of Ada, State of Idaho.
3. The number of such permit is 19863, and the date set for the completion of such work is June 27, 1948.
4. Said water is to be used for electrical power generation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 900 cubic feet per second.

~~XXXXXX~~

MARK R. KULP
 Commissioner of Reclamation
 State Reclamation Engineer

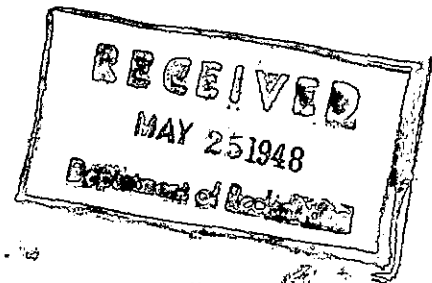
19863



IDAHO POWER COMPANY

BOISE, IDAHO

May 24, 1948



State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Sir:

Pursuant to the provisions of Chapter 66, Idaho Session Laws 1947, and particularly Section 3 thereof, I am enclosing herewith for filing in your office copy of this Company's Fourth Supplemental Indenture, dated May 1, 1948, to our Mortgage and Deed of Trust dated as of October 1, 1937, made by the Company to Bankers Trust Company and R G Page as Trustees. Previously, on May 17, 1947, we filed with you copies of our Mortgage and Deed of Trust and First, Second and Third Supplemental Indentures thereto.

Very truly yours,

A handwritten signature in dark ink, appearing to read "A C Inman".

A C Inman
Secretary

mb
Encl

19863

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 26, 1948

(P. O.) 1220 Idaho St., Boise, Idaho

STATE RECLAMATION ENGINEER:
TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Gooding Leader of Gooding, Idaho, published in
the county in which the works are situated.

A. E. Daman

Vice-Pres. & Secy.

Idaho Power Co.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

B. C. Russell

Engineer.

19863

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Idaho Power Company

Boise, Idaho

Boise, Idaho, April 1, 1948

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 19863.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before June 27, 1948. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

19863

July 16, 1947

Re: Permits Nos. 19833, 19864 and 19924

Idaho Power Company
Boise, Idaho

Attention: A. C. Inman, Secretary

Dear Mr. Inman:

We are returning, under separate cover,
tracings submitted by you of plans in connection
with the above numbered permits.

These have been duly approved by the State
Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS

19863



IDAHO POWER COMPANY

BOISE, IDAHO

July 11, 1947

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Gentlemen: Upper Malad - Permit 19863

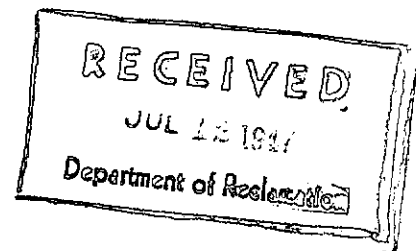
Pursuant to the provisions of Section 41-1507 of Idaho Code Annotated 1932, I am transmitting herewith two copies of Idaho Power Company Map No E-6960, comprising plans, drawings and specifications of the proposed dam at the Company's Upper Malad hydroelectric development on the Malad River. In this connection, reference is made to the Company's related water permit No 19863, and other existing water rights for use at the Upper Malad development.

Upon examination of the enclosed, if the same meets with your approval, please return one copy bearing notation of the approval of the Department.

Very truly yours,

A C Inman
Secretary

ACI:mb
Encl



19863

June 5, 1947

Re: Permits Nos. 19863-19864-19924

Idaho Power Company
Boise, Idaho

Attention- Mr. A. C. Inman

Gentlemen:

We return herewith the assignments
of the above numbered permits from Morrison-
Knudsen Company, Inc., to the Idaho Power Com-
pany, which have been duly recorded in this
department; also Departmental Receipt No. 19991
for the \$1.50 fees for recording same.

Very truly yours,

MARK A. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19863

May 26, 1947

Mr. A. C. Inman, Secretary
Idaho Power Company
Boise, Idaho

Dear Mr. Inman:

We acknowledge receipt of your letters of May 19th, the one enclosing assignments of Permits Nos. 19863, 19864 and 19924 from Morrison Knudson Company, Inc. to the Idaho Power Company, and the other enclosing mortgage and Deed of Trust and three supplemental indentures from the Idaho Power Company to the Bankers Trust Company and R. G. Page, Trustees.

We find these all to be in order and upon receipt of the statutory fee of \$0.50 each, or \$1.50, the three assignments will be recorded.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

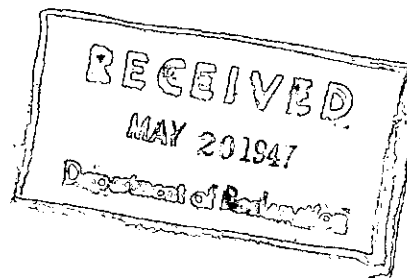
1986¹³



IDAHO POWER COMPANY

BOISE, IDAHO

May 19, 1947



State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Mr Kulp:

I am transmitting herewith original Assignments by Morrison-Knudsen Company, Inc to Idaho Power Company of the following water appropriation permits, which please file in connection with the permit records in your office:

Permit No. 19863--Malad River (Upper Site and Cove Creek)
Permit No. 19864--Malad River (Lower Site)
Permit No. 19924--Snake River (Lower Salmon)

Pursuant to the provisions of Chapter 66, Idaho Session Laws 1947, I am also enclosing herewith Certificate of the Secretary of State of Idaho setting forth that Idaho Power Company is duly qualified to do business, and in good standing, in the State of Idaho. In this connection reference is made to the official records pertaining to Idaho Power Company as on file in the office of the Secretary of State.

Very truly yours,

A handwritten signature in cursive script, reading "A C Inman".

A C Inman
Secretary

ACI:jh

Encls

19863



Department of State

C E R T I F I C A T E

I, J. D. (CY) PRICE, Secretary of State of the State of Idaho, hereby certify that I am the legal custodian of the records of said state pertaining to all corporations, both foreign and domestic, which have qualified to do business under the general laws of the State of Idaho and pertaining to the present status and the right of such corporations to transact business in the State of Idaho.

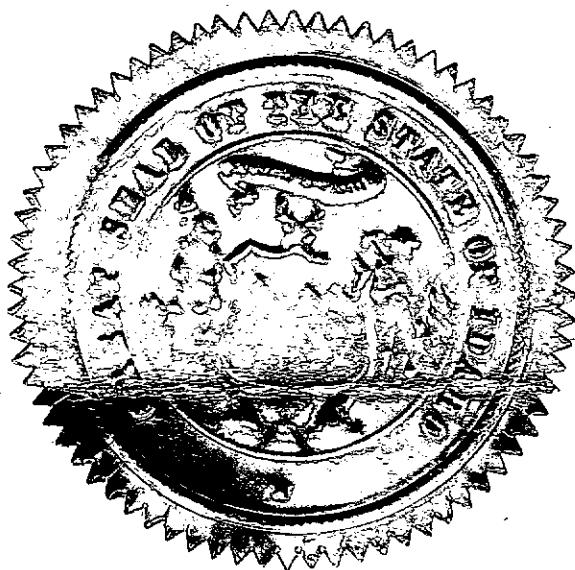
I FURTHER CERTIFY that the records of this office indicate that the

BANKERS TRUST COMPANY

incorporated under the laws of the State of New York, qualified to do business in the State of Idaho on the 8th day of October, 1937 with statutory agent as Jess B. Hawley, Boise, Ada County, Idaho.

I FURTHER CERTIFY that this corporation has paid its annual license tax for the fiscal year ending June 30, 1947, and that its license to do business in this state has not been forfeited or cancelled at the date hereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital, this 19th day of May, 1947.



J. D. (CY) Price
Secretary of State

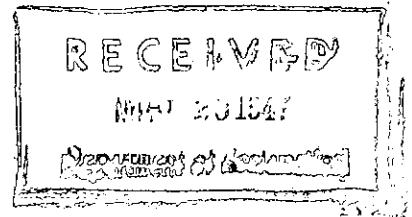
19863



IDAHO POWER COMPANY

BOISE, IDAHO

May 19, 1947



State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Mr Kulp:

Pursuant to the provisions of Chapter 66, Idaho Session Laws 1947, and particularly Section 3 thereof, I am enclosing herewith for filing in your office copy of this Company Mortgage and Deed of Trust dated as of October 1, 1937; First Supplemental Indenture thereto, dated as of July 1, 1939; Second Supplemental Indenture thereto, dated as of November 15, 1943; and Third Supplemental Indenture thereto, dated as of February 1, 1947, all of said indentures being made by the Company to Bankers Trust Company and R G Page, as Trustees. Also transmitted herewith is Certificate of the Secretary of State of Idaho showing that Bankers Trust Company, Trustee above named, is duly qualified to do business, and is in good standing, in the State of Idaho. In this connection reference is made to the official files and records, pertaining to Bankers Trust Company, as on file in the office of the Secretary of State.

Very truly yours,

A handwritten signature in dark ink, appearing to read "A C Inman".

A C Inman
Secretary

ACI:jh

Encls

cc: Bankers Trust Company
Jess Hawley

19863



Department of State

C E R T I F I C A T E

I, J. D. (CY) PRICE, Secretary of State of the State of Idaho, hereby certify that I am the legal custodian of the records of said state pertaining to all corporations, both foreign and domestic, which have qualified to do business under the general laws of the State of Idaho and pertaining to the present status and the right of such corporations to transact business in the State of Idaho.

I FURTHER CERTIFY that the records of this office indicate that the

IDAHO POWER COMPANY

incorporated under the laws of the State of Maine, qualified to do business in the State of Idaho on the thirty-first day of July, 1916; and that statutory agent filed April 22, 1937 and effective as of this date is A. C. Imman, of Boise, Ada County, Idaho.

I FURTHER CERTIFY that this corporation has paid its annual license tax for the fiscal year ending June 30, 1947, and that its license to do business in this state has not been forfeited or cancelled at the date hereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital, this 19th day of May, 1947.



J. D. (CY) Price
Secretary of State

19863

July 10, 1946

Re: Permits Nos. 19863-19864

Mr. Carroll F. Zapp, Secretary,
Morrison-Knudsen Company, Inc.
319 Broadway
Boise, Idaho

Dear Mr. Zapp:

We acknowledge receipt of bonds of the Fidelity
& Deposit Company of Maryland, in the amount of \$1,000,
submitted in connection with the above numbered permits.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

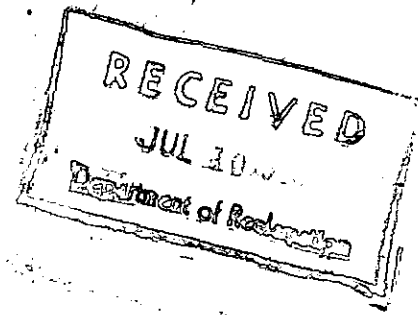
19863

Morrison-Knudsen Company, Inc.
GENERAL CONTRACTORS

CARROLL F. ZAPP
SECRETARY

PRINCIPAL OFFICE
319 BROADWAY, BOISE, IDAHO

July 8, 1946



State of Idaho,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

We acknowledge receipt of your letter of July 2 enclosing permits Nos. 19863 and 19864 and Departmental Receipts for filing fees paid in connection therewith.

We enclose herewith two surety bonds in the amount of \$1,000.00 each, conditioned upon the completion of the works described in the above numbered permits.

Yours very truly,

Carroll F. Zapp
Carroll F. Zapp.

CFZ:dw
enc.

19863

BOND

KNOW ALL MEN BY THESE PRESENTS, That MORRISON-KNUDSEN COMPANY, INC.
of BOISE, IDAHO as principal, and FIDELITY AND DEPOSIT COMPANY OF
MARYLAND
as surety, are held and firmly bound unto the State of Idaho in the full
and just sum of ONE THOUSAND AND NO/100 - - - - - Dollars (\$1000.00)
lawful money of the United States, to the payment of which sum, well and
truly to be made, said principal and surety bind themselves, their heirs,
administrators, executors and assigns, jointly and severally, under the
terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal
on the 14th day of May 1946, filed in the office of the Commissioner
of Reclamation in Boise, Idaho, a certain application for permit to
appropriate the public waters of the State of Idaho, the said application
being hereupon numbered 27374, in accordance with which said application
the Commissioner of Reclamation granted and issued to the said principal here-
in a certain permit number No. 19863, a full, true and complete copy of
which application No. 27374 and permit No. 19863, is of record in the
office of the commissioner of Reclamation Book 71 of Permits, at Page 19683
Now, if the above bounden principal shall faithfully carry to completion the
said works of diversion as specified in said application No. 27374 and permit
No. 19863 in the manner and form prescribed therein and within the time there-
in allowed, then the above obligation to be void, otherwise to remain in full
force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their
hands and seals, this 8th day of July 1946.

ATTEST:

WITNESSES:

Secretary.

Frank W. Keenan
Resident Agent & General Agent
Boise, Idaho

MORRISON-KNUDSEN COMPANY, INC.

By W. H. Knudsen Seal

President

FIDELITY AND DEPOSIT COMPANY OF

MARYLAND

By Theo H. Wegener Seal
Attorney-in-fact

19863

State of Idaho }
County of _____ } SS

_____ of _____ and
_____ of _____ whose names
are subscribed to the within and foregoing obligation as sureties
thereto, each being duly sworn, upon oath for himself deposes and
says: That he is a resident and freeholder of the State of Idaho,
and that he is worth the sum named in said obligation, to wit,
\$ _____, over and above all his debts and liabilities,
exclusive of property exempt from execution.

Subscribed and sworn to before me this _____ day of _____ 19__.

July 2, 1946

Re: Permits Nos. 19863-19864

Mr. Carroll F. Zapp, Secretary,
Morrison-Knudsen Co., Inc.
Boise, Idaho

Dear Mr. Zapp:

We enclose herewith the above numbered permits,
and also Departmental Receipts Nos. 19443-44
for the filing fees paid in connection therewith.

As you will note the amount of fees tendered on
Permit No. 198 63 was in excess of the amount due,
and we have applied this toward procuring additional
prints of the maps required with both permits.

A surety bond in the amount of \$1,000 is required
to be filed with this Department on or before August
27, 1946, for the faithful carrying out of the
completion of works described in the permits .

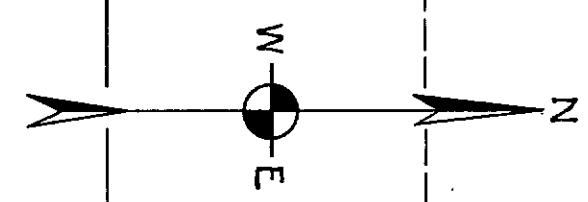
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A.
Encls.

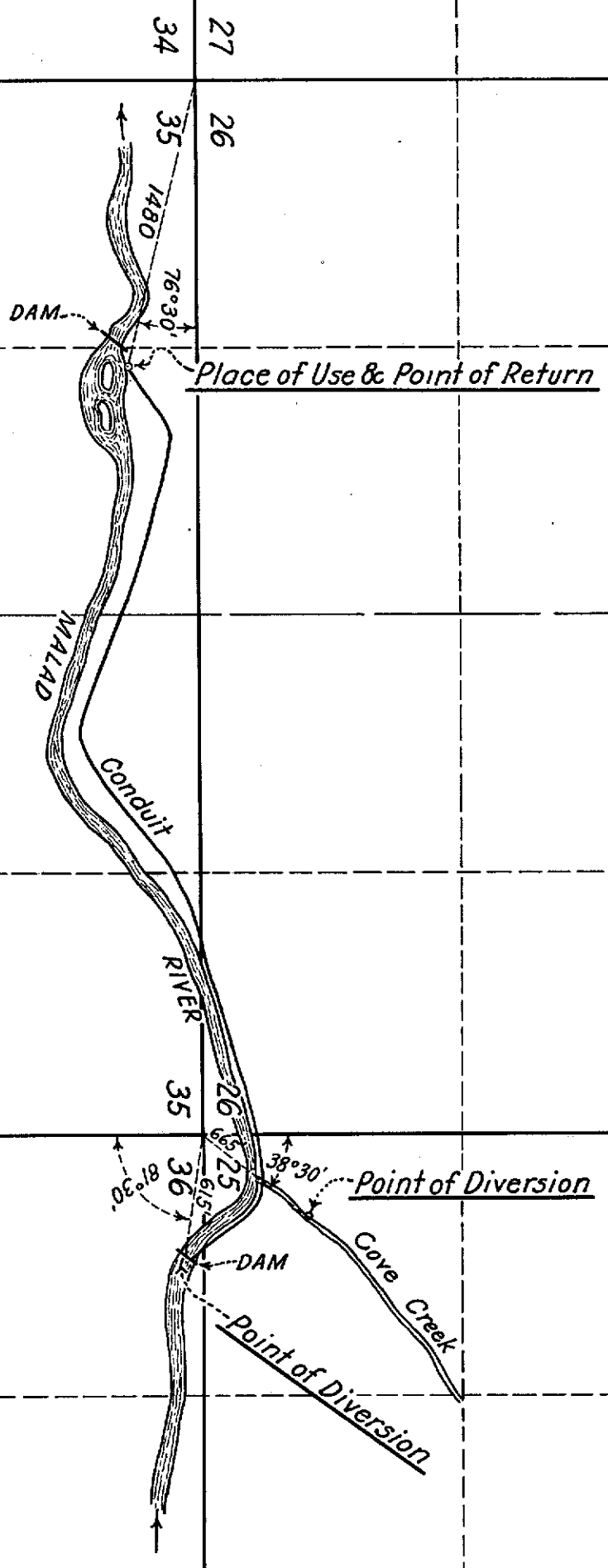
19863



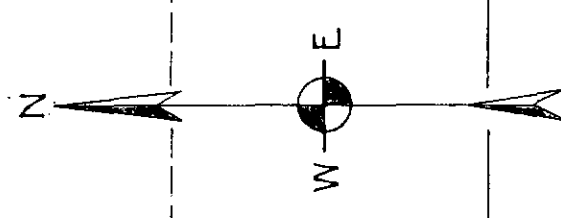
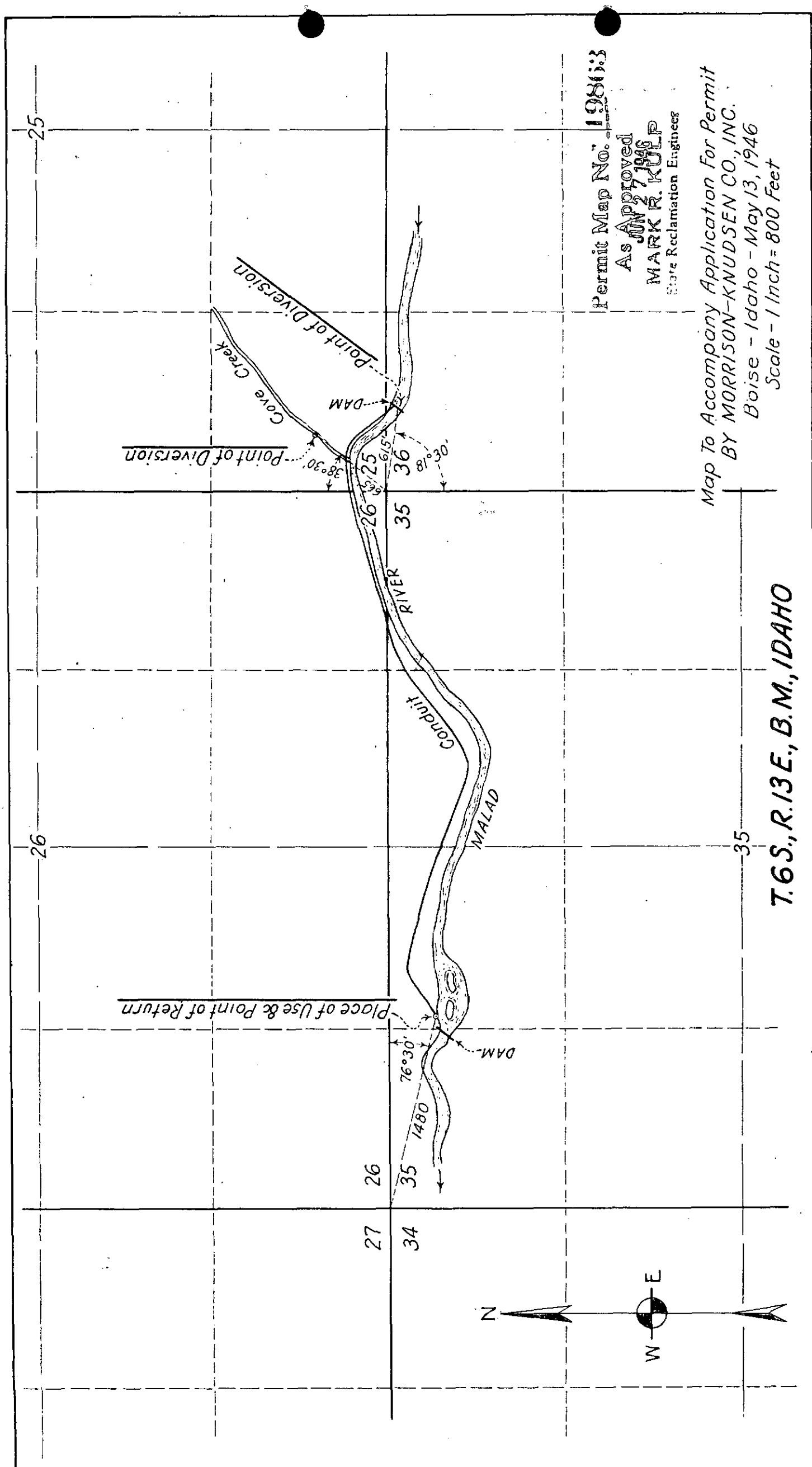
T.6S., R.13E., B.M., IDAHO

Map To Accompany Application For Permit
BY MORRISON-KNUDSEN CO., INC.
Boise - Idaho - May 13, 1946
Scale - 1 Inch = 800 Feet

RECORDED
INDEXED
MAY 13 1946
IDAHO DEPARTMENT OF AGRICULTURE
BOISE



19562



Permit Map No. 1986:3
As Approved
JUN 27 1946
MARK R. KULP
State Reclamation Engineer

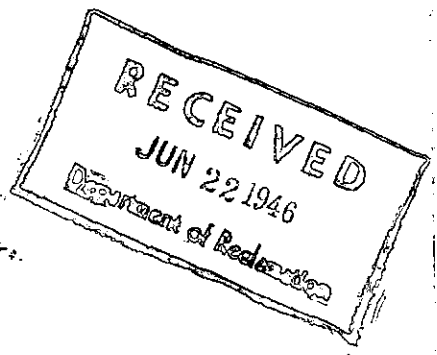
Map To Accompany Application For Permit
BY MORRISON-KNUDSEN CO., INC.
Boise - Idaho - May 13, 1946
Scale - 1 inch = 800 Feet

T.6S., R.13E., B.M., IDAHO

A-6489

19863

12.60



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION
41-203, IDAHO CODE ANNO-
TATED.

NOTICE IS HEREBY GIVEN
That on the 14th day of May, 1946,
Morrison-Knudsen Company, Inc.,
of Boise, Idaho, made application
to appropriate Eight Hundred Fif-
ty (850) cubic feet per second of
the waters of Malad River, and
Fifty (50) cubic feet per second of
the waters of its tributary, Cove
Creek, for power purposes.

That the point of diversion of
said water from Malad River is lo-
cated approximately 615 feet dis-
tant from the Northwest corner of
Section 36, Township 6 South,
Range 13 East, and in the NW 1/4
NW 1/4 of said section; and that the

point of diversion of said water
from Cove Creek is located approxi-
mately 665 feet distant from the
Southwest corner of Section 25,
Township 6 South, Range 13 East,
B. M., and in the SW 1/4 SW 1/4 of
said section.

That the point of use of said
water is located approximately
1,480 feet distant from the North-
west corner of Section 35, Town-
ship 6 South, Range 13 East, B. M.,
and in the NE 1/4 NW 1/4 of said
section.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation, at Boise, Idaho, within
forty (40) days from the date of
this notice, and such protest shall
state the name and address of the
protestant and shall clearly set
forth his objections to the approval
of the said application.

Dated this 16th day of May, 1946.

MARK R. KULP

State Reclamation Engineer

Date of first publication: May 23

Date of last publication: June 6

Last date of protest: June 25, 1946.

SERVICE of the foregoing, by
copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN
COMPANY

By Carroll F. Zapp
Its Secretary

19862

Affidavit of Publication

STATE OF IDAHO }
County of Gooding } ss

VICTOR W. LEMON being duly sworn, says that he is of lawful
age and is the editor of THE WENDELL IRRIGATIONIST, a weekly
newspaper of general circulation published at Wendell, in the County
of Gooding, State of Idaho; that the attached printed copy hereto
annexed was published in THE WENDELL IRRIGATIONIST, in the
regular edition thereof and not in a supplement, for 3 con-
secutive weeks, commencing on the 23rd day of May
and ending on the 4th day of June, 1946

Victor W. Lemon Editor

Subscribed and sworn before me this 1st day of June, 1946.

G. D. McQuinn
Notary Public in and for the County of Gooding
State of Idaho

My commission expires Jan. 1, 1948

19862

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Applications Nos. 27374-27375

Date: May 20, 1946

The Wendell Irrigationist

Wendell, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for ^{three} ~~four~~ consecutive weeks ~~prior to~~ beginning with your
next issue ~~the date set for proof~~ the expense of the
publication to be paid by the applicant, Morrison-Knudsen
Company, Inc. of Boise, Idaho, to whom
you should furnish affidavit of publication on or prior to
the date set for proof.

Please acknowledge receipt of this notice, and
furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

1986 3

May 20, 1946

Re: Applications Nos. 27374-27375

Morrison-Knudsen Company, Inc.
Boise, Idaho

Mr. Carroll F. Zapp, Secretary

Gentlemen:

We acknowledge receipt of your letter of May 17th, returning notices in connection with the above numbered applications for permit, with service of same duly acknowledged.

These have been sent to the Wendell Irrigationist for publication once a week for three consecutive weeks, commencing with this week's issue.

They have been instructed to send to you the affidavit of publication, together with statement of costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

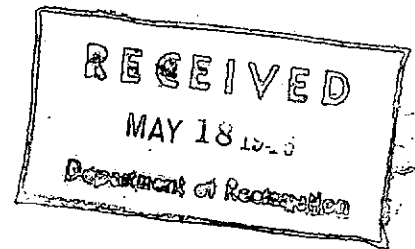
19863

Morrison-Kauder Company, Inc.
GENERAL CONTRACTORS

CARROLL F. ZAPP
SECRETARY

PRINCIPAL OFFICE
319 BROADWAY, BOISE, IDAHO

May 17, 1946



Department of Reclamation,
State of Idaho,
State House,
Boise, Idaho.

Attention: Mr. Mark R. Kulp,
State Reclamation Engineer

Gentlemen:

Receipt is acknowledged of your letter of May 16 regarding our applications Nos. 27374-27375 for permit.

We have acknowledged service on the originals of notices for publication and return the same herewith.

We have also completed and return herewith Form 11, being authorization for publication of notice at our expense.

Will you be kind enough to insert in this form the name of and location of the newspaper in which you usually publish these notices.

Yours very truly,

Carroll F. Zapp
Carroll F. Zapp.

CFZ:dw
enc.

19863

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 17, 1946

(P. O.) Boise, Idaho

STATE RECLAMATION ENGINEER :
TO THE COMMISSIONER OF RECLAMATION

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

..... of, published in
the county in which the works are situated.

MORRISON-KNUDSEN COMPANY, INC.

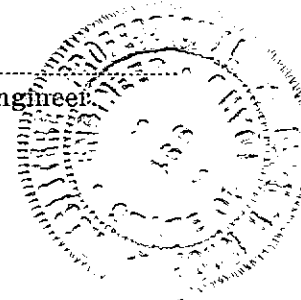
Farrell Zapp
Secretary.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

John H. Reed
License No. 466

Engineer



19863

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That on the 14th day of May, 1946, Morrison-Knudsen Company, Inc., of Boise, Idaho, made application to appropriate Eight Hundred Fifty (850) cubic feet per second of the waters of Malad River, and Fifty (50) cubic feet per second of the waters of its tributary, Cove Creek, for power purposes.

That the point of diversion of said water from Malad River is located approximately 615 feet distant from the Northwest corner of Section 36, Township 6 South, Range 13 East, and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and that the point of diversion of said water from Cove Creek is located approximately 665 feet distant from the Southwest corner of Section 25, Township 6 South, Range 13 East, B.M., and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section.

That the point of use of said water is located approximately 1,480 feet distant from the Northwest corner of Section 35, Township 6 South, Range 13 East, B.M., and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of the said application.

Dated this 16th day of May, 1946.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication:

Date of last publication:

Last date of protest: June 25, 1946.

SERVICE of the foregoing, by copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN COMPANY
By *Farrell Zapp*
its Secretary.

19863

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That on the 14th day of May, 1946, Morrison-Knudsen Company, Inc., of Boise, Idaho, made application to appropriate Eight Hundred Fifty (850) cubic feet per second of the waters of Malad River, and Fifty (50) cubic feet per second of the waters of its tributary, Cove Creek, for power purposes.

That the point of diversion of said water from Malad River is located approximately 615 feet distant from the Northwest corner of Section 36, Township 6 South, Range 13 East, and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and that the point of diversion of said water from Cove Creek is located approximately 665 feet distant from the Southwest corner of Section 25, Township 6 South, Range 13 East, B.M., and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section.

That the point of use of said water is located approximately 1,480 feet distant from the Northwest corner of Section 35, Township 6 South, Range 13 East, B.M., and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of the said application.

Dated this 16th day of May, 1946.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication:
Date of last publication:
Last date of protest: June 25, 1946.

SERVICE of the foregoing, by copy, is hereby admitted this _____
day of May, 1946.

MORRISON-KNUDSEN COMPANY
By

Its _____

19863

May 16, 1946

Re: Applications Nos. 27374-27375

Morrison-Knudsen Company, Inc.
Boise, Idaho

Attention- Mr. Carroll F. Zapp,
Secretary

Gentlemen:

Enclose herewith forms of notice for publication
in connection with the two above numbered applications
for permit.

Please acknowledge service on the original, retaining
the duplicate for your own files.

Also please execute and return with each copy of the
notice, Form 11, which is your authorization for us to
have the notice published at your expense, in the desig-
nated newspaper in Gooding County.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19863

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION
41-203, IDAHO CODE ANNO-
TATED.

NOTICE IS HEREBY GIVEN
That on the 14th day of May, 1946,
Morrison-Knudsen Company, Inc.,
of Boise, Idaho, made application
to appropriate Eight Hundred Fift-
y (850) cubic feet per second of
the waters of Malad River, and
Fifty (50) cubic feet per second of
the waters of its tributary, Cove
Creek, for power purposes.

That the point of diversion of
said water from Malad River is lo-
cated approximately 615 feet dis-
tant from the Northwest corner of
Section 36, Township 6 South,
Range 13 East, and in the NW $\frac{1}{4}$
NW $\frac{1}{4}$ of said section; and that the

point of diversion of said water
from Cove Creek is located approxi-
mately 665 feet distant from the
Southwest corner of Section 25,
Township 6 South, Range 13 East,
B. M., and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
said section.

That the point of use of said
water is located approximately
1,480 feet distant from the North-
west corner of Section 35, Town-
ship 6 South, Range 13 East, B. M.,
and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
section.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
tion, at Boise, Idaho, within
forty (40) days from the date of
this notice, and such protest shall
state the name and address of the
protestant and shall clearly set
forth his objections to the approval
of the said application.

Dated this 16th day of May, 1946.

MARK R. KULP

State Reclamation Engineer

Date of first publication: May 23

Date of last publication: June 6

Last date of protest: June 25, 1946.

SERVICE of the foregoing, by
copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN
COMPANY

By Carroll F. Zapp
Its Secretary

May 23

d
e
f
g
h
i
j
k
l
m
n
o
p
q
r
s
t
u
v
w
x
y
z
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO, IN ACCORDANCE WITH
THE PROVISIONS OF SECTION
41-203, IDAHO CODE ANNO-
TATED

NOTICE IS HEREBY GIVEN
That on the 14th day of May, 1946,
Morrison-Knudsen Company, Inc.,
of Boise, Idaho, made application
to appropriate One Thousand Two
Hundred Fifty (1,250) cubic feet
per second of the waters of Malheur
River, a tributary of Snake River,
for power purposes.

That the point of diversion of
said water is located approximately
1,400 feet distant from the North-
west corner of Section 35, Town-
ship 6 South, Range 13 East, B. M.,
and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
section.

That the point of use of said
water is located approximately
1,060 feet distant from the South-
west corner of Section 27, Town-
ship 6 South, Range 13 East, B. M.,
and in Lot 2 of said section.

That any protests against the ap-
proval of this application must be
filed in the Department of Recla-
mation, at Boise, Idaho, within
forty (40) days from the date of
this notice; and such protest shall
state the name and address of the
protestant and shall clearly set
forth his objections to the approval
of the said application.

Dated this 16th day of May, 1946.

MARK R. KULP

State Reclamation Engineer

Date of first publication: May 23

Date of last publication: June 6

Last date of protest: June 25, 1946

SERVICE of the foregoing, by
copy, is hereby admitted this 17th
day of May, 1946.

MORRISON-KNUDSEN
COMPANY

By Carroll F. Zapp
Its Secretary

May 23